

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, KILMARNOCK ASSOCIATES, legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 250-1, 252-1, 252-4 - Requesting 32.5% instead of the required 25%

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons (indicate hardship or practical difficulty)
1. That the structure is 141 feet from the nearest residential zone.
 2. That the area covered by this petition adjains an ML Zone, in fact, part of subject property is zoned ML, and the whole tract contains over 5 acres of land.
 3. That the cost of the ground is such that if a building of this size were not allowed, the cost and non-productive land would increase rents so that it would not be a competitive proposition.
 4. That the increase over the allowable ~~area~~ ^{land} area ratio is only 7.9%.

See Attached Description

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

KILMARNOCK ASSOCIATES
By Christian H. Kahl
Contract purchaser Christian H. Kahl Legal Owner
Address: c/o Johnson Bowie, Esq. Address: 22 W. Penna. Ave.
22 W. Penna. Ave., Towson 4, Md. Towson 4, Md.
John Bowie Petitioner's Attorney
Address: Johnson Bowie

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day

of April 1963, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County; that property be posted, and that the public hearing be held before the Zoning Board of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 18th day of May, 1963, at 10:00 o'clock.

Signature of Zoning Commissioner of Baltimore County (over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: June 10, 1963

FROM: Mr. George E. Gavrelis, Deputy Director

SUBJECT: #5864-SHV. Special Hearing to approve an application for a building permit to erect a building in an M-4 zone and Variance to 32.5% coverage instead of required 25%. West side of York Road 250 feet north of Aylesbury Road. Being property of Kilmarnock Associates, 8th District

I am transmitting to you two copies of the corrected development plan for the proposed office-warehouse structure at the corner of York and Kilmar Roads in Zone M-4. The plan has been corrected by the Planning staff in accordance with the comments prepared for the public hearing and as a result of subsequent discussion with the petitioner.

George E. Gavrelis, Deputy Director
Office of Planning and Zoning

GB:tlm

RE: PETITION FOR VARIANCE TO Section 250-1 of Zoning Regulations - Special Hearing for Approval of Application for Building Permit - W.S. York Road 250' N. Aylesbury Road, 8th Dist., Kilmarnock Associates, Petitioner
RESPONSE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5864-SV
Special Hearing

Then hearing on the above petition for a variance to Section 250-1 of the Zoning Regulations to permit 32.5% coverage of land instead of the permitted 25% and a special hearing to approve an application for a building permit to erect a building in an M-4 zone, property located on the west side of York Road 250' north of Aylesbury Road, there is no basic change in the overall requirements of "M-4" zoning. The land area increase requested is exceedingly small and to deny this request would work undue hardship upon the present property owners of the property.

For the above reasons the variance as requested is granted and the application for a building permit to erect a building in the "M-4" Zone is approved.

It is this 11th day of June, 1963, by the Zoning Commissioner of Baltimore County, GRANTED that the variance to Section 250-1 of the Zoning Regulations is granted which permits 32.5% coverage of land instead of the permitted 25%.

The application for building permit to erect a building in the "M-4" Zone is hereby approved.

Signature of Zoning Commissioner of Baltimore County

JAMES S. SPANER & ASSOCIATES
PRACTISING ARCHITECTS AND ENGINEERS
300 YORK ROAD - TOWSON 4, MD.
BY: Kilmarnock
DATE: 1/1/63
Said of Kilmar Road
FILE #1-1091-X

RECORDING for the same on the west side of York Road (66 feet wide) at the distance of 200.00 feet north of the corner formed by the intersection of the west side of York Road with the north side of Aylesbury Road (30 feet wide) and point of beginning being at the beginning of the second line of the parcel of ground which by lease dated September 27, 1959 and recorded among the Land Records of Baltimore County in Liber 150-1, Folio 32 was leased by Kilmarnock Associates to T. J. De Leo, arch and development corporation, and running thence with said second line, South 70° 11' 17" West 25 feet to the end thereof and to the end of the four (4) line of the parcel of land which by lease dated December 29, 1959 and recorded among the aforesaid land records in Liber 151-1, No. 349, Folio 571 was leased by Kilmarnock Associates to Vernellia Safe Deposit and Trust Company, Trustees for Harry T. Campbell and Sons Corporation (Empire Pencil Plant), thence reversely with the 1st line of the last mentioned parcel of land, South 70° 11' 17" West 128.30 feet, thence for a line of division 1/4 mile parallel to Aylesbury Road, North 70° 50' 36" West 77.00 feet to intersect the last line of the parcel of land which by lease recorded among the aforesaid land records in Liber 151-1, No. 349, Folio 571 was leased by Kilmarnock Associates to John B. Adit Corporation, thence directly reversely on said last line, due North 150° 4' feet to the south side of Kilmar Road (70 feet wide), thence binding thereon by a line curving easterly to the left with a radius of 750 feet the distance of 27.42 feet and a chord bearing North 77° 11' 17" East 128.30 feet, thence still binding on the south side of Kilmar Road, North 70° 11' 17" East 229.49 feet and South 60° 15' 13" East 21.21 feet to the west side of York Road, thence binding thereon, South 129° 15' 13" East 128.30 feet to the place of beginning.

CONTAINING 5.0865 Acres of land more or less.

Signature of James S. Spaner & Associates

PETITION FOR A SPECIAL HEARING

In the Matter of: ELORA T. S.
Petition of: ANITO CONSTRUCTION
KILMARNOCK ASSOCIATES: OF BALTIMORE COUNTY
For a Special Hearing
To the Zoning Commissioner of Baltimore County
KILMARNOCK ASSOCIATES, by Christian H. Kahl
Petitioner

hereby petition for a Special Hearing, under the Zoning Law and Regulations of Baltimore County, to determine whether or not the Zoning Commissioner of Baltimore County should approve an application for a building permit to erect a building in a MR Zone, on lot containing 5.0865 Acres, on west side of York Road, 250 feet north of Aylesbury Road, Timonium, Eighth Election District of Baltimore

KILMARNOCK ASSOCIATES, by Christian H. Kahl
description by James S. Spaner & Associates is attached hereto.



KILMARNOCK ASSOCIATES
By Christian H. Kahl
Petitioner Christian H. Kahl
Petitioner P. Fred Obrecht
c/o Johnson Bowie, Esq.
22 W. Penna. Ave.
Address: Towson 4, Md. - Valley 5-6014

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: May 24, 1963

FROM: Mr. George E. Gavrelis, Deputy Director

SUBJECT: #5864-SHV. Special Hearing to approve an application for a building permit to erect a building in an M-4 zone and Variance to 32.5% coverage instead of required 25%. West side of York Road 250 feet north of Aylesbury Road. Being property of Kilmarnock Associates.

8th District

HEARING: Wednesday, June 5, 1963 (10:00 A.M.)

The Office of Planning and Zoning has reviewed the preliminary development plan for a proposed office and warehouse structure at the corner of York and Kilmar Roads in Zone M-4. The Planning staff notes that M-4 zoning was created here by the 8th District Zoning Map and that the use, height and area regulations, applicable to the subject property, are those in Sections 250-1, 252-1, and 252-4 of the original M-4 zone. This opinion is based on Section 604 of the new M-4 zone. In connection with Section 250-1 of the original zone, the Office of Planning and Zoning submits the following recommendations:

- Suitability of the Location**
As is previously stated, M-4 zoning along this portion of York Road was created by the 8th District Zoning Map. An industrial subdivision has been developed here in compliance with approval of street and lot layout by Baltimore County and the necessary public improvements have been or are being constructed. The Planning staff believes that the proposed office and warehouse structure would be a component part of the industrial subdivision and poses no objection to the suitability of the subject property for this use.
- The Development Plan**
1. The petitioner has presented a site development plan which fairly and completely indicates the character of the proposed structure. The Planning staff notes that the proposed building will be constructed with a brick and glass facade on the York Road frontage, predominantly brick on the two sides, and block and loading doors to the rear. Provision has been made for landscaping and screening. The proposed structure is well in conformity with all applicable setback requirements.
2. The petitioner seeks, however, to erect a structure which covers more than 25% of the total lot area, but whose total floor area is less than half of the total lot area. The Planning staff offers no comment pro or con on the variance being sought concerning more than 25% of the lot area in building. It notes, however, that the boundaries of the subject property have been defined by neighboring lots and that expansion of the property, to comply with the requirements of the Regulations

Five Acres - Kilmarnock Industrial Park

Approximate Cost - \$150,000.00

25% Coverage	32.9% Coverage
55,000 sq. ft. shell	73,000 sq. ft. shell
Bldg. Cost \$200,000.00	\$380,000.00
Ground 150,000.00	150,000.00
440,000.00	530,000.00
8% Return 35,260.00 Yr.	42,000.00 Yr.
Rental .65 net per Sq. Ft.	.58 net per Sq. Ft.
Increase in rental -.07 per sq. ft. or 11%	
Operating Expenses .22 per sq. ft.	.18 per sq. ft.
Increase -.04 per sq. ft. or 16%	

Figuring prospective tenant, operating on basis of 8 per cent gross sales, a volume increase of \$150,000.00 per year is needed to pay the additional rental. \$150,000.00 on 25% coverage basis.

The building will be built on a speculative basis and offered to national concerns with improvements to suit tenant. We feel that an overwhelming percentage of our prospects would require frontage on a main artery, such as York Road, since the prestige location is needed.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: May 24, 1963

FROM: Mr. George E. Gavrelis, Deputy Director

SUBJECT: #5864-SHV.

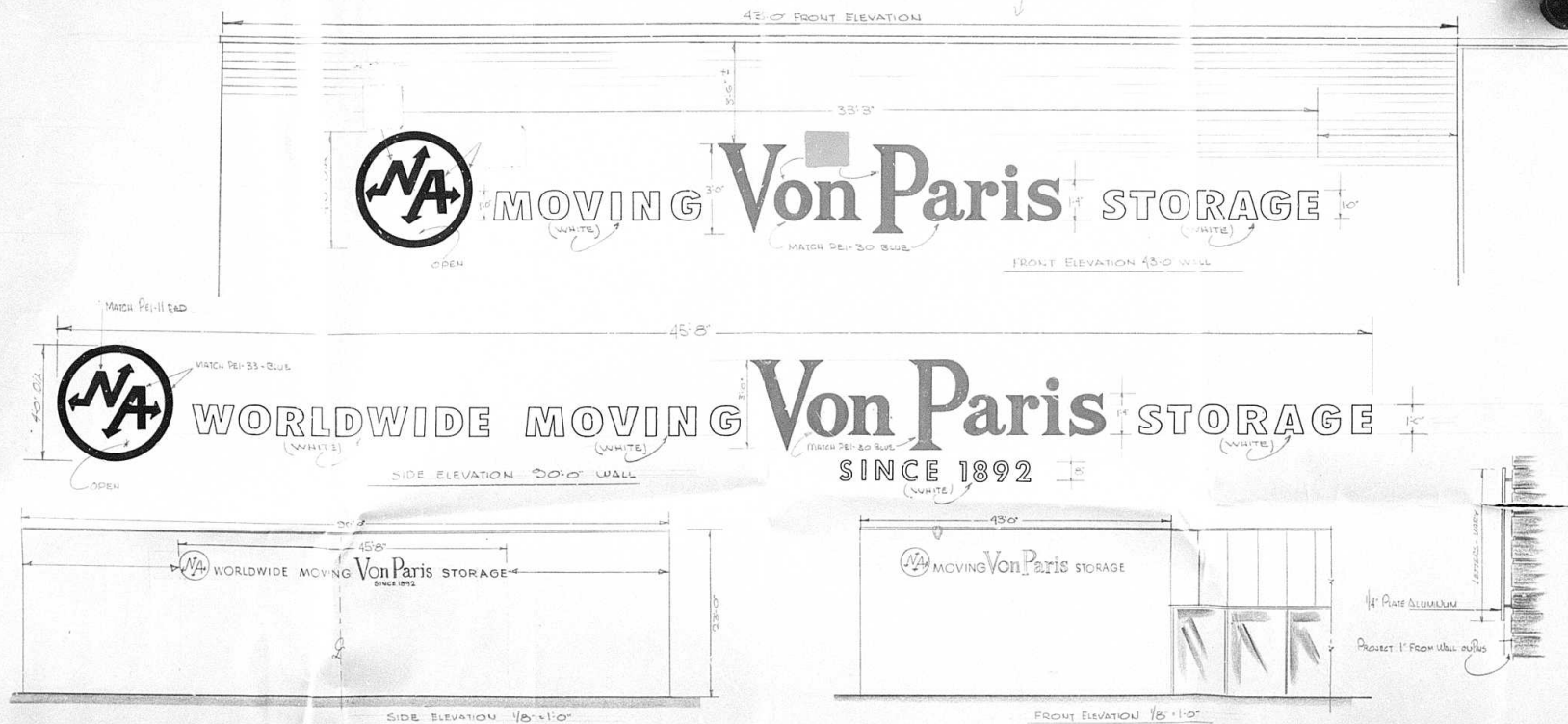
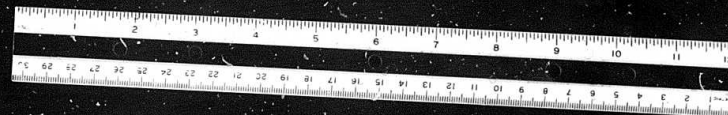
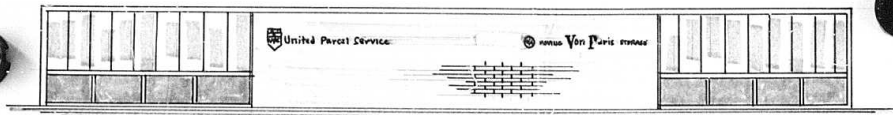
is not feasible. It notes also that the subject tract is the last of the M-4 land in Kilmarnock adjacent to York Road.

3. Although the Planning staff is well satisfied with the quality of the proposed development plan, it offers these suggestions for its improvement:

- Desirably, truck loading and unloading activities should take place as far from York Road as is possible. All effort should be made to reverse the parking and truck loading facilities along the Kilmar Road side of the building.
- Additional trees should be provided in the island, defined by the parking and truck loading facilities along Kilmar Road as noted in red on the plans.
- Examination of the site in the field indicates the possibility of saving some of the double row of large spruce trees which are now existing near the southerly boundary line of the tract. The Planning staff believes that retention of some of these trees would enhance the proposed structure and that retention is essential to maintaining the character of the M-4 development as now established along York Road. This can be accomplished by reversing the arrangement of the parking stalls and aisle and by eliminating parking stalls where trees are to be saved.

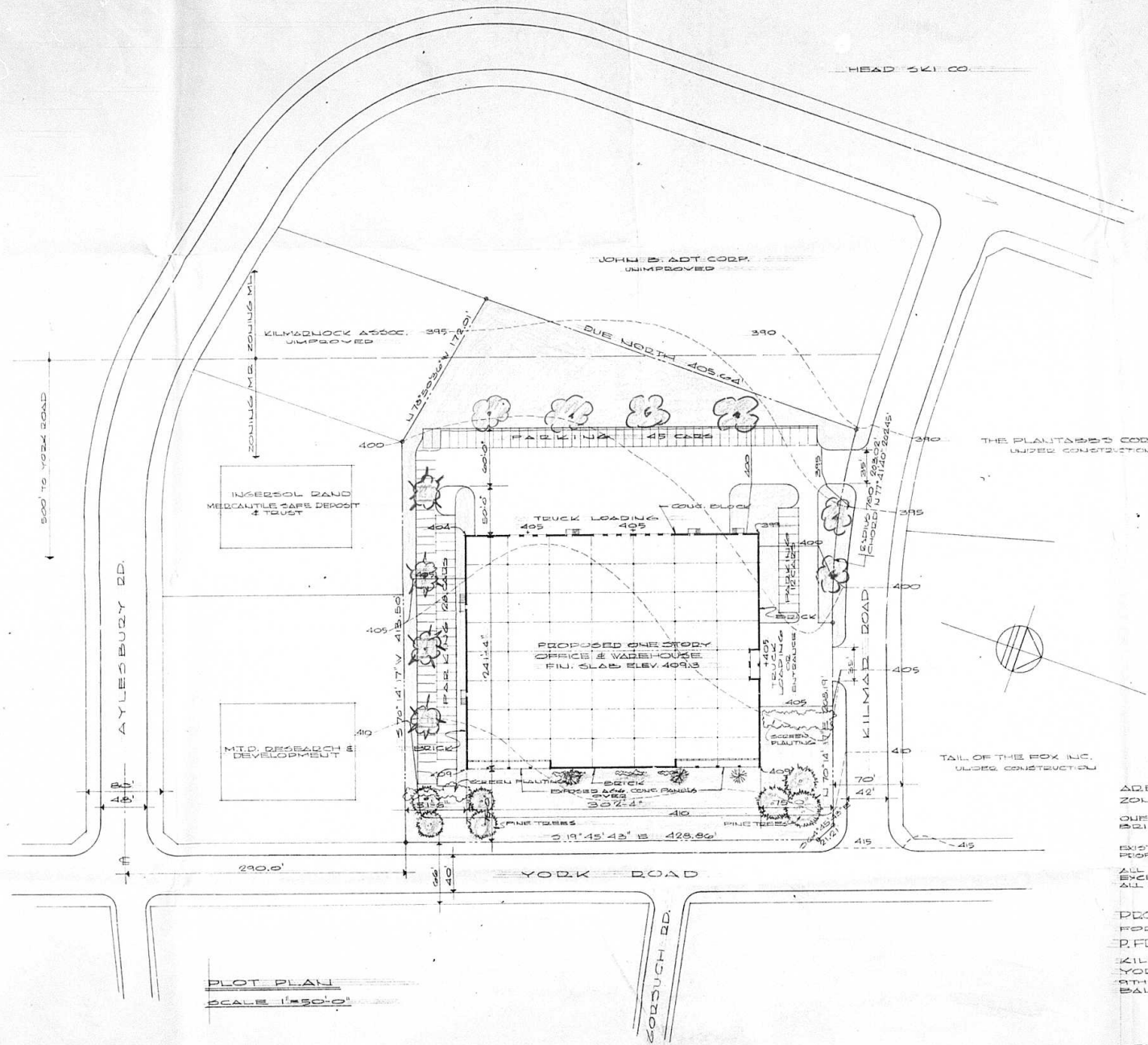
GB:tlm

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.



LETTERS - CUT OUT 1/4" PLATE ALUMINUM - PROJECTED ON PLUS 1" FROM BRICK WALLS
 COLORS SPRAYED ENAMEL AS PER COLOR CHIPS

PROPOSED 1/4" PLATE ALUMINUM LETTERS FOR VON PARIS MOVERS - TIMONIUM	
DRAWN STREET DATE BY	SCALE 1/2" = 1'-0" TRIANGLE SIGN CO. 603 EDDMAN AVENUE P. O. BOX 4113 BALTIMORE, MARYLAND ESTABLISHED 1928
APPROVED (LANDLORD) DATE	APPROVED (TENANT) DATE
UNAUTHORIZED USE IN WHOLE OR PART PROHIBITED	



PLOT PLAN
SCALE 1"=50'-0"

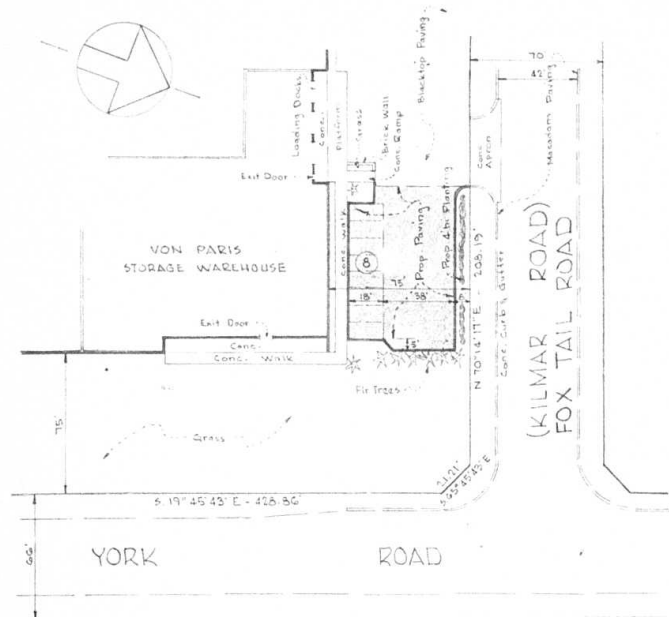
PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *James P. Givens*
DATE: *6/16/63*

AREA 5.0865 ACRES
ZONING MD & ML (SEE PLAT)
ONE STORY OFFICE & WAREHOUSE
BRICK - STEEL - GLASS

EXISTING CONTOURS
PROPOSED CONTOURS
ALL SIGNS SHALL BE RAISED METAL LETTERS NOT TO EXCEED 2 1/2 FEET IN HEIGHT
ALL SIGN LIGHTING SHALL BE FROM THE GROUND

PROPOSED OFFICE & WAREHOUSE
FOR
R. FRED OBRECHT & KILMARNOCK ASSOC.
KILMARNOCK INDUSTRIAL PARK
YORK & KILMARNOCK ROADS
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

OFFICE OF
DONALD B. DATCLIFFE A.I.A.
A 2 WHITE CT. S.
34 WEST 26TH STREET
BALTIMORE 16, MARYLAND
APRIL 8, 1963
REV. APRIL 22, 1963



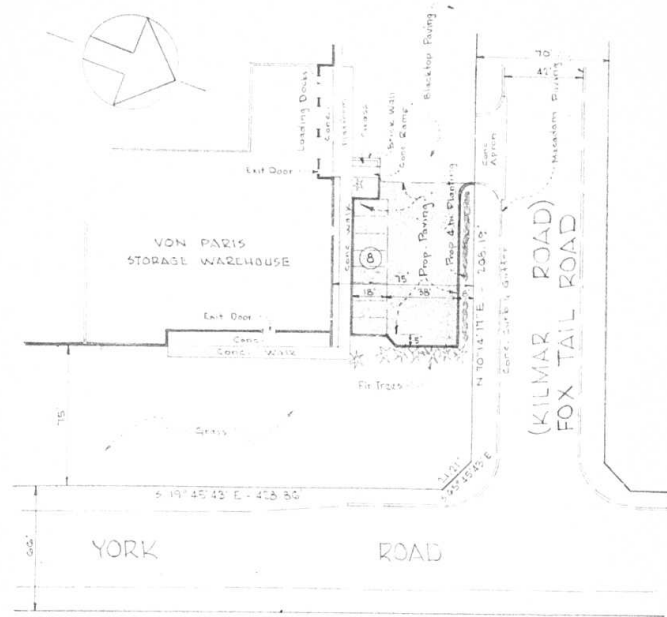
ADDITIONAL PARKING
B. VON PARIS STORAGE COMPANY
1 FOX TAIL ROAD - BALTIMORE COUNTY, MD.
Scale: 1" = 50'

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY AL Denny
DATE 10/28/65

JAMES S. SEAFAR & ASSOCIATES
ENGINEERS & SURVEYORS
400 YORK ROAD
TOWSON, MD. 21204

Parking stalls to be 30' wide

Zoning File #5364 Sp H.



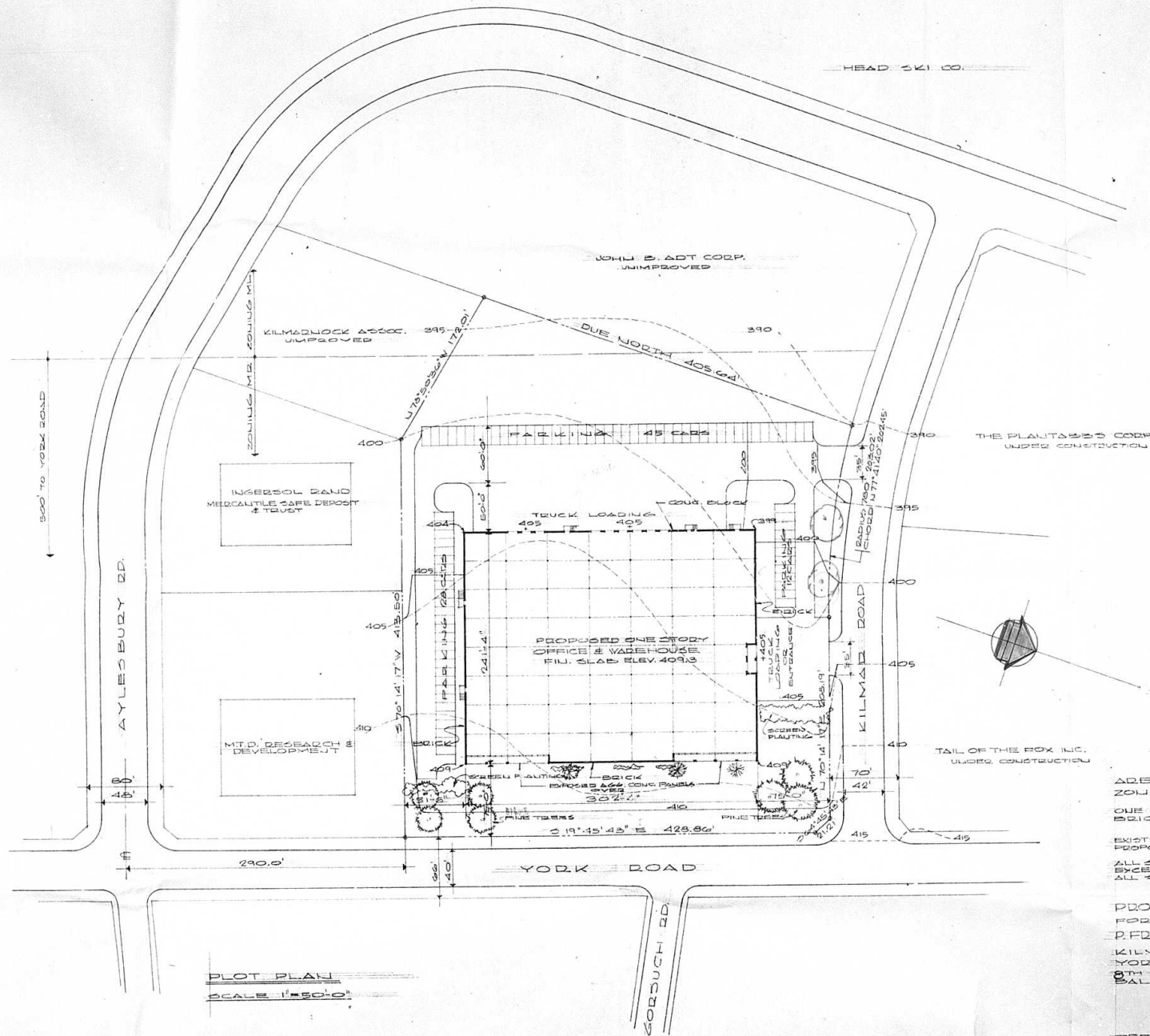
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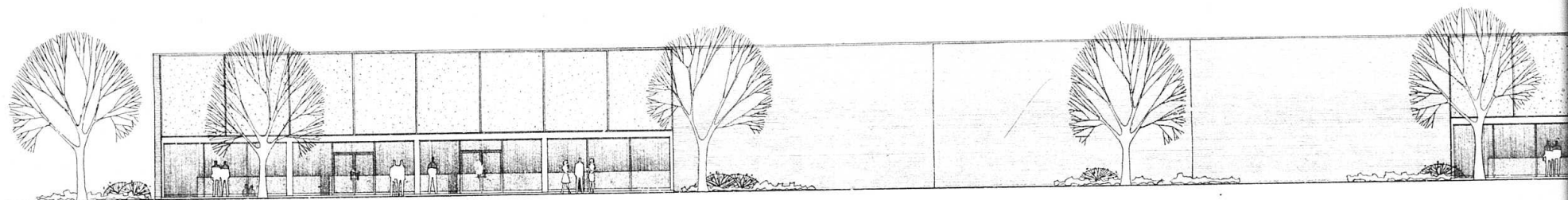
PLOT PLAN
SCALE 1"=50'-0"

AREA 5.0865 ACRES
ZONING MD # ML (SEE PLAT)
ONE STORY OFFICE & WAREHOUSE
BRICK - STEEL - GLASS

EXISTING COUNTRIES
PROPOSED COUNTRIES
ALL SIGNS SHALL BE RAISED METAL LETTERS NOT TO EXCEED 2 1/2 FEET IN HEIGHT.
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PROPOSED OFFICE & WAREHOUSE
FOR
P. FRED OBDECHT & KILMADNOCK ASSOC.
KILMADNOCK INDUSTRIAL PARK
YORK & KILMAD ROADS
8TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

OFFICE OF
DONALD B. DATCHIFFE, A.I.A.
ARCHITECTS
34 WEST 25TH STREET
BALTIMORE 18, MARYLAND
APRIL 8, 1963
REV. APRIL 20, 1963

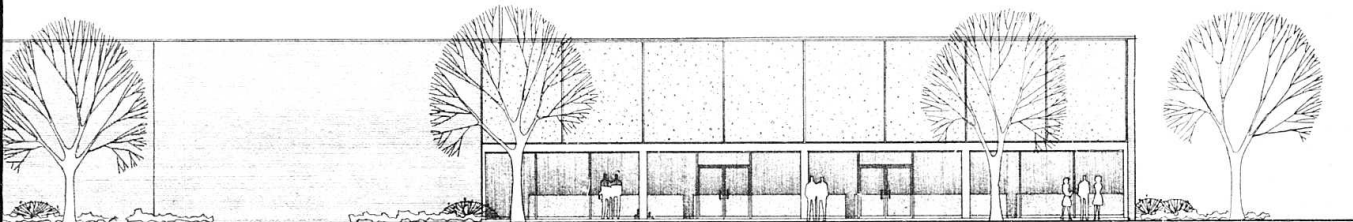


YORK ROAD ELEVATION

SCALE 1/8" = 1'-0"

AREA OF LOT 221,568 SQ. FT.
 AREA OF BLDG. 72,945 SQ. FT.

PROBABLE USE - STORAGE & OFFICES
 PROBABLE NUMBER OF EMPLOYEES - 40
 PROBABLE OPERATION - WAREHOUSING, LIGHT MANUFACTURING
 PROBABLE NUMBER OF TRUCKS - 10
 ESTIMATED NUMBER OF TRIPS PER DAY - 20



AREA OF LOT 221,560.3 SQ. FT.
 AREA OF BLDG. 72,946 SQ. FT.

PROBABLE USE - STORAGE & OFFICES
 PROBABLE NUMBER OF EMPLOYEES - 40
 PROBABLE OPERATION - WAREHOUSING, LIGHT MANUFACTURING
 PROBABLE NUMBER OF TRUCKS - 10
 ESTIMATED NUMBER OF TRIPS PER DAY - 20

PROPOSED OFFICE & WAREHOUSE
 FOR

P. FRED OBRECHT & KILMARNOCK ASSOC.

KILMARNOCK INDUSTRIAL PARK

YORK & KILMARNOCK ROADS

8TH ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

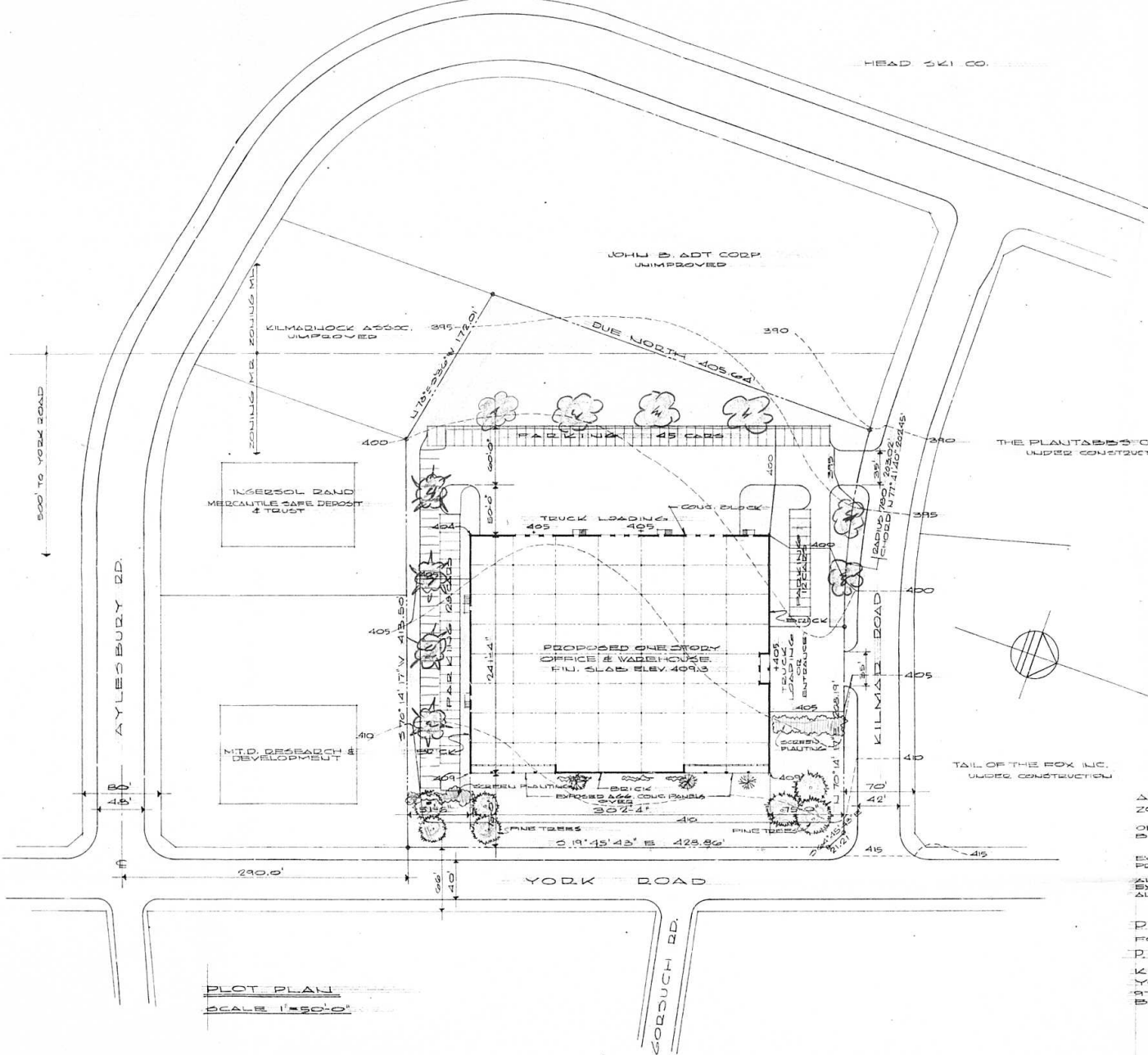
OFFICE OF
 DONALD B. RATCLIFFE A.A.

A R C H I T E C T S

34 WEST 25TH STREET
 BALTIMORE 18, MARYLAND

APRIL 22, 1963





PLOT PLAN
SCALE 1"=50'-0"

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *George J. Jankovic*
DATE: *4/10/63*

AREA 5.0865 ACRES
ZONING MD. & ML (SEE PLAT)

ONE STORY OFFICE & WAREHOUSE
BRICK - STEEL - GLASS

EXISTING CONTOURS
PROPOSED CONTOURS

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PROPOSED OFFICE & WAREHOUSE FOR
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KILMARNOCK INDUSTRIAL PARK
YORK & KILMARNOCK ROADS
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

OFFICE OF
DONALD B. BATCLIFFE A.I.A.
ARCHITECTS
24 WEST 28TH STREET
BALTIMORE 18, MARYLAND

APRIL 8, 1963
REV. APRIL 22, 1963
REV. MAY 27, 1963