

IN RE: PETITION FOR VARIANCE * BEFORE THE
 E/S of York Road, 48' SE * DEPUTY ZONING COMMISSIONER
 of the centerline of * OF BALTIMORE COUNTY
 Wight Avenue
 8th Election District
 Arthur Y. Pindell, Jr., et ux, * Case No. 86-12-A
 Petitioners *

The Petitioners herein request a variance to permit the construction of a shade structure (open) within 20 feet of the front property line in lieu of the required 38.6 feet.

Testimony by and on behalf of the Petitioners indicates that they were granted a variance (Case 80-165-XASH, dated May 13, 1980) to permit the storage and display of live plants and cut Christmas trees within 20 feet of the front property line. The tenant, Valley View Farms, having a long term lease with option to buy, is replacing a fiber glass greenhouse with a larger glass greenhouse which will utilize large exhaust fans and outside ducts. Efficient operation of the business requires that functions and areas for departments related to specific types of plants be kept together. In addition, a shading structure providing about 50% shade is necessary to prevent undue loss of plants. Shade will be provided by the placement of spaced timber beams as indicated on the plan submitted and prepared by George William Stephens, Jr. & Associates, Inc., revised May 24, 1985 and marked Petitioner's Exhibit 2. There is no roof or sides to the structure which will be placed in the area formerly utilized for open display and sales. It is anticipated that the structure will improve the aesthetics of the site by partially blocking the road view of the new greenhouse duct work, and that regrading and landscaping between the structure and the property line will improve appearances. There were no objections.

ORDER RECEIVED FOR FILING
 DATE July 11, 1985
 BY [Signature]

86-12-A
 #312

After due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners and the granting of the variance requested would not adversely affect the health, safety, and general welfare of the community, and, therefore, the variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 11th day of July, 1985, that the herein Petition for Variance to permit the construction of a shade structure (open) within 20 feet of the front property line in lieu of the required 38.6 feet in accordance with Petitioner's Exhibit 2, is GRANTED, from and after the date of this Order subject to the following:

1. Compliance with the requirements of the Baltimore County Landscape Manual.

[Signature]
 Deputy Zoning Commissioner
 of Baltimore County

DATE July 11, 1985
 BY [Signature]
 ADMINISTRATIVE ASSISTANT

86-12-A
 #312
 RECEIVED FOR FILING
 DATE July 11, 1985
 BY [Signature]

Case No. 86-12-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 4th day of June, 1985.

[Signature]
 ARNOLD JABLON
 Zoning Commissioner

Petitioner Arthur Y. Pindell, Jr.
 Petitioner's Lee Stuart Thomson
 Attorney [Signature]
 Received by [Signature]
 Nicholas B. Commodari
 Chairman, Zoning Plans
 Advisory Committee

MICROFILMED

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
 111 W. Chesapeake Ave.
 Towson, Maryland 21204

June 19, 1985

ooo
 Nicholas B. Commodari
 Chairman

Lee Stuart Thomson, Esquire
 Suite 200, 102 W. Pennsylvania Avenue
 Towson, Maryland 21204

RE: Item No. 312, Case No. 86-12-A
 Arthur Y. Pindell, Jr.-Petitioner
 Petition for Variance

Dear Mr. Thomson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 plan 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 suitability of the requested zoning.

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

Very truly yours,
 Nicholas B. Commodari
 NICHOLAS B. COMMODARI
 Chairman
 Zoning Plans Advisory Committee

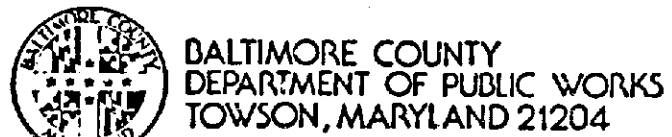
NEC:hec

Enclosures

cc: Foard Brothers, Inc.
 t/a Valley View Farms
 11035 York Road
 Cockeysville, Maryland 21030

George William Stephens, Jr.
 and Associates
 303 Allegheny Avenue
 Towson, Maryland 21204

MICROFILMED



HARRY I. PISTEL, P. E.
 DIRECTOR

July 3, 1985

Mr. Arnold Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item #312 (1984-1985)
 Property Owner: Arthur Y. Pindell, Jr.
 E/S York Road @ Wight Avenue
 District 8th

Dear Mr. Jablon:

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.

General Comments:

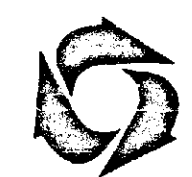
Since no public facilities are involved, this office has no comment.

Very truly yours,
 [Signature]
 JAMES A. MARKLE, P.E., Chief
 Bureau of Public Services

JAM:PMO:blp

cc: File

MICROFILMED



Maryland Department of Transportation
 State Highway Administration

William K. Hellmann
 Secretary

Hal Kassoff
 Administrator

May 17, 1985

Mr. A. Jablon
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: ZAC Meeting of 4-30-85
 ITEM: #312.
 Property Owner: Arthur Y. Pindell, Jr., et ux
 Location: E/S York Road
 Route 45, 48' SE of center-
 line of Wight Avenue
 Existing Zoning: B.R.,
 R.O., D.S. 3.5
 Proposed Zoning: Variance to
 permit the construction
 of a shade structure within
 20' of the front property
 line in lieu of the required
 31.5' and to allow a dis-
 tance between buildings of
 9' instead of the required
 8 1/2'.
 Acres: 8.27
 District: 8th Election
 District

Dear Mr. Jablon:

On review of the revised submittal of 4-24-85, the State Highway Administrator will require the plan to be revised.

The revised plan must show a proposed 80' right of way for York Road (40' each side of centerline).

It is requested the plan be revised prior to a hearing date being set.

Very truly yours,

[Signature]
 Charles Lee, Chief
 Bureau of Engineering
 Access Permits

CL:GW:maw

Attachment

cc: Mr. J. Ogle

By: George Wittman
 My telephone number is (301) 659-1350
 Tactypewriter for Impaired Hearing or Speech
 383-7556 Baltimore Metro - 555-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
 P.O. Box 717 / 707 North Calver St., Baltimore, Maryland 21203 - 0717

MICROFILMED



BALTIMORE COUNTY
 OFFICE OF PLANNING & ZONING
 TOWSON, MARYLAND 21204
 404-3353

ARNOLD JABLON
 ZONING COMMISSIONER

JEAN M. H. JUNG
 DEPUTY ZONING COMMISSIONER

July 11, 1985

Lee Stuart Thomson, Esquire
 Suite 200
 102 W. Pennsylvania Avenue
 Towson, Maryland 21204

RE: PETITION FOR VARIANCE
 E/S of York Road, 48' SE
 of the centerline of
 Wight Avenue
 8th Election District
 Arthur Y. Pindell, Jr., et ux,
 Petitioners
 Case No. 86-12-A

Dear Mr. Thomson:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

[Signature]
 JEAN M. H. JUNG
 Deputy Zoning Commissioner

JMJ:bj

Attachments

cc: People's Counsel

MICROFILMED

FROM THE OFFICE OF
 GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
 ARCHITECTS
 303 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204

Description to Accompany Zoning Petition

April 16, 1985

Beginning for the same in the center of York Road 66 feet wide distant 481 feet more or less measured southeasterly along the center of York Road from the center line intersection of Wight Avenue thence binding in the center of York Road 66 feet wide:

- 1) North 19° 01' 55" West 632.80 feet thence
- 2) North 70° 58' 05" East 600.00 feet thence
- 3) South 19° 01' 55" East 227.64 feet thence
- 4) South 2° 58' 43" East 303.77 feet thence
- 5) South 19° 01' 55" East 116.00 feet and thence
- 6) South 71° 16' 35" West 516.00 feet to the place of beginning.

Containing 8.27 Acres of land more or less.



[Signature]
 7/3/85

MICROFILMED

RE: PETITION FOR VARIANCE
E/S of York Rd., 48' SE
of the Centerline of
Wight Ave., 8th District
ARTHUR Y. PINDELL, JR.,
et ux, Petitioners

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-12-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2155

I HEREBY CERTIFY that on this 19th day of June, 1985, a copy of the foregoing Entry of Appearance was mailed to Lee Stuart Thomson, Esquire, Suite 200, 102 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner; and William C. Foard, President, Foard Brothers, Inc., t/a Valley View Farms, 11035 York Rd., Cockeysville, MD 21030, Contract Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman

Lee Stuart Thomson, Esquire
Suite 200, 102 W. Pennsylvania Ave.
Towson, Maryland 21204

JUNE 5, 1985

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
E/S of York Road, 48 ft. SE of
the centerline of Wight Avenue
8th Election District
Arthur Y. Pindell, Jr., et ux, Petitioners
Case No. 86-12-A

TIME: 10:15 a.m.
DATE: Tuesday, July 9, 1985
PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

cc: Foard Brothers, Inc., t/a
Valley View Farms
11035 York Road
Cockeysville, Md. 21030

Arnold Jablon
Arnold Jablon
Zoning Commissioner
of Baltimore County

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVENUE, TOWSON, MARYLAND 21204

PROFESSIONAL RESUME

JOHN J. STANN
1985

Education: B.S.C.E. Johns Hopkins University
Registration: Professional Engineer, 1964, Maryland
Experience: Maryland State Highway Administration - 12 years
Project Engineer - Highway Location Division - 5 years
Baltimore County, Bureau of Engineering - 7 years
Project Engineer - Street & Road Design - 5 years
Chief, Street & Road Design - 2 years
Dalton, Dalton, Newport, A & E Firm - 8 years (note)
Project Manager - Civil Engineering Dept. - 1 year
Branch Manager & Head, Civil Dept. - 6 years
Special Projects Manager - 1 year (*)
George Wm. Stephens, Jr. & Assoc., Inc. - 8 years (note)
Project Manager, Principal
Professional Societies: American Society of Civil Engineers (Fellow)
National Society of Professional Engineers
Maryland Society of Professional Engineers
Maryland Association of Engineers
County Engineers Association

EXHIBIT 1 (*) Flood Plain Studies for H.U.D. of 500 miles of
streams in Maryland using the Corps of Engineers
HEC-2 Computer Program

NOTE: Activities include major State and County high-
way design, site design for residential, commer-
cial, and industrial developments, involving water
supply, sewage collection, storm drainage, storm
water management, traffic circulation and site
planning.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
To: Zoning Commissioner Date: June 25, 1985
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petitions No. 86-16-A, 86-9-A, 86-12-A, and 86-17-A

There are no comprehensive planning factors requiring comment on this petition.

NEG:JGH:slm

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

PETITION FOR VARIANCE
8th Election Dist.

LOCATION: East side of York Road, 48 feet Southeast of the
centerline of Wight Avenue
DATE AND TIME: Tuesday, July 9, 1985 at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and
Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance from Sections 238.1, 303.2 and 301.1 to
permit the construction of a shade structure (open) within 20 feet of the
front property line in lieu of the required 38.6 feet.

being the property of Arthur Y. Pindell, Jr., et ux as shown on
the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit will be issued within
the thirty (30) day appeal period. The Zoning Commissioner will, however, enter-
tain any request for a stay of the issuance of said permit during this period for
good cause shown. Such request must be received in writing by the date of the
hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 007447
DATE: 7-19-85 ACCOUNT: R-01-615-000
AMOUNT: \$ 107.00
RECEIVED BY: [Signature]
FOR: [Signature]
VALIDATION OR SIGNATURE OF CARRIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 007366
DATE: 7-15-85 ACCOUNT: R-C1-615-000
AMOUNT: \$ 70.22
RECEIVED FROM: Lee S. Thomson Esquire
FOR: [Signature]
VALIDATION OR SIGNATURE OF CARRIER

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

July 10, 1985

Lee Stuart Thomson, Esquire
Suite 200, 102 W. Pennsylvania Ave.
Towson, Maryland 21204

RE: Petition for Zoning Variance
E/S of York Road, 48 ft. SE of
the centerline of Wight Avenue
8th Election District
Arthur Y. Pindell, Jr., et ux, Petitioners
Case No. 86-12-A

Dear Mr. Thomson,

This is to advise you that \$ 70.22 is due for advertising
and posting of the above property. This fee must be paid before
an Order is issued.

This fee must be paid and the zoning sign and post returned
on the day of the hearing. Do not remove sign until day of
the hearing.

Please make the check payable to Baltimore County, Maryland,
and remit to Zoning Office, Room 113, County Office Building,
Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

PETITION FOR VARIANCE
8th Election District
LOCATION: East side of York
Road, 48 feet Southeast of the
centerline of Wight Avenue
DATE AND TIME: Tuesday, July 9,
1985 at 10:15 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W
Chesapeake Avenue, Towson,
Maryland
The Zoning Commissioner of Baltimore
County, by authority of the Zoning
Act and Regulations of Baltimore
County, will hold a public hearing:
Petition for Zoning Variance from
Sections 238.1, 303.2 and 301.1 to per-
mit the construction of a shade struc-
ture (open) within 20 feet of the front
property line in lieu of the required
38.6 feet.
In the event that this Petition is
granted, a building permit will be
issued within the thirty (30) day appeal
period. The Zoning Commissioner will,
however, entertain any request for a
stay of the issuance of said permit
during this period for good cause
shown. Such request must be received
in writing by the date of the hearing or
made at the hearing.
BY ORDER OF
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
June 25

86-12-A
CERTIFICATE OF PUBLICATION

TOWSON, MD, June 20, 1985
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md., appearing on
June 20, 1985

THE JEFFERSONIAN,

JB Venetok
Publisher
Cost of Advertising
22.00

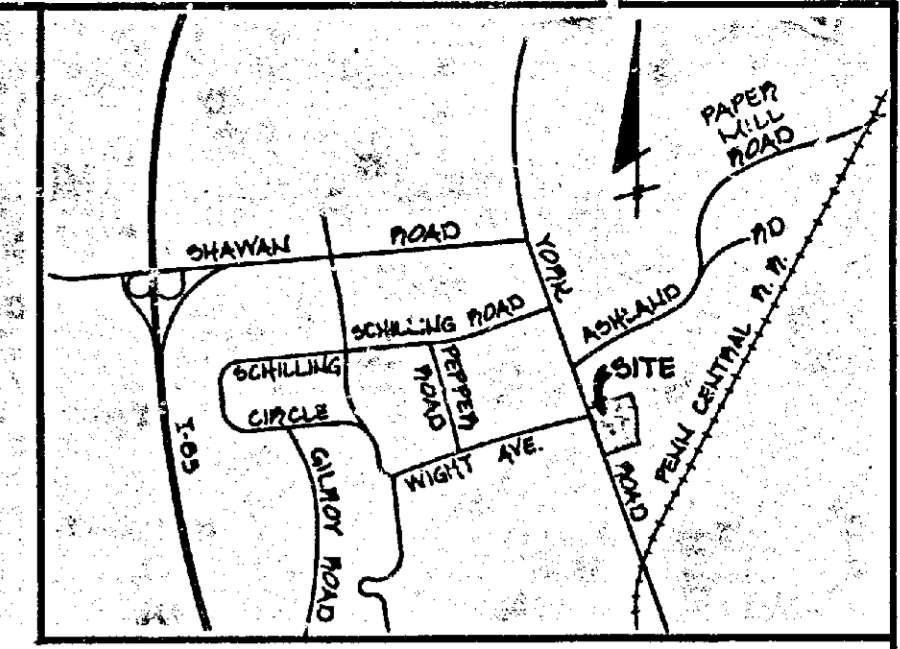
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 8th
Posted for: Variance Date of Posting: 6/14/85
Petitioner: Arthur Y. Pindell, Jr., et ux
Location of property: E/S York Rd., 48' SE of Wight Ave.
Location of Sign: E/S York Rd., 48' SE of Wight Ave. 20' x 20' x 20'
Remarks: [Signature]
Posted by: [Signature] Date of return: 6/21/85
Number of Signs: 1

PETITION FOR VARIANCE
8th Election District
LOCATION: East side of York
Road, 48 feet Southeast of the
centerline of Wight Avenue
DATE AND TIME: Tuesday, July 9,
1985 at 10:15 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W
Chesapeake Avenue, Towson,
Maryland
The Zoning Commissioner of Baltimore
County, by authority of the Zoning
Act and Regulations of Baltimore
County, will hold a public hearing:
Petition for Zoning Variance
from Sections 238.1, 303.2 and 301.1 to
permit the construction of a shade struc-
ture (open) within 20 feet of the front
property line in lieu of the required
38.6 feet.
In the event that this Petition is
granted, a building permit will be
issued within the thirty (30) day appeal
period. The Zoning Commissioner will,
however, entertain any request for a
stay of the issuance of said permit
during this period for good cause
shown. Such request must be received
in writing by the date of the hearing or
made at the hearing.
BY ORDER OF
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
June 25

CERTIFICATE OF PUBLICATION

Towson, Md. 7/9 1985
THIS IS TO CERTIFY, that the annexed advertisement
was published in the TOWSON TIMES, a weekly news-
paper distributed in Towson, Baltimore County, Md.,
once a week for 1 consecutive weeks, the
first publication appearing on the 17th day of
June 1985.
THE TOWSON TIMES
Publisher
Cost of Advertisement: 43.22



LOCATION MAP
SCALE: 1" = 2000'

GENERAL NOTES

1. AREA OF SITE - 8.27 AC ± (0.04 AC ± DP, 0.14 AC ± PO, 0.09 AC ± DP 3.5)
2. EXISTING ZONING - DP, PO, DP 3.5
3. PRESENT USE - RETAIL SALES, OFFICE, STORAGE, VACANT
4. PUBLIC WATER AND SEWER AVAILABLE
5. STORAGE AREA SHALL NOT BE USED BY THE PUBLIC FOR RETAIL SALES
6. LIGHTING SHALL BE SITED TO NOT REFLECT RAYS INTO RESIDENTIAL AREAS AND SO AS NOT TO OBSTRUCT THE VIEW FOR VEHICULAR TRAFFIC
7. PARKING SHOWS PERSON AND VEHICULAR CIRCULATION TO BE COMBINED WITH EXISTING PARKING AND DRIVING PATTERNS
8. NO ADDITIONAL SCREENING IS PROPOSED
9. NO ADDITIONAL LANDSCAPING IS PROPOSED
10. WIDENING OF YORK ROAD AND ADJUSTMENT TO SOUTH ENTRANCE TO BE PROVIDED BY S.H.A.
11. PROPOSED STORM DRAINS TO CONNECT TO EXISTING DRAIN SYSTEM
12. NO STORM WATER MANAGEMENT REQUIRED - WAIVER GRANTED IN MAY 1980 AND NO INCREASE IN IMPERVIOUS AREA

PARKING TABULATION

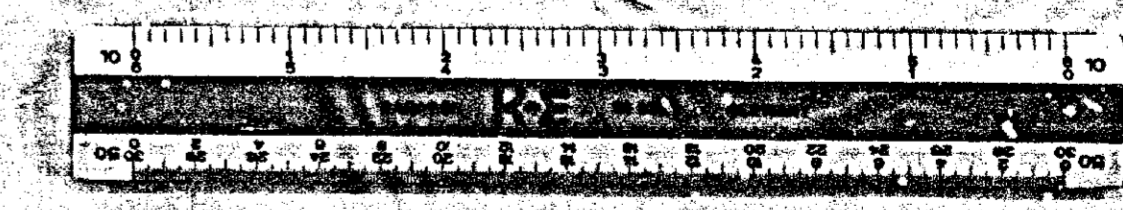
PARKING REQUIRED:

RETAIL SALES AREA	
EX. BUILDINGS - 11,040 S.F. @ 1 P.S./200 S.F.	54
EX. OUTDOOR RETAIL SALES TO REMAIN - 58,325 S.F. @ 1 P.S./200 S.F.	291
PROPOSED GREENHOUSE - 0,432 S.F. @ 1 P.S./200 S.F.	2
EXISTING STORAGE AREA - 21,400 S.F. @ 1 EMPL./1500 S.F.	14
10 EMPL. @ 1 P.S./5 EMPL.	2
PROPOSED STORAGE AREA - 70,000 S.F. @ 1 EMPL./1500 S.F.	46
40 EMPL. @ 1 P.S./5 EMPL.	8
TOTAL	316

OFFICE AREA	
FIRST FLOOR - 1590 S.F. @ 1 P.S./300 S.F.	5
SECOND FLOOR - 1047 S.F. @ 1 P.S./300 S.F.	3
TOTAL PARKING REQUIRED	8
TOTAL PARKING, EXISTING & PROPOSED	316
(INCLUDES 8 SPACES FOR HANDICAPPED)	
PARKING SPACES 9'x18'	
HANDICAPPED PARKING SPACES 12'x18'	

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 625-8180

Handwritten: #312
Revised plan
5/24/85



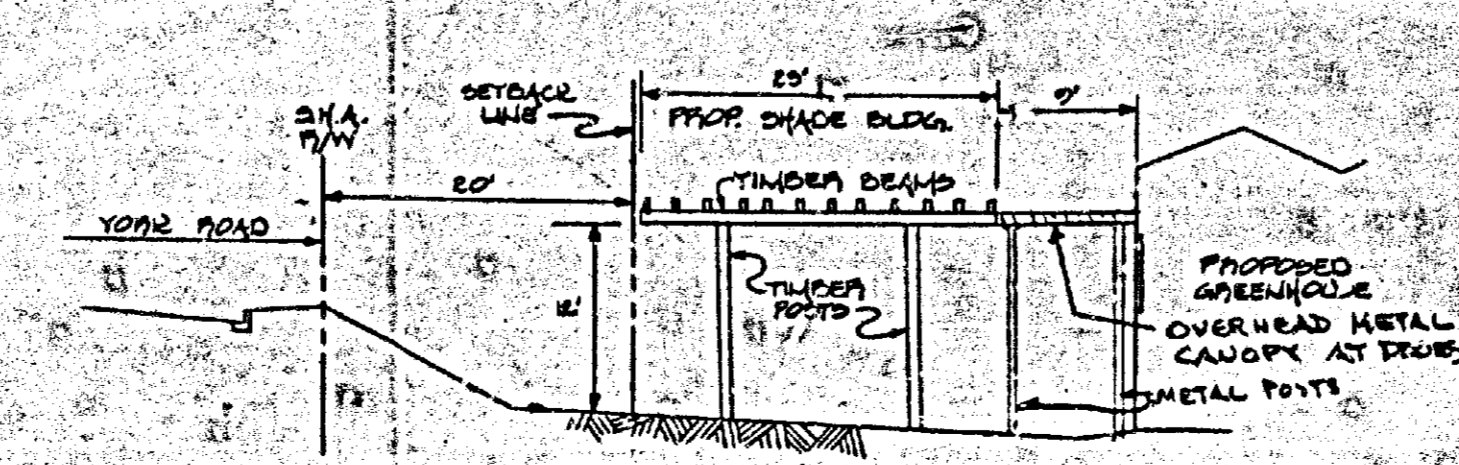
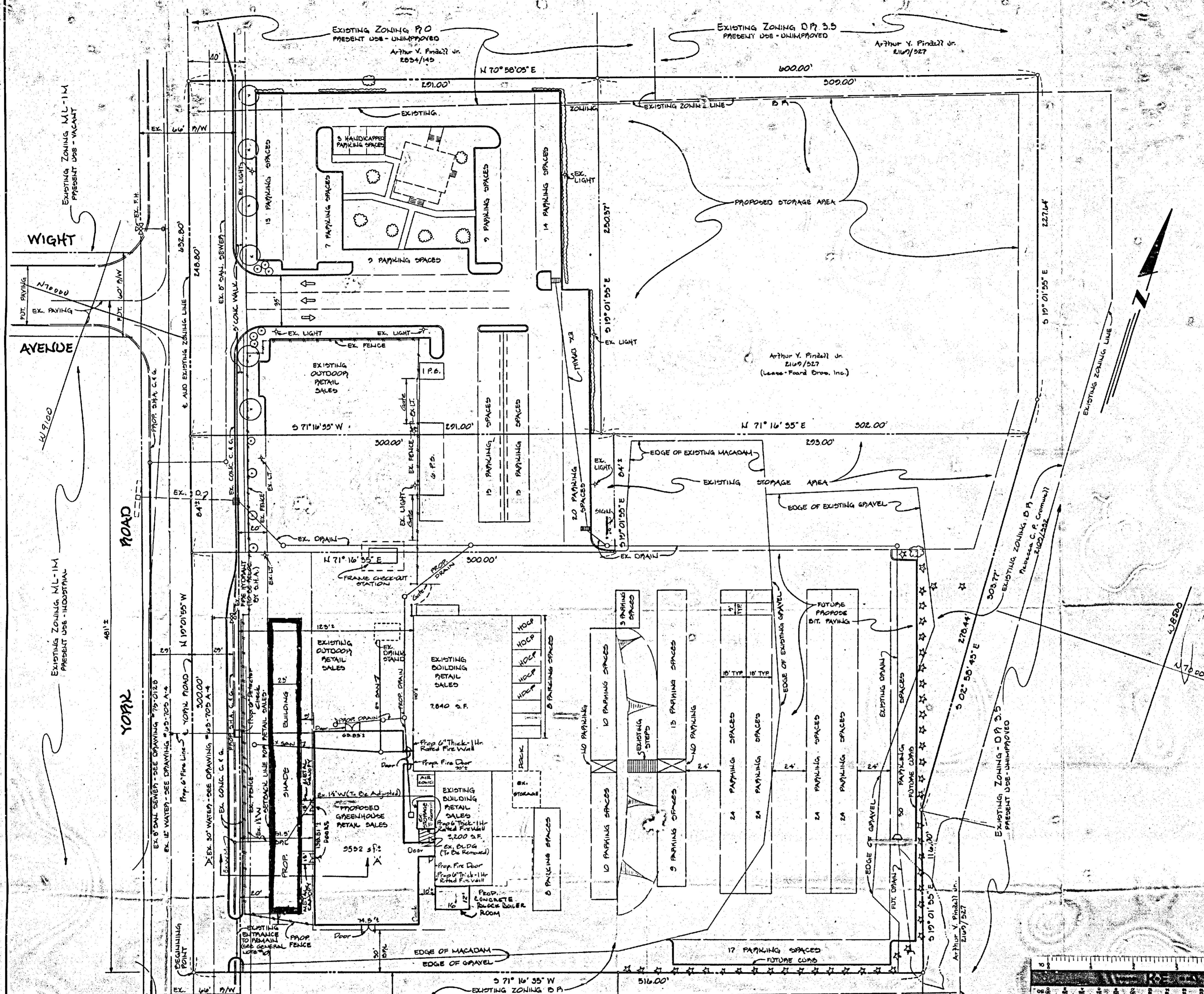
PLAN TO ACCOMPANY ZONING PETITION FOR VARIANCE FOR SETBACK OF SHADE BUILDING STRUCTURE IN AN EXISTING DP ZONE
(20' IN LIEU OF 28.6')

* (SETBACK TO SOUTH - 70', DETRACK TO NORTH - NONE, USE 25' MIN. x 25' x 25' - 51.5')

VALLEY VIEW FARMS
ELECTION DISTRICT #0
SCALE: 1" = 50'

DARTMOUTH COUNTY, MARYLAND
MARCH 1985
REV. APRIL 24, 1985
REV. MAY 15, 1985 FUTURE S.H.A. VV

DEVELOPER'S EXHIBIT



SECTION A-A
SCALE: 1" = 0'

VARIANCE TO SECTION 101.1 REQUESTED TO PERMIT A FRONT YARD SETBACK OF 20 FEET FOR THE PROPOSED OPEN SHADE BLDG. PROJECTION IN LIEU OF THE REQUIRED 38.6 FEET (75% OF S1.5')