

M E M O R A N D U M

DATE: November 24, 2020
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2020-0144-A- Appeal Period Expired

The appeal period for the above-referenced cases expired on November 23, 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
(10240 a/k/a 10210 Mill Run Circle)
4th Election District
4th Council District
Owings Mills Mall, LLC
Legal Owner

Petitioner

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* **CASE NO. 2020-0144-A**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) as a Petition for Variance filed by Owings Mills Mall LLC for property located at 10240 a/k/a 10210 Mill Run Circle. The Petitioner is requesting variance relief from § 421.2 of the Baltimore County Zoning Regulations ("BCZR") to permit a pet shop (as defined in BCZR § 101) to be located zero (0) ft. from a lease line in lieu of the minimum required 200 ft., and from BCZR § 421.2 to permit a pet shop and associated parts thereof (including parking) to be located as close as zero (0) ft. from an internal lot line in lieu of the minimum required 200 ft. For such other and further relief as may be deemed necessary by the Administrative Law Judge ("ALJ").

Due to the COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. A site plan was marked and accepted into evidence as Petitioner's Exhibit 1.

Substantive Zoning Advisory Committee ("ZAC") comment was received from the Department of Planning ("DOP"). They did not oppose the requested relief.

Gregory Reed is the Vice President of Kimko Reality Corporation, owner of the site appeared at the hearing. Lawrence E. Schmidt, Esq. represented the Petitioner. Michael Gesell

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Date 10/22/20

By Manan

from Bohler Engineer prepared the site plan and appeared on their behalf. There were no protestants in attendance.

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 described above, the site is unique for a variety of reasons. This site is known as Owings Mills Station and is a large shopping complex anchored by a Lowe's and a Costco across is a large parking lot from these store, where Petitioner has constructed a strip center. One of the stores in the strip center is a "PetSmart", part of a national chain. The store is permitted as of right in the zone, but is part of the strip center which consists of separate parcels sharing common walls with its neighbor, and cannot, by its position and construction, be located 200 feet from a lease line. As to the second variance requested, the considerable parking on the site is open to and shared by all twelve (12) parcels on the site.

It should be noted that evidence was provided that a specific "dog park" area with significant signage will be provided near the PetSmart. Nevertheless, the DOP comment and requirements will be included in this Order.

Finally, if these variances are not granted the Petitioner would suffer practical difficulty in that, although permitted, he would not be able to carry out the business permitted on the site.

THEREFORE, IT IS ORDERED, this 22nd day of **October 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR § 421.2 to permit a pet shop (as defined in BCZR § 101) to be located zero (0) ft. from a lease line in lieu of

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By D. Mignone

the minimum required 200 ft. and from BCZR § 421.2 to permit a pet shop and associated parts thereof (including parking) to be located as close as zero (0) ft. from an internal lot line in lieu of the minimum required 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 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, Petitioner would be required to return the subject property to its original condition.
- Petitioner must comply with the requirements set forth in the DOP comment, which is attached hereto and incorporated.

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



LAWRENCE M. STAHL
Administrative Law Judge for
Baltimore County

LMS/dlm

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Date 10/22/20
By J. Mignone



10240

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 ~~40900~~ Mill Run Circle a.k.a. 10210 Mill Run Cir. which is presently zoned ~~BMTG~~ BM-CT
 Plat- Deed References: 79/807 10 Digit Tax Account # 2500015015 2500015611
 Property Owner(s) Printed Name(s) Owings Mills Mall, LLC

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

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

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

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

3. ☒ a Variance from Section(s)

Please see attached.

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

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address

21204

(410) 821-0070

lschmidt@sgs-law.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

GREGORY H. REED

Authorized Representative of Owings Mills Mall, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

C/O Kimco Realty Corp.
3333 New Hyde Park Road, Suite 100

New Hyde Park NY

Mailing Address

11042

(410) 684-2000

GReed@kimcorealty.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name - Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address

21204

(410) 821-0070

lschmidt@sgs-law.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0144-AFiling Date 6/23/2020

Do Not Schedule Dates: _____

Reviewer RT

Variance relief:

1. A variance from BCZR § 421.2 to permit a pet shop (as defined in BCZR § 101) to be located zero (0.0) feet from a lease line in lieu of the minimum required 200 feet; and,
2. A variance from BCZR § 421.2 to permit a pet shop and associated parts thereof (including parking) to be located as close as zero (0,0) feet from an internal lot line in lieu of the minimum required 200 feet; and,
3. For such other and further relief as may be deemed necessary by the Administrative Law Judge.

ZONING DESCRIPTION
TAX MAP 67, PARCEL 46, PARCEL 4
THE LAND OF
OWINGS MILLS MALL, LLC.
LIBER 29867 FOLIO 475
4TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LIMITS OF MILL RUN CIRCLE (VARIABLE WIDTH RIGHT-OF-WAY), WHICH IS 0 FEET WEST OF THE INTERSECTION OF SAID MILL RUN CIRCLE AND I-795 RAMPS X & Y (VARIABLE WIDTH RIGHT-OF-WAY), THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LIMITS AND WITH THE DIVISION LINE BETWEEN MILL RUN CIRCLE ON THE SOUTH AND THE LAND OF OWINGS MILLS MALL, LLC (LIBER 29867, FOLIO 475) ON THE SOUTH;

1. THENCE 188.17 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 663.00 FEET, A CENTRAL ANGLE OF 16 DEGREES – 15 MINUTES – 40 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 55 DEGREES – 15 MINUTES – 58 SECONDS EAST, 187.54 FEET TO A POINT, THENCE;
2. CONTINUING SOUTH 63 DEGREES – 23 MINUTES – 43 SECONDS EAST, 540.67 FEET TO A POINT, THENCE;
3. CONTINUING SOUTH 26 DEGREES – 36 MINUTES – 17 SECONDS WEST, 75.00 FEET TO A POINT, THENCE;
4. CONTINUING NORTH 63 DEGREES – 23 MINUTES – 43 SECONDS WEST, 40.00 FEET TO A POINT, THENCE;
5. THENCE 78.94 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 41.50 FEET, A CENTRAL ANGLE OF 108 DEGREES – 59 MINUTES -03 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 62 DEGREES – 06 MINUTES – 33 SECONDS WEST, 67.56 FEET TO A POINT, THENCE;
6. THENCE 12.34 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 210.00 FEET, A CENTRAL ANGLE OF 03 DEGREES – 21 MINUTES -59 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 05 DEGREES – 57 MINUTES – 20 SECONDS WEST, 12.34 FEET TO A POINT, THENCE;
7. THENCE 66.63 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 41.50 FEET, A CENTRAL ANGLE OF 91 DEGREES – 59 MINUTES – 10 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 41 DEGREES – 44 MINUTES – 51 SECONDS EAST, 59.70 FEET TO A POINT, THENCE;
8. THENCE 105.02 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,041.51 FEET, A CENTRAL ANGLE OF 05 DEGREES – 46 MINUTES – 39 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 84 DEGREES – 50 MINUTES – 54 SECONDS EAST, 104.98 FEET TO A POINT, THENCE;

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9. CONTINUING SOUTH 81 DEGREES – 57 MINUTES – 42 SECONDS EAST, 524.97 FEET TO A POINT, THENCE;
10. THENCE 335.99 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 958.50 FEET, A CENTRAL ANGLE OF 20 DEGREES – 05 MINUTES – 03 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 87 DEGREES – 59 MINUTES – 45 SECONDS EAST, 334.27 FEET TO A POINT, THENCE;
11. CONTINUING NORTH 77 DEGREES – 57 MINUTES – 14 SECONDS EAST, 124.96 FEET TO A POINT, THENCE;
12. THENCE 145.52 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 801.50 FEET, A CENTRAL ANGLE OF 10 DEGREES – 24 MINUTES – 08 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 83 DEGREES – 09 MINUTES – 12 SECONDS EAST, 145.32 FEET TO A POINT, THENCE;
13. THENCE 17.88 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 786.17 FEET, A CENTRAL ANGLE OF 01 DEGREES – 18 MINUTES – 12 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 89 DEGREES – 00 MINUTES – 29 SECONDS EAST, 17.88 FEET TO A POINT, THENCE;
14. THENCE 57.25 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 41.50 FEET, A CENTRAL ANGLE OF 79 DEGREES – 02 MINUTES – 39 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 49 DEGREES – 14 MINUTES – 32 SECONDS WEST, 52.82 FEET TO A POINT, THENCE;
15. THENCE 124.02 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 190.50 FEET, A CENTRAL ANGLE OF 37 DEGREES – 18 MINUTES – 04 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 28 DEGREES – 22 MINUTES – 15 SECONDS WEST, 121.84 FEET TO A POINT, THENCE;
16. THENCE 23.01 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 14.14 FEET, A CENTRAL ANGLE OF 93 DEGREES – 13 MINUTES – 06 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 00 DEGREES – 24 MINUTES – 44 SECONDS EAST, 20.55 FEET TO A POINT, THENCE;
17. CONTINUING NORTH 46 DEGREES – 11 MINUTES – 49 SECONDS EAST, 22.78 FEET TO A POINT, THENCE;
18. CONTINUING NORTH 63 DEGREES – 36 MINUTES – 27 SECONDS WEST, 36.11 FEET TO A POINT, THENCE;
19. CONTINUING NORTH 25 DEGREES – 23 MINUTES – 03 SECONDS EAST, 21.60 FEET TO A POINT, THENCE;
20. THENCE 121.86 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 467.60 FEET, A CENTRAL ANGLE OF 14 DEGREES – 55 MINUTES – 55 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 15 DEGREES – 33 MINUTES – 45 SECONDS EAST, 121.52 FEET TO A POINT, THENCE;

21. THENCE 211.26 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 380.59 FEET, A CENTRAL ANGLE OF 31 DEGREES – 48 MINUTES – 15 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 04 DEGREES – 28 MINUTES – 48 SECONDS EAST, 208.56 FEET TO A POINT, THENCE;
22. CONTINUING NORTH 13 DEGREES – 41 MINUTES – 06 SECONDS WEST, 59.37 FEET TO A POINT, THENCE;
23. CONTINUING NORTH 16 DEGREES – 05 MINUTES – 04 SECONDS WEST, 288.16 FEET TO A POINT, THENCE;
24. CONTINUING NORTH 23 DEGREES – 34 MINUTES – 20 SECONDS WEST, 4.05 FEET TO A POINT, THENCE;
25. CONTINUING NORTH 60 DEGREES – 44 MINUTES – 59 SECONDS EAST, 3.03 FEET TO A POINT, THENCE;
26. CONTINUING NORTH 11 DEGREES – 00 MINUTES – 24 SECONDS WEST, 32.74 FEET TO A POINT, THENCE;
27. CONTINUING 18.46 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 11.75 FEET, A CENTRAL ANGLE OF 90 DEGREES – 00 MINUTES – 02 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 61 DEGREES – 09 MINUTES – 22 SECONDS WEST, 16.62 FEET TO A POINT, THENCE;
28. CONTINUING NORTH 16 DEGREES – 09 MINUTES – 21 SECONDS WEST, 6.56 FEET TO A POINT, THENCE;
29. CONTINUING 68.15 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 408.25 FEET, A CENTRAL ANGLE OF 09 DEGREES – 33 MINUTES – 52 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 20 DEGREES – 56 MINUTES – 18 SECONDS WEST, 68.07 FEET TO A POINT, THENCE;
30. CONTINUING NORTH 25 DEGREES – 43 MINUTES – 14 SECONDS WEST, 226.53 FEET TO A POINT, THENCE;
31. CONTINUING 195.82 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 336.96 FEET, A CENTRAL ANGLE OF 33 DEGREES – 17 MINUTES – 47 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 42 DEGREES – 11 MINUTES – 23 SECONDS WEST, 193.08 FEET TO A POINT, THENCE;
32. CONTINUING NORTH 60 DEGREES – 47 MINUTES – 44 SECONDS WEST, 650.72 FEET TO A POINT, THENCE;
33. CONTINUING 187.15 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 268.25 FEET, A CENTRAL ANGLE OF 39 DEGREES – 58 MINUTES – 22 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 80 DEGREES – 46 MINUTES – 16 SECONDS WEST, 183.37 FEET TO A POINT, THENCE;

34. CONTINUING NORTH 82 DEGREES – 42 MINUTES – 33 SECONDS WEST, 65.65 FEET TO A POINT, THENCE;
35. CONTINUING SOUTH 84 DEGREES – 36 MINUTES – 13 SECONDS WEST, 131.53 FEET TO A POINT, THENCE;
36. CONTINUING NORTH 84 DEGREES – 51 MINUTES – 20 SECONDS WEST, 105.95 FEET TO A POINT, THENCE;
37. CONTINUING SOUTH 67 DEGREES – 19 MINUTES – 25 SECONDS WEST, 202.24 FEET TO A POINT, THENCE;
38. CONTINUING SOUTH 71 DEGREES – 05 MINUTES – 25 SECONDS WEST, 301.04 FEET TO POINT, THENCE;
39. CONTINUING SOUTH 64 DEGREES – 32 MINUTES – 33 SECONDS EAST, 49.74 FEET TO A POINT, THENCE;
40. CONTINUING SOUTH 07 DEGREES – 18 MINUTES – 09 SECONDS EAST, 47.54 FEET TO A POINT, THENCE;
41. CONTINUING SOUTH 56 DEGREES – 05 MINUTES – 34 SECONDS EAST, 94.52 FEET TO A POINT, THENCE;
42. CONTINUING SOUTH 33 DEGREES – 54 MINUTES – 26 SECONDS WEST, 219.16 FEET TO A POINT, THENCE;
43. CONTINUING 528.56 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 457.00 FEET, A CENTRAL ANGLE OF 66 DEGREES – 16 MINUTES – 02 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 00 DEGREES – 46 MINUTES – 22 SECONDS WEST, 499.59 FEET TO A POINT, THENCE;
44. CONTINUING SOUTH 74 DEGREES – 05 MINUTES – 30 SECONDS WEST, 25.66 FEET TO A POINT, THENCE;
45. CONTINUING SOUTH 36 DEGREES – 12 MINUTES – 30 SECONDS EAST, 149.13 FEET TO A POINT, THENCE;
46. CONTINUING NORTH 52 DEGREES – 52 MINUTES – 57 SECONDS EAST, 92.36 FEET TO A POINT, THENCE;
47. CONTINUING NORTH 38 DEGREES – 57 MINUTES – 48 SECONDS WEST, 94.38 FEET TO A POINT, THENCE;
48. CONTINUING 323.84 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 393.00 FEET, A CENTRAL ANGLE OF 47 DEGREES – 12 MINUTES – 42 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 15 DEGREES – 21 MINUTES – 29 SECONDS EAST, 314.75 FEET TO THE POINT, THENCE;

49. CONTINUING NORTH 80 DEGREES – 25 MINUTES – 16 SECONDS EAST, 35.09 FEET TO A POINT, THENCE;
50. CONTINUING SOUTH 60 DEGREES – 49 MINUTES – 41 SECONDS EAST, 378.43 FEET TO A POINT THENCE;
51. CONTINUING 112.87 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 110.00 FEET, A CENTRAL ANGLE OF 58 DEGREES – 47 MINUTES – 23 SECONDS, AND CHORD BEARING AND DISTANCE OF SOUTH 00 DEGREES – 13 MINUTES – 22 SECONDS EAST, 107.9 FEET TO THE POINT, THENCE;
52. CONTINUING SOUTH 29 DEGREES – 10 MINUTES – 19 SECONDS WEST, 240.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,516,200 SQUARE FEET OR 57.764 ACRES.

LESS AND EXCEPT

DESCRIPTION
TAX MAP 67, PARCEL 46, PARCEL 1
THE LAND OF
OWINGS MILLS MALL, LLC.
LIBER 29867 FOLIO 475
4TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

COMMENCING AT THE END OF A LINE BEARING SOUTH 34 DEGREES – 36 MINUTES – 13 SECONDS WEST, 131.53 FEET, THENCE DEPARTING SAID LINE, SOUTH 10 DEGREES – 27 MINUTES – 40 SECONDS EAST, 91.37 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING WITH SAID LINE THE FOLLOWING NINE (9) COURSES AND DISTANCES;

1. THENCE SOUTH 73 DEGREES – 57 MINUTES – 00 SECONDS WEST, 144.77 FEET TO A POINT, THENCE;
2. CONTINUING SOUTH 74 DEGREES – 25 MINUTES 47 SECONDS WEST, 128.04 FEET TO A POINT, THENCE;
3. CONTINUING SOUTH 71 DEGREES – 59 MINUTES – 52 SECONDS WEST, 117.39 FEET TO A POINT, THENCE;
4. CONTINUING SOUTH 16 DEGREES – 48 MINUTES – 31 SECONDS WEST, 81.73 FEET TO A POINT, THENCE;
5. CONTINUING SOUTH 29 DEGREES – 10 MINUTES – 19 SECONDS WEST, 47.17 FEET TO A POINT, THENCE;
6. CONTINUING SOUTH 60 DEGREES – 49 MINUTES – 41 SECONDS EAST, 817.52 FEET TO A POINT, THENCE;

7. CONTINUING NORTH 29 DEGREES – 10 MINUTES – 19 SECONDS EAST, 150.00 FEET TO A POINT, THENCE;
8. CONTINUING NORTH 52 DEGREES – 35 MINUTES – 16 SECONDS EAST, 45.63 FEET TO A POINT, THENCE;
9. CONTINUING NORTH 29 DEGREES – 29 MINUTES – 03 SECONDS WEST, 303.77 FEET TO THE POINT OF BEGINNING.

CONTAINING 520,968 SQUARE FEET OR 11.960 ACRES.

DESCRIPTION
TAX MAP 67, PARCEL 46, PARCEL 2
THE LAND OF
OWINGS MILLS MALL, LLC.
LIBER 29867 FOLIO 475
4TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

COMMENCING AT THE END OF A LINE BEARING NORTH 16 DEGREES – 09 MINUTES – 21 SECONDS WEST, 6.56 FEET, THENCE DEPARTING SAID LINE, SOUTH 67 DEGREES – 30 MINUTES – 28 SECONDS WEST, 164.96 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING WITH SAID LINE THE FOLLOWING TWENTY-FIVE (25) COURSES AND DISTANCES;

1. THENCE NORTH 14 DEGREES – 02 MINUTES – 43 SECONDS WEST, 173.86 FEET TO A POINT, THENCE;
2. CONTINUING NORTH 60 DEGREES – 29 MINUTES 24 SECONDS WEST, 736.27 FEET TO A POINT, THENCE;
3. CONTINUING SOUTH 29 DEGREES – 06 MINUTES – 51 SECONDS EAST, 499.67 FEET TO A POINT, THENCE;
4. CONTINUING 136.32 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 222.54 FEET, A CENTRAL ANGLE OF 35 DEGREES – 05 MINUTES – 47 SECONDS, AND CHORD BEARING AND DISTANCE OF SOUTH 52 DEGREES – 42 MINUTES – 48 SECONDS WEST, 134.20 FEET TO THE POINT, THENCE;
5. CONTINUING SOUTH 34 DEGREES – 47 MINUTES – 50 SECONDS WEST, 122.12 FEET TO A POINT, THENCE;
6. CONTINUING SOUTH 31 DEGREES – 22 MINUTES – 38 SECONDS WEST, 77.52 FEET TO A POINT, THENCE;
7. CONTINUING SOUTH 56 DEGREES – 05 MINUTES – 34 SECONDS EAST, 4.89 FEET TO A POINT, THENCE;
8. CONTINUING SOUTH 33 DEGREES – 54 MINUTES – 26 SECONDS WEST, 64.92 FEET TO A POINT, THENCE;

9. CONTINUING 35.92 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 393.00 FEET, A CENTRAL ANGLE OF 05 DEGREES – 14 MINUTES – 12 SECONDS, AND CHORD BEARING AND DISTANCE OF SOUTH 31 DEGREES – 17 MINUTES – 17 SECONDS WEST, 35.91 FEET TO THE POINT, THENCE;
10. CONTINUING SOUTH 60 DEGREES – 27 MINUTES – 05 SECONDS EAST, 54.56 FEET TO A POINT, THENCE;
11. CONTINUING SOUTH 30 DEGREES – 39 MINUTES – 03 SECONDS WEST, 77.49 FEET TO A POINT, THENCE;
12. CONTINUING SOUTH 77 DEGREES – 11 MINUTES – 42 SECONDS EAST, 8.50 FEET TO A POINT, THENCE;
13. CONTINUING 79.32 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 380.61 FEET, A CENTRAL ANGLE OF 11 DEGREES – 56 MINUTES – 24 SECONDS, AND CHORD BEARING AND DISTANCE OF SOUTH 64 DEGREES – 26 MINUTES – 21 SECONDS WEST, 79.17 FEET TO THE POINT, THENCE;
14. CONTINUING SOUTH 59 DEGREES – 43 MINUTES – 09 SECONDS WEST, 103.35 FEET TO A POINT, THENCE;
15. CONTINUING NORTH 31 DEGREES – 57 MINUTES – 06 SECONDS EAST, 72.17 FEET TO A POINT, THENCE;
16. CONTINUING SOUTH 60 DEGREES – 49 MINUTES – 41 SECONDS EAST, 21.80 FEET TO A POINT, THENCE;
17. CONTINUING SOUTH 44 DEGREES – 34 MINUTES – 04 SECONDS EAST, 25.00 FEET TO A POINT, THENCE;
18. CONTINUING SOUTH 60 DEGREES – 57 MINUTES – 10 SECONDS EAST, 260.64 FEET TO A POINT, THENCE;
19. CONTINUING SOUTH 29 DEGREES – 10 MINUTES – 19 SECONDS WEST, 17.57 FEET TO A POINT, THENCE;
20. CONTINUING SOUTH 62 DEGREES – 00 MINUTES – 42 SECONDS EAST, 121.03 FEET TO A POINT, THENCE;
21. CONTINUING SOUTH 60 DEGREES – 49 MINUTES – 41 SECONDS WEST, 84.00 FEET TO A POINT, THENCE;
22. CONTINUING NORTH 29 DEGREES – 10 MINUTES – 19 SECONDS EAST, 142.00 FEET TO A POINT, THENCE;
23. CONTINUING NORTH 16 DEGREES – 48 MINUTES – 31 SECONDS EAST, 81.73 FEET TO A POINT, THENCE;

24. CONTINUING NORTH 29 DEGREES – 06 MINUTES – 51 SECONDS EAST, 499.67 FEET TO A POINT, THENCE;
25. CONTINUING NORTH 60 DEGREE – 29 MINUTES – 24 SECONDS WEST, 396.92 FEET TO THE POINT OF BEGINNING.

CONTAINING 478,920 SQUARE FEET OR 10.995 ACRES.

DESCRIPTION
TAX MAP 67, PARCEL 46, PARCEL 5
THE LAND OF
OWINGS MILLS MALL, LLC.
LIBER 29867 FOLIO 475
4TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

COMMENCING AT THE END OF A LINE BEARING SOUTH 81 DEGREES – 57 MINUTES – 42 SECONDS EAST, 524.97 FEET, THENCE DEPARTING SAID LINE, NORTH 08 DEGREES – 03 MINUTES – 19 SECONDS EAST, 70.50 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING WITH SAID LINE THE FOLLOWING SIX (6) COURSES AND DISTANCES;

1. THENCE 84.48 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 888.00 FEET, A CENTRAL ANGLE OF 05 DEGREES – 27 MINUTES – 04 SECONDS, AND CHORD BEARING AND DISTANCE OF SOUTH 84 DEGREES – 41 MINUTES – 14 SECONDS EAST, 84.45 FEET TO THE POINT, THENCE;
2. CONTINUING 205.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 383.00 FEET, A CENTRAL ANGLE OF 30 DEGREES – 40 MINUTES – 05 SECONDS, AND CHORD BEARING AND DISTANCE OF NORTH 77 DEGREES – 15 MINUTES – 12 SECONDS EAST, 202.57 FEET TO THE POINT, THENCE;
3. CONTINUING NORTH 08 DEGREES – 03 MINUTES – 57 SECONDS EAST, 138.57 FEET TO A POINT, THENCE;
4. CONTINUING NORTH 81 DEGREES – 57 MINUTES – 42 SECONDS WEST, 211.89 FEET TO A POINT, THENCE;
5. CONTINUING SOUTH 28 DEGREES – 58 MINUTES – 58 SECONDS WEST, 193.34 FEET TO A POINT, THENCE;
6. CONTINUING 37.54 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 27.37 FEET, A CENTRAL ANGLE OF 78 DEGREES – 35 MINUTES – 07 SECONDS, AND CHORD BEARING AND DISTANCE OF SOUTH 03 DEGREES – 57 MINUTES – 05 SECONDS EAST, 34.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 48,211 SQUARE FEET OR 1.107 ACRES.

DESCRIPTION
TAX MAP 67, PARCEL 46, PARCEL 6
THE LAND OF

OWINGS MILLS MALL, LLC.
LIBER 29867 FOLIO 475
4TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

COMMENCING AT THE END OF A LINE BEARING NORTH 63 DEGREES – 36 MINUTES – 27 SECONDS WEST, 36.11 FEET, THENCE DEPARTING SAID LINE, NORTH 63 DEGREES – 36 MINUTES – 27 SECONDS WEST, 47.02 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING WITH SAID LINE THE FOLLOWING FOURTEEN (14) COURSES AND DISTANCES;

1. THENCE 25.08 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 204.55 FEET, A CENTRAL ANGLE OF 07 DEGREES – 01 MINUTES – 27 SECONDS, AND CHORD BEARING AND DISTANCE OF SOUTH 23 DEGREES – 07 MINUTES – 37 SECONDS WEST, 25.06 FEET TO THE POINT, THENCE;
2. CONTINUING NORTH 20 DEGREES – 07 MINUTES – 49 SECONDS WEST, 37.21 FEET TO A POINT, THENCE;
3. CONTINUING 73.71 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 08 DEGREES – 26 MINUTES – 47 SECONDS, AND CHORD BEARING AND DISTANCE OF NORTH 15 DEGREES – 54 MINUTES – 26 SECONDS EAST, 73.64 FEET TO THE POINT, THENCE;
4. CONTINUING 25.31 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 72 DEGREES – 30 MINUTES – 43 SECONDS, AND CHORD BEARING AND DISTANCE OF NORTH 24 DEGREES – 34 MINUTES – 19 SECONDS WEST, 23.66 FEET TO THE POINT, THENCE;
5. CONTINUING NORTH 60 DEGREES – 49 MINUTES – 41 SECONDS WEST, 180.92 FEET TO A POINT, THENCE;
6. CONTINUING SOUTH 29 DEGREES – 10 MINUTES – 19 SECONDS WEST, 247.73 FEET TO A POINT, THENCE;
7. CONTINUING SOUTH 81 DEGREES – 57 MINUTES – 42 SECONDS EAST, 63.66 FEET TO A POINT, THENCE;
8. CONTINUING NORTH 75 DEGREES – 26 MINUTES – 02 SECONDS EAST, 24.39 FEET TO A POINT, THENCE;
9. CONTINUING 65.91 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 101.72 FEET, A CENTRAL ANGLE OF 37 DEGREES – 07 MINUTES – 16 SECONDS, AND CHORD BEARING AND DISTANCE OF SOUTH 82 DEGREES – 05 MINUTES – 30 SECONDS EAST, 64.76 FEET TO THE POINT, THENCE;
10. CONTINUING 30.84 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 07 DEGREES – 04 MINUTES – 07 SECONDS, AND CHORD BEARING AND DISTANCE OF SOUTH 59 DEGREES – 50 MINUTES – 21 SECONDS EAST, 30.82 FEET TO THE POINT, THENCE;

11. CONTINUING SOUTH 56 DEGREES – 16 MINUTES – 19 SECONDS EAST, 30.42 FEET TO A POINT, THENCE;
12. CONTINUING 19.47 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 24.99 FEET, A CENTRAL ANGLE OF 44 DEGREES – 39 MINUTES – 19 SECONDS, AND CHORD BEARING AND DISTANCE OF SOUTH 78 DEGREES – 34 MINUTES – 00 SECONDS EAST, 18.98 FEET TO THE POINT, THENCE;
13. CONTINUING 33.84 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 383.00 FEET, A CENTRAL ANGLE OF 05 DEGREES – 03 MINUTES – 46 SECONDS, AND CHORD BEARING AND DISTANCE OF NORTH 28 DEGREES – 55 MINUTES – 26 SECONDS EAST, 33.83 FEET TO THE POINT, THENCE;
14. CONTINUING SOUTH 63 DEGREES – 36 MINUTES – 27 SECONDS EAST, 8.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 43,640 SQUARE FEET OR 1.002 ACRES.

DESCRIPTION
TAX MAP 67, PARCEL 46, PARCEL 7
THE LAND OF
OWINGS MILLS MALL, LLC.
LIBER 29867 FOLIO 475
4TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

COMMENCING AT THE END OF A LINE BEARING NORTH 23 DEGREES – 34 MINUTES – 20 SECONDS EAST, 4.05 FEET, THENCE DEPARTING SAID LINE, SOUTH 74 DEGREES – 37 MINUTES – 44 SECONDS WEST, 47.56 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING WITH SAID LINE THE FOLLOWING ELEVEN (11) COURSES AND DISTANCES;

1. THENCE SOUTH 73 DEGREES – 31 MINUTES – 53 SECONDS WEST, 101.23 FEET TO A POINT, THENCE;
2. CONTINUING 38.71 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 44 DEGREES – 21 MINUTES – 34 SECONDS, AND CHORD BEARING AND DISTANCE OF SOUTH 51 DEGREES – 21 MINUTES – 06 SECONDS WEST, 37.75 FEET TO THE POINT, THENCE;
3. CONTINUING SOUTH 29 DEGREES – 10 MINUTES – 19 SECONDS WEST, 262.22 FEET TO A POINT, THENCE;
4. CONTINUING SOUTH 60 DEGREES – 49 MINUTES – 41 SECONDS EAST, 361.23 FEET TO A POINT, THENCE;
5. CONTINUING 49.12 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 112 DEGREES – 34 MINUTES, 10 SECONDS, AND CHORD BEARING AND DISTANCE OF NORTH 62 DEGREES – 53 MINUTES, 14 SECONDS EAST, 41.59 FEET TO THE POINT, THENCE;

6. CONTINUING NORTH 06 DEGREES – 36 MINUTES – 09 SECONDS EAST, 36.05 FEET TO A POINT, THENCE;
7. CONTINUING 17.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 60.00 FEET, A CENTRAL ANGLE OF 16 DEGREES – 44 MINUTES – 35 SECONDS, AND CHORD BEARING AND DISTANCE OF NORTH 01 DEGREES – 46 MINUTES – 08 SECONDS WEST, 17.47 FEET TO THE POINT, THENCE;
8. CONTINUING 30.84 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 07 DEGREES – 04 MINUTES – 07 SECONDS, AND CHORD BEARING AND DISTANCE OF SOUTH 59 DEGREES – 50 MINUTES – 21 SECONDS EAST, 30.82 FEET TO THE POINT, THENCE;
9. CONTINUING NORTH 10 DEGREES – 08 MINUTES – 26 SECONDS WEST, 87.06 FEET TO A POINT, THENCE;
10. CONTINUING NORTH 16 DEGREES – 06 MINUTES – 10 SECONDS WEST, 286.41 FEET TO A POINT, THENCE
11. CONTINUING NORTH 15 DEGREES – 53 MINUTES – 46 SECONDS WEST, 25.16 FEET TO THE POINT OF BEGINNING.

CONTAINING 92,926 SQUARE FEET OR 2.133 ACRES.

DESCRIPTION
TAX MAP 67, PARCEL 46, PARCEL 8
THE LAND OF
OWINGS MILLS MALL, LLC.
LIBER 29867 FOLIO 475
4TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

COMMENCING AT THE END OF A LINE BEARING NORTH 16 DEGREES – 09 MINUTES – 21 SECONDS WEST, 6.56 FEET, THENCE DEPARTING SAID LINE, SOUTH 79 DEGREES – 58 MINUTES – 51 SECONDS WEST, 41.68 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING WITH SAID LINE THE FOLLOWING **ELEVEN (11) COURSES** AND DISTANCES;

1. THENCE 58.08 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 386.00 FEET, A CENTRAL ANGLE OF 08 DEGREES – 37 MINUTES – 18 SECONDS, AND CHORD BEARING AND DISTANCE OF NORTH 21 DEGREES – 22 MINUTES – 03 SECONDS WEST, 58.03 FEET TO THE POINT, THENCE;
2. CONTINUING NORTH 25 DEGREES – 40 MINUTES – 43 SECONDS WEST, 223.69 FEET TO A POINT, THENCE;
3. CONTINUING 184.07 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 35 DEGREES – 09 MINUTES – 20 SECONDS, AND CHORD BEARING AND DISTANCE OF NORTH 43 DEGREES – 13 MINUTES – 45 SECONDS WEST, 181.20 FEET TO THE POINT, THENCE;

4. CONTINUING NORTH 60 DEGREES – 48 MINUTES – 26 SECONDS WEST, 637.03 FEET TO A POINT, THENCE;
5. CONTINUING 181.12 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 45 DEGREES – 07 MINUTES – 06 SECONDS, AND CHORD BEARING AND DISTANCE OF NORTH 83 DEGREES – 21 MINUTES – 59 SECONDS WEST, 176.47 FEET TO THE POINT, THENCE;
6. CONTINUING SOUTH 73 DEGREES – 57 MINUTES – 33 SECONDS WEST, 172.89 FEET TO A POINT THENCE;
7. CONTINUING SOUTH 60 DEGREES – 29 MINUTES – 24 SECONDS EAST, 1,133.19 FEET TO A POINT, THENCE;
8. CONTINUING SOUTH 12 DEGREES – 02 MINUTES, 43 SECONDS EAST, 146.70 FEET TO A POINT; THENCE;
9. CONTINUING NORTH 75 DEGREES – 57 MINUTES – 17 SECONDS EAST, 121.59 FEET TO A POINT OF BEGINNING.

CONTAINING 214,748 SQUARE FEET OR 4.930 ACRES.

FOR A TOTAL AREA OF 1,116,787 SQUARE FEET OR 25.638 ACRES



SECOND CERTIFICATE OF POSTING

ATTENTION: DONNA MIGNON

DATE: 10/12/2020

Case Number: 2020-0144-A

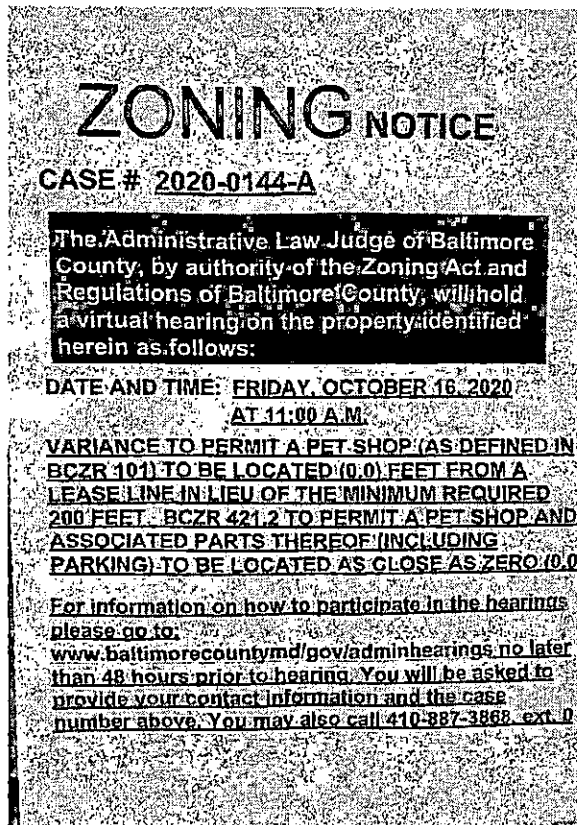
Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~
GREGORY REED

Date of Hearing: OCTOBER 16, 2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
10240 (aka 10210) MILL RUN CIRCLE

The sign(s) were posted on: SEPTEMBER 25, 2020

The sign(s) were re-photographed on: OCTOBER 12, 2020



First Sign @ Suite 102 ~ 10240 (aka 10210)
Mill Run Circle – Front of Building

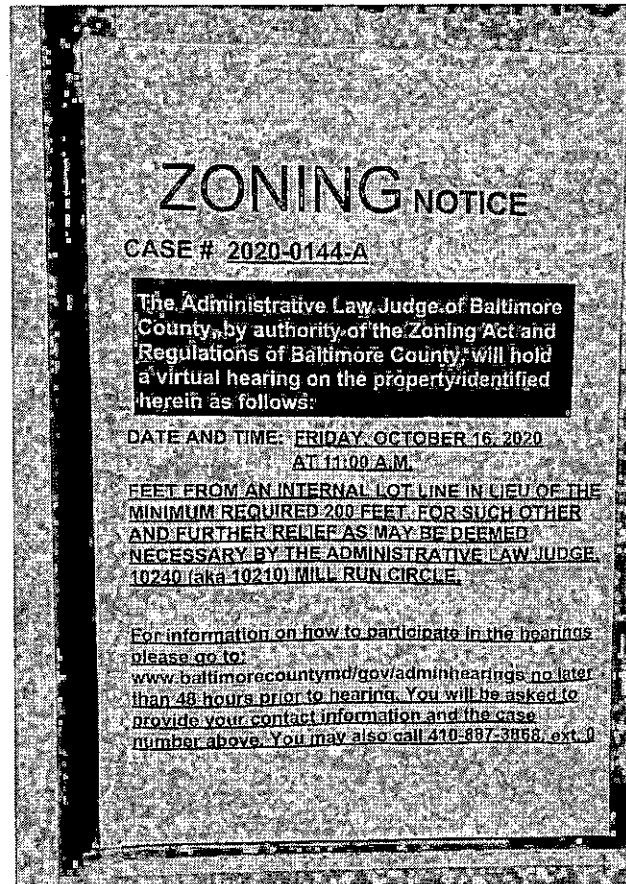
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

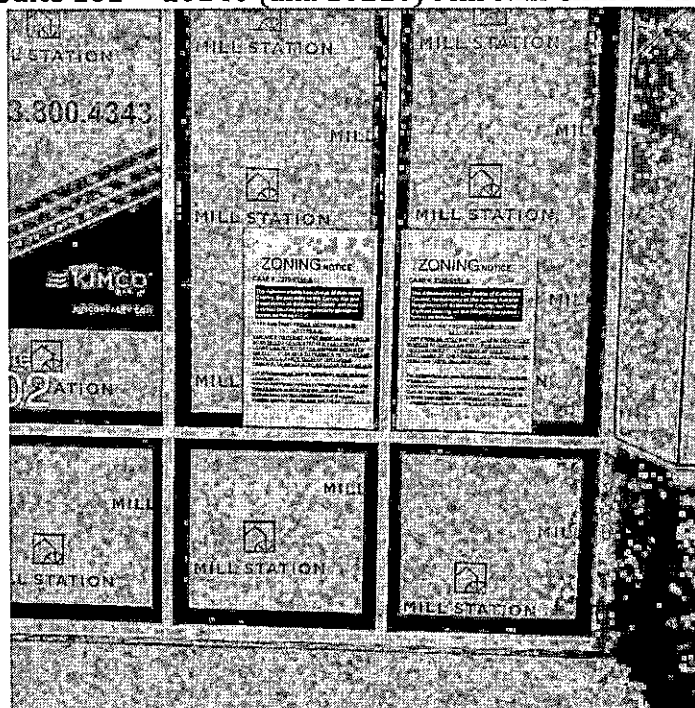
523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 – 666 – 5366
(Telephone Number of Sign Poster)



Second Sign @ Suite 102 ~ 10240 (aka 10210) Mill Run Circle – Front of Building ~ 10/12/2020



Re-Photographed 1st Set of Signs @ Suite 102 ~ 10240 (aka 10210) Mill Run Circle ~ 10/12/2020
Front of Building
CASE # 2020-0144-A



Second Set of Signs Back of Building 10240 (aka 10210) Mill Run Circle ~ 10/12/2020



Third Set of Signs at Entrance to 10240 (aka 10210) Mill Run Circle ~ 10/12/2020

Case # 2020-0144-A

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 9/25/2020

Case Number: 2020-0144-A

Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~
GREGORY REED

Date of Hearing: OCTOBER 16, 2020

This is to certify under the penalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the property located at:
10240 (aka 10210) MILL RUN CIRCLE

The sign(s) were posted on: SEPTEMBER 25, 2020

ZONING NOTICE

CASE # 2020-0144-A

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:

DATE AND TIME: FRIDAY, OCTOBER 16, 2020
AT 11:00 A.M.

VARIANCE TO PERMIT A PET SHOP (AS DEFINED IN BCZR 101) TO BE LOCATED (0.0) FEET FROM A LEASE LINE IN LIEU OF THE MINIMUM REQUIRED 200 FEET. BCZR 421.2 TO PERMIT A PET SHOP AND ASSOCIATED PARTS THEREOF (INCLUDING PARKING) TO BE LOCATED AS CLOSE AS ZERO (0.0)

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

Linda O'Keefe

(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

(Street Address of Sign Poster)

Hunt Valley, MD 21030

(City, State, Zip of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)



JOHN A. OLSZEWSKI, JR.
County Executive

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



Second Set of Signs Back of Building 10240 (aka 10210) Mill Run Circle ~ 9/25/2020



Third Set of Signs at Entrance to 10240 (aka 10210) Mill Run Circle ~ 9/25/2020

CASE # 2020-0144-A

The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11921296
 Case #: 2020-0144-A
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2020-0144-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:

9/25/2020



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 virtual hearing the property identified herein as follows:

CASE NUMBER: 2020-0144-A

10240 (aka 10210) Mill Run Circle

Parcel 4, within Mill Run Circle on s/east portion of Owings Mills Town Center

4th Election District - 4th Councilmanic District

Legal Owners: Owings Mill Mall, Gregory Reed

Variance to permit a pet shop (as defined in BCZR 101) to be located zero (0.0) feet from a lease line in lieu of the minimum required 200 feet. BCZR 421.2 To permit a pet shop and associated parts thereof (including parking) to be located as close as zero (0, 0).feet from an internal lot line in lieu of the minimum required 200 feet. For such other and further relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Friday, October 16, 2020 at 11:00 a.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 410-887-3888, ext. 0.

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

s25



JOHN A. OLSZEWSKI, JR.
County Executive
September 23, 2020

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

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: 2020-0144-A

10240 (aka 10210) Mill Run Circle

Parcel 4, within Mill Run Circle on s/east portion of Owings Mills Town Center

4th Election District – 4th Councilmanic District

Legal Owners: Owings Mill Mall, Gregory Reed

Variance to permit a pet shop (as defined in BCZR 101) to be located zero (0.0) feet from a lease line in lieu of the minimum required 200 feet. BCZR 421.2 To permit a pet shop and associated parts thereof (including parking) to be located as close as zero (0, 0) feet from an internal lot line in lieu of the minimum required 200 feet. For such other and further relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Friday, October 16, 2020 at 11:00 a.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: Lawrence Schmidt, 600 Washington Avenue, Ste. 500, Towson 21204
Gregory Reed, 3333 New Hyde Park Road, Ste. 100, New Hyde Park, NY 11042

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., SEPTEMBER 26, 2020.

TO: THE DAILY RECORD
Friday, September 25, 2020 - Issue

Please forward billing to:

Lawrence Schmidt
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 500
Towson, MD 21204

410-821-0070

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: 2020-0144-A

10240 (aka 10210) Mill Run Circle

Parcel 4, within Mill Run Circle on s/east portion of Owings Mills Town Center

4th Election District – 4th Councilmanic District

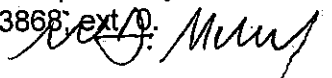
Legal Owners: Owings Mill Mall, Gregory Reed

Variance to permit a pet shop (as defined in BCZR 101) to be located zero (0.0) feet from a lease line in lieu of the minimum required 200 feet. BCZR 421.2 To permit a pet shop and associated parts thereof (including parking) to be located as close as zero (0, 0) feet from an internal lot line in lieu of the minimum required 200 feet. For such other and further relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Friday, October 16, 2020 at 11:00 a.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.



Michael Mallinoff
Director of Permits, Approvals and Inspections 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 fifteen (15) 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: 2020-0144-A
Property Address: 10210 MILL RUN CIRCLE
Property Description: PARCEL 4, OWINGS MILLS MALL
UNIT 10240 MILL RUN CIRCLE
Legal Owners (Petitioners): Owings Mills Mall, LLC
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Lawrence E. Schmidt, Esquire
Company/Firm (if applicable): Smith, Gildea & Schmidt, LLC
Address: 600 Washington Avenue, Suite 200
Towson, MD 21204

Telephone Number: 410-821-0070

Revised 5/20/2014

§ 421.2. - Animal boarding places, kennels and pet shops in office, business and manufacturing zones.

If an animal boarding place, commercial kennel, private kennel or pet shop is allowed in an office, business or manufacturing zone, either as a special exception or as a permitted use, any part of the use, including but not limited to exercise areas, septic systems, dog runs and parking areas, may not be located within 200 feet of the nearest property line or lease line.



KIMCO REALTY CORPORATION
SCD AGENCY ACCOUNT
500 NORTH BROADWAY SUITE 201
JERICHO, NY 11753

J1 GAN CHASE BANK, N.A.
61 IRBELL ROAD
SYRACUSE, NY 13206

50-937
213

Date
6/16/2020

Check No.
2035045

Check Amount
\$500.00

Five Hundred AND 00/100 Dollars

VOID IF NOT CASHED WITHIN 180 DAYS WITHIN DATE OF ISSUE

Pay to the
order of:

BALTIMORE COUNTY, MD
111 W. CHESAPEAKE AVENUE
TOWSON, MD 21204

CASE No. 2020-0144-A
10240 MILL RUN CIRCLE
a.k.a. 10210 MILL RUN CIRCLE

⑈02035045⑈ ⑆021309379⑆ 601890528⑈

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

No. 195655

Date: JUNE 23, 2020

Fund	Dept	Unit	Sub Unit	Obj	Rev	Sub	Dept	Obj	BS Acct	Amount
					Source/	Rev/				
001	806	0000		6150						\$500.00

Total: \$500.00

Rec

From: KIMCO REALTY CORP. / OWINGAS MILLS MAN, LLC

For:

ZONING VARIANCE PETITION

10240 MILL RUN CIRCLE - BM-CT

CASE No. 2020-0144-A

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

October 5, 2020

Lawrence E. Schmidt, Smith Gildea & Schmidt LLC,
600 Washington Ave Ste 200
Towson MD 21204

RE: Case Number: 2020-0144-A, 10240 Mill Run Circle A.K.A 10210 Mill Run Circle

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 June 23, 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



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: July 1, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0144-A
Address 10240 & 10210 Mill Run Circle
(Owings Mills Mall, LLC Property)

Zoning Advisory Committee Meeting of **July 6, 2020**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 7/15/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-144

INFORMATION:

Property Address: 10240 Mill Run Circle
Petitioner: Gregory Reed - Owings Mills Mall, LLC
Zoning: BM CT
Requested Action: Variance

The Department of Planning has reviewed the petition for variance from Section 421.2 of the Baltimore County Zoning Regulations (BCZR) as defined in BCZR, Section 101.

1. To permit a pet shop to be located zero feet from a lease line in lieu of the minimum required 200 feet; and
2. To permit a pet shop and associated parts thereof (including parking) to be located as close as zero feet from an internal lot line in lieu of the minimum required 200 feet.

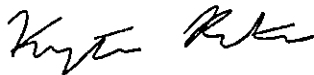
The property is located in a business zone, within the Mill Station shopping center. The retail space is already constructed and is located between two existing stores. The applicant is proposing to use the space as a pet shop.

The Department of Planning does not object to granting the petitioned zoning relief conditioned upon the petitioner successfully addressing the following comment:

- Demonstrate to the satisfaction of the Administrative Law Judge how the proposed use and design will successfully address odor, noise, and animal waste disposal mitigation so as not to create a health hazard or public nuisance to neighboring properties.

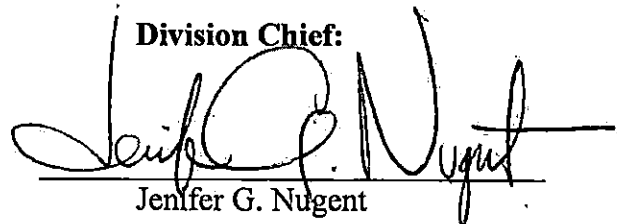
For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

CPG/JGN/kma/

c: Ngone Seye Diop
Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County



10-16-20 11AM
Case No.
2020-0144-A

JOHN A. OLSZEWSKI, JR.
September 23, 2020

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

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: 2020-0144-A

10240 (aka 10210) Mill Run Circle

Parcel 4, within Mill Run Circle on s/east portion of Owings Mills Town Center

4th Election District – 4th Councilmanic District

Legal Owners: Owings Mill Mall, Gregory Reed

Variance to permit a pet shop (as defined in BCZR 101) to be located zero (0.0) feet from a lease line in lieu of the minimum required 200 feet. BCZR 421.2 To permit a pet shop and associated parts thereof (including parking) to be located as close as zero (0, 0) feet from an internal lot line in lieu of the minimum required 200 feet. For such other and further relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Friday, October 16, 2020 at 11:00 a.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.

Michael Mallinoff
Director

MM:kl

C: Lawrence Schmidt, 600 Washington Avenue, Ste. 500, Towson 21204
Gregory Reed, 3333 New Hyde Park Road, Ste. 100, New Hyde Park, NY 11042

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SAT., SEPTEMBER 26, 2020.

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUL - 1 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

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: July 1, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0144-A
Address 10240 & 10210 Mill Run Circle
(Owings Mills Mall, LLC Property)

Zoning Advisory Committee Meeting of **July 6, 2020.**

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 7/15/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-144

INFORMATION:

Property Address: 10240 Mill Run Circle
Petitioner: Gregory Reed - Owings Mills Mall, LLC
Zoning: BM CT
Requested Action: Variance

The Department of Planning has reviewed the petition for variance from Section 421.2 of the Baltimore County Zoning Regulations (BCZR) as defined in BCZR, Section 101.

1. To permit a pet shop to be located zero feet from a lease line in lieu of the minimum required 200 feet; and
2. To permit a pet shop and associated parts thereof (including parking) to be located as close as zero feet from an internal lot line in lieu of the minimum required 200 feet.

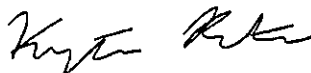
The property is located in a business zone, within the Mill Station shopping center. The retail space is already constructed and is located between two existing stores. The applicant is proposing to use the space as a pet shop.

The Department of Planning does not object to granting the petitioned zoning relief conditioned upon the petitioner successfully addressing the following comment:

- Demonstrate to the satisfaction of the Administrative Law Judge how the proposed use and design will successfully address odor, noise, and animal waste disposal mitigation so as not to create a health hazard or public nuisance to neighboring properties.

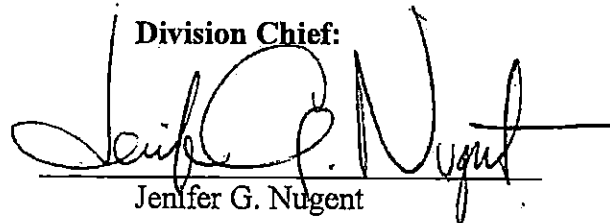
For further information concerning the matters stated herein, please contact Ngone Seye Diop at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:


Jenifer G. Nugent

CPG/JGN/kma/

c: Ngone Seye Diop
Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUL - 1 2020

OFFICE OF
ADMINISTRATIVE HEARINGS

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

FROM: Jeff Livingston, Department of Environmental Protection and
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DATE: July 1, 2020

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Address 10240 & 10210 Mill Run Circle
(Owings Mills Mall, LLC Property)

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Reviewer: Steve Ford



JOHN A. OLSZEWSKI, JR.
County Executive

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

October 5, 2020

Lawrence E. Schmidt, Smith Gildea & Schmidt LLC,
600 Washington Ave Ste 200
Towson MD 21204

RE: Case Number: 2020-0144-A, 10240 Mill Run Circle A.K.A 10210 Mill Run Circle

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 June 23, 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.", written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel

Petitioner's Exhibit 5



Printed on recycled paper containing 30 percent post-consumer material

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: July 1, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0144-A
Address 10240 & 10210 Mill Run Circle
(Owings Mills Mall, LLC Property)

Zoning Advisory Committee Meeting of July 6, 2020.

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comment on the above-referenced zoning item.

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

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

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-144

DATE: 7/15/2020

INFORMATION:

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Petitioner: Gregory Reed - Owings Mills Mall, LLC
Zoning: BM CT
Requested Action: Variance

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Prepared by:

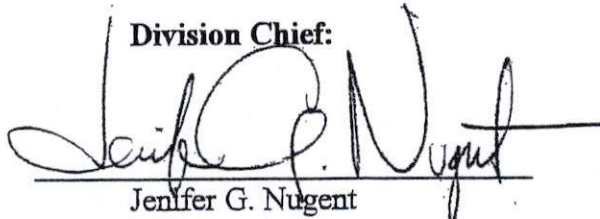


Krystle Patchak

CPG/JGN/kma/

c: Ngone Seye Diop
Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

Division Chief:



Jennifer G. Nugent

ORDER RECEIVED FOR FILING

Date

By

Real Property Data Search (w3)

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Special Tax Recapture: None					
Account Identifier:		District - 04 Account Number - 2500015611			
Owner Information					
Owner Name:	OWINGS MILLS MALL LLC		Use:	COMMERCIAL	
Mailing Address:	STE 100 3333 NEW HYDE PARK RD NEW HYDE PARK NY 11042-		Principal Residence:	NO	
			Deed Reference:		
Location & Structure Information					
Premises Address:	10210 MILL RUN CIR		Legal Description:	PARCEL 4 25.638 ACS 10200 - 10240, 10246 MILL RUN CIR MILL STATION	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref: 79/ 807
0067	0008	0046	20000.04	0000	2020
Town: None					
Primary Structure Built	Above Grade Living Area		Finished Basement Area		Property Land Area County Use
2019	271,013 SF				25.6380 AC 06
Stories	Basement	Type	Exterior	Quality	Full/Half Bath Garage Last Notice of Major Improvements
		SHOPPING CENTER / COMMUNITY	BRICK/	C4	
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of	As of	As of	
		01/01/2020	07/01/2019	07/01/2020	
Land:	8,005,600	8,005,600			
Improvements	16,057,700	21,293,300			
Total:	24,063,300	29,298,900	24,063,300	25,808,500	
Preferential Land:	0			0	
Transfer Information					
Seller:	Date:	Price:			
Type:	Deed1:	Deed2:			
Seller:	Date:	Price:			
Type:	Deed1:	Deed2:			
Seller:	Date:	Price:			
Type:	Deed1:	Deed2:			
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2019	07/01/2020		
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00	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:					

1. This screen allows you to search the Real Property database and display property records.
2. Click **here** for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

CASE No. 2020-0144-A

Kristen L Lewis

From: Alyssa Moyers <amoyers@sgs-law.com>
Sent: Wednesday, September 23, 2020 11:02 AM
To: Kristen L Lewis
Subject: Case No: 20-144

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

Kristen,

Pursuant to our conversation, please schedule this matter for Friday, October 16th at 11am. Please email the notice to me so I can forward to Linda O'Keefe for timely posting.

Please note that our participants will be as follows:

Lawrence Schmidt lschmidt@sgs-law.com
Zachary Wilkins zwilkins@sgs-law.com
Gregory Reed GReed@kimcorealty.com
Michael Gesell mgesell@bohlereng.com

- *Alyssa*

Alyssa Fiore Moyers | Paralegal
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
amoyers@sgs-law.com | www.sgs-law.com

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 **Please consider the environment before printing this email.**

RE: PETITION FOR VARIANCE
10240 aka 10210 Mill Run Circle; Parcel 4,
within Mill Run Circle on SE portion of
Owings Mills Town Center
4th Election & 4th Councilmanic Districts
Legal Owner(s): Owings Mills Mall, LLC
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2020-144-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of July, 2020, a copy of the foregoing Entry of Appearance was emailed to Lawrence Schmidt, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, lschmidt@sgs-law.com, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley

From: Administrative Hearings
Sent: Thursday, October 15, 2020 9:37 AM
To: 'Alyssa Moyers'; Administrative Hearings
Cc: Donna Mignon; Lawrence Schmidt
Subject: RE: Case No: 2020-0144-A (1 of 2 emails)

Good Morning Alyssa,

Hope this finds you well.

It appears that Exhibit 3 (Mike Gesell CV) is missing wording on Page 2.

If this is the case, please resubmit this exhibit. If not, please let me know.

Thanks in advance and have a great and safe day !

From: Alyssa Moyers <amoyers@sgs-law.com>
Sent: Wednesday, October 14, 2020 9:11 AM
To: Administrative Hearings <administrativehearings@baltimorecountymd.gov>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>; Lawrence Schmidt <lschmidt@sgs-law.com>
Subject: RE: Case No: 2020-0144-A (1 of 2 emails)

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

My email below was kicked back due to it being too large. I have broken up the attachments into two emails. Please confirm receipt. Thank you!

- *Alyssa*

Alyssa Fiore Moyers | Paralegal
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
amoyers@sgs-law.com | www.sgs-law.com

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 **Please consider the environment before printing this email.**

From: Alyssa Moyers
Sent: Wednesday, October 14, 2020 9:08 AM
To: 'Administrative Hearings' <administrativehearings@baltimorecountymd.gov>
Cc: Donna Mignon <dmignon@baltimorecountymd.gov>; Lawrence Schmidt <lschmidt@sgs-law.com>
Subject: Case No: 2020-0144-A

Good morning,



10240

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 ~~10300~~ Mill Run Circle a.k.a. 10210 Mill Run Cir which is presently zoned ~~BM-CT~~ **BM-CT**
 Plat ~~Deed~~ References: 79/807 10 Digit Tax Account # 2500015615 2500015611
 Property Owner(s) Printed Name(s) Owings Mills Mall, LLC

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

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

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
3. ☒ a **Variance** from Section(s)

Please see attached.

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:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name- Type or Print

Signature JASON T. VETTORI for LES
 600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 (410) 821-0070 lschmidt@sgs-law.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

GREGORY H. ROO

Authorized Representative of Owings Mills Mall, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

C/O Kinco Realty Corp.
3333 New Hyde Park Road, Suite 100

New Hyde Park NY

Mailing Address City State

11042 (410) 684-2000 GReed@kinco Realty.com

Zip Code Telephone # Email Address

Representative to be contacted:

Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Name - Type or Print

Signature JASON T. VETTORI for LES
 600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 (410) 821-0070 lschmidt@sgs-law.com

Zip Code Telephone # Email Address

CASE NUMBER 020-0144-A Filing Date 6/23/2020 Do Not Schedule Dates: Reviewer RJ

Variance relief:

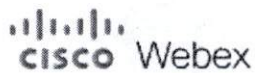
1. A variance from BCZR § 421.2 to permit a pet shop (as defined in BCZR § 101) to be located zero (0.0) feet from a lease line in lieu of the minimum required 200 feet; and,
2. A variance from BCZR § 421.2 to permit a pet shop and associated parts thereof (including parking) to be located as close as zero (0,0) feet from an internal lot line in lieu of the minimum required 200 feet; and,
3. For such other and further relief as may be deemed necessary by the Administrative Law Judge.

Debra Wiley

From: messenger@webex.com
Sent: Wednesday, October 14, 2020 11:15 AM
To: Debra Wiley
Subject: Email delivery status for Web seminar: Zoning Hearing - Case No. 2020-0144-A - 10240 (aka 10210) Mill Run Circle

10-16-20
11 AM
Invited
Lany Stahl

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.



Webex sent the email message "Panelist Invitation" for your event.

Number of email addresses the message was sent to successfully: 1

Number of email addresses the message could not be sent to: 0

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

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Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Donna Mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Gregory Reed	greed@kimcorealty.com	1-	New York Time	English	U.S.
✓ Lawrence M. Stahl	lstahl@baltimorecountymd.gov	1-	New York Time	English	U.S.
Lawrence Schmidt, Esq.	lschmidt@sgs-law.com	1-	New York Time	English	U.S.
Michael Gesell	mgesell@bohlereng.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Zachary Wilkins	zwilkins@sgs-law.com	1-	New York Time	English	U.S.

Debra Wiley

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Monday, October 12, 2020 11:49 PM
To: Administrative Hearings
Subject: Certifications
Attachments: Briar point Cert.jpeg; Briar Point Photos.docx; Mill Run Circle Cert. .jpeg; 1st Set Sign Mill Run Circle Photos.docx; 2nd & 3rd Set of Signs Mill Run Circle photos.docx; Reisterstown Rd. Cert. .jpeg; 2ND & 3rd Sign Photos Reisterstown Rd. .docx; Reisterstown Rd. Group Photos.docx

CAUTION: This message from luckylinda1954@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

Hi Donna,

I am attaching the 2nd Certifications along with photos for your records. of Case # 2020-0133-SPH @ 4005 Briar Point Road. Case # 2020-0144-A @ 10240 (aka 10210) Mill Run Circle, & Case # 2020-0139-SPHXA @ 11723 Reisterstown Road.

I hope you are doing well and it's good to be busy again.
Thank you,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com

ZAC AGENDA

Case Number: 2020-0144-A **Reviewer:** Rosalie Johnson
Existng Use: COMMERCIAL **Proposed Use:** COMMERCIAL
Type: VARIANCE
Legal Owner: Owings Mills Mall LLC
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 4 **Council Dist:** 4

Property Address: 10240 10210 MILL RUN CTR

Location: Parcel 4, within Mill Run Circle on South East portion of Owings Mills Town Center.

Existing Zoning: BM-CT

Area: 25.638 AC

Proposed Zoning:

VARIANCE:

BCZR 421.2 To permit a pet shop (as defined in BCZR 101) to be located zero (0.0) feet from a lease line in lieu of the minimum required 200 feet.

BCZR 421.2 To permit a pet shop and associated parts thereof (including parking) to be located as close as zero (0,0) feet from an internal lot line in lieu of the minimum required 200 feet.

For such other and further relief as may be deemed necessary by the Administrative Law Judge.

Attorney: Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Owings Mills Town Center Development plan.

Kristen L Lewis

From: Alyssa Moyers <amoyers@sgs-law.com>
Sent: Wednesday, September 23, 2020 11:02 AM
To: Kristen L Lewis
Subject: Case No: 20-144

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Please note that our participants will be as follows:

Lawrence Schmidt lschmidt@sgs-law.com
Zachary Wilkins zwilkins@sgs-law.com
Gregory Reed GReed@kimcorealty.com
Michael Gesell mgesell@bohlereng.com

- *Alyssa*

Alyssa Fiore Moyers | Paralegal
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
amoyers@sgs-law.com | www.sgs-law.com

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Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Gregory Reed	greed@kimcorealty.com	1-	New York Time	English	U.S.
Lawrence Schmidt, Esq.	lschmidt@sgs-law.com	1-	New York Time	English	U.S.
Michael Gesell	mgesell@bohlereng.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Zachary Wilkins	zwilkins@sgs-law.com	1-	New York Time	English	U.S.

2020-0144-A

Debra Wiley

From: Debra Wiley
Sent: Wednesday, September 23, 2020 12:37 PM
To: Kristen L Lewis
Cc: Donna Mignon
Subject: Link - 2020-0144-A - 10240 (aka 10210) Mill Run Circle - 10/16/20 @ 11 AM

Event Information

Event: Zoning Hearing - Case No. 2020-0144-A - 10240 (aka 10210) Mill Run Circle
Type: Listed Event
Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e853b1>
Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e2892>
Date and time: Friday, October 16, 2020 11:00 am
Eastern Daylight Time (New York, GMT-04:00)
Duration: 1 hour
Description: Zoning Hearing
Case No. 2020-0144-A
10240 (aka 10210) Mill Run Circle
Owings Mill Mall, Gregory Reed
Event number: 172 053 9684
Event password: 1234
Host key: 255184
Alternate Host: Donna Mignon, Henry Ayakwah
Panelist Info:
Panelist password:
Panelist numeric password: 742685
Video Address: 1720539684@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.
Audio conference: US Toll
+1-415-655-0001
[Show all global call-in numbers](#)
Access code: 172 053 9684

Debra Wiley

Subject: Web seminar scheduled: Zoning Hearing - Case No. 2020-0144-A - 10240 (aka 10210)
Mill Run Circle

Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e86ff1b47b805c2cd13708f2f62922c4d>

Start: Fri 10/16/2020 11:00 AM

End: Fri 10/16/2020 12:00 PM

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

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: Debra Wiley (dwiley@baltimorecountymd.gov)

Event number (access code): 172 053 9684

Friday, October 16, 2020 11:00 am, Eastern Daylight Time (New York, GMT-04:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e86ff1b47b805c2cd13708f2f62922c4d>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e61a9bb96ff0ef345f7db10da2407>

Start event

Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1720539684@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 742685

If you are a host, click here to view host information:

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e602b1e3f56a83d37e3548fb444a7e6ea>

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

Debra Wiley

From: Zachary Wilkins <zwilkins@sgs-law.com>
Sent: Wednesday, September 23, 2020 12:42 PM
To: Debra Wiley
Subject: Accepted: Zoning Hearing - Case No. 2020-0144-A - 10240 (aka 10210) Mill Run Circle

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

Debra Wiley

From: Lawrence Schmidt <lschmidt@sgs-law.com>
Sent: Wednesday, September 23, 2020 12:43 PM
To: Debra Wiley
Subject: Accepted: Zoning Hearing - Case No. 2020-0144-A - 10240 (aka 10210) Mill Run Circle

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

Debra Wiley

From: Michael Gesell <mgesell@bohlereng.com>
Sent: Wednesday, September 23, 2020 12:47 PM
To: Debra Wiley
Subject: Accepted: Zoning Hearing - Case No. 2020-0144-A - 10240 (aka 10210) Mill Run Circle

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

Debra Wiley

From: Reed, Gregory <GReed@kimcorealty.com>
Sent: Wednesday, September 23, 2020 12:58 PM
To: Debra Wiley
Subject: Accepted: Invitation to join Web seminar as a panelist: Zoning Hearing - Case No. 2020-0144-A - 10240 (aka 10210) Mill Run Circle

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

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Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Special Tax Recapture: None		
Account Identifier: District - 04 Account Number - 2500015611		
Owner Information		
Owner Name:	OWINGS MILLS MALL LLC	Use: COMMERCIAL
Mailing Address:	STE 100 3333 NEW HYDE PARK RD NEW HYDE PARK NY 11042-	Principal Residence: NO Deed Reference:
Location & Structure Information		
Premises Address:	10210 MILL RUN CIR	Legal Description: PARCEL 4 25.638 ACS 10200 - 10240, 10246 MILL RUN CIR MILL STATION
Map: 0067	Grid: 0008	Parcel: 0046
Neighborhood: 20000.04	Subdivision: 0000	Assessment Year: 2020
		Plat No: 79/ 807
Town: None		
Primary Structure Built: 2019	Above Grade Living Area: 271,013 SF	Finished Basement Area: 25.6380 AC
		County Use: 06
Stories: 1	Basement: 0	Type: SHOPPING CENTER / COMMUNITY
Exterior: BRICK/	Quality: C4	Full/Half Bath: 0
Garage: 0	Last Notice of Major Improvements: 0	
Value Information		
	Base Value	Value
		As of 01/01/2020
		Phase-in Assessments
		As of 07/01/2020
		As of 07/01/2021
Land:	8,005,600	8,005,600
Improvements:	16,057,700	16,042,000
Total:	24,063,300	24,047,600
Preferential Land:	0	24,047,600
		0
Transfer Information		
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2020
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:		

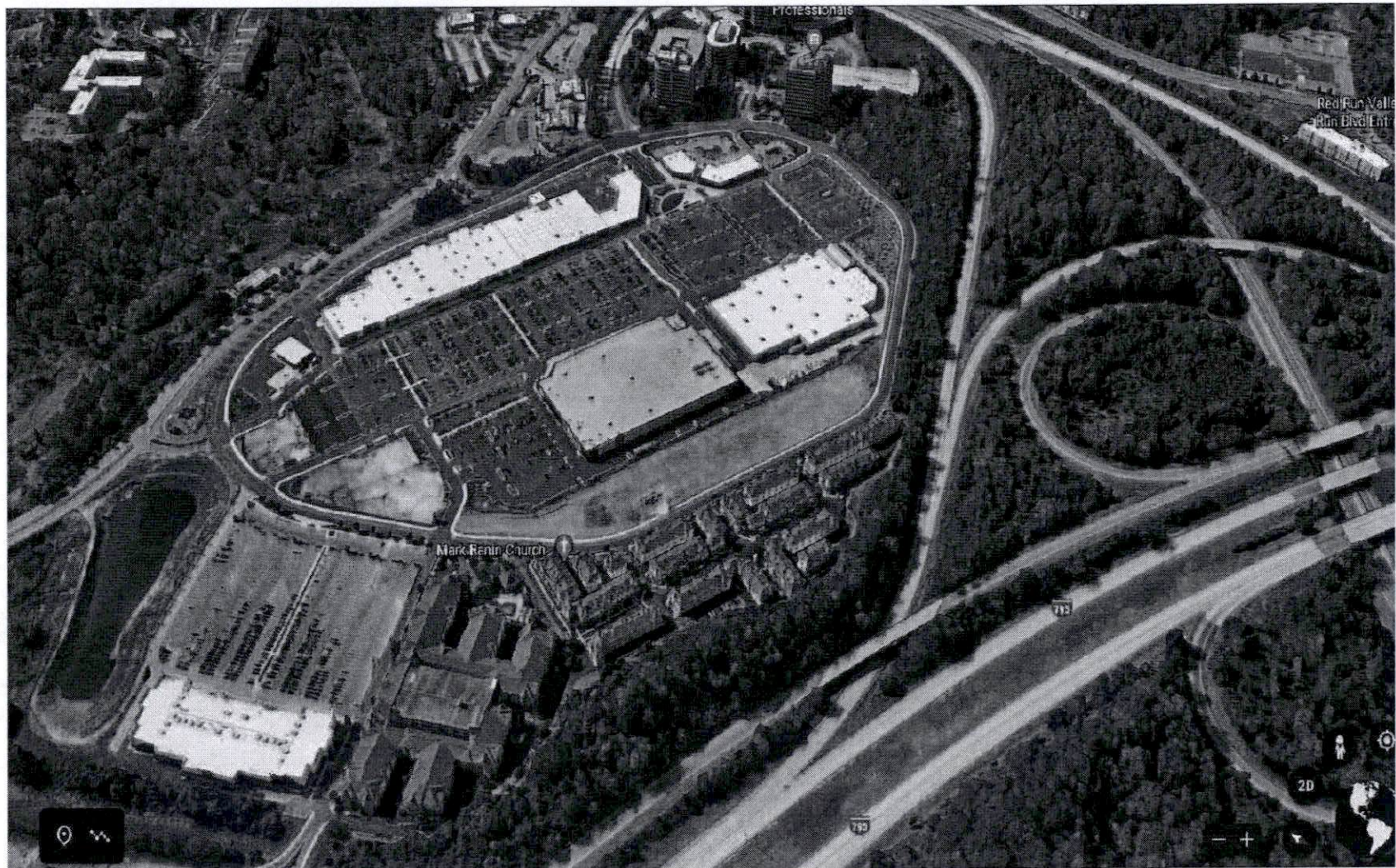
10-14
11 AM

Petitioner's Exhibits
Case No. 2020-0144-A
10240 (aka 10210) Mill Run Circle
ALJ Hearing: Friday, October 16, 2020

Exhibit No.	Description
1	Site Plan
2a-c	Google Earth Aerials of Property and Surrounding Area
3	Mike Gesell CV
4a-o	Site Photos
5	ZAC Comments
6	Dog Park Guide
7a-b	Certificates of Posting

10-24-20

10/22/20
D. M. M. M.



Petitioner's Exhibit 2a



Petitioner's Exhibit 2b



Petitioner's Exhibit 2c



901 Dulaney Valley Road, Suite 801
Towson, MD 21204
PHONE 410.821.7900
FAX 410.821.7987

RESUME

Michael J. Gesell, P.E.
Project Manager

Westminster Senior High School, Westminster, MD
Baltimore County Career and Technology Center, Westminster, MD

TESTIMONY:

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

EXPERIENCE:

Currently serves as a Project Manager in Bohler Engineering's Towson, Maryland Office. Experience includes over Eighteen (18) years of design and project management. A responsible for design and approval for various commercial, and industrial developments. A of experience include site feasibility analysis and budgeting, site layout and planning, zoning subdivision balancing and analysis, soil erosion and sediment control measures and earthwork design, stormwater management and water quality system designs, engineering compliance/evaluations, lighting photometric studies/design, signage compliance design, vehicular circulation design, oversight of expediting and application related services. Expertise includes supermarkets, service stations, maintenance restaurants, shopping centers, retail centers, car washes and other related municipalities in Maryland, Delaware, and Pennsylvania.

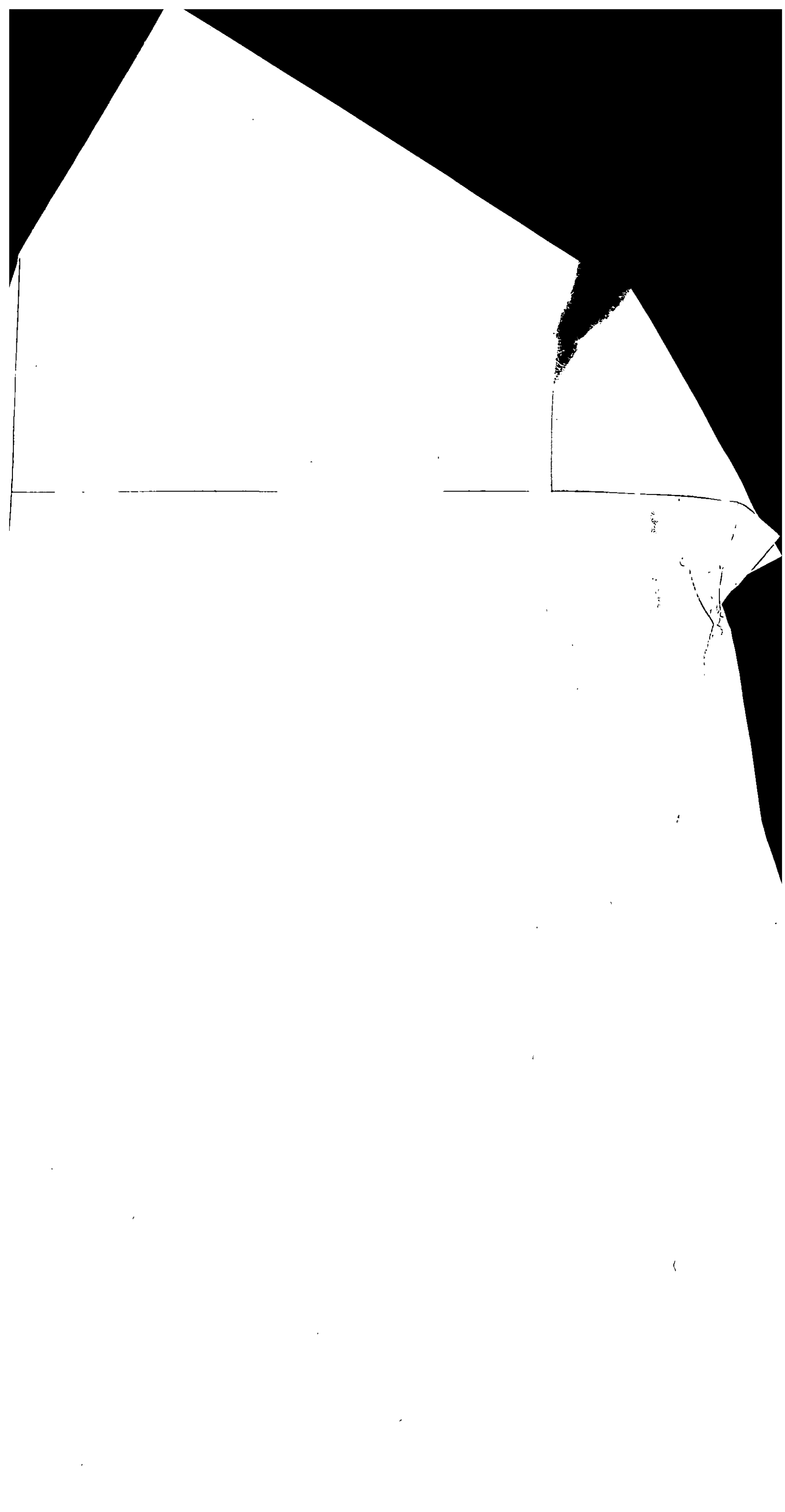
BALTIMORE COUNTY PROJECTS OF NOTE:

- Timonium Square Shopping Center - Redevelopment
- Shawan Plaza - Redevelopment
- Tradepoint Atlantic - Sparrows Point - Under Armour Warehouse
- Floor N' Décor Warehouse
- Mill Station - Redevelopment
- Multiple Quick Serve Restaurants (Chick-fil-A, Sonic)
- Multiple Fuel Service Projects (SMO, Royal Farms)
- Multiple Pharmacy Projects (Shawan Plaza, Tire
- Multiple Variance Hearing Projects

PROFESSIONAL AFFILIATIONS:

- Maryland Professional Engineer #44097
 - Certified Professional in Erosion and Sediment
- CIVIL AND CONSULTING ENGINEERS • PROJECT MANAGERS • SURVEYORS • ENVIRONMENTAL CONSULTANTS • LANDSCAPE ARCHITECTS

WWW.BOHLERENGINEERING.COM





Peltzner's Exhibit 4a



MILL STATION

833.800.4343

Suite 102

MILL STATION

MILL STATION

ZONING NOTICE

CASE # 220211111

The Administration Law Office of Baltimore County has received a request for a Zoning Change from the owner of the property located at 11111 Mill Station Road, Baltimore, MD 21206. The property is currently zoned R-1 and the owner is requesting a change to R-2.

THE NOTICE OF THE ZONING BOARD MEETING IS AS FOLLOWS:

DATE: MONDAY, OCTOBER 14, 2002

TIME: 7:00 P.M.

LOCATION: BALTIMORE COUNTY ZONING BOARD MEETING ROOM, 11111 MILL STATION ROAD, BALTIMORE, MD 21206

AGENDA: 1. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

2. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

3. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

4. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

5. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

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11. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

12. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

13. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

14. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

15. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

16. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

17. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

18. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

19. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

20. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

21. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

22. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

23. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

24. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

25. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

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33. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

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35. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

36. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

37. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

38. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

39. PUBLIC HEARING ON THE REQUEST FOR A ZONING CHANGE FROM R-1 TO R-2.

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MILL STATION

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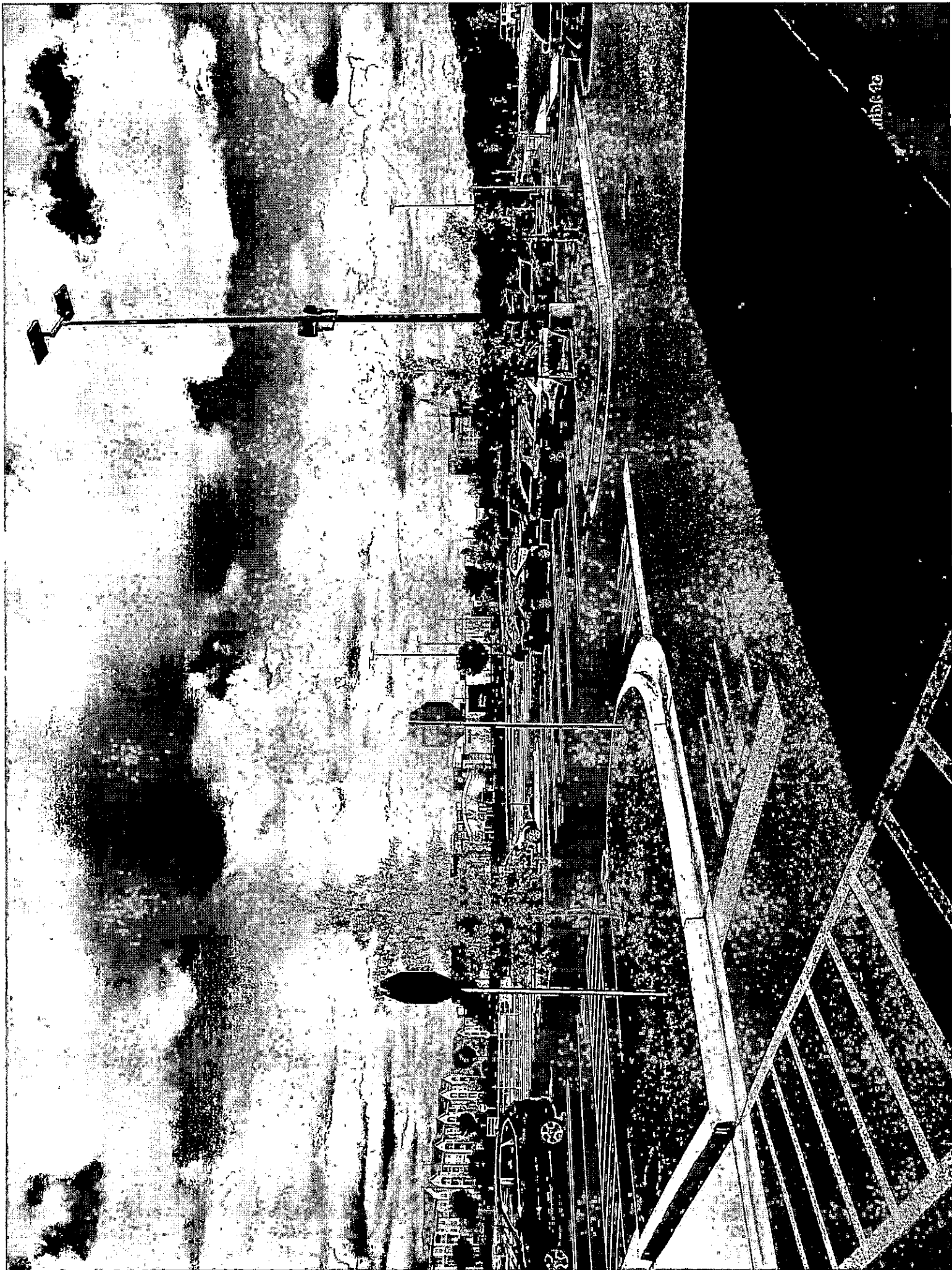
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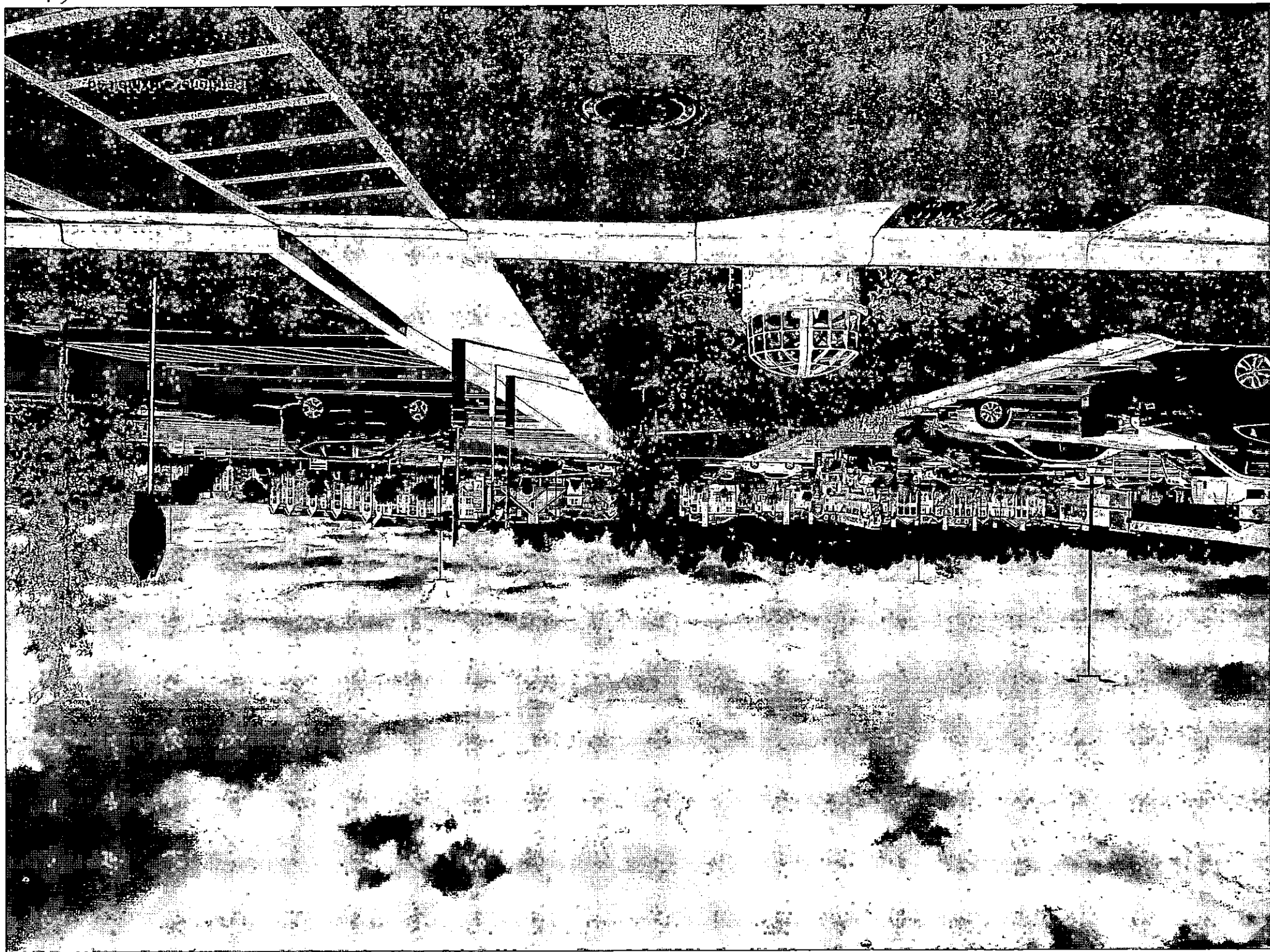
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MILL STATION

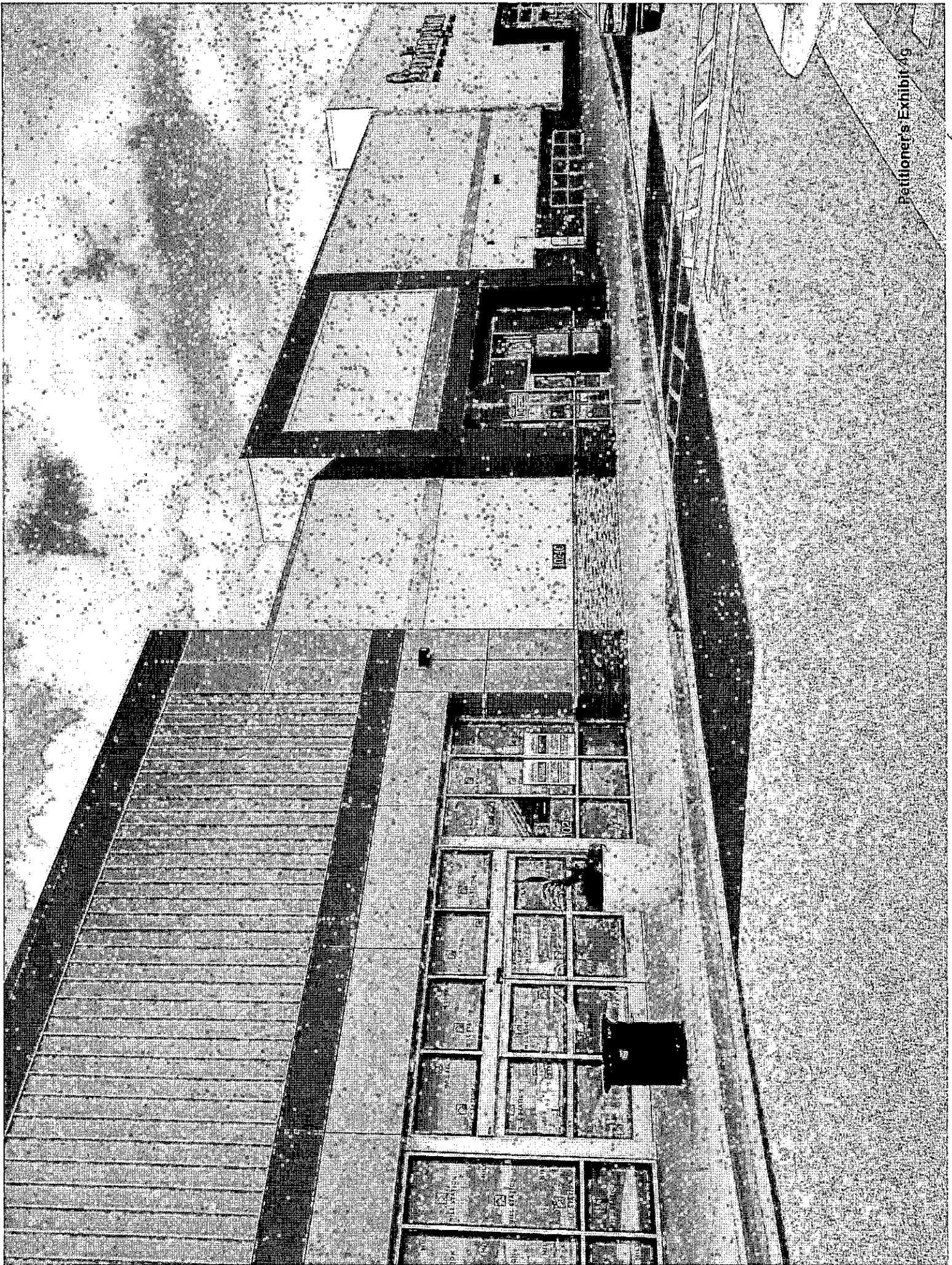


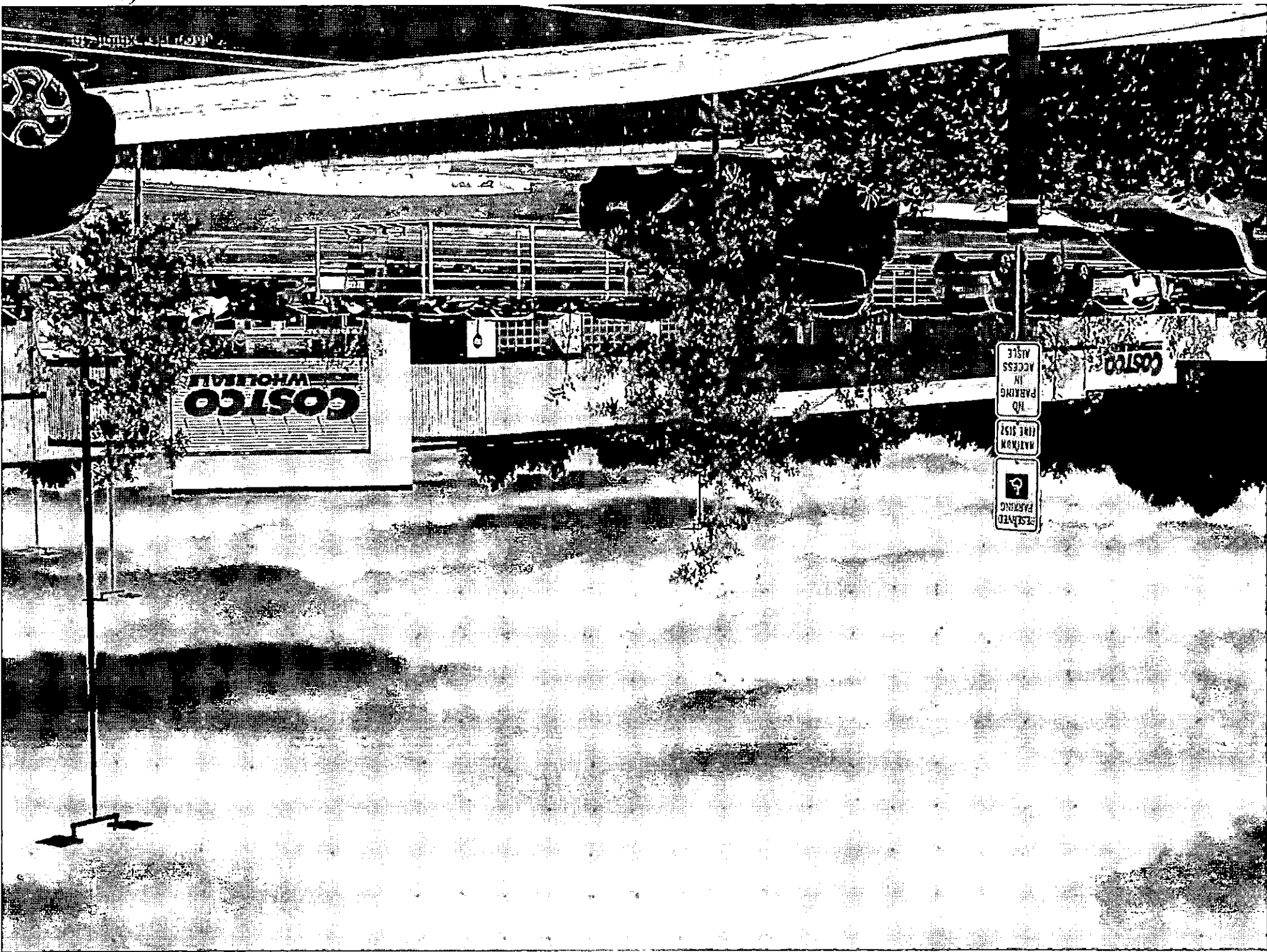


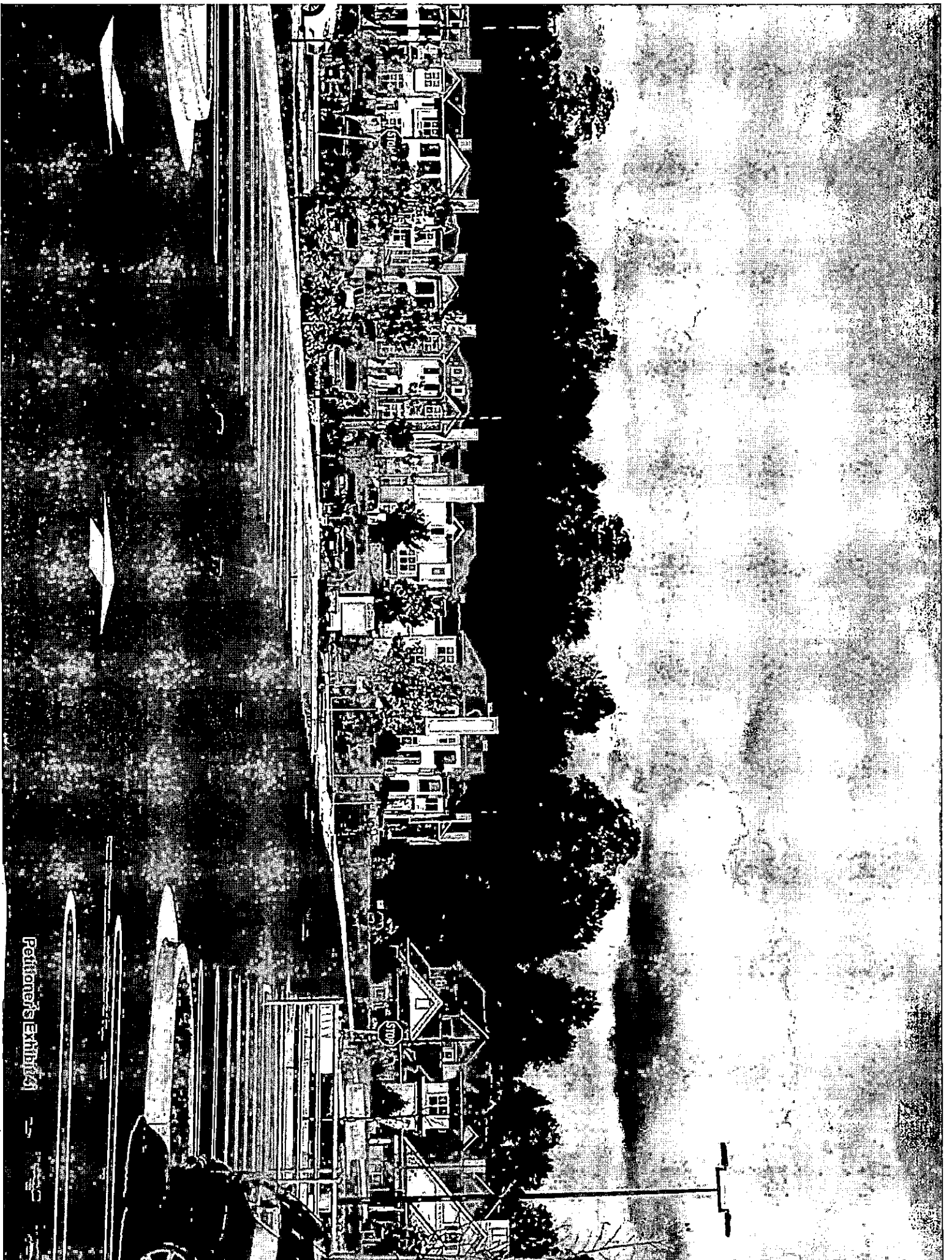




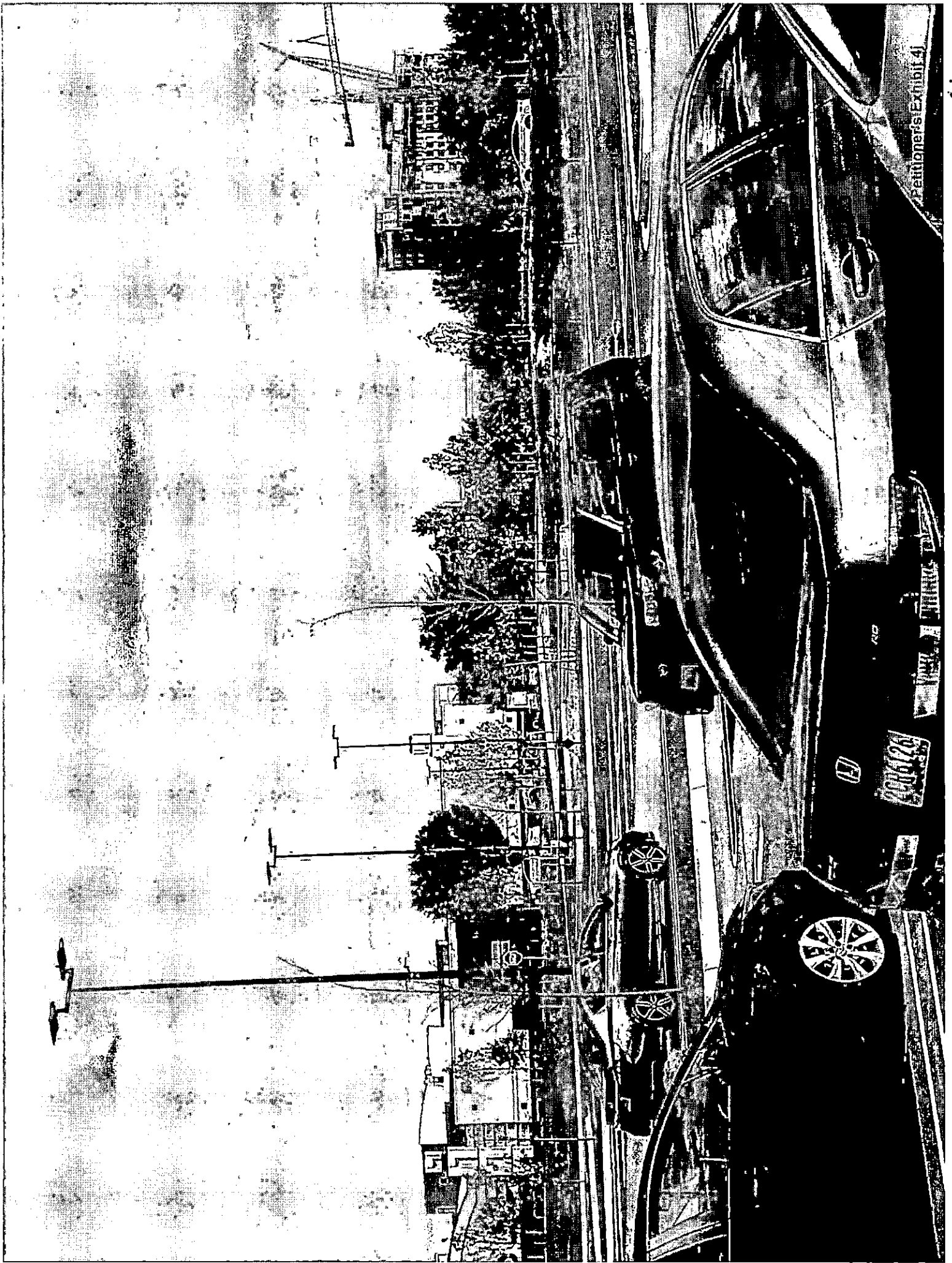
Petitioner's Exhibit 4f







Petitioner's Exhibit 41





ZONING NOTICE

CASE # 2023-0144A

The Board of Supervisors, by its Board of Planning and Zoning, has adopted a resolution to change the zoning of the property located at 10000 N. 100th St., from its current zoning of R-100 to R-100A. The Board of Planning and Zoning has also adopted a resolution to change the zoning of the property located at 10000 N. 100th St., from its current zoning of R-100 to R-100A.

DATE AND TIME: 10:00 A.M., OCTOBER 11, 2023

MAP NO. 10000 N. 100th St. AS SHOWN ON THE MAPS OF THE BOARD OF PLANNING AND ZONING, THE PROPERTY LOCATED AT 10000 N. 100th St. IS LOCATED IN THE R-100 ZONING DISTRICT. THE PROPERTY LOCATED AT 10000 N. 100th St. IS LOCATED IN THE R-100A ZONING DISTRICT. THE PROPERTY LOCATED AT 10000 N. 100th St. IS LOCATED IN THE R-100 ZONING DISTRICT. THE PROPERTY LOCATED AT 10000 N. 100th St. IS LOCATED IN THE R-100A ZONING DISTRICT.

ZONING NOTICE

CASE # 2023-0144A

The Board of Supervisors, by its Board of Planning and Zoning, has adopted a resolution to change the zoning of the property located at 10000 N. 100th St., from its current zoning of R-100 to R-100A. The Board of Planning and Zoning has also adopted a resolution to change the zoning of the property located at 10000 N. 100th St., from its current zoning of R-100 to R-100A.

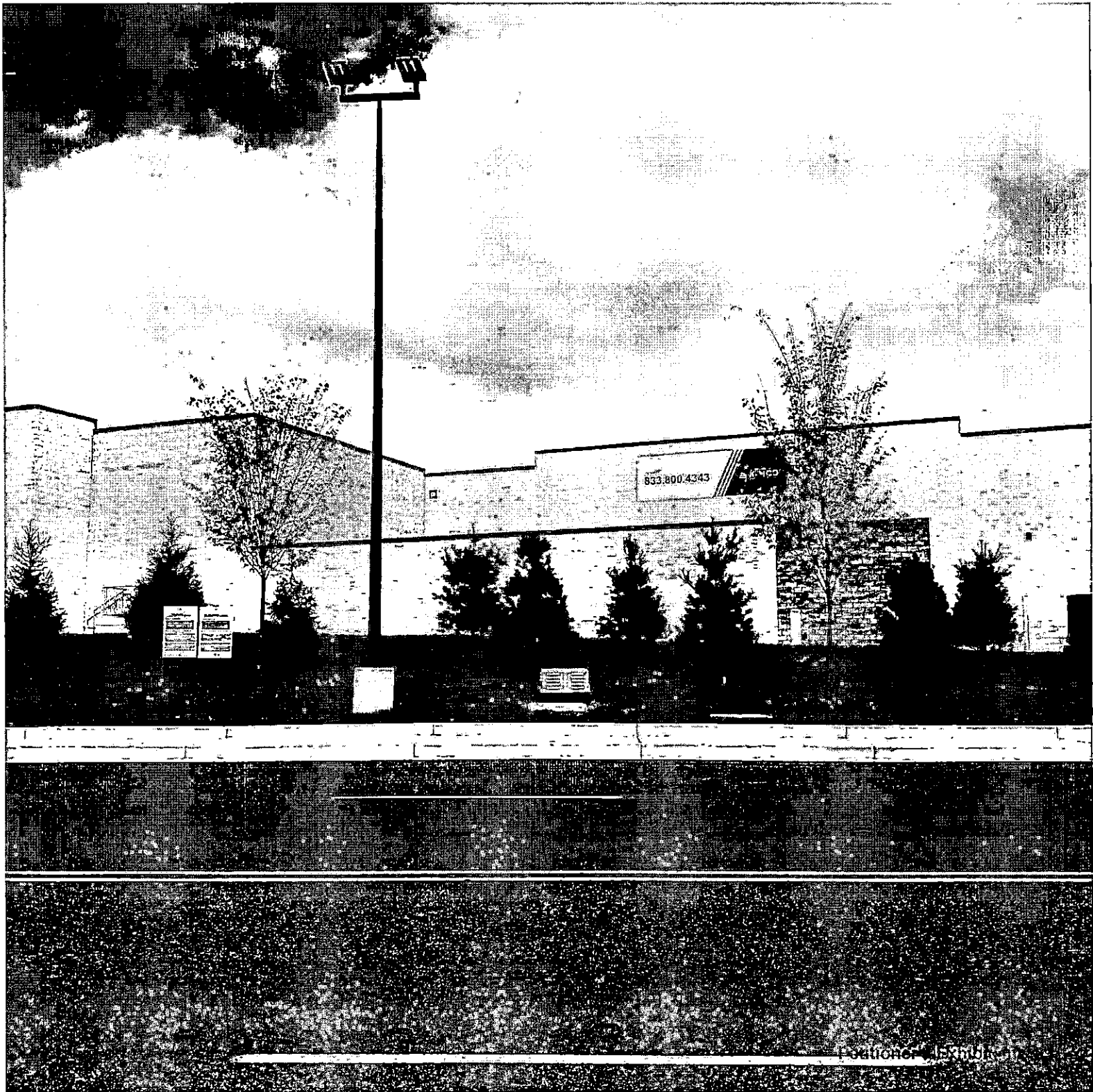
DATE AND TIME: 10:00 A.M., OCTOBER 11, 2023

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833.800.4843

KIMCO









Petitioner's Exhibit 40

KIMCO DOG PARK GUIDE



 KIMCO
REALTY

Petitioner's Exhibit 6

DOG PARK OVERVIEW

Kimco tenants, including PetSmart, Petco and Pet Supplies Plus, invite their customers to bring their pets with to shop; and in many cases provide services including veterinarian services, grooming and boarding. When customers bring their dogs on site at the centers, there is always the question of "where can the dogs relieve themselves"? In many instances the dogs urinate and defecate on the sidewalks, in the parking lot islands, and in the planting beds. This leaves a manager with urine stained sidewalks, dead grass, shrubs and trees, and the potential for our human customers to step in dog poop.

In most instances, property managers end up removing all the landscaping around the pet friendly stores, leaving parking lot islands and planting areas with only mulch or gravel. This really detracts from the overall look of the center, and ends up looking very unsightly.

So...the question is what do we do? Here is a solution. Create a designated area for pet owners to have their pets relieve themselves. In order to encourage pet owners to want to use the designated area, it's created it with a whimsical appeal. This is not a dog run, but modeled to be a miniature dog park. The design is modeled after a traditional city park with an rod iron fence like border, landscaping, artificial turf designed for dog run use, and even imitation fire hydrants for use as targets by the male canines. This is an area that customers will want to go to with their dogs.

This concept also serves as a great branding opportunity for our centers. No other landlords have ever implemented such a plan. Additionally, Dog Parks can also help position Kimco as a pet friendly landlord. Moreover, these Dog Parks could be installed with sponsorship from our pet store tenants to offset the costs.

FIRE HYDRANT SOURCING

amazon Try Prime Search fire hydrant

Departments **Fire & Kindle** For You Today's Deals Gift Cards Help Sell

Pet Supplies Brands Bestsellers Markdowns Dogs Cats Small Animals Fish & Aquatics Birds Reptiles Gift Ideas Top Deals New customer?

Pet Supplies > Dogs > Feeding & Watering Supplies > Food Storage



Hueter Toledo Lifesize Replica Plastic Fire Hydrant
by Hueter Toledo
★★★★☆ 43 customer reviews | 9 answered questions

Price: \$39.99 & FREE Shipping. Details

In Stock.
Ships from and sold by Amazon.com.

Want it tomorrow, Nov. 4? Order within 40 mins and choose One-Day Shipping at checkout. Details

- Made in the USA
- Suitable for indoor or outdoor use
- There's nothing quite like it

This item ships internationally. Learn more

18 new from \$34.89

Up to 20% Off!
Select Nature's Variety Raw Boosters  [Learn more](#)

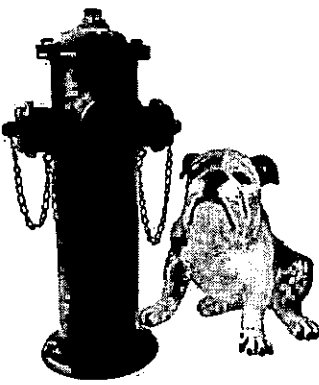
[Click to open expanded view](#)

amazon Try Prime Search fire hydrant

Departments **Fire & Kindle** For You Today's Deals Gift Cards Help Sell

Patio, Lawn & Garden Best Sellers Deals Outdoor Décor Gardening Grilling Patio Furniture Mowers & Landscaping Tools Pools & Spa Supplies

Home & Kitchen > Home Décor > Home Décor Accents > Collectible Figurines



Design Toscano DC122012 Vintage Metal Fire Hydrant Statue
by Design Toscano
★★★★☆ 9 customer reviews

List Price: \$73.90
Price: \$62.90 & FREE Shipping. Details
You Save: \$10.00 (14%)

In Stock.
Ships from and sold by Amazon.com.

Want it tomorrow, Nov. 4? Order within 41 mins and choose One-Day Shipping at checkout. Details

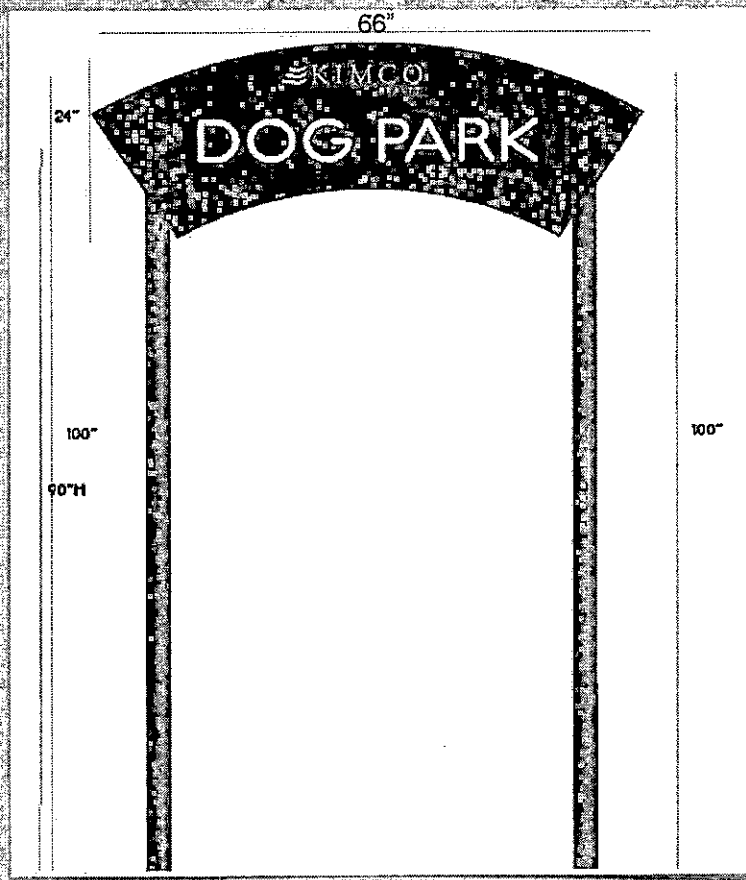
Size: Small

Color: Red

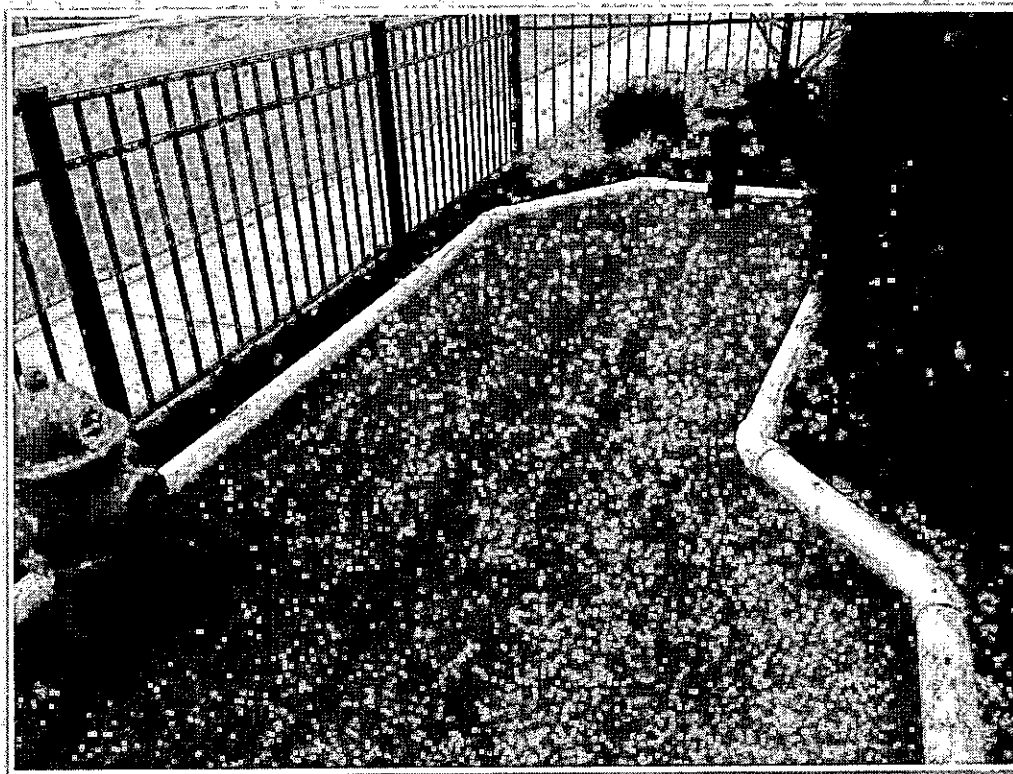
- Great vintage fire hydrant
- Top of the hydrant opens
- Crafted of durable metal
- Superbly realistic detailing in a hand painted finish
- Dimensions: 11.5W x 9.5D x 23H inches

[Roll over image to zoom in](#)

SIGNAGE DIMENSIONS



TURF INSTALLATION



CANINE DELUXE 60 INSTALLATION



ProGreen International, Inc.
Installation Instructions

For:
Canine Deluxe 60 RF

VERSION 072512

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Full installation instructions for
Canine Deluxe 60 RF can be
found at www.progreen.com

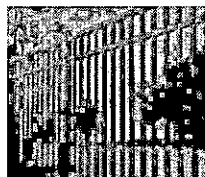
FENCING SOURCING



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UAF-200 Flat Top



Pickets: 1" square x .062 wall

Spacing Between Pickets: standard 4" and optional 1-1/2"

Fasteners: Stainless steel

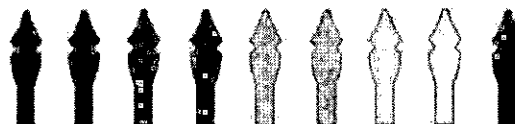
Horizontal Rails: 1-5/8" x 1-5/8" with .100" side walls and .070" top walls

Posts: 2-1/2" square x .100 wall; 3" square x .125 wall. All posts include standard caps.

Alloy: High-strength Ultra™ 6005-T5 alloy, min. strength 35,000 PSI

Finish: Powercoat™. When applied, Powercoat is twice the thickness and hardness of a typical acrylic, baked enamel or "wet paint" finish, making it more durable, fade-resistant and scratch-resistant than other coatings.

Colors: Black, Satin Black, Bronze, Satin Bronze, Beige, Satin Khaki, White, Satin White, Forest Green



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Ultra Fence™, Ultra Picket™, Ultra Rail™, Ultra™ Alloy, and Powercoat™ are registered trademarks of Ultra Aluminum Mfg. Inc.

Design & Bid Package Specifications Provided By:

Craig Dowden
Dowden Associates

(847) 362-1254 Work
847 322 8733 Mobile
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CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 9/25/2020

Case Number: 2020-0144-A

Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~
GREGORY REED

Date of Hearing: OCTOBER 16, 2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
10240 (aka 10210) MILL RUN CIRCLE

The sign(s) were posted on: SEPTEMBER 25, 2020

ZONING NOTICE

CASE # 2020-0144-A

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:

DATE AND TIME: FRIDAY, OCTOBER 16, 2020
AT 11:00 A.M.

VARIANCE TO PERMIT A PET SHOP (AS DEFINED IN BCZR 101) TO BE LOCATED (0.0) FEET FROM A LEASE LINE IN LIEU OF THE MINIMUM REQUIRED 200 FEET. BCZR 421.2 TO PERMIT A PET SHOP AND ASSOCIATED PARTS THEREOF (INCLUDING PARKING) TO BE LOCATED AS CLOSE AS ZERO (0.0)

For information on how to participate in the hearings please go to:
www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to hearing. You will be asked to provide your contact information and the case number above. You may also call 410-837-3868, ext. 0

Linda O'Keefe

(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

523 Penny Lane

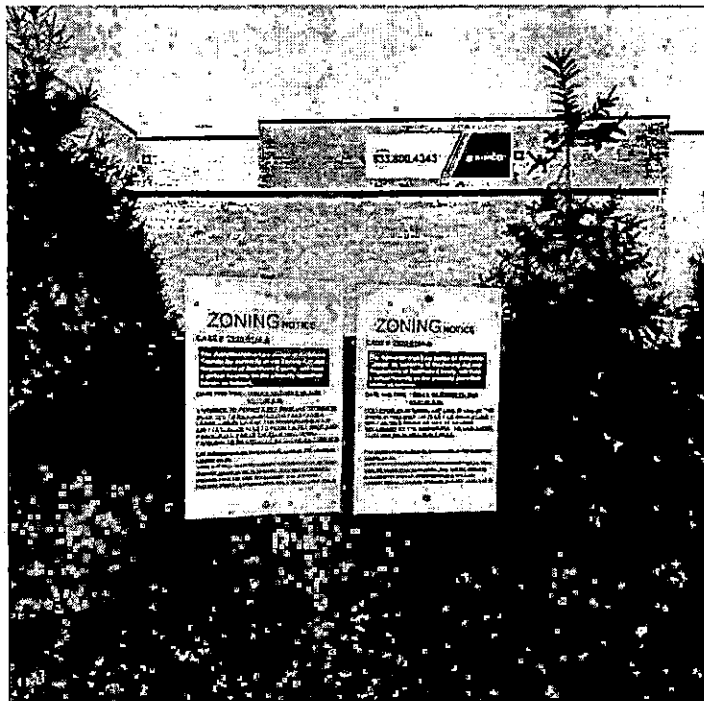
(Street Address of Sign Poster)

Hunt Valley, MD 21030

(City, State, Zip of Sign Poster)

410-666-5366

(Telephone Number of Sign Poster)



Second Set of Signs Back of Building 10240 (aka 10210) Mill Run Circle ~ 9/25/2020



Third Set of Signs at Entrance to 10240 (aka 10210) Mill Run Circle ~ 9/25/2020

CASE # 2020-0144-A

ZONING NOTICE

CASE # 2020-0144-A

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:

DATE AND TIME: FRIDAY, OCTOBER 16, 2020
AT 11:00 A.M.

FEET FROM AN INTERNAL LOT LINE IN LIEU OF THE MINIMUM REQUIRED 200 FEET FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE.
10240 (aka 10210) MILL RUN CIRCLE

For information on how to participate in the hearings please go to:
www.baltimorecountymd.gov/adminhearings no later than 48 hours prior to hearing. You will be asked to provide your contact information and the case number above. You may also call 410-587-3869, ext. 0.



1st Set of Signs @ Suite 102 ~ 10240 (aka 10210) Mill Run Circle ~ 9/25/2020

Front of Building

CASE # 2020-0144-A

SECOND CERTIFICATE OF POSTING

ATTENTION: DONNA MIGNON

DATE: 10/12/2020

Case Number: 2020-0144-A

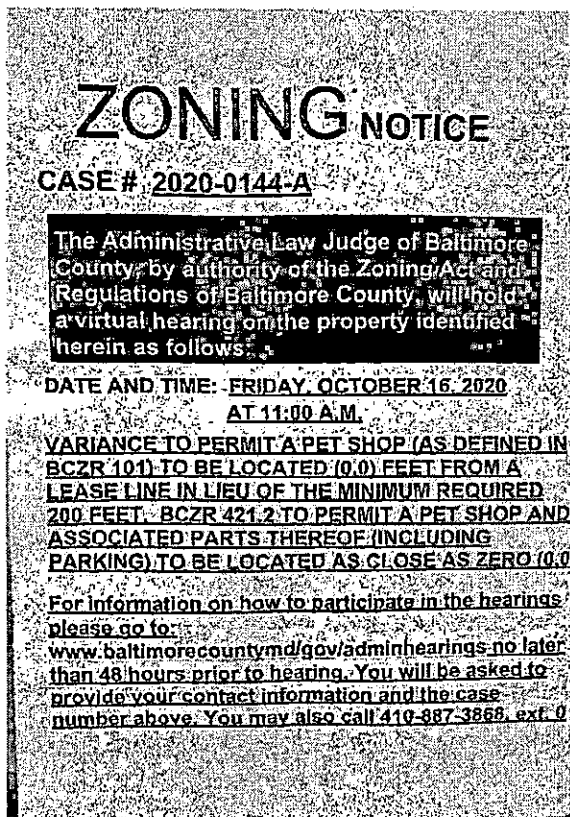
Petitioner / Developer: LAWRENCE SCHMIDT, ESQ. ~
GREGORY REED

Date of Hearing: OCTOBER 16, 2020

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
10240 (aka 10210) MILL RUN CIRCLE

The sign(s) were posted on: SEPTEMBER 25, 2020

The sign(s) were re-photographed on: OCTOBER 12, 2020



First Sign @ Suite 102 ~ 10240 (aka 10210)
Mill Run Circle – Front of Building

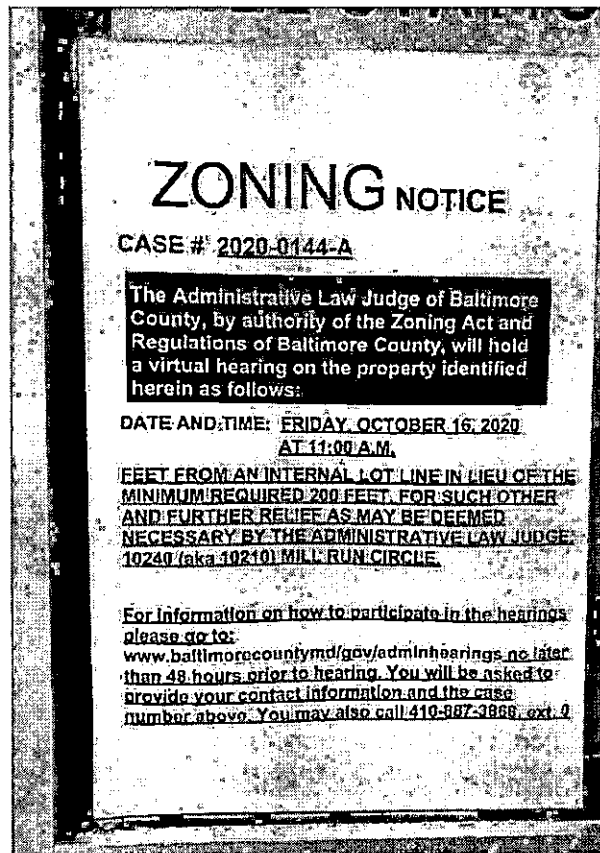
Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

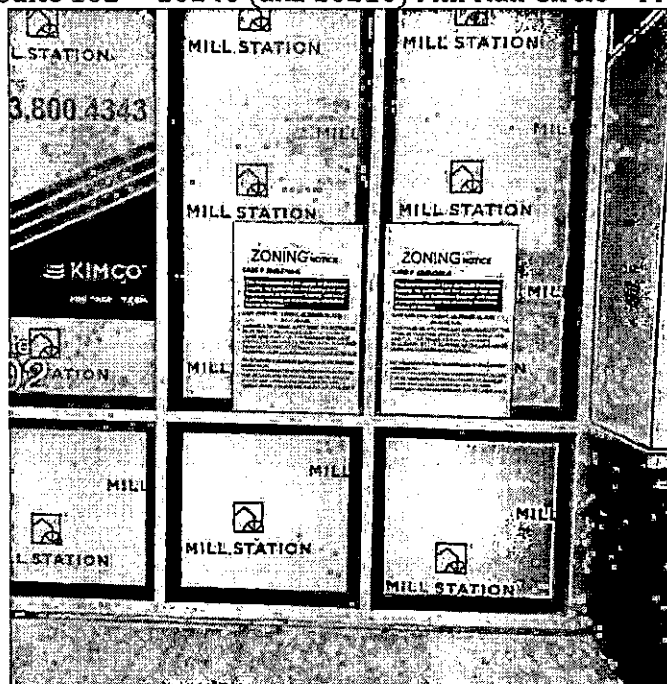
523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 – 666 – 5366
(Telephone Number of Sign Poster)



Second Sign @ Suite 102 ~ 10240 (aka 10210) Mill Run Circle - Front of Building ~ 10/12/2020



Re-Photographed 1st Set of Signs @ Suite 102 ~ 10240 (aka 10210) Mill Run Circle ~ 10/12/2020
Front of Building

CASE # 2020-0144-A

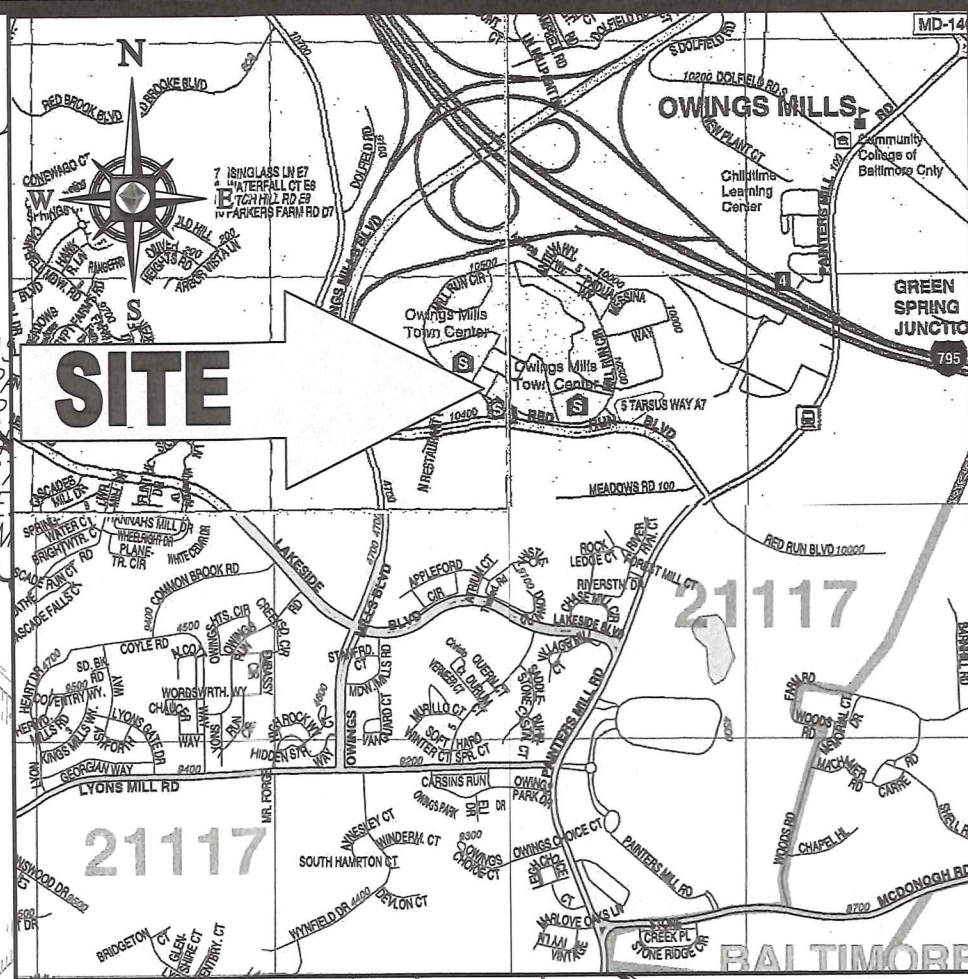
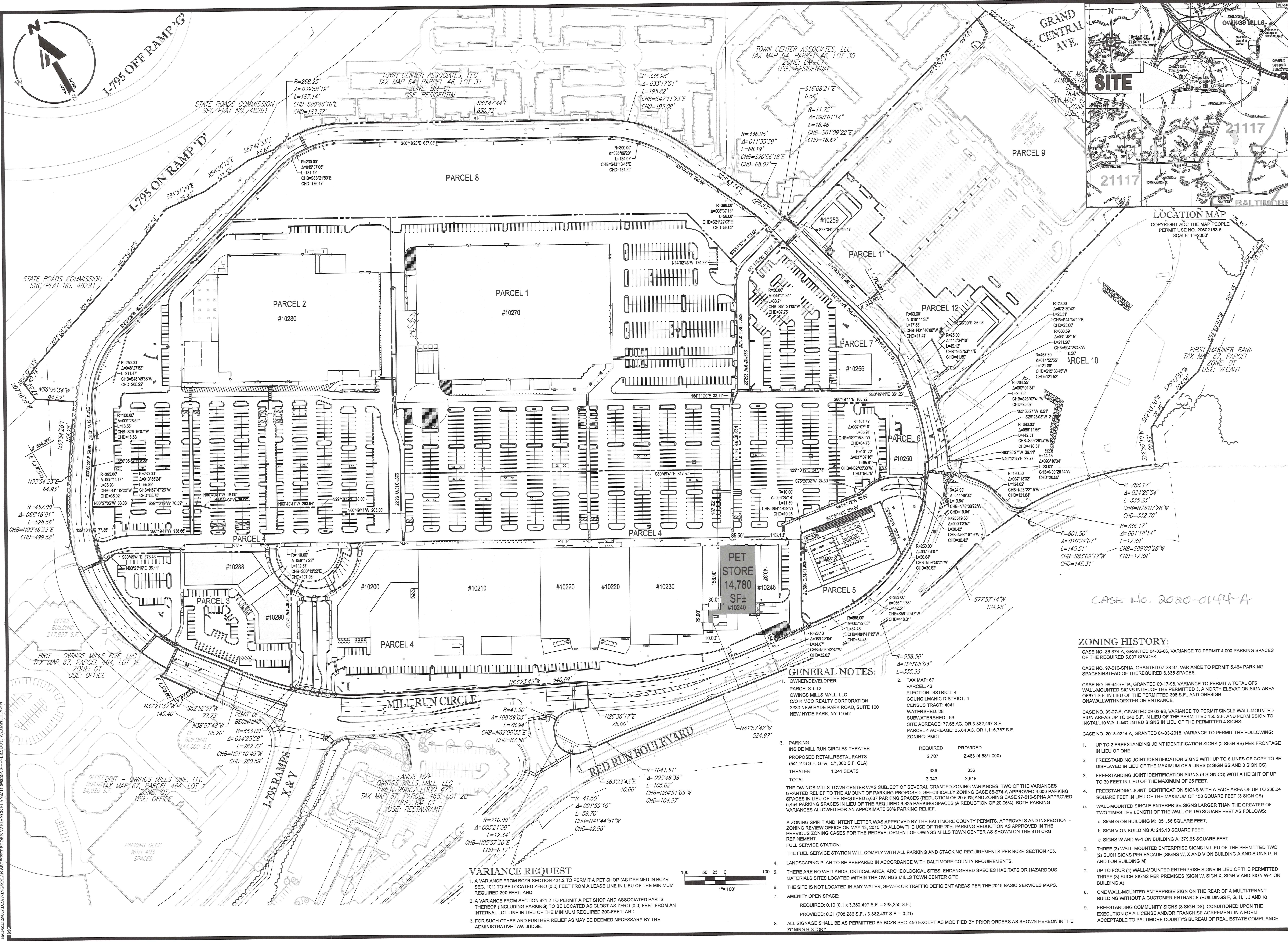


Second Set of Signs Back of Building 10240 (aka 10210) Mill Run Circle ~ 10/12/2020



Third Set of Signs at Entrance to 10240 (aka 10210) Mill Run Circle ~ 10/12/2020

Case # 2020-0144-A



BOHLER

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

REVISIONS			
REV	DATE	COMMENT	DRAWN BY

811

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FOR CONCEPT PURPOSES ONLY

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PROJECT No.: MD159002
DRAWN BY: CAR
CHECKED BY: MUG
DATE: 06/09/20
CAD ID: MD159002-SVA-0

VARIANCE PLAN

FOR

KIMCO
REALTY

LOCATION OF SITE
10240 MILL RUN CIRCLE, SUITE 102
TAX MAP 67, PARCEL 46,
PARCELS 1-12
OWINGS MILLS, MD 21117
BALTIMORE COUNTY
DISTRICT: 4

BOHLER

901 DULANEY VALLEY ROAD, SUITE B01
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

M.J. GESELL
PROFESSIONAL ENGINEER
LICENSE NO. 44697, EXPIRATION DATE 06/01

SHEET TITLE:
**PLAN TO
ACCOMPANY
VARIANCE
PETITION**

SHEET NUMBER:
1

ORG. DATE - 06/09/20

VARIANCE REQUEST

1. A VARIANCE FROM BCZR SECTION 42.2 TO PERMIT A PET SHOP (AS DEFINED IN BCZR SEC. 101) TO BE LOCATED ZERO (0) FEET FROM A LEASE LINE IN LIEU OF THE MINIMUM REQUIRED 200 FEET; AND

2. A VARIANCE FROM SECTION 42.1.2 TO PERMIT A PET SHOP AND ASSOCIATED PARTS THEREOF (INCLUDING PARKING) TO BE LOCATED AS CLOSE AS ZERO (0) FEET FROM AN INTERNAL LOT LINE IN LIEU OF THE MINIMUM REQUIRED 200 FEET; AND

3. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE.

GENERAL NOTES:

1. OWNER/DEVELOPER:
PARCELS 1-12
OWINGS MILLS MALL, LLC
C/O KIMCO REALTY CORPORATION
3333 NEW HYDE PARK ROAD, SUITE 100
NEW HYDE PARK, NY 11042

2. TAX MAP: 67
PARCEL: 46
ELECTION DISTRICT: 4
COUNCILMANIC DISTRICT: 4
CENSUS TRACT: 4041
WATERSHED: 28
SUBWATERSHED: 66
SITE ACREAGE: 77.65 AC. OR 3,382,497 S.F.
PARCEL 4 ACREAGE: 25.64 AC. OR 1,116,787 S.F.
ZONING: BMCT

3. PARKING
INSIDE MILL RUN CIRCLE & THEATER
PROPOSED RETAIL/RESTAURANTS
(541,273 S.F. GFA 51,000 S.F. GLA)
THEATER 1,341 SEATS
TOTAL 336 336
3,043 2,819

THE OWINGS MILLS TOWN CENTER WAS SUBJECT OF SEVERAL GRANTED ZONING VARIANCES. TWO OF THE VARIANCES GRANTED RELIEF TO THE AMOUNT OF PARKING PROPOSED. SPECIFICALLY ZONING CASE 86-374-A APPROVED 4,000 PARKING SPACES IN LIEU OF THE REQUIRED 5,037 PARKING SPACES (REDUCTION OF 20.59%) AND ZONING CASE 97-516-SPHA APPROVED 5,464 PARKING SPACES IN LIEU OF THE REQUIRED 6,835 PARKING SPACES (A REDUCTION OF 20.95%). BOTH PARKING VARIANCES ALLOWED FOR AN APPROXIMATE 20% PARKING RELIEF.

A ZONING SPIRIT AND INTENT LETTER WAS APPROVED BY THE BALTIMORE COUNTY PERMITS, APPROVALS AND INSPECTION - ZONING REVIEW OFFICE ON MAY 13, 2015 TO ALLOW THE USE OF THE 20% PARKING REDUCTION AS APPROVED IN THE PREVIOUS ZONING CASES FOR THE REDEVELOPMENT OF OWINGS MILLS TOWN CENTER AS SHOWN ON THE 9TH CRG REFINEMENT.

FULL SERVICE STATION:
THE FUEL SERVICE STATION WILL COMPLY WITH ALL PARKING AND STACKING REQUIREMENTS PER BCZR SECTION 405.

4. LANDSCAPING PLAN TO BE PREPARED IN ACCORDANCE WITH BALTIMORE COUNTY REQUIREMENTS.

5. THERE ARE NO WETLANDS, CRITICAL AREA, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS SITES LOCATED WITHIN THE OWINGS MILLS TOWN CENTER SITE.

6. THE SITE IS NOT LOCATED IN ANY WATER, SEWER OR TRAFFIC DEFICIENT AREAS PER THE 2019 BASIC SERVICES MAPS.

7. AMENITY OPEN SPACE:
REQUIRED: 0.10 (0.1 x 3,382,497 S.F. = 338,250 S.F.)
PROVIDED: 0.21 (708,286 S.F. / 3,382,497 S.F. = 0.21)

8. ALL SIGNAGE SHALL BE AS PERMITTED BY BCZR SEC. 450 EXCEPT AS MODIFIED BY PRIOR ORDERS AS SHOWN HEREON IN THE ZONING HISTORY.