



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 22, 2021

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

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

Dear Mr. Karceski:

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

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

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

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

Sincerely,


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

March 25, 2020

Mr. W. Carl Richards, Zoning Supervisor
Baltimore County Zoning Review Office
Baltimore County Permits, Approvals, and Inspections (PAI)
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

Re: Amended Spirit and Intent Request Hunt Valley Town Center (HVTC)
Zoning Case No. 2015-0232-SPH Election District 8, Councilmanic District 3
Project No. 94150.AB

Dear Carl:

Please accept this request as an amendment to our previous Spirit and Intent letter, dated October 7, 2019, and approved by your office on October 8, 2019. A copy of your prior letter is enclosed. Your signature was subject to final approval of detailed plans, including any drive-through facilities. Our amended request and the enclosed red-lined plan show a 4,000-square foot addition to the former Sears store (retail), residential component comprised of multi-family apartments, senior housing apartments (independent living units), assisted living, and memory care (nursing) units, and an 828-space parking garage. The number of required and proposed parking spaces for the existing/new retail and residential uses are included on the plan as well.

As mentioned in our previous letter, the owners are proposing 2 new buildings on the Sears Lot (Lot 1A) replacing the Sears Automotive Service Center, which is approximately 14,500 square feet (to be removed). The new buildings, which will be used for either retail or restaurant use, total no more than 20,800 square feet, which results in a net increase of approximately 6,300 square feet. A new Sears addition, which will be 4,000 square feet in size, is also now proposed and shown on the enclosed site plan. Since all commercial uses part of the HVTC, with the exception of the existing movie theater, are calculated at 5 parking spaces per 1,000 square feet of gross leasable area, a total of 52 parking spaces are required for the additional commercial square footage on the Sears Lot (32 spaces for the additional 6,300 square feet related to the two new buildings and 20 spaces for the addition to the Sears building). It is important to note that 26 existing parking spaces will be displaced for this partial redevelopment of the Sears Lot, and that this number of spaces is also addressed in the required parking calculations provided on the site plan. Those required spaces are shown as part of the overall provided parking on the Sears Lot.

As also mentioned in our previous letter, on June 19, 2015, the Administrative Law Judge granted a Special Hearing (Order enclosed) confirming that Sears Roebuck and Co. and Hunt Valley Towne Centre LLC are each entitled to their proportionate share of the parking variance (a 17.8% parking reduction) granted in Zoning Case No. 2015-232-SPH. Prior to the Hearing, your office approved a letter (Letter enclosed)

confirming that the Sears building, with its proportionate share of the parking variance, requires 654 parking spaces and currently provides 879 parking spaces generating a surplus of 225 parking spaces. The razing of the Sears Service Center, addition of the 2 new pad buildings, and the Sears building addition will now generate an 847-parking space requirement without utilization of the granted parking variance.

With the new residential project on the Sears Lot, existing spaces being restriped in the field and additional parking provided in the proposed parking garage, 1,189 spaces will be provided on the Sears Lot. Of the 1,189 spaces, 626 spaces are within the proposed garage and 563 are existing/restriped surface parking. The residential uses require 491 spaces without utilization of the granted parking variance. The residential use parking requirement is calculated as follows:

322 Residential Apartments – 491 spaces
 32 Studio at 1.25 sp per unit – 40
 161 1BR at 1.5 sp per unit – 241.5
 97 2BR at 1.5 sp per unit – 145.5
 32 3BR at 2 sps per unit – 64

With the 17.8% parking reduction allowed for the Sears Lot, the commercial uses require 697 parking spaces. With the 491 spaces required for the residential uses, a total of 1,188 parking spaces are required leaving a 1- parking space surplus on the Sears Lot and still complying with the Parking Regulations contained in Section 409 of the BCZR.

With regards to the HVTC Lots, a Brightview Senior Living facility with garage parking is now proposed. The existing commercial, proposed senior living facility and required parking are calculated as follows:

Existing retail/outdoor seating (not including the Sears Lot Buildings):
666,133 square feet = 3,331 spaces
 25,000 square feet within BM Zone = 125 spaces
 641,133 square feet within BM-CT Zone = 3,206 spaces

Existing 2,262-seat movie theater within BM-CT Zone = 566 spaces

Proposed Senior Living Facility within BM-CT Zone
 101 Independent Living Units (1 sp per Apt) = 101 spaces
 44 Assisted Living Units (1sp per 3 Beds) = 15 spaces
 35 Memory Care (Nursing) Beds (1 sp per 3 Beds) = 12 spaces
Total Elderly Required Parking = 128 spaces

The total required amount of required parking without the granted variance and 25% transit reduction is 4,025 spaces. Utilizing just the 17.8% variance for 25,000 square feet of commercial in the BM Zone generates a 103-space requirement. Utilizing both reductions for commercial buildings in the BM-CT (641,133 square feet and 2,262-seat movie theater) generates a 2,326-space parking requirement. Lastly, utilizing just the 25% transit reduction for the senior living facility generates a 96-space requirement generating a 2,525-space requirement for the HVTC Lots. The total provided spaces, which consist of 2,868 surface spaces and 202 garage spaces, on the HVTC Lots, equal 3,070 spaces leaving a surplus of 545 parking spaces still complying with the Parking Regulations.

Mr. W. Carl Richards, Zoning Supervisor
March 25, 2020
Page 3

The proposed new buildings in the entire Hunt Valley Town Center, including the Sears Lot and HVTC Lots, along with the modifications to the existing parking layout onsite, as shown on the enclosed red-lined hearing plan, are well within the Spirit and Intent of Zoning Case No. 2015-0232-SPH. Please countersign this letter in the space allotted below. We have enclosed the red-lined plan, Zoning Order, referenced Spirit and Intent Letter, and a check in the amount of \$200 for the letter-processing fee.

If we can provide further information, please contact us at your earliest convenience. Thank you for your attention to this matter.

Very truly yours,

Daft-McCune-Walker, Inc



Mitchell J. Kellman
Director of Zoning Services | Vice President



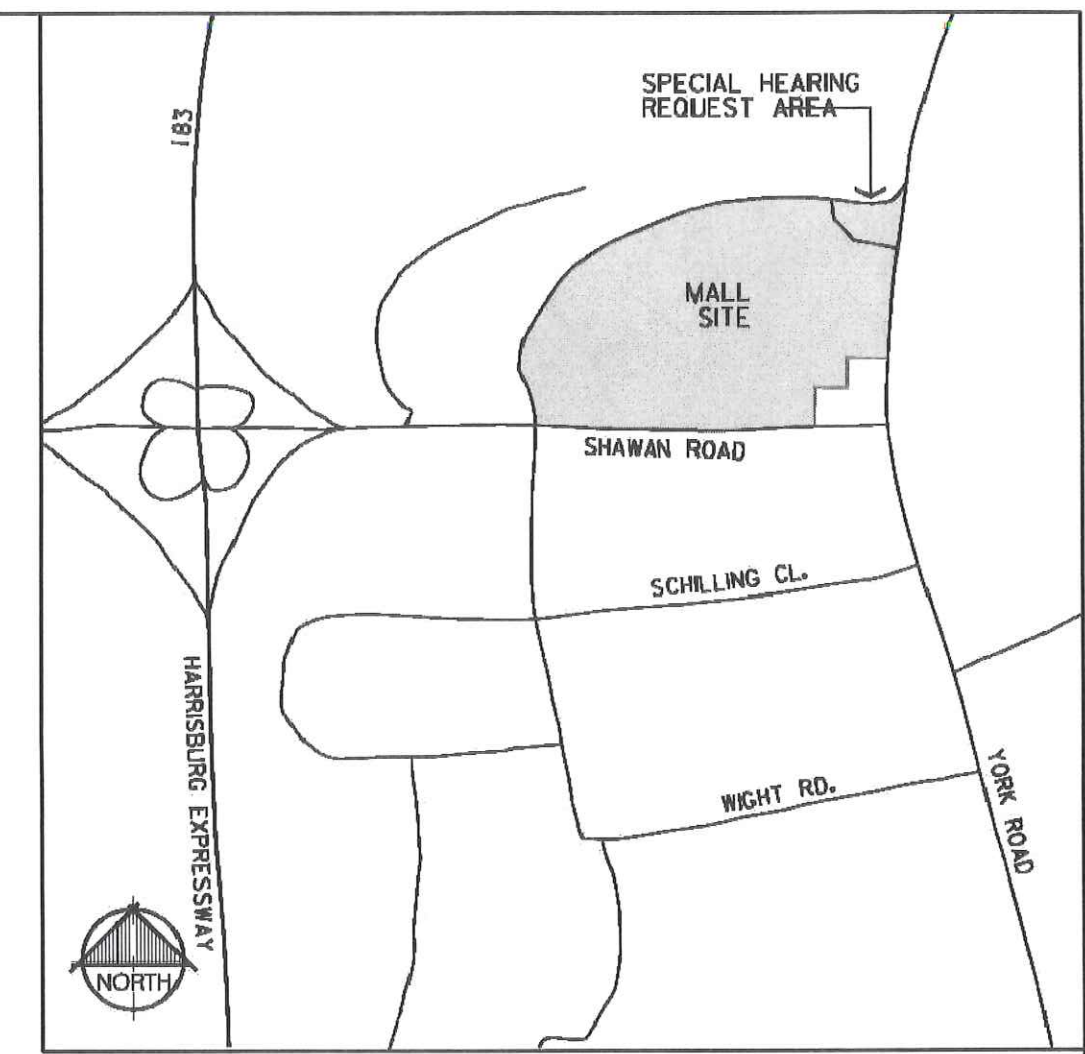
3/27/20

W. Carl Richards, Zoning Supervisor

Date

By countersigning, I agree that the proposed changes as described within this letter and shown on the enclosed red-lined plan are within the spirit and intent of Zoning Case No. 2015-0232-SPH.

* Make sure this letter is on all future plan submittals.



CURRENT OWNER/APPLICANT:
HILL VALLEY TOWN CENTRE LLC
60 GREENSBURG COMMERCIAL
10086 RED RUN ROLLYVALE SUITE 100
DALLAS TEXAS 75243 CITY

(SEARUS RESEARCH AND ANALYSIS)
(A NEW YORK CORPORATION)
GLOBAL SPT HILL LLC
60 GREENSBURG COMMERCIAL
10086 RED RUN ROLLYVALE
SUITE 100 DALLAS TX 75243

2. REASON FOR 12th REVISION:
TO REVISE THE PROPOSED APARTMENT BUILDING TO BE A 350 UNIT APARTMENT-REUSE EXISTING BUILDINGS AND GARAGE BUILDING AREA YABILATIONS, AND REVERSE APARTMENT BUILDINGS FOOTPRINT AND SITE UTILITIES.

3. REASON FOR 13th REVISION:
TO REMOVE PROPOSED RESTAURANT/AND PROPOSED 250 DWELLING UNIT APARTMENT BUILDING, AND ADD 250 UNIT APARTMENT BUILDING WITH FIRST FLOOR RETAIL AT THE EAST SIDE. THE SITE IS NOW PROPOSED PRELIMINE, AND UPDATE EXISTING CONDITIONS BUILDING SCALPE FOOTAGE FOR 463 CONDITONS.

4. REASON FOR 16th REVISION:
TO REVEE THE FOOTPRINT AND USE OF THE TWO PADS IN THE SOUTHEAST CORNER OF THE SITE.
TO ADD 250 UNIT APARTMENT BUILDING WITH FIRST FLOOR RETAIL AT THE EAST SIDE.
TO PROVIDE 4 ADDITIONAL PAD SITES AND ASSOCIATED SANI.

5. REASON FOR 9th REVISION:
TO PROVIDE 10,000 SF BY ADDITION ASSOCIATED WITH RENOVATIONS TO THE VACANT RETAIL SPACE PREVIOUSLY OCCUPIED BY WAL-MART.

7. REASON FOR 7TH REVISION:
TO PROVIDE A 250 UNIT APARTMENT BUILDING AT THE NORTHEAST CORNER OF THE SITE.

8. REASON FOR 6th REVISION:
TO ADJUSTMATE A PAD SITE AND AN ADDITION.
TO PROVIDE 4 ADDITIONAL PAD SITES AND ASSOCIATED SANI.
TO REVERSE SCALPE FOOT CALCULATIONS AND PARKING CALCULATIONS FOR SAME.

10. REASON FOR 15th REVISION:
TO APPROVE OF THE PROPOSED MAIL DELIVERY AND RENOVATION.
TO REVERSE SCALPE FOOT CALCULATIONS AND PARKING CALCULATIONS FOR SAME.

11. REASON FOR 4th REVISION:
REVERSE SCALPE LEASE AREA (GPA) AND PARKING NUMBERS CONCEPTUAL SCALPE SHOWN.

12. REASON FOR 2nd REVISION:
ADD CREMA RETAIL GENERAL MERCHANDISE STORES,RESTAURANTS,BANK,SIGNAGE & GENERAL RETAIL, RETAIL STORES,PROPOSED PARKING LAYOUT, ACCURATELY REFLECT THE EXISTING CONDITIONS ON SITE.

13. REASON FOR 2nd REVISION:
ADD 250 UNIT APARTMENT BUILDING STATION AND 3 PAD SITES ALONG I-30 ROAD NORTH OF SHAWAN ROAD.

14. EXISTING ZONING: B-M-CITYMM

15. SITE ADDRESS: 64-6605 ADEM / 3,668,876.56 SF

16. MANUM PROGRAM SUMMARY: C.S.1.5
SHOWIN PLAN: 0281(0281)509 PROVIDED BY 3,668,876.56 SF OF SITE AREA) - OVERALL MAJOR AREA

17. BUILDING PROGRAM SUMMARY: (GROSS LEASABLE AREA)

A. COMMERCIAL EXISTING AND PROPOSED USES		873,333 SF
GROSS	0.0 A	
MARSHALLS FIFTH	37,500 SF	
DICKS SPORTING GOODS	50,000 SF	
BURLINGTON COAT FACTORY	75,669 SF	
SEARS	259,000 SF	144,500
OUTBACK I CANADIANA	13,000 SF	
BANK	4,165 SF	
BANK	3,030 SF	
CINEMA	49,000 SF	
RANDOM FURNITURE	20,350 SF	
SUPERMARKET (A)	140,000 SF	
5-STORY RETAIL (D)	206,080 SF	
5-STORY RETAIL (C)	37,200 SF	
RESTAURANT PAD SITE	6,387 SF	
RETAIL PAD SITE	9,807 SF	
RETAIL/RES/AU/CAUT PAD SITE	6,263 SF	
5-STORY (EXISTING)	800,250 SF	
OUTDOOR SEATING AREAS		
EXISTING 5-STORY(LOW/NEE 5.00G)	12,700 SF	
NEW RETAIL	29,074 SF	49,974

NOTE: THE LIST OF COMMERCIAL TENANTS AND SQUARE FOOTAGE OF INDIVIDUAL TENANT SPACES NOTED ABOVE ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. TENANTS AND/OR THE SIZE OF TENANT SPACES MAY CHANGE; HOWEVER, ANY FUTURE CHANGES WILL NOT AFFECT THE REQUIRED OFF-STREET PARKING FOR COMMERCIAL TENANTS, WHICH IS 5 PARKING SPACES PER 1,000 SQUARE FEET OF GROSS LEASABLE AREA WITH THE EXCEPTION OF THE THEATER. SEE SECTION 409.6.A.2 OF THE BCCR.

B. RESIDENTIAL USES _____ \$43,417 SF
APARTMENT _____
6-STORY GARAGE _____ \$160,062 SF
5-STORY LIVING AREA _____ \$43,417 SF
TOTAL _____ \$599,478 SF

C. TOTAL BUILDING PROGRAM _____ \$1,293,850 SF
COMMERCIAL _____ \$62,433 SF (GROSS FLOOR AREA)
RESIDENTIAL _____ \$43,417 SF
TOTAL _____ \$1,293,850 SF

17. COMMERCIAL PARKING REQUIRED 4,158

831,433 - ~~625,433~~ SF RETAIL @ 5 SPACES PER 1000 SF -4,138 4,724

18,000 SF/2,262 SEAT CINEMA @ 15SPACE PER 4 SEATS 566 4,692 6 SPACES

17a. COMMERCIAL PARKING SHOWN 4,005

SURFACE PARKING -4,005 6 SPACES * (SEE NOTES 30-32)

10. RESIDENTIAL PARKING REQUIRED
APARTMENTS - 332 DU @ 1.5 SP/DU 498 SPACES
10a. RESIDENTIAL PARKING PROPOSED 508 SPACES

19. THE BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THAT THE SUBJECT SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.

21. ALL PROPOSED SIGNS WILL COMPLY WITH SECTION 450 OF THE BCZR OR WILL BE APPROVED BY A ZONING VARIANCE.

22. THE PROPOSAL DOES NOT CONFLICT WITH ANY BALTIMORE COUNTY BASIC SERVICE MAPS.

ORIGINAL JSPC APPROVAL - JULY 1, 1979 PAI# 08-251

Downloaded from <http://ajphaphysocpharm.sagepub.com/> at 11:52 11 July 2015

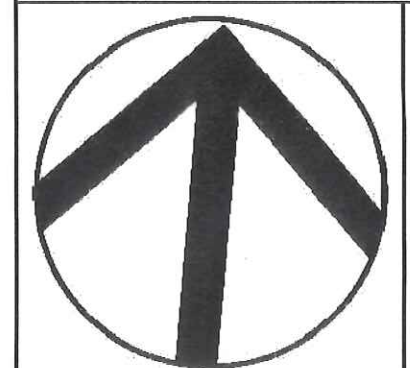


501 FAIRMOUNT AVENUE SUITE 300 TOWSON, MD 21286
P: 410 296 2322 F: 410 296 4705 WWW.DMW.COM

~~FOR SPECIAL HEARING~~
WEST SIDE OF YORK ROAD, SOUTH SIDE OF McCORMICK ROAD

SPIRIT & INTENT REQUEST
ACCT# 1800014926 (ZONING CASE NO. 2015-0232-SPH)

1800014925
8TH ELECTION DISTRICT



DATE	BY	REVISIONS	DESIGNED: <u>JLB</u>
4/27/11	DMW	ADD 2 BUILDING PAD SITES AND	CHECKED BY: <u>MJK/JLB</u>
		REVISE STORMWATER MANAGEMENT	DATE CHECKED: <u>9/16/19</u>
		PARKING CALCULATIONS AND	

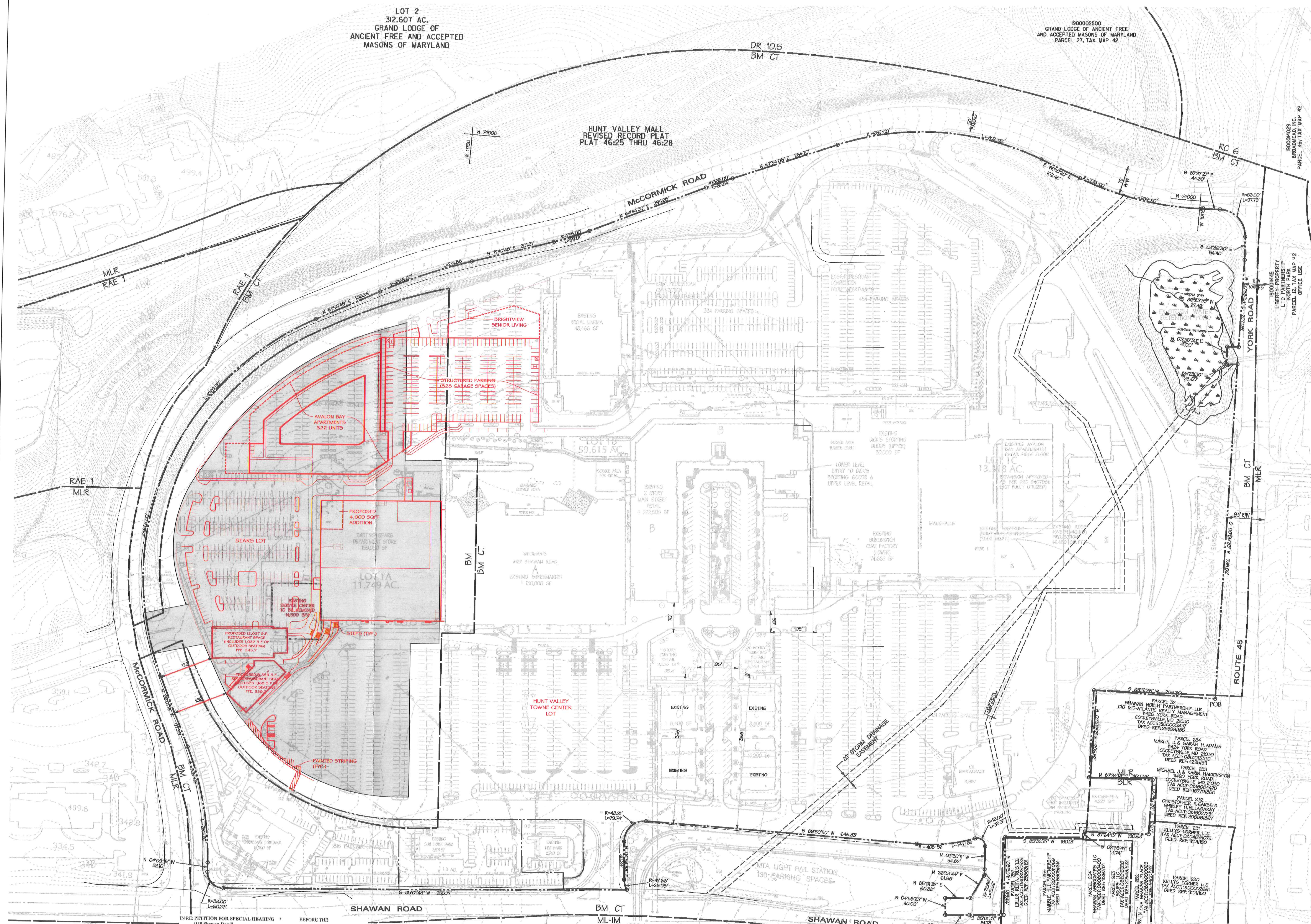
		GENERAL NOTES	SCALE: <u>1" = 100'</u>
2/18/14	DMW	REVISION FOR SPIRIT & INTENT LETTER	

			PROJECT NO.: 94150.Y
--	--	--	----------------------

DRAWING: 1 of 2

1 of 2

1 of 2



PARKING TABULATIONS
March 23, 2020 SPIRIT and INTENT REQUEST
ZONING CASE NO. 2015-0232-SPH

SEARS LOT
REQUIRED PARKING:
FORMER SEARS BUILDING
(INCLUDES REMOVAL OF
SERVICE CENTER AND 4,000 SQ FT
ADDITION)
148,500 SQ FT - 741 SPACES
PROPOSED RESTAURANT/RETAIL
20,800 SQ FT - 104 SPACES
TOTAL COMMERCIAL - 847 SPACES W/O 17.8% VARIANCE
*TOTAL COMMERCIAL - 697 SPACES W/ 17.8% VARIANCE

HUNT VALLEY TOWNE CENTER LOTS
REQUIRED PARKING:
EXISTING RETAIL/OUTDOOR SEATING
(NOT INCLUDING SEARS LOT BUILDINGS)
20800 BM-CT
641,133 SQ FT - 1,206 SPACES W/O 17.8% VARIANCE AND
25% TRANSIT REDUCTION
*641,133 SQ FT - 1,977 SPACES W/ 17.8% VARIANCE AND
25% TRANSIT REDUCTION
EXISTING RETAIL ZONED BM (TRANSIT REDUCTION NOT
ALLOWED)
25,000 SQ FT - 125 SPACES W/O 17.8% VARIANCE
*25,000 SQ FT - 103 SPACES W/ 17.8% VARIANCE
EXISTING 2,262 SEAT MOVIE THEATRE -
566 SPACES W/O 17.8% VARIANCE AND 25% TRANSIT
REDUCTION
*549 SPACES W/ 17.8% VARIANCE AND TRANSIT
REDUCTION
*TOTAL COMMERCIAL - 2,429 SPACES REQUIRED

PROPOSED ELDERLY HOUSING
101 INDEPENDENT LIVING UNITS (1 PER APT) - 101 SPACES
44 ASSISTED LIVING BEDS (1 PER 3 BEDS) - 15 SPACES
35 MEMORY CARE (NURSING) BEDS (1 PER 3 BEDS) - 12
SPACES
TOTAL REQUIRED ELDERLY SPACES - 128 W/O 25%
TRANSIT REDUCTION (NOT UTILIZING 17.8% VARIANCE)
*96 SPACES REQUIRED W/ TRANSIT REDUCTION

**PROVIDED PARKING (NOT INCLUDING EXISTING
RESIDENTIAL):**
3,866 SURFACE SPACES
302 GARAGE SPACES
3,070 TOTAL PROVIDED SPACES
PARKING SURPLUS - 545 SPACES

ORIGINAL J56C APPROVAL - JULY 1, 1979 PAI# 08-251

DW
DAFT MCCUNE WALKER INC

501 FAIRMOUNT AVENUE SUITE 300 TOWSON, MD 21286
P: 410.296.3333 F: 410.296.4705 WWW.DMW.COM

HUNT VALLEY TOWNE CENTER
HUNT VALLEY, MARYLAND
**PLAN TO ACCOMPANY PETITION
FOR SPECIAL HEARING**
WEST SIDE OF YORK ROAD, SOUTH SIDE OF MCCORMICK ROAD
2nd SPIRIT & INTENT REQUEST
TAX ACCT# 1800014925 (ZONING CASE NO. 2015-0232-SPH)
8TH ELECTION DISTRICT

COUNCILMANIC DISTRICT 3
ISSUE DATES
REVIEW: 08MAY11
BID: _____
PERMIT: _____
CONSTRUCTION: _____
BASE: _____
DRAWN: RDW
DESIGNED: JLB
CHECKED BY: MJK/JLB
DATE CHECKED: 9/16/19
SCALE: 1" = 100'
PROJECT NO.: 94150.Y
DRAWING: 2 of 2



October 7, 2019

Mr. W. Carl Richards, Zoning Supervisor
Baltimore County Zoning Review Office
Baltimore County Permits, Approvals, and Inspections (PAI)
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

Re: Spirit and Intent Request
Hunt Valley Town Center
Zoning Case No. 2015-0232-SPH
Election District 8, Councilmanic District 3
Project No. 94150.AB

Dear Carl:

Daft-McCune-Walker, Inc. (DMW) represents the owners of the Hunt Valley Towne Centre (HVTC) and we have been responsible for the continuous engineering and planning of their projects.

The owners are proposing 2 new buildings on the Sears Lot (Lot 1A), replacing the Sears Automotive Service Center, which is approximately 14,500 square feet (to be removed). The new buildings, which will be used for either retail or restaurant use, total approximately 20,800 square feet, which results in a net increase of approximately 6,300 square feet. Since all commercial uses part of the HVTC, with exception of the movie theater, are calculated at 5 parking spaces per 1,000 square feet of gross leasable area, an additional 32 parking spaces are required. The 2 new buildings will displace 26 parking spaces, yielding 58 additional required parking spaces with the change. Some of the 58 spaces will be made up with new parking.

On June 19, 2015, the Administrative Law Judge granted a Special Hearing (Order enclosed) confirming that Sears Roebuck and Co. and Hunt Valley Towne Centre LLC are each entitled to their proportionate share of the parking variance granted in Zoning Case No. 2011-0152-SPHA. Prior to the Hearing, your office approved a letter (Letter enclosed) confirming that the Sears building, with its proportionate share of the parking variance, requires 654 parking spaces and currently provides 879 parking spaces, generating a surplus of 225 parking spaces. The razing of the Sears Service Center and the addition of the 2 new buildings will now generate a 680-parking space requirement and the Sears Lot will provide at least 853 spaces, exceeding the parking requirements by at least 173 spaces.

We feel that the proposed new buildings along with the parking modification, as shown on the enclosed red-line hearing plan, is well within the Spirit and Intent of Zoning Case No. 2015-0232-SPH and we hope you consider the same by countersigning this letter in the space allotted below. We have enclosed the red-lined hearing plan, Zoning Order, referenced Spirit and Intent Letter and a check in the amount of \$200 for the letter-processing fee.

Mr. W. Carl Richards, Zoning Supervisor
Page 2
October 4, 2019

DMW will prepare a second red-lined plan for the Hearing file, which will show the revised and future parking layout with additional spaces on the Sears lot, then referenced in this letter. The red-lined plan will include this approval letter verbatim.

If we can provide further information, please contact us at your earliest convenience.
Thank you for your attention to this matter.

Very truly yours,



Mitchell J. Kellman
Vice President | Director of Zoning Services

MJK/bah

Enclosure

By countersigning, I agree that the proposed changes as described within this letter are within the spirit and intent of Zoning Case No. 2015-0232-SPH.


W. Carl Richards, Zoning Supervisor

10/8/19
Date

* Subj. to final approval of
Detailed plans including any
drainage thorough.



April 30, 2014

Arnold Jablon, Director
Baltimore County Permits, Approvals and Inspections (PAI)
C/O The Baltimore County Zoning Review Office
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

Re: Request for Spirit and Intent Letter
Hunt Valley Towne Centre
Zoning Case No. 2011-0152-SPHA
Election District 8, Councilmanic District 3
Project No. 94150.X

Dear Mr. Jablon:

Daft-McCune-Walker, Inc. ("DMW") represents Hunt Valley Towne Centre, LLC, legal owner of certain lots (Lot Nos. 1B and 1C, referred to hereafter as the "H.V.T.C. Lots") that are part of the above-referenced property. DMW is responsible for the development-processing, engineering, planning, and zoning approvals of a proposed 342 unit, multi-family apartment building and accompanying structured parking to be constructed on the eastern portion of the Hunt Valley Towne Centre ("H.V.T.C.").

As part of the zoning process for this residential apartment building, we are in receipt of a zoning confirmation letter, countersigned by your department and dated February 20, 2014, that verifies our red-lined site plan submitted with the February 2014 letter (showing 4,031 provided parking spaces in lieu of 4,706 required parking spaces) is within the "spirit and intent" of a prior parking variance case for H.V.T.C. granted in Zoning Case No. 2011-0152-SPHA (or the "2011 Zoning Case"). The 2011 Zoning Case, which related to the H.V.T.C. Lots and the Sears lot (as defined below), allowed for 4,120 parking spaces in lieu of the required 5,015 parking spaces, which is an 895 parking space deficiency. The red-lined site plan showing the 342 unit residential building, approved by your confirmation letter, allowed for a 675-parking space deficiency, which is well within the zoning case approval.

As you are aware, a Sears store is located on the western portion of the property on a separate lot, known as Lot No. 1A which is owned in fee by Sears, Roebuck and Co. (the "Sears Lot"). Recently, Sears requested that the owners of the H.V.T.C. Lots obtain written confirmation from the Department of Permits, Approvals and Inspections that no off-street parking spaces on the Sears Lot are being utilized in determining that the H.V.T.C. Lots meet the minimum parking requirements under all laws and regulations of Baltimore County. In other words, for parking calculation purposes, the Sears operations would stand on their own. By itself, Sears is required to have 795 parking spaces, according

Arnold Jablon, Director
Page 2
April 30, 2014

to the Parking Regulations contained in Section 409 of the Baltimore County Zoning Regulations ("BCZR" or "Zoning Regulations"), and, in the field, the Sears Lot is striped with a total 879 spaces, which results in a surplus of 84 parking spaces on the lot.

The Sears Lot is entitled to its proportionate share of a parking variance granted in the 2011 Zoning Case and attributing that variance to the Sears Lot reduces the required parking for the Sears Lot. With this parking variance, the required number of parking spaces for the Sears lot is reduced from 795 to 654 off-street parking. When considering the parking for the Sears Lot independent from the remainder of H.V.T.C., the result is a surplus of 225 parking spaces on the Sears Lot.

Pursuant to Section 409.6.B.1.b of the Zoning Regulations, "[t]he required number of off-street parking spaces for any plan of development with a minimum of 750,000 square feet of gross leasable area in the C.T. District may be reduced by 25% if served by a transit stop on a Mass Transit Administration route with scheduled peak-period headway of 20 minutes or better." There is an approved development plan for H.V.T.C., and the H.V.T.C. Lots meet the criteria laid out in Section 409.6.1.b of the Zoning Regulations. The H.V.T.C. Lots are: (1) zoned B.M. - C.T.; (2) improved with more than 750,000 square feet of gross leasable area; and (3) served by an MTA route that meets the threshold for schedule service of 20 minutes or better during peak-period headway. A red-lined site plan, dated April 30, 2014 and prepared by DMW, confirms that the H.V.T.C. Lots satisfy these requirements. See Note No. 11 (for current zoning classification). Without the 25% reduction, the H.V.T.C. Lots would require 3,912 off-parking spaces and provide 3,152 parking spaces. With the 25% reduction, the required number of parking spaces is reduced to 2,966 parking spaces, creating a surplus of 186 parking spaces on the H.V.T.C. Lots. In addition, the H.V.T.C. Lots benefit from their proportionate share of a parking variance granted in the 2011 Zoning Case, which further reduces the parking spaces required for the H.V.T.C. Lots to a total of 2,438 parking spaces.

Please countersign this letter in order to confirm your department's confirmation regarding the following:

1. The DMW red-lined site plan, enclosed with this letter and dated April 30, 2014, is within the spirit and intent of the 2011 Zoning Case and, therefore, does not require another parking variance and public hearing before the Administrative Law Judge.
2. The Sears Lot is entitled to its proportionate share of the 2011 Zoning Case, which results in a reduction of the number of required off-street parking spaces for the Sears Lot from 795 parking spaces to 654 parking spaces.

Arnold Jablon, Director

Page 3

April 30, 2014

3. No off-street parking spaces on the Sears Lot are being utilized in determining that the H.V.T.C. Lots meet the minimum parking requirements under all laws and regulations of Baltimore County.
4. The H.V.T.C. Lots zoned BM-CT may utilize the 25% transit reduction contained in Section 409.6.B.1.b of the Zoning Regulations and their proportionate share of the 2001 Zoning Case, without the need for another parking variance and public hearing before the Administrative Law Judge.

Thank you for your department's consideration of this request. Please do not hesitate to contact me if you request any additional materials to complete your review.

Very truly yours,



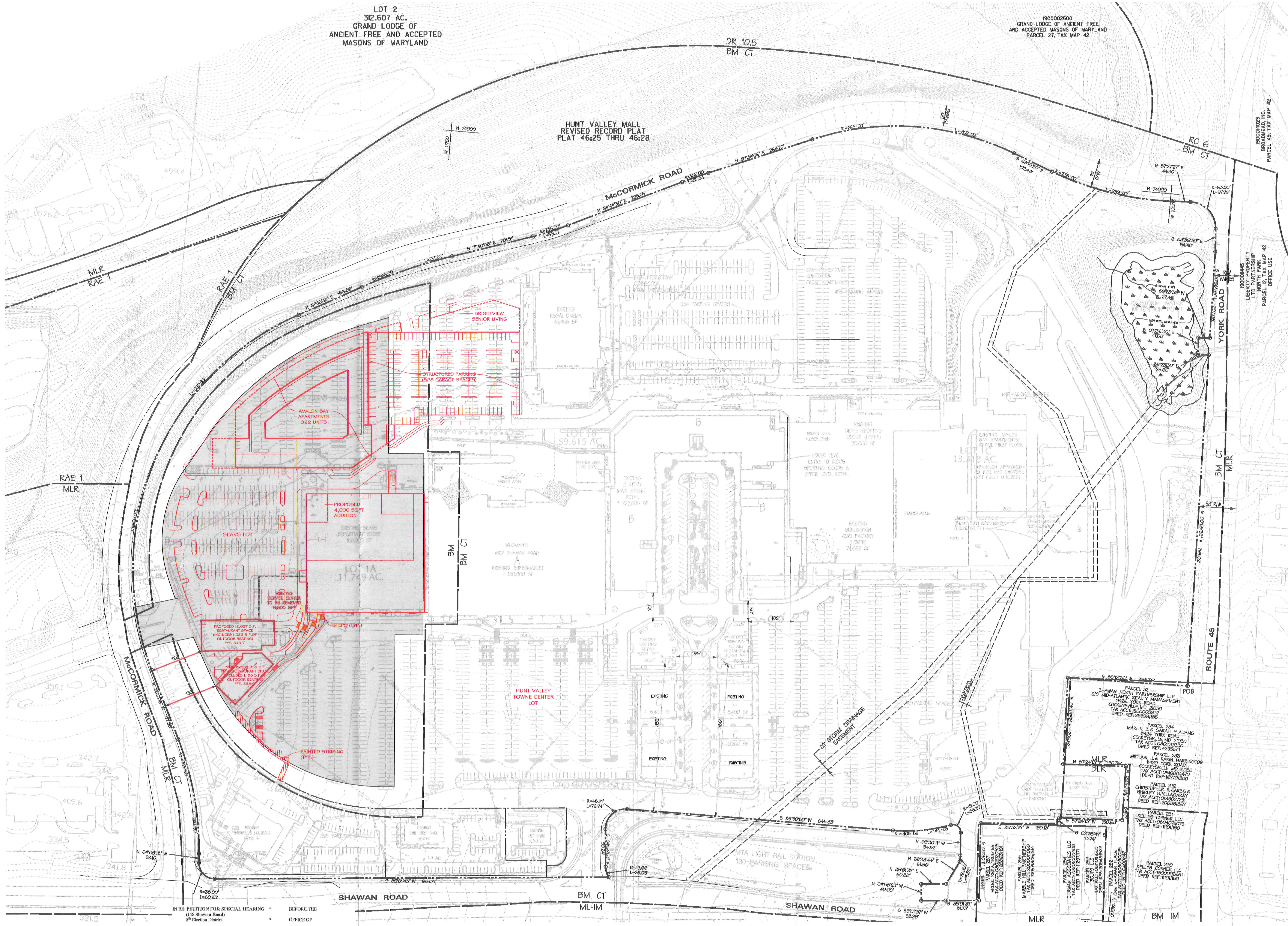
Mitchell J. Kellman
Director of Zoning Services

MJK/bah

I, the undersigned, agree that this letter and the red-lined plan are within the spirit and intent of Zoning Case 2011-0152-SPHA.


Arnold Jablon, Director
Permits, Approvals, and Inspections

5/5/14
Date:



PARKING TABULATIONS
March 23, 2020 SPIRIT and INTENT REQUEST
ZONING CASE NO. 2015-0232-SPH

SEARS LOT		HUNT VALLEY TOWNE CENTER LOTS	
REQUIRED PARKING:		REQUIRED PARKING:	
FORMER SEARS BUILDING (INCLUDES REMOVAL OF SERVICE CENTER AND 4,000 SQ FT ADDITION) 148,500 SQ FT - 743 SPACES		EXISTING RETAIL/OUTDOOR SEATING (NOT INCLUDING SEARS LOT BUILDINGS) ZONED BM-CT 641,133 SQ FT - 3,206 SPACES W/ 17.8% VARIANCE AND 25% TRANSIT REDUCTION *641,133 SQ FT - 1,977 SPACES W/ 17.8% VARIANCE AND 25% TRANSIT REDUCTION	
PROPOSED RESTAURANT/RETAIL 20,000 SQ FT - 104 SPACES TOTAL COMMERCIAL - 847 SPACES W/ 17.8% VARIANCE *TOTAL COMMERCIAL - 697 SPACES W/ 17.8% VARIANCE		EXISTING RETAIL ZONED BM (TRANSIT REDUCTION NOT ALLOWED) 25,000 SQ FT - 125 SPACES W/ 17.8% VARIANCE *25,000 SQ FT - 103 SPACES W/ 17.8% VARIANCE	
PROPOSED RESIDENTIAL 32 STUDIO APTS (1.25 PER APT) - 40 SPACES 161 1-BR APTS (1.5 PER APT) - 241.5 SPACES 97 2-BR APTS (1.5 PER APT) - 145.5 SPACES 33 3-BR APTS (1.5 PER APT) - 49.5 SPACES *TOTAL REQUIRED RESIDENTIAL SPACES - 491 (NOT UTILIZING 17.8% VARIANCE)		EXISTING 2,562 SEAT MOVIE THEATRE - 566 SPACES W/ 17.8% VARIANCE AND 25% TRANSIT REDUCTION *349 SPACES W/ 17.8% VARIANCE AND TRANSIT REDUCTION	
*1,188 SPACES REQUIRED		*TOTAL COMMERCIAL - 2,429 SPACES REQUIRED	
PROVIDED PARKING: 563 SURFACE SPACES 628 GARAGE SPACES 1,191 TOTAL PROVIDED SPACES		EXISTING RESIDENTIAL APARTMENTS 332 UNITS (1.5 SPACE PER UNIT) - 498 SPACES REQUIRED 308 SPACES PROVIDED REQUIRED AND PROVIDED PARKING IS INDEPENDENT	
PARKING SURPLUS - 1 SPACE		PROPOSED ELDERLY HOUSING 101 INDEPENDENT LIVING UNITS (1 PER APT) - 101 SPACES 44 ASSISTED LIVING BEDS (1 PER 3 BEDS) - 15 SPACES 35 MEMORY CARE (NURSING) BEDS (1 PER 3 BEDS) - 12 SPACES TOTAL REQUIRED ELDERLY SPACES - 128 W/ 25% TRANSIT REDUCTION (NOT UTILIZING 17.8% VARIANCE) *96 SPACES REQUIRED W/ TRANSIT REDUCTION	
		*2,525 TOTAL SPACES REQUIRED	
		PROVIDED PARKING (NOT INCLUDING EXISTING RESIDENTIAL): 2,868 SURFACE SPACES 202 GARAGE SPACES 3,070 TOTAL PROVIDED SPACES	
		PARKING SURPLUS - 545 SPACES	

ORIGINAL JSPC APPROVAL - JULY 1, 1979 PAI# 08-251



501 FAIRMOUNT AVENUE SUITE 300 TOWSON, MD 21286
P: 410 296 3333 F: 410 296 4705 WWW.DMW.COM

HUNT VALLEY TOWNE CENTER

HUNT VALLEY, MARYLAND
PLAN TO ACCOMPANY PETITION
FOR SPECIAL HEARING
WEST SIDE OF YORK ROAD, SOUTH SIDE OF MCCORMICK ROAD
2nd SPIRIT & INTENT REQUEST
(ZONING CASE NO. 2015-0232-SPH)

TAX ACCT 1: 1800014925 8TH ELECTION DISTRICT		COUNCILMANIC DISTRICT 3	
		ISSUE DATES	
		REVIEW: 08MAY11	
		BID: _____	
		PERMIT: _____	
		CONSTRUCTION: _____	
		BASE: _____	
		DRAWN: RDW	
		DESIGNED BY: MJK/JLB	
		DATE CHECKED: 9/16/19	
		SCALE: 1" = 100'	
		PROJECT NO.: 94150V	
		DRAWING: 2 of 2	

IN RE: PETITION FOR SPECIAL HEARING
(118 Shawan Road)
8th Election District

BEFORE THE
OFFICE OF

SHAWAN ROAD

SHAWAN ROAD

MLR

BM IM

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(118 Shawan Road)		
8 th Election District	*	OFFICE OF
3 rd Council District		
Hunt Valley Towne Centre, LLC	*	ADMINISTRATIVE HEARINGS
Sears Roebuck and Co.		
Legal Owners	*	FOR BALTIMORE COUNTY
Petitioners		
	*	Case No. 2015-0232-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Hunt Valley Towne Centre, LLC ("Hunt Valley") and Sears Roebuck and Co. ("Sears"), legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to confirm that Hunt Valley (owner of Parcel 31, Lot 1B and Lot 1C) and Sears (Owner of Parcel 31, Lot 1A) are each entitled to their proportionate share of a parking variance granted in zoning Case No. 2011-0152-SPHA.

Appearing at the public hearing in support of the request was Donna Sills and Mitch Kellman, Director of Zoning Services at Daft McCune Walker Inc. David Karceski, Esq. represented Hunt Valley and Jen Busse, Esq. represented Sears. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. No substantive Zoning Advisory Committee (ZAC) comments were received. There were no protestants or interested citizens in attendance.

The subject property is 84.685 acres and zoned BM-CT and BM. The Hunt Valley Towne Center is located at the site. The site is comprised of three lots: Lot 1A (11.749 acres), Lot 1B (59.615 acres) and Lot 1C (13.318 acres). Lot 1A is owned by Sears, and is improved with a

ORDER RECEIVED FOR FILING

Date 6-19-15

By law

159,000 sq. ft. Sears department store. Lots 1B and 1C are owned by Hunt Valley, and contain a Wegman's grocery store, restaurants, retail shops and other commercial uses.

In 2011, former Administrative Law Judge (ALJ) Kotroco granted a variance permitting 4,120 off-street parking spaces in lieu of the 5,015 spaces required. Exhibit 4 (Order and site plan). The sole Petitioner in that case was Hunt Valley, even though the site plan shows the same 84.685 acres of land (including Lot 1A owned by Sears) at issue in this matter. As I explained at the hearing, I believe Sears should have been a Petitioner in the 2011 zoning case, even though it seems clear that the variance granted by the ALJ encompassed their property. To "tie up loose ends" (so to speak) the Petition in this case was amended at the hearing to include a special hearing request to amend the Order in Case No. 2011-0152-SPHA to include Sears as a Petitioner therein.

The sole purpose of this special hearing petition is to formally allocate between Sears and Hunt Valley a "proportionate share of the parking variance" granted in the 2011 case. Mr. Kellman, who was accepted as an expert in zoning matters, testified that the variance granted in 2011 equated to a 17.8% reduction in the required number of parking spaces. The number of off-street parking spaces required for this site (as determined by the Department of Permits, Approvals and Inspections) has changed since the 2011 case. Mr. Kellman testified that a regulation was recently enacted (B.C.Z.R. §409.6.B.1.b) permitting a 25% reduction in parking requirements for certain developments with mass transit stops. As such, the order below will not refer to any particular number of spaces required, but will simply provide that Hunt Valley and Sears are both beneficiaries of the relief granted in the 2011 zoning case and are entitled to a proportionate share of the variance granted.

THEREFORE, IT IS ORDERED this 19th day of June, 2015 by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 to confirm that Hunt

ORDER RECEIVED FOR FILING

Date 6-19-15

2

By B.W.

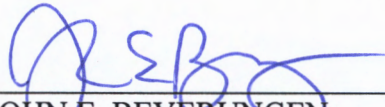
Valley Towne Centre LLC (owner of Parcel 31, Lot 1B and Lot 1C) and Sears Roebuck and Co. (owner of Parcel 31, Lot 1A) are each entitled to their proportionate share of the parking variance (i.e., a 17.8% reduction in the number of off-street parking spaces otherwise required by B.C.Z.R. §409) granted in zoning Case No. 2011-0152-SPHA, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Opinion and Order in Case No. 2011-0152-SPHA be and is hereby AMENDED to include as a Petitioner therein Sears Roebuck and Co.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

Any appeal of this decision must be filed 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 6-19-15

By [Signature]



KEVIN KAMENETZ
County Executive

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

June 19, 2015

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

Jennifer R. Busse, Esq.
Whiteford, Taylor & Preston, LLLP
Towson Commons, Suite 300
One West Pennsylvania Avenue
Towson, MD 21204-5332

RE: Petition for Special Hearing
Case No. 2015-0232-SPH
Property: 118 Shawan Road

Dear Counsel:

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 a circular stamp or seal.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure



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 118 Shawan Road which is presently zoned BM-CT, BM
Deed References: SEE ATTACHMENT 1 10 Digit Tax Account # SEE ATTACHMENT 1
Property Owner(s) Printed Name(s) Hunt Valley Towne Centre LLC and Sears Roebuck and Co.

(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 ATTACHMENT 2

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

3. ☐ a Variance from Section(s)

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):

SEE ATTACHMENT 3

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

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

2015-0232-SM

Filing Date

4/22/15

Do Not Schedule Dates:

Reviewer JCM

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date

6-19-15

By

[Signature]



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 118 Shawan Road which is presently zoned BM-CT, BM
Deed References: SEE ATTACHMENT 1 10 Digit Tax Account # SEE ATTACHMENT 1
Property Owner(s) Printed Name(s) Hunt Valley Towne Centre LLC and Sears Roebuck and Co.

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

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

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

SEE ATTACHMENT 2

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

3. ☐ a Variance from Section(s)

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

Legal Owners (Petitioners):

SEE ATTACHMENT 3

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

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

Zip Code

Telephone #

Email Address

CASE NUMBER

Filing Date

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

Zip Code

Telephone #

Email Address

Do Not Schedule Dates:

Reviewer

REV. 10/4/11

One W. Pennsylvania Ave.
Ste. 300
Towson, MD 21204

One W. Pennsylvania Ave.
Ste. 300
Towson, MD 21204

HUNT VALLEY TOWNE CENTER
ATTACHMENT 1
TO PETITION FOR SPECIAL HEARING

HUNT VALLEY TOWNE CENTRE LLC
118 SHAWAN ROAD
TAX ACCOUNT NOS.: 1800014925, 1800014926
DEED REF.: 6177/695

- Parcel 31
lot 1B & 1C

SEARS ROEBUCK AND CO.
118 SHAWAN ROAD
TAX ACCOUNT NO.: 1800014690
DEED REF.: 34836-118

- Parcel 31
lot 1A

HUNT VALLEY TOWNE CENTER

ATTACHMENT 2

TO PETITION FOR SPECIAL HEARING

Special Hearing to confirm that Hunt Valley Towne Centre LLC (owner of Parcel 31, Lot 1B and Lot 1C) and Sears Roebuck and Co. (owner of Parcel 31, Lot 1A) are each entitled to their proportionate share of the parking variance granted in Zoning Case No. 2011-152-SPHA, as shown and indicated on the site plan filed in this case.

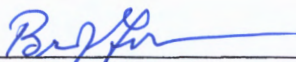
HUNT VALLEY TOWNE CENTER
ATTACHMENT 3
TO PETITION FOR SPECIAL HEARING

Legal Owners (Petitioners):

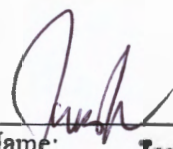
Hunt Valley Towne Centre LLC

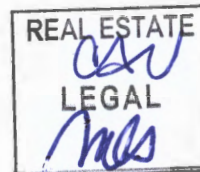
By: _____
Hunt Valley Holdings LLC, Sole Member

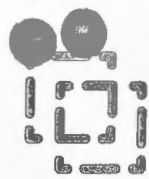
By: _____
ELG Hunt Valley LLC, Managing Member

By: 
Name: Brian J. Gibbons
Title: Manager

SEARS ROEBUCK AND CO.
a New York Corporation

By: 
Name: **James B. Terrell**
Title: **Vice President Real Estate**





DMW

DAFT
McCUNE
WALKER

2015-0232-SPH

Description

To Accompany Petition

For A Special Hearing

York Road (MD Rte. 45)

Baltimore County, Maryland

Beginning for the same at the end of the second of the following two courses and distances, measured from the point formed by the intersection of the centerline of Shawan Road with the centerline of York Road (MD Rte. 45) 550 feet, more or less, thence northwesterly 72 feet, more or less, to the point of beginning; thence leaving said point of beginning and running through, over, and across a portion of the lands of Hunt Valley Towne Centre LLC as described in a deed dated February 5, 2009 and recorded among the Land Records of Baltimore County, Maryland in Liber 27629, Folio 149, Referring all courses of this description to the Maryland Coordinate System NAD 83, said point of beginning also being on the seventh or North 89 degrees 12 minutes 26 seconds East 315.36 foot line of the land which by the Quitclaim Deed dated April 2, 1982 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr., 6463, Folio 683, was conveyed by Huntmak Associates to George P. Mays and George P. Mays, Jr., Sara J.M. Cockey and Howard B. Mays, thence running reversely with and binding on part of said seventh line (1) South 88 degrees 56 minutes 43 seconds West 288.36 feet, thence, in part, running reversely with and binding on the sixth or North 01 degree 33 minutes 52

seconds West 80.26 foot line of the first hereinmentioned deed and, in part, running reversely with and binding on the fourth or North 01 degree 33 minutes 52 seconds West 126.24 foot line of the land which by Quitclaim Deed dated April 2, 1982 and recorded among the Land Records of Baltimore County, Maryland, in Liber E.H.K. Jr., 6463, Folio 679 was conveyed by Huntmak Associates to Marlin Bruce Adams and Sarah H. Adams and, in part, running with and binding on the third or South 01 degree 33 minutes 52 seconds East 128.94 foot line of the land which by Quitclaim Deed dated April 2, 1982 and recorded among the Land Records of Baltimore County, Maryland, in Liber E.H.K. Jr., 6463, Folio 675, was conveyed by Huntmak Associates to Frank J. McDermott and Joan C. McDermott, in all (2) South 01 degree 49 minutes 35 seconds East 206.52 feet, to the end of the second or South 87 degrees 24 minutes 13 seconds West 8.36 foot line of the land which, by deed witnessed April 7, 1982, and recorded among the Land Records of Baltimore County, Maryland, in Liber E.H.K., Jr. 6463, Folio 675, was conveyed by Huntmak Associates to Frank McDermott et al., thence binding reversely thereon and on the outlines of the land which by deed dated November 23, 2004, and recorded among the Land Records of Baltimore County, Maryland, in Liber 21078, Folio 739, was conveyed by Frank J. McDermott, Trustee, to Hunt Valley Towne Centre, LLC, the three following courses and distances, in all: (3) North 87 degrees 10 minutes 48 seconds East 147.30 feet, thence (4) South 03 degrees 19 minutes 39 seconds East 128.92 feet, and thence (5) South 87 degrees 08 minutes 30 seconds West 153.00 feet to intersect the outline of the aforesaid Lot 1B, thence binding thereon, (6) South 02 degrees 51 minutes 30 seconds East 13.74 feet, thence (7) South 85 degrees 16 minutes 44 seconds West 190.13 feet, and thence (8) South 03 degrees 45 minutes 54 seconds East 185.44 feet, to intersect the north side of Shawan Road, thence binding on the north side of Shawan Road and on the outline of Lot 1B as shown on the hereinmentioned plat the two following courses and distances: (9) South 84 degrees 45 minutes 54 seconds West 140.02 feet, and thence binding on the

line of division between Lot 1B and the parcel of land which by the Agreed Inquisition dated February 5, 1996 and recorded among the Land Records of Baltimore County, Maryland, in Liber S.M. 11492, Folio 58, was conveyed by Huntmak Associates to Mass Transit Administration, the eleven following courses and distances: (10) North 05 degrees 14 minutes 06 seconds West 40.00 feet, thence (11) North 84 degrees 45 minutes 54 seconds East 60.38 feet, thence (12) North 26 degrees 18 minutes 01 second East 61.86 feet, thence (13) Northeasterly by a line curving to the left having a radius of 72.55 feet for a distance of 15.52 feet (the arc of said curve being subtended by a chord bearing North 02 degrees 21 minutes 48 seconds East 15.49 feet), thence (14) North 03 degrees 45 minutes 54 seconds West 54.82 feet, thence (15) Northwesterly by a line curving to the left having a radius of 19.00 feet for a distance of 35.37 feet (the arc of said curve being subtended by a chord bearing North 57 degrees 05 minutes 35 seconds West 30.48 feet) thence (16) Southwesterly by a line curving to the right having a radius of 405.52 feet for a distance of 141.68 feet (the arc of said curve being subtended by a chord bearing South 79 degrees 34 minutes 35 seconds West 140.96 feet), thence (17) South 89 degrees 35 minutes 07 seconds West 646.33 feet, thence (18) Southwesterly by a line curving to the left having a radius of 48.21 feet for a distance of 79.74 feet (the arc of said curve being subtended by a chord bearing South 42 degrees 12 minutes 15 seconds West 70.96 feet), thence (19) South 05 degrees 10 minutes 37 seconds East 90.24 feet, thence (20) Southeasterly by a line curving to the left having a radius of 47.66 feet for a distance of 26.05 feet (the arc of said curve being subtended by a chord bearing South 20 degrees 50 minutes 15 seconds East 25.73 feet), to intersect the north side of Shawan Road, thence binding on the north side of Shawan Road and the outline of Lot 1B as shown on the hereinmentioned plat, thence (21) South 84 degrees 46 minutes 00 seconds West 955.77 feet, thence (22) Northwesterly by a line curving to the right having a radius of 38.00 feet for a distance of 60.23 feet (the arc of said curve being subtended by a chord bearing

North 49 degrees 49 minutes 30 seconds West 54.12 feet), thence (23) North 04 degrees 25 minutes 01 seconds West 22.10 feet, thence (24) Northwesterly by a line curving to the left having a radius of 735.00 feet for a distance of 280.50 feet (the arc of said curve being subtended by a chord bearing North 15 degrees 20 minutes 59 seconds West 278.80 feet), thence (25) North 26 degrees 16 minutes 58 seconds West 177.35 feet, thence (26) Northeasterly by a line curving to the right having a radius of 665.00 feet for a distance of 1020.98 feet (the arc of said curve being subtended by a chord bearing North 17 degrees 42 minutes 05 seconds East 923.62 feet), thence (27) North 61 degrees 41 minutes 06 seconds East 166.86 feet, thence (28) Northeasterly by a line curving to the right having a radius of 1365.00 feet for a distance of 231.88 feet (the arc of said curve being subtended by a chord bearing North 66 degrees 33 minutes 05 seconds East 231.60 feet), thence (29) North 71 degrees 25 minutes 05 seconds East 201.91 feet, thence (30) Northeasterly by a line curving to the left having a radius of 735.00 feet for a distance of 89.01 feet (the arc of said curve being subtended by a chord bearing North 67 degrees 56 minutes 56 seconds East 88.95 feet), thence (31) North 64 degrees 28 minutes 47 seconds East 295.65 feet, thence (32) Northeasterly by a line curving to the right having a radius of 1365.00 feet for a distance of 67.34 feet (the arc of said curve being subtended by a chord bearing North 65 degrees 53 minutes 35 seconds East 67.34 feet), thence (33) North 67 degrees 18 minutes 23 seconds East 264.70 feet, and thence (34) Northeasterly by a line curving to the right having a radius 665.00 feet for a distance of 502.09 feet (the arc of said curve being subtended by a chord bearing of North 88 degrees 56 minutes 10 seconds East 490.25 feet), thence (35) South 69 degrees 26 minutes 03 seconds East 102.48 feet, thence (36) Southeasterly by a line curving to the left having a radius of 735.00 feet for a distance of 299.80 feet (the arc of said curve being subtended by a chord bearing South 81 degrees 07 minutes 09 seconds East 297.72 feet), thence (37) North 87 degrees 11 minutes 46 seconds East 44.30 feet, thence (38) Southeasterly by a line curving to the right

having a radius of 63.00 feet for a distance of 97.79 feet (the arc of said curve being subtended by a chord bearing South 48 degrees 20 minutes 10 seconds East 88.26 feet), thence binding on the west side of York Road and the outline of Lot 1B as shown on the hereinmentioned plat (39) South 03 degrees 52 minutes 13 seconds East 54.40 feet, thence binding on the west side of York Road, as widened, as shown on the Baltimore County Department of Public Works Bureau of Land Acquisition Plat RW 80-353-1 (40) South 01 degree 14 minutes 16 seconds East 207.08 feet to intersect the South 86 degrees 23 minutes 30 seconds West 37.00 foot line of Lot 1B as shown on the hereinmentioned plat thence binding on the remainder of said line and binding on the outline of Lot 1B as shown on the hereinmentioned plat, the three following courses and distances: (41) South 86 degrees 07 minutes 47 seconds West 27.49 feet, thence (42) South 03 degrees 52 minutes 13 seconds East 41.00 feet, and thence (43) North 86 degrees 07 minutes 47 seconds East 25.60 feet to intersect the west side of York Road, as widened, as shown on the Baltimore County Department of Public Works Bureau of Land Acquisition Plat RW 80-353-1, thence binding on the west side of York Road, as widened, as shown on the Baltimore County Department of Public Works Bureau of Land Acquisition Plats RW 80-353-1 and RW 80-353-2 (44) South 01 degree 14 minutes 16 seconds East 795.02 feet to the point of beginning, containing 85.125 acres of land, more or less.

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

May 15, 2012

Project No. 94150.V5 (L94150.V5 (R) - cc - 04212015)



Michael David Martin
4/21/15

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

No. **121450**

Date: **4/22/15**

PAID RECEIPT

SUCCESS ACTUAL TIME
 4/22/2015 4/22/2015 14:14:42

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				100.00

Total: **100.00**

Rec From: **VENABLE, LLP**

For: **2015-0232-SPH**

PT 0502 MALIKM JENIA JEE
 RECEIPT # 910423 4/22/2015 OFLN
 5 529 ZONING VERIFICATION
 121450

Receipt Tot \$500.00
 \$500.00 \$1.00 Ca
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

DISTRIBUTION

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

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:

2015-0232-SPH

Petitioner:

HUNT VALLEY TOWNE CENTRE LLC / SEARS ROEBUCK

Address or Location:

118 SHAWAN ROAD

AND
CO.

PLEASE FORWARD ADVERTISING BILL TO:

Name:

DAVID KARLESKI

Address:

VENABLE LLP

210 W. PENN. AVENUE

SUITE 500 TOWSON MD

Telephone Number:

410 494 6285 21204

ATTORNEY R2

HUNT VALLEY TOWNE

CENTRE LLC



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3289515

Sold To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave
Ste 500
Towson, MD 21204-5304

Bill To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave
Ste 500
Towson, MD 21204-5304

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

May 19, 2015

The Baltimore Sun Media Group

By S. Wilkinson

Legal Advertising

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: # 2015-0232-SPH
118 Shawan Road
Southwest corner of McCormick Road and York Road
8th Election District - 3rd Councilmanic District
Legal Owner(s) Hunt Valley Towne Centre, LLC, Sears Roebuck & Co.

Special Hearing to confirm that Hunt Valley Towne Centre, LLC (owner of Parcel 31, Lot 1B and Lot 1C) and Sears Roebuck and Co. (owner of Parcel 31, Lot 1A) are each entitled to their proportionate share of the parking variance granted in Zoning Case No. 2011-152-SPHA, as shown and indicated on the site plan filed in this case.

Hearing: Tuesday, June 16, 2015 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.

JT 5/799 May 19 3289515

CERTIFICATE OF POSTING

2015-0232-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Hunt Valley Towne Centre, LLC., Sears Roebuck & Co.

June 16, 2015

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: _____

118 Shawan Road

May 20, 2015

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



Sincerely,

May 20, 2015

(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
Tuesday, May 19, 2015 Issue - Jeffersonian

Please forward billing to:

David Karceski
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6285

NOTICE OF ZONING HEARING

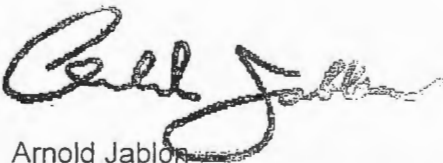
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0232-SPH

118 Shawan Road
Southwest corner of McCormick Road and York Road
8th Election District – 3rd Councilmanic District
Legal Owners: Hunt Valley Towne Centre, LLC, Sears Roebuck & Co.

Special Hearing to confirm that Hunt Valley Towne Centre, LLC (owner of Parcel 31, Lot 1B and Lot 1C) and Sears Roebuck and Co. (owner of Parcel 31, Lot 1A) are each entitled to their proportionate share of the parking variance granted in Zoning Case No. 2011-152-SPHA, as shown and indicated on the site plan filed in this case.

Hearing: Tuesday, June 16, 2015 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

May 11, 2015

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: 2015-0232-SPH

118 Shawan Road

Southwest corner of McCormick Road and York Road

8th Election District – 3rd Councilmanic District

Legal Owners: Hunt Valley Towne Centre, LLC, Sears Roebuck & Co.

Special Hearing to confirm that Hunt Valley Towne Centre, LLC (owner of Parcel 31, Lot 1B and Lot 1C) and Sears Roebuck and Co. (owner of Parcel 31, Lot 1A) are each entitled to their proportionate share of the parking variance granted in Zoning Case No. 2011-152-SPHA, as shown and indicated on the site plan filed in this case.

Hearing: Tuesday, June 16, 2015 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".

Arnold Jablon
Director

AJ:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 20, 2015.**
- (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.



KEVIN KAMENETZ
County Executive

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

June 10, 2015

Hunt Valley Towne Centre LLC
ELG Hunt Valley LLC
Brian J Gibbons
118 Shawan Road
Hunt Valley MD 21030

Sears Roebuck and Company
A New York Corporation
James B Terrell
118 Shawan Road
Hunt Valley MD 21030

RE: Case Number: 2015-0232 SPH, Address: 118 Shawan Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 22, 2015. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

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

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary

Date: 4/30/15

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

RE: Baltimore County
Item No. 2015-0232-SPH
Special Hearing
Hunt Valley Towne Centre LLC
Brian Gibbons, Manager.
118 Shuman Road & 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 4/30/15. 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. Case Number 2015-0232-SPH.

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 black ink, appearing to read "Steven D. Foster".
Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

60-16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 18, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

MAY 26 2015

OFFICE OF ADMINISTRATIVE HEARINGS

SUBJECT: 118 Shawan Road

INFORMATION:

Item Number: 15-232

Petitioners: Hunt Valley Towne Centre LLC / Sears Roebuck and Co.

Zoning: BM, BM-CT

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to determine the proportionate share of the parking variance granted in prior Zoning Case No. 2011-152-SPHA dated June 16, 2011.

The Department of Planning has no comment on the petitioned request.

For further information concerning the matters stated herein, please contact Wallace S. Lippincott, Jr. at 410-887-3480.

Division Chief: Kathy Gableton

AVA/KS

cc: Wallace S. Lippincott, Jr.

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 May 4, 2015
Item No. 2015-0232, 0233 and 0234

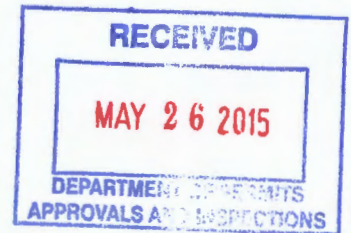
DATE: May 6, 2015

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

DAK:CEN
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC05042015.doc

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE



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

DATE: May 18, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 118 Shawan Road

INFORMATION:

Item Number: 15-232

Petitioners: Hunt Valley Towne Centre LLC / Sears Roebuck and Co.

Zoning: BM, BM-CT

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to determine the proportionate share of the parking variance granted in prior Zoning Case No. 2011-152-SPHA dated June 16, 2011.

The Department of Planning has no comment on the petitioned request.

For further information concerning the matters stated herein, please contact Wallace S. Lippincott, Jr. at 410-887-3480.

Division Chief: Kathy C. Jablon

AVA/KS

cc: Wallace S. Lippincott, Jr.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
 118 Shawan Road; SW Corner of McCormick *
 & York Roads * OF ADMINSTRATIVE
 8th Election & 3rd Councilmanic Districts *
 Legal Owner(s): Hunt Valley Towne Centre * HEARINGS FOR
 LLC & Sears Roebuck & Co. *
 Petitioner(s) * BALTIMORE COUNTY
 * 2015-232-SPH
 * * * * *

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

MAY 04 2015

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 4th day of May, 2015, a copy of the foregoing Entry of Appearance was mailed to Jennifer Busse, Esquire, Whiteford, Taylor & Preston, LLP, One W. Pennsylvania Avenue, Suite 300, Towson, Maryland 21204 and David Karceski, Esquire, Venable, LLP, 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: July 21, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0232-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on July 20, 2015. 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

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 08 Account Number - 1800014925							
Owner Information									
Owner Name:		HUNT VALLEY TOWNE CENTRE LLC				Use:		COMMERCIAL NO	
Mailing Address:		C/O GREENBERG COMMERCIAL 10096 RED RUN BLVD STE 100 OWINGS MILLS MD 21117-4827				Principal Residence:		Deed Reference: /35525/ 00311	
Location & Structure Information									
Premises Address:		SHAWAN RD COCKEYSVILLE MD 21030-0000				Legal Description:		PT LT 1B 58.215 AC HUNT VALLEY MALL	
Map:	Grid:	Parcel:	Sub District:	Subdlvision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0042	0009	0031		0000			1B	2014	Plat Ref: 0046/0027
Special Tax Areas:				Town:		NONE			
				Ad Valorem:					
				Tax Class:					
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use	
2012		489143				58.2200 AC		14	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation			
		RETAIL STORE	STUCCO						
Value Information									
		Base Value		Value As of 01/01/2014		Phase-in Assessments As of 07/01/2014		As of 07/01/2015	
Land:		56,011,600		54,761,200					
Improvements		57,887,900		63,495,300					
Total:		113,899,500		118,256,500		115,351,833		116,804,167	
Preferential Land:		0						0	
Transfer Information									
Seller: STARWOOD CERUZZI				Date: 08/27/2004			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /35525/ 00311			Deed2:		
Seller: HUNTMAK ASSOCIATES				Date: 04/18/2000			Price: \$7,850,000		
Type: NON-ARMS LENGTH OTHER				Deed1: /14415/ 00411			Deed2:		
Seller: HUNTMAK ASSOCIATES				Date:			Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /00000/ 00000			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class				07/01/2014		07/01/2015	
County:		000				0.00			
State:		000				0.00			
Municipal:		000				0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:							
Exempt Class:		NONE							
Homestead Application Information									
Homestead Application Status: No Application									

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

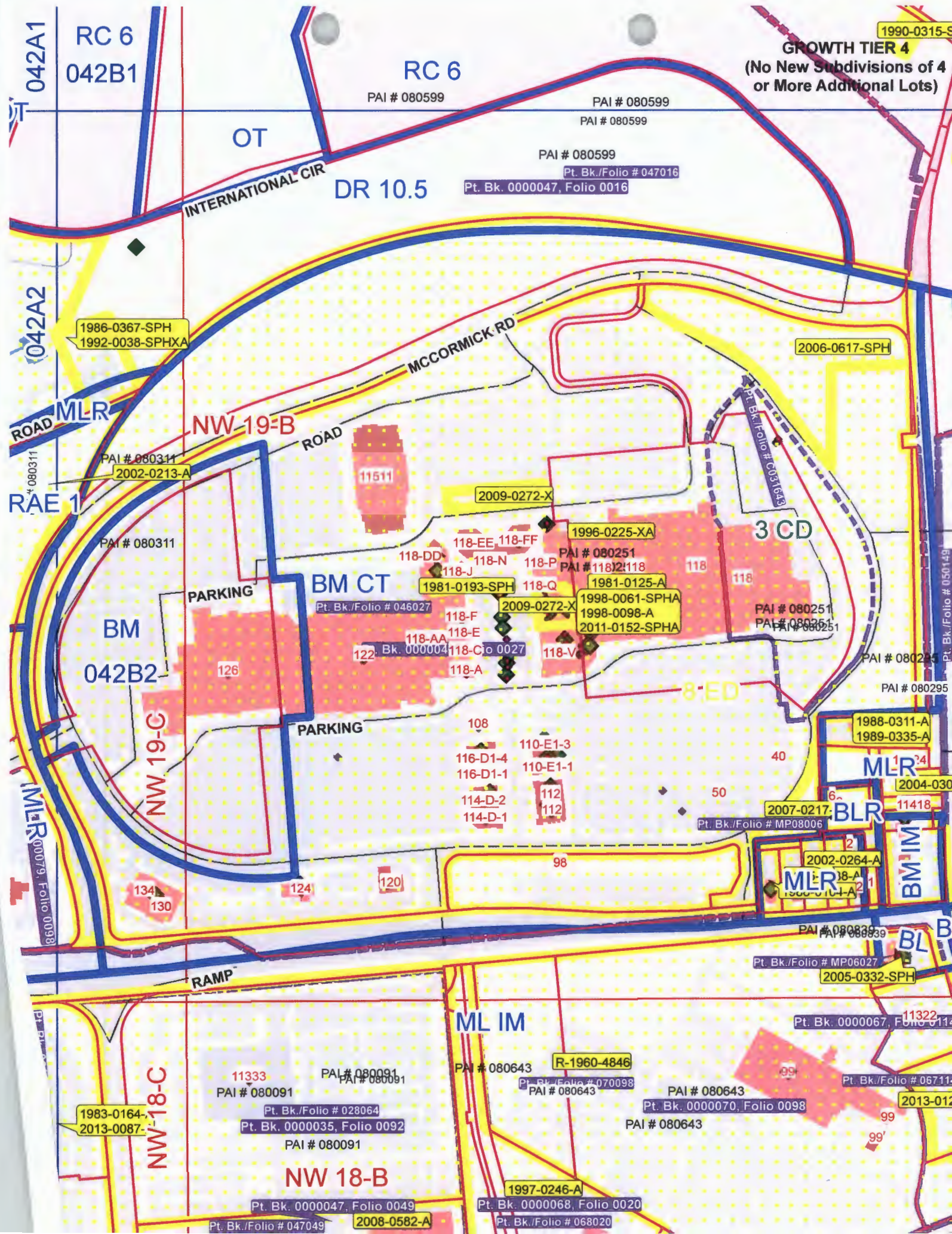
View Map		View GroundRent Redemption				View GroundRent Registration				
Account Identifier:		District - 08 Account Number - 1800014926								
Owner Information										
Owner Name:		HUNT VALLEY TOWNE CENTRE LLC				Use:		COMMERCIAL		
Mailing Address:		C/O GREENBERG COMMERCIAL 10096 RED RUN BLVD STE 100 OWINGS MILLS MD 21117-4827				Principal Residence:		NO		
						Deed Reference:		/35525/ 00311		
Location & Structure Information										
Premises Address:		SHAWAN RD 0-0000				Legal Description:		8.000 AC PT LOT 1C NE COR MCCORMICK RD HUNT VALLEY MALL		
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0042	0009	0031		0000			1C	2014	Plat Ref:	0046/0027
Special Tax Areas:					Town:		NONE			
					Ad Valorem:					
					Tax Class:					
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use		
1999		123877				13.3100 AC		14		
Stories	Basement	Type	Exterior	Full/Half Bath	Garage	Last Major Renovation				
		DISCOUNT STORE								
Value Information										
			Base Value		Value As of 01/01/2014		Phase-In Assessments As of 07/01/2014		As of 07/01/2015	
Land:			8,756,300		5,004,000					
Improvements			2,806,500		1,996,200					
Total:			11,562,800		7,000,200		7,000,200		7,000,200	
Preferential Land:			0						0	
Transfer Information										
Seller: STARWOOD CERUZZI				Date: 08/27/2004				Price: \$0		
Type: NON-ARMS LENGTH OTHER				Deed1: /35525/ 00311				Deed2:		
Seller: EQUITABLE HUNT VALLEY LIMITED				Date: 04/18/2000				Price: \$11,000,000		
Type: NON-ARMS LENGTH OTHER				Deed1: /14415/ 00399				Deed2:		
Seller: HUNT VALLEY PROPERTIES CORPORATION				Date: 04/06/1994				Price: \$1		
Type: NON-ARMS LENGTH OTHER				Deed1: /10447/ 00210				Deed2:		
Exemption Information										
Partial Exempt Assessments:		Class		07/01/2014		07/01/2015				
County:		000		0.00						
State:		000		0.00						
Municipal:		000		0.00 0.00		0.00 0.00				
Tax Exempt:		Special Tax Recapture:								
Exempt Class:		NONE								
Homestead Application Information										
Homestead Application Status: No Application										

Real Property Data Search (w2)

Guide to search

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent R		
Account Identifier:			District - 08 Account Number - 1800014690					
Owner Information								
Owner Name:			SEARS ROEBUCK AND CO			Use:		COM
Mailing Address:			C/O PROPERTY TAX COMPLIANCE 3333 BEVERLY RD HOFFMAN ESTATES IL 60192-3322			Principal Residence:		NO
						Deed Reference:		/0617
Location & Structure Information								
Premises Address:			MCCORMICK RD COCKEYSVILLE MD 21030-0000			Legal Description:		11.74 590 M HUN'
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:
0042	0009	0031		0000			1A	2014
Special Tax Areas:					Town:		N	
					Ad Valorem:			
					Tax Class:			
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		
1981		159975				11.7400 AC		
Stories	Basement	Type		Exterior	Full/Half Bath	Garage	Last I	
		DEPARTMENT STORE						
Value Information								
			Base Value		Value As of 01/01/2014		Phase-in Assessment As of 07/01/2014	
Land:			7,152,500		7,152,500			
Improvements			1,212,300		2,342,800			
Total:			8,364,800		9,495,300		8,741,633	
Preferential Land:			0					
Transfer Information								
Seller: GRAND LODGE OF A NCIENT FREE & ACC				Date: 06/26/1980			Price: \$5	
Type: ARMS LENGTH IMPROVED				Deed1: /06177/ 00695			Deed2:	
Seller:				Date:			Price:	
Type:				Deed1:			Deed2:	
Seller:				Date:			Price:	
Type:				Deed1:			Deed2:	
Exemption Information								
Partial Exempt Assessments:		Class		07/01/2014			07/01	
County:		000		0.00				



1990-0315-S

GROWTH TIER 4

(No New Subdivisions of 4 or More Additional Lots)

042A1

RC 6

042B1

RC 6

PAI # 080599

PAI # 080599

PAI # 080599

PAI # 080599

Pt. Bk./Folio # 047016

Pt. Bk. 0000047, Folio 0016

OT

DR 10.5

INTERNATIONAL CIR

1986-0367-SPH
1992-0038-SPHXA

2006-0617-SPH

MCCORMICK RD

NW 19-B

ROAD

PAI # 080311
2002-0213-A

PAI # 080311

PARKING

BM CT

Pt. Bk./Folio # 046027

BM

042B2

NW 19-C

PARKING

PARKING

118-EE, 118-FF
118-DD
118-N
118-P
118-J
118-Q
1981-0193-SPH
118-F
118-E
118-AA
118-C
118-A
118-V

2009-0272-X

1996-0225-XA

PAI # 080251
PAI # 118-118

1981-0125-A
1998-0061-SPHA
1998-0098-A
2011-0152-SPHA

PAI # 080251
PAI # 080251

PAI # 080251

PAI # 080295

1988-0311-A
1989-0335-A

MLR

2004-030

2007-0217

Pt. Bk./Folio # MP08006

BLR

2002-0264-A

118-A

PAI # 080839

Pt. Bk./Folio # MP06027

2005-0332-SPH

Pt. Bk. 0000067, Folio 0114

Pt. Bk./Folio # 067114

2013-012

1983-0164-
2013-0087-

11333
PAI # 080091

Pt. Bk./Folio # 028064

Pt. Bk. 0000035, Folio 0092

PAI # 080091

NW 18-B

Pt. Bk. 0000047, Folio 0049

Pt. Bk./Folio # 047049

2008-0582-A

PAI # 080643

R-1960-4846

Pt. Bk./Folio # 070098

PAI # 080643

PAI # 080643

Pt. Bk. 0000070, Folio 0098

PAI # 080643

1997-0246-A

Pt. Bk. 0000068, Folio 0020

Pt. Bk./Folio # 068020

ML IM

NW 18-C

RAMP

BL

BL

BL

BL

BL

BL

BL

BL

BL

BL

BL

BL

CASE NAME 118 Shawan Roof
CASE NUMBER 2015-232-584
DATE 6/16/15

[illegible]

Case No.: 2015-0232-SPH

Exhibit Sheet

Petitioner/Developer

DW
1-21-15

Protestant

DW
6-18-15

No. 1	Plan	
No. 2	Aerial photo exhibit	
No. 3	Kellman CV	
No. 4	Order in No. 2011-152	
No. 5	Aerial zoning map	
No. 6	DMW Letter April 30, 2014	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



MITCHELL J. KELLMAN
DIRECTOR OF ZONING SERVICES

Education

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

Professional Summary

Mr. Kellman has over 24 years of experience working in zoning, subdivision, and development regulations for the public and private sector; 12 of those years were with the Baltimore County Office of Planning and Zoning. His responsibilities included review, approval and signatory powers on behalf of the Director of Final Development Plans and Record Plats. He represented the Zoning Office on the County Development Review Committee, a body reviewing the procedural compliance of all development submissions. Review of petitions and site plans filed for zoning hearing approvals were within his authority. Additionally, he supervised county review staff, met with professionals and the public on development project matters, and made determinations regarding developments and their compliance with county regulations. In working for DMW, he has extensive experience in testifying before the Baltimore County Zoning Commissioner, Hearing Officer, Administrative Law Judges, and Board of Appeals. He also regularly represents the company at the Baltimore County Development Review Committee meetings. He is also a member of Baltimore County's Design Review Panel which formulates design recommendations to the Planning staff and Administrative Law Judges.

Partial List of Projects

Delight Quarry, Baltimore County, MD
Hunt Valley Towne Centre, Baltimore County, MD
Charlestown Retirement Community, Baltimore County, MD
GBMC, Baltimore County, MD
Goucher College, Baltimore County, MD
Greenspring Quarry, Baltimore County, MD
Loveton Business Center, Baltimore County, MD
Oakcrest Village Retirement Community, Baltimore County, MD
Sheppard and Enoch Pratt Hospital, Baltimore County, MD
Sparks Corporate Center, Baltimore County, MD
Towson Town Center, Baltimore County, MD

Memberships and Associations

Baltimore County Design Review Panel, 2012, 2013, 2014
Greater Towson Committee, Planning and Development Sub-Committee, 2012, 2013, 2014
Greater Towson Committee, Government Relations Sub-Committee Chair, 2013, 2014
Greater Towson Committee Board of Directors - Secretary, 2014
Leadership Baltimore County, 2013

Professional Experience

Daft-McCune-Walker, Inc., Towson, MD: 2000-Present

PETITIONER'S EXHIBIT

8 3

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

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

*

*

*

*

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Hunt Valley Towne Centre, LLC
Petitioner

.*

Case No. 2011-0152-SPHA

* * * * *

OPINION AND ORDER

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

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

DMW
DAFT MCCUNE WALKER INC

April 30, 2014

Arnold Jablon, Director
Baltimore County Permits, Approvals and Inspections (PAI)
C/O The Baltimore County Zoning Review Office
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

Re: Request for Spirit and Intent Letter
Hunt Valley Towne Centre
Zoning Case No. 2011-0152-SPHA
Election District 8, Councilmanic District 3
Project No. 94150.X

Dear Mr. Jablon:

Daft-McCune-Walker, Inc. ("DMW") represents Hunt Valley Towne Centre, LLC, legal owner of certain lots (Lot Nos. 1B and 1C, referred to hereafter as the "H.V.T.C. Lots") that are part of the above-referenced property. DMW is responsible for the development-processing, engineering, planning, and zoning approvals of a proposed 342 unit, multi-family apartment building and accompanying structured parking to be constructed on the eastern portion of the Hunt Valley Towne Centre ("H.V.T.C.").

As part of the zoning process for this residential apartment building, we are in receipt of a zoning confirmation letter, countersigned by your department and dated February 20, 2014, that verifies our red-lined site plan submitted with the February 2014 letter (showing 4,031 provided parking spaces in lieu of 4,706 required parking spaces) is within the "spirit and intent" of a prior parking variance case for H.V.T.C. granted in Zoning Case No. 2011-0152-SPHA (or the "2011 Zoning Case"). The 2011 Zoning Case, which related to the H.V.T.C. Lots and the Sears lot (as defined below), allowed for 4,120 parking spaces in lieu of the required 5,015 parking spaces, which is an 895 parking space deficiency. The red-lined site plan showing the 342 unit residential building, approved by your confirmation letter, allowed for a 675-parking space deficiency, which is well within the zoning case approval.

As you are aware, a Sears store is located on the western portion of the property on a separate lot, known as Lot No. 1A which is owned in fee by Sears, Roebuck and Co. (the "Sears Lot"). Recently, Sears requested that the owners of the H.V.T.C. Lots obtain written confirmation from the Department of Permits, Approvals and Inspections that no off-street parking spaces on the Sears Lot are being utilized in determining that the H.V.T.C. Lots meet the minimum parking requirements under all laws and regulations of Baltimore County. In other words, for parking calculation purposes, the Sears operations would stand on their own. By itself, Sears is required to have 795 parking spaces, according

PET. Ex. 6

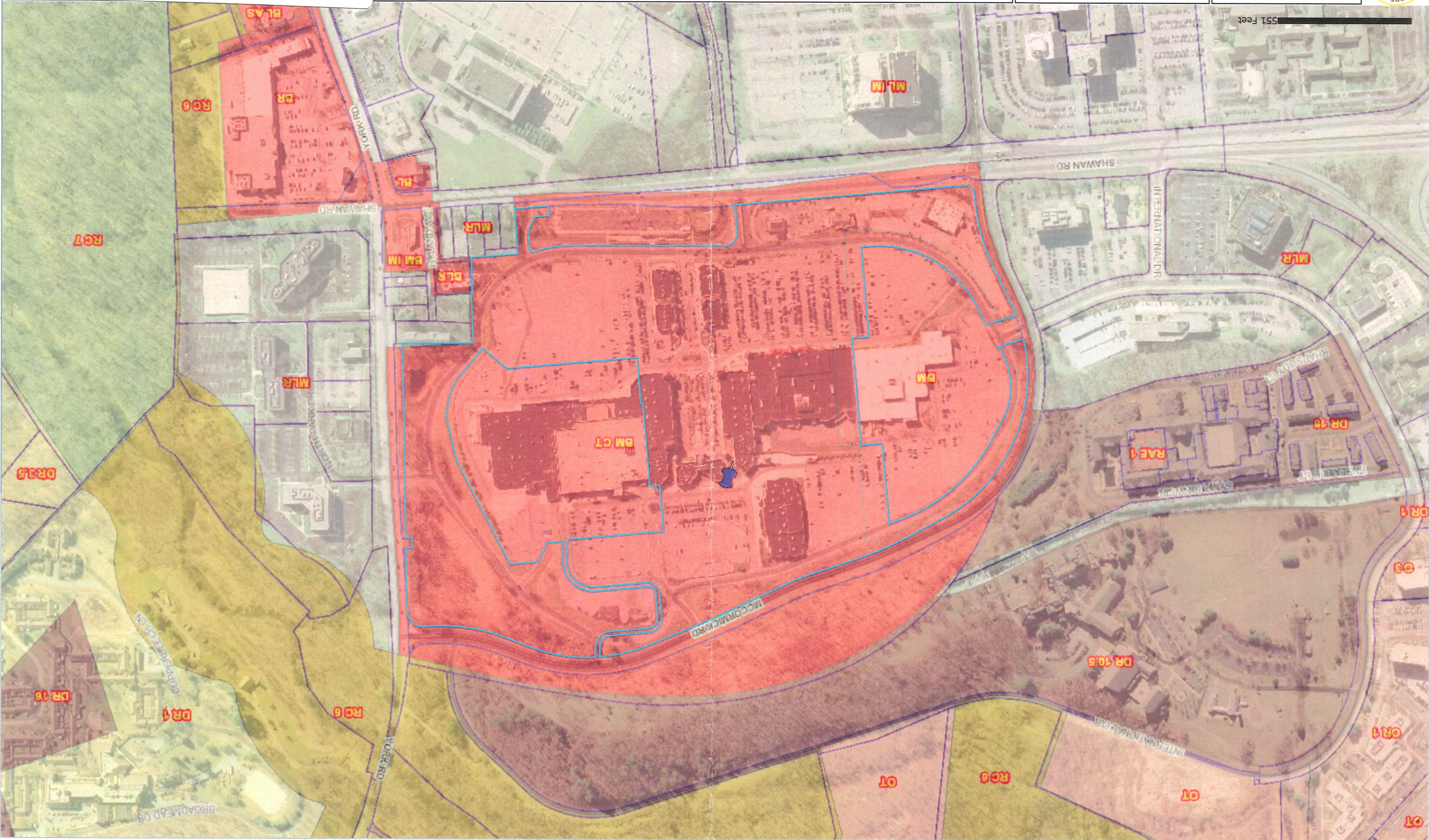


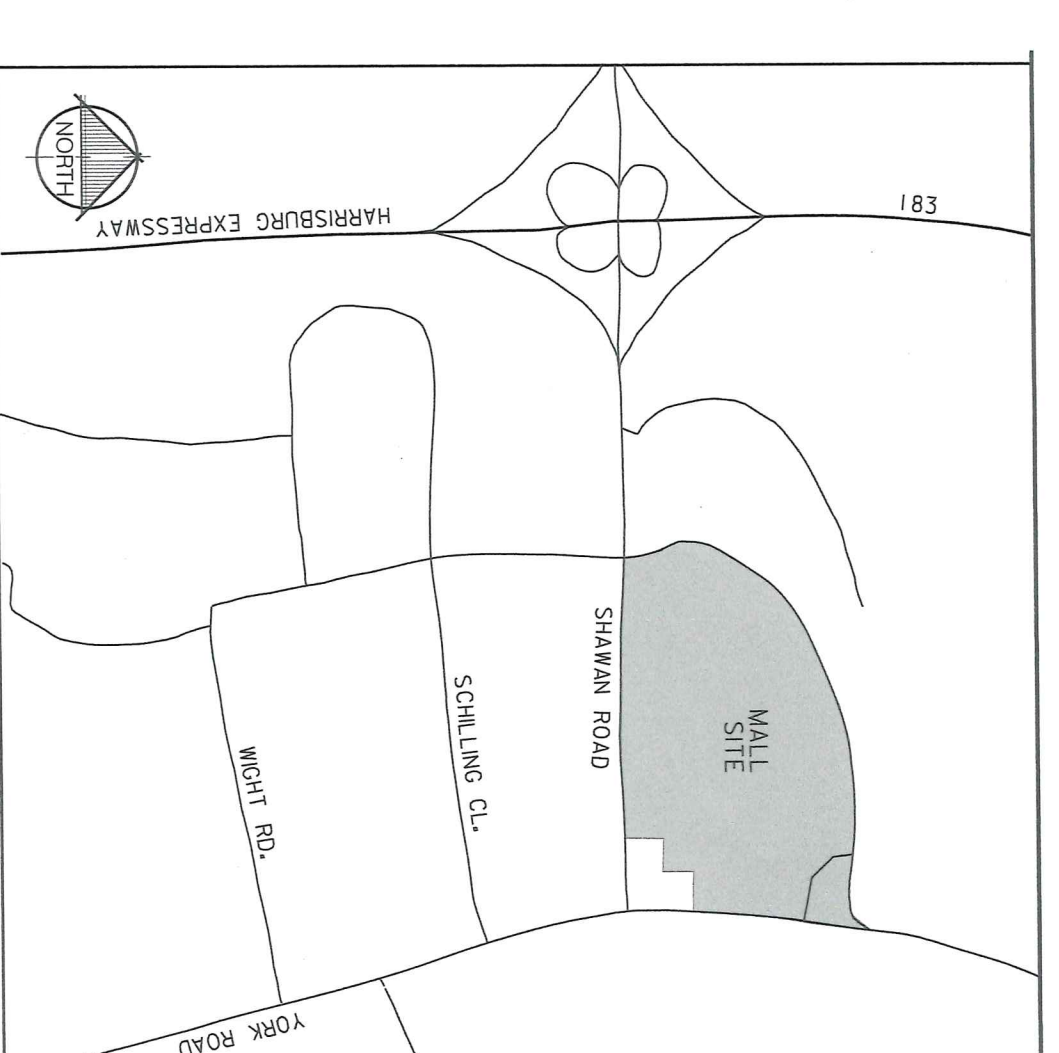
This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland disclaims all obligation and liability for damages, inc to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, inc fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

PETITIONER'S EXHIBIT

5

ng but not limited
orneys' and experts'

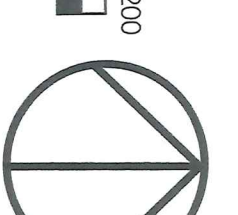
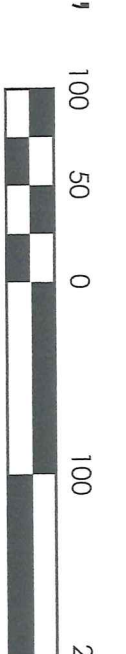


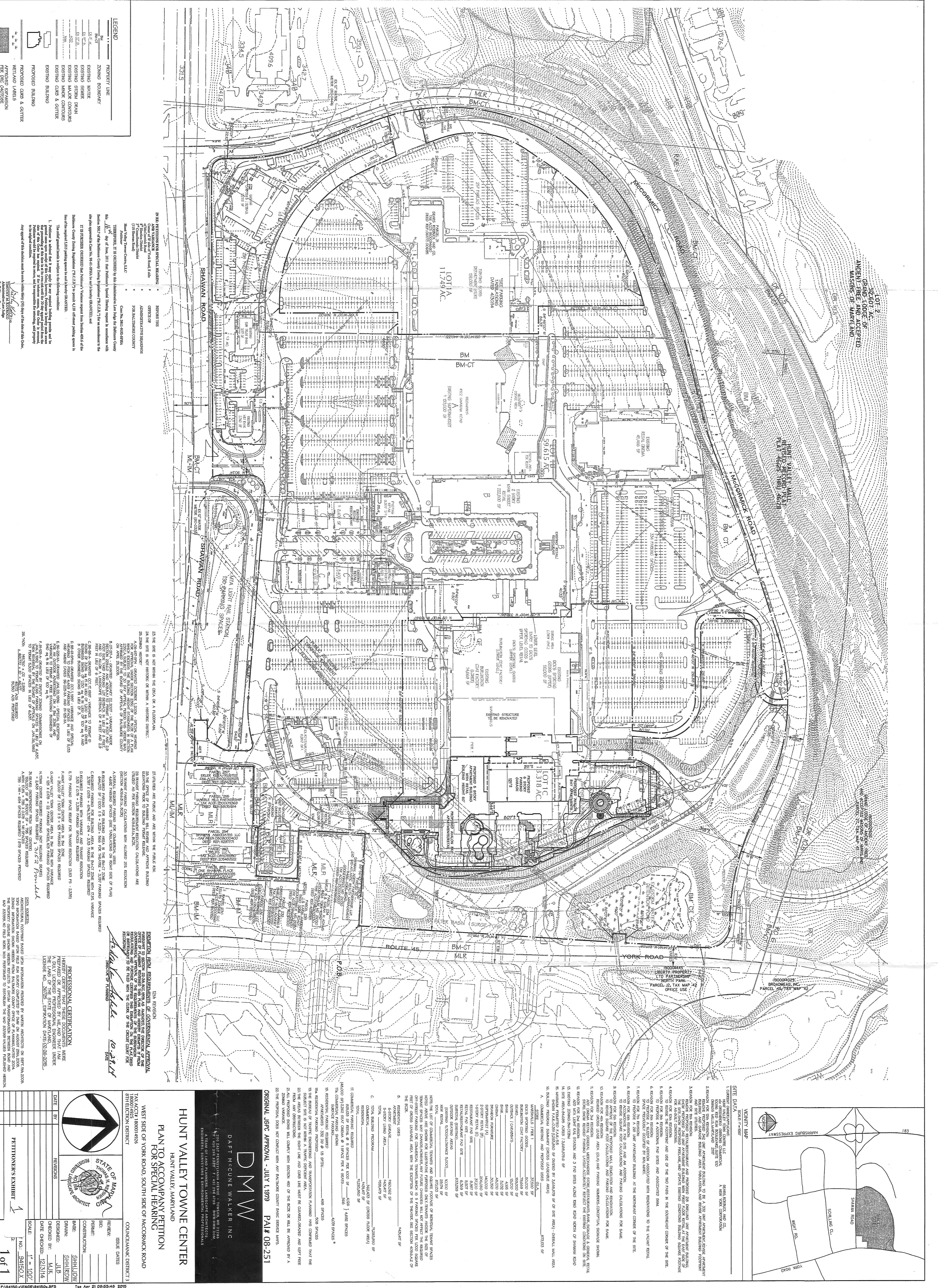


* LOT LINES ARE
SHOWN FOR ILLUSTRATIVE
PURPOSES ONLY.

2
PETITIONER'S EXHIBIT

Scale: 1" = 100'





LEGEND

- PROPERTY LINE
- BOUNDARY
- EXISTING WATER
- EXISTING STORM DRAIN
- EXISTING MAJOR CONDUIT
- EXISTING CURB & GUTTER
- EXISTING BUILDING
- PROPOSED CURB & GUTTER
- PROPOSED EXPANSION
- APPROVED LAYOUT
- PER DEC. 00/2006

1. INTRODUCTION

This document is a site plan for the proposed expansion of the Hunt Valley Towne Center. The site is located at the intersection of Shawhan Road and York Road, adjacent to the McComick Road. The plan shows the existing building footprint, parking lots, and surrounding infrastructure. The proposed expansion includes additional parking spaces, a new entrance, and a new building footprint. The plan is submitted for review and approval by the relevant authorities.

2. SITE DESCRIPTION

The site is located at the intersection of Shawhan Road and York Road, adjacent to the McComick Road. The site is currently zoned for commercial use. The proposed expansion is consistent with the zoning requirements. The plan shows the existing building footprint, parking lots, and surrounding infrastructure. The proposed expansion includes additional parking spaces, a new entrance, and a new building footprint. The plan is submitted for review and approval by the relevant authorities.

3. PROPOSED EXPANSION

The proposed expansion includes additional parking spaces, a new entrance, and a new building footprint. The plan shows the existing building footprint, parking lots, and surrounding infrastructure. The proposed expansion is consistent with the zoning requirements. The plan is submitted for review and approval by the relevant authorities.

4. CONCLUSION

The proposed expansion is consistent with the zoning requirements and the surrounding infrastructure. The plan is submitted for review and approval by the relevant authorities.

PROFESSIONAL CERTIFICATION

I, the undersigned, being a duly licensed Professional Engineer in the State of Maryland, do hereby certify that I am a duly licensed Professional Engineer in the State of Maryland, and that I am the author of the design and construction of the project shown on this plan. I am not aware of any false or misleading information being furnished to the reviewing authority. I am not aware of any other person being involved in the design or construction of the project shown on this plan. I am not aware of any other person being involved in the design or construction of the project shown on this plan.

DATE _____ **BY** _____

REVISIONS

NO.	DATE	DESCRIPTION
1	12/31/14	ISSUED FOR PERMIT

SCALE 1" = 100'

1 of 1

DMW

DRAFT MCGUINE WALKER INC.

HUNT VALLEY TOWNE CENTER

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING

WEST SIDE OF YORK ROAD, SOUTH SIDE OF MCCORMICK ROAD

1100014925

8TH ELECTION DISTRICT

CONCURRENCE DISTRICT 7

ISSUE DATES

REVIEW	DATE
PERMIT	12/31/14
CONSTRUCTION	12/31/14
BASE	12/31/14
DRAWN	12/31/14
CHECKED BY	12/31/14
DATE CHECKED	12/31/14

1 of 1

NOTES:

1. THE SITE IS NOT WITHIN THE CDZ OR A FLOODPLAIN.
2. THE SITE IS NOT HISTORIC OR WITHIN A HISTORIC DISTRICT.
3. THE SITE IS NOT WITHIN A FLOODPLAIN.
4. THE SITE IS NOT WITHIN A FLOODPLAIN.
5. THE SITE IS NOT WITHIN A FLOODPLAIN.
6. THE SITE IS NOT WITHIN A FLOODPLAIN.
7. THE SITE IS NOT WITHIN A FLOODPLAIN.
8. THE SITE IS NOT WITHIN A FLOODPLAIN.
9. THE SITE IS NOT WITHIN A FLOODPLAIN.
10. THE SITE IS NOT WITHIN A FLOODPLAIN.
11. THE SITE IS NOT WITHIN A FLOODPLAIN.
12. THE SITE IS NOT WITHIN A FLOODPLAIN.
13. THE SITE IS NOT WITHIN A FLOODPLAIN.
14. THE SITE IS NOT WITHIN A FLOODPLAIN.
15. THE SITE IS NOT WITHIN A FLOODPLAIN.
16. THE SITE IS NOT WITHIN A FLOODPLAIN.
17. THE SITE IS NOT WITHIN A FLOODPLAIN.
18. THE SITE IS NOT WITHIN A FLOODPLAIN.
19. THE SITE IS NOT WITHIN A FLOODPLAIN.
20. THE SITE IS NOT WITHIN A FLOODPLAIN.
21. THE SITE IS NOT WITHIN A FLOODPLAIN.
22. THE SITE IS NOT WITHIN A FLOODPLAIN.

1. GENERAL INFORMATION

ITEM	DESCRIPTION	QUANTITY
1	ASPHALT PAVING	10,000 SF
2	CONCRETE PAVING	5,000 SF
3	GRASS PAVING	2,000 SF
4	LANDSCAPING	1,000 SF
5	WATER PAVING	1,000 SF
6	STORM PAVING	1,000 SF
7	UTILITY PAVING	1,000 SF
8	OTHER PAVING	1,000 SF
9	TOTAL PAVING	22,000 SF

2. MATERIALS

ITEM	DESCRIPTION	QUANTITY
1	ASPHALT	10,000 SF
2	CONCRETE	5,000 SF
3	GRASS	2,000 SF
4	LANDSCAPING	1,000 SF
5	WATER	1,000 SF
6	STORM	1,000 SF
7	UTILITY	1,000 SF
8	OTHER	1,000 SF
9	TOTAL	22,000 SF

3. LABOR

ITEM	DESCRIPTION	QUANTITY
1	ASPHALT	10,000 SF
2	CONCRETE	5,000 SF
3	GRASS	2,000 SF
4	LANDSCAPING	1,000 SF
5	WATER	1,000 SF
6	STORM	1,000 SF
7	UTILITY	1,000 SF
8	OTHER	1,000 SF
9	TOTAL	22,000 SF

VICINITY MAP

SCALE 1" = 1000'

1. GENERAL INFORMATION

ITEM	DESCRIPTION	QUANTITY
1	ASPHALT PAVING	10,000 SF
2	CONCRETE PAVING	5,000 SF
3	GRASS PAVING	2,000 SF
4	LANDSCAPING	1,000 SF
5	WATER PAVING	1,000 SF
6	STORM PAVING	1,000 SF
7	UTILITY PAVING	1,000 SF
8	OTHER PAVING	1,000 SF
9	TOTAL PAVING	22,000 SF

2. MATERIALS

ITEM	DESCRIPTION	QUANTITY
1	ASPHALT	10,000 SF
2	CONCRETE	5,000 SF
3	GRASS	2,000 SF
4	LANDSCAPING	1,000 SF
5	WATER	1,000 SF
6	STORM	1,000 SF
7	UTILITY	1,000 SF
8	OTHER	1,000 SF
9	TOTAL	22,000 SF

3. LABOR

ITEM	DESCRIPTION	QUANTITY
1	ASPHALT	10,000 SF
2	CONCRETE	5,000 SF
3	GRASS	2,000 SF
4	LANDSCAPING	1,000 SF
5	WATER	1,000 SF
6	STORM	1,000 SF
7	UTILITY	1,000 SF
8	OTHER	1,000 SF
9	TOTAL	22,000 SF