

IN RE: PETITIONS FOR SPECIAL HEARING *

AND VARIANCE

8th Election District *

3rd Councilman District *

(30-115 West Ridgely Road) *

Yorkridge Shopping Center, LLC
Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2013-0104-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed by David H. Karceski, Esquire, on behalf of Yorkridge Shopping Center, LLC, legal owner. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to amend the Order and site plan approved in Case No. 2012-0082-A. In addition, a Petition for Variance was filed pursuant to B.C.Z.R. § 409.6.A.2 to permit 846 off-street parking spaces in lieu of the required 1,066¹ spaces. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was Jeffrey Gaber, Mark Ronbaum, and Bill Monk, with Morris & Ritchie Associates, Inc., the consulting firm that prepared the site plan. David H. Karceski, Esquire and Justin Williams, Esquire appeared as counsel and represented the Petitioner. Eric Rockel, an interested citizen, attended the hearing.

¹ An amended Petition was filed at the hearing (Petitioner's Exhibit 2) reducing the required number of spaces to 1,061.

ORDER RECEIVED FOR FILING

Date

12/31/12

By

den

The file reveals that the Petition was properly posted and advertised as required by the Baltimore County Zoning Regulations.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies.

The subject property is 15.39 acres (parcel 1 - 14.89 acres and parcel 2 - 0.50 acres) and is zoned BL-CCC, BL, and ML-IM. The property is improved with a strip shopping center that has had a renaissance of sorts in recent years. The center has attracted quality tenants and has a nice appearance.

Based on the evidence presented, I find that the variance can be granted in such a manner as to meet the requirements of Section 307 (as well as Section 409.6.A.2) of the B.C.Z.R., as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995). I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. Indeed, and as noted in the previous case involving this center, the parcel is uniquely shaped and is situated in a "valley" created by a steep grade change and drop off in elevation from York Road, which adjoins the site. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship, given that Petitioner would be unable to complete its planned enhancements. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the absence of opposition from the community and County reviewing agencies, and Mr. Monk opined that sufficient parking would be provided at the site.

ORDER RECEIVED FOR FILING

Date 12/31/12

By Sen

Although Mr. Rockel did not object to the Petition, he did believe that the number of available parking spaces should not be reduced any further. In addition, he met with the Petitioner and prepared a statement - - which will be attached as an Exhibit hereto - - concerning parking at the center, and the owners indicated they have at various times emphasized to their tenants that employees of the businesses should park on the periphery of the lot.

I also believe the request for Special Hearing should be granted. That involves solely the amendment of a prior Order involving this site, in accordance with the terms of this Order.

Pursuant to the posting of the property, public hearing, 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 this 31st day of December, 2012, by the Administrative Law Judge, that the Petition for Special Hearing seeking relief from § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to amend the Order and site plan approved in Case No. 2012-0082-A, in accordance with the terms of this Order, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance filed pursuant to B.C.Z.R. § 409.6.A.2 to permit 846 off-street parking spaces in lieu of the required 1,061 spaces, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

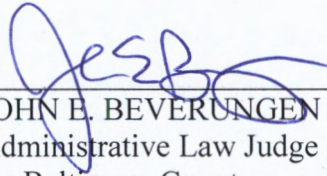
Date 12/31/12

By Sen

The relief granted herein shall be subject to the following:

1. Petitioner will communicate with its tenants and emphasize the importance of the parking concerns articulated in the Exhibit attached hereto, which is expressly incorporated herein by reference.
2. Petitioner may apply for its appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 12/31/12

By sln

Landlord will initiate discussions with the tenants of Yorkridge Shopping Center to encourage employees of the businesses to use parking spaces closest to the property's frontage on Ridgely Road or behind the main shopping center building, leaving the more desirable and centrally located spaces for patrons of the shopping center.

ORDER RECEIVED FOR FILING

Date 12/31/12

By Sen

PETITIONER'S

EXHIBIT NO.

4
2013-0106-5thA



KEVIN KAMENETZ
County Executive

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

December 31, 2012

David H. Karceski, Esquire
Justin Williams, Esquire
210 W. Pennsylvania Avenue
Suite 500
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variance
Case No.: 2013-0104-SPHA
Property: 30-115 West Ridgely Road

Dear Mr. Karceski and Mr. Williams:

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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Jeffrey Gaber and Mark Ronbaum, 910 Reisterstown Road, Baltimore, Maryland 21208
Eric Rockel, 1610 Riderwood Drive, Lutherville, Maryland 21093



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 30-115 West Ridgely Road

which is presently zoned BL-CCC and ML-IM

Deed References: 29037/119

10 Digit Tax Account # 0825045300 and 0819035780

Property Owner(s) Printed Name(s) Yorkridge Shopping Center LLC

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

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

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

SEE ATTACHED SHEET 1

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

3. ☒ a Variance from Section(s)

SEE ATTACHED SHEET 2

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 bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Yorkridge Shopping Center, LLC

Jeffrey D. Gaber, Member

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

910 Reisterstown Road,

Baltimore,

MD

Mailing Address

City

State

21208

410.484.6100

HAZENBAUM@

Zip Code

Telephone #

Email Address

SCHWABERHOLDING-S.COM

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2013-0104-SPHA

Filing Date 11/30/13

ORDER RECEIVED FOR FILING

Reviewer JS

REV. 10/4/11

Date 12/31/12

By Sen

PETITION FOR SPECIAL HEARING

ATTACHED SHEET 1

30-115 WEST RIDGELY ROAD

Special hearing to amend the order and site plan approved in Case No. 2012-82-A.

PETITION FOR VARIANCE

ATTACHED SHEET 2

30-115 WEST RIDGELY ROAD

Variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations to permit 846 off-street parking spaces in lieu of the required 1,066 spaces.

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



November 7, 2012

ZONING DESCRIPTION FOR VARIANCE REQUEST

Beginning at a point 41.4 feet in the southwesterly direction from the centerline of York Road across from entrance to Mars Supermarket, running along York Road right-of-way line South 20°24'45" East for 75.53 feet; continuing South 15°00'19" East for 122.04 feet; continuing South 20°24'45" East for 291.95 feet; continuing South 17°52'17" East for 27.04 feet along York Road; heading Southwesterly by a line curving to the right having a radius of 45.00 feet with an arc distance of 8.53 feet said curve being subtended by a chord bearing South 15°47'37" West; heading South 35°47'00" West 13.85 feet; heading South 64°17'20" West 965.00 feet along Ridgely Road; heading North 24°31'05" West 515.53 feet; heading North 18°57'02" East 14.51 feet; heading North 41°45'49" West 244.20 feet; heading North 65°31'11" East 690.02 feet; heading South 20°21'49" East 210.08 feet; heading North 65°31'11" East 410.57 feet to the point of beginning having an address of 30 thru 36 W. Ridgely Road being located on the Northwesterly side of York Road.

Containing 670,384 square feet or 15.3899 acres of land, more or less and being located in the Eighth Election District, Third Councilmanic District, of Baltimore County, Maryland.



Michael Coughlin
Professional Engineer No. 38291

2013-0104-SPHA

S:\PROJECT FOLDERS\13500-13599\13539.04\Docs\13539-zoningdescription.doc

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

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

No. **90120**

Date: **11/7/12**

PAID RECEIPT

BUSINESS ACTUAL TIME INH
 11/07/2012 11/07/2012 09:15:15 2

REG 1505 WALKIN 1001 DMB
 RECEIPT # 64335 11/07/2012 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 770.00

Total: **\$770.00**

Rec From: **YORK RIDGE SWIMMING CENTER**

For: **2013-0104 SPHA**

Dep: 5 320 ZONING VERIFICATION

090120

Recpt Tot \$770.00

\$770.00 CR \$770.00 CA

Baltimore County, Maryland

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: #2013-0104-SPHA

30-115 West Ridgely Road

N/W Corner of Intersection of West Ridgely Road and York Road

8th Election District - 3rd Councilmanic District

Legal Owner(s): Yorkridge Shopping Center, LLC

Special Hearing to amend the order and site plan approved in Case 2012-0082-A. **Variance** to permit 846 off-street parking spaces in lieu of the required 1,066 spaces.

Hearing: Friday, December 21, 2012 at 1:30 p.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.
11/383 November 29 890403



501 N. Calvert Street, Baltimore, MD 21278

November 29, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, the publication appearing on November 29, 2012.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson

CERTIFICATE OF POSTING

2013-0104-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Yorkridge Shopping Center, LLC

December 21, 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: _____

30-115 West Ridgely Rd

December 1, 2012

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

Sincerely,

December 1, 2012

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

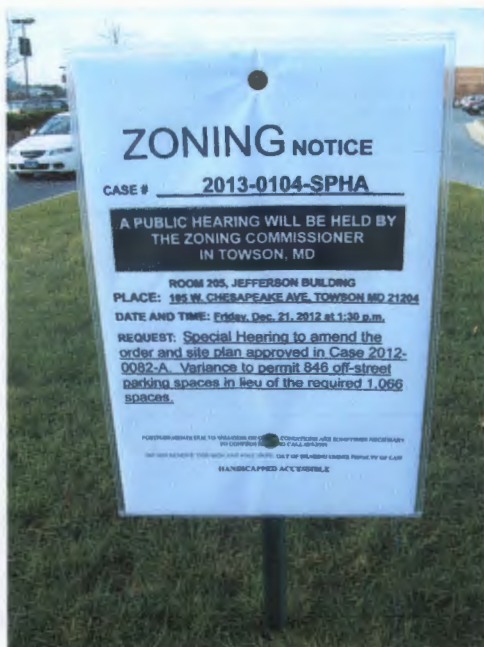
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY
Thursday, November 29, 2012 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich

410-494-6200

Venable

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

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: 2013-0104-SPHA

30-115 West Ridgely Road

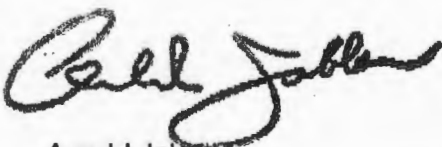
N/w Corner of intersection of West Ridgely Road and York Road

8th Election District – 3rd Councilmanic District

Legal Owners: Yorkridge Shopping Center, LLC

Special Hearing to amend the order and site plan approved in Case 2012-0082-A. Variance to permit 846 off-street parking spaces in lieu of the required 1,066 spaces.

Hearing: Friday, December 21, 2012 at 1:30 p.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

November 19, 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: 2013-0104-SPHA

30-115 West Ridgely Road

N/w Corner of intersection of West Ridgely Road and York Road

8th Election District – 3rd Councilmanic District

Legal Owners: Yorkridge Shopping Center, LLC

Special Hearing to amend the order and site plan approved in Case 2012-0082-A. Variance to permit 846 off-street parking spaces in lieu of the required 1,066 spaces.

Hearing: Friday, December 21, 2012 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Jeffrey D. Gaber, 910 Reisterstown Road, Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, DECEMBER 1, 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.**

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: 2013-0104-SPHA
Petitioner: YORKKIDGE SHOPPING CENTER, LLC
Address or Location: 30-115 W. RIDGELY RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARRALA LUKASEWICH
Address: 210 W. PENNSYLVANIA AVE.
STE. 500
TOUSON, MD 21204
Telephone Number: 410-494-6200



KEVIN KAMENETZ
County Executive

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

December 12, 2012

Yorkridge Shopping Center, LLC
Jeffrey D. Gaber, Member
910 Reisterstown Road
Baltimore MD 21208

RE: Case Number: 2013-0104 A, Address: 30-115 West Ridgely Road

Dear Mr. Gaber:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 7, 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

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

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



Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 11-15-12

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

RE: Baltimore County
Item No. 2013-0104-SPHA
Special Hearing Variance
Yorkville Shopping Center
30115 West Ridgely Road.
2 York Road MD45

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 11-14-12. A field inspection and internal review reveals that an entrance onto MD45 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Hearing Variance. Case Number 2013-0104-SPHA.

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,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/raz

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 21, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 30-115 West Ridgely Road

INFORMATION:

Item Number: 13-104 (*also see 13-105*)
Petitioner: Yorkridge Shopping Center, LLC
Zoning: BL-CCC and ML-IM
Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

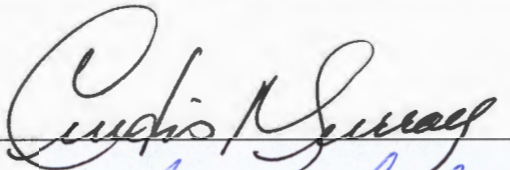
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The subject shopping center has had many recent upgrades to the façade and landscape treatments, which has provided an overall visual enhancement to the property.

Additionally, the center is located along a major route (York Road) and has a Light Rail transit stop less than one-half mile off site. As such, the petitioner shall incorporate pedestrian amenities in the plan for the proposed pad sites that are shown on the site plan accompanying this petition. Sidewalks along the York Road and Ridgely Road frontages are appropriate.

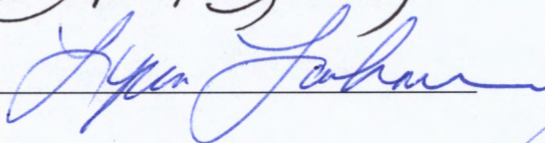
Lastly, the Department of Planning does not oppose the petitioner's variance and special hearing requests for parking spaces provided sidewalks are installed starting at the northeast corner of the proposed retail pad site 1 along York Road onto Ridgely Road past the proposed retail pad site 2 extending to the intersection of Ridgely Road and Kurtz Avenue.

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

Prepared by:



Division Chief:
AVA/LL: CM



RECEIVED

DEC 24 2012

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE : November 15, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For November 26, 2012
Item Nos. 2013-0100, 0102 ,0103, 0104 and 0105.

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

DAK. CEN
cc: File

RE: PETITION FOR SPECIAL HEARING
AND VARIANCE

30-115 W Ridgely Road; N/W corner of
intersection of West Ridgely Rd & York Rd
8th Election & 3rd Councilmanic Districts
Legal Owner(s): Yorkridge Shopping Center
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2013-104-SPHA

* * * * *

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.

RECEIVED

NOV 14 2012

.....

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of November, 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

M E M O R A N D U M

DATE: January 31, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0104-SPHA - Appeal Period Expired

The appeal period for the above-referenced case expired on January 30, 2013. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

Maryland Department of Assessments and Taxation
Real Property Data Search (vw3.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 08 Account Number - 0819035720

Owner Information

Owner Name:	SHELL OIL CO OF NEW YORK	Use:	COMMERCIAL
Mailing Address:	C/O SMO INC PO BOX 2810 LAPLATA MD 20646-2800	Principal Residence:	NO
		Deed Reference:	1) /03892/ 00474 2)

Location & Structure Information

Premises Address	Legal Description
1800 YORK RD LUTHERVILLE MD 21093-5118	.4405 AC SWS YORK RD NW COR RIDGELY RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0060	0018	0750		0000				2	
									Plat Ref:

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1962	2726	19,188 SF	20

Stories	Basement	Type	Exterior
		SERVICE STATION	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2012	07/01/2013
Land	767,100	767,100		
Improvements:	223,700	213,200		
Total:	990,800	980,300	980,300	980,300
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

Homestead Application Status:	No Application
--------------------------------------	----------------

Maryland Department of Assessments and Taxation
Real Property Data Search (vw1.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:

District - 08 Account Number - 0825045300

Owner Information

Owner Name:	YORKRIDGE SHOPPING CENTER LLC	Use:	COMMERCIAL
Mailing Address:	910 REISTERSTOWN RD BALTIMORE MD 21208-4295	Principal Residence:	NO
		Deed Reference:	1) /29037/ 00119 2)

Location & Structure Information

Premises Address	Legal Description
YORK RD	15.416 AC WS
LUTHERVILLE MD 21093-5112	YORK RD
	115 N RIDGELY RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0060	0018	0008		0000				2	Plat Ref:

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
2005	92000	15.6800 AC	14

Stories	Basement	Type	Exterior
		DISCOUNT STORE	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2012	07/01/2013
Land	13,822,500	13,120,500		
Improvements:	7,456,000	10,915,300		
Total:	21,278,500	24,035,800	23,116,700	24,035,800
Preferential Land:	0			0

Transfer Information

Seller:	SCHWABER CECILIA WAGONHEIM MYRA	Date:	01/04/2010	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/29037/ 00119	Deed2:	
Seller:	FOURTH DISTRICT CORPORATION	Date:	10/27/1983	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/06614/ 00703	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

Homestead Application Status:	No Application
--------------------------------------	----------------

CASE NAME York Ridge Shopping Center
CASE NUMBER 13-01045PHA; 13-0105A
DATE Dec 21, 2012

[illegible]

CASE NAME W. R. Idgely Rd
CASE NUMBER 2013-104-A
DATE 12/21/12
SET

[illegible]

Case No.: 2013-0104-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

SP
12-31-12

No. 1	Site Plan - PLAN PLAN - 1A	
No. 2	Amended Zoning Petition	
No. 3	Monk CV	
No. 4	Agreement w/ community - proposed language for Order	
No. 5	Aerial Photo	
No. 6	"My Neighborhood" MAP	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Amended

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 30-115 West Ridgely Road

which is presently zoned BL-CCC and ML-IM

Deed References: 29037/119

10 Digit Tax Account # 0825045300 and 0819035780

Property Owner(s) Printed Name(s) Yorkridge Shopping Center LLC

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

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

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

SEE ATTACHED SHEET 1

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

3. ☒ a Variance from Section(s)

SEE ATTACHED SHEET 2

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Yorkridge Shopping Center, LLC

Jeffrey D. Gaber, Member /

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

910 Reisterstown Road,

Baltimore,

MD

Mailing Address

City

State

21208

410.484.6100

JMRENBaum@SCHWABOZ

Zip Code

Telephone #

Email Address

HOLDINGS, LLC

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature Venable LLP

210 W. Pennsylvania Ave., Ste. 500 Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

CASE NUMBER _____ Filing Date ____/____/____ Do Not Schedule Dates: _____ Reviewer _____

DEL 10/14/11

PETITIONER'S

EXHIBIT NO.

2

PETITION FOR VARIANCE

ATTACHED SHEET 2

30-115 WEST RIDGELY ROAD

Variance from Section 409.6.A.2 of the Baltimore County Zoning Regulations to permit 846 off-street parking spaces in lieu of the required ~~1,066~~ spaces.

1,061

WILLIAM P. MONK
Principal

Project Assignment:

Principal, Project Manager, Urban
Design and Site Planning, Expert
Witness

Years of Experience:

MRA: 10
Other Firms: 25

Education:

Master of Urban Planning,
University of Illinois, 1975
Bachelor of Urban Planning,
University of Illinois, 1973

Professional and Industry Affiliations:

Mayor's Transition Committee for
Economic Development, Mayor
Martin O'Malley, City of
Baltimore 1999-2000
Greater Towson Committee
(formerly Towson Development
Corporation)
President 1998-2000
Bd. of Directors 1994-2010
Chairman of the Baltimore County
Design Review Panel, 2008-
present
Tomorrow's Towson Urban Design
Committee (member)
National Association of Industrial
and Office Properties (member)
Baltimore Development Work Group
(member)
International Council of Shopping
Centers (ICSC)

Past Member:

American Planning Association
National Golf Association
Citizens Planning & Housing Association
(CPHA) (past board member)



**MORRIS & RITCHIE
ASSOCIATES, INC.**

Qualifications:

Mr. Monk is a Principal of MRA and provides site planning/design, project management, and government and community liaison services to institutional, commercial/retail, industrial, and residential clients throughout the mid-Atlantic region. Mr. Monk has worked in Baltimore City for over 35 years, representing commercial/retail and residential clients, as well as serving on nonprofit boards, ad hoc committees, and providing pro bono professional services.

Mr. Monk has extensive experience providing expert witness testimony. He is an approved expert witness in several jurisdictions throughout the mid-Atlantic region, including Prince George's County, Annapolis, Anne Arundel County, Baltimore, Baltimore County, Carroll County, Frederick County, Harford County, Howard County, and St. Charles Community in Maryland. Furthermore, he has testified in more than 300 zoning hearings over the past 35 years.

Sample projects managed and designed by Mr. Monk include the following:

COMMERCIAL/RETAIL CENTERS

Bay River - Planned Business Community, Havre de Grace, Maryland
Project Manager/Chief Designer for a 76-acre mixed-use master planned business community containing over 900,000 SF of retail, office, and institutional space. Located at the interchange of I-95 and MD 155, the "Gateway" to the historic city of Havre de Grace.

Hampstead Business Park, Hampstead, Maryland - Project management and site planning for a 26-acre mixed-use (industrial, office, and retail) planned community at the crossroads of the new Hampstead By-Pass and MD Route 482.

Solo Cup Site, Owings Mills, Maryland - Project Manager and Designer in the preparation of a mixed-use (office, retail, and residential) planned community containing over 900,000 SF for this 51-acre site in Baltimore County.

Reisterstown Plaza, Baltimore, Maryland - Principal-In-Charge responsible for design/site planning studies for the reconfiguration expansion of the retail center consisting of over 100,000 SF.

Towson Commons Redevelopment Studies and Design, Towson, Maryland
Project Manager for ongoing redevelopment design studies intended to reposition the street-level retail component of a 15-year old mixed-use project that includes a proposed 20-story residential tower and an existing 10-story office tower. The Redevelopment Study process began with a survey of existing commercial real estate market opportunities in the area, and has focused on adding a strong residential component, while reinforcing the project's strength as an office location of choice and creating new retail and restaurant opportunities with direct street level pedestrian access. Upfront project feasibility studies included surveying, site engineering, and securing government entitlement approvals.

Continued on the next page...

Landlord will initiate discussions with the tenants of Yorkridge Shopping Center to encourage employees of the businesses to use parking spaces closest to the property's frontage on Ridgely Road or behind the main shopping center building, leaving the more desirable and centrally located spaces for patrons of the shopping center.

PETITIONER'S

EXHIBIT NO.

4
2013-0106-SHA



PETITIONER'S

EXHIBIT NO. 6
2013-104-JPHA



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for informational purposes and may contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

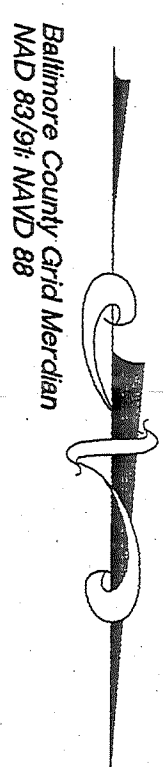


EXHIBIT A

SUITE 110
3106 LOHD BALTIMORE DRIVE
BALTIMORE, MARYLAND 21224
PHONE: 410.265.9500
FAX: 410.265.8875

DEVELOPER/APPLICANT
HUTENSKY GROUP

100 CONSTITUTION PLAZA,
7TH FLOOR
HARTFORD, CT 06103-1703

130 WEST RIDGELY ROAD
TAX MAP 0060; GRID 0018; PARCEL 0776

10/17/2012

[illegible]

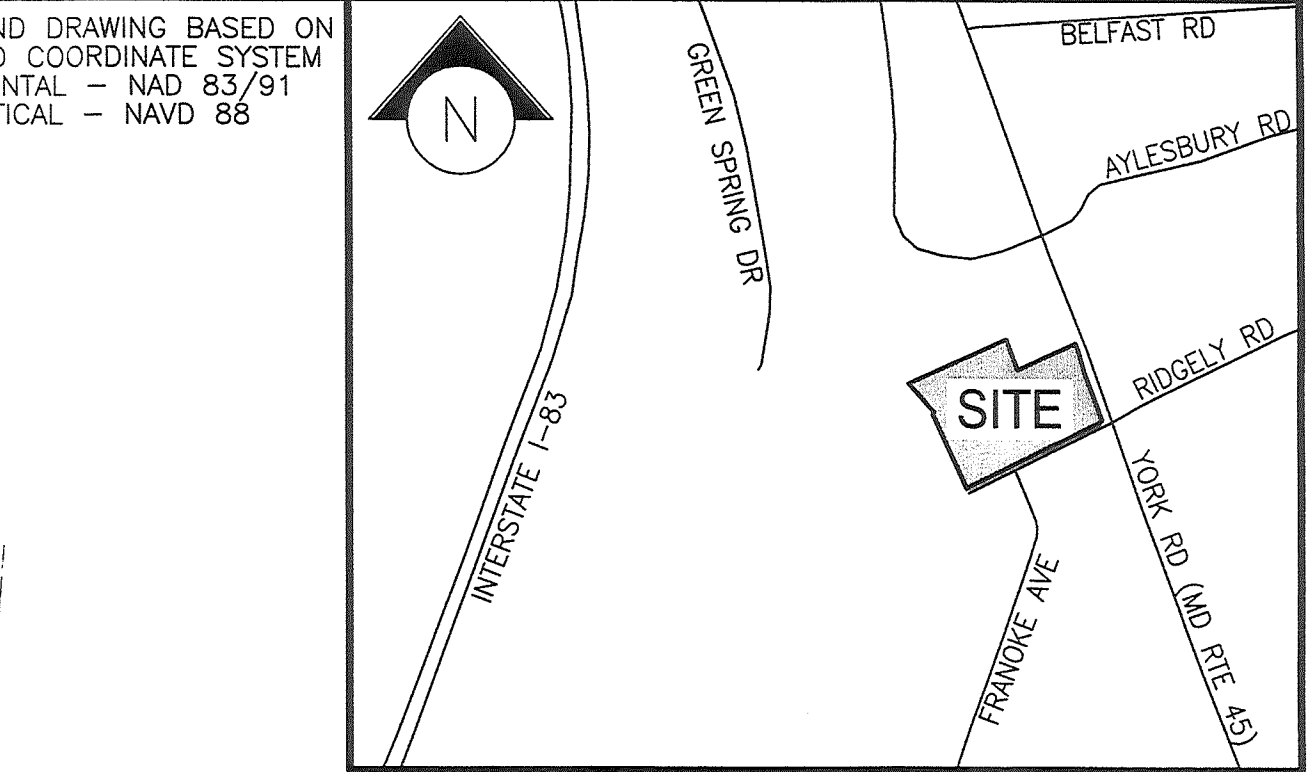
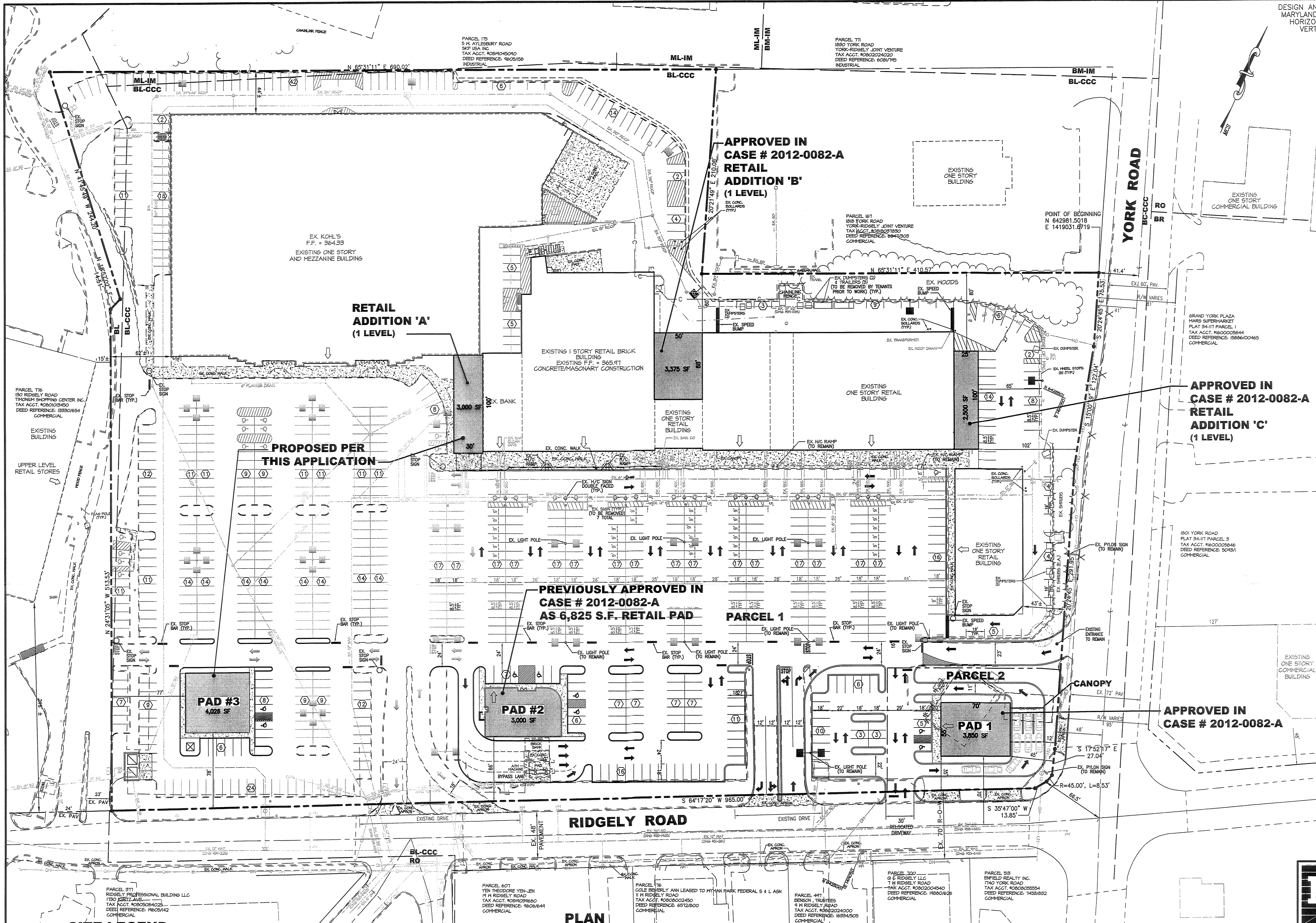
OCTOBER 17 2010

OCTOBER 17, 2012

HEARING

PROJECT NO. 50064722

SHEET NO. 1 OF 3



GENERAL NOTES

1. OWNER: YORKRIDGE SHOPPING CENTER, LLC
910 REISTERSTOWN ROAD
BALTIMORE, MARYLAND 21208
CONTACT: MARK RENBAUM / JEFFERY D. GABER
PHONE: (410) 484-6100
2. PLAN PREPARED BY:
MORRIS & RITCHIE ASSOCIATES, INC.
1220 E. JOPPA RD, SUITE 505C
TOWSON, MD 21286
(410) 821-1690
ATTN: BILL MONK
3. SITE DATA:
A. LOCATION: ADC MAP 27, GRID A-1
B. ELECTION DISTRICT: 8TH
C. COUNCILMANIC DISTRICT: 3RD
D. BALTIMORE COUNTY SOILS SURVEY MAPS: 60
E. TAX MAP: 60
F. PARCELS: 8, 750
G. TAX ACCOUNT #: 0825045300, 0819035720
H. DEED REFERENCES: 29037/119
I. CENSUS TRACT: 4086.01
J. WATERSHED: 02-13-09 (3)
K. SUBWERSHED: (C) 57 N
L. EXISTING ZONING: BL-COC, BL, ML-IM
M. PROPOSED BUILDING HEIGHT: NOT TO EXCEED 40'
N. ZONING MAP #: 60C2
4. SITE AREA
- | PARCEL | DEED REF | TAX ACCT # | AREA |
|----------|----------|------------|-----------------------|
| PARCEL 1 | 8 | 29037/119 | 0825045300 |
| PARCEL 2 | 750 | 29037/119 | 0819035780 |
| TOTAL | | | 15.39 AC/670,384 S.F. |
5. BUILDING AREA: EXISTING: 179,924 S.F.
- ADDITIONAL AREA PROPOSED AND APPROVED: 16,550 S.F.
- ADDITIONAL AREA PROPOSED PER THIS APPLICATION: 3,201 S.F.
TOTAL: 199,675 S.F.
6. AMENITY OPEN SPACE: EXISTING: 179,924 S.F.
- ADDITIONAL AREA PROPOSED AND APPROVED: 16,550 S.F.
- ADDITIONAL AREA PROPOSED PER THIS APPLICATION: 3,201 S.F.
TOTAL: 199,675 S.F.
7. FLOOR AREA RATIO: MAXIMUM F.A.R. ALLOWED: 4.0
EXISTING APPROVED F.A.R.: 0.29 ±
PROPOSED F.A.R.: 0.29 ±
8. PARKING: SEE PARKING TABLE BELOW
9. ADDITIONAL NOTES:
A. OUTLINES SHOWN HEREON ARE BASED ON MORRIS & RITCHIE ASSOCIATES, INC. SURVEYS DATED 02/19/03.
B. TOPOGRAPHY SHOWN HEREON IS BASED ON A FIELD RUN TOPOGRAPHICAL SURVEY BY MORRIS & RITCHIE AND ON GIS TOPOGRAPHY OBTAINED FROM BALTIMORE CO.
C. THERE ARE NO 100-YEAR FLOODPLAINS ON THIS SITE.
D. THERE ARE NO NON-TIDAL WETLANDS ON THIS SITE.
E. THERE ARE NO HISTORIC STRUCTURES OR KNOWN ARCHEOLOGICAL SITES ON THIS PROPERTY.
F. THE PROPERTY IS NOT UNDER ANY ACTIVE ZONING VIOLATION.
G. ANY FUTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
H. PREVIOUS COMMERCIAL PERMITS: B543485 SIGN @ 30 W. RIDGELY; BB601704 SIGN @ 38 W. RIDGELY; B560418 COMMERCIAL BUILDING; B577927 FIRE ALARM/SPRINKLER B580798 SIGN B590083 RETAINING WALL B700283 COMMERCIAL BUILDING @ 50 W. RIDGELY; B582810 SIGN @ 115 W. RIDGELY.
J. THERE ARE NO DEFICIENT BASIC SERVICES TO THIS SITE.
10. BUILDING SETBACK TABLE
- | | REQUIRED | PROVIDED |
|--------------------|----------|---------------------------|
| FRONT YARD | 10' ± | 35' ± (PAD 1) |
| INTERIOR SIDE | 0 | 62' ± (EXISTING BUILDING) |
| STREET CORNER SIDE | 10' ± | 43' ± (10' MINIMUM) |
| REAR | 0 | 44' ± (EXISTING BUILDING) |
- PETITION FOR SPECIAL HEARING
SPECIAL HEARING TO AMEND THE ORDER AND SITE PLAN APPROVED IN CASE NO. 2012-02-A.
PETITION FOR VARIANCE
VARIANCE FROM SECTION 409.6.A.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT 846 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED 1,066 SPACES.

SITE LEGEND

- EXISTING PROPERTY LINE
- ADJACENT PROPERTY LINE
- EXISTING RIGHT-OF-WAY
- PROPOSED CONTRACT LINE
- EXISTING CURB & GUTTER
- PROPOSED CURB & GUTTER
- EXISTING CONCRETE
- PROPOSED NEW RETAIL AREA(S)
- LIGHT POLE

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38291, EXPIRATION DATE: 01/13/12

ZONING HISTORY:
CASE NO. 5064-XA - PETITION FOR A SPECIAL EXCEPTION TO APPROVE LAUNDRY AND DRY CLEANING PLANT ON THE SUBJECT PROPERTY GRANTED IN SEPTEMBER 7, 1960.
CASE NO. 5331-XA - A SPECIAL EXCEPTION TO PERMIT A GASOLINE SERVICE STATION. APPROVED AUGUST 1, 1961.
CASE NO. 63-117X - SPECIAL EXCEPTION TO USE SUBJECT PROPERTY FOR A MOTION PICTURE THEATER, GRANTED IN NOVEMBER 4, 1963.
CASE NO. 64-177-A - VARIANCE FROM SECTION 413.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT A DOUBLE-FACE ILLUMINATED ADVERTISING STRUCTURE OF 420 SQUARE FEET AREA IN LIEU OF ALLOWED 150 SQUARE FEET LOCATED ON THE WEST SIDE OF YORK ROAD; GRANTED IN SEPTEMBER 4, 1964.
CASE NO. 66-226-A - VARIANCE FROM SECTION 413.2 OF THE BALTIMORE COUNTY ZONING REGULATION TO PERMIT A SIGN OF 285 SQUARE FEET AREA IN LIEU OF THE ALLOWED 150 SQUARE FEET, GRANTED IN NOVEMBER 17, 1966 UPON APPEAL TO THE BOARD OF APPEALS.
CASE NO. 91-229-SPHA - TO AMEND THE APPROVED SITE PLAN IN CASE # 5331-XA TO ALLOW A GASOLINE CANOPY 4' FROM R/W PER SECTION 405.4A (2) (a). APPROVED MARCH 20, 1991.
CASE NOS. 02-102-SPH & 02-103-SPH - A SPECIAL HEARING TO DETERMINE THE NATURE OF THE PROPOSED USE (HOME DEPOT EXPO DESIGN CENTER) AND THE METHOD USED TO CALCULATE THE NUMBER OF PARKING SPACES REQUIRED FOR SUCH USE. DISMISSED WITHOUT PREJUDICE, JANUARY 23, 2002.
CASE NO. 05-289-A - TO PERMIT AN ILLUMINATED DOUBLE FACED SHOPPING CENTER JOINT IDENTIFICATION SIGN WITH AN AREA OF 169.5 SQ.FT. IN LIEU OF THE REQUIRED 150 SQ. FT. AND FROM SECTION 450.4.7 (b) TO PERMIT THE DISPLAY OF UP TO 10 LINES FOR THE NAMES OF TENANTS OR OCCUPANTS IN LIEU OF THE FIVE LINES PERMITTED WITH COPY OF EACH BEING NOT LESS THAN 6 INCHES IN HEIGHT IN LIEU OF THE REQUIRED 8 INCHES AND TO AMEND THE SITE PLAN AND SIGN DETAIL IN CASE NO. 64-177-A.
APPROVED FEBRUARY 2, 2005.
DRC NO. 020303F - AN A-2 EXEMPTION WAS GRANTED ON FEBRUARY 14, 2003 TO PERMIT THE CONSTRUCTION OF A KOHL'S DEPARTMENT STORE.
CASE NO. 2012-0082-A - VARIANCE FROM SECTION 409.6.A.2 TO PERMIT 921 OFF STREET PARKING SPACES IN LIEU OF THE REQUIRED 1048 SPACES. GRANTED ON NOVEMBER 16, 2011.

EXISTING

USE	BUILDING AREA ±
KOHL'S	89,487 S.F.
KOHL'S MEZZANINE	8,611 S.F.
MICHAEL'S	33,250 S.F.
OTHER RETAIL STORES AND FREE STANDING BANK DRIVE THRU FACILITY	48,576 S.F.
TOTAL	179,924 S.F.
PARKING REQUIRED	900 SPACES
PARKING REQUIRED PER AGREEMENT WITH HRI/LS, LLC. 67 SPACES	
TOTAL PARKING REQUIRED	967 SPACES
TOTAL PARKING PROVIDED	981 SPACES

PARKING TABLES PROPOSED

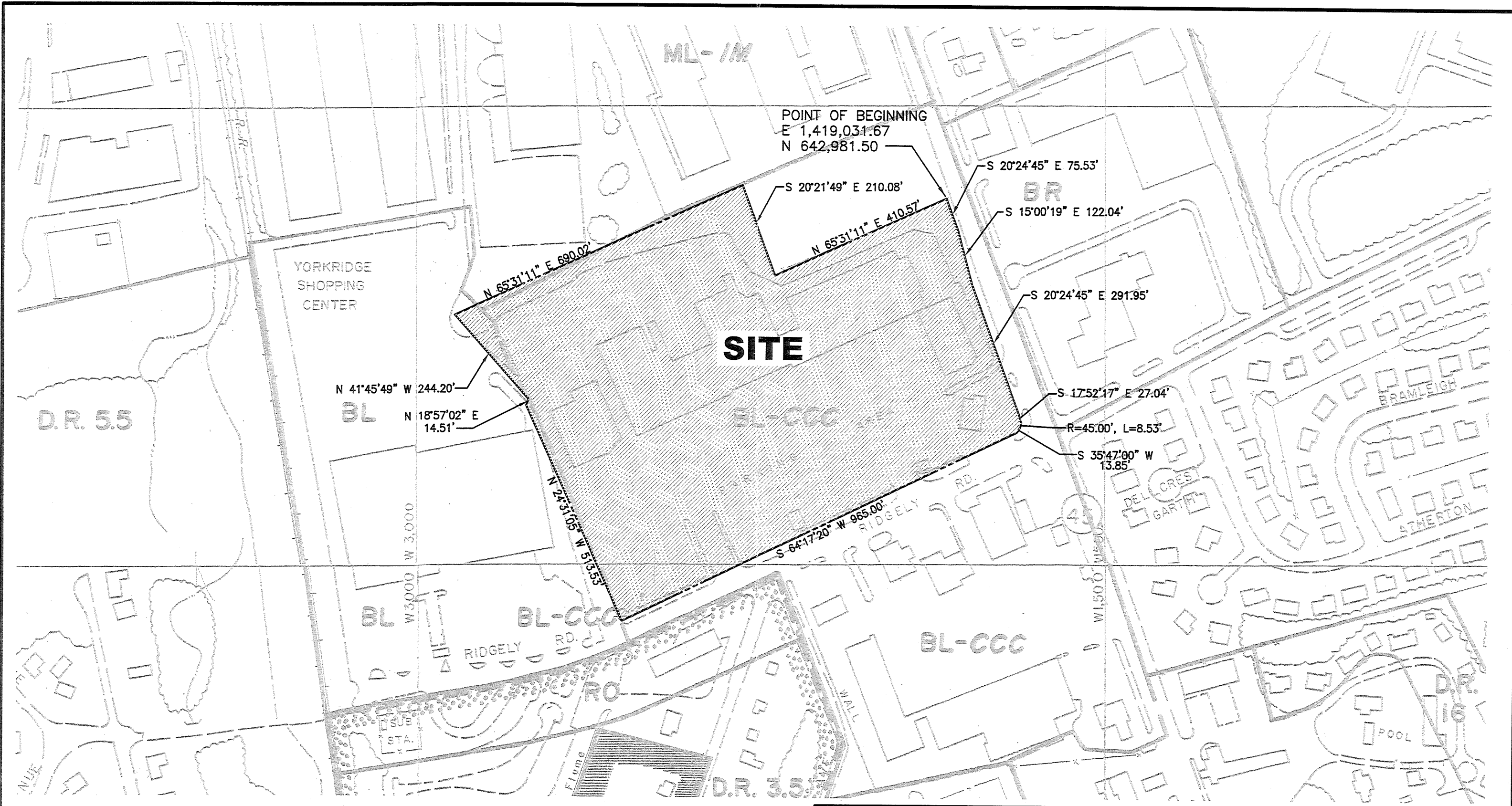
USE	BUILDING AREA ±
PAD 1	3,850 S.F.
PAD 2	3,000 S.F.
PAD 3	4,026 S.F.
ADDITION 'A'-IN LINE RETAIL	3,000 S.F.
ADDITION 'B'-LIQUOR STORE	3,375 S.F.
ADDITION 'C'-RETAIL	2,500 S.F.
TOTAL NEW BUILDING AREA	19,751 S.F.
EXISTING BUILDING AREA	179,924 S.F.
TOTAL	199,675 S.F.
ADDITIONAL PARKING REQUIRED	99 SPACES
EXISTING REQUIRED PARKING	967 SPACES
TOTAL PARKING REQUIRED	1066 SPACES
TOTAL PARKING PROVIDED	846 SPACES**

**** VARIANCE REQUIRED (220 SPACES)**

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748

PLAN TO ACCOMPANY SPECIAL HEARING AND VARIANCE APPLICATION
YORKRIDGE SHOPPING CENTER
30-115 WEST RIDGELY ROAD
8TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE: 09/24/12	ADDITION OF PAD #3, MODIFICATIONS TO PAD #2, ADDITION OF IN LINE RETAIL ADDITION 'A'	JOB NO.: 13539.05 SCALE: 1" = 50' DATE: 11/07/2012 DRAWN BY: M.L.E. DESIGN BY: B.M. REVIEW BY: B.M. SHEET: 01 OF 01
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2013-0104-SPHA



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748

SCALE: 1" = 200'

DATE: 11/07/2012

ZONING MAP: NW 12 A
NW 13 A

ZONING EXHIBIT

YORKRIDGE SHOPPING CENTER

BALTIMORE COUNTY, MARYLAND

LOCATION: LUTHERVILLE / TIMONIUM

JOB NO. : 13539.04



PETITIONER'S
EXHIBIT NO. 5
2013-0104-587A



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX (410) 821-1748

AERIAL EXHIBIT
YORKRIDGE SHOPPING CENTER
30-115 WEST RIDGELY ROAD
8TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	JOB NO.: 13539.05
		SCALE: 1" = 50'
		DATE: 11/07/2012
		DRAWN BY: M.L.E.
		DESIGN BY: B.M.
		REVIEW BY: B.M.
		SHEET: 01 OF 02