

IN RE: PETITION FOR SPECIAL HEARING AND ZONING VARIANCE
SS Kelso Drive, 802' S of Golden Ring Road
Lot 1 Kelso Research Park
15th Election District
6th Councilmanic
Kelso Research Park
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE # 90-306-SPHA

AMENDED ORDER

WHEREAS, The Petitioner herein requested variances from Section 255.2 (243.1) to permit a front yard setbacks of 71 ft. and 61 ft. in lieu of the required minimum 75 ft.; Section 255.2 (243.2) to permit a side yard setbacks of 10 ft. in lieu of the required minimum 50 ft.; Section 255.1 (238.2) to permit a side yard setbacks of 10 ft. in lieu of the required minimum 30 ft.; and a Special Hearing to permit internal circulation in a D.R. zone all in accordance with Petitioner's Exhibits 1 and 3.

WHEREAS, there was an error in the granting of the side yard variance of 10 feet in lieu of the required minimum 30 feet; this variance should have only been granted for 15 feet in lieu of the required minimum of 30 feet.

WHEREAS, the "sic utere" clause in the original Order dated February 16, 1990 should be amended to read as follows:

THEREFORE, pursuant to the advertising, posting of property, and the public hearing, it is ORDERED by the Zoning Commissioner for Baltimore County this 8th day of March, 1990 that the Petition for Special Hearing is hereby granted permitting internal circulation in a D.R. zone; and,

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Date 3/8/90
By [Signature]

IT IS FURTHER ORDERED, that the Petition for Zoning Variance to permit a front yard setback of 71 ft. and 61 ft. in lieu of the required 75 ft. is hereby GRANTED; and,

IT IS FURTHER ORDERED, that a variance to permit a side yard setback of 10 ft. in lieu of the required 50 ft.; a side yard setback of 10 ft. in lieu of the required 30 ft. is hereby DENIED; and,

IT IS FURTHER ORDERED, that a variance to permit a side yard setback of 15 ft. in lieu of the required minimum 50 ft. and a side yard setback of 15 ft. in lieu of the required minimum 30 ft. be and are hereby GRANTED, in accordance with Petitioner's Exhibits 1, 2 and 5, subject, however, to the following restrictions, as will be amended in accordance with Restriction #3 herein, which are conditions precedent to the relief granted:

1. The Petitioner may apply for its building permit 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, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall submit a landscaping plan to the Office of Current Planning for approval by the Baltimore County Landscape Planner. A copy of the approved plan shall then be submitted to the Zoning Commissioner for final approval and inclusion in the case file.
3. That the Petitioner shall erect an 8 foot fence along the easterly boundary of its property which shall be of a material satisfactory to the Baltimore County Landscape Planner. The Petitioner shall submit a revised site plan, prior to a request for a building permit, incorporating and showing all changes necessary to provide the 15 foot setback area required by

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this Amended Order. The revised site plan shall show both the Order and Amended Order.

J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:mmn
cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 3/8/90
By [Signature]

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21284
(301) 887-3333
J. Robert Haines
Zoning Commissioner

March 8, 1990

Benjamin Bronstein, Esquire
By: George and Bronstein
Susquehanna Bldg., Suite 205
29 W. Susquehanna Avenue
Townson, Maryland 21204

RE: Petition for Special Hearing and Zoning Variance
Kelso Research Park, Petitioner
Case #90-306-SPHA

Dear Mr. Bronstein:

Enclosed please find copy of Amended Order rendered in the above captioned case. The Petitions for Special Hearing and Zoning Variance have been granted in part and denied in part in accordance with the attached Amended Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner
for Baltimore County

JRH:mmn
att.
cc: Peoples Counsel

IN RE: PETITION FOR SPECIAL HEARING & PETITION FOR VARIANCE
SS Kelso Drive, 802' S of Golden Ring Road
Lot 1, Kelso Research Park
15th Election District - 6th Councilmanic

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
CASE NO. 90-306SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner request variances from Section 255.2 (243.1) to permit a front yard setbacks of 71 ft. and 61 ft. in lieu of the required minimum 75 ft.; Sections 255.2 (243.2) to permit a side yard setbacks of 10 ft. in lieu of the required minimum 50 ft.; Sections 255.1 (238.2) to permit a side yard setbacks of 10 ft. in lieu of the required minimum 30 ft.; and a Special Hearing to permit internal circulation in a DR Zone all in accordance with Petitioner Exhibits 1 and 3.

The Petitioner, who by its managing partner, Theodore C. Julio appeared and testified was represented by Benjamin Bronstein, Esquire of the law firm of Evans, George & Bronstein. Also appearing on behalf of the Petitioner was Robert Bradley, M.E. of Morris & Ritchie Associates, Inc. There were no protestants.

Testimony indicated that the subject property consist of 10.82 acres more or less of which 7.34 acres more or less is the subject of this hearing. 7.12 acres is zone M.L.-I.M. and 0.25 acres is DR 5.5. The subject property is located on Kelso Drive and Golden Ring Road as depicted on Petitioner's Exhibit 1. The zone line runs irregularly through the property.

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Because of a stream buffer and an existing wooded wetland area, the Petitioner is required to shift the location of its two flex warehouse buildings toward the easterly property line. Testimony by Mr. Bradley and Mr. Julio further indicated that the Petitioner located its internal road network in order to avoid substantial grading along the easterly property line at the preference of the adjoining residential users. In this manner the Petitioner will diminish the impact on the residential users adjoining the property as well as probably save existing vegetation on the old transmission line right of way adjacent to the easterly boundary line.

The existing residential uses adjoining the Petitioner's easterly boundary line have been rezoned M.L.-I.M., and are therefore non-conforming uses. The Petitioner met with all of the adjoining property owners. As a compromise with those property owners, the Petitioner has agreed to modify its request and seek a 15 ft. setback instead of a 10 ft. setback along the eastern property line and further has agreed to erect an 8 ft. wooden fence along said property line all as set forth in a letter dated January 20, 1990 over the signature of William H. Jones, President of the Stemmers Run Civic Imp. Assn. (Exhibit No.: 4)

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Soles*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1. whether strict compliance with requirement would

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unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured. *Anderson v. Bd. of Appeals, Town of Chesapeake Beach*, 22 Md. App. 28 (1973).

It is clear from the testimony that if the variances are granted such use as proposed would not be contrary to the spirit of the Baltimore County Zoning Regulations (BCZR) and would not result in substantial detriment in to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land to the special conditions unique to this parcel. In addition, the variance requested would not be detrimental to the public health, safety and general welfare.

Therefore, pursuant to the advertising, posting of property, and the public hearing, it is Ordered by the Zoning Commissioner of Baltimore County this 16th day of February, 1990 that the Petition for Special Hearing is hereby granted permitting internal

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By [Signature]

circulation in a DR zone.

It is further Ordered that the Petition for Zoning Variance to permit a front yard setback of 71 ft. and 61 ft. in lieu of the required minimum 75 ft.; a side yard setbacks of 10 ft. in lieu of the required minimum 50 ft.; a side yard setbacks of 10 ft. in lieu of the required minimum of 30 ft. be and are hereby granted, in accordance with Petitioner's Exhibits 1, 2, and 5 subject, however, to the following restrictions which are conditions precedent to the relief granted:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall submit a landscaping plan to the Office of Current Planning for approval by the Baltimore County Landscape Planner. A copy of the approved plan shall then be submitted to the Zoning Commissioner for final approval and inclusion in the case file.

3. That the Petition shall erect an 8 foot fence along the Easterly boundary of its property which shall be of a material satisfactory to the Baltimore County Landscape Planner.

J. Robert Haines
Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
Date 3/16/90
By [Signature]

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 18, 1990

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21284

Ben Bronstein, Esquire
Evans, George & Bronstein
Suite 205
29 W. Susquehanna Avenue
Towson, MD 21284

RE: Item No. 162, Case No. 90-306-SPH
Petitioner: Kelso Research Park
Petition for Zoning Variance and
Special Hearing

Dear Mr. Bronstein:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to dictate the appropriateness of the zoning action, but to assure that all parties are made aware of plans or problems with regard to the development that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Theodore C. Julio
Morris & Ritchie Association

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
(301) 887-3333

J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
22nd day of November, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

Petitioner: Kelso Research Park
Petitioner's Attorney: Ben Bronstein

Feb 2

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner DATE: January 18, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Kelso Research Park, Item 162
Zoning Petition No. 90-306

The Petitioner is requesting:

1. Special Hearing - to permit traffic circulation in a D.R. zone; and
2. Variances -
a. Sec. 255.2 (243.1) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit front yard setbacks of 61 ft. in lieu of the required 75 ft.
b. Sec. 255.2 (243.2) BCZR to permit side yard setbacks of 10 ft. in lieu of the required 50 ft.
c. Sec. 255.1 (238.2) BCZR to permit side yard setbacks of 10 ft. in lieu of the required 30 ft.

to allow for the construction of warehouse, flex-space facility. In response to this request staff provides the following information:

1. Wetlands - The Petitioner shows a wetlands line intruding into the development. The most permissive DEPRM requirements stipulation 20 ft. limit of disturbance beyond the field delineated wetlands limit. DEPRM should be consulted to determine what portion of the site is unbuildable. Any limitations created by DEPRM could severely alter the net buildable area of the site. A definitive response from DEPRM should be obtained before any ruling by the Zoning Commissioner.
2. Staff would suggest that no buildings, parking lots, or paved surfaces be located closer than 30 ft. along the eastern edge of the property adjacent to the residential properties. Although the majority of property is zoned M.L.-I.M., an adequate open space/buffer should be provided in this area. The buffer should be adequate to contain a double row of planting.

JAN 19 1990

Kelso Research Park, Item 162
Zoning Petition No. 90-306
Page 2
January 19, 1990

3. Staff has provided a revised site plan that adds some additional planting areas to break up the expanse of parking. Because large areas between buildings (almost 2 acres) are going to be paved, impervious surfaces, it is critical to break up the areas used for parking.
4. A landscape plan should be submitted by the Petitioner. The landscape plan should stress: 1) street trees along Kelso Drive; 2) shade trees within the parking lot; and 3) buffer planting along the east side of the site. As part of the Zoning Commissioner's order the areas to be treated should be specifically enumerated in order to alert the Petitioner that standards above the Landscape Manual are required in certain key locations.

Based upon the analysis conducted and information provided staff recommends that the Petitioner's request be granted subject to the following:

1. Before a final decision is rendered a definitive limit of disturbance line will be provided by DEPRM.
2. No building or parking, loading areas shall be located closer than 30 ft. to the east side of the property. In no instance should this area be reduced below 20-25 ft.
3. A landscape plan should be provided addressing the entire site, but in particular the following areas: 1) street trees should be provided along Kelso Drive; 2) shade trees should be provided along the east side of the vegetative site.
4. The site plan should be revised to provide additional planting islands as outlined by staff.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Court Building, Suite 405
Towson, Maryland 21284
(301) 887-3554

November 29, 1989



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items 160, 161, and 162.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSP/lab

RECEIVED
NOV 30 1989
COUNTY OFFICE

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21284-2586
(301) 887-4500

Paul H. Reinde
Chief



Dennis F. Rasmussen
County Executive

DECEMBER 1, 1989

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: KELSO RESEARCH PARK
Location: LOTS #1, KELSO RESEARCH PARK
Item No.: 162 Zoning Agenda: NOVEMBER 21, 1989
Gentlemen:

Pursuant to your request, the referenced property has been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Michael S. Flanagan* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KER

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: December 19, 1989

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for November 21, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for items 160, 161, and 162.

For Item 135 the previous CRG comments are still valid.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

DEC 27 1989

BALTIMORE COUNTY, MARYLAND

Item 162
Case # 90-306 SPH
City of Towson 11/19/90

SUBJECT: COUNTY REVIEW GROUP COMMENTS CRG DATE: 2/1/90
PRE-CRG DATE: 1/22/90

FROM: ZONING OFFICE

PROJECT NAME: KELSO RESEARCH PARK PLAN: 1/2/90
(Lots 1)

LOCATION: SE/S Kelso Drive Between
Golden Ring Road and I-695

REV: REV:

REVISED PLAN KEY:
(X) COMPLIANCE WITH COMMENT CHECKED
(O) NON-COMPLIANCE IS CIRCLED
(A) BE REVIEWED (NOT NECESSARY FOR CRG APPROVAL, BUT MUST BE ADDRESSED PRIOR TO FINAL ZONING APPROVAL)
ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

The property submitted for CRG approval is the subject of a current zoning case filed on November 9, 1989 under item number 162. Case Number 90-306-SEBA has been assigned and the public hearing is set for 2/2/90 at 2:00 p.m. in Room 106, County Office Building. The petitioner has requested:

1. A Special Hearing to permit business or industrial vehicle circulation or maneuvering in a residential zone (R2.5)
2. Variances from the following setback requirements:
A. Section 255.2 (243.1) to permit a front yard setback of 61 ft. in lieu of the required minimum 75 ft.
B. Sections 255.2 (243.2) to permit a side yard setbacks of 10 ft. in lieu of the required minimum 50 ft.
C. Sections 255.1 (238.2) to permit a side yard setbacks of 10 ft. in lieu of the required minimum 30 ft.

The ultimate condition of any zoning approval is based upon the outcome of the zoning hearing. The assistance at the time of filing petitions and the following zoning staff comments, although they relate the property, are not to be construed as definitive nor do they indicate the appropriateness of the public hearing requests.

The plan has been reviewed by this office for general compliance with the Baltimore County Zoning Regulations. The following comments identify possible conflicts with the Baltimore County Zoning Regulations, and details necessary in order to achieve compliance with these regulations. When these standard and nonstandard details and information is available or provided, it shall be the responsibility of the owner, developer, or developer's engineer to rectify all conflicts, update and correct the petition if necessary well in advance of the public hearing and any subsequent zoning approvals.

KELSO RESEARCH PARK (Lot 11)
CRG DATE: 7/1/90
PRE-CRG DATE: 1/22/90
PAGE: 2

- List the zoning requests under "ZONING HEARING REQUEST" conspicuously on the plan and conspicuously keyed to the plan print.
- Conspicuously note on the plan:
Office/Warehouse and retail uses as defined by this plan cannot be increased or decreased substantially without further zoning approvals and any change in use, even though permitted by S.253 (B.C.Z.R.) must be approved by the Zoning Office. All retail uses will be limited to those uses permitted by S.253.1.C. and .2B (B.C.Z.R.) and Zoning Policy SM-14 (Retail Sales in ML) limitations apply to any retail use not listed under these sections of the B.C.Z.R.
- Identify I-695 right-of-way on the plan and the 100 ft. "use and increased setback restriction line" on the south west side of the property to comply with Section 253.4 (B.C.Z.R.) for "use and increased setback restriction line".
- Note on the plan print (min. 1/4" bold letters) directed to the DR5.5 100 ft. "USE AND INCREASED SETBACK RESTRICTION LINE" ONLY PASSENGER - AUTOMOBILE ACCESSORS, PARKING AND THESE USES PERMITTED IN THE M.R. ZONE ARE PERMITTED IN THIS AREA. M.R. SETBACKS APPLY AND HEIGHT LIMITED TO 40 FT OR 3 STORIES." SEE SECTIONS 253.4, 254 AND 255.2 (B.C.Z.R.).
- On the zoning petition and plan and CRG plans add "70 ft. and 61 ft. both in lieu of the required 75 ft." to variance #1: provide separate zoning descriptions for the DR5.5 and M.L. zoned portions of lot #1 only. Clarify the "shown" building envelope setbacks on the property; label building front orientations and show any anticipated lease or additional lot lines or note that uses are proposed; indicate the type of surface paving proposed and that parking and loading areas will be permanently striped; eliminate direct access to parking and loading areas as well as any other uses not on the plan that the department of Traffic Engineering has approved the parking layout and all zoning sign policies. Provide F.A.R. calculations for the M.L.-I.M. area.

Final zoning approval is contingent upon the resolution of all comments, the outcome of the required public hearing, and the inclusion of the blue commercial checklist information on the building permit site plans.

WCR
W. CARL RICHARDS, JR.
Zoning Coordinator

WCR:jaw

MORRIS & RITCHIE ASSOCIATES, INC.
CIVIL ENGINEERS & SURVEYORS
130 NORTH MAIN STREET
SUITE 200
BEL AIR, MARYLAND 21014

AREA CODE 301
836-7550
878-1000

RESUME

ROBERT F. BRADLEY

EDUCATION:

Bachelor of Science, Civil Engineering, 1973
The Johns Hopkins University
Master of Business Administration, 1982
Wilmington College

PROFESSIONAL REGISTRATION:

Professional Engineer, Maryland #8641
Professional Engineer, Delaware #4579
Professional Engineer, Pennsylvania #19891-E
Professional Engineer, Virginia #7663
Professional Land Surveyor, Pennsylvania #18-A
Professional Planner, New Jersey #2261

ORGANIZATIONS:

Homebuilders Association of Maryland, Baltimore County Chapter, Board of Directors and Chairman, Public Works Committee.

Professional Services Management Association, Member

FACETS, Inc., Board of Directors

EXPERIENCE:

1988 to Present

Vice President/Principal, Morris & Ritchie Associates, Inc. - Responsible for management of land planning and design staff, review of plans and specifications, coordination with reviewing agencies and client relations for projects in Maryland, Delaware and Pennsylvania.

PETITIONER'S EXHIBIT 3

1982 to 1982

Senior Vice President/Principal, Daft-McCune-Walker, Inc. - Responsible for the preparation of all plans and engineering construction documents for a design staff of 75 engineers, landscape architects, and technicians on land development projects in the Baltimore Metropolitan Area. Principal and project management responsibility included concept plans through construction coordination as well as agency processing and client relations. As an owner of the firm, responsibility included business management of day to day operations.

1973 to 1982

Vice President/Division Chief, Kilde Consultants, Inc. - Responsible for all administrative, technical, and marketing management of the engineering, surveying, and construction inspection services in the Delaware, southeastern Pennsylvania, and southern New Jersey areas. Activities included all types of residential, commercial, industrial, and institutional projects for public and private sectors. Also, project experience includes highway design, municipal public works systems, grant applications, expert witness testimony and site analysis.

1964 to 1973

Engineer, Designer, and Draftsman, Kilde Consultants, Inc. - Responsible for the preparation of designs and construction documents for road, utility, stormwater management, grading, and sediment improvements for land development projects; plans, and specifications for community wide storm drain system systems.

PRESENTATIONS:

Numerous presentations and guest speaker appearances at meetings and seminars sponsored by the National Association of Homebuilders, Homebuilders Association of Delaware, and realtor groups on such topics as land use, land subdivision, and alternate wastewater systems.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21286

receipt

Account R-001-6190

No 1102

#162

Date 1/24/90

H9000383

REVISED PUBLIC HEARING FEES QTY PRICE

110 - REVISIONS (ALL OTHERS) 1 X \$75.00

TOTAL \$75.00

LAST NAME OF OWNER: KELS0 RECRH PR

8 BICG*****756013215F

Please make checks payable to Baltimore County

90-306-SPHA

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

July 26, 1990

RECEIVED
JUL 27 1990
ZONING OFFICE

Mr. J. Robert Haines
Baltimore County Zoning Commissioner
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Subject: Kelso Research Park
Case #90-306-SPHA

Dear Mr. Haines:

We are submitting a Red-Line CRG plan for your review and approval on the above reference project. The rear building is being enlarged for more warehouse space. However, the building setback for the side yard will remain 15' as granted. We request your approval of the Red-Line CRG plan as being within the spirit and intent of the case to the extent that you will not require a public hearing to amend.

If you have any questions, or need additional information concerning this matter, please do not hesitate to contact this office.

Very truly yours,

MORRIS & RITCHIE ASSOCIATES, INC.

R. Bruce Appell
R. Bruce Appell

Kais McElwain

RBA/tlc

9003

cc: Mr. Ted Julio

130 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(301) 821-1000
FAX (301) 872-1000

606-D BOSLEY AVENUE
TOWSON, MARYLAND 21286
(301) 821-1000
FAX (301) 821-1748

RECEIVED JUL 31 1990

RECEIVED OCT 24 1990
Hill Management Services, Inc.
3640 Dumbarton Road
Timonium, Maryland 21093
(301) 666-1000

T. C. Julio
President

September 11, 1990

Robert Haines
Zoning Commissioner
Baltimore County
Office of Planning and Zoning
111 W. Chesapeake Avenue
Towson, MD 21204

RE: Kelso Research Park
Case #90-306-SPHA

Dear Mr. Haines:

I am writing you at the direction of Mr. Carl Richards regarding our Engineer's request of July 26, 1990 for modification of our CRG plan without the necessity of a public hearing and I have enclosed a copy of that letter for your reference. The redlined plan submitted with the aforementioned correspondence shows an increase in depth of our B Building from 100 feet to 135 feet.

It is my understanding that you have concerns surrounding this request due primarily to the fact that the previously granted 15' side yard setback would be extended back towards the rear of the property for this additional 35' of the B Building. I am also told that you questioned the tenant mix of that B Building as it relates to parking ratios for those intended uses since we removed the parking adjacent to the Storm Water Management Facility.

Please be advised that I personally presented our CRG Plan to both the Local Community Association and the adjacent property owners at a meeting held on January 8, 1990, at which time we agreed to address certain concerns of our neighbors and our project was amended accordingly. These two concerns were noise emissions and the visual impact of our proposed project to the neighboring residences and our neighbors. Please see the enclosed letter dated January 20, 1990 from Stemmers Run Civic Improvement Association which was previously submitted to you at the variance hearing.

It is clear that, by extending our B Building 35' towards the rear of the property and away from the existing homes, the visual impact would not be increased, particularly since the stockade fence separating our project from the adjacent property owners is extended beyond the rear wall of B Building, furthestmost away from Kelso Drive. You should also note that the entire rear of the property, where B Building is located, is zoned ML-1M and

that there is, also, a 15' Right Of Way acting as a buffer paralleling and contiguous to our eastern boundary located between our project and the adjacent non-conforming residential uses. Concerning noise emissions, we fully anticipate there being much less traffic volumes since the parking spaces adjacent to the pond have been removed and consequently, vehicle trips are decreased with this change in the primary use of the building.

Our reasoning for re-designing the B Building was due solely to a drive-in level access strategy for this project. The B Building was a 100' deep building with drive-in level access on both sides which we have found to lease very slowly when compared to either front-loaded, dock height, bulk storage or combination store-front, dock height, flex space. With our revised plan, we intend to now access two types of users simultaneously, thereby reducing our lease-up time and making the project more appealing to prospective lenders.

We will offer A Building to office/R&D/light manufacturing type tenants and B Building to bulk storage users. This new use of B Building removes almost all the need for parking support and consequently, is our reason for removal of the two parking bays adjacent to the pond.

I hope that the foregoing adequately answers your questions and addresses your concerns surrounding our request of July 26, 1990.

Very truly yours,
T.C. Julio

TJ/mmj
cc: Bob Bradley/Morris & Ritchie Assoc.
Carl Richards

Hill Management Services, Inc.

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

July 26, 1990

Mr. J. Robert Haines
Baltimore County Zoning Commissioner
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Subject: Kelso Research Park
Case #90-306-SPHA

Dear Mr. Haines:

We are submitting a Red-Line CRG plan for your review and approval on the above reference project. The rear building is being enlarged for more warehouse space. However, the building setback for the side yard will remain 15' as granted. We request your approval of the Red-Line CRG plan as being within the spirit and intent of the case to the extent that you will not require a public hearing to amend.

If you have any questions, or need additional information concerning this matter, please do not hesitate to contact this office.

Very truly yours,
MORRIS & RITCHIE ASSOCIATES, INC.
R. Bruce Appell
R. Bruce Appell

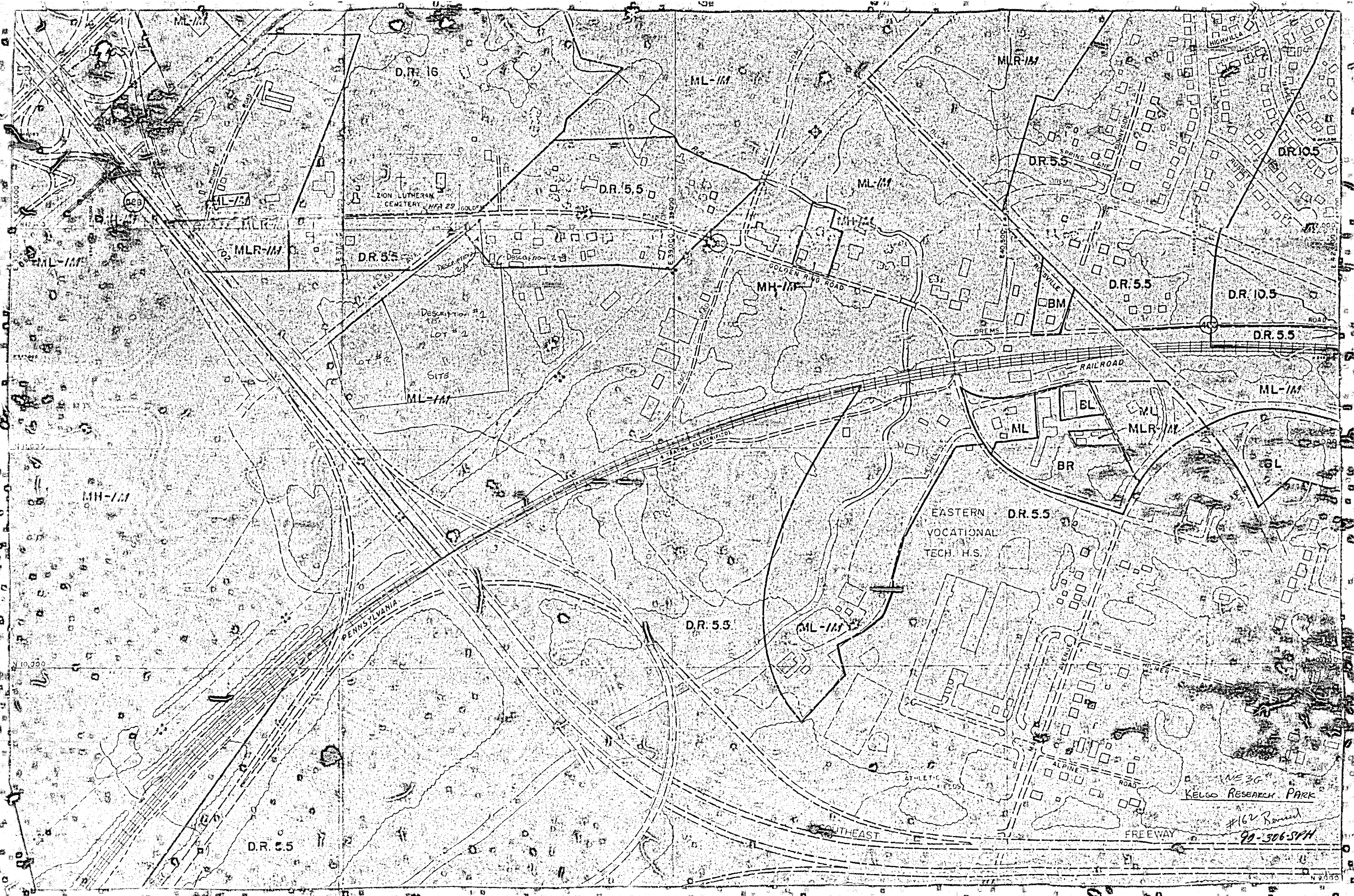
RBA/tlc

9003

cc: Mr. Ted Julio

130 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(301) 821-1000
FAX (301) 872-1000

606-D BOSLEY AVENUE
TOWSON, MARYLAND 21286
(301) 821-1000
FAX (301) 821-1748



D.R. 16

ML-111

MLR-111

ZION LUTHERAN
CEMETERY

DR. 5.5

ML-111

DR. 5.5

DR. 10.5

MLR-111

DR. 5.5

MH-111

DR. 5.5

DR. 10.5

DR. 5.5

Description #1
LOT #1
Description #2
LOT #2
SITE
ML-111

RAILROAD

ML-111

MH-111

ML

BL

MLR-111

BR

EASTERN
VOCATIONAL
TECH. H.S.

DR. 5.5

DR. 5.5

ML-111

PENNSYLVANIA

KELSO RESEARCH PARK

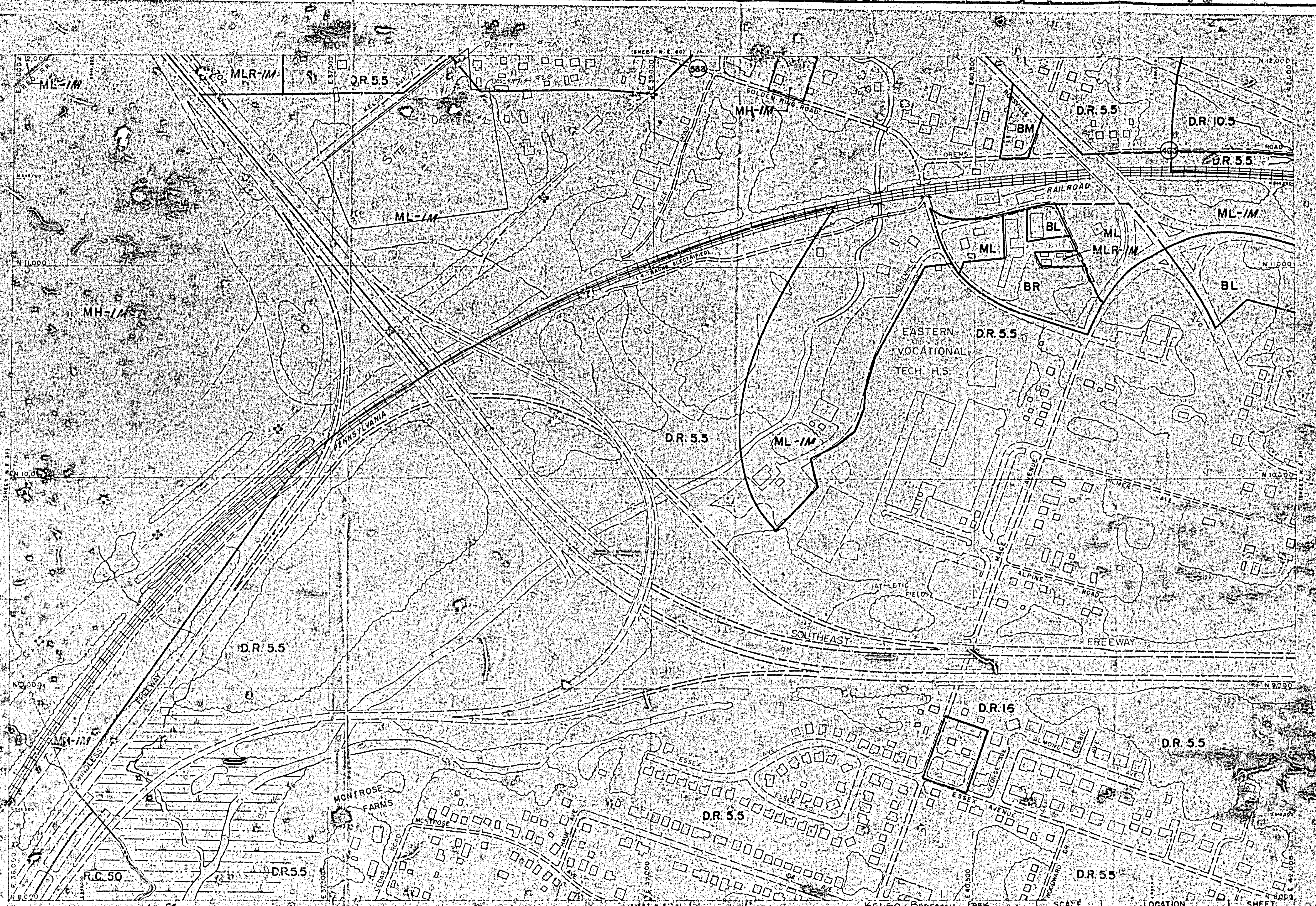
ATHLETIC
FIELD

ALPINE
ROAD

FREEWAY

DR. 5.5

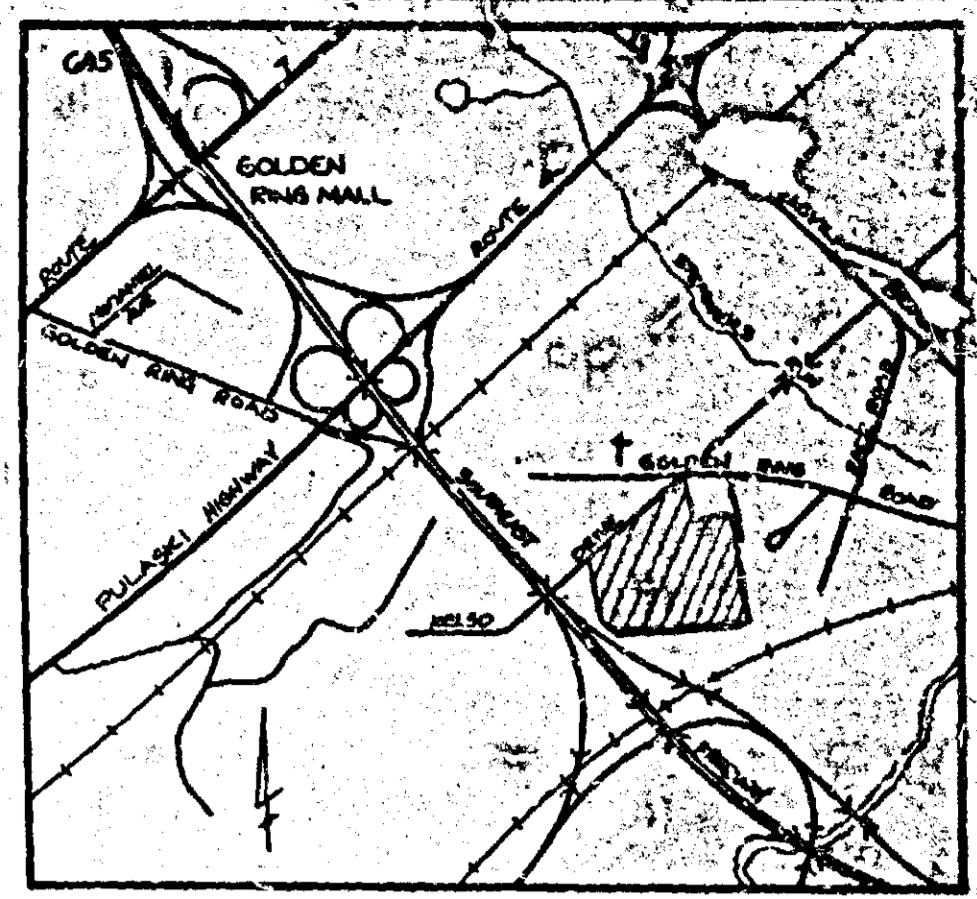
#162 Revised
90-506-SPH



#162 Revised
 1983 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 13, 1983
 PRINTED NOV 06 1983
 00-3065-01
 Chairman, County Council

BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 OFFICIAL ZONING MAP

SCALE 1" = 200'	LOCATION STEMMERS RUN	SHEET NE 3-G
DATE OF PHOTOGRAPHY JANUARY 1986		



VICINITY MAP
SCALE 1"=1000'
ACC. 37-8-6

GENERAL NOTES

- CONTRACT PURCHASER/APPLICANT:
MEL MANAGEMENT SERVICES, P.A.
8540 DEERWOOD ROAD
THURSDAY, MARYLAND 21086
(301) 596-1000
- ELECTION DISTRICT #18 - COUNCILMANS DISTRICT #8
SENATE TRACT #012
- WATERSHED: 22 SUBWATERSHEDS: 4
- SITE DATA:
A. GROSS ACREAGE = 10.82 AC ± (ENTIRE SITE)
NET ACREAGE = 10.22 AC ± (ENTIRE SITE)
- LOT #1:
A. ACREAGE = 7.24 AC ±
B. ZONING: ML-1M & DR. S-2
ML-1M: 7.24 AC ±
DR. S-2: 0.22 AC ±
BUILDINGS WILL BE FOR RENT
- OPEN SPACE:
REQUIRED = 0.0 AC
PROPOSED = 0.0 AC
- PROPOSED USE:
RETAIL: 11,000 SQ. FT.
OFFICE: 3,000 SQ. FT.
WAREHOUSE: 42,200 SQ. FT.
- PARKING:
REQUIRED:
RETAIL: 11,000 SQ. FT. = 8 x 11.8 = 90 PARKING SPACES
OFFICE: 3,000 SQ. FT. = 2.2 x 11.8 = 26 PARKING SPACES
WAREHOUSE: 42,200 SQ. FT. = 24 EMPLOYEES = 24 PARKING SPACES
TOTAL REQUIRED = 147 PARKING SPACES
PROPOSED: 177 PARKING SPACES & 3 HANDICAPPED = 180 PARKING SPACES
- FLOOR AREA RATIO:
78,100 SQ. FT. 118,700 SQ. FT. = 0.28
- THERE ARE NO EXISTING WELLS OR SEPTIC AREAS ON THIS SITE.
- SOILS:
SOIL SERIES & SYMBOL CLASS WITH BASEMENTS WITHOUT BASEMENTS STREETS & PARKING
WOODSTOWN SANDY LOAM (SW) C MODERATE TO EXCESSIVE HIGH WATER TABLE MODERATE TO EXCESSIVE HIGH WATER TABLE
DYLON LOAM (SW) D SEVERE TO EXCESSIVE HIGH WATER TABLE POOR TO FAIR DRAINAGE OPENING HIGH WATER TABLE POOR NATURAL DRAINAGE
SASSAPARILLA (SW) E LIGHT TO MODERATE MODERATE SLOPE
- THE SITE IS APPROXIMATELY 50% WOODS WITH EXISTING TREES AND WILL BE RETAINED WHERE POSSIBLE.
- EXISTING STREAMS ARE SHOWN.
- THERE ARE NO EXISTING BUILDINGS ON THIS SITE.
- CURRENT OWNERSHIP: KELSO RESEARCH PARK, LTD. (GENERAL PARTNERSHIP)
C/O THEODORE JULIO (MANAGING PARTNER)
10 PARKS AVENUE
COCKEYSVILLE, MARYLAND 21030
DEED: LIBER 7740 - FOLIO 283
TAX ACCOUNT NO: 18-100008-0000
- ESTIMATED AVERAGE DAILY TRAFFIC: 1200
- STORMWATER WILL BE MANAGED BY ONE FOND AS SHOWN ON THE PLAN. THE FOND WILL RECEIVE PERMITS FROM THE STATE DEPT. OF ENGINEERS. NO GRADING, CLEARING OR DISTURBANCE OF WETLAND SOILS WILL OCCUR EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY WATER QUALITY POLICY.
- THERE ARE NO KNOWN CRITICAL AREAS, ARCHAEOLOGICAL SITES OR ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THE SITE.
- SLOPE ANALYSIS HAS BEEN PERFORMED AND D.E.P. HAS CONCLUDED THAT THIS PLAN MEETS THE REQUIREMENTS OF SECTION 25-20 (1) THE DEVELOPMENT REGULATIONS.

SUMMARY OF ZONING REQUEST

- VARIANCES
- TO PERMIT A FRONT YARD DETRACK OF 61 FEET IN LIEU OF THE MINIMUM REQUIRED 75 FEET 25.2 (24.1)
 - TO PERMIT A SIDE YARD DETRACK OF 10 FEET IN LIEU OF THE MINIMUM REQUIRED 50 FEET 25.2 (23.2)
 - TO PERMIT A SIDE YARD DETRACK OF 10 FEET IN LIEU OF THE MINIMUM REQUIRED 30 FEET 25.1 (23.0)
- SPECIAL HEARING
- TO PERMIT INTERNAL CIRCULATION IN A "D" ZONE.

PETITIONER'S EXHIBIT 1

PLAT TO ACCOMPANY ZONING VARIANCE AND PLAT TO ACCOMPANY ANY SPECIAL HEARING

KELSO RESEARCH PARK LOT #1

#162
90-306-SPHA

MORRIS & HITCHIE ASSOCIATES, INC.
ENGINEERS - PLANNERS - SURVEYORS - LANDSCAPE ARCHITECTS
(301) 636-7800 139 NORTH MAIN STREET - SUITE 200
(301) 678-1690 BEL JIN, MARYLAND 21014

DATE	REVISIONS

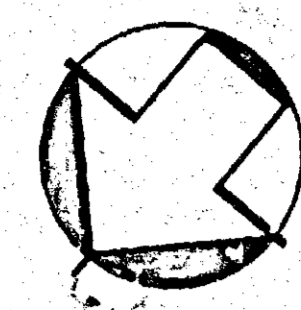
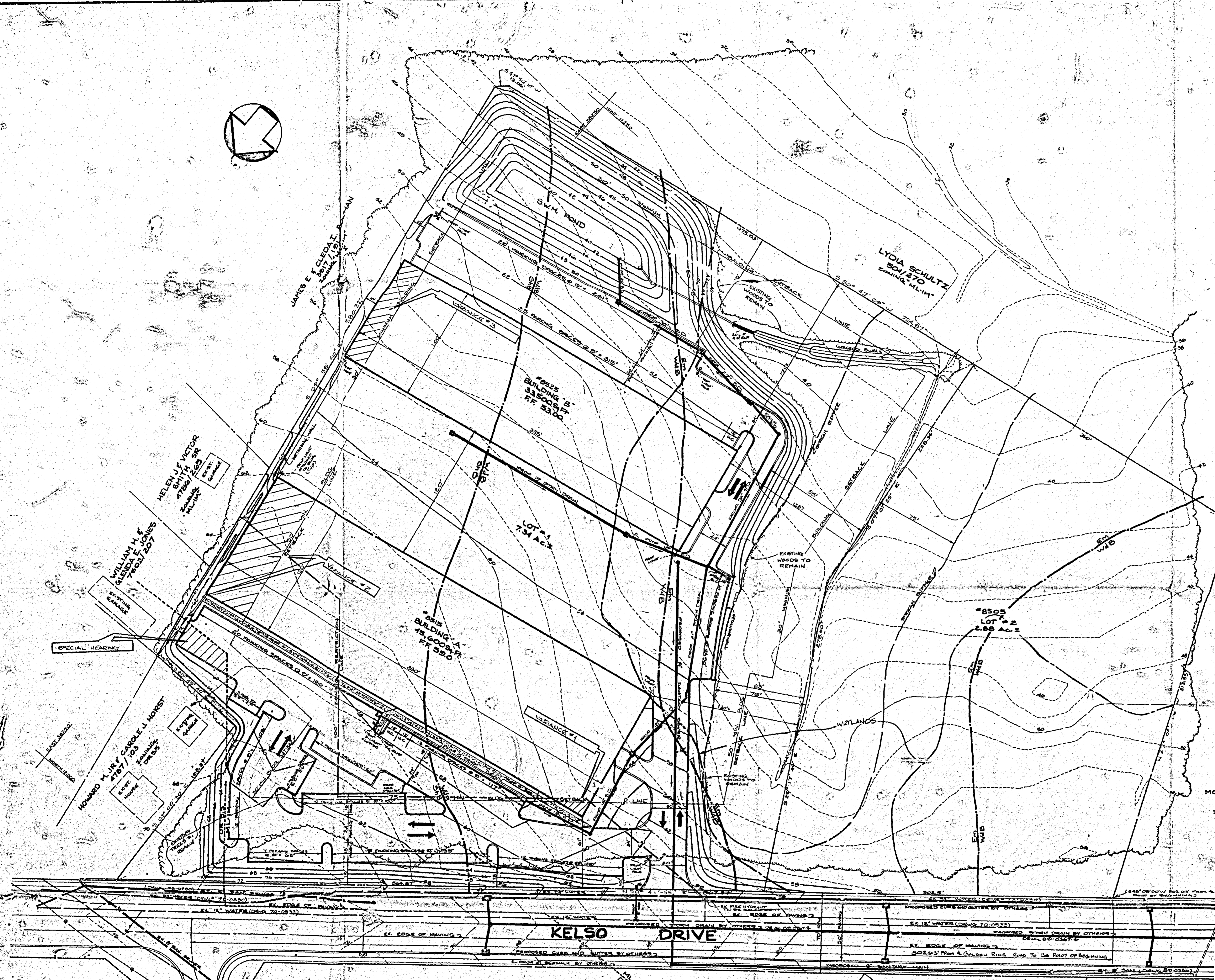
OWNER
KELSO RESEARCH PARK
(MD. GENERAL PARTNERSHIP)
C/O THEODORE JULIO
(MANAGING PARTNER)
10 PARKS AVENUE
COCKEYSVILLE, MARYLAND 21030
PHONE: (301) 696-1000

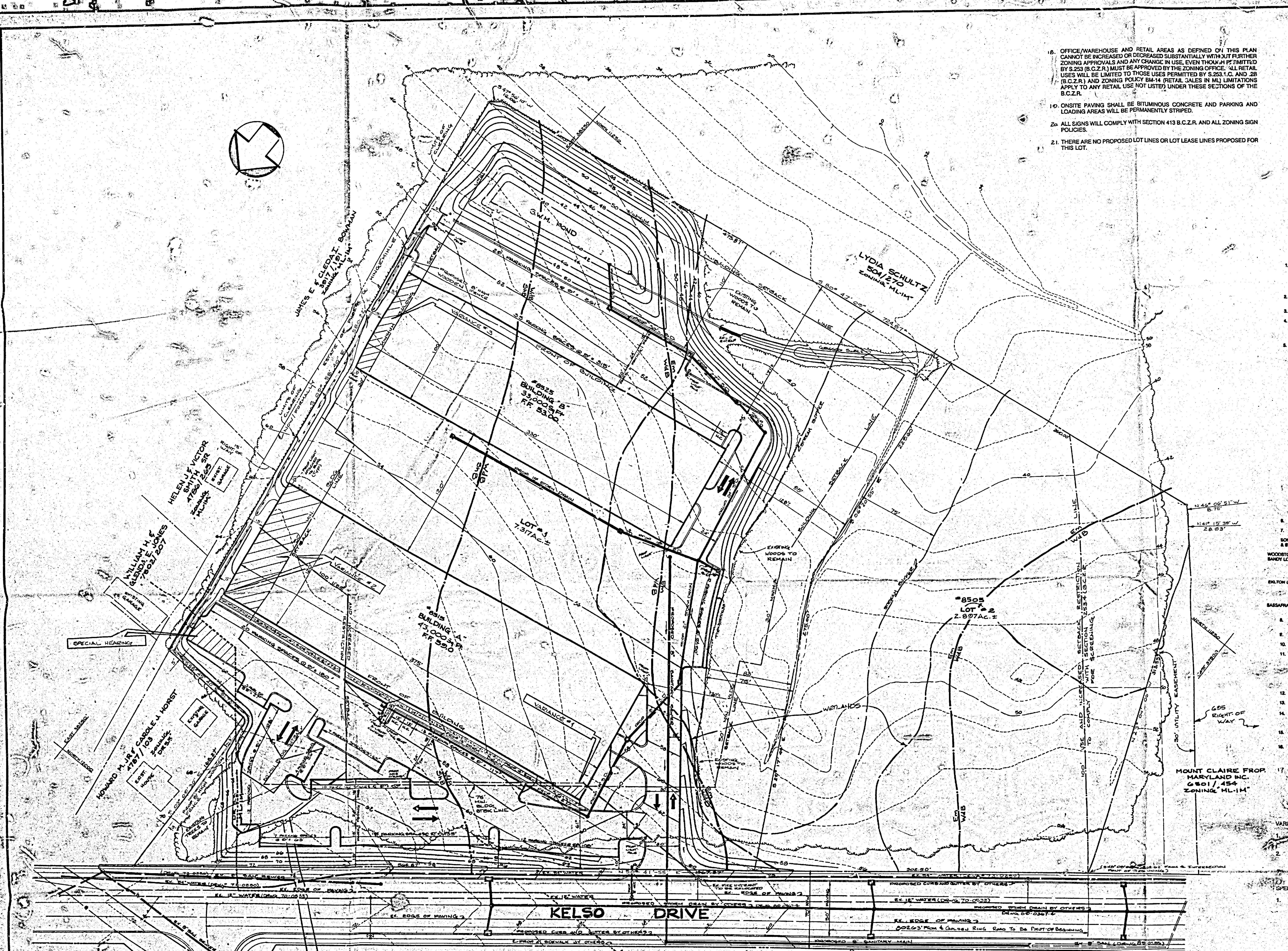
FRANK J. BUTTON
7307/524
ZONING: ML-1M

ZION EVANGELICAL LUTHERAN CHURCH OF STEPHENERS RUN
2628/0277
ZONING: ML-1M

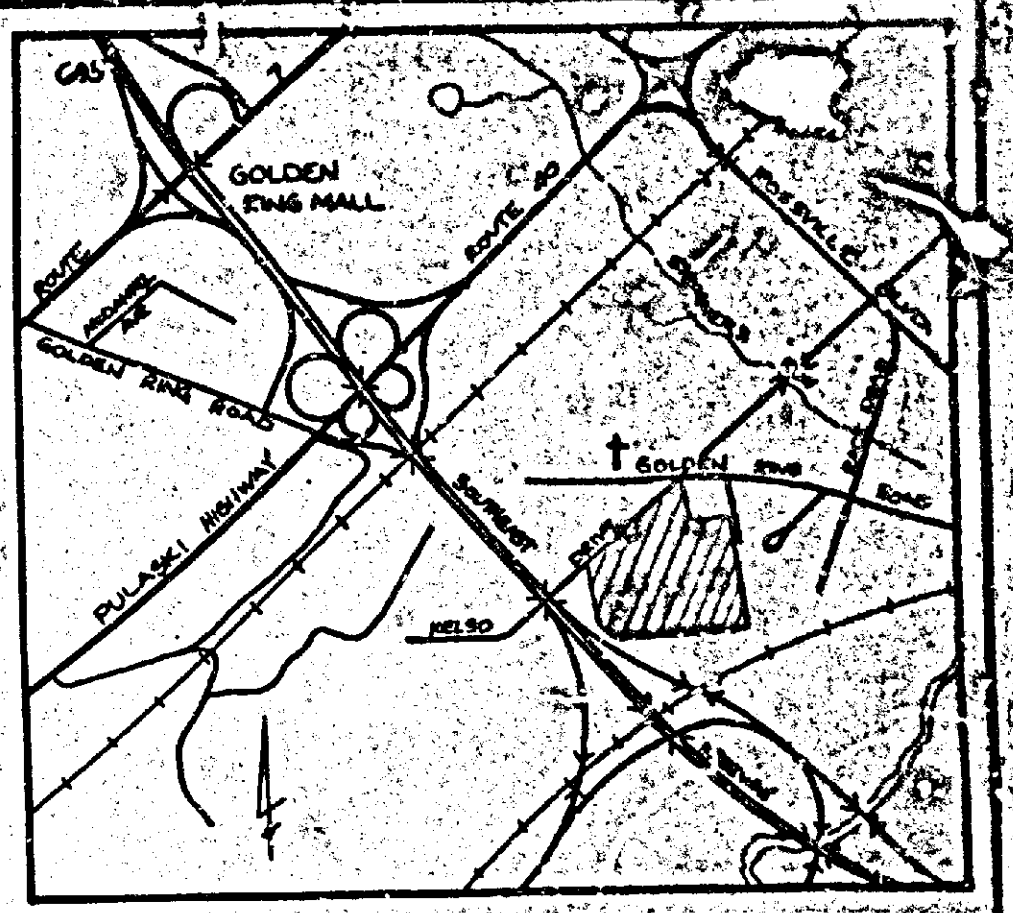
MOUNT CLAIRE PROP. MARYLAND INC.
6501/434
ZONING: ML-1M

ZION EVANGELICAL LUTHERAN CHURCH OF STEPHENERS RUN
2628/0277





16. OFFICE/WAREHOUSE AND RETAIL AREAS AS DEFINED ON THIS PLAN CANNOT BE INCREASED OR DECREASED SUBSTANTIALLY WITHOUT FURTHER ZONING APPROVALS AND ANY CHANGE IN USE, EVEN THOUGH PERMITTED BY § 255 (B.C.Z.R.) MUST BE APPROVED BY THE ZONING OFFICE. ALL RETAIL USES WILL BE LIMITED TO THOSE USES PERMITTED BY § 253.1.C. AND 28 (B.C.Z.R.) AND ZONING POLICY BM-14 (RETAIL SALES IN MLI) LIMITATIONS APPLY TO ANY RETAIL USE NOT LISTED UNDER THESE SECTIONS OF THE B.C.Z.R.
17. ON-SITE PAVING SHALL BE BITUMINOUS CONCRETE AND PARKING AND LOADING AREAS WILL BE PERMANENTLY STRIPED.
18. ALL SIGNS WILL COMPLY WITH SECTION 413 B.C.Z.R. AND ALL ZONING SIGN POLICIES.
19. THERE ARE NO PROPOSED LOT LINES OR LOT LEASE LINES PROPOSED FOR THIS LOT.



VICINITY MAP
SCALE 1"=1000'
A.D.C. 37-86

GENERAL NOTES

1. CONTRACT PURCHASER/APPLICANT: MLI MANAGEMENT SERVICES, INC. 8640 GREENWOOD ROAD THURSDAY, MARYLAND 21086 (301) 986-1000
2. ELECTION DISTRICT #18, COLUMBIAN DISTRICT #8 CENSUS TRACT #11
3. WATERSHED: 22 SUBWATERSHED: 4
4. SITE DATA
 - A. CROSS ACRESAGE = 10.2 AC. (ENTIRE SITE) NET ACRESAGE = 10.21 AC. ± (ENTIRE SITE)
 - B. LOT #1
 - A. ACRESAGE = 7.37 AC. ±
 - B. ZONING: ML-1M & DR-1B
 - ML-1M: 7.12 AC. ±
 - DR-1B: 0.167 AC. ±
 - BUILDINGS WILL BE FOR RENT
 - C. OPEN SPACE
 - REQUIRED = 0.0 AC.
 - PROPOSED = 0.0 AC.
 - D. PROPOSED USE
 - RETAIL: 11,700 SQ. FT.
 - OFFICE: 35,000 SQ. FT.
 - WAREHOUSE: 41,300 SQ. FT.
 - E. PARKING
 - REQUIRED: RETAIL 1700 SQ. FT. = 24 (11.75) SPACES; OFFICE 87100 SQ. FT. = 83.2 (2.8) SPACES; WAREHOUSE 1/1 EMPLOYEES = 34 EMPLOYEES = 34 PARKING SPACES
 - TOTAL REQUIRED = 176 PARKING SPACES
 - PROPOSED: 177 PARKING SPACES & 3 HANDICAPPED = 180 PARKING SPACES
 - F. FLOOR AREA RATIO
 - MAXIMUM: 1.2 (2.888) (ONE STORY BUILDINGS)
 - 3000 SQ. FT. MAX. (177 SQ. FT. ±)
5. THERE ARE NO EXISTING WELLS OR SEPTIC AREAS ON THIS SITE.
7. SOILS:

WOODSTOWN SANDY LOAM (WB)	HYDRO-C	MODERATELY HIGH WATER TABLE	WITH SLOTTED PERMEABLE	WITHOUT SLOTTED PERMEABLE	STREETS & PARKING
	C	MODERATE	SLIGHT	MODERATE	MODERATE
		MODERATE	SLIGHT	MODERATE	MODERATE
		MODERATE	SLIGHT	MODERATE	MODERATE
		MODERATE	SLIGHT	MODERATE	MODERATE
8. THE SITE IS APPROXIMATELY 50% WOODS WITH EXISTING TREES AND WILL BE RETAINED WHERE POSSIBLE.
9. EXISTING STREAMS ARE SHOWN.
10. THERE ARE NO EXISTING BUILDINGS ON THIS SITE.
11. CURRENT OWNERSHIP: KELSO RESEARCH PARK (L.P.O. GENERAL PARTNERSHIP) 620 THEODORE AVENUE COCKEYSVILLE, MARYLAND 21030 DEED REF. LIBER 7749, FOLIO 803 TAX ACCOUNT NO. 100000000
12. ESTIMATED AVERAGE DAILY TRIP: 128
13. STORMWATER WILL BE MANAGED BY ONE POND AS SHOWN ON THE PLAN. THIS WORK WILL REQUIRE PERMITS FROM THE ARMY CORP OF ENGINEERS.
14. NO SIGNIFICANT CHANGES OR DISTURBANCE OF WETLANDS WILL OCCUR EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY WATER QUALITY POLICY.
15. THERE ARE NO KNOWN CRITICAL AREAS, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THE SITE.
16. SLOPE ANALYSIS HAS BEEN PERFORMED AND ALL AREAS HAVE BEEN CONCLUDED TO MEET THE REQUIREMENTS OF SECTION 25-6 OF THE DEVELOPMENT REGULATIONS.
17. PRIOR TO CONSTRUCTION AFTER STAKE OUT, OWNER WILL MEET WITH ADJOINING PROPERTY OWNERS TO STAKE OUT AND PLANT TREES ALONG PROPERTY LINE IN AN EFFORT TO SAVE NATURAL TREES WHEREVER POSSIBLE.

SUMMARY OF ZONING REQUEST

- VARIANCES
1. TO PERMIT SETBACKS OF 71 FEET AND 61 FEET IN LIEU OF THE MINIMUM REQUIRED 75 FEET (243.1)
 2. TO PERMIT A SIDE YARD SETBACK OF 15 FEET IN LIEU OF THE MINIMUM REQUIRED 50 FEET (243.3)
 3. TO PERMIT A SIDE YARD SETBACK OF 15 FEET IN LIEU OF THE MINIMUM REQUIRED 30 FEET (226.3)
- SPECIAL HEARING
1. TO PERMIT INTERNAL CIRCULATION IN A "DR" ZONE

PETITIONER'S EXHIBIT 2

PLAT TO ACCOMPANY ZONING VARIANCE AND PLAT TO ACCOMPANY SPECIAL HEARING

KELSO RESEARCH PARK LOT #1

ONLY PASSENGER-AUTOMOBILE ACCESSORY PARKING AND THOSE USES PERMITTED IN THE MLI ZONE ARE PERMITTED IN THIS AREA. M.P. SETBACKS APPLY AND HEIGHT LIMITED TO 40' OR 3 STORIES. SEE SECTION 253.4 254 AND 255.2 (B.C.Z.R.)

ZION EVANGELICAL LUTHERAN CHURCH OF STEMMERS RUN 2628/0277

FRANK J. SUTTON 7307/524 ZONING: ML-1M

ZION EVANGELICAL LUTHERAN CHURCH OF STEMMERS RUN 2628/0277 ZONING: ML-1M

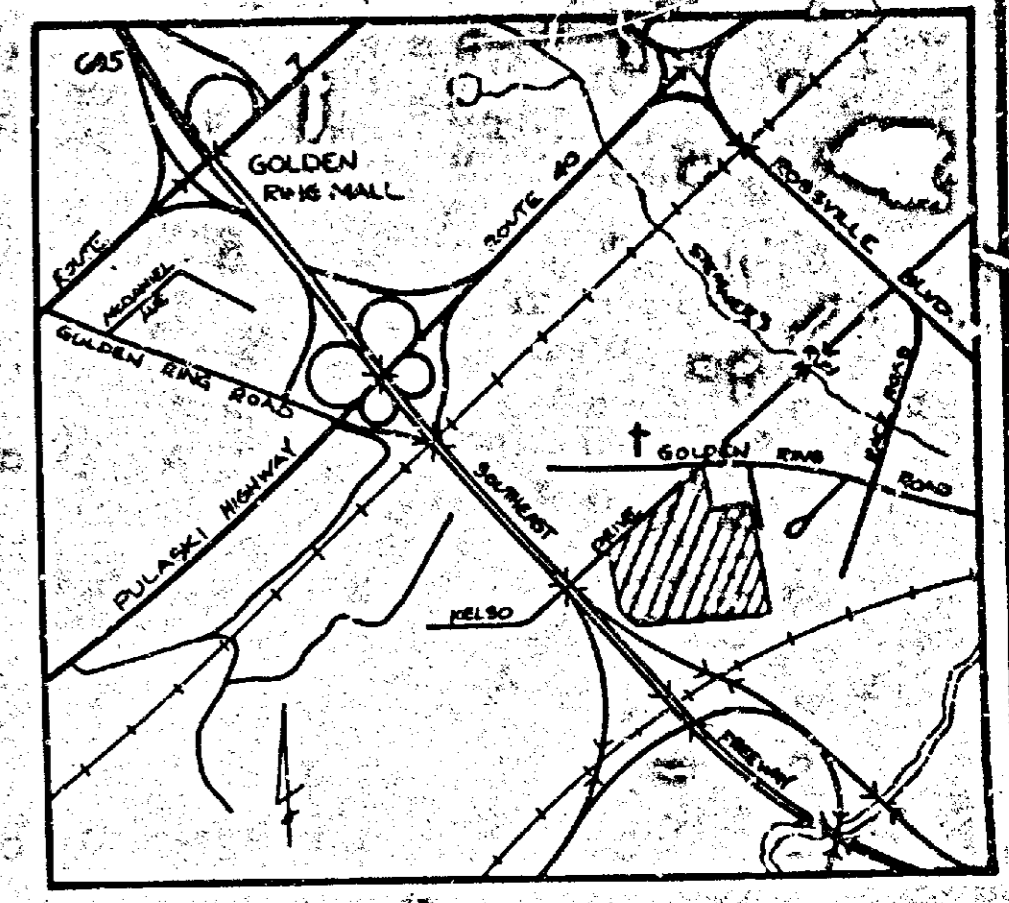
MOUNT CLAIRE PROP. (MARYLAND INC) 6501/454 ZONING: ML-1M

OWNER: KELSO RESEARCH PARK (M.P. GENERAL PARTNERSHIP) 50 THEODORE JULIO (MANAGING PARTNER) 10 FRANKS AVENUE COCKEYSVILLE, MARYLAND 21030 PHONE: (301) 666-1000

DATE	REVISIONS
11-19-00	MOVED BUILDING 3 PARKING SPACES BETWEEN BUILDINGS A AND B. ADDED 10 HIGH CURB CUTS TO EAST SIDE OF PARKING LOT. ADDED 2 HIGH CURB CUTS TO EAST SIDE OF PARKING LOT. ADDED 2 HIGH CURB CUTS TO EAST SIDE OF PARKING LOT.

MORRIS & RITCHIE ASSOCIATES, INC. ENGINEERS - PLANNERS - SURVEYORS - LANDSCAPE ARCHITECTS (301) 838-7830 139 N. 37TH MOUNTAIN AVENUE, SUITE 201 (301) 378-1880 62118 MARYLAND

- 16 OFFICE/WAREHOUSE AND RETAIL AREAS AS DEFINED ON THIS PLAN CANNOT BE INCREASED OR DECREASED SUBSTANTIALLY WITHOUT FURTHER ZONING APPROVALS AND ANY CHANGE IN USE, EVEN THOUGH PERMITTED BY S.253 (B.C.Z.R.) MUST BE APPROVED BY THE ZONING OFFICE. ALL RETAIL USES WILL BE LIMITED TO THOSE USES PERMITTED BY S.253 1.C. AND 22 (B.C.Z.R.) AND ZONING POLICY BM-14 (RETAIL SALES IN ML LIMITATIONS APPLY TO ANY RETAIL USE NOT LISTED UNDER THESE SECTIONS OF THE B.C.Z.R.)
- 17 ON-SITE PAVING SHALL BE BITUMINOUS CONCRETE AND PARKING AND LOADING AREAS WILL BE PERMANENTLY STRIPPED.
- 18 ALL SIGNS WILL COMPLY WITH SECTION 413 B.C.Z.R. AND ALL ZONING SIGN POLICIES.
- 19 THERE ARE NO PROPOSED LOT LINES OR LOT LEASE LINES PROPOSED FOR THIS LOT.



VICINITY MAP
SCALE 1"=1000'
A.D.C. 37-B-6

GENERAL NOTES

1. CONTRACT PURCHASER/APPLICANT: HILL MANAGEMENT SERVICES, INC. 8401 ROCKCROFT ROAD THIRUMAR, MARYLAND 21083 (301) 879-1800
2. ELECTION DISTRICT #15 - COLUMBIAN DISTRICT #4 CENSUS TRACT #4812
3. WATERSHED: 22 SUBWATERSHED: 4
4. SITE DATA
 - A. GROSS ACREAGE = 10.82 AC (ENTIRE SITE)
 - NET ACREAGE = 10.21 AC (ENTIRE SITE)
5. LOT #1
 - A. ACREAGE = 7.37 AC ±
 - B. ZONING: ML-1M OR DR-5.5
ML-1M: 7.12 AC ±
DR-5.5: 0.25 AC ±
BUILDINGS WILL BE FOR RENT
 - C. OPEN SPACE
REQUIRED = 0.0 AC
PROPOSED = 0.0 AC
 - D. PROPOSED USE
RETAIL: 11,700 SQ. FT.
OFFICE: 25,200 SQ. FT.
WAREHOUSE: 4,500 SQ. FT.
 - E. PARKING
REQUIRED:
RETAIL: 5/1000 SQ. FT. = 5 x 11,700 = 58 PARKING SPACES
OFFICE: 3/1000 SQ. FT. = 3 x 25,200 = 75.6 PARKING SPACES
WAREHOUSE: 1/1 EMPLOYEES = 24 EMPLOYEES = 24 PARKING SPACES
TOTAL REQUIRED = 177.6 PARKING SPACES
PROPOSED: 177 PARKING SPACES + 2 HANDICAPPED + 180 PARKING SPACES
 - F. FLOOR AREA RATIO
MAX. F.A.R. = 2.0 (ONE STORY BUILDINGS)
7000 SQ. FT. = 17' x 20' FT. = 0.25

SOIL SERIES	HYDRO. CLASS.	WITH BASEMENTS	WITHOUT BASEMENTS	STREETS & PARKING
WOODSTOWN SANDY LOAM (W8)	C	MODERATE; MODERATELY HIGH WATER TABLE	SLIGHT	MODERATE; MODERATELY HIGH WATER TABLE; SLOPE
EXLTON LOAM (E8)	D	SEVERE HIGH WATER TABLE; POOR NATURAL DRAINAGE	SEVERE HIGH WATER TABLE; POOR NATURAL DRAINAGE	SEVERE HIGH WATER TABLE; POOR NATURAL DRAINAGE
SASSAFRAS (S8)	E	SLIGHT	SLIGHT	MODERATE; SLOPE

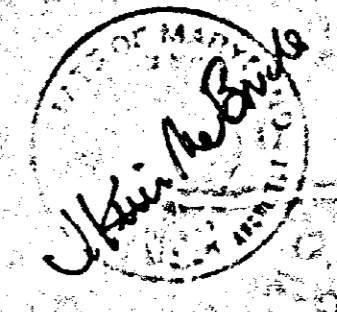
6. THERE ARE NO EXISTING WELLS OR SEPTIC AREAS ON THIS SITE.
7. TOLERANCES:
 - 1" = 100'
 - 1/8" = 10'
 - 1/16" = 5'
8. THE SITE IS APPROXIMATELY 50% WOODED WITH EXISTING TREES AND WILL BE RETAINED WHERE POSSIBLE.
9. EXISTING STREAMS ARE SHOWN.
10. THERE ARE NO EXISTING BUILDINGS ON THE SITE.
11. CURRENT OWNERSHIP: KELSO RESEARCH PARK (LHO GENERAL PARTNERSHIP) 10 PARKS AVENUE COCKEYVILLE, MARYLAND 21030
DEED REF. 1 PREP 7748 - FOLIO 303 TAX ACCOUNT NO. 15 JCC02200
ESTIMATED AVERAGE DAILY TRIP: 1288
12. STORMWATER WILL BE MANAGED BY ONE POND AS SHOWN ON THE PLAN. THIS WORK WILL REQUIRE PERMITS FROM THE ARMY CORP OF ENGINEERS. NO CHANNEL CLEANING OR DISTURBANCE OF WETLANDS SHALL OCCUR EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY WATER QUALITY POLICY.
13. THERE ARE NO KNOWN CRITICAL AREAS, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS ON THE SITE.
14. SLOPE ANALYSIS HAS BEEN PERFORMED AND D.E.P.A.M. HAS CONCLUDED THAT THIS PLAN MEETS THE REQUIREMENTS OF SECTION 28-08 OF THE DEVELOPMENT REGULATIONS.
15. PRIOR TO CONSTRUCTION AFTER STAKE-OUT, OWNER WILL MEET WITH ADJOINING PROPERTY OWNERS TO FLAG MATURE TREES AND PROPERTY LINE IN AN EFFORT TO SAVE MATURE TREES WHEREVER POSSIBLE.

- SUMMARY OF ZONING REQUEST
- VARIANCE:
1. TO PERMIT A FRONT YARD SETBACK OF 71 FEET AND 61 FEET IN LIEU OF THE MINIMUM REQUIRED 75 FEET 2(43.1)
 2. TO PERMIT A SIDE YARD SETBACK OF 15 FEET IN LIEU OF THE MINIMUM REQUIRED 50 FEET 2(24.2)
 3. TO PERMIT A SIDE YARD SETBACK OF 15 FEET IN LIEU OF THE MINIMUM REQUIRED 30 FEET 2(12.2)
- SPECIAL HEARING
1. PERMIT INTERNAL CIRCULATION IN A DR ZONE.

PETITIONER'S EXHIBIT 5

PLAN TO ACCOMPANY ZONING VARIANCE AND PLAN TO ACCOMPANY SPECIAL HEARING

KELSO RESEARCH PARK LOT #1



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS - PLANNERS - SURVEYORS - LANDSCAPE ARCHITECTS

(301) 879-7800 (301) 879-1800
239 NORTH MAIN STREET - SUITE 500 BEL AIR, MARYLAND 21033

DATE	REVISIONS
1-10-20	REVISED BUILDINGS & PARKING SPACES TO REFLECT PERMITS AND TO SHOW A HIGH CLEARANCE DOCK & FROM PROPERTY LINE TO EACH SIDE OF PARKING SPACES TO BE SHOWN TO BE SUBJECT TO EARLY PROPERTY ACQUISITION TO EARLY PROPERTY ACQUISITION

ZION EVANGELICAL LUTHERAN CHURCH OF STEMMERS RUN 2628/0277 ZONING "ML-1M"

FRANK J. BUTTION 7397/524 ZONING "ML-1M"

MOUNT CLAIRE PROP. (MARYLAND INC) 6501/454 ZONING "ML-1M"

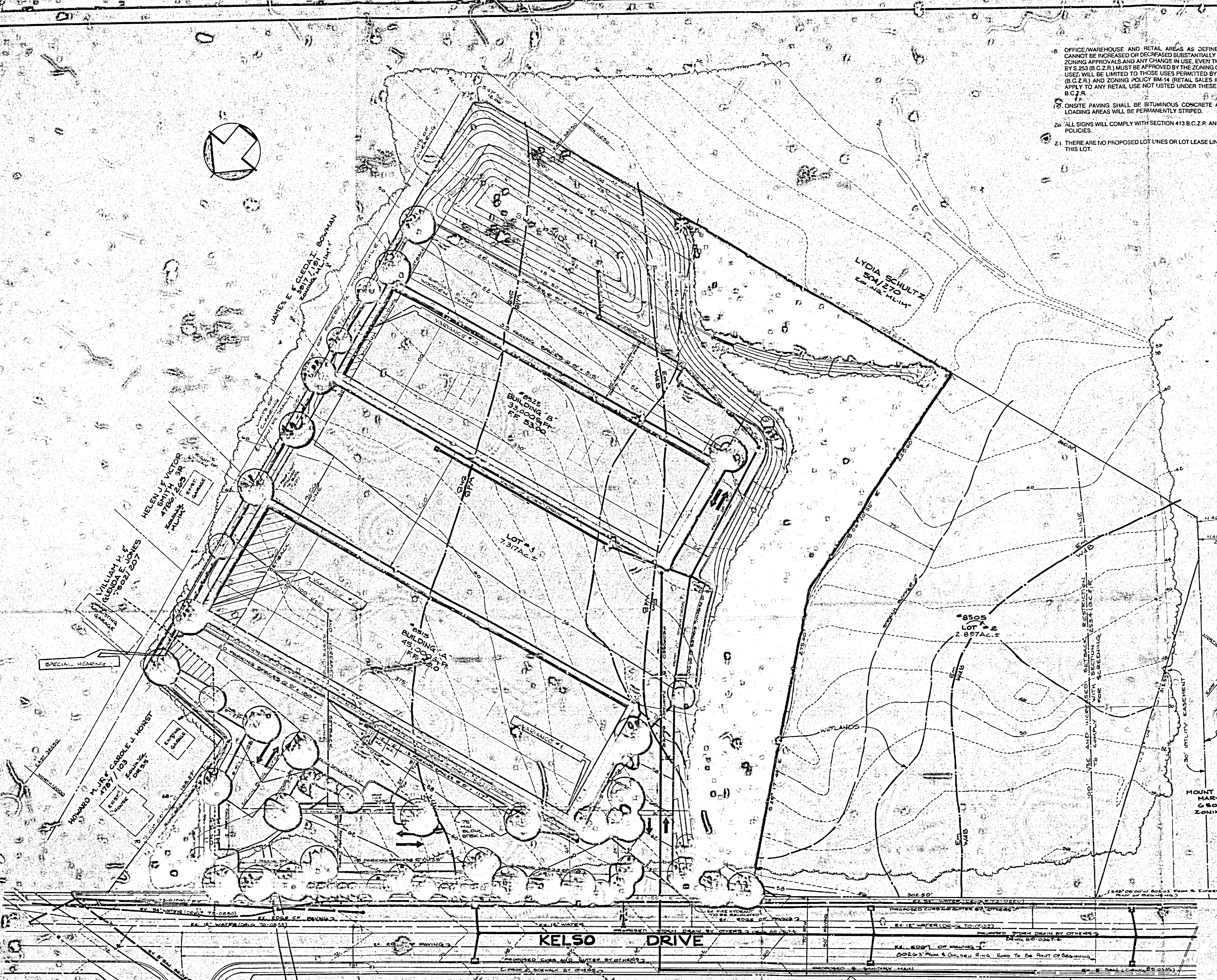
ONLY PASSENGER AUTOMOBILE, ACCESSORY PARKING AND THOSE USES PERMITTED IN THE M.R. ZONE ARE PERMITTED IN THIS AREA. HEIGHTS, SETBACKS APPLY AND HEIGHT LIMITED TO 40' OR 3 STORIES. SEE SECTION 253.4 254 AND 255.2 (B.C.Z.R.)

ZION EVANGELICAL LUTHERAN CHURCH OF STEMMERS RUN 2628/0277

FRANK J. BUTTION 7397/524 ZONING "ML-1M"

MOUNT CLAIRE PROP. (MARYLAND INC) 6501/454 ZONING "ML-1M"

OWNER: KELSO RESEARCH PARK (LHO GENERAL PARTNERSHIP) 50 THEODORE JULIO (MANAGING PARTNER) 10 PARKS AVENUE COCKEYVILLE, MARYLAND 21030 PHONE: (301) 666-1000

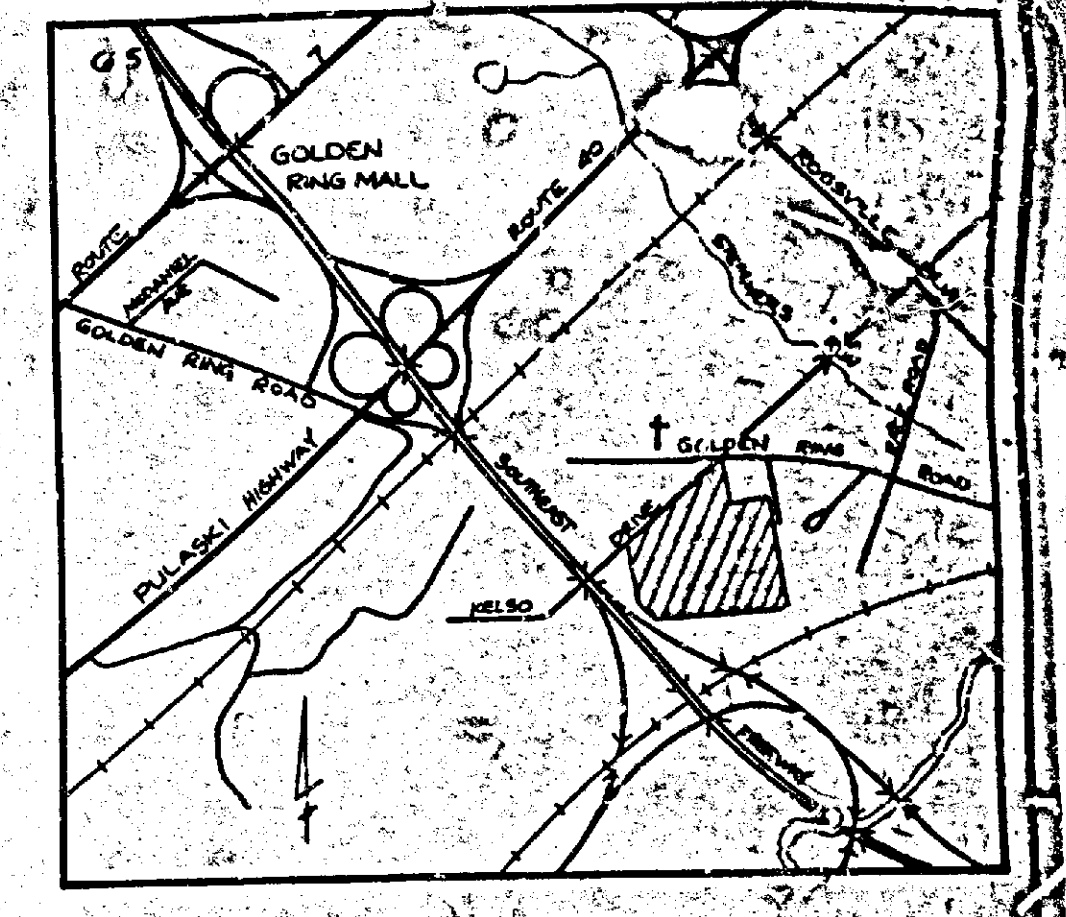


LANDSCAPE REQUIREMENTS

NO.	DESCRIPTION	QUANTITY	REMARKS
A.	ADJACENT ROAD (CURED BITUM)	545 LF @ 20' = 28 2.5 MAJOR DECIDUOUS TREES =	14
B.	INTERIOR ROAD	200 LF @ 20' = 10 2.5 MAJOR DECIDUOUS TREES =	8
C.	PARKING SPACES	160 SPACES @ 12' = 19 2 MAJOR DECIDUOUS TREES =	15
D.	REMAINING OF PAVED	TOTAL 830 LF = (A) 200 LF + (B) 150 LF + (C) 17 EVERGREEN TREES =	17
E.	SOME SERVICE & BARRIER	(C) 300 LF @ 3' = 100 EVERGREEN TREES =	100
		(C) 450 LF @ 1' MAJOR PRUNE BRUSHES =	450
		TOTAL PLANTING REQUIRED (SEE NOTE #1)	31
		TOTAL PLANTING PROPOSED	31

NOTES

- Existing trees to remain along the linear service road will be protected (minimum of 16 trees).
- Owner will substitute an 8' wood fence for screening in place of plant material, in agreement with the local community group.
- THE FOLLOWING RESTRICTIONS ARE CONDITIONS TO RELIEF BEING GRANTED PER THE ZONING COMMISSIONER'S ORDER FOR CASE NO. 90-308.
 - THERE IS A 30-DAY APPELLATE PROCESS FROM THE ORDER IN WHICH THE PETITIONER PROCEEDS AT HIS OWN RISK.
 - A LANDSCAPE PLAN SHALL BE SUBMITTED TO THE OFFICE OF CURRENT PLANNING FOR APPROVAL BY THE BALTIMORE COUNTY LANDSCAPE PLANNER. A COPY OF THE APPROVED PLAN SHALL THEN BE SUBMITTED TO THE ZONING COMMISSIONER FOR FINAL APPROVAL AND INCLUSION IN THE CASE FILE.
 - AN 8-FOOT FENCE SHALL BE ERRECTED ALONG THE EASTERLY BOUNDARY OF THE PROPERTY AND SHALL BE OF A MATERIAL SATISFACTORY TO THE BALTIMORE COUNTY LANDSCAPE PLANNER.



VICINITY MAP
SCALE 1:1000
AOC 37-8-6

GENERAL NOTES

- CONTRACT PURCHASER/APPLICANT: HILL MANAGEMENT SERVICES, INC. 3801 GREENBERRY ROAD, BALTIMORE, MARYLAND 21208 (301) 988-1000
- ELECTION DISTRICT #15 - COUNCILMANIC DISTRICT #6 CENSUS TRACT #4512
- WATERSHED: 22 SUBWATERSHED: 4
- SITE DATA
 - GROSS ACREAGE = 10.82 AC. (ENTIRE SITE)
 - NET ACREAGE = 10.21 AC. (ENTIRE SITE)
- LOT #1
 - ACREAGE = 7.317 AC. ±
 - ZONING: ML-1M & DR. S.S.
 - HEIGHT: 7 FT. ±, AC. 2 OR 1.5 OR 1.8 FT. ± BLDG. HEIGHTS WILL BE FOR RENT
- OPEN SPACE
 - REQUIRED = 0.0 AC
 - PROPOSED = 0.0 AC
- PROPOSED USE
 - RETAIL: 11,700 SQ. FT.
 - OFFICE: 20,000 SQ. FT.
 - WAREHOUSE: 41,000 SQ. FT.
- PARKING
 - REQUIRED: RETAIL 8,100 SQ. FT. = 51 1/2 SPACES; OFFICE 21,000 SQ. FT. = 132 1/2 SPACES; WAREHOUSE 41,000 SQ. FT. = 34 SPACES. TOTAL REQUIRED = 114 PARKING SPACES.
 - PROPOSED: 47 PARKING SPACES & 3 HANDICAPPED = 183 PARKING SPACES.
- FLOOR AREA RATIO
 - MAX. FAR: 0.0
 - ALLOWED FAR: 0.25
- THERE ARE NO EXISTING WELLS OR SEPTIC AREAS ON THIS SITE.
- SOILS:

SOIL SERIES & SYMBOL	HYDRO. CLASS	WITH BASEMENTS	WITHOUT BASEMENTS	STREETS & PARKING
WOODSTOWN SANDY LOAM (mS)	C	MODERATE TO HIGH WATER TABLE	SLIGHT	MODERATE TO HIGH WATER TABLE SLOPE
EXLTON LOAM (m)	D	SEVERE HIGH WATER TABLE	SEVERE HIGH WATER TABLE	SEVERE HIGH WATER TABLE POOR NATURAL DRAINAGE
BALDWIN (mS)	D	SLIGHT	SLIGHT	MODERATE SLOPE
- THE SITE IS APPROXIMATELY 1/4 WOODED WITH EXISTING TREES AND WILL BE RETAINED WHERE POSSIBLE.
- EXISTING STREAMS ARE SHOWN.
- THERE ARE NO EXISTING BUILDINGS ON THIS SITE.
- OWNER OWNERSHIP: KESLO RESEARCH PARK (LHO GENERAL PRACTICE) 17 PARKS AVENUE COCKEYSVILLE, MARYLAND 21033
- DEED NO. LIBER THIS HOLDING TAX ACCOUNT NO. 18-00000000
- AVERAGE DAILY TRIP CALCULATIONS: RETAIL - 54 TRIP PER HOUR; OFFICE - 40 TRIP PER HOUR; WAREHOUSE - 40 TRIP PER HOUR. TOTAL TRIP PER HOUR = 134 TRIP PER HOUR.
- STORMWATER WILL BE MANAGED BY ONE (1) POND SHOWN ON THE PLAN. THIS WORK WILL REQUIRE PERMITS FROM THE BALTIMORE COUNTY ENGINEERING DEPARTMENT. NO GRADING, CLEARING OR DISTURBANCE OF WETLANDS WILL OCCUR EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY WATER QUALITY POLICY.
- THERE ARE NO KNOWN CRITICAL AREAS, ARCHAEOLOGICAL SITES, OR HISTORIC STRUCTURES OR MATERIALS ON THIS SITE.
- SLOPE ANALYSIS HAS BEEN PERFORMED AND A PLAN HAS BEEN CONCLUDED THAT THIS PLAN MEETS THE REQUIREMENTS OF SECTION 22-10 OF THE DEVELOPMENT REGULATIONS.

PLANT LIST

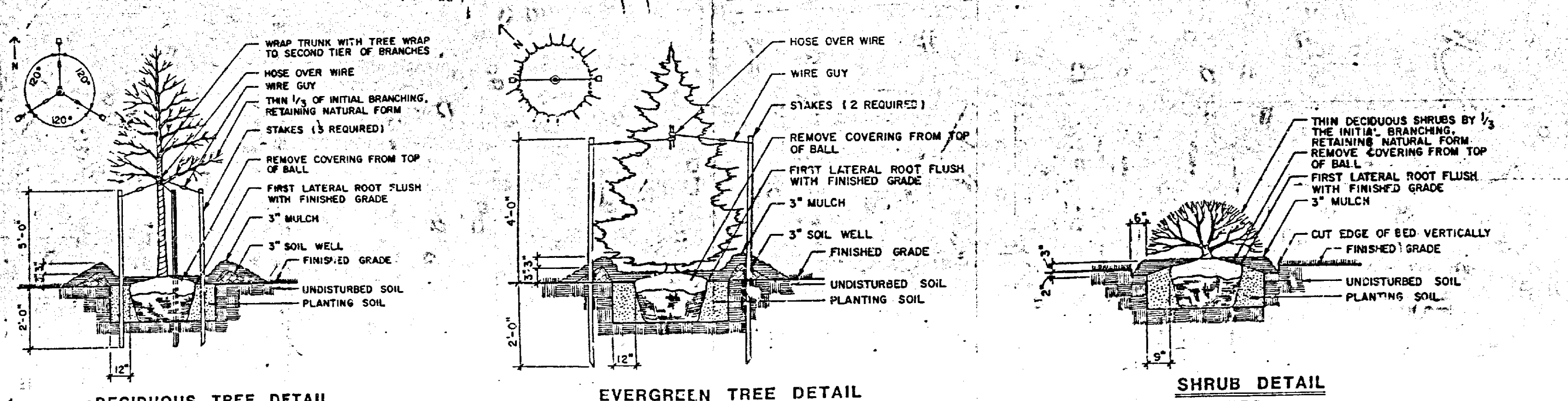
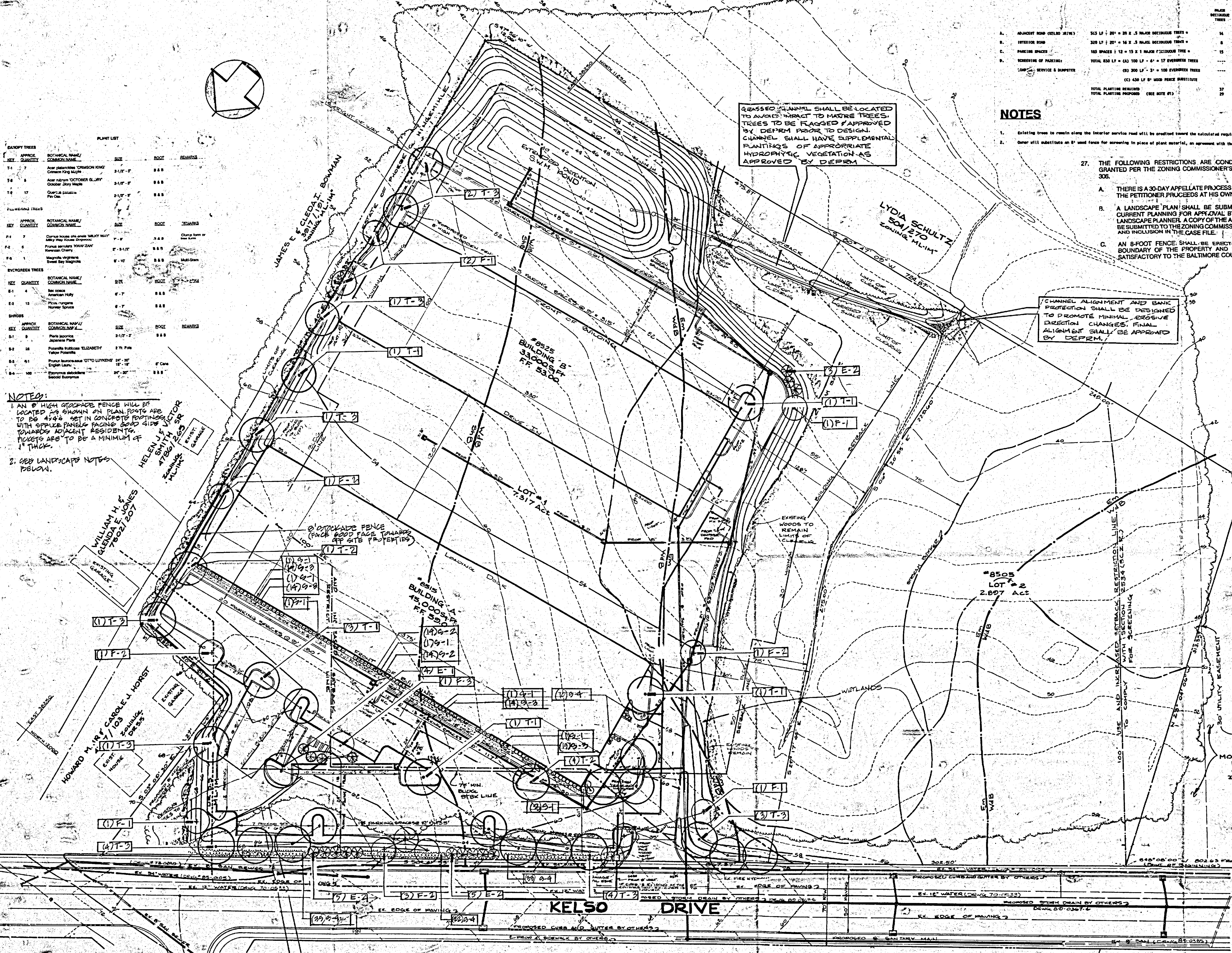
NO.	QUANTITY	BOTANICAL NAME / COMMON NAME	SIZE	ROOT	REMARKS
T1	2	Aster sp. (COMMON NAME)	3 1/2" - 4"	0.8.0	
T2	8	Aster sp. (COMMON NAME)	3 1/2" - 4"	0.8.0	
T3	17	Quercus sp. (COMMON NAME)	3 1/2" - 4"	0.8.0	
EVERGREEN TREES					
E1	7	Thuja sp. (COMMON NAME)	7' - 8"	0.8.0	Clump form or Star Line
E2	8	Thuja sp. (COMMON NAME)	7' - 8"	0.8.0	
E3	1	Thuja sp. (COMMON NAME)	7' - 8"	0.8.0	Multi Stem
SHRUBS					
S1	8	Persea sp. (COMMON NAME)	3 1/2" - 4"	0.8.0	
S2	2	Persea sp. (COMMON NAME)	3 1/2" - 4"	0.8.0	
S3	51	Persea sp. (COMMON NAME)	3 1/2" - 4"	0.8.0	
S4	100	Persea sp. (COMMON NAME)	3 1/2" - 4"	0.8.0	

NOTES:

- ALL 8' HIGH GEORGE FENCE WILL BE LOCATED AS SHOWN ON PLAN. POSTS ARE TO BE 4" DIA. SET IN CONCRETE FOOTINGS WITH OPPOSITE SIDES RACING. BOARD GIVE 3" TO ADJACENT RESIDENTS. POSTS ARE TO BE A MINIMUM OF 1" THICK.
- SEE LANDSCAPE NOTES BELOW.

GRASSED CHANNEL SHALL BE LOCATED TO ADJACENT TO MAJOR TREES. TREES TO BE FLAGGED / APPROVED BY DEPDM PRIOR TO DESIGN. PLANTINGS OF APPROPRIATE HYDROPHYIC VEGETATION AS APPROVED BY DEPDM.

CHANNEL ALIGNMENT AND BANK PROTECTION SHALL BE DESIGNED TO PROMOTE MINIMAL EROSION. DIRECTION CHANGES, FINAL ALIGNMENT SHALL BE APPROVED BY DEPDM.



- NOTES:**
- QUANTITIES OF TREES, EVERGREENS, AND SHRUBS WHEN NOTED ON THE PLANT LIST ARE APPROXIMATE. THE CONTRACTOR SHALL MAKE HIS OWN ESTIMATION OF REQUIRED QUANTITIES BASED UPON THE GRAPHIC SYMBOL SHOWN ON THE DRAWINGS. GROUND COVER QUANTITIES SHALL BE AS NOTED IN THE PLANT LIST.
 - PLANT LOCATIONS, AS SHOWN ON THE DRAWINGS, TO DIMENSIONS IF SHOWN, TO SCALE. NOT DIMENSIONS. LOCATIONS SUBJECT TO REVIEW BY THE LANDSCAPE ARCHITECT BEFORE STARTING EXCAVATION.
 - NO PLANT MATERIAL SHALL BE INSTALLED UNTIL THE LANDSCAPE ARCHITECT HAS APPROVED THE FINISH GRADE OF THE PLANTED AREAS.
 - THE EDGE OF ALL PLANTING BEDS SHALL BE CUT VERTICALLY AND THE SOIL SET WITHIN ONE FOOT OF THE BED EDGE SO THAT THE MULCH IS FLUSH WITH ADJACENT GRADE.
 - PLANTS AND BEDS WITHOUT GROUND COVER SHALL RECEIVE A THREE INCH COVER OF MULCH. BEDS WITH GROUND COVER SHALL RECEIVE 1/2 INCH COVER OF MULCH.

ZION EVANGELICAL LUTHERAN CHURCH OF STEPHENS RUN
2628/0277
ZONING ML-1M

MOUNT CLAIRE PROP. (MARYLAND INC.)
6501/454
ZONING ML-1M

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
LANDSCAPE PLAN APPROVED

DATE: 5-17-90

PLANTING PLAN
KESLO RESEARCH PARK
LOT #1

APPROVAL DATE: 4-22-90
PLANNING CRG: XV-519
PUBLIC SERVICES, CHA 692-28

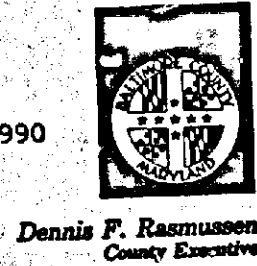
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS - PLANNERS - SURVEYORS - LANDSCAPE ARCHITECTS

(301) 836-7660
139 NORTH MAIN STREET - SUITE 200
GUEL AIR, MARYLAND 21014

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21284
(301) 887-3333

J. Robert Heines
Zoning Commissioner

February 15, 1990



Dennis P. Rasmussen
County Executive

Benjamin Bronstein, Esquire
Evans, George and Bronstein
Susquehanna Bldg., Suite 205
29 W. Susquehanna Avenue
Townson, Maryland 21204

RE: Petitions for Special Hearing & Zoning Variance
Kelso Research Park
Case No. 90-306-SPHA

Dear Mr. Bronstein:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Heines
Zoning Commissioner

JRH:mm

cc: Peoples Counsel

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-306-SPHA

The undersigned, legal owner(s) 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 (see schedule A)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. Configuration of Property
2. Such reasons as may be demonstrated at time of hearing

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 are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do 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 Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
Evans, George & Bronstein
(Type or Print Name)
Address _____
City and State _____
Legal Owner(s): Kelso Research Park
A Maryland General Partnership
(Type or Print Name)
Signature _____
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Morris & Ritchie Association, Inc.
139 N. Main Street
Bel Air, Maryland 21014 879-1690
Attorney's Telephone No.: 295-0200

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1989, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Townson, Baltimore County, on the _____ day of _____, 1989, at _____ o'clock _____ P.M.

OFFICE RECEIVED FOR FILING

Filed 11/9/89 Ego/ML
1 w. Hearing Time
By Tom G. Day
Subject Property is now critical area
Petition advised to check with DEPRM

J. Robert Heines
Zoning Commissioner of Baltimore County.

Schedule A Variance Request Kelso Research Park

1. Section 255.2 (243.1) to permit a front yard setbacks of 61 ft. in lieu of the required minimum 75 ft.
2. Sections 255.2 (243.2) to permit a side yard setbacks of 10 ft. in lieu of the required minimum 50 ft.
3. Sections 255.1 (238.2) to permit a side yard setbacks of 10 ft. in lieu of the required minimum 30 ft.

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-306-SPHA

The undersigned, legal owner(s) 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 Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve _____
Special hearing to permit internal circulation in a DR zone

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do 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 Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Legal Owner(s): Kelso Research Park
A Maryland General Partnership
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
Evans, George & Bronstein
(Type or Print Name)
Address _____
City and State _____
by _____
29 W. Susquehanna Avenue
Townson, Maryland 21204
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Morris & Ritchie Association, Inc.
139 N. Main Street
Bel Air, Maryland 21014 879-1690
Attorney's Telephone No.: 295-0200

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1989, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Townson, Baltimore County, on the _____ day of _____, 1989, at _____ o'clock _____ P.M.

OFFICE RECEIVED FOR FILING

Filed 11/9/89 Ego/ML
1 w. Hearing Time
By Tom G. Day
Subject property is now critical area
Petition advised to check with DEPRM

J. Robert Heines
Zoning Commissioner of Baltimore County.

MORRIS & RITCHE ASSOCIATES, INC.

ENGINEERS, PLANNERS, LANDSCAPE ARCHITECTS & SURVEYORS

RICHARD MORRIS, P.E.
LIEK RITCHE, P.E.
THOMAS O'LEARY, P.E.
JOHN L. WATTS, P.E.
ROBERT F. BRADLEY, P.E.
DENNIS ALLCREE
& SCAND LARSEN

139 NORTH MAIN STREET
SUITE 200
BEL AIR, MARYLAND 21014
(301) 836-7500 • (301) 879-1690
FAX: (301) 879-1820

BALTIMORE OFFICE
606-D ROSLEY AVENUE
TOWSON, MARYLAND 21284
(301) 821-9999

November 8, 1989

10.214 acre parcel of land surveyed for Kelso Research Park, Located on the Southerly side of Kelso Drive, Fifteenth Election District, Baltimore County, Maryland

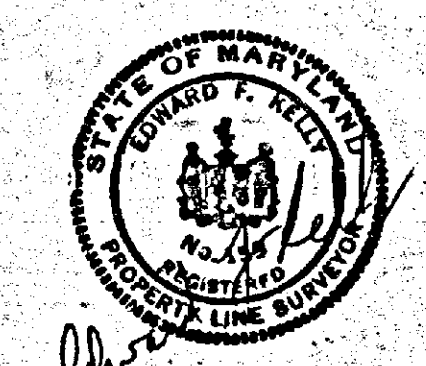
BEGINNING for the same at a point on the southerly side of Kelso Drive, seventy feet wide, said point being located South 48° 08' 00" West 802.63 feet from the intersection of the centerline of said Kelso Drive with the centerline of Golden Ring Road, said point also being at the end of the third or South 50° 42' 16" West 867.37 foot line of Exhibit A attached to a deed from Durrett-Sheppard Steel Co., Inc. to Kelso Research Park, dated October 29, 1987 and recorded among the Land Records of Baltimore County, Maryland in Liber 7749, Page 383, thence binding on the said Kelso Drive and reversely on the said third line, as now surveyed, with bearings referred to Baltimore County Grid North,

1. North 50° 41' 55" East 867.37 feet, thence leaving said Kelso Drive and binding reversely on all of the second and first and all of the ninth through fourth lines of the aforesaid deed, eight courses, viz:
2. South 03° 09' 30" East 168.27 feet to a pin heretofore set,
3. South 88° 45' 40" East 91.72 feet,
4. South 09° 58' 40" East 500.32 feet to a pin heretofore set,
5. South 47° 58' 10" West 12.06 feet,
6. South 80° 47' 09" West 724.37 feet to a pin heretofore set,
7. North 46° 06' 51" West 8.75 feet to a pin heretofore set,

10.214 acre parcel

November 8, 1989
Page 2

8. North 41° 15' 30" West 28.93 feet to a pin heretofore set, and
 9. North 23° 04' 06" West 313.55 feet to the place of beginning.
- CONTAINING 10.214 acres of land more or less.
BEING all of the land conveyed by and described in a deed from Durrett-Sheppard Steel Co., Inc. to Kelso Research Park, dated October 29, 1987 and recorded among the Land Records of Baltimore County, Maryland in Liber 7749, Page 383.



MORRIS & RITCHE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(301) 836-7500 • (301) 879-1690
FAX: (301) 879-1820

606-D ROSLEY AVENUE
TOWSON, MARYLAND 21284
(301) 821-9999
FAX: (301) 821-1748

January 18, 1990

Portion of Lot 1, Kelso Research Park, Zoned ML-1M, Located on the Southerly side of Kelso Drive, Fifteenth Election District, Baltimore County, Maryland

BEGINNING for the same at a point on the southerly side of Kelso Drive, seventy feet wide, said point being located South 46° 35' 00" West 500.61 feet from the intersection of the centerline of said Kelso Drive with the centerline of Golden Ring Road, said point also being in and distant 564.87 feet from the beginning of the third or South 50° 42' 16" West 867.37 foot line of Exhibit A attached to a deed from Durrett-Sheppard Steel Co., Inc. to Kelso Research Park, dated October 29, 1987 and recorded among the Land Records of Baltimore County, Maryland in Liber 7749, Page 383, said point also being at the northerly common corner of Lots 1 and 2, Kelso Research Park, thence binding on the said Kelso Drive and binding reversely on part of the said third line, and binding on part of the outline of said Lot 1, as now surveyed, with bearings referred to Baltimore County Grid North,

1. North 50° 41' 55" East 470.51 feet to a point and to intersect the Zoning Line as shown on Baltimore County Office of Planning and Zoning Official Zoning Map, Sheet N.E.3-G, thence leaving said Kelso Drive and binding on said Zoning Line and running through the land described in the aforesaid deed, and the said Lot 1,
2. South 40° 18' 51" East 126.16 feet to a point and to intersect the second line of the aforesaid deed, thence binding reversely on part of the second and part of the first lines of the aforesaid deed, and binding

139 N. MAIN STREET, SUITE 200
BEL AIR, MARYLAND 21014
(301) 836-7500 • (301) 879-1690
FAX: (301) 879-1820

606-D ROSLEY AVENUE
TOWSON, MARYLAND 21284
(301) 821-9999
FAX: (301) 821-1748

Portion of Lot 1

January 18, 1990
Page 2

on the outline of the said Lot 1, two courses, viz:

3. South 03° 09' 30" East 12.07 feet to a pin heretofore set, and
4. South 88° 45' 40" East 9.74 feet to a point and to intersect the aforesaid Zoning Line, thence binding thereon and running through the land described in the aforesaid deed, and the said Lot 1, two courses, viz:
5. South 40° 18' 51" East 52.63 feet, and
6. North 89° 28' 40" East 54.49 feet to a point and to intersect the ninth line of the aforesaid deed, thence binding reversely on part of the ninth, all of the eighth and part of the seventh lines of the aforesaid deed, and binding on the outline of the said Lot 1, three courses, viz:
7. South 03° 58' 40" East 542.35 feet to a pin heretofore set,
8. South 47° 58' 10" West 12.06 feet, and
9. South 80° 47' 09" West 475.87 feet to the southerly common corner of the said Lots 1 and 2, thence binding on the division lines of the said Lots, two courses, viz:
10. North 06° 20' 55" West 229.60 feet to a point, and
11. North 29° 17' 44" West 275.00 feet to the place of beginning.

CONTAINING 7.120 acres of land more or less.

DESCRIPTION 2A F20
 MORRIS & RITCHE ASSOCIATES, INC.
 ENGINEERS, PLANNERS, SURVEYORS,
 AND LANDSCAPE ARCHITECTS

January 18, 1990

Two portions of Lot 1, Kelso Research Park, Zoned RRS-5, Located on the southerly side of Kelso Drive, Fifteenth Election District, Baltimore County, Maryland.

BEGINNING for the first at a point on the southerly side of Kelso Drive, seventy feet wide, said point being in and distant 04.36 feet from the beginning of the third or South 50° 42' 16" West 867.37 foot line of Exhibit A attached to a deed from Durrett-Sheppard Steel Co., Inc., to Kelso Research Park, dated October 29, 1987 and recorded among the Land Records of Baltimore County, Maryland in Liber 7749, Page 383, said point also being in the outline of Lot 1, Kelso Research Park, thence binding on the said Kelso Drive and binding reversely on part of the said third line, and ending on the outline of the said Lot 1, with bearings referred to Baltimore County Grid North, two courses, viz:

1. North 50° 41' 55" East 94.36 feet, thence leaving said Kelso Drive and binding reversely on part of the second line of the said deed, and binding on the outline of the said Lot 1,
2. South 03° 09' 30" East 156.20 feet to a point and to intersect the Zoning Line as shown on Baltimore County Office of Planning and Zoning Official Zoning Map, Sheet N.E.3-G, thence leaving the said second line and binding on the said Zoning Line and running through the land described in the aforesaid deed, and through the said Lot 1,
3. North 40° 18' 51" West 126.16 feet to the place of beginning.

CONTAINING 0.137 acres of land more or less.

130 N. MAIN STREET, SUITE 200
 BEL AIR, MARYLAND 21014
 (301) 879-1890 (301) 836-7560
 FAX (301) 879-1322

656-D BOSLEY AVENUE
 TOWSON, MARYLAND 21204
 (301) 821-1890
 FAX (301) 821-1748

REVISED PLANS
 90-306-SPHA
 MRA

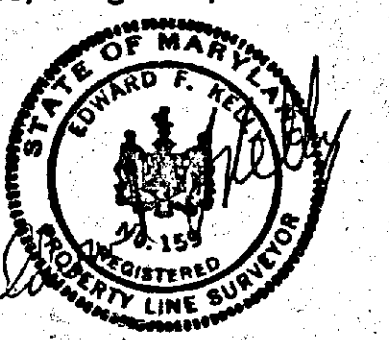
Two portions of Lot 1
 January 18, 1990
 Page 2

BEGINNING for the second at a point in and distant 81.98 feet from the beginning of the first or North 83° 45' 40" West 91.73 foot line of Exhibit A attached to a deed from Durrett-Sheppard Steel Co., Inc. to Kelso Research Park dated October 29, 1987 and recorded among the Land Records of Baltimore County, Maryland in Liber 7749, Page 383, said point also being in the outline of Lot 1, Kelso Research Park, thence binding reversely on part of the said first and part of ninth line of the said deed, and binding on the outline of the said Lot 1, with bearings referred to Baltimore County Grid North, two courses, viz:

1. South 88° 45' 40" East 81.98 feet, and
2. South 09° 58' 40" East 37.98 feet to a point and to intersect the Zoning Line as shown on Baltimore County Office of Planning and Zoning Official Zoning Map, Sheet N.E.3-G, thence leaving the said ninth line and binding on the said Zoning Line and running through the land described in the aforesaid deed, and through the said Lot 1, two courses, viz:
3. South 88° 58' 37" West 54.49 feet, and
4. North 40° 18' 51" West 52.63 feet to the place of beginning.

CONTAINING 0.061 acres of land more or less.

BEING part of the land conveyed by and described in a deed from Durrett-Sheppard Steel Co., Inc. to Kelso Research Park dated October 29, 1987 and recorded among the Land Records of Baltimore County, Maryland in Liber 7749, Page 383, being also part of Lot 1, Kelso Research Park.



LAW OFFICES
 HALL, LEVY & MARINO, P.A.
 SUITE 1212
 TEN EAST BALTIMORE STREET
 BALTIMORE, MARYLAND 21202
 (301) 685-4400
 TELECOPIER (301) 752-0761

October 30, 1990

Mr. J. Robert Haines
 Zoning Commissioner
 Baltimore County Zoning Commissioner
 Office of Planning & Zoning
 Towson, MD 21204

Re: Kelso Research Park
 Case No. 90-306-SPHA

Dear Mr. Haines:

Please be advised that I have received your letter dated October 24, 1990. At this time, Ted Julio is away on his honeymoon. I have transmitted a copy of your letter to him in his absence and request that upon his return we schedule an appointment with your staff in order to ascertain the items necessary to be sought at the hearing.

Thank you for your consideration and review of this matter.

Sincerely,
 Michael E. Marino
 Michael E. Marino

MEM:lrh
 15951rh

RECEIVED
 OCT 31 1990
 ZONING OFFICE

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 (301) 837-3333
 J. Robert Haines
 Zoning Commissioner

October 24, 1990

Michael E. Marino, Esquire
 Hall, Levy and Marino, P.A.
 Suite 1212
 Ten East Baltimore Street
 Baltimore, Maryland 21202

RE: Kelso Research Park
 Case No. 90-306-SPHA

Dear Mr. Marino:

I am in receipt of your letter dated October 16, 1990. I have previously reviewed the proposed changes on several occasions. The changes may make the project more functional and the changes may improve the site from a land use point of view.

However, the issue here is whether or not the new plan substantially differs from the plan approved in the public hearing. It is inescapably true that the plan is considerably different and, therefore, requires a new hearing.

JRH:mmm
 cc: W. Carl Richards
 Zoning Coordinator

Very truly yours,
 J. Robert Haines
 Zoning Commissioner

RECEIVED OCT 25 1990

LAW OFFICES
 HALL, LEVY & MARINO, P.A.
 SUITE 1212
 TEN EAST BALTIMORE STREET
 BALTIMORE, MARYLAND 21202
 (301) 685-4400
 TELECOPIER (301) 752-0761

October 16, 1990

Mr. J. Robert Haines
 Zoning Commissioner for Baltimore County
 Office of Planning & Zoning
 County Office Building
 Towson, MD 21204

Re: Kelso Research Park
 Case No. 90-306-SPHA

Dear Mr. Haines:

Please be advised that I have been requested by Ted Julio to assist him in the enlargement of Building B located within the above captioned project. The enlargement of Building B necessitates a minor modification to the CRG Plan already approved, however, you should be aware that this modification does not materially change the CRG Plan.

The side yard setbacks will remain fifteen feet (15') as previously granted. Moreover, Building B is in the rear of the project and backs up to an existing stockade fence and wooded area. The alteration of the plan as proposed actually reduces any impact the project may currently have, since the modified plan will by its implementation eliminate vehicle trips.

Since we feel that the proposed plan is not a material alteration of the existing approved CRG Plan, we respectfully request that you allow said plan to be modified without the necessity of a hearing.

Very truly yours,
 Michael E. Marino
 Michael E. Marino

MEM:lrh
 15311rh

LAW OFFICES
 EVANS, GEORGE AND BRONSTEIN
 SUSQUEHANNA BUILDING, SUITE 200
 29 WEST SUSQUEHANNA AVENUE
 TOWSON, MARYLAND 21204
 (301) 286-0200
 FAX (301) 286-3719

February 7, 1990

L. ROBERT EVANS
 HARRIS JAMES GEORGE
 BENJAMIN BRONSTEIN
 MICHAEL J. CHOMEL
 DOUGLAS A. STUBBS
 WILLIAM R. LEVASSEUR, JR.

The Honorable J. Robert Haines
 Zoning Commissioner for
 Baltimore County
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Re: Kelso Research Park
 Case No. 90-306-SPHA

Dear Commissioner Haines:

At your request and for your consideration I am submitting a proposed Order for signature in the above entitled matter.

Thank you for your kind consideration.

Very truly yours,
 EVANS, GEORGE & BRONSTEIN
 Benjamin Bronstein

BB/mlh
 Enclosure

RECEIVED
 FEB 8 1990
 ZONING OFFICE

LAW OFFICES
 EVANS, GEORGE AND BRONSTEIN
 SUSQUEHANNA BUILDING, SUITE 200
 29 WEST SUSQUEHANNA AVENUE
 TOWSON, MARYLAND 21204
 (301) 286-0200
 FAX (301) 286-3719

February 21, 1990

L. ROBERT EVANS
 HARRIS JAMES GEORGE
 BENJAMIN BRONSTEIN
 MICHAEL J. CHOMEL
 DOUGLAS A. STUBBS
 WILLIAM R. LEVASSEUR, JR.

Commissioner J. Robert Haines
 Zoning Commissioner for Baltimore County
 County Office Building
 Towson, Maryland 21204

Re: Kelso Research Park

Dear Commissioner Haines:

I have enclosed an Amended Order for your signature in the above entitled case. The Order changes the side yard setbacks to 15 feet in lieu of the 10 setbacks in the Order. The 15 foot setback conforms with the agreement reached with the neighbors as was agreed and testified to by Mr. Julio.

Thank you for your kind consideration.

Very truly yours,
 EVANS, GEORGE & BRONSTEIN
 Benjamin Bronstein

BB/mlh
 Enclosure

John H 6
 ch
 New plan
 Does plan indicate when
 new fence

RECEIVED
 FEB 21 1990
 ZONING OFFICE

IN RE: PETITION FOR SPECIAL HEARING & PETITION FOR VARIANCE
 BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
 SS Kelso Drive, 802' S of Golden Ring Road
 Lot 1, Kelso Research Park, 15th Election District - 6th Councilmanic
 CASE NO.: 90-306SPHA

AMENDED FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner requests variances from Section 255.2 (243.1) to permit a front yard setbacks of 71 ft. and 61 ft. in lieu of the required minimum 75 ft.; Sections 255.2 (243.2) to permit a side yard setbacks of 10 ft. in lieu of the required minimum 50 ft.; Sections 255.1 (239.2) to permit a side yard setbacks of 10 ft. in lieu of the required minimum 30 ft.; and a Special Hearing to permit internal circulation in a driveway all in accordance with Petitioner Exhibits 1 and 2.

The Petitioner, who by its managing partner, Theodore C. Julio appeared and testified was represented by Benjamin Bronstein, Esquire of the law firm of Evans, George & Bronstein. Also appearing on behalf of the Petitioner was Robert Bradley, P.E. of Morris & Ritchie Associates, Inc. There were no protestants.

Testimony indicated that the subject property consist of 10.82 acres more or less of which 7.34 acres more or less is the subject of this hearing. 7.12 acres is zone M.L.-I.M. and 0.25 acres is DR 5.5. The subject property is located on Kelso Drive and Golden Ring Road as depicted on Petitioner's Exhibit 1. The zoning line runs irregularly through the property.

Because of a stream buffer and an existing wooded wetland area, the Petitioner is required to shift the location of its two flex warehouse buildings toward the easterly property line. Testimony by Mr. Bradley and Mr. Julio further indicated that the Petitioner located its internal road network in order to avoid substantial grading along the easterly property line at the preference of the adjoining residential users. In this manner the Petitioner will diminish the impact on the residential uses adjoining the property as well as probably save existing vegetation on the old transmission line right of way adjacent to the easterly boundary line.

The existing residential uses adjoining the Petitioner's easterly boundary line have been rezoned M.L.-I.M., and are therefore non-conforming uses. The Petitioner met with all of the adjoining property owners. As a compromise with those property owners, the Petitioner has agreed to modify its request and seek a 15 ft. setback instead of a 10 ft. setback along the eastern property line and further has agreed to erect an 8 ft. wooden fence along said property line all as set forth in a letter dated January 20, 1990 over the signature of William H. Jones, President of the Stemmers Run Civic Imp. Assn. (Exhibit No.: 4)

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Solex, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- whether strict compliance with requirement would

unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome.

- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.
- Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1973).

It is clear from the testimony that if the variances are granted such use as proposed would not be contrary to the spirit of the Baltimore County Zoning Regulations (BCZR) and would not result in substantial detriment in to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land to the special conditions unique to this parcel. In addition, the variance requested would not be detrimental to the public health, safety and general welfare.

Therefore, pursuant to the advertising, posting of property, and the public hearing, it is Ordered by the Zoning Commissioner of Baltimore County this ___ day of February, 1990 that the Petition for Special Hearing is hereby granted permitting internal

circulation in a Dk zone.

It is further Ordered that the Petition for Zoning Variance to permit a front yard setback of 71 ft. and 61 ft. in lieu of the required minimum 75 ft.; a side yard setbacks of 15 ft. in lieu of the required minimum 50 ft.; a side yard setbacks of 15 ft. in lieu of the required minimum of 30 ft. be and are hereby granted, in accordance with Petitioner's Exhibits 1, 2, and 5 subject, however, to the following restrictions which are conditions precedent to the relief granted:

- The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this order has expired. If, for whatever reason, this order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

- The Petitioner shall submit a landscaping plan to the Office of Current Planning for approval by the Baltimore County Landscape Planner. A copy of the approved plan shall then be submitted to the Zoning Commissioner for final approval and inclusion in the case file.

- That the Petition shall erect an 8 foot fence along the Easterly boundary of its property which shall be of a material satisfactory to the Baltimore County Landscape Planner.

Zoning Commissioner of Baltimore County

Feb. 2 90306-SHA BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT 1/21/90

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 162, Zoning Advisory Committee Meeting of November 21, 1989

Property Owner: Kelso Research Park

Location: SE Kelso Dr. 200' S of Golden Ring Road District: 15

Water Supply: metro See Disposal: metro

COMMENTS ARE AS FOLLOWS:

- Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more.
- Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appliances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations for more complete information, contact the Division of Maternal and Child Health.
- If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- Any abandoned underground storage tank containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- Soil percolation tests, have been _____, must be _____ conducted.
- The results are valid until _____.
- Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- In accordance with Section 13-117 of the Baltimore County Code, the water well yield test _____ shall be valid until _____.
- _____ is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- If submission of plans to the County Review Group is required, a Biological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2162.
- Others _____

W. Carl Richards
BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

90-306-SHA

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Al Wirth - SWM DATE: 7/1/90
Bob Bowling - Dev. Eng.
Frank Fisher - Current Planning
Rahim Fanihi - Traffic Engineering
Larry Wilson - DEPRM
Dave Flowers - Critical Areas
Carl Richards - Zoning
Capt. Kelly - Fire Department
Pat Kincaid - Rec. & Parks
Lerry Brocato - SHA
Rocky Powell - EIRS

FROM: Peter A. Paif Bureau of Public Services

SUBJECT: Previously Approved C.R.G. - Refinement 7-9-90

Kelso Research Park

Please review the attached for concurrence with current development regulations to allow for a refinement of a previously approved C.R.G. plan. Kindly return this cover letter with your comments and the attached print.

(SEE OTHER SIDE FOR COMMENTS)

PAP Attachment cc: File

To: John L. WCR 7/1/90

BALTIMORE COUNTY, MARYLAND

CT: COUNTY REVIEW GROUP COMMENTS CRG DATE: 3/22/90 (Continued from 2/1/90) PRE-CRG DATE: 3/12/90

NOH: ZONING OFFICE

PROJECT NAME: Kelso Research Park (Lot #1) PLAN: 1/2/90, 1/9/90, 2/14/90 REV.: 3/14/90 REV.:

LOCATION: SE/S Kelso Drive between Golden Ring Road and I-695

DISTRICT: 1506

REVISED PLAN KEY:
(X) COMPLIANCE WITH COMMENT CHECKED
(O) NON-COMPLIANCE IS CIRCLED
(BA) BE ADVISED (NOT NECESSARY FOR CRG APPROVAL, BUT MUST BE ADDRESSED PRIOR TO FINAL ZONING APPROVAL)
ADDITIONAL COMMENTS ADDED LAST BY PLAN DATE

The property submitted for C.R.G. approval is the subject of a current zoning case filed on November 9, 1989 under Item #162. Case #90-306-SHA was assigned and the public hearing was on 2/2/90 at 2:00 p.m. in Room 106, County Office Building. The petitioner has requested (as listed on the plan):

- A Special Hearing to permit business or industrial vehicle circulation or maneuvering in a residential zone (D.R.-5.S).
- Variances from the following setback requirements:
 - Section 255.2 (243.1) to permit a front yard setback of 61 feet in lieu of the required minimum 75 feet.
 - Section 255.2 (243.2) to permit a side yard setback of 15 feet in lieu of the required minimum 50 feet.
 - Section 255.1 (238.2) to permit a side yard setback of 15 feet in lieu of the required minimum 30 feet.

BA The ultimate condition of any zoning approval is based upon the outcome of the zoning hearing. The assistance at the time of filing petitions and the following zoning staff comments, although they relate to the property, are not to be construed as definitive nor do they indicate the appropriateness of the public hearing requests.

BA The plan has been reviewed by this office for general compliance with the Baltimore County Zoning Regulations. The previous comments made on 2/1/90 have been compiled with; however, final zoning approval is contingent upon the resolution of all comments, the outcome of the required public hearing, and the inclusion of the blue commercial checklist information on the building permit site plans.

W. Carl Richards, Jr.
Zoning Coordinator

PETITIONER'S EXHIBIT 4 JAN 20, 1990

BALTIMORE COUNTY ZONING COMMISSIONER
OFFICE OF PLANNING + ZONING
TOWSON, MD. 21204

RE: KELSO RESEARCH PARK

DEAR, ZONING COMMISSIONER,

MR. JULIO, REPRESENTING HILL MOUNT, ATTENDED OUR ASSOCIATION'S MEETING ON JAN 8, 1990 TO EXPLAIN HIS INTENTION FOR KELSO RESEARCH PARK. IN ATTENDANCE OF THE MEETING WERE ALL FOUR PROPERTY OWNERS WHICH BORDER THE RESEARCH PARK. THE OWNERS OF THE TWO HOUSES WHICH WOULD BE THE CLOSEST NOT BORDERING THE PARK WERE ALSO THERE, ALONG WITH OTHER MEMBERS OF OUR ASSN. A COMPROMISE WAS WORKED OUT BETWEEN THE ASSN. AND MR. JULIO. WHEN MR. JULIO AGREED TO REVISE HIS PLANS BY ASKING FOR A VARIANCE OF 15' INSTEAD OF 10' FROM THE EAST SIDE PROPERTY LINE. MR. JULIO ALSO AGREED TO ERECT AN 8' HIGH WOODEN FENCE ALONG THIS PROPERTY LINE. THESE CHANGES MET WITH THE APPROVAL OF

Portion of Lot 1
January 18, 1990
Page 3

BEING part of the land conveyed by and described in a deed from Durrett-Sheppard Steel Co., Inc. to Kelso Research Park, dated October 29, 1987 and recorded among the Land Records of Baltimore County, Maryland in Liber 7749, Page 383, being also part of Lot 1, Kelso Research Park.

STATE OF MARYLAND
BALTIMORE COUNTY
PLANNING AND ZONING DEPARTMENT