

MEMORANDUM

DATE: January 21, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0507-A – Appeal Period Expired

The appeal period for the above-referenced case expired on January 17, 2020. 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

/dlw

IN RE: PETITION FOR VARIANCE

(5270 Campbell Blvd.)

14th Election District

6th Council District

Shoppes at Nottingham Square

Business Trust

Legal Owner

Petitioner

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2019-0507-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Shoppes at Nottingham Square Business Trust, legal owner of the subject property (“Petitioner”). Petitioner is requesting variance relief from § 409.6.A.2 of the Baltimore County Zoning Regulations (“BCZR”) to allow a total of 145 off-street parking spaces in lieu of the required 191 parking spaces. A site plan was marked as Petitioner’s Exhibit 1.

Kathleen McLaren appeared in support of the petition. David H. Karceski, Esq. represented Petitioner. Chris Armstrong, the professional engineer who prepared and sealed the site plan also attended the hearing. His *curriculum vitae* was admitted as Petitioner’s Exhibit 2. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. No substantive Zoning Advisory Committee (“ZAC”) comments were received from any of the County reviewing agencies.

The site is approximately 2.52 acres in size and is zoned BM. The Petitioner intends to open and operate a Japanese restaurant on the premises. A series of aerial and ground level photographs of the site were admitted as Petitioner’s Exhibit Nos. 3 and 4, respectively. These photos show the diverse mix of retail and commercial uses in the vicinity as well as the adjoining

ORDER RECEIVED FOR FILING

Date 12/18/19

By Sen

environmental features. They also document the abundance of existing parking. This site is within the White Marsh Community Master Plan which contains a wide mix of zoning classifications, uses, and environmental areas. The subject building has been vacant and the proposed new restaurant will add to the mix of existing restaurants in the area. A variance of 145 parking spaces in lieu of 191 spaces is requested. Mr. Karceski proffered that Mr. Armstrong and Ms. McLaren would testify that they have been at the location on a number of dates and times and that parking is abundant.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

As noted above, the site is located within the Whitmarsh Community Master Planned development which contains a wide variety of uses and which adjoins several different environmentally sensitive areas, including White Marsh Run. As such the property is unique. If the Regulations were strictly interpreted, Petitioner would experience a practical difficulty because it would be unable to open the proposed new restaurant. Finally, I find that the variance can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the absence of community opposition, or County agency opposition.

THEREFORE, IT IS ORDERED, this 18th day of **December, 2019**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations to allow a total of 145 off-street parking spaces in lieu of the required 191

ORDER RECEIVED FOR FILING

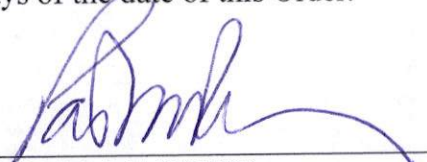
Date 12/18/19
By Sen

parking spaces, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its 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, Petitioner would be required to return the subject property to its original condition.

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



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/sln

ORDER RECEIVED FOR FILING

Date 12/18/19

By sln



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 5270 Campbell Boulevard which is presently zoned BM
Deed References: 22130-727 10 Digit Tax Account # 2300010302
Property Owner(s) Printed Name(s) Shoppes at Nottingham Square 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.A.2 of the Baltimore County Zoning Regulations to allow a total of 145 off-street parking spaces in lieu of the required 191 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):

SEE ATTACHED SHEET

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 2019-0507-A Filing Date 11/5/2019 Do Not Schedule Dates: _____ Reviewer JMP

ORDER RECEIVED FOR FILING

Date 12/18/19

By Sh

5270 CAMPBELL BOULEVARD

ATTACHMENT TO PETITION FOR VARIANCE

SHOPPES AT NOTTINGHAM SQUARE BUSINESS TRUST, a Maryland business trust, by its sole trustee, FR WHITE MARSH, INC., a Maryland corporation

P.O. Box 92129
Southlake, Texas 76092

By: _____

Deborah A. Colson

Printed Name: Vice President - Legal Operations



ZONING DESCRIPTION
TAX MAP 85, PARCEL 859
THE LAND OF
SHOPPES AT NOTTINGHAM SQUARE BUSINESS TRUST
LIBER 22130 FOLIO 727
14TH ELECTION DISTRICT
BALTIMORE COUNTY, MD



BEGINNING AT A POINT ON THE NORTHERNLY RIGHT-OF-WAY LIMITS OF CAMPBELL BOULEVARD (VARIABLE RIGHT-OF-WAY), WHICH IS 75.42 FEET NORTHWEST OF THE CENTER OF THE INTERSECTION OF SAID CAMPBELL BOULEVARD AND AN UNNAMED ACCESS ROAD TO THE SHOPPES AT NOTTINGHAM SQUARE, THENCE DEPARTING SAID NORTHERNLY RIGHT-OF-WAY LIMITS AND WITH THE DIVISION LINE BETWEEN THE CAMPBELL BOULEVARD ON THE WEST AND THE LAND OF SHOPPES AT NOTTINGHAM SQUARE BUSINESS TRUST (LIBER 22130 FOLIO 727) ON THE EAST;

1. NORTH 57 DEGREES – 25 MINUTES – 11 SECONDS WEST, 19.66 FEET TO A POINT, THENCE;
2. CONTINUING 58.31 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 7049.00 FEET, A CENTRAL ANGLE OF 00 DEGREES – 28 MINUTES – 26.2 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 53 DEGREES – 59 MINUTES – 22 SECONDS WEST, 58.31 FEET TO A POINT, THENCE;
3. CONTINUING NORTH 54 DEGREES – 13 MINUTES – 36 SECONDS WEST, 307.61 FEET TO A POINT, THENCE;
4. CONTINUING 45.11 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 3235.13 FEET, A CENTRAL ANGLE OF 00 DEGREES – 47 MINUTES – 56.2 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 53 DEGREES – 49 MINUTES – 37 SECONDS WEST, 45.11 FEET TO A POINT, THENCE;
5. CONTINUING NORTH 39 DEGREES – 3 MINUTES – 40 SECONDS EAST, 259.71 FEET TO A POINT, THENCE;
6. CONTINUING SOUTH 50 DEGREES – 56 MINUTES – 20 SECONDS EAST, 416.00 FEET TO A POINT, THENCE;
7. CONTINUING SOUTH 7 DEGREES – 1 MINUTES – 21 SECONDS EAST, 36.02 FEET TO A POINT, THENCE;
8. CONTINUING SOUTH 36 DEGREES – 53 MINUTES – 38 SECONDS WEST, 187.38 FEET TO A POINT, THENCE;
9. CONTINUING SOUTH 79 DEGREES – 44 MINUTES – 14 SECONDS WEST, 29.33 FEET TO A POINT, THENCE TO THE POINT OF THE BEGINNING

CONTAINING 109,771.20 SQUARE FEET OR 2.52 ACRES.

PM 12-16
10 AM

Debra Wiley

From: SGT ROBERT BLACK <1opie@comcast.net>
Sent: Sunday, December 15, 2019 9:56 PM
To: Barbara Lukasevich; DKarceski@Venable.com; Administrative Hearings
Subject: Recertification's For 2019-0507-A
Attachments: Re-Cert 1 2019-0507-A.doc; Re-Cert 2 2019-0507-A.doc

CAUTION: This message from 1opie@comcast.net originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Recertification's for 5270 Campbell Boulevard. Thanks.

CERTIFICATE OF POSTING

2019-0507-A

RE: Case No.: _____

Petitioner/Developer: _____

Shoppes at Nottingham Square Business Trust

December 16, 2019

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:

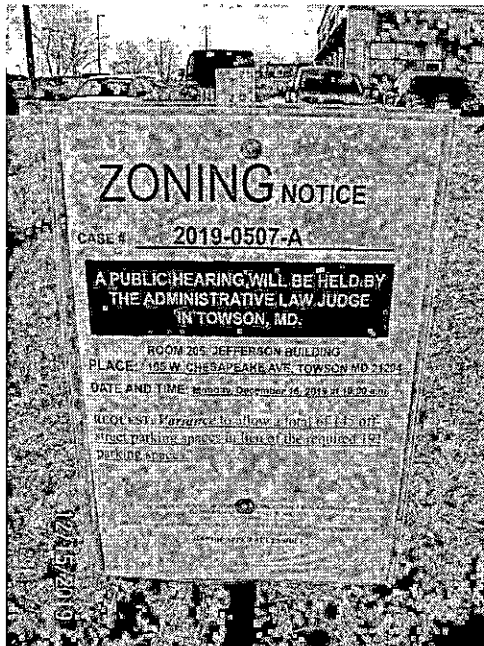
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

5270 Campbell Boulevard

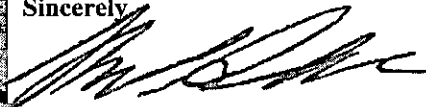
SIGN 1 Recertification

November 26, 2019

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



Sincerely,



(Signature of Sign Poster)

December 15, 2019

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2019-0507-A

RE: Case No.: _____

Petitioner/Developer: _____

Shoppes at Nottingham Square Business Trust

December 16, 2019

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

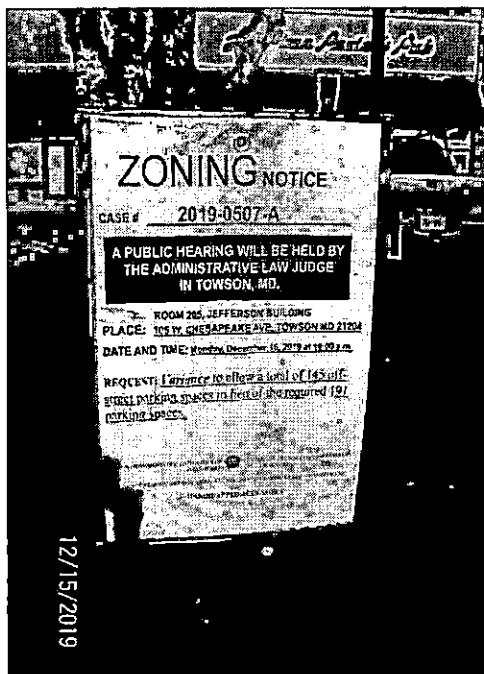
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5270 Campbell Boulevard

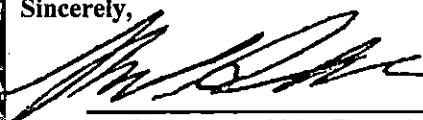
SIGN 2 Recertification

November 26, 2019

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



Sincerely,

 December 15, 2019

(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)



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

November 13, 2019

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: 2019-0507-A

5270 Campbell Boulevard
NE/s Campbell Blvd., northwest of Philadelphia Road
14th Election District – 6th Councilmanic District
Legal Owners: Shoppes at Nottingham Square Business Trust

Variance to allow a total of 145 off-street parking spaces in lieu of the required 191 parking spaces.

Hearing: Monday, December 16, 2019 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 "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Deborah Colson, V.P., P.O. Box 92129, Southlake, TX 76092

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 26, 2019**
- (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.**



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

November 13, 2019

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Michael Mallinoff
Director

MM:kl

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TO: THE DAILY RECORD
Tuesday, November 26, 2019 – Issue

Please forward billing to:

Barb Lukasevich

410-887-6352

Venable

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

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5270 Campbell Boulevard

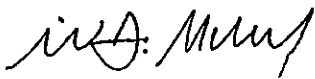
NE/s Campbell Blvd., northwest of Philadelphia Road

14th Election District – 6th Councilmanic District

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Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

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

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
5270 Campbell Boulevard; NE/S of Campbell *
Boulevard, 800' NW of Philadelphia Road * OF ADMINISTRATIVE
14th Election & 6th Councilmanic Districts HEARINGS FOR
Legal Owner(s): Shoppes at Nottingham Square*
Business Trust
Petitioner(s) * BALTIMORE COUNTY
* 2019-507-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.

RECEIVED
NOV 14 2019

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of November, 2019, 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

CERTIFICATE OF POSTING

2019-0507-A

RE: Case No.: _____

Petitioner/Developer: _____

Shoppes at Nottingham Square Business Trust

December 16, 2019

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:

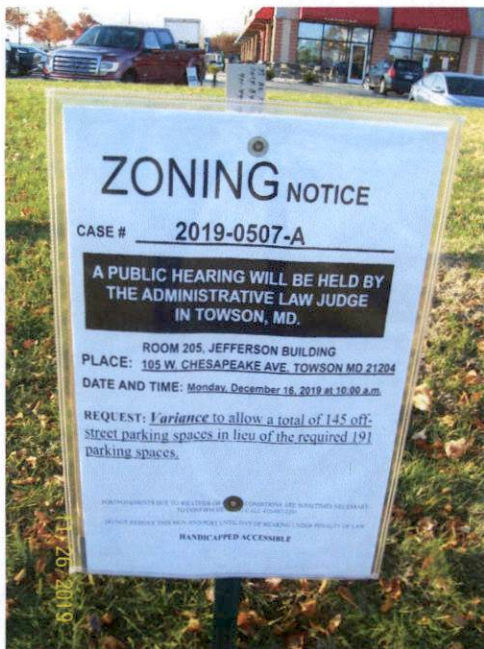
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

5270 Campbell Boulevard

SIGN 1

November 26, 2019

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



Sincerely,

 November 26, 2019
(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)

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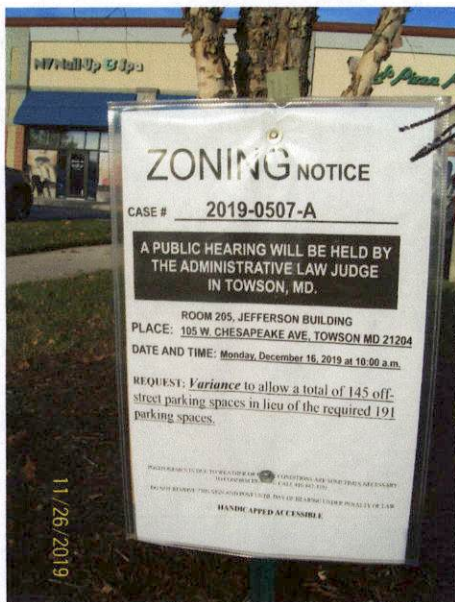
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

5270 Campbell Boulevard

SIGN 2

November 26, 2019

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



Sincerely,

November 26, 2019

(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)

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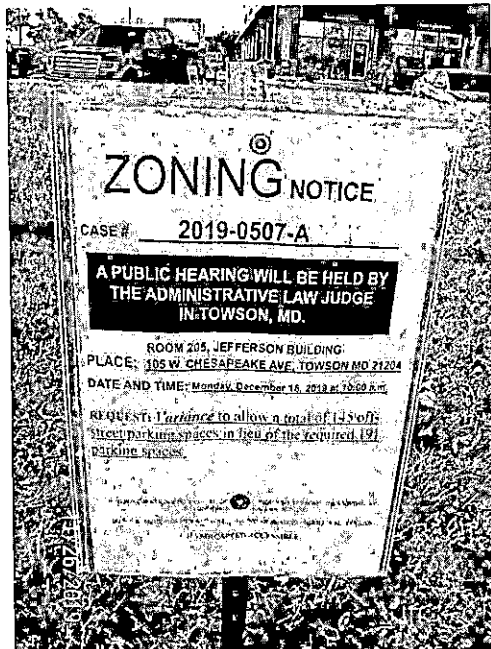
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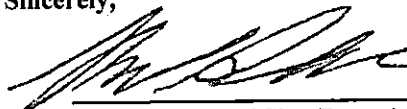
SIGN 1

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(Month, Day, Year)



Sincerely,

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(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

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Ladies and Gentlemen:

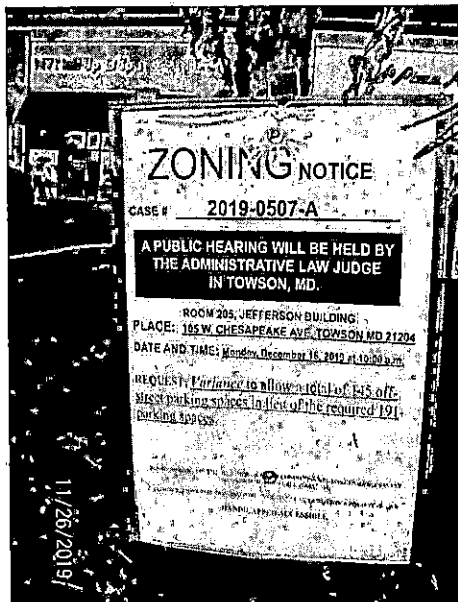
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SIGN 2

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Sincerely,

November 26, 2019

(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)

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2019-0507-A

Property Address: 5270-5282 CAMPBELL BLVD.

Property Description: NE/S OF CAMPBELL BLVD, 800' NW OF
PHILADELPHIA RD

Legal Owners (Petitioners): SHOPPES AT NOTTINGHAM SQUARE BUSINESS TRUST

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barb Lukasevich

Company/Firm (if applicable): Vencible LLP

Address: 210 W. Pennsylvania Ave.

Suite 500

Towson, MD 21204

Telephone Number: 410 887 6352

Revised 7/9/2015

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

No. 192016

PAID RECEIPT

Date:

11/5/2019

BUSINESS ACTUAL TIME DRW
11/05/2019 11/05/2019 11:07:05 5

REG WS05 WALKIN LRB
RECEIPT: 042027 11/05/2019 OFLN

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount	5	520 ZONING VERIFICATION
001	806	000.0		6130				500.00	192016	

Total: 500.00

Rec From:

Venable, LLP

For:

Variance - SAT - 5282 Campbell Blvd
2019-0507-A (Shopper at Nottingham)

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

December 10, 2019

David H. Karceski
210 W. Pennsylvania Ave Ste 500
Towson MD 21204

RE: Case Number: 2019-0507-A, 5270 Campbell Boulevard

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 November 5, 2019. 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, appearing to read "W. Carl Richards, Jr.", is written over the words "Very truly yours,".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 12/13/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-507



INFORMATION:

Property Address: 5270 Campbell Boulevard
Petitioner: Shoppes At Nottingham Square Business Trust
Zoning: BM
Requested Action: Variance

The Department of Planning has reviewed the petition for a variance from §409.6.A.2 of the Baltimore County Zoning Regulations (BCZR) to permit 145 off-street parking spaces in lieu of the required 191 parking spaces.

The site is located on the northeast side of Campbell Boulevard in the Nottingham Square shopping center. The property is zoned BM.

A site visit was conducted on 12-4-2019. The property is currently vacant but will be the home of a new Sarku Japan restaurant. It is part of a commercial building that includes three restaurants, a retail store, and a walk-in clinic. The variance request is necessary to accommodate a new restaurant use for the existing building. The existing building is part of a larger development plan with ample parking.

The Department of Planning has no objection to the variance request.

For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Division Chief:

Jenifer G. Nugent

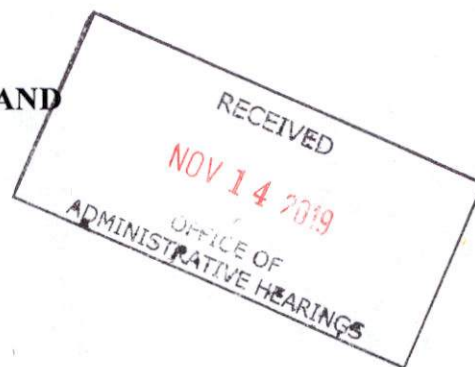
CPG/JGN/LTM/

c: Joseph Fraker
David H. Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

12-16-19

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: November 14, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0507-A
Address 5270 Campbell Boulevard
(Shoppes at Nottingham Square
Business Trust Property)

Zoning Advisory Committee Meeting of **November 8, 2019**.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: Steve Ford

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 11/12/19

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

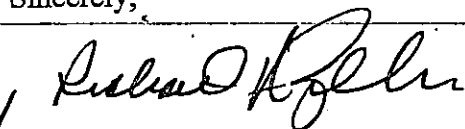
Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. 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 Case No. 2019-0507-A

*Variance
Shoppes at Nottingham Square Bus. Trust
5270 Campbell Boulevard*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11816351
 Case #: 2019-0507-A
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0507-A

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

11/26/2019



Darlene Miller, Public Notice Coordinator
 (Representative Signature)

Baltimore County

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: 2019-0507-A

5270 Campbell Boulevard

NE/s Campbell Blvd., northwest of Philadelphia Road

14th Election District - 6th Councilmanic District

Legal Owners: Shoppes at Nottingham Square Business Trust

Variance to allow a total of 145 off-street parking spaces in lieu of the required 191 parking spaces.

Hearing: Monday, December 16, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

Michael Mallinoff

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 410-887-3891.

n26

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 12/13/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-507

INFORMATION:

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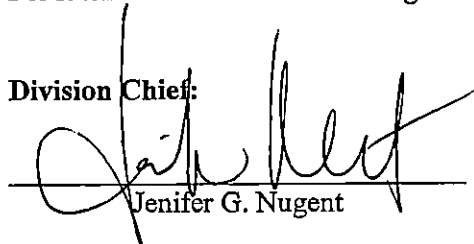
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For further information concerning the matters stated herein, please contact Joseph Fraker at 410-887-3480.

Division Chief:



Jenifer G. Nugent

CPG/JGN/LTM/

c: Joseph Fraker
David H. Karceski, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

CASE NAME 5270 Campbell Blvd
CASE NUMBER 2019-507-A
DATE 12/16/19

[illegible]

CASE NO. 2019-

0507-A

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW

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

11/14

DEPS

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

NO COMMENT

FIRE DEPARTMENT

12/13/19

PLANNING

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

NO Obj

11/12

STATE HIGHWAY ADMINISTRATION

NO Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

11/26/19

SIGN POSTING (1st)

Date:

11/26/19

by SSG Black

SIGN POSTING (2nd)

Date:

12-15-19

by "

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Account Identifier:		District - 14 Account Number - 2300010302			
Owner Information					
Owner Name:	SHOPPES AT NOTTINGHAM SQUARE BUSINESS TRUST		Use:	COMMERCIAL	
Mailing Address:	% ALTUS GROUP P O BOX 92129 SOUTHLAKE TX 76092-		Principal Residence:	NO	
			Deed Reference:	/22130/ 00727	
Location & Structure Information					
Premises Address:	5270 CAMPBELL BLVD 0-0000		Legal Description:	2.5156 AC 5270-5298 CAMPBELL BLVD WHITE MARSH COMMUNITY	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:
0082	0010	0859	10000.04	0000	
					Block:
					30C
					Lot:
					2019
					Assessment Year:
					Plat No:
					0073/
					Plat Ref:
					0062
Special Tax Areas: None			Town: None		
			Ad Valorem: None		
			Tax Class: None		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
2005	22,704 SF		2.5200 AC	06	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath
		RETAIL STORE	/	C3	
					Garage
					Last Notice of Major Improvements
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2019	07/01/2019	07/01/2020	
Land:	2,515,600	2,515,600			
Improvements	5,676,500	6,073,600			
Total:	8,192,100	8,589,200	8,324,467	8,456,833	
Preferential Land:	0			0	
Transfer Information					
Seller: NOTTINGHAM VILLAGE INC		Date: 06/29/2005		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /22130/ 00727		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2019	07/01/2020		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	0.00 0.00		
Tax Exempt: None		Special Tax Recapture: None			
Exempt Class: None					
Homestead Application Information					
Homestead Application Status: No Application					

Homeowners' Tax Credit Application Status: No Application

Date:



CHRIS ARMSTRONG, PE **PROJECT MANAGER**

carmstrong@bohlereng.com

EDUCATION

B.S. Civil Engineering
University of Delaware

PROFESSIONAL LICENSES

Maryland PE #36521

PROFESSIONAL AFFILIATIONS

NAIOP

Urban Land Institute - Baltimore

Chris currently serves as a project manager in Bohler's Towson, MD office. With over 13 years of civil engineering design and project management experience, he brings a wealth of knowledge and problem solving abilities to each project.

Chris has expert knowledge in stormwater management, roadway design, commercial site layout, construction inspections, site meetings, cost estimating, plan review and agency coordination, and various other aspects of civil engineering.

SELECT PROJECT EXPERIENCE

Circle East Development, Towson, MD

Goucher College, Froelicher Hall, MD

The Avenue at White Marsh, White Marsh, MD

CVS, Parkville, MD

Silver Diner, Frederick, MD

Flats at 703, Towson, MD

CVS, Nottingham, MD

Walgreens, Nottingham, MD

Brightview Senior Living, Catonsville, MD

YMCA, Catonsville, MD

YMCA, Towson, MD

Kimco Fullerton, Baltimore, MD

Chick-fil-a, Nottingham, MD

Chick-fil-a, Baltimore, MD

PETITIONER'S EXHIBIT 2



BOHLER
ENGINEERING

IN RE: PETITION FOR VARIANCE
(5198 Campbell Blvd.)
14th Election District
6th Council District
Retail Properties Business Trust
Legal Owner
Chick-Fil-A, Inc.
Lessee
Petitioners

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2016-0011-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of Retail Properties Business Trust, the legal owner of the subject property, and Chick-Fil-A, Inc., Lessee ("Petitioners"). The Petitioners are requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §§ 409.6 and 409.10.B (1) to allow 66 off-street parking spaces in lieu of the required 80 parking spaces; and (2) to allow a drive-thru lane to cross principal pedestrian access to the building, if necessary. The subject property and requested relief is more fully depicted on the site plan that was marked as Petitioners' Exhibit 1.

Rex Powell of Chick-Fil-A appeared in support of the petition. David H. Karceski, Esq. represented the Lessee. The Petition was advertised and posted as required by the B.C.Z.R. No Protestants or interested citizens attended the hearing. There were no substantive Zoning Advisory Committee (ZAC) comments received.

The subject property is approximately 1.3 acres and is zoned BM. The property is improved with a Chick-Fil-A restaurant which has operated at the location for over ten years. The restaurant plans to add a second drive-thru lane and construct a small addition to the kitchen and storage areas, as shown on the site plan. Exhibit 1. To do so zoning relief is required.

ORDER RECEIVED FOR FILING

Date 10/11/15

By SEN

PETITIONER'S EXHIBIT

7

To obtain variance relief requires a showing that:

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

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

Petitioners have met this test. The pad site on which the restaurant is located is part of an overall White Marsh Community plan, a sprawling land area with many different uses and owners. Exhibit 6. In addition, the White Marsh Run is adjacent to the site which imposes a variety of environmental constraints upon the property. Therefore, the property is unique. If the Regulations were strictly interpreted, Petitioners would experience a practical difficulty because they could not construct the proposed improvements. 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 Baltimore County and/or community opposition.

THEREFORE, IT IS ORDERED, this 1st day of October, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") §§ 409.6 & 409.10.B: (1) to allow 66 off-street parking spaces in lieu of the required 80 parking spaces; and (2) to allow a drive-thru lane to cross principal pedestrian access to the building, be and is hereby GRANTED.

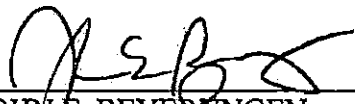
The relief granted herein shall be subject to the following:

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.

ORDER RECEIVED FOR FILING

Date 10/11/15
By SEN

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



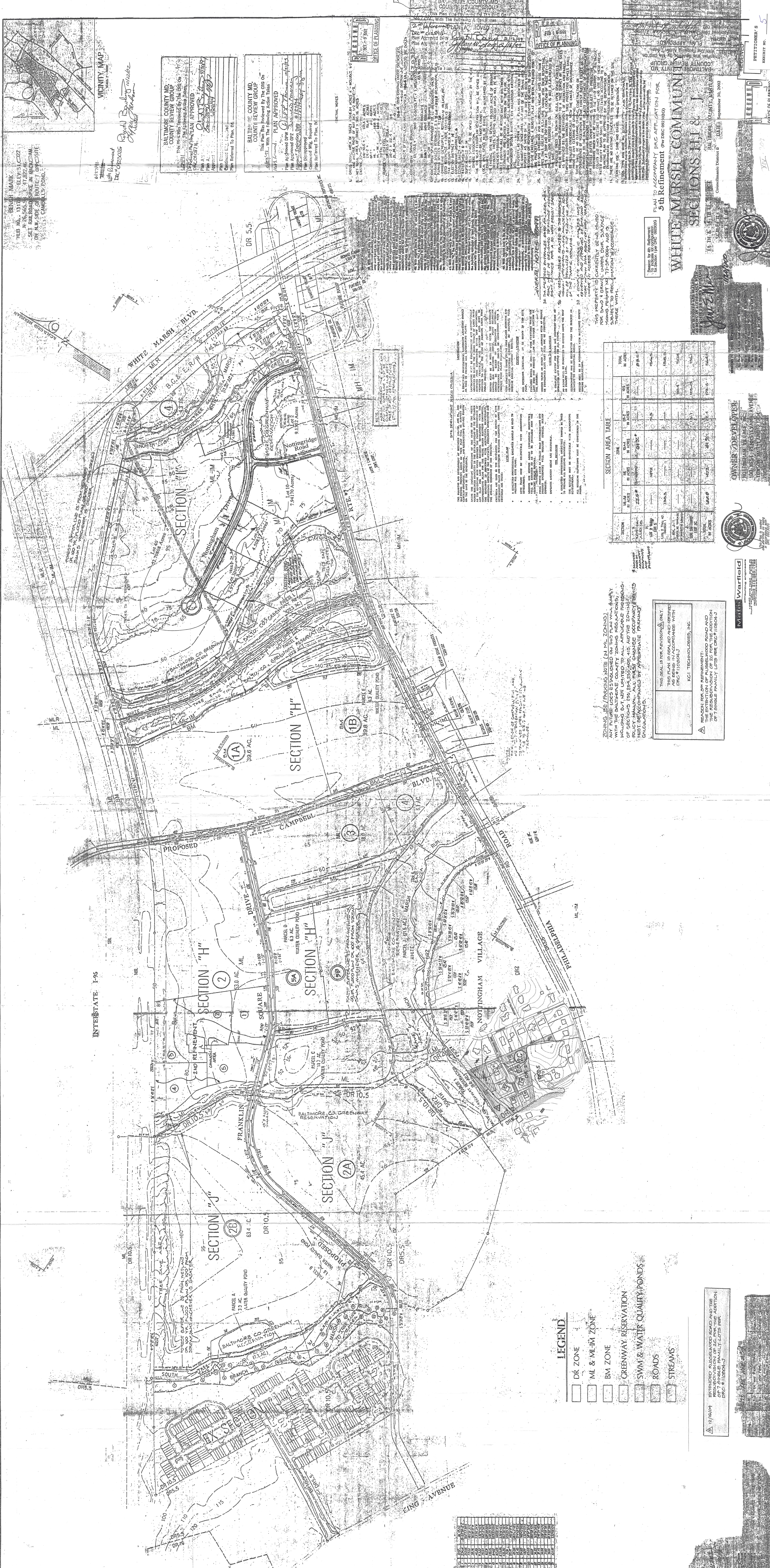
JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:slm

ORDER RECEIVED FOR FILING

Date 10/1/15

By slm



ZONING JOE / PARKING NOTE (N ML ZONING).
ANY FUTURE USES ESTABLISHED ON THIS PLAN WILL COMPLY
WITH THE BALTIMORE COUNTY ZONING REGULATIONS,
INCLUDING BUT NOT LIMITED TO ALL APPLICABLE PROVISIONS
OF SECTIONS 289, 284-285, 289, 413, AND THE ZONING
POLICY MANUAL. ALL FUTURE CHANGES OCCUPANCY PERMITS
MUST BE ACCOMPANIED BY APPROPRIATE "PARKING"

SECTION AREA TABLE									
No.	SECTION	M.C.A.S	ZONE				TOTAL W. ADJCS		
			I ADJCS	II ADJCS	III ADJCS	IV ADJCS			
1	1000	225.6	1000	0	0	0	225.6		
2	1000	1000	1000	0	0	0	1000		
3	1000	1000	1000	0	0	0	1000		
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178	1000	1000	1000	0	0	0	1000		
179	1000	1000	1000	0	0	0	1000		
180	1000	1000	1000	0	0	0	1000		
181	1000	1000	1000	0	0	0	1000		
182	1000	1000	1000	0	0	0	1000		
183	1000	1000	1000	0	0	0	1000		
184	1000	1000	1000	0	0	0	1000		
185	1000	1000	1000	0	0	0	1000		
186	1000	1000	1000	0	0	0	1000		
187	1000	1000	1000	0	0	0	1000		
188	1000	1000	10						

THIS SEAL IS FOR REVISION **A** ONLY.
THIS PLAN IS SEALED AND CERTIFIED
IN ACCORDANCE WITH
CRC #110943

KCI TECHNOLOGIES, INC.

REASON FOR OWN REFINEMENT:
THE EXTENSION OF AUSLEUBERG ROAD AND
THE RECONFIGURATION OF 32 FOR THE ADDITION
OF A SINGLE FAMILY LOT. LOT FOR CRC 110943-3

LEGEND

	DR ZONE
	ML & ML+M ZONE
	BM ZONE
	GREENWAY RESERVAT
	SWM & WATER QUAL
	ROADS
	STREAMS

EXTENDED RUSSELLWOOD ROAD AND THE
RESUBDIVISION OF 22. FOR THE ADDITION
OF 7 SINGLE FAMILY LOTS PER
DRC # 110804-J

Mathis Warfield
eConsulting engineers
10540 York Avenue, Suite 310
Hunt Valley, MD 21086
Telephone 410-388-7700
Fax 410-388-7708
www.mathiswarfield.com

OWNER/DEVELOPER:
ROTHMAN VILLAGE, INC.
100 WEST PENNSYLVANIA AVENUE
FLOOR 20, PITTSBURGH, PA 15222

RECEIVED
PETITIONER'S
EXHIBIT NO. 5

[illegible]

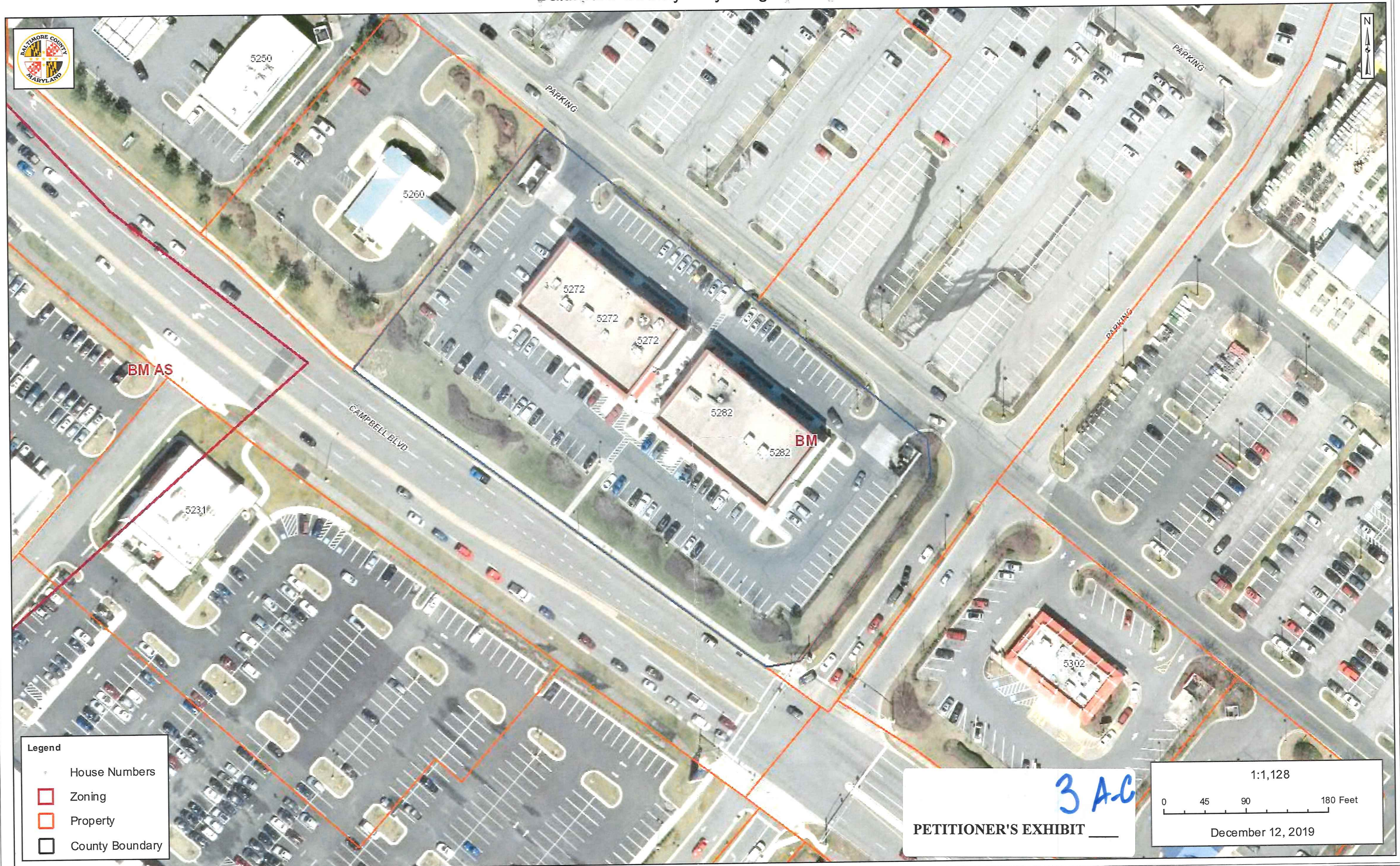
GENERAL NOTES:

- PETITIONER'S EXHIBIT

PROFESSIONAL CERTIFICATION
I, CHRISTOPHER W. ARMSTRONG, 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. 36521, EXPIRATION DATE: 6/7/20

SHEET TITLE:	
PLAN TO ACCOMPANY VARIANCE REQUEST	
SHEET NUMBER:	1
REVISION 0 - 10/25/19	

Baltimore County - My Neighborhood



Legend

- House Numbers
- Zoning
- Property
- County Boundary

PETITIONER'S EXHIBIT

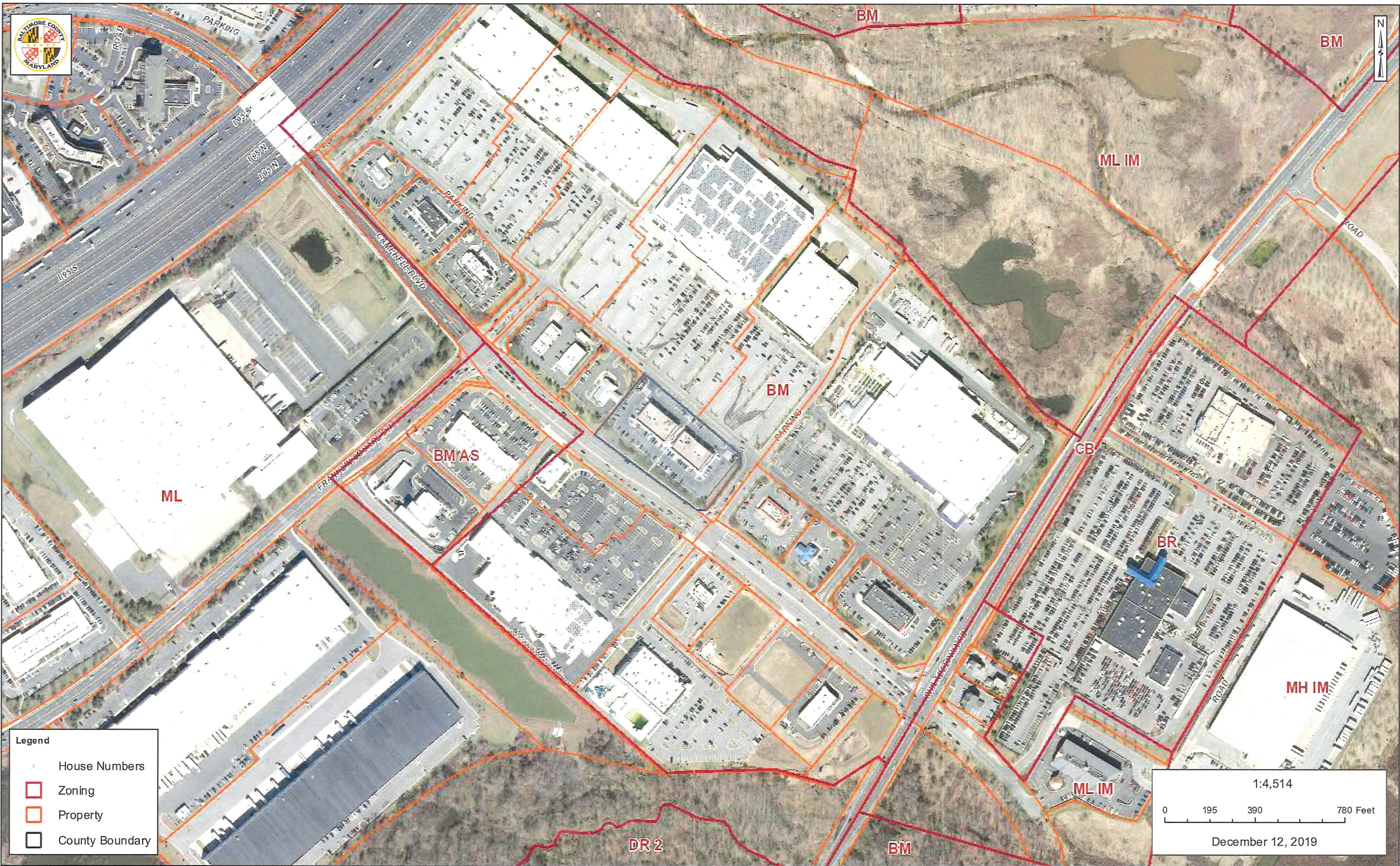
3 A-C

1:1,128

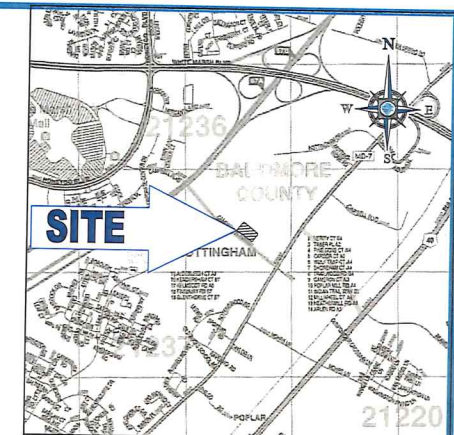
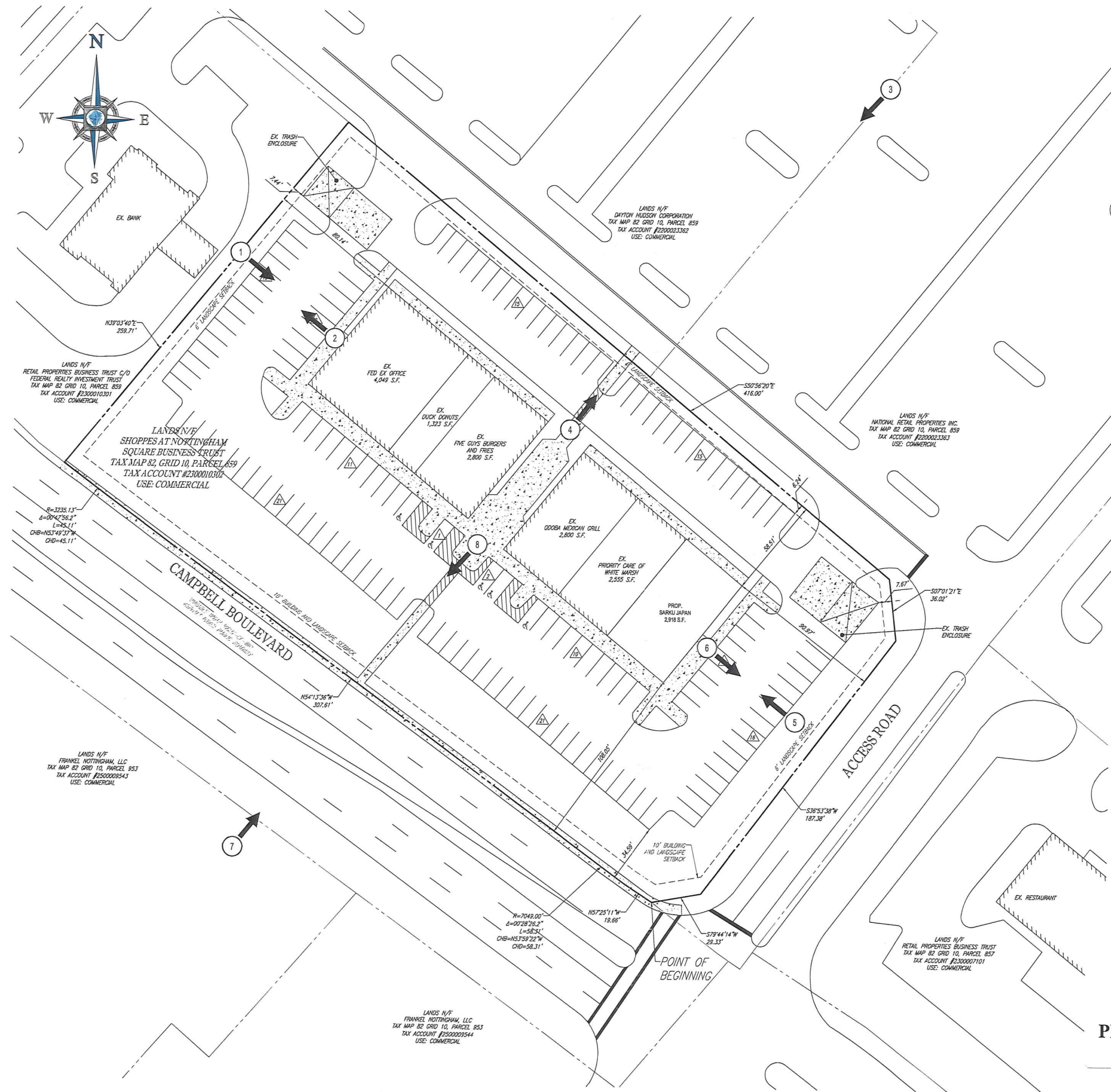
0 45 90 180 Feet

December 12, 2019

Baltimore County - My Neighborhood (Wide)



[illegible]



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

[illegible]

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PROJECT No.:	MD192237
DRAWN BY:	CLF
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DATE:	12/13/19
CAD I.D.:	EXA-0

PROJECT:

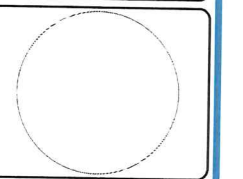
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FEDERAL REALTY
INVESTMENT
TRUST

5270 CAMPBELL BLVD.
SHOPPES I AT
NOTTINGHAM SQUARE
NOTTINGHAM, MD 21236
BALTIMORE COUNTY



01 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com



SHEET TITLE:

PHOTO
LOCATION MAP

SHEET NUMBER: _____

REVISION 0 - 12/13/19

CF H:\151MD\102237\DRAWINGS\EXHIBITS\PHOTO TO LOCATION\151MD\102237-EXA-0----->LAYOUT.01 - PHOTO LOCATION MAP

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**SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES**

REVISIONS

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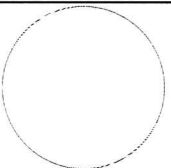
PROJECT No.:	MD192237
DRAWN BY:	CLF
CHECKED BY:	CWA
DATE:	12/13/19
CAD I.D.:	EXA-0

PROJECT:
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LOCATION MAP

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DATE:	12
CAD I.D.:	

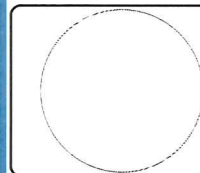
PROJECT:
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NOTTINGHAM
SQUARE
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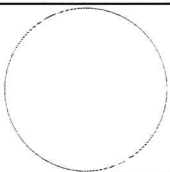


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PHOTO
LOCATION MAP

SHEET TITLE:



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CHECKED BY:
DATE:
CAD I.D.:
EXA-0
12/13/19
CWA
CF
MD19223/

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REVISIONS			
REV	DATE	COMMENT	DESIGNED BY



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SITE CIVIL AND CONSULTING ENGINEERING

LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

AN ACCOUNT OF THE FUTURE OF CIVIL ENGINEERING IN THE 21ST CENTURY. BOHLER ENGINEERING, A LEADING PROVIDER OF CIVIL ENGINEERING SERVICES, HAS DEVELOPED A STRATEGIC PLAN FOR THE FUTURE OF CIVIL ENGINEERING. THE PLAN IS BASED ON THE FOLLOWING FACTORS: THE GROWING DEMAND FOR CIVIL ENGINEERING SERVICES, THE NEED FOR INNOVATION AND TECHNOLOGY, THE CHALLENGE OF SUSTAINABLE DESIGN, AND THE IMPORTANCE OF COLLABORATION AND TEAMWORK. BOHLER ENGINEERING IS COMMITTED TO PROVIDING THE HIGHEST QUALITY OF SERVICE TO OUR CLIENTS AND TO BEING A LEADER IN THE INDUSTRY.





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SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
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[illegible]

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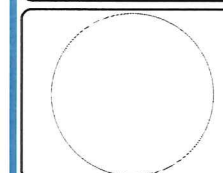
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DRAWN BY:	C
CHECKED BY:	CV
DATE:	12/13
CAD I.D.:	EXA

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BALTIMORE COUNTY



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TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
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SHEET TITLE:

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DRAWN BY:	CL
CHECKED BY:	CW
DATE:	12/13/1
CAD I.D.:	EXA

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NOTTINGHAM, MD 21236
BALTIMORE COUNTY

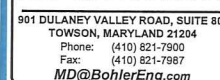


PHOTO
LOCATION MAP

SHEET NUMBER: _____

REVISION 0 - 12/13/19

LEGEND
EXISTING CONTOUR
PROP. GRADE
EASEMENT
PROP. CONC. C. & G.
PROP. DRAINS
PROP. SANITARY
PROP. WATER
ZONING LINE
BUILDING ENVELOPE AREA

(NOTE ALL UTILITIES SHOWN
HEREON TO BE PRIVATE
UNLESS OTHERWISE NOTED)

CHICK-FIL-A PROPERTY INFORMATION

TAX ACCOUNT NUMBER:
2400002796
PROPERTY OWNER:
RETAIL PROPERTIES BUSINESS TRUST
C/O FEDERAL REALTY INVESTMENT TRUST
PROPERTY ADDRESS:
5198 CAMPBELL BOULEVARD
NOTTINGHAM, MD 21236
PROPERTY ZONE:
BM - BUSINESS MAJOR
PREVIOUS ZONING CASES:

CASE NO. 2016-0011-A
ON OCTOBER 1, 2016 THE ADMINISTRATIVE LAW JUDGE OF BALTIMORE COUNTY GRANTED
A VARIANCE TO ALLOW 66 OFF-STREET PARKING SPACES IN LIEU OF THE REQUIRED 80
PARKING SPACES AND TO ALLOW A DRIVE-THRU LANE TO CROSS PRINCIPAL PEDESTRIAN
ACCESS TO THE BUILDING.

FOREST BUFFER EASEMENT

BALTIMORE COUNTY 100 YR. FLOODPLAIN & GREENWAY
RESERVATION

STORM DRAIN OUTFALLS TO BE EXTENDED TO
WATER QUALITY FACILITY (SEE NOTE)

2ND CRG REFINEMENT



PROFESSIONAL CERTIFICATION
I, ANDREW G. STINE, 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. 87897, EXPIRATION DATE: 7/1/27

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

PURPOSE STATEMENT

THE PURPOSE OF THE REFINEMENT IS FOR A 633 S.F. BUILDING
ADDITION TO THE EXISTING CHICK-FIL-A RESTAURANT AND A
DUAL-ORDER POINT DRIVE-THRU.

INTERSTATE 95

CAMPBELL BOULEVARD

ENTRANCE DETAIL
SCALE 1" = 50'

LANDSCAPE CALCULATIONS

REQUIREMENT
• ADJACENT ROAD 1P.U./40 LF X 1800 LF 45 P.U.
• INTERIOR ROAD 1P.U./20 LF X 6810 LF 340.5 P.U.
• PARKING AREA 1P.U./12 SPS. X 2000 SPS. 166.7 P.U.
• SCREENING CLASS B PARKING LOT FROM
PUBLIC R/W 1 P.U./15 LF X 260 17.3 P.U.

TOTAL PLANTING UNITS REQUIRED = 570 P.U.
TOTAL PLANTING UNITS PROVIDED = TO MEET OR EXCEED REQUIREMENT

WATER QUALITY MANAGEMENT FOR THIS SITE TO BE PROVIDED IN MASTER FACILITY
AS DETERMINED BY THE BALTIMORE COUNTY DEPT. OF ENVIRONMENTAL PROTECTION
AND RESOURCE MANAGEMENT.

SITE SPECIFIC DETAILS FOR THE INDIVIDUAL LOTS 10, 20, AND 30 WILL BE PROVIDED ON
PLANS SUBMITTED IN CONJUNCTION WITH PERMIT APPLICATIONS. IT IS UNDERSTOOD THAT THE
DEVELOPMENT OF THESE LOTS MUST BE COMPLIANT WITH ALL APPLICABLE RULES AND
REGULATIONS OF THE BCZ. SPECIFIC SITE PLAN REVIEW OF THESE INDIVIDUAL PAD SITE USES
WILL BE NECESSARY AT THE TIME OF PERMIT APPLICATION. HOWEVER, IT IS NOT INTENDED
TO SUBJECT THE DEVELOPMENT OF THE INDIVIDUAL PAD SITES TO ADDITIONAL REVIEW BY THE
CRG/DCR.

OWNER/DEVELOPER
NOTTINGHAM VILLAGE, INC.
100 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(410) 823-0545

PARKING TABULATION
LOT 10:
PARKING REQUIRED: 320,000 SF SHOPPING CENTER (RETAIL)
@ 5 SPS/1,000 SF = 1,600 SPACES
PARKING PROVIDED = 1,600 SPACES
LOT 20 AND 30:
PARKING REQUIRED: 30,000 SF (USES PERMITTED AS OF RIGHT OR BY SPECIAL EXCEPTION
SUCH AS RESTAURANTS, RETAIL, SERVICE USES, SERVICE STATIONS, OFFICES,
ETC.) PARKING REQUIREMENT TO BE DETAILED ON PERMIT PLANS
PARKING PROPOSED: PARKING PROVIDED TO MEET OR EXCEED BCZ PARKING REQUIREMENTS
FOR INDIVIDUAL USES. PARKING PROVIDED TO BE DETAILED ON ALL
PERMIT PLANS SUBMITTED WITH BUILDING APPLICATION.

MAR 24 2016
DEPARTMENT OF PLANNING

DRAWN: EM/IM
CHK: JEN
IN 07264

PUBLIC SERVICES C.R.G. NO. 91138
PLANNING NO. XIV-302

LOTS 10, 20 AND 30, SECTION H, OFFICE OF
WHITE MARSH BUSINESS COMMUNITY PLANNING & ZONING
(FORMERLY LOTS 1 & 2 S.M. 63/105)
DETAILED PLAN

NOTTINGHAM SQUARE
A PLANNED SHOPPING CENTER

BALTIMORE COUNTY, MD.
SCALE: 1" = 100'

ELECTION DISTRICT # 14
DATE: FEB 18 1994
REV 3/30/24 (COUNTY COMMENTS)
REV 2/26/24 (COUNTY COMMENTS)

PETITIONER'S

EXHIBIT NO. 6

GENERAL NOTES

EXISTING USE- VACANT
PROPOSED USE- PLANNED SHOPPING CENTER
370,000 S.F. GROSS BUILDING AREA-TOTAL LOTS 10, 20, & 30
SITE DATA CHART

Existing Zoning	Lot 10	Lot 20	Lot 30	OVERALL
Lot Area	1.2 Acres	31.6 Acres	3.3 Acres	1.5 Acres
A.O.S.	n/a	n/a	n/a	n/a
F.A.R. permitted	2.0	4.0	4.0	2.0
F.A.R. proposed	none	0.25	0.25	none

PROPOSED BUILDING HEIGHT - 40 FEET
DEED REFERENCE: 4862/594
TAX ACCOUNT # 1414065918
ELECTION DISTRICT # 14
COUNCILMANIC DISTRICT # 6
CENSUS TRACT 4407
WATERSHED # 6
SUBSEWERSHED 14
ADT - 47 X 400 = 18,800 TRIPS
THE PROPERTY SHOWN HEREON IS ALL OF LOT 1A AND PART OF LOT 1B AS
SHOWN ON THE APPROVED C.R.G. PLAN FOR SECTION H, I AND J, DATED 6/27/91
(APPROVAL DATE)
A PORTION OF THIS PROPERTY SHOWN HEREON HAS BEEN RECORDED AS LOTS 1
AND 2 ON A PLAT ENTITLED PLAT OF PORTION OF SECTION H, WHITE MARSH
BUSINESS COMMUNITY DATED APRIL 23, 1993.
STORM WATER MANAGEMENT WATER QUALITY TO BE PROVIDED IN REGIONAL
FACILITIES, EXCEPT FOR THE SOUTHWEST CORNER OF LOT 20 WHICH MAY BE
PROVIDED ON SITE.
THERE ARE NO KNOWN EXISTING CRITICAL AREAS, ARCHEOLOGICAL SITES,
ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THE SITE.

THE PROPOSED DEVELOPMENT OF LOTS 10, 20, AND 30 COMPLIES WITH THE DEFINITION OF A
PLANNED SHOPPING CENTER IN THAT:
(1) LOTS 10, 20, AND 30 ARE UNDER COMMON CONTROL BY VIRTUE OF A DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS IMPOSED BY THE COMMON OWNERS, LESSEES,
AND OCCUPANTS OF NOTTINGHAM SQUARE.
(2) THE SITE IS GREATER THAN 3 ACRES.
(3) VEHICULAR ACCESS IS PROVIDED TO PHYSICALLY SEPARATE BUILDINGS ON SITE BY MEANS OF
INTERIOR SERVICE DRIVES.
(4) VEHICULAR ACCESS TO THE SITE IS LIMITED TO THAT SHOWN HEREON.

LOT 10 WILL BE CONDOMINIUM UNITS FOR SALE OR FOR LEASE

LOTS 20 AND 30 WILL BE INDIVIDUAL PAD SITES, WHICH MAY BE RESUBDIVIDED IN THE FUTURE TO
ALLOW FOR SALE OR FOR LEASE. INDIVIDUAL USES ARE NOT DEFINED AT THIS TIME,
BUT WILL CONSIST OF USES PERMITTED BY RIGHT OR BY SPECIAL EXCEPTION. THESE
USES INCLUDE, BUT ARE NOT LIMITED TO, RESTAURANTS, AUTOMOTIVE SERVICES,
FREESTANDING RETAIL, OFFICES, ETC. THIS DETAILED PLAN PROVIDES ONLY FOR
PRELIMINARY APPROVAL OF THESE LOTS. SITE SPECIFIC DETAILS WILL BE PROVIDED ON
PLANS SUBMITTED IN CONJUNCTION WITH PERMIT APPLICATIONS. ALL SITES MUST BE
COMPLIANT WITH THE RULES AND REGULATIONS OF THE BCZ.
TYPICAL PAD SITE LAYOUT DETAILED ON LOT 30

COUNTY REVIEW GROUP

CRG APPROVAL DATE: 04-25-14 CRG NUMBER: 1023156

REFINEMENT/AMENDMENT NUMBER: 200

APPROVED FOR PLANNING: J. Kennedy 3/26/16

APPROVED FOR PLANNING: J. Kennedy 3/26/16

BUILDING ENVELOPES SHOWN HEREON ARE APPROXIMATE ONLY TO ALLOW FOR
FLEXIBILITY IN THE SITING OF THE BUILDINGS. THE BUILDING ENVELOPE MAY BE
ADJUSTED AS NECESSARY, SUBJECT TO COMPLIANCE WITH THE APPLICABLE YARD
REQUIREMENTS, TO PROVIDE FOR A IMPROVED DESIGN WHEN ACCOMMODATING A
LARGER BUILDING FLOORPLATE.

ALL PARKING AND MANUEVERING AREAS WILL BE PAVED WITH A DURABLE, DUSTLESS
SURFACE AND WILL BE PERMANENTLY STRIPED.

THIS DETAILED PLAN IS SUBMITTED IN ACCORDANCE WITH
NOTE 34 OF THE APPROVED CRG PLAN FOR THIS
DEVELOPMENT. THE PURPOSE IS OF THIS PLAN IS TO
PROVIDE FOR COUNTY AGENCY REVIEW, COMMENT, AND
APPROVAL. UPON APPROVAL, THIS DETAILED PLAN WILL
BECOME PART OF THE APPROVED CRG PLAN.

PRINT DATE

APR 25 1994

G.W. STEPHENS, JR.

& ASSOC., INC.

PUBLIC SERVICES C.R.G. NO. 91138
PLANNING NO. XIV-302

LOTS 10, 20 AND 30, SECTION H, OFFICE OF
WHITE MARSH BUSINESS COMMUNITY PLANNING & ZONING
(FORMERLY LOTS 1 & 2 S.M. 63/105)
DETAILED PLAN

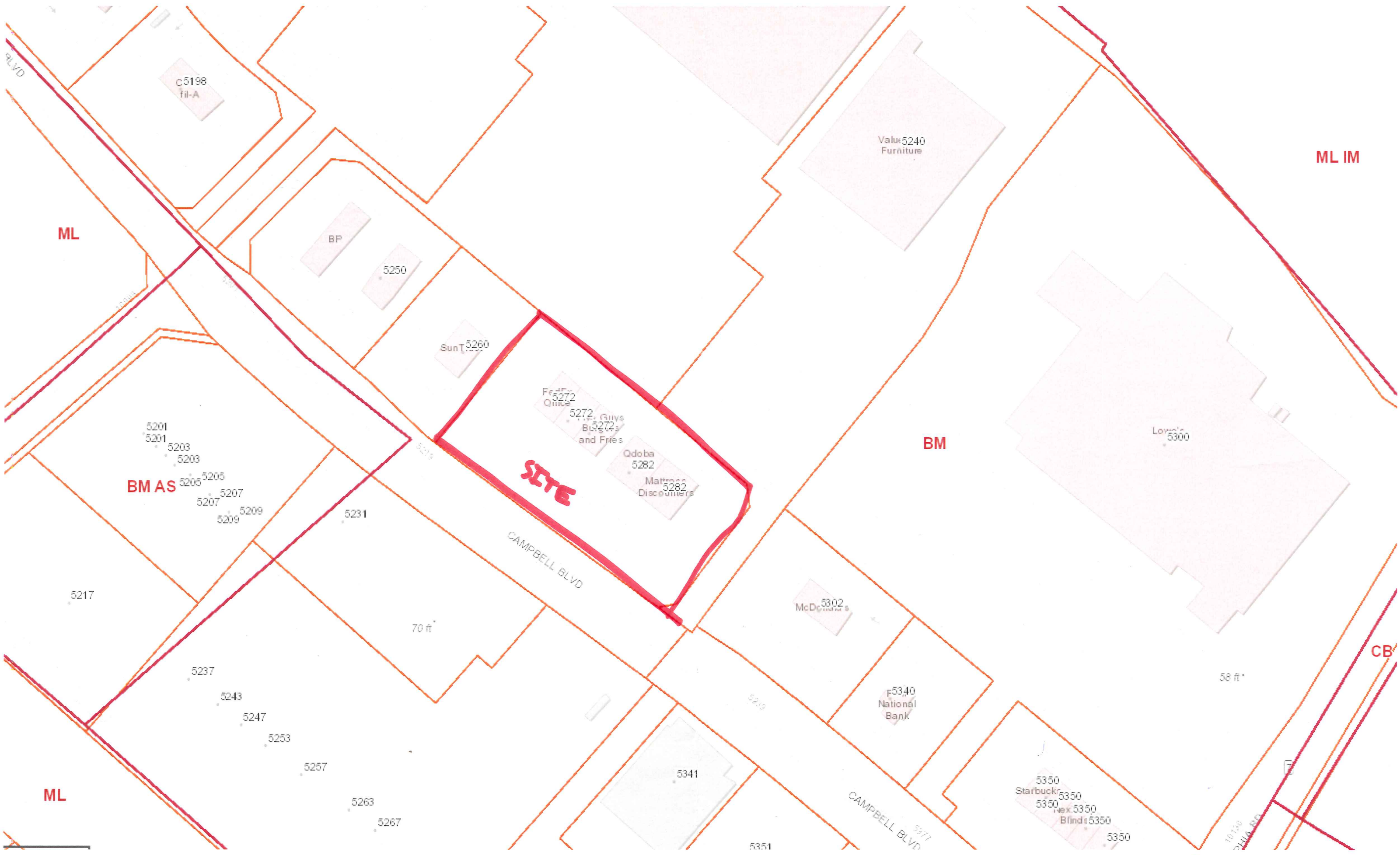
NOTTINGHAM SQUARE
A PLANNED SHOPPING CENTER

BALTIMORE COUNTY, MD.
SCALE: 1" = 100'

ELECTION DISTRICT # 14
DATE: FEB 18 1994
REV 3/30/24 (COUNTY COMMENTS)
REV 2/26/24 (COUNTY COMMENTS)

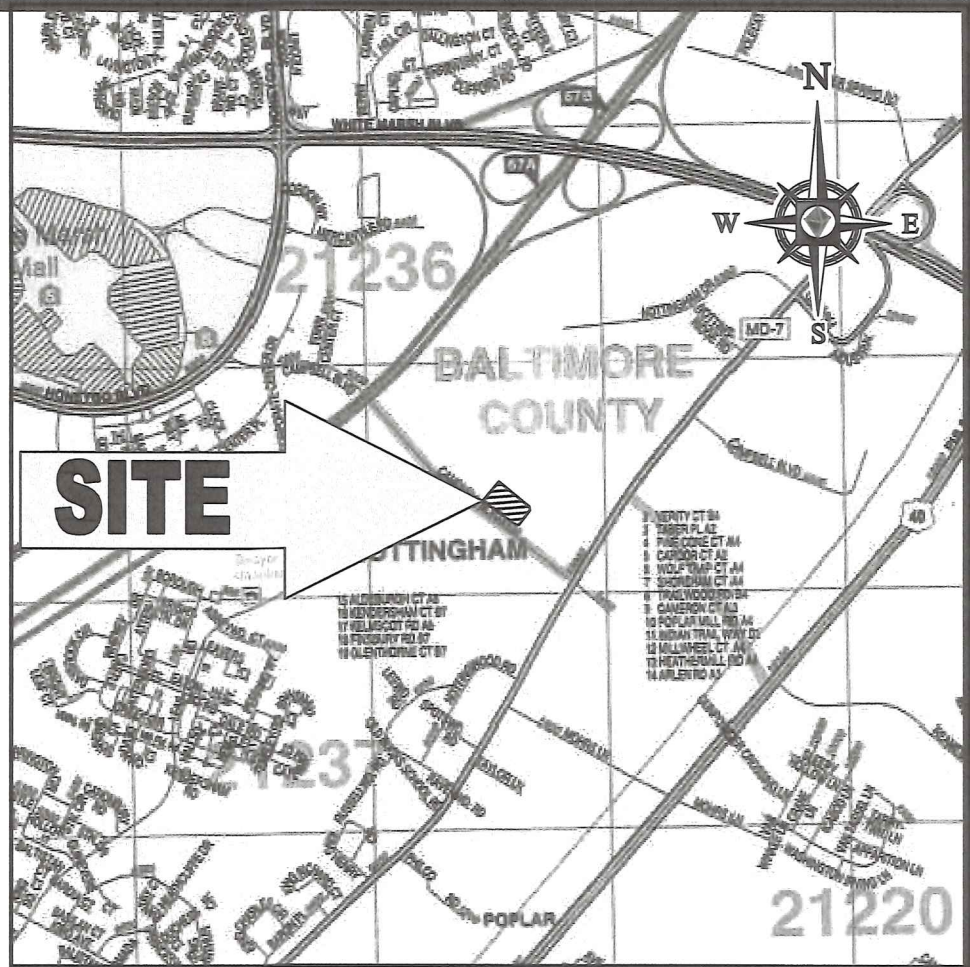
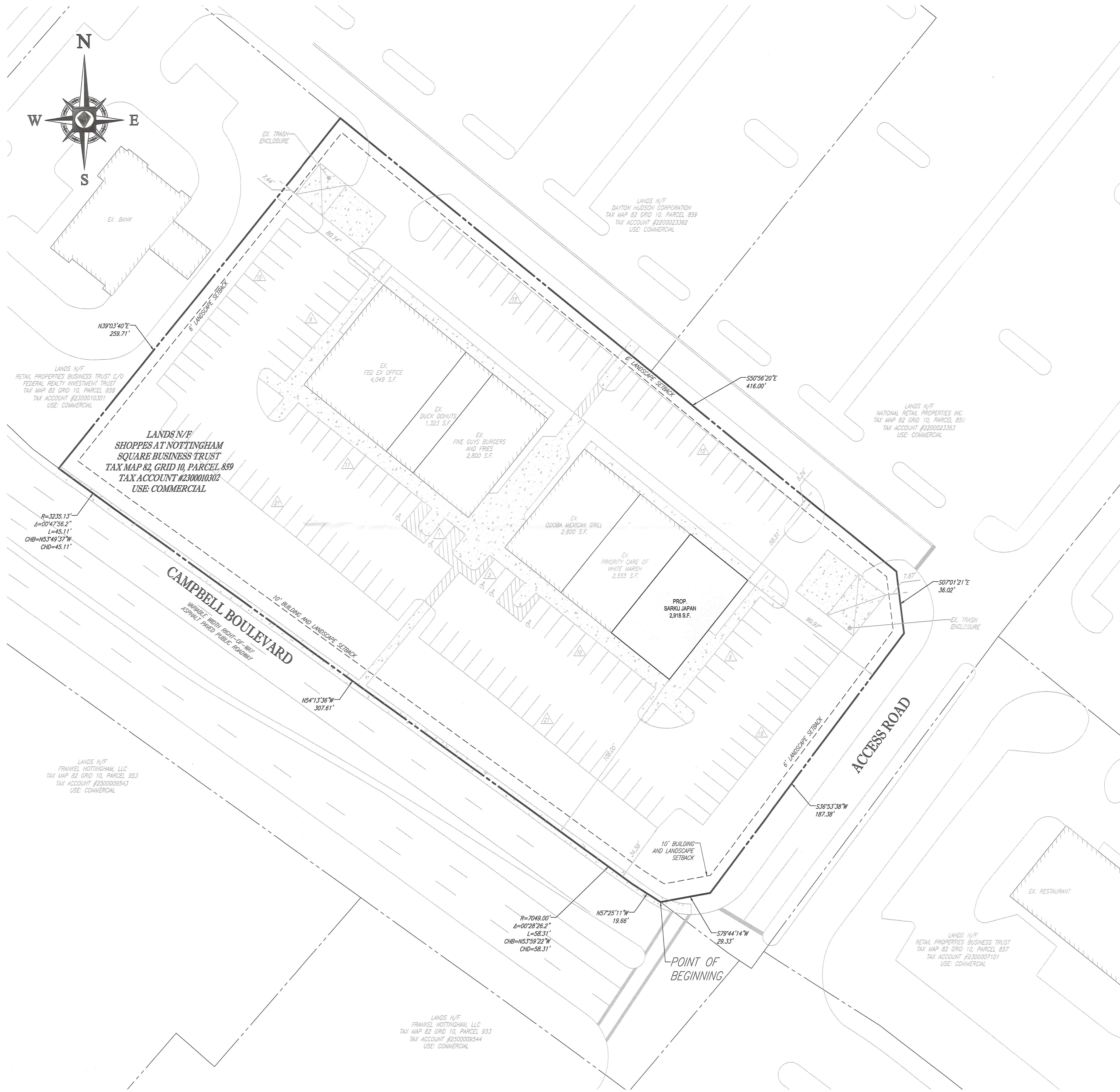
PETITIONER'S

EXHIBIT NO. 6



2019-0507-A

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LOCATION MAP
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SCALE: 1"=2000'

ZONING HISTORY

CASE NO. 2008-0133-A (APPROVED 11/07/09)
VARIANCE TO PERMIT A MAXIMUM AGGREGATE SIGN AREA OF 1,070 SQUARE FEET IN LIEU OF THE PERMITTED 480 SQUARE FEET AND FOR APPROVAL TO ERECT MORE THAN ONE WALL-MOUNTED SIGN FOR EACH SEPARATE EXTERIOR ENTRANCE.

GENERAL NOTES:

- PROPERTY INFORMATION:
 - A. SITE ADDRESS: 5270 CAMPBELL BOULEVARD
 - B. SITE AREA: 109,771 S.F. OR 2.52 AC
 - C. ELECTION DISTRICT: 14
 - D. COUNCILMANIC DISTRICT: 6
 - E. ADC MAP: 6408
 - F. CENSUS TRACT: 4113.02
 - G. TAX MAP: 82
 - H. PARCEL: 859
 - I. TAX ACCOUNT NO.: 2300010302
- ZONING: BM
- ZONING MAP REFERENCE: 082-B2
- LAND USE: EXISTING: RETAIL STORE, RESTAURANTS, AND WALK-IN CLINIC
PROPOSED: RETAIL STORE, RESTAURANTS, AND WALK-IN CLINIC
- FLOOR AREA RATIO: ALLOWABLE: 4.0
EXISTING / PROPOSED: 16,445 SF / 109,771 SF = 0.15
- BUILDING AREA: GROSS BUILDING AREA = 16,445 S.F.
GROSS LEASABLE AREA = 16,445 S.F.
- SETBACKS:

	PERMITTED	PROPOSED
BUILDING		
FRONT:	10'	108.05'
SIDE (WEST):	0'	80.14'
SIDE (EAST):	0'	90.97'
REAR:	0'	58.51'
LANDSCAPE		
FRONT:	10'	34.59'
SIDE (WEST):	6'	7.44'
SIDE (EAST):	6'	7.67'
REAR:	6'	6.24'
- HEIGHT REQUIREMENTS: 40' (MAX) <40'
- PARKING:

SPACES REQUIRED PER CODE:	
RESTAURANT	16 SPACES PER 1,000 S.F. OF GFA = [(1,323+2,800+2,800+2,918) / 1,000] x 16 = 158 SPACES
RETAIL	5 SPACES PER 1,000 S.F. OF GFA = (4,049 / 1,000) x 5 = 21 SPACES
MEDICAL OFFICE OR CLINIC	4.5 SPACES PER 1,000 S.F. OF GFA = (2,555 / 1,000) x 4.5 = 12 SPACES
TOTAL PARKING REQUIRED:	191 SPACES
TOTAL PARKING PROVIDED:	145 (VARIANCE OF 46 SPACE REDUCTION REQUIRED)
- THIS SITE IS SERVED BY A PUBLIC WATER AND SEWER SYSTEM.
- EXISTING SCREENING AND LANDSCAPING WILL REMAIN.
- THE SITE IS NOT LOCATED WITHIN A 100-YEAR FLOODPLAIN PER FEMA MAP 2400100430G REVISED MAY 5, 2014.
- THE SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICE AREAS.
- THERE ARE NO KNOWN EXISTING WELLS OR SEPTIC FIELDS ON THE SITE.
- ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.
- THE SITE IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO KNOWN HISTORICAL STRUCTURES LOCATED ON THE PROPERTY.

OWNER

SHOPPES I AT NOTTINGHAM SQUARE
BUSINESS TRUST
ALTUS GROUP P.O. BOX 92129
SOUTHLAKE, TX 76092

PROFESSIONAL CERTIFICATION
I, CHRISTOPHER W. ARNSTRONG, 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. 35521, EXPIRATION DATE: 8/7/20

BOHLER ENGINEERING
SITE CIVIL AND CONSULTING ENGINEERING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES

REVISIONS			
REV	DATE	COMMENT	CHECKED BY

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT. UNLESS INDICATED OTHERWISE.

811
Know what's below.
Call before you dig.
ALWAYS CALL 811
It's fast. It's free. It's the law.

NOT APPROVED FOR CONSTRUCTION

PROJECT NO.: MD192237
DRAWN BY: CJB
CHECKED BY: CWA
DATE: 10/25/19
CAD I.D.: VP0-0

PROJECT:
SHOPPES I AT NOTTINGHAM SQUARE
FOR
FEDERAL REALTY INVESTMENT TRUST

5270 CAMPBELL BLVD.
SHOPPES I AT NOTTINGHAM SQUARE
NOTTINGHAM, MD 21236
BALTIMORE COUNTY

BOHLER ENGINEERING
901 DULANEY VALLEY ROAD, SUITE 801
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MD@BohlerEng.com

C. W. ARNSTRONG
PROFESSIONAL ENGINEER
STATE OF MARYLAND
LICENSE NO. 35521
EXPIRATION DATE: 8/7/20

SHEET TITLE:
PLAN TO ACCOMPANY VARIANCE REQUEST

SHEET NUMBER:
1

REVISION 0 - 10/25/19

2019-0507-A