

IN RE: PETITION FOR VARIANCE

N side of Baltimore National Pike, NW
Corner of Baltimore National Pike
and Dunwood Drive
1st Election District
1st Council District
(6600 Baltimore National Pike)

1 Mile West, LLLP, c/o The
Fedder Company, *Legal Owners*
Sungwoon Catonsville, LLC,
Contract Purchaser/Lessee
Petitioners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY
CASE NO. 2012-0243-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Variance filed by David H. Karceski, Esquire with Venable, LLP, on behalf of the legal owner, 1 Mile West, LLLP, c/o The Fedder Company, and the contract purchaser/lessee, Sungwoon Catonsville, LLC, ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.), Section 409.6.A.2, to allow 497 off-street parking spaces in lieu of the required 637. The subject property and requested relief is more fully depicted on the redlined site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the variance request were Mike Coughlin and Bill Monk with Morris & Ritchie Associates, Inc., the consulting firm that prepared the site plan, Nathan Raider and Robert Pollokoff with Fedder Real Estate and Development Management, and Sang Lee with Lotte Plaza. David H. Karceski, Esquire and Christopher Mudd, Esquire attended and represented Petitioners. The file reveals that the Petition was properly advertised and the site was properly posted as required by the B.C.Z.R. There were no Protestants or other interested

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Date 6-14-12

By PM

persons in attendance.

Zoning Advisory Committee (ZAC) comments were received and are made a part of the record of this case. A ZAC comment was received from the Department of Planning on June 11, 2012, which states as follows:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. This department offers the following comments:

On May 8, 1991, the Deputy Zoning Commissioner granted a parking variance for this property with the condition that the petitioner provide planting and upgrade landscaping along the front of the property around the signs and in the interior of the parking lot as determined appropriate by the Office of Planning (now Department of Planning) (see Case No. 91-252-A).

In lieu of providing interior parking lot landscaping as required in the above referenced case, the petitioner should add shade trees consistent with the landscape plan prepared by MRA furnished to the Department of Planning dated 5/29/2012. It appears that the proposed landscaping provides a significant upgrade to the visual aesthetic of the site and an environmental benefit. Consult with Jean Tansey, Baltimore County Landscape Architect to determine the type, number, and specific location of shade trees to be installed.

The Department of Planning recognizes that the petitioner has agreed to improve pedestrian access to the shopping center from the adjoining residential neighborhood by adding a sidewalk along the west side of Nuwood Drive from Dlong Road to the vehicular entrance opposite Powers Lane. Also, add a walkway from the proposed sidewalk into the site through the grass-covered area on the north side of the vehicular entrance.

In light of the aforementioned, the Department of Planning supports the petitioner's variance request.

Counsel for Petitioners indicated they met with the Department of Planning and have satisfied the concerns identified by that agency. The redlined plan depicts the proposed sidewalk along Norwood Drive, and the landscape plan marked as Exhibit 3 shows the plantings to be added to the site.

Testimony and evidence revealed that the subject property is 10.1 acres and zoned BR (Business, Roadside). The site is improved with a strip shopping center that has existed for many years in the Catonsville area. The new owners acquired the property in 2001, and have made

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Date 6.14.12 2

By pm

significant improvements to what was a moribund center, as seen on the photographs marked as Exhibits 5 and 6A-D. The need for the variance relief arises because Petitioners propose to operate a grocery store (Lotte Plaza, Exhibit 7) in the former tenant space occupied by Toys-R-Us.

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Indeed, this center was constructed in 1960, and is of irregular dimensions. Petitioners need to contend with existing site conditions, and Mr. Coughlin (who was accepted as an expert in land use matters; his resume was marked as Exhibit 2) testified via proffer that more than sufficient parking exists on site, for both peak and off peak uses. In addition, the landscaping to be provided along Baltimore National Pike is wider/deeper than required by County regulation, which contributes to the need for parking variance relief. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioners. In this regard, Petitioners testified they own no additional property to accommodate off-site parking, and thus Petitioners would be unable to operate their grocery store, a permitted use in the zone.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioners have met this test.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and

ORDER RECEIVED FOR FILING

Date 6.14.12

By ps

general welfare. This is amply demonstrated by the lack of community and County agency opposition.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and after considering the testimony and evidence offered by the Petitioners, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED, this 14 day of June, 2012, by this Administrative Law Judge, that Petitioners' Variance request from the Baltimore County Zoning Regulations (B.C.Z.R.), Section 409.6.A.2, to allow 497 off-street parking spaces in lieu of the required 637, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioners may apply for a building permit and may be granted same upon receipt of this Order. However the Petitioners are hereby made aware that proceeding at this time is at his own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason this Order is reversed, the Petitioner will be required to return and be responsible for returning said property to its original condition.
2. Petitioners must comply with the ZAC comments of the Department of Planning, dated June 7, 2012, a copy of which is attached hereto and made a part hereof.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

ORDER RECEIVED FOR FILING

Date 6.14.12

By [Signature] 4

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: June 7, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 6600 Baltimore National Pike

RECEIVED

Item Number: 12-243

JUN 11 2012

Petitioner: 1 Mile West, LLLP
C/o The Fedder Company

OFFICE OF ADMINISTRATIVE HEARINGS

Zoning: BR

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. This department offers the following comments:

On May 8, 1991, the Deputy Zoning Commissioner granted a parking variance for this property with the condition that the petitioner provide planting and upgrade landscaping along the front of the property around the signs and in the interior of the parking lot as determined appropriate by the Office of Planning (now Department of Planning) (see Case No. 91-252-A).

In lieu of providing interior parking lot landscaping as required in the above referenced case, the petitioner should add shade trees consistent with the landscape plan prepared by MRA furnished to the Department of Planning dated 5/29/2012. It appears that the proposed landscaping provides a significant upgrade to the visual aesthetic of the site and an environmental benefit. Consult with Jean Tansey, Baltimore County Landscape Architect to determine the type, number, and specific location of shade trees to be installed.

The Department of Planning recognizes that the petitioner has agreed to improve pedestrian access to the shopping center from the adjoining residential neighborhood by adding a sidewalk along the west side of Nuwood Drive from Dlong Road to the vehicular entrance opposite Powers Lane. Also, add a walkway from the proposed sidewalk into the site through the grass-covered area on the north side of the vehicular entrance.

In light of the aforementioned, the Department of Planning supports the petitioner's variance request.

For further information concerning the matters stated here in, please contact Dennis Wertz at 410-887-3480.

Prepared by:

Division Chief:
AVA/LL: CM

ORDER RECEIVED FOR FILING

Date

6-14-12

By

BW



KEVIN KAMENETZ
County Executive

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

June 14, 2012

DAVID H. KARCESKI, ESQUIRE
CHRISTOPHER MUDD, ESQUIRE
VENABLE, LLP
210 WEST PENNSYLVANIA AVENUE
SUITE 500
TOWSON, MD 21204

RE: Petition for Variance
Case No.: 2012-0243-A
Property: 6600 Baltimore National Pike

Dear Mr. Karceski:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

Enclosure

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



March 26, 2012

ZONING DESCRIPTION

Beginning at a point on the northerly right of way line of Baltimore National Pike, US Route 40, 150 feet wide, at the chamfered corner line of intersecting Nuwood Drive, northwesterly along northerly line of Baltimore National Pike running, thence from said point of beginning;

1. Northwesterly by a line curving to the right having a radius of 7564.44.00 feet for an arc distance of 515.96 feet said curve being subtended by a chord bearing North 57°08'32" West 515.88 feet;
2. North 22°38'00" east 702.90 feet;
3. South 65°00'00" East 282.73 feet;
4. Southeasterly by a line curving to the right having a radius of 8276.23 feet for an arc distance of 212.26 feet said curve being subtended by a chord bearing South 64°15'49" East 212.25 feet;
5. South 63°31'44" East 32.08 feet;
6. South 26°58'14" East 16.07 feet;
7. Southwesterly by a line curving to the right having a radius of 665.00 feet for an arc distance of 190.99 feet said curve being subtended by a chord bearing South 17°48'54" West 190.33 feet;
8. South 26°02'32" West 540.26 feet;
9. South 73°29'25" West 23.62 feet to the point of beginning having an address of 6600 Baltimore National Pike and being located along the northeasterly side of said Baltimore National Pike.

Containing 404, 319 square feet or 9.2835 acres of land, more or less and being located in the First Election District, First Councilmanic District, of Baltimore County, Maryland.



Joshua T. Sharon
Professional Engineer No. 34479

2012-0243-A

1220-C East Joppa Road, Suite 505, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD	+	Laurel, MD	+	Towson, MD	+	Georgetown, DE	+	Wilmington, DE	+	York, PA
(410) 515-9000		(410) 792-9792		(410) 821-1690		(302) 855-5734		(302) 326-2200		(717) 751-6073



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 6600 Baltimore National Pike

which is presently zoned BR

Deed References: 15280/633

10 Digit Tax Account # 1600004479, 1600004478

Property Owner(s) Printed Name(s) 1 Mile West LLLP

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a **Variance** from Section(s) 409.6.A.2 of the Baltimore County Zoning Regulations to allow 500 off-street parking spaces in lieu of the required 637.

497

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING

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

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

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

Sungwoon Catonsville, LLC

Alvin Lee, Director

Name- Type or Print

Signature

801 Baltimore National Pike, Ellicott City, Maryland

Mailing Address

City

State

21043

213-944-4448

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

David H. Karceski, Esquire
Venable, LLP

Name- Type or Print

Signature

210 W. Pennsylvania Avenue, Ste. 500, Towson, Maryland

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

1 Mile West LLLP c/o The Fedder Company

Attn: Robert A. Pollokoff

(SEE ATTACHED)

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

10096 Red Run Boulevard, Ste. 300, Owings Mills, Maryland

Mailing Address

City

State

21117

800-966-5266

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karceski, Esquire
Venable, LLP

Name - Type or Print

Signature

210 W. Pennsylvania Avenue, Ste. 500, Towson, Maryland

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

CASE NUMBER

2012-0243A

Filing Date

4/6/12

Do Not Schedule Dates:

Review:

GH/AT

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date

6.14.12

By

pm

PROPERTY ADDRESS:

6600 Baltimore National Pike

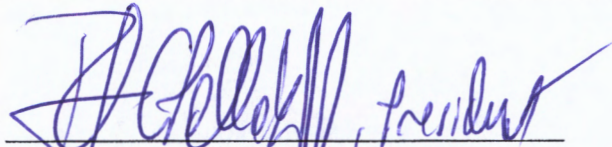
LEGAL OWNERS:

1 Mile West LLLP, c/o The Fedder Company

LANDLORD: 1 MILE WEST, L.L.L.P., HSG ONEMW, L.L.C., LM ONEMW,
L.L.C., GARTEN ONEMW, L.L.C., OVERLEA LIMITED PARTNERSHIP &
HA LIMITED PARTNERSHIP (as Tenants-In-Common)

BY: FEDDER MANAGEMENT CORPORATION, authorized agent for Landlord

BY:


Robert G. Pollokoff, President

2012-0243-A

No. 82150
Date: 4/6/12

1. *What is the purpose of the study?*
 2. *What are the research questions?*
 3. *What is the significance of the study?*
 4. *What are the limitations of the study?*
 5. *What are the conclusions of the study?*

Date:

4/6/12

Total:

3A

Rec

From:

ENABLE

For:

6600 BALTIMORE NAT'L PIKE

2012-0243 A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2012-0243-A

Petitioner: 1 MILE WEST LLP

Address or Location: 10096 RED RUN BLVD, STE 300, 21117

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID KARCESKI, ESQUIRE

Address: VENABLE, LLP

210 W PENNSYLVANIA AVE, STE 500

TOWSON, MD 21204

Telephone Number: 410.494.6285

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
6600 Baltimore National Pike; NW Corner		
of Baltimore National Pike & Dunwood Drive	*	OF ADMINISTRATIVE
1 st Election & 1 st Councilmanic Districts		
Legal Owner(s): 1 Mile West LLLP	*	HEARINGS FOR
Contract Purchaser(s): Sungwood Catonsville LLC		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2012-243-A

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

APR 19 2012

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of April, 2012, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 1, 2012 Issue - Jeffersonian

Please forward billing to:

David Karceski, Esq.

410-494-6285

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2012-0243-A

6600 Baltimore National Pike

N/s Baltimore National Pike, N/w corner intersection of Baltimore National Pike & Dunwood Dr.

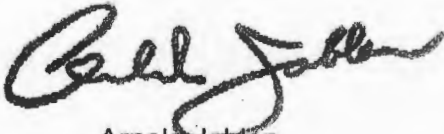
1st Election District – 1st Councilmanic District

Legal Owners: 1 Mile West, LLLP c/o The Fedder Company

Contract Purchaser: Sungwoon Catonsville, LLC

Variance to allow 510 off-street parking spaces in lieu of the required 637.

Hearing: Tuesday, May 15, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

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



KEVIN KAMENETZ
County Executive

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

April 24, 2012

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2012-0243-A

6600 Baltimore National Pike

N/s Baltimore National Pike, N/w corner intersection of Baltimore National Pike & Dunwood Dr.

1st Election District – 1st Councilmanic District

Legal Owners: 1 Mile West, LLLP c/o The Fedder Company

Contract Purchaser: Sungwoon Catonsville, LLC

Variance to allow 510 off-street parking spaces in lieu of the required 637.

Hearing: Tuesday, May 15, 2012 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

Alvin Lee, 801 Baltimore National Pike, Ellicott City 21043

Robert Pollokoff, 10096 Red Run Blvd., Ste. 300, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 30, 2012.**
- (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.

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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: # 2012-0243-A

6600 Baltimore National Pike
N/s Baltimore National Pike, N/w corner intersection of
Baltimore National Pike & Dunwood Dr.

1st Election District — 1st Councilmanic District

Legal Owner(s): 1 Mile West, LLP c/o The Fedder Company

Contract Purchaser: Sungwoon Catonsville, LLC

Variance: to allow 510 off-street parking spaces in lieu of the required 637.

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

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

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 05/607 May 1 302835

CERTIFICATE OF PUBLICATION

5/3/ 2012

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 5/1/ 2012.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2012-0243-A

RE: Case No.: _____

Petitioner/Developer: _____

1 Mile West, LLP c/o The Fedder Company
(Contract Purchaser) Sungwoon Catonsville, LLC

May 15, 2012

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
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: _____

6600 Baltimore National Pike

April 30, 2012

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

Sincerely,

April 30, 2012

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

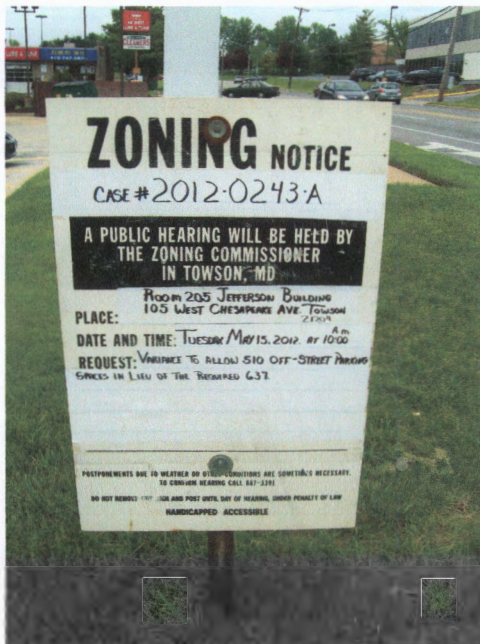
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





KEVIN KAMENETZ
County Executive

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

May 16, 2012

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 2012-0243-A

6600 Baltimore National Pike

N/s Baltimore National Pike, N/w corner intersection of Baltimore National Pike & Dunwood Dr.
1st Election District – 1st Councilmanic District

Legal Owners: 1 Mile West, LLLP c/o The Fedder Company

Contract Purchaser: Sungwoon Catonsville, LLC

Variance to allow 497 off-street parking spaces in lieu of the required 637.

Hearing: Thursday, June 14, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Alvin Lee, 801 Baltimore National Pike, Ellicott City 21043
Robert Pollokoff, 10096 Red Run Blvd., Ste. 300, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MAY 25, 2012.**
- (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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 24, 2012 Issue - Jeffersonian

Please forward billing to:

David Karceski, Esq.

410-494-6285

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

NOTICE OF ZONING HEARING

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6600 Baltimore National Pike

N/s Baltimore National Pike, N/w corner intersection of Baltimore National Pike & Dunwood Dr.

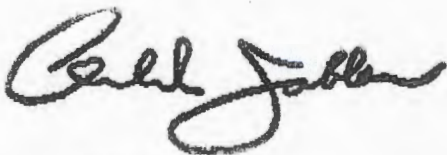
1st Election District – 1st Councilmanic District

Legal Owners: 1 Mile West, LLLP c/o The Fedder Company

Contract Purchaser: Sungwoon Catonsville, LLC

Variance to allow 510 off-street parking spaces in lieu of the required 637.

Hearing: Thursday, June 14, 2012 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

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- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

**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: # 2012-0243-A
6600 Baltimore National Pike
N/s Baltimore National Pike,
N/w corner intersection of
Baltimore National Pike &
Dunwood Dr.
1st Election District
1st Councilmanic District
Legal Owner(s):
1 Mile West, LLLP
c/o The Fedder Company
Contract Purchaser:
Sungwon Catonsville, LLC
Variance: to allow 510 off-
street parking spaces in lieu
of the required 637
Hearing: Thursday, June
14, 2012 at 10:00 a.m. in
Room 205, Jefferson
Building, 105 West Chesa-
peake Avenue, Towson
21204.

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

NOTES: (1) Hearings are
Handicapped Accessible;
for special accommoda-
tions Please Contact the
Administrative Hearings Of-
fice at (410) 887-3868.

(2) For information con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-
3391.
5/329 May 24 303539

CERTIFICATE OF PUBLICATION

5/24/ 2012

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 5/24/ 2012.

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

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2012-0243-A

RE: Case No.: _____

Petitioner/Developer: _____

Sungwon Catonsville, LLC

June 14, 2012

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
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: _____

6600 Baltimore National Pike

May 25, 2012

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

Sincerely,

May 25, 2012

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

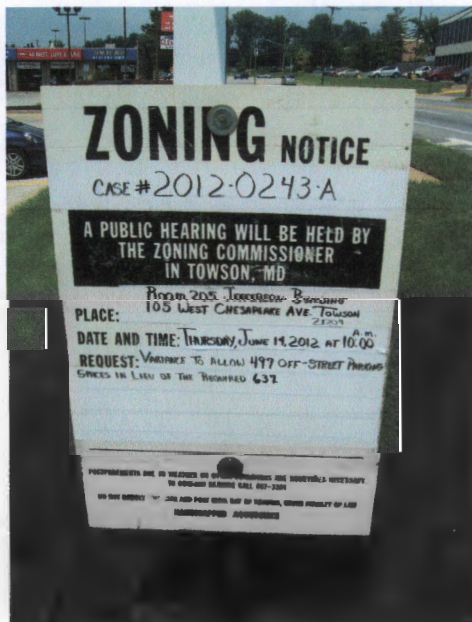
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

Order #: 10086286

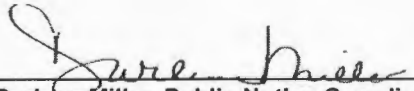
Description:

Case Number: 2012-0243-A - New Notice of Zoning Hearing -
6600 Baltimore National Pike

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

5/25/2012



Darlene Miller, Public Notice Coordinator
(Representative Signature)

NEW NOTICE OF ZONING HEARING

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

CASE NUMBER: 2012-0243-A

6600 Baltimore National Pike

N/s Baltimore National Pike, N/w corner intersection of Baltimore National Pike & Dunwood Dr.

1st Election District - 1st Councilmanic District

Legal Owners: 1 Mile West, LLLP c/o The Fedder Company

Contract Purchaser: Sungwon Catonsville, LLC

Variance to allow 197 off-street parking spaces in lieu of the required 637.

Hearing: Thursday, June 14, 2012 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

ARNOLD JABLON,

Director.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-867-3868.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-867-3391.

my25

RECEIVED

JUN 06 2012

OFFICE OF ADMINISTRATIVE HEARINGS

MEMORANDUM

DATE: July 17, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0243-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 16, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings



KEVIN KAMENETZ
County Executive

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

April 24, 2012

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2012-0243-A

6600 Baltimore National Pike

N/s Baltimore National Pike, N/w corner intersection of Baltimore National Pike & Dunwood Dr.

1st Election District – 1st Councilmanic District

Legal Owners: 1 Mile West, LLLP c/o The Fedder Company

Contract Purchaser: Sungwoon Catonsville, LLC

Variance to allow 510 off-street parking spaces in lieu of the required 637.

Hearing: Tuesday, May 15, 2012 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

Alvin Lee, 801 Baltimore National Pike, Ellicott City 21043

Robert Pollokoff, 10096 Red Run Blvd., Ste. 300, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, APRIL 30, 2012.**
- (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.

Case No.: 2012-0243-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan (redlined)	
No. 2	Coughlin Resume	
No. 3	Landscape Plan	
No. 4	Aerial Photo	
No. 5	Color Photo	
No. 6	Color Photo - after renovation 6A-6D	
No. 7	Illustrative rendering.	
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

7-17-12
6/14/12
13

6/14/12
10am



KEVIN KAMENETZ
County Executive

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

May 8, 2012

Robert A. Pollokoff
1 Mile West LLLP
c/o The Fedder Company
10096 Red Run Boulevard
Suite 300
Owings Mills, MD 21117

RE: Case Number: 2012-0243A, Address: 6600 Baltimore National Pike

Dear Mr. Pollokoff:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 6, 2012. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
David Karceski, Esquire, 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204
Alvin Lee, Director, 801 Baltimore National Pike, Ellicott City, MD 21043

Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 4-19-12

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

RE: Baltimore County
Item No. 2012-0243-A
Variance
1 Mile West LLLP,
The Pedder Company,
Robert A. Pollockoff
6600 Baltimore National
Pike

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 4-16-12. A field inspection and internal review reveals that an entrance onto ~~the site~~ consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance.
Case Number 2012-0243-A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

for Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: April 26, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For April 30, 2012
Item Nos. 2012-0208, 0241, 0242, 0243, 0244, 0245, 0246, 0247, 0248,
0249, 0250 And 0252.

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-04302012-NO COMMENTS.doc

CASE NAME Sungwon CAPASVILLE
CASE NUMBER 2012-0273-A
DATE 6/14/12

[illegible]

CHECKLISTSupport/Oppose/
Conditions/
Comments/
No CommentComment
ReceivedDepartment5-17

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

nc

DEPS

(if not received, date e-mail sent _____)

FIRE DEPARTMENT

6-11

PLANNING

(if not received, date e-mail sent _____)

Comments5-15

STATE HIGHWAY ADMINISTRATION

nc

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

1949-1542-R 1968-0170-R

PRIOR ZONING

(Case No. 1953-2462-R 57.59-X)1991-0067-X, 1991-0252-X

NEWSPAPER ADVERTISEMENT

Date:

5-24-25 - Daily Record

SIGN POSTING

Date:

5-24 by Black

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

6/14 10am
205**Debra Wiley - ZAC Comments - Distribution Mtg. of May 14th**

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 5/21/2012 12:56 PM
Subject: ZAC Comments - Distribution Mtg. of May 14th

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0243-A - 6600 Baltimore National Pike
Hearing Date: 6/14 @ 10 AM

2012-0278-A - 60/58 Bond Avenue
No hearing date assigned in data base as of today

2012-0279-A - 3732 Parkfield Road
Administrative Variance - Closing Date: 5/28

2012-0280-A - 1703 Middleborough Rd.
No hearing date assigned in data base as of today

2012-0281-A - 5325 Campbell Blvd.
No hearing date assigned in data base as of today

2012-0282-A - 4105 Pine Hill Rd.
Administrative Variance - Closing Date: No date in data base

2012-0283-A - 180 Clinton Sq.
No hearing date assigned in data base as of today

2012-0287-A - 3822 New Section Rd.
Administrative Variance - Closing Date: 6/4

2012-0288-A - 5600, 5601, 5603 & 5605 Country Farm Rd.
No hearing date assigned in data base as of today

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

Debra Wiley - ZAC Comments - Distribution Mtg. of April 16th

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 4/23/2012 9:38 AM
Subject: ZAC Comments - Distribution Mtg. of April 16th

Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0208-A - 12519 Falls Road
No hearing date assigned in data base as of today

2012-0241-A - 238 Colgate Avenue
Administrative Variance - Closing Date: 4/30

2012-0242-A - 5710 Country Farm Road
No hearing date assigned in data base as of today

2012-0243-A - 6600 Baltimore National Pike
No hearing date assigned in data base as of today

2012-0244-A - 3023 Taylor Avenue
No hearing date assigned in data base as of today

2012-0245-A - 519 Maryland Avenue
Administrative Variance - Closing Date: None reflected in data base as of today

2012-0246-SPHA - 7933 Eastern Avenue
No hearing date assigned in data base as of today

2012-0247-A - 601 Goucher Avenue
Administrative Variance - Closing Date: 5/7/12

2012-0248-SPHA - 2204 Lodge Forest Drive - **CRITICAL AREA**
No hearing date assigned in data base as of today

2012-0249-A - 2206 Lodge Forest Drive - **CRITICAL AREA**
No hearing date assigned in data base as of today

2012-0250-A - 513 Piccadilly Road
Administrative Variance - Closing Date: 5/7/12

2012-0251-A - 3516 Bay Drive - **CRITICAL AREA**
Administrative Variance - Closing Date: 5/7/12

Subject: ZAC Comments - Distribution Mtg. of April 16th
Created By: dwiley@baltimorecountymd.gov
Scheduled Date:
Creation Date: 4/23/2012 9:38 AM
From: Debra Wiley

Recipient	Action	Date & Time	Comment
To: Curtis Murray (cjmurray@baltimorecountymd.gov)	Delivered	4/23/2012 9:38 AM	
To: David Lykens (dlykens@baltimorecountymd.gov)	Delivered	4/23/2012 9:38 AM	
To: Dennis Kennedy (DKennedy@baltimorecountymd.gov)	Pending		
To: Don Muddiman (dmuddiman@baltimorecountymd.gov)	Pending		
To: Jeffrey Livingston (jlivingston@baltimorecountymd.gov)	Delivered	4/23/2012 9:38 AM	
To: Lynn Lanham (mlanham@baltimorecountymd.gov)	Delivered	4/23/2012 9:38 AM	



KEVIN KAMENETZ
County Executive

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

June 5, 2012

Robert A. Pollokoff
1 Mile West LLLP
c/o The Fedder Company
10096 Red Run Boulevard
Suite 300
Owings Mills, MD 21117

RE: Case Number: 2012-0243A, Address: 6600 Baltimore National Pike

Dear Mr. Pollokoff:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 6, 2012. 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 that reads "W. Carl Richards, Jr." The signature is stylized with a large, flowing "W" and a prominent "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
David Karceski, Esquire, 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204
Alvin Lee, Director, 801 Baltimore National Pike, Ellicott City, MD 21043

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 5-15-12

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

RE: Baltimore County
Item No. 2012-0243-A
Variance.
1 Mile West LLLP,
The Fedder Company,
Robert A. Pollock
6600 Baltimore National Pike
US40

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 5-14-12. A field inspection and internal review reveals that an entrance onto US40 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2012-0243-A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: June 7, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 6600 Baltimore National Pike

Item Number: 12-243

Petitioner: 1 Mile West, LLLP
C/o The Fedder Company

Zoning: BR

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. This department offers the following comments:

On May 8, 1991, the Deputy Zoning Commissioner granted a parking variance for this property with the condition that the petitioner provide planting and upgrade landscaping along the front of the property around the signs and in the interior of the parking lot as determined appropriate by the Office of Planning (now Department of Planning) (see Case No. 91-252-A).

In lieu of providing interior parking lot landscaping as required in the above referenced case, the petitioner should add shade trees consistent with the landscape plan prepared by MRA furnished to the Department of Planning dated 5/29/2012. It appears that the proposed landscaping provides a significant upgrade to the visual aesthetic of the site and an environmental benefit. Consult with Jean Tansey, Baltimore County Landscape Architect to determine the type, number, and specific location of shade trees to be installed.

The Department of Planning recognizes that the petitioner has agreed to improve pedestrian access to the shopping center from the adjoining residential neighborhood by adding a sidewalk along the west side of Nuwood Drive from Dlong Road to the vehicular entrance opposite Powers Lane. Also, add a walkway from the proposed sidewalk into the site through the grass-covered area on the north side of the vehicular entrance.

In light of the aforementioned, the Department of Planning supports the petitioner's variance request.

For further information concerning the matters stated here in, please contact Dennis Wertz at 410-887-3480.

Prepared by:

Division Chief:
AVA/LL: CM

RECEIVED
JUN 15 2012
OFFICE OF ADMINISTRATIVE HEARINGS

already in file

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: May 17, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For May 28, 2012
Item Nos. 2012-0243, 0278, 0279, 0280, 0281, 0282, 0283
And 0288

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-05282012-NO COMMENTS.doc

Debra Wiley - 2012-0243-A

From: Debra Wiley
To: Fisher, June; Lewis, Kristen
Date: 5/9/2012 1:21 PM
Subject: 2012-0243-A
CC: Zook, Patricia
Attachments: 20120509131737665.pdf

Hi,

Please find attached a letter from Dave Karceski, Esq. requesting a postponement for the above-referenced item which was scheduled for 5/15. Judge Beverungen has granted the request for postponement, and I understand that Mr. Karceski will be contacting you to reschedule. Please place this in the case file.

Thank you.

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

JB 5/15

May 9, 2012

HAND-DELIVERED

John E. Beverungen
Administrative Law Judge
for Baltimore County
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

David H. Karceski

T 410.494.6285
F 410.821.0147
dhkarceski@venable.com

Judge
Beverungen
granted
P1 request
5/9

RECEIVED

MAY 09 2012

Re: 6600 Baltimore National Pike
Case No. 2012-0243-A

OFFICE OF ADMINISTRATIVE HEARINGS

Dear Judge Beverungen:

Our client and petitioner in Case No. 2012-0243-A, Sungwoon Catonsville, LLC, requests a postponement of the public hearing scheduled for May 15, 2010 at 10:00 a.m. The Petition for Variance and site plan filed in the case and, therefore, the Notice of Zoning Hearing do not correctly indicate the requested zoning relief. By way of this letter, I am respectfully requesting that you postpone the hearing to allow for proper posting and advertising of the Petition for Variance.

I appreciate your consideration of this request.

Very truly yours,



David H. Karceski

cc: Kristen Matthews,
Zoning Review Office
Arnold Jablon, Director
Department of Permits, Approvals
and Inspections

May 9, 2012

HAND-DELIVERED

John E. Beverungen
Administrative Law Judge
for Baltimore County
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re: 6600 Baltimore National Pike
Case No. 2012-0243-A

David H. Karceski

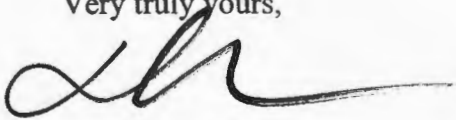
T 410.494.6285
F 410.821.0147
dhkarceski@venable.com

Dear Judge Beverungen:

Our client and petitioner in Case No. 2012-0243-A, Sungwoon Catonsville, LLC, requests a postponement of the public hearing scheduled for May 15, 2010 at 10:00 a.m. The Petition for Variance and site plan filed in the case and, therefore, the Notice of Zoning Hearing do not correctly indicate the requested zoning relief. By way of this letter, I am respectfully requesting that you postpone the hearing to allow for proper posting and advertising of the Petition for Variance.

I appreciate your consideration of this request.

Very truly yours,



David H. Karceski

cc: Kristen Matthews,
Zoning Review Office
Arnold Jablon, Director
Department of Permits, Approvals
and Inspections



KEVIN KAMENETZ
County Executive

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

May 8, 2012

Robert A. Pollokoff
1 Mile West LLLP
c/o The Fedder Company
10096 Red Run Boulevard
Suite 300
Owings Mills, MD 21117

RE: Case Number: 2012-0243A, Address: 6600 Baltimore National Pike

Dear Mr. Pollokoff:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 6, 2012. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
David Karceski, Esquire, 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204
Alvin Lee, Director, 801 Baltimore National Pike, Ellicott City, MD 21043

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 4-19-12

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

RE: Baltimore County
Item No. 2012-0243-A
Variance
1 Mile West LLLP,
The Pedder Company,
Robert A. Pollokoff
6600 Baltimore National
Pike

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 4-16-12. A field inspection and internal review reveals that an entrance onto ~~MD 40~~ consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2012-0243-A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
DATE: April 26, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For April 30, 2012
Item Nos. 2012-0208, 0241, 0242, 0243, 0244, 0245, 0246, 0247, 0248,
0249, 0250 And 0252.

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-04302012-NO COMMENTS.doc

MICHAEL G. COUGHLIN, PE, LEED AP
Project Manager

Project Assignment:

Civil Project Manager/Engineer

Years of Experience:

MRA: 7
Other Firms: 2

Education:

B.S., Civil Engineering, Villanova
University, 2003

Active Registration/Accreditations:

Maryland, Professional Engineer,
2010, #38291
L.E.E.D. Accredited Professional
(2008)

Professional Affiliations:

National Society of Professional
Engineers, Member
Maryland Society of Professional
Engineers, Member
NAIOP Commercial Real Estate
Development Association,
Member
U.S. Green Building Council
(USGBC), Member



**MORRIS & RITCHIE
ASSOCIATES, INC.**

Qualifications:

As a Civil Project Manager and Engineer at MRA's Towson office, Mr. Coughlin is responsible for the day-to-day supervision, management, and design of site development projects and quality control. Mr. Coughlin has design experience that includes site layout and design, grading, storm drain and utility design, hydrology and hydraulic analysis, erosion and sediment control, stormwater management, breach analysis, culvert analysis and design, open channel design, and roadway design in both commercial and residential subdivision projects.

Mr. Coughlin's analysis capabilities include technical watershed, floodplain studies, and breach analysis using TR-55, TR-20, HEC-1, HEC-RAS, regression analysis, and the rational method. He is experienced in developing alternatives analysis to evaluate cost effective design options, and solving design problems with significant site constraints.

Mr. Coughlin has been involved with most of his projects from feasibility studies and conceptual layouts to completed construction and project close-out, including quantity take-offs, cost estimates, design, quality control, value engineering, permitting, construction administration, as-builts, and security release. Examples of Mr. Coughlin's project experience include:

Towson Green, Baltimore County, Maryland - As project manager, Mr. Coughlin oversaw and reviewed the civil design of an urban residential subdivision, comprised of 121 townhomes and a 92 bed Assisted Living Facility, located in downtown Towson. Design elements of the overall development included roads, utilities, grading, stormwater management, and erosion & sediment control.

Woodholme Country Club, Baltimore County, Maryland - As project engineer, Mr. Coughlin provided civil engineering services for increasing the capacity of the golf course's existing irrigation pond, as well as the design of a new pump house. The enlarged irrigation pond and new pump house were designed to provide additional irrigation capacity for the 18-hole Woodholme County Club Golf Course.

Meadowvale, Baltimore County, Maryland - As civil project engineer, Mr. Coughlin performed subdivision road design, mass grading, and above-ground stormwater management for this 38-acre, 106-lot mixed-use residential subdivision, including luxury single-family homes, in Timonium, MD. The project also included restoring a historic structure. A challenge of this project was grading due to the site being on a hill and water quality management due to the Chesapeake Bay nearby.

Hackerman Patz House, St. Joseph Medical Center Campus, Towson, Maryland - MRA worked with the project Architect and campus facilities staff to layout this two-level, 13,600-SF, 20-room overnight facility for families of hospital care patients. Work included procuring a zoning variance, feasibility study for utilities, production of construction documents, obtaining grading and building permits and construction observation. This facility was modeled after the McDonald House facilities and a similar facility on the Sinai Hospital Site in the City of Baltimore. The project design and construction was funded by a donor contribution.

ntinued on the next page...

PETITIONER' S

EXHIBIT NO.

2

Honeygo Crossing, Baltimore County, Maryland - As lead project engineer, Mr. Coughlin designed three above-ground stormwater management facilities for a 7-acre, 12,000-SF retail development in Perry Hall, MD, including a Wachovia Bank and CVS Pharmacy. Mr. Coughlin performed design for site grading, erosion and sediment control layout, storm drainage, sanitary sewer, and public and private water service. The project also included widening 850 feet of US Route 1, including adding a 4-foot bicycle lane and curbing.

CarMax Maintenance and Auction Center, Baltimore County, Maryland - As Project Engineer, Mr. Coughlin provided design for an above-ground stormwater management facility for the 25-acre, 57,000-SF CarMax vehicle maintenance and auction building and all associated vehicle parking and storage in White Marsh, MD.

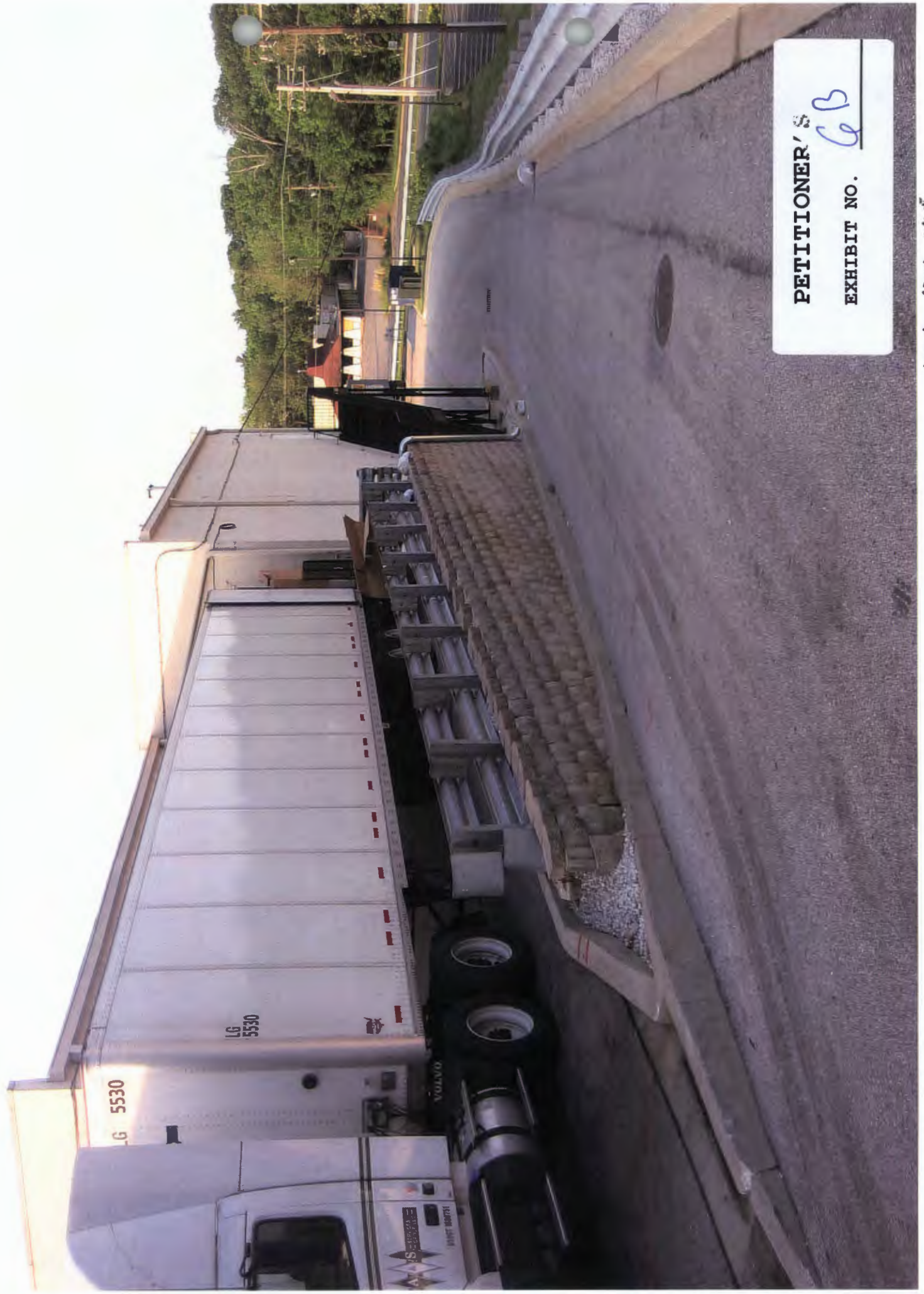


PETITIONER'S

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6A

FROM 40 INTO S.C.



PETITIONER'S

EXHIBIT NO.

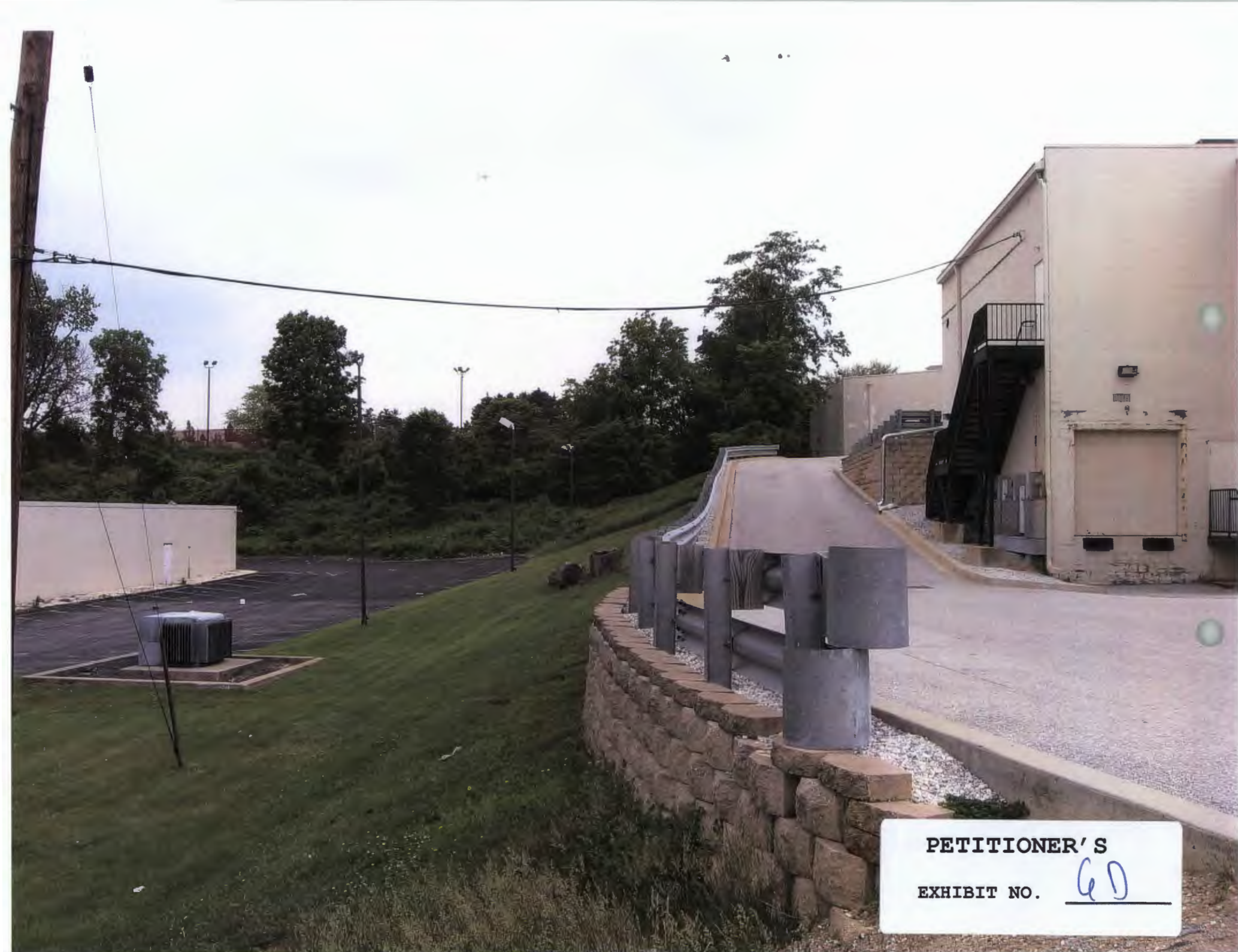
GB



PETITIONER'S

CA

EXHIBIT NO.



PETITIONER'S

EXHIBIT NO.

60

ALONG NEW ROAD DRIVE AISLE



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data is not a warranty, express or implied, of merchantability or fitness for a particular purpose. Baltimore County, Maryland does not warrant the accuracy or reliability of the data. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, attorneys' and experts' fees, and court costs incurred as a result of using this data.

Printed 4/26/2012

PETITIONER'S
EXHIBIT NO. 4



PETITIONER'S

EXHIBIT NO.

5



PETITIONER'S
EXHIBIT NO. 7

* FOR ILLUSTRATIVE
PURPOSES

- LEGEND**
- EX. PROPERTY LINE
 - EX. RIGHT OF WAY
 - EX. BUILDING SETBACK LINE
 - EX. EDGE OF CONCRETE
 - EX. ZONING OF ASPHALT
 - EX. ZONING BOUNDARY
 - EX. STORM DRAIN
 - EX. SANITARY SEWER
 - EX. WATER
 - PROPOSED BUILDING
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MCS



NOTES / SPECIFICATIONS

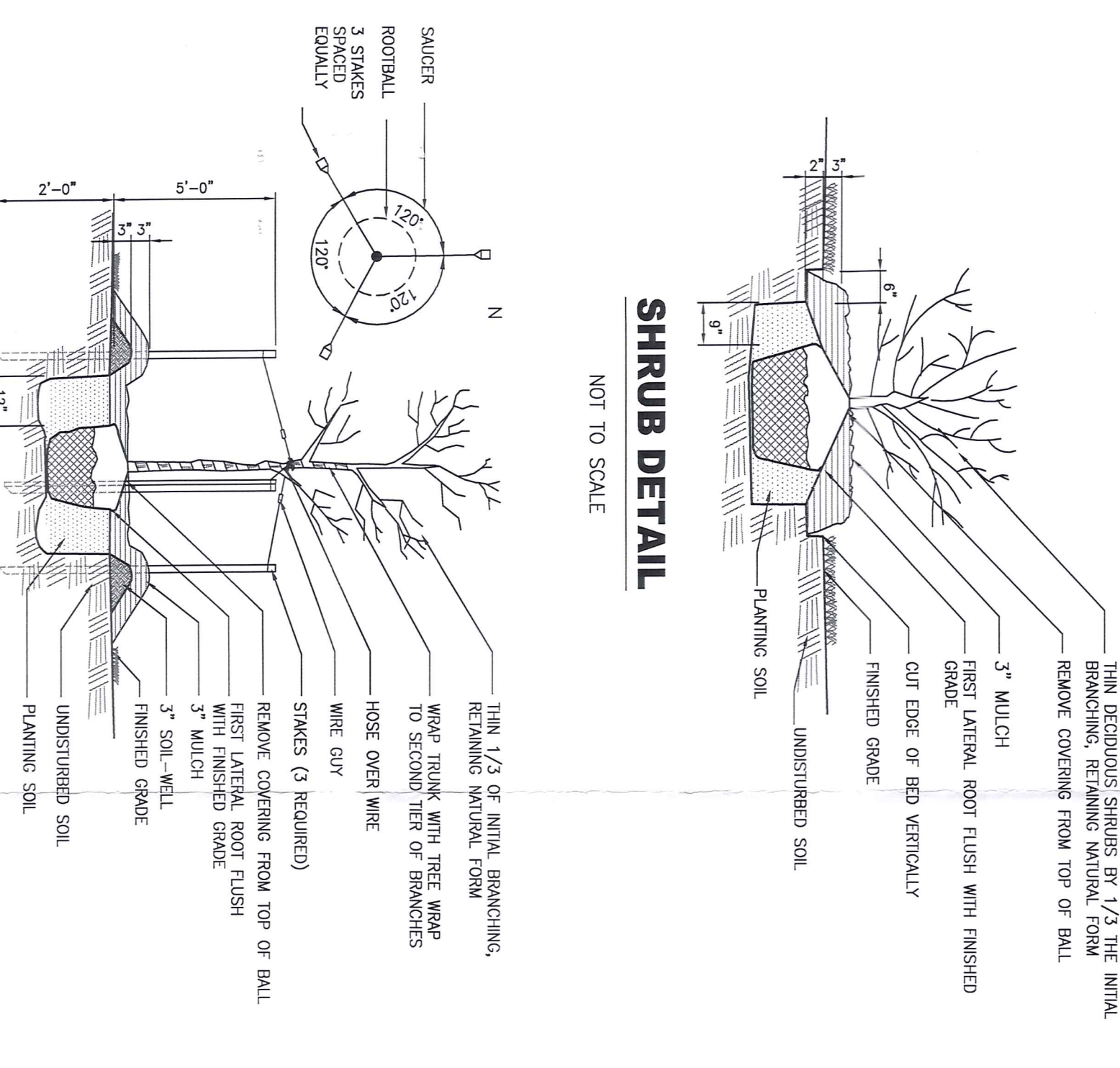
1. ALL EQUIPMENT AND TOOLS SHALL BE PLACED SO AS NOT TO INTERFERE OR HINDER THE PEDESTRIAN AND VEHICULAR TRAFFIC FLOW.
2. THE CONTRACTOR SHALL INSURE THAT HIS WORK DOES NOT INTERFERE WITH ESTABLISHED OR PROPOSED DRAINAGE PATTERNS.
3. THE CONTRACTOR IS ADVISED OF THE EXTENT OF UNDERGROUND UTILITIES ON THE SITE. THE EXISTING UTILITIES SHALL BE MAINTAINED IN THE FIELD WITH THE OWNER OR GENERAL CONTRACTOR PRIOR TO THE COMMENCEMENT OF ANY DRIVING OPERATIONS. IN THE EVENT THEY ARE NOT MAINTAINED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE UTILITIES. IF UTILITY LINES ARE ENCOUNTERED IN LOCATION OF THE FIELD, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE UTILITIES. IF UTILITY LINES ARE ENCOUNTERED IN LOCATION OF THE FIELD, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE UTILITIES.
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PLANTING SCHEDULE

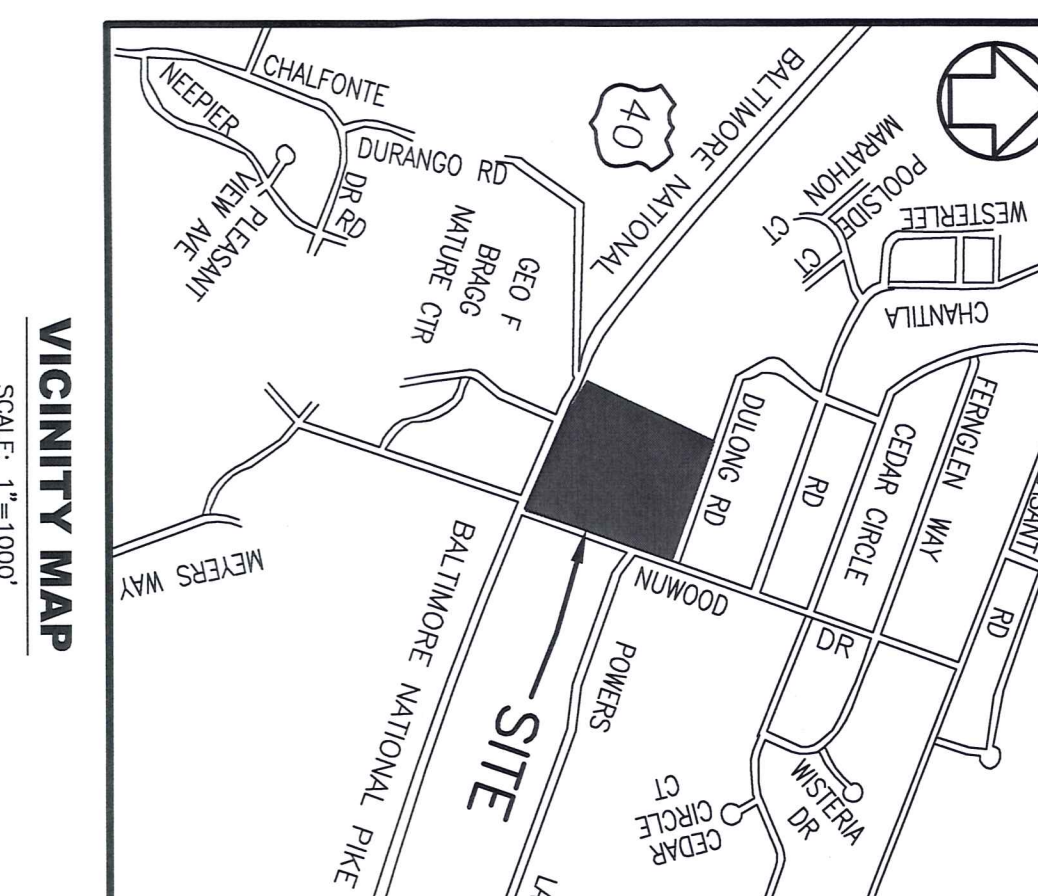
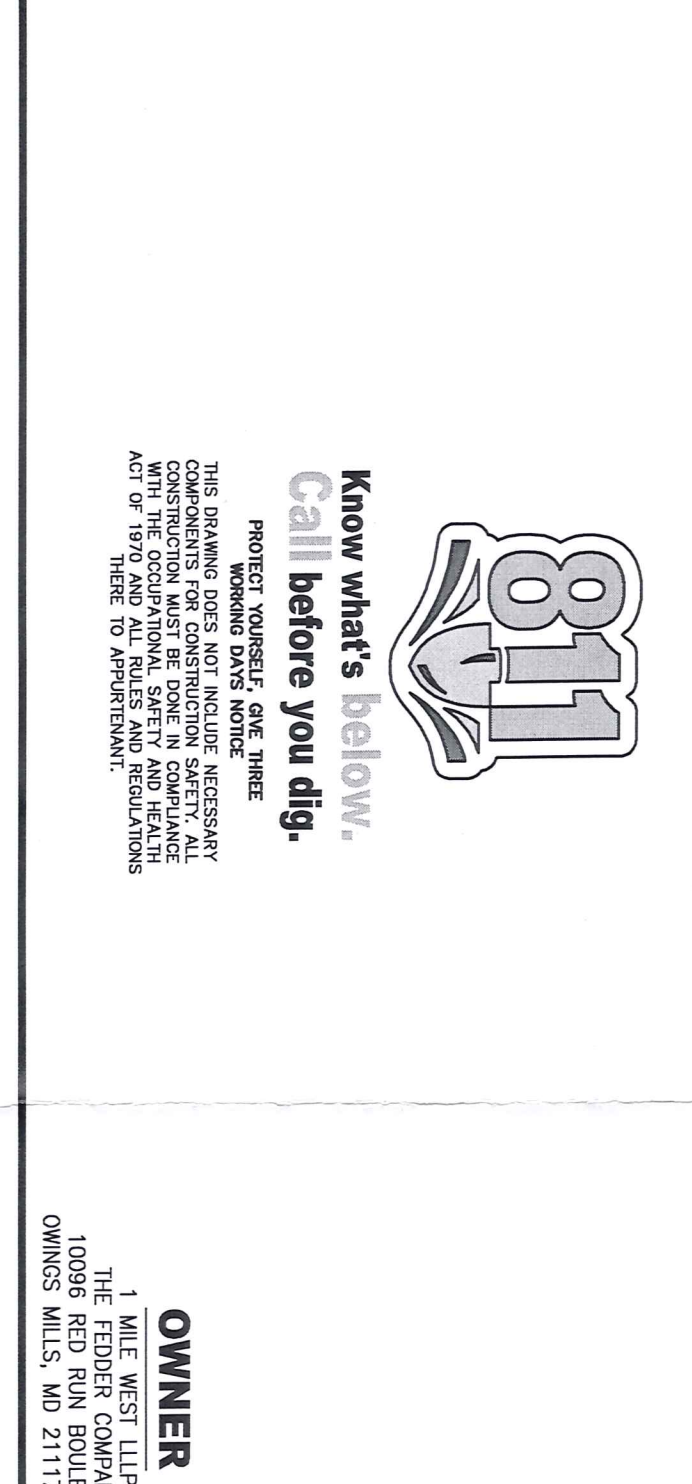
Key	Botanical Name	Qty	Size	Root	Spacing
SHRUB TREES					
Q10	Quercus tinctoria 'Imms'	3	2-3' Caliper	BAH	As Shown
Z1X	Zelkova serrata 'Green View'	8	2-3' in. Caliper	BAH	As Shown
SHRUBS					
E10N	Euonymus alatus 'Compactus'	45	5 Galia	Cont.	5' On Center
R05A	Rosa 'Double Knock Out'	15	5 Galia	Cont.	5' On Center

IN THE EVENT OF A SHORTAGE BETWEEN QUANTITIES SHOWN ON THE PLANT LIST AND THE PLANS, THE PLANS SHALL CONTROL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE UTILITIES. IF UTILITY LINES ARE ENCOUNTERED IN LOCATION OF THE FIELD, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE UTILITIES.

SHRUB DETAIL



DECIDUOUS TREE DETAIL



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220 EAST JOPPA ROAD, SUITE 505
TOWNSHIP, MD 21286
FAX: (410) 821-1748

ONE MILE WEST SHOPPING CENTER
6500 BALTIMORE NATIONAL PIKE
LANDSCAPE PLAN

1ST ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

OWNER
THE FEDERER COMPANY
1 MILE WEST LUMP
TOWNSHIP, MD 21286
FAX: (410) 821-1748

DATE 05/29/2012
REVISIONS

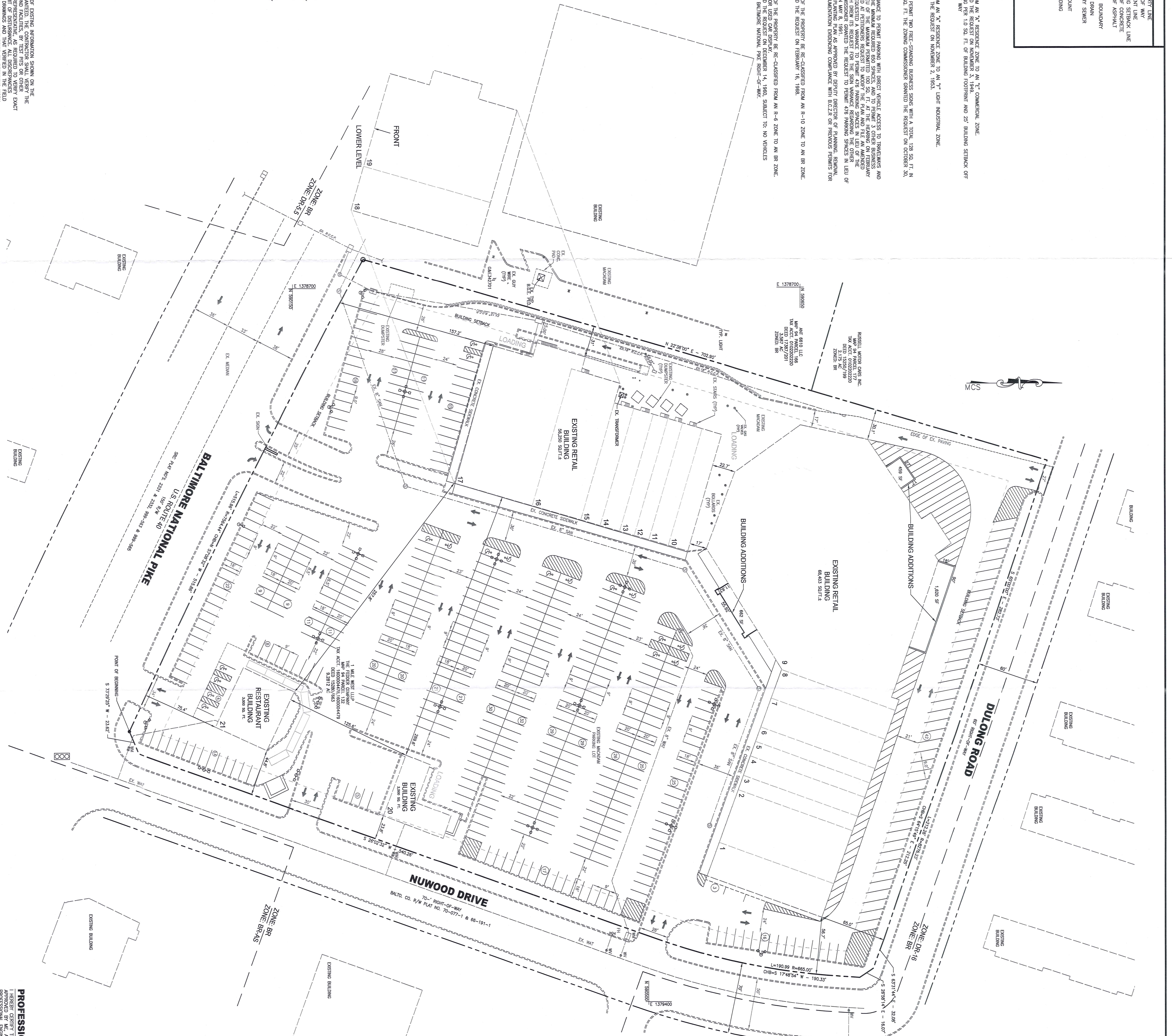
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05/29/2012	3 RD ELECTION DISTRICT
05/29/2012	4 TH ELECTION DISTRICT
05/29/2012	5 TH ELECTION DISTRICT
05/29/2012	6 TH ELECTION DISTRICT
05/29/2012	7 TH ELECTION DISTRICT
05/29/2012	8 TH ELECTION DISTRICT
05/29/2012	9 TH ELECTION DISTRICT
05/29/2012	10 TH ELECTION DISTRICT

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===== EX. ZONING BOUNDARY
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_____ EX. SANITARY SEWER
_____ EX. WATER
_____ PARKING COUNT

ZONING HISTORY

[illegible]

PERMIT HISTORY

[illegible]

PROFESSIONAL CERTIFICATION

1 HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR
1 THE FEDDER COMPANY
1 APPROVED BY ME, AND THAT I AM A DULY LICENSED
1 10096 RED RUN BOULEVARD
1 PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF
1 OWINGS MILLS, MD 21117-4822
1 WARY AND, LICENSE NO. 38291 EXPIRATION DATE: 01/13/2014.

OWNER

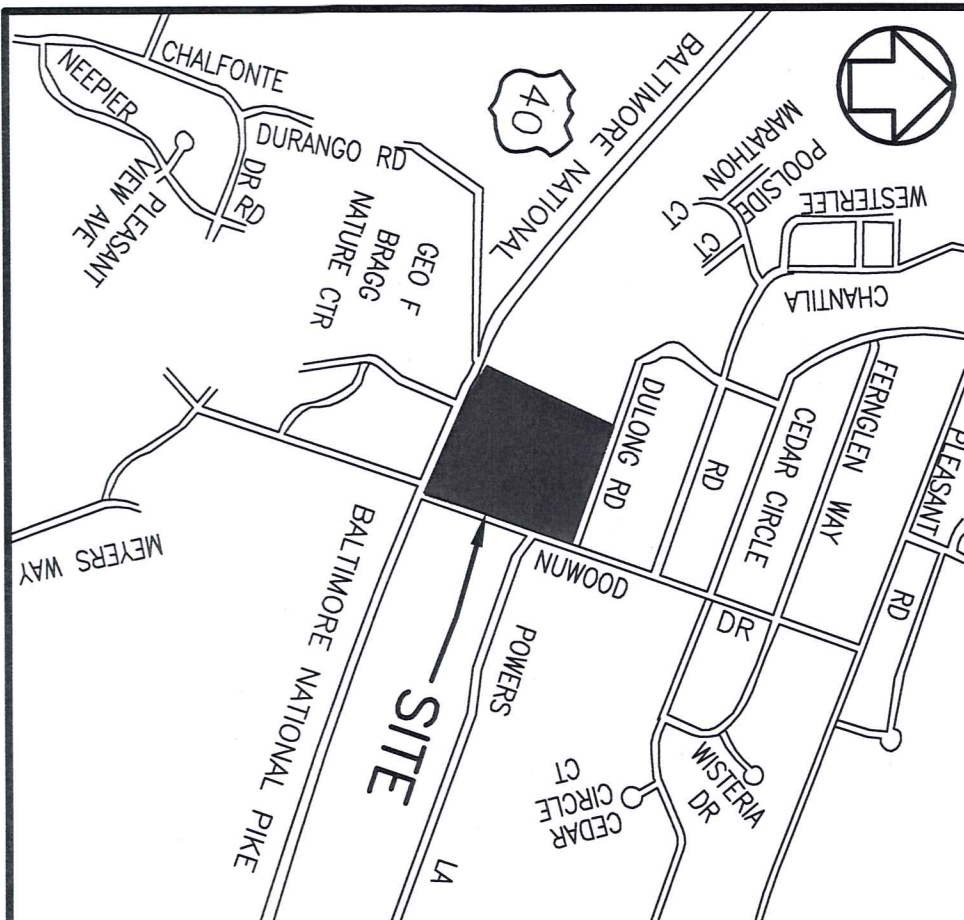
MILL WEST LLP
FEDDER COMPANY
RED RUN BOULEVARD
MILLS, MD 21117-4827

			
MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS 1220-C EAST JOPLIN ROAD, SUITE 505 TOWSON, MARYLAND 21286 FAX: (410) 821-1748		ONE MILE WEST SHOPPING CENTER 6600 BALTIMORE NATIONAL PIKE PLAN TO ACCOMPANY VARIANCE PETITION 1 ST OF ELECTION DISTRICT 1 ST CONGRESSIONAL DISTRICT BALTIMORE COUNTY, MARYLAND	
DATE	REVISIONS	JOB NO.:	17410
SCALE:	1" = 40'		
DATE:	02/27/2012		
DRAWN BY:	JMS		
DESIGN BY:	JMS		
REVIEW BY:	MAC		
SHEET:	1 OF 1		

GENERAL NOTES

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VICINITY MAP
SCALE: 1"=1000'
BENCHMARK



CHASED REAR LOCATED IN GRASS AREA BETWEEN SENEWAK AND CLARK NORTH OF
CHASED REAR LOCATED AT A POINT 9.72' NORTHWEST OF SENEWAK 57.05'
SOUTHWEST OF EXISTING FLAGLAND AREA FOR WOODLAWN FIRE COMPANY #3.

RD 0550A
N 60892.53
E 162826.55

CHASED REAR LOCATED IN JAWB OF 40.53'
CHASED REAR LOCATED IN JAWB OF 40.53'
WINDSOR MILL ROAD AND WEST SIDE OF ENTRANCE TO BEG #2025 FACILITY.
APPROXIMATELY 18.66' NORTHWEST OF EXISTING TELEPHONE POLE AND 14.23'
NORTHEAST OF EXISTING CONCRETE SIGN BARE FOR WINDSOR MILL INH.

