

MEMORANDUM

DATE: September 22, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0080-A – Appeal Period Expired

The appeal period for the above-referenced cases expired on September 21, 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.'

/dlw

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITION FOR VARIANCE

(1920 York Road)

8thth Election District

3rd Council District

Kilmarnock Associates Limited Partnership

Legal Owner

Petitioner

*

*

*

*

*

BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2020-0080-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Kilmarnock Associates, Limited Partnership, 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 permit 376 parking spaces in lieu of the required 431, and for such other and further relief as the nature of this case may require. A site plan was marked as Petitioner’s Exhibit 2 and a redlined site plan was admitted as Petitioner’s Exhibit 2A.¹

Due to the COVID-19 pandemic, a WebEx hearing was conducted remotely by computer and/or phone participation. Bryan Eberle, appeared in support of the petition on behalf of the owner, Kilmarnock Associates. Michael Pieranunzi, the engineer who prepared the site plan was also in attendance. Based on his credentials and experience he was accepted as an expert in land

¹ The redlined plan adds notes detailing the zoning history of the site, as well as pedestrian crosswalks at the rear of the building that were added in response to discussions between the Petitioner and the Department of Planning. Mr. Mudd explained that at the request of DOP the building will also be retrofitted to provide for an access door at the rear. He explained, however, that it would not be feasible to place a sidewalk along the north side of the building, as DOP suggested, because there is an existing fire suppression structure on that side of the building that would bisect the sidewalk and create more of a pedestrian hazard.

ORDER RECEIVED FOR FILING

Date

8/21/20.

By

D. Mudd

development, engineering, and the BCZR. Christopher D. Mudd, Esq. appeared and represented the Petitioner. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. A Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning ("DOP"). They noted that the building's architecture and landscaping are consistent with the Hunt Valley Timonium Master Plan but expressed concern about pedestrian access issues.

The site is approximately 5.9 acres in size and zoned ML-IM, BL, BM, and BLR. Mr. Mudd explained that the site in question was previously occupied by a Sears Outlet store and an Office Depot store both within a single one story building on York Road in Timonium. The Sears store was recently taken over by a retailer with a very similar business model in that they sell "scratch and dent" appliances as well as furniture. The Petitioner in this case has entered into a lease with Crunch fitness, which intends to retrofit the Office Depot space and operate a fitness center there. The change of use from office supply store to fitness club generates the need for the parking variance.

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 Mr. Mudd explained, the site in question is unique in several ways. It was first developed as a UPS distribution center. The building on the site was constructed very close to York Road in order to accommodate truck loading docks on the side and rear of building. It was subsequently used by Von Paris Moving Company. Mr. Mudd noted that at the time these uses

ORDER RECEIVED FOR FILING

Date

8/21/20

By

J. Muggan

were similar to other light industrial uses that still exist along Aylesbury Road to the west of this site. Subsequently the Obrecht family retrofitted the original building in order to create the current retail structure. In doing so they essentially removed the entire half of the building closest to York Road in order to create the requisite retail parking lots. Mr. Mudd explained that if this site were being developed today the entire building would be sited further back from York Road in order to increase parking capacity even further. As it is, there are still truck loading docks at the rear of the building that occupy substantial square footage that could otherwise be devoted to parking. These unique aspects of the site therefore generate the need for the variance relief.

As also explained at the hearing, if this variance relief is not granted the Petitioner will suffer both practical difficulty and hardship because it would be impossible to place the required number of parking spaces on this site. Mr. Mudd proffered that his engineer would testify that the reduced number of spaces on the proposed plan (376 spaces in lieu of 431) are still more than adequate for the parking needs at this site. First, the American Design store and its predecessor Sears generate substantially less traffic than the typical retail store. Second, the peak demand times for parking at fitness clubs is early morning and late afternoon/evening, which tends not to conflict with other retail uses. Mr. Mudd submitted as Petitioner's Exhibit 6 a spreadsheet showing club usage at a similarly sized Crunch Fitness club. This Exhibit demonstrates that even at peak hours there will be nowhere near 376 parking spaces needed to accommodate all members.

I find that based on the testimony and evidence presented that the Petitioner is entitled to the requested variance relief. I further find that the relief can be granted within the spirit and intent of the BCZR and without causing harm to the public health, safety, or welfare.

THEREFORE, IT IS ORDERED, this **21st** day of **August, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance from Baltimore County Zoning

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Date 8/21/20

By J. M. Mudd

Regulations pursuant to § 409.6.A.2 of the Baltimore County Zoning Regulations ("BCZR") to permit 376 parking spaces in lieu of the required 431, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

- 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 his 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

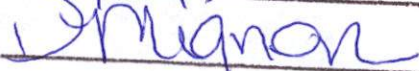
PMM/dlm

ORDER RECEIVED FOR FILING

Date

8/21/20

By



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 1920 York Road **which is presently zoned** ML-IM, BL, BM, BLR

Deed References: 6468 / 525 10 Digit Tax Account # 08-16-061511

Property Owner(s) Printed Name(s) Kilmarnock Associates Limited Partnership

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

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

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. X a **Variance** from Section(s) 409.6 to permit 376 parking spaces in lieu of the required 431 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:

P. Frederick Obrecht Properties, LLC

Name- Type or Print

Signature

9475 Deereco Road Suite 200 Timonium MD

Mailing Address	City	State
-----------------	------	-------

21093 / 410-561-5858 / tfo@obrechtproperties.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Christopher D. Mudd - Venable LLP

Name- Type or Print

Signature

210 W. Pennsylvania Avenue Ste. 500 Towson, MD

Mailing Address	City	State
-----------------	------	-------

21204 / 410-494-6365 / CDMudd@Venable.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Kilmarnock Associates Limited Partnership

Name #1: Type or Print

Name #2 – Type or Print

Signature #1

Signature # 2

305 W. Chesapeake Ave. Suite 110 Towson MD

Mailing Address	City	State
-----------------	------	-------

m 21204 / /

Zip Code Telephone # Email Address

Representative to be contacted:

Bryan D. Eberle

Name— Type or Print

Signature _____

9475 Deereco Road Suite 200 Timonium MD

Mailing Address	City	State
-----------------	------	-------

21093 / 410-561-5858 x 3246 / beberle@obrechtproperties.com
 Zip Code Telephone # Email Address

Zip Code Telephone #

Date 3/13/2020 CASE NUMBER 2020-0080-A Filing Date 3/13/2020

Do Not Schedule Dates: _____ Reviewer JCM

By J. H. Miller

REV. 10/4/11

1908 YORK ROAD ZONING DESCRIPTION

Beginning for the same at a point located on the south side of Foxtail Road, 475 feet plus or minus west of the center line of York Road, binding on the south side of Foxtail Road.
Thence running from said point of beginning:

- 1) 210.01 feet along a curve to the left with a radius of 780.00 feet,
- 2) North 70° 12' 51" East 185.26 feet to a point, thence
- 3) South 64° 47' 09" East 42.43 feet to a point, thence binding on the east side of York Road.
- 4) South 19° 47' 09" East 96.57 feet to a point, thence
- 5) South 20° 08' 43" East 317.29 feet to a point, thence leaving York Road
- 6) South 70° 12' 51" West 407.57 feet to a point, thence
- 7) North 78° 52' 02" West 172.01 feet to a point, thence
- 8) North 01° 01' 26" West 405.64 feet to the point of beginning

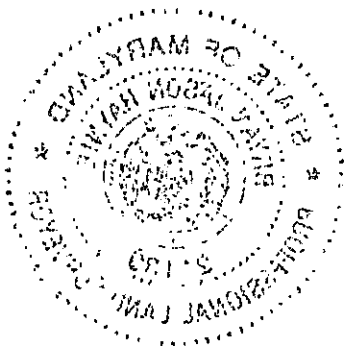
Containing 219.521 square feet. or 5.040 acres, more or less

Being a portion of that parcel of land as described in deed EHK JR 6468/525
Previously Recorded among the land records of Baltimore County, Maryland.

Professional Certification

I hereby certify that this description was prepared by me or under my responsible charge in compliance with COMAR Regulation 09.13.06.12, and that I am a duly licensed Professional Land Surveyor under the laws of the State of Maryland, License No. 21139, Expiration Date June 20, 2020.





CERTIFICATE OF POSTING

2020-0080-A

RE: Case No.: _____

Petitioner/Developer: _____

**Kilmamock Associates Limited Partnership
P. Frederick Obrecht Properties, LLC.**

August 20, 2020

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:

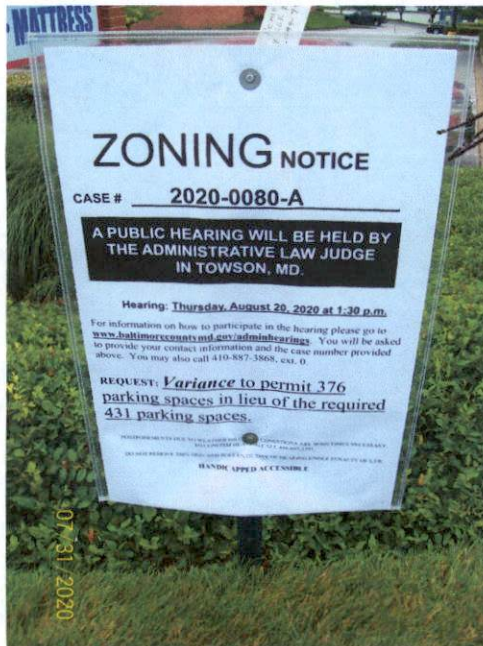
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1920 York Road

SIGN 1

July 31, 2020

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



Sincerely,


(Signature of Sign Poster) July 31, 2020
(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

2020-0080-A

RE: Case No.: _____

Petitioner/Developer: _____

**Kilmamock Associates Limited Partnership
P. Frederick Obrecht Properties, LLC.**

August 20, 2020

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:

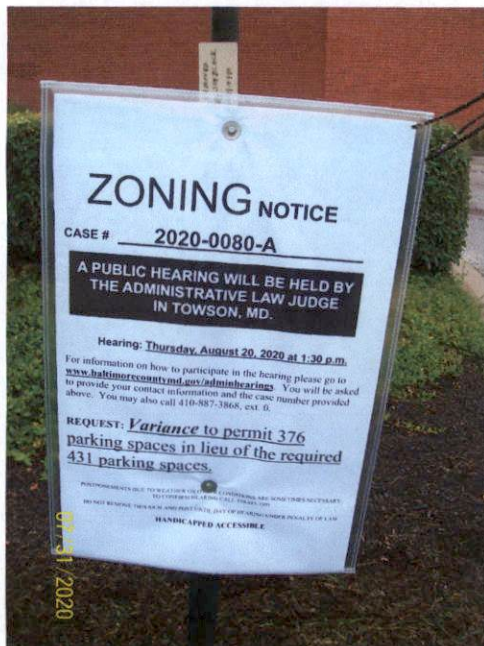
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1920 York Road

SIGN 2

July 31, 2020

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



Sincerely,


(Signature of Sign Poster)

July 31, 2020

(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

July 28, 2020

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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0080-A

1920 York Road

Southwest corner of intersection of Foxtail and York Roads

8th Election District – 3rd Councilmanic District

Legal Owners: Kilmarnock Associates Limited Partnership

Contract Purchaser/Lessee: P. Frederick Obrecht Properties, LLC

Variance to permit 376 parking spaces in lieu of the required 431 parking spaces.

Hearing: Thursday, August 20, 2020 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

For information on how to participate in the hearings please go to
www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Christopher Mudd, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Bryan Eberle, P. Frederick Obrecht Properties, LLC, 9475 Deereco Road, Ste. 200, Timonium 21093
Kilmarnock Associates Ltd. Partnership, 305 W. Chesapeake Avenue, Ste. 110, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JULY 31, 2020

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11904701
 Case #: 2020-0080-A
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0080-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:

7/31/2020



Darlene Miller, Public Notice Coordinator
 (Representative Signature)

Baltimore County**NOTICE OF ZONING HEARING**

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1920 York Road

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8th Election District - 3rd Councilmanic District

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Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

jy31

CERTIFICATE OF POSTING

2020-0080-A

RE: Case No.: _____

Petitioner/Developer: _____

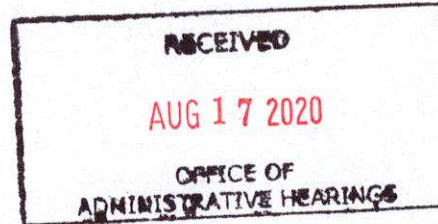
**Kilmamock Associates Limited Partnership
P. Frederick Obrecht Properties, LLC.**

August 20, 2020

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:

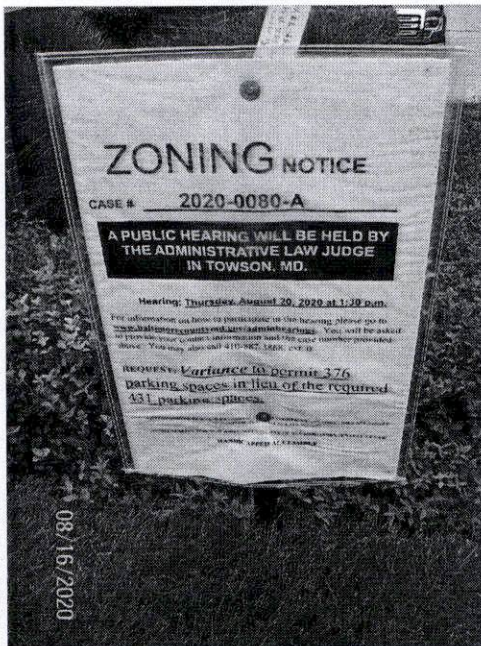
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

1920 York Road

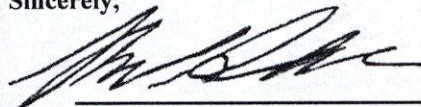
SIGN 1 Recertification

July 31, 2020

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



Sincerely,

 August 16, 2020
(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)

OSWEGO

1901

TO BOSTON

POSTAL SERVICE

CERTIFICATE OF POSTING

2020-0080-A

RE: Case No.: _____

Petitioner/Developer: _____
Kilmamock Associates Limited Partnership
P. Frederick Obrecht Properties, LLC.

August 20, 2020
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:

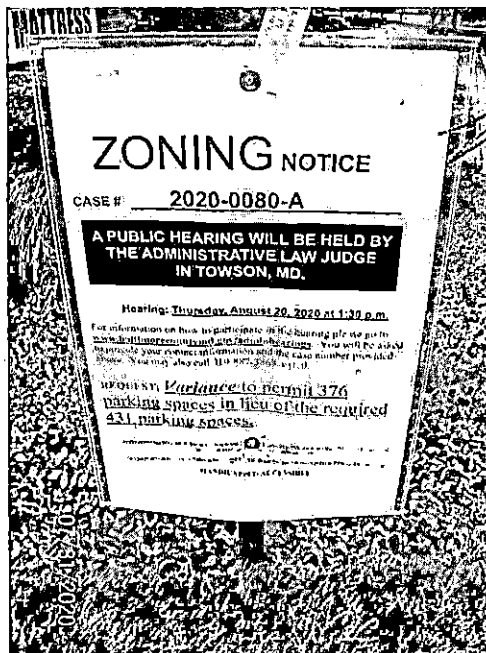
Ladies and Gentlemen:

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: _____

1920 York Road **SIGN 1**

July 31, 2020

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



Sincerely,


(Signature of Sign Poster) July 31, 2020
(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

2020-0080-A

RE: Case No.: _____

Petitioner/Developer: _____

**Kilmamock Associates Limited Partnership
P. Frederick Obrecht Properties, LLC.**

August 20, 2020

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:

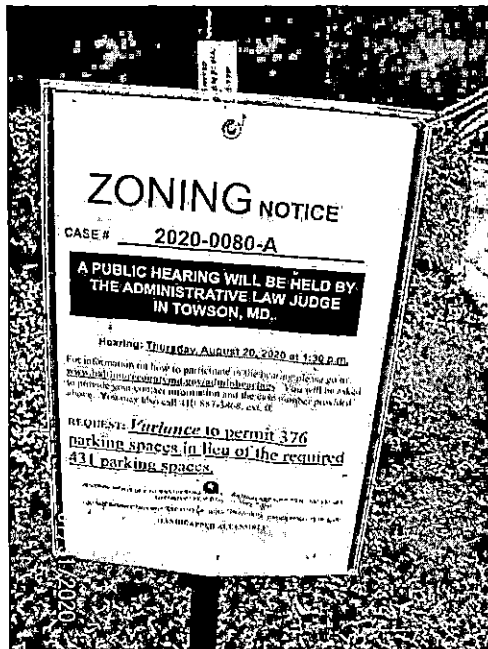
Ladies and Gentlemen:

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: _____

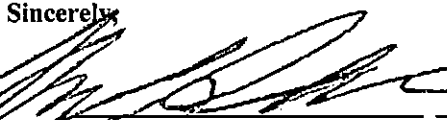
1920 York Road **SIGN 2**

July 31, 2020

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



Sincerely,

 July 31, 2020
(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

July 28, 2020

NOTICE OF ZONING HEARING

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CASE NUMBER: 2020-0080-A

1920 York Road
Southwest corner of intersection of Foxtail and York Roads
8th Election District – 3rd Councilmanic District
Legal Owners: Kilmarnock Associates Limited Partnership
Contract Purchaser/Lessee: P. Frederick Obrecht Properties, LLC

Variance to permit 376 parking spaces in lieu of the required 431 parking spaces.

Hearing: Thursday, August 20, 2020 at 1:30 p.m.

For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Christopher Mudd, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Bryan Eberle, P. Frederick Obrecht Properties, LLC, 9475 Deereco Road, Ste. 200, Timonium 21093
Kilmarnock Associates Ltd. Partnership, 305 W. Chesapeake Avenue, Ste. 110, Towson 21204

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JULY 31, 2020

TO: THE DAILY RECORD
July 31, 2020 - Issue

Please forward billing to:

Barb Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6352

CORRECTED 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 virtual hearing on the property identified herein as follows:

CASE NUMBER: 2020-0080-A

1920 York Road

Southwest corner of intersection of Foxtail and York Roads

8th Election District – 3rd Councilmanic District

Legal Owners: Kilmarnock Associates Limited Partnership

Contract Purchaser/Lessee: P. Frederick Obrecht Properties, LLC

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For information on how to participate in the hearings please go to www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to the hearing. You will be asked to provide your contact information and the case number provided above. You may also call 410-887-3868, ext. 0.



Michael Mallinoff
Director of Permits, Approvals and Inspections for Baltimore County

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
1920 York Road; SW corner of intersection	*	OF ADMINSTRATIVE
of Foxtail & York Roads	*	HEARINGS FOR
8 th Election & 3 rd Councilmanic Districts	*	BALTIMORE COUNTY
Legal Owner(s): Kilmarnock Associates	*	
Limited Partnership	*	
Contract Purchaser(s): P. Frederick Obrecht	*	
Properties, LLC	*	
Petitioner(s)	*	2020-080-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

MAR 17 2020

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 17th day of March, 2020, a copy of the foregoing Entry of Appearance was mailed to Bryan Eberle, 9475 Deerco Road, Suite 200, Timonium, Maryland 21093 and Christopher Mudd, 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

**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: 2020-0080-A
Property Address: 1920 YORK ROAD, Lutherville-Timonium, MD 21093
Property Description: See: PROPERTY Description

Legal Owners (Petitioners): KILMARNOCK Associates Limited Partnership
Contract Purchaser/Lessee: P. Frederick Obrecht Properties, LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barb Lukasevich
Company/Firm (if applicable): VENABLE LLP
Address: 210 W. PENNSYLVANIA AVE ^{STE} 500
TOWSON, MARYLAND 21204

Telephone Number: 410.494.6352



JOHN A. OLSZEWSKI, JR.
County Executive

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

August 3, 2020

Christopher D. Mudd,
210 W. Pennsylvania Avenue Ste 500
Towson MD 21204

RE: Case Number: 2020-0080-A, 1920 York 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 March 13, 2020. 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 typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Bryan D. Eberie 9475 Deereco Road Suite 200 Timonium MD 21093

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Gregory Slater
Acting Secretary
Tim Smith, P.E.
Acting Administrator

Date: 3/23/20

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

Dear Ms. Lewis:

We have reviewed the site plan to accompany the petition for variance on the subject of the Case number referenced below, which was received on 3/20/20. 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 Variance, Case Number 2020-8080-4.

Kilmarnock Associates Limited Partnership
1920 York Road
MD45

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 2332 or by email at (rzeller@mdot.maryland.gov).

Sincerely,



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

WW/RAZ

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**

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

DATE: 7/10/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-080

INFORMATION:

Property Address: 1920 York Road
Petitioner: Kilmarnock Associates, L.P.
Zoning: ML-IM, BL, BM, BLR
Requested Action:

The Department of Planning has reviewed the petition for a variance from Section 409.6 of the Baltimore County Zoning Regulations (BCZR) to permit 376 parking spaces in lieu of the required 431 spaces.

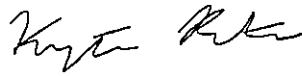
A site visit was conducted on March 18, 2020. The site was revisited again on July 10, 2020. The 5.9-acre site is a stand-alone retail building and associated parking with two tenants. The Sears tenant on the southern end of the building utilizes 25,933 square feet and at the north end, the subject of this petition, is 30,102 square feet of space. The architecture and landscaping of the building are a positive attribute. The building is situated in the middle of the site with parking surrounding the building. There are no internal sidewalks for the safe movement of people from parking spaces to the entrance of the building.

The building's architecture and landscaping is consistent with the Hunt Valley Timonium Master Plan that speaks to "Improving the Visual Quality of the York Road Corridor (Page 27 & 28)." The Hunt Valley Timonium Master Plan speaks to the Issue "Pedestrian and Bicycle Circulation" on Page 13. While it refers to new construction, it generally references the need for better pedestrian and bicycle treatment of sites. Similarly, the Baltimore County Master Plan on Page 55 has a policy to "Provide appropriate pedestrian facilities".

The Department has no objection to the variance requested subject to the condition that the petitioner investigate fully replacing the existing buffer area adjacent to the north end of the building with a sidewalk to provide a safe access to the building.

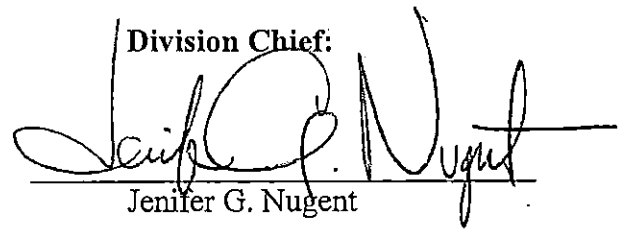
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Wally Lippincott

Choose an item. Bryan D. Eberle
Christopher D. Mudd, Venable LLP
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

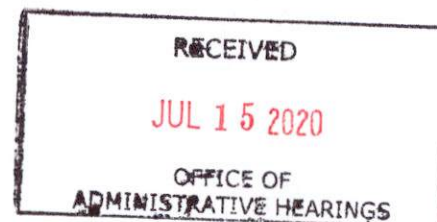
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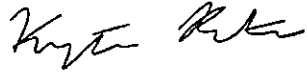
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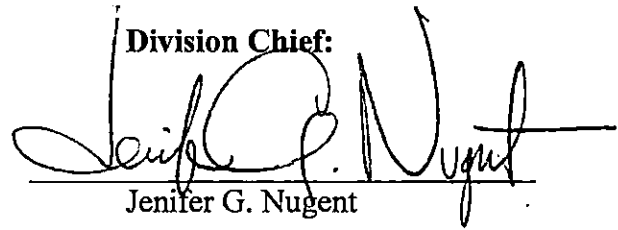
• Date: 7/10/2020
Subject: ZAC # 20-080
Page 2

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Wally Lippincott

Choose an item. Bryan D. Eberle
Christopher D. Mudd, Venable LLP
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

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

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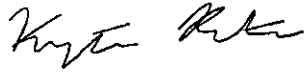
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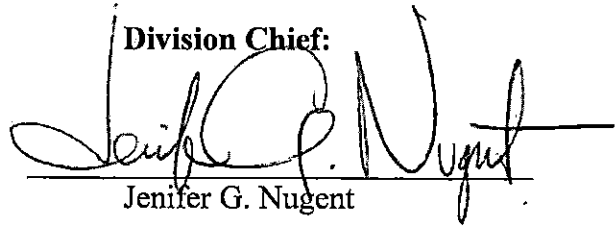
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Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

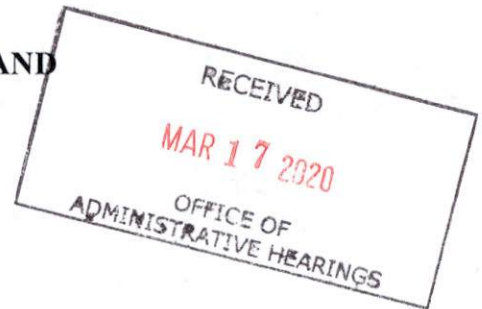
CPG/JGN/kma/

c: Wally Lippincott

Choose an item. Bryan D. Eberle
Christopher D. Mudd, Venable LLP
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

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

DATE: March 17, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0080-A
Address 1920 York Road
(Kilmarnock Associates Limited
Partnership Property)

Zoning Advisory Committee Meeting of **March 23, 2020.**

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

Reviewer: Steve Ford

Date: May 11, 2020

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. **2020-0080-A**

Variance

**Kilmarnock Associates Limited Partnership
1920 York Road**

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@mdot.maryland.gov).

Sincerely,



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

WW/RAZ

Order ✓
ity ✓

8/20 30 P.M.
②

CASE NO. 2020-0080-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
_____	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	_____
3/17/20	DEPS (if not received, date e-mail sent _____)	N/C
_____	FIRE DEPARTMENT	_____
7/10/20	PLANNING (if not received, date e-mail sent _____)	No objection but review comment
3/23	STATE HIGHWAY ADMINISTRATION	N/C or objection
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. 58104-SPH-V)	
NEWSPAPER ADVERTISEMENT	Date: _____	
SIGN POSTING (1 st)	Date: 7/31	by Sgt Black
SIGN POSTING (2 nd)	Date: 8/16	by "
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☒	
Comments, if any: _____		

Donna Mignon

From: Donna Mignon
Sent: Tuesday, August 18, 2020 3:51 PM
To: 'Frankovich, Jennifer R.'; Administrative Hearings
Cc: Mudd, Christopher D.
Subject: RE: 1920 York Road - Hearing 8.20.20 @ 1:30 p.m.

Hi Jen,

I will update the exhibits. If you need to make the exhibits bigger, yes that can be done. The clerk that will bring up the exhibits can do that. Thank you.

From: Frankovich, Jennifer R. <JRFrankovich@Venable.com>
Sent: Tuesday, August 18, 2020 3:33 PM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>; Donna Mignon <dmignon@baltimorecountymd.gov>
Cc: Mudd, Christopher D. <CDMudd@Venable.com>
Subject: 1920 York Road - Hearing 8.20.20 @ 1:30 p.m.

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

Donna:

We are re-sending with a new redline as Exhibit 2. We had to make a minor change to the Zoning History. The resolution for some of the documents has to be changed for full view. I assume we will be able to do that during the virtual hearing. If there is an issue, please reach out to me and we will make sure we make any changes to ensure a smooth hearing for the office.

Best Regards,
Jen

Jennifer R. Frankovich, Esq. | Venable LLP
t 410.494.6381 | f 410.821.0147 | m 410.428.2471
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

JRFrankovich@Venable.com | www.Venable.com

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Donna Mignon

From: Frankovich, Jennifer R. <JRFrankovich@Venable.com>
Sent: Tuesday, August 18, 2020 3:33 PM
To: Administrative Hearings; Donna Mignon
Cc: Mudd, Christopher D.
Subject: 1920 York Road - Hearing 8.20.20 @ 1:30 p.m.
Attachments: Revised Combined Exhibits - 1920 York Rd.(003)(49803870.1).pdf

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Donna Mignon

From: Donna Mignon
Sent: Tuesday, August 18, 2020 1:43 PM
To: 'Frankovich, Jennifer R.'
Cc: Paul Mayhew; Mudd, Christopher D.
Subject: RE: 1920 York Road - Hearing on August 20, 2020 at 1:30 p.m.

Good Afternoon Jen,
I spoke with Judge Mayhew and he advised that you may have additional time to send us the Exhibits.
Please send them by Thursday morning.

Have a great day.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

From: Frankovich, Jennifer R. <JRFrankovich@Venable.com>
Sent: Tuesday, August 18, 2020 1:24 PM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Cc: Paul Mayhew <pmayhew@baltimorecountymd.gov>; Mudd, Christopher D. <CDMudd@Venable.com>
Subject: RE: 1920 York Road - Hearing on August 20, 2020 at 1:30 p.m.

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Good Afternoon Judge Mayhew:

We are getting the documents ready for submission but are having some technical issues with the PDF. I attempted to call but understand the office is closed to the public.

In light of the above, we request some additional time to have the Exhibits e-mailed to your office ahead of the 1:30 hearing on Thursday.

Please confirm receipt and approval.

Sincerely,
Jen Frankovich

Jennifer R. Frankovich, Esq. | Venable LLP
t 410.494.6381 | f 410.821.0147 | m 410.428.2471
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

JRFrankovich@Venable.com | <http://secure->

web.cisco.com/1no0BMOyrPdaoLBLSP7oMF56oFAiqb_9oVbChsmXuU5WYQ6oeSyXVynDuaeI50Ais2cqW5At00oQWCOuto68Wi4PgRbKTB2n5YXcbLykM1gQ3pxm5mdlNNGCc0IRdUydnOUK1v24LGN-LmO-vCIPuMC8qvpsP5pk0XHKdmlUAHXxlqldjxWgYJuYveUD11ywbyoE3akA-illO8vlaJTkhtQ-PqzWJU4LXS5qUQOIFEVNEqeC551ATy_wDSLnzLRsuK14fcsyz0AhcailnmX_W1ruFJlc315-OjomCIHSk5HUJGpNpQ8bvt9YKJqHGpmnC_h_jhNiqWx2SliDb7g37PLBCnC91hjbWtJxiuvTNQa6LAJ2UOEg8PXZW2fDyanffMNIw0o3IQZi_yfoy3vVqb8Ow_dbGTRYgPU4oneUOqkaHmKaF3BcPDkBVpLMEITiczV-i5av78YnxsSd6ErFQ/http%3A%2F%2Fwww.Venable.com

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Tuesday, August 18, 2020 11:21 AM
To: Donna Mignon <dmignon@baltimorecountymd.gov>
Cc: Frankovich, Jennifer R. <JRFrankovich@Venable.com>
Subject: RE: 1920 York Road - Hearing on August 20, 2020 at 1:30 p.m.

Donna - Sorry for my delay in getting this to you. I think the trouble is that SDAT does not recognize this property as 1920 York, they call it 1908. It is a multi-tenant building, and the Office Depot tenant location (which is the tenant space generating the variance) has a mailing address of 1920 York. In any event, the SDAT sheet is attached for your use.

Jen Frankovich in my office is finalizing the exhibits this morning and will email them over a little later.

Thanks,

Chris

Christopher D. Mudd, Esq. | Venable LLP
t 410.494.6365 | f 410.821.0147 | m 410.271.9105
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

CDMudd@Venable.com | http://secure-web.cisco.com/1no0BMOyrPdaoLBLSP7oMFS6oFAiqb_9oVbChsmXuU5WYQ6oeSyXVynDuaeI50Ais2cqW5At00oQWCOuto68Wi4PgRbKTB2n5YXcbLykM1gQ3pxm5mdlNNGCc0IRdUydnOUK1v24LGN-LmO-vCIPuMC8qvpsP5pk0XHKdmlUAHXxlqldjxWgYJuYveUD11ywbyoE3akA-illO8vlaJTkhtQ-PqzWJU4LXS5qUQOIFEVNEqeC551ATy_wDSLnzLRsuK14fcsyz0AhcailnmX_W1ruFJlc315-OjomCIHSk5HUJGpNpQ8bvt9YKJqHGpmnC_h_jhNiqWx2SliDb7g37PLBCnC91hjbWtJxiuvTNQa6LAJ2UOEg8PXZW2fDyanffMNIw0o3IQZi_yfoy3vVqb8Ow_dbGTRYgPU4oneUOqkaHmKaF3BcPDkBVpLMEITiczV-i5av78YnxsSd6ErFQ/http%3A%2F%2Fwww.Venable.com

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Sent: Tuesday, August 18, 2020 9:14 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>
Subject: 1920 York Road - Hearing on August 20, 2020 at 1:30 p.m.

Caution: External Email

Good Morning,
Can you please send us a copy of the SDAT on this property. We tried to retrieve it but indicates "no record found".

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



Practice social distancing and wear a mask in public places.

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

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Donna Mignon

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Sent: Tuesday, August 18, 2020 1:24 PM
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Cc: Paul Mayhew; Mudd, Christopher D.
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Sent: Tuesday, August 18, 2020 11:21 AM
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Cc: Frankovich, Jennifer R. <JRFrankovich@Venable.com>
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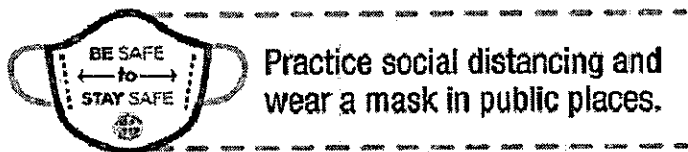
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Donna Mignon, Legal Assistant
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105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



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Donna Mignon

From: Frankovich, Jennifer R. <JRFrankovich@Venable.com>
Sent: Tuesday, August 18, 2020 1:49 PM
To: Administrative Hearings
Cc: Mudd, Christopher D.; Karpook, Cindy; Donna Mignon; Paul Mayhew
Subject: Exhibits for 1920 York Road - Hearing 8.20.20 at 1:30 p.m.
Attachments: Combined Exhibits - 1920 York Rd.pdf

CAUTION: This message from JRFrankovich@venable.com originated from a non-Baltimore County Government or non-BCPL email system. Hover over any links before clicking and use caution opening attachments.

Good Afternoon:

Please see Exhibits attached for 1920 York Road. My sincere apologies for the slight delay in submission. Thank you for your understanding regarding some last minute technical issues and granting our request for some additional time.

Please confirm receipt.

Sincerely,

Jen Frankovich

Jennifer R. Frankovich, Esq. | Venable LLP
t 410.494.6381 | f 410.821.0147 | m 410.428.2471
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

JRFrankovich@Venable.com | www.Venable.com

From: Karpook, Cindy <CKarpook@Venable.com>
Sent: Tuesday, August 18, 2020 1:41 PM
To: Frankovich, Jennifer R. <JRFrankovich@Venable.com>
Cc: Mudd, Christopher D. <CDMudd@Venable.com>
Subject: Exhibits

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

Michael J. Pieranunzi, RLA
Landscape Architect

BEGAN WITH CENTURY: 2006, October
YEARS WITH CENTURY: 13
YEARS WITH OTHER FIRMS: 27

EDUCATION

1987 B.S. Landscape Architecture, West Virginia University

PROFESSIONAL REGISTRATION:

1991 PLA Maryland Registered #1008 (exp. 2020)
2009 March LEED Accredited Professional (LEED AP)

WORK BACKGROUND:

Century Engineering

Hunt Valley, MD

Oct. 2006 - present

Daft-McCune-Walker, Inc.

Towson, Maryland

1997 – 2006

Clark, Finefrock &

Sackett, Inc.

Columbia, Maryland

1987 – 1997

ASSOCIATIONS

American Society of Landscape Architects

Howard County Association of Landscape Architects - Past Vice President

EXPERIENCE

As a project manager, Mr. Pieranunzi provides landscape architecture and land planning services to public and private clients. His extensive background in residential and commercial site planning and land development result in creative and environmentally-sensitive design solutions. Mr. Pieranunzi's experience has assisted in implementing plans from conceptual design through construction on projects that include residential and commercial land use planning, community master planning and landscaping, golf course design, and site planning.

With experience in a variety of project types and justifications, he has gained exceptional skills in managing projects from conceptual design, design development, construction drawings and site inspection. He has proven abilities in managing budgets, clients, county officials and staff on multiple project types and projects.



EXPERT TESTIMONY

KENILWORTH MALL, Provide expert testimony for the design and approval of the free standing and wall mounted enterprise signs at the mall. Prepare plan and testify in front of Hearing Officer.

TRADER JOE'S @ KENILWORTH, Prepare exhibits and calculations for the proposed signage requested by Trader Joe's. Coordinate with attorney. Prepare and submit required documents. Attend and testify at the hearing.

J. JILL SIGN VARIANCE, Prepare sign variance plan for J. Jill wall mounted enterprise size. Prepare graphic exhibit for hearing. Testify at the Administrative Law Judge Hearing.

BALTIMORE COUNTY PROJECTS

MARYVALE PREPARATORY SCHOOL REVISED DEVELOPMENT PLAN – SCHEME B, Baltimore County, MD. Project Manager for the land planning services for the preparation and submission of the Development Plan showing a 18,000 SF Media Center, 16,880 SF Performing Arts Center, track, lacrosse field, 3 soccer fields, parking and stormwater management. The 113 acre site, zoned RC-2, consists of existing buildings, ball fields and forest covering.

COPPERMINE ATHLETIC FACILITY (SYNTHETIC FIELD), Baltimore, MD. As project manager, Mr. Pieranunzi was responsible for meeting with the owner, summarizing schedule and devising a plan of action to obtain grading permits prior to the owner's summer camp schedule. Mr. Pieranunzi oversaw the SWM waiver request from Baltimore County DEPS, while simultaneously gaining approval of the grading and sediment control plan. The field construction drawings required detailed grading, coordination of the underdrain system, retaining wall design and perimeter fencing and lighting.

HOLLINS END, Baltimore, MD. Mr. Pieranunzi was the project manager responsible for coordinating and managing the expansion to the existing warehouse and parking lot at Hollins End. The owner required adapting the existing building to conform to a new tenant program. Mr. Pieranunzi reviewed the new tenant requirements and worked with the design team to implement the new building parking, pedestrian connection, stormwater management and landscape revisions. He processed the plans for the approval and assisted with obtaining permits in a timely manner.

MOUNT de SALES ACADEMY GRANDSTAND AND FIELD ADDITIONS, Baltimore County, MD. Michael Pieranunzi was Project Manager for the proposed field conversion. The school proposed conversion of their existing turf field and natural hillside seating area to a synthetic field and grandstand built within the slope. Working with the architect, Michael managed the preparation of the permit drawings for the mass grading, utilities, walls, plaza and electric design.

WINDSOR STATION, Project Manager. Prepared multiple conceptual studies for a 14 acre commercial parcel in order to maximize the potential office, warehouse or flex space. Studies were prepared in accordance with zoning, parking, and stormwater management facilities requirements. The layout maximized the square footage of the office space to ±320,000 s.f. and the flex space of 90,000 s.f. and 1,600 parking spaces.

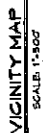
OWINGS MILLS MALL, Baltimore County, MD. Prepare layout and grading of Hoyt's Cinema, Lord & Taylor, and Sears expansion. Michael was also responsible for the second expansion at Owings Mills Mall in which the Sears Department Store and free standing Tire Center were razed. The overall mall was redesigned

to meet the parking requirement while creating a 15 acre residential out parcel. Michael was responsible for the coordination and negotiation with the MTA connection between the Cinema and Outparcel.

TOWSONTOWN MALL EXPANSION, Baltimore County, MD. Mr. Pieranunzi prepared and submitted permit drawings for a 100,000 s.f. expansion which included restaurants and retail space supported by a 750 space parking deck. Michael was responsible for the layout, grading, paving, hardscape components and utilities. The intricate project establishes Towson Mall as the gateway to Towson, Maryland. Michael worked extensively with the architects, owners and land use attorneys to prepare and process the drawings through reviews by the county, business community, economic development and existing tenants.

WHITE MARSH MALL - LIFESTYLE CENTER, Baltimore County, MD. Project Manager. Responsible for the preparation of the conceptual and documents for the 110,000 s.f. "Lifestyle" expansion to White Marsh Mall and for coordinating the zoning, grading, SWM, utility, sediment and erosion control and landscape architecture plan. The retail component is attached to the exterior of the Mall fronting onto a proposed streetscape with special paving lighting and seating. The layout was sensitive to the existing sloping site and parking issues.

OWINGS MILLS RESTAURANT PARK, Baltimore County, MD. Prepared layout and grading of five restaurant buildings, parking lot and landscaping. Mr. Pieranunzi coordinated the construction of restaurants with five different owners; Red Lobster, Don Pablo's, Tony Roma's, HOPS, Red Robin and five different general contractors.

[illegible]

DATA SOURCES:

[illegible]

Plan to Accompany A Zoning Variance Petition

Office Depot

1920 York Road Baltimore County, Maryland
Election District 8 Councilmanic District 3



ISSUE DATES	BASE
REVIEW: 7.2.20	DRAWN: MJS
BY: MJS	DESIGNED: MJS
PERMIT: MJS	CHECKED BY: MJS
CONSTRUCTION: MJS	DATE CHG CRED: MJS
SCALE 1"=30'	DRAWING: 1 of 1

VARIANCE PETITION

A Variance is requested from Section 409.6 of the Baltimore County Zoning Regulations to permit 576 parking spaces in lieu of the required 693 parking spaces.

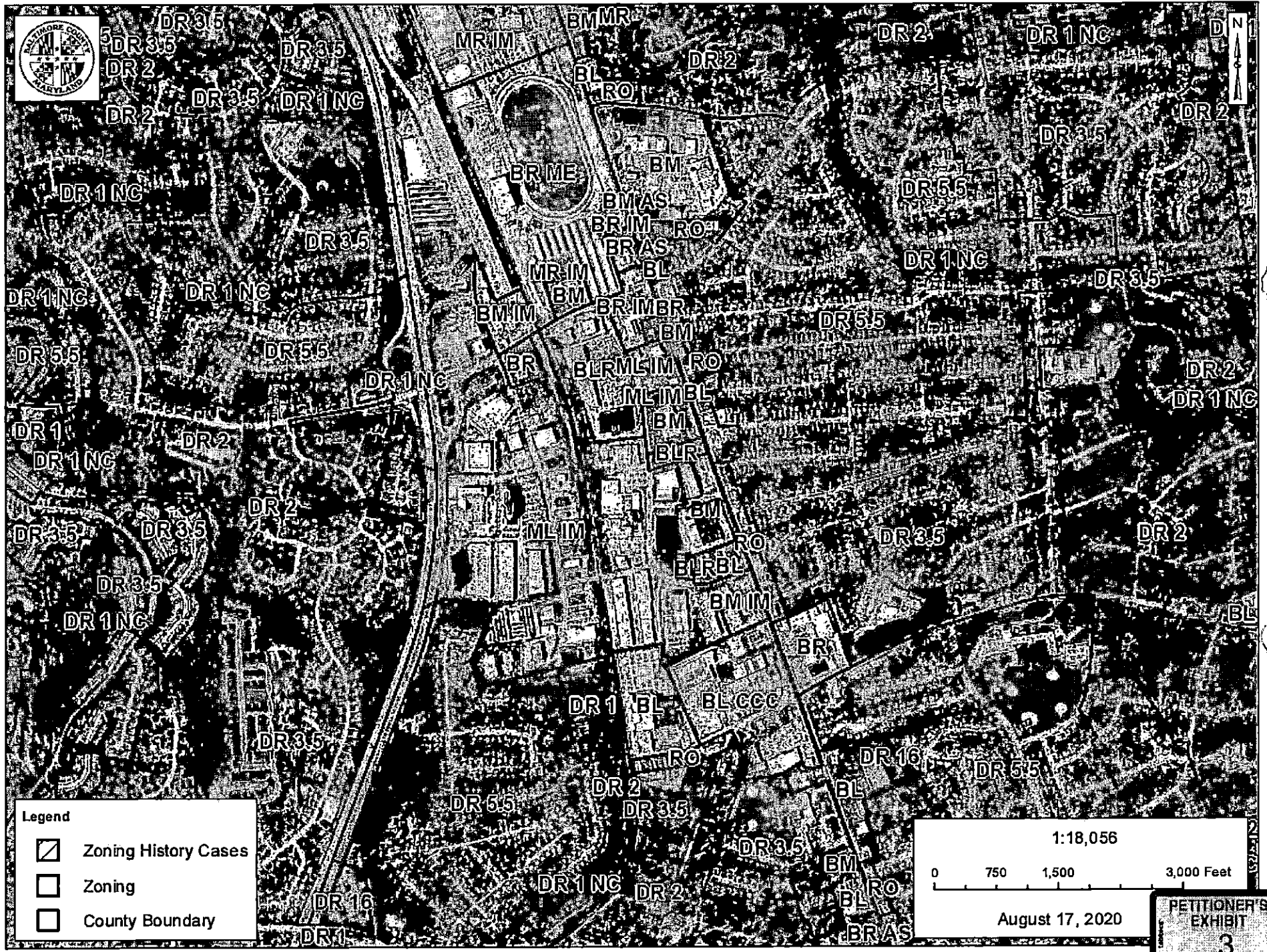


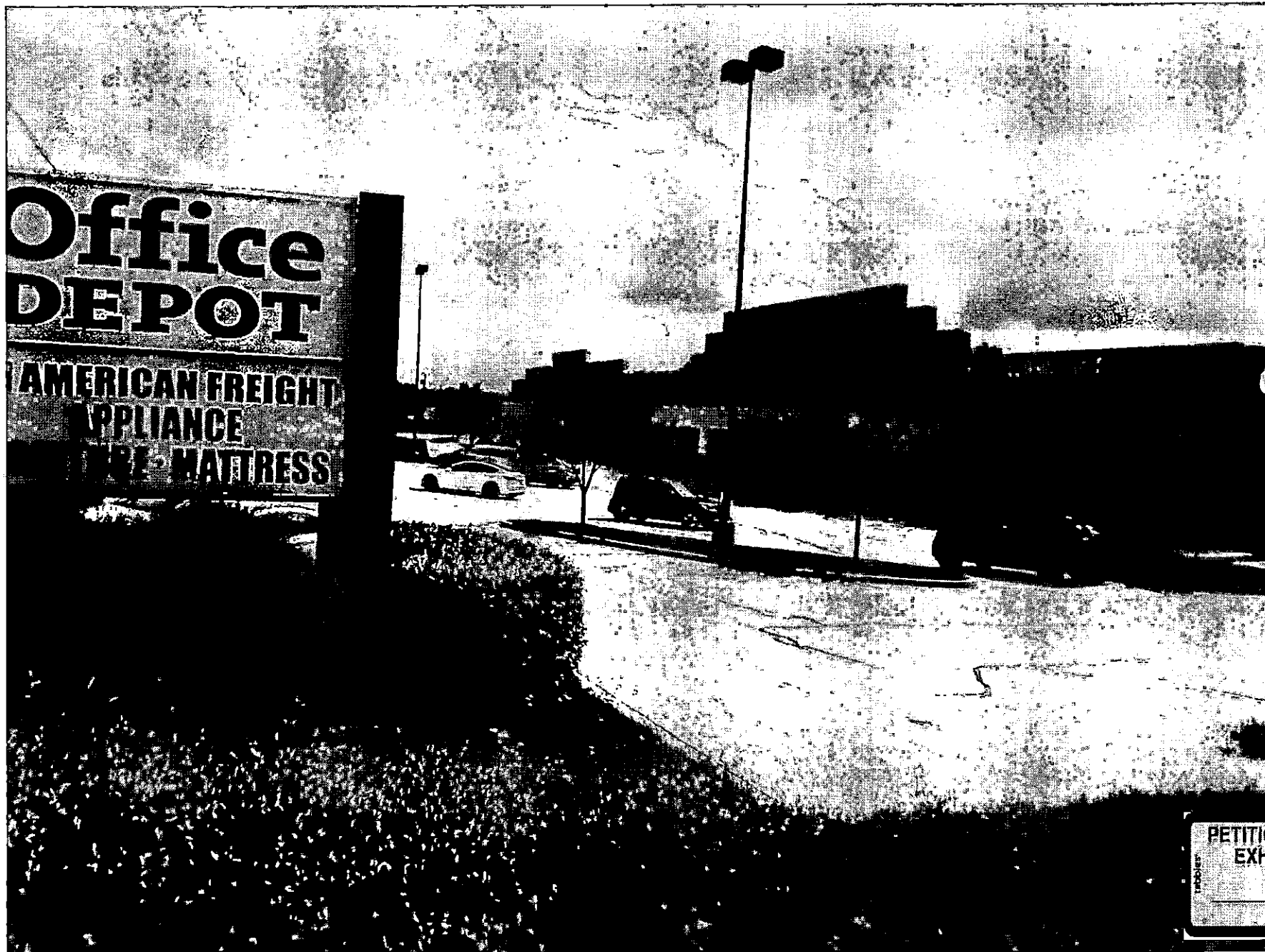
SCALE: 1"=30'

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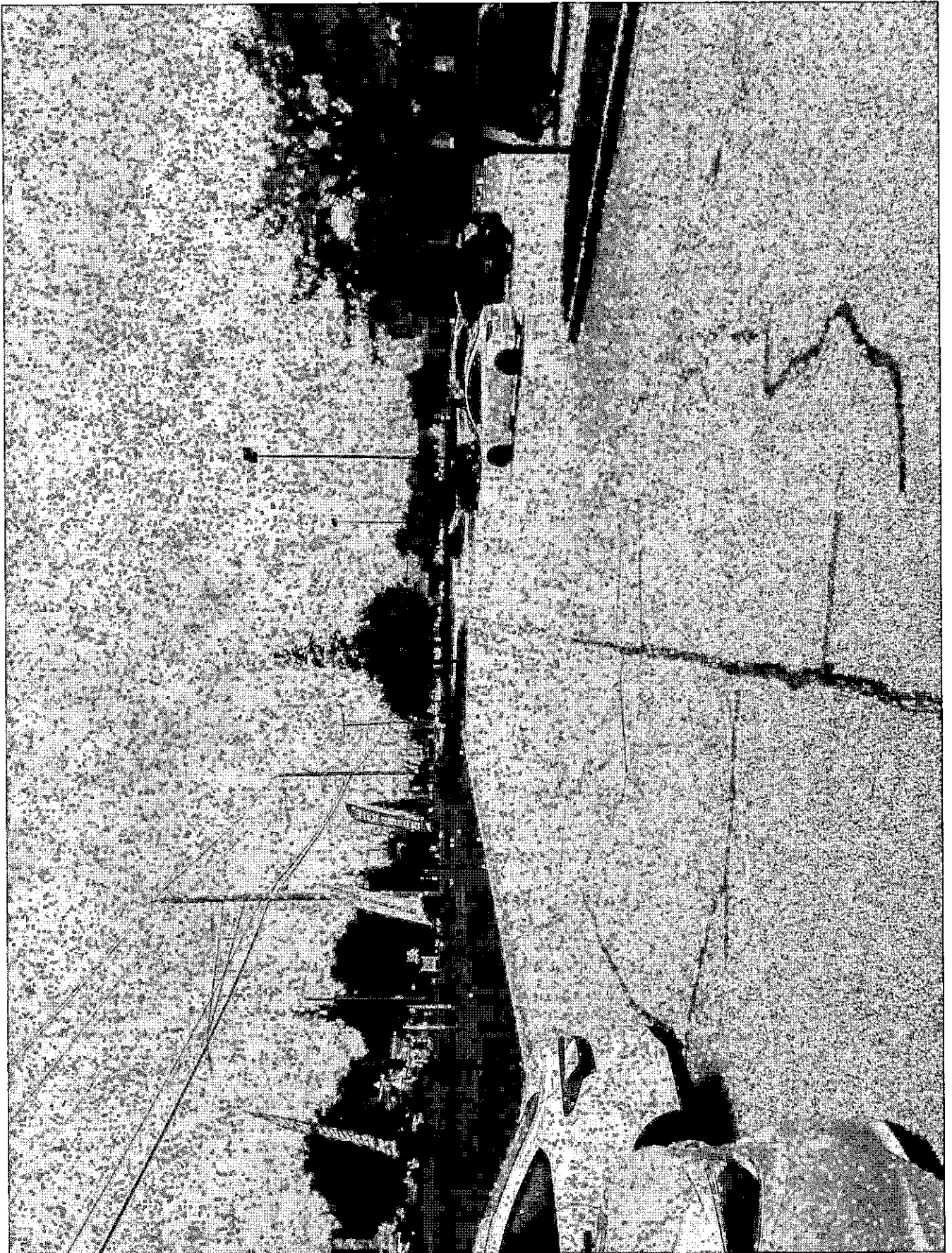
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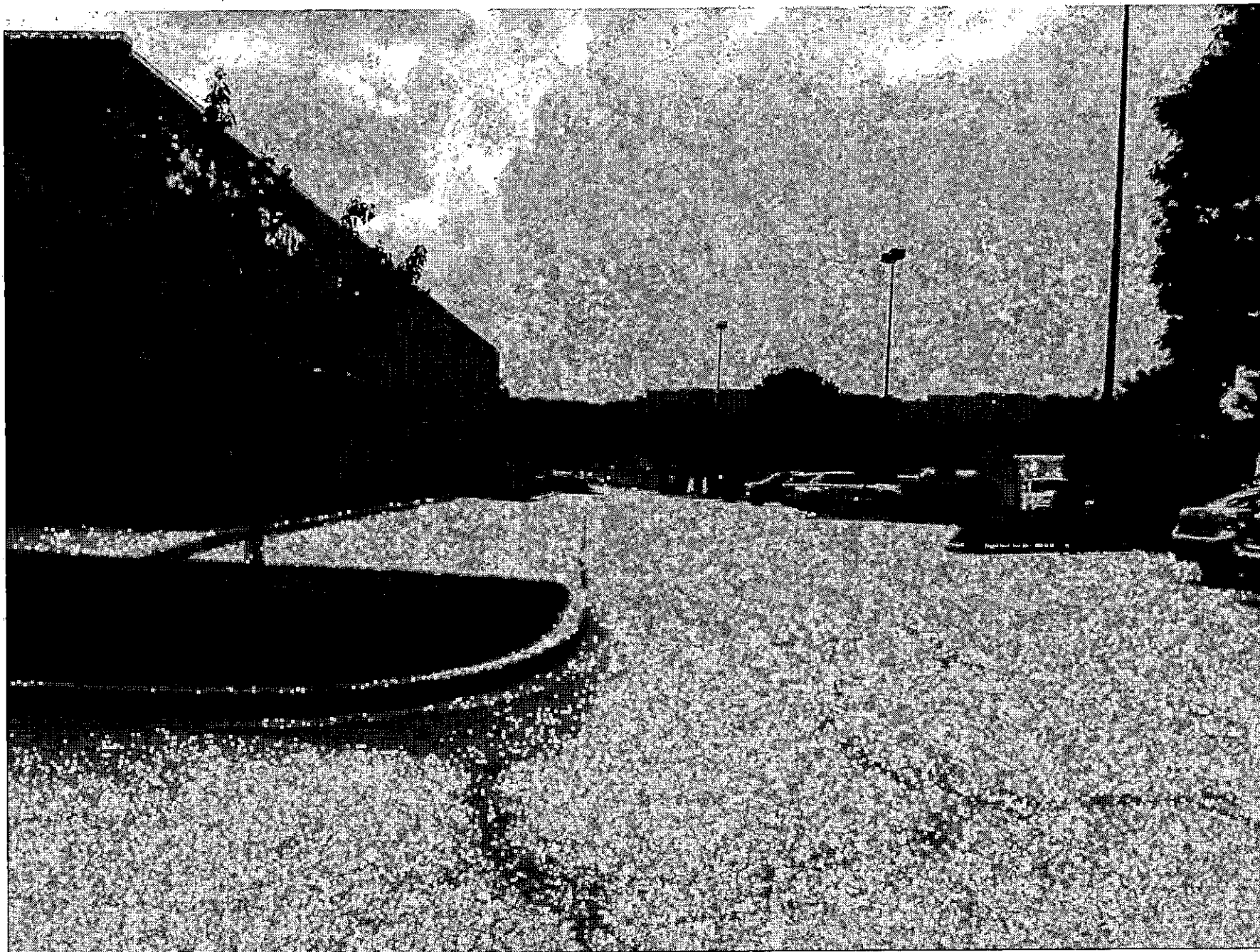
Baltimore County - My Neighborhood





PETITIONER'S
EXHIBIT
4















PROPOSED OFFICE & WAREHOUSE
MOS
REFRED OBDECHT & KILMARNOCK ASSOC.
KILMARNOCK INDUSTRIAL PARK
MOSK & KILMARNOCK CO-OPS
FTH ELECTRIC DISTRICT
BALTIMORE COUNTY, MARYLAND

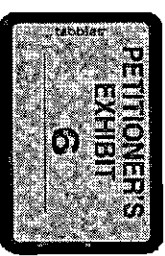
AREA 5000'S ACRES
M.D.M. (SEE PLAN)
ZONING
OUR PROPERTY OFFERS A MAINTENANCE
POLICY - 24 HOURS - 7 DAYS

ALL OTHERS SHOULD BE ELIMINATED METAL LATTICES NOT TO EXCEED 2 1/2 FEET IN HEIGHT.
ALL OTHERS SHOULD BE ELIMINATED FROM THE WORK AREA.

Check In Count by Hour 02/01/2020 - 02/29/2020

Club Nbr	Check In Date	Day	12 AM	1 AM	2 AM	3 AM	4 AM	5 AM	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	Total for Day
7270	02/01/2020	Saturday	0	0	0	0	0	0	12	12	41	59	52	49	57	49	40	31	31	33	37	10	0	0	0	0	513
	02/02/2020	Sunday	0	0	0	0	0	0	5	8	27	42	23	53	41	36	40	34	37	12	8	2	0	0	0	0	368
	02/03/2020	Monday	0	0	0	0	0	2	46	39	18	20	23	18	30	21	22	36	37	47	84	48	23	11	2	0	619
	02/04/2020	Tuesday	0	0	0	0	0	2	64	56	25	17	34	25	28	10	16	17	35	67	111	93	63	44	16	1	724
	02/05/2020	Wednesday	0	0	0	0	0	0	58	47	30	19	32	23	23	35	21	25	38	55	80	81	71	22	14	1	675
	02/06/2020	Thursday	0	0	0	0	1	1	57	37	31	21	20	24	22	34	23	28	52	82	47	43	28	9	0	0	592
	02/07/2020	Friday	0	0	0	0	1	44	38	26	20	52	37	34	34	21	46	43	65	48	43	32	18	8	0	0	600
	02/08/2020	Saturday	0	0	0	0	0	1	8	14	31	73	57	65	35	36	31	43	33	21	37	7	0	0	0	0	492
	02/09/2020	Sunday	0	0	0	0	0	0	3	10	26	35	38	49	29	43	30	30	29	37	28	7	0	0	0	0	394
	02/10/2020	Monday	0	0	0	0	0	0	64	48	28	28	33	24	23	29	17	22	43	55	108	108	62	39	12	0	743
	02/11/2020	Tuesday	0	0	0	0	2	57	56	32	31	31	28	30	19	22	17	57	73	119	96	61	41	14	1	0	787
	02/12/2020	Wednesday	0	0	0	0	0	65	47	17	25	36	27	30	21	17	27	39	55	111	74	44	42	10	5	0	693
	02/13/2020	Thursday	0	0	0	0	0	49	44	24	22	27	27	25	21	16	23	32	59	80	77	47	26	11	2	0	612
	02/14/2020	Friday	0	0	0	0	1	52	37	30	23	34	56	52	42	43	30	27	39	52	80	31	12	5	1	0	522
	02/15/2020	Saturday	0	0	0	0	0	0	10	13	34	56	52	52	42	43	30	27	36	29	24	6	0	0	0	0	454
	02/16/2020	Sunday	0	0	0	0	0	5	5	12	25	46	28	32	31	26	36	34	36	29	24	7	0	0	0	0	390
	02/17/2020	Monday	0	0	0	0	0	40	30	24	27	43	28	37	39	25	29	54	72	85	100	44	35	15	0	0	727
	02/18/2020	Tuesday	0	0	0	0	0	66	40	27	25	40	20	34	23	23	33	47	45	128	95	66	34	15	2	0	763
	02/19/2020	Wednesday	0	0	0	0	0	62	53	28	21	30	29	31	32	32	29	36	60	86	100	40	35	13	1	0	718
	02/20/2020	Thursday	0	0	0	0	0	42	32	15	15	26	16	33	42	19	37	46	52	51	33	2	0	0	0	0	481
	02/21/2020	Friday	0	0	0	0	0	0	0	0	2	40	24	39	35	35	32	52	59	65	47	27	18	8	0	0	487
	02/22/2020	Saturday	0	0	0	0	0	0	10	19	44	67	62	53	53	48	38	34	28	37	34	6	0	0	0	0	533
	02/23/2020	Sunday	0	0	0	0	0	6	6	8	17	37	33	33	45	37	34	32	35	27	31	17	0	0	0	0	392
	02/24/2020	Monday	0	0	0	0	2	65	51	26	18	32	16	35	36	27	35	40	71	103	93	64	26	9	6	0	755
	02/25/2020	Tuesday	0	0	0	0	0	64	46	33	33	30	24	29	25	24	27	44	85	106	97	57	41	8	5	0	758
	02/26/2020	Wednesday	0	0	0	0	2	55	35	20	18	32	20	36	22	29	33	39	54	92	79	45	30	14	3	0	658
	02/27/2020	Thursday	0	0	0	0	0	60	37	35	13	23	34	27	21	19	23	31	44	88	74	49	39	17	7	0	641
	02/28/2020	Friday	0	0	0	0	0	44	46	28	25	40	33	31	35	20	38	48	54	56	47	14	16	16	3	0	584
	02/29/2020	Saturday	0	0	0	0	0	0	20	18	42	52	36	42	42	42	29	24	27	18	36	7	0	0	0	0	435
7270			0	0	0	0	13	1056	898	611	710	1125	881	1036	930	832	891	1107	1428	1980	1785	979	569	225	44	0	17100
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Filters: Club Nbr in list (07270) and Check in Date in range (02/01/2020, 02/29/2020)



Donna Mignon

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Tuesday, August 18, 2020 11:21 AM
To: Donna Mignon
Cc: Frankovich, Jennifer R.
Subject: RE: 1920 York Road - Hearing on August 20, 2020 at 1:30 p.m.
Attachments: 1920 York Road.pdf

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

Donna - Sorry for my delay in getting this to you. I think the trouble is that SDAT does not recognize this property as 1920 York, they call it 1908. It is a multi-tenant building, and the Office Depot tenant location (which is the tenant space generating the variance) has a mailing address of 1920 York. In any event, the SDAT sheet is attached for your use.

Jen Frankovich in my office is finalizing the exhibits this morning and will email them over a little later.

Thanks,

Chris

Christopher D. Mudd, Esq. | Venable LLP
t 410.494.6365 | f 410.821.0147 | m 410.271.9105
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

CDMudd@Venable.com | http://secure-web.cisco.com/1Ej7pAUT3qJcBT3mwi4tasPi-4zkrfl6HcDO1bWfM4B8-dytBMBjIFzyukx5GyxHzGdQ2-xoi72kZRLxRIAXDqt7i0cf6PZL94N0xbIkEtuKvic_WEQaCff8b4swAJXbCE-gtaHTkxIXjrc3RUYRL3CN1avNEmuYPqtB-WPPSAwBTszC68AqGUpD1aAihl6GxK5I-bq38SIQC28OTM0_bm8Ry2zC49dTXWeslrMk4GZvrFmHbhC2thR_t8loiSYaGbojF1RZbQWX0DUT-AI_qY2mep4-IEyNfD5VfHWjUF3peVr9xB4HWowKIRCyF6te77YLAi2CRIHFdS-LZdcTZ4XtW8VGHBoxlw-NmWNO5nGcmfWQDiNCOKBKaz_nGV0CgNiiYYCYCcOicpQ8pTr8uCCq06AX1Xr3plXV0-nmAVDfbrLaWHu2dAEmf5iJj_bTuQy6OUQGE0DKILol3w/http%3A%2F%2Fwww.Venable.com

From: Donna Mignon <dmignon@baltimorecountymd.gov>
Sent: Tuesday, August 18, 2020 9:14 AM
To: Mudd, Christopher D. <CDMudd@Venable.com>
Subject: 1920 York Road - Hearing on August 20, 2020 at 1:30 p.m.

Caution: External Email

Good Morning,

Can you please send us a copy of the SDAT on this property. We tried to retrieve it but indicates "no record found".

Thank you.

Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868



Practice social distancing and
wear a mask in public places.

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

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you believe you have received this message in error, please notify the sender by reply
transmission and delete the message without copying or disclosing it.

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 08 Account Number - 0816061511		
Owner Information		
Owner Name:	P FREDERICK OBRECHT PROPERTIES LLC	Use: COMMERCIAL
Mailing Address:	SUITE 200 9475 DEERECO ROAD LUTHERVILLE TIMONIUM MD 21093-	Principal Residence: NO Deed Reference: /42997/ 00195
Location & Structure Information		
Premises Address:	1908 YORK RD LUTHERVILLE-TIMONIUM 21093-0000	Legal Description: 5.9052 AC WS YORK RD 250 N AYLESBURY RD
Map:	Grid:	Parcel:
0060	0012	0866
Neighborhood:	Subdivision:	Section:
20000.04	0000	
Block:	Lot:	Assessment Year:
		2020
Town:	Plat No:	
None	Plat Ref:	
Primary Structure Built	Above Grade Living Area	Finished Basement Area
1966	69,108 SF	Property Land Area
		5.9100 AC
County Use	06	
Stories	Basement	Type
		DISTRIBUTION WAREHOUSE
Exterior	Quality	Full/Half Bath
/	C3	
Garage	Last Notice of Major Improvements	
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2020	07/01/2020
Land:	3,428,600	3,428,600
Improvements	3,547,000	3,398,100
Total:	6,975,600	6,826,700
Preferential Land:	0	6,826,700
		0
Transfer Information		
Seller: KILMARNOCK ASSOCIATES	Date: 06/17/2020	Price: \$185,000
Type: ARMS LENGTH IMPROVED	Deed1: /42997/ 00195	Deed2:
Seller: POSNER NATHAN,ET AL	Date: 01/05/1983	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /06468/ 00525	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Special Tax Recapture:	None	
Homestead Application Information		
Homestead Application Status: No Application		
Homeowners' Tax Credit Application Information		
Homeowners' Tax Credit Application Status: No Application		Date:

Donna Mignon

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Sent: Tuesday, August 18, 2020 9:14 AM
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Donna Mignon, Legal Assistant
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

ZAC AGENDA

Case Number: 2020-0080-A **Reviewer:** Jeffrey Perlow
Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: VARIANCE
Legal Owner: Kilmarnock Associates Limited Partnership
Contract Purchaser: P. Frederick Obrecht Properties LLC

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 8 **Council Dist:** 3

Property Address: 1920 YORK RD

Location: That Property located on the South West corner on intersection of Foxtail and York Road.

Existing Zoning: ML-IM, BM, BLR,BL

Area: 5.9 AC

Proposed Zoning:

VARIANCE:

From section 409.6 to permit 376 parking spaces in lieu of the required 431 parking spaces.

Attorney: Christopher D. Mudd

Prior Zoning Cases: 5864-SPH-V

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

PM 8-20 @ 1:30 PM
2020-0080 -A



10710 Gilroy Road, Hunt Valley, MD 21031
443-589-2400 Tel. 443-589-2401 Fax

Baltimore County Office of Administrative Hearings

105 W. Chesapeake Ave. Ste 103

Towson, MD 21204

Attn:

LETTER OF TRANSMITTAL

Date: 08/21/2020

Job No: 191266.00

Office Depot Variance Plan

RECEIVED

AUG 24 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

WE ARE SENDING YOU

☒ Attached

☐ Under separate cover via _____ the following items:

☐ Shop Drawings

☐ Prints

☐ Plans

☐ Samples

☐ Specifications

☐ Copy of letter

☐ Change Order

☐ Other _____

COPIES	DATE	NO.	DESCRIPTION
1			Variance Plan

THESE ARE TRANSMITTED as checked below:

☐ For approval

☐ Approved as submitted

☐ Resubmit _____ copies for approval

☐ For your use

☐ Approved as noted

☐ Submit _____ copies for distribution

☐ As requested

☐ Returned for corrections

☐ Return _____ corrected prints

☐ For review and comments

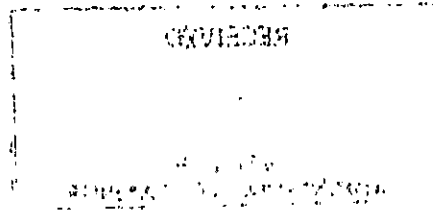
☐ _____

☐ FOR BIDS DUE _____ 20 ____

☐ PRINTS RETURNED AFTER LOAN TO US

COPY TO: Chris Mudd

SIGNED: Michael J. Pieranunzi, PLA



Michael J. Pieranunzi, RLA
Landscape Architect

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TRADER JOE'S @ KENILWORTH, Prepare exhibits and calculations for the proposed signage requested by Trader Joe's. Coordinate with attorney. Prepare and submit required documents. Attend and testify at the hearing.

J. JILL SIGN VARIANCE, Prepare sign variance plan for J. Jill wall mounted enterprise size. Prepare graphic exhibit for hearing. Testify at the Administrative Law Judge Hearing.

BALTIMORE COUNTY PROJECTS

MARYVALE PREPARATORY SCHOOL REVISED DEVELOPMENT PLAN – SCHEME B, Baltimore County, MD. Project Manager for the land planning services for the preparation and submission of the Development Plan showing a 18,000 SF Media Center, 16,880 SF Performing Arts Center, track, lacrosse field, 3 soccer fields, parking and stormwater management. The 113 acre site, zoned RC-2, consists of existing buildings, ball fields and forest covering.

COPPERMINE ATHLETIC FACILITY (SYNTHETIC FIELD), Baltimore, MD. As project manager, Mr. Pieranunzi was responsible for meeting with the owner, summarizing schedule and devising a plan of action to obtain grading permits prior to the owner's summer camp schedule. Mr. Pieranunzi oversaw the SWM waiver request from Baltimore County DEPS, while simultaneously gaining approval of the grading and sediment control plan. The field construction drawings required detailed grading, coordination of the underdrain system, retaining wall design and perimeter fencing and lighting.

HOLLINS END, Baltimore, MD. Mr. Pieranunzi was the project manager responsible for coordinating and managing the expansion to the existing warehouse and parking lot at Hollins End. The owner required adapting the existing building to conform to a new tenant program. Mr. Pieranunzi reviewed the new tenant requirements and worked with the design team to implement the new building parking, pedestrian connection, stormwater management and landscape revisions. He processed the plans for the approval and assisted with obtaining permits in a timely manner.

MOUNT de SALES ACADEMY GRANDSTAND AND FIELD ADDITIONS, Baltimore County, MD. Michael Pieranunzi was Project Manager for the proposed field conversion. The school proposed conversion of their existing turf field and natural hillside seating area to a synthetic field and grandstand built within the slope. Working with the architect, Michael managed the preparation of the permit drawings for the mass grading, utilities, walls, plaza and electric design.

WINDSOR STATION, Project Manager. Prepared multiple conceptual studies for a 14 acre commercial parcel in order to maximize the potential office, warehouse or flex space. Studies were prepared in accordance with zoning, parking, and stormwater management facilities requirements. The layout maximized the square footage of the office space to ±320,000 s.f. and the flex space of 90,000 s.f. and 1,600 parking spaces.

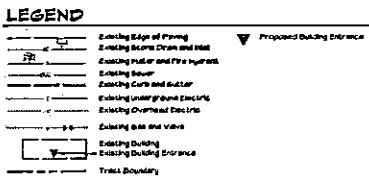
OWINGS MILLS MALL, Baltimore County, MD. Prepare layout and grading of Hoyt's Cinema, Lord & Taylor, and Sears expansion. Michael was also responsible for the second expansion at Owings Mills Mall in which the Sears Department Store and free standing Tire Center were razed. The overall mall was redesigned

to meet the parking requirement while creating a 15 acre residential out parcel. Michael was responsible for the coordination and negotiation with the MTA connection between the Cinema and Outparcel.

TOWSONTOWN MALL EXPANSION, Baltimore County, MD. Mr. Pieranunzi prepared and submitted permit drawings for a 100,000 s.f. expansion which included restaurants and retail space supported by a 750 space parking deck. Michael was responsible for the layout, grading, paving, hardscape components and utilities. The intricate project establishes Towson Mall as the gateway to Towson, Maryland. Michael worked extensively with the architects, owners and land use attorneys to prepare and process the drawings through reviews by the county, business community, economic development and existing tenants.

WHITE MARSH MALL - LIFESTYLE CENTER, Baltimore County, MD. Project Manager. Responsible for the preparation of the conceptual and documents for the 110,000 s.f. "Lifestyle" expansion to White Marsh Mall and for coordinating the zoning, grading, SWM, utility, sediment and erosion control and landscape architecture plan. The retail component is attached to the exterior of the Mall fronting onto a proposed streetscape with special paving lighting and seating. The layout was sensitive to the existing sloping site and parking issues.

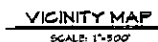
OWINGS MILLS RESTAURANT PARK, Baltimore County, MD. Prepared layout and grading of five restaurant buildings, parking lot and landscaping. Mr. Pieranunzi coordinated the construction of restaurants with five different owners; Red Lobster, Don Pablo's, Tony Roma's, HOPS, Red Robin and five different general contractors.



PLAN
SCALE: 1"=30'



0 30' 60'

[illegible]

Topographic information shown on this plan is from the Baller's County Geographic Information System, Parcel GeoC2. Existing utilities shown are digitized from 'My Neighborhood'.

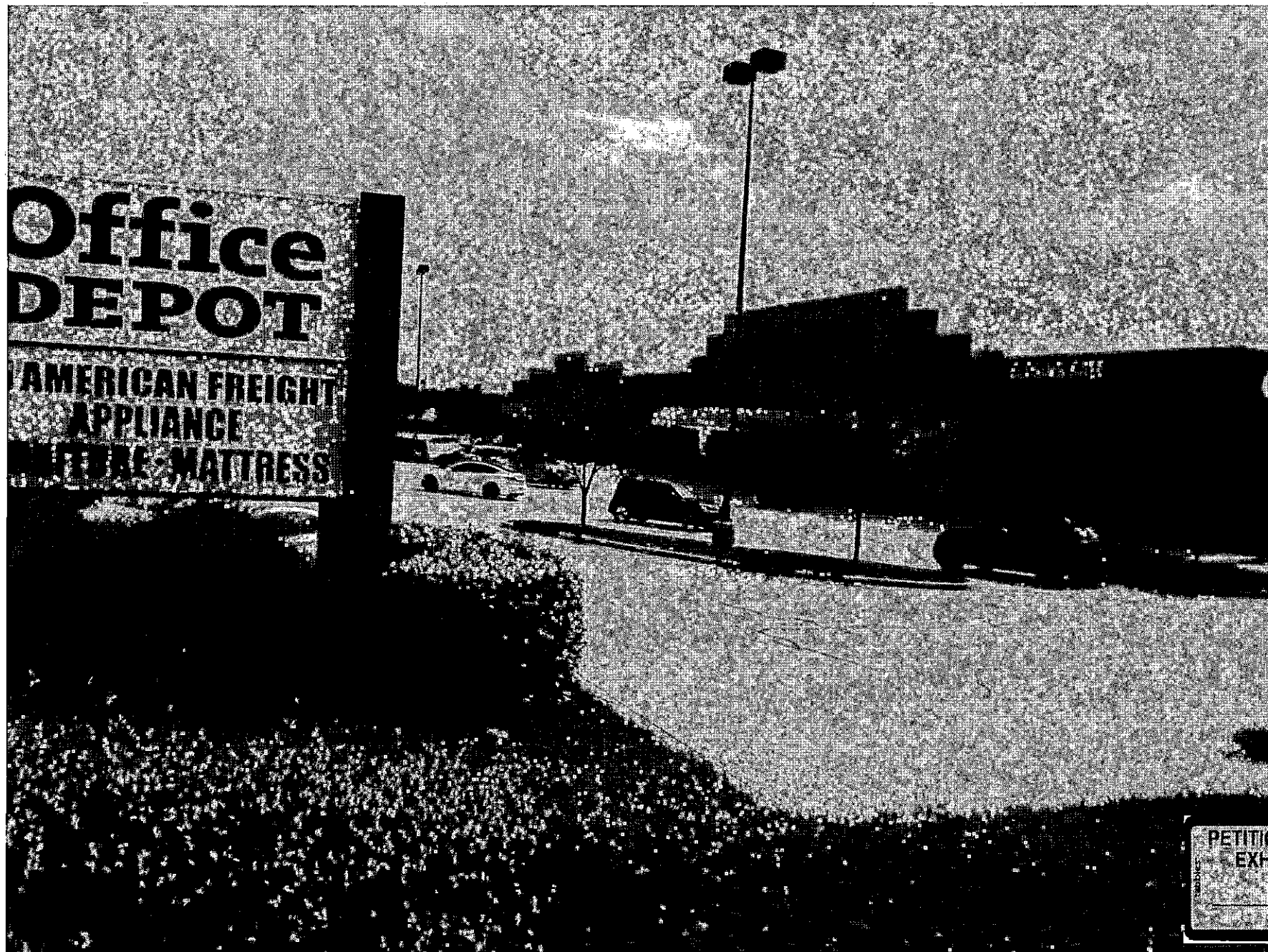
[illegible]

Office Depot

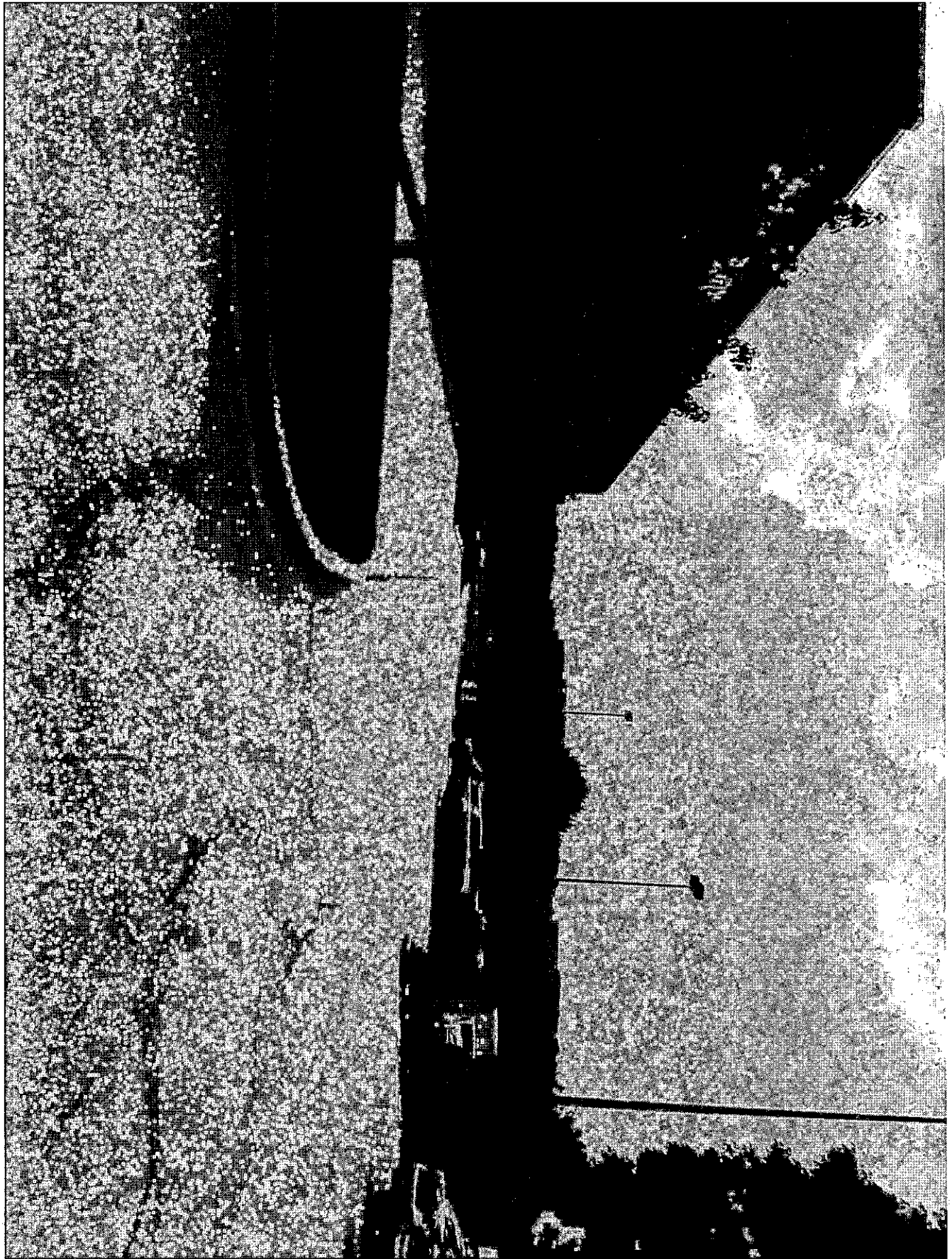
1920 York Road Baltimore County, Maryland
Election District 8 Councilmanic District 3

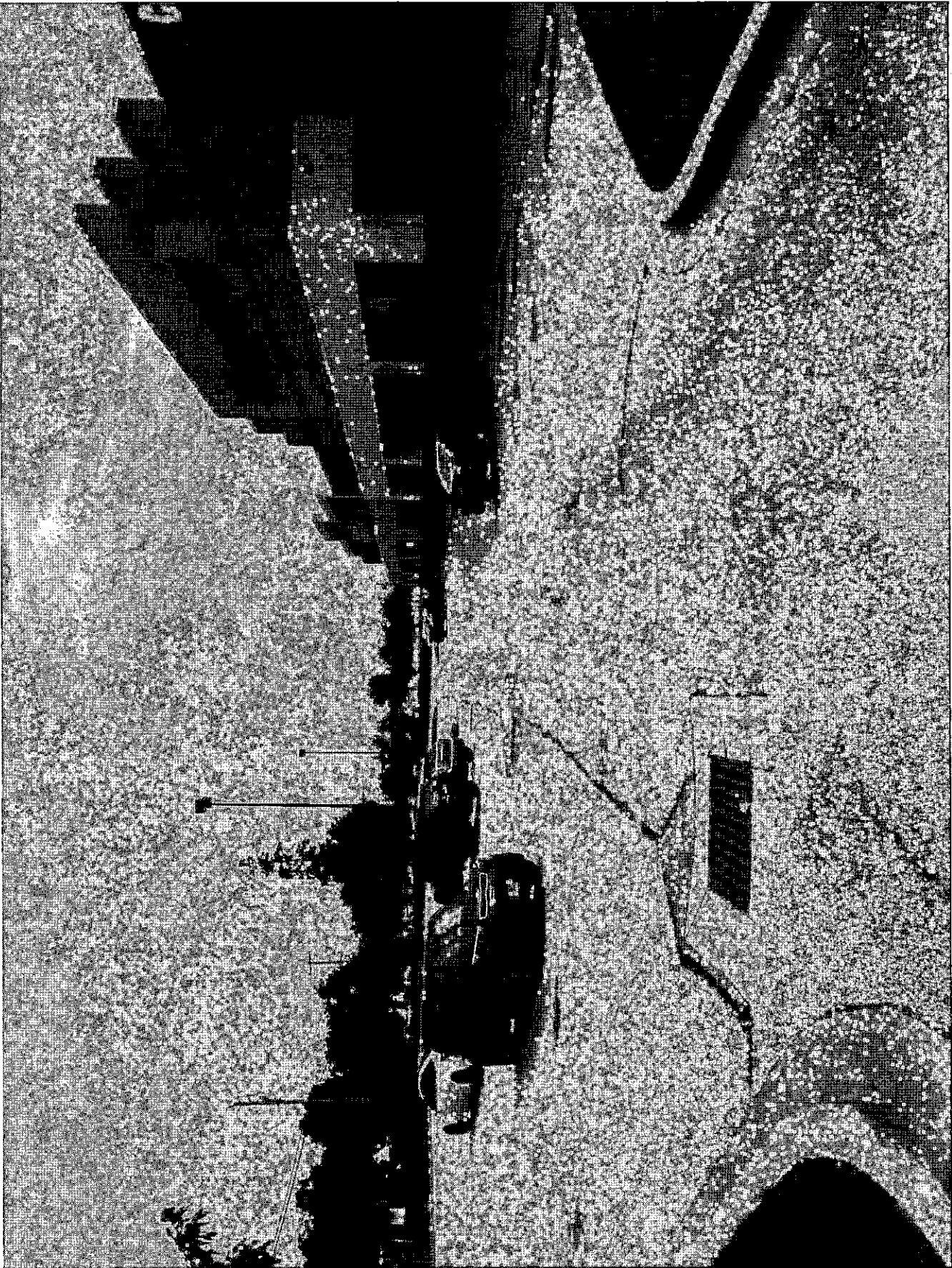


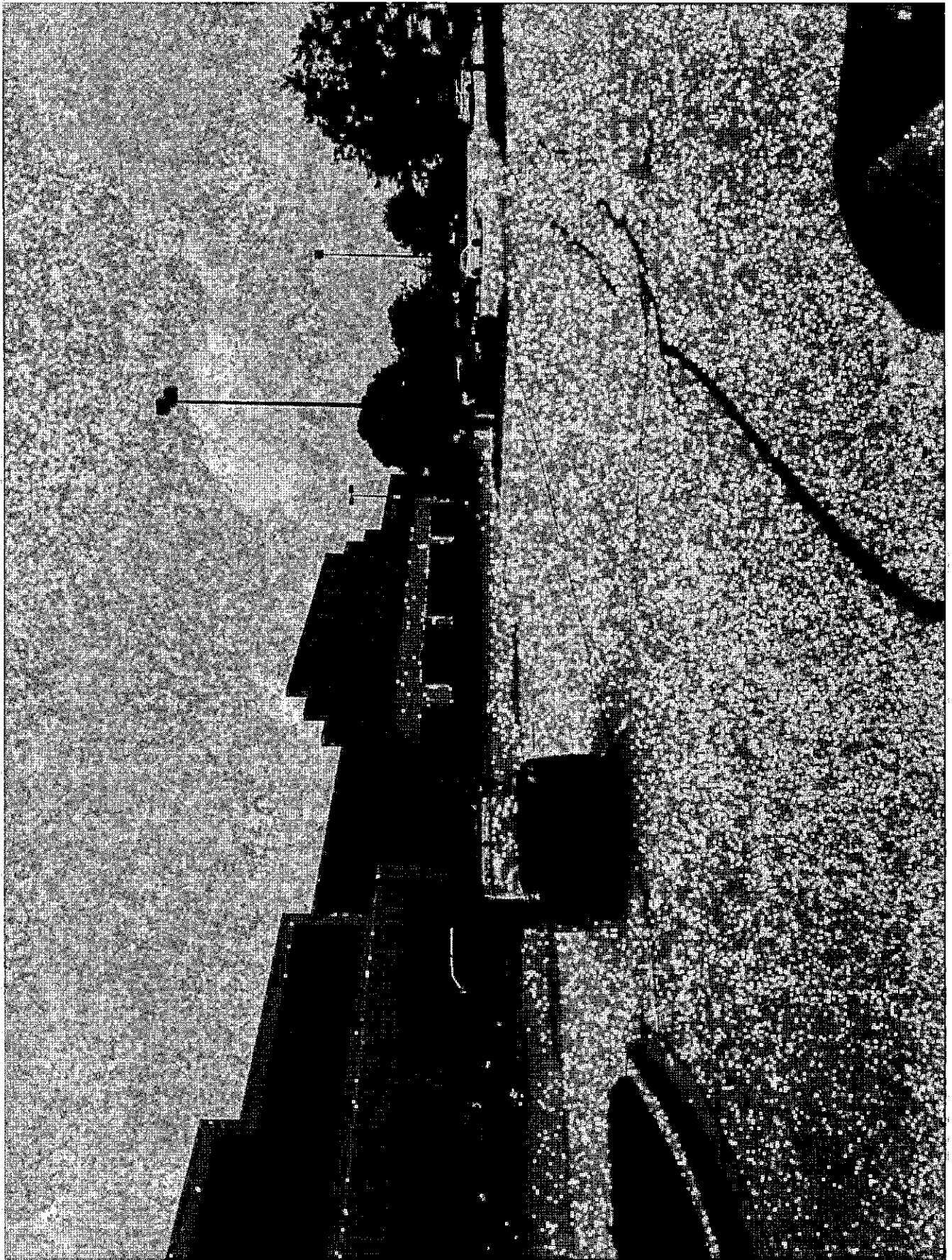
ISSUE DATES		BASE	
REVIEW:	3.11.20	DESIGNED:	M.S.S.
BD:	3.11.20	DRAWN:	M.S.S.
PERMIT:		DESIGNED:	M.J.P.
CONSTRUCTION:		CHECKED BY:	
		DATE CHECKED:	
SCALE:	1"=30'	DRAWING:	
PROJECT NO:	141266.00		1 of 1

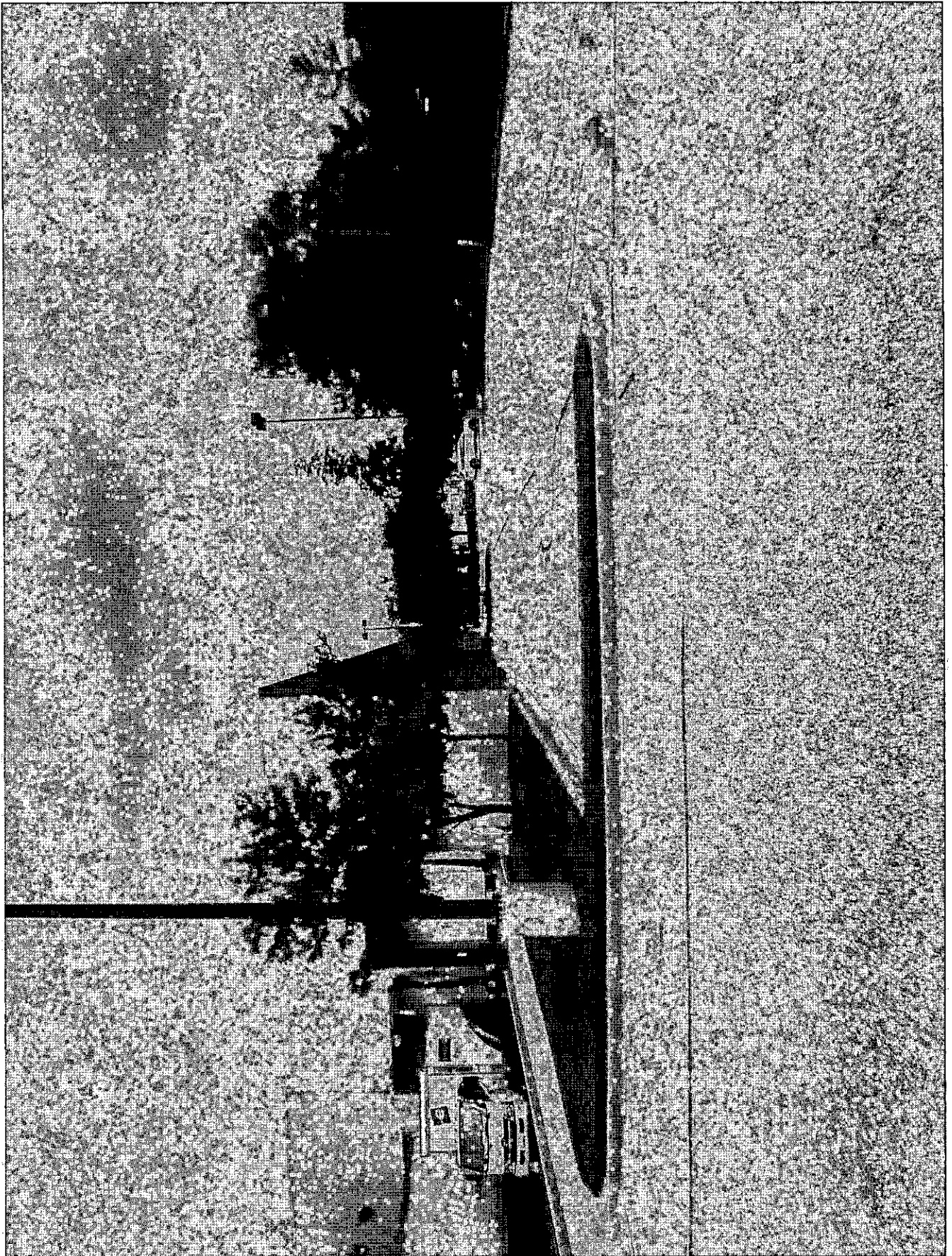


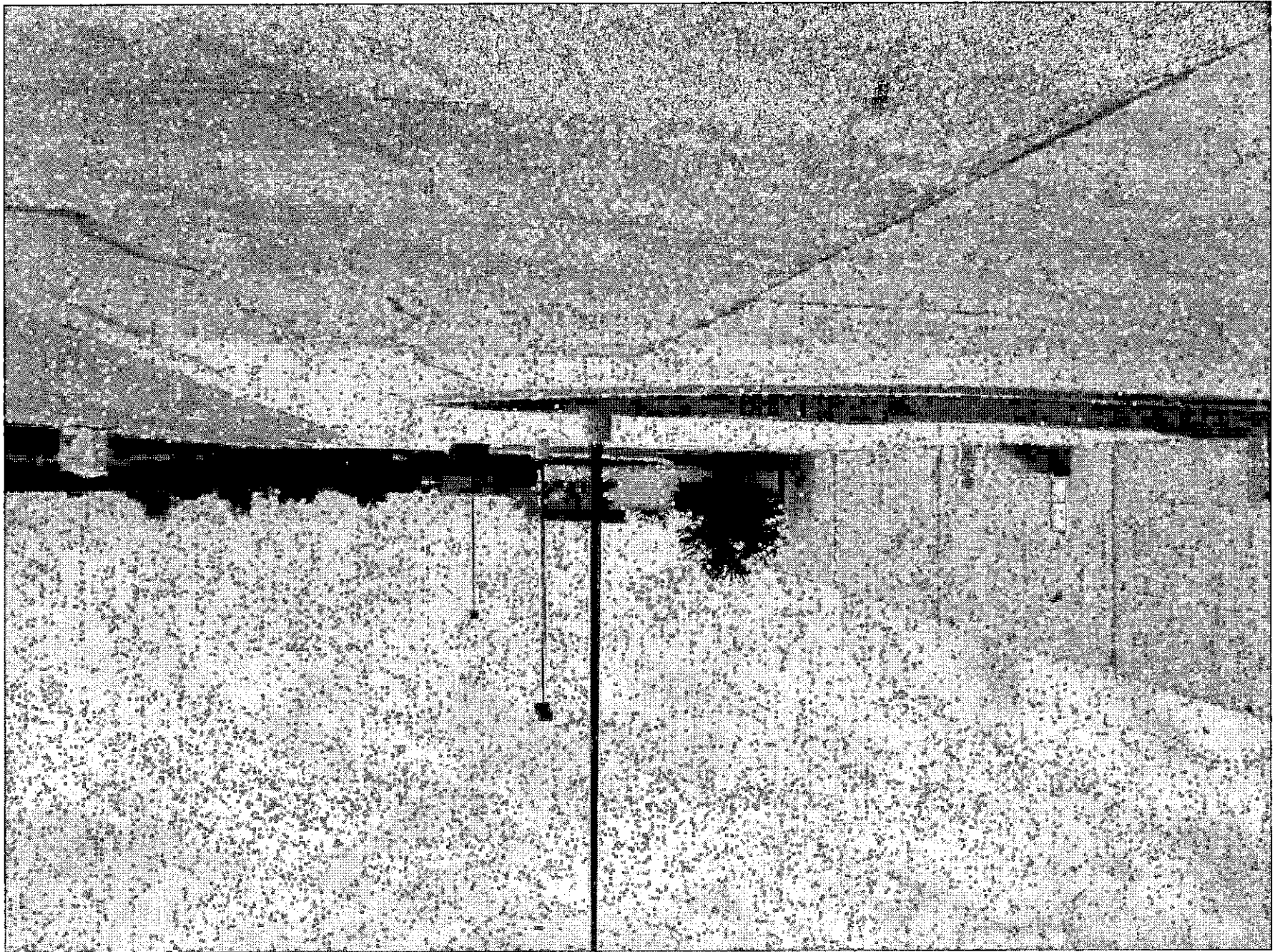












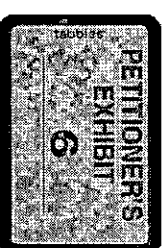


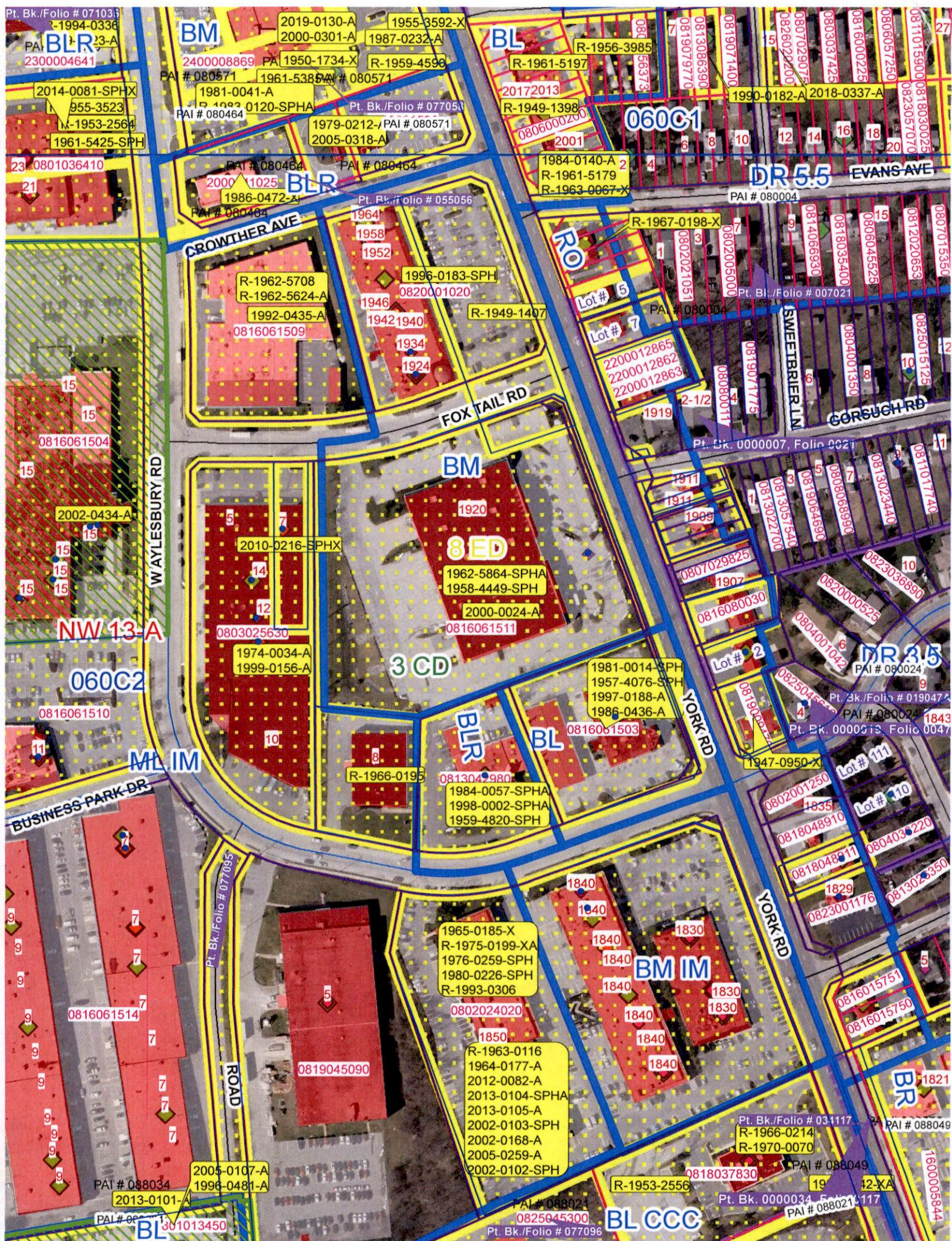
PROPOSED OFFICE & WAREHOUSE
1700
TRIPLED OBSECHT & KILWADNOCK A550C
KILWADNOCK INDUSTRIAL PARK
YORK & KILWADNOCK STADS
EAST ELECTRON DISTRICT
BALTIMORE COUNTY, MARYLAND

Check In Count by Hour 02/01/2020 - 02/29/2020

Club Nbr	Day	12 AM	1 AM	2 AM	3 AM	4 AM	5 AM	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	Total for Day	
7270	02/01/2020	Saturday	0	0	0	0	0	12	12	41	59	52	49	57	49	40	31	31	33	37	10	0	0	0	0	513	
	02/02/2020	Sunday	0	0	0	0	5	8	27	42	23	53	41	36	40	34	37	12	8	2	0	0	0	0	388		
	02/03/2020	Monday	0	0	0	0	2	46	39	18	20	23	18	30	21	22	36	37	47	82	48	23	11	2	618		
	02/04/2020	Tuesday	0	0	0	0	2	64	56	25	17	34	25	28	10	16	17	35	67	111	93	63	44	16	724		
	02/05/2020	Wednesday	0	0	0	0	0	58	47	30	19	32	23	23	35	21	25	38	55	80	81	71	22	14	1	675	
	02/06/2020	Thursday	0	0	0	0	1	57	37	31	21	20	24	22	37	30	23	28	52	82	47	43	28	9	0	592	
	02/07/2020	Friday	0	0	0	0	0	44	38	26	20	52	37	34	34	21	46	43	55	48	43	32	18	8	0	600	
	02/08/2020	Saturday	0	0	0	0	0	1	8	14	31	73	57	65	35	36	31	43	33	21	37	7	0	0	0	492	
	02/09/2020	Sunday	0	0	0	0	0	0	3	10	26	35	38	49	29	43	30	30	29	37	28	7	0	0	0	394	
	02/10/2020	Monday	0	0	0	0	0	64	48	28	28	33	24	23	29	17	22	43	55	108	108	62	39	12	0	743	
	02/11/2020	Tuesday	0	0	0	0	2	57	56	32	31	31	28	30	19	22	17	57	73	119	96	61	41	14	1	787	
	02/12/2020	Wednesday	0	0	0	0	0	66	47	17	25	36	27	30	21	17	27	39	55	111	74	44	42	10	5	0	693
	02/13/2020	Thursday	0	0	0	0	0	49	44	24	22	27	27	25	21	16	23	32	59	80	77	47	26	11	2	0	612
	02/14/2020	Friday	0	0	0	0	1	52	37	30	23	34	23	31	18	26	36	34	52	32	44	31	12	5	1	0	522
	02/15/2020	Saturday	0	0	0	0	0	10	10	13	34	56	52	52	42	43	30	27	36	29	24	6	0	0	0	0	454
	02/16/2020	Sunday	0	0	0	0	0	5	12	25	46	28	32	31	37	31	29	26	43	38	7	0	0	0	0	0	390
	02/17/2020	Monday	0	0	0	0	0	40	30	24	27	25	43	28	37	39	25	29	54	72	85	100	44	35	15	0	727
	02/18/2020	Tuesday	0	0	0	0	0	66	40	27	25	40	20	34	23	23	33	47	45	128	95	66	34	15	2	0	763
	02/19/2020	Wednesday	0	0	0	0	0	62	53	28	21	30	29	31	32	32	29	36	60	86	100	40	35	13	1	0	718
	02/20/2020	Thursday	0	0	0	0	0	42	32	15	15	26	16	33	42	19	37	46	52	51	33	2	0	0	0	0	461
	02/21/2020	Friday	0	0	0	0	0	0	0	0	2	40	24	39	35	35	32	52	59	65	47	27	18	8	4	0	487
	02/22/2020	Saturday	0	0	0	0	0	0	10	19	44	67	62	53	53	48	38	34	28	37	34	6	0	0	0	0	533
	02/23/2020	Sunday	0	0	0	0	0	6	8	17	37	37	33	33	45	37	34	32	35	27	31	17	0	0	0	0	392
	02/24/2020	Monday	0	0	0	0	2	65	51	26	18	32	16	35	36	27	35	40	71	103	93	64	26	9	6	0	756
	02/25/2020	Tuesday	0	0	0	0	0	64	46	33	33	30	24	29	25	24	27	44	65	106	87	57	41	8	5	0	758
	02/26/2020	Wednesday	0	0	0	0	2	55	35	20	18	32	20	36	22	28	33	39	54	92	79	45	30	14	3	0	658
	02/27/2020	Thursday	0	0	0	0	0	60	37	35	13	23	34	27	21	19	23	31	44	88	74	49	39	17	7	0	641
	02/28/2020	Friday	0	0	0	0	0	44	46	28	25	40	33	31	35	20	38	48	54	56	47	14	16	16	3	0	594
	02/29/2020	Saturday	0	0	0	0	0	0	20	18	42	52	36	42	42	42	29	24	27	18	36	7	0	0	0	0	435
7270			0	0	0	0	13	1056	898	611	710	1125	881	1036	930	832	891	1107	1428	1980	1785	979	569	225	44	0	17100
29			0	0	0	0	13	1056	898	611	710	1125	881	1036	930	832	891	1107	1428	1980	1785	979	569	225	44	0	17100

Filters: Club Nbr in list (07270) and Check In Date in range (02/01/2020, 02/29/2020)





Donna Mignon

From: Mudd, Christopher D. <CDMudd@Venable.com>
Sent: Tuesday, July 28, 2020 12:12 PM
To: Donna Mignon
Cc: Michael J. Pieranunzi
Subject: RE: Invitation to join Web seminar as a panelist: Zoning Hearing - 1920 York Road

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

Thank you. Please also invite Michael Pieranunzi as a panelist (copied here)

Christopher D. Mudd, Esq. | Venable LLP
t 410.494.6365 | f 410.821.0147 | m 410.271.9105
210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204

CDMudd@Venable.com | www.Venable.com

From: messenger@webex.com <messenger@webex.com>
Sent: Tuesday, July 28, 2020 12:10 PM
To: Mudd, Christopher D. <CDMudd@Venable.com>
Subject: Invitation to join Web seminar as a panelist: Zoning Hearing - 1920 York Road

Caution: External Email

You're a panelist for this Webex event. When it's time, join the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)
Event number (access code): 160 401 7902
Event password: 1234
Panelist password: The Event has no Panelist Password

Thursday, August 20, 2020 1:30 pm, Eastern Daylight Time (New York, GMT-04:00)

[Join event](#)

If you experience a problem joining the event as a panelist, you can join as an attendee.

Join as an attendee:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ec066621cb9ea5c27cc3801239e>

Join the audio conference only

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1604017902@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 138904

Need help? Go to <http://help.webex.com>

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

Donna Mignon

Subject: Web seminar scheduled: Zoning Hearing - 1920 York Road
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ef7e68b5fb2297a65cfc61b8ccd6cda68>
Start: Thu 8/20/2020 1:30 PM
End: Thu 8/20/2020 2:30 PM
Show Time As: Tentative
Recurrence: (none)
Organizer: webex

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

When it's time, start the Webex event here.

Host: Donna Mignon (dmignon@baltimorecountymd.gov)

Event number (access code): 160 401 7902

Host key: 485011 (Use this to reclaim host privileges.)

Thursday, August 20, 2020 1:30 pm, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ef7e68b5fb2297a65cfc61b8ccd6c>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e19b491a0aec8c0ecab63234c55>



Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1604017902@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 138904

Need help? Go to <http://help.webex.com>



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 1920 York Road which is presently zoned ML-IM, BL, BM, BLR

Deed References: 6468 / 525 10 Digit Tax Account # 08-16-061511

Property Owner(s) Printed Name(s) Kilmarnock Associates Limited Partnership

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

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

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

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

3. X a Varlance from Section(s) 409.6 to permit 376 parking spaces in lieu of the required 431 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:

P. Frederick Obrecht Properties, LLC

Name- Type or Print

PF Obrecht

Signature

9475 Deereco Road Suite 200 Timonium MD

Mailing Address City State

21093 / 410-561-5858 / tfo@obrechtproperties.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Kilmarnock Associates Limited Partnership

Name #1 - Type or Print

Name #2 - Type or Print

[Signature]

Signature #1

Signature #2

305 W. Chesapeake Ave. Suite 110 Towson MD

Mailing Address City State

21204 / /

Zip Code Telephone # Email Address

Attorney for Petitioner:

Christopher D. Mudd - Venable LLP

Name- Type or Print

Christopher D. Mudd

Signature

210 W. Pennsylvania Avenue Ste. 500 Towson, MD

Mailing Address City State

21204 / 410-494-6365 / CDMudd@Venable.com

Zip Code Telephone # Email Address

Representative to be contacted:

Bryan D. Eberle

Name- Type or Print

Bryan D. Eberle

Signature

9475 Deereco Road Suite 200 Timonium MD

Mailing Address City State

21093 / 410-561-5858 x 3246 / beberle@obrechtproperties.com

Zip Code Telephone # Email Address

CASE NUMBER 2020-0080-A Filing Date 3/13/2020 Do Not Schedule Dates: Reviewer JCM

Donna Mignon

From: Kristen L Lewis
Sent: Tuesday, July 28, 2020 11:52 AM
To: Donna Mignon; Debra Wiley
Subject: Webex
Attachments: 20200728114836830.pdf

Hello ladies,

I have attached the information for another case, people aren't being difficult today so I am getting them done a little faster :)

Kristen Lewis
PAI – Zoning Review
410-887-3391

-----Original Message-----

From: cpr111@baltimorecountymd.gov [mailto:cpr111@baltimorecountymd.gov]
Sent: Tuesday, July 28, 2020 11:49 AM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: Message from "RNP5838792833FE"

This E-mail was sent from "RNP5838792833FE" (MP 4055).

Scan Date: 07.28.2020 11:48:36 (-0400)
Queries to: cpr111@baltimorecountymd.gov

	Existing Edge of Paving
	Existing Storm Drain and Inlet
	Existing Water Fire Hydrant
	Existing Sewer
	Existing Curb and Gutter
	Existing Underground Electric
	Existing Overhead Electric
	Existing Gas and Valve
	Existing Building
	Existing Building Entrance
	Test Boundary

PLAN
SCALE: 1"=3'

SCALE: 1"=30'

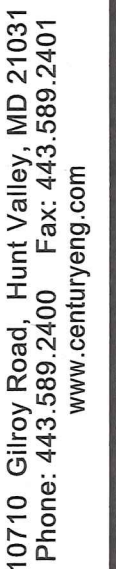
1. A Variance is requested from Section 409.6 of the Baltimore County Zoning Regulations to permit 376 parking spaces in lieu of the required 431 parking spaces.

- * ADDITIONAL 'PRIOR ZONING CASES'**
1958-4449-SPH: to permit construction of a one story masonry building. Granted.
1962-5864-SPH: to permit a variance of Section 252.4 requesting 32.9% instead of 25% coverage. Granted.
2000-0024-A: to permit 5 wall mounted signs in lieu of 1 permitted sign. Granted.

EXHIBIT NO. 1A

1. Owner: Whymark Associates Limited Partnership
10000 Highway 110
Towson, Maryland 21204
2. Area of Parcel: 5.4052 AC. (1110 and 1420 York Road,
S West Annapolis Road)
3. Title Desc: Liber EHK, Jr. 6469, Folio 525
4. Site Address:
a. Existing Official Address: 1420 York Road
(Tax Map Address: 1406 York Road)
b. Existing Non-Official Address:
c. Anticipating Floor: N West Annapolis Road
Timonium, Maryland 21093
5. Tax Account Number: 08 1606 15 11 Tax Map: 0600 Parcel: 866
6. The Property is zoned MU-M, BKM-BUR, BL on Zoning Map 060C2.
7. This site is within the Metropolitan District.
8. This site is not in the Chesapeake Bay Critical Zone.
9. This site is not located in a deficient area of any of the Basic Services Maps.
10. This site is located within the Jones Falls watershed.
11. This site is located within the Roland Run subshed.
12. There are no 100-year floodplains, streams, flood areas, or wetlands onsite.
13. This site is not located within designated area of critical concern.
14. There are no historic structures located on this site.

Topographic information shown on this plan is from the Baltimore County Geographic Information System, Panel 060C2. Existing utilities shown are digitized from "My Neighborhood".

[illegible]

Office Depot

1920 York Road
Election District 8



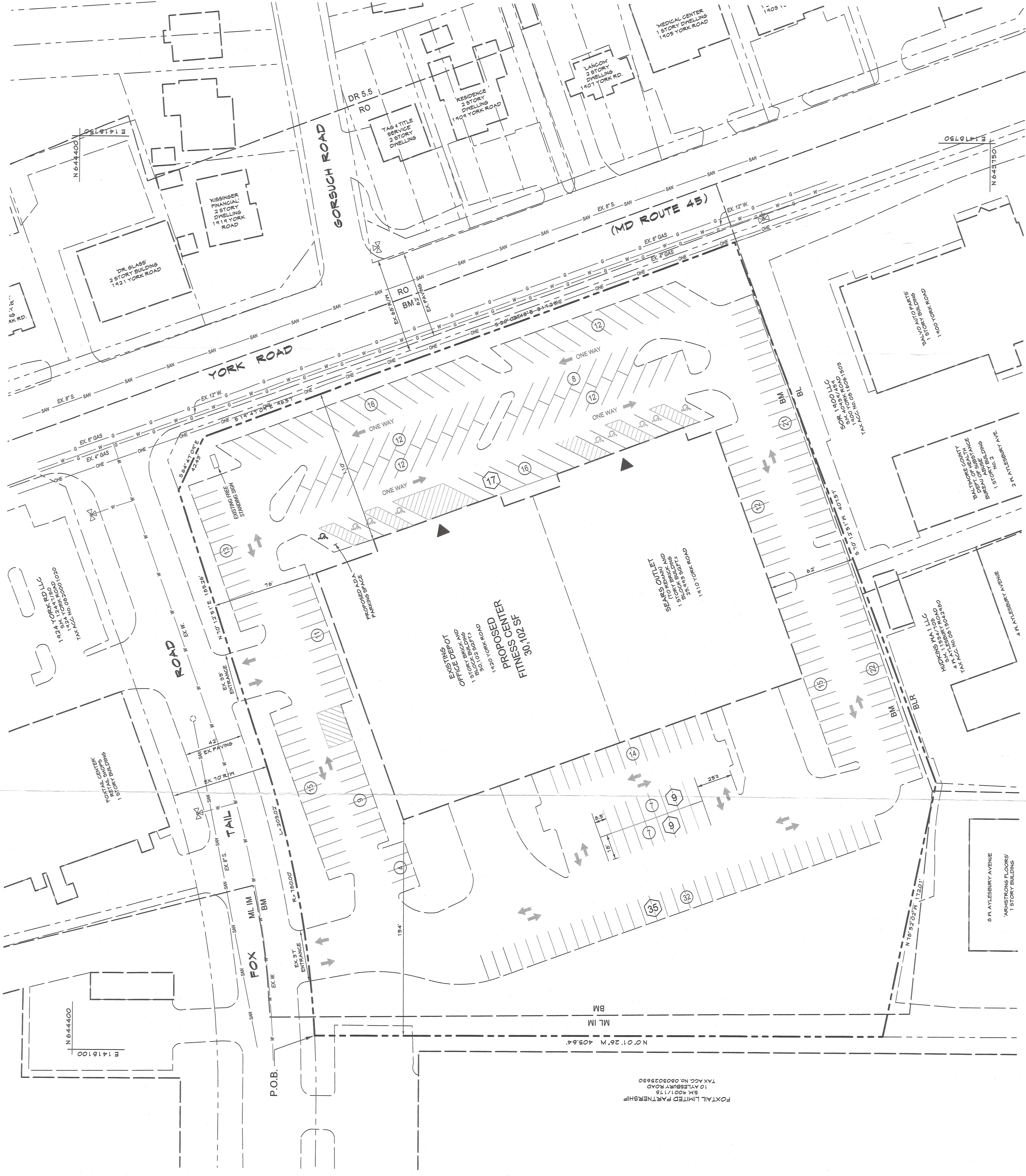
ISSUE DATES	BASE:	M.S.S.
NEW: 3.11.20	DRAWN:	M.S.S.
	DESIGNED:	M.J.P.
	CHECKED BY:	
	DATE CHECKED:	
INSTRUCTION:		
E: 1"=30'	DRAWING:	
PROJECT NO.: 191266.00		1 of 1

SCALE: 1"=500'



	Existing Edge of Paving
	Existing Storm Drain and Inlet
	Existing Water and Fire Hydrant
	Existing Sewer
	Existing Curb and Gutter
	Existing Underground Electric
	Existing Overhead Electric
	Existing Gas and Valve
	Existing Building
	Existing Building Entrance
	Tract Boundary

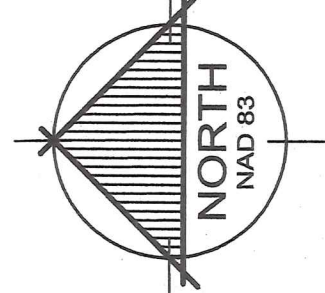
SCALE: 1"=30'



1. Owner: Kinamrock Associates Limited Partnership
905 N. Chesapeake Avenue, Suite 110
Towson, Maryland 21204
2. Area of Parcel: 5.49523 Ac. (111.0 and 152.0 York Road,
8 West Adjutting Road)
3. Title Descd. Liber EHK, Jr. 6469, Folio 525
4. Site Address:
 - a. Existing Office Depot: 1920 York Road
(Tax Map Address: 1908 York Road)
 - b. Existing gears Outlets: 1410 York Road
(Tax Map Address: 1408 York Road)
 - c. Armstrong Floors: 8 West Adjutting Road
Timonium, Maryland 21109
5. Tax Account Number: 06 1606 151 Tax Map: 0660 Parcel: 8666
(The Property is Zoned M-L, BM, BLR, BL on Zoning Map 0606C.

A Variance is requested from Section 409.6 of the Baltimore County Zoning Regulations to permit 376 parking spaces in lieu of the required 431 parking spaces.

1920 York Road Baltimore County, Maryland
Election District 8 Councilmanic District 3



ISSUE DATES	
REVIEW: 3.1.20	
DRAWN: M.S.S.	BASE: M.S.S.
CHECKED: M.J.P.	DRAWN: M.S.S.
DESIGNED: M.J.P.	CHECKED: M.J.P.
PERMIT: _____	DESIGNED: _____
CONSTRUCTION: _____	PERMIT: _____
	CONSTRUCTION: _____
SCALE: 1"=30'	DATE CHECKED: _____
	DRAWING: _____

PROJECT NO.: 191266.00

Topographic information shown on this plan is from the Baltimore County Geographic Information System, Panel 060C2. Existing utilities shown are digitized from "My Neighborhood".

[illegible]

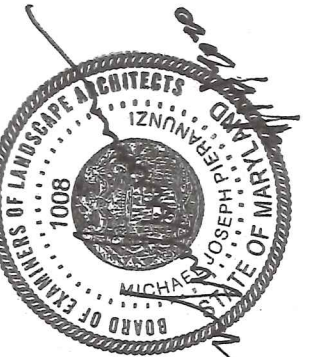
CENTURY
ENGINEERING

0 Gilroy Road, Hunt Valley, MD 2103
ne: 443.589.2400 Fax: 443.589.2401

Plan to Accompany A Zoning Variance Petition

Office Depot

1920 York Road Baltimore County, Maryland
Election District 8 Councilmanic District 3



BASE: M.S.S.
DRAWN: M.S.S.
DESIGNED: M.J.P.
CHECKED BY: ----
DATE CHECKED: ----
DRAWING:

PROJECT NO.: 191266.00



VICINITY

SCALE: 1"=500'