

M E M O R A N D U M

DATE: 4/27/201
TO: ZONING REVIEW
FROM: Office of Administrative Hearings
RE: Case No. 2020-0297-SPHA

The appeal period for the above-referenced cases expired on April 22, 2021. There being no appeal filed, the subject file is ready for return to Zoning Office and is placed in the 'pick up box.'

/dlm

c: ✓ Case File
Office of Administrative Hearings

Date 3/23/21
By Dr. Mignone

area ratio greater than 0.1. The remaining requests for Variance relief (Nos. 4, 5, 6 and 7) were withdrawn at the hearing by Counsel who indicated that the building at the 8416 Kelso Dr. Property already meets those setbacks.

Due to COVID-19 pandemic, a public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petition was properly advertised and posted. Samantha Mazo, MidAtlantic Entitlements Manager for Amazon appeared on behalf of the Petitioners along with Jose Lazo, PE. with BL Companies who prepared a 2-sheet redlined site plan (the "Redlined Site Plan"). (Pet. Ex.1). Lawrence E. Schmidt of Smith, Gildea & Schmidt, LLC, represented the Petitioner. There were no Protestants or interested citizens in attendance. Zoning Advisory Committee ("ZAC") comments was received from the Department of Planning ("DOP") who did not oppose the requested relief.

The case proceeded by way of modified proffer by Mr. Schmidt. Jose Lazo, PE was accepted as an expert professional engineer. (Pet. Ex. 4). The 8416 Kelso Dr. Property is 21.36 +/- acres, is zoned manufacturing, heavy-industrial major (MH-IM), and is improved with a vacant building and a surface parking lot. The 22 Marshfield Ct. Property is 7.173 +/- acres, is also zoned MH-IM, and is improved with a surface parking lot. Adjacent to the Properties is an Amazon distribution facility located at 8411 Kelso Drive which accepts packages delivered from the airport and sorts those packages for delivery by Amazon delivery vans ("Amazon Facility"). (Pet. Ex. 2B, 2C). Amazon has a long-term lease for 8411 Kelso Drive with legal owner SREIT Kelso Drive, LLC. (Pet. Ex. 5J). The Amazon Facility is designated as a 'Trucking Facility (Class I)' under BCZR, §101.1, §410.1 *et seq.* per a letter from OZR dated May 17, 2019. (Pet. Ex. 6) which use is permitted by right in the MH-IM zone.

ORDER RECEIVED FOR FILING

Date

By

3/23/21

D. M. Magon

As reflected in the street view photographs provided, the proposal here is to use the Properties to park Amazon delivery vans as well as personal vehicles of Amazon delivery drivers and/or Amazon employees. (Pet. 5A-5O). As Mr. Schmidt explained, when Amazon drivers and employees arrive for designated shifts, they will park their personal vehicles in the building or parking lot on the 8416 Kelso Property, or in the parking lot at 22 Marshfield Property. At that point, the driver would pick up an Amazon delivery van which has been parked on one of the Properties, and drive over to the Amazon Facility to load up the packages in the van.

To the northwest boundary of the Properties, beyond the rear, lies a CSX railroad track with mature forest buffers on either side of the track. Those forest buffers are located on an elevated berm providing a noise barrier. Also adjacent to the Properties is the Golden Ring Forty trailer park and mobile home community. On the northern side of the 8416 Kelso Drive Property is a small vegetated area identified as a wetland between the Properties and I-695. The Golden Ring Forty mobile home park is 233 ft. to the 22 Marshfield Ct. Property (Pet. Ex. 3A) and 206.7 ft. to the 8416 Kelso Dr. Property (Pet. Ex. 3B).

As Mr. Schmidt explained, each of the uses requested by Special Hearing ('trucking facility', 'warehouse', and 'parking lot') are all permitted by right in the MH zone because all uses permitted in the manufacturing, light (ML) zone and the manufacturing, light restricted (MLR) zone are permitted in the MH zone.

SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall

include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005).

Based on the evidence, I find that the Special Hearing relief to permit the 22 Marshfield Ct. Property to permit the parking and storage of personal vehicles and Amazon vans as a parking lot will be granted. The 22 Marshfield Court Property is already a surface parking lot.

With regard to the 8416 Kelso Drive Property, I find that it meets the definition of 'Trucking Facility I':

A trucking facility whose primary purpose is to accommodate the transfer of goods or chattels from trucks or truck trailers or to vehicles of other types, in order to facilitate the transportation of such goods or chattels.

DOP commented that the 8416 Kelso Dr. Property had the design capacity to be a trucking facility. This comment is in keeping with the CRG Plan for this industrial park with manufacturing uses near CSX railroad tracks and I-695. (Pet. Ex. 8). As such, the Special Hearing request for a Trucking Facility, Class I for the 8416 Kelso Dr. Property to permit the storage and parking of personal vehicles and Amazon vans will be granted.

VARIANCE

Given the designation of Trucking Facility Class I for the 8416 Kelso Dr. Property, BCZR, §410.2 and §410.3B prescribe certain setbacks and area requirements. BCZR, §410.2 prohibits a Trucking Facility Class I from being located within 200 ft. of a wetland and within 300 ft. of a dwelling or residential zone. In this case, Mr. Lazo testified that there is a manmade wetland

created by drainage which is located on the 8416 Kelso Dr. Property and therefore has zero setback to the building. (Pet. Ex. 1). Additionally, this Property is within 206.7 ft. of the Golden Ring Forty trailer and mobilehome park. (Pet. Ex. 3B). With regard to BCZR, §410.3B, a Trucking Facility Class I's floor-area-ratio (FAR) may not exceed 0.1. In this case, the FAR is .55.

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The 8416 Kelso Drive Property is unique due to its odd shape, manmade drainage wetlands, proximity to CSX railroad tracks through forest buffer and location next to a mobile home park surrounded by industrial uses. Accordingly, the Petitioner would suffer a practical difficulty and unreasonable hardship if it were denied operating a Trucking Facility Class I which is permitted by right in the MH-IM zone. Moreover, Amazon would suffer an unreasonable hardship if it were unable to use adjacent vacant building and parking lots to park Amazon vans and employee personal vehicles because the Amazon facility cannot accommodate the parking. I find that the requested variances can be granted within the strict harmony with the spirit and intent of the BCZR. Additionally, I find the variances can be granted without injury to public health, safety and general welfare, particularly in light of the lack of opposition.

THEREFORE, IT IS ORDERED this **23rd** day of **March, 2021**, by this Administrative Law Judge that the Special Hearing relief pursuant to ("BCZR"), §500.7 to:

(1) permit the parking and storage of personal vehicles and vans as a parking lot on the 22 Marshfield Ct. Property as more particularly shown on the site plan attached to the Petition be, and it is hereby **GRANTED**.

(2) permit the parking and storage of personal vehicles and vans as a parking lot/garage on the 8416 Kelso Dr. Property as more particularly shown on the site plan attached to the Petition be, and it is hereby **MOOT**.

(3) permit the parking and storage of personal vehicles and vans as a warehouse on the 22 Marshfield Ct. Property and the 8416 Kelso Dr. Property as more particularly shown on the site plan attached to the Petition be, and it is hereby **MOOT**.

(4) permit the parking and storage of personal vehicles and vans as a trucking facility, class I on the 22 Marshfield Ct. Property as more particularly shown on the site plan attached to this Petition be, and it is hereby **MOOT**.

(5) permit the parking and storage of personal vehicles and vans as a trucking facility, class I on the 8416 Kelso Dr. Property as more particularly shown on the site plan attached to this Petition be, and it is hereby **GRANTED**.

(6) approve the location and configuration of the existing site improvement as more particularly shown on the site attached to the Petition, be and it is hereby **MOOT**.

IT IS FURTHER ORDERED, Variance relief from BCZR:

(1) §410.2 to permit a trucking facility at the 8416 Kelso Dr. Property 300 ft. of a residence be, and it is hereby **GRANTED**.

(2) §410.2 to permit a trucking facility at the 8416 Kelso Dr. Property within 200 ft. of a wetland be, and it is hereby **GRANTED**.

(3) §410.3.B. to permit a trucking facility at the 8416 Kelso Dr. Property with a floor area ratio greater than 0.1, be, and it is hereby **GRANTED**.

IT IS FURTHER ORDERED, Variance relief Nos. 4, 5, 6 and 7 be and they are hereby

WITHDRAWN.

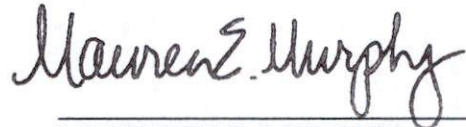
The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can

be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.

2. Petitioner must comply with the DOP ZAC comment, a copy of which are attached hereto and make a part thereof.

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



MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

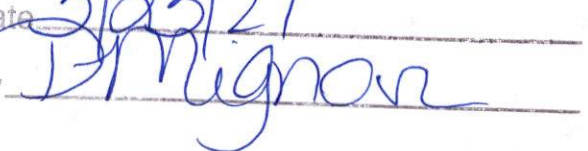
MEM/dlm

ORDER RECEIVED FOR FILING

Date

3/23/21

By



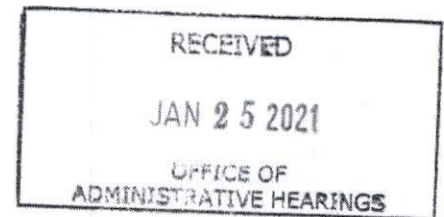
BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 1/22/2021

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-0297



INFORMATION:

Property Address: 22 Marshfield Ct & 8416 Kelso Dr.
Petitioner: SREIT Kelso Drive LLC
Zoning: MH IM
Requested Action: Special Hearing & Variance

The Department of Planning has reviewed the petition for the following:

Special Hearing

- 1) To permit the parking and storage of personal vehicles and vans as a parking lot/garage;
- 2) In the alternative, to permit the parking and storage of personal vehicles and vans as a warehouse;
- 3) In the alternative, to permit the parking and storage of personal vehicles and vans as a trucking facility;
- 4) To approve the location and configuration of the existing site improvements;
- 5) For such other and further relief as may be required by the Administrative Law Judge (ALJ) for Baltimore County.

Variance relief, if necessary, from;

- 1) BCZR §410.2 to permit a trucking facility within 300 feet of a residence;
- 2) BCZR §410.2 to permit a trucking facility within 200 feet of a wetland;
- 3) BCZR §410.3.B to permit a trucking facility with a floor area ratio greater than .1;
- 4) BCZR §258.1 to permit a front yard setback of 35 feet in lieu of the required 25 feet;
- 5) BCZR §258.1 to permit a side yard setback of 120 feet in lieu of the required 30 feet;
- 6) BCZR §258.1 to permit a rear yard setback of 46 feet in lieu of the required 30 feet and;
- 7) For such other and further relief as may be required by the ALJ for Baltimore County.

A site visit was conducted on January 18, 2021. The 22 Marshfield Ct. property is a parking lot and the 8416 Kelso Dr. property contains parking lots and a vacant building that was apparently intended to be used as a trucking facility. A railroad track lies beyond the rear, northwest border of these properties with mature forest buffers on either side of it. The forest buffer between the properties in question and the tracks are on an elevated berm, providing an additional noise barrier. On the opposite side of the railroad tracks is the Golden Ring Forty trailer park and mobile home community. On the north side of 8416 Keslo Dr. is a small vegetated area identified as a wetland between the property and I-695.

A conversation with the Petitioner's Representative, Lawrence Schmidt, clarified that it is the intention of the client, Amazon.com Services LLC, to utilize the subject properties to park employee vehicles and

small company cargo vans. The employees and vehicles are connected to the operations of the Amazon.com building across the street at 8411 Kelso Dr., which is categorized as a "trucking facility" within the MH IM zoning classification.

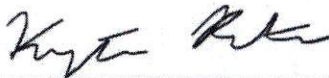
Although it may be the intention of the client to utilize the properties solely for parking, the designed capacity for the 8416 Kelso Dr. property to also be a trucking facility leads the Department to recommend that this specific property be deemed a trucking facility and parking lot. As a trucking facility, it is the recommendation of the Department that all the requested zoning variances be granted for the following reasons:

- 1) It is apparent the intended use of the property when it was developed was to be a trucking facility and parking lot;
- 2) The mature forest buffer and berm between the specified property and the trailer home community would mitigate nuisance noise beyond what is already experienced by the community's close proximity to the railroad tracks;
- 3) The small wetland area between the property and the highway is already subject to the existing impervious footprint and this does not change if the property is utilized as it was intended when developed.
- 4) The landscape directly surrounding the wetland is lacking protective vegetation. The Department's variance approval is contingent upon additional native trees being planted around the wetland within the property boundaries to further protect the area.

With regards to the 22 Marshfield Ct., this property is solely a parking lot and not used as a trucking facility. It is the recommendation of the Department that it remain categorized as such and not be subject to the zoning variance required for a trucking facility

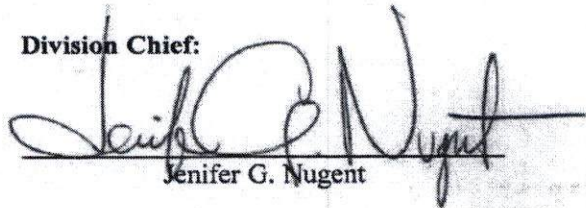
For further information concerning the matters stated herein, please contact Jessie Hillman at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jennifer G. Nugent

SL/JGN/KP/

c: Jessie Hillman.

Lawrence E. Schmidt, Smith, Gildea and Schmidt, LLC.
Office of the Administrative Hearings
People's Counsel for Baltimore County

ORDER RECEIVED FOR FILING

Date

By

3/23/21

D. Mignone

★ Deed reference number will be Supplereate upon receipt from SDAT



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 22 Marshfield Court & 8416 Kelso Drive

which is presently zoned MH IM

Deed References: ★ 40704 | 0319

10 Digit Tax Account # 2300006905:2300012659

Property Owner(s) Printed Name(s) SREIT Kelso Drive, L.L.C.

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

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

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

Please see attached.

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

3. ☒ a **Variance** from Section(s)

Please see attached.

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Amazon.com Services LLC

Name- Type or Print

Signature

410 Terry Ave N. Seattle WA

Mailing Address City State

98109 (206) 266-1000
Zip Code Telephone # Email Address

Attorney for Petitioner:

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

Name- Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 (410) 821-0070 lschmidt@sgs-law.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners): SREIT Kelso Drive, L.L.C.

SREIT Kelso Drive, L.L.C. Authorized Representative of SREIT Kelso Drive, L.L.C.

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

C/O Lincoln Property Company
300 W Pratt Street, Suite 520

Baltimore MD

Mailing Address City State

21201
Zip Code Telephone # Email Address

Representative to be contacted:

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

Name - Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

21204 (410) 821-0070 lschmidt@sgs-law.com
Zip Code Telephone # Email Address

CASE NUMBER 2020-0297-SP4A Filing Date 12/14/20

Do Not Schedule Dates: Reviewer JS

REV. 10/4/11

2020-0297-SP4A

ATTACHMENT TO PETITION
ZONING RELIEF REQUESTED

22 Marshfield Court & 8416 Kelso Drive (Property)

Special Hearing Relief:

1. To permit the parking and storage of personal vehicles and vans as a parking lot/garage as more particularly shown on the site plan attached to this Petition;
2. In the alternative, to permit the parking and storage of personal vehicles and vans as a warehouse as more particularly shown on the site plan attached to this Petition;
3. In the alternative, to permit the parking and storage of personal vehicles and vans as a trucking facility as more particularly shown on the site plan attached to this Petition;
4. To approve the location and configuration of the existing site improvements as more particularly shown on the site attached to this Petition; and
5. For such other and further relief as may be required by the ALJ for Baltimore County.

Variance relief:

1. If necessary, from BCZR § 410.2. to permit a trucking facility within 300 feet of a residence;
2. If necessary, from BCZR § 410.2 to permit a trucking facility within 200 feet of a wetland;
3. If necessary, from BCZR § 410.3.B. to permit a trucking facility with a floor area ratio greater than 0.1;
4. If necessary, from BCZR § 258.1 to permit a front yard setback of 35 feet in lieu of the required 25 feet;
5. If necessary, from BCZR § 258.1 to permit a side yard setback of 120 feet in lieu of the required 30 feet;
6. If necessary, from BCZR § 258.1 to permit a rear yard setback of 46 feet in lieu of the required 30 feet; and
7. For such other and further relief as may be required by the ALJ for Baltimore County.

2020-0297-SH4

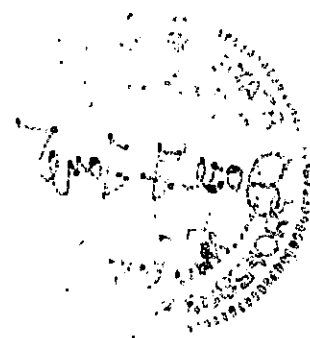
ZONING PROPERTY DESCRIPTION FOR 22 MARSHFIELD COURT, ESSEX, MD

BEGINNING AT A POINT ON THE NORTHWEST SIDE OF MARSHFIELD COURT, WHICH IS SIXTY FEET WIDE, AT THE DISTANCE OF 724.16 FEET NORTHWEST OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET, KELSO DRIVE, WHICH IS SEVENTY FEET WIDE.

THAT CERTAIN PARCEL OF GROUND SITUATED ON THE NORTHWEST SIDE OF MARSHFIELD COURT, CONTAINING 7.173 ACRES OF LAND, MORE OR LESS, AND BEING KNOWN AND DESIGNATED AS LOT 5, AS SHOWN ON AMENDED SUBDIVISION PLAT TWO, MARSHFIELD BUSINESS PARK, SAID PLAT BEING RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND IN PLAT BOOK NO. S.M. 72, FOLIO 8.



2020-0297-SP44



The Daily Record

200 St. Paul Place Suite 2480

Baltimore, Maryland 21202

1 (443) 524-8100

www.thedailyrecord.com

PUBLISHER'S AFFIDAVIT

Order #: 11960029
 Case #: 2020-0297-SPHA
 Description:

NOTICE OF ZONING HEARING - CASE NUMBER:
 2020-0297-SPHA

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

2/10/2021



Darlene Miller, Public Notice Coordinator
 (Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2020-0297-SPHA

22 Marshfield Court & 8416 Kelso Drive

North corner of Kelso Drive and Marshfield Court, at the end of the cul-de-sac
 15th Election District - 7th Councilmanic District

Legal Owners: SREIT Kelso Drive, LLC

Contract Purchaser/Lessor: Amazon.com Services, LLC

Special Hearing to permit the parking and storage of personal vehicles and vans as a parking lot/garage as more particularly shown on the site plan attached to this petition. In the alternative, to permit the parking and storage of personal vehicles and vans as a warehouse as more particularly shown on the site plan attached to this petition. To approve the location and configuration of the existing site improvement as more particularly shown on the site attached to this petition. For such other and further relief as may be required by the ALJ for Baltimore County. Variance if necessary from BCZR 410.2. To permit a trucking facility within 300 feet of a residence. If necessary, from BCZR 410.2. To permit a trucking facility within 200 feet of a wetland. If necessary, from BCZR 410.3.B. To permit a trucking facility with a floor area ratio greater than 0.1. If necessary from BCZR 258.1 To permit a front yard setback of 35 feet in lieu of the required 25 feet. If necessary, from BCZR 258.1. To permit a side yard setback of 120 feet in lieu of the required 30 feet. If necessary, from BCZR 258.1. To permit a rear yard setback of 46 feet in lieu of the required 30 feet. For such other and further relief as may be required by the ALJ for Baltimore County.

Hearing Tuesday, March 2, 2021 at 1:30 p.m.

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

Pete Gutwald

Director of Permits, Approvals and Inspections for Baltimore County

r10

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
22 Marshfield Court & 8416 Kelso Drive;	*	OF ADMINSTRATIVE
8416 Kelso N of Kelso & Marshfield, 22		
Marshfield SW/S of Marshfield end of	*	
Cul-de-sac		
15 th Election & 7 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): SREIT Kelso Drive LLC		
Contract Purchaser: Amazon.com Services LLC*		BALTIMORE COUNTY
Petitioner(s)	*	2020-297-SPHA

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of January, 2021, a copy of the foregoing Entry of Appearance was emailed to Lawrence Schmidt, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, lschmidt@sgs-law.com, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 2/8/2021

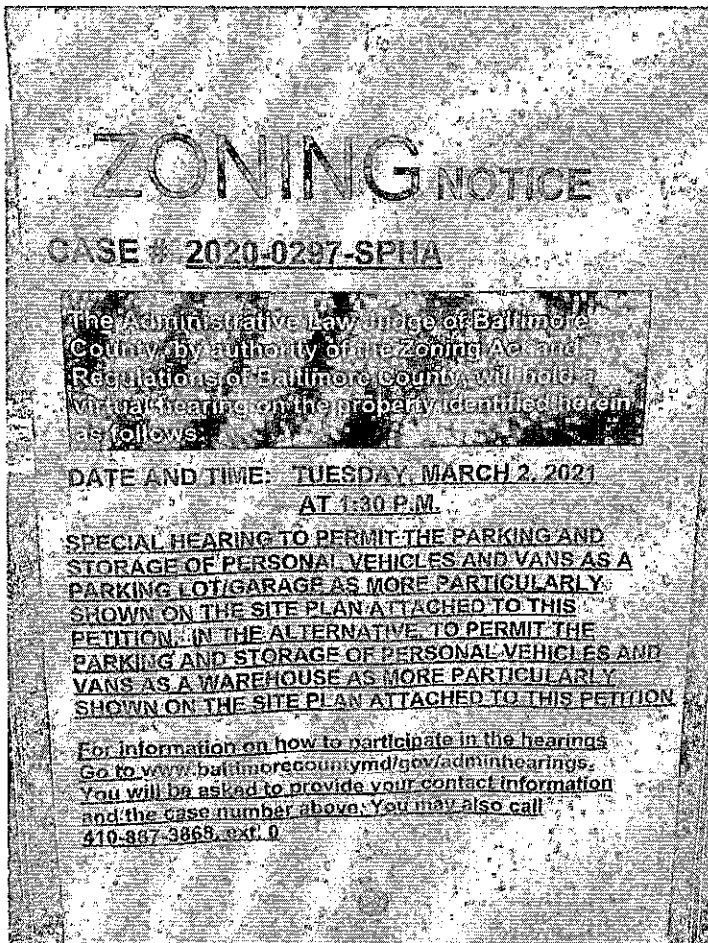
Case Number: 2020-0297-SPHA

Petitioner / Developer: LAWRENCE SCHMIDT, ESQ., ~ SREIT KELSO DRIVE, LLC, ~ AMAZON.COM SERVICES, LLC

Date of Hearing: MARCH 2, 2021

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
22 MARSHFIELD COURT & 8416 KELSO DRIVE

The sign(s) were posted on: FEBRUARY 8, 2021



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



JOHN A. OLSZEWSKI, JR.
County Executive

ZONING NOTICE

CASE # 2020-0297-SPHA

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

**DATE AND TIME: TUESDAY, MARCH 2, 2021
AT 1:30 P.M.**

TO APPROVE THE LOCATION AND CONFIGURATION OF THE EXISTING SITE IMPROVEMENT AS MORE PARTICULARLY SHOWN ON THE SITE ATTACHED TO THIS PETITION. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ALJ FOR BALTIMORE COUNTY. VARIANCE IF NECESSARY FROM BCZR 410.2 PERMIT A TRUCKING FACILITY WITHIN 300 FEET OF A RESIDENCE. IF NECESSARY FROM BCZR 410.2. TO PERMIT A TRUCKING FACILITY WITHIN 200 FEET

For information on how to participate in the hearings Go to www.baltimorecountymd.gov/adminhearings. You will be asked to provide your contact information and the case number above. You may also call 410-887-3868, ext. 0

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

ZONING NOTICE

CASE # 2020-0297-SPHA

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

**DATE AND TIME: TUESDAY, MARCH 2, 2021
AT 1:30 P.M.**

OF A WETLAND, IF NECESSARY, FROM BCZR 410.3.B TO PERMIT A TRUCKING FACILITY WITH A FLOOR AREA RATIO GREATER THAN 0.1. IF NECESSARY FROM BCZR 258.1 TO PERMIT A FRONT YARD SETBACK OF 35 FEET IN LIEU OF THE REQUIRED 25 FEET. IF NECESSARY, FROM BCZR 258.1 TO PERMIT A SIDE YARD SETBACK OF 120 FEET IN LIEU OF THE REQUIRED 30 FEET. IF NECESSARY, FROM BCZR 258.1 TO PERMIT A REAR YARD SETBACK OF 46 FEET IN LIEU OF THE REQUIRED 30 FEET. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ALJ FOR BALTIMORE COUNTY. For information on how to participate in the hearings Go to www.baltimorecountymd.gov/adminhearings. You will be asked to provide your contact information and the case number above. You may also call 410-887-3868, ext. 0

SIGN #2

SIGN #3

22 MARSHFIELD COURT & 8416 KELSO DRIVE

CASE # 2020-0297-SPHA

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Case Number: 2020-0297-SPHA

Property Address: 22 Marshfield Court & 8416 Kelso Drive

Property Description: _____

Legal Owners (Petitioners): SREIT Kelso Drive, L.L.C.

Contract Purchaser/Lessee: Amazon.com Services LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: Lawrence E. Schmidt, Esquire

Company/Firm (if applicable): Smith, Gildea & Schmidt, LLC

Address: 600 Washington Avenue, Suite 200
Towson, MD 21204

Telephone Number: 410-821-0070

Revised 5/20/2014

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

No. 202310

Date: 12/14/20

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 1200.00
Total:								\$ 1200.00

Rec From: SMITH, GILDEA & SCHMIDT

For: 2020-0297-SPHA

02 MARSHFIELD

8416 KELSO

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

5299

SMITH, GILDEA & SCHMIDT, LLC

600 WASHINGTON AVENUE
SUITE 200
TOWSON, MD 21204



First National Bank
60-1809/433



Oct 27, 2020

PAY TO THE
ORDER OF

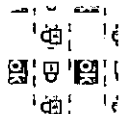
Baltimore County, MD

\$ 1,200.00

*** One Thousand Two Hundred *****

00/100 DOLLARS

Baltimore County, MD



[Signature]

AUTHORIZED SIGNATURE

MEMO

Security features. Details on back.

005299 0433180920 95 18634 11



JOHN A. OLSZEWSKI, JR.
County Executive

C. PÊTE GUTWALD, AICP, *Director*
Department of Permits,
Approvals & Inspections

February 22, 2021

Lawrence E. Schmidt,
600 Washington Ave Suite 200
Towson MD 21204

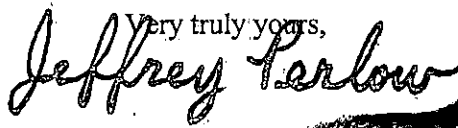
RE: Case Number: 2020-0297-SPHA, 22 Marshfield Court & 8416 Kelso Drive

To Whom It May Concern:

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning
Review, Department of Permits, Approvals, and Inspection (PAI) on December 14, 2020. This letter is
not an approval, but only a NOTIFICATION.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval
agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far
from the members of the ZAC are attached. These comments are not intended to indicate the
appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner,
attorney petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements
that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the
commenting agency.

Very truly yours,
A handwritten signature in black ink that reads "Jeffrey Perlow". The signature is written in a cursive style with a horizontal line underneath the name.

Jeff Perlow
Acting Supervisor
Department of Zoning

PCG

Enclosures

CC: People's Counsel

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

January 4, 2021

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2020-0297-SPHA

SREIT Kelso Drive LLC
8416 Kelso North

If there are any questions, please contact Mr. Steven Autry at 410-229-2335, or toll free (in Maryland only) at 1-800-735-2258 (x2335), or via email at sautry@mdot.maryland.gov.

Sincerely,


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

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 1/22/2021

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-0297



INFORMATION:

Property Address: 22 Marshfield Ct & 8416 Kelso Dr.
Petitioner: SREIT Kelso Drive LLC
Zoning: MH IM
Requested Action: Special Hearing & Variance

The Department of Planning has reviewed the petition for the following:

Special Hearing

- 1) To permit the parking and storage of personal vehicles and vans as a parking lot/garage;
- 2) In the alternative, to permit the parking and storage of personal vehicles and vans as a warehouse;
- 3) In the alternative, to permit the parking and storage of personal vehicles and vans as a trucking facility;
- 4) To approve the location and configuration of the existing site improvements;
- 5) For such other and further relief as may be required by the Administrative Law Judge (ALJ) for Baltimore County.

Variance relief, if necessary, from;

- 1) BCZR §410.2 to permit a trucking facility within 300 feet of a residence;
- 2) BCZR §410.2 to permit a trucking facility within 200 feet of a wetland;
- 3) BCZR §410.3.B to permit a trucking facility with a floor area ratio greater than .1;
- 4) BCZR §258.1 to permit a front yard setback of 35 feet in lieu of the required 25 feet;
- 5) BCZR §258.1 to permit a side yard setback of 120 feet in lieu of the required 30 feet;
- 6) BCZR §258.1 to permit a rear yard setback of 46 feet in lieu of the required 30 feet and;
- 7) For such other and further relief as may be required by the ALJ for Baltimore County.

A site visit was conducted on January 18, 2021. The 22 Marshfield Ct. property is a parking lot and the 8416 Kelso Dr. property contains parking lots and a vacant building that was apparently intended to be used as a trucking facility. A railroad track lies beyond the rear, northwest border of these properties with mature forest buffers on either side of it. The forest buffer between the properties in question and the tracks are on an elevated berm, providing an additional noise barrier. On the opposite side of the railroad tracks is the Golden Ring Forty trailer park and mobile home community. On the north side of 8416 Keslo Dr. is a small vegetated area identified as a wetland between the property and I-695.

A conversation with the Petitioner's Representative, Lawrence Schmidt, clarified that it is the intention of the client, Amazon.com Services LLC, to utilize the subject properties to park employee vehicles and

small company cargo vans. The employees and vehicles are connected to the operations of the Amazon.com building across the street at 8411 Kelso Dr., which is categorized as a "trucking facility" within the MH IM zoning classification.

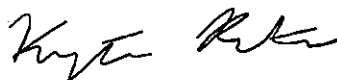
Although it may be the intention of the client to utilize the properties solely for parking, the designed capacity for the 8416 Kelso Dr. property to also be a trucking facility leads the Department to recommend that this specific property be deemed a trucking facility and parking lot. As a trucking facility, it is the recommendation of the Department that all the requested zoning variances be granted for the following reasons:

- 1) It is apparent the intended use of the property when it was developed was to be a trucking facility and parking lot;
- 2) The mature forest buffer and berm between the specified property and the trailer home community would mitigate nuisance noise beyond what is already experienced by the community's close proximity to the railroad tracks;
- 3) The small wetland area between the property and the highway is already subject to the existing impervious footprint and this does not change if the property is utilized as it was intended when developed.
- 4) The landscape directly surrounding the wetland is lacking protective vegetation. The Department's variance approval is contingent upon additional native trees being planted around the wetland within the property boundaries to further protect the area.

With regards to the 22 Marshfield Ct., this property is solely a parking lot and not used as a trucking facility. It is the recommendation of the Department that it remain categorized as such and not be subject to the zoning variance required for a trucking facility

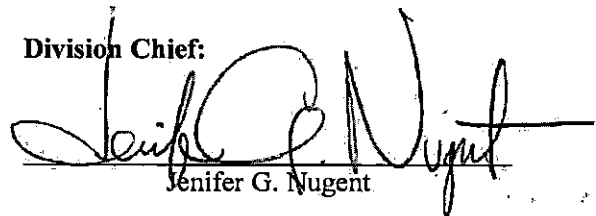
For further information concerning the matters stated herein, please contact Jessie Hillman at 410-887-3480.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP/

c: Jessie Hillman.

Lawrence E. Schmidt, Smith, Gildea and Schmidt, LLC.
Office of the Administrative Hearings
People's Counsel for Baltimore County

CASE NO. 2020-

0297 SPHA

CHECKLISTComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

DEVELOPMENT PLANS REVIEW

(if not received, date e-mail sent _____)

DEPS

(if not received, date e-mail sent _____)

FIRE DEPARTMENT

PLANNING

(if not received, date e-mail sent _____)

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

2/10/21

SIGN POSTING (1st)

Date:

2/8/21

by

LO'Keeffe

SIGN POSTING (2nd)

Date:

by

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

Panelist List

Name	Email address	Phone number	Time Zone	Language	Locale
Donna Mignon (Alternate Host)	dmignon@baltimorecountymd.gov	1-	New York Time	English	U.S.
Henry Ayakwah (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	New York Time	English	U.S.
Maureen Murphy (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	New York Time	English	U.S.
Jose Lazo	jlazo@blcompanies.com	1-	New York Time	English	U.S.
Lawrence Schmidt	lschmidt@sgs-law.com	1-	New York Time	English	U.S.
Paul Mayhew	pmayhew@baltimorecountymd.gov	1-	New York Time	English	U.S.
Samantha Mazo	mazsaman@amazon.com	1-	New York Time	English	U.S.
Zack Wilkins	zwilkins@sgs-law.com	1-	New York Time	English	U.S.

Donna Mignon

From: Donna Mignon
Sent: Wednesday, February 24, 2021 8:58 AM
To: 'Alyssa Moyers'
Subject: 2020-0297-SPHA - Hearing: 3/2/21 at 1:30 p.m.

Good Morning,

As you are aware, a virtual Webex hearing has been scheduled for March 2, 2021 at 1:30 p.m. You should have received an invitation in an email that invited you to this hearing.

Please note that all electronic hearing exhibits—documents, site plans, photographs or evidence of any kind—must be submitted in PDF format at **least two business days** in advance of the hearing to the Office of Administrative Hearings at administrativehearings@baltimorecountymd.gov. Exhibits must be separately numbered and submitted, an exhibit list with the Case Number, an exhibit number and a brief description for each exhibit. **Please bring a hard copy of all exhibits and drop them off in our lobby before the hearing date. Thank you.**

If you have any questions or concerns, please feel free to contact our office.
Thank you so much.

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

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration				
Special Tax Recapture: None										
Account Identifier:			District - 15 Account Number - 2300006905							
Owner Information										
Owner Name:			SREIT KELSO DRIVE LLC			Use:		INDUSTRIAL		
						Principal Residence:		NO		
Mailing Address:			SUITE 800 1601 WASHINGTON AVE MIAMI BEACH FL 33139-			Deed Reference:		/43831/ 00084		
Location & Structure Information										
Premises Address:			22 MARSHFIELD CT ESSEX 21221-0000			Legal Description:		7.173 AC 22-30 MARSHFIELD CT NWS MARSHFIELD BUSINESS PARK		
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:	
0090	0013	1345	31502.04	0000			5	2021	Plat Ref:	0072/ 0008
Town: None										
Primary Structure Built			Above Grade Living Area		Finished Basement Area		Property Land Area		County Use	
							7.1700 AC		07	
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements			
/										
Value Information										
			Base Value		Value		Phase-in Assessments			
					As of		As of		As of	
					01/01/2021		07/01/2020		07/01/2021	
Land:			1,434,600		1,434,600					
Improvements			360,900		457,600					
Total:			1,795,500		1,892,200		1,795,500		1,827,733	
Preferential Land:			0		0					
Transfer Information										
Seller: MARSHFIELD ACQUISITION LLC				Date: 12/18/2020			Price: \$164,150,000			
Type: ARMS LENGTH MULTIPLE				Deed1: /43831/ 00084			Deed2:			
Seller: COLUMBIA MARYLAND MARSHFIELD				Date: 09/24/2018			Price: \$117,000,000			
Type: ARMS LENGTH MULTIPLE				Deed1: /40704/ 00319			Deed2:			
Seller: COLUMBIA MARYLAND KELSO				Date: 09/24/2018			Price: \$117,000,000			
Type: ARMS LENGTH MULTIPLE				Deed1: /40704/ 00319			Deed2:			
Exemption Information										
Partial Exempt Assessments:			Class		07/01/2020		07/01/2021			
County:			000		0.00					
State:			000		0.00					
Municipal:			000		0.00 0.00		0.00 0.00			
Special Tax Recapture: None										
Homestead Application Information										
Homestead Application Status: No Application										
Homeowners' Tax Credit Application Information										
Homeowners' Tax Credit Application Status: No Application						Date:				

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Special Tax Recapture: None									
Account Identifier:		District - 15 Account Number - 2300012659							
Owner Information									
Owner Name:		SREIT KELSO DRIVE LLC				Use:		INDUSTRIAL	
Mailing Address:		SUITE 800 1601 WASHINGTON AVE MIAMI BEACH FL 33139-				Principal Residence:		NO	
						Deed Reference:		/43831/ 00084	
Location & Structure Information									
Premises Address:		8416 KELSO DR ESSEX 21221-0000				Legal Description:		21.356 AC 8416 KELSO DR NWS MARSHFIELD BUSINESS PARK	
Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0090	0013	1344	31502.04	0000			1	2021	Plat Ref: 0074/ 0040
Town: None									
Primary Structure Built		Above Grade Living Area			Finished Basement Area		Property Land Area		County Use
1997		507,600 SF					21,3600 AC		07
Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements		
		MEGA WAREHOUSE	/	C3					
Value Information									
		Base Value		Value		Phase-in Assessments			
				As of		As of		As of	
				01/01/2021		07/01/2020		07/01/2021	
Land:		6,942,000		6,942,000					
Improvements		21,071,400		18,895,000					
Total:		28,013,400		25,837,000		28,013,400		25,837,000	
Preferential Land:		0		0					
Transfer Information									
Seller: MARSHFIELD ACQUISITION LLC				Date: 12/18/2020			Price: \$164,150,000		
Type: ARMS LENGTH MULTIPLE				Deed1: /43831/ 00084			Deed2:		
Seller: COLUMBIA MARYLAND MARSHFIELD				Date: 09/24/2018			Price: \$117,000,000		
Type: ARMS LENGTH MULTIPLE				Deed1: /40704/ 00319			Deed2:		
Seller: BT NEWYO LLC				Date: 11/26/2003			Price: \$70,387,500		
Type: ARMS LENGTH MULTIPLE				Deed1: /19222/ 00352			Deed2:		
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2020		07/01/2021			
County:		000		0.00					
State:		000		0.00					
Municipal:		000		0.00 0.00		0.00 0.00			
Special Tax Recapture: None									
Homestead Application Information									
Homestead Application Status: No Application									
Homeowners' Tax Credit Application Information									
Homeowners' Tax Credit Application Status: No Application					Date:				

ZAC AGENDA

Case Number: 2020-0297-SPHA **Reviewer:** Jason Seidelman

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

Type: SPECIAL HEARING, VARIANCE

Legal Owner: SREIT Kelso Drive L.L.C

Contract Purchaser: Amazon.com Services LLC

Critical Area: No **Flood Plain:** Yes **Historic:** No **Election Dist:** 15 **Council Dist:** 7

Property Address: 22 MARSHFIELD CT

Location: 8416 Kelso North corner of Kelso (70') and Marshfield (60'). 22 Marshfield South West side of Marshfield (60') at the end of the CUL-DE-SAC.

Existing Zoning: MH-IM

Area: 21.36 A + 7.173 A

Proposed Zoning:

SPECIAL HEARING:

To permit the parking and storage of personal vehicles and vans as a parking lot/garage as more particularly shown on the site plan attached to this petition.

In the alternative, to permit the parking and storage of personal vehicles and vans as a warehouse as more particularly shown on the site plan attached to this petition.

To approve the location and configuration of the existing site improvement as more particularly shown on the site attached to this petition.

For such other and further relief as may be required by the ALJ for Baltimore County.

VARIANCE:

If necessary from BCZR 410.2 To permit a trucking facility within 300 feet of a residence.

If necessary, from BCZR 410.2 To permit a trucking facility within 200 feet of a wetland.

If necessary, from BCZR 410.3.B. To permit a trucking facility with a floor area ratio greater than 0.1.

If necessary from BCZR 258.1 To permit a front yard setback of 35 feet in lieu of the required 25 feet.

If necessary, from BCZR 258.1 To permit a side yard setback of 120 feet in lieu of the required 30 feet.

If necessary, from BCZR 258.1 To permit a rear yard setback of 46 feet in lieu of the required 30 feet.

For such other and further relief as may be required by the ALJ for Baltimore County.

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

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

3-2-21
1:30 pm

Debra Wiley

From: Kristen L Lewis
Sent: Wednesday, February 3, 2021 11:30 AM
To: Debra Wiley; Donna Mignon
Subject: Webex 2020-0297-SPHA

Good morning,

Below is the information needed for a new webex. I am waiting for Alyssa to send over the names of the participants. Thank you,

Case Number 2020-0297-SPHA
22 Marshfield Court & 8416 Kelso Drive
Legal Owners: SREIT Kelso Drive, LLC
Contract Purchaser/Lessee: Amazon.com Services, LLC
3/2/21 at 1:30 p.m.

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

Debra Wiley

From: Debra Wiley
Sent: Wednesday, February 3, 2021 11:42 AM
To: Kristen L Lewis
Cc: Donna Mignon
Subject: Link - 2020-0297-SPHA

Event Information

Event: Zoning Hearing - Case No. 2020-0297-SPHA - 22 Marshfield Ct. & 8416 Kelso Dr. - SR Amazon.com Services, LL

Type: Listed Event

Event address for attendees: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=edf26f>

Event address for panelists: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=e0976!>

Date and time: Tuesday, March 2, 2021 1:30 pm
Eastern Standard Time (New York, GMT-05:00)

Duration: 1 hour

Description: Zoning Hearing
Case No. 2020-0297-SPHA
22 Marshfield Court & 8416 Kelso Drive
SREIT Kelso Drive, LLC / Amazon.com Services, LLC

Event number: 180 449 3586

Event password: 1234

Host key: 606878

Alternate Host: Donna Mignon, Henry Ayakwah, Maureen Murphy

Panelist Info:

Panelist password:

Panelist numeric password: 147133

Video Address: 1804493586@baltimorecountymd.webex.com
You can also dial 173.243.2.68 and enter your meeting number.

Audio conference: US Toll
+1-415-655-0001
[Show all global call-in numbers](#)
Access code: 180 449 3586

Debra Wiley

Subject: Web seminar scheduled: Zoning Hearing - Case No. 2020-0297-SPHA - 22 Marshfield Ct. & 8416 Kelso Dr. - SREIT Kelso Drive, LLC / Amazon.com Services, LL

Location: <https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ea93fb93552666d5537526b9655f58f4d>

Start: Tue 3/2/2021 1:30 PM

End: Tue 3/2/2021 2:30 PM

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: webex

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

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

Host: Debra Wiley (dwiley@baltimorecountymd.gov)

Event number (access code): 180 449 3586

Tuesday, March 2, 2021 1:30 pm, Eastern Standard Time (New York, GMT-05:00)

Event address for attendees:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ea93fb93552666d5537526b9655f58f4d>

Event address for panelists:

<https://baltimorecountymd.webex.com/baltimorecountymd/onstage/g.php?MTID=ea0f754dcf23ce95ce265de100fd1>

Start event

Audio conference information

+1-415-655-0001 US Toll

Global call-in numbers

Join from a video system or application

Dial 1804493586@baltimorecountymd.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

Panelist numeric password: 147133

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

<https://baltimorecountymd.webex.com/baltimorecountymd/j.php?MTID=e6fd480d99511dadf39bf68e8528bf78f>

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

3-2-21
1:30 pm

Debra Wiley

From: Kristen L Lewis
Sent: Monday, February 8, 2021 11:03 AM
To: Debra Wiley; Donna Mignon
Subject: FW: 2020-0297-SPHA

Good morning,

Please see the list of invites for the above referenced case that was set last week. Thank you,

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

From: Alyssa Moyers [mailto:amoyers@sgs-law.com]
Sent: Monday, February 08, 2021 10:49 AM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Subject: RE: 2020-0297-SPHA

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

Morning Kristen,

Our team needing info to participate in the March 2nd hearing is as follows:

Lawrence Schmidt lschmidt@sgs-law.com
Samantha Mazo mazsaman@amazon.com
Jose Lazo JLazo@blcompanies.com

Thanks!



Alyssa F. Moyers | Paralegal
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue
Suite 200
Towson, MD 21204
(410) 821-0070
(410) 821-0071 – fax
amoyers@sgs-law.com
<http://sgs-law.com>

This email contains information from the law firm of Smith, Gildea & Schmidt, LLC which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly

Edit Panelist Invitation List

You can select contacts from an existing address book, import a Comma or Tab Delimited file (file contains non-ASCII characters, use a Unicode file delimited either by commas or tabs) or add new contacts. Note that the number of invitation emails cannot exceed 10000.

Panelists to Invite

	Name	Email address	Phone number	Language	Time Zone	Locale
☐	<u>Donna Mignon</u> (Alternate Host)	dmignon@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Henry Ayakwah</u> (Alternate Host)	hayakwah@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Maureen Murphy</u> (Alternate Host)	mmurphy@baltimorecountymd.gov	1-	English	New York Time	U.S.
☐	<u>Paul Mayhew</u>	pmayhew@baltimorecountymd.gov	1-	English	New York Time	U.S.
☒	<u>Lawrence Schmidt</u>	lschmidt@sgs-law.com	1-	English	New York Time	U.S.
☒	<u>Samantha Mazo</u>	mazsaman@amazon.com	1-	English	New York Time	U.S.
☒	<u>Jose Lazo</u>	jlazo@blcompanies.com	1-	English	New York Time	U.S.

New Panelist

Full name: (required)

Email address: (required)

Phone number: Country/Region Number (with area/city code)

Time Zone: ▼

Language: ▼

Locale: ▼

☐ Add new panelist in my address book

☐ Invite as alternate host

After Recording, Return to:

Attn. _____

Parcel I.D. No. _____

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, dated October __, 2020, from MARSHSFIELD ACQUISITION LLC, a Delaware limited liability company (collectively, "Grantor"), having an address c/o J.P. Morgan Investment Management Inc., 383 Madison Avenue, New York, New York 10017, to SREIT KELSO DRIVE, L.L.C., a Delaware limited liability company, its successors and assigns ("Grantee"), having an address of 1601 Washington Avenue, Suite 800, Miami Beach, Florida 33139.

In consideration of One Hundred Sixty-Four Million One Hundred Fifty Thousand Dollars (\$164,150,000), the receipt of which is hereby acknowledged, Grantor hereby grants, conveys and assigns to the Grantee, its successors and assigns, in fee simple, the real property together with the buildings and improvements thereon, located in Baltimore County, Maryland, and more particularly described on Exhibit A attached hereto and made a part hereof.

By the execution of this Deed, Grantor hereby certifies under the penalties of perjury that the actual consideration paid or to be paid including the amount of any mortgage or deed of trust outstanding is as hereinabove set forth.

TOGETHER with all improvements thereupon, and all and singular the tenements, hereditaments, rights, alleys, ways, waters, easements, privileges, and appurtenances belonging or in any way appertaining thereto.

TO HAVE AND TO HOLD the property hereby conveyed unto the Grantee, its successors and assigns, in fee simple, forever.

BUT SUBJECT TO all matters of record listed on Exhibit B attached hereto and made a part hereof insofar as they may lawfully affect the Property.

THE GRANTOR covenants to warrant specially the property, and to execute such further assurances of the property as may be requisite.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be duly executed and delivered, as a document under seal, on the date first above stated.

GRANTOR:

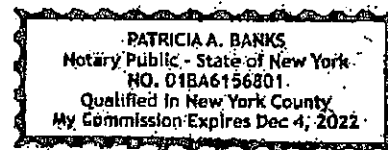
MARSHFIELD ACQUISITION LLC,
a Delaware limited liability company

By: Allina Bookoff (SEAL)
Name: Allina F. Bookoff
Title: Authorized Signatory

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

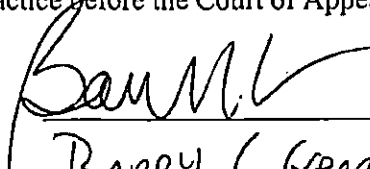
On the 27 day of OCTOBER in the year 2020, before me, the undersigned, personally appeared ALLINA BOUKOFF, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, who affirmatively represented to me that he/she is physically situated in the State of New York, County of New York, and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument. This notarization was made pursuant to Executive Order 202.7.

Patricia A. Banks
Notary Public



ATTORNEY'S CERTIFICATION

This is to certify that the within instrument was prepared by or under the supervision of the undersigned attorney duly admitted to practice before the Court of Appeals of Maryland.



BARRY C. Greenberg

EXHIBIT A

(Real Property)

All that certain lot or parcel of land together with all improvements thereon located and being in the County of Baltimore, Maryland and being more particularly described as follows:

Parcel One:

All that parcel of ground situated on the north side of Kelso Drive, 70 feet wide and the east side of Marshfield Court, 60 feet wide, containing 21.356 acres of land, more or less and being known and designated as Lot 1, as shown on 2nd Amended Subdivision, Plat One, Marshfield Business Park, said Plat being recorded among the Land Records of Baltimore County, Maryland in Plat Book S.M. 74, folio 40.

Parcel Two:

All that parcel of ground situated on the west side of Marshfield Court. 60 feet wide and the north side of Kelso Drive, 70 feet wide, containing 14.799 acres of land, more or less and being known and designated as Lot 4, as shown on Amended Subdivision Plat Three, Marshfield Business Park, said Plat being recorded among the Land Records of Baltimore County, Maryland in Plat Book S.M. No. 72, folio 9.

Parcel Three:

All that parcel of ground situated in the south side of Kelso Drive, 70 feet wide, containing 20.674 acres of land, more or less and being known and designated as Lot 9, as shown on Amended Plat Four, Marshfield Business Park, said Plat being recorded among the Land Records of Baltimore County, Maryland in Plat Book S.M. 70, folio 112.

Parcel Four:

All that parcel of ground situated on the south side of Kelso Drive 70 feet wide, containing 14.764 acres of land, more or less and being known and designated as Lot 10, as shown on Amended Plat Five. Marshfield Business Park, said Plat being recorded among the Land Records of Baltimore County, Maryland in Plat Book S.M. No. 71, folio 39.

Parcel Five:

That certain parcel of ground situated on the northwest side of Marshfield Court, containing 7.173 acres of land, more or less, and being known and designated as Lot 5, as shown on Amended Subdivision Plat Two, Marshfield Business Park, said Plat being recorded among the Land Records of Baltimore County, Maryland in Plat Book No. S.M. 72, folio 8.

EXHIBIT B

1. Terms, provisions, conditions and easements contained in Easement Deed by Court Order in Settlement of Landowner Action by and between Barbara O. Payne et al and Sprint Communications Company L.P. et al recorded in Liber JLE 33895 at folio 319. Affects Parcel One and Parcel Five.
2. Terms, provisions, conditions and easements contained in Easement Deed by Court Order in Settlement of Landowner Action by and between Barbara O. Payne et al and Sprint Communications Company L.P., et al recorded in Liber JLE 34994 at folio 171. Affects Parcel Three and Parcel Four.
3. Terms, conditions, easements, Notes, restrictions and all other matters shown on the Plat entitled, "Amended Subdivision, Plat One, Marshfield Business Park", recorded in Plat Book S.M. 74 at folio 40 and shown on the "Survey". Affects Parcel One Only.
4. Terms, conditions, easements, Notes, restrictions and all matters shown on the Plat entitled, "Amended Subdivision Plat Three, Marshfield Business Park", recorded in Plat Book S.M. No. 72 at folio 9 and shown on the "Survey". Affects Parcel Two Only.
5. Terms, conditions, easements, notes, restrictions and all matters shown on the Plat entitled, "Amended Plat Four, Marshfield Business Park", recorded in Plat Book S.M. No. 70 at folio 112 and shown on the "Survey". Affects Parcel Three Only.
6. Terms, conditions, easements, notes, restrictions and all matters shown on the Plat entitled, "Amended Plat Five, Marshfield Business Park", recorded in Plat Book S.M. No. 71 at folio 39 and shown on the "Survey". Affects Parcel Four Only.

AS TO PARCELS ONE - FOUR:

7. Terms, provisions, conditions and easements contained in Agreement by and between American Telephone and Telegraph Company of Baltimore City and Joseph Gross recorded in Liber WPC 289 at folio 594.
8. Terms, provisions, conditions and easements contained in Deed by and between American Telephone and Telegraph Company of Baltimore City and Joseph Gross recorded in Liber WPC 292 at folio 384.
9. Terms, provisions, conditions and easements contained in Right of Way Agreement by and between The Chesapeake and Potomac Telephone Company of Baltimore City and Joseph Gross recorded in Liber WPC 457 at folio 150.
10. Terms, provisions, conditions and easements contained in Right of Way Agreement by and between American Telephone and Telegraph Company of Baltimore City and Joseph Gross recorded in Liber WPC 505 at folio 131.
11. Terms, provisions, conditions and easements contained in Deed by and between Walter K. Gross and Doris L. Gross, his wife and Susquehanna Transmission Company of Maryland recorded in Liber LMCLm 874 at folio 107 and shown on the "Survey". Affects Parcel Three Only.

12. Terms, provisions, conditions and easements contained in Deed and Agreement by and between Walter E. Gross, et al and Baltimore County, Maryland recorded in Liber 3665 at folio 257 and shown on the "Survey". Affects Parcel Four Only.
13. Terms, provisions, conditions and easements contained in Deed and Agreement by and between Walter K. Gross, et al and Baltimore County, Maryland recorded in Liber 3848 at folio 437 and shown on the "Survey". Affects Parcel Three Only.
14. Terms, provisions, conditions and easements contained in Deed by and between The Real Estate and Improvement Company of Baltimore City and The State Roads Commission of Maryland recorded in Liber 5081 at folio 084 and shown on the "Survey". Affects Parcels One and Four only.
15. Terms, provisions, conditions and easements contained in Agreement by and between The Real Estate and Improvement Company of Baltimore City and the Baltimore Gas and Electric Company recorded in Liber 5788 at folio 969 and shown on the "Survey". Affects Parcel Three Only.
16. Terms, provisions, conditions and easements contained in Deed by and between The Real Estate and Improvement Company of Baltimore City and the State of Maryland, to the use of the State Highway Administration of the Department of Transportation recorded in Liber 5814 at folio 819 and shown on the "Survey". Affects Parcel One Only.
17. Terms, provisions, conditions and easements contained in Agreement by and between The Real Estate and Improvement Company of Baltimore City and Baltimore County, Maryland recorded in Liber 5875 at folio 682; as amended by Amendment Agreement recorded in Liber 6332 at folio 795; as further amended by Amendment to License Agreement recorded in Liber 7138 at folio 788 and shown on the "Survey". Affects Parcels One and Two Only.
18. Terms, provisions, conditions and easements contained in Right of Way Easement by and between The Chesapeake and Potomac Telephone Company of Maryland and Mount Clare Properties, Inc. recorded in Liber 8313 at folio 575 and shown on the "Survey". Affects Parcel One Only.
19. Terms, provisions, conditions and easements contained in Right of Way Agreement by and between Mount Clare Properties, Inc. and The Chesapeake and Potomac Telephone Company of Maryland recorded in Liber 8440 at folio 582 and shown on the "Survey". Affects Parcel One Only.
20. Terms, provisions, conditions and easements contained in Special Warranty Deed by and between Mount Clare Properties, Inc. and Verbal Corporation recorded in Liber 8529 at folio 781.
21. Terms, provisions, conditions and easements contained in Deed and Agreement by and between Verbal Corporation and Baltimore County, Maryland recorded in Liber 11726 at folio 433 and shown on the "Survey".
22. Terms, provisions, conditions and easements contained in Right of Way Easement by and between Verbal Corporation and Bell Atlantic-Maryland, Inc. recorded in Liber 12047 at folio 284 and shown on the "Survey". Affects Parcels One, Two and Four Only.

23. Terms, provisions, conditions and easements contained in Right of Way Agreement by and between Verbal Corporation and Baltimore Gas and Electric Company recorded in Liber 12054 at folio 343.
24. Terms, provisions, conditions and easements contained in Deed and Agreement by and between Verbal Corporation and Baltimore County, Maryland recorded in Liber 13773 at folio 359 and shown on the "Survey". Affects Parcel Three Only.
25. Terms, provisions, conditions and easements contained in Deed of Declaration and Easement by and between BT-NEWYO, LLC and Baltimore County, Maryland and recorded in Liber 18767 at folio 541 and shown on the "Survey". Affects Parcel Three Only.
26. Terms, provisions, conditions and easements contained in Deed of Declaration and Easement by and between BT-NEWYO, LLC and Baltimore County, Maryland recorded in Liber 18767 at folio 547 and shown on the "Survey". Affects Parcel Four Only.
27. Terms, provisions, conditions and easements contained in Deed and Agreement by and between BT-NEWYO, LLC and Baltimore County, Maryland recorded in Liber 18808 at folio 643 and shown on the "Survey". Affects Parcel Two Only.
28. Terms, provisions, conditions and easements contained in Deed and Agreement by and between BT-NEWYO, LLC and Baltimore County, Maryland recorded in Liber 18808 at folio 647 and shown on the "Survey". Affects Parcel Four Only.
29. Terms, provisions, conditions and easements contained in Deed and Agreement by and between BT-NEWYO, LLC and Baltimore County, Maryland recorded in Liber 18808 at folio 651 and shown on the "Survey". Affects Parcel One Only.
30. Terms, provisions, conditions and easements contained in Deed and Agreement by and between BT-NEWYO, LLC and Baltimore County, Maryland in Liber 18808 at folio 655 and shown on the "Survey". Affects Parcel Three Only.
31. With respect to Parcels One through Four, inclusive, only: matters as set forth on a survey entitled "ALTA/NSPS Land Title Survey, Marshfield Business Park" prepared by Harry A. Smith, Jr., PLS No. 21082, Job No. B-200915 dated September 28, 2020, last revised October 28, 2020 consisting of five (5) sheets (the "Survey"), as follows:

As to Parcel 1 (Sheet 2)

- (a) minimum building setback lines;
- (b) zoning use limitation and restriction line;
- (c) Storm manholes;
- (d) water lines beyond easement area along the perimeter of subject property and

As to Parcel 2 (Sheet 3)

- (a) Minimum building setback lines;
- (b) Water line beyond easement area along the southeastern corner, eastern and northeastern portion of subject property;
- (c) Storm manholes;
- (d) Sewer line beyond easement area on southeastern portion of subject property.

As to Parcel 3 (Sheet 4)

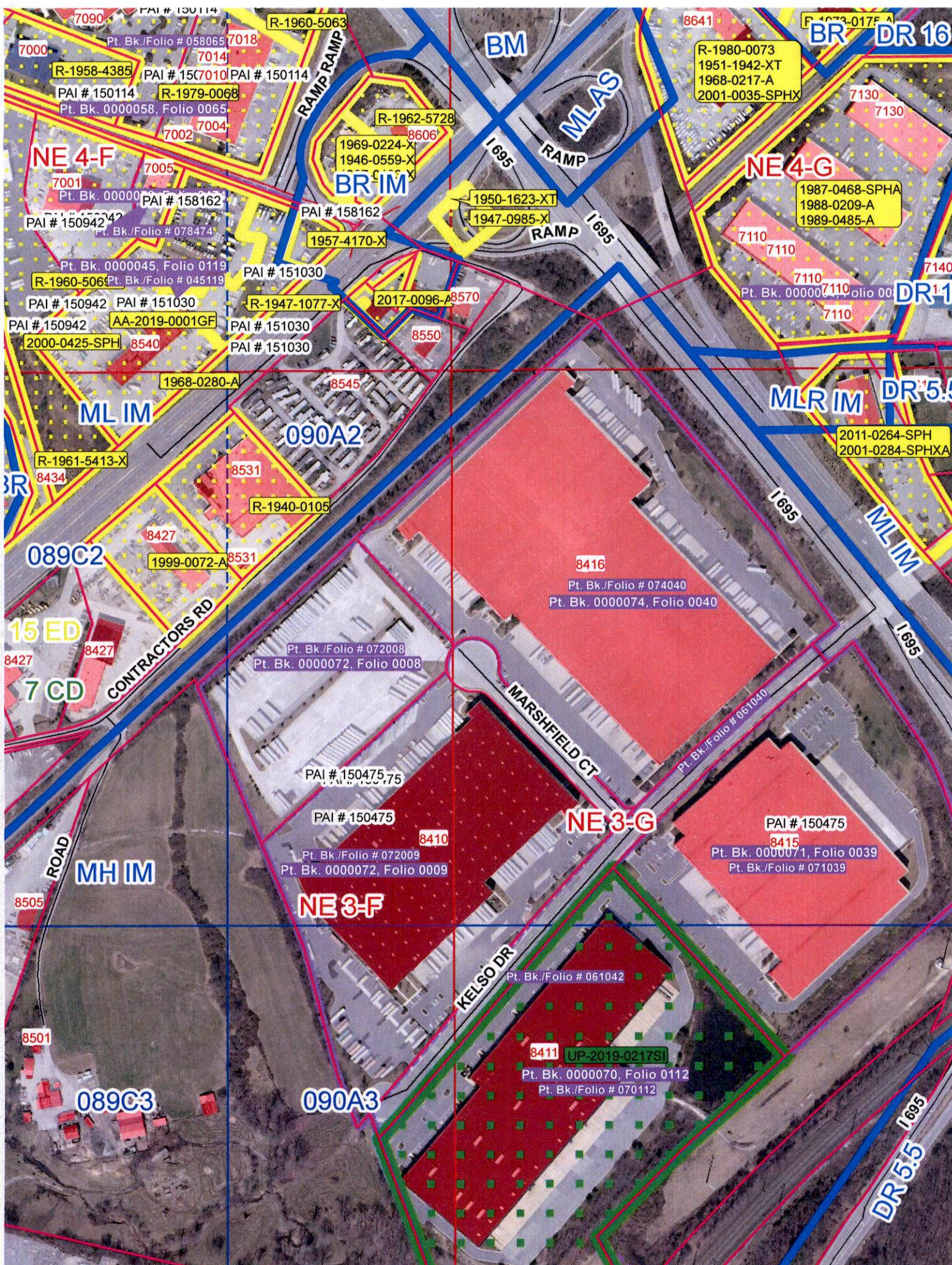
- (a) Minimum building setback lines;
- (b) Critical area (boundaries denoted);
- (c) Wetlands (limit denoted);
- (d) Storm manholes;
- (e) Sanitary sewer manholes;
- (f) Fence extends beyond north east property line

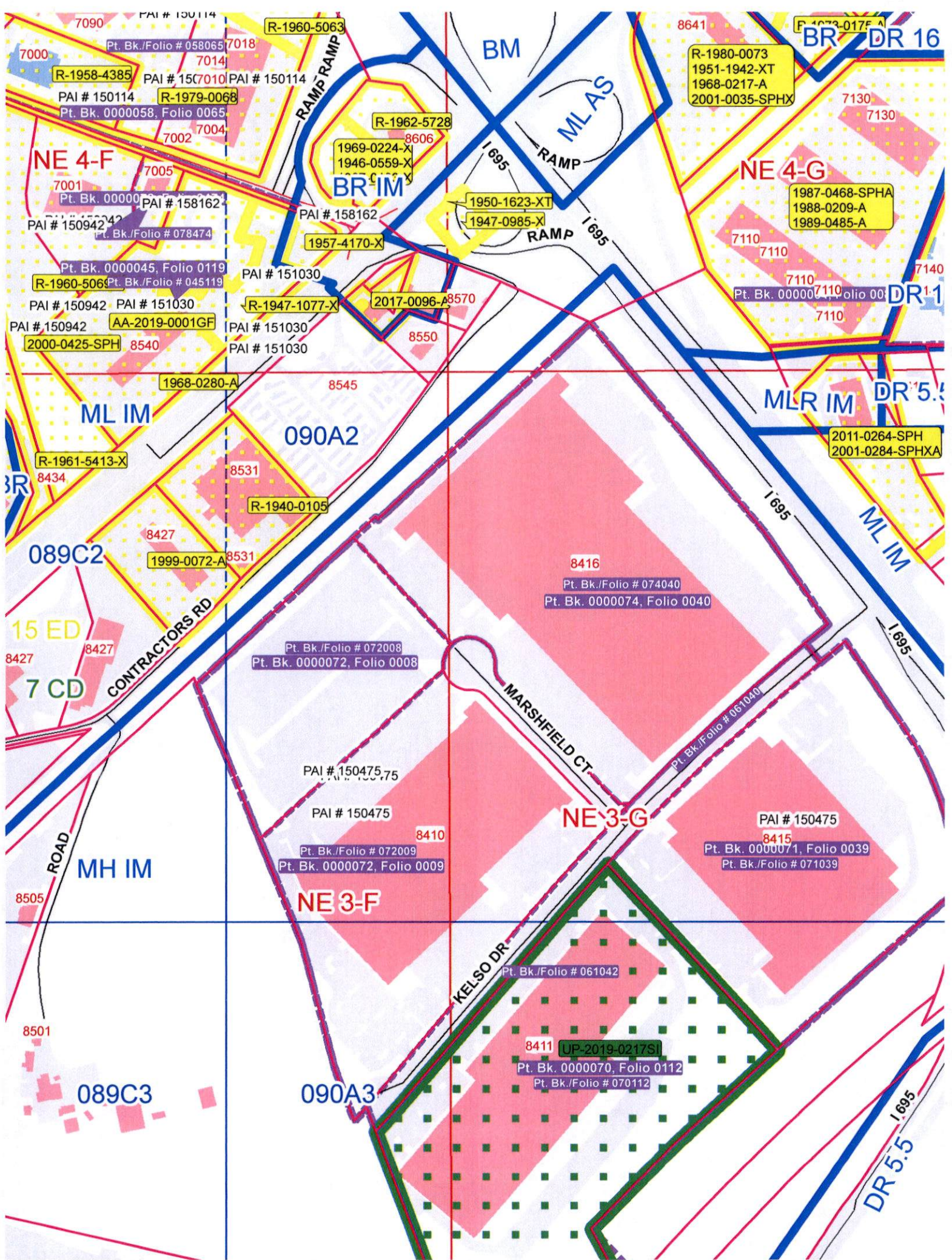
As to Parcel 4 (Sheet 5)

- (a) Minimum building setback lines;
- (b) Zoning use limitation and restriction line;
- (c) Water line beyond easement area along the perimeter of subject property;
- (d) Storm manholes;
- (e) Sanitary manholes; and
- (f) Fence extends beyond property line.

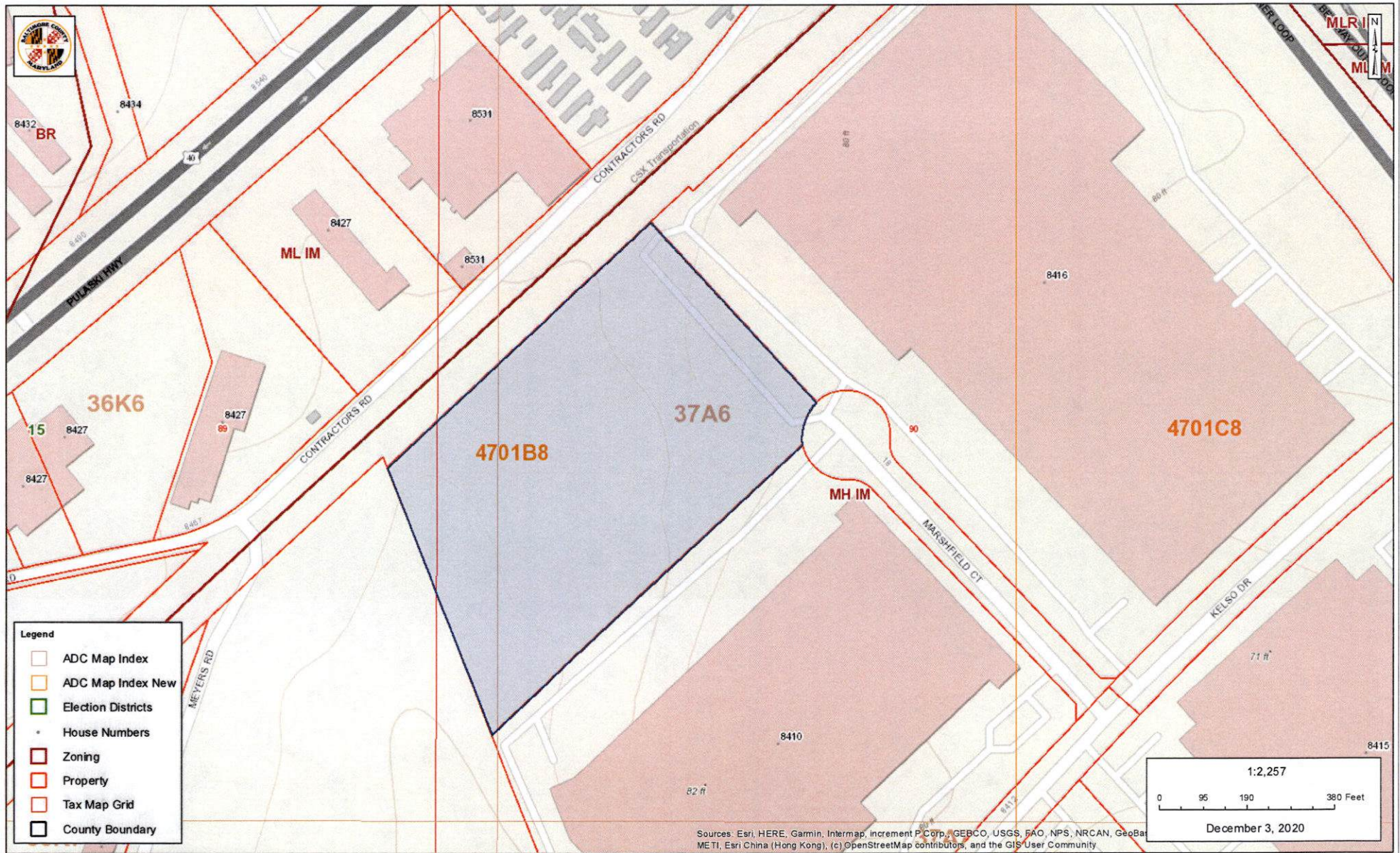
AS TO PARCEL FIVE ONLY:

- 32. Terms, conditions, easements, notes, restrictions and all matters shown on the Plat entitled, "Amended Subdivision Plat Two, Marshfield Business Park", recorded in Plat Book No. S.M. 72 at folio 8 and shown on the "Survey".
- 33. Terms, provisions, conditions and easements contained in Deed by and between Doris L. Gross and Baltimore County, Maryland recorded in Liber CHK 1222 at folio 578.
- 34. Terms, provisions, conditions and easements contained in Deed and Agreement by and between Walter K. Gross, Jr. and Elsa Gross Cochrane and Baltimore County, Maryland recorded in Liber 4230 at folio 346 and shown on the "Survey".
- 35. Terms, provisions, conditions and easements contained in Agreement by and between The Real Estate and Improvement Company of Baltimore City and Baltimore County, Maryland recorded in Liber 5875 at folio 682 and shown on the "Survey".
- 36. Terms, provisions, conditions and easements contained in Deed and Agreement by and between BT-NEWYO, LLC and Baltimore County, Maryland recorded in Liber 18808 at folio 639.
- 37. The following matters set forth on the Survey:
 - (a) Retaining wall and fence beyond south east property line;
 - (b) Storm manholes;
 - (c) Minimum building restriction line



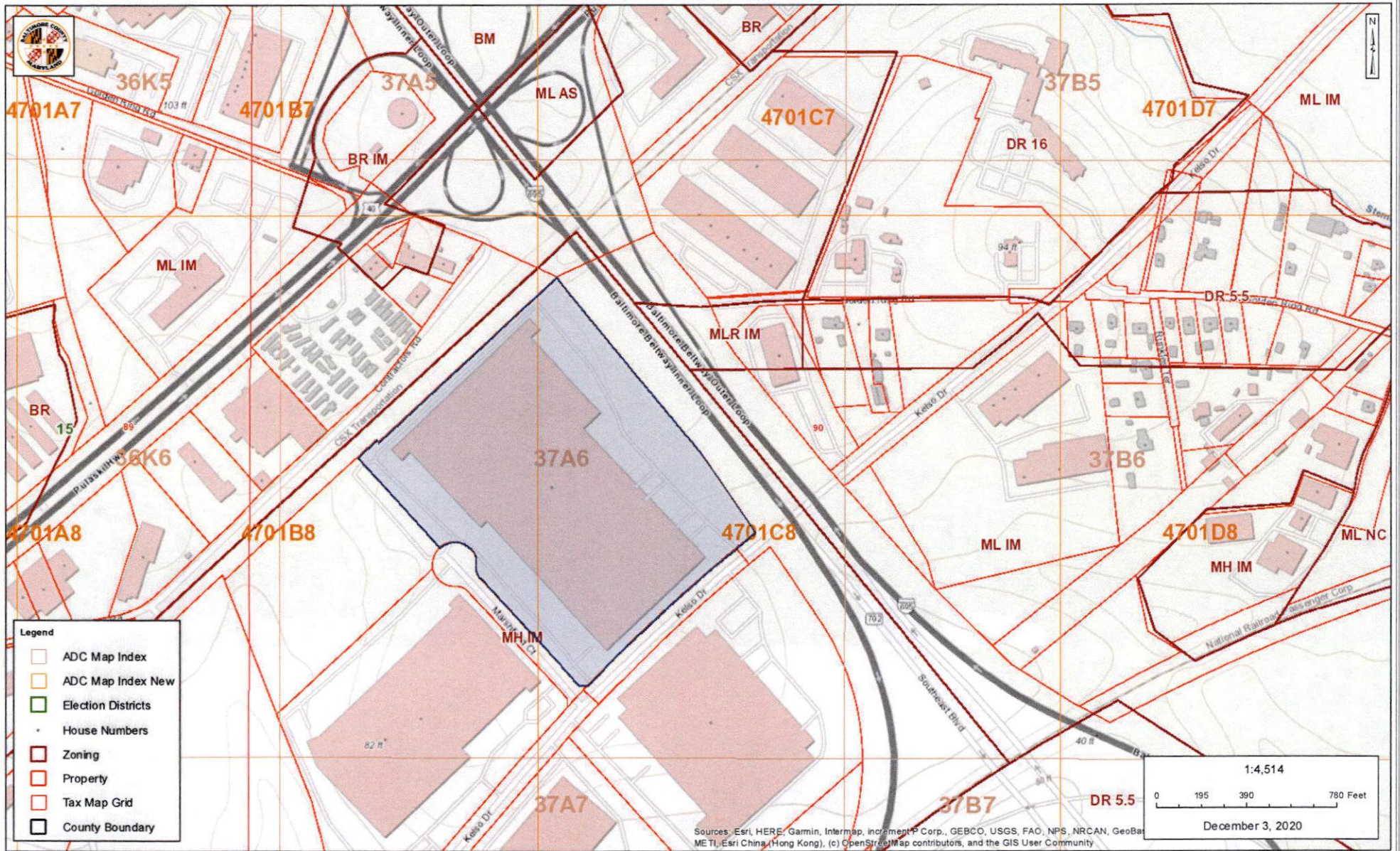


Baltimore County - My Neighborhood



Baltimore County Government, Harford County Government, VITA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |

Baltimore County - My Neighborhood



**PROJECT ROLE**

Project Manager

EDUCATION

Bachelor of Civil Engineering, University of Maryland, College Park, 2000

REGISTRATION

Professional Engineer; Delaware, Maryland, Pennsylvania

TRAINING/CERTIFICATIONS

Annual Oil and Gas Industry Training, Commonwealth of Pennsylvania Department of Environmental Protection, 2011

SUMMARY OF QUALIFICATIONS

Mr. Lazo has more than 20 years of experience in land development in the Maryland, New Jersey, Pennsylvania, and Washington, DC areas. Specifically, he has been involved in providing land development services associated with the design of residential, commercial, industrial, and Federal facilities. Mr. Lazo has expertise in the areas of site grading, utility design, sediment control, and stormwater management. As Project Manager at BL Companies, Mr. Lazo's responsibilities include the design aspect as well as coordination with townships, counties and clients.

RELEVANT EXPERIENCE**Rite Aid, West Windsor Township, New Jersey**

Served as Project Engineer for the design of a 14,673-square foot Rite Aid building and 6,000 square foot retail shopping center with associated parking and landscaping. Project responsibilities include site grading, sediment control, storm drain, stormwater management design, and construction administration. The project involved additional coordination with the Delaware and Raritan River Commission and New Jersey American Water. Design services were completed in 2010.

JIEEDO McGuire Air Force Base, Cumberland County, New Jersey

Served as Project Engineer for the design of approximately four miles of training roadways, miscellaneous culverts, and a 20,000-square foot storage and training facility. Project responsibilities included site grading, sediment control, storm drain, and stormwater management design. This project required extensive coordination with the New Jersey Department of Environmental Protection, New Jersey Pinelands Commission and United States Army Corps of Engineers. Design services were completed in 2010.

Capitol Plaza Shopping Center, Ewing, New Jersey

Served as Project Engineer for drainage improvements to the existing shopping center. Project responsibilities included site grading, drainage design, and sediment control. Design services were completed in 2009.

Schoolhouse Crossings, Franklin Township, New Jersey

Served as Project Engineer for the design of a 14,600-square foot Rite Aid building, a 2,200 square foot Dunkin Donuts, and a 3,600 square foot bank with associated parking. Project responsibilities included site grading, sediment control, storm drain, and stormwater management design. Design services were completed in 2007.

Rite Aid, Jackson Township, New Jersey

Served as Project Engineer for the design of a 14,673-square foot building with associated parking and landscaping. Project responsibilities included site grading, utility design, County road improvements/widening, sediment control, and stormwater management. Design services were completed in 2008 and construction completed in 2013.

Unilever Pilot Plant, Borough of Englewood, New Jersey

Served as Project Engineer for the design and permitting for a 12,000-square foot addition to the pilot plant. Project responsibilities include site grading, sediment control, storm drain, and stormwater management design. Design services were completed in 2007.

Rite Aid, Philadelphia, Pennsylvania

Served as Project Engineer for the design of a 14,600-square foot building with associated parking. Project responsibilities include site grading, utility design, sediment control, and stormwater management. Design services were completed in 2007.

Jared – The Galleria of Jewelry, North Wales, Pennsylvania

Served as Project Engineer for the design of a 5,700-square foot building with associated parking and utilities. Project responsibilities include site grading, sediment control, utility design, and stormwater management design. Design services were completed in 2007.

Ovid Hazen Wells Park, Clarksburg, Maryland

Served as Project Engineer for the design of a recreational park that included two baseball fields, an aquatic center, and associated parking. Project responsibilities included site grading, utility design, stormwater management design, and construction administration. Design services were completed in 2006.

Supreme Court Perimeter Security, Washington, DC

Served as Project Engineer for the design of perimeter security measures as part of the Homeland Security Program. Project responsibilities included site grading, storm drain design, and construction administration. Design services were completed in 2006.

Wachovia Bank, Largo, Maryland

Served as Project Engineer for the design of a Wachovia Bank with associated parking. Project responsibilities include site grading, utility design, stormwater management, and construction administration. Design services were completed in 2006.

Woodmore Towne Centre at Glenarden, Prince Georges County, Maryland

Served as Project Engineer for the design and development of erosion and sediment control plans based on both the State of Maryland and Prince Georges County design requirements. Especially challenging was the need for the generation of multiple phase rough grading sediment control plans that allowed for the construction of perimeter retaining walls in tandem with the site development. Sediment control for both the residential and commercial developments involved the design of multiple sediment traps, sediment basins, earth dikes, and drainage swales. Additionally, computations for each sediment control device were developed and permitted through the soil conservation district. The sediment control design took into account special consideration to ensure the minimization of impact to adjacent environmental areas such as wetlands, stream buffers, and floodplains.

Walgreens, Philadelphia, Pennsylvania

Served as Project Engineer for the design of a 9,200-square foot building with associated parking. Project responsibilities included site grading, utility design, sediment control, and stormwater management. Additionally, obtained approval through the Philadelphia Water Department, Licensing and Inspections, Streets Department, and the Pennsylvania Department of Environmental Protection. Engineering support was provided for construction administration and progress meetings. Design services were completed in 2009.

De Lorenzo's Tomato Pie Restaurant, Newtown Township, Pennsylvania

Served as Project Engineer for the permitting of a 4,500-square foot building with associated parking and landscaping. Project responsibilities included zoning analysis, site plan development, and attendance at Township meetings. Additionally, obtained sewer allocation and capacity approval from the Newtown Joint Sewer Authority and PADEP. Permitting services were completed in 2014.

Margiotti and Kroll Pediatrics, Newtown Township, Pennsylvania

Served as Project Engineer for the renovation of a 4,000-square foot building with associated parking and landscaping. Project responsibilities included site grading, utility design, sediment control, and stormwater management. Additionally, obtained approval from the Philadelphia Water Department, Bucks County Water and Sewer Authority, Newtown Joint Sewer Authority, and PADEP for sewer capacity and service.

Fillmore Village, Phoenixville, Pennsylvania

Served as Project Engineer for the design of 169 townhome units with roads and utilities. Project responsibilities included site grading, utility design, sediment control, and stormwater management. Additionally, obtained approval through the Chester County Conservation District and the Pennsylvania Department of Environmental Protection. Engineering support has been provided for construction administration and progress meetings. Design services were completed in 2012.

Odessa Development Phoenixville, Pennsylvania

Served as Project Engineer for the design of a mixed-use development consisting of assisted living facilities and residential apartment buildings with associated roads and utilities. Project responsibilities will include assisting with site grading, utility design, sediment control, and stormwater management.

Maxatawny Market Place, Maxatawny, Pennsylvania

Served as Project Engineer for the design of a 59,115-square foot Giant grocery store and retail with associated parking. Project responsibilities include site grading, utility design, sediment control, and stormwater management. Additionally, obtained approval through the Bucks County Conservation District and the Pennsylvania Department of Environmental Protection. Engineering support has been provided for construction administration and progress meetings. Design services were completed in 2012 and construction completed in 2013.

Fort Bragg Military Base, North Carolina

Served as Project Engineer responsible for the design of the sediment control and the stormwater management system. Obtained approvals through the North Carolina Department of Environment and Natural Resources and the base engineering personnel. In conjunction with the other design professionals, the 110-acre property was designed as a design-build project with a design time of two months.

Arlington National Cemetery, Arlington, Virginia

Served as Project Engineer for the design of drainage improvements to the Memorial Amphitheatre. Project responsibilities included site grading, storm drain design, and sediment control. Engineering support also was provided for construction administration, progress meetings, and preparation of site record drawings. Design services were completed in 2006.

Sheehy Infiniti, Annapolis, Maryland

Served as Project Engineer for the design of a 26,500-square foot dealership building. Project responsibilities included site grading, utility design, stormwater management, erosion and sediment control, and construction administration. Approvals were obtained from Anne Arundel County, Anne Arundel County Soil Conservation District, and Anne Arundel Health Department. Design services were completed in 2011.

Sheehy Hyundai, Waldorf, Maryland

Served as Project Engineer for the design of a 2,021-square foot addition to an existing showroom building. Project responsibilities included site grading, utility design, stormwater management, and erosion and sediment control. Approvals were obtained from Charles County and Charles County Soil Conservation District. Design services were completed in 2012.

Sheehy Hyundai II, Waldorf, Maryland

Served as Project Engineer for the design of a 17,925-square foot new showroom building. Project responsibilities included site grading, utility design, stormwater management, and erosion and sediment control. Approvals were obtained from Charles County and Charles County Soil Conservation District. Design services were completed in 2014 and facility was constructed in 2015.

University of Maryland Parking Garage, South Campus, College Park, Maryland

Served as Project Engineer for the design of a multi-story parking garage. Project responsibilities included site grading, utility design, stormwater management, erosion and sediment control, and construction administration. Design services were completed in 2003.

Rollins Ridge Development, Rockville, Maryland

Served as Project Engineer for the design of a mixed-use retail and residential complex. The development involved a multi-story building with ground level retail with the remaining floors containing residential apartments. As part of the development, a

three-level parking garage was constructed adjacent to the building for both residents and customers. Project responsibilities included site grading, utility design, stormwater management, erosion and sediment control, and construction administration. Design services were completed in 2006.

Old Chemistry Building, State University of New York, Stony Brook, New York

Served as Project Engineer for the design of a 21,000-square foot multi-story lecture hall addition to the existing chemistry building. Project responsibilities included site grading, utility design, stormwater management, erosion and sediment control, and construction administration. Design services were completed in 2009.

Kelly Dining Facility, State University of New York, Stony Brook, New York

Served as Project Engineer for the design of a 7,500-square foot addition to an existing dining facility building. Project responsibilities included site grading, utility design, stormwater management, erosion and sediment control, and construction administration. Design services were completed in 2011.

Toll Drive Dining Residence and Dining Facility, State University of New York, Stony Brook, New York

Served as Project Engineer for the design of an 81,000-square foot dining hall and dormitories buildings. Project responsibilities included site grading, utility design, stormwater management, erosion and sediment control, and construction administration.

Whole Foods Market, Brooklyn, New York

Served as Project Engineer for the design of a 58,000-square foot grocery store with associated parking. Project responsibilities included site grading, utility design, sediment control, and stormwater management. Additionally, obtained approvals through the New York State Department of Environmental Conservation and New York City Department of Environmental Protection. Engineering support has been provided for construction administration and progress meetings. Design services were completed in 2012 and construction completed in 2013.

Binghamton Rite Aid, Binghamton, New York

Served as Project Engineer for the design of a 14,673-square foot Rite Aid building with associated parking and landscaping. Project responsibilities included site grading, sediment control, storm drain, stormwater management design, and building permit processing. The project involved additional coordination with the New York State Department of Environmental Conservation. Design services were completed in 2013 with construction administration services expected to be completed in 2015.

FedEx Ground Hub, Allen Township, Pennsylvania

Serves as Project Engineer for the design of an 800,000-square foot distribution building with associated parking and landscaping. Project responsibilities include site grading, sediment control, storm drain, stormwater management design, and rough earthwork takeoffs. The project involved additional coordination with the Pennsylvania Department of the Environment and local municipal authorities.

FedEx Baltimore, Baltimore County, Maryland

Serves as Project Manager and design lead for a parking lot expansion and new security building. Project responsibilities include client coordination, site grading, stormwater design and permitting through Baltimore County permitting services and the Baltimore County Soil Conservation District.

FedEx Norristown, Montgomery Township, Maryland

Serves as Project Manager and design lead for a parking lot expansion, interior station building improvements and new interior security improvements. Project responsibilities include client coordination, site grading, stormwater design and permitting through Montgomery Township and the Montgomery County Conservation District.

FedEx Ground Facility Expansion- Pavement Rehabilitation, Philadelphia, Pennsylvania

Served as Project Manager and design lead for the pavement rehabilitation of the automobile parking, truck parking and loading areas. The project involves additional coordination with the Pennsylvania Department of the Environment, Philadelphia Water Department, and other City of Philadelphia agencies.

Rockefeller Industrial Development, Allen Township, Pennsylvania

Serves as Project Manager and design lead for a 1,030,000-square foot and 300,000 square foot warehouse with associated parking and landscaping. Project responsibilities include client coordination, site grading, stormwater design. The project involves additional coordination with the Pennsylvania Department of the Environment, Lehigh Valley Planning Commission, FAA and the Lehigh Northampton Airport Authority.

Crow Holdings Industrial Development, Philadelphia, Pennsylvania

Serves as Project Manager and design lead for a 400,000 square foot warehouse with associated parking and landscaping. Project responsibilities include client coordination, site grading, stormwater design. The project involves additional coordination with the Pennsylvania Department of the Environment, Philadelphia Water Department, FAA and the Northeast Philadelphia Airport Authority.

Crow Holdings Industrial Development, Ontelaunee, Pennsylvania

Serves as Project Manager and design lead for a 500,000 square foot warehouse with associated parking and landscaping. Project responsibilities include client coordination, conceptual site grading, and conceptual stormwater design. The due diligence project is expected to transition to full land development in late 2020.

Royal Farms, Brick Township, New Jersey

Serves as Project Manager and design lead for a 4,000-square foot building with associated gas pumps, parking and landscaping. Project responsibilities include client coordination, site grading, stormwater design. The project involves additional coordination with the New Jersey Department of Environment, New Jersey Department of Transportation, and Ocean County Planning Board.

Royal Farms, Hillsborough Township, New Jersey

Serves as Project Manager and design lead for a 4,000-square foot building with associated gas pumps, car wash, parking and landscaping. Project responsibilities include client coordination, site grading, and stormwater design. The project involves additional coordination with the New Jersey Department of Environment, New Jersey Department of Transportation, and Somerset County Planning Board.

Royal Farms, Bethlehem, Pennsylvania

Serves as Project Manager and design lead for a 4,000-square foot building with associated gas and diesel pumps, car wash, parking and landscaping. Project responsibilities include client coordination, site grading, and stormwater design. The project involves additional coordination with the Pennsylvania Department of the Environment, Pennsylvania Department of Transportation, and the Lehigh Valley Planning Commission.

Dollar General, Franklin Township, New Jersey

Serves as Project Manager and design lead for a 9,200-square foot building with associated parking and landscaping. Project responsibilities include client coordination, site grading, septic design, and stormwater design. The project involves additional coordination with the Gloucester County Health Department, New Jersey Department of Transportation, and Gloucester County Planning Board.

Dollar General, Municipality of Norristown, Pennsylvania

Serves as Project Manager and design lead for a 7,500-square foot building with associated parking and landscaping. Project responsibilities include client coordination, site grading, utility design, and stormwater design. The project involves additional coordination with the Pennsylvania Department of Environmental Protection and Montgomery County Planning Commission.

Target, King of Prussia, Pennsylvania

Served as the Stormwater Pollution Prevention Plan Inspector for a new building on a redeveloped site. Project responsibilities include weekly inspection of the erosion and sediment control measure and the stormwater management system; additional inspections were performed after each significant rainfall. Reports were generated for the project team and deficiencies were noted for an immediate response by the contractor. Inspection services were completed in 2014.

Constitution Pipeline, Pennsylvania and New York

Serves as Project Engineer for the horizontal design of a 120-mile span of new gas main pipeline. Project responsibilities include erosion and sediment control, drainage area delineation, culvert design, and hydrologic modeling. Additionally, the project involved coordination with the New York State Department of Environmental Conservation and the Pennsylvania Department of the Environment.

Floyd Bennett Field, New York

Serves as Project Engineer for the conversion of an airport hangar to an enclosed structure while maintaining the historical integrity of the area. Project responsibilities include site grading, sediment control, utility, storm drain, stormwater management design, and hydraulic/hydrologic modeling. The project involves additional coordination with the New York State Department of Environmental Conservation and the National Park Service.

PPL Susquehanna - Roseland 500 kV Transmission Line Project, Pennsylvania

Serves as Project Engineer for the permitting of various minimum and low volume use driveways required to access the project site. Project responsibilities include site grading, sediment control and storm drain analysis. Additionally, the project involved coordination with PennDOT, local municipalities and county conservation districts.

DBA3_P2 Amazon Delivery Station Essex, Maryland

Serves as Project Manager for due diligence and land development services. Project responsibilities during due diligence include client coordination, site layout, and zoning review. Project responsibilities during land development services included client coordination, site grading, and storm drainage design. The project involves additional coordination and permitting with the City of Baltimore to obtain zoning relief to allow the proposed use.

DJZ5 Amazon Delivery Station Newark, New Jersey

Serves as Project Manager for due diligence and land development services. Project responsibilities during due diligence include client coordination, site layout, and zoning review. Project responsibilities during land development services included client coordination, site grading, and stormwater design. The project involves additional coordination with the New Jersey Department of Environment, New Jersey Department of Transportation, and City of Newark Planning Board.

DDW1 Amazon Delivery Station Laurel, Maryland

Serves as Project Manager for due diligence services. Project responsibilities include client coordination, site layout, and zoning analysis. The project involves additional coordination with Prince George's County and Maryland Department of the Environment.

DGI1 Amazon Delivery Station New Castle, Delaware

Serves as Project Manager for due diligence services. Project responsibilities include client coordination, site layout, and zoning analysis. The project is expected to transition to land development in late 2020.



ROW
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Developer's Exhibit 5B



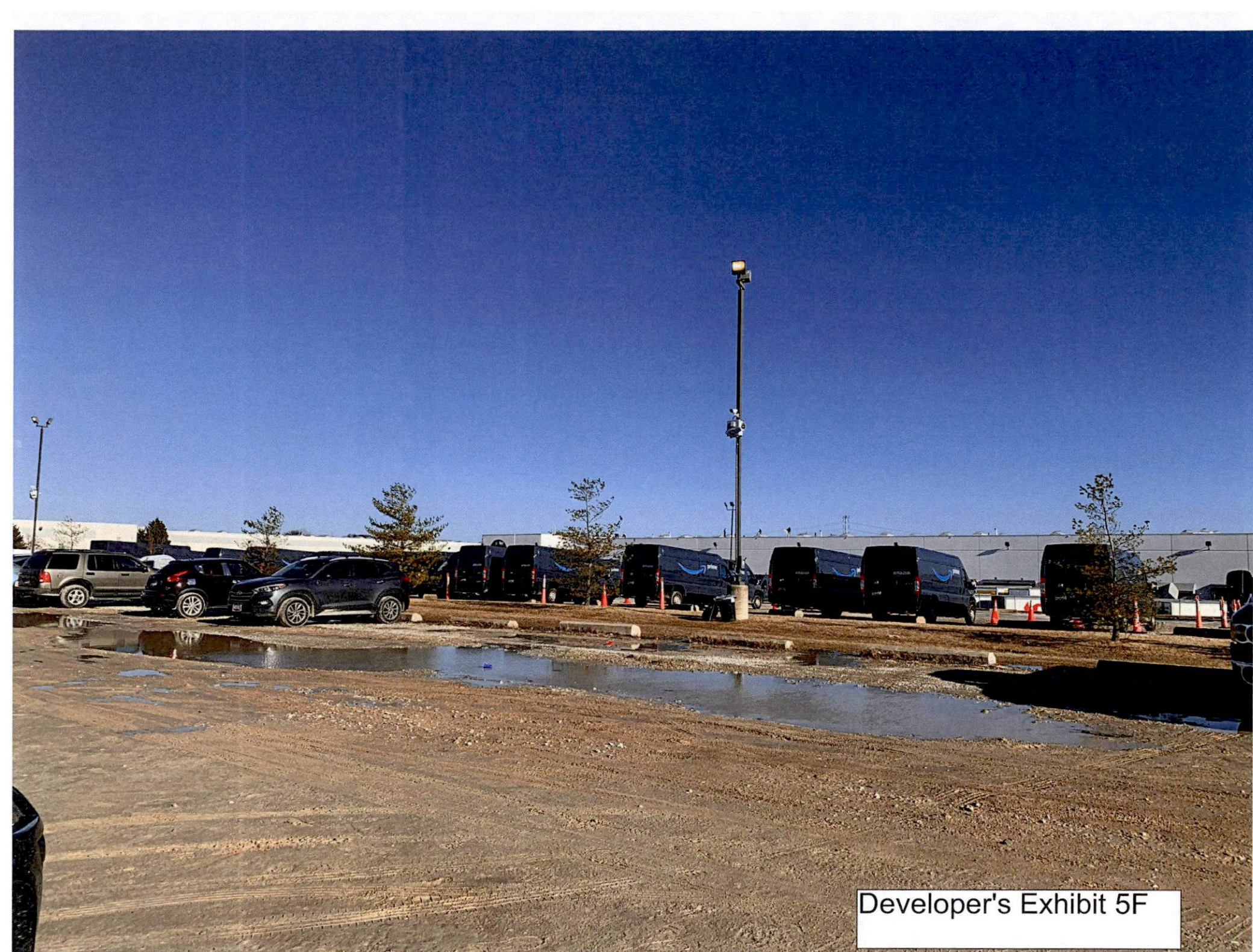
Developer's Exhibit 5C



Developer's Exhibit 5D



Developer's Exhibit 5E



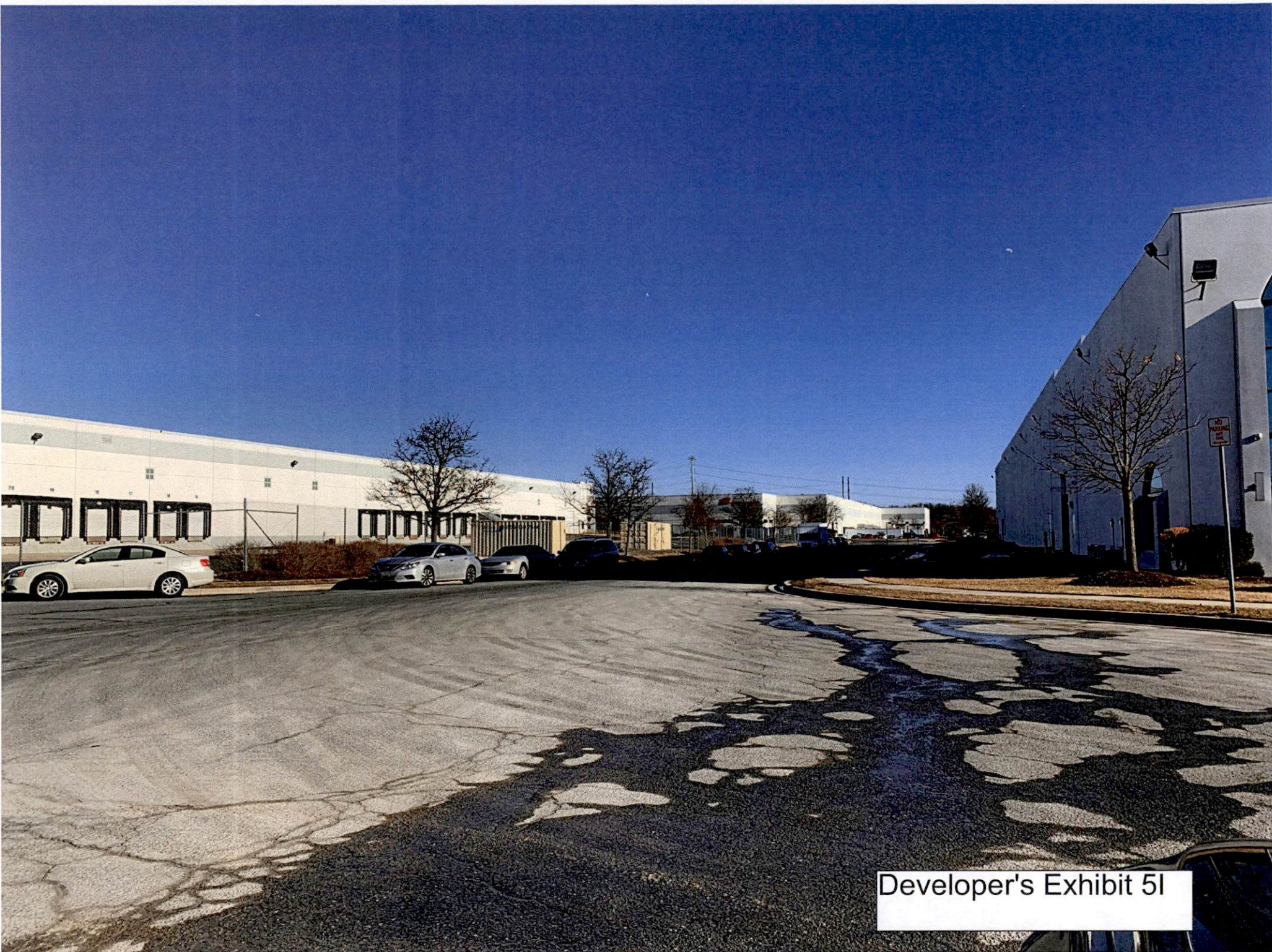
Developer's Exhibit 5F



Developer's Exhibit 5G



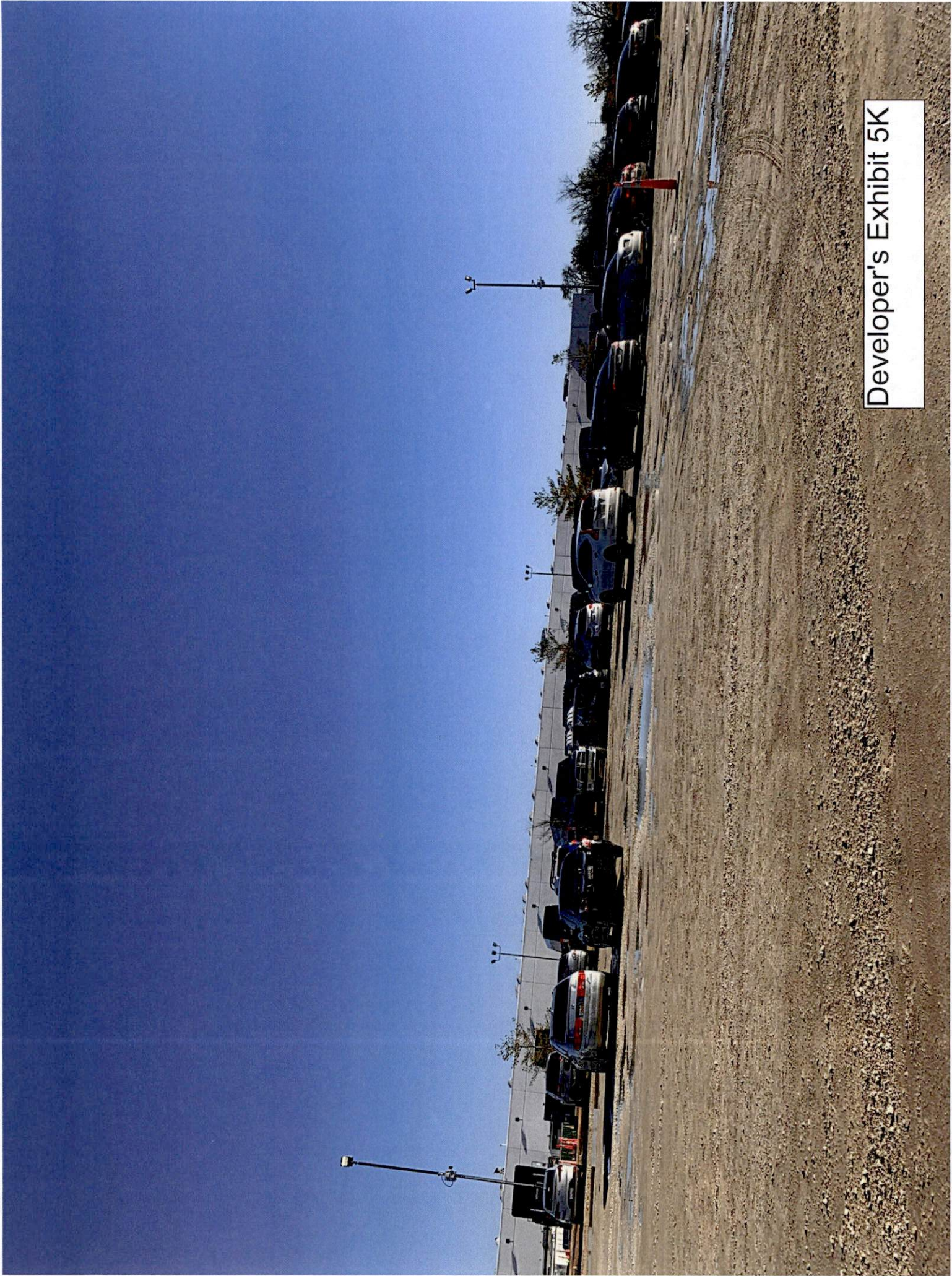
Developer's Exhibit 5H



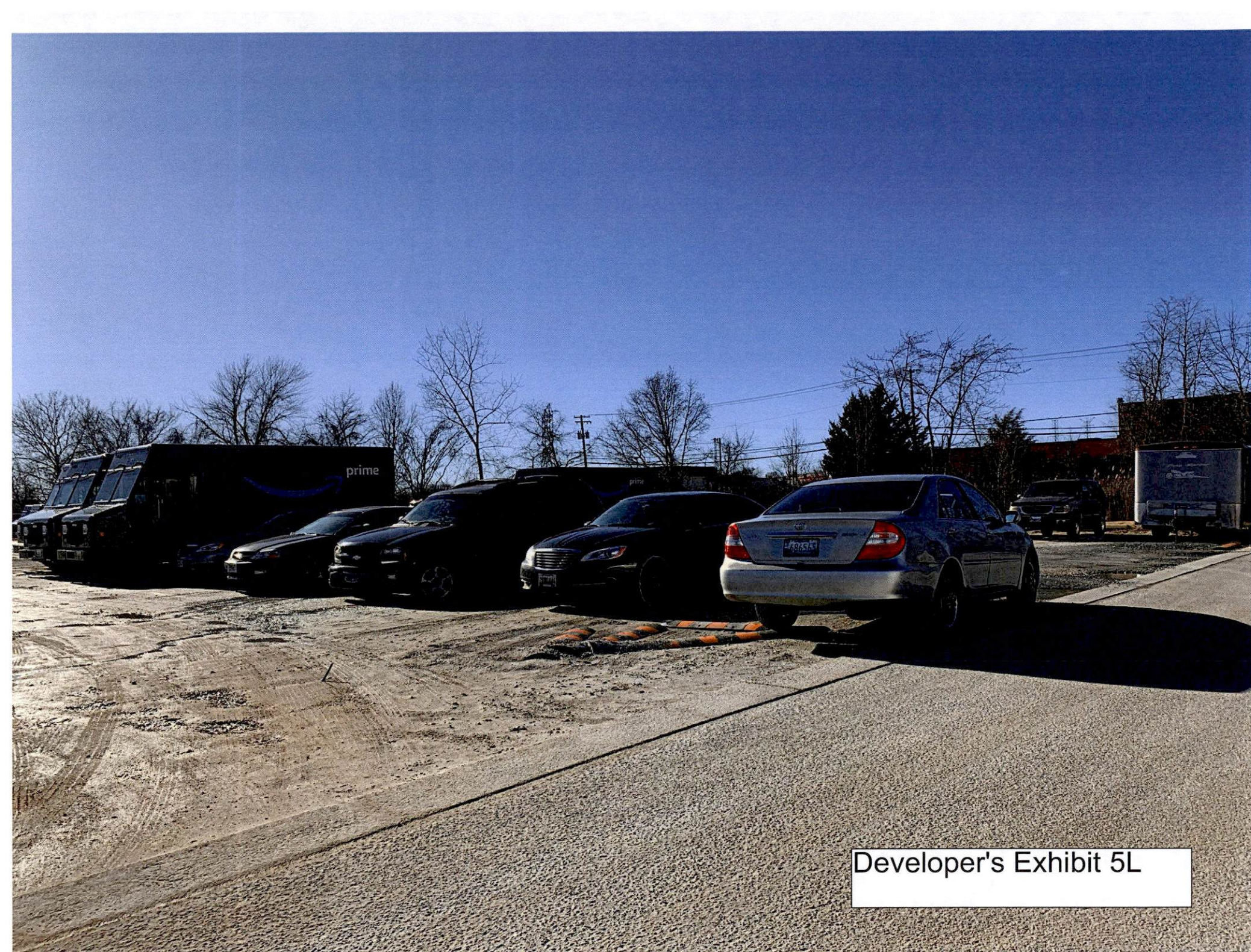
Developer's Exhibit 5I



Developer's Exhibit 5J



Developer's Exhibit 5K



Developer's Exhibit 5L



Developer's Exhibit 5N



Developer's Exhibit 5M



Developer's Exhibit 50



JOHN A. OLSZEWSKI, JR.
County Executive

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

May 17, 2019

BL Companies
Attn: Michael Giaimo
One Boston Place
26th Floor
Boston, Massachusetts 02108

Dear Mr. Giaimo:

RE: Zoning Verification, 8411 Kelso Drive, Trucking Facility, Class I, 15th Election District

Your letter to the Department of Permits, Approvals and Inspections concerning a zoning verification for the above referenced property and use has been referred to this Office for reply. Please be advised that the referenced property is currently zoned MH-IM (Manufacturing Heavy – Industrial Major) pursuant to the official Baltimore County zoning map 090A3. It has been determined based upon the description of the proposed uses in your letter, that the totality thereof meet the definition of a "Trucking Facility, Class I, with warehousing, and are uses permitted as a matter of right in the MH-IM zone. Additionally, the ancillary Office space is also a use permitted as a matter of right in the MH-IM zone. The IM overlay district has no bearing on the occupation of the site as proposed. For a complete list of permitted uses within this zoning classification, please visit our website at www.baltimorecountymd.gov.

Provided the property was developed and occupied in accordance with Baltimore County approved permit plans and all current uses continue to adhere to the requirements of the Baltimore County Zoning Regulations, the present use of the property does not violate applicable zoning regulations. The records of Baltimore County Code Enforcement indicate no known current or outstanding zoning citations associated with the subject property.

I have included herewith Section 410, "Class I Trucking Facilities and Section 101 in pertinent part, containing the definitions of "Trucking Facility" and "Trucking Facility Class I" as per the Baltimore County Zoning Regulations for your review.

You may wish to contact Jan Cook of Development Management for guidance as to whether your proposal will be subject to the Development Regulations and/or whether any previously approved development plans for this property will need to be amended.

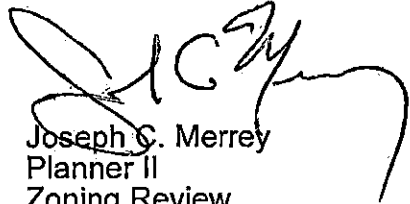
This letter is strictly limited to the application of the Baltimore County Zoning Regulations as applied to the inquiries presented in your letter, and does not, in any fashion, represent verification for any other Local, State or other Regulations that may apply to this property.

THE FOREGOING IS MERELY AN INFORMAL OPINION. IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR

1 of 1

LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS DOCUMENT, OR ANY INTERPRETATION THEREOF.

Sincerely,

A handwritten signature in black ink, appearing to read 'JCM', with a long horizontal flourish extending to the right.

Joseph C. Merrey
Planner II
Zoning Review
410-887-3391

SECTION 410
Class I Trucking Facilities (Truck Terminals)
[Bill No. 18-1976¹]

§ 410.1. Nonconforming and other existing Class I trucking facilities.

The provisions of this subsection apply to Class I trucking facilities existing on the effective date of this section.

A. Plans.

1. If the owner of or authorized agent for a Class I trucking facility believes that approved plans of that trucking facility are on file with the Department of Planning or Department of Permits, Approvals and Inspections on the effective date of this section, he must so notify the Zoning Commissioner, in writing, within six months after that date, unless he has filed or will file plans as provided in Paragraph 2 below. Within 30 days after he receives the written notice, the Zoning Commissioner shall inform the owner or agent whether the plans are, in fact, on file and, if they are on file, whether they meet the requirements of Section 410.3.C.1. If the plans do not meet those requirements, the owner or agent shall file plans that do meet the requirements, within one year after the effective date of this section. [Bill Nos. 122-2010; 55-2011]
2. If approved plans of a Class I trucking facility are not on file with the Department of Planning or the Department of Permits, Approvals and Inspections on the effective date of this section, or if the Zoning Commissioner is not notified under Paragraph 1, the owner of or authorized agent for the trucking facility must file plans of the facility, meeting the requirements of Section 410.3.C.1, within one year after that date. [Bill Nos. 122-2010; 55-2011]
3. Within 30 days after the effective date of this section, the Zoning Commissioner shall publish a checklist of requirements for plans submitted pursuant to Paragraph 2. The checklist must indicate among other things, one or more acceptable scales to which plans must be drawn.
4. The mere submission of plans under this paragraph will not establish the legality of any Class I trucking facility.

B. Rulings, etc., as to nonconformance with respect to certain provisions.

1. Within one year after the date the Zoning Commissioner acknowledges the adequacy of previously filed plans of a trucking facility or accepts new plans for the facility, as provided under Subsection A, he shall review the plans and issue a ruling whether or not the facility conforms with the provisions listed in Paragraph 2 below and, if not conforming with any such provision, whether the nonconformance may be allowed to stand under the provisions of Paragraph 3. If the provision requires the recommendation or approval of authorities other than the Zoning Commissioner, the ruling with respect to conformance with that provision may be made only upon such recommendation or approval.

1. Editor's Note—Former Section 410 was repealed by Bill No. 140-1962.

2. The provisions with respect to which the Zoning Commissioner shall issue rulings under Paragraph 1 are the following:
 - Section 409.6.A.3 (automobile parking)
 - Section 410.3.A.1 (access to streets)
 - Section 410.3.B.3 (layout such as not to cause congestion)
 - Section 410.3.B.5 (fencing, etc.)
 - Section 410.3.B.6 (wheel stops, etc.)
 - Section 410.3.B.7 (paving and curbing)
 - Section 410.3.B.8 (drainage)
 - Section 410.3.B.9 (rest rooms and other conveniences)
 - Section 410.3.C.2 (concealment of automotive parts, junk vehicles)
 3. A trucking facility's nonconformance with Section 409.6.A.3 shall be allowed to stand if a variance to that section is granted pursuant to Section 307 of these regulations and Article 32, Title 3, Subtitle 3 of the Baltimore County Code. Nonconformance with Section 410.3.A.1 shall be allowed to stand if the site of the trucking facility does not abut a street on which access is permitted under that section or, if it does abut such a street, the county trucking facilities development officials determine that the length of the coextensive street line and site boundary is insufficient to permit proper access from that street. However, in any case where access that is not in accordance with Section 410.3.A.1 is allowed to remain, the Zoning Commissioner shall have the power to prescribe the route that trucks must use in reaching or on leaving the site, in accordance with a recommendation of the county trucking facilities development officials. [Bill No. 137-2004]
- C. Procedure, etc., in use of nonconformance with respect to certain provisions. If the Zoning Commissioner, under Section 410.1.B.1, rules that a trucking facility does not conform with a provision listed in Section 410.1.B.2 and if the nonconformance with that provision is not allowed to stand under Section 410.1.B.3, one or both of the courses of action set forth in Paragraphs 1 and 2 below must be followed:
1. Within 90 days of the date of the Zoning Commissioner's ruling, the owner or agent must file with the Zoning Commissioner an acceptable program of compliance, showing that conformance with each provision in question will be achieved within 27 months after the date of the ruling. The program must include, among other things, that the Zoning Commissioner may reasonably require, (a) a plan of the trucking facility as it will be upon conformance as required, and (b) the schedule under which conformance will be achieved. The Zoning Commissioner may refuse to accept any such program that, in his judgment, does not show that approximately half of all the work to be completed under the program will be done by the end of the 15th month after the date of the ruling or does not meet other requirements of these Zoning Regulations. The trucking facility covered by a program of compliance submitted pursuant to this paragraph must be in partial compliance with the provisions in

question by the end of the 15th month after the date of the ruling, as shown in the program, and must be in full compliance with all such provisions at the end of the 27th month after the date of the ruling; or

2. Within 90 days after the date of the Zoning Commissioner's ruling, the owner or agent must file with the Zoning Commissioner a petition requesting that the facility not be required to conform with a provision in question, the petition to be advertised and heard in accordance with the provisions of Section 500.7. No relief may be granted under this paragraph, however, unless the petitioner shows that conformance with the provision would cause undue hardship and would not be in the interest of the general welfare of the community, with particular consideration given to any dwelling within 300 feet of the facility. Such relief may be granted to the extent necessary to eliminate undue hardship, and only to that extent, and only in keeping with the intent of these Zoning Regulations in general and this section in particular; relief may not be granted to an extent detrimental to the general welfare of the community. Where relief is sought but not granted under this paragraph, the Zoning Commissioner shall require a program of compliance such as that provided for under Paragraph 1 above and shall provide for enforcement of that program. In any case, the trucking facility must conform with any provision from which relief is not granted under this paragraph within 27 months of the date of the Zoning Commissioner's ruling pursuant to Section 410.1.B.1.

D. Effects of failure to comply.

1. The failure of an owner of or authorized agent for a Class I trucking facility to comply with an applicable requirement of Subsection A or C above or failure to comply with an order by the Zoning Commissioner prescribing a truck route as provided in Paragraph 3 of Subsection B shall constitute a violation of these Zoning Regulations.
2. The right to continue any Class I trucking facility that was established before the effective date of this section and whose owner or agent has failed to comply with an applicable requirement of Subsection A shall cease three years after that date, unless the facility conforms or has been changed to conform with all provisions of these Zoning Regulations, as if it were a new use.
3. The right to continue any Class I trucking facility that was established before the effective date of this section and whose owner or agent has complied with the applicable requirements of Subsection A but has failed to comply with an applicable requirement of Subsection C shall cease three years after the date of the Zoning Commissioner's ruling issued pursuant to Paragraph 1 of Subsection B, unless the facility conforms or has been changed to conform with all provisions of these Zoning Regulations, as if it were a new use.

E. Expansion of nonconforming Class I trucking facilities. The site, structures and paved areas of a nonconforming Class I trucking facility may not be expanded unless the use is made to conform in all respects with these Zoning Regulations or except as follows:

1. Expansion to the minimum extent necessary to comply with the standards of Section 410.3 may be allowed by the Zoning Commissioner, after public hearing, provided

that the expansion is not in excess of that allowed under Section 104 and that, in the judgment of the Zoning Commissioner, the expansion would be in the interest of the general welfare of the community, with particular consideration given to any dwellings within 300 feet of the trucking facility.

2. Operations of the trucking facility may be enclosed within buildings, even though the construction of buildings or enlargement of existing buildings necessary to do so would result in an expansion beyond the limit imposed under Section 104, provided that the truck facility is in an M.L. or M.H. Zone and that the Zoning Commissioner finds, after public hearing, that the enclosure would lessen the net overall environmental impact of the facility and would otherwise be in the interest of the general welfare of the community.
- F. With the exception of plans for conforming Class II trucking facilities in M.H. Zones, plans approved under this section may be amended only by special exception.
- G. Public information program on provisions of this section and Section 410A. For the period from the beginning of the second month to the end of the 12th month after the date of enactment of this section, the Zoning Commissioner shall implement a program of public information regarding the provisions of this section and Section 410A, with emphasis on the provisions of this subsection and Subsection 410A.1. In particular, he shall endeavor to ensure that any party responsible for complying with these sections is informed of the provisions therein. (However, the failure of the Zoning Commissioner to inform any party of the provisions of these sections will not constitute a legal justification for that party's failure to comply with them.)

§ 410.2. Location.

No Class I trucking facility or part thereof (including any access point or driveway) established on or after the effective date of this section may be located within 200 feet of a wetland or, with the exception of accessory passenger automobile parking areas, within 300 feet of a dwelling or a residential zone. No passenger automobile parking area or part thereof accessory to a Class I trucking facility may be located within 25 feet of a dwelling or a residential zone.

§ 410.3. Site and development standards; plan; operation.

The standards of this subsection apply to Class I trucking facilities established on or after the effective date hereof, to conforming Class I trucking facilities established before that date and hereafter expanded or otherwise changed, and, to the extent specified in Subsection 410.1, to nonconforming Class I trucking facilities.

A. Access points.

1. Any point of access to a public street must be on a public industrial service road, on a major collector street or on an arterial street. However, no access point on a public industrial service road is permitted unless the hearing authority (in the case of a trucking facility permissible by special exception) or the Director of Public Works (in the case of a facility permitted as a matter of right) prescribes an appropriate route for trucks traveling to or from the facility or finds that an appropriate route has already been prescribed. (Such a decision may be appealed to the Board of Appeals

as provided under Section 602 of the Baltimore County Charter, as amended, and § 32-3-401 of the Baltimore County Code.) [Bill Nos. 218-1980; 137-2004]

2. The curb tangent length between access points must be at least 100 feet, except that a shorter length may be allowed or greater length required by the Zoning Commissioner on recommendation of the county trucking facilities development officials. The number, widths and channelization (if any) of access points shall be as required by the Zoning Commissioner, after recommendation of the county trucking facilities development officials and, in the case of access points on a state-maintained highway, recommendation of the State Highway Administration.

B. Other site and development standards.

1. Unless the lot on which the facility is situated lies within a planned industrial park, the net area of the lot must be at least three acres and its diametral dimension must be at least 150 feet. (This paragraph does not limit the number of trucking facilities that may be situated on a lot of the minimum size.)
2. Contrary provisions of these regulations notwithstanding, the trucking facility's floor area ratio may not exceed 0.1.
3. The layout of improvements must be such as to provide for convenient forward movement of vehicles leaving or entering the site and such as to preclude any likelihood that trucks will be unable to gain immediate access onto the site at any time, as determined by the Zoning Commissioner after recommendation by the county trucking facilities development officials.
4. The minimum area of the surface that must be provided for parking of truck tractors and trailers on the site, not including maneuvering area, is 1,320 square feet per loading berth. However, a lesser area may be allowed or greater area required by the Zoning Commissioner after recommendation by the County trucking facilities development officials. (See Section 409 for automobile-parking requirements.)
5. Except in an M.H. Zone, that part of the site devoted to trucking operations (not including the automobile parking area) must be surrounded by security fencing at least six feet high. In any zone, except for approved access points, the site as a whole must be enclosed or partially enclosed by opaque fencing, walls or living screen planting to visually screen the use and its accessory uses from residential zones, from residential premises or from churches, schools, hospitals or other similar institutional uses, and to prevent possible extension of uses beyond the site boundaries. The height of the visual screening must be at least six feet, except that screen planting may be as low as three feet from the ground at the time of planting if it is of such a variety that it can reasonably be expected to be at least six feet high no more than two years after it is planted. In any case, planting must be such as to provide full screening effect within two years after it is planted and must be maintained in good condition. Further, all fencing and screening must be in accordance with adopted design provisions (as defined in Section 101).
6. Wheel stops or other means must be provided to protect walls, fencing or screen planting.

7. All parking, loading, maneuvering and storage areas must be paved in accordance with the applicable provisions of Section 409. Curbing at the edges of paved areas must be provided if required by the Zoning Commissioner, on recommendation of the county trucking facilities development officials. [Bill No. 26-1988]
8. Proper drainage of the entire site must be provided for. On-site stormwater detention or controlled release facilities may be required by the Department of Public Works.
9. Adequate rest room facilities (for both sexes), a drivers' room and telephone service for the truck drivers and other personnel must be provided on the site.
10. Upon the effective date of the Baltimore County Landscape Manual, all landscaping and screening shall be in accordance with such manual adopted pursuant to § 32-4-404 of the Baltimore County Code. [Bill Nos. 31-1984; 137-2004]

C. Plans and operation.

1. The plans for a Class I trucking facility submitted in or with an application to Baltimore County for any permit to establish or alter such a facility, or submitted in pursuance of any provision of these Zoning Regulations, must show the layout and operation of the use in detail that is sufficient for the Zoning Commissioner to determine whether and in what manner the facility will meet the requirements of these Zoning Regulations and must be certified by a professional engineer (licensed as such under the provisions of Title 14 of the Business Occupations and Professions Article of the Annotated Code of Maryland) or by a professional who is not an engineer but who is registered under law as competent to certify the accuracy of the plans. The operation, as well as the development, of the use must be in accord with the approved plans. In particular, the number of vehicles (including trailers) on the site must not at any time exceed the number provided for by the plans.
2. Automotive parts must be concealed from off-site view. Junk vehicles may not be stored or otherwise situated on the site.
3. In the granting of a special exception authorizing the establishment of a Class I trucking facility, the Zoning Commissioner may impose (in addition to any other reasonable restriction) reasonable limitations on hours of operation.

§ 410.4. Actions of county officials to be consistent with certain purposes.

- A. Consistency of actions with purposes. Whenever the Zoning Commissioner, the county trucking facilities development officials or any other county official or officials take an action pursuant to the provisions of this section, that action must, where applicable, be as consistent as is feasible with the purposes of this section, as set forth in Subsection B. below and elsewhere in this section, and with the other purposes of these regulations in general (including the purposes set forth in Article 32 of the Baltimore County Code. [Bill No. 137-2004])
- B. Purposes. In addition to other purposes implied or expressed in other provisions, the purposes of this section are:
 1. To promote the spatial consolidation of trucking facilities, such as joint use of larger sites, so that the number of locations or trucking facilities will not be excessive with respect to the public interest and so as to provide for greater flexibility in the layout of individual sites.

TRANSIT STORAGE AND REPAIR YARD — A site used primarily for the storage and maintenance of common carrier vehicles and for the repair of equipment associated with such vehicles. [Bill No. 91-1990]

TRUCKING FACILITY — A structure or land used or intended to be used primarily (a) to accommodate the transfer of goods or chattels from trucks or truck trailers to other trucks or truck trailers or to vehicles of other types, in order to facilitate the transportation of such goods or chattels; or (b) for truck or truck-trailer parking or storage. A trucking facility may include, as incidental uses only, sleeping quarters and other facilities for trucking personnel, facilities for the service or repair of vehicles, or necessary space for the transitory storage of goods or chattels. The term "trucking facilities" includes facilities for the storage of freight-shipping containers designed to be mounted on chassis for part or all of their transport, but does not include a warehouse, moving and storage establishment or truck stop. Land used for the parking, storage or repair of trucks used as an accessory to a lawful business or industrial use of the land that such parking or storage area forms a part of shall not be considered a trucking facility within the meaning of this definition. As used in this definition, the terms "trucks," "truck-trailers" and "truck tractors" do not include any vehicle whose maximum gross weight is 10,000 pounds or less, as rated by the State Motor Vehicle Administration. [Bill Nos. 18-1976;³² 218-1980]

TRUCKING FACILITY, CLASS I (TRUCK TERMINAL) — A trucking facility whose primary purpose is to accommodate the transfer of goods or chattels from trucks or truck trailers to other trucks or truck trailers or to vehicles of other types, in order to facilitate the transportation of such goods or chattels. [Bill No. 18-1976]

TRUCKING FACILITY, CLASS II — A trucking facility other than a Class I trucking facility, including a truck yard (the primary purpose of which is to accommodate the parking or storage of trucks, truck trailers or truck tractors. [Bill No. 18-1976]

TRUCK STOP — A structure or land used or intended to be used primarily for the sale of fuel for trucks and, usually, incidental service or repair of trucks; or a group of facilities consisting of such a use and attendant eating, sleeping or truck parking facilities. As used in this definition, the term "trucks" does not include any vehicle whose maximum gross weight is 10,000 pounds or less, as rated by the State Motor Vehicle Administration. [Bill No. 18-1976]

UNLICENSED MOTOR VEHICLE — Any motor vehicle which does not have a current and valid registration plate or plates and validation tab or tabs attached to and displayed on the vehicle for the then current registration period. [Bill No. 135-1986]

URBAN-RURAL DEMARCATION LINE — A boundary line established by the Planning Board, dividing that portion of Baltimore County considered as "urban" from that portion of the county considered as "rural." In establishing or relocating such line, the Planning Board shall consider population density, existing public water supply and sewerage facilities, other existing public facilities and public facilities scheduled for planning or construction in the capital budget and five-year capital program. [Bill No. 40-1967]

VAPOR LOUNGE — Any facility, establishment, or location, whether fixed or mobile, whose business operation, whether as its primary use or as an ancillary use, includes the utilization of

32. Editor's Note—This bill also repealed the former definition of "truck terminal."



JOHN A. OLSZEWSKI, JR.
County Executive

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

February 22, 2021

Lawrence E. Schmidt,
600 Washington Ave Suite 200
Towson MD 21204

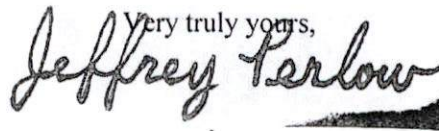
RE: Case Number: 2020-0297-SPHA, 22 Marshfield Court & 8416 Kelso Drive

To Whom It May Concern:

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on December 14, 2020. This letter is not an approval, but only a NOTIFICATION.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,


Jeff Perlow
Acting Supervisor
Department of Zoning

PCG

Enclosures

CC: People's Counsel

MDOT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

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

January 4, 2021

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. **2020-0297-SPHA**

SREIT Kelso Drive LLC
8416 Kelso North

If there are any questions, please contact Mr. Steven Autry at 410-229-2335, or toll free (in Maryland only) at 1-800-735-2258 (x2335), or via email at sautry@mdot.maryland.gov.

Sincerely,


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

WW/RAZ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 1/22/2021

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 20-0297

INFORMATION:

Property Address: 22 Marshfield Ct & 8416 Kelso Dr.

Petitioner: SREIT Kelso Drive LLC

Zoning: MH IM

Requested Action: Special Hearing & Variance

The Department of Planning has reviewed the petition for the following:

Special Hearing

- 1) To permit the parking and storage of personal vehicles and vans as a parking lot/garage;
- 2) In the alternative, to permit the parking and storage of personal vehicles and vans as a warehouse;
- 3) In the alternative, to permit the parking and storage of personal vehicles and vans as a trucking facility;
- 4) To approve the location and configuration of the existing site improvements;
- 5) For such other and further relief as may be required by the Administrative Law Judge (ALJ) for Baltimore County.

Variance relief, if necessary, from;

- 1) BCZR §410.2 to permit a trucking facility within 300 feet of a residence;
- 2) BCZR §410.2 to permit a trucking facility within 200 feet of a wetland;
- 3) BCZR §410.3.B to permit a trucking facility with a floor area ratio greater than .1;
- 4) BCZR §258.1 to permit a front yard setback of 35 feet in lieu of the required 25 feet;
- 5) BCZR §258.1 to permit a side yard setback of 120 feet in lieu of the required 30 feet;
- 6) BCZR §258.1 to permit a rear yard setback of 46 feet in lieu of the required 30 feet and;
- 7) For such other and further relief as may be required by the ALJ for Baltimore County.

A site visit was conducted on January 18, 2021. The 22 Marshfield Ct. property is a parking lot and the 8416 Kelso Dr. property contains parking lots and a vacant building that was apparently intended to be used as a trucking facility. A railroad track lies beyond the rear, northwest border of these properties with mature forest buffers on either side of it. The forest buffer between the properties in question and the tracks are on an elevated berm, providing an additional noise barrier. On the opposite side of the railroad tracks is the Golden Ring Forty trailer park and mobile home community. On the north side of 8416 Kelso Dr. is a small vegetated area identified as a wetland between the property and I-695.

A conversation with the Petitioner's Representative, Lawrence Schmidt, clarified that it is the intention of the client, Amazon.com Services LLC, to utilize the subject properties to park employee vehicles and

small company cargo vans. The employees and vehicles are connected to the operations of the Amazon.com building across the street at 8411 Kelso Dr., which is categorized as a "trucking facility" within the MH IM zoning classification.

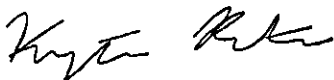
Although it may be the intention of the client to utilize the properties solely for parking, the designed capacity for the 8416 Kelso Dr. property to also be a trucking facility leads the Department to recommend that this specific property be deemed a trucking facility and parking lot. As a trucking facility, it is the recommendation of the Department that all the requested zoning variances be granted for the following reasons:

- 1) It is apparent the intended use of the property when it was developed was to be a trucking facility and parking lot;
- 2) The mature forest buffer and berm between the specified property and the trailer home community would mitigate nuisance noise beyond what is already experienced by the community's close proximity to the railroad tracks;
- 3) The small wetland area between the property and the highway is already subject to the existing impervious footprint and this does not change if the property is utilized as it was intended when developed.
- 4) The landscape directly surrounding the wetland is lacking protective vegetation. The Department's variance approval is contingent upon additional native trees being planted around the wetland within the property boundaries to further protect the area.

With regards to the 22 Marshfield Ct., this property is solely a parking lot and not used as a trucking facility. It is the recommendation of the Department that it remain categorized as such and not be subject to the zoning variance required for a trucking facility

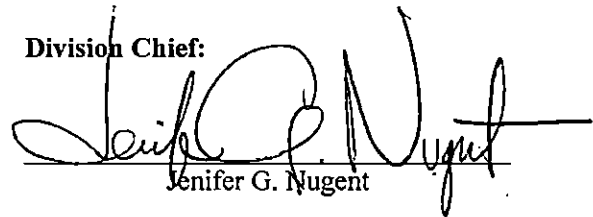
For further information concerning the matters stated herein, please contact Jessie Hillman at 410-887-3480.

Prepared by:



Krystle Patchak

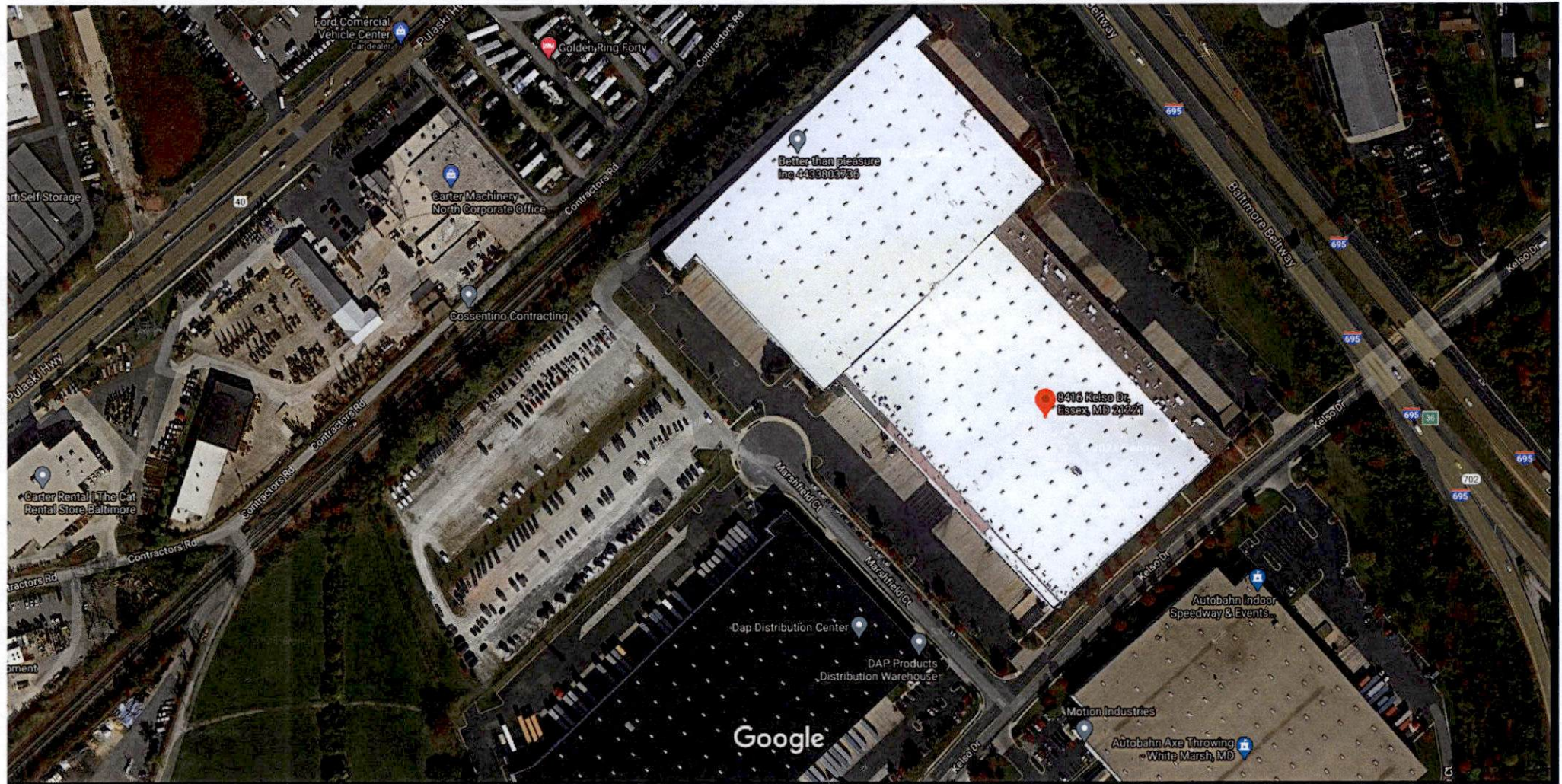
Division Chief:



Jennifer G. Nugent

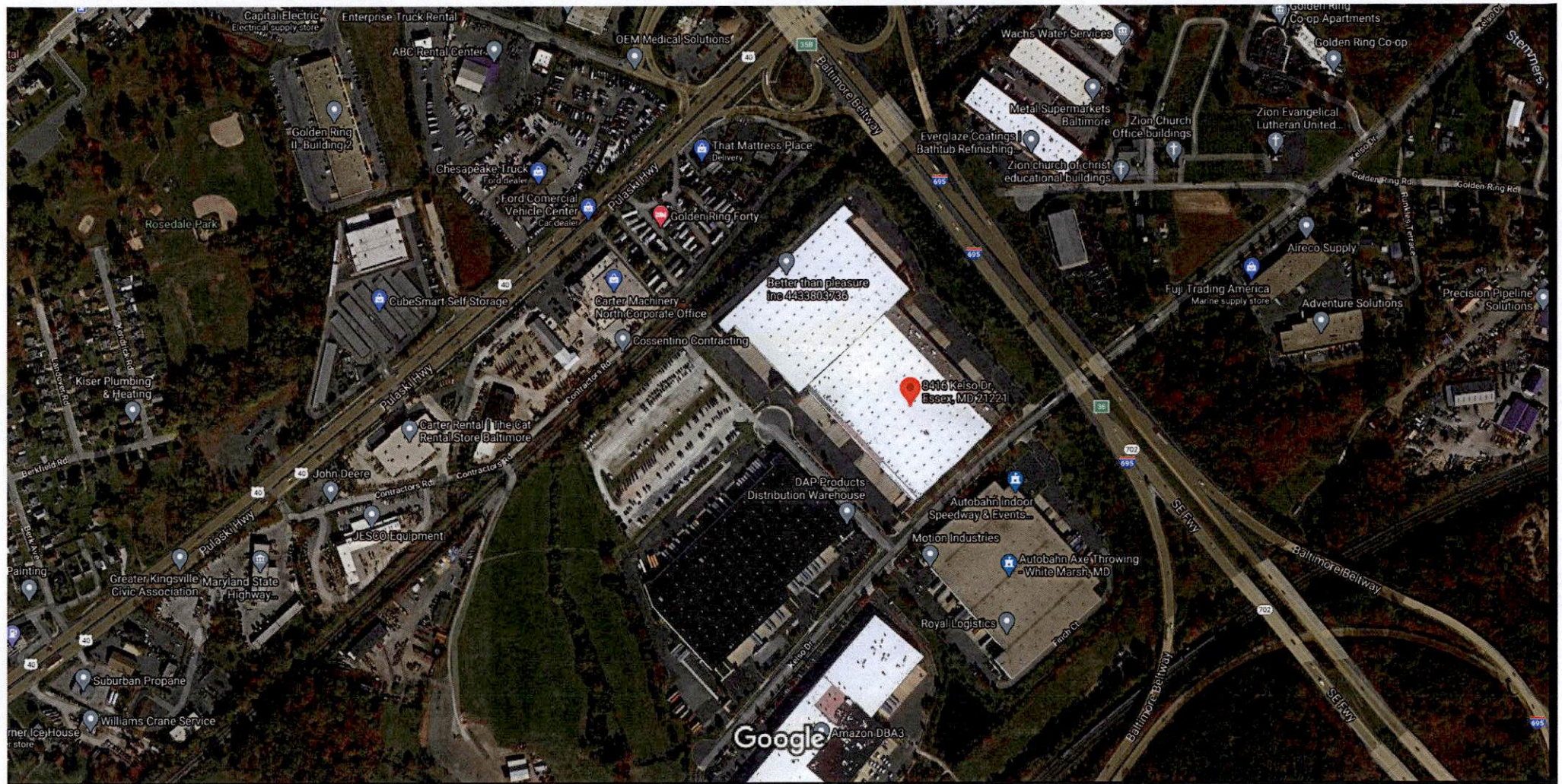
SL/JGN/KP/

c: Jessie Hillman.
Lawrence E. Schmidt, Smith, Gildea and Schmidt, LLC.
Office of the Administrative Hearings
People's Counsel for Baltimore County



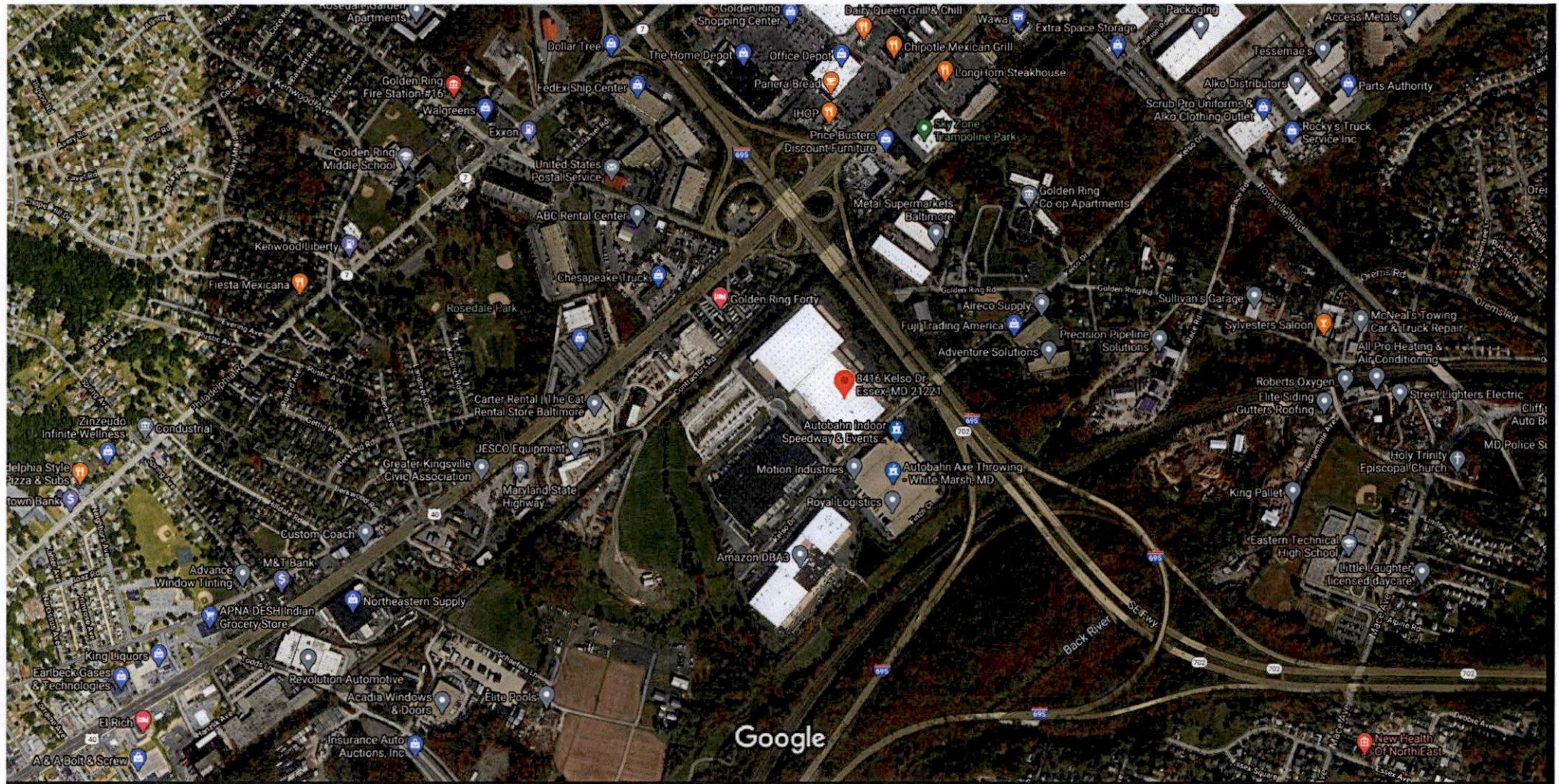
Imagery ©2021 Commonwealth of Virginia, Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2021 100 ft

Developer's Exhibit 2



Imagery ©2021 Commonwealth of Virginia, Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2021 200 ft

Developer's Exhibit 2B



Imagery ©2021 Commonwealth of Virginia, Maxar Technologies, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2021

500 ft

Developer's Exhibit 2C

RingCentral x 8416 Kelso Dr - Google Maps x Baltimore County - My Neighborhood x +

← → ↻ bccgis.baltimorecountymd.gov/myneighborhood/

Baltimore County - My Neighborhood

My Neighborhood Select a Property from the Map

enter ADDRESS or 10-DIGIT TAX ACCOUNT

8416 kelso dr

Search

Property Report - 8416 KELSO DR

8416 KELSO DR

Tax Account Number: 2300012659
Owner Name: SREIT KELSO DRIVE LLC
Premise Address: 8416 KELSO DR
Tax Map: 0090
Parcel: 1344
Real Property Report: [More info](#)
StreetView: [Click for StreetView](#)
PermitReview: [Permit Review Tool URL](#)

ZONING INFORMATION

Zoning: [MH IM](#)

SCHOOL DISTRICTS

Elementary School District: [Essex ES](#)
Middle School District: [Middle River MS](#)
High School District: [Overlea HS](#)

CIVIC - GOVERNMENT

Police Precinct: [White Marsh](#)
Councilmanic District: [2](#)
Congressional District: [2](#)
Legislative District: [4](#)
Election District: [15](#)
Voting Precinct: [15.002](#)

ECONOMIC

Commercial Revitalization District: No Feature Found
Enterprise Zone: [Chesapeake Enterprise Zone](#)
Enterprise Zone: [North Side Enterprise Zone](#)

Measurement

Feet

Measurement Result

233.6 Feet

8416

CONTRACTORS RD

BALTIMORE BELTWAY INTERLOOP

BALTIMORE BELTWAY OUTER LOOP

esri

Baltimore County Government, Harford County Government, VTA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, U...

9:02 AM 2/25/2021

Developer's Exhibit 3A

RingCentral x 8416 Kelso Dr - Google Maps x Baltimore County - My Neighborhood x

bcgis.baltimorecountymd.gov/myneighborhood/

Baltimore County - My Neighborhood

My Neighborhood Select a Property from the Map

enter ADDRESS or 10-DIGIT TAX ACCOUNT

8416 kelso dr

Search

Property Report - 8416 KELSO DR

8416 KELSO DR

Tax Account Number: 2300012659

Owner Name: SREIT # KELSO DRIVE LLC

Premise Address: 8416 KELSO DR

Tax Map: 0090

Parcel: 1344

Real Property Report: [More info](#)

StreetView: [Click for StreetView](#)

PermitReview: [Permit Review Tool URL](#)

ZONING INFORMATION

Zoning: [MH IM](#)

SCHOOL DISTRICTS

Elementary School District: [Essex ES](#)

Middle School District: [Middle River MS](#)

High School District: [Overlea HS](#)

CMC - GOVERNMENT

Police Precinct: [White Marsh](#)

Councilmatic District: 2

Congressional District: 2

Legislative District: 6

Election District: 15

Voting Precinct: 15-002

ECONOMIC

Commercial Revitalization District: No Feature Found

Enterprise Zone: [Chesapeake Enterprise Zone](#)

Competition Team: [North Side Competition Team](#)

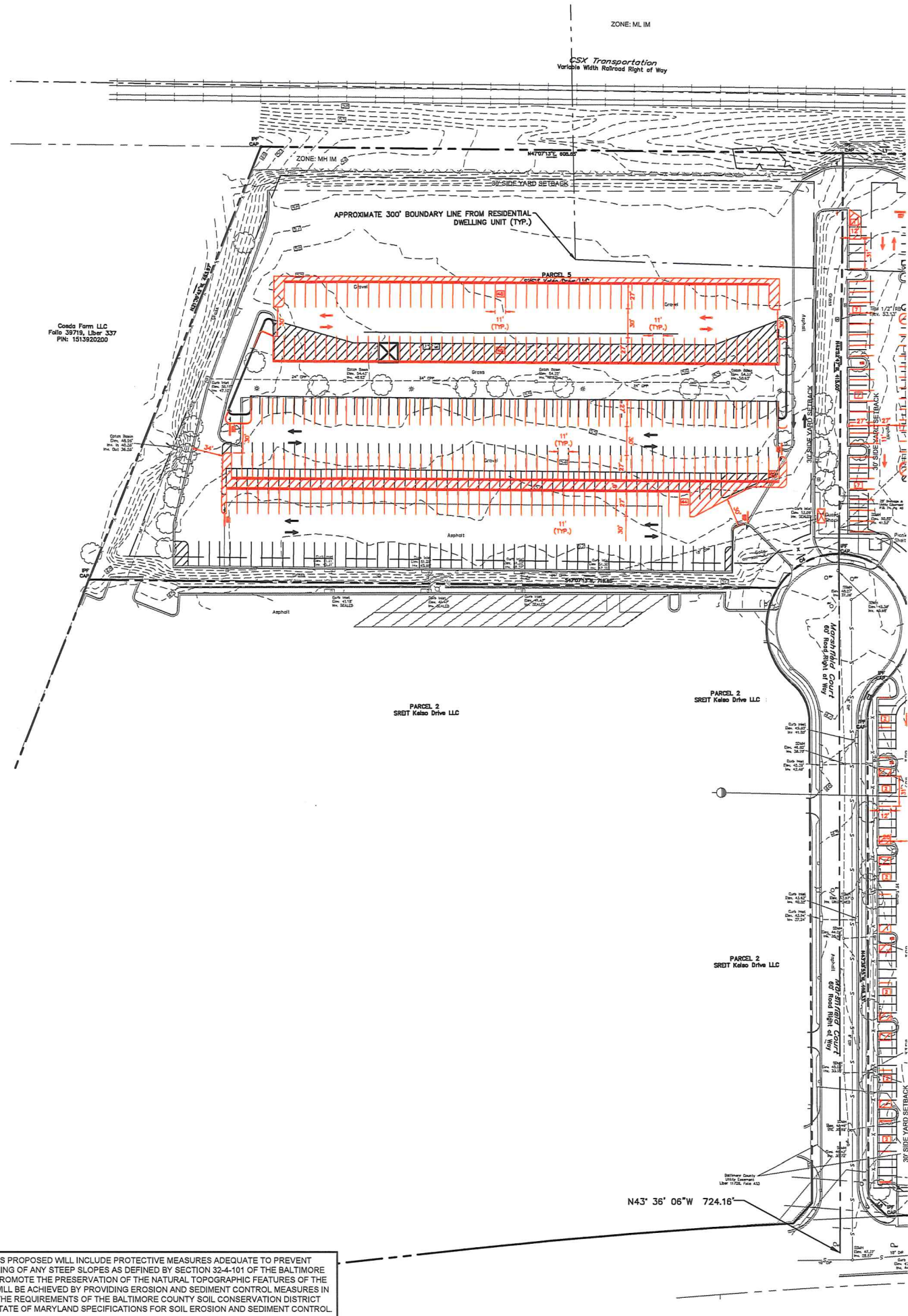
Measurement

Measurement Result

206.7 Feet

Baltimore County Government, Harford County Government, MTA, Es

Developer's Exhibit 3B



Circle Form LLC
Folio 39719, Liber 337
PIN: 1513920200

THE DEVELOPMENT AS PROPOSED WILL INCLUDE PROTECTIVE MEASURES ADEQUATE TO PREVENT EROSION OR SLOUGHING OF ANY STEEP SLOPES AS DEFINED BY SECTION 32-4-101 OF THE BALTIMORE COUNTY CODE AND PROMOTE THE PRESERVATION OF THE NATURAL TOPOGRAPHIC FEATURES OF THE STEEP SLOPE. THIS WILL BE ACHIEVED BY PROVIDING EROSION AND SEDIMENT CONTROL MEASURES IN ACCORDANCE WITH THE REQUIREMENTS OF THE BALTIMORE COUNTY SOIL CONSERVATION DISTRICT AND THE CURRENT STATE OF MARYLAND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL.

SPECIAL HEARING RELIEF

1. TO PERMIT THE PARKING AND STORAGE OF PERSONAL VEHICLES AND VANS AS A PARKING LOT/GARAGE AS MORE PARTICULARLY SHOWN ON THE SITE PLAN ATTACHED TO THIS PETITION;
2. IN THE ALTERNATIVE, TO PERMIT THE PARKING AND STORAGE OF PERSONAL VEHICLES AND VANS AS A WAREHOUSE AS PARTICULARLY SHOWN ON THE SITE PLAN ATTACHED TO THIS PETITION;
3. IN THE ALTERNATIVE, TO PERMIT THE PACKAGE AND STORAGE OF PERSONAL VEHICLES AND VANS AS A TRUCKING FACILITY AS MORE PARTICULARLY SHOWN ON THE SITE PLAN ATTACHED TO THIS PETITION;
4. TO APPROVE THE LOCATION AND CONFIGURATION OF THE EXISTING SITE IMPROVEMENTS AS MORE PARTICULARLY SHOWN ON THE SITE ATTACHED TO THIS PETITION; AND
5. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ALJ FOR BALTIMORE COUNTY.

VARIANCE RELIEF

1. IF NECESSARY, FROM BCZR §410.2 TO PERMIT A TRUCKING FACILITY WITHIN 300 FEET OF A RESIDENCE;
2. IF NECESSARY, FROM BCZR §410.2 TO PERMIT A TRUCKING FACILITY WITHIN 200 FEET OF A WETLAND;
3. IF NECESSARY, FROM BCZR §410.3.B TO PERMIT A TRUCKING FACILITY WITH A FLOOR AREA RATIO GREATER THAN 0.1;
4. IF NECESSARY, FROM BCZR §258.1 TO PERMIT A FRONT YARD SETBACK OF 35 FEET IN LIEU OF REQUIRED 25 FEET;
5. IF NECESSARY, FROM BCZR §258.1 TO PERMIT A SIDE YARD SETBACK OF 120 FEET IN LIEU OF REQUIRED 30 FEET;
6. IF NECESSARY, FROM BCZR §258.1 TO PERMIT A REAR YARD SETBACK OF 46 FEET IN LIEU OF REQUIRED 30 FEET;
7. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ALJ FOR BALTIMORE COUNTY.

GENERAL NOTES

1. DRC APPROVAL: 8TH REFINEMENT - SUMMARY DRC No. 081108, APPROVAL 06/26/2008, REFINEMENT FOR CONSTRUCTION OF A TRAILER AND TRACTOR STORAGE YARD, STORAGE REPLACES BUILDING 5.
2. SURVEY WAS PERFORMED BY FREELAND CLINKSCALES, DATED 04/07/2020. NORTH ARROW AND BEARINGS REFER TO MD GRID AND ARE BASED ON NAD83. ELEVATIONS AND CONTOURS ARE BASED ON NAVD83.
3. THIS SITE IS NOT LOCATED IN A FLOOD PLAIN.
4. THIS SITE IS NOT LOCATED IN A FLOODPLAIN.
5. DEED REFERENCE NUMBER WILL BE SUPPLEMENTED UPON RECEIPT FROM SDAT.

CURVE DATA				LINE DATA		
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	LINE	BEARING
C1	5776.58'	669.98'	S47°04'53"W	669.98'	L1	N47°07'13"E
C2	50.00'	43.81'	N16°32'20"W	42.42'	L2	S42°32'47"E
C3	75.00'	122.53'	N53°10'02"W	140.70'	L3	S50°25'47"W
C4	75.00'	76.99'	S17°42'53"W	73.65'	L4	S50°25'50"W
					L5	N89°59'45"W

EXISTING LEGEND

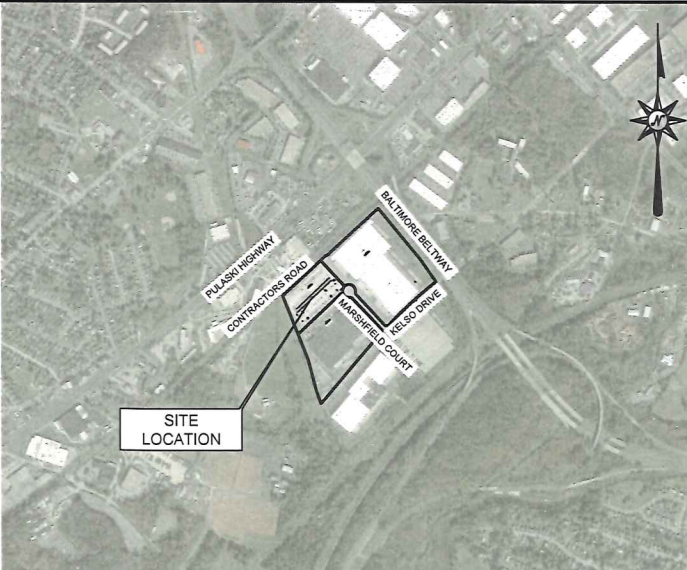
Property Line	Utility Vault
Easement Line	Utility Pole
Setback Line	Light Pole
Railroad	Gas Valve
Treeline	Gas Meter
Major Contour	Cleanout
Minor Contour	Catch Basin
Fence	Manhole
Overhead Wires	Fire Hydrant
Gas Line	Water Valve
Sanitary Sewer	Water Meter
Storm Sewer	Fire Connection - Double
	Sign
	Ballard
	Handicap Symbol
	Irrigation Control Box
	Deciduous Tree

LEGEND

PROPERTY LINE
SETBACK LINE
PROPOSED CONCRETE
ZONING BOUNDARY
ROADWAY CENTERLINE
APPROXIMATE 300' BOUNDARY LINE FROM RESIDENTIAL DWELLING UNIT

SITE INFORMATION

LOCATION: 22 MARSHFIELD COURT, ESSEX, MD				
PROPERTY OWNER: SREIT KELSO DRIVE, L.L.C. 1601 WASHINGTON AVENUE, SUITE 800, MIAMI BEACH, FLORIDA 33139				
ZONE: MH-IM (HEAVY MANUFACTURING)				
EXISTING USE: INDUSTRIAL		PROPOSED USE: PARKING LOT/GARAGE (IN THE ALTERNATIVE WAREHOUSE OR TRUCKING FACILITY)		
ELECTION DISTRICT: 15				
COUNCILMANIC DISTRICT: 7				
PROPERTY TAX ACCOUNT NUMBER: 230006905				
CENSUS TRACT: 450100				
WATERSHED: BACK RIVER				
LOT AREA: 7.173 AC. / 312,470 SF				
ITEM #	ITEM	REQUIREMENTS	PROPOSED	CODE REFERENCE
1	MINIMUM BUILDING FRONT YARD SETBACK	25 FEET	N/A	§ 258.1 (§238.1)
2	MINIMUM BUILDING SIDE YARD SETBACK	30 FEET	N/A	§ 258.1 (§238.1)
3	MINIMUM BUILDING REAR YARD SETBACK	30 FEET	N/A	§ 258.1 (§238.1)
4	PARKING STALLS REQUIRED	1 SPACE PER EMPLOYEE ON LARGEST SHIFT	253 211 SPACES	§ 409.6
5	MINIMUM PARKING DIMENSIONS	8.5 FEET X 18 FEET	9 FEET X 18 FEET 11 FEET X 27 FEET	§ 409.3
6	FLOOR AREA RATIO	MAXIMUM = 2.0 (0.1 IF TRUCKING FACILITY)	N/A	§ 258.1 § 410.3



VICINITY MAP

SCALE: 1"=1000'



1100 First Avenue
Suite 104
King of Prussia, PA 19406
(610) 994-4608
(610) 337-3642 Fax

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT
THESE DOCUMENTS WERE
PREPARED OR APPROVED BY
ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS
OF THE STATE OF
MARYLAND, LICENSE No.
26920, EXPIRATION DATE:
JULY 16, 2021

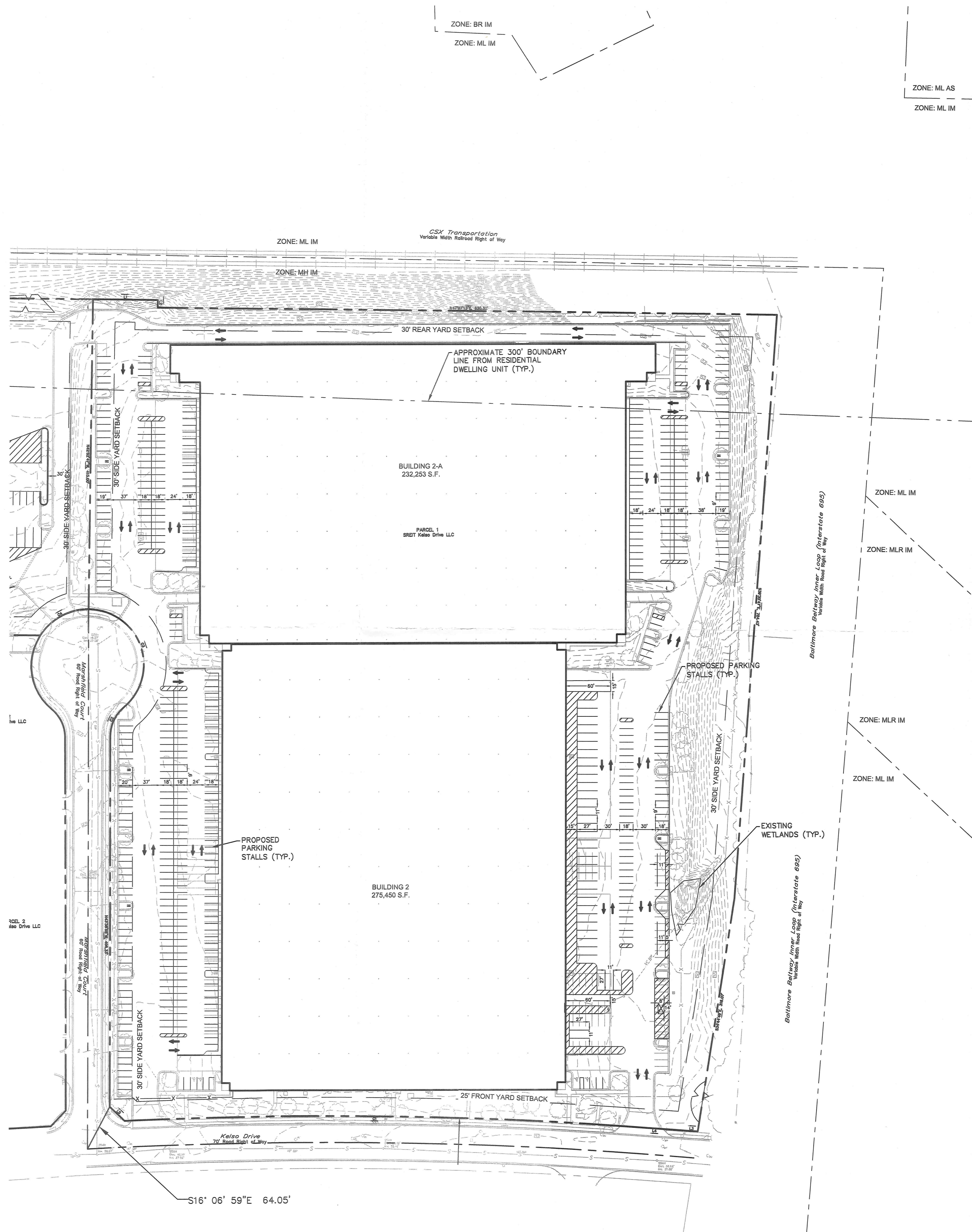
MARSHFIELD BUSINESS PARK - PARCEL 1
8416 KELSO DRIVE
ESSEX, BALTIMORE COUNTY, MD

Revisions
No. Date
Designed M.B.H.
Drawn M.B.H.
Reviewed J.L.L.
Scale 1"=60'
Project No. 2000317
Date 12/02/2020
CAD File: SP200031702_RED
Title
PLAN TO
ACCOMPANY
ZONING HEARING
REQUEST
Sheet No.
SP-1
No. 01 of 01

1/22/2020, MARSHFIELD, C:\Users\jdo\Documents\DRAWING\HEARING PLANS\SP200031701.DWG (SP-1)

THE DEVELOPMENT AS PROPOSED WILL INCLUDE PROTECTIVE MEASURES ADEQUATE TO PREVENT EROSION OR SLOUGHING OF ANY STEEP SLOPES AS DEFINED BY SECTION 32-4-101 OF THE BALTIMORE COUNTY CODE AND PROMOTE THE PRESERVATION OF THE NATURAL TOPOGRAPHIC FEATURES OF THE STEEP SLOPE. THIS WILL BE ACHIEVED BY PROVIDING EROSION AND SEDIMENT CONTROL MEASURES IN ACCORDANCE WITH THE REQUIREMENTS OF THE BALTIMORE COUNTY SOIL CONSERVATION DISTRICT AND THE CURRENT STATE OF MARYLAND SPECIFICATIONS FOR SOIL EROSION AND SEDIMENT CONTROL.

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CURVE DATA					LINE DATA		
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	LINE	BEARING	LENGTH
C1	5776.58'	669.98'	S47°04'53\"W	669.58'	L1	N47°07'13\"E	86.63'
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C3	75.00'	182.53'	N63°10'02\"W	140.70'	L3	S50°25'47\"W	17.09'
C4	75.00'	76.99'	S17°42'53\"W	73.65'	L4	S50°25'50\"W	81.64'
					L5	N89°58'45\"W	27.64'

EXISTING LEGEND			
	Property Line		Utility Vault
	Easement Line		Utility Pole
	Setback Line		Gas Valve
	Railroad		Gas Meter
	Treeline		Cleanout
	Major Contour		Catch Basin
	Minor Contour		Manhole
	Fence		Fire Hydrant
	Overhead Wires		Water Valve
	Gas Line		Water Meter
	Sanitary Sewer		Fire Connection - Double
	Storm Sewer		Sign
			Bollard
			Handicap Symbol
			Irrigation Control Box
			Deciduous Tree

LEGEND	
	PROPERTY LINE
	SETBACK LINE
	PROPOSED STRIPED AREAS
	ZONING BOUNDARY
	ROADWAY CENTERLINE
	APPROXIMATE 300' BOUNDARY LINE FROM RESIDENTIAL DWELLING UNIT

SPECIAL HEARING RELIEF

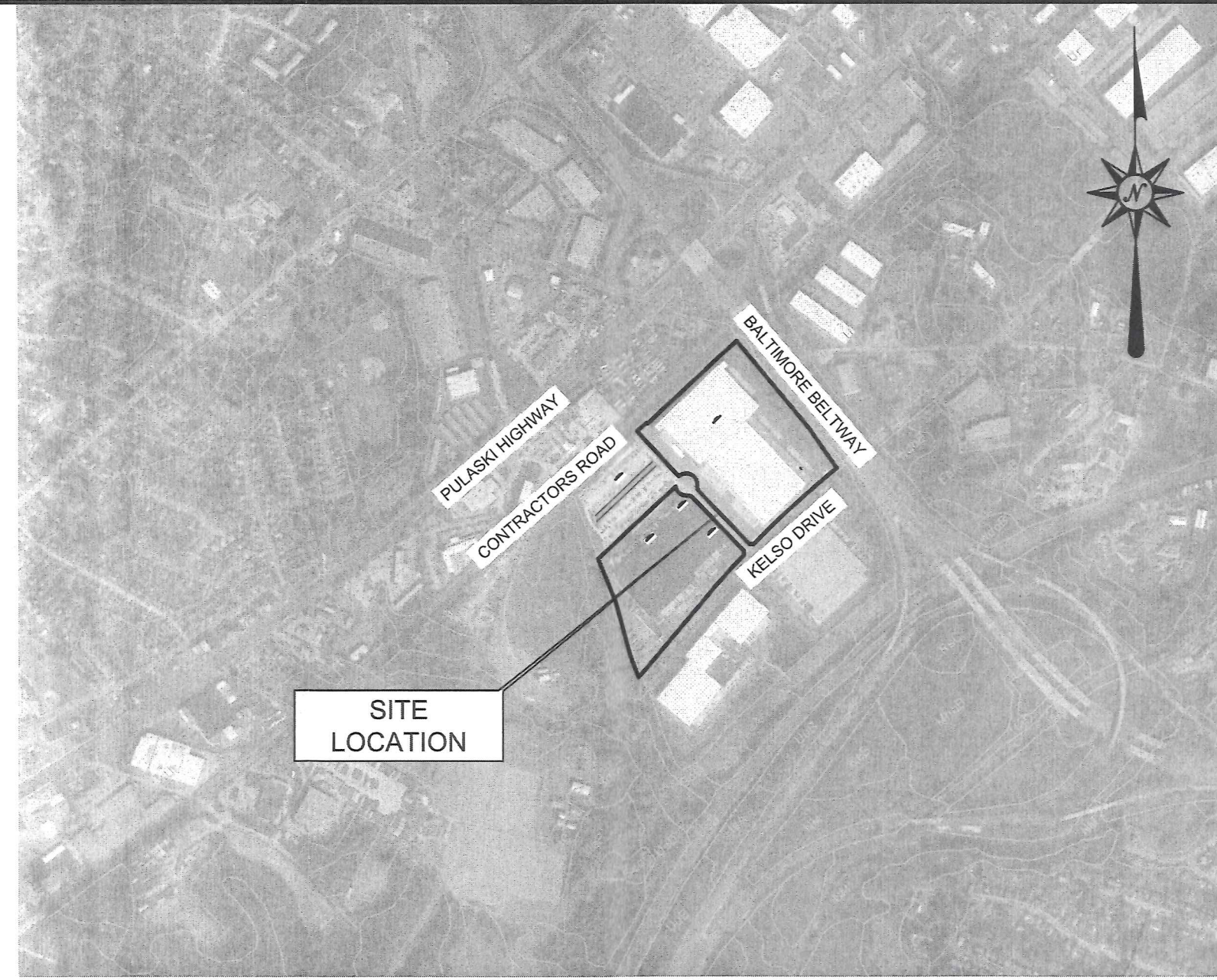
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2. IF NECESSARY, FROM BCZR §410.2 TO PERMIT A TRUCKING FACILITY WITHIN 200 FEET OF A WETLAND;
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4. IF NECESSARY, FROM BCZR §258.1 TO PERMIT A FRONT YARD SETBACK OF 35 FEET IN LIEU OF REQUIRED 25 FEET;
5. IF NECESSARY, FROM BCZR §258.1 TO PERMIT A SIDE YARD SETBACK OF 120 FEET IN LIEU OF REQUIRED 30 FEET;
6. IF NECESSARY, FROM BCZR §258.1 TO PERMIT A REAR YARD SETBACK OF 46 FEET IN LIEU OF REQUIRED 30 FEET;
7. FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ALJ FOR BALTIMORE COUNTY.

GENERAL NOTES

1. PREVIOUS COMMERCIAL PERMIT No. B418110, ISSUANCE DATE: 07/17/2000, CONSTRUCTION OF WAREHOUSE ADDITION ON REAR OF EXISTING WAREHOUSE BUILDING 650'X400'X37'.
2. PREVIOUS COMMERCIAL PERMIT No. B706758, ISSUANCE DATE: 10/27/2008, CONSTRUCTION OF GUARD SHELTER BUILDING ON FRONT PROPERTY 6'X8'.
3. DRC APPROVAL: 8TH REFINEMENT - SUMMARY DRC No. 081108, APPROVAL 08/26/2008, REFINEMENT FOR CONSTRUCTION OF A TRAILER AND TRACTOR STORAGE YARD, STORAGE REPLACES BUILDING 5.
4. SURVEY WAS PERFORMED BY FREELAND CLINKSCALES, DATED 04/07/2020, NORTH ARROW AND BEARINGS REFER TO MD GRID AND ARE BASED ON NAD83. ELEVATIONS AND CONTOURS ARE BASED ON NAVD83.
5. THIS SITE IS NOT LOCATED IN A FLOOD PLAIN.
6. DEED REFERENCE NUMBER WILL BE SUPPLEMENTED UPON RECEIPT FROM SDAT.

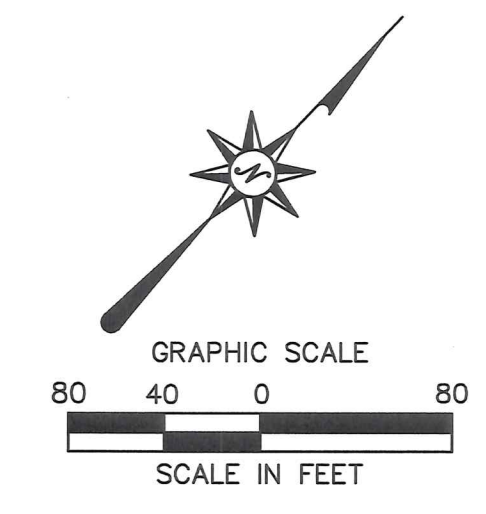


VICINITY MAP
SCALE: 1"=1000'

SITE INFORMATION

LOCATION: 8416 KELSO DRIVE, ESSEX, MD				
PROPERTY OWNER: SRET KELSO DRIVE, L.L.C. 1601 WASHINGTON AVENUE, SUITE 800, MIAMI BEACH, FLORIDA 33139				
ZONE: MH--IM (HEAVY MANUFACTURING)				
USE: INDUSTRIAL		PROPOSED USE: PARKING LOT/GARAGE (IN THE ALTERNATIVE WAREHOUSE OR TRUCKING FACILITY)		
ELECTION DISTRICT: 15				
COUNCILMANIC DISTRICT: 7				
PROPERTY TAX ACCOUNT NUMBER: 2300012659				
CENSUS TRACT: 450100				
WATERSHED: BACK RIVER				
LOT AREA: 21.356 AC. / 930,267.36 SF				
ITEM #	ITEM	REQUIREMENTS	PROPOSED	CODE REFERENCE
1	MINIMUM BUILDING FRONT YARD SETBACK	25 FEET	35 FEET*	§ 258.1 (§238.1)
2	MINIMUM BUILDING SIDE YARD SETBACK	30 FEET	120 FEET*	§ 258.1 (§238.1)
3	MINIMUM BUILDING REAR YARD SETBACK	30 FEET	46 FEET*	§ 258.1 (§238.1)
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5	MINIMUM PARKING DIMENSIONS	8.5 FEET X 18 FEET	9 FEET X 18 FEET 11 FEET X 27 FEET	§ 409.3
6	FLOOR AREA RATIO	MAXIMUM = 2.0 (0.1 IF TRUCKING FACILITY)	0.55	§ 258.1 § 410.3
*EXISTING CONDITIONS				

2020-0297-SPHA



Architecture
Engineering
Environmental
Land Surveying

BL Companies

1100 First Avenue
Suite 104
King of Prussia, PA 19406
(610) 994-4658
(610) 337-3642 Fax

STATE OF MARYLAND
JOSE L. LAZO
No. 0026920
PROFESSIONAL ENGINEER

PROFESSIONAL CERTIFICATION.
I HEREBY CERTIFY THAT
THESE DOCUMENTS WERE
PREPARED OR APPROVED BY
ME, AND THAT I AM A DULY
LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS
OF THE STATE OF
MARYLAND, LICENSE No.
26920, EXPIRATION DATE:
JULY 16, 2021

MARSHFIELD BUSINESS PARK - PARCEL 1
8416 KELSO DRIVE
ESSEX, BALTIMORE COUNTY, MD

REVISIONS

No.	Date	Desc.

Designed M.B.H.
Drawn M.B.H.
Reviewed J.L.L.
Scale 1"=80'
Project No. 2000317
Date 12/02/2020
CAD File: SP200031701_FP

Title
**PLAN TO
ACCOMPANY
ZONING HEARING
REQUEST**

Sheet No.

SP-1
No. 01 of 01