



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

July 10, 2024

Lawrence E. Schmidt, Esquire – lschmidt@sgs-law.com
Smith, Gildea & Schmidt, LLC
600 Washington Avenue, Suite 200
Towson, MD 21204

RE: Petition for Variance
Case No. 2024-0129-A
Property: 5812 Allender Road

Dear Mr. Schmidt:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink that reads "Maureen E. Murphy". The signature is fluid and cursive, with the first name "Maureen" being more prominent.

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dln
Enclosure

C: Kathy Wilmot – kathy@wilmotmodular.com
John Karl – jkarl@mrakta.com
Josh Sharon – jsharon@mrakta.com

IN RE: PETITION FOR VARIANCE

(5812 Allender Road)

11th Election District

5th Council District

Wilmot Properties, LLC

Legal Owner

Petitioner

*

BEFORE THE

*

OFFICE OF ADMINISTRATIVE

*

HEARINGS OF

*

BALTIMORE COUNTY

*

CASE NO. 2024-0129-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as a Petition for Variance filed by Kathy Wilmot, authorized representative, Wilmot Properties, LLC (“Petitioner”) for property located at 5812 Allender Road, White Marsh, (the “Property”). Petitioner is requesting Variance relief from Baltimore County Zoning Regulations (“BCZR”), §255.1 (incorporating BCZR § 238.2) to permit a side/rear yard setback as little as 20 ft. in lieu of the required 30 ft. (i.e., distance between buildings of 40 ft. in lieu of 60 ft.).

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on July 9, 2024. The Petition was properly advertised and posted. John and Kathy Wilmot appeared on behalf of Petitioner in support of the requested relief along with Joshua T. Sharon, PE of Morris & Ritchie Associates, Inc., the civil engineer who prepared a site plan (the “Site Plan”). Lawrence E. Schmidt, Esquire and Smith, Gildea & Schmidt, LLC represented the Petitioner. There were no Protestants or other interested persons in attendance.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), Department of Environmental Protection and Sustainability (“DEPS”), Development Plans Review (“DPR”)/Department of Public Works and Transportation (“DPWT”), and Bureau of Building Review (“BBR”) which agencies did not oppose the requested relief.

The Property is 13.07 acres +/- and is located at the intersection of Allender Rd., a local County road, and Pulaski Hwy. (US Rt. 40). A portion of the northern end of the Property abuts the CSX Transportation Railroad tracks. Most of the remaining northern Property line adjoins a commercial storage facility yard which was recently sold by Petitioners. Area uses surrounding the Property are commercial and industrial; the nearest residentially-zoned properties are on the other side of the CSX railroad tracks. The Property is improved with a headquarters building, a maintenance building, and a modular building. The remainder of the Property is used for the storage of trailers. The Property is split-zoned Manufacturing, Light (“ML”) and Manufacturing, Light, with an Automotive Services overlay district (“ML-AS”). On the ML-AS portion of the Property, the use was previously a gas station. For the last 30 years, Petitioner has operated a family-run business at the Property which includes the sale, leasing, installation and construction of modular buildings. The modular buildings are used as offices, schools, data centers, for construction operations, among other uses.

As shown in the street view photographs, Petitioner has nearly completed construction of a 2-story, 12,000 sf modular corporate headquarter building, as well as a 1-story, 16,300 sf operations center complete with overhead doors within the ML zone portion of the Property. (Pet. Exs. 2A-2S). Petition intends to complete construction of a 68-space parking lot as shown on the Site Plan. (Pet. Ex. 1). The new buildings meet all of the bulk regulations other than one (1) interior 30 ft. required side/rear yard setback between the proposed headquarters building and the existing maintenance building, and/or a 30 ft. individual yard area around each building. (Pet. Ex. 1). As originally designed, the proposed modular headquarters building was to be connected to the existing maintenance building by a breezeway; as such, no zoning relief would have been required. However, after construction commenced, the architectural plans changed and the

breezeway was eliminated, thus necessitating the need for Variance relief here.

As Mr. Schmidt explained that BCZR, §238.1, when read in conjunction with the yard area in BCZR, §102.2, requires that each industrial building have its own separate 30 ft. yard area which cannot be shared with another building. In this Case, the minimum yard area would require a 60 ft. distance between the existing maintenance building and the new headquarters building (30 ft. setback for each building). Petitioner here can provide 40 ft. between those buildings which would equate to a 20 ft. yard area for each building. Mr. Schmidt added that, on October 6, 2022, the development of the Property received Development Review Committee (“DRC”) approval of an Amended/Refined Development Plan (PAI #11-1186).

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).

BCZR, §102.2 regulates yard area:

§102.2. - Sharing of yard space and minimum area.

No yard space or minimum area required for a building or use shall be considered as any part of the yard space or minimum area for another building or use, except that buildings associated with a hospital or school or health-care and surgery center shall be permitted to share yard space or minimum area.

Additionally, the area regulations for an ML zone are controlled by the area regulations for the Business, Roadside (“BR”) zone:

§255.1. - Area regulations.

The area regulations in the M.L. Zone shall be the same as those in B.R. Zone unless such B.R. Zone regulations conflict with the provisions of Section 255.2.

The BR zone area regulations dictate:

§ 238.2. - Side and rear yards.

Side and rear yards for residences, as in Section 302; for other buildings, 30 feet.

As explained above, the Property is unique due to its irregular shape and size as shown on the Vicinity Map on the Site Plan. (Pet. Ex. 1). On the northern end, it abuts the CSX railroad tracks. Due to site design, the proposed buildings were constructed with the intention of connecting the existing maintenance building with the new modular headquarters building. It was only after construction plans changed that the need for the Variance relief arose. I find that the Petitioner would suffer a practical difficulty and unreasonable hardship if the Variance relief were not granted as this is an interior yard space setback between buildings owned and used by the Petitioner for the modular building business. Moreover, the Petitioner is providing 40 ft. between the buildings which is more than the individual 30 ft. required side and rear yard setback in BCZR, §238.2, and substantially compliant with the combined total 60 ft. yard space area. Further, I find that the Variance is within the spirit and intent of the BCZR and that it will not harm the public health, safety or welfare, particularly in light of the support of the County agencies and the lack of opposition.

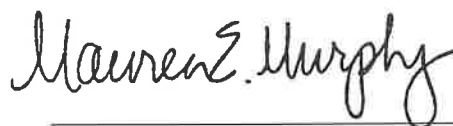
THEREFORE, IT IS ORDERED, this 10th day of **July, 2024**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to BCZR, §255.1 (incorporating BCZR, §238.2) and §102.2 to permit a side/rear yard setback as little as 20 ft. in lieu of the required 30 ft. (i.e., distance between buildings of 40 ft. in lieu of 60 ft.), be, and it is

hereby, **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. The Redlined Site Plan (Pet. Ex. 1A), a copy of which is attached hereto, is incorporated herein.
3. Petitioner and all subsequent owners shall comply with the DPR/DPWT ZAC comment, a copy of which is attached hereto, in regard to Landscaping and Lighting Plans, to the extent that those requirements have not already been filed, addressed and/or approved as part of the development process.

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



MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlm

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: May 30, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0129-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No comment.

DPW-T: No exception taken.

Landscaping: If Zoning relief is granted a Landscape Plan is required per the Baltimore County Landscape Manual and a Lighting Plan is also required.

Recreations & Parks: No comment LOS & No Greenways affected



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 5812 Allender Rd

which is presently zoned ML & ML-AS

Deed References: 36570/00162

10 Digit Tax Account # 1119076402

Property Owner(s) Printed Name(s) Wilmot Properties, LLC

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

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

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

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

3. ✓ a **Variance** from Section(s)

Please see attached.

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

TO BE PRESENTED AT HEARING

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

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

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

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

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

Name- Type or Print

Signature

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):

Kathy Wilmot, Authorized Representative, Wilmot Properties, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

5812 Allender Rd

White Marsh MD

Mailing Address City State

21162 410-335-1200

kathy@wilmotmodular.com

Zip Code Telephone # Email Address

Representative to be contacted:

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

Name- Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

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

Zip Code Telephone # Email Address

CASE NUMBER 2024-0129-A Filing Date 5/17/24 Do Not Schedule Dates: Reviewer JS

ATTACHMENT TO PETITION FOR ZONING HEARING

5812 Allender Rd

11th Election District

6th Councilmanic District

Variance relief:

1. From BCZR § 255.1 (incorporating BCZR § 238.2) to permit a side/rear yard setback as little as 20 feet in lieu of the required 30 feet (i.e. distance between buildings of 40 feet in lieu of 60 feet); and
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge (“ALJ”) for Baltimore County.

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



May 10, 2024

ZONING DESCRIPTION FOR WILMOT PROPERTIES, LLC ALLENDER ROAD

Lot 2

Beginning for the same at a capped bar, now set, in the sixth or North 71°25'00" East 1,022.6' line of the parcel of land, which by a deed dated May 14, 2018, and recorded among the Land Records of Baltimore County, Maryland in Liber J.L.E. No. 40269, folio 125, was conveyed by Susan Stanley to Wilmot Properties, LLC, said point being measured 39.04 feet along said line from the beginning thereof, said point also being at the northeast corner of Highway Widening Area 'A' of Allender Road, as shown on Baltimore County Right of Way Plat RW 86-037-7, said Widening Area was conveyed in a deed dated April 1, 1994, and recorded in the Land Records of Baltimore County, Maryland in Liber S.M. No. 10497 folio 400, by Lowell S. Stanley and Junella M. Stanley, his wife, to Baltimore County, State of Maryland, thence leaving said Widening and running with and binding on the southeast right of way line of the second Baltimore and Ohio Railroad Company, as the courses are now referred to the Maryland Coordinate System, NAD-83-2011, as now surveyed, the following course and distance, viz:

- 1) North 64°04'25" East 831.07', thence leaving said sixth line and running for lines division through the first herein mentioned parcel of land and also running for lines of division through the parcel of land, which by a deed dated June 24, 2015, and recorded among the Land Records of Baltimore County, Maryland in Liber J.L.E. No. 36570, folio 162, was conveyed by Kathy E. Wilmot to Wilmot Properties, LLC, the five following courses and distances, viz:
 - 2) South 15°55'26" East 378.10'
 - 3) South 64°04'25" West 468.62'
 - 4) North 26°15'29" West 23.05'
 - 5) South 64°04'25" West 273.64', and
 - 6) North 29°41'42" West 54.84', to the southeast corner of Highway Widening Area 'B' of Allender Road, as shown on the Baltimore County Right of Way Plat RW 86-037-7, said Widening Area was conveyed in a deed dated April 1, 1994, and recorded in the Land Records of Baltimore County, Maryland in Liber S.M. No. 10497 folio 400, by Lowell S. Stanley and Junella M. Stanley, his wife, to Baltimore County, State of Maryland, thence running with and binding on the east side of Highway Widening Area 'B' and also on the east side of the aforesaid Highway Widening Area 'A', the following course and distance, viz:
- 7) North 29°41'42" West 295.22 feet, to the place of beginning.

Lot 2 contains 6.574 acres of land, more or less, being part of the parcel of land, which by a deed dated May 14, 2018, and recorded among the Land Records of Baltimore County, Maryland, in Liber J.L.E. No. 40269, folio 125, was conveyed by Susan Stanley to Wilmot Properties, LLC.

Also being part of the parcel of land, which by a deed dated June 24, 2015, and recorded among the Land Records of Baltimore County, Maryland in Liber J.L.E. No. 36570, folio 162, was conveyed by Kathy E. Wilmot to Wilmot Properties, LLC.

2024-0129-A

1220-B East Joppa Road, Suite 400K, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD ♦ Baltimore, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Sterling, VA ♦ Raleigh, NC
(410) 515-9000 (410) 935-5050 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 674-0161 (984) 200-2103

**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: 2024-0129-A

Property Address: 5812 Allender Road

Property Description: _____

Legal Owners (Petitioners): Wilmot Properties, LLC

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kathy Wilmot

Company/Firm (if applicable): Wilmot Properties, LLC

Address: 5812 Allender Road

White Marsh, MD 21162

Telephone Number: kathy@wilmotmodular.com or (410) 335-1200

Revised 5/20/2014

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: June 20, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0129-A
Address: 5812 ALLENDER RD
Legal Owner: Wilmot Properties, LLC

Zoning Advisory Committee Meeting of June 4, 2024.

X The Department of Environmental Protection and Sustainability offers the following comments on the above-referenced zoning item:

The proposed development has complied with the County's Forest Buffer and Forest Conservation Regulations.

Reviewer: Gris Batchelder



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 5812 Allender Rd

which is presently zoned ML & ML-AS

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Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

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

Name- Type or Print

Signature

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):

Kathy Wilmot, Authorized Representative, Wilmot Properties, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

5812 Allender Rd

White Marsh MD

Mailing Address City State

21162 410-335-1200 kathy@wilmotmodular.com

Zip Code Telephone # Email Address

Representative to be contacted:

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

Name - Type or Print

Signature

600 Washington Avenue, Suite 200 Towson MD

Mailing Address City State

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

Zip Code Telephone # Email Address

CASE NUMBER 2024-0129-A

Filing Date 5/17/24

Do Not Schedule Dates:

Reviewer JS

ATTACHMENT TO PETITION FOR ZONING HEARING

5812 Allender Rd

11th Election District

6th Councilmanic District

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MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



May 10, 2024

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2024-0129-A

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(410) 515-9000 (410) 935-5050 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 674-0161 (984) 200-2103

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

No. 230471

Date: 5/17/24

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

Rec

From: WILMOT PROPERTIES

For: 2024-0129-A

532 ALLENDER ROAD

JSS 24-0474

CASHIER'S
VALIDATION

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

2351

WILMOT PROPERTIES LLC

5812 ALLENDER ROAD
WHITE MARSH, MD 21162



60-1008/313



5/8/2024

PAY TO THE
ORDER OF

BALTIMORE COUNTY, MARYLAND

\$ **500.00

Five Hundred and 00/100

DOLLARS

BALTIMORE COUNTY
PO BOX 69506
BALTIMORE, MD 21264-9506



Michael Z Mayhew
AUTHORIZED SIGNATURE

MEMO

Filing Fee relating to the Petition for Zoning Variance

Security features. Details on back.

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
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Special Tax Recapture: None

Account Identifier: District - 11 Account Number - 1119076402

Owner Information

Owner Name: WILMOT PROPERTIES LLC Use: INDUSTRIAL
Principal Residence: NO

Mailing Address: 5812 ALLENDER RD Deed Reference: /36570/ 00162
WHITE MARSH MD 21162-1300

Location & Structure Information

Premises Address: 5812 ALLENDER RD Legal Description: 13.069 AC
WHITE MARSH 21162- 5812 ALLENDER RD
NE COR ALLENDER RD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0073 0009 0363 10000.04 0000 2022 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
2010 5,640 SF 13.0690 AC 07

StoriesBasementType	ExteriorQualityFull/Half BathGarageLast Notice of Major Improvements
SERVICE GARAGE/	C3

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2022	07/01/2023	07/01/2024
Land:	2,028,900	2,028,900		
Improvements	26,300	1,428,000		
Total:	2,055,200	3,456,900	2,989,667	3,456,900
Preferential Land:	0	0		

Transfer Information

Seller: WILMOT KATHY E	Date: 08/21/2015	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /36570/ 00162	Deed2:
Seller: BIRMINGHAM PROPERTY LLC	Date: 08/24/2009	Price: \$2,500,000
Type: ARMS LENGTH IMPROVED	Deed1: /28558/ 00062	Deed2:
Seller: STANLEY LOWELL S	Date: 08/21/2000	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /14900/ 00411	Deed2:

Exemption Information

Partial Exempt Assessments: Class	07/01/2023	07/01/2024
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:

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 6/17/2024

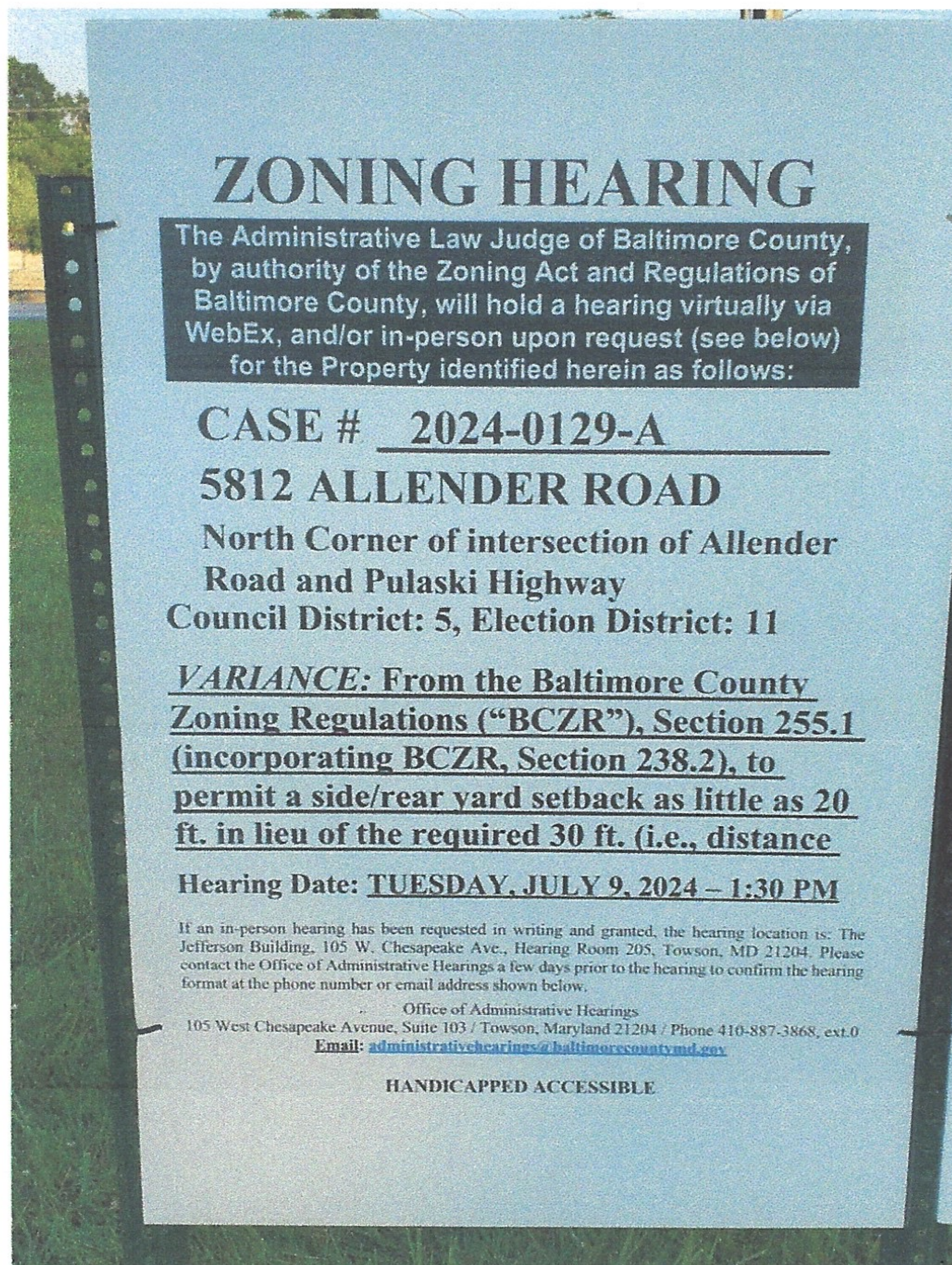
Case Number: 2024-0129-A

Petitioner / Developer: SMITH, GILDEA & SCHMIDT, LLC ~
WILMOT PROPERTIES, LLC

Date of Hearing: JULY 9, 2024

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:
5812 ALLENDER ROAD

The sign(s) were posted on: JUNE 17, 2024



1ST SIGN

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)

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: May 30, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0129-A

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No comment.

DPW-T: No exception taken.

Landscaping: If Zoning relief is granted a Landscape Plan is required per the Baltimore County Landscape Manual and a Lighting Plan is also required.

Recreations & Parks: No comment LOS & No Greenways affected

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director **DATE:** May 29, 2024
Department of Permits, Approval, and Inspections

FROM: Derek M. Chastain
Bureau of Building Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0129-A

The Bureau of Building Review has reviewed the subject zoning items and we have the following comments.

BPR: No comments

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

DATE: 6/3/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0129-A

INFORMATION:

Property Address: 5812 Allender Road

Petitioner: Kathy Wilmot, Authorized Representative of Wilmot Properties, LLC

Zoning: ML, ML AS

Requested Action: Variance

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

Variance(s) -

1. From Baltimore County Zoning Regulations (BCZR) Section 255.1 (incorporating BCZR Section 238.2) to permit a side/rear setback as little as 20 feet in lieu of the required 30 feet (i.e., distance between buildings of 40 feet in lieu of 60 feet); and
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge of Baltimore County.

The subject site is an approximately 13.07 acre parcel at the signalized intersection of Allender Road and Pulaski Highway in the White Marsh area. The site is owned by Wilmot Properties, LLC and operated as Wilmot Modular Structures Inc., a modular structures company.

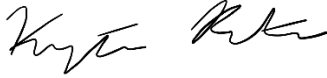
Based on the site plan submitted with the petition and Google aerial and Streetview imagery of the property, the site is improved with an existing headquarter building, an existing maintenance building, and an existing modular building, with the majority of the remainder of the site being used for trailer storage. Based on the site plan submitted with the petition, the Petitioners wish to construct a two-story modular corporate headquarters building and a one-story operations center, and then create a parking lot for 60 parking spaces. The proposed limit of disturbance is approximately 3.73 acres.

The proposal was the subject of an Amended/Refined Limited Exemption Development Plan, PAI # 11-1186. The Amended/Refined Development Plan was approved by the County's Development Management Office on October 6th, 2022.

The requested Variance is between the proposed two-story modular corporate headquarters building and the existing maintenance building. These buildings are internal to the site and are not located directly along Allender Road or Pulaski Highway. Because of this, the Department of Planning has no objections to the requested Variance relief.

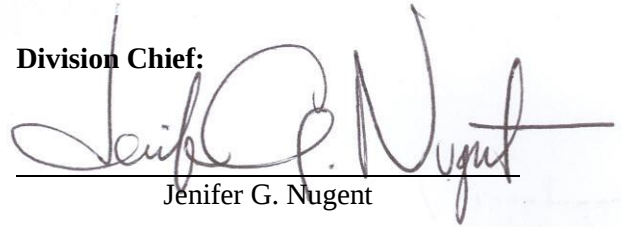
For further information concerning the matters stated herein, please contact Taylor Bensley at 410-887-3482.

Prepared by:



Krystle Patchak

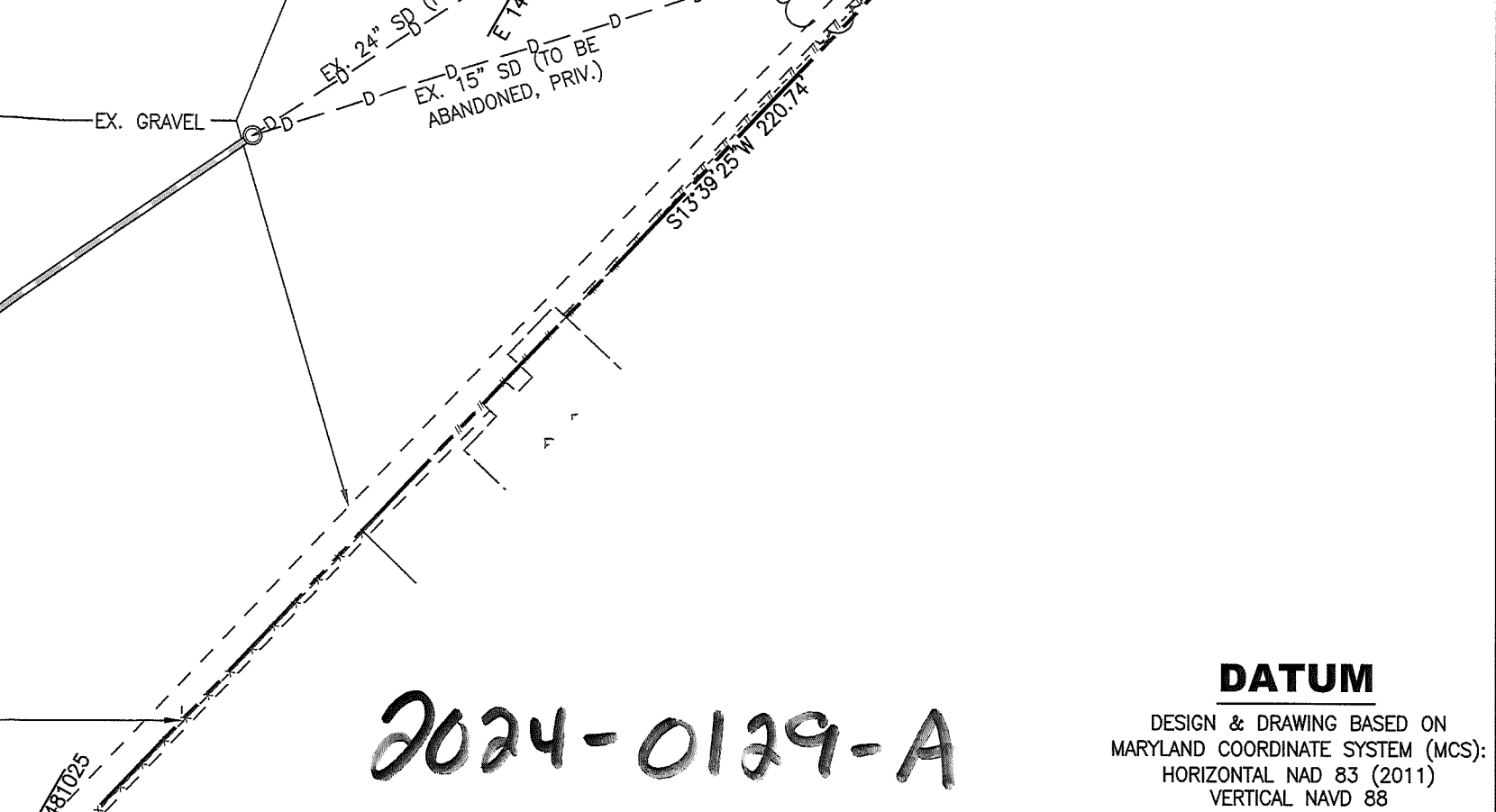
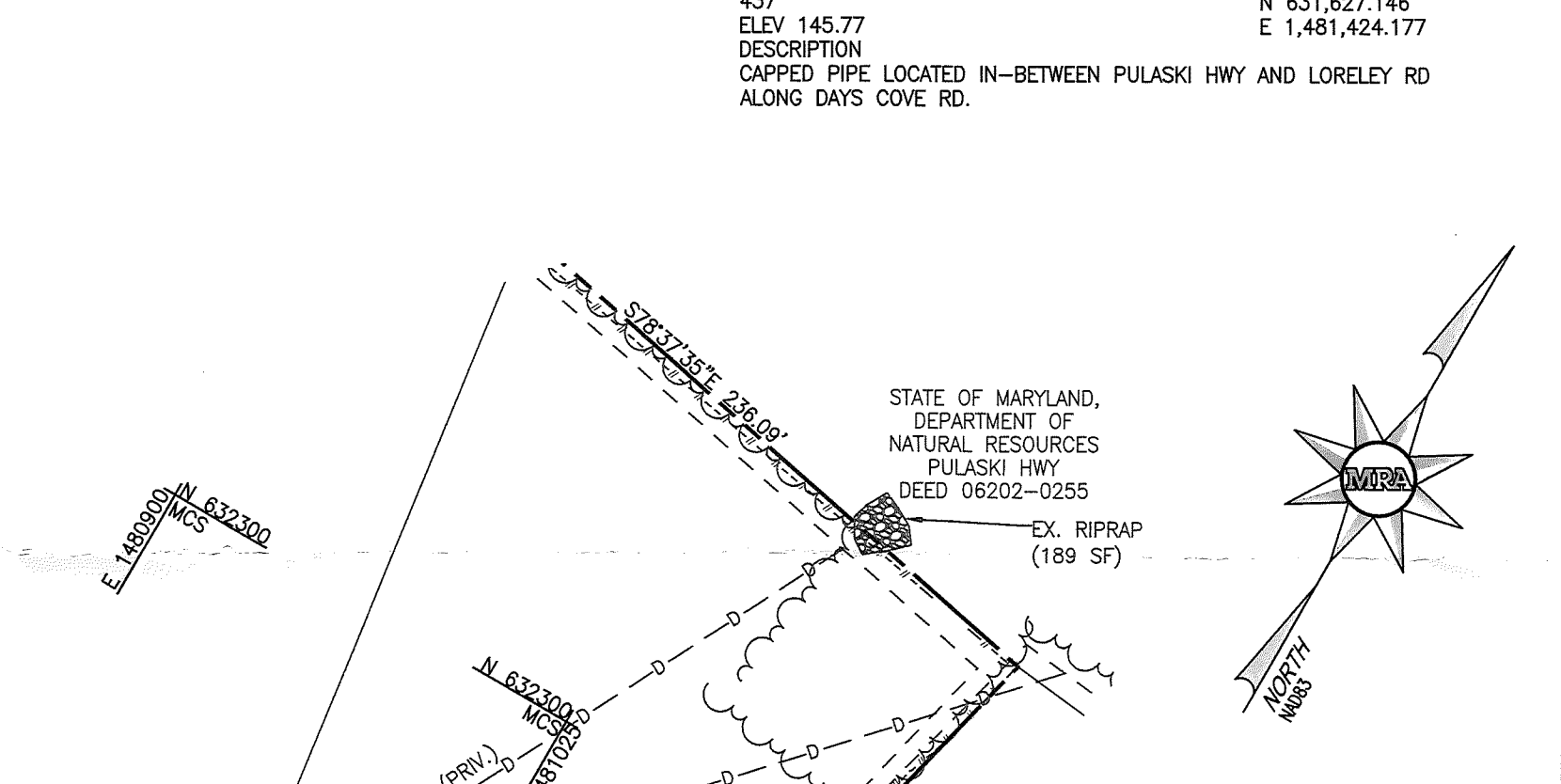
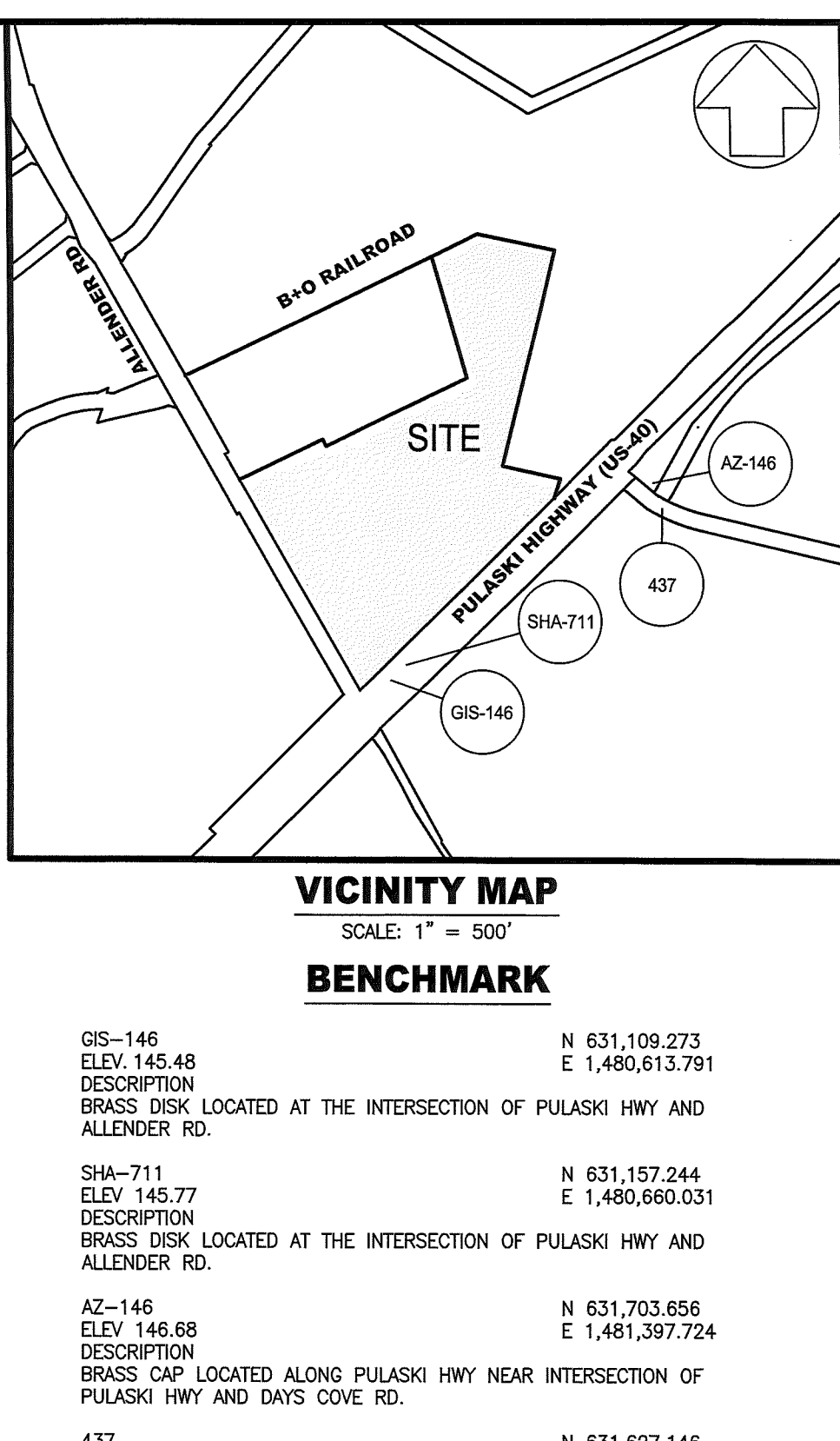
Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Lawrence E. Schmidt, Smith, Gildea & Schmidt, LLC
Ainsley Pressl, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County



DESIGN & DRAWING BASED ON
MARYLAND COORDINATE SYSTEM (MCS):
HORIZONTAL NAD 83 (2011)
VERTICAL NAVD 88

