

David H. Karceski

t 410.494.6285
f 410.821.0147
dhkarceski@venable.com

January 22, 2020

VIA HAND DELIVERY

W. Carl Richards, Jr., Supervisor
Office of Zoning Review
Department of Permits, Approvals
and Inspections
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: **Request for Spirit and Intent Letter**
White Marsh Plaza
Case No. 2013-0206-A
14th Election District, 6th Councilmanic District

Dear Mr. Richards:

This firm represents White Marsh Plaza Business Trust, legal owner of the White Marsh Plaza Shopping Center. The subject property is located at the northeast corner of the intersection of Perry Hall and Honeygo Boulevards in the White Marsh area of Baltimore County and is comprised of various commercial uses.

Currently, our client is not proposing to redevelop the shopping center in any way, but only change the tenant mix therein. They intend to lease 4,033 square feet of space within the existing building to Orangetheory, an interval training fitness studio. I am writing to confirm that the addition of this tenant to the shopping center is within the spirit and intent of a prior parking variance granted in Zoning Case No. 2013-0206-A (the "2013 Case"). I have enclosed a red-lined site plan prepared by Bohler Engineering, dated January 21, 2020 and entitled "Plan to Accompany Spirit & Intent Request." This plan shows the parking layout and calculations approved in the 2013 Case, as well as the new parking calculations for the current mix of tenants with Orangetheory, which are contained in a chart on the plan, labeled "2020 PARKING COMPLIANCE."

In the 2013 Case, the then Administrative Law Judge, John E. Beverungen, granted a petition for variance for the benefit of the shopping center to permit a total of 387 off-street parking spaces in lieu of the required 475 spaces. The overall parking space deficit approved was 88 spaces, an 18.50% reduction. I have also enclosed a copy of the order and site plan approved in the 2013 Case for your review. The red-lined site plan prepared

W. Carl Richards, Jr., Supervisor
January 22, 2020
Page 2

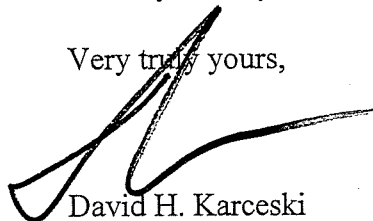
by Bohler Engineering indicates that with the addition of Orangetheory to the shopping center the total amount of parking spaces required will be 467, and the total number of spaces provided will be 381. This proposed parking arrangement will be a 18.42% reduction to the otherwise required number of parking spaces, which is within the 18.50% reduction approved in the 2013 Case.

At this time, I am requesting that you countersign this letter below confirming that this change in tenant use category is within the spirit and intent of the relief granted in Case No. 2013-0206-A and is permitted without any further zoning relief.

With this letter, I have enclosed a check in the amount of \$600.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with your expedited review. If you need any further information in order to complete your review, please feel free to give me a call.

Thank you for your assistance with the matter.

Very truly yours,



David H. Karceski

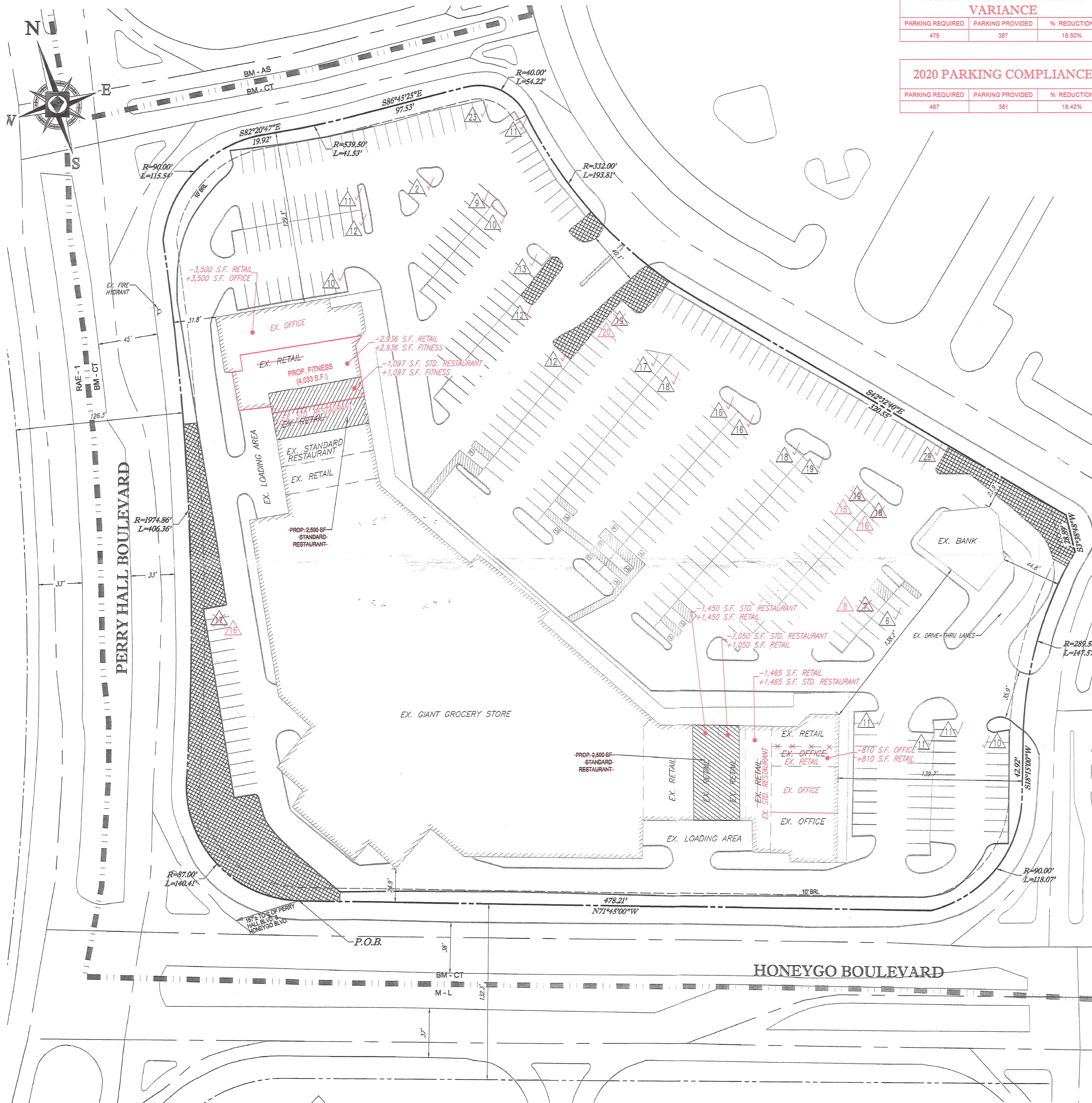
Enclosures

AGREED AND ACCEPTED:



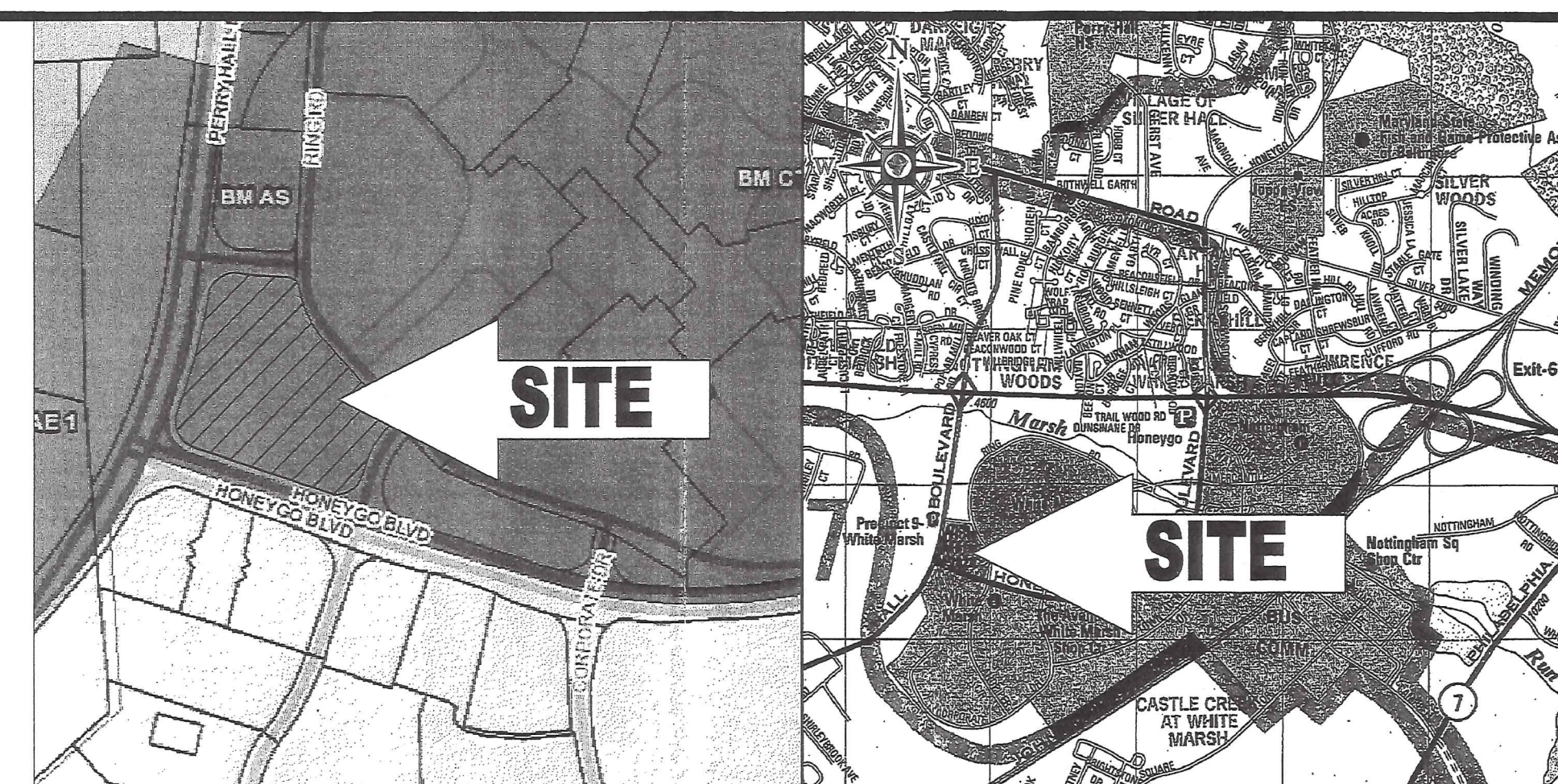
W. Carl Richards, Jr., Chief
Zoning Review Office

1/27/2020
Date



2013 APPROVED PARKING VARIANCE		
PARKING REQUIRED	PARKING PROVIDED	% REDUCTION
475	387	18.50%

2020 PARKING COMPLIANCE		
PARKING REQUIRED	PARKING PROVIDED	% REDUCTION
467	381	18.42%



ZONING MAP
SCALE: 1"=500'

LOCATION MAP
COPYRIGHT ADD THE MAP PEOPLE
PERMIT USE NO. 20602153-5
SCALE: 1"=2000'

REQUIRED PURSUANT TO CASE NO. 2013-206-A

% DEFICIT APPROVED = 18.5% DEFICIT APPROVED OR 88 SPACES
 467 SPACES x 18.50% = 86.40 SPACES
 467 SPACES - 86.40 SPACES = 380.60 SPACES
 381 SPACES REQUIRED

OWNER/APPLICANT
 WHITE MARSH PLAZA BUSINESS TRUST
 C/O FEDERAL REALTY INVESTMENT TRUST
 1625 EAST JEFFERSON ST. 53 EAST WYNNWOOD ROAD, SUITE 200
 ROCKVILLE MD 20852-4041 WYNNWOOD, PA 19096

PARKING CALCULATION
 REQUIRED: (84,790 S.F.)
 RETAIL/GROCERY/CARRYOUT/RESTAURANT: 66,858 S.F. * 5 SPACES / 1,000 S.F. = 334.29 SPACES @ 2,267 S.F. @ 5 SPACES 1,000 S.F. = 311.34 - 4,591.34
 BANK/OFFICE: 11,532 S.F. * 3.3 SPACES / 1,000 S.F. = 38.06 SPACES @ 2,222 S.F. @ 3.3 SPACES 1,000 S.F. = 46.93 + 2,090.54
 STANDARD RESTAURANT: 6,400 S.F. * 16 SPACES / 1,000 S.F. = 102.40 SPACES @ 2,268 S.F. @ 16 SPACES / 1,000 S.F. = 68.29 - 2,132.54
 TOTAL: 474.75 SPACES HEALTH CLUB: 4,033 S.F. @ 10 SPACES / 1,000 S.F. = 40.33 + 4,033
 TOTAL PARKING REQUIRED: 475 SPACES 466.89 OR 467 SPACES

PROVIDED:
 PARKING PROVIDED: 387 SPACES 381 SPACES
 REDUCTION REQUESTED: 88 SPACES (18.5%)
 88 SPACES (18.42%)

SITE INFORMATION

1. SITE ADDRESS:
WHITE MARSH PLAZA
7944 HONEYGO BLVD.
BALTIMORE, MD 21226
2. SITE TABULATIONS:
PARCEL 205 = 313,986 S.F. OR 7.2081 AC ±
3. COUNTY INFORMATION
TAX MAP: B2
PARCELS: 205
CENSUS TRACT: 440600
COUNCILMANIC DISTRICT: 6
ELECTION DISTRICT: 14
ZONING MAP NO.: 082A1
DEED: LIBER 17518, FOLIO 584
TAX ACCOUNT NO.: 19-00-001897
4. EXISTING USE: SHOPPING CENTER
5. ZONE: BM-CT
6. THERE ARE NO KNOWN 100 YEAR FLOODPLAINS ON THIS SITE
7. THERE ARE NO KNOWN NON-TIDAL WETLANDS ON THIS SITE.
8. THIS PLAN DOES NOT GENERATE ANY RESIDENTIAL TRANSITION AREA (RTA).
9. THE SUBJECT SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES MAP AREAS.
10. BUILDING AREA: 84,790 S.F.
11. PARKING: SEE PARKING CALCULATIONS
12. AMENITY OPEN SPACE:
REQUIRED: 0.1 x G.F.A. (MINIMUM)
G.F.A. = 84,790 S.F.
MIN. A.O.S. = 0.1 x 84,790 S.F. = 8,479 S.F.
PROVIDED: A.O.S. = 14,033 S.F.
13. FLOOR AREA RATIO:
MAX ALLOWABLE FOR SHOPPING CENTER: 4.0
84,790 S.F. / 313,986 S.F. = 0.27
14. SITE IS SERVED BY PUBLIC WATER AND SEWER.
15. BUILDING HEIGHT: 40' MAX.
16. SUBJECT PROPERTY IS NOT UNDER ANY ACTIVE ZONING VIOLATIONS.
17. SIGNAGE MUST COMPLY WITH SECTION 450 OF THE BCZR UNLESS A VARIANCE IS GRANTED.
18. FOUR (4) EXISTING PARKING SPACES ARE CURRENTLY UTILIZED FOR CART CORRAIS. THESE SPACES ARE NOT INCLUDED IN "PARKING PROVIDED" CALCULATIONS.

ZONING HISTORY

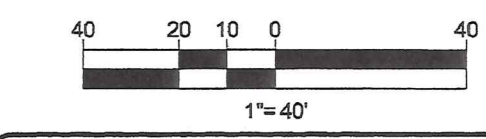
1. CASE NO.: 2011-0041-A
PETITION FOR VARIANCE TO PERMIT TEN (10) WALL-MOUNTED ENTERPRISE SIGNS FOR THE EXISTING GIANT SUPERMARKET IN LIEU OF THE PERMITTED ONE (1) SIGN PURSUANT TO SECTION 450.4 CHART 1.5(D).
2. CASE NO.: 2013-0206-A
PETITION FOR PARKING VARIANCE TO ALLOW 387 SPACES ON SITE IN LIEU OF THE REQUIRED 475 SPACES. GRANTED 4-29-13.

LEGEND
 AMENITY OPEN SPACE



PLAN TO ACCOMPANY SPIRIT & INTENT REQUEST
 REDLINE DATE: 01/21/2020

PETITIONER'S
 EXHIBIT NO. 1



PROFESSIONAL CERTIFICATION
 I, JOSEPH J. UCCIFERRO, 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. 19-00-001897, EXPIRATION DATE: 02/28/2014

PLAN REFERENCES:

1. BOUNDARY, BUILDING AREAS, AND TENANTS ARE SHOWN PER ELECTRONIC FILE PROVIDED BY FRAT (OWNER), RECEIVED ON 01/07/20.
2. PARKING COUNTS ARE BASED ON AERIAL PHOTOGRAPHY PER GOOGLE MAPS OBTAINED ON 01/08/20.

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT WORK SCOPE PRIOR TO THE INITIATION OF CONSTRUCTION. SHOULD THE CONTRACTOR FIND A CONFLICT WITH THE DOCUMENTS RELATIVE TO THE SPECIFICATIONS OR APPLICABLE CODES, IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DERIVED BY THE DRAWINGS AND IN ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DERIVED BY THE DRAWINGS AND IN FULL CONFORMANCE WITH LOCAL REGULATIONS AND CODES.

BOHLER ENGINEERING

CORPORATE OFFICE:
WARREN, NJ

OFFICES:
 ◆ BOWIE, MD
 ◆ BOSTON, MA
 ◆ CHICAGO, IL
 ◆ CLARK, PA
 ◆ TAMPA, FL
 ◆ WASHINGTON, DC
 ◆ WILMINGTON, DE
 ◆ PHILADELPHIA, PA

CIVIL & CONSULTING ENGINEERS
 SURVEYORS
 PROJECT MANAGERS
 ENVIRONMENTAL CONSULTANTS
 LANDSCAPE ARCHITECTS

REVISIONS

REV	DATE	COMMENT	BY

NOT APPROVED FOR CONSTRUCTION

PROJECT NO.: MD132027
 DRAWN BY: MDD
 CHECKED BY: MDD
 DATE: 3/5/13
 SCALE: 1"=40'
 CAD L.D.: PVO

PARKING VARIANCE PLAN

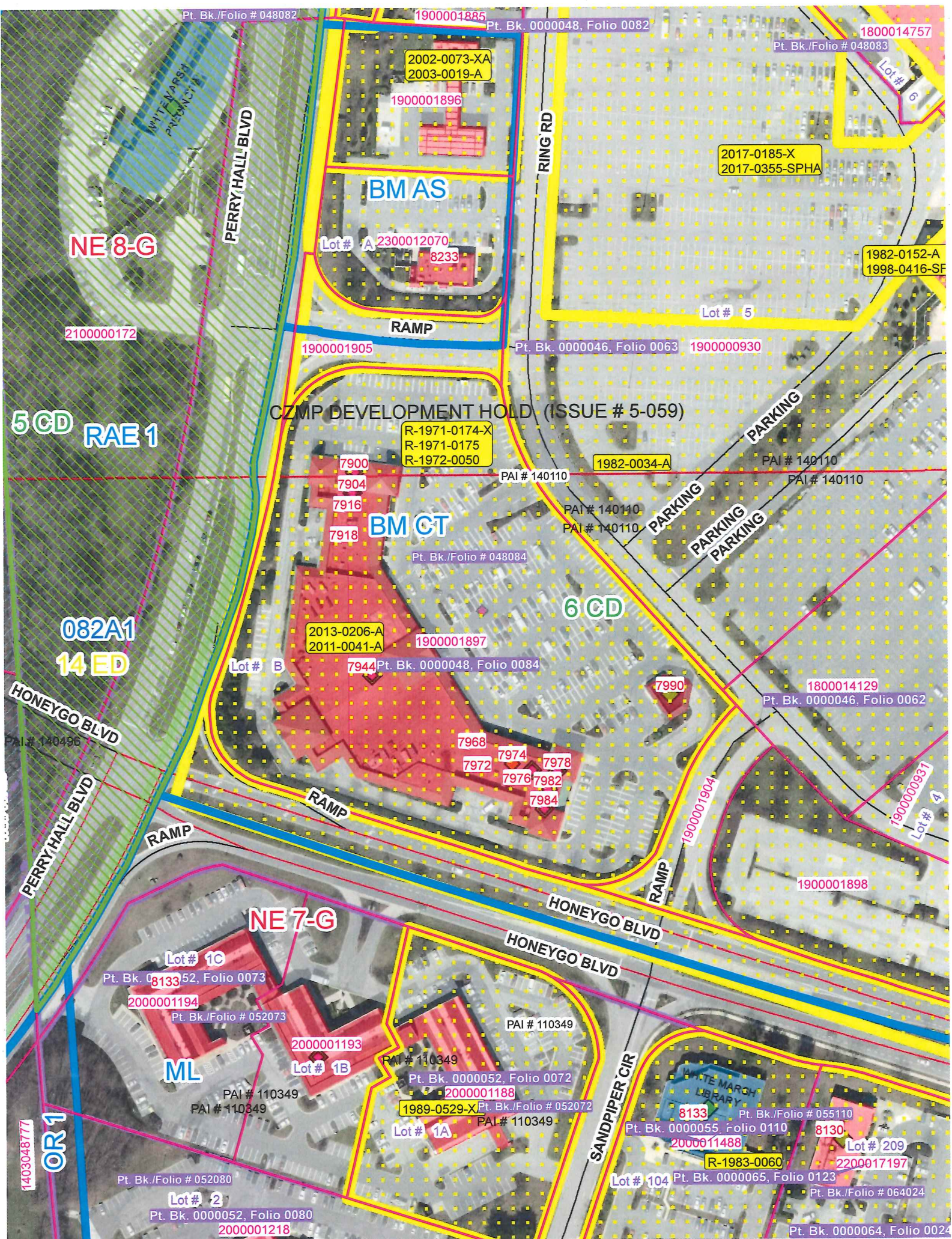
FOR
FEDERAL REALTY INVESTMENT TRUST
 LOCATION OF SITE
 7944 HONEYGO BOULEVARD
 WHITE MARSH, MD
 BALTIMORE COUNTY

BOHLER ENGINEERING
 901 DULANEY VALLEY ROAD, SUITE 801
 TOWSON, MARYLAND 21204
 Phone: (410) 821-7900
 Fax: (410) 821-7987
 www.BohlerEngineering.com

J.J. UCCIFERRO
 PROFESSIONAL ENGINEER
 LICENSE NO. 19-00-001897
 EXPIRATION DATE: 02/28/2014

PLAN TO ACCOMPANY PETITION FOR VARIANCE

SHEET NUMBER: 1
 OF 1



IN RE: PETITION FOR VARIANCE
(7944 Honeygo Blvd.)
14th Election District
6th Councilman District
White Marsh Plaza Business Trust
Petitioner

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*

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2013-0206-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by David H. Karceski, Esquire, on behalf of the legal owner of the subject property. The Petitioner is requesting Variance relief from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow 387 off-street parking spaces in lieu of the required 475 parking 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 were Mark Keeley, Brian Donley and Joseph Ucciferro. David H. Karceski, Esquire with Venable, LLP appeared and represented the Petitioner. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The only substantive Zoning Advisory Committee (ZAC) comment was received from the Bureau of Development Plans Review (DPR) dated March 15, 2013, indicating that the variance, if granted, should be conditioned on the site being landscaped in accordance with the approved landscape plan.

ORDER RECEIVED FOR FILING

Date

4/29/13

By

Sen

Testimony and evidence revealed that the subject property is approximately 7.2 acres and is zoned BM-CT. The site is improved with a shopping center contiguous to, but not part of, the White Marsh Mall. Petitioner is seeking to lease space to new commercial tenants (including restaurants) and to do so requires variance relief.

Based upon the testimony and evidence presented, I will grant the request for variance relief. 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).

Petitioner has met this test. The site is irregularly shaped (counsel describes it as elbow shaped) and the property is surrounded by roadways. Thus, it is unique.

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty, given it would be unable to attract commercial tenants for its center. 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 lack of county and/or community opposition. In addition, a parking study was completed by Traffic Concepts, Inc. (Exhibit 5) demonstrating that more than sufficient parking exists on site.

Pursuant to the advertisement, posting of the property and public hearing on this Petition, and for the reasons set forth above, the variance relief requested shall be granted.

THEREFORE, IT IS ORDERED, this 29th day of April, 2013, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow 387 off-street parking spaces in

ORDER RECEIVED FOR FILING

lieu of the required 475 parking spaces, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for 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.
2. Petitioner, consistent with the ZAC comment received from the Bureau of Development Plans Review dated March 15, 2013, shall meet with the County's landscape architect to determine and complete whatever plantings are necessary to bring the site into compliance with the existing, approved landscape plan.

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

JEB:slh



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

ORDER RECEIVED FOR FILING

Date

4/29/13

By

slh



KEVIN KAMENETZ
County Executive

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

April 29, 2013

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

RE: Petitions for Variance
Case No. 2013-0206-A
Property: 7944 Honeygo Blvd.

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 typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Mark Keeley, 325 Gambrills Road, Gambrills, Maryland 21054
Brian Donley, 50 E. Wynnwood Road, Wynnwood, PA 19096
Joseph Ucciferro, 901 Dulaney Valley Road, Suite 801, Towson, Maryland 21204



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 7944 Honeygo Boulevard which is presently zoned BM-CT

Deed References: 17518-00564 10 Digit Tax Account # 1900001897

Property Owner(s) Printed Name(s) White Marsh Plaza Business Trust

(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

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

3. ☒ a **Variance** from Section(s) 409.6 of the Baltimore County Zoning Regulations to allow 387 off-street parking spaces in lieu of the required 475 parking spaces.

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):

White Marsh Plaza Business Trust

John Hendrickson, Northeast Region COO

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1626 East Jefferson Street,

Rockville,

MD

Mailing Address

City

State

20852-4041,

Zip Code

Telephone #

Email Address

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 2013-0206-A

Filing Date 3.7.13

Do Not Schedule Dates: _____

Intake
Reviewer JCM
PROP-off
REV. 10/4/11

PROPERTY DESCRIPTION (PARCEL 205)

BEGINNING FOR THE SAME AT A POINT ON THE SOUTHEAST SIDE OF PERRY HALL BOULEVARD 130 FEET WIDE AT THE END OF THE FILLET LEADING FROM THE NORTHERN SIDE OF HONEYGO BOULEVARD, 130 FEET WIDE, SAID PLACE OF BEGINNING BEING DESIGNATED 33 AND SHOWN ON A PLAT ENTITLED "WHITEMARSH MALL" SHEET 3 OF 3 (AMENDED), DATED NOVEMBER 16, 1981, RECORDED AMONG THE PLAT RECORDS OF BALTIMORE COUNTY, MARYLAND IN PLAT BOOK EHKJR. NO. 48, FOLIO 84, RUNNING THENCE LEAVING SAID PLACE OF BEGINNING BINDING ON A SOUTHEAST SIDE OF SAID PERRY HALL BOULEVARD

1. NORTHEASTERLY BY A CURVE TO THE LEFT HAVING A RADIUS OF 1974.86 FEET, FOR A DISTANCE OF 406.36 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING NORTH 14 DEGREES 49 MINUTES 33 SECONDS EAST 405.65 FEET, RUNNING THENCE BINDING ON THE SOUTHERN SIDE OF ACCESS ROAD NO. 5, SHOWN ON SAID PLAT, THE FIVE FOLLOWING COURSES, VIZ:
2. NORTHEASTERLY BY A CURVE TO THE RIGHT HAVING A RADIUS OF 90.00 FEET FOR A DISTANCE OF 115.54 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING NORTH 60 DEGREES 52 MINUTES 31 SECONDS EAST 107.77 FEET
3. SOUTH 82 DEGREES 20 MINUTES 47 SECONDS EAST 19.92 FEET
4. SOUTHEASTERLY BY A CURVE TO THE LEFT HAVING A RADIUS OF 539.50 FEET FOR A DISTANCE OF 41.53 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING SOUTH 84 DEGREES 33 MINUTES 06 SECONDS EAST 41.52 FEET
5. SOUTH 86 DEGREES 45 MINUTES 25 SECONDS EAST 97.53 FEET AND
6. SOUTHEASTERLY BY A CURVE TO THE RIGHT HAVING A RADIUS OF 40.00 FEET FOR A DISTANCE OF 54.22 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING SOUTH 47 DEGREES 55 MINUTES 37 SECONDS EAST 50.16 TO THE DIVISION LINE BETWEEN LOT B AND LOT FIVE, AS SHOWN ON SAID PLAT, RUNNING THENCE BINDING ON SAID DIVISION LINE, THE TWO FOLLOWING COURSES, VIZ:
7. SOUTHEASTERLY BY A CURVE TO THE LEFT HAVING A RADIUS OF 332.00 FEET FOR A DISTANCE OF 193.81 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING SOUTH 25 DEGREES 49 MINUTES 14 SECONDS EAST 191.07 FEET AND
8. SOUTH 42 DEGREES 32 MINUTES 40 SECONDS EAST 320.55 FEET, RUNNING THENCE BINDING ON THE NORTHWESTERN SIDE OF ACCESS ROAD NO. 4, SHOWN ON SAID PLAT, THE FOUR FOLLOWING COURSES, VIZ:
9. SOUTH 03 DEGREES 38 MINUTES 48 SECONDS WEST 28.89 FEET,
10. SOUTHWESTERLY BY A CURVE TO THE LEFT HAVING A RADIUS OF 289.50 FEET FOR A DISTANCE OF 147.57 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING SOUTH 32 DEGREES 51 MINUTES 10 SECONDS WEST 145.98 FEET,
11. SOUTH 18 DEGREES 15 MINUTES 00 SECONDS WEST 42.92 FEET,
12. SOUTHWESTERLY BY A CURVE TO THE RIGHT HAVING A RADIUS OF 90.00 FEET FOR A DISTANCE OF 118.07 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING SOUTH 55 DEGREES 49 MINUTES 57 SECONDS WEST 109.78 FEET TO THE NORTHERN SIDE OF HONEYGO BOULEVARD, AS

SHOWN ON SAID PLAT, RUNNING THENCE BINDING ON THE NORTHERN
SIDE OF SAID HONEYGO BOULEVARD,

13. NORTH 71 DEGREES 45 MINUTES 00 SECONDS WEST 478.21 FEET, RUNNING
THENCE BINDING ON SAID FILLET LEADING FROM THE NORTHERN SIDE OF
HONEYGO BOULEVARD TO THE SOUTHEAST SIDE OF SAID PERRY HALL
BOULEVARD AND
14. NORTHWESTERLY BY A CURVE TO THE RIGHT HAVING A RADIUS OF 87.00
FEET FOR A DISTANCE OF 140.41 FEET, SAID CURVE BEING SUBTENDED BY
A CHORD BEARING NORTH 25 DEGREES 30 MINUTES 53 SECONDS WEST
125.66 FEET TO THE PLACE OF BEGINNING.

CONTAINING 7.2080 ACRES OF LAND MORE OR LESS OR 313,980 SQ. FT.



3-4-13

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2013-0206-A
Petitioner: White Marsh Plaza Business Trust
Address or Location: 7944 Honeygo Blvd

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara Lukasevich
Address: Venable
210 W. Pennsylvania Ave, Ste 500
Towson, MD 21204
Telephone Number: (410) 494-6200

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

No. **94042**
 Date: **3/7/13**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 3/08/2013 3/07/2013 15:34:46 2

REG WSO2 WALKIN JEVA JEE
 >>RECEIPT # 816441 3/07/2013 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				385.00

Dept 5 528 ZONING VERIFICATION
 094042

Recpt Tot \$385.00
 \$385.00 CA
 Baltimore County, Maryland

Total: **385.00**

Rec From: **VENABLE**

For: **2013-0206-A**

JB 4-25
10 am

CERTIFICATE OF POSTING

2013-0206-A

RE: Case No.: _____

Petitioner/Developer: _____

White Marsh Plaza Business Trust

April 25, 2013

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 100
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Karen 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: _____

7944 Honeygo Blvd

April 5, 2013

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



Sincerely,


(Signature of Sign Poster)

April 5, 2013

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

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: # 2013-0206-A

7944 Honeygo Blvd.

NE corner of the intersection of Perry Hall and Honeygo Boulevards

14th Election District - 6th Councilmanic District

Legal Owner(s): White Marsh Plaza Business Trust

Variance: to allow 387 parking spaces in lieu of the required 475 parking spaces

Hearing: Thursday, April 25, 2013 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
4/008 April 4 913502



501 N. Calvert Street, Baltimore, MD 21278

April 4, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on April 4, 2013.

- ☒ 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



KEVIN KAMENETZ
County Executive

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

March 19, 2013

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: 2013-0206-A

7944 Honeygo Blvd.

NE corner of the intersection of Perry Hall and Honeygo Boulevards

14th Election District – 6th Councilmanic District

Legal Owners: White Marsh Plaza Business Trust

Variance to allow 387 parking spaces in lieu of the required 475 parking spaces.

Hearing: Thursday, April 25, 2013 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
John Hendrickson, 1626 East Jefferson Street, Rockville 20852

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, APRIL 5, 2013.**
- (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, February 4, 2013 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: 2013-0206-A

7944 Honeygo Blvd.

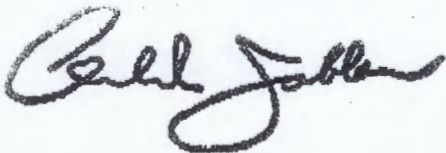
NE corner of the intersection of Perry Hall and Honeygo Boulevards

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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.

M E M O R A N D U M

DATE: May 30, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0206-A - Appeal Period Expired

The appeal period for the above-referenced case expired on May 29, 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

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
7944 Honeygo Boulevard; located NE corner of	*	
intersection of Perry Hall & Honeygo Blvds	*	OF ADMINSTRATIVE
14 th Election & 6 th Councilmanic Districts	*	
Legal Owner(s): White Marsh Plaza Business	*	HEARINGS FOR
Trust by John Hendrickson	*	
Petitioner(s)	*	BALTIMORE COUNTY
	*	2013-206-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

MAR 13 2013

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of MArch, 2013, 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

CASE NO. 2013- 206-A

CHECKLIST

**Support/Oppose/
Conditions/
Comments/
No Comment**

**Comment
Received**

Department

3-15

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

C

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

FIRE DEPARTMENT

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

3-11

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 4-4-13 Jefferson

SIGN POSTING Missing 4/19 ✓ Date: 4-5-13 by Black
Spoke to Cindy 4/19 @ 8:52 AM Rec'd 9:02 AM

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For March 18, 2013
Item No. 2013-0206

DATE: March 15, 2013

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment.

Granting the variance should be conditioned on the site being landscaped in accordance with the approved landscape plan.

DAK:CEN
cc: file
ZAC-ITEM NO 13-0206-03182013.doc



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

State Highway
Administration

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 3-11-13

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

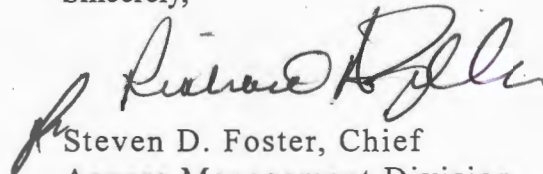
RE: Baltimore County
Item No. 2013-0206-A
Variance
White Marsh Plaza Business
Trust, John Hendrickson

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2013-0206-A.

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

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



KEVIN KAMENETZ
County Executive

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

April 18, 2013

White Marsh Plaza Business Trust
John Hendrickson, Northeast Region COO
1626 East Jefferson Street
Rockville MD 20852

RE: Case Number: 2013-0206 A, Address: 7944 Honeygo Boulevard

Dear Mr. Hendrickson:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on March 7, 2013. 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 fluid and cursive.

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

March 5, 2013

David H. Karceski

T 410.494.6285
F 410.821.0147
dhkarceski@venable.com

Hand Delivered

Mr. W. Carl Richards, Jr., Supervisor
Zoning Review Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Variance
Petitioner: White Marsh Plaza Business Trust
Location: 7944 Honeygo Boulevard

Dear Mr. Richards:

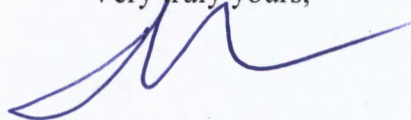
I am drop filing the enclosed Petition for Variance for the above-referenced property. I do not know of any violations of any zoning laws on the property. With this letter, I have enclosed the following materials:

1. Petition for Variance (3)
2. Description (3)
3. Site Plans (12)
4. Newspaper advertising form (1)
5. Zoning Map (1)

A check in the amount of \$385.00 is also enclosed to cover the filing fee for this application.

If you have any questions regarding this application, please give me a call.

Very truly yours,



David H. Karceski

DHK/bal
Enclosures

Debra Wiley - Certificate of Posting for 7944 Honeygo Blvd.

From: "Karczeski, David H." <DKarczeski@Venable.com>
To: "dwiley@baltimorecountymd.gov" <dwiley@baltimorecountymd.gov>
Date: 4/19/2013 9:03 AM
Subject: Certificate of Posting for 7944 Honeygo Blvd.
CC: "Karczeski, David H." <DKarczeski@Venable.com>, "Williams, Justin A." <Jus...>
Attachments: CERTIFICATE OF POSTING.pdf

Debbie, attached is the Certificate of Posting for 7944 Honeygo Blvd. Please let me know if you need any additional information. Thank you.

Cindy Karpook
 Legal Administrative Assistant to
 David H. Karczeski
 Christopher D. Mudd
 Paige R. Horine
 Venable LLP
 210 W. Pennsylvania Avenue, Ste. 500
 Towson, Maryland 21204
 (410) 494-6219
 cakarpook@venable.com

RECEIVED

APR 19 2013

OFFICE OF ADMINISTRATIVE HEARINGS

U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding penalties that may be imposed under the Internal Revenue

Code or by any other applicable tax authority; or (b) promoting, marketing or recommending to another party any tax-related matter addressed herein. We provide this disclosure on all outbound e-mails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirements as to form and substance.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

CASE NAME White Marsh Plaza
CASE NUMBER 2013-206-A
DATE 4/25/13

[illegible]

Maryland Department of Assessments and Taxation
Real Property Data Search (vw6.1A)
BALTIMORE COUNTY

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

Account Identifier:

District - 14 Account Number - 1900001897 ✓

Owner Information

Owner Name: WHITE MARSH PLAZA BUSINESS TRUST
C/O FEDERAL REALTY INVESTMENT TRUS
Use: COMMERCIAL
Mailing Address: ATTN ACCOUNTING DEPT
1626 EAST JEFFERSON ST
ROCKVILLE MD 20852-4041
Principal Residence: NO
Deed Reference: 1) /17518/ 00564
2)

Location & Structure Information

Premises Address
PERRY HALL BLVD
0-0000

Legal Description
LT B 7.2080 AC

WHITEMARSH MALL

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0082	0003	0205		0000			B	1	
									Plat Ref: 0048/ 0084

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
	82227	7.2000 AC	14

Stories **Basement** **Type** **Exterior**
MARKET

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
Land	5,406,000	5,406,000		
Improvements:	9,422,600	12,441,700		
Total:	14,828,600	17,847,700	14,828,600	15,834,967
Preferential Land:	0			0

Transfer Information

Seller: NOTTINGHAM VILLAGE INC	Date: 02/10/2003	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /17518/ 00564	Deed2:
Seller: WHITE MARSH MALL ASSOCIATES	Date: 07/22/1980	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /06185/ 00805	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
BALTIMORE COUNTY
Real Property Data Search

[Go Back](#)
[View Map](#)
[New Search](#)

District - 14 **Account Number - 1900001897**



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

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

Property maps provided courtesy of the Maryland Department of Planning ©2011.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

Case No.:

2013-206-A

4/25/13

Exhibit Sheet

103
5-30-13

Aln
4/29/13

Petitioner/Developer

Protestants

No. 1	Site plan	
No. 2	Aerial Zoning Map	
No. 3	Vacciferro EV	
No. 4	Keeley EV	
No. 5	Parking study	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

RESUME

Joseph J. Ucciferro, P.E.
Project Manager

EDUCATION:

Bachelor of Civil Engineering, University of Delaware, Newark, DE

PROJECT TESTIMONY:

Testified on behalf of Bohler Engineering in numerous municipalities before Planning Commissions, Board of Supervisors, Board of Appeals, and related municipal entities in Maryland, Delaware, and Pennsylvania.

EXPERIENCE:

Currently serves as a Project Manager in Bohler Engineering's Towson, Maryland Office. Experience includes eight years of design and project management. Primarily responsible for client and project management for various commercial and industrial developments. Areas of experience include site feasibility analysis and budgeting, site layout and planning, zoning and subdivision ordinance review/interpretation, horizontal and vertical roadway design, site grading, earthwork balancing and analysis, soil erosion and sediment control measures and facilities, utility design, stormwater management and water quality system designs, environmental compliance/evaluations, pump/tank design and permitting, lighting photometric studies/design, signage compliance, landscaping design, vehicular circulation design, oversight of expediting and application approvals, and related services. Expertise includes supermarkets, service stations, maintenance facilities, restaurants, shopping centers, retail centers, car washes and other related projects in municipalities in Maryland, Delaware, and Pennsylvania.

Representative Projects to Note:

- 1) Chick-fil-A projects in Baltimore County (Catonsville, Carney, Essex, Hunt Valley, Middle River, Perry Hall)
- 2) Chick-fil-A projects in other Maryland jurisdictions (approx. 25 total)
- 3) Multiple Car Washes, Fuel Service Stations, Banks in Baltimore County that demonstrate knowledge of County Parking and Stacking Requirements

PROFESSIONAL AFFILIATIONS:

- Maryland Professional Engineer #36064
- Delaware Professional Engineer #15985
- Pennsylvania Professional Engineer #076279
- Urban Land Institute (ULI)
- National Association of Industrial & Office Properties (NAIOP)

PETITIONER' S

EXHIBIT NO. 3

J. MARK KEELEY, PTP
6533 Greenmount Drive • Elkridge, MD 21075
410-615-0067 (Cell) 410-923-7101 (Office)

PROFESSIONAL SKILLS

Thorough knowledge of transportation planning principals and practices, including the relationship between transportation, environmental, economic, and social factors that influence urban and rural land use patterns. Computer software Packages: Microsoft software packages, TP +, MINUTP, Highway Capacity Software (HCS), SIDRA, Critical Lane Volume Analysis

EDUCATION

TOWSON UNIVERSITY
8000 York Road
Towson, MD 21252
M.A. Degree - Geography and Planning, 1993

SALISBURY UNIVERSITY
1101 Camden Avenue
Salisbury, MD 21801
B.A. Degree 1987

MT. ST. JOSEPH HIGH SCHOOL
4403 Frederick Avenue
Baltimore, MD 21229
Graduated May 1983

PROFESSIONAL EXPERIENCE

TRAFFIC CONCEPTS, INC
325 Gambrills Road, Suite B Gambrills Maryland 21054

Project Manager/Transportation Planner, July 2005-Present

- Project Manager for Traffic Impact Studies and Planning/Traffic Engineering Services Division.
- Develop price proposals and budgets for the preparation of traffic engineering services.
- Develop business relationships to advance business products and services.
- Provide expert testimony at public hearings.
- Develop complex master planning studies, traffic impact analyses and parking studies for private and public sector clients.
- Address technical comments received from reviewing agencies and provide traffic mitigation strategies and solutions for clients.
- Represent clients at project Scoping Meetings, Planning Commission Meetings, Board of Appeals Hearings, and Community Input Meetings.
- Negotiate traffic mitigation solutions with county and state officials.

PETITIONER' S

EXHIBIT NO. 4

PARKING LOT OCCUPANCY COUNT

PARKING LOT: Federal Realty Investment Trust

COUNTY: BALTIMORE

COUNT BY: P. Pirmann

DATE: 4/11/2013

WEATHER: CLEAR

DAY: THURSDAY

TIME	CARS IN LOT	% OF LOT FILLED (387 TOTAL SPACES)
11:00:00 AM	116	30.0%
11:15:00 AM	156	40.3%
11:30:00 AM	121	31.3%
11:45:00 AM	127	32.8%
12:00:00 PM	149	38.5%
12:15:00 PM	147	38.0%
12:30:00 PM	149	38.5%
12:45:00 PM	144	37.2%
1:00:00 PM	175	45.2%
1:15:00 PM	137	35.4%
1:30:00 PM	139	35.9%
1:45:00 PM	133	34.4%
4:00:00 PM	135	34.9%
4:15:00 PM	128	33.1%
4:30:00 PM	127	32.8%
4:45:00 PM	136	35.1%
5:00:00 PM	126	32.6%
5:15:00 PM	125	32.3%
5:30:00 PM	121	31.3%
5:45:00 PM	116	30.0%
6:00:00 PM	109	28.2%
6:15:00 PM	105	27.1%
6:30:00 PM	107	27.6%
6:45:00 PM	95	24.5%

TRAFFIC CONCEPTS, INC.
325 GAMBRILLS ROAD, SUITE B
GAMBRILLS, MARYLAND 21054
(410) 923-7101 FAX (410) 923-6473
E-MAIL TRAFFIC@TRAFFIC-CONCEPTS.COM

M:12903

PETITIONER' S

EXHIBIT NO. 5

PARKING LOT OCCUPANCY COUNT

PARKING LOT: Federal Realty Investment Trust

COUNTY: BALTIMORE

COUNT BY: P. Pirmann

DATE: 4/12/2013

WEATHER: CLEAR

DAY: Friday

TIME	CARS IN LOT	% OF LOT FILLED (387 TOTAL SPACES)
11:00:00 AM	124	32.0%
11:15:00 AM	124	32.0%
11:30:00 AM	126	32.6%
11:45:00 AM	148	38.2%
12:00:00 PM	151	39.0%
12:15:00 PM	162	41.9%
12:30:00 PM	147	38.0%
12:45:00 PM	167	43.2%
1:00:00 PM	153	39.5%
1:15:00 PM	147	38.0%
1:30:00 PM	152	39.3%
1:45:00 PM	147	38.0%
4:00:00 PM	135	34.9%
4:15:00 PM	134	34.6%
4:30:00 PM	139	35.9%
4:45:00 PM	145	37.5%
5:00:00 PM	144	37.2%
5:15:00 PM	148	38.2%
5:30:00 PM	146	37.7%
5:45:00 PM	146	37.7%
6:00:00 PM	143	37.0%
6:15:00 PM	136	35.1%
6:30:00 PM	120	31.0%
6:45:00 PM	104	26.9%

TRAFFIC CONCEPTS, INC.

325 GAMBRILLS ROAD, SUITE B

GAMBRILLS, MARYLAND 21054

(410) 923-7101

FAX (410) 923-6473

E-MAIL TRAFFIC@TRAFFIC-CONCEPTS.COM

M:12903

PARKING LOT OCCUPANCY COUNT

PARKING LOT: Federal Realty Investment Trust

COUNTY: BALTIMORE

COUNT BY: P. Pirmann

DATE: 4/13/2013

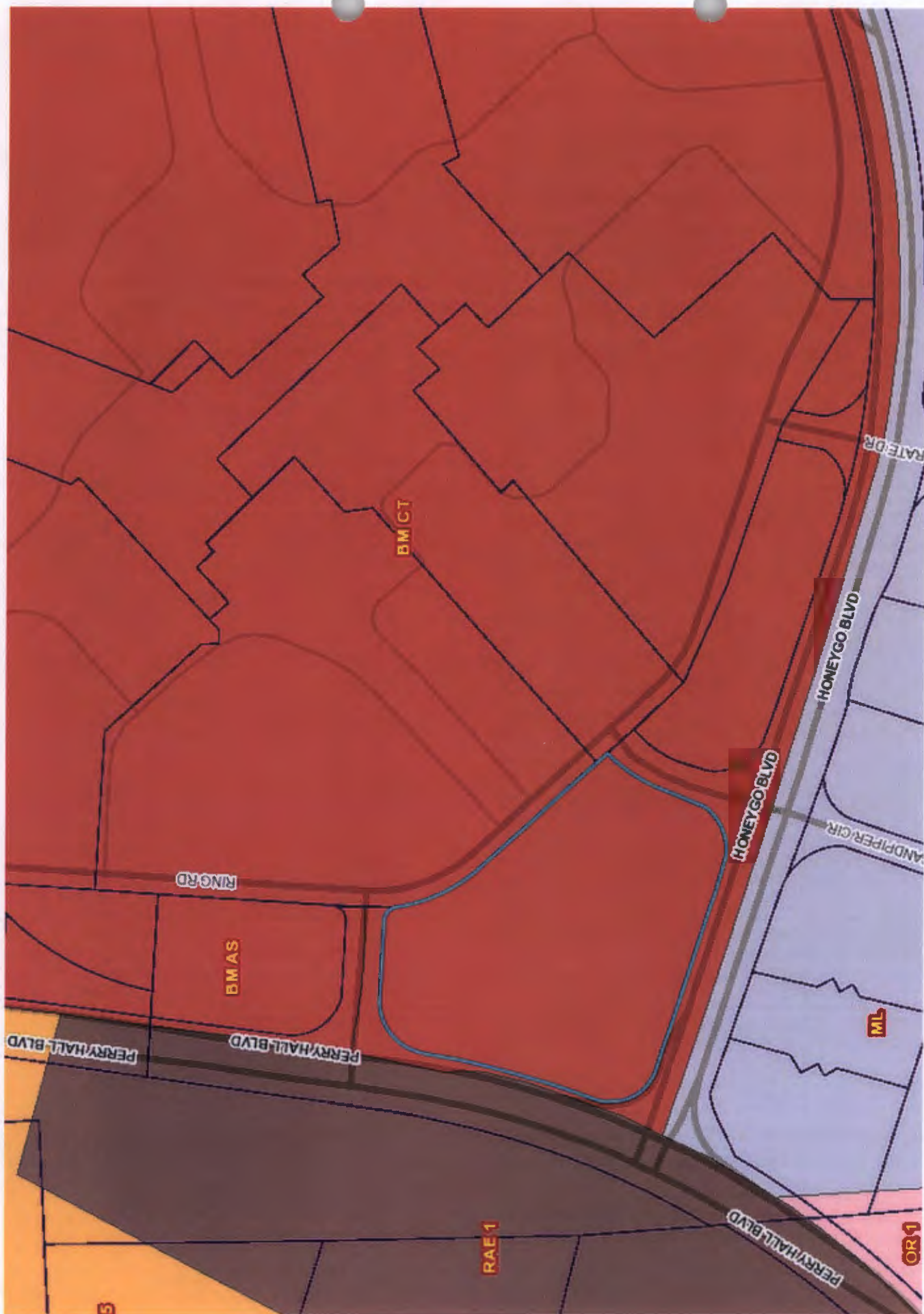
WEATHER: CLEAR

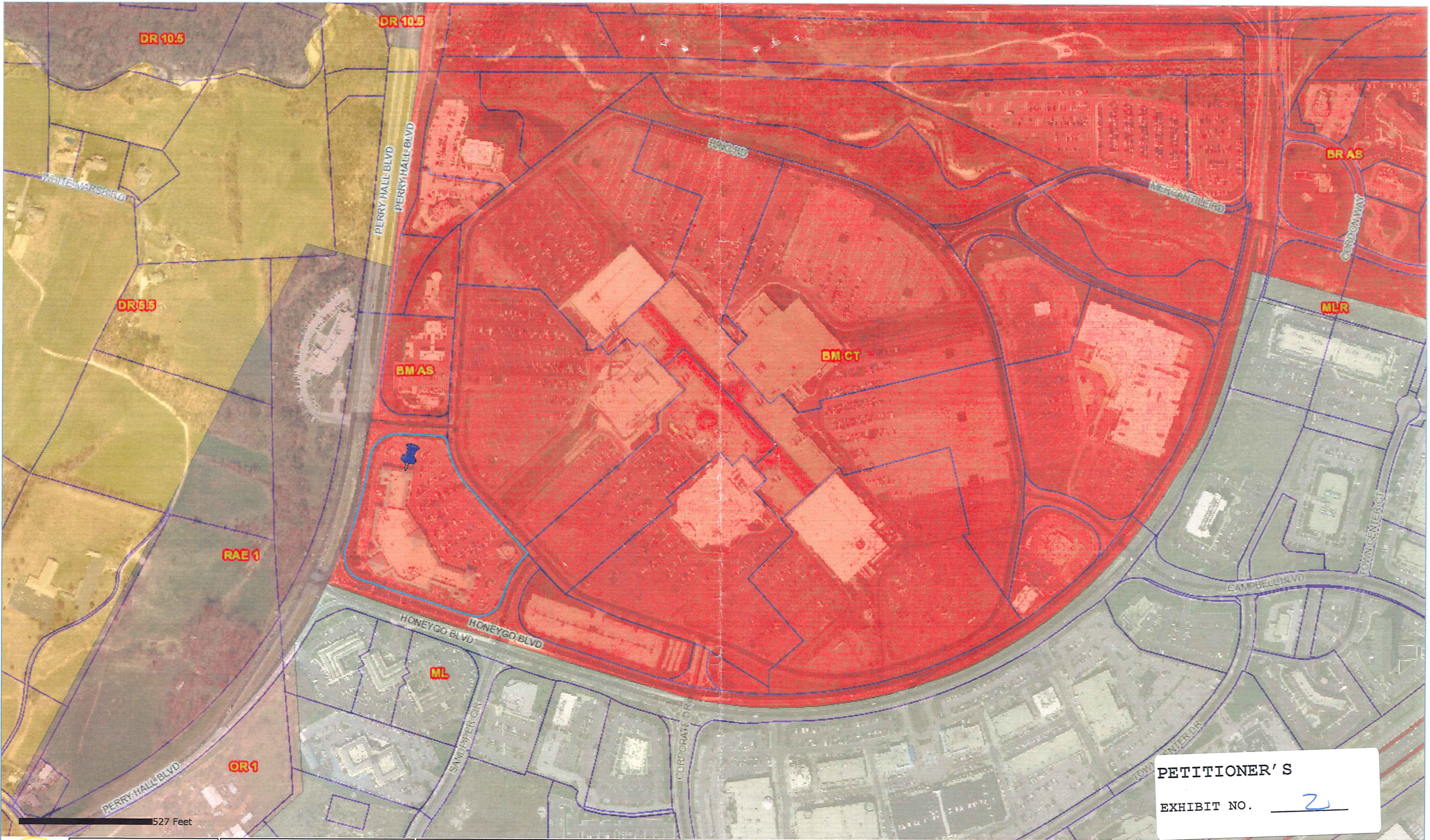
DAY: Saturday

TIME	CARS IN LOT	% OF LOT FILLED (387 TOTAL SPACES)
11:00:00 AM	142	36.7%
11:15:00 AM	146	37.7%
11:30:00 AM	160	41.3%
11:45:00 AM	155	40.1%
12:00:00 PM	145	37.5%
12:15:00 PM	149	38.5%
12:30:00 PM	164	42.4%
12:45:00 PM	164	42.4%
1:00:00 PM	158	40.8%
1:15:00 PM	169	43.7%
1:30:00 PM	179	46.3%
1:45:00 PM	168	43.4%

TRAFFIC CONCEPTS, INC.
325 GAMBRILLS ROAD, SUITE B
GAMBRILLS, MARYLAND 21054
(410) 923-7101 FAX (410) 923-6473
E-MAIL TRAFFIC@TRAFFIC-CONCEPTS.COM

M:12903





PETITIONER' S
EXHIBIT NO. 2



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or 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' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Pt. Bk./Folio # 048082

1900001885

Pt. Bk. 0000148, Folio 0082

Pt. Bk./Folio # 048083

1800014757

2002-0073-XA
2003-0019-A

1900001896

BM AS

Lot # A 2300012070
8233

RAMP

1900001905

Pt. Bk. 0000046, Folio 0063

1900000930

2017-0185-X
2017-0355-SPHA

1982-0152-A
1998-0416-SF

Lot # 5

CZMP DEVELOPMENT HOLD (ISSUE # 5-059)

R-1971-0174-X
R-1971-0175
R-1972-0050

7900

7904

7916

7918

BM CT

Pt. Bk./Folio # 048084

2013-0206-A
2011-0041-A

1900001897

7944

Pt. Bk. 0000048, Folio 0084

Lot # B

7968

7972

7974

7976

7978

7982

7984

7990

1800014129

Pt. Bk. 0000046, Folio 0062

1900001898

1900000931

Lot # 4

NE 7-G

Lot # 1C

Pt. Bk. 0313352, Folio 0073

2000001194

Pt. Bk./Folio # 052073

ML

2000001193

Lot # 1B

PAI # 110349

PAI # 110349

PAI # 110349

Pt. Bk. 0000052, Folio 0072

2000001188

1989-0529-X

Pt. Bk./Folio # 052072

PAI # 110349

Lot # 1A

HONEYGO BLVD

SANDPIPER CIR

8133

Pt. Bk./Folio # 055110

Pt. Bk. 0000055, Folio 0110

2000011488

8130

Lot # 209

R-1983-0060

2200017197

Lot # 104 Pt. Bk. 0000065, Folio 0123

Pt. Bk./Folio # 064024

Pt. Bk. 0000064, Folio 0024

NE 8-G

2100000172

5 CD RAE 1

082A1

14 ED

HONEYGO BLVD

PERRY HALL BLVD

RAMP

RAMP

RAMP

PARKING

PARKING

PARKING

PARKING

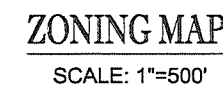
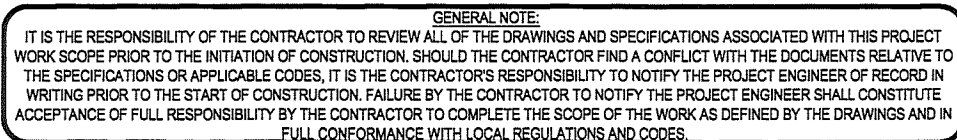
OR 1

Pt. Bk./Folio # 052080

Lot # 2

Pt. Bk. 0000052, Folio 0080

2000001218



WHITE MARSH PLAZA BUSINESS TRUST
C/O FEDERAL REALTY INVESTMENT TRUST
1626 EAST JEFFERSON ST
ROCKVILLE MD 20852-4041

REQUIRED: (84,790 S.F.)
 RETAIL/GROCERY/CARRYOUT RESTAURANT: 66,858 S.F. * 5 SPACES / 1,000 S.F. = 334.29 SPACES
 BANK/OFFICE: 11,532 S.F. * 3.3 SPACES / 1,000 S.F. = 38.06 SPACES
 STANDARD RESTAURANT: 6,400 S.F. * 16 SPACES / 1,000 S.F. = 102.40 SPACES
 TOTAL: 474.75 SPACES

TOTAL PARKING REQUIRED: 475 SPACES

PROVIDED:
PARKING PROVIDED: 387 SPACES

REDUCTION REQUESTED: 88 SPACES (18.5%)

1. SITE ADDRESS:
WHITE MARSH PLAZA
7944 HONEYGO BLVD.
BALTIMORE, MD 21236
2. SITE TABULATIONS:
PARCEL 205 = 313,986 S.F. OR 7.2081 AC.±
3. COUNTY INFORMATION
TAX MAP: 82
PARCELS: 205
CENSUS TRACT: 440600
COINCIDENTAL DISTRICT: 6
ELECTION DISTRICT: 14
ZONING MAP NO.: 082A1
4. TAX ACCOUNT NO.: 19-00-001897
5. EXISTING USE: SHOPPING CENTER
6. ZONE: BM-C7
7. THERE ARE NO KNOWN 100 YEAR FLOODPLAINS ON THIS SITE
8. THERE ARE NO KNOWN NON-TIDAL WETLANDS ON THIS SITE.
9. THIS PLAN DOES NOT GENERATE ANY RESIDENTIAL TRANSITION AREA (RTA).
10. THE SUBJECT SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES MAP AREAS.
11. BUILDING AREA: 84,790 S.F.
12. PARKING: SEE PARKING CALCULATIONS
13. AMENITY OPEN SPACE:
REQUIRED: $0.1 \times \text{G.F.A. (MINIMUM)}$
 $\text{G.F.A.} = 84,790 \text{ S.F.}$
 $\text{MIN. A.O.S.} = 0.1 \times 84,790 \text{ S.F.} = 8,479 \text{ S.F.}$
PROVIDED: A.O.S. = 14,033 S.F.

1. CASE NO.: 2011-0041-A
PETITION FOR VARIANCE TO PERMIT TEN (10) WALL-MOUNTED
ENTERPRISE SIGNS FOR THE EXISTING GIANT SUPERMARKET IN LIEU
OF THE PERMITTED ONE (1) SIGN PURSUANT TO SECTION 450.4
CHART 1.5(D).

THE PETITION WAS GRANTED BY THE ZONING COMMISSIONER ON
OCTOBER 20, 2010.

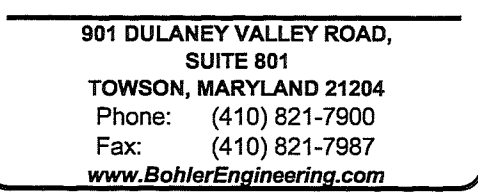
 AMENITY OPEN SPACE

REVISIONS

THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE IN VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL - 811 (WV 1-800-245-4848) (PA 1-800-242-1775) (DC 1-800-257-7777)

PROJECT No.:	MD132027
DRAWN BY:	MDD
CHECKED BY:	MDD
DATE:	3/5/13
SCALE:	1"=40'
CAD I.D.:	PV0

FOR
FEDERAL
REALTY
INVESTMENT
TRUST
LOCATION OF SITE
7944 HONEYGO BOULEVARD
WHITE MARSH, MD
BALTIMORE COUNTY



PROFESSIONAL ENGINEER
MARYLAND LICENSING NO. 38064
No. 38064
PROFESSIONAL ENGINEER
4-25-13

SHEET TITLE:

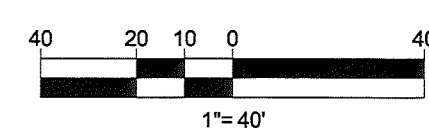
SHEET NUMBER: _____

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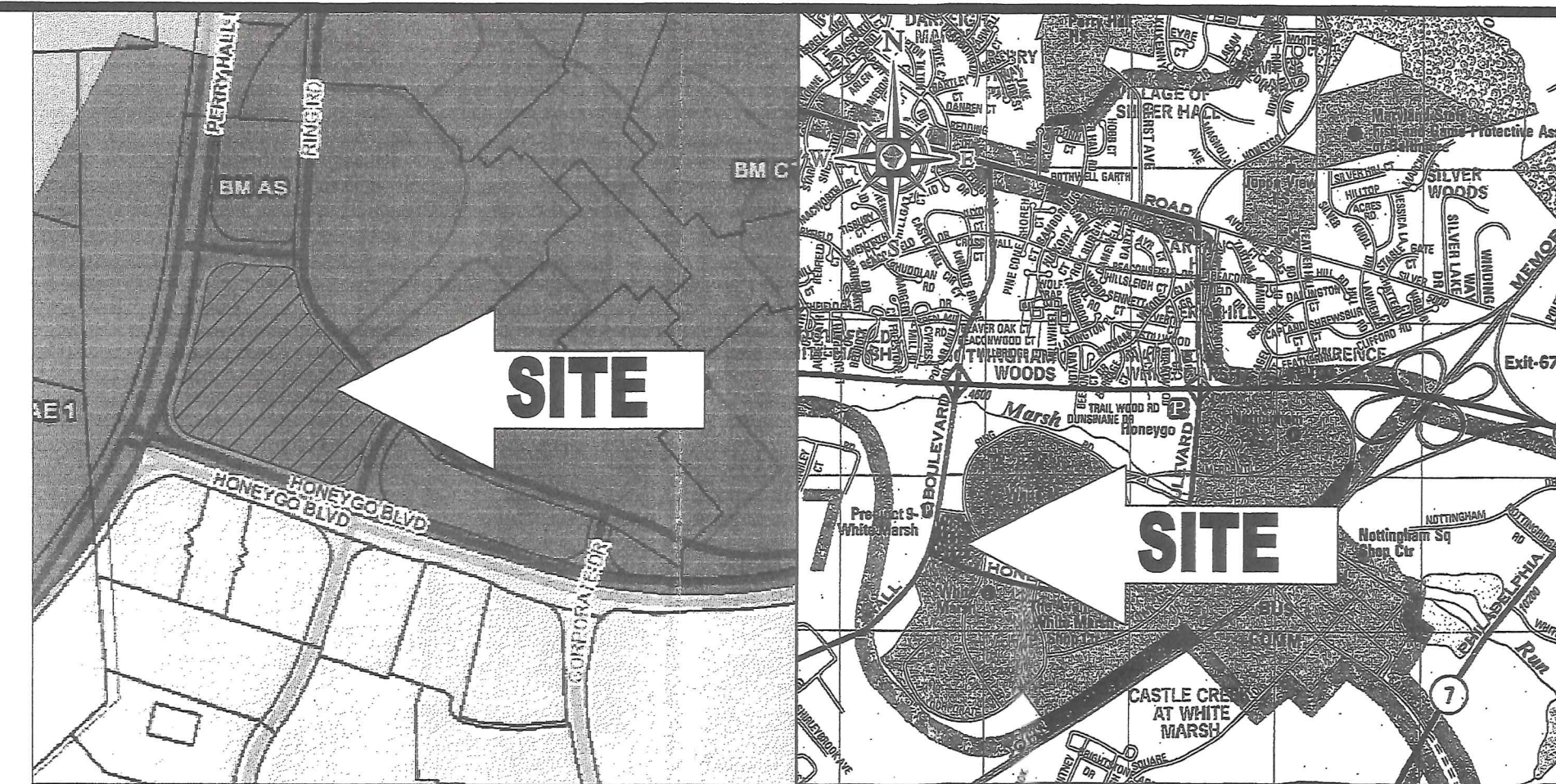
1

PETITIONER' S

EXHIBIT NO. 1



PROFESSIONAL CERTIFICATION
JOSEPH J. UCCIFERRO, 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.
36084. EXPIRATION DATE: 6/26/2014



LOCATION MAP
COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602153-5
SCALE: 1"=2000'

WHITE MARSH PLAZA BUSINESS TRUST
C/O FEDERAL REALTY INVESTMENT TRUST
1626 EAST JEFFERSON ST
ROCKVILLE MD 20852-4041

REQUIRED: (84,790 S.F.)
 RETAIL/GROCERY/CARRYOUT RESTAURANT: 66,858 S.F. * 5 SPACES / 1,000 S.F. = 334.29 SPACES
 BANK/OFFICE: 11,532 S.F. * 3.3 SPACES / 1,000 S.F. = 38.06 SPACES
 STANDARD RESTAURANT: 6,400 S.F. * 16 SPACES / 1,000 S.F. = 102.40 SPACES
 TOTAL: 474.75 SPACES

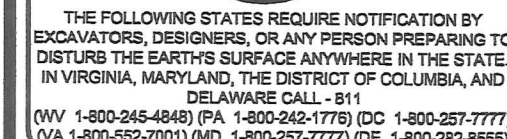
PROVIDED:
PARKING PROVIDED: 387 SPACES

REDUCTION REQUESTED: 88 SPACES (18.5%)

1. SITE ADDRESS:
WHITE MARSH PLAZA
7544 HONEYGO BLVD.
BALTIMORE, MD 21238
2. SITE TABULATIONS:
PARCEL 205 ± 313,988 S.F. OR 7.2081 AC.±
3. COUNTY INFORMATION
TAX MAP: 82
PARCELS: 205
CENSUS TRACT: 440800
COUNCILMATIC DISTRICT: 6
ELECTION DISTRICT: 14
ZONING MAP NO.: 082A1
4. TAX ACCOUNT NO.: 19-00-001897
5. EXISTING USE: SHOPPING CENTER
6. ZONE: BM-OT
7. THERE ARE NO KNOWN 100 YEAR FLOODPLAINS ON THIS SITE
8. THERE ARE NO KNOWN NON-TIDAL WETLANDS ON THIS SITE.
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10. THE SUBJECT SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES MAP AREAS.
11. BUILDING AREA: 84,790 S.F.
12. PARKING: SEE PARKING CALCULATIONS
13. AMENITY OPEN SPACE:
REQUIRED: 0.1 x G.F.A. (MINIMUM)
G.F.A. = 84,790 S.F.
MIN. A.O.S. = 0.1 x 84,790 S.F. = 8,479 S.F.
PROVIDED: A.O.S. = 14,033 S.F.

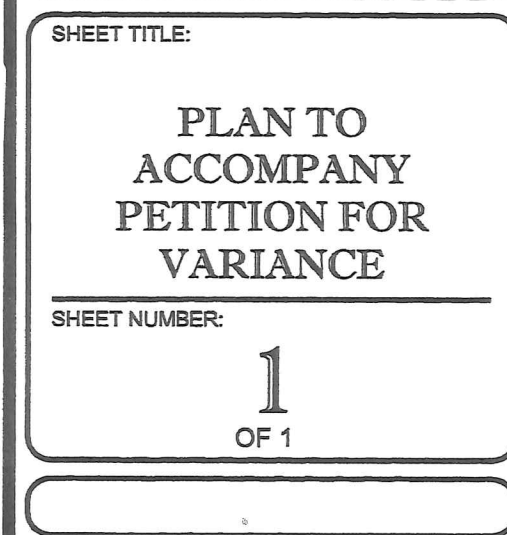
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CHART 1.5(D).

THE PETITION WAS GRANTED BY THE ZONING COMMISSIONER ON
OCTOBER 20, 2010.

 AMENITY OPEN SPACE[illegible]

PROJECT No.:	MD132027
DRAWN BY:	MDD
CHECKED BY:	MDD
DATE:	3/5/13
SCALE:	1"=40'
CAD I.D.:	BN

FOR
**FEDERAL
REALTY
INVESTMENT
TRUST**
LOCATION OF SITE
7944 HONEYGO BOULEVARD
WHITE MARSH, MD
BALTIMORE COUNTY



PETITIONER'S
EXHIBIT NO. 1

40 20 10 0 40
1"=40'

PROFESSIONAL CERTIFICATION
I, JOSEPH J. UCCIFERRO, HEREBY CERTIFY THAT THE
DOCUMENTS WERE PREPARED OR APPROVED BY ME
THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER
UNDER THE LAWS OF THE STATE OF MARYLAND, LIC.#
36984, EXPIRATION DATE: 6/28/2014