



JOHN A. OLSZEWSKI, JR.  
County Executive

C. PETE GUTWALD, AICP, *Director*  
*Department of Permits,*  
*Approvals & Inspections*

October 22, 2021

David H. Karceski  
Venable, LLP  
210 W. Pennsylvania Avenue, Suite 500  
Towson, Maryland 21204

RE: **Revised Response** - Spirit and Intent Request, Zoning Case # 2011-0152-SPHA and 2015-0232-SPH,  
Hunt Valley Town Centre, Shawan Road, Hunt Valley, Maryland 21031, 8<sup>th</sup> Election District

Dear Mr. Karceski:

Your recent letter to the Zoning Review Office was forwarded to me for reply. Based upon the revised information provided and my review of the above referenced zoning cases, the following has been determined:

1. The revised parking calculations that show the elimination of 55 parking spaces that were to be located on the ground level of a structured parking facility (associated with the new second proposed multi-family apartment community building), as provided on the green-lined site plan submitted with your letter, are within the Spirit and Intent of the 2011 and 2015 zoning cases. **However, please be aware that no additional Spirit and Intent letters will be issued for any future changes or additions to the referenced property and those future changes or additions will require zoning relief from the Administrative Law Judge (ALJ).**
2. A copy of your request letter, as well as a copy of this response, will be recorded and made a permanent part of the two zoning case files.
3. You must place a verbatim copy of your request letter, as well as a copy of this response letter, in the details of all building permit application plans.
4. This approval is for zoning purposes only. You will also be required to comply with all other County and State regulations relative to this property.

The foregoing is merely an informal opinion. It is not an expert or legal opinion, it is not intended to be relied on as expert or legal advice, and it is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

We trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact us at 410-887-3391.

Sincerely,

  
Jeffrey N. Perlow, Zoning Supervisor  
Zoning Review Office, P.A.I.

**IN RE: PETITIONS FOR SPECIAL HEARING  
AND VARIANCE**

Corner of W side of York Road, S side  
of McCormick Road  
8<sup>th</sup> Election District  
3<sup>rd</sup> Councilmanic District  
(118 Shawan Road)

**Hunt Valley Towne Centre, LLC**  
*Petitioner*

BEFORE THE  
OFFICE OF  
ADMINISTRATIVE HEARINGS  
FOR BALTIMORE COUNTY

**Case No. 2011-0152-SPHA**

\* \* \* \* \*

**OPINION AND ORDER**

This matter comes before the Office of Administrative Hearings for consideration of Petitions for Special Hearing and Variance filed by Hunt Valley Towne Centre, LLC, the legal property owner, by HV Holdings, LLC, Sole Member, and by ELG Hunt Valley LLC. Petitioner is requesting Special Hearing relief in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") for an amendment to the site plan approved in Case No. 98-61-SPHA. Petitioner is also requesting Variance relief from Section 409.6 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit 4,120 off-street parking spaces in lieu of the required 5,015 parking spaces. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested relief was Petitioner Gustavo Arango appearing on behalf of and representing the Hunt Valley Towne Centre, LLC, Jared Barnhart and Mitchell Kellman appeared on behalf of Draft McCune Walker, Inc., the professional engineers who prepared the site plans submitted into evidence. Representing the Applicant were David H. Karceski, Esquire, and Kedrick Whitmore, Esquire, attorneys at law for Venable LLC. There were no Protestants or other persons in attendance.

ORDER RECEIVED FOR FILING

Date 6-16-11

By [Signature]

Testimony and evidence offered revealed that the property which is the subject of this special hearing and variance request is the site of the Hunt Valley Towne Centre, located in the Hunt Valley area of Baltimore County. The subject property is split zoned BM and BM-CT and comprises 84.685 acres of land, more or less. It is situated on the west side of York Road just north of Shawan Road. The property is improved with various retail and food service establishments all of which are depicted on the site plan which was submitted into evidence as Petitioner's Exhibit 1. At this time, the Applicant is desirous of creating 4 new pad sites on the subject property. Two pad sites will be located in the southeastern corner of the site near the location of the Chic Fil A restaurant. In addition, two other pad sites are located on the main avenue entrance to the Hunt Valley Towne Centre which are also depicted on the site plan and highlighted in yellow marker. In order to proceed with the modifications to the previously approved site plan, a special hearing request is necessary.

In addition to the special hearing request, the Applicant is also seeking variance relief to approve 4,120 parking spaces in lieu of the required 5,015 parking spaces. As a result of adding these additional retail and restaurant uses to the subject site, the demand for parking increases thereby creating the need for the requested variance. Due to the steep terrain around the back of this property and lack of additional land elsewhere, the Applicant is forced to request variance relief for this parking.

Having considered the testimony and evidenced offered at the hearing, there is no reason not to approve the special hearing. To do otherwise would create an undue hardship upon the Applicant and approval is hereby granted.

As to the variance relief, I find that the variance for parking to allow 4,120 off street parking spaces in lieu of the 5,015 parking spaces should be granted. I find special circumstances

ORDER RECEIVED FOR FILING

Date 6-16-11

2

By [Signature]

or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioners. I further find that the variance can be granted in strict harmony with the spirit and intent of said regulations, and in such a manner as to grant relief without injury to the public health, safety, and general welfare. Thus, I find that the variance can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R, as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief. Prior to the hearing, the undersigned received correspondence, dated May 12, 2011, from Peirce Macgill, Commercial Revitalization Specialist with the Department of Economic Development, who indicated support of the request.

After due consideration of the testimony and evidence presented, I am persuaded to grant the relief requested.

Pursuant to the advertisement, posting of the property and public hearing held, and after considering the testimony and evidence offered, I find that Petitioner's special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by this Administrative Law Judge for Baltimore County this 16<sup>th</sup> day of June, 2011 that Petitioner's Special Hearing request in accordance with Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") for an amendment to the site plan approved in Case No. 98-61-SPHA be and is hereby GRANTED; and

ORDER RECEIVED FOR FILING

Date 6-16-11

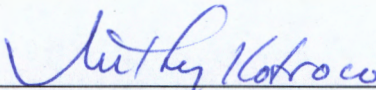
By [Signature]

IT IS FURTHER ORDERED that Petitioner's Variance request from Section 409.6 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit 4,120 off-street parking spaces in lieu of the required 5,015 parking spaces be and is hereby GRANTED.

The relief granted herein is subject to the following condition:

1. Petitioner is advised that it may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of this Order has expired. If for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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



TIMOTHY M. KOTROCO  
Administrative Law Judge  
for Baltimore County

TMK:pz

ORDER RECEIVED FOR FILING

Date 6-16-11

By [Signature]



KEVIN KAMENETZ  
*County Executive*

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

June 16, 2011

DAVID KARCESKI  
KENDRICK WHITMORE  
VENABLE, LLP  
210 WEST PENNSYLVANIA AVENUE  
SUITE 500  
TOWSON, MD 21204

Re: Petition for Special Hearing and Variance  
Case No. 2011-0152-SPHA  
Property: 118 Shawan Road

Dear Messrs. Karceski and Whitmore:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in dark ink, appearing to read "Timothy M. Kotroco".

TIMOTHY M. KOTROCO  
Administrative Law Judge  
for Baltimore County

TMK/pz

Enclosure

REVISED

4/30/11

5/9/11



# Petition for Variance

to the Zoning Commissioner of Baltimore County for the property  
located at 118 Shawan Road  
which is presently zoned BM-CT

Deed Reference: 27629 / 149 Tax Account # 1800014925 - 1800014926

This Petition shall be filed with the Department of Permits and 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 of the Baltimore County Zoning Regulations to permit 4,120 off-street parking spaces in lieu of the required 5,015 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.)

To be determined at hearing

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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.

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Attorney For Petitioner:

David H. Karceski

Name - Type or Print

Signature

Venable LLP

Company

210 W. Pennsylvania Ave., Suite 500 410-494-6200

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

## Legal Owner(s):

See Attached

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

## Representative to be Contacted:

David H. Karceski

Name

210 W. Pennsylvania Ave., Suite 500 410-494-6200

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Case No. 2011-0152-SPHA

## Office Use Only

Estimated Length of Hearing \_\_\_\_\_  
Unavailable For Hearing \_\_\_\_\_

Reviewed by JF

Date 10/26/11

REV 8/20/07

ORDER RECEIVED FOR FILING

Date

6-16-11

By

[Signature]

**Attachment to  
Petition for Variance**

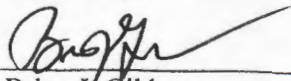
**118 Shawan Road**

Legal Owner:

HUNT VALLEY TOWNE CENTRE LLC

by: HV HOLDINGS LLC, Sole Member

by: ELG HUNT VALLEY LLC

by:   
\_\_\_\_\_  
Brian J. Gibbons,  
Authorized Member  
c/o Greenberg Gibbons Commercial  
10096 Red Run Boulevard  
Suite 100  
Owings Mills, MD 21117  
(410) 559-2500



# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at 118 Shawan Road

which is presently zoned BM-CT

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

This Petition shall be filed with the Department of Permits and 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

(This box to be completed by planner)

See attached

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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.

### Contract Purchaser/Lessee:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Attorney For Petitioner:

David H. Karceski

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Venable LLP  
Company  
210 W. Pennsylvania Ave., Suite 500 410-494-6200  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Towson MD 21204  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Legal Owner(s):

See Attached

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Representative to be Contacted:

David H. Karceski

Name \_\_\_\_\_  
210 W. Pennsylvania Ave., Suite 500 410-494-6200  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Towson MD 21204  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

Case No. 2011-0152-3PHA

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By JP Date 10/26/10

ORDER RECEIVED FOR FILING

Date 10-16-11

By JP

**Attachment to  
Petition for Special Hearing**

**118 Shawan Road**

**An amendment to the site plan approved in Case No. 98-61-SPHA**

**Attachment to  
Petition for Special Hearing**

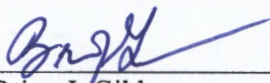
**118 Shawan Road**

Legal Owner:

HUNT VALLEY TOWNE CENTRE LLC

by: HV HOLDINGS LLC, Sole Member

by: ELG HUNT VALLEY LLC

by:   
\_\_\_\_\_  
Brian J. Gibbons,  
Authorized Member  
c/o Greenberg Gibbons Commercial  
10096 Red Run Boulevard  
Suite 100  
Owings Mills, MD 21117  
(410) 559-2500

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

No. 61007

Date: 10-26-10

PAID RECEIPT

RECEIVED BY: [Signature]  
 DATE: 10/26/2010  
 AMOUNT: \$650.00  
 CHECK NO. 1000000000  
 BANK OF AMERICA  
 BALTIMORE, MD 21201  
 CASHIER: [Signature]  
 DATE: 10/26/2010

| Fund | Dept | Unit | Sub Unit | Rev Source/ Obj | Sub Rev/ Sub Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|-----------------|------------------|----------|---------|--------|
| 001  | 800  | 0000 |          | 6150            |                  |          |         | 650.00 |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |
|      |      |      |          |                 |                  |          |         |        |

Total: 650.00

Rec From: VENARIE

For: 118 Shawan Rd.  
Parking for Venarie - 5 Special Use

DISTRIBUTION

WHITE - CASHIER    PINK - AGENCY    YELLOW - CUSTOMER    GOLD - ACCOUNTING  
 PLEASE PRESS HARD!!!!

**CASHIER'S  
 VALIDATION**



Description  
To Accompany Petition  
For A Variance  
York Road (MD Rte. 45)  
Baltimore County, Maryland

Beginning for the same at the end of the second of the following two courses and distances, measured from the point formed by the intersection of the centerline of Shawan Road with the centerline of York Road (MD Rte. 45) 550 feet, more or less, thence northwesterly 72 feet, more or less, to the point of beginning; thence leaving said point of beginning and running through, over, and across a portion of the lands of Hunt Valley Towne Centre LLC as described in a deed dated February 5, 2009 and recorded among the Land Records of Baltimore County, Maryland in Liber 27629, Folio 149, Referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District, said point of beginning also being on the seventh or North 89 degrees 12 minutes 26 seconds East 315.36 foot line of the land which by the Quitclaim Deed dated April 2, 1982 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr., 6463, Folio 683, was conveyed by Huntmak Associates to George P. Mays and George P. Mays, Jr., Sara J.M. Cockey and Howard B. Mays, thence running reversely with and binding on part of said seventh line (1) South 89 degrees 12 minutes 26 seconds West 288.36 feet, thence, in part, running reversely with and binding on the sixth or North 01 degree 33 minutes 52 seconds West 80.26 foot line of the first hereinmentioned deed

and, in part, running reversely with and binding on the fourth or North 01 degree 33 minutes 52 seconds West 126.24 foot line of the land which by Quitclaim Deed dated April 2, 1982 and recorded among the Land Records of Baltimore County, Maryland, in Liber E.H.K. Jr., 6463, Folio 679 was conveyed by Huntmak Associates to Marlin Bruce Adams and Sarah H. Adams and, in part, running with and binding on the third or South 01 degree 33 minutes 52 seconds East 128.94 foot line of the land which by Quitclaim Deed dated April 2, 1982 and recorded among the Land Records of Baltimore County, Maryland, in Liber E.H.K. Jr., 6463, Folio 675, was conveyed by Huntmak Associates to Frank J. McDermott and Joan C. McDermott, in all (2) South 01 degree 33 minutes 52 seconds East 206.52 feet, to the end of the second or South 87 degrees 24 minutes 13 seconds West 8.36 foot line of the land which, by deed witnessed April 7, 1982, and recorded among the Land Records of Baltimore County, Maryland, in Liber E.H.K., Jr. 6463, Folio 675, was conveyed by Huntmak Associates to Frank McDermott et al., thence binding reversely thereon and on the outlines of the land which by deed dated November 23, 2004, and recorded among the Land Records of Baltimore County, Maryland, in Liber 21078, Folio 739, was conveyed by Frank J. McDermott, Trustee, to Hunt Valley Towne Centre, LLC, the three following courses and distances, in all: (3) North 87 degrees 24 minutes 13 seconds East 150.36 feet, thence (4) South 00 degrees 40 minutes 26 seconds East 129.00 feet, and thence (5) South 87 degrees 24 minutes 13 seconds West 150.68 feet to intersect the outline of the aforesaid Lot 1B, thence binding thereon, (6) South 02 degrees 35 minutes 47 seconds East 13.74 feet, thence (7) South 85 degrees 32 minutes 27 seconds West 190.13 feet, and thence (8) South 03 degrees 30 minutes 11 seconds East 185.44 feet, to intersect the north side of Shawan Road, thence binding on the north side of Shawan Road and on the outline of Lot 1B as shown on the hereinmentioned plat the two following courses and distances: (9) South 85 degrees 01 minute 37 seconds West 81.73 feet, and thence (10) South 85 degrees 01 minute 37 seconds West 58.29 feet,

binding on the line of division between Lot 1B and the parcel of land which by the Agreed Inquisition dated February 5, 1996 and recorded among the Land Records of Baltimore County, Maryland, in Liber S.M. 11492, Folio 58, was conveyed by Huntmak Associates to Mass Transit Administration, the eleven following courses and distances: (11) North 04 degrees 58 minutes 23 seconds West 40.00 feet, thence (12) North 85 degrees 01 minute 37 seconds East 60.38 feet, thence (13) North 26 degrees 33 minutes 44 seconds East 61.86 feet to a point of non-curvature, thence (14) Northeasterly by a line curving to the left having a radius of 72.55 feet for a distance of 15.52 feet (the arc of said curve being subtended by a chord bearing North 02 degrees 37 minutes 32 seconds East 15.49 feet), thence (15) North 03 degrees 30 minutes 11 seconds West 54.82 feet to a point of curvature, thence (16) Northwesterly by a line curving to the left having a radius of 19.00 feet for a distance of 35.37 feet (the arc of said curve being subtended by a chord bearing North 56 degrees 49 minutes 52 seconds West 30.48 feet) to a point of reverse curvature, thence (17) Southwesterly by a line curving to the right having a radius of 405.52 feet for a distance of 141.68 feet (the arc of said curve being subtended by a chord bearing South 79 degrees 50 minutes 19 seconds West 140.96 feet), thence (18) South 89 degrees 50 minutes 50 seconds West 646.33 feet to a point of non-curvature, thence (19) Southwesterly by a line curving to the left having a radius of 48.21 feet for a distance of 79.74 feet (the arc of said curve being subtended by a chord bearing South 42 degrees 27 minutes 59 seconds West 70.96 feet), thence (20) South 04 degrees 54 minutes 53 seconds East 90.24 feet to a point of curvature, and thence (21) Southeasterly by a line curving to the left having a radius of 47.66 feet for a distance of 26.05 feet (the arc of said curve being subtended by a chord bearing South 20 degrees 34 minute 31 seconds East 25.73 feet), to intersect the north side of Shawan Road, thence binding on the north side of Shawan Road and the outline of Lot 1B as shown on the hereinmentioned plat (22) South 85 degrees 01 minute 43 seconds West 955.77 feet (23) Northwesterly by a line

curving to the right having a radius of 38.00 feet for a distance of 60.23 feet (the arc of said curve being subtended by a chord bearing North 49 degrees 33 minutes 47 seconds West 54.12 feet), thence (24) North 04 degrees 09 minutes 18 seconds West 22.10 feet to a point of curvature, thence (25) Northwesterly by a line curving to the left having a radius of 735.00 feet for a distance of 280.50 feet (the arc of said curve being subtended by a chord bearing North 15 degrees 05 minutes 16 seconds West 278.80 feet), thence (26) North 26 degrees 01 minute 14 seconds West 177.35 feet to a point of curvature, thence (27) Northeasterly by a line curving to the right having a radius of 665.00 feet for a distance of 1020.98 feet (the arc of said curve being subtended by a chord bearing North 17 degrees 57 minutes 48 seconds East 923.62 feet), thence (28) North 61 degrees 56 minutes 49 seconds East 166.86 feet to a point of curvature, thence (29) Northeasterly by a line curving to the right having a radius of 1365.00 feet for a distance of 231.88 feet (the arc of said curve being subtended by a chord bearing North 66 degrees 48 minutes 49 seconds East 231.60 feet), thence (30) North 71 degrees 40 minutes 48 seconds East 201.91 feet, thence (31) Northeasterly by a line curving to the left having a radius of 735.00 feet for a distance of 89.01 feet (the arc of said curve being subtended by a chord bearing North 68 degrees 12 minutes 39 seconds East 88.95 feet), thence (32) North 64 degrees 44 minutes 30 seconds East 295.65 feet to a point of curvature, thence (33) Northeasterly by a line curving to the right having a radius of 1365.00 feet for a distance of 67.34 feet (the arc of said curve being subtended by a chord bearing North 66 degrees 09 minutes 18 seconds East 67.34 feet), thence (34) North 67 degrees 34 minutes 06 seconds East 264.70 feet to a point of curvature, and thence (35) Northeasterly by a line curving to the right having a radius 665.00 feet for a distance of 502.09 feet (the arc of said curve being subtended by a chord bearing of North 89 degrees 11 minutes 53 seconds East 490.25 feet), thence (36) South 69 degrees 10 minutes 20 seconds East 102.48 feet to a point of curvature, thence (37) Southeasterly by a line curving to the left having a radius of 735.00 feet for a distance

of 299.80 feet (the arc of said curve being subtended by a chord bearing South 80 degrees 51 minutes 26 seconds East 297.72 feet), thence (38) North 87 degrees 27 minutes 27 seconds East 44.30 feet to a point of curvature, and thence (39) Southeasterly by a line curving to the right having a radius of 63.00 feet for a distance of 97.79 feet (the arc of said curve being subtended by a chord bearing South 48 degrees 04 minutes 26 seconds East 88.26 feet), thence binding on the west side of York Road and the outline of Lot 1B as shown on the hereinmentioned plat (40) South 03 degrees 36 minutes 30 seconds East 54.40 feet, thence binding on the west side of York Road, as widened, as shown on the Baltimore County Department of Public Works Bureau of Land Acquisition Plat RW 80-353-1 (41) South 00 degrees 58 minutes 33 seconds East 207.08 feet to intersect the South 86 degrees 23 minutes 30 seconds West 37.00 foot line of Lot 1B as shown on the hereinmentioned plat thence binding on the remainder of said line and binding on the outline of Lot 1B as shown on the hereinmentioned plat, the three following courses and distances: (42) South 86 degrees 23 minutes 30 seconds West 27.49 feet, thence (43) South 03 degrees 36 minutes 30 seconds East 41.00 feet, and thence (44) North 86 degrees 23 minutes 30 seconds East 25.60 feet to intersect the west side of York Road, as widened, as shown on the Baltimore County Department of Public Works Bureau of Land Acquisition Plat RW 80-353-1, thence binding on the west side of York Road, as widened, as shown on the Baltimore County Department of Public Works Bureau of Land Acquisition Plats RW 80-353-1 and RW 80-353-2 (45) South 00 degrees 58 minutes 33 seconds East 795.02 feet to the point of beginning; containing 84.685 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY  
AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

October 25, 2010

Project No. 94150.V (L94150.V)



*Michael D. Martin* 10/25/10

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

---

#### For Newspaper Advertising:

Item Number or Case Number 2011-0152-SPHA  
Petitioner: Greenberg Gibbons Commercial  
Address or Location: 118 Shawan Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kedrick Whitmore  
Address: 210 W. Pennsylvania Avenue  
Towson MD 21204  
Telephone Number: 410 494 6204



KEVIN KAMENETZ  
County Executive

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

May 12, 2011

## NOTICE OF ZONING HEARING

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

**CASE NUMBER: 2011-0152-SPHA**

118 Shawan Road

Corner w/side of York Road, s/side of McCormick Road

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Hunt Valley Towne Centre, LLC

Special Hearing for an amendment to site plan approved in case no. 98-61-SPHA. Variance to permit 4,160 off street parking spaces in lieu of the required 5,015 parking spaces.

Hearing: Monday, June 6, 2011 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon  
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204  
Brian Gibbons, 10096 Red Run Blvd., Ste. 100, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MAY 21, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

fixed 5/16/11 @ 2:57  
TO: PATUXENT PUBLISHING COMPANY  
Thursday, May 19, 2011 Issue - Jeffersonian

Please forward billing to:

Kedrick Whitmore

410-494-6200

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

---

## CORRECTED NOTICE OF ZONING HEARING

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

**CASE NUMBER: 2011-0152-SPHA**

118 Shawan Road

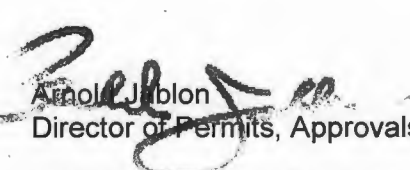
Corner w/side of York Road, s/side of McCormick Road

8<sup>th</sup> Election District – 3<sup>rd</sup> Councilmanic District

Legal Owners: Hunt Valley Towne Centre, LLC

Special Hearing for an amendment to site plan approved in case no. 98-61-SPHA. Variance to permit 4,120 off street parking spaces in lieu of the required 5,015 parking spaces.

Hearing: Monday, June 6, 2011 at 10:00 a.m. in Room 205, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

  
Arnold J. Jolson

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

# CERTIFICATE OF POSTING

2011-0152-SPHA

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

**Hunt Valley Towne Centre, LLC**

**June 6, 2011**

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: \_\_\_\_\_

**118 Shawan Road**

**May 20, 2011**

The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)

Sincerely,



**May 23, 2011**

(Signature of Sign Poster)

(Date)

**SSG Robert Black**

(Print Name)

**1508 Leslie Road**

(Address)

**Dundalk, Maryland 21222**

(City, State, Zip Code)

**(410) 282-7940**

(Telephone Number)

# ZONING NOTICE

CASE # 2011-0152-SPHA

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

Room 205, JEFFERSON BUILDING  
105 WEST CHESAPEAKE AVE. TOWSON 21204

PLACE:

DATE AND TIME MONDAY, JUNE 6, 2011 AT 10:00 A.M.

REQUEST: SPECIAL HEARING FOR AN AMENDMENT

TO SITE PLAN APPROVED IN CASE NO. 98-61-SPHA.  
VARIANCE TO PERMIT 4,120 OFF STREET PARKING SPACES  
IN LIEU OF THE REQUIRED 5,015 PARKING SPACES.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW  
HANDICAPPED ACCESSIBLE

NOTICE OF ZONING HEARING

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

Case: # 2011-0152-SPHA

118 Shawan Road

Corner w/side of York Road, s/side of McCormick Road

8th Election District - 3rd Councilmanic District

Legal Owner(s): Hunt Valley Towne Centre, LLC

**Special Hearing** for an amendment to site plan approved in case no. 98-61-SPHA. **Variance:** to permit 4,120 off street parking spaces in lieu of the required 5,015 parking spaces.

**Hearing: Monday, June 6, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.**

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS  
AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.  
05/16/10 May 19. 276005

CERTIFICATE OF PUBLICATION

5/19/, 2011

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/19/, 2011.

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

J. Wilkinson

LEGAL ADVERTISING

2010152

**NOTICE OF  
ZONING HEARING**

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

**Case: #2011-0152-SPHA**  
118 Shawan Road  
W/side of York Road, s/side  
of McCormick Road  
8th Election District  
3rd Councilmanic District  
Legal Owner(s): Hunt Valley  
Towne Centre, LLC  
**Special Hearing:** for an  
amendment to site plan ap-  
proved in case no. 98-61-  
SPHA. **Variance:** to permit  
4,129 off street parking  
spaces in lieu of the re-  
quired 4,948 parking  
spaces.

**Hearing: Tuesday, Decem-  
ber 14, 2010 at 9:00 a.m.  
in Room 104, Jefferson  
Building, 105 West Chesa-  
peake Avenue, Towson  
21204.**

WILLIAM J. WISEMAN, III  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are  
Handicapped Accessible;  
for special accommoda-  
tions Please Contact the  
Zoning Commissioner's Of-  
fice at (410) 887-4386.

(2) For information con-  
cerning the File and/or  
Hearing, Contact the Zoning  
Review Office at (410) 887-  
3391.

JT 11/7/19 Nov 30 261947

12-14

## CERTIFICATE OF PUBLICATION

12/2/2010

THIS IS TO CERTIFY, that the annexed advertisement was published  
in the following weekly newspaper published in Baltimore County, Md.,  
once in each of 1 successive weeks, the first publication appearing  
on 11/30/2010.

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

*S. Wilkinson*

LEGAL ADVERTISING

12-23 Chris

# CERTIFICATE OF POSTING

2011-0152-SPHA

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

Hunt Valley Towne Centre, LLC

Dec 14, 2010

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Attn: Kristin Matthews:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: \_\_\_\_\_

118 Shawan Road

November 29, 2010

The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)

Sincerely,

Robert Black

December 2 2010

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

# ZONING NOTICE

CASE # 2011-0152-SPHA

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

Room 104, JEFFERSON BUILDING 21204  
105 WEST CHESTER AVE., TOWSON

**PLACE:**

Tuesdays, December 14, 2010 at 9:00 a.m.

**DATE AND TIME:**

REQUEST: Special Hearing for an Amendment to Site Plan

APPROVED IN CASE NO. 98-01-SPHA. VARIANCE TO PERMIT 4,129  
OFF STREET PARKING SPACES IN LIEU OF THE REQUIRED 4,946  
PARKING SPACES.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY  
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW  
HANDICAPPED ACCESSIBLE

## Fire Department

700 East Joppa Road  
Towson, Maryland 21286-5500  
Tel: 410-887-4500



## Baltimore County

*James T. Smith, Jr., County Executive*  
*John J. Hohman, Chief*

County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

December 09, 2010

ATTENTION: Kristen Mathews  
ZAC 12-6-2010

Case Number(s): 2011-0152-SPHA  
2011-0180-A  
2011-0181-A  
2011-0182-A  
2011-0183-SPH  
2011-0184-A  
2011-0185-SPH  
2011-0186-A  
2011-0187-A  
2011-0188-A

The fire marshal's office has no comments at this time.

Lt. Jimmie D. Mezick  
Fire Marshal's Office  
410-887-4880  
MS-1102F

cc: File

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)



Printed on Recycled Paper

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Timothy M. Kotroco, Director  
Department of Permits and  
Development Management

**DATE:** November 30, 2010

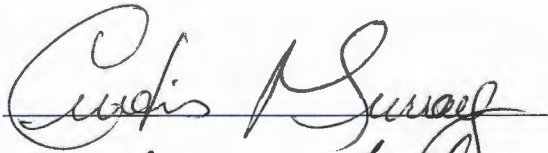
**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 11-152- Variance**

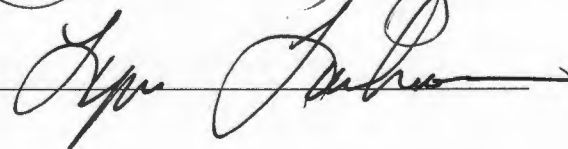
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Jessie Bialek in the Office of Planning at 410-887-3480.

**Prepared By:**



**Division Chief:**  
CM/LL



**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Timothy M. Kotroco, Director  
Department of Permits &  
Development Management

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For December 13, 2010  
Item Nos. 2011- 152, 180, 182, 183,  
184, 185, 186, 187 and 188

**DATE:** December 9, 2010

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-12132010 -NO COMMENTS.doc

RE: PETITION FOR SPECIAL HEARING  
AND VARIANCE

118 Shawan Road; W/S York Road,

S/S of McCormick Road

8<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts

Legal Owner(s): Hunt Valley Towne Centre

Petitioner(s)

\*

BEFORE THE

\*

ZONING COMMISSIONER

\*

FOR

\*

BALTIMORE COUNTY

\*

2011-152-SPHA

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\*

**ENTRY OF APPEARANCE**

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO

Deputy People's Counsel

Jefferson Building, Room 204

105 West Chesapeake Avenue

Towson, MD 21204

(410) 887-2188

RECEIVED

NOV 05 2010

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 5<sup>th</sup> day of November, 2010, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

TB 12/14  
9am

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Timothy M. Kotroco, Director  
Department of Permits and  
Development Management

**DATE:** November 30, 2010

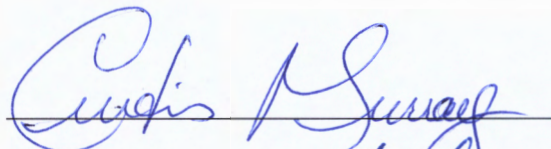
**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

**SUBJECT:** Zoning Advisory Petition(s): **Case(s) 11-152- Variance**

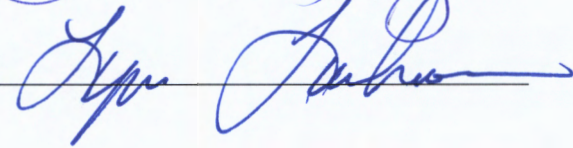
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Jessie Bialek in the Office of Planning at 410-887-3480.

**Prepared By:**



**Division Chief:**  
CM/LL



RECEIVED

DEC 01 2010

ZONING COMMISSIONER



**BALTIMORE COUNTY**  
**MARYLAND**

JAMES T. SMITH, JR.  
*County Executive*

THOMAS H. BOSTWICK  
*Deputy Zoning Commissioner*

**FACSIMILE TRANSMITTAL COVER SHEET**

TO: David Karceski

DATE: December 10, 2010

FAX NO.: 410 821 0147

FROM: Thomas H. Bostwick  
Deputy Zoning Commissioner

PAGES (including cover): 2

RE: Case No. 2011-0152-SPHA

---

☐ ORIGINAL TO FOLLOW VIA MAIL/OVERNIGHT COURIER/HAND DELIVERY  
☒ ORIGINAL WILL NOT BE MAILED

**CONFIDENTIALITY NOTICE**

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which may be legally privileged and confidential. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance or on account of the contents of this telecopy information is strictly prohibited. If you have received this telecopy in error, please immediately notify the sender to arrange for return of the original documents. Thank you.

Message/Comments:

**From:** Patricia Zook  
**To:** Lewis, Kristen  
**Date:** 12/13/2010 9:50 AM  
**Subject:** Ltr-Case 2011-0152-SPHA postponement request.doc  
**Attachments:** Ltr-11-0152-SPHA postponement request.doc

Good morning Kristen -

Attached is Tom's letter to David Karceski regarding the requested postponement of case 2011-0152-SPHA. The file is being returned to PDM.

Patti Zook  
Baltimore County  
Office of the Zoning Commissioner  
105 West Chesapeake Avenue, Suite 103  
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

THOMAS H. BOSTWICK  
*Deputy Zoning Commissioner*

December 10, 2010

DAVID KARCESKI, ESQUIRE  
VENABLE, LLP  
210 WEST PENNSYLVANIA AVENUE  
SUITE 500  
TOWSON, MD 21204

Re: Petitions for Special Hearing and Variance  
Case No. 2011-0152-SPHA  
Property: 118 Shawan Road

Dear Mr. Karceski:

I am in receipt of your letter dated December 8, 2010 requesting a postponement of the above-referenced hearing which is scheduled for December 14, 2010. This letter will confirm that I have granted the postponement request.

If you have any questions or concerns, do not hesitate to contact us.

Sincerely,

THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

THB:pz

c: Kristen Lewis, Permits and Development Management, Baltimore County



KEVIN KAMENETZ  
*County Executive*

JOHN J. HOHMAN, *Chief*  
*Fire Department*

May 17, 2011

County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: **May 16, 2011**

Item No.:

**Administrative Variance:** 2011-0324A, 2011-0328A – 0329A.

**Special Hearing:** 2011-0152-SPHA, 2011-0330-SPH.

**Variance:** 2011-0152-SPHA, 2011-0326A, 2011-0327-SPHA, 2011-0331A – 0332A.

**Comments:**

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector  
Baltimore County Fire Marshal's Office  
700 E. Joppa Road, 3<sup>RD</sup> Floor  
Towson, Maryland 21286  
Office: 410-887-4880  
dmuddiman@baltimorecountymd.gov  
cc: File

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For May 23, 2011  
Item Nos. 2011-152, 319, 320, 321,  
And 323

**DATE:** May 11, 2011

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-052322011 -NO COMMENTS.doc



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

State Highway  
Administration

Beverley K. Swaim-Staley, Secretary  
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 5-16-11

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

RE: Baltimore County  
Item No. 2011-0152 SPHA  
Special Hearing Variance  
Hunt Valley Towne Centre, LLC  
118 Shawan Road

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0152-SPHA.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at ([rzeller@sha.state.md.us](mailto:rzeller@sha.state.md.us)). Thank you for your cooperation.

Sincerely,

Steven D. Foster, Chief  
Access Management Division

SDF/rz



KEVIN KAMENETZ  
*County Executive*

JOHN J. HOHMAN, *Chief*  
*Fire Department*

May 19, 2011

County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: **May 16, 2011**

Item No.:

**Special Hearing:** 2011- 0152-SPHA (Revised)

**Variance:** 2011- 0152-SPHA (Revised)

**Comments:**

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector  
Baltimore County Fire Marshal's Office  
700 E. Joppa Road, 3<sup>RD</sup> Floor  
Towson, Maryland 21286  
Office: 410-887-4880  
dmuddiman@baltimorecountymd.gov  
cc: File



KEVIN KAMENETZ  
County Executive

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

May 26, 2011

Brian Gibbons  
10096 Red Run Boulevard, Suite 100  
Owings Mills, MD 21117

RE: Case Number 2011-0152 SPHA, 118 Shawan Road

Dear Mr. Gibbons,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 16, 2010. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel  
David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**DATE:** May 25, 2011

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For May 30, 2011  
Item Nos. 2011-152, 324, 326, 327, 328, 329, 331  
And 332

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-05302011 -NO COMMENTS.doc

6-6 10am 205

**Baltimore County Government  
Department of Economic Development**



RECEIVED

**MAY 12 2011**

OFFICE OF ADMINISTRATIVE HEARINGS

105 West Chesapeake, Suite 300  
Towson, MD 21204

(410) 887-8000  
Fax (410) 887-8017

**MEMORANDUM**

RECEIVED

To: Office of Administrative Hearings

**MAY 12 2011**

From: Peirce Macgill *PM*  
Commercial Revitalization Specialist

OFFICE OF ADMINISTRATIVE HEARINGS

Date: May 12, 2011

Re: Variance – Hunt Valley Town Centre (Case Number: 2011-0152-A)

---

The Department of Economic Development supports the requested variance submitted by Hunt Valley Town Centre, LLC. The center owners are requesting a parking variance to permit 4,120 off-street parking spaces in lieu of the required 5,015 spaces. If the variance is granted, it would allow the expansion of the existing retail space.

The Hunt Valley Towne Center is an outstanding example of a successful redevelopment of a former enclosed mall. The additional retail space proposed will enhance an already successful retail avenue. The Hunt Valley area continues to transform as former manufacturing buildings are redeveloped into office space for professional service firms. The new retail stores will offer more services and amenities to the local workforce.

Again, the Department of Economic Development supports the proposed request and encourages the approval of the requested variance. Thank you for your time and attention to this matter. If you have any questions, please feel free to contact me at extension 2589.

cc: Mr. David Karceski, Venable LLP

**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

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

**DATE:** May 26, 2011

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For June 6, 2011  
Item Nos. 2011-152, 333, 334,  
And 335

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-06062011 -NO COMMENTS.doc

**Debra Wiley - RE: 2011-0152-SPHA**

---

**From:** Debra Wiley  
**To:** Whitmore, Kedrick N.  
**Date:** 6/3/2011 1:31 PM  
**Subject:** RE: 2011-0152-SPHA

---

Ked,

This is to confirm receipt of the REVISED petition and consider it placed in the appropriate file. Thanks.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103  
Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

>>> "Whitmore, Kedrick N." <KNWhitmore@Venable.com> 6/3/2011 1:29 PM >>>  
Debbie:

Thank you for sending these documents. As we discussed, I've attached a copy of the correct variance petition for 2011-0152-SPHA, requesting 4,120 parking spaces. Please confirm that you have received this document and that it will be placed in the file.

Thanks, and have a great weekend.

Kedrick N. Whitmore, Esq. | Venable LLP  
t 410.494.6204 | f 410.821.0147 | m 703.598.7266  
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

[KNWhitmore@Venable.com](mailto:KNWhitmore@Venable.com) | [www.Venable.com](http://www.Venable.com)

---

**From:** Debra Wiley [mailto:dwiley@baltimorecountymd.gov]  
**Sent:** Friday, June 03, 2011 1:19 PM  
**To:** Whitmore, Kedrick N.  
**Subject:** Fwd: 2011-0152-SPHA

Ked,

Per our conversation.

Debbie Wiley  
Legal Administrative Secretary  
Office of Administrative Hearings  
105 West Chesapeake Avenue, Suite 103

Towson, Md. 21204  
410-887-3868  
410-887-3468 (fax)  
dwiley@baltimorecountymd.gov

\*\*\*\*\*

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TK 6/6 10am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 07 2011

OFFICE OF ADMINISTRATIVE HEARINGS

TO: Timothy M. Kotroco  
FROM: Dave Lykens, DEPRM - Development Coordination  
DATE: December 21, 2010  
SUBJECT: Zoning Item # 11-152-SPH  
Address 118 Shawan Road  
(Hunt Valley Towne Center, LLC Property)

Zoning Advisory Committee Meeting of December 6, 2010.

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: JWL Date: 12/21/10

Case No.: 2011-0152-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

|                 |                                                            |  |
|-----------------|------------------------------------------------------------|--|
| No. 1           | Site Plan                                                  |  |
| No. 3           | M. Kellman CV                                              |  |
| No. 2           | J. Barnhardt CV                                            |  |
| No. 4           | Tax Map No. 42                                             |  |
| No. 5<br>A<br>B | Aerial Photograph from<br>"My Neighborhood Zoning" Website |  |
| No. 6           | Site Photographs                                           |  |
| No. 7           | Transit Stop Plan                                          |  |
| No. 8           | Prior Parking Case (98-61-SPHA)                            |  |
| No. 9           | Economic Development<br>Letter                             |  |
| No. 10          |                                                            |  |
| No. 11          |                                                            |  |
| No. 12          |                                                            |  |

CASE NAME

CASE NUMBER 2011-0152-SPHA

DATE 6/6/11

## PETITIONER'S SIGN-IN SHEET

[illegible]

9/17

|                                        |   |                     |
|----------------------------------------|---|---------------------|
| IN RE: PETITIONS FOR SPECIAL HEARING & | * | BEFORE THE          |
| ZONING VARIANCE                        |   |                     |
| Cor. W/S York Rd., N/S Shawan Rd.      | * | ZONING COMMISSIONER |
| 118 Shawan Rd. (Hunt Valley Mall)      |   |                     |
| 8th Election District                  | * | OF BALTIMORE COUNTY |
| 3rd Councilmanic District              |   |                     |
| Huntmak Associates, Petitioner         | * | Case No. 98-61-SPHA |
| * * * * *                              | * | * * *               |

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property known as the Hunt Valley Mall, located adjacent to Shawan Road in northern Baltimore County. The Petition was filed by Faison, Agent for Huntmak Associates, property owner. The Petitioner seeks variance relief from Section 409.6.A.2 of the Baltimore County Zoning Regulations (BCZR) to allow 4489 parking spaces in lieu of the required 5133 parking spaces. The Petition for Variance also seeks special hearing relief to amend the previously approved site plan in cases No. 96-225-XA and 81-125-XA. The subject property and requested relief are more particularly shown on the plan to accompany the Petitions for Special Hearing and Variance.

Appearing at the public hearing held for this case were John Tschiderer and Fred Paine on behalf of Faison, Agent for Huntmak Associates, property owner/Petitioner. Testifying in support of the Petition was George E. Gavrelis, a Land Planner, from Daft, McCune, Walker, and Wes Guckert, a Traffic Engineer, from The Traffic Group, Inc. The Petitioner was represented by Robert A. Hoffman, Esquire. Mr. Kenneth Bosley, a property owner in the vicinity also appeared and offered testimony regarding the Petition.

The subject property at issue is well known to this Zoning Commissioner and is a landmark commercial/retail site in northern Baltimore County. The property is approximately 85.3 acres in area and is zoned B.M. It is an irregularly shaped parcel with frontage on Shawan Road in the Hunt

Maryland Department of Assessments and Taxation  
Real Property Data Search (vw6.2A)  
BALTIMORE COUNTY

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[Redemption](#)  
[GroundRent](#)  
[Registration](#)

**Account Identifier:** District - 08 Account Number - 1800014925 ✓

**Owner Information**

**Owner Name:** HUNT VALLEY TOWNE CENTRE LLC **Use:** COMMERCIAL  
**Mailing Address:** C/O GREENBERG COMMERCIAL **Principal Residence:** NO  
10096 RED RUN BLVD STE 100 **Deed Reference:** 1) /27629/ 00149  
OWINGS MILLS MD 21117-4827 2)

**Location & Structure Information**

**Premises Address** **Legal Description**  
SHAWAN RD PT LT 1B 59.615 AC  
COCKEYSVILLE MD 21030-0000 HUNT VALLEY MALL

| Map  | Grid | Parcel | Sub District | Subdivision | Section | Block | Lot | Assessment Area | Plat No:            |
|------|------|--------|--------------|-------------|---------|-------|-----|-----------------|---------------------|
| 0042 | 0009 | 0031   |              | 0000        |         |       | 1B  | 2               | Plat Ref: 0046/0027 |

**Special Tax Areas** **Town** NONE  
**Ad Valorem**  
**Tax Class**

| Primary Structure Built | Enclosed Area | Property Land Area | County Use |
|-------------------------|---------------|--------------------|------------|
| 1998                    | 485,424 SF    | 59.6200 AC         | 14         |

**Stories** **Basement** **Type** **Exterior**  
CINEMA

**Value Information**

|                           | Base Value  | Value       | Phase-in Assessments |             |
|---------------------------|-------------|-------------|----------------------|-------------|
|                           |             | As Of       | As Of                | As Of       |
|                           |             | 01/01/2011  | 07/01/2010           | 07/01/2011  |
| <b>Land</b>               | 56,011,600  | 56,011,600  |                      |             |
| <b>Improvements:</b>      | 48,515,800  | 79,243,500  |                      |             |
| <b>Total:</b>             | 104,527,400 | 135,255,100 | 104,527,400          | 114,769,967 |
| <b>Preferential Land:</b> | 0           |             | 0                    |             |

**Transfer Information**

|                                    |                             |                           |
|------------------------------------|-----------------------------|---------------------------|
| <b>Seller:</b> STARWOOD CERUZZI    | <b>Date:</b> 08/27/2004     | <b>Price:</b> \$0         |
| <b>Type:</b> NON-ARMS LENGTH OTHER | <b>Deed1:</b> /27629/ 00149 | <b>Deed2:</b>             |
| <b>Seller:</b> HUNTMAK ASSOCIATES  | <b>Date:</b> 04/18/2000     | <b>Price:</b> \$7,850,000 |
| <b>Type:</b> NON-ARMS LENGTH OTHER | <b>Deed1:</b> /14415/ 00411 | <b>Deed2:</b>             |
| <b>Seller:</b> HUNTMAK ASSOCIATES  | <b>Date:</b>                | <b>Price:</b> \$0         |
| <b>Type:</b> NON-ARMS LENGTH OTHER | <b>Deed1:</b> /00000/ 00000 | <b>Deed2:</b>             |

**Exemption Information**

| Partial Exempt Assessments | Class | 07/01/2011 | 07/01/2012 |
|----------------------------|-------|------------|------------|
| <b>County</b>              |       |            | 0.00       |
| <b>State</b>               |       |            | 0.00       |
| <b>Municipal</b>           |       |            | 0.00       |

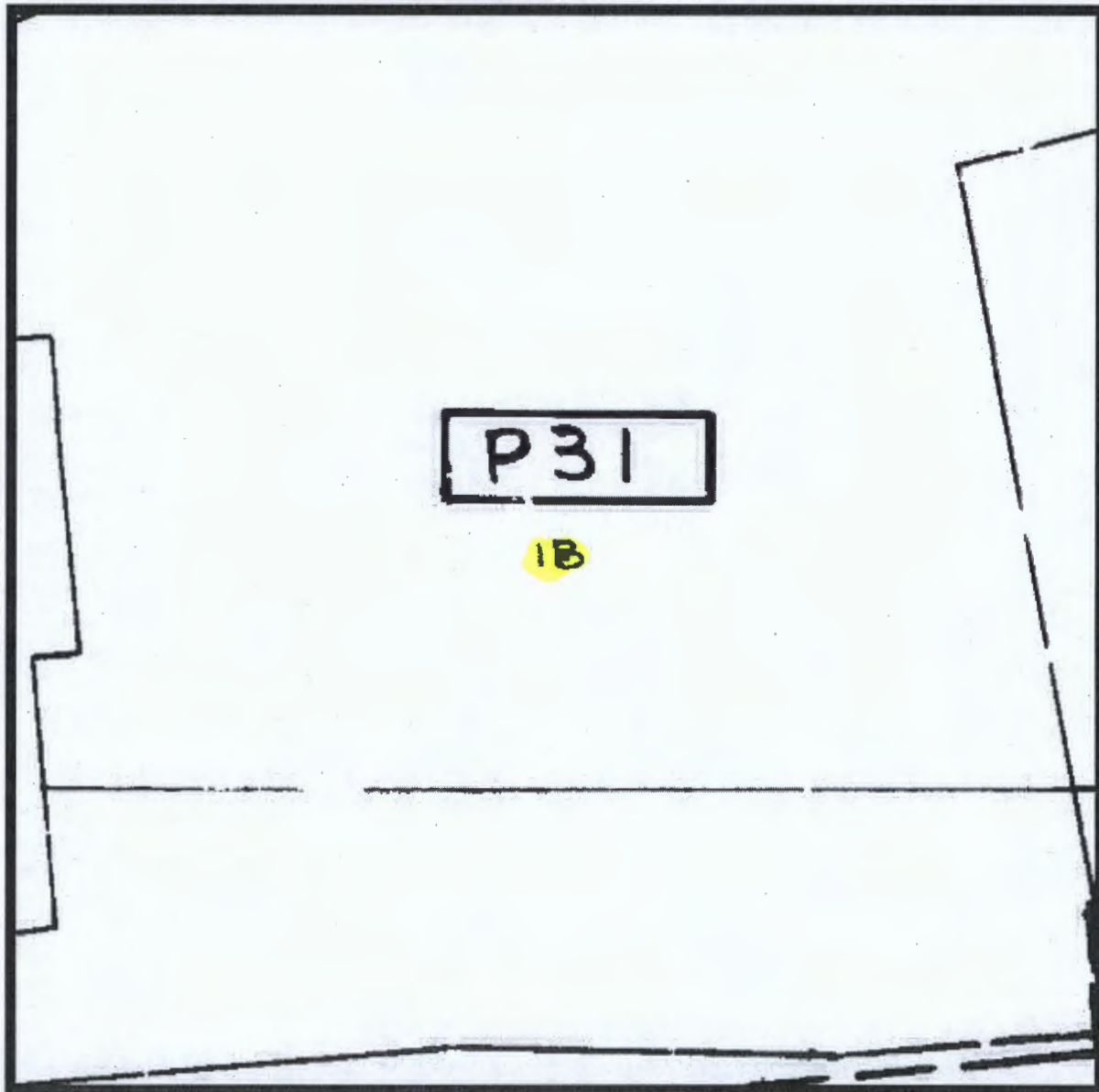
**Tax Exempt:** **Special Tax Recapture:**  
**Exempt Class:** \* NONE \*



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**District - 08** **Account Number - 1800014925**



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

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

Property maps provided courtesy of the Maryland Department of Planning ©2009.  
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml)



JARED L. BARNHART, P.E., LEED AP  
PROJECT MANAGER

Education

Kansas State University, BS, Civil Engineering, 2003

Licensure and Accreditation

Maryland Professional Engineer, No. 36725

LEED® Accredited Professional

Professional Summary

Jared Barnhart oversees the design and processing of grading, sediment and erosion control, stormwater management, road, storm drain, and water and sewer for land development projects. Jared will oversee the design and production and process projects through the Baltimore County Development and Zoning process through approval. Projects include small commercial renovations, as well as extensive commercial shopping centers and corporate office parks.

Partial List of Projects

Palisades of Towson  
1209 York Road, Baltimore County, MD  
Baltimore Crossroads @ 95, Baltimore County, MD  
Camden Auto Body and Fender, Baltimore County, MD  
Greenspring Quarry, Baltimore County, MD  
Hunt Valley Towne Centre, Baltimore County, MD  
Sparks Corporate Center, Sparks, Baltimore County, MD  
Towson Town Center Mall Expansion, Baltimore County, MD  
Devonport Community, Baltimore County, MD  
Global View, Baltimore County, MD

Memberships and Awards

Chi Epsilon  
American Society of Civil Engineers (ASCE)  
Engineers Without Borders

Professional Experience

Daft-McCune-Walker, Inc., Towson, Maryland, 2004 - Present  
Kirkham Michael Consulting Engineers, Omaha, NE, Summer 2001

**PETITIONER'S**

**EXHIBIT NO.**

2

# DMW

DAFT MCCUNE WALKER INC

## MITCHELL J. KELLMAN DIRECTOR OF ZONING SERVICES

### Education

Towson University, BA, Geography and Environmental Planning, Urban Planning  
Towson University, Masters, Geography and Environmental Planning, Urban Planning

### Professional Summary

Mr. Kellman has over 11 years of experience working in zoning administration and subdivision regulation for the public sector; 9 of those years were with the Baltimore County Office of Planning and Zoning. His responsibilities included review, approval and signatory powers on behalf of the Director of Final Development Plans and Record Plats. He represented the Zoning Office on the County Development Review Committee, a body reviewing the procedural compliance of all development submissions. Review of petitions and site plans filed for zoning hearing approvals were within his authority. Additionally, he supervised county review staff, met with professionals and public on development project matters, and made determinations regarding developments and their compliance with county regulations. In working for DMW, he has extensive experience in testifying before the Baltimore County Zoning Commissioner, Hearing Officer, and Board of Appeals. He also regularly represents the company at the Baltimore County Development Review Committee meetings.

### Partial List of Projects

Charlestown Retirement Community, Baltimore County, MD  
GBMC, Baltimore County, MD  
Goucher College, Baltimore County, MD  
Hopewell Point, Baltimore County, MD  
Notre Dame Preparatory School, Baltimore County, MD  
Oakcrest Village Retirement Community, Baltimore County, MD  
Sheppard and Enoch Pratt Hospital, Baltimore County, MD  
Waterview, Baltimore County, MD

### Professional Experience

Daft-McCune-Walker, Inc., Towson, MD: 2000-Present  
Baltimore County Office of Permits and Development Management - Development Control,  
1988-2000

**PETITIONER'S**

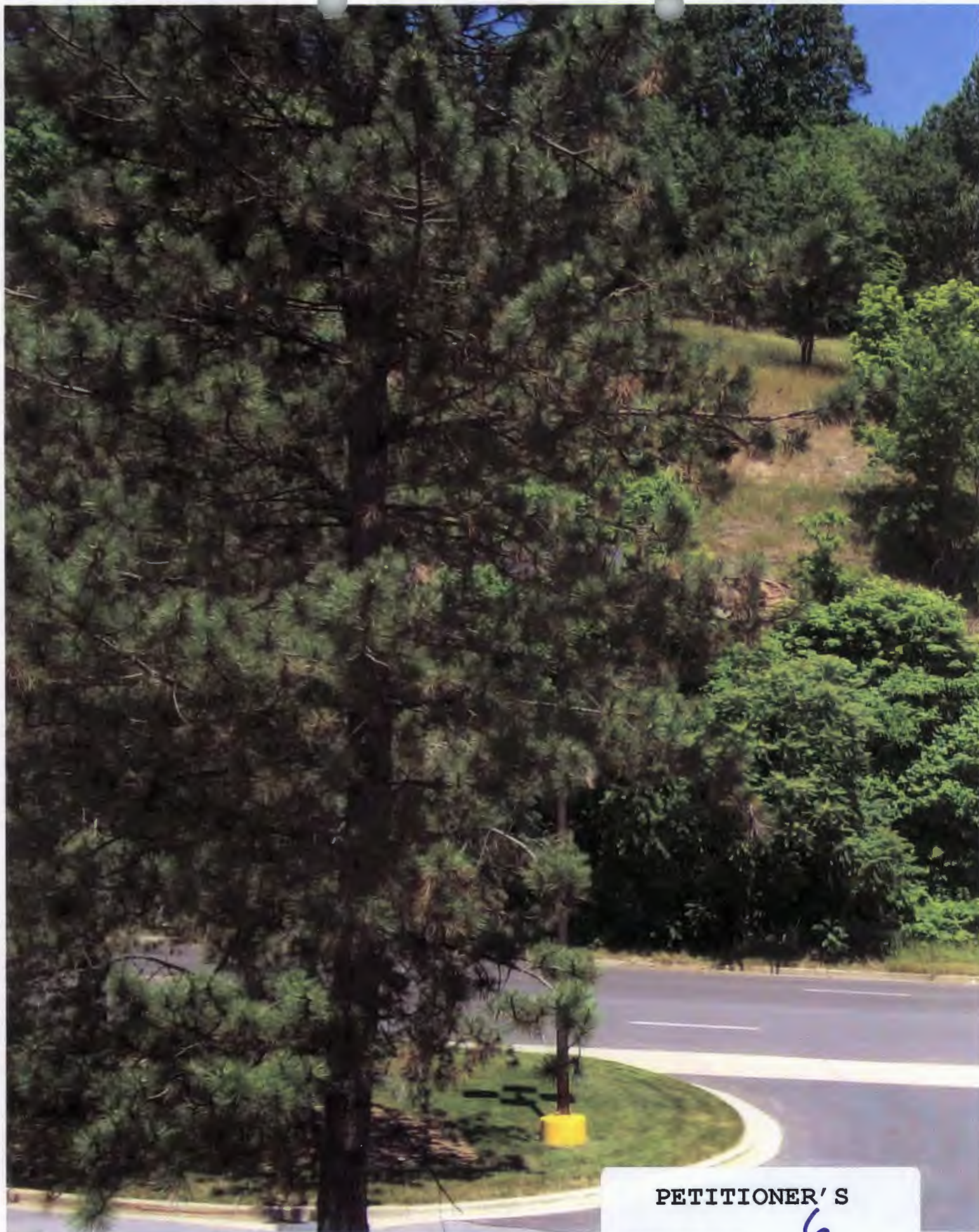
**EXHIBIT NO.**

3



PETITIONER'S

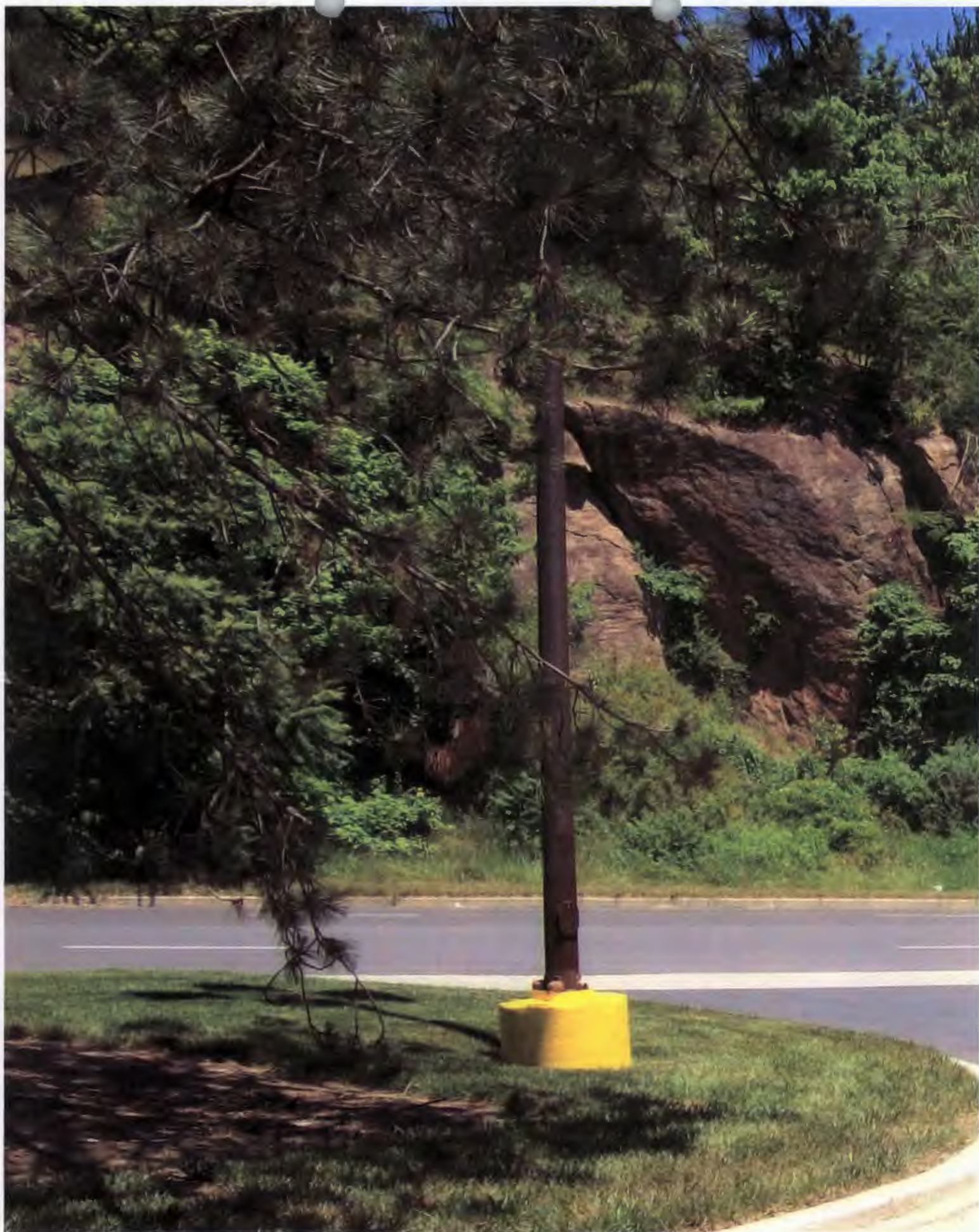
EXHIBIT NO. 5A

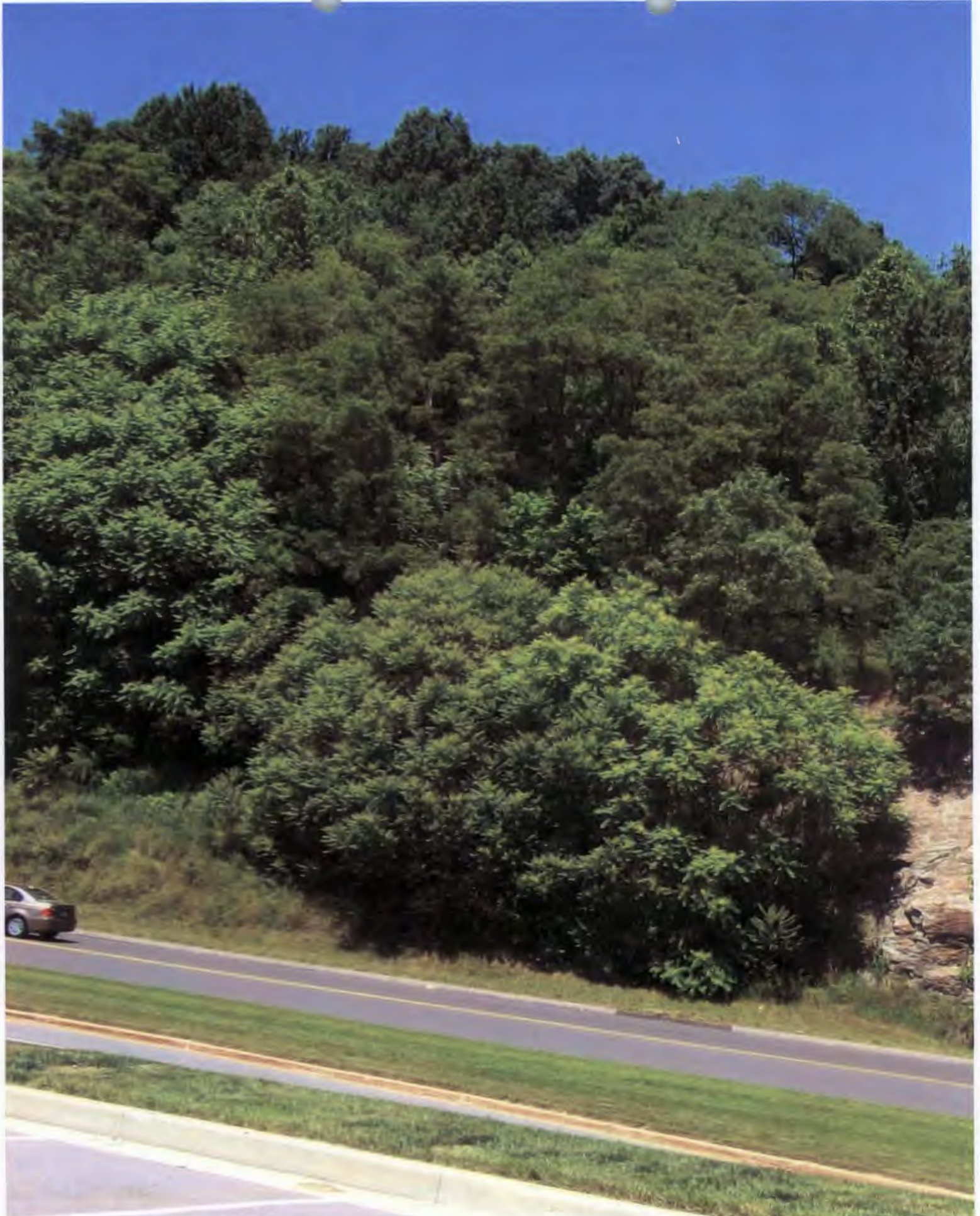


PETITIONER'S

EXHIBIT NO.

6











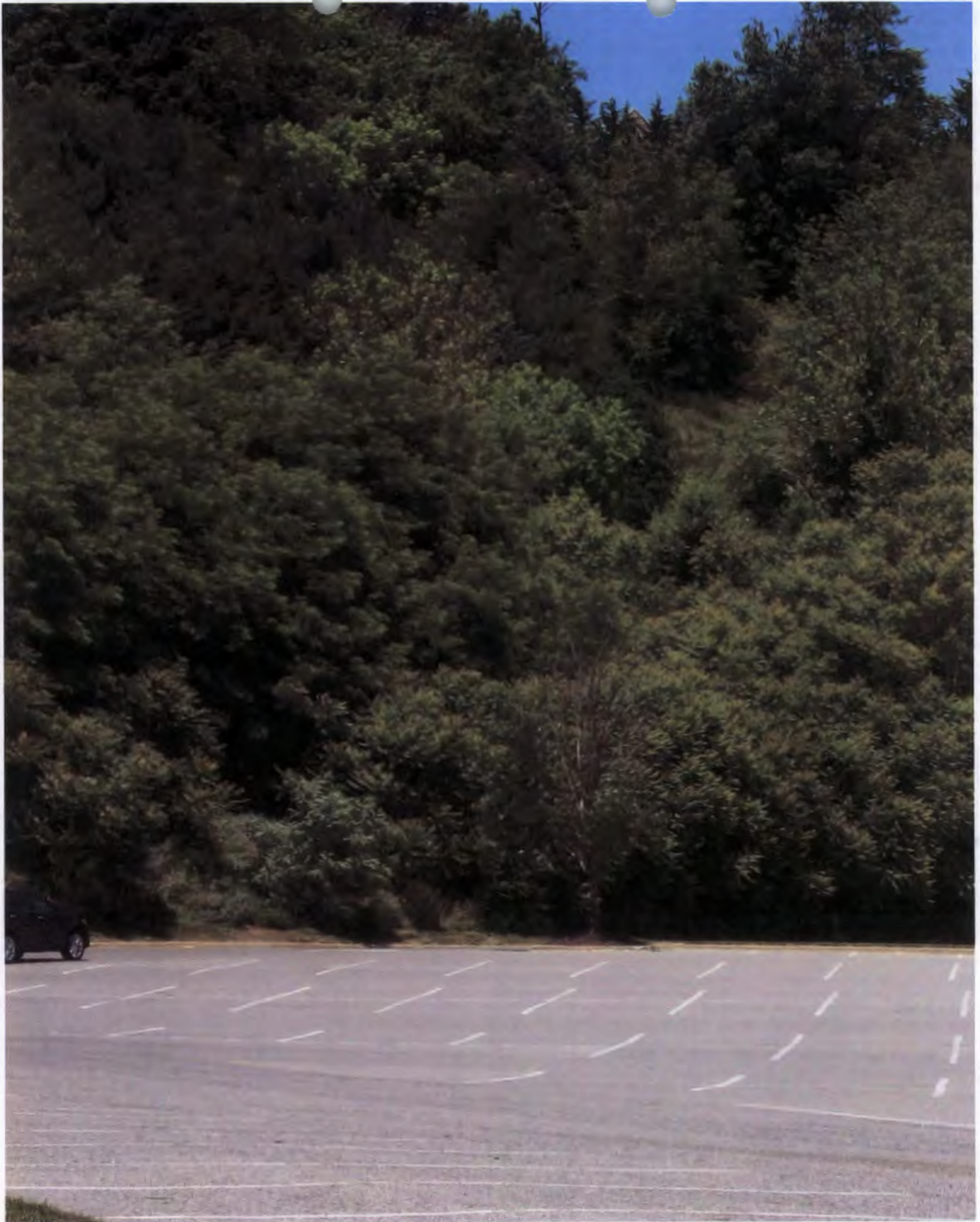


















**Baltimore County Government  
Department of Economic Development**



105 West Chesapeake, Suite 300  
Towson, MD 21204

(410) 887-8000  
Fax (410) 887-8017

**MEMORANDUM**

To: Zoning Commissioner  
Zoning Commissioner's Office

From: Peirce Macgill  
Commercial Revitalization Specialist

Date: May 12, 2011

Re: Variance – Hunt Valley Town Centre (Case Number: 2011-0152-A)

---

The Department of Economic Development supports the requested variance submitted by Hunt Valley Town Centre, LLC. The center owners are requesting a parking variance to permit 4,120 off-street parking spaces in lieu of the required 5,015 spaces. If the variance is granted, it would allow the expansion of the existing retail space.

The Hunt Valley Towne Center is an outstanding example of a successful redevelopment of a former enclosed mall. The additional retail space proposed will enhance an already successful retail avenue. The Hunt Valley area continues to transform as former manufacturing buildings are redeveloped into office space for professional service firms. The new retail stores will offer more services and amenities to the local workforce.

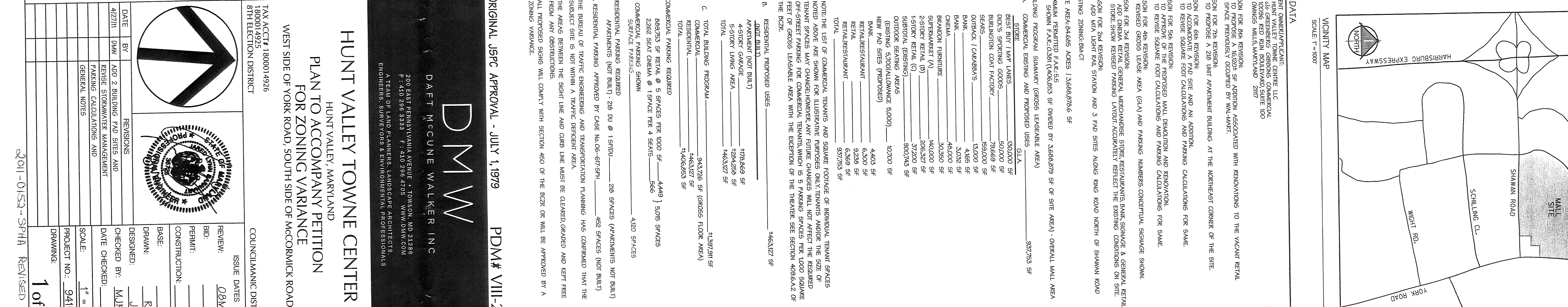
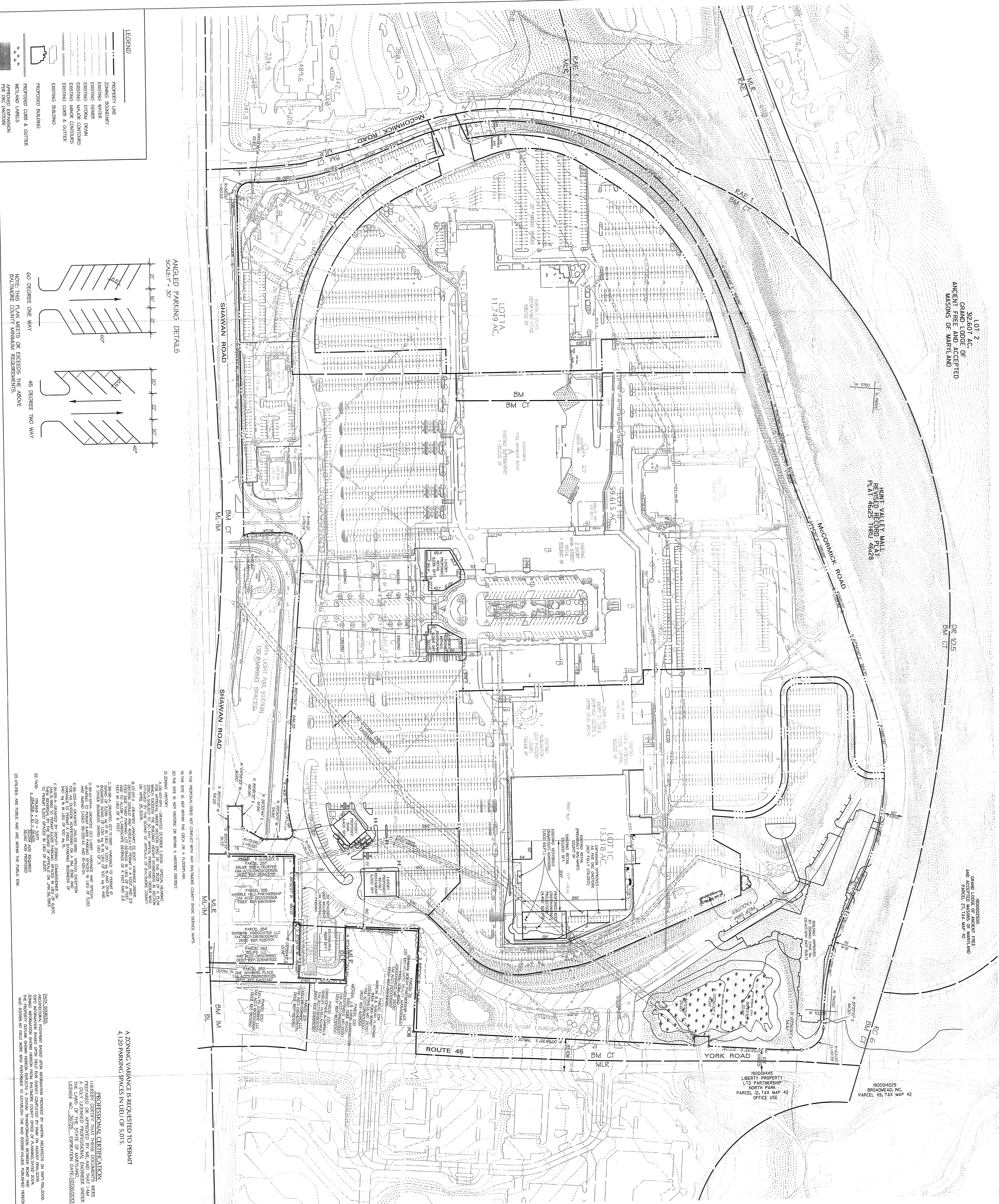
Again, the Department of Economic Development supports the proposed request and encourages the approval of the requested variance. Thank you for your time and attention to this matter. If you have any questions, please feel free to contact me at extension 2589.

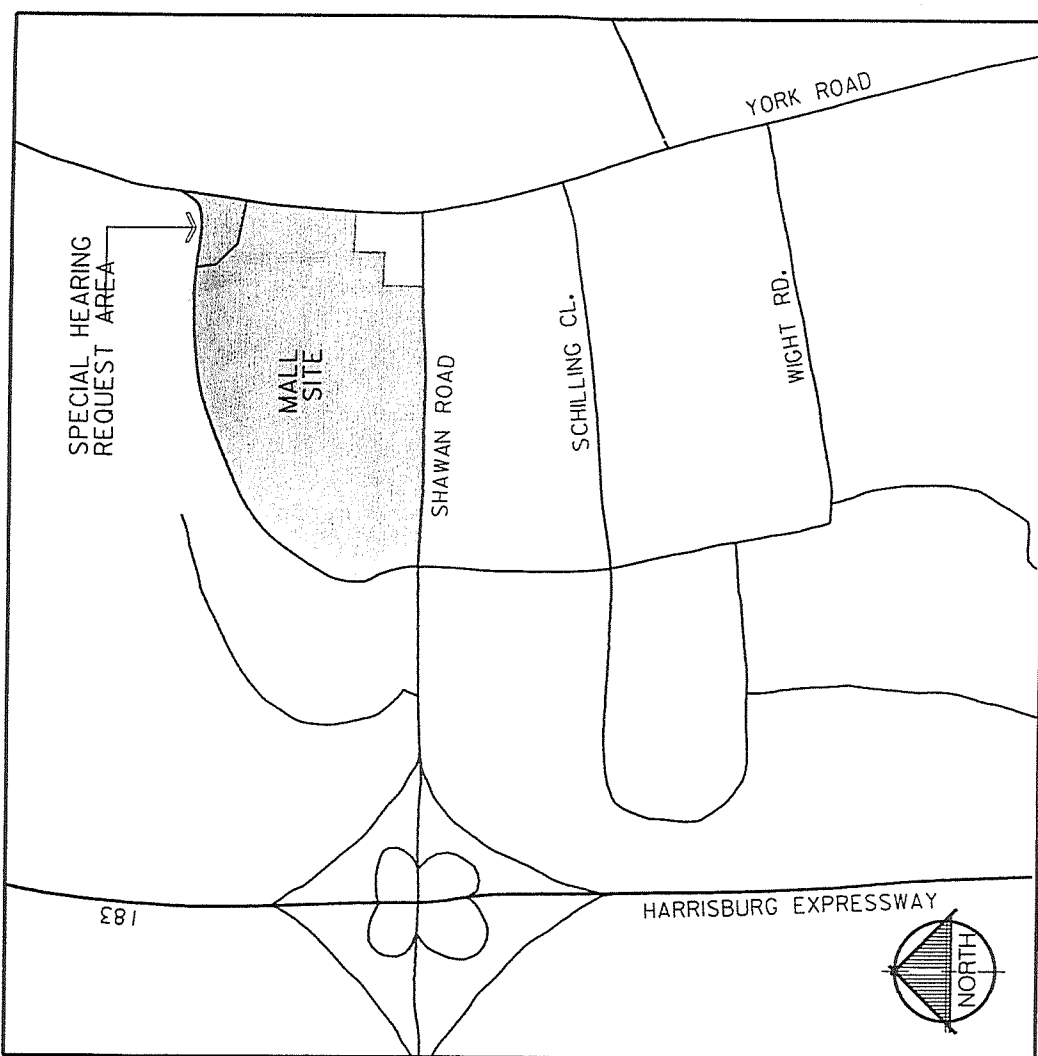
cc: Mr. David Karceski, Venable LLP

**PETITIONER'S**

**EXHIBIT NO.**

9



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ORIGINAL J5FC APPROVAL - JULY 1, 1979 PDM # VIII-2511

DMW

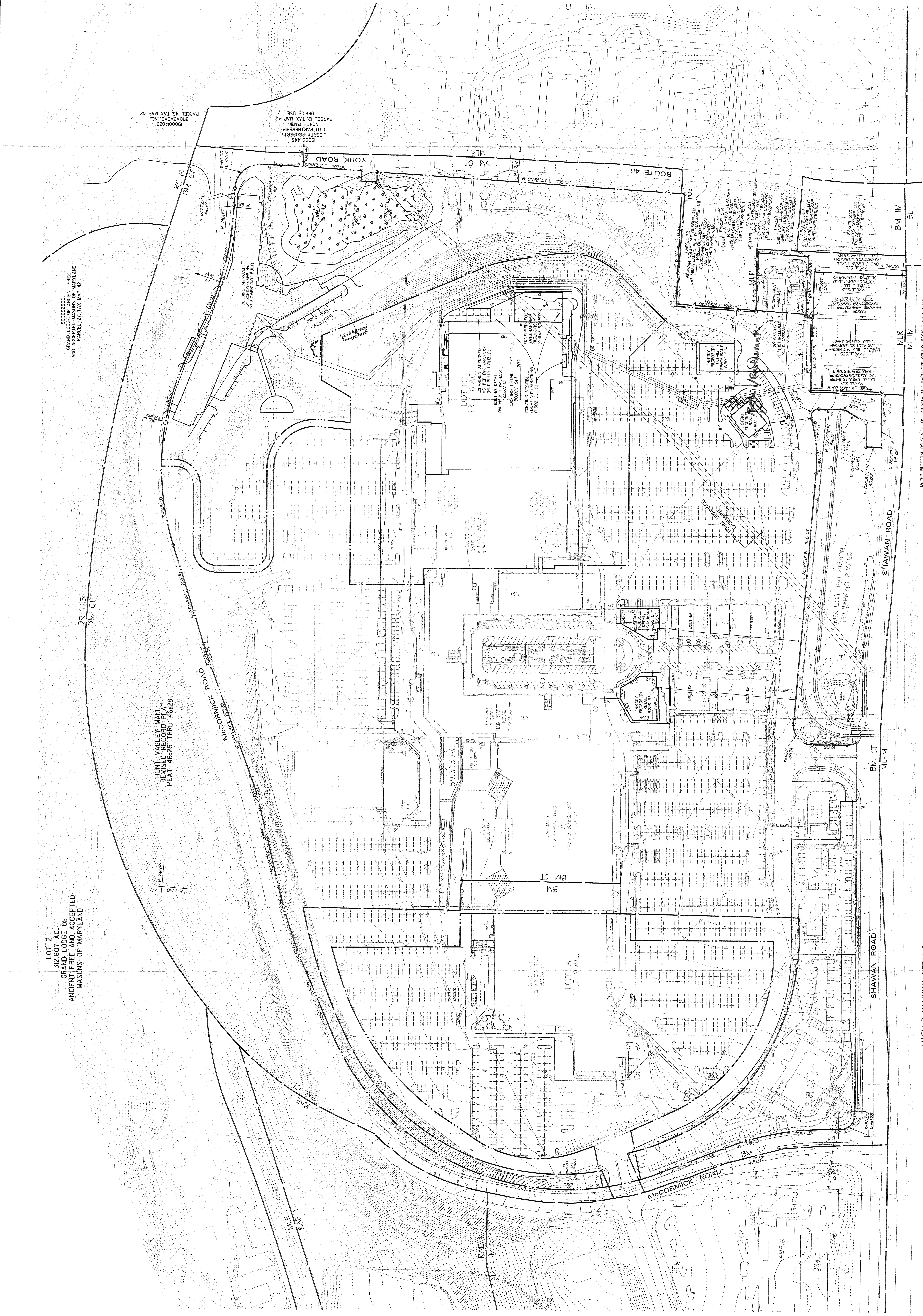
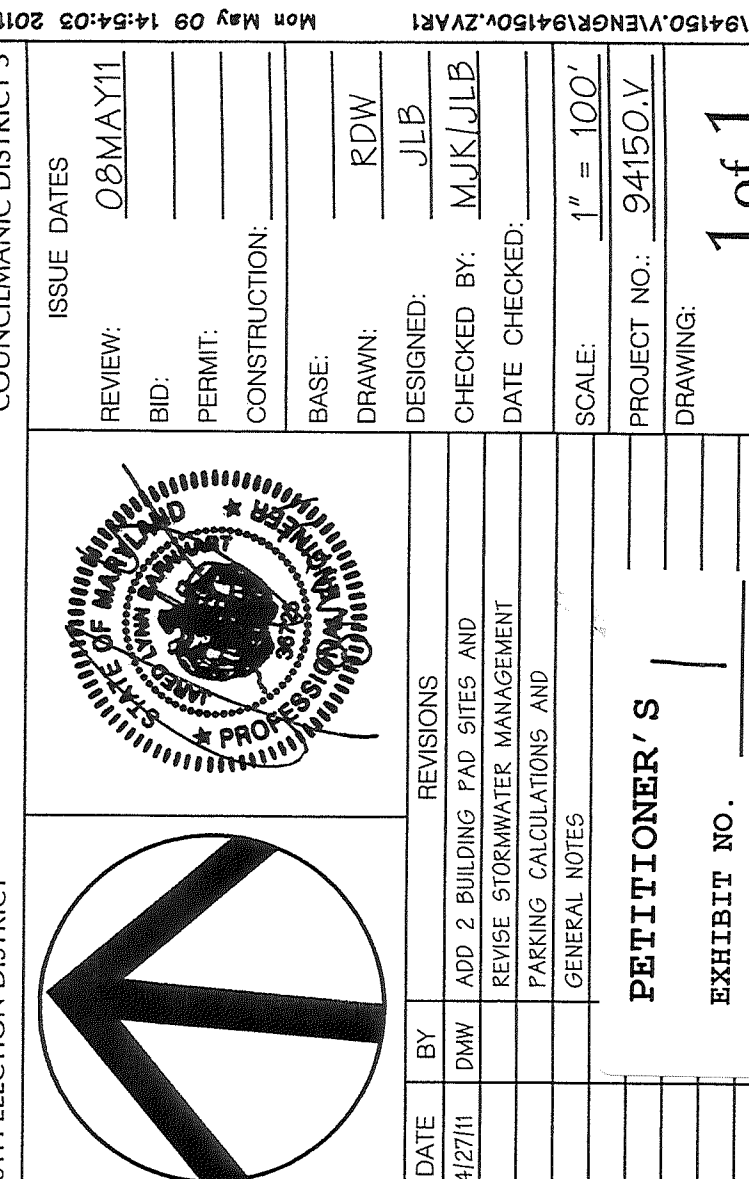
DAFT MCCUNE WALKER INC.

200 EAST PENNSYLVANIA AVENUE - SUITE 2000 - PHILADELPHIA, PA 19103  
P 415.241.3333 F 415.241.4100 WWW.DMW.COM

A TEAM OF LAND PLANNERS, LANDSCAPE ARCHITECTS,  
ENGINEERS, WATERWORKS, ENVIRONMENTAL PROFESSIONALS

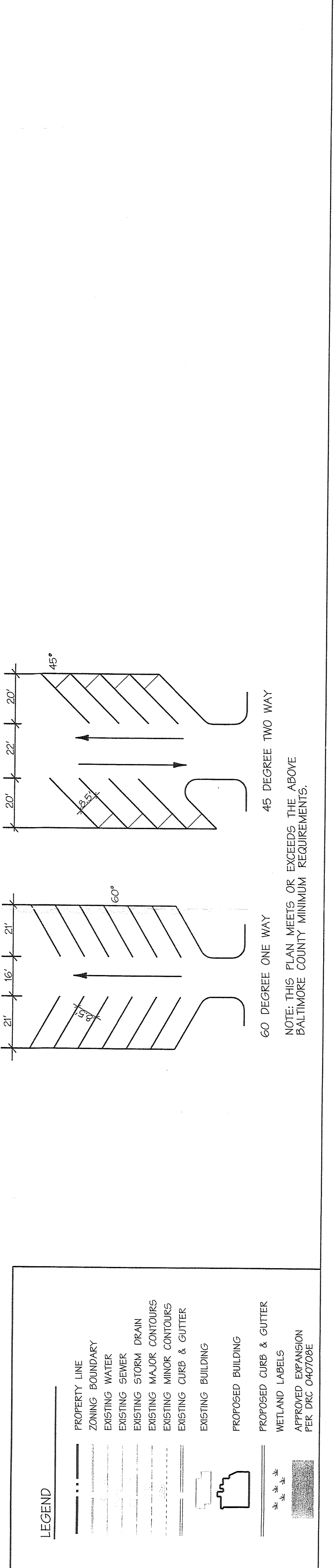
HUNT VALLEY TOWNE CENTER  
HUNT VALLEY, MARYLAND  
PLAN TO ACCOMPANY PETITION  
FOR ZONING VARIANCE  
WEST SIDE OF YORK ROAD, SOUTH SIDE OF MCCORMICK ROAD

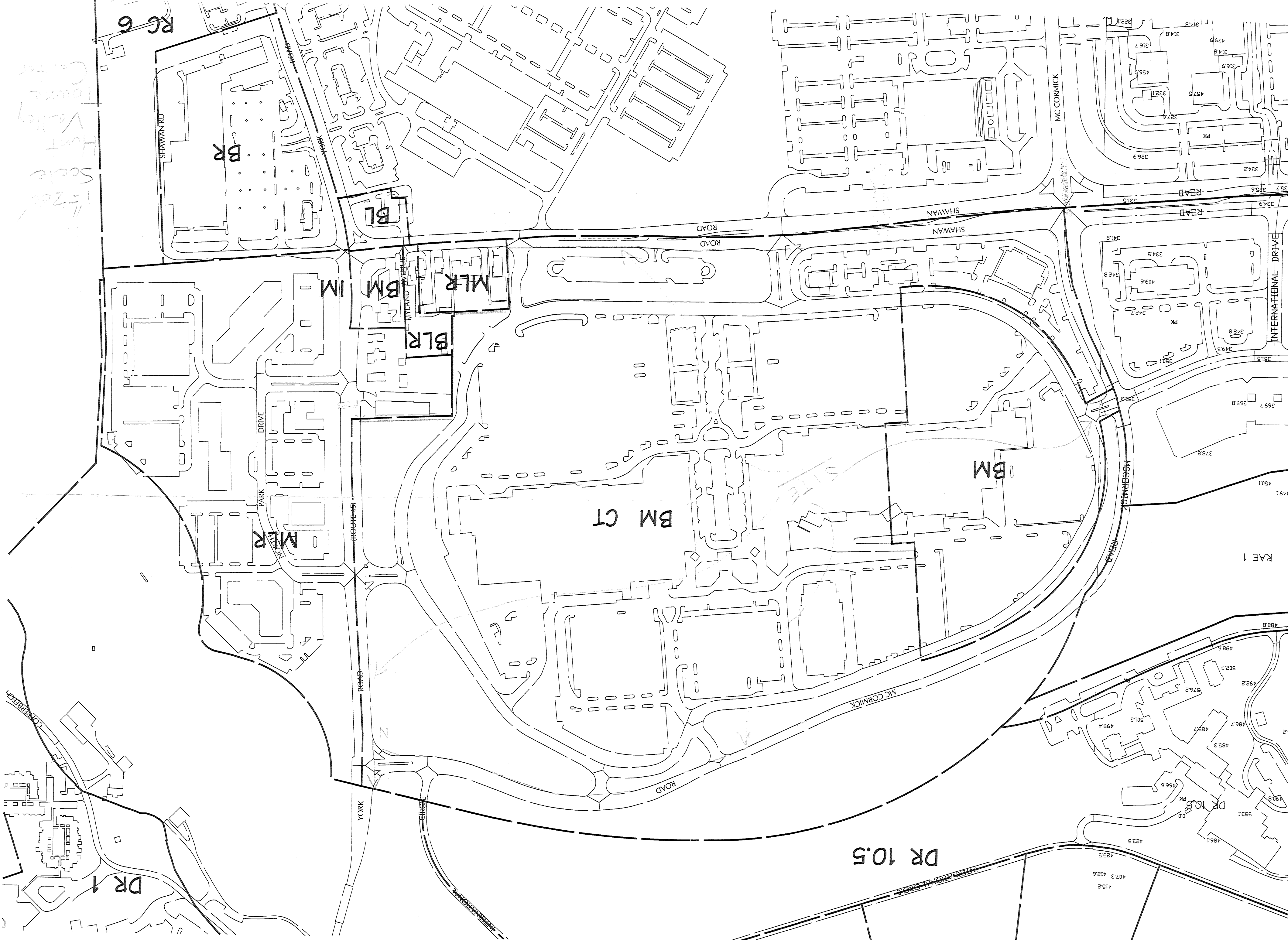
TAX ACCT# 1800014926  
1800014925  
8TH ELECTION DISTRICT  
COUNCILMANIC DISTRICT 3



THE SITE IS NOT WITHIN THE CEQA OR A FLOODPLAIN.  
 THE SITE IS NOT HISTORIC OR WITHIN A HISTORIC DISTRICT.

ZONING HISTORY

[illegible]



1" = 200'  
Scale  
Hunt Valley  
Town Center

RC 6

DR 1

DR 10.5

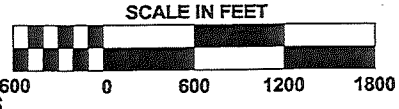
RAE 1



201397.2mN  
427457.5mE

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MARYLAND DEPARTMENT OF PLANNING  
PROPERTY MAPPING SECTION  
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the Maryland Department of Planning, Property Mapping Section,  
Room 1141, 301 N. E. Street, Baltimore, MD 21201-3205.  
REVISED TO: DATE JUNE 09 BY ML LWR

PETITIONER'S

BALTIMORE COUNTY,  
MARYLAND

201397.2mN  
432944.0mE

890-600  
MAP NO.  
42