

IN RE: PETITION FOR VARIANCE * BEFORE THE
S/S Reisterstown Road, 625' W of the
c/l of Greenspring Valley Road * DEPUTY ZONING COMMISSIONER
(9616 Reisterstown Road)
3rd Election District * OF BALTIMORE COUNTY
2nd Councilmanic District * Case No. 95-344-A
Greenspring Assoc. Ltd. Part. and
Valley Centre, Inc. - Petitioners*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 9616 Reisterstown Road, located in the vicinity of Garrison in Owings Mills. The Petition was filed by the owners of the property, Greenspring Associates Limited Partnership, by William J. Wolfe, President, Valley Centre, Inc., a General, Partner through their attorney, Benjamin Bronstein, Esquire. The Petitioners seek relief from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 1,359 parking spaces in lieu of the required 1,384 for three small additions to the existing buildings on the property. The subject property and relief sought are more particularly described on the site plans submitted into evidence as Petitioner's Exhibits 1 and 2.

Appearing at the hearing on behalf of the Petition were Kenneth E. Miller, Property Manager, Rick Chadsey, Professional Engineer, and Benjamin Bronstein, Esquire. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 33.87 acres, more or less, split zoned B.R.-I.M. and B.M.-I.M. and is located on the south side of Reisterstown Road, north of Greenspring Road. The property is improved with several retail buildings and related parking area for the shopping center known as Valley Centre. The Petitioners are desirous of constructing three small additions

ORDER RECEIVED FOR FILING

Date

By

MICROFILM

to existing buildings on site in accordance with Petitioner's Exhibit 2. Considering the extent of the development on the property, the proposed additions are minor in nature; however, the additional retail space proposed requires that additional parking be provided. The maximum number of spaces the Petitioners can provide is 1,359. Testimony indicated that the shopping center has varied and mixed types of retail uses, wherein some might generate more traffic in the evening hours and others might generate more traffic during the day. For example, the movie theaters generate the bulk of traffic in the evening hours, while other businesses on the site are daytime operations. Therefore, the Petitioners believe that the existing parking is more than adequate to handle any additional traffic that might be generated by the proposed additions.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

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Date

By

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of May, 1995 that the Petition for Variance seeking relief from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 1,359 parking spaces in lieu of the required 1,384 for three small proposed additions to the existing building, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order

ORDER RECEIVED FOR FILING

Date

By

has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy Rotroco
TIMOTHY M. ROTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 5/2/95

By [Signature]

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 15, 1995

Benjamin Bronstein, Esquire
Evan, George & Bronstein
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
S/S Reisterstown Road, 625' W of the c/l of Greenspring Valley Road
(9616 Reisterstown Road)
3rd Election District - 2nd Councilmanic District
Greenspring Assoc. Ltd. Part. and Valley Centre, Inc. - Petitioners
Case No. 95-344-A

Dear Mr. Bronstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. William J. Wolfe, President, Valley Centre, Inc.
5530 Wisconsin Avenue, Suite 1600, Chevy Chase, Md. 20815

Mr. Rick Chadsey, George W. Stephens, Jr. & Assoc., Inc.
658 Kenilworth Drive, Suite 100, Towson, Md. 21204

People's Counsel

File

MICROFILMED



Petition for Variance

95-344-A

to the Zoning Commissioner of Baltimore County

for the property located at 9616 Reisterstown Road

which is presently zoned BR-IM & BM-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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(s)

409.6 to permit 1359 parking spaces in lieu of the required 1384.

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

1. Configuration of the property
2. Topography of the property
3. Such other and further reasons as may be demonstrated at the time of hearing

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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner: Benjamin Bronstein
Evans, George and Bronstein

(Type or Print Name)

Signature

29 W. Susquehanna Ave., Suite 205

Address 410-296-0200 Phone No.

Bowson, Maryland 21204

State Zipcode

(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 Owner(s):

Greenspring Associates Limited Partnership
Valley Centre, Inc., General Partner

(Type or Print Name)

BY: William J. Wolfe

Signature

William J. Wolfe, President

(Type or Print Name)

Signature

5530 Wisconsin Avenue, Suite 1600

Address 301-907-7800

Phone No

Chevy Chase, Maryland 20815

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

George William Stephens, Jr. & Associates, Inc.

Name Rick Chadsey, P.E.

658 Kenilworth Drive, Ste. 100 21204

Address 410-825-8120

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: Jan DATE 3-31-95

338

ORDER RECEIVED FOR FILING

Date

By



FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR., & ASSOCIATES, INC.
ENGINEERS
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

75-344-A

Description to Accompany variance Description
Valley Centre

March 28, 1995
Page -1-

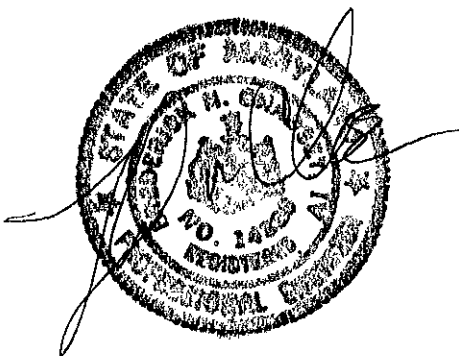
Beginning at a point on the southerly right-of-way of Reisterstown Road (MD Route 140), said point being North 51 degrees 41 minutes 03 seconds West 652.00 feet more or less, from a point formed by the intersection of the centerlines of Reisterstown Road and Greenspring Valley Road (MD Route 130), running thence leaving said point of beginning, along the following 21 courses.

1. Leaving the southerly right-of-way of Reisterstown Road, South 41 degrees 02 minutes 52 seconds West 173.00 feet,
2. South 62 degrees 31 minutes 52 seconds West 49.30 feet,
3. South 84 degrees 58 minutes 52 seconds West 100.00 feet,
4. North 85 degrees 31 minutes 08 seconds West 115.00 feet,
5. South 08 degrees 28 minutes 52 seconds West 312.63 feet,
6. South 74 degrees 00 minutes 50 seconds West 419.84 feet,
7. South 78 degrees 11 minutes 51 seconds West 363.00 feet,
8. South 81 degrees 58 minutes 45 seconds West 262.70 feet,
9. South 79 degrees 36 minutes 23 seconds West 306.26 feet,
10. North 47 degrees 32 minutes 08 seconds West 28.96 feet,
11. North 06 degrees 46 minutes 08 seconds West 622.69 feet,
12. North 83 degrees 13 minutes 36 seconds East 42.49 feet,
13. North 06 degrees 46 minutes 08 seconds West 319.64 feet,
14. North 52 degrees 19 minutes 50 seconds East 570.94 feet,
15. Thence along a curve to the left having a radius of 1910.08 feet for an arc length of 471.62 feet, said curve being subtended by a chord bearing South 71 degrees 45 minutes 08 seconds East 470.42 feet
16. South 48 degrees 57 minutes 08 seconds East 524.00 feet,
17. North 74 degrees 00 minutes 52 seconds East 125.42 feet,
18. North 40 degrees 42 minutes 52 seconds East 57.00 feet,
19. South 48 degrees 57 minutes 08 seconds East 150.00 feet,
20. North 40 degrees 42 minutes 52 seconds East 150.00 feet, to a point on the southerly right-of-way of Reisterstown Road, thence continuing along said right-of-way
21. South 48 degrees 57 minutes 07 seconds East 234.48 feet, to the point of beginning.

338

Containing 33.384 Acres of land more or less.

Note: The above description is for zoning purposes only and is not to be used for conveyances or agreements.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-344-12

District 3rd

Date of Posting 4/14/95

Posted for: Variance

Petitioner: GreenSpring Assn. Limited Partnership & Valley Country Club

Location of property: 9616 Reisterstown Rd, s/s

Location of Signs: Facing road way on property being zoned

Remarks:

Posted by

M. Healy
Signature

Date of return:

4/21/95

Number of Signs: 1



RECEIVED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-344-A
(Item 338)
8616 Reisterstown Road
S/S Reisterstown Road,
625' +/- W of c/l Green-
spring Valley Road - The
Valley Centre
3rd Election District
2nd Councilmanic
Legal Owner(s):

Greenspring Associates
Limited Partnership and
Valley Centre, Inc., General
Partner

Hearing: Wednesday,
May 3, 1995 at 2:00 p.m.
in Rm. 106, County Office
Building.

Variance to permit 1,359
parking spaces in lieu of the re-
quired 1,384.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handi-
capped Accessible; for special ac-
commodations. Please Call
887-3353.

(2) For information concern-
ing the File and/or Hearing, Please
Call 887-3391.
4/127 April 13.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

April 14, 1995

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on April 13, 1995

THE JEFFERSONIAN,

G. Henickson
LEGAL AD. - TOWSON.



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

338
receipt
95-344-A

Account: R-001-6150

Date

Number

3-31-95
GREENSPAINS ASSOC. 9616 REISTERSTOWN RD.
~~JANE B. B. 16 HANCOCK RD.~~
VAR. (020) 250.00
POSTING (080) 35.00
285.00

03A03#0142MICHR

BA C010:34AM03-11-95

\$285.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

A handwritten signature in cursive script, reading "Arnold Jablon".

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 338

Petitioner: GREENSPRING ASSOC.

Location: 9616 REISTERSTOWN Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: BEN BROWSTEIN

ADDRESS: EVANS, GEORGE & BROWSTEIN

29 W. SUSQUEHANNA AVE. Suite 205 Towson

PHONE NUMBER: 296-0200

21204

AJ:ggs

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY
April 13, 1995 Issue - Jeffersonian

Please forward billing to:

Benjamin Bronstein, Esq.
29 W Susquehanna Ave #205
Towson, MD 21204
296-0200

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-344-A (Item 338)
9616 Reisterstown Road
S/S Reisterstown Road, 625' +/- W of c/l Greenspring Valley Road - The Valley Centre
3rd Election District - 2nd Councilmanic
Legal Owner: Greenspring Associates Limited Partnership and Valley Centre, Inc., General Partner
HEARING: WEDNESDAY, MAY 3, 1995 at 2:00 p.m. in Room 106, County Office Building.

Variance to permit 1,359 parking spaces in lieu of the required 1,384.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 7, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-344-A (Item 338.

9616 Reisterstown Road

S/S Reisterstown Road, 625' +/- W of c/l Greenspring Valley Road - The Valley Centre

3rd Election District - 2nd Councilmanic

Legal Owner: Greenspring Associates Limited Partnership and Valley Centre, Inc., General Partner

HEARING: WEDNESDAY, MAY 3, 1995 at 2:00 p.m. in Room 106, County Office Building.

Variance to permit 1,359 parking spaces in lieu of the required 1,384.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Greenspring Associates Limited Partnership
George William Stephens, Jr. & Associates, Inc.
Benjamin Bronstein, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 25, 1995

Benjamin Bronstein, Esquire
29 W. Susquehanna Ave., Suite 205
Towson, Maryland 21204

RE: Item No.: 338
Case No.: 95-344-A
Petitioner: Greenspring Assoc.
Ltd. Partnership
Valley Centre, Inc.

Dear Mr. Bronstein:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 31, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: April 12, 1995

SUBJECT: 9616 Reisterstown Road

INFORMATION:

Item Number:

338

Petitioner: Greenspring Valley Associates Limited Partnership

Property Size: _____

Zoning: BR-IM & BM-IM

Requested Action: Variance

Hearing Date: _____ / _____ / _____

SUMMARY OF RECOMMENDATIONS

The applicant requests a Variance to permit 1359 parking spaces in lieu of the required 1384.

The Development Review Committee approved a plan refinement which indicated the proposed construction of three additions totalling 15,200 sq. ft.

While staff does not oppose the applicant's request, it is clear that the petitioner will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship in order to justify the granting of the subject Variance.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Keim

PK/JL

ITEM338/PZONE/ZAC1

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM *Joyce Watson*

DATE: 4/19/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 4/10/95

ZAC Comments

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: *Rev # 316*

330

331

333

334

335

336

337

338

339

Mitch
Thank you

(410) 296-0200
FAX (410) 296-3719

LAW OFFICES

EVANS, GEORGE AND BRONSTEIN

SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204

BENJAMIN BRONSTEIN
ATTORNEY

LS:sp

LETTY2/DEPRM/TXTSBP

W/COPIES

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: April 17, 1995
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for April 17, 1995
Items 329, 331, 332, 333, 334, 336, 337, 338
339 and 316 revised

The Developers Engineering Section has reviewed
the subject zoning item and we have no comments.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 10, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

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

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 331, 332, 333, 334, 335, 336,
338 AND 339.

RECEIVED

APR 12 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

MICROFILMED

cc: File





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-7-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 338 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS
AGENDA OF APRIL 10, 1995 - 95-344-A

#329 --- MJK

1. No telephone number for legal owner.

#330 --- MJK

1. No telephone number for legal owner.
2. Need power of attorney for personal representative (see Mitch's memo in file).
3. Petition was changed and initialed by "P.L." - Who is this person?

#334 --- CAM

1. No councilmanic district on folder.
2. No item number on petition forms.
3. No estimated posting date on petition form.

#335 --- CAM

1. No estimated posting date on petition form.
2. Notary section is incomplete.

#336 --- JJS

1. "Charles Way" is one word - "Charlesway".

#337 --- JCM

1. No telephone number for legal owner.
2. Need typed or printed name and title of person signing for contract purchaser.
3. Need authorization for person signing for contract purchaser.
4. Petitioner was not given copy of receipt; receipt left in folder.

#338 --- JCM

1. Petitioner was not given copy of receipt; receipt left in folder.

#339 --- JLL

1. Notary section is incomplete; only one signature was notarized.

RE: PETITION FOR VARIANCE
9616 Reisterstown Road, S/S Reisterstown
Rd, 625'+/- W of c/l Greenspring Valley
Road (The Valley Centre), 3rd Election
District, 2nd Councilmanic

Greenspring Associates L. P./
Valley Centre, Inc., General Partner
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
*
* CASE NO. 95-344-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of April, 1995, a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esquire, Evans, George & Bronstein, 29 W. Susquehanna Avenue, Suite 205, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

IN RE: PETITION FOR VARIANCE * BEFORE THE
S/S Reisterstown Road, 625' W of the * DEPUTY ZONING COMMISSIONER
c/l of Greenspring Valley Road (9616 Reisterstown Road)
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2nd Councilmanic District * Case No. 95-344-A
Greenspring Assoc. Ltd. Part. and
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Testimony and evidence offered revealed that the subject property consists of a gross area of 33.87 acres, more or less, split zoned B.R.-I.M. and B.M.-I.M. and is located on the south side of Reisterstown Road, north of Greenspring Road. The property is improved with several retail buildings and related parking area for the shopping center known as Valley Centre. The Petitioners are desirous of constructing three small additions

to existing buildings on site in accordance with Petitioner's Exhibit 2. Considering the extent of the development on the property, the proposed additions are minor in nature; however, the additional retail space proposed requires that additional parking be provided. The maximum number of spaces the Petitioners can provide is 1,359. Testimony indicated that the shopping center has varied and mixed types of retail uses, wherein some might generate more traffic in the evening hours and others might generate more traffic during the day. For example, the movie theaters generate the bulk of traffic in the evening hours, while other businesses on the site are daytime operations. Therefore, the Petitioners believe that the existing parking is more than adequate to handle any additional traffic that might be generated by the proposed additions.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

- 2 -

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of May, 1995 that the Petition for Variance seeking relief from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 1,359 parking spaces in lieu of the required 1,384 for three small proposed additions to the existing building, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this order

- 3 -

has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 5/15/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/15/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/15/95
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/15/95
By [Signature]

- 4 -

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 2-2-4 Date of Posting 4/14/95
Posted for: Variance
Petitioner: Greenspring Assoc. Limited Partnership, Valley Centre, Inc.
Location of property: 9616 Reisterstown Rd., 4th
Location of Sign: Posting on 3rd day on property being zoned
Remarks: _____
Posted by: [Signature] Date of return: 4/14/95
Number of Signs: 1

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

May 15, 1995

(410) 887-4386

Benjamin Bronstein, Esquire
Evan, George & Bronstein
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

RE: PETITION FOR VARIANCE
S/S Reisterstown Road, 625' W of the c/l of Greenspring Valley Road
(9616 Reisterstown Road)
3rd Election District - 2nd Councilmanic District
Greenspring Assoc. Ltd. Part. and Valley Centre, Inc. - Petitioners
Case No. 95-344-A

Dear Mr. Bronstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

cc: Mr. William J. Wolfe, President, Valley Centre, Inc.
5530 Wisconsin Avenue, Suite 1600, Chevy Chase, Md. 20815

Mr. Rick Chadsey, George W. Stephens, Jr. & Assoc., Inc.
658 Kenilworth Drive, Suite 100, Towson, Md. 21204

People's Counsel

File

Petition for Variance 75-344-A to the Zoning Commissioner of Baltimore County for the property located at 9616 Reisterstown Road which is presently zoned BR-IM & BM-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.
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 Sections
409.6 to permit 1359 parking spaces in lieu of the required 1384.

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

1. Configuration of the property
2. Topography of the property
3. Such other and further reasons as may be demonstrated at the time of hearing

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 end and be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchase/Lessor:

Type or Post Name

Signature

Address

City

State

Zip

Attorney for Petitioner: Benjamin Bronstein

Evan, George and Bronstein

29 W. Susquehanna Ave., Suite 205

Towson, Maryland 21204

City

State

Zip

People's Counsel

File

With 40% discount on the order, order the completed copy, but then use the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Greenspring Associates Limited Partnership

Valley Centre, Inc., General Partner

By: *William J. Wolfe*

Signature

William J. Wolfe, President

Type or Post Name

Address

City

State

Zip

Attorney for Petitioner: Benjamin Bronstein

Evan, George and Bronstein

29 W. Susquehanna Ave., Suite 205

Towson, Maryland 21204

City

State

Zip

People's Counsel

File

ESTIMATED LENGTH OF HEARING

the following date: _____

ALL

RECEIVED ON: June 3-31-95

338

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

Description to Accompany variance Description
Valley Centre
March 28, 1995
Page - 1 -

Beginning at a point on the southerly right-of-way of Reisterstown Road (MD Route 140), said point being North 51 degrees 41 minutes 03 seconds West 652.00 feet more or less, from a point formed by the intersection of the centerlines of Reisterstown Road and Greenspring Valley Road (MD Route 130), running thence leaving said point of beginning, along the following 21 courses:

1. Leaving the southerly right-of-way of Reisterstown Road, South 41 degrees 02 minutes 52 seconds West 173.00 feet,
2. South 62 degrees 31 minutes 52 seconds West 49.30 feet,
3. South 84 degrees 58 minutes 52 seconds West 100.00 feet,
4. North 85 degrees 31 minutes 08 seconds West 115.00 feet,
5. South 08 degrees 28 minutes 52 seconds West 312.63 feet,
6. South 74 degrees 00 minutes 50 seconds West 419.84 feet,
7. South 78 degrees 11 minutes 51 seconds West 383.00 feet,
8. South 81 degrees 58 minutes 45 seconds West 262.70 feet,
9. South 79 degrees 36 minutes 23 seconds West 308.28 feet,
10. North 47 degrees 32 minutes 08 seconds West 28.96 feet,
11. North 08 degrees 46 minutes 08 seconds West 622.69 feet,
12. North 83 degrees 13 minutes 36 seconds East 42.48 feet,
13. North 06 degrees 46 minutes 08 seconds West 319.64 feet,
14. North 52 degrees 19 minutes 50 seconds East 570.94 feet,
15. Thence along a curve to the left having a radius of 1910.08 feet for an arc length of 471.62 feet, said curve being subtended by a chord bearing South 71 degrees 45 minutes 08 seconds East 470.42 feet,
16. South 48 degrees 57 minutes 08 seconds East 524.00 feet,
17. North 74 degrees 00 minutes 52 seconds East 125.42 feet,
18. North 40 degrees 42 minutes 52 seconds East 57.00 feet,
19. South 48 degrees 57 minutes 08 seconds East 150.00 feet,
20. North 40 degrees 42 minutes 52 seconds East 150.00 feet, to a point on the southerly right-of-way of Reisterstown Road, thence continuing along said right-of-way
21. South 48 degrees 57 minutes 07 seconds East 234.48 feet, to the point of beginning.

Containing 33.384 Acres of land more or less.

Note: The above description is for zoning purposes only and is not to be used for conveyances or agreements.



CERTIFICATE OF PUBLICATION

TOWSON, MD., April 14, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 13, 1995

THE JEFFERSONIAN,
A. H. Hamilton
LOCAL AD. - TOWSON



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 10, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

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

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 331, 332, 333, 334, 335, 336, 338 AND 339.

RECEIVED
APR 12 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 338 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS
AGENDA OF APRIL 10, 1995 - 95-344-A

#329 --- MJK

1. No telephone number for legal owner.

#330 --- MJK

1. No telephone number for legal owner.
2. Need power of attorney for personal representative (see Mitch's memo in file).
3. Petition was changed and initialed by "P.L." - Who is this person?

#334 --- CAM

1. No councilmanic district on folder.
2. No item number on petition forms.
3. No estimated posting date on petition form.

#335 --- CAM

1. No estimated posting date on petition form.
2. Notary section is incomplete.

#336 --- JJS

1. "Charles Way" is one word - "Charlesway".

#337 --- JCM

1. No telephone number for legal owner.
2. Need typed or printed name and title of person signing for contract purchaser.
3. Need authorization for person signing for contract purchaser.
4. Petitioner was not given copy of receipt; receipt left in folder.

#338 --- JCM

1. Petitioner was not given copy of receipt; receipt left in folder.

#339 --- JLL

1. Notary section is incomplete; only one signature was notarized.

RE: PETITION FOR VARIANCE * BEFORE THE
9616 Reisterstown Road, S/S Reisterstown * ZONING COMMISSIONER
Rd, 625' +/- W of c/l Greenspring Valley * OF BALTIMORE COUNTY
Road (The Valley Centre), 3rd Election *
District, 2nd Councilmanic *

Greenspring Associates L. P./ * CASE NO. 95-344-A
Valley Centre, Inc., General Partner *
Petitioners *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

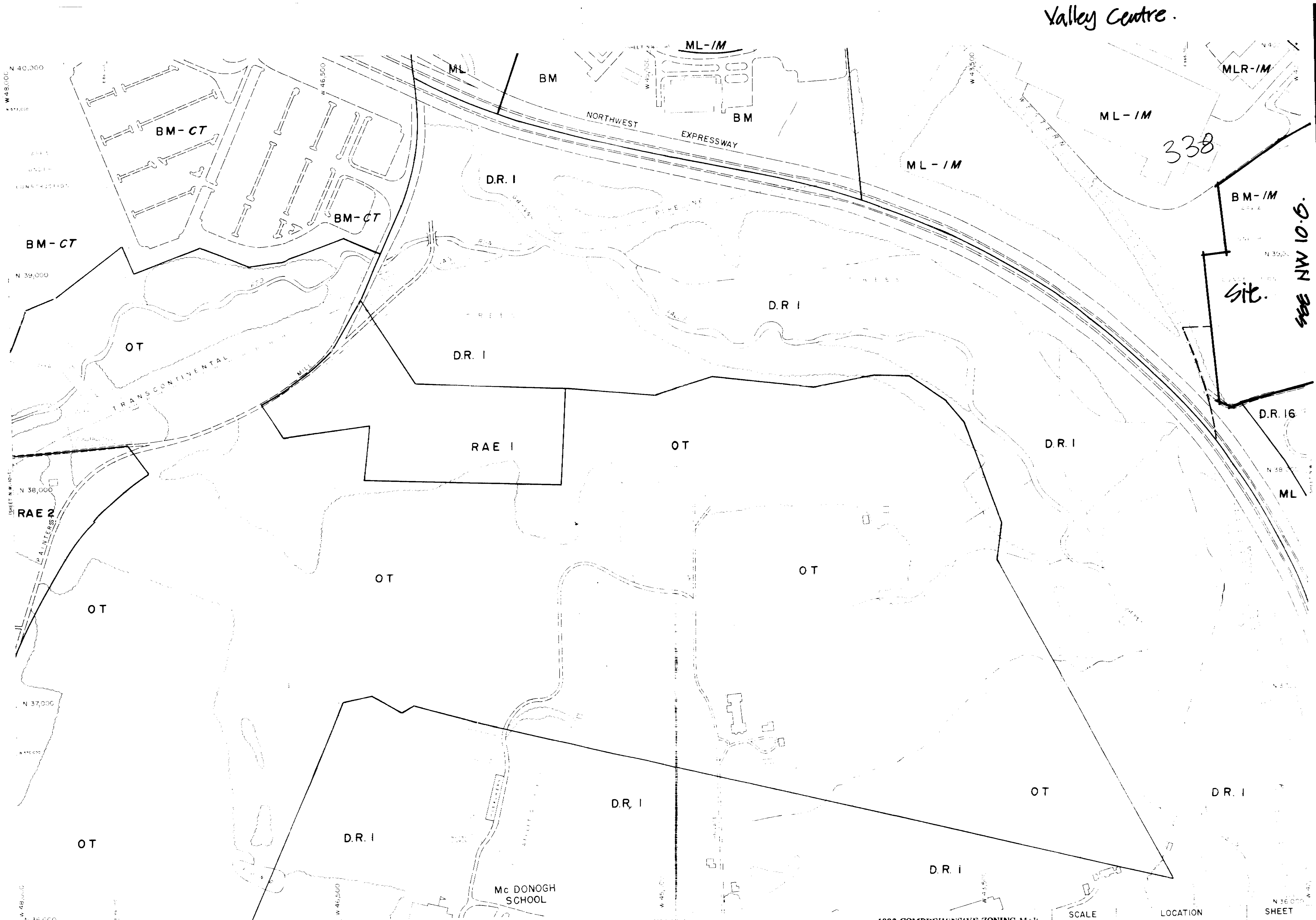
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of April, 1995, a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esquire, Evans, George & Bronstein, 29 W. Susquehanna Avenue, Suite 205, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Mitch Thank you
LAW OFFICES
EVANS, GEORGE AND BRONSTEIN
SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
BENJAMIN BRONSTEIN
ATTORNEY
(410) 286-0200
FAX: (410) 286-3719

95-344-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

William A. Howard
Chairman, County Council

SCALE 1" = 200'	LOCATION Mc DONOUGH AREA	SHEET N. W. 10 - H
DATE OF PHOTOGRAPHY JANUARY 1986		

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

[illegible][illegible]

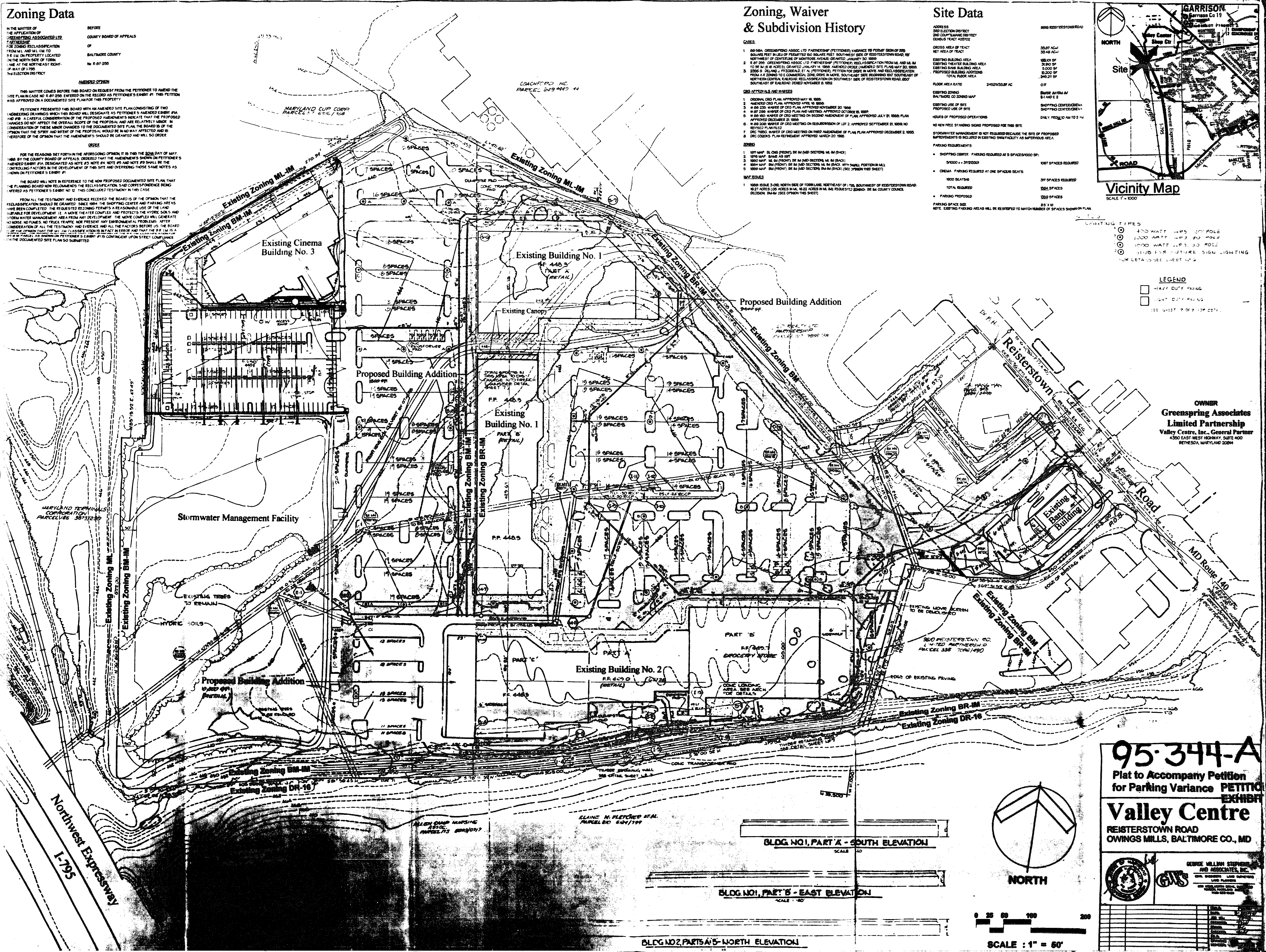
ADDRESS	808 REISTERSTOWN ROAD
3RD ELECTION DISTRICT	
2ND COMPLAINANT DISTRICT	
CHURCH TRACT ADDRESS	
GROSS AREA OF TRACT	30.87 AC±
NET AREA OF TRACT	30.48 AC±
EXISTING BUILDING AREA	180.03 SF
EXISTING THEATRE BUILDING AREA	36.80 SF
EXISTING BANK BUILDING AREA	3,000 SF
PROPOSED BUILDING ADDITIONS	120.00 SF
TOTAL BUILDING AREA	346.83 SF
FLOOR AREA RATIO	2462/93.59 AC
EXISTING ZONING	CITY
BALTIMORE CO ZONING MAP	B-1 AND E-2
EXISTING USE OF SITE	SHOPPING CENTER/GYMNASIUM
PROPOSED USE OF SITE	SHOPPING CENTER/GYMNASIUM
HOURS OF PROPOSED OPERATIONS	DAILY FROM 10 A.M. TO 10 P.M.
NO NEW FREE STANDING SIGNS PROPOSED FOR THIS SITE	
STORMWATER MANAGEMENT IS NOT REQUIRED BECAUSE THE SITE OF PROPOSED IMPROVEMENTS IS INCLUDED IN EXISTING SWM FACILITY AS IMPERVIOUS AREA	
PARKING REQUIREMENTS:	
• SHOPPING CENTER: PARKING REQUIRED IN 5 SPACES/1,000 SF:	
1,000 SF - 37/32,000	1087 SPACES REQUIRED
• CINEMA: PARKING REQUIRED AT ONE SPACES/40 SEATS:	
1,000 SEATING	397 SPACES REQUIRED
TOTAL REQUIRED	1484 SPACES
• PARKING PROVIDED	1509 SPACES
PARKING SPACE SIZE	250 ± 10
NOTE: EXISTING PARKING AREAS WILL BE SUBJECT TO MATCH REQUIREMENTS OF BALTIMORE COUNTY PD 11-1	



1. 400 WATT HP5 20 POLE
2. 1000 WATT HP3 70 POLE
3. 1000 WATT HP3 30 POLE
4. STUB FOR FUTURE SIGN LIGHTING
FOR DETAILS SEE SHEET 410

☐ HEAVY DUTY PAVING
☐ LIGHT DUTY PAVING

OWNER
Greenspring Associates
Limited Partnership
Valley Centre, Inc., General Partner
4350 EAST-WEST HIGHWAY, SUITE 400
DENVER, COLORADO 80231



Zoning Data

IN THE MATTER OF THE APPLICATION OF GREENSPRING ASSOCIATES, LTD. FOR ZONING RECLASSIFICATION FROM ML AND ML-IM TO BR-IM ON PROPERTY LOCATED ON THE NORTH SIDE OF TOWN LANE AT THE NORTHEAST CORNER OF WAY OF 1795, 5th ELECTION DISTRICT

THIS MATTER COMES BEFORE THIS BOARD ON REQUEST FROM THE PETITIONER TO AMEND THE SITE PLAN IN CASE NO. R-97-256, ENTERED ON THE RECORD AS PETITIONER'S EXHIBIT #1. THIS PETITION WAS APPROVED ON A DOCUMENTED SITE PLAN FOR THIS PROPERTY.

PETITIONER PRESENTED THIS BOARD WITH AN AMENDED SITE PLAN CONSISTING OF TWO ENGINEERING DRAWINGS WHICH THIS BOARD WILL DESIGNATE AS PETITIONER'S AMENDED EXHIBIT #1A AND #1B. A CAREFUL CONSIDERATION OF THE PROPOSED AMENDMENTS INDICATES THAT THE PROPOSED CHANGES DO NOT AFFECT THE OVERALL SCOPE OF THE PROPOSAL AND ARE RELATIVELY MINOR IN THE CONSIDERATION OF THESE MINOR CHANGES TO THE DOCUMENTED SITE PLAN, THE BOARD IS OF THE OPINION THAT THE SITE PLAN AND INTENT OF THE PROPOSAL WOULD BE IN NO WAY AFFECTED AND IS THEREFORE OF THE OPINION THAT THE AMENDMENTS SHOULD BE GRANTED AND WILL SO ORDER.

FOR THE REASONS SET FORTH IN THE FOREGOING OPINION IT IS THE BOARD'S OPINION THAT, SINCE BY THE COUNTY BOARD OF APPEALS, ORDERED THAT THE AMENDMENTS SHOWN ON PETITIONER'S AMENDED EXHIBIT #1A, DESIGNATED AS NOTE #4, NOTE #5 AND NOTE #6 SHOULD BE THE CONTROLLING FACTORS IN THE DEVELOPMENT OF THIS SITE AND OVERSIGHTS THOSE SAME NOTES AS SHOWN ON PETITIONER'S EXHIBIT #1.

THE BOARD WILL NOTE IN REFERENCE TO THE NOW PROPOSED DOCUMENTED SITE PLAN, THAT THE PLANNING BOARD NOW RECOMMENDS THE RECLASSIFICATION AND CONSIDERATION BEING ENTERED AS PETITIONER'S EXHIBIT NO. 12. THIS CONCLUDED TESTIMONY IN THIS CASE.

FROM ALL THE TESTIMONY AND EVIDENCE RECEIVED, THE BOARD IS OF THE OPINION THAT THE RECLASSIFICATION SHOULD BE GRANTED. SINCE 1984, THE SHOPPING CENTER AND PARKING AREAS HAVE BEEN COMPLETED. THE REQUESTED REZONING PRESENTS A REASONABLE USE OF THE LAND, SUITABLE FOR DEVELOPMENT OF A MOVIE THEATER COMPLEX, AND PROTECTS THE HYDROLOGIC SOILS AND STORM WATER MANAGEMENT AREA FROM ANY DEVELOPMENT. THE MOVIE COMPLEX WILL GENERATE NO NOISE, NO FUMES, NO TRUCK TRAFFIC, NOR PRESENT ANY ENVIRONMENTAL PROBLEMS. AFTER CONSIDERATION OF ALL THE TESTIMONY AND EVIDENCE AND ALL THE FACTORS BEFORE US, THE BOARD IS OF THE OPINION THAT THE ML-IM CLASSIFICATION IS IN FACT IN ERROR AND THAT THE BR-IM IS A PROPER ONE. THE BOARD ALSO WILL NOTE THAT THE GRANTING OF THE BR-IM CLASSIFICATION FOR THIS 6.16 PARCEL AS SHOWN ON PETITIONER'S EXHIBIT #1 IS CONTINGENT UPON STRICT COMPLIANCE WITH THE DOCUMENTED SITE PLAN SO SUBMITTED.

Zoning, Waiver & Subdivision History

CASES:

1. 89-084: GREENSPRING ASSOC. LTD. PARTNERSHIP (PETITIONER) VARIANCE TO PERMIT SIGN OF 276 SQUARE FEET IN LULU OF PERMITTED 50 SQUARE FEET. SOUTHWEST CORNER OF REISTERSTOWN ROAD, NE CORNER OF CENTER OF ADVANCE AVENUE, GRANTED, JANUARY 30, 1989.
2. R-97-256: GREENSPRING ASSOC. LTD. PARTNERSHIP (PETITIONER) RECLASSIFICATION FROM ML AND ML-IM TO BR-IM ON PROPERTY LOCATED ON THE NORTH SIDE OF TOWN LANE AT THE NORTHEAST CORNER OF WAY OF 1795, 5th ELECTION DISTRICT, GRANTED, MAY 20, 1998.
3. 2005-2: DELAND J. FITZGERALD, ET AL. (PETITIONER) PETITION FOR DEPT. IN NOISE AND RECLASSIFICATION FROM A-2 ZONING TO COMMERCIAL ZONING IN MARYLAND, SOUTHWEST CORNER BEGINNING WEST SOUTHWEST CORNER OF KILPATRICK ROAD, RECLASSIFICATION ON SOUTHWEST SIDE OF REISTERSTOWN ROAD, 1800' SOUTHWEST CORNER OF KILPATRICK ROAD, DENIED NOVEMBER 8, 1992.

CRG APPROVALS AND WAIVERS:

1. ORIGINAL CRG PLAN APPROVED MAY 16, 1989.
2. AMENDED CRG PLAN APPROVED APRIL 18, 1989.
3. W-96-236: WAIVER OF CRG PLAN APPROVED NOVEMBER 20, 1996.
4. W-97-256: WAIVER OF CRG PLAN AND MEETING APPROVED OCTOBER 15, 1997.
5. W-98-180: WAIVER OF CRG MEETING ON SECOND AMENDMENT OF PLAN APPROVED JULY 21, 1998. PLAN APPROVED DECEMBER 2, 1998.
6. W-99-208: WAIVER OF CRG MEETING ON RESUBMISSION OF LOT 2, APPROVED SEPTEMBER 21, 1999. NO REVISION PLAN FILED.
7. CRG-1999: WAIVER OF CRG MEETING ON THIRD AMENDMENT OF PLAN PLAN APPROVED DECEMBER 2, 1999.
8. CRG-2000: PLAN REFINEMENT APPROVED, MARCH 20, 1999.

ZONING:

1. 1971 MAP: BR-IM (FRONT), BR-IM (MID SECTION), ML-IM (BACK).
2. 1974 MAP: SAME AS 1971.
3. 1980 MAP: ML-IM (FRONT), BR-IM (MID SECTION), ML-IM (BACK).
4. 1984 MAP: BR-IM (FRONT), BR-IM (MID SECTION), ML-IM (BACK), WITH SMALL PORTION IN ML.
5. 1988 MAP: BR-IM (FRONT), BR-IM (MID SECTION), BR-IM (BACK) (SEE OPINION THIS SHEET).

MAP ISSUES:

1. 1980 ISSUE 3, 032: NORTH SIDE OF TOWN LANE, NORTHEAST OF 1795, SOUTHWEST OF REISTERSTOWN ROAD, 1800' SOUTHWEST CORNER OF KILPATRICK ROAD, 1800' SOUTHWEST CORNER OF KILPATRICK ROAD, REQUESTED ZONING: BR-IM. COUNTY COUNCIL DECISION: BR-IM (SEE OPINION THIS SHEET).

Site Data

ADDRESS: 2ND ELECTION DISTRICT, 2ND COUNCILMANIC DISTRICT, CHURCH TRACT, 400702.

GROSS AREA OF TRACT: 33.97 AC.

NET AREA OF TRACT: 33.46 AC.

EXISTING BUILDING AREA: 180,001 SF.

EXISTING THEATRE BUILDING AREA: 78,800 SF.

EXISTING BANK BUILDING AREA: 5,000 SF.

PROPOSED BUILDING ADDITIONS: 2,452,211 SF.

TOTAL FLOOR AREA: 2,452,211 SF.

FLOOR AREA RATIO: 245211/33.46 AC.

EXISTING ZONING: BALTIMORE G2 ZONING MAP.

EXISTING USE OF SITE: SHOPPING CENTER/CINEMA.

PROPOSED USE OF SITE: SHOPPING CENTER/CINEMA.

HOURS OF PROPOSED OPERATIONS: DAILY FROM 10 AM TO 12 AM.

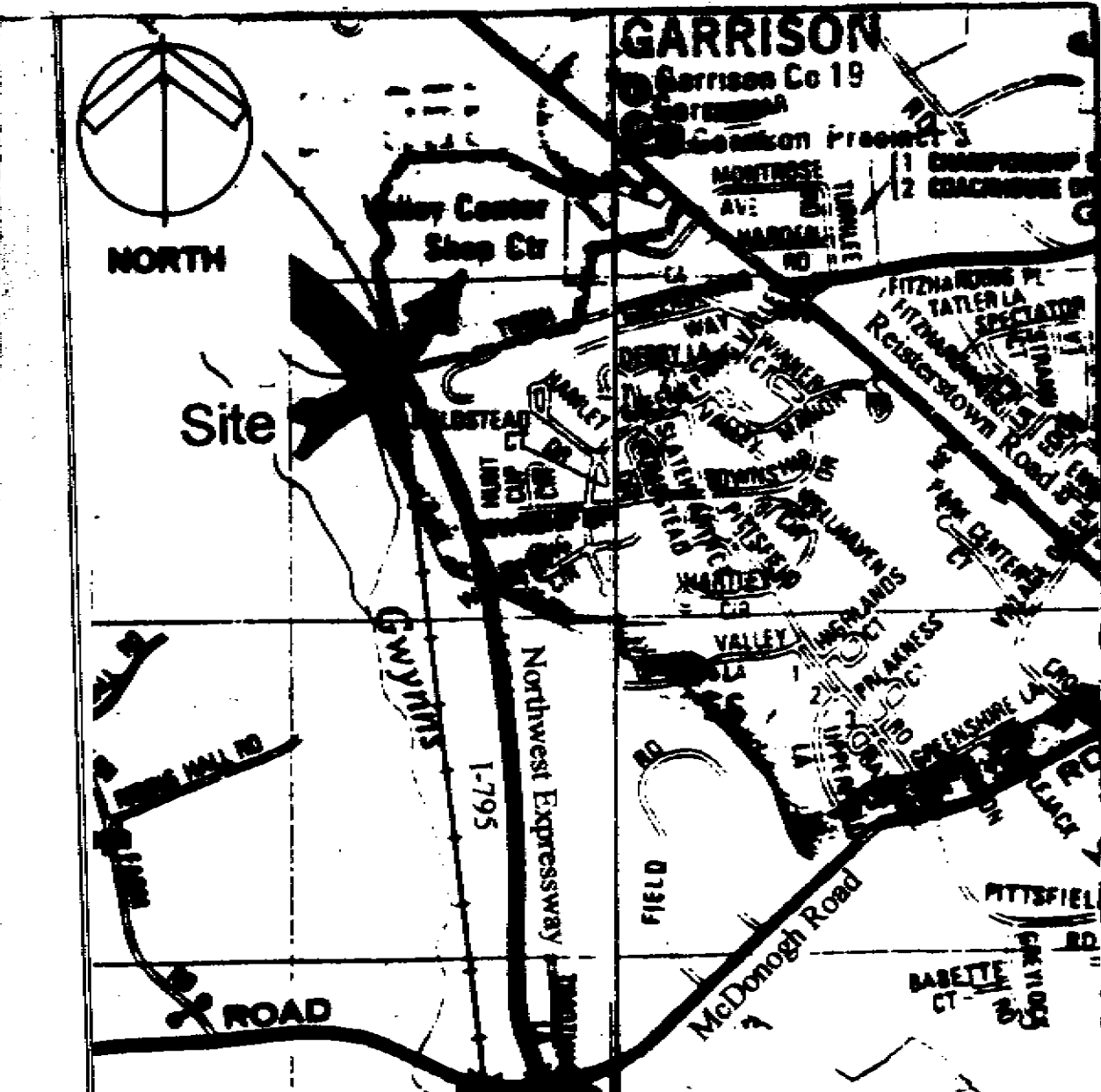
NO NEW FREE STANDING SIGNS PROPOSED FOR THIS SITE.

STORMWATER MANAGEMENT IS NOT REQUIRED BECAUSE THE SITE OF PROPOSED IMPROVEMENTS IS INCLUDED IN EXISTING SWMP FACILITY AS IMPERVIOUS AREA.

PARKING REQUIREMENTS:

- SHOPPING CENTER: PARKING REQUIRED AT 5 SPACES/1000 SF: 5/1000 x 3712/3301 = 1500 SEAT/516.
- CINEMA: PARKING REQUIRED AT ONE SPACES/SEAT: 1500 SEAT/516 = 1500 SEAT/516.
- TOTAL REQUIRED: 1500 SEAT/516.
- PARKING PROPOSED: 1500 SEAT/516.
- PARKING SPACE SIZE: 8.5 X 18.

NOTE: EXISTING PARKING AREAS WILL BE REDESIGNED TO MATCH NUMBER OF SPACES SHOWN ON PLAN.



Vicinity Map
SCALE: 1" = 1000'

LIGHTING TYPES

- 1. 100 WATT, 110V, 30' POLE
- 2. 1000 WATT, 110V, 40' POLE
- 3. 1000 WATT, 110V, 30' POLE
- 4. STUD FOR FUTURE SIGN LIGHTING FOR DETAILS SEE SHEET 419.

LEGEND

- HEAVY DUTY PAVING
 - LIGHT DUTY PAVING
- SEE SHEET 2 OF 2 FOR DETAILS.

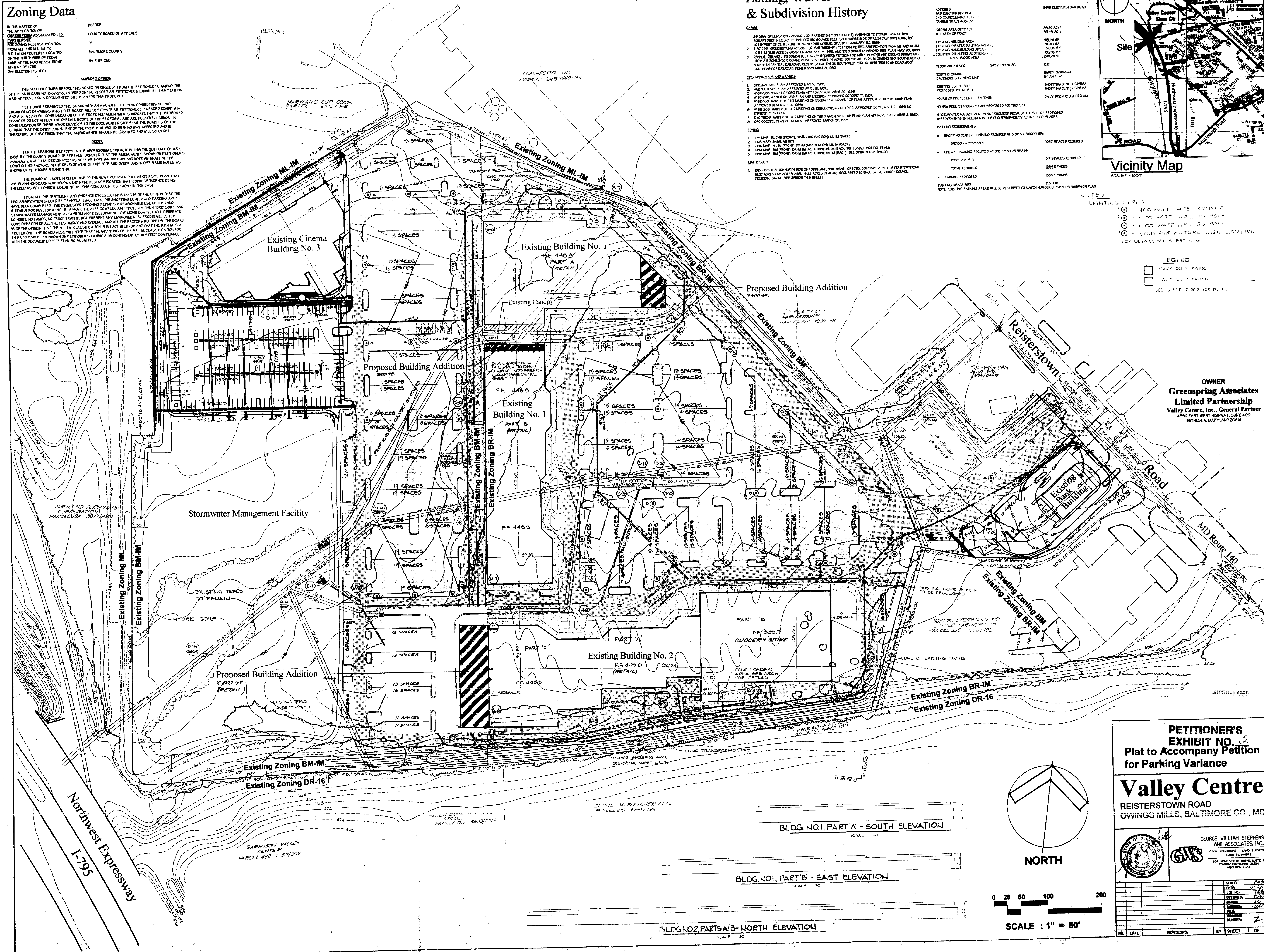
OWNER
Greenspring Associates
Limited Partnership
Valley Centre, Inc., General Partner
4500 EAST WEST HIGHWAY, SUITE 400
BETHESDA, MARYLAND 20814

PETITIONER'S
EXHIBIT NO. 2
Plat to Accompany Petition
for Parking Variance

Valley Centre
REISTERSTOWN ROAD
OWINGS MILLS, BALTIMORE CO., MD

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS, LAND SURVEYORS
AND PLANNERS
658 KENILWORTH DRIVE, SUITE 100
FOWLER, MARYLAND 21058
410-828-8100

NO.	DATE	REVISIONS	BY	SHEET	OF
1				1	1



BLDG. NO. 1, PART 'A' - SOUTH ELEVATION
SCALE: 1" = 40'

BLDG. NO. 1, PART 'B' - EAST ELEVATION
SCALE: 1" = 40'

BLDG. NO. 2, PARTS 'A' & 'B' - NORTH ELEVATION
SCALE: 1" = 40'

