

MEMORANDUM

DATE: 3/11/2021
TO: ZONING REVIEW
FROM: Office of Administrative Hearings
RE: Case No. 2020-0262-A

The appeal period for the above-referenced cases expired on March 10, 2021. There being no appeal filed, the subject file is ready for return to the Development Processing Office and is placed in the 'pick up box.'

/dlm

c: ✓ Case File
Office of Administrative Hearings

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

(7900 – 7990 Honeygo Boulevard) *
14th Election District
6th Council District *
White Marsh Plaza Trust
Legal Owner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Petitioner

Case No. 2020-0262-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed on behalf of White Marsh Plaza Business Trust, Legal Owner (“Petitioner”) for property located at 7900-7990 Honeygo Blvd., White Marsh. The Special Hearing requests an amendment to the Order and Site Plan approved in Case No. 2013-0206-A. In addition, Petitioner requests a Variance from the Baltimore County Zoning Regulations (“BCZR”) §409.6 to allow a total of 381 off-street surface parking spaces in lieu of the required 516 parking spaces.

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. Andy Bottero, Senior Director of Development and Kathleen Zachmeier-McLaren, Regional Property Manager, both appeared on behalf of Federal Realty Investment Trust (a/k/a FR White Marsh, Inc.), the sole trustee of White Marsh Plaza Business Trust in support of the requested relief. Christopher W. Armstrong, PE (Dev. Ex. 2) who prepared and sealed a site plan in support of the Petitions (the “Site Plan”) (Dev. Ex. 1) and J. Mark Keeley, PTP with Traffic Concepts, Inc. (Dev. Ex. 5) also appeared. David H. Karceski, Esquire and C. Andrew Robinson, Esquire and Venable, LLP represented the Petitioner. There were no protestants or interested persons in attendance.

ORDER RECEIVED FOR FILING

Date

By

2/8/21
By *[Signature]*

Zoning Advisory Committee ("ZAC") comments were received from the Department of Planning ("DOP") dated December 9, 2020 and from Department of Environment and Sustainability and Protection ("DEPS") dated October 29, 2020. Those agencies did not oppose the requested relief.

FACTS AND EVIDENCE

The case proceeded by way of modified proffer from Mr. Karceski and Mr. Keeley. The Property is 7.2 +/- acres and is zoned business-major, commercial town center (BM-CT). The Property is improved with a strip shopping center included a Giant food store, constructed in the 1980s, which anchors the center. The Property is contiguous to, but not part of, the White Marsh Mall. It is bound on west by Perry Hall Blvd. and on the south by Honeygo Blvd. The northern and eastern sides are bound by access roads which flow into the White Marsh Mall.

Aerial photographs provide an accurate depiction of the Property which is elbow shaped and is different from other properties in the surrounding area. (Pet. Ex. 3). In addition, street view photographs of various aspects of the Property, including the parking lot, offer a detailed perspective of a well-maintained site. (Pet. Ex. 4).

In 2013, a parking variance was granted for 387 spaces in lieu of 475 required spaces for commercial tenants including restaurants (Case No.: 2013-0206-A). The 2013 site plan shows the existing tenants in the shopping center at that time. (Dev. Ex. 7). In 2011, a sign variance was granted for the Giant. (Case No.: 2011-0041-A).

Mr. Keeley testified in regard to his parking analysis which referenced the Institute of Transportation Engineers Parking Generation Manual 5th Edition ("ITE Manual") to obtain the peak hour parking demand for standalone uses and for a shopping center. Mr. Keeley also factored in the parking counts he conducted in April of 2013 and again in January, 2021. (Dev. Ex. 6).

ORDER RECEIVED FOR FILING

Date

2/8/21

By

D. M. Lignar

Based on this information, he opined that the Property has an adequate parking supply with 381 spaces to support the center. (Dev. Ex. 6).

DECISION

Petitioner in this case seeks a parking variance of 381 off-street surface parking spaces in lieu of the required 516 parking spaces under BCZR, §409.6, which is necessitated by a change in tenants (new retail tenants (including restaurants) for the center. These new tenants require a different parking calculation than that in the 2013 Site Plan. (Dev. Ex. 7).

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). In both Case No.: 2013-0206-A and Case No.: 2011-0041-A, the Property was found to be unique. Given that the Property has not changed in terms of its irregular physical characteristics and is still 'elbow-shaped', I find that the prior findings of uniqueness apply here.

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty, given it would be unable to attract commercial tenants for its center. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of community opposition. In addition, a parking study was completed by Traffic Concepts, Inc. (Pet. Ex. 6) demonstrating that more than sufficient parking exists on Property. Pursuant to the advertisement, posting of the property and public hearing on this Petition,

and for the reasons set forth above, the variance relief requested shall be granted.

ORDER RECEIVED FOR FILING

Date

2/8/21

By

D. Mignan

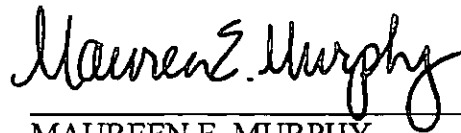
THEREFORE, IT IS ORDERED this 8th day of **February 2021**, by this Administrative Law Judge that the Petition for Special Hearing for an amendment to the Order and Site Plan approved in zoning Case No. 2013-0206-A is **GRANTED**; and it is

FURTHER ORDERED that the Variance pursuant to from BCZR, §409.6 to allow a total of 381 off-street surface parking spaces in lieu of the required 516 parking spaces is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at 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.

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



MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM/dlm

ORDER RECEIVED FOR FILING

Date

By

2/8/21
L. Mignon



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 7900, 7904, 7916, 7918, 7944, 7968, 7972, 7974, 7976, 7978, 7982, 7984, 7990 Honeygo Boulevard which is presently zoned BM-CT

Deed References: 17518-564 10 Digit Tax Account # 1900001897

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

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

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

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

AN AMENDMENT TO THE ORDER AND SITE PLAN APPROVED IN ZONING CASE NO. 2013-206-A.

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

3. X a **Variance** from Section(s)

409.6 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW A TOTAL OF 381 OFF-STREET SURFACE PARKING SPACES IN LIEU OF THE REQUIRED 516 PARKING SPACES.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE PRESENTED AT HEARING.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

N/A

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

David H. Karceski, Esquire

Name- Type or Print

Signature

210 W. Pennsylvania Ave., Ste. 500

Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

SEE ATTACHED

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

David H. Karceski, Esquire

Name - Type or Print

Signature

210 W. Pennsylvania Ave., Ste. 500

Towson MD

Mailing Address

City

State

21204

410-494-6285

dhkarceski@venable.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2020-0262 SPHA

Filing Date 10/22/2020

Do Not Schedule Dates: _____

Reviewer KM

PETITION FOR SPECIAL HEARING AND VARIANCE

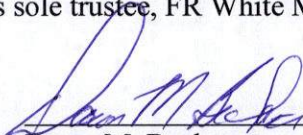
**7900, 7904, 7916, 7918, 7944, 7968, 7972, 7974, 7976, 7978, 7982, 7984, 7990 HONEYGO
BLVD**

ATTACHMENT

Legal Owner:

White Marsh Plaza Business Trust, a Maryland business trust
By its sole trustee, FR White Marsh, Inc., a Maryland corporation

By:



Dawn M. Becker
Executive Vice President – Corporate
909 Rose Avenue, Suite 200
North Bethesda, MD 20852
301-998-8100
dbecker@federalrealty.com

ZONING DESCRIPTION
TAX MAP 82, GRID 3, PARCEL 205
THE LANDS OF
WHITE MARSH PLAZA BUSINESS TRUST AND
C/O FEDERAL REALTY INVESTMENT TRUST
LIBER 17518 FOLIO 564
14TH ELECTION DISTRICT
BALTIMORE COUNTY, MD

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LIMITS OF HONEYGO BOULEVARD (VARIABLE WIDTH PUBLIC RIGHT-OF-WAY), WHICH IS 161.02 FEET EAST OF THE PERRY HALL BOULEVARD CENTERLINE AND 58.20' NORTH OF THE HONEYGO BOULEVARD CENTERLINE, THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LIMITS AND WITH THE DIVISION LINE BETWEEN HONEYGO BOULEVARD ON THE SOUTH AND THE LANDS OF WHITE MARSH PLAZA BUSINESS TRUST ON THE NORTH.

1. 140.41 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 87.00 FEET, A CENTRAL ANGLE OF 92 DEGREES – 28 MINUTES – 12 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 25 DEGREES – 30 MINUTES – 53 SECONDS WEST, 125.66 FEET TO A POINT, THENCE;
2. CONTINUING 406.36 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1974.86 FEET, A CENTRAL ANGLE OF 11 DEGREES – 47 MINUTES – 22 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 14 DEGREES – 49 MINUTES – 33 SECONDS EAST, 405.64 FEET TO A POINT, THENCE;
3. CONTINUING 115.54 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 73 DEGREES – 33 MINUTES – 18 SECONDS, AND A CHORD BEARING AND DISTANCE OF NORTH 60 DEGREES – 52 MINUTES – 31 SECONDS EAST, 107.77 FEET TO A POINT, THENCE;
4. CONTINUING SOUTH 82 DEGREES – 20 MINUTES – 47 SECONDS EAST, 19.92 FEET TO A POINT, THENCE;
5. CONTINUING 41.53 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 539.50 FEET, A CENTRAL ANGLE OF 04 DEGREES – 24 MINUTES – 38 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 84 DEGREES – 33 MINUTES – 06 SECONDS EAST, 41.53 FEET TO A POINT, THENCE;
6. CONTINUING SOUTH 86 DEGREES – 45 MINUTES – 25 SECONDS EAST, 97.53 FEET TO A POINT, THENCE;
7. CONTINUING 54.22 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 40.00 FEET, A CENTRAL ANGLE OF 77 DEGREES – 39 MINUTES – 52 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 47 DEGREES – 55 MINUTES – 37 SECONDS EAST, 50.16 FEET TO A POINT, THENCE;
8. CONTINUING 193.81 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 332.00 FEET, A CENTRAL ANGLE OF 33 DEGREES – 26 MINUTES – 50 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 25 DEGREES – 49 MINUTES – 14 SECONDS EAST, 191.07 FEET TO A POINT, THENCE;
9. CONTINUING SOUTH 42 DEGREES – 32 MINUTES – 40 SECONDS EAST, 320.55 FEET TO A POINT, THENCE;
10. CONTINUING SOUTH 03 DEGREES – 38 MINUTES – 48 SECONDS WEST, 28.89 FEET TO A POINT, THENCE;
11. CONTINUING 147.57 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 289.50 FEET, A CENTRAL ANGLE OF 29 DEGREES – 12 MINUTES – 22 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 32 DEGREES – 51 MINUTES – 10 SECONDS WEST, 145.98 FEET TO A POINT, THENCE;

12. CONTINUING SOUTH 18 DEGREES – 15 MINUTES – 00 SECONDS WEST, 42.92 FEET TO A POINT, THENCE;
13. CONTINUING 118.07 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 90.00 FEET, A CENTRAL ANGLE OF 75 DEGREES – 09 MINUTES – 57 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 55 DEGREES – 49 MINUTES – 57 SECONDS WEST, 109.78 FEET TO A POINT, THENCE;
14. CONTINUING NORTH 71 DEGREES – 45 MINUTES – 00 SECONDS WEST, 478.21 FEET TO A POINT, THENCE TO THE POINT OF THE BEGINNING

CONTAINING 313,986 SQUARE FEET OR 7.21 ACRES.



CERTIFICATE OF POSTING

2020-0262-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

White Marsh Plaza Business Trust

February 3, 2021

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

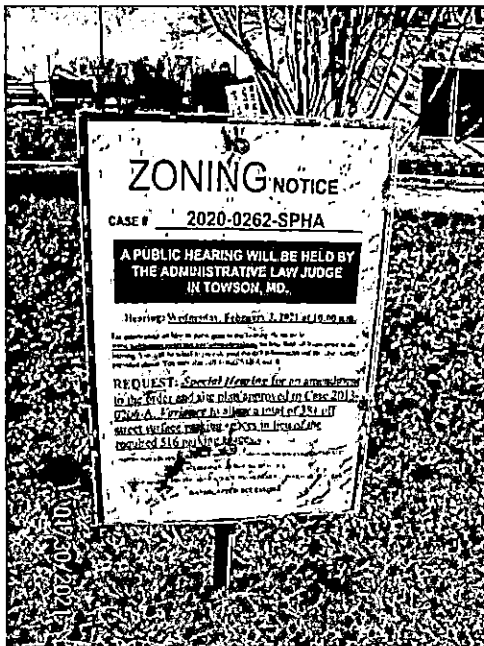
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

7900 Honeygo Boulevard

SIGN 1 Recertification

January 14, 2021

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



Sincerely,

January 30, 2021

(Signature of Sign Poster) _____ (Date) _____

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0262-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

White Marsh Plaza Business Trust

February 3, 2021

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

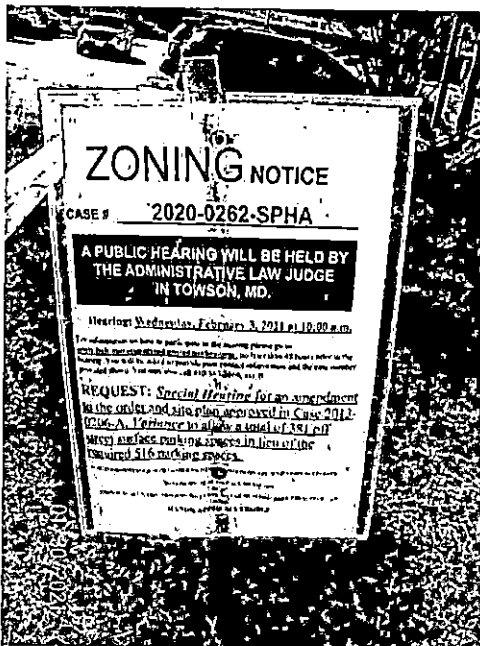
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

7900 Honeygo Boulevard

SIGN 2 Recertification

January 14, 2021

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



Sincerely,

January 30, 2021

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0262-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

White Marsh Plaza Business Trust

February 3, 2021

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

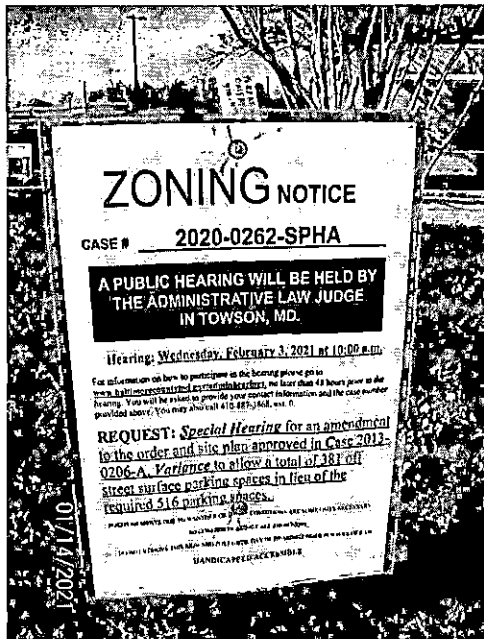
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

7900 Honeygo Boulevard

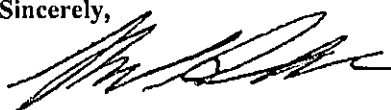
SIGN 1

January 14, 2021

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



Sincerely,

 January 14, 2021

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2020-0262-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

White Marsh Plaza Business Trust

February 3, 2021

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

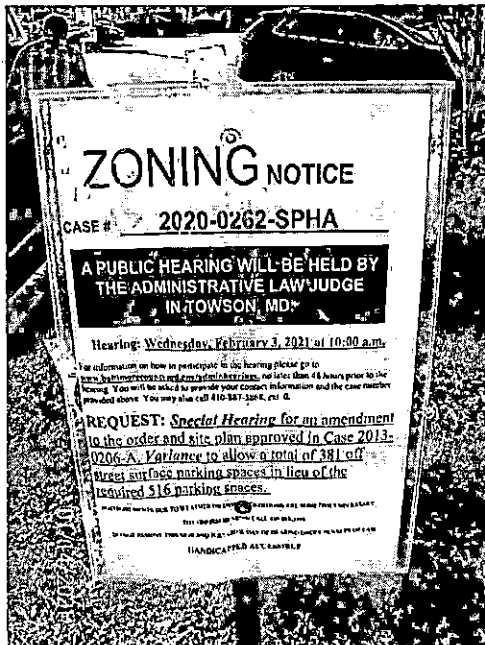
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

7900 Honeygo Boulevard

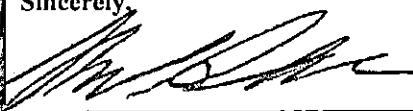
SIGN 2

January 14, 2021

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



Sincerely,

 January 14, 2021
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

The Daily Record

200 St. Paul Place Suite 2480
Baltimore, Maryland 21202
1 (443) 524-8100
www.thedailyrecord.com

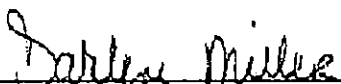
PUBLISHER'S AFFIDAVIT

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:

1/14/2021

Order #: 11951822
Case #: 2020-0262-SPHA
Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
2020-0262-SPHA



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2020-0262-SPHA

7900 Honeygo Boulevard

Located on the north east corner of the intersection of Honeygo and Perry Hall Boulevard

14th Election District - 6th Councilmanic District

Legal Owners: White Marsh Plaza Business Trust

Special Hearing for an amendment to the order and site plan approved in Case 2013-0206-A. Variance to allow a total of 381 off street surface parking spaces in lieu of the required 516 parking spaces.

Hearing: Wednesday, February 3, 2021 at 10:00 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

jal4



JOHN A. OLSZEWSKI, JR.
County Executive

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

January 6, 2021

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: 2020-0262-SPHA

7900 Honeygo Boulevard

Located on the north east corner of the intersection of Honeygo and Perry Hall Boulevard

14th Election District – 6th Councilmanic District

Legal Owners: White Marsh Plaza Business Trust

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

Michael Mallinoff
Director

MM:kl

C: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Dawn Becker, 909 Rose Avenue, Ste. 200, North Bethesda 20852

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 14, 2021

TO: THE DAILY RECORD
Thursday, January 14, 2021 - Issue

Please forward billing to:

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

410-494-6352

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2020-0262-SPHA

7900 Honeygo Boulevard

Located on the north east corner of the intersection of Honeygo and Perry Hall Boulevard

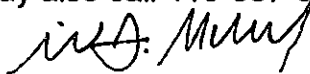
14th Election District – 6th Councilmanic District

Legal Owners: White Marsh Plaza Business Trust

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



Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County



JOHN A. OLSZEWSKI, JR.
County Executive

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

January 26, 2021

David Karceski,
210 W. Pennsylvania Ave Suite 500
Towson MD 21204

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 October 22, 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 "C. Gutwald", written over a horizontal line.

C. PETE GUTWALD, AICP

PCG

Enclosures

CC: People's Counsel
CC: Jeff Perlow

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: October 29, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0262-SPHA
Address 7900-7990 Honeygo Blvd.
(White Marsh Plaza Trust Property)

Zoning Advisory Committee Meeting of **November 2, 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: 12/9/2020

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-262



INFORMATION:

Property Address: 7900 Honeygo Blvd
Petitioner: David Karceski, Esquire
Zoning: BM-CT
Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petition for a Special Hearing pursuant to Section 500.7 of the BCZR to determine whether or not the Administrative Law Judge should approve an amendment to the order and site plan approved in Zoning Case No 2013-206, and for a Variance from Section 409.6 of the BCZR to allow a total of 381 off street surface parking spaces in lieu of the required 516 spaces.

A site visit was conducted on 12/1/2020. The subject site is a small strip shopping center located in the White Marsh Town Center. The site is anchored by a Giant Food store and was constructed in the early 1980's directly adjacent to White Marsh Mall.

The request for determination of an amended site plan and for a parking variance is necessitated by a change in tenants for the center. A standard restaurant is proposed for the center, replacing a retail tenant, and requiring a different parking calculation than that in the most recent site plan from 2013.

The Department of Planning has reviewed this request and the associated site plan and has no objections to the requests.

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

Prepared by:

Krystle Patchak

CPG/JGN/KP/

Division Chief:

Jenifer G. Nugent

c: Laurie Hay
David H. Karceski, Esquire. Venable LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

2/3/21
10:00 am

CASE NO. 2020-

0262 SPHA

CHECKLIST

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

✓ Ltr
✓ Order

<u>11/2</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
	DEPS (if not received, date e-mail sent _____)	
<u>12/9</u>	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent _____)	<u>No objection</u>
	STATE HIGHWAY ADMINISTRATION	
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2011-0041 & 2013-0206)

See attached

NEWSPAPER ADVERTISEMENT Date: _____

SIGN POSTING (1st) Date: _____ by _____

SIGN POSTING (2nd) Date: _____ by _____

PEOPLE'S COUNSEL APPEARANCE Yes ☐ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

ZAC AGENDA

Case Number: 2020-0262-SPHA **Reviewer:** Joseph Merrey

Existing Use: COMMERCIAL **Proposed Use:** COMMERCIAL

Type: SPECIAL HEARING, VARIANCE

Legal Owner: White Marsh Plaza Trust

Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 14 **Council Dist:** 6

Property Address: 7900-7990 HONEYGO BLVD

Location: The property located on the North East corner of the intersection of Honeygo and Perry Hall Blvd.

Existing Zoning: BM-CT

Area: 7.2 AC

Proposed Zoning:

SPECIAL HEARING:

An amendment to the order and site plan approved in zoning case number 2013-0206-A.

VARIANCE:

409.6 of the Baltimore County Zoning regulations to allow a total of 381 off-street surface parking spaces in lieu of the required 516 parking spaces.

Attorney: David H. Karceski

Prior Zoning Cases: 2011-0041-A; 2013-0206-A

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

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: October 29, 2020

SUBJECT: DEPS Comment for Zoning Item # 2020-0262-SPHA
Address 7900-7990 Honeygo Blvd.
(White Marsh Plaza Trust Property)

Zoning Advisory Committee Meeting of **November 2, 2020.**

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

Reviewer: Steve Ford

Donna Mignon

From: Karceski, David H. <DKarceski@Venable.com>
Sent: Wednesday, January 6, 2021 4:01 PM
To: Kristen L Lewis
Cc: Donna Mignon; Robinson, Drew
Subject: Case No. 2020-262-SPHA (7900 Honeygo Blvd.)

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

Hi Kristen

Here is our list of presenters for this public hearing –

Andy Bottaro
Senior Director, Development
Federal Realty Investment Trust
abottaro@federalrealty.com

Kathi Zachmeier-McLaren
Regional Property Manager
Federal Realty Investment Trust
kmclaren@federalrealty.com

Chris Armstrong
Professional Engineer
Bohler
carmstrong@bohlereng.com

Mark Keeley
Project Manager
Traffic Concepts, Inc.
mkeeley@traffic-concepts.com

David Karceski
dhkarceski@venable.com
Drew Robinson
carobinson@venable.com
Attorneys for Petitioner/Legal Owner
Venable LLP

Thank you,

David

From: Kristen L Lewis <klewis@baltimorecountymd.gov>
Sent: Wednesday, January 6, 2021 2:48 PM
To: Karceski, David H. <DKarceski@Venable.com>
Subject: Hearing Notice

Caution: External Email

Good afternoon David,

Below is the wording for the case we just spoke about. Thank you,

Kristen Lewis-Coles
PAI – Zoning Review
410-887-3391

January 6, 2021

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: 2020-0262-SPHA

7900 Honeygo Boulevard

Located on the north east corner of the intersection of Honeygo and Perry Hall Boulevard

14th Election District – 6th Councilmanic District

Legal Owners: White Marsh Plaza Business Trust

Special Hearing for an amendment to the order and site plan approved in Case 2013-0206-A. Variance to allow a total of 381 off street surface parking spaces in lieu of the required 516 parking spaces.

Hearing: Wednesday, February 3, 2021 at 10:00 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: David Karceski, 210 W. Pennsylvania Avenue, Ste. 500, Towson 21204
Dawn Becker, 909 Rose Avenue, Ste. 200, North Bethesda 20852

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JANUARY 14, 2021



Practice social distancing and wear a mask in public places.

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

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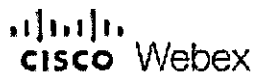
Donna Mignon

From: Kristen L Lewis
Sent: Wednesday, January 6, 2021 4:04 PM
To: Donna Mignon; Debra Wiley
Subject: Webex link 2020-0262-SPHA

Good afternoon ladies,

The case that David Karceski just sent a list of participants for, is set for Wednesday, February 3, 2021 at 10 a.m. The address is 7900 Honeygo Blvd. Thank you,

Kristen Lewis-Colles
PAI – Zoning Review
410-887-3391



Webex Events

New User Reference
(<https://help.webex.com>)

Attend an Event

List of Events
(</ec3300/eventcenter/ever>
[theAction=listevents_date8](#))

Unlisted Events
(</ec3300/eventcenter/enrc>
[siteurl=baltimorecountymd](#))

Event Recordings
(</ec3300/eventcenter/reco>
[theAction=archive](#))

Search
(</ec3300/eventcenter/ever>
[siteurl=baltimorecountymd](#))

Host an Event

Schedule an Event
(</ec3300/eventcenter/sche>
[actionType=schedule&serv](#))

Event Information

Event: Zoning C
Trust

Type: Listed E

Event address for attendees: <https://b>

Event address for panelists: <https://b>

Date and time: Wednes
Eastern

Duration: 1 hour

Description: Zoning I
Case No
7900 Hc
White M

Event number: 180 653

Event password: 1234

Host key: 616663

Alternate Host: Deb Wilk

Panelist Info:

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Deb Wiley (Alternate Host)	dwiley@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Paul Mayhew (Alternate Host)	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Andy Bottaro	abottaro@federalrealty.com	1-	New York Time	English	U.S.
Chris Armstrong	carmstrong@bohlereng.com	1-	New York Time	English	U.S.
David Karceski	dkarceski@venable.com	1-	New York Time	English	U.S.
Drew Robinson	carobinson@venable.com	1-	New York Time	English	U.S.
Kathi Zachmeier-McLaren	kmclaren@federalrealty.com	1-	New York Time	English	U.S.
Mark Keeley	mkeeley@traffic-concepts.com	1-	New York Time	English	U.S.

Donna Mignon

From: Donna Mignon
Sent: Thursday, January 7, 2021 8:13 AM
To: Kristen L Lewis
Subject: RE: Webex link 2020-0262-SPHA

Top of Form

Event Information

Event: Zoning Case - Case No: 2020-0262-SPHA - 7900 Honeygo Boulevard - Legal Trust

Type: Listed Event

Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTI>

Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTI>

Date and time: Wednesday, February 3, 2021 10:00 am
Eastern Standard Time (New York, GMT-05:00)

Duration: 1 hour

Description: Zoning Hearing
Case No: 2020-0262-SPHA
7900 Honeygo Boulevard
White Marsh Plaza Business Trust

Event number: 180 653 4008

Event password: 1234

Host key: 616663

Alternate Host: Deb Wiley, Henry Ayakwah, Maureen Murphy, Paul Mayhew

Panelist Info:

Panelist password:

Panelist numeric password: 765761

Video Address: 1806534008@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: 180 653 4008

Maximum number of registrants: 10000

Destination address after event:

Host image:

Attendee list available for viewing by: Host, presenter and panelists only

Event material: None

Post-event survey: No

Email configured: Pending, Approved, Rejected

Registration Information

· **Registration ID required:** No
Password required: No
Password:
Approval required: No
Custom registration form: No
After registration, go to URL:

Bottom of Form

Top of Form

Bottom of Form

From: Kristen L Lewis <klewis@baltimorecountymd.gov>

Sent: Wednesday, January 6, 2021 4:04 PM

To: Donna Mignon <dmignon@baltimorecountymd.gov>; Debra Wiley <dwiley@baltimorecountymd.gov>

Subject: Webex link 2020-0262-SPHA

Good afternoon ladies,

The case that David Karceski just sent a list of participants for, is set for Wednesday, February 3, 2021 at 10 a.m. The address is 7900 Honeygo Blvd. Thank you,

Kristen Lewis-Coles

PAI – Zoning Review

410-887-3391

Donna Mignon

Subject: Web seminar scheduled: Zoning Case - Case No: 2020-0262-SPHA - 7900 Honeygo Boulevard - Legal Owners: White Marsh Plaza Business Trust
Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ec0ca019b67f23588c6511485ad8d037f>
Start: Wed 2/3/2021 10:00 AM
End: Wed 2/3/2021 11:00 AM
Recurrence: (none)
Meeting Status: Accepted
Organizer: webex

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

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

Host: Donna Mignon (dmignon@baltimorecountymd.gov)
Event number (access code): 180 653 4008

Wednesday, February 3, 2021 10:00 am, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ec0ca019b67f23588c6511485ad8d037f>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ef42590349e212a5828a09e4827f>

Start event

Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1806534008@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 765761

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

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e37bce7032dc84a1598e377953cff4022>

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

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

*

*

*

*

*

BEFORE THE OFFICE
OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2013-0206-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by David H. Karceski, Esquire, on behalf of the legal owner of the subject property. The Petitioner is requesting Variance relief from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), to allow 387 off-street parking spaces in lieu of the required 475 parking spaces. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests were Mark Keeley, Brian Donley and Joseph Ucciferro. David H. Karceski, Esquire with Venable, LLP appeared and represented the Petitioner. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

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

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Date

4/29/13

By

Sen

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

Based upon the testimony and evidence presented, I will grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

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

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

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

If the B.C.Z.R. were strictly enforced, the Petitioner would indeed suffer a practical difficulty, given it would be unable to attract commercial tenants for its center. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the lack of county and/or community opposition. In addition, a parking study was completed by Traffic Concepts, Inc. (Exhibit 5) demonstrating that more than sufficient parking exists on site.

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

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

ORDER RECEIVED FOR FILING

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

The relief granted herein shall be subject to the following:

1. Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner, consistent with the ZAC comment received from the Bureau of Development Plans Review dated March 15, 2013, shall meet with the County's landscape architect to determine and complete whatever plantings are necessary to bring the site into compliance with the existing, approved landscape plan.

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



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:slm

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Date 4/29/13

By slm



KEVIN KAMENETZ
County Executive

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

April 29, 2013

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

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

Dear Mr. Karceski:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

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

IN RE: PETITION FOR VARIANCE

N/S Honeygo Boulevard, 157' E of c/line of
Perry Hall Boulevard
(7944 Honeygo Boulevard)
11th Election District
5th Council District

White Marsh Plaza Business Trust, *Owner*
Giant of Maryland, LLC, *Lessee*
Petitioners

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2011-0041-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the Petitioner, Giant of Maryland, LLC through one of its senior managers of construction, Juan Carlos Vivas, and their attorney, Charles B. Marek, III, Esquire of Gildea and Schmidt, LLC. The Petition was also signed by the property owner, White Marsh Plaza Business Trust by Dawn M. Becker, its Vice President and General Counsel. Variance relief is requested from the Baltimore County Zoning Regulations (B.C.Z.R.) - Table of Sign Regulations - Attachment 1 (Chart), to permit ten (10) wall-mounted enterprise signs for the existing Giant supermarket in lieu of the permitted one (1) sign pursuant to Section 450.4 Chart 1.5(d). The subject property and requested relief are more particularly described on the site plan and sign package elevations, which were submitted into evidence and marked as Petitioners' Exhibits 1 and 2 respectively.

Appearing at the requisite public hearing in support of the request were Ronald Brumbaugh, Senior Manager of Construction for Giant, Mark Johnston of Gutschick, Little & Weber, P.A, the civil engineering firm that prepared the site plan(s) for the project, and Warren Weaver of Gable Signs. Charles B. Marek, III, Esquire represented the Petitioner at the hearing. There were no Protestants or other interested persons present.

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Date

By

10-20-10

3

Mr. Marek proffered the evidence presented at the hearing, and the proffer and exhibits were accepted into the record of the case. The property in question is the "White Marsh Plaza" near the intersection of Perry Hall Boulevard and Honeygo Boulevard. The site is adjacent to Ring Road, a private road that encircles the White Marsh Mall. The property also sits in between "access road 4" and "access road 5" that connect Ring Road to Honeygo Boulevard and Perry Hall Boulevard respectively. The site is approximately 7.2 acres and is zoned B.M.-C.T. The center is improved with a multi-tenant retail building and a stand-alone PAD site bank. The Giant supermarket is the largest tenant in the center and considered the "anchor" store. In addition to being the anchor store, testimony revealed that Giant has a total of twelve (12) stores in Baltimore County and employs roughly 1,200 people. The chain is an important economic driver of the County, as well as the State of Maryland, and works with local businesses and farms.

Giant is going through a global reimaging of its stores, whereby the longstanding "big G" signage is being replaced with a "fruit-bowl" type logo and associated Giant lettering. As part of this change over from the old trademark to the new, Giant is upgrading not only the sign package, but also has allocated a significant sum to upgrade the interior of these stores. This reimaging to the "fruit-bowl" logo and associated signage will take place not only in Baltimore County, but across Maryland, Virginia, Pennsylvania and the other markets of Giant.

Testimony also focused on the aspects specific to the property that make it appropriate for variance relief. Although this site is over seven (7) acres, it acts as more of an out parcel or large PAD site of the White Marsh Mall. It borders directly on Ring Road, the private mall beltway, and is accessed off of appropriately named access roads connecting the public and private streets. The effect of the mall is such that it dictates the loading zones of the site be

developed along the collector public roads and not facing the smaller scale pedestrian space of Ring Road and the mall parking areas. Likewise, the boomerang shape of the site dictates a curving of the commercial building, thereby shielding the interior middle anchor tenant, which happens to be Giant, from having adequate visibility from the public roads. It is not until the intersection of Ring Road (passed the center entrance) until these signs are visible from public space, and even then only portions of the building front are clearly visible.

These peculiar aspects of the property work in concert to create a practical difficulty for the supermarket, which is the inability to adequately alert the customers to their presence in the center as well as their multitude of services. This leads to decreased economic vibrancy of the store and the center as a whole. Due to the consolidation of uses under one roof, stores with large building footprints (i.e. big box) are unable to adequately advertise their services. I believe that through the granting of the variance the Petitioner is able to remedy this practical difficulty.

The testimony and evidence also showed that the granting of the variance would be in the spirit and intent of the zoning regulations. The wall mounted signage permitted at this center, without relief, would be one (1) sign that is 557.6 square feet (two times the length of the wall to which the signage is affixed). The wall mounted sign package would be just over half of this permitted square footage at less than 300 square feet. Furthermore, the sign regulations do attempt to allow stores to adequately advertise their services, and I believe that this relief is in keeping with that and other goals of the signage regulations. Lastly, customer recognition and identification of the stores is important as this reimagining is occurring not just in Baltimore County, but throughout all of Giant's operation across counties and states.

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Date

10-20-10

By

103

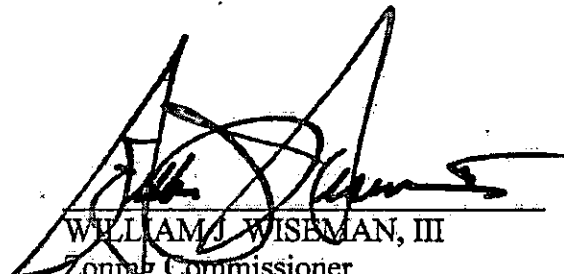
The testimony also bears that the granting of the variance will be in the interest of the public. The new sign package will utilize light-emitting-diode (LED) technology for illumination, thereby reducing the energy consumption by roughly ninety (90%) percent.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of October 2010 that the Petition for Variance seeking relief from Section 450.4 Chart 1.5(d) of the Baltimore County Zoning Regulations (B.C.Z.R.) – Table of Sign Regulations – to permit (10) wall-mounted enterprise signs for the existing Giant supermarket in lieu of the permitted one (1), in accordance with Petitioners' Exhibits 1 and 2, be and is hereby GRANTED, subject to the following restriction:

ADVISORY: The Petitioner is advised that it may apply for any required sign permits and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this Order shall be taken in accordance with Baltimore County Code (B.C.C.) Section 32-3-401.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

ORDER RECEIVED FOR FILING

Date

10-20-10

By

03

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2020-0262 SPHA

Property Address: Honeygo Blvd.

Property Description: See enclosed

Legal Owners (Petitioners): White Marsh Plaza Business Trust

Contract Purchaser/Lessee: N/A

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barb L-kasewich

Company/Firm (if applicable): Venchie LLP

Address: 210 W. Pennsylvania Ave.

Suite 500

Towson, MD 21204

Telephone Number: 410 494 6352

Case No. 2020-0262-SPHA

(White Marsh Plaza / 7944 Honeygo Blvd.)

Petitioner's Exhibits

1. Site Plan
2. Chris Armstrong CV
3. Aerials
4. Site Photos & Location Map
5. Mark Keeley CV
6. Parking Study Letter
7. 2013 Parking Variance Plan

2/16/21
Dm.
3/11/21
Dm.



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7

Made in USA



PROJECT TEAM



**CARMSTRONG@BOHLERENG.
COM**

EDUCATION

B.S. Civil Engineering
University of Delaware

PROFESSIONAL LICENSES

Maryland PE #36521

PROFESSIONAL AFFILIATIONS

American Society of Civil Engineers

Home Builders Association of
Maryland

NAIOP

Urban Land Institute - Baltimore

Chris Armstrong, PE

Project Manager

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

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

SELECT PROJECT EXPERIENCE

- + Circle East Development, Towson, MD
- + Flats at 703, Towson, MD
- + Goucher College, Froelicher Hall, Towson, MD
- + YMCA, Towson, MD
- + Reisterstown Road Plaza, Baltimore, MD
- + Silver Diner, Frederick, MD
- + CVS, Parkville, MD
- + Oak Crest Village, Parkville, MD
- + CVS, Nottingham, MD
- + Walgreens, Nottingham, MD
- + Brightview Senior Living, Catonsville, MD
- + YMCA, Catonsville, MD
- + Federal Realty, Shoppes II, Nottingham, MD
- + International Grocer, Nottingham, MD
- + Rock Creek, Rosedale, MD



Made in USA





J. Mark Keeley, PTP

Project Manager/ Traffic Impact Studies

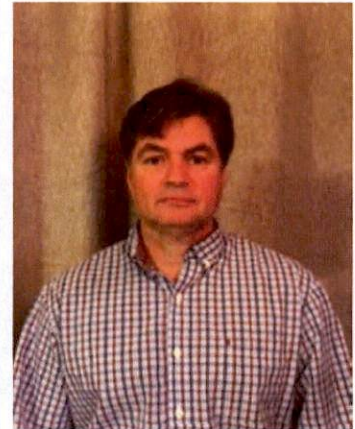
PROJECT ROLE
Lead Transportation Planner

Summary of Professional Skills:

Skills:

Traffic Operations Analysis	Speed & Sight Distance Studies
Traffic Impact Studies	Intersection Delay Studies
Intersection Analysis	Parking Studies
Transportation Planning Studies	Trip Generation Analyses
Transportation Management Studies	

Computer software Packages: Microsoft software packages, TP +, MINUTP, Highway Capacity Software (HCS), SIDRA, Critical Lane Volume Analysis



Professional Experience:

Traffic Concepts, Inc

7525 Connelley Drive, Suite B Hanover, Maryland 21076

Contact Number: 410-760-2911

Project Manager/Transportation Planner, July 2005 – Present

- Project Manager for Traffic Impact Studies Division;
- Develop price proposals and budgets for Traffic Impact Studies;
- Provide expert testimony at public hearings;
- Develop Master Planning Studies, Traffic Impact Studies, and Parking Studies for private and public sector clients;
- Address technical comments received from reviewing agencies and provide traffic mitigation strategies and solutions for clients;
- Represent clients at project Scoping Meetings, Planning Commission Meetings, Board of Appeals Hearings, and Community Meetings.

Education

M.A. Geography/Planning
Towson University, 1993

B.A Salisbury University, 1987

Professional Registrations

Professional Transportation
Planner, 2008 – Current

AICP, 2006 to 2010

YEARS EMPLOYED AS
TRANSPORTATION PLANNER

27

QUEEN ANNE'S COUNTY DEPARTMENT OF PUBLIC WORKS / DEPARTMENT OF PLANNING & ZONING
110 Vincit St #104, Centreville, MD 21617

Transportation/Land Use Planner IV, September 2002 – July 2005

- Managed the County Adequate Public Facilities Ordinance (Roads);
- Provided staff support to the Planning Commission and County Council;
- Review Traffic Impact Studies & recommended APFO mitigation measure requirements;
- Reviewed major and minor subdivision/site plans for compliance with the County's Zoning Ordinance and the Comprehensive Plan;
- Generated technical subdivision/site plan comments and present findings at County Council and Planning Commission Meetings;
- Initiated and directed general and specialized land use studies, which included vacant land inventories, site impact analysis, and transportation corridor studies;
- Appointed liaison to Federal and State Agencies for Maryland's Smart Growth initiatives and the Federal Clean Air Act Amendment (Air Quality Conformity).

TRAFFIC CONCEPTS, Inc.

7525 Connelley Drive • Suite B • Hanover, MD 21076 • Phone (410) 760-2911 • Fax (410) 760-2915

J. Mark Keeley, PTP

Project Manager/ Traffic Impact Studies

PROJECT ROLE

Lead Transportation Planner

HARFORD COUNTY DEPARTMENT OF PLANNING AND ZONING

220 South Main Street Bel Air, Maryland 21014

Administrator, Office of Transportation, July 1999 – September 2002

- Developed the 2000 Transportation Plan, An Element of the Harford County Master Plan;
- Reviewed Traffic Impact Studies and recommended traffic mitigation measures;
- Initiated and directed planning studies relating to land use and transportation planning, which included computer modeling, transit planning, and traffic impact analysis;
- Managed the County Traffic Count Program;
- Managed the County Rideshare Program;
- Developed the Unified Planning Work Program;
- Developed the Transportation Improvement Program (TIP);
- Baltimore Metropolitan Council's Transportation Technical Committee Member;
- Baltimore Metropolitan Council's Bicycle and Pedestrian Advisory Group Member;
- Baltimore Metropolitan Council's Travel Analysis Advisory Group Member.

HARFORD COUNTY DEPARTMENT OF PLANNING AND ZONING

220 South Main Street Bel Air, Maryland 21014

Transportation Planner I & II, September 1993 – July 1999

- Planner assigned to the Edgewood Community Planning Council;
- Conducted transit-planning studies and rider-ship surveys for Harford Transit;
- Coordinated with the Harford Transit to develop new rural transit routes;
- Organized a Bicycle and Pedestrian Task Force to select bicycle routes;
- Managed the Commuter Assistance Grant for MTA;
- Developed a Regional Employees Commuter Option (ECO) Program for both the public sector and private sector businesses as mandated by the MDE;
- Prepared and reviewed Traffic Impact Studies for the County;
- Managed the Regional Travel Demand Model;
- Performed intersection analysis and recommended traffic mitigation measures.

Master Plan Writings:

- Co-author: 2000 Transportation Plan, Element of the Harford County Master Plan

Expert Witness Experience:

Baltimore County, MD

City of Easton, MD

Howard County, MD

Carroll County, MD

City of Elkton, MD

Town of Bel Air, MD

Harford County, MD

City of Salisbury, MD

Town of Denton, MD

Queen Anne's County, MD

Town of Centreville, MD

Westminster, MD

Montgomery County, MD

City of Frederick, MD

EDUCATION:

TOWSON UNIVERSITY

SALISBURY UNIVERSITY

M.A. Degree - Geography and Planning, 1993

B.A. Degree - Political Science, 1987

MT. ST. JOSEPH HIGH SCHOOL 4403 Frederick Ave., Baltimore, MD 21229

Graduated 1983

TRAFFIC CONCEPTS, Inc.

7525 Connelley Drive • Suite B • Hanover, MD 21076 • Phone (410) 760-2911 • Fax (410) 760-2915

TRAFFIC CONCEPTS, INC.

Traffic Impact Studies • Feasibility • Traffic Signal Design • Traffic Counts • Expert Testimony



January 29, 2021

Mr. Andy Bottaro
Federal Realty Investment Trust
1626 E Jefferson Street
Rockville, MD 20852

RE: Parking Study
Federal Realty Investment Trust
7944 Honeygo Boulevard
T/C 2903

Dear Mr. Bottaro:

We are pleased to submit the following parking analysis for the White Marsh Plaza that is located at 7944 Honeygo Boulevard, White Marsh. The property is situated on the northeast corner of Perry Hall Boulevard and Honeygo Boulevard. The purpose of this analysis is to demonstrate the proposed parking reduction at the White Marsh Plaza is adequate to support the existing and proposed uses contained within the shopping center during the average weekday and Saturday peak parking demand periods.

The White Marsh Plaza is a commercial shopping center with a total floor area of 79,609 SF. The existing building floor area will not be increased with this proposal. The existing site plan shows 387 off-street parking spaces that was approved with a parking variance in 2013. The proposed site plan now shows 381 off-street parking spaces.

Methodology

The methodology used to predict the total peak hour parking demand includes parking data contained in the *Institute of Transportation Engineers Parking Generation Manual 5th Edition (ITE)* and a parking counts conducted at the White Marsh Plaza. The ITE Parking Manual is a collection of parking (demand) data that were collected throughout the United States for many different land-use types. This report contains ITE peak period parking calculations that are derived from the gross floor area of the existing White Marsh Plaza buildings. The parking data are provided for the peak time periods on a weekday and a Saturday.

ITE: Peak Hour Parking Demand

The ITE parking data listed in Table I represents the peak hour parking demand for uses contained in a single standalone building with a separate parking lot. The uses and the floor area match the floor area that is contained in the White Marsh Plaza shopping center. Since the ITE data in Table I represents standalone uses, the calculated weekday and Saturday peak hour parking demand represents a worst-case parking demand situation. As shown by the ITE manual, the highest parking demand occurred on a Saturday with 372 occupied parking spaces.

Table I
ITE Parking Calculations: Various Standalone Land Uses

ITE Land Use Code	Land Use	Gross Floor Area per 1,000 SF	Weekday Peak Hour Demand	Saturday Peak Hour Demand
850	Retail/Grocery	62.429	183	227
912	Bank	1.975	8	6
715	Office	1.879	6	6
932	Restaurant	9.493	90	117
492	Health Club	3.833	55	16
Total		79.609	342	372

Source: ITE Parking Manual, 5th Edition

The ITE parking data contained in Table II is derived from a 77,634 SF shopping center that contains various tenants that are contained within a single building. The ITE definition for a Shopping Center is "an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. A shopping center may also contain pad sites for other uses. In this case the White Marsh Plaza contains a pad site for a 1,975 SF standalone bank building. Therefore, the parking calculations for the bank were calculated separate from the shopping center building. The total building area analyzed is 79,609 SF.

The peak hour parking demand for a shopping center occurs on a Saturday with 261 occupied spaces.

Table II
ITE Parking Calculations: Shopping Center

ITE Land Use Code	Land Use	Gross Floor Area per 1,000 SF	Weekday Peak Hour Demand	Saturday Peak Hour Demand
820	Shopping Center	77.634	216	255
912	Drive-in Bank	1.975	8	6
Total		79.609	224	261

Source: ITE Parking Manual, 5th Edition

Actual Parking Counts

The peak hour observations and counts for this site were counted in April 2013 on a Thursday, Friday, and Saturday. The available parking spaces on site were 387. The highest number of occupied parking spaces counted during the study periods was 179 or 46.3 percent of the available spaces.

Recent parking counts and observations were conducted on January, 14, 2021 (Thursday) January, 15, 2021 (Friday), and January, 16, 2021 (Saturday). The counts were conducted during the COVID -19 closures that may have impacted the demand at the shopping center. The results of the recent counts determined that no more than 143 spaces were occupied, which is 37 percent of the available parking paces.

Conclusions

The ITE parking analysis that was conducted for each tenant located within the shopping center (Table I) is based on the assumption that each use is a standalone use with no shared parking that is typically associated with a shopping center. This analysis determined a maximum parking demand of 372 spaces, which is below the proposed 381 spaces.

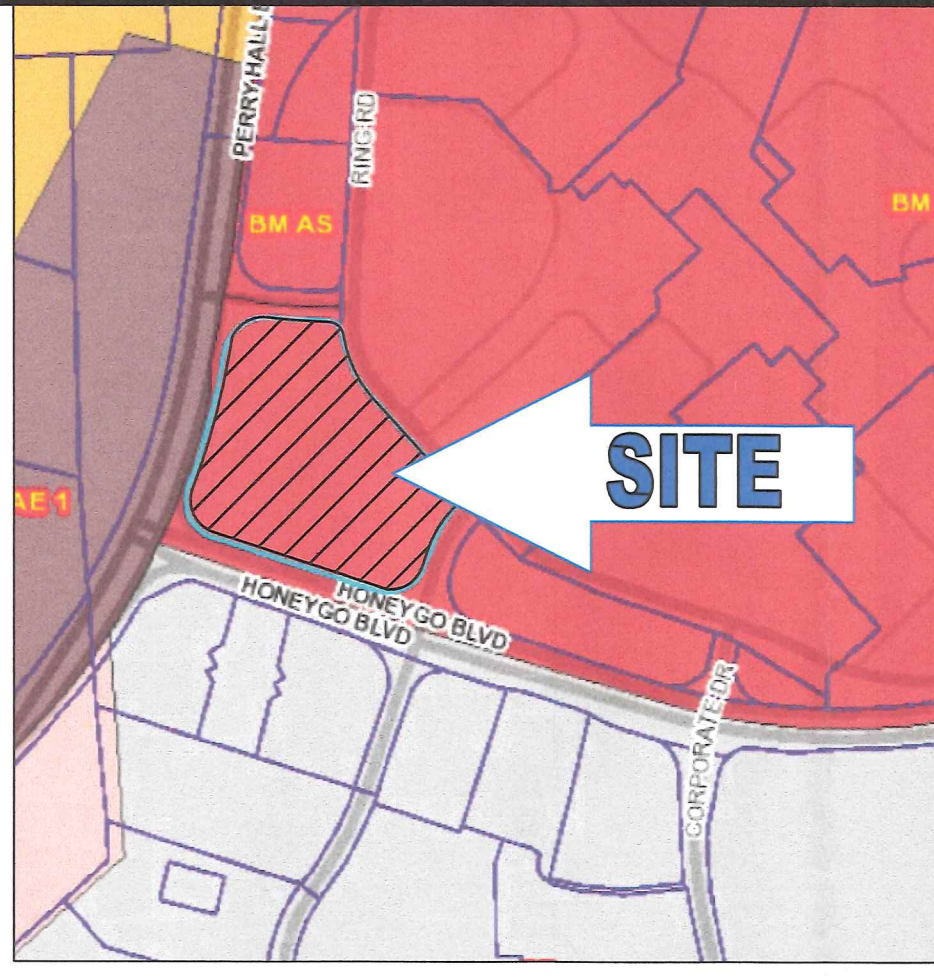
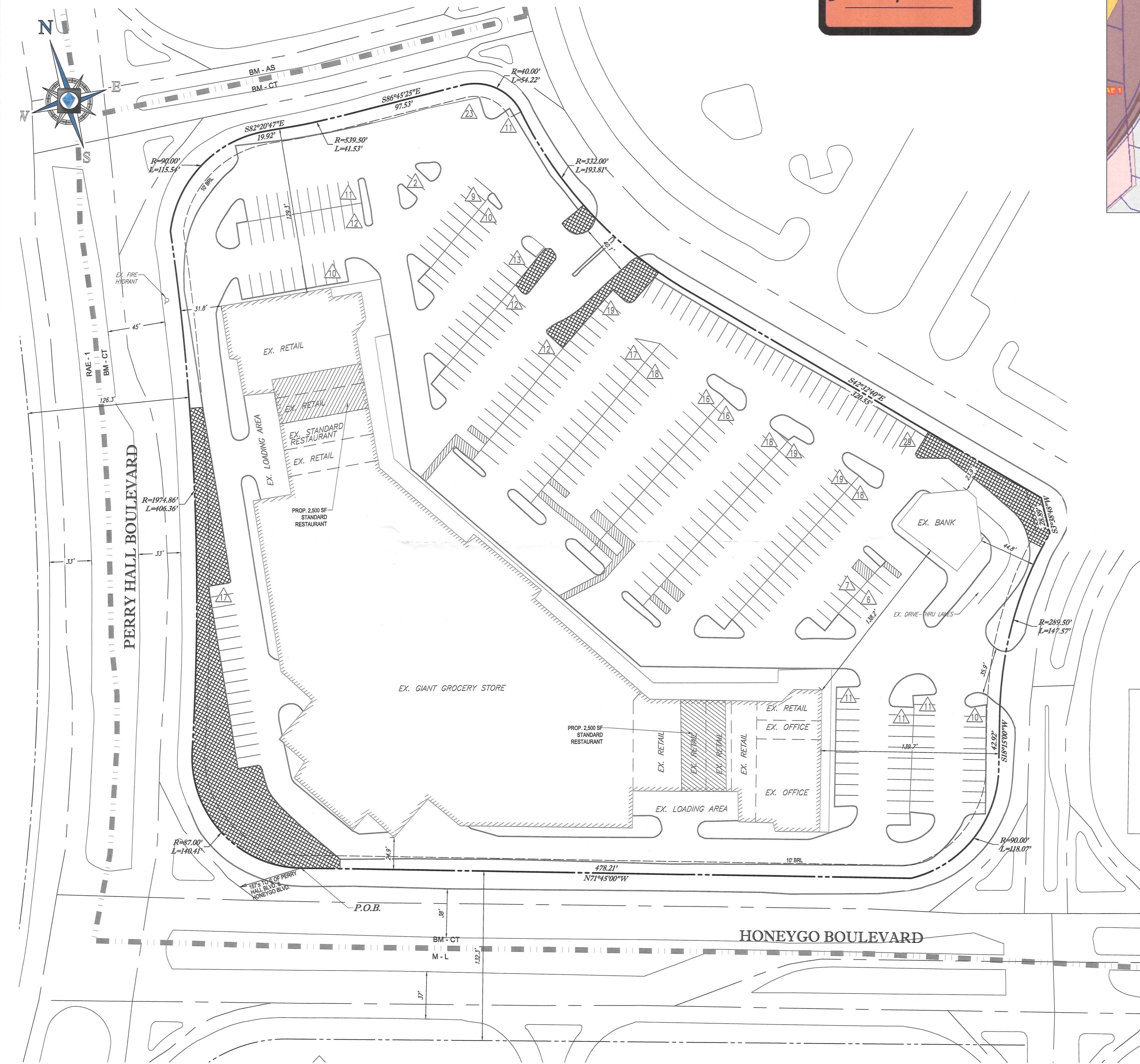
The ITE parking analysis conducted for a 79,609 SF shopping center would generate a maximum of 261 occupied parking spaces. This is 69 percent of the total 381 spaces proposed on the site. This peak hour parking demand analysis for a shopping center with 261 occupied spaces more closely matches the actual parking demand count that was conducted in 2013. The 2013 peak hour parking counts revealed the maximum number of occupied spaces was 179, which is 47 percent of the proposed 381 spaces.

Therefore, with the ITE data provided in this report for a shopping center and the 2013 counts, we believe the White Marsh Plaza has an adequate parking supply with 381 spaces to support the center. If you have any questions about this report, please do not hesitate to contact our office.

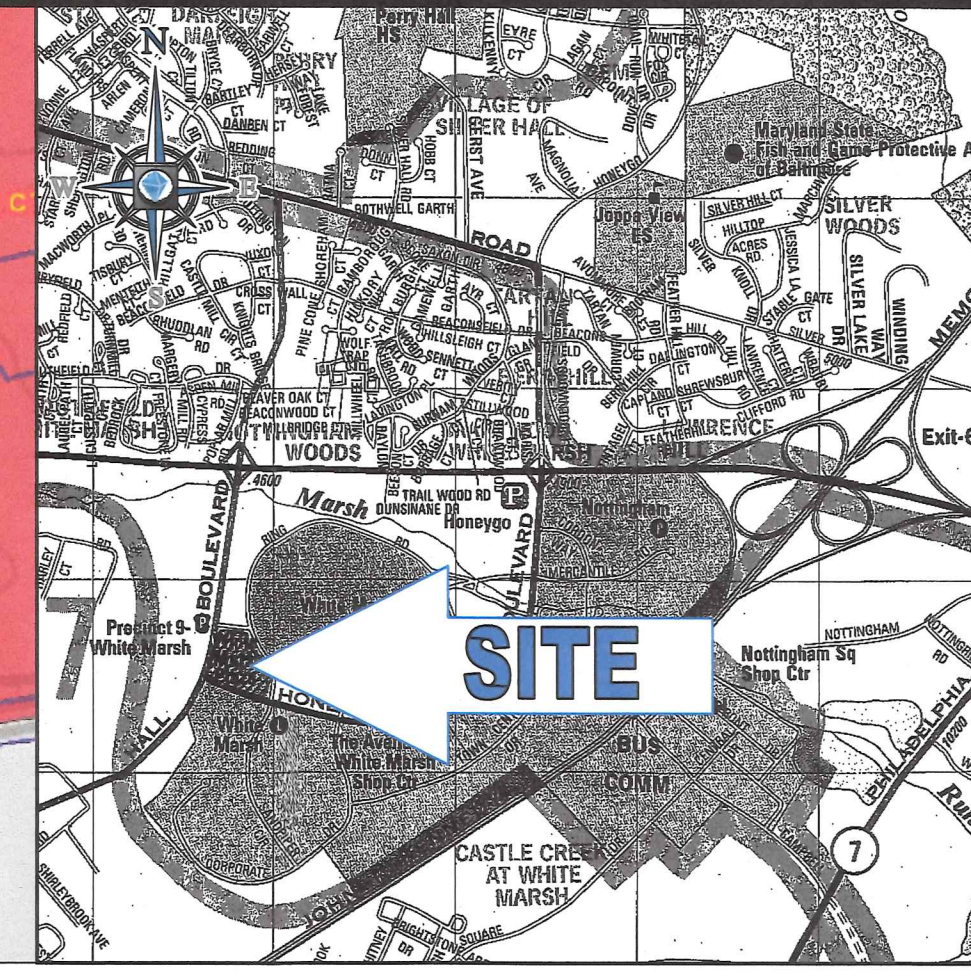
Sincerely,
TRAFFIC CONCEPTS, INC.



Mark Keeley, PTE
Project Manager
MKeeley@traffic-concepts.com



ZONING MAP
SCALE: 1"=500'



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

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

PARKING CALCULATION
REQUIRED: (84,790 S.F.)
RETAIL/GROCERY/CARRYOUT RESTAURANT: 66,858 S.F. * 5 SPACES / 1,000 S.F. = 334.29 SPACES
BANK/OFFICE: 11,532 S.F. * 3.3 SPACES / 1,000 S.F. = 38.06 SPACES
STANDARD RESTAURANT: 6,400 S.F. * 16 SPACES / 1,000 S.F. = 102.40 SPACES
TOTAL: 474.75 SPACES
TOTAL PARKING REQUIRED: 475 SPACES
PROVIDED:
PARKING PROVIDED: 387 SPACES
REDUCTION REQUESTED: 88 SPACES (18.5%)

SITE INFORMATION
1. SITE ADDRESS:
WHITE MARSH PLAZA
7944 HONEYGO BLVD.
BALTIMORE, MD 21236
2. SITE TABULATIONS:
PARCEL 205 = 313,986 S.F. OR 7.2081 AC.±
3. COUNTY INFORMATION
TAX MAP: 82
PARCELS: 205
CENSUS TRACT: 440600
COUNCILMANIC DISTRICT: 6
ELECTION DISTRICT: 14
ZONING MAP NO.: 082A1
4. TAX ACCOUNT NO.: 19-00-001897
5. EXISTING USE: SHOPPING CENTER
6. ZONE: BM-CT
7. THERE ARE NO KNOWN 100 YEAR FLOODPLAINS ON THIS SITE
8. THERE ARE NO KNOWN NON-TIDAL WETLANDS ON THIS SITE.
9. THIS PLAN DOES NOT GENERATE ANY RESIDENTIAL TRANSITION AREA (RTA)
10. THE SUBJECT SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES MAP AREAS.
11. BUILDING AREA: 84,790 S.F.
12. PARKING: SEE PARKING CALCULATIONS
13. AMENITY OPEN SPACE:
REQUIRED: 0.1 x G.F.A. (MINIMUM)
G.F.A. = 84,790 S.F.
MIN. A.O.S. = 0.1 x 84,790 S.F. = 8,479 S.F.
PROVIDED: A.O.S. = 14,033 S.F.
14. FLOOR AREA RATIO:
MAX ALLOWABLE FOR SHOPPING CENTER: 4.0
84,790 S.F. / 313,986 S.F. = 0.27
15. SITE IS SERVED BY PUBLIC WATER AND SEWER.
16. BUILDING HEIGHT: 40' MAX.
17. SUBJECT PROPERTY IS NOT UNDER ANY ACTIVE ZONING VIOLATIONS.
18. SIGNAGE MUST COMPLY WITH SECTION 450 OF THE BCZR UNLESS A VARIANCE IS GRANTED.

ZONING HISTORY

1. CASE NO.: 2011-0041-A
PETITION FOR VARIANCE TO PERMIT TEN (10) WALL-MOUNTED ENTERPRISE SIGNS FOR THE EXISTING GIANT SUPERMARKET IN LIEU OF THE PERMITTED ONE (1) SIGN PURSUANT TO SECTION 450.4 CHART 1.5(D).
THE PETITION WAS GRANTED BY THE ZONING COMMISSIONER ON OCTOBER 20, 2010.

LEGEND
AMENITY OPEN SPACE

BOHLER ENGINEERING
CORPORATE OFFICE:
400 W. 10TH ST., SUITE 200
TOWSON, MD 21204
PHONE: (410) 821-7900
FAX: (410) 821-7907
WWW.BOHLENGINEERING.COM
SURVEYORS
PROJECT MANAGERS
ENVIRONMENTAL CONSULTANTS
LANDSCAPE ARCHITECTS
OFFICES:
BOWIE, MD
TOWSON, MD
ALBANY, NY
CALICO, CA
TAMPA, FL
PHILADELPHIA, PA
FLORHAM PARK, NJ
NEW YORK, NY
WASHINGTON, DC
BALTIMORE, MD
ANN ARBOR, MI
CHICAGO, IL
DENVER, CO
HOUSTON, TX
LOS ANGELES, CA
MINNEAPOLIS, MN
PORTLAND, ME
SAN FRANCISCO, CA
SEATTLE, WA
SPRINGFIELD, MA
WASH. DC
WILMINGTON, DE
WYOMING, WY

REVISIONS			
REV	DATE	COMMENT	BY

NOT APPROVED FOR CONSTRUCTION
THE FOLLOWING STATES REQUIRE NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE OF VIRGINIA, MARYLAND, THE DISTRICT OF COLUMBIA, AND DELAWARE CALL - 811
(WV 1-800-246-4444) (PA 1-800-246-4477) (DC 1-800-257-7777) (VA 1-800-552-7001) (MD 1-800-257-7777) (DE 1-800-282-8899)

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

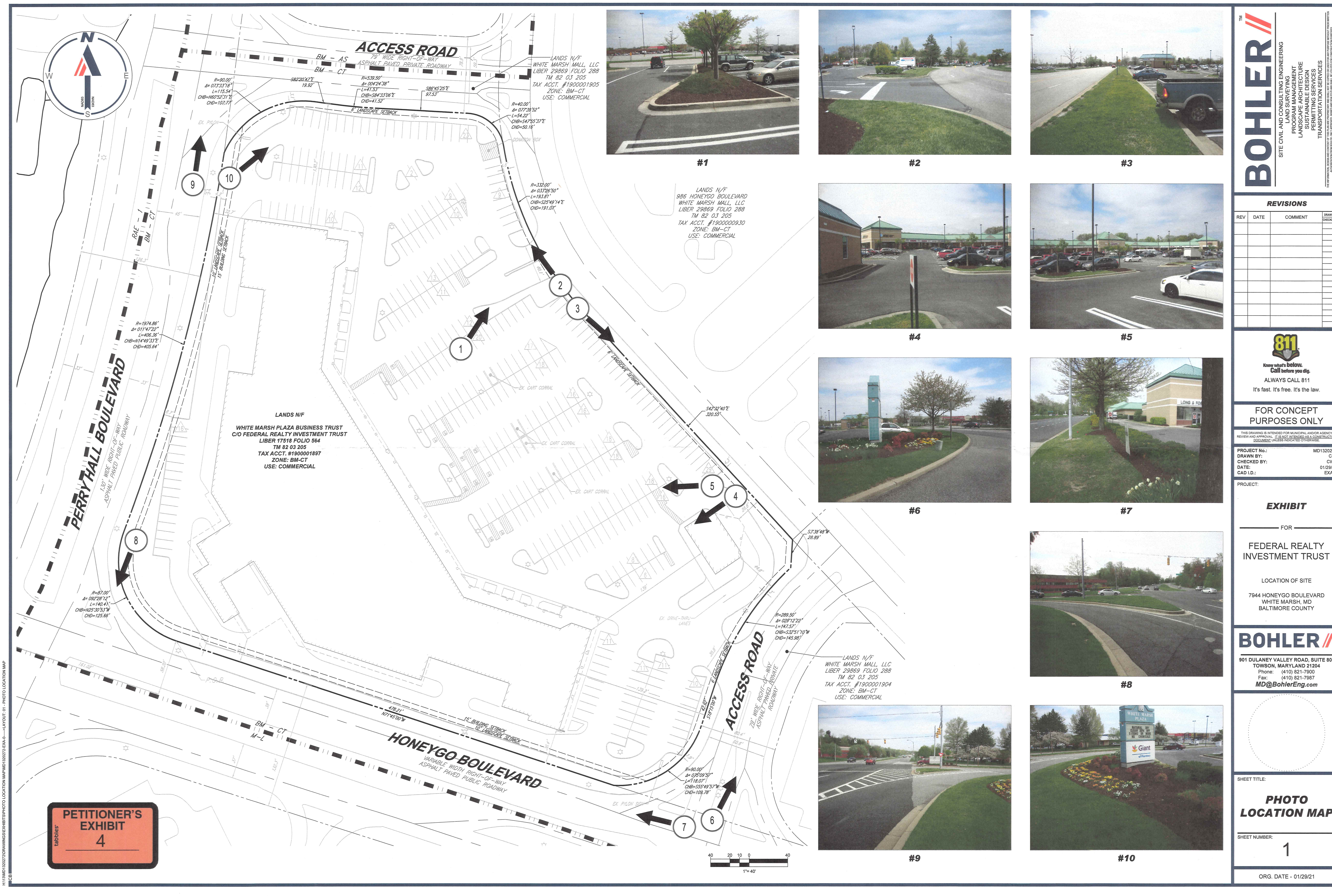
BOHLER ENGINEERING
901 DULANEY VALLEY ROAD,
SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7907
www.BohlerEngineering.com

J.J. UCCIFERRO
PROFESSIONAL ENGINEER
MARYLAND LICENSE No. 38064

SHEET TITLE:
PLAN TO ACCOMPANY PETITION FOR VARIANCE
SHEET NUMBER:
1
OF 1

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

PROFESSIONAL CERTIFICATION
I, JOSEPH J. UCCIFERRO, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 38064, EXPIRATION DATE: 6/28/2014



#1



#2



#3



#4



#5



#6



#7



#8



#9



#10

BOHLER

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

REVISIONS			
REV	DATE	COMMENT	DRAWN BY

811

Know what's below.
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ALWAYS CALL 811
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FOR CONCEPT PURPOSES ONLY

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PROJECT No.: MD13020272

DRAWN BY: CJB

CHECKED BY: CWA

DATE: 01/29/21

CAD I.D.: EXA-0

PROJECT:

EXHIBIT

FOR

FEDERAL REALTY INVESTMENT TRUST

LOCATION OF SITE

7944 HONEYGO BOULEVARD
WHITE MARSH, MD
BALTIMORE COUNTY

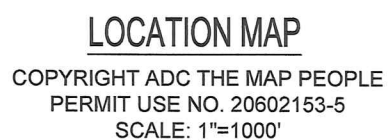
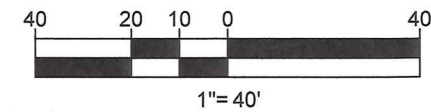
BOHLER

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

PHOTO LOCATION MAP

SHEET NUMBER: 1

ORG. DATE - 01/29/21



REQUIRED: (79,609 S.F.)	
RETAIL/GROCERY	62,429 S.F. @ 5 SPACES / 1,000 S.F. = 312.15 SPACES
BANK/OFFICE	3,854 S.F. @ 3.3 SPACES / 1,000 S.F. = 12.72 SPACES
STANDARD RESTAURANT:	9,493 S.F. @ 18 SPACES / 1,000 S.F. = 151.88 SPACES
HEALTH CLUB:	3,833 S.F. @ 10 SPACES / 1,000 S.F. = 38.33 SPACES
TOTAL PARKING REQUIRED:	515.08 OR 516 SPACES
PROVIDED:	
TOTAL PARKING PROVIDED	381 SPACES
REDUCTION REQUESTED:	135 SPACES (26.16%)

1. SITE ADDRESS:
WHITE MARSH PLAZA
7944 HONEYGOW BLVD.
BALTIMORE, MD 21236
2. SITE TABULATIONS:
PARCEL 205 = 313,986 S.F. OR 7.2081 AC.±
3. COUNTY INFORMATION
TAX MAP: 82
PARCEL: 205
CENSUS TRACT: 4406
COUNCILMANIC DISTRICT: 6
ELECTION DISTRICT: 14
ZONING MAP NO.: 08241
DEED LIBER 17518, FOLIO 584
4. BUILDING SETBACKS:

	<u>REQUIRED</u>	<u>PROVIDED</u>
(TO PROPERTY LINE)		
FRONT (PERRY HALL BLVD)	15'	32.7'
FRONT (HONEYGOW BLVD)	15'	28.11'
SIDE (ACCESS ROAD)	0'	130.2' & 139.2'
REAR	0'	26.6'
5. TAX ACCOUNT NO.: 19-00-001897
6. EXISTING USE: SHOPPING CENTER
7. ZONE: BM-CT
8. THERE ARE NO KNOWN 100' YEAR FLOODPLAINS ON THIS SITE
9. THERE ARE NO KNOWN NON-TIDAL WETLANDS ON THIS SITE.
10. THE SUBJECT SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES MAP AREAS.
11. BUILDING AREA: 79,609 S.F.
12. FLOOR AREA RATIO:
MAX ALLOWABLE FOR SHOPPING CENTER: 4.0
79,609 S.F. / 313,986 S.F. = 0.25
13. SITE IS SERVED BY PUBLIC WATER AND SEWER.
14. BUILDING HEIGHT: 40' MAX. (OR TENT HEIGHT REQUIRED)
15. SIGNAGE MUST COMPLY WITH SECTION 450 OF THE BCZR UNLESS A VARIANCE IS GRANTED.
16. AMENITY OPEN SPACE:

REQUIRED: $0.1 \times \text{G.F.A. (MINIMUM)} =$
G.F.A. = 79,609 S.F.
(79,609 S.F. X 0.1) = 7,961 S.F.
PROVIDED: 14,033 S.F.
17. THE PROPERTY IS NOT CURRENTLY UNDER ANY ACTIVE ZONING VIOLATIONS.

CASE NO.: 2011-0041-A

PETITION FOR VARIANCE TO PERMIT TEN (10)
WALL-MOUNTED ENTERPRISE SIGNS FOR THE EXISTING
GIANT SUPERMARKET IN LIEU OF THE PERMITTED ONE
(1) SIGN PURSUANT TO SECTION 450.4 CHART 1.5(D).
GRANTED 10-20-10.

1. BOUNDARY AND TENANTS ARE SHOWN PER ELECTRONIC FILE PROVIDED BY FRIT, RECEIVED ON 01/07/20.
2. PARKING COUNTS ARE BASED ON AERIAL PHOTOGRAPHY PER GOOGLE MAPS OBTAINED ON 01/08/20.
3. BUILDINGS SHOWN PER A BUILDING LOCATION EXHIBIT PREPARED BY BOHLER ENTITLED "BUILDING LOCATION EXHIBIT; FEDERAL REALTY INVESTMENT TRUST, LOT B, WHITE MARSH MALL, P. 5, 48 PG. 84; ELECTION DISTRICT 14; BALTIMORE COUNTY, MARYLAND"; FILE NO. SD1320271; DATED 04/06/20.

B389044, B698363, B720479, B732771, B734563, B750704, B752327,
B763681, B789754, B846541, B850435, B851223, B932652, B941513,
B941542, B944069, B945826, B947831, B947935, B949296, B952273,
B958622, B967258, B971254

WHITE MARSH PLAZA BUSINESS TRUST
C/O FEDERAL REALTY INVESTMENT TRUST
50 EAST WYNNEWOOD ROAD, SUITE 200
WYNNEWOOD, PA 19096

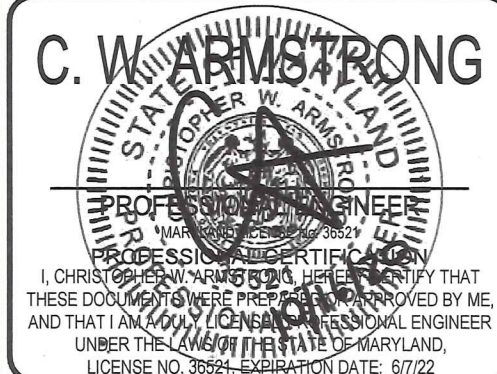
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PROJECT No.:	MD132027.2
DRAWN BY:	CJB
CHECKED BY:	CWA
DATE:	10/16/20
CAD I.D.:	VPP-0

FEDERAL REALTY
INVESTMENT
TRUST

LOCATION OF SITE
7944 HONEYGO BOULEVARD
WHITE MARSH, MD
BALTIMORE COUNTY



SHEET TITLE:

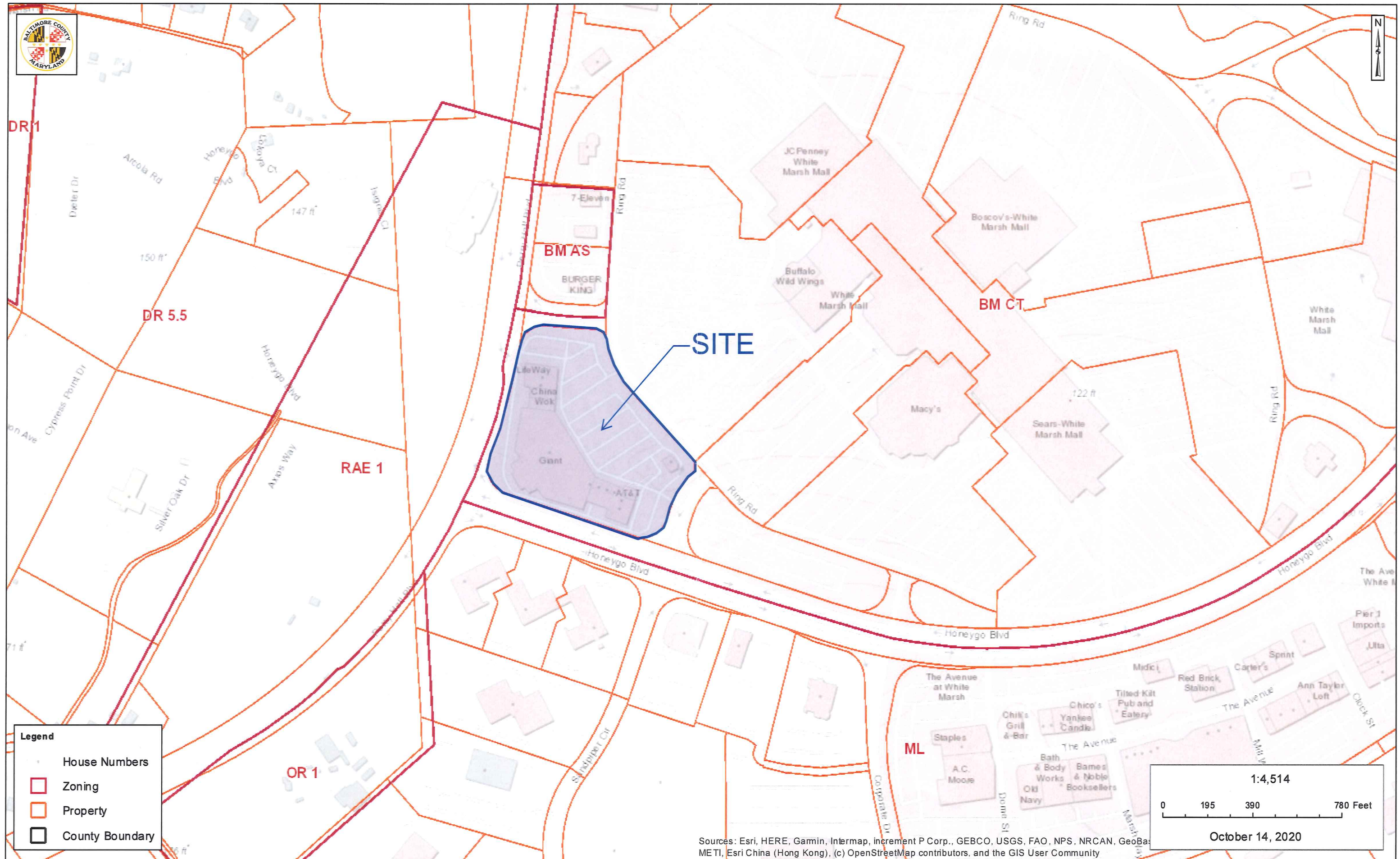
PLAN TO ACCOMPANY VARIANCE PETITION

SHEET NUMBER

1

REVISION 0 - 10/16/20

Baltimore County - My Neighborhood



Legend

- House Numbers
- Zoning
- Property
- County Boundary

1:4,514

0 195 390 780 Feet

October 14, 2020

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

[illegible]

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NOT APPROVED FOR
CONSTRUCTION

PROJECT No.:	MD132027
DRAWN BY:	C.
CHECKED BY:	CW
DATE:	10/16/
CAD I.D.:	VPP-

PROJECT: **PLAN TO
ACCOMPANY
VARIANCE PETITIO**

FEDERAL REALTY
INVESTMENT
TRUST

LOCATION OF SITE
7944 HONEYGO BOULEVARD
WHITE MARSH, MD
BALTIMORE COUNTY


BOHLER
ENGINEERING

901 DULANEY VALLEY ROAD, SUITE 8
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

C. W. ARMSTRONG

PROFESSIONAL ENGINEER
PROFESSIONAL CERTIFICATION
 I, CHRISTOPHER J. ARMBRIST, HEREBY CERTIFY THAT
 THESE DOCUMENTS WERE PREPARED AND APPROVED BY
 ME AND THAT I AM A LICENSED PROFESSIONAL ENGINEER
 UNDER THE LAWS OF THE STATE OF MARYLAND,
 LICENSE NO. 30821, EXPIRATION DATE: 07/22

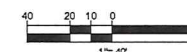
SHEET TITLE:

**PLAN TO
ACCOMPANY
VARIANCE
PETITION**

SHEET NUMBER

1

REVISION 0 - 10/16/20



REQUIRED (79,000 S.F.)	
RETAIL/GROCERY	62,429 S.F. @ 5 SPACES / 1,000 S.F. = 312.15 SPACES
SERVICE	3,054 S.F. @ 3.0 SPACES / 1,000 S.F. = 12.12 SPACES
STANDARD RESTAURANT:	9,493 S.F. @ 18 SPACES / 1,000 S.F. = 151.65 SPACES
HEALTH CLUB:	3,833 S.F. @ 10 SPACES / 1,000 S.F. = 38.33 SPACES
TOTAL PARKING REQUIRED:	515.05 OR 516 SPACES
PROVIDED:	
TOTAL PARKING PROVIDED	351 SPACES
REDUCTION REQUESTED	136 SPACES (26.16%)

1. SITE ADDRESS:
WHITE MARSH PLAZA
7944 HONEYGO BLVD.
BALTIMORE, MD 21236
2. SITE TABULATIONS:
PARCEL 205 = 313,866 S.F. OR 7.2081 AC±
3. COUNTRY INFORMATION
TAX MAP: 02
PARCEL: 205
CENSUS TRACT: 4408
COUNTY/MANIC DISTRICT: 6
ELECTION DISTRICT: 14
ZONING MAP NO.: 082A1
DEED: LIBER 17518, FOLIO 050.4
4. BUILDING SETBACKS:
(TO PROPERTY LINE)
FRONT (FRERRY HALL BLVD) 15' 32.7'
FRONT (HONEYGO BLVD) 15' 25.1'
SIDE (ACCESS ROAD) 0' 130.2' & 139.2'
REAR 0' 28.6'
5. TAX ACCOUNT NO.: 19-00-001897
6. EXISTING USE: SHOPPING CENTER
7. ZONE: BM-GT
8. THERE ARE NO KNOWN 100 YEAR FLOODPLAINS ON THIS SITE
9. THERE ARE NO KNOWN NON-TIDAL WETLANDS ON THIS SITE.
10. THE SUBJECT SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES MAP AREAS.
11. BUILDING AREA: 79,609 S.F.
12. FLOOR AREA RATIO:
MAX ALLOWABLE FOR SHOPPING CENTER: 4.0
79,609 S.F. / 313,866 S.F. = 0.25
13. SITE IS SERVED BY PUBLIC WATER AND SEWER.
14. BUILDING HEIGHT: 40' MAX. (OR TENT HEIGHT REQUIRED)
15. SIGNAGE MUST COMPLY WITH SECTION 450 OF THE BCZR UNLESS A VARIANCE IS GRANTED
16. AMENITY OPEN SPACE:

REQUIRED: $0.1 \times \text{G.F.A. (MINIMUM)} =$
 $\text{G.F.A.} = 79,609 \text{ S.F.}$
 $(79,609 \text{ S.F.} \times 0.1) = 7,961 \text{ S.F.}$
PROVIDED: 14,033 S.F.
17. THE PROPERTY IS NOT CURRENTLY UNDER ANY ACTIVE ZONING VIOLATIONS.

CASE NO.: 2011-0041-A
PETITION FOR VARIANCE TO PERMIT TEN (10)
WALL-MOUNTED ENTERPRISE SIGNS FOR THE EXISTING
GIANT SUPERMARKET IN LIEU OF THE PERMITTED ONE
(1) SIGN PURSUANT TO SECTION 450.4 CHART 1.5(D).
GRANTED 10-20-10.

CASE NO.: 2013-0206-A
PETITION FOR PARKING VARIANCE TO ALLOW 387
SPACES ON-SITE IN LIEU OF THE REQUIRED 475 SPACES
GRANTED 4-29-13.

1. BOUNDARY AND TENANTS ARE SHOWN PER ELECTRONIC FILE PROVIDED BY FRIT, RECEIVED ON 01/07/20.
2. PARKING COUNTS ARE BASED ON AERIAL PHOTOGRAPHY PER GOOGLE MAPS OBTAINED ON 01/09/20.
3. BUILDINGS SHOWN PER A BUILDING LOCATION EXHIBIT PREPARED BY BOHLER ENTITLED "BUILDING LOCATION EXHIBIT; FEDERAL REALTY INVESTMENT TRUST; LOT B; WHITE MARSH MALL; P.B. 48. SECTION 27.01, DISTRICT OF COLUMBIA, COUNTY OF MARYLAND; FILE NO. 2013-0731; DATED 04/06/20.

8389044, 8698363, 8720479, 8732771, 8734563, 8750704, 8752327,
8763681, 8789754, 8846541, 8850435, 8851223, 8932652, 8941513,
8941542, 8944069, 8945826, 8947831, 8947935, 8949296, 8952273,
8958622, 8967258, 8971254

WHITE MARSH PLAZA BUSINESS TRUST
C/O FEDERAL REALTY INVESTMENT TRUST
50 EAST WYNNEWOOD ROAD, SUITE 200
WYNNEWOOD, PA 19096

White Marsh Plaza (Wide)



White Marsh Plaza



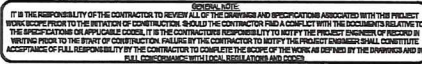
Legend

- House Numbers
- Zoning
- Property
- County Boundary

1:2,257

0 95 190 380 Feet

January 28, 2021



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

REQUIRED: (\$4,700 S.F.)
 RETAIL/GROCERY/CARRYOUT RESTAURANT: 88,656 S.F. * 5 SPACES / 1,000 S.F. = 334.29 SPACES
 BANK/OFFICE: 11,532 S.F. * 3.3 SPACES / 1,000 S.F. = 38.06 SPACES
 STANDARD RESTAURANT: 6,400 S.F. * 18 SPACES / 1,000 S.F. = 102.40 SPACES
 TOTAL 474.75 SPACES
 TOTAL PARKING REQUIRED: 475 SPACES
 PROVIDED:
 PARKING PROVIDED: 387 SPACES
 REDUCTION REQUESTED: 88 SPACES (18.5%)

1. **SITE ADDRESS:**
WHITE MARSH PLAZA
7944 HONEYGO BLVD.
BALTIMORE, MD 21238
2. **SITE TABULATIONS:**
PARCEL 205 = 313,868 S.F. OR 7.2081 AC ±
3. **COUNTY INFORMATION**
TAX MAP: 82
PARCELS: 205
CENSUS TRACT: 410600
COUNCILMATIC DISTRICT: 8
ELECTION DISTRICT: 14
ZONING MAP NO.: 082A1
4. **TAX ACCOUNT NO.:** 19-00-001897

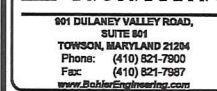
1. CASE NO: 2011-0041-A
PETITION FOR VARIANCE TO PERMIT TEN (10) WALL-MOUNTED ENTERPRISE SIGNS FOR THE EXISTING GIANT SUPERMARKET IN LIEU OF THE PERMITTED ONE (1) SIGN PURSUANT TO SECTION 450.4 CHART 1.5(D).

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

 AMENITY OPEN SPACE[illegible]

PROJECT No.:	MD1320
DRAWN BY:	MD
CHECKED BY:	MD
DATE:	3/5/
SCALE:	1"=
CAD I.D.:	P

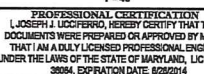
**FOR
FEDERAL
REALTY
INVESTMENT
TRUST**
LOCATION OF SITE
7944 HONEYGO BOULEVARD
WHITE MARSH, MD
BALTIMORE COUNTY

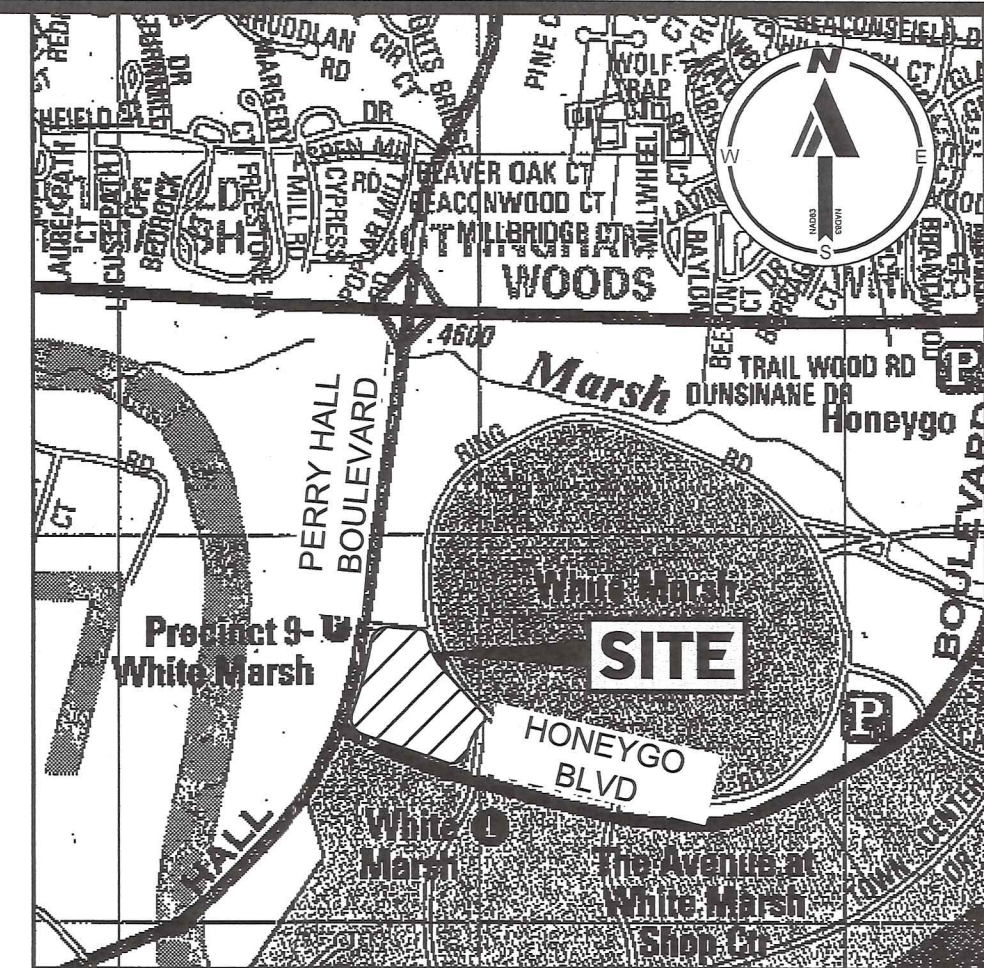


PROFESSIONAL ENGINEER
MARYLAND LICENSE No. 30004

PLAN TO ACCOMPANY PETITION FOR VARIANCE

1
OF 1





LOCATION MAP
COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602153-5
SCALE: 1"=1000'

REQUIRED: (79,609 S.F.)	
RETAIL/GROCERY	62,429 S.F. @ 5 SPACES / 1,000 S.F. = 312.15 SPACES
BANK/OFFICE	3,864 S.F. @ 3.3 SPACES / 1,000 S.F. = 12.72 SPACES
STANDARD RESTAURANT:	9,493 S.F. @ 16 SPACES / 1,000 S.F. = 151.88 SPACES
HEALTH CLUB:	3,833 S.F. @ 10 SPACES / 1,000 S.F. = 38.33 SPACES
TOTAL PARKING REQUIRED:	515.08 OR 516 SPACES
PROVIDED:	
TOTAL PARKING PROVIDED	361 SPACES
REDUCTION REQUESTED:	136 SPACES (26.16%)

1. SITE ADDRESS:
WHITE MARSH PLAZA
7944 HONEYGO BLVD.
BALTIMORE, MD 21236
2. SITE TABULATIONS:
PARCEL 205 = 313,986 S.F. OR 7.2081 Ac.±
3. COUNTY INFORMATION
TAX MAP: 62
PARCEL: 205
CENSUS TRACT: 4406
COUNCILMANIC DISTRICT: 6
ELECTION DISTRICT: 14
ZONING MAP NO.: 03241
DEED: LIBER 17518, FOLIO 564
4. BUILDING SETBACKS:
(TO PROPERTY LINE)
FRONT (PERRY HALL BLVD)
FRONT (HONEYGO BLVD)
SIDE (ACCESS ROAD)
REAR
5. TAX ACCOUNT NO.: 19-00-001897
6. EXISTING USE: SHOPPING CENTER
7. ZONE: BM-CT
8. THERE ARE NO KNOWN 100 YEAR FLOODPLAINS ON THIS SITE
9. THERE ARE NO KNOWN NON-TIDAL WETLANDS ON THIS SITE.
10. THE SUBJECT SITE IS NOT LOCATED IN ANY FAILED BASIC SERVICES MAP AREAS.
11. BUILDING AREA: 79,609 S.F.
12. FLOOR AREA RATIO:
MAX ALLOWABLE FOR SHOPPING CENTER: 4.0
79,609 S.F. / 313,986 S.F. = 0.25
13. SITE IS SERVED BY PUBLIC WATER AND SEWER.
14. BUILDING HEIGHT: 40' MAX. (OR TENT HEIGHT REQUIRED)
15. SIGNAGE MUST COMPLY WITH SECTION 450 OF THE BCZR UNLESS A VARIANCE IS GRANTED.
16. AMENITY OPEN SPACE:

REQUIRED: $0.1 \times \text{G.F.A. (MINIMUM)} =$
 $\text{G.F.A.} = 79,609 \text{ S.F.}$
 $(79,609 \text{ S.F.} \times 0.1) = 7,961 \text{ S.F.}$
 PROVIDED: 14,033 S.F.
17. THE PROPERTY IS NOT CURRENTLY UNDER ANY ACTIVE ZONING VIOLATIONS.

CASE NO.: 2011-0041-A
 PETITION FOR VARIANCE TO PERMIT TEN (10)
 WALL-MOUNTED ENTERPRISE SIGNS FOR THE EXISTING
 GIANT SUPERMARKET IN LIEU OF THE PERMITTED ONE
 (1) SIGN PURSUANT TO SECTION 450.4 CHART 1.5(D).
 GRANTED 10-20-10.

1. BOUNDARY AND TENANTS ARE SHOWN PER ELECTRONIC FILE PROVIDED BY FRIT, RECEIVED ON 01/07/20.
2. PARKING COUNTS ARE BASED ON AERIAL PHOTOGRAPHY PER GOOGLE MAPS OBTAINED ON 01/08/20.
3. BUILDINGS SHOWN PER A BUILDING LOCATION EXHIBIT PREPARED BY BOHLER ENTITLED 'BUILDING LOCATION EXHIBIT; FEDERAL REALTY INVESTMENT TRUST; LOT B, WHITE MARSH MALL, P.B. 48 PG. 84; ELECTION DISTRICT 14; BALTIMORE COUNTY, MARYLAND'; FILE NO. SD1320271; DATED 04/06/20.

B389044, B698363, B720479, B732771, B734563, B750704, B752327,
B763681, B789754, B846541, B850435, B851223, B932652, B941513,
B941542, B944069, B945826, B947831, B947935, B949296, B952273,
B958622, B967258, B971254

WHITE MARSH PLAZA BUSINESS TRUST
C/O FEDERAL REALTY INVESTMENT TRUST
50 EAST WYNNEWOOD ROAD, SUITE 200
WYNNEWOOD, PA 19096

[illegible]

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



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

NOT APPROVED FOR
CONSTRUCTION

PROJECT No.:	MD132027.2
DRAWN BY:	CJB
CHECKED BY:	CWA
DATE:	10/16/20
CAD I.D.:	VPP-0

PROJECT: **PLAN TO
ACCOMPANY
VARIANCE PETITION**
_____ FOR _____

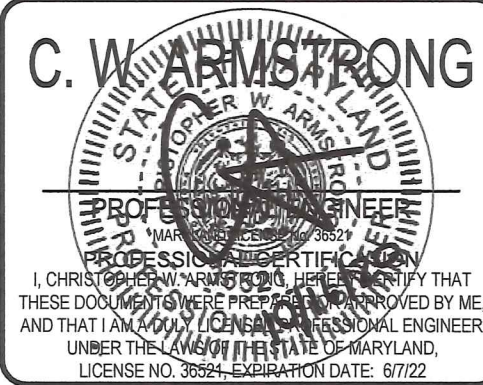
FEDERAL REALTY
INVESTMENT
TRUST

LOCATION OF SITE

7944 HONEYGO BOULEVARD
WHITE MARSH, MD
BALTIMORE COUNTY



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



SHEET TITLE:

PLAN TO ACCOMPANY VARIANCE PETITION

SHEET NUMBER:

1

REVISION 0 - 10/16/20