

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Carroll M. Radebaugh et al., legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 404.1b. to allow greenhouses, potting sheds, and other accessory structures to be located 2' from the property lines instead of the required 50'.

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

Property currently exists as a limited acreage wholesale flower farm. Areas requested for variance have been utilized as open nursery beds for more than 30 years and proposed structures are necessary to provide adequate plant protection.

See attached description

PROPERTY DESCRIPTION
-FOR
RADEBAUGH FLORIST
ZONING EXCEPTION

Being known and designated as lots nos. 154 thru 174 and 179 thru 183 as shown on the plat of Towson Manor, excepting lots nos. 175 thru 178 are not a part of this property, which plat is recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 5 folio 79. This parcel is located in the South East corner of Towson Manor. Beginning on the corner of Burke Avenue and Algburth Avenue, then along Burke Avenue in a Westerly direction 150 feet, then leaving Burke Avenue in a Northerly direction 125 feet, then in a Westerly direction 100 feet to Center Avenue, then in a Northerly direction along Center Avenue 250 feet to Linden Terrace, then in an Easterly direction along Linden Terrace 250 feet to Algburth Avenue, then in a Southerly direction along Algburth Avenue 375 feet to the place of beginning.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: December 21, 1973
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #74-147-A. Beginning 125 feet North of Burke Ave. and 150 feet West of Algburth Ave.
Petition for Variance for Side Yards.
Petitioner - George W. Radebaugh & Sons

9th District

HEARING: Wednesday, January 2, 1974 (10:45 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has no comments to offer at this time.

William D. Fromm
William D. Fromm, Director
of Planning

WDF:NEG:rv



BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
DIRECTOR

December 12, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 97 - ZAC - November 20, 1973
Property Owner: Carroll M. Radebaugh, et al
Towson Manor, bound by Burke Ave., Center Ave.,
Linden Terr. & Algburth Ave.
Dist. 9

Dear Mr. DiNenna:

No major traffic problems are anticipated by the requested variances to the side and rear yards.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF:nc

ORDER RECEIVED FOR FILING

DATE January 14, 1974

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

Contract purchaser Carroll M. Radebaugh
Legal Owner
Address 1200 Burke Ave
Towson 21204, Md

Petitioner's Attorney
Protestant's Attorney

Address

ORDERED By The Zoning Commissioner of Baltimore County this 23rd day of November 1973, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of January 1974, at 10:45 o'clock A.M.

Zoning Commissioner of Baltimore County.

10-454
1/2/74

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH H. DIVER, P.E., CHIEF

December 10, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #97 (1973-1974)
Property Owner: Carroll M. Radebaugh, et al
S/E cor. of Towson Manor, bound by Burke Ave., Center Ave., Linden Terr. & Algburth Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to allow greenhouses, potting sheds and other accessory structures 2' from property line instead of required 50'
No. of Acres: 31.123 sq. ft. District 9th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

E. Burke Avenue, an existing County street, is proposed to be improved in the future as a 66-foot closed-type roadway cross-section on a 54-foot right-of-way at this location.

Algburth and Center Avenues and Linden Terrace, existing County streets, are proposed to be improved in the future as 30-foot closed-type roadway cross-sections on 50-foot rights-of-way.

Highway improvements are not required at this time; however, highway right-of-way widening including fillet areas for sight distance at the four intersections and any necessary reversible easements for slopes will be required in connection with any grading or building, permit application. Sidewalks are required along the frontages of this site. Any construction or reconstruction of sidewalks, curb and gutter, entrance, apron, etc. will be the full responsibility of the Petitioner.

The entrance locations are subject to approval by the Department of Traffic Engineering and shall be constructed in accordance with Baltimore County Standards.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Item #97 (1973-1974)
Property Owner: Carroll M. Radebaugh, et al
Page 2
December 10, 1973

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are serving this property.

Very truly yours,

Ellsworth H. Diver
ELLSWORTH H. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:PMR:sn

cc: G. Reter
N-W Key Sheet
36 NE & Fox. Sheet
NE 9 A Topo
70 Tax Map

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING
EUGENE J. CLIFFORD, P.E.
DIRECTOR

December 12, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: item 97 - ZAC - November 20, 1973
Property Owner: Carroll M. Radebaugh, et al
Towson Manor, bound by Burke Ave., Center Ave.,
Linden Terr. & Algburth Ave.
Dist. 9

Dear Mr. DiNenna:

No major traffic problems are anticipated by the requested variances to the side and rear yards.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MSF:nc

BALTIMORE COUNTY
ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the following finding of facts as the property for the green- house, is to be located entirely within an area that has been used for essentially the same use as proposed for approximately 30 years, strict compliance with the Baltimore County Zoning Regulation, would result in practical difficulty and unreasonable hardship upon the Petitioner.

the above Variance should be had and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety and general welfare of the community

to permit greenhouses, potting sheds, and other accessory structures to be located two feet from west property line, four feet from east property line and six feet from south property line instead of the required 50 feet

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of January, 1974, that the herein Petition for a Variance should be and the same is granted, from and after the date of this order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of January, 1974, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

December 10, 1973

Carroll M. Radebaugh
120 Burke Avenue
Towson, Maryland 21204

Re: Item #97
Zoning Variance
Carroll M. Radebaugh, et al

Dear Mr. Radebaugh:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the north side of Burke Avenue, and is bounded by Algburth Avenue on the east, Linden Terrace on the north, and Center Avenue on the west. This property is in the 9th District of Baltimore County and is zoned D.R.5.5.

The petitioner is requesting a variance to correct a non-conforming setback for the existing structure as well as a proposed greenhouse. Although there does not appear to be any adverse comments with regard to this proposal, I would recommend that the variance be restricted to the building as shown as existing and proposed, so as not to preclude a proper review in the future.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 45 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,
John A. Griffin, Jr.
Chairman, Zoning Advisory Committee

JJG:irb
Enclosure

cc: John C. Wolf & Associates, Inc.
401 Washington Avenue
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

November 30, 1973

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #97, Zoning Advisory Committee Meeting
November 20, 1973, are as follows:

Property Owner: Carroll M. Radebaugh, et al
Location: SE Cor. Towson Manor, bound by Burke Ave., Center Ave., Linden Terr. & Algburth Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to allow greenhouses, potting sheds and other accessory structures 2' from property line instead of required 50'
No. Acres: 31,123 sq. ft.
District: 9

Since metropolitan water and sewer are available, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mgg

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



November 26, 1973

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #97, Zoning Advisory Committee Meeting, November 20, 1973, are as follows:

Property Owner: Carroll M. Radebaugh, et al
Location: SE of Towson Manor, bound by Burke Ave., Center Ave., Linden Terr. & Algburth Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to allow greenhouses, potting sheds and other accessory structures two (2) feet from property line instead of required fifty (50) feet
No. of Acres: 31,123 sq ft
District: 9th

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project & Development Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 484-3311 ZONING 484-3321

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: November 20, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 97

Z.A.C. Meeting of: November 20, 1973

Property Owner: Carroll M. Radebaugh, et al
Location: SE of Towson Manor, bound by Burke Ave, Center Ave, Linden Terr. & Algburth Ave
Present Zoning: D.R. 5.5
Proposed Zoning: Variance to allow greenhouses, potting sheds and other accessory structures two (2) ft. from property line instead of required fifty (50) ft.

District: 9th
No. Acres: 31,123 sq. ft.

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,
W. Rick Retzsch
W. Rick Retzsch
Field Representative

WRF:Al

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 13, 1973

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Maryland, on the 13th day of JANUARY, 1974, the 1st publication appearing on the 13th day of December 1973.

THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$.....

PETITION FOR A VARIANCE
NO DISTRICT
ZONING: Petition for Variance for
LOCATION: SE of Towson Manor, bound by Burke Ave, Center Ave, Linden Terr. & Algburth Ave
DATE & TIME: Wednesday, January 2, 1974, at 10:00 A.M.
PUBLIC HEARING: Room 104, County Office Building, 105 West Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Board of Education of Baltimore County, do hereby certify that the above petition was filed in the Office of Planning and Zoning, Baltimore County, Maryland, on the 13th day of December 1973, and that the same was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Maryland, on the 13th day of January 1974, the 1st publication appearing on the 13th day of December 1973.

PETITION FOR A VARIANCE
NO DISTRICT
ZONING: Petition for Variance for
LOCATION: SE of Towson Manor, bound by Burke Ave, Center Ave, Linden Terr. & Algburth Ave
DATE & TIME: Wednesday, January 2, 1974, at 10:00 A.M.
PUBLIC HEARING: Room 104, County Office Building, 105 West Chesapeake Avenue, Towson, Maryland

Hearing: Room 104, County Office Building, 105 West Chesapeake Avenue, Towson, Maryland
BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF BALTIMORE COUNTY

OFFICE OF

THE JEFFERSONIAN

TOWSON, MD. 21204

Dec. 17, 1973

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Maryland, on the 13th day of JANUARY, 1974, the 1st publication appearing on the 13th day of December 1973.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: 12-13-73
Posted for: Hearing: Dec. 2, 1974, at 10:00 A.M.
Petitioner: See Mr. Radebaugh, et al
Location of property: SE of Towson Manor, bound by Burke Ave, Center Ave, Linden Terr. & Algburth Ave
Location of Signs: 2 signs posted on property line
Remarks: None
Posted by: Mark A. Hays Signature Date of return: 12-13-73

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		GOD Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>ERT</u>	Revised Plans:		Change in outline or description Yes ☐ No ☐							
Previous case: _____	Map # _____									

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received* this 2nd day of

November 1973. Item # _____

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner: C. M. Radebaugh Submitted by S. Eric DiNenna

Petitioner's Attorney: NONE Reviewed by Frank Hagan

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received* this 2nd day of

November 1973. Item # _____

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner: C. M. Radebaugh Submitted by S. Eric DiNenna

Petitioner's Attorney: NONE Reviewed by Frank Hagan

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

Correll H. Radebaugh
220 Burke Ave.
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Item #97

Your Petition has been received and accepted for filing

this 2nd day of November 1973.

S. Eric DiNenna
S. Eric DiNenna
Zoning Commissioner

Petitioner: Correll H. Radebaugh, et al

Petitioner's Attorney: _____ Reviewed by S. Eric DiNenna
Chairman
Zoning Advisory Committee

and John E. Wolf & Associates, Inc.
400 Washington Ave.
Towson, Md. 21204

BALTIMORE COUNTY, MARYLAND No. 13034

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Jan. 7, 1974 ACCOUNT 01-662

AMOUNT \$56.75

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
GEORGE W. Radebaugh & Sons
120 Burke Ave.
Towson, Md. 21204
Advertising and posting of property
\$74-117-4 3642 2 3575

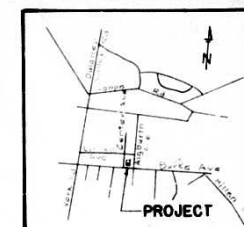
BALTIMORE COUNTY, MARYLAND No. 13014

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

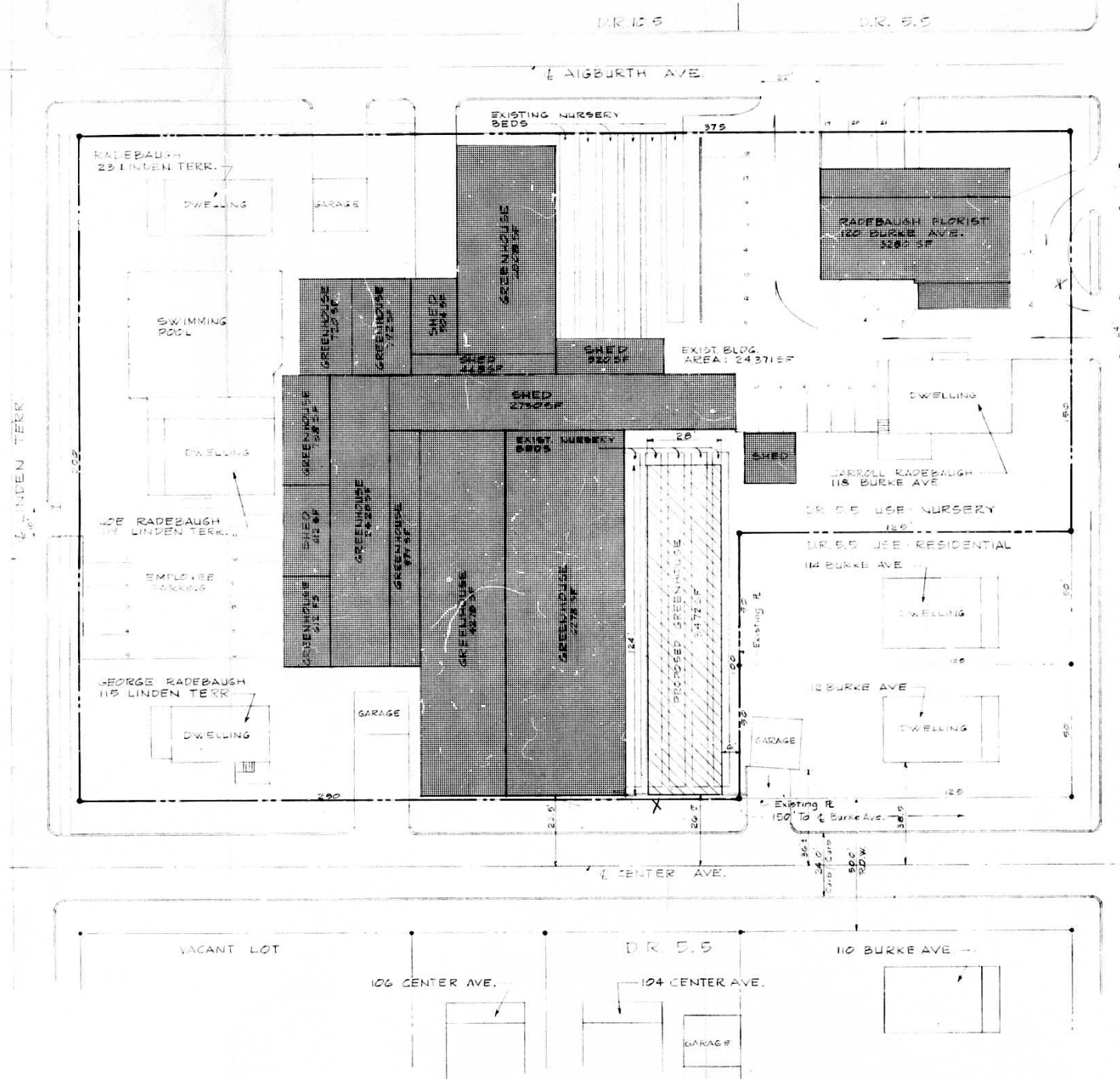
DATE December 11, 1973 ACCOUNT 01-662

AMOUNT \$25.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
GEORGE W. Radebaugh & Sons
120 Burke Ave.
Towson, Md. 21204
Petition for Zoning
\$74-117-4 2500



VICINITY MAP



EXIST. PARKING REQ.

RETAIL STORE 3280 = 300' x 17 SPACES
 RETAIL EMPLOYEES = 12
 GREENHOUSE EMPLOYEES = 6
 TOTAL = 18
 ONE SPACE FOR THREE EMPLOYEES
 18 ÷ 3 = 6 SPACES
NEW PARKING TOTAL 23 SPACES
 GREENHOUSE ADDITION
 EMPLOYEES = 3
 3 ÷ 3 = 1 SPACE
 TOTAL REQ. 24 SPACES

PARKING SPACES PROVIDED 32

ZONING

D.R. 5.5 EXIST USE NURSERY
 PROPOSED USE NURSERY

BUILDING AREA

RETAIL 3280 SF
 EXIST. GREENHOUSE 24371 SF
 NEW GREENHOUSE 3472 SF

NOTE:

THIS PROPERTY IS LOCATED IN THE E CORNER OF TOWSON MANOR (W.C.'S FOLD #17) BOUND BY BURKE AVE., CENTER AVE., LINDEN TERRACE AND AIGBORTH AVE. INCLUDING LOTS 174 THROUGH 189. 42,202 SF. LOTS 175, 176, 177, 178 FRONTING ON BURKE AVE.

SITE PLAN
 SCALE: 1" = 20'



John E. Wolf & Associates, Inc.
 Consulting Engineers
 401 Washington Avenue
 Towson, Maryland 21204

SITE PLAN

PROPOSED ADDITION
 RADEBAUGH FLORIST
 120 BURKE AVE
 TOWSON MD

JOB NO. 14-33
 DATE 10-22-73
 SCALE 1" = 20'
 DWG NO. 1

