



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 17, 1998

Mr. Nicholas E. Pindale, Jr.
Bluemount Nurseries, Inc.
2103 Blue Mount Road
Monkton, MD 21111

RE: Zoning Verification
2103 Blue Mount Road
Bluemount Nurseries
10th Election District

Dear Mr. Pindale:

Pursuant to your letter of June 8, 1998 regarding the above referenced matter, please be advised as follows.

You advise in your letter that the subject nursery has been in operation at this location since the 1940's and has occupied approximately 22 acres for the farming operation. In reviewing this matter, I located a 1950 petition for special permit (case 1818-S), which approved the property for use as a horticultural nursery. In reviewing that order, it is my opinion that the proposed buildings, as presented at the June 8, 1998 Development Review Committee (DRC) meeting, are within the spirit and intent of the Baltimore County Zoning Regulations.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Joseph C. Merrey
Planner II
Zoning Review

JCM:rye

c: zoning case 1818-S

BLUEMOUNT NURSERIES, INC.

2103 BLUE MOUNT ROAD
MONKTON, MARYLAND 21111

(410) 329-6226 FAX (410) 329-8120

June 8, 1998

Baltimore County
Department of Permits and Development Management
County Office Building
Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204
Attn: Mr. Arnold Jablon, Director

Dear Mr. Jablon

SUBJECT: Request For Confirmation of Farm Designation
Council Dist. 3rd, Elect. Dist. 10th, ADC Map 8 - C9 & C10

In accordance with the recommendations of the Development Review Committee meeting on June 8, 1998, we respectfully request confirmation that our wholesale nursery is a farm as defined in the zoning descriptions on pages 1-17 and 1-23. Bluemount Nurseries, Inc. is a wholesale grower of herbaceous perennial plants farming in the same location since the late 1940's. Our nursery sells plant materials grown exclusively on-site on more than three acres (22 acres of 78 acres owned).

We are requesting this confirmation in an effort to avoid possible confusion when applying for the building permits needed to construct accessory structures for our nursery farming operations. Please call me or George Mayo at 410-329-6226 if you have any questions regarding this request or the nature of our nursery operations.

Thank you for your consideration. Your prompt attention to this request is appreciated.

Sincerely yours,

Nicholas E. Pindale, Jr.
Chief Financial Officer

GROWING SINCE 1926



PERENNIALS... NATIVE PLANTS
FERNS... GROUND COVERS
ORNAMENTAL GRASSES... JASMINE

Three acres or more of land, and any improvements thereon, used primarily for commercial agriculture, as defined in these regulations, or for residential and associated agricultural uses. The term does not include the following uses as defined in these regulations: limited acreage wholesale flower farms, riding stables, landscape service, firewood operations, and horticultural nursery businesses. (Bills No. 85, 1967; No. 51, 1993.)

(Farm...) (Deleted by Bill No. 51, 1993.)

Farm (Limited-Acreage Wholesale Flower Farm): A limited-acreage wholesale flower farm is less than three acres of land, and any improvements thereon and is primarily used for the growing of flowers and small plants and their wholesale distribution. (Bills No. 85, 1967; No. 41, 1992.)

(Farm, Satellite...) (Deleted by Bill No. 51, 1993.)

(Farmers' Co-op Roadside Stands...) (Deleted by Bill No. 41, 1992.)

Farmer's Roadside Stand: An accessory structure owned and operated by an agricultural producer, used for the sale of indigenous farm products, the majority of which have been grown on the premises, adjacent land, or on properties farmed by the same agricultural producer. (B.C.Z.R., 1955; Bill No. 41, 1992.)

(Farmette...) (Deleted by Bill No. 51, 1993.)

(Farming...) (Deleted by Bill No. 85, 1967.)

Farm Market: An accessory or principal building or structure other than a dwelling which is used by one or more farmers for the sale of produce grown primarily on their own farms or for the sale of other locally grown produce. A farm market may sell a limited amount of locally produced non-agricultural goods such as handcrafted items, homemade baked goods, homemade preserves, jams, and processed dairy products. (Bill No. 41, 1992.)

Firewood Operation: The business of processing wood, so that it can be marketed and burned as fuel. Such operations include, but are not limited to, harvesting, transporting, yarding, seasoning, marketing, shipping and receiving of logs and firewood. A farm which limits the processing and marketing of firewood to owner-produced forestry resources shall not be considered a firewood operation. (Bill No. 151, 1992.)

Fishing and Shellfishing Facility, Shoreline: A principal use that consists of the buildings, equipment, or other facilities necessary to accommodate the onshore activities of a fishing and shellfishing business (including retailing or wholesaling of the catches) and that is situated on a lot on the shoreline of tidal waters. (Bill No. 30, 1978.)

REV 4/76

1-17

(Neighborhood...) (Deleted by Bill No. 3, 1992.)

Nightclub: A tavern or other commercial establishment which provides live or recorded entertainment, with or without a dance floor, and which is categorized as a nightclub by the building code of Baltimore County. (Bill No. 110, 1993.)

Nonconforming Use: A legal use that does not conform to a use regulation for the zone in which it is located or to a special regulation applicable to such a use. A specifically named use described by the adjective "nonconforming" is a nonconforming use. (B.C.Z.R., 1955; Bill No. 18, 1976.)

Nonindustrial Use: Any use other than an industrial, quasi-industrial, or industry-related use. (Bill No. 178, 1979.)

Nudity: A state of dress in which a human buttock, anus, genitalia, or female breast is completely bared. (Bill No. 137, 1990.)

Nudity, Partial: A state of dress in which clothing covers no more than the genitalia, pubic region, and areolae of the female breast, as well as portions of the body covered by supporting straps or devices. (Bill No. 137, 1990.)

Nursery, Horticultural: An agricultural operation primarily engaged in the production and marketing of trees, shrubs and plants. The plant materials may be produced on the premises and may be purchased elsewhere at any stage of maturity for further production. Horticultural nurseries may engage in accessory uses such as storage of plant materials, sale of products necessary for the health of the nursery stock, and provision of limited landscape services. ~~A nursery which sells plant materials grown exclusively on-site and which does not offer any of the accessory services permitted at horticultural nurseries shall be considered a farm.~~ (Bill No. 41, 1992.)

Nursery School: A school or a level within a school providing educational instruction for children between two and four years old. (Bill No. 47, 1985.)

Nursing Home: (Formerly Convalescent Home): A facility which provides board, shelter, and nursing care to chronic or convalescent patients. This term also includes facilities which provide domiciliary care within a nursing home. (Bill No. 37, 1988.)

Office: A building or portion of a building used for conducting the affairs of a business, profession, service, industry, or government, including a medical office. The term "office" does not include a bank, a post office, a veterinarian's office, nor an establishment where merchandise is stored on or sold from the premises. (Bills No. 13, 1980; No. 167, 1980; No. 37, 1988; No. 186, 1994.)

REV 2/95

1-23

PAID

ANDREW SIMON... HARDY PLANT NURSERY

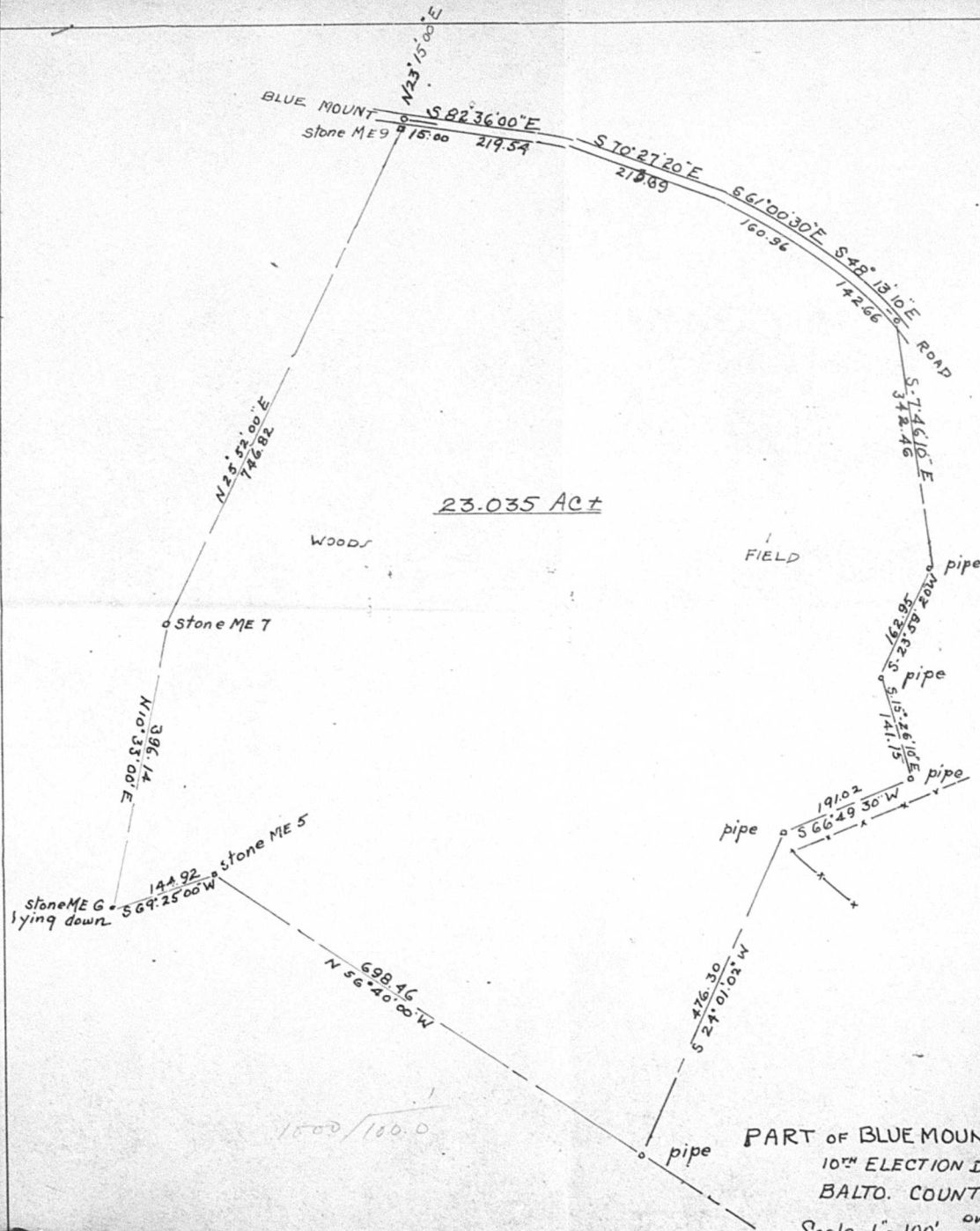
7727 YORK ROAD
TOWSON 4, MARYLAND
TELEPHONE TOWSON 4950

1220

Andrew Simon property located at Blue Mount - on Blue Mount
Road 3,821 ft. west from Wesley Chapel Road.

NATIVE PLANTS AND FERNS FOR SHADY GARDENS

MEMBERS
AMERICAN
ASSOCIATION
OF NURSERYMEN
MARYLAND
NURSERYING
ASSOCIATION



PART OF BLUE MOUNT FARM
10TH ELECTION DISTRICT
BALTO. COUNTY MD.

Scale 1" = 100' OWNER
ANDREW SIMON

Andrew Simon - 7727 York Road Towson, Md