

Stripped

MAP No. 23-4
1-
F. D. 4
DATE 12-10-86
200
1000
DP

181#
48-206-73

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, 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 Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for FARMERS CO-OP ROADSIDE STAND IN A R.C.-2 ZONE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception 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.

I/We do 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 Petition.

Lessee:
Contract Purchaser:
Stanley J. Dabkowski & Wayne H. Horner
(Type or Print Name)
Signature: *Stanley J. Dabkowski*
3617 St. Paul Road
Address
Hampstead, MD 21074
City and State

Legal Owner(s):
Lippy Brothers, Inc.
(Type or Print Name)
Signature: *Donald E. Lippy*
Donald E. Lippy
(Type or Print Name)
Signature

Attorney for Petitioner:
Dulany, Parker & Scott
(Type or Print Name)
Signature: *William B. Dulany*
127 East Main Street
Address
Westminster, MD 21157
City and State

334 Iees Mill Road 301-374-9708
Address
Hampstead, MD 21074
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
W. Duvall & Assoc.
Address
530 E. Joppa Road 301-583-9571
Towson, MD 21204
City and State

Attorney's Telephone No.: 301-848-3333

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of January, 1986, 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 11th day of February, 1986, at 10:15 o'clock.

William B. Dulany
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, 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 409.2 F. (2) to permit a crushed stone paving area in lieu of a durable and dustless surface (bar & chair).

The costs involved in paving the parking lot for the Roadside Farmers Market proposed by the Contract Lessee, would impose an extreme and additional financial hardship on said Contract Lessee at this time.

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.

I/We do 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 Petition.

Lessee:
Contract Purchaser:
Stanley J. Dabkowski & Wayne H. Horner
(Type or Print Name)
Signature: *Stanley J. Dabkowski*
3617 St. Paul Road
Address
Hampstead, MD 21074
City and State

Legal Owner(s):
Lippy Brothers, Inc.
(Type or Print Name)
Signature: *Donald E. Lippy*
Donald E. Lippy
(Type or Print Name)
Signature

Attorney for Petitioner:
Dulany, Parker & Scott
(Type or Print Name)
Signature: *William B. Dulany*
127 East Main Street
Address
Westminster, MD 21157
City and State

334 Iees Mill Road 301-374-9708
Address
Hampstead, MD 21074
City and State

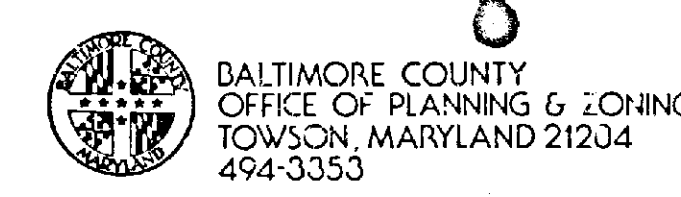
Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
W. Duvall & Assoc., Inc.
Address
530 E. Joppa Road 301-583-9571
Towson, MD 21204
City and State

Attorney's Telephone No.: 301-848-3333

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of January, 1986, 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 11th day of February, 1986, at 10:15 o'clock.

William B. Dulany
Zoning Commissioner of Baltimore County.

(over)



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 18, 1986

William B. Dulany, Esquire
Dulany, Parker & Scott
127 East Main Street
Westminster, MD 21157

RE: PETITIONS SPECIAL EXCEPTION AND VARIANCE
Beg. at the centerline of Hanover Pike, 1,081' S of the centerline of Fringer Road - 4th Election District
Lippy Brothers, Inc.,
Petitioner
Case No. 86-300-XA

Dear Mr. Dulany:

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

Very truly yours,
Jeannette Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Mr. Stanley J. Dabkowski
Mr. Wayne H. Horner
3617 St. Paul Road
Hampstead, MD 21074

Ms. Gladys Fringer
Ms. Edna Fringer
15510 Hanover Pike
Upperco, MD 21155

RE: PETITIONS SPECIAL EXCEPTION AND VARIANCE
beg. at the centerline of Hanover Pike, 1,081' S of the centerline of Fringer Road - 4th Election District
Lippy Brothers, Inc.,
Petitioner

* * * * *

The Petitioner herein requests a special exception for a farmers co-op roadside stand in a R.C.2 zone and a variance to permit a crushed stone paving area in lieu of a durable and dustless surface.

Testimony by and on behalf of the Petitioner indicated that the Contract Lessees propose to construct a board and batten farmers co-op roadside stand on a portion of the site, as indicated on the plan prepared by W. Duvall & Associates, Inc., dated November 4, 1985 and marked Petitioner's Exhibit 1. They further propose to farm the remaining tillable portion in truck produce. The vehicular entrance, but not the parking and drive areas, will be paved. The Lessees believe that crusher run stone, tamped and rolled, with load capabilities of 50,000 lbs. gross weight, would absorb more water runoff than a durable and dustless surface and thus better protect adjacent farmland which will be used for row crops such as strawberries or asparagus. There is a ten-year lease with option to buy the site or renew the lease. The Lessees plan to farm an additional 120 acres minimum and sell its produce as well as that of other local producers at retail, 12 months a year, 8:00 a.m. to dusk, seven days a week. They intend, in limited instances, to make arrangements with neighboring farmers to obtain certain produce and to share the profits made from the sale of that produce with the farmers. In addition to locally grown Maryland and Pennsylvania food products which will be the primary produce sold, other produce will include citrus fruit from November through March and bedding and other plants.

Testimony by representatives of the professional association, the Maryland

Roadside Market Association, and the University of Maryland County Extension Director indicated that the Lessees are experienced, high quality farmers and produce marketers and that there is a consumer need for the proposed facility. There were no Protestants.

An examination of the literature by the Deputy Zoning Commissioner revealed such phrases as "...co-operative corporation...banding together of persons for their common advantage...organized for mutual benefit of members...", "...co-operative association...farmers act together...marketing farm products of persons so engaged...", "co-operative corporation may be created by a banding together of persons for their common advantage...organized for the mutual benefit of its members..." Black's Law Dictionary, 4th edition, 1968 defines "Co-operative Association. A union of individuals commonly laborers, farmers, or small capitalists, formed for the prosecution in common of some productive enterprise, the profits being shared in accordance with the capital or labor contributed by each." In addition, it is clear to the Deputy Zoning Commissioner that it is the intent of the Baltimore County Zoning Regulations (BCZR) to enable local farmers to have an outlet for selling their produce. The proposed operation is within the spirit and intent of the regulations.

Pursuant to the advertisement, posting of property and public hearing, in the opinion of the Deputy Zoning Commissioner, strict compliance with the BCZR would result in practical difficulty or unreasonable hardship upon the Petitioner, the requirements of Section 502.1 of the BCZR have been met, and the health, safety and general welfare of the community will not be adversely affected, and the special exception and variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 18th day of April, 1986, that the Petition for Special Exception for a farmers co-op roadside stand in a R.C.-2 zone and, additionally,

the Petition for Variance to permit a crushed stone paving area in lieu of a durable and dustless surface. In accordance with Petitioner's Exhibit 1, are hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction:

1. The variance may be utilized for five (5) years from the date of this Order. In order to continue the use of crushed stone paving beyond that date, a Petition for Special Hearing to approve an extension shall be filed and granted by way of another public hearing.
2. Compliance with the requirements of the State Highway Administration.
3. Citrus fruit may be sold only from November through March and only so long as those sales are incidental to the sale of local produce.
4. Crates, equipment, etc. shall be stored inside the building when not in use.
5. Anyone whose produce is sold at the stand (other than growers of citrus fruit) shall be a member of the co-op and their names shall be posted.
6. Compliance with any applicable Maryland laws regarding co-operatives.
7. Display areas shall be restricted to the interior of the building and the 12 foot overhang, both indicated on Petitioner's Exhibit 1.
8. The placement of any future greenhouse shall be indicated on a revised site plan and approved by the Deputy Zoning Commissioner.
9. Signage shall be limited to 30 square feet in area (including both sides of a double faced sign) on a free-standing sign. There shall be no variance to this sign requirement.

Jeannette Jung
Deputy Zoning Commissioner
of Baltimore County

W. DUVALL & ASSOCIATES, INC.

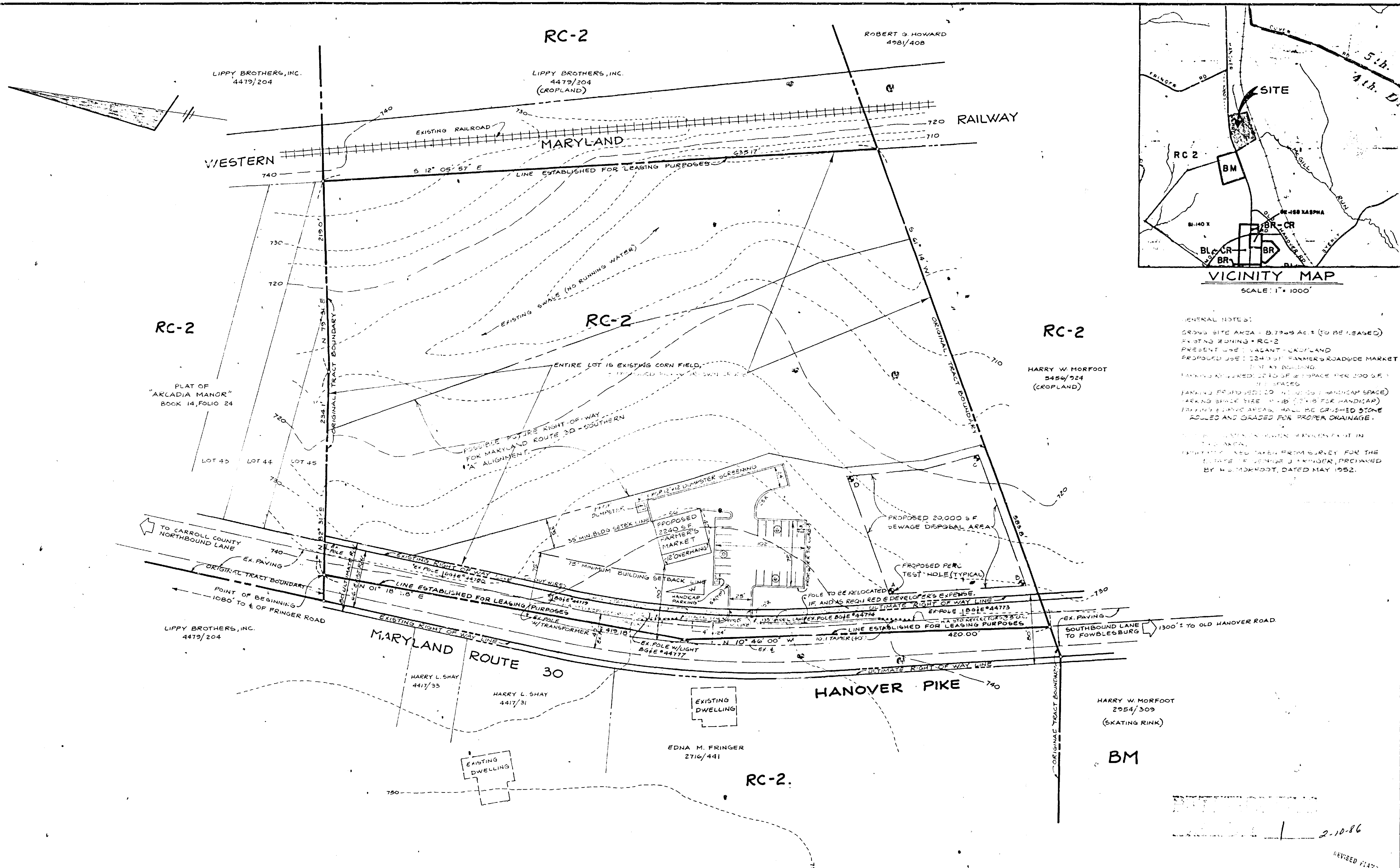
Engineers • Surveyors • Land Planners

DESCRIPTION TO ACCOMPANY
SPECIAL EXCEPTION FOR
ROADSIDE FARMERS MARKET
MARYLAND ROUTE 30, UPPERCO, MARYLAND

Beginning for the same in the center of Hanover Pike, Maryland Route 30, 66 feet wide at a point located 1080 feet south of the centerline of Fringer Road, where said centerline intersects the centerline of Hanover Pike and running thence, leaving said Hanover Pike and binding on the original tract boundary lines of that land owned by Lippy Brothers, Inc. and recorded among the Land Records of Baltimore County in Liber R.R.G., 4479 Folio 204, with all courses referred to the meridian of said tract of land as surveyed and laid out according to a survey prepared by H. S. Norfoot, dated May 1952,
North 82 degrees 31 minutes East 234.1 feet,
North 79 degrees 31 minutes East 219.0 feet,
thence leaving said tract lines and running for a new line of division created for leasing purposes and along the west side of the Western Maryland Railroad Right of Way, South 12 degrees 05 minutes 57 seconds East 655.17 feet to intersect the original tract boundary, thence binding there on South 61 degrees 14 minutes West 583.8 feet to the center of the said Hanover Pike, 66 feet wide, and running thence in the bed of said Road and for new lines of division created for leasing purposes, North 10 degrees 46 minutes 00 seconds West 420.00 feet, North 01 degrees 18 minutes 58 seconds East 419.18 feet to the place of beginning. Containing 8.7968 acres of land more or less.



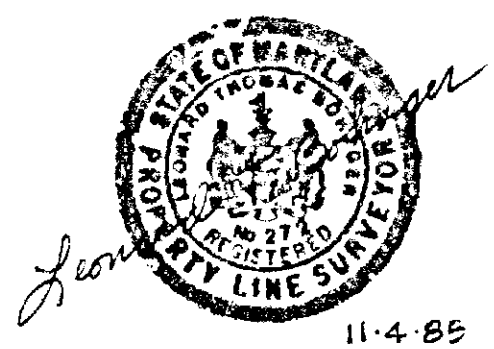
530 East Joppa Road / Towson, Maryland 21204 / (301) 583-9571



GENERAL NOTES:
GROSS SITE AREA - 8.7905 AC. (TO BE LEASED)
EXISTING ZONING - RC-2
PRESENT USE - VACANT CROPLAND
PROPOSED USE - 2240 SF FARMER'S ROADSIDE MARKET
PERC TEST HOLE (TYPICAL)
PARKING PROVIDED TO ACCOMMODATE HANDICAP SPACE
PARKING SPACE SIZE - 10' x 18' (20' FOR HANDICAP)
PARKING & LANDING AREAS SHALL BE CRUSHED STONE
ROLLED AND GRADED FOR PROPER DRAINAGE.
ALL UTILITIES SHOWN HEREON EXIST IN
THE AREA
ELEVATIONS ALSO TAKEN FROM SURVEY FOR THE
LARGE SCALE J. FRINGER, PREPARED
BY H. MORFOOT, DATED MAY 1952.

2-10-86
REVISED PLAT

ENGINEERS - SURVEYORS
W. DUVALL & ASSOCIATES, INC.
530 E. JOPPA ROAD
TOWSON, MARYLAND 21204
(301) 583-9571



OWNER
LIPPY BROTHERS, INC.
% DONALD E. LIPPY
334 LEES MILL ROAD
HAMPSHIRE, MARYLAND 21074

CONTRACT LESSEE
STAN DABKOWSKI &
WAYNE HORNER
2046 VALLEY VIEW ORCHARD ROAD
NEW WINDSOR, MARYLAND 21776

PLAT TO ACCOMPANY
ZONING VARIANCE &
SPECIAL EXCEPTION FOR
FARMERS CO-OP ROADSIDE STAND
~~ROADSIDE FARMERS MARKET~~
HANOVER PIKE - UPPER CO. MARYLAND
4TH ELECTION DISTRICT BALTIMORE COUNTY, MD.
SCALE: 1" = 50' DATE: NOVEMBER 4 1985
REVISED 1-14-86 - ADDED ZONING VARIANCE IN TITLE ADDED MEANING IN ITEM N1
REVISED 2-7-86 - REV. LAYOUT TO ACCOMMODATE S.H.A. COMMENTS OF JAN. 9, 1986
HEARING CASE NO. 86-300 XA ITEM NO. 181

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Centerline of Hanover Pike, 1080 feet South of centerline of Fringer Road
DATE AND TIME: Tuesday, February 11, 1986, 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 Special Exception to use the herein described property for Farmers Co-op Roadside Stand in a RC-2 Zone.

Petition for Zoning Variance from Section 409.2 c. (2) to permit a crushed stone paving area in lieu of a durable and dustless surface (tar and chip).

Being the property of Lippy Brothers, Inc., as shown on plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may 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 set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
C/L of Hanover Pike, 1080' S of : OF BALTIMORE COUNTY
C/L of Fringer Rd., 4th District :
LIPPY BROTHERS, INC., Petitioner : Case No. 86-300-XA
: : : : :
ENTRY OF APPEARANCE

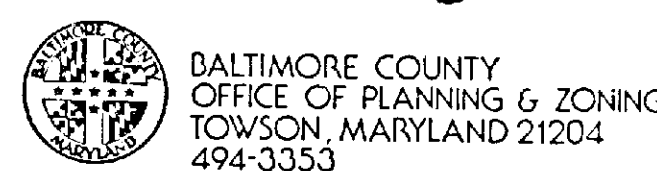
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

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
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to William B. Dulany, Esquire, Dulany, Parker & Scott, 127 East Main St., Westminster, MD 21157, Attorney for Petitioner; Stanley J. Dabkowski and Wayne H. Horner, 3617 St. Paul Rd., Hampstead, MD 21074, Contract Lessees; and W. Duval & Associates, 530 E. Joppa Rd., Towson, MD 21204, which requested notification.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 29, 1986

William B. Dulany, Esquire
Dulany, Parker & Scott
127 East Main Street
Westminster, Maryland 21157

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
C/L of Hanover Pike, 1,080' S of c/l of Fringer Rd.
4th Election District
Lippy Brothers, Inc., Petitioner
Case No. 86-300-XA

Dear Mr. Dulany:

This is to advise you that \$67.39 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 OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 112, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018600

DATE 2-19-86 ACCOUNT R-01-655000

AMOUNT \$ 67.39

RECEIVED FROM *William B. Dulany - Westminster*

FOR *Advertising & Posting 86-300-XA*

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD, January 23, 1986

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 January 23, 1986.

THE JEFFERSONIAN,

Publisher

Cost of Advertising

27.50

86-300-XA

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Centerline of Hanover Pike, 1080 feet South of centerline of Fringer Road
DATE AND TIME: Tuesday, February 11, 1986, 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 Special Exception to use the herein described property for Farmers Co-op Roadside Stand in a RC-2 Zone.
Petition for Zoning Variance from Section 409.2 c. (2) to permit a crushed stone paving area in lieu of a durable and dustless surface (tar and chip).
Being the property of Lippy Brothers, Inc., as shown on plan filed with the Zoning Office.
In the event that this Petition(s) is granted, a building permit may 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 set above or made at the hearing.
By Order Of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Jan. 23.

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District
LOCATION: Centerline of Hanover Pike, 1080 feet South of centerline of Fringer Road, at 10:15 a.m.
DATE AND TIME: Tuesday, February 11, 1986, 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 Special Exception to use the herein described property for Farmers Co-op Roadside Stand in a RC-2 Zone.
Petition for Zoning Variance from Section 409.2 c. (2) to permit a crushed stone paving area in lieu of a durable and dustless surface (tar and chip).
Being the property of Lippy Brothers, Inc., as shown on plan filed with the Zoning Office.
In the event that this Petition(s) is granted, a building permit may 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 set above or made at the hearing.
By Order Of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Jan. 23.

NEWSPAPERS OF MARYLAND, INC.
minster, Md., JAN. 23, 1986
that the annexed Reg. #184126 P.O. #73202
January 19, 86 in the
Times, a daily newspaper published in Westminster, Carroll County, Maryland.
News, a weekly newspaper published in Baltimore County, Maryland.
mes, a weekly newspaper published in Baltimore County, Maryland.
NEWSPAPERS OF MARYLAND, INC.
Per *James Taylor*

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-300-XA

District *4th* Date of Posting *Jan 22-86*
Posted for *Special Exception and Variance*
Petitioner *Lippy Brothers, Inc.*
Location of property *East side of Hanover Pike, 1080' S of c/l of Fringer Rd.*
Location of Sign *East side of Hanover Pike, approx. 150' south of the Baltimore of Fringer Rd.*
Remarks
Posted by *A. J. Ratti* Signature
Number of Signs *2*

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 13, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204William B. Dulany, Esquire
Dulany, Parker & Scott
127 East Main Street
Westminster, Maryland 21157RE: Item No. 181, Case No. 86-300-YA
Petitioner - Lippy Brothers, Inc.
Special Exception and Variance Petition

MEMBERS

Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Material
Development

Dear Mr. Dulany:

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 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 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,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: W. Duvall & Associates, Inc.
530 East Joppa Road
Towson, Maryland 21204

Maryland Department of Transportation

State Highway Administration

William K. Heilmann
Secretary
Hal Kassoff
Administrator

February 10, 1986

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

Att: Mr. James Dyer

Re: Revised Comments
ZAC Meeting of 11-19-85
ITEM: #181.
Property Owner: Lippy Brothers, Inc.
Location: Centerline of Hanover Pike, Route 30, 1080' S. of Fringer Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a crushed stone paving area in lieu of a durable and dustless surface (tar & chip) and a Special Exception for a farmers co-op roadside stand in an R.C. 2 zone
Acres: 8.7968
District: 4th

Dear Mr. Jablon:

On review of the revised submittal of 2-7-86 (layout to accommodate State Highway Administration comments of 1-9-86), the State Highway Administration finds the revised site plan for Special Exception generally acceptable.

All work within the S.H.A. - Right of Way must be through S.H.A. permit with the posting of a bond or letter of credit to guarantee construction.

Very truly yours,

Charles Lee, Chief

CL:GW:maw

cc: Ms. J. Jung (w-plan)
Mr. J. Ogle
W. Duvall & Assoc., Inc.

By: George Wittman

My telephone number is (301) 659-1350

Telephone for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717

Maryland Department of Transportation

State Highway Administration

William K. Heilmann
Secretary
Hal Kassoff
Administrator

November 27, 1985

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

Att: Mr. James Dyer

Re: ZAC Meeting of 11-19-85
ITEM: #181.
Property Owner: Lippy Brothers, Inc.
Location: Centerline of Hanover Pike, Route 30, 1080' S. of Fringer Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a crushed stone paving area in lieu of a durable and dustless surface (tar and chip) and a Special Exception for a farmers co-op roadside stand in an R.C. 2 zone
Acres: 8.7968 acres
District: 4th Election District

Dear Mr. Jablon:

The submittal of 11-4-85 was forwarded to State Highway Administration Bureau of Project Planning with reference to the future alignment of MD. Route 30.

On receipt of their findings additional comments will be forthcoming.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:maw

cc: Mr. J. Ogle

By: George Wittman

My telephone number is (301) 659-1350

Telephone for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717

Maryland Department of Transportation

State Highway Administration

January 9, 1986

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

Att: James Dyer

Re: Baltimore County ZAC Meeting of 11/19/85
ITEM: #181
Property Owner: Lippy Brothers, Inc.
Location: Centerline of Hanover Pike, Route 30, 1080' S. of Fringer Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a crushed stone paving area in lieu of a durable and dustless surface (tar and chip) and a Special Exception for a farmers co-op roadside stand in an R.C. 2 zone
Acres: 8.7968
District: 4th

Dear Mr. Dyer:

The State Highway Administration's Bureau of Project Planning has completed their review of the above site.

They have indicated in red the affects of the Hampstead Bypass proposals to the proposed Roadside Farmers Market.

You will note that in addition to the physical impacts, traffic will be diverted to the bypass with little traffic utilizing existing Route 30 in the area of the market. The Bypass is proposed as access controlled with at-grade intersections allowed only at local roadways. Existing Route 30 would be cul-de-sac'd where the Bypass crosses Route 30 just north of the subject area.

It is important to comment that three southern optional tie-ins to Route 30 are under careful consideration at this time. The one depicted in red reflects tie-in "A". Two others, "B" and "C" are located farther north and would have no effect to the market site. It is anticipated that a selection will be made in the near future with Location Design approval granted during March-April, 1986.

Continued

My telephone number is (301) 659-1350

Telephone for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717Mr. James Dyer
Page 2
January 9, 1986

Further, the plan indicates a previous proposed corridor for the bypass from studies terminated in 1981. The revised corridor shown in red is a result of detailed engineering and environmental consideration necessary for the present study.

The State Highway Administration's Bureau of Engineering Access Permits will require revisions to the site plan.

The proposed deceleration lane south of the proposed entrance must be revised to show a 135' full width section with a 10:1 taper to meet the existing edge of roadway, and the proposed building relocated outside the proposed Right-of-Way.

All work within the S.H.A. Right-of-Way for commercial access to the site must be through S.H.A. Permit with the posting of a bond or letter of Credit.

Be advised, the information from S.H.A. Bureau is tentative and subject to final planning.

If the Developer has any questions, please do not hesitate to call this office or Mr. Frank Desantis-S.H.A. Project Manager at 659-1109.

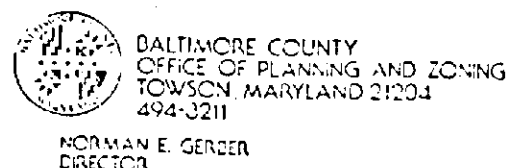
Very truly yours,

Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL:GW:es

cc: J. Ogle

enclosure

BALTIMORE COUNTY
DEPARTMENT OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-4500Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JANUARY 14, 1986

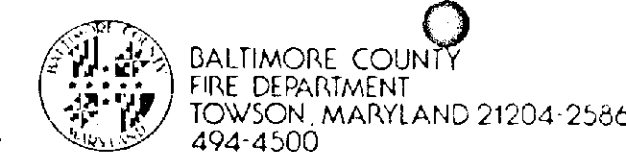
Re: Zoning Advisory Meeting of NOVEMBER 19, 1985
Item #181
Property Owner: LIPPY BROTHERS, INC.
Location: CENTERLINE OF HANOVER PIKE,
1080' S. OF FRINGER ROAD

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☐ A County Review Group Meeting is required.
- ☐ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☐ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The proposed Development Plan was approved by the Planning Board on 11/19/85.
- ☐ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and its conditions change are re-evaluated annually by the County Council.
- ☒ Individual comments:
- ☒ A VARIANCE OF CRG (W-85-176) PLAN WAS GRANTED BY BALTIMORE COUNTY ON 11/21/85.

cc: James Howell

Eugene A. Dwyer
Chief, Current Planning and DevelopmentBALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

November 22, 1985

PAUL H. REINCKE
CHIEFMr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Lippy Brothers, Inc.

Location: Centerline of Hanover Pike, 1080' S of Fringer Road

Item No.: 181 Zoning Agenda: Meeting of November 19, 1985

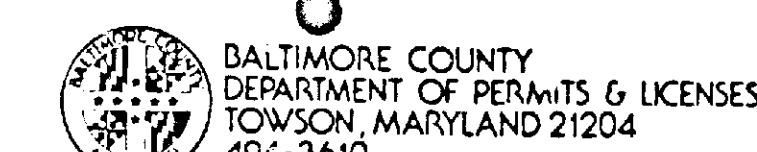
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☐ 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☐ 2. A second means of vehicle access is required for the site.
- ☐ 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Driveway shall be durable & dustless (tar & chip) & support 50,000 lb. fire apparatus.
- ☐ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☐ 6. Site plans are approved, as drawn.
- ☐ 7. The Fire Prevention Bureau has no comment at this time.

REVIEWED BY: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 16, 1985

TED ZALESKI, JR.
DIRECTORMr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 181 Zoning Advisory Committee Meeting are as follows:

Property Owner: Lippy Brothers, Inc.

Location: O/L of Hanover Pike, 1080' S of Fringer Road

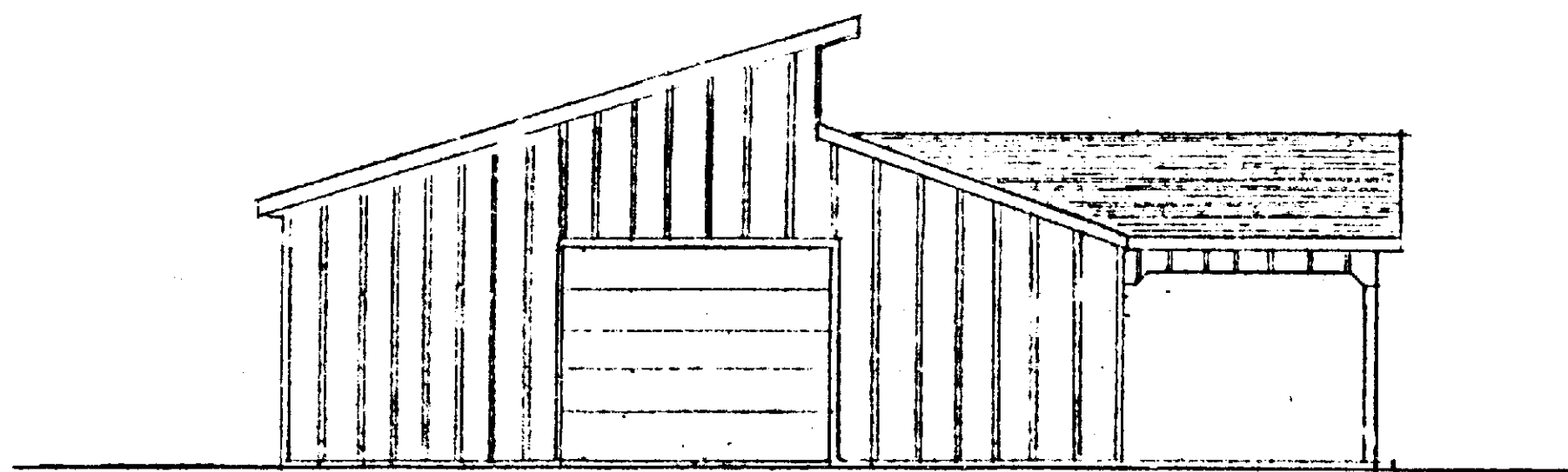
District: 4th.

APPLICABLE STANDARDS AND COMMENTS:

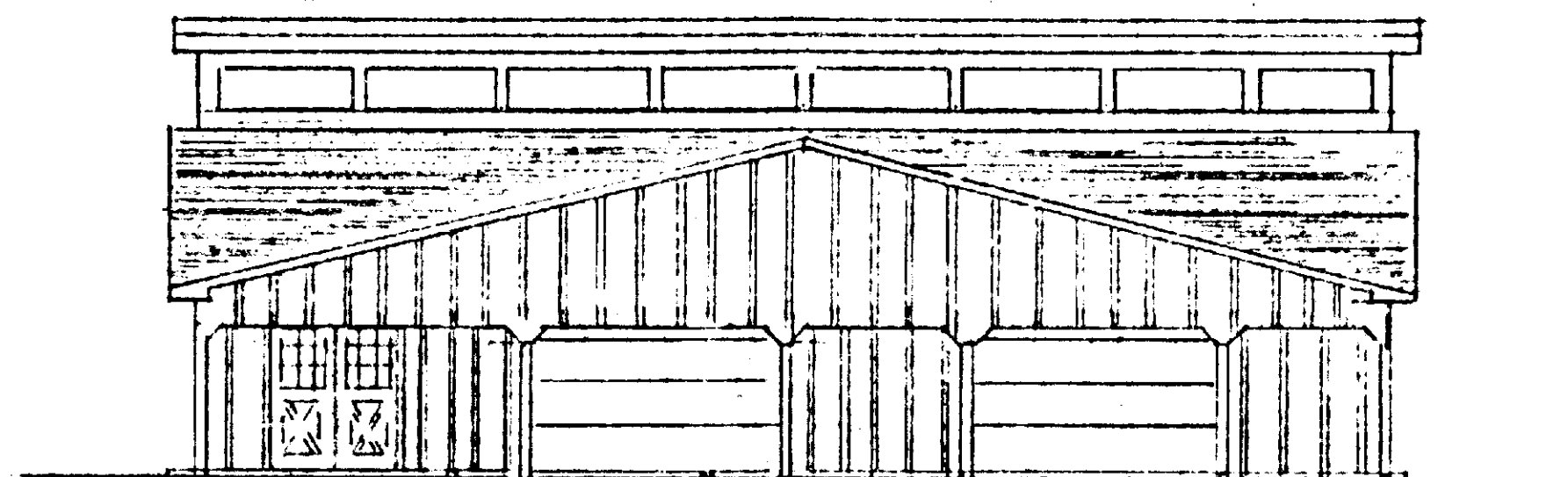
- ☐ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, The Maryland Code for the Handicapped and Aged (A.D.A. 111-101 - 1980) and other applicable codes and standards.
- ☐ A building and other miscellaneous permits shall be required before the start of any construction.
- ☐ Residential: The sets of construction drawings are required to file a permit application. The seal of a professional in Maryland Architecture or Engineering is not required on plans and technical data.
- ☒ Commercial: These sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Registered seals are not acceptable. Seals may be waived on minor structures if drawings are in good order.
- ☐ All the Group except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. For the Group require a one hour wall, if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.1, Section 101.2 and Table 101.1. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ☐ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your architect/engineer contact this department.
- ☐ The requested variance appears to conflict with Section 101.1 of the Baltimore County Building Code.
- ☐ When filing for a required Change of Use/Recovery Permit, an alteration permit application shall also be filed along with these sets of drawings indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The owner of the Group use the Code to the Code or Mixed Use Section 102 of the Building Code.
- ☐ The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 116.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevation above sea level for the lot and the finished floor levels including basement.
- ☐ Comments: The structure shall comply with the Code requirements for retail sales, Use Group "M" Section 508.0.
- ☐ These abbreviated comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as an approval of any project. If desired the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Dwyer
Chief, Current Planning and Development

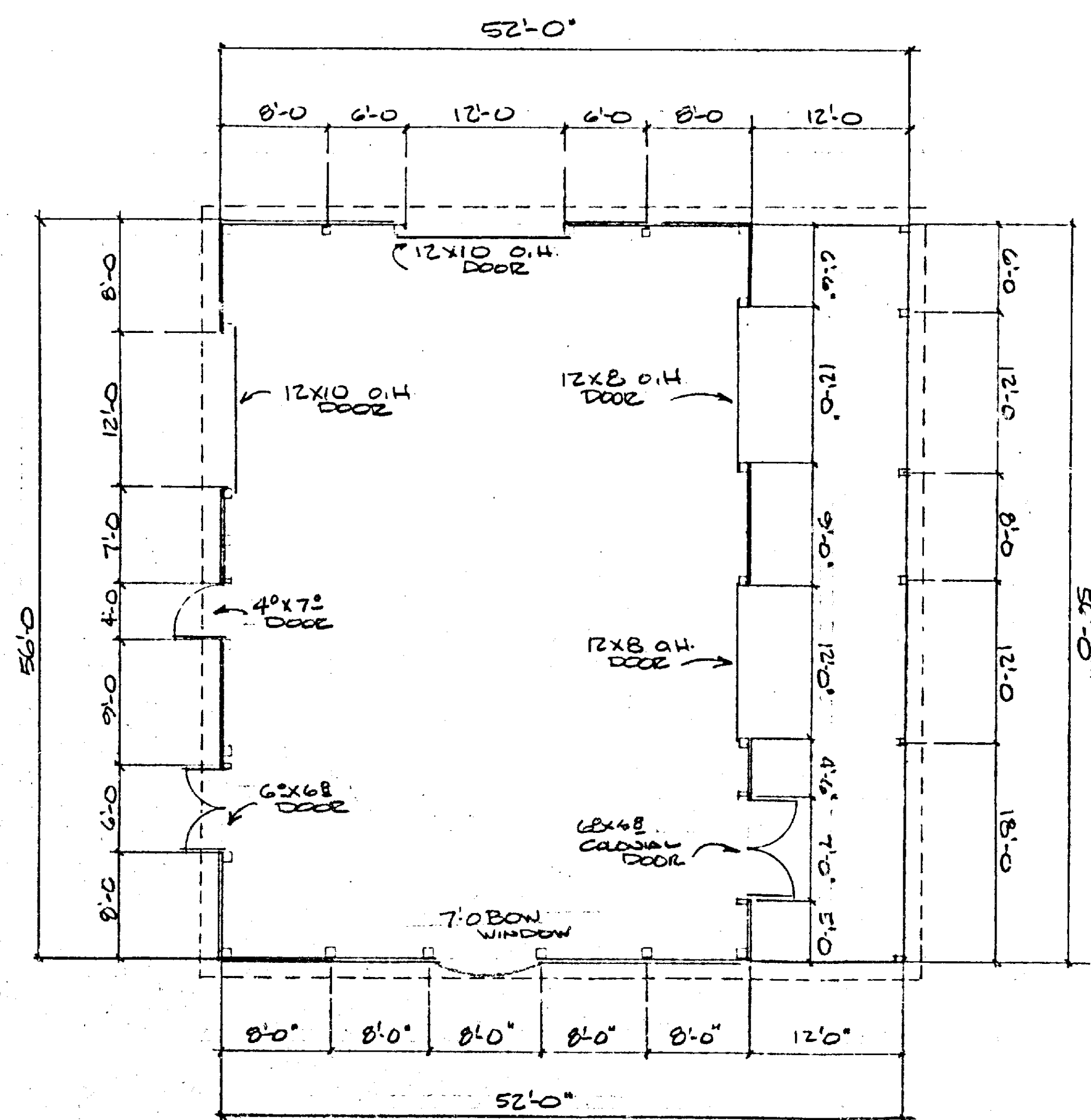
/mb



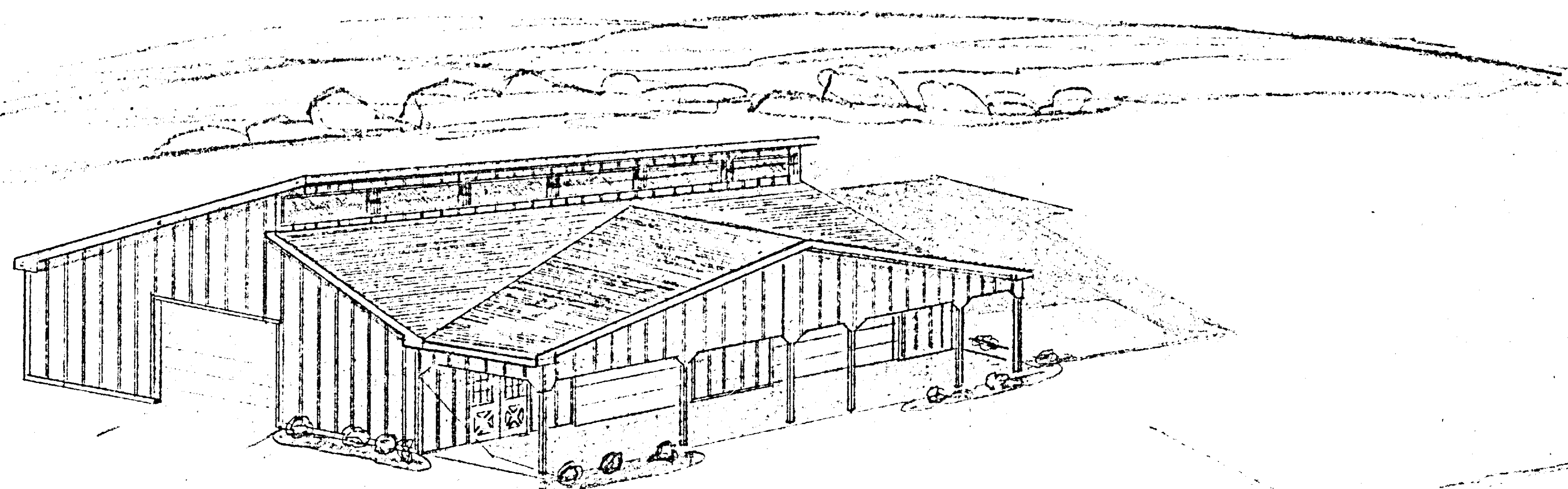
END WALL ELEVATION 1/8"=1'-0"



FRONT ELEVATION 1/8"=1'-0"



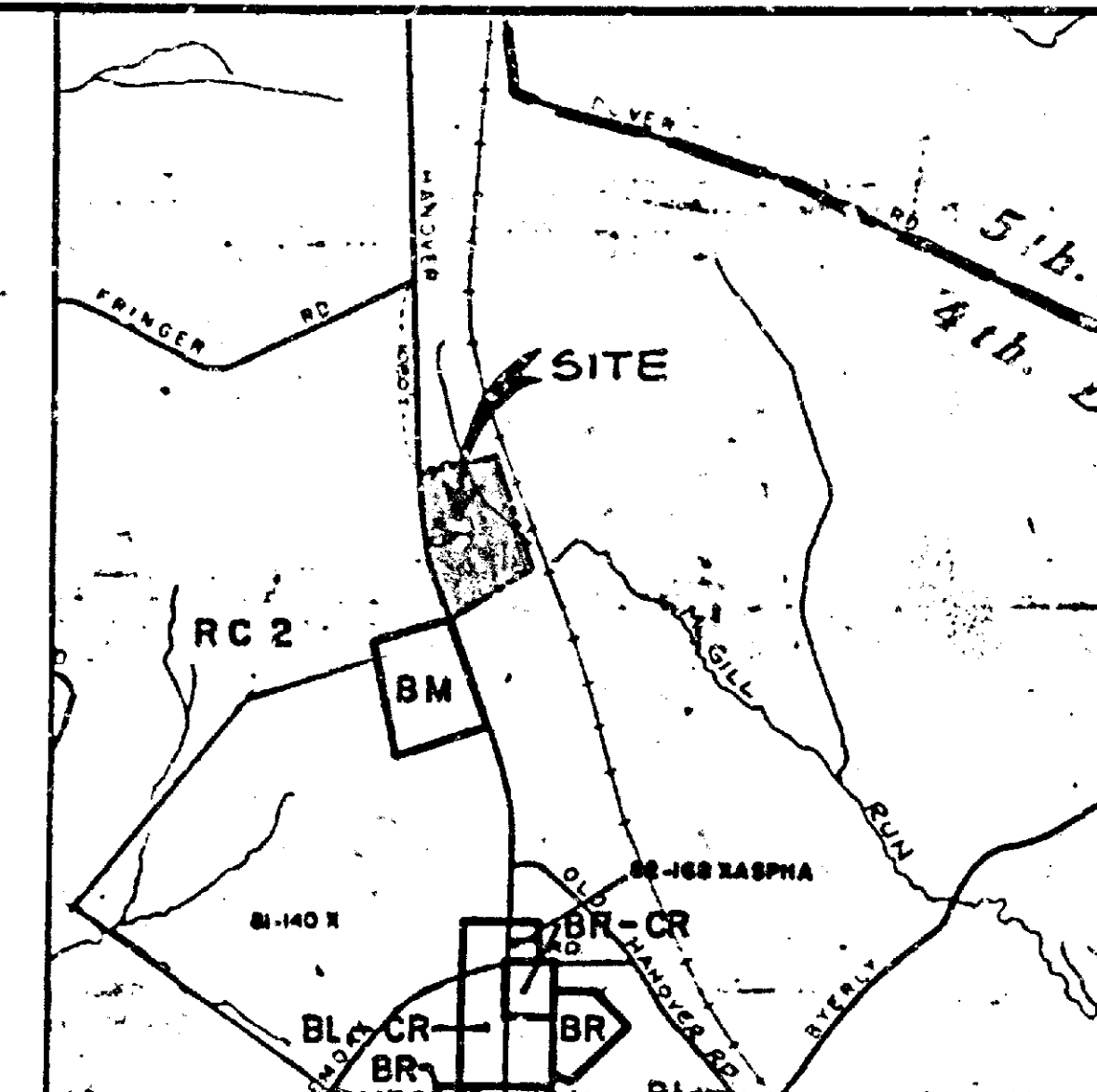
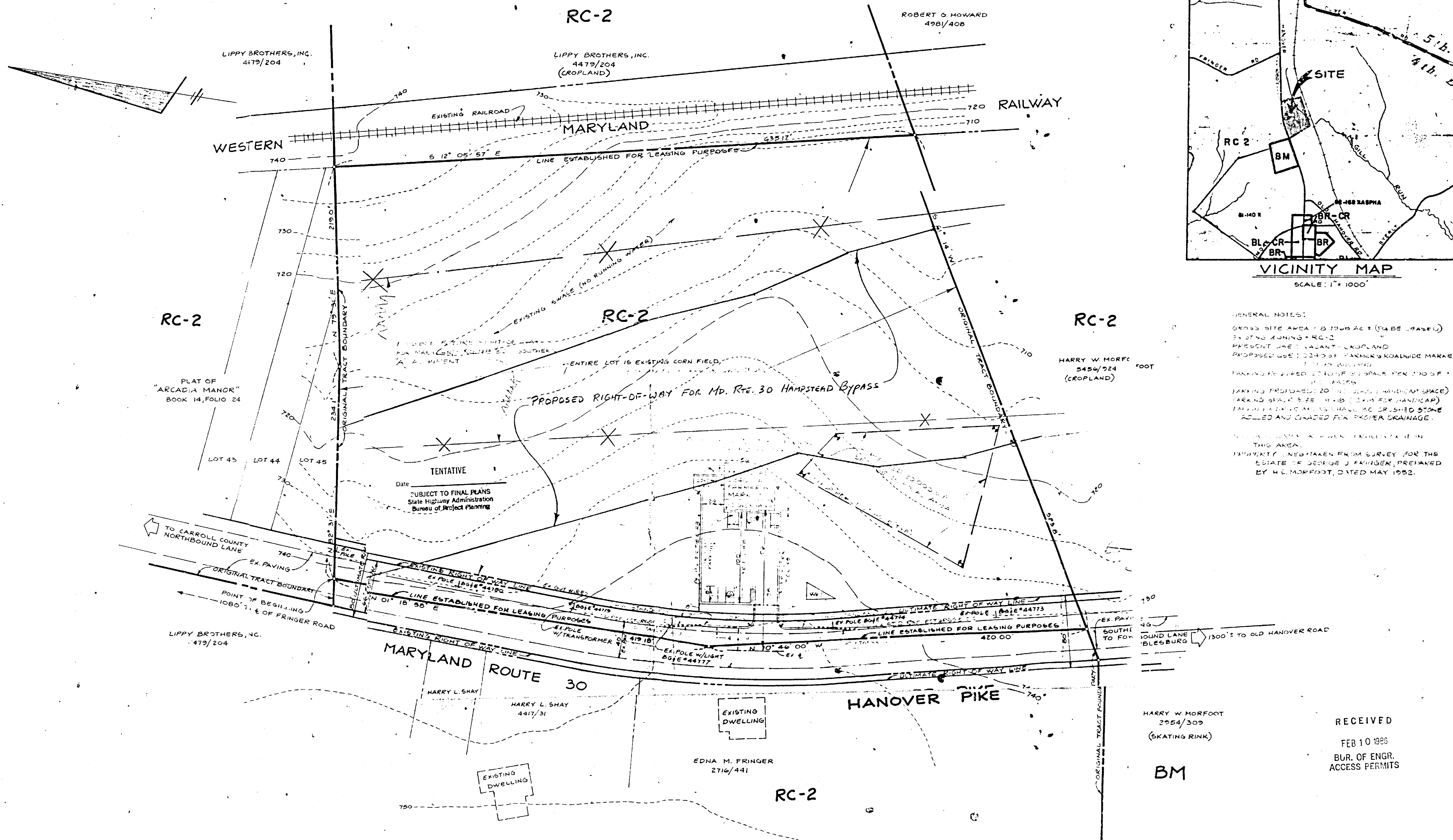
FLOOR PLAN 1/8"=1'-0"



INTERIOR
EXIST 2

40'-12" X 66' FARM MARKET	
FOR: DAVKOWSKI AND HORNER	
FLOOR PLAN	SCALE: 1/8"=1'-0"
ELEVATIONS - PERSPECTIVE	NOTES: 1. EXISTING
HANOVER, POLE BUILDING CO. INC.	
DATE: SEPT 6-89	DRAWING NUMBER: HFB 9856

4/5 JUNG



VICINITY MAP

SCALE: 1" = 1000'

GENERAL NOTES:
 GROSS SITE AREA: 18.19 AC (TAX MAP BASED)
 EXISTING ZONING: RC-2
 PRESENT USE: VACANT CROPLAND
 PROPOSED USE: 2240 SF FARMERS' ROADSIDE MARKET
 1.00 IN BUILDING
 PARKING REQUIRED: 20 SPACES PER 200 SF OF BUILDING
 PARKING PROVIDED: 20 SPACES (HANDICAP SPACE)
 PARKING SPACE SIZE: 10' x 18' (3' x 10' FOR HANDICAP)
 PARKING SURFACE: ASPHALT OR CRUSHED STONE
 COLLECT AND GRADED FOR PROPER DRAINAGE.
 NO UTILITIES KNOWN TO EXIST IN THIS AREA.
 PROPERTY LINES TAKEN FROM SURVEY FOR THE ESTATE OF GEORGE J. FRINGER, PREPARED BY H.W. MORFOOT, DATED MAY 1952.

HARRY W. MORFOOT
 2254/309
 (SKATING RINK)

BM

RECEIVED
 FEB 10 1986
 BUR. OF ENGR.
 ACCESS PERMITS

ENGINEERS - SURVEYORS
W. DUVALL & ASSOCIATES, INC.
 530 E. JOPPA ROAD
 TOWSON, MARYLAND 21204
 (301) 583-9571



11-4-85

OWNER
 LIPPY BROTHERS, INC.
 % DONALD E. LIPPY
 334 LEE'S MILL ROAD
 HAMPSTEAD, MARYLAND 21074

CONTRACT LESSEE
 STAN DABKOWSKI &
 WAYNE HORNER
 2046 VALLEY VIEW ORCHARD ROAD
 NEW WINDSOR, MARYLAND 21776

PLAT TO ACCOMPANY
 ZONING VARIANCE &
 SPECIAL EXCEPTION FOR
 ROADSIDE FARMERS MARKET
 HANOVER PIKE - UPPERCO, MARYLAND
 4TH ELECTION DISTRICT BALTIMORE COUNTY, MD.
 SCALE: 1" = 50' DATE: NOVEMBER 4, 1985
 REVISED 1-14-86 TO ACCOMMODATE COMMENTS OF JAN. 9, 1986
 REVISED 2-7-86 REV LAYOUT TO ACCOMMODATE S.H.A. COMMENTS OF JAN. 9, 1986
 HEARING CASE NO. 85-300XA ITEM NO. 181



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary

Hal Kassoff
Administrator

February 10, 1986

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

Att: Mr. James Dyer

Re: Revised Comments
ZAC Meeting of 11-19-85
ITEM: #181.
Property owner: Lippy Brothers,
Inc.
Location: Centerline of Hanover
Pike, Route 30, 1080' S. of
Fringer Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to
permit a crushed stone paving
area in lieu of a durable and
dustless surface (tar & chip) and
a Special Exception for a farmers
co-op roadside stand in an R.C.
2 zone
Acres: 8.7968
District: 4th

Dear Mr. Jablon:

On review of the revised submittal of 2-7-86 (layout
to accommodate State Highway Administration comments of
1-9-86), the State Highway Administration finds the
revised site plan for Special Exception generally acceptable.

All work within the S.H.A. - Right of Way must be through
S.H.A. permit with the posting of a bond or letter of credit
to guarantee construction.

Very truly yours,

Charles Lee

CL:GW:maw

cc: Ms. J. Jung (w-plan)✓
Mr. J. Ogle
W. Duvall & Assoc., Inc.

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

My telephone number is (301) 659-1350

Teletypewriter for Impaired Hearing or Speech

383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5082 Statewide Toll Free

P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Stripped

MAP No. 23-4
1-
F. D. 4
DATE 12-10-86
200
1000
DP

181#
4X-206-73

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, 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 Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for FARMERS CO-OP ROADSIDE STAND, IN A R.C.-2 ZONE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception 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.

I/We do 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 Petition.

Lessee:
Contract Purchaser:
Stanley J. Dabkowski & Wayne H. Horner
(Type or Print Name)
Signature: *Stanley J. Dabkowski*
3617 St. Paul Road
Address
Hampstead, MD 21074
City and State

Legal Owner(s):
Lippy Brothers, Inc.
(Type or Print Name)
Signature: *Donald E. Lippy*
Donald E. Lippy
(Type or Print Name)
Signature

Attorney for Petitioner:
Dulany, Parker & Scott
(Type or Print Name)
Signature: *William B. Dulany*
127 East Main Street
Address
Westminster, MD 21157
City and State

334 Iees Mill Road 301-374-9708
Address
Hampstead, MD 21074
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
W. Duvall & Assoc.
Address
530 E. Joppa Road 301-583-9571
Towson, MD 21204
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of January, 1986, 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 11th day of February, 1986, at 10:15 o'clock.

William B. Dulany
Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
DATE April 18, 1986
BY *John A. Williams*

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, 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 409.2 F. (2) to permit a crushed stone paving area in lieu of a durable and dustless surface (bar & chair).

The costs involved in paying the parking lot for the Roadside Farmers Market proposed by the Contract Lessee, would impose an extreme and additional financial hardship on said Contract Lessee at this time.

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.

I/We do 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 Petition.

Lessee:
Contract Purchaser:
Stanley J. Dabkowski & Wayne H. Horner
(Type or Print Name)
Signature: *Stanley J. Dabkowski*
3617 St. Paul Road
Address
Hampstead, MD 21074
City and State

Legal Owner(s):
Lippy Brothers, Inc.
(Type or Print Name)
Signature: *Donald E. Lippy*
Donald E. Lippy
(Type or Print Name)
Signature

Attorney for Petitioner:
Dulany, Parker & Scott
(Type or Print Name)
Signature: *William B. Dulany*
127 East Main Street
Address
Westminster, MD 21157
City and State

334 Iees Mill Road 301-374-9708
Address
Hampstead, MD 21074
City and State

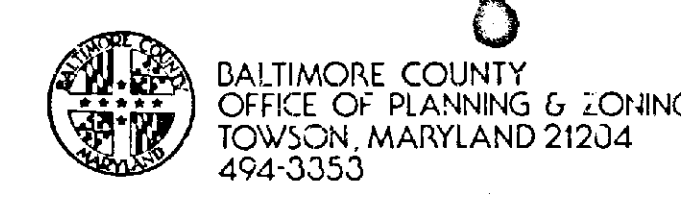
Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
W. Duvall & Assoc., Inc.
Address
530 E. Joppa Road 301-583-9571
Towson, MD 21204
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of January, 1986, 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 11th day of February, 1986, at 10:15 o'clock.

William B. Dulany
Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
DATE April 18, 1986
BY *John A. Williams*



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 18, 1986

William B. Dulany, Esquire
Dulany, Parker & Scott
127 East Main Street
Westminster, MD 21157

RE: PETITIONS SPECIAL EXCEPTION AND VARIANCE
Beg. at the centerline of Hanover Pike, 1,081' S of the centerline of Fringer Road - 4th Election District
Lippy Brothers, Inc.,
Petitioner
Case No. 86-300-XA

Dear Mr. Dulany:

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

Very truly yours,
John M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:bg

Attachments

cc: People's Counsel

Mr. Stanley J. Dabkowski
Mr. Wayne H. Horner
3617 St. Paul Road
Hampstead, MD 21074

Ms. Gladys Fringer
Ms. Edna Fringer
15510 Hanover Pike
Upperco, MD 21155

RE: PETITIONS SPECIAL EXCEPTION AND VARIANCE
beg. at the centerline of Hanover Pike, 1,081' S of the centerline of Fringer Road - 4th Election District
Lippy Brothers, Inc.,
Petitioner

The Petitioner herein requests a special exception for a farmers co-op roadside stand in a R.C.2 zone and a variance to permit a crushed stone paving area in lieu of a durable and dustless surface.

Testimony by and on behalf of the Petitioner indicated that the Contract Lessees propose to construct a board and batten farmers co-op roadside stand on a portion of the site, as indicated on the plan prepared by W. Duvall & Associates, Inc., dated November 4, 1985 and marked Petitioner's Exhibit 1. They further propose to farm the remaining tillable portion in truck produce. The vehicular entrance, but not the parking and drive areas, will be paved. The Lessees believe that crusher run stone, tamped and rolled, with load capabilities of 50,000 lbs. gross weight, would absorb more water runoff than a durable and dustless surface and thus better protect adjacent farmland which will be used for row crops such as strawberries or asparagus. There is a ten-year lease with option to buy the site or renew the lease. The Lessees plan to farm an additional 120 acres minimum and sell its produce as well as that of other local producers at retail, 12 months a year, 8:00 a.m. to dusk, seven days a week. They intend, in limited instances, to make arrangements with neighboring farmers to obtain certain produce and to share the profits made from the sale of that produce with the farmers. In addition to locally grown Maryland and Pennsylvania food products which will be the primary produce sold, other produce will include citrus fruit from November through March and bedding and other plants.

Testimony by representatives of the professional association, the Maryland

Roadside Market Association, and the University of Maryland County Extension Director indicated that the Lessees are experienced, high quality farmers and produce marketers and that there is a consumer need for the proposed facility. There were no Protestants.

An examination of the literature by the Deputy Zoning Commissioner revealed such phrases as "...co-operative corporation...banding together of persons for their common advantage...organized for mutual benefit of members...", "...co-operative association...farmers act together...marketing farm products of persons so engaged...", "co-operative corporation may be created by a banding together of persons for their common advantage...organized for the mutual benefit of its members..." Black's Law Dictionary, 4th edition, 1968 defines "Co-operative Association. A union of individuals commonly laborers, farmers, or small capitalists, formed for the prosecution in common of some productive enterprise, the profits being shared in accordance with the capital or labor contributed by each." In addition, it is clear to the Deputy Zoning Commissioner that it is the intent of the Baltimore County Zoning Regulations (BCZR) to enable local farmers to have an outlet for selling their produce. The proposed operation is within the spirit and intent of the regulations.

Pursuant to the advertisement, posting of property and public hearing, in the opinion of the Deputy Zoning Commissioner, strict compliance with the BCZR would result in practical difficulty or unreasonable hardship upon the Petitioner, the requirements of Section 502.1 of the BCZR have been met, and the health, safety and general welfare of the community will not be adversely affected, and the special exception and variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 18th day of April, 1986, that the Petition for Special Exception for a farmers co-op roadside stand in a R.C.-2 zone and, additionally,

the Petition for Variance to permit a crushed stone paving area in lieu of a durable and dustless surface. In accordance with Petitioner's Exhibit 1, are hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction:

1. The variance may be utilized for five (5) years from the date of this Order. In order to continue the use of crushed stone paving beyond that date, a Petition for Special Hearing to approve an extension shall be filed and granted by way of another public hearing.
2. Compliance with the requirements of the State Highway Administration.
3. Citrus fruit may be sold only from November through March and only so long as those sales are incidental to the sale of local produce.
4. Crates, equipment, etc. shall be stored inside the building when not in use.
5. Anyone whose produce is sold at the stand (other than growers of citrus fruit) shall be a member of the co-op and their names shall be posted.
6. Compliance with any applicable Maryland laws regarding co-operatives.
7. Display areas shall be restricted to the interior of the building and the 12 foot overhang, both indicated on Petitioner's Exhibit 1.
8. The placement of any future greenhouse shall be indicated on a revised site plan and approved by the Deputy Zoning Commissioner.
9. Signage shall be limited to 30 square feet in area (including both sides of a double faced sign) on a free-standing sign. There shall be no variance to this sign requirement.

John M. H. Jung
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
DATE April 19, 1986
BY *John A. Williams*

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

DESCRIPTION TO ACCOMPANY
SPECIAL EXCEPTION FOR
ROADSIDE FARMERS MARKET
MARYLAND ROUTE 30, UPPERCO, MARYLAND

Beginning for the same in the center of Hanover Pike, Maryland Route 30, 66 feet wide at a point located 1080 feet south of the centerline of Fringer Road, where said centerline intersects the centerline of Hanover Pike and running thence, leaving said Hanover Pike and binding on the original tract boundary lines of that land owned by Lippy Brothers, Inc. and recorded among the Land Records of Baltimore County in Liber R.R.G., 4479 Folio 204, with all courses referred to the meridian of said tract of land as surveyed and laid out according to a survey prepared by H. S. Norfoot, dated May 1952,
North 82 degrees 31 minutes East 234.1 feet,
North 79 degrees 31 minutes East 219.0 feet,
thence leaving said tract lines and running for a new line of division created for leasing purposes and along the west side of the Western Maryland Railroad Right of Way, South 12 degrees 05 minutes 57 seconds East 655.17 feet to intersect the original tract boundary, thence binding there on South 61 degrees 14 minutes West 583.8 feet to the center of the said Hanover Pike, 66 feet wide, and running thence in the bed of said Road and for new lines of division created for leasing purposes, North 10 degrees 46 minutes 00 seconds West 420.00 feet, North 01 degrees 18 minutes 58 seconds East 419.18 feet to the place of beginning. Containing 8.7968 acres of land more or less.

John M. H. Jung
11-4-86

530 East Joppa Road / Towson, Maryland 21204 / (301) 583-9571

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Centerline of Hanover Pike, 1080 feet South of centerline of Fringer Road
DATE AND TIME: Tuesday, February 11, 1986, 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 Special Exception to use the herein described property for Farmers Co-op Roadside Stand in a RC-2 Zone.

Petition for Zoning Variance from Section 409.2 c. (2) to permit a crushed stone paving area in lieu of a durable and dustless surface (tar and chip).

Being the property of Lippy Brothers, Inc., as shown on plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may 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 set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
C/L of Hanover Pike, 1080' S of : OF BALTIMORE COUNTY
C/L of Fringer Rd., 4th District :
LIPPY BROTHERS, INC., Petitioner : Case No. 86-300-XA
: : : : :
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
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to William B. Dulany, Esquire, Dulany, Parker & Scott, 127 East Main St., Westminster, MD 21157, Attorney for Petitioner; Stanley J. Dabkowski and Wayne H. Horner, 3617 St. Paul Rd., Hampstead, MD 21074, Contract Lessees; and W. Duval & Associates, 530 E. Joppa Rd., Towson, MD 21204, which requested notification.

Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 29, 1986

William B. Dulany, Esquire
Dulany, Parker & Scott
127 East Main Street
Westminster, Maryland 21157

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
C/L of Hanover Pike, 1,080' S of c/l of Fringer Rd.
4th Election District
Lippy Brothers, Inc., Petitioner
Case No. 86-300-XA

Dear Mr. Dulany:

This is to advise you that \$67.39 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 OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 112, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018600

DATE 2-19-86 ACCOUNT R-01-655000

AMOUNT \$ 67.39

RECEIVED FROM *William B. Dulany - Westminster*

FOR *Advertising & Posting 86-300-XA*

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD, January 23, 1986

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 January 23, 1986.

THE JEFFERSONIAN,

Publisher

Cost of Advertising

27.50

86-300-XA

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Centerline of Hanover Pike, 1080 feet South of centerline of Fringer Road
DATE AND TIME: Tuesday, February 11, 1986, 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 Special Exception to use the herein described property for Farmers Co-op Roadside Stand in a RC-2 Zone.
Being the property of Lippy Brothers, Inc., as shown on plan filed with the Zoning Office.
In the event that this Petition(s) is granted, a building permit may 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 set above or made at the hearing.
By Order Of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Jan. 23.

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District
LOCATION: Centerline of Hanover Pike, 1080 feet South of centerline of Fringer Road, at 10:15 a.m.
DATE AND TIME: Tuesday, February 11, 1986, 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 Special Exception to use the herein described property for Farmers Co-op Roadside Stand in a RC-2 Zone.
Being the property of Lippy Brothers, Inc., as shown on plan filed with the Zoning Office.
In the event that this Petition(s) is granted, a building permit may 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 set above or made at the hearing.
By Order Of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Jan. 23.

NEWSPAPERS OF MARYLAND, INC.
minster, Md., JAN. 23, 1986
that the annexed Reg. #184126 P.O. #73202
January 19, 86 in the
Times, a daily newspaper published in Westminster, Carroll County, Maryland.
News, a weekly newspaper published in Baltimore County, Maryland.
mes, a weekly newspaper published in Baltimore County, Maryland.
NEWSPAPERS OF MARYLAND, INC.
Per *James Taylor*

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-300-XA

District *4th* Date of Posting *Jan 22-86*
Posted for: *Special Exception and Variance*
Petitioner: *Lippy Brothers, Inc.*
Location of property: *East side of Hanover Pike, 1080' S of c/l of Fringer Rd.*
Location of Sign: *East side of Hanover Pike, approx. 150' south of the Baltimore of Fringer Rd.*
Remarks: *J. J. R. R.*
Posted by: *J. J. R. R.* Signature
Number of Signs: *2*

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 13, 1986

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

William B. Dulany, Esquire
Dulany, Parker & Scott
127 East Main Street
Westminster, Maryland 21157

RE: Item No. 181, Case No. 86-300-YA
Petitioner - Lippy Brothers, Inc.
Special Exception and Variance Petition

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Material Development

Dear Mr. Dulany:

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 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 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,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: W. Duval & Associates, Inc.
530 East Joppa Road
Towson, Maryland 21204



State Highway Administration

William K. Heilmann
Secretary
Hal Kassoff
Administrator

February 10, 1986

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

Att: Mr. James Dyer

Re: Revised Comments
ZAC Meeting of 11-19-85
ITEM: #181.
Property Owner: Lippy Brothers, Inc.
Location: Centerline of Hanover Pike, Route 30, 1080' S. of Fringer Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a crushed stone paving area in lieu of a durable and dustless surface (tar & chip) and a Special Exception for a farmers co-op roadside stand in an R.C. 2 zone
Acres: 8.7968
District: 4th

Dear Mr. Jablon:

On review of the revised submittal of 2-7-86 (layout to accommodate State Highway Administration comments of 1-9-86), the State Highway Administration finds the revised site plan for Special Exception generally acceptable.

All work within the S.H.A. - Right of Way must be through S.H.A. permit with the posting of a bond or letter of credit to guarantee construction.

Very truly yours,
Charles Lee

CL:GW:maw

cc: Ms. J. Jung (w-plan)
Mr. J. Ogle
W. Duval & Assoc., Inc.

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717



State Highway Administration

William K. Heilmann
Secretary
Hal Kassoff
Administrator

November 27, 1985

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

Att: Mr. James Dyer

Re: ZAC Meeting of 11-19-85
ITEM: #181.
Property Owner: Lippy Brothers, Inc.
Location: Centerline of Hanover Pike, Route 30, 1080' S. of Fringer Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a crushed stone paving area in lieu of a durable and dustless surface (tar and chip) and a Special Exception for a farmers co-op roadside stand in an R.C. 2 zone
Acres: 8.7968 acres
District: 4th Election District

Dear Mr. Jablon:

The submittal of 11-4-85 was forwarded to State Highway Administration Bureau of Project Planning with reference to the future alignment of MD. Route 30.

On receipt of their findings additional comments will be forthcoming.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:maw

cc: Mr. J. Ogle

By: George Wittman

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717



State Highway Administration

January 9, 1986

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

Att: James Dyer

Re: Baltimore County ZAC Meeting of 11/19/85
ITEM: #181
Property Owner: Lippy Brothers, Inc.
Location: Centerline of Hanover Pike, Route 30, 1080' S. of Fringer Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a crushed stone paving area in lieu of a durable and dustless surface (tar and chip) and a Special Exception for a farmers co-op roadside stand in an R.C. 2 zone
Acres: 8.7968
District: 4th

Dear Mr. Dyer:

The State Highway Administration's Bureau of Project Planning has completed their review of the above site.

They have indicated in red the affects of the Hampstead Bypass proposals to the proposed Roadside Farmers Market.

You will note that in addition to the physical impacts, traffic will be diverted to the bypass with little traffic utilizing existing Route 30 in the area of the market. The Bypass is proposed as access controlled with at-grade intersections allowed only at local roadways. Existing Route 30 would be cul-de-sac'd where the Bypass crosses Route 30 just north of the subject area.

It is important to comment that three southern optional tie-ins to Route 30 are under careful consideration at this time. The one depicted in red reflects tie-in "A". Two others, "B" and "C" are located farther north and would have no effect to the market site. It is anticipated that a selection will be made in the near future with Location Design approval granted during March-April, 1986.

Continued

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717

Mr. James Dyer
Page 2
January 9, 1986

Further, the plan indicates a previous proposed corridor for the bypass from studies terminated in 1981. The revised corridor shown in red is a result of detailed engineering and environmental consideration necessary for the present study.

The State Highway Administration's Bureau of Engineering Access Permits will require revisions to the site plan.

The proposed deceleration lane south of the proposed entrance must be revised to show a 135' full width section with a 10:1 taper to meet the existing edge of roadway, and the proposed building relocated outside the proposed Right-of-Way.

All work within the S.H.A. Right-of-Way for commercial access to the site must be through S.H.A. Permit with the posting of a bond or letter of Credit.

Be advised, the information from S.H.A. Bureau is tentative and subject to final planning.

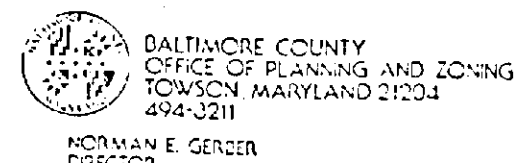
If the Developer has any questions, please do not hesitate to call this office or Mr. Frank Desantis-S.H.A. Project Manager at 659-1109.

Very truly yours,
Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL:GW:es

cc: J. Ogle

enclosure



NORMAN E. GERZIN
DIRECTOR

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

JANUARY 14, 1986

Re: Zoning Advisory Meeting of NOVEMBER 19, 1985
Item #181
Property Owner: LIPPY BROTHERS, INC.
Location: CENTERLINE OF HANOVER PIKE, 1080' S. OF FRINGER ROAD

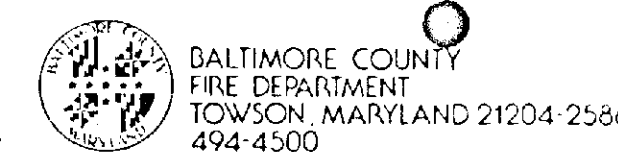
Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☐ A County Review Group Meeting is required.
- ☐ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☐ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The proposed Development Plan was approved by the Planning Board on 11/19/85.
- ☐ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and its conditions change are re-evaluated annually by the County Council.
- ☒ Individual comments:
- ☒ A VARIANCE OF CRG (W-85-176) PLAN WAS GRANTED BY BALTIMORE COUNTY PLANNING DIVISION ON 11/21/85.

cc: James Howell

Eugene A. Dwyer
Chief, Current Planning and Development



PAUL H. REINCKE
CHIEF

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Lippy Brothers, Inc.

Location: Centerline of Hanover Pike, 1080' S of Fringer Road

Item No.: 181 Zoning Agenda: Meeting of November 19, 1985

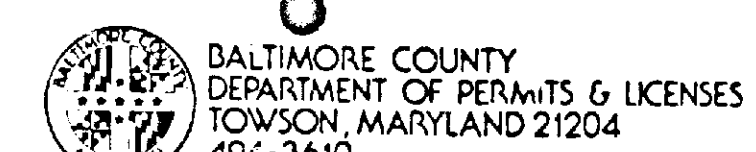
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☐ 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☐ 2. A second means of vehicle access is required for the site.
- ☐ 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Driveway shall be durable & dustless (tar & chip) & support 50,000 lb. fire apparatus.
- ☐ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☐ 6. Site plans are approved, as drawn.
- ☐ 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED BY: *James Howell* Noted and Approved: *Paul H. Reincke*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb



TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Comments on Item # 181 Zoning Advisory Committee Meeting are as follows:
Property Owner: Lippy Brothers, Inc.
Location: O/L of Hanover Pike, 1080' S of Fringer Road
District: 4th.

APPLICABLE CODES AND COMMENTS

- ☐ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.D.A. 11, #17-1 - 1985) and other applicable codes and standards.
- ☐ A building and other miscellaneous permits shall be required before the start of any construction.
- ☐ Residential: The sets of construction drawings are required to file a permit application. The seal of a professional Engineer or Architect is not required on plans and technical data.
- ☒ Commercial: These sets of construction drawings sealed and signed by a registered Maryland Architect or Engineer shall be required to file with a permit application. Registered seals are not necessary. Seals may be waived on minor structures if drawings are in good order.
- ☐ All the Group except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6' to an interior lot line. The Group require a one hour wall, if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.1, Section 101.2 and Table 101.1. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ☐ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this Department.
- ☐ The requested variance appears to conflict with Section 101.1 of the Baltimore County Building Code.
- ☐ When filing for a required Change of Use/Recovery Permit, an alteration permit application shall also be filed along with these sets of drawings indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The owner of the Group use the Code to the Code or Mixed Use Section 101.2 of the Building Code.
- ☐ The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 116.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevation above sea level for the lot and the finished floor levels including basement.
- ☐ Comments: The structure shall comply with the Code requirements for retail sales, Use Group "M" Section 508.0.

These abbreviated comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as an approval of any project. If desired the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Schumaker
C. E. Schumaker, Chief
Building Plans Service



February 11, 1936

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablons: REVISED

Acting Advisory Committee Meeting are as follows

Property Owners: Lippy Brothers, Inc.
 Location: c/o of Hanover Pike, 1080' S of Fringer Road
 District: 1th.

APPLICABLE ITEMS ARE CIRCLED

APPLICABLE DEEDS AND CHARGES:

(A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.

5 A building and other miscellaneous permits shall be required before the start of any construction.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) _____, _____, of the Baltimore County Building Code.

H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Mary's Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or _____.

to Mixed Uses _____ See Section 212 of the Building Code.

I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #27-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

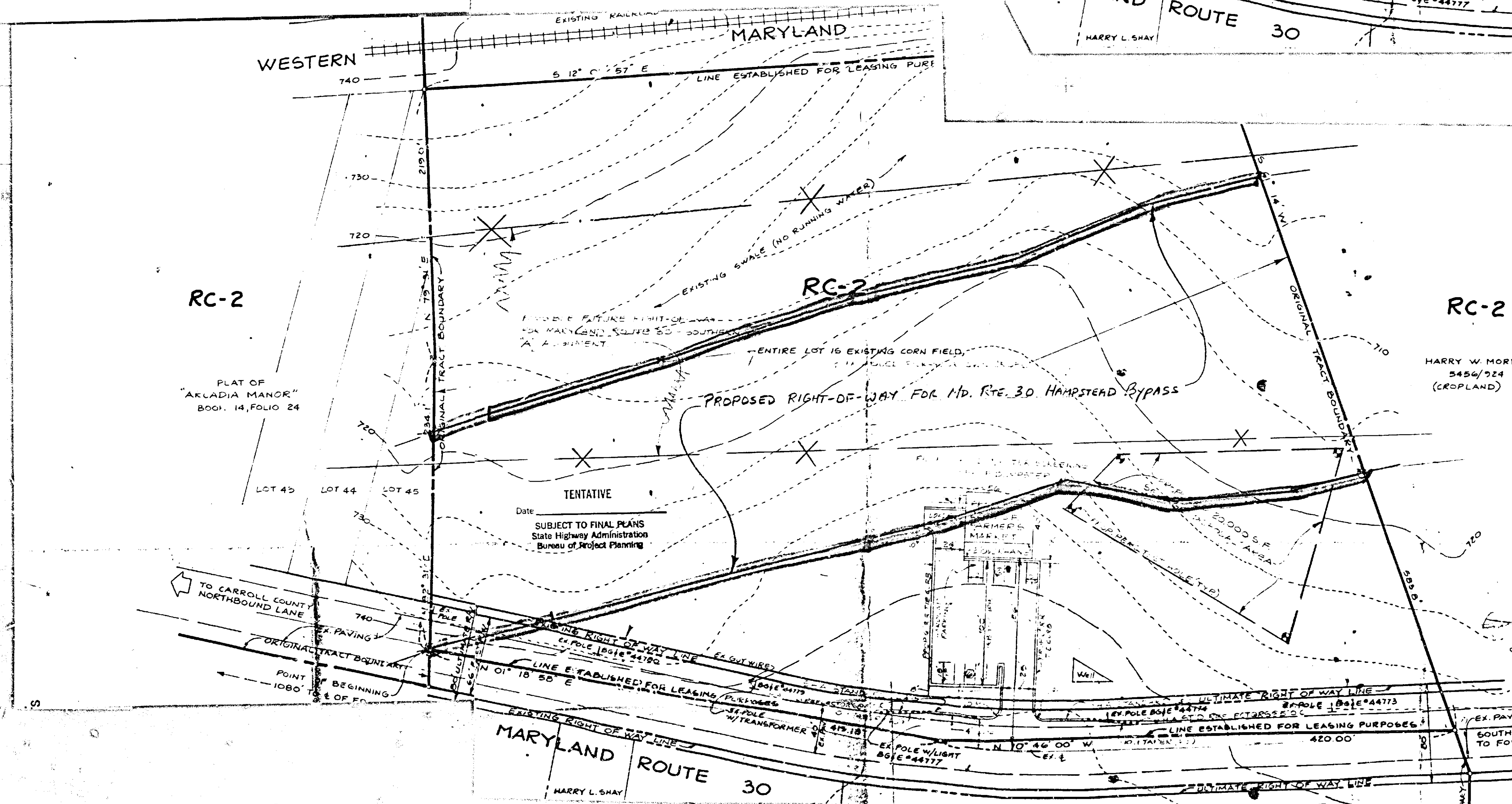
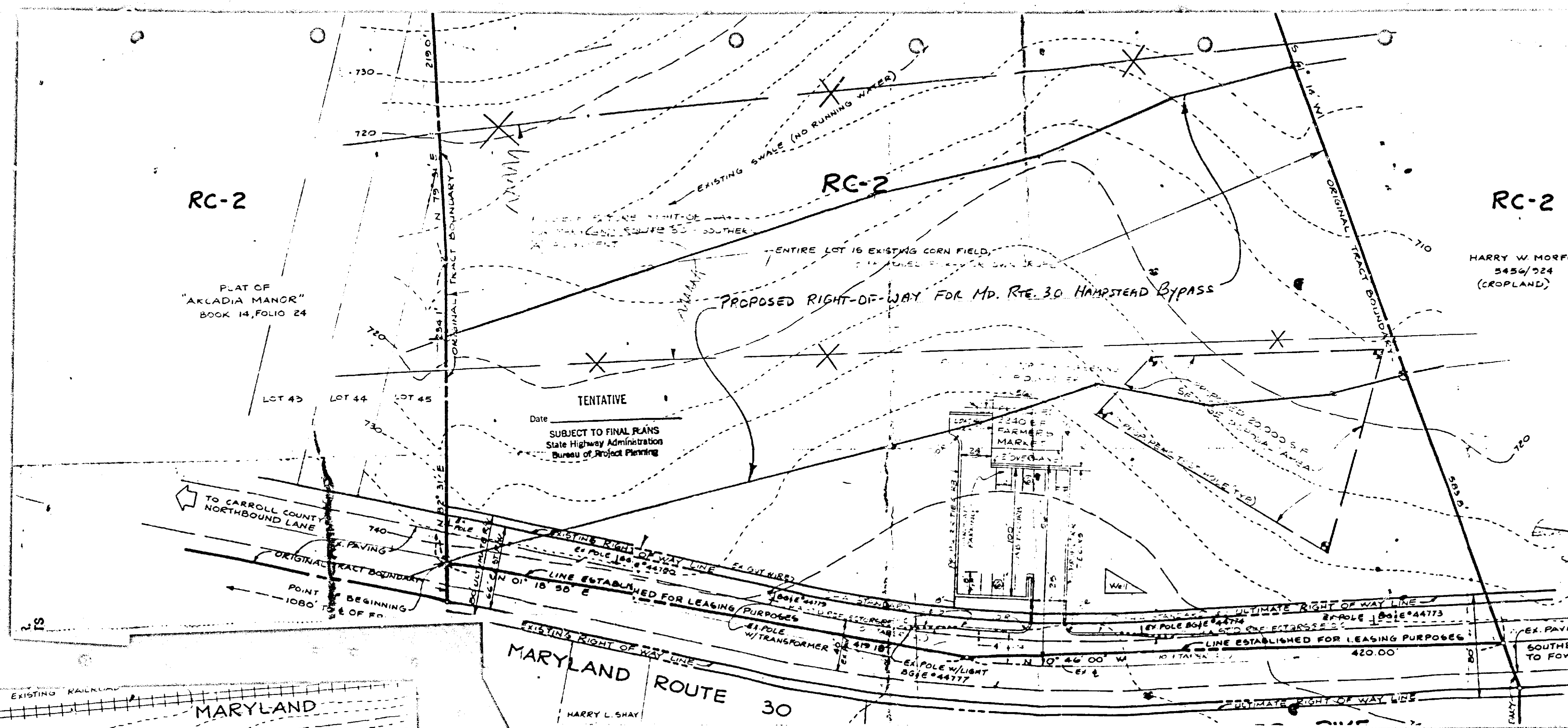
Comments: Building will be classified as a mercantile use and shall comply with the code requirements for the proposed use.

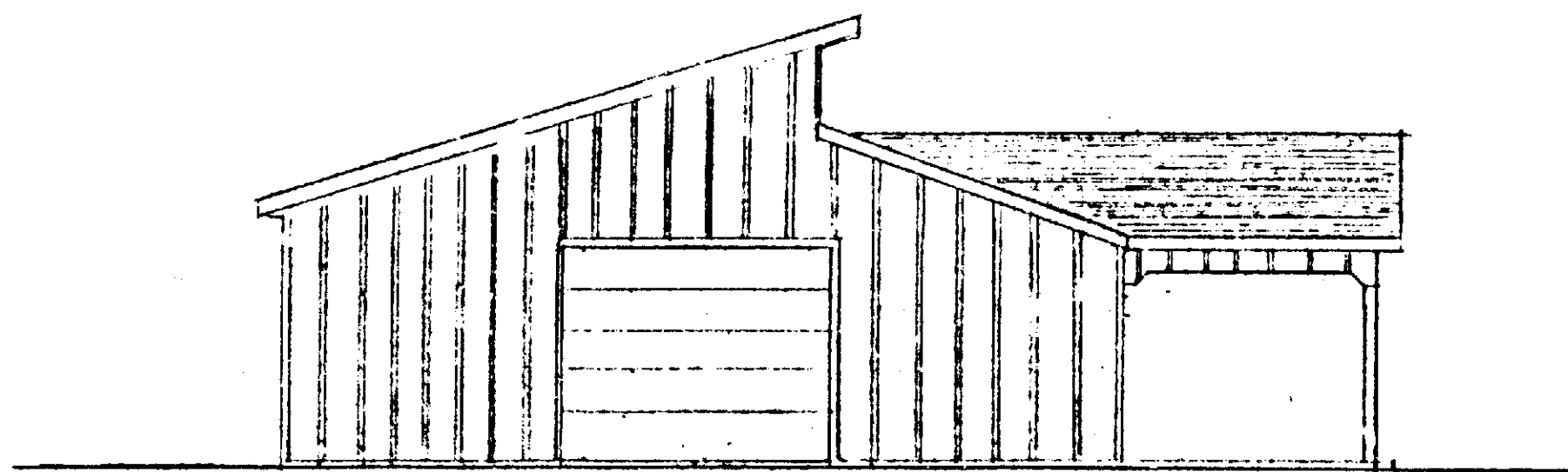
K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 122 of the County Office Building at 100 North Main Street, Suite 122, or by calling (760) 891-1222.

BY: *Charles E. Burnham*
C. E. Burnham, Chief
Building Plans Review

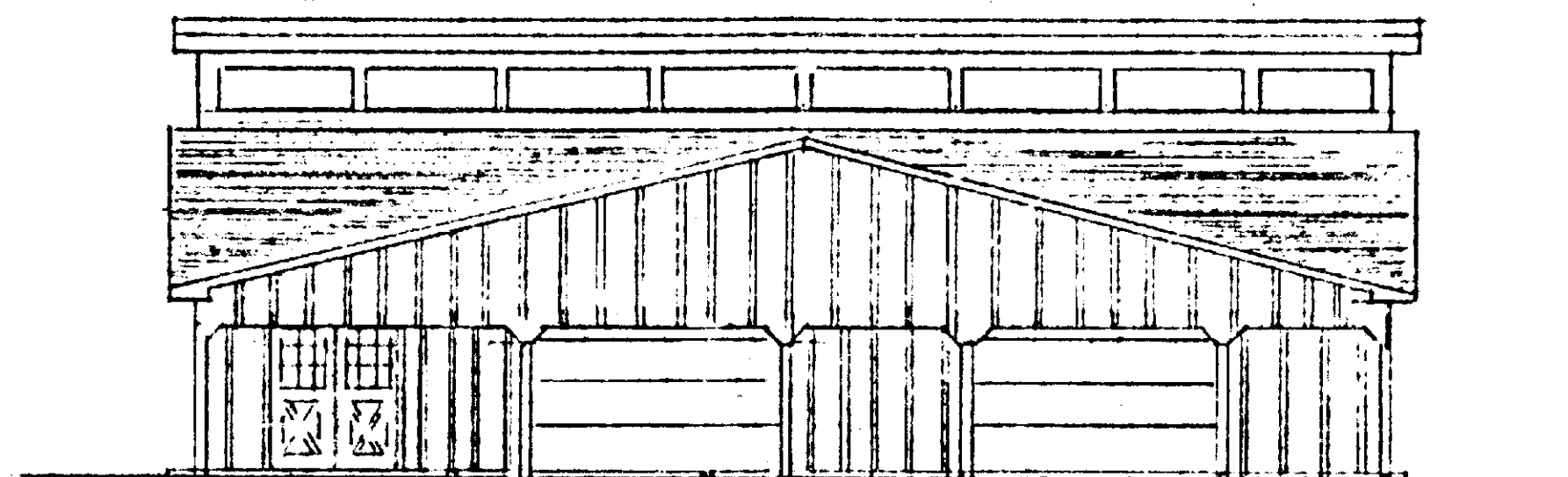
16/22/85

10. *Journal of the American Medical Association*, 273:1225-1230, 1995

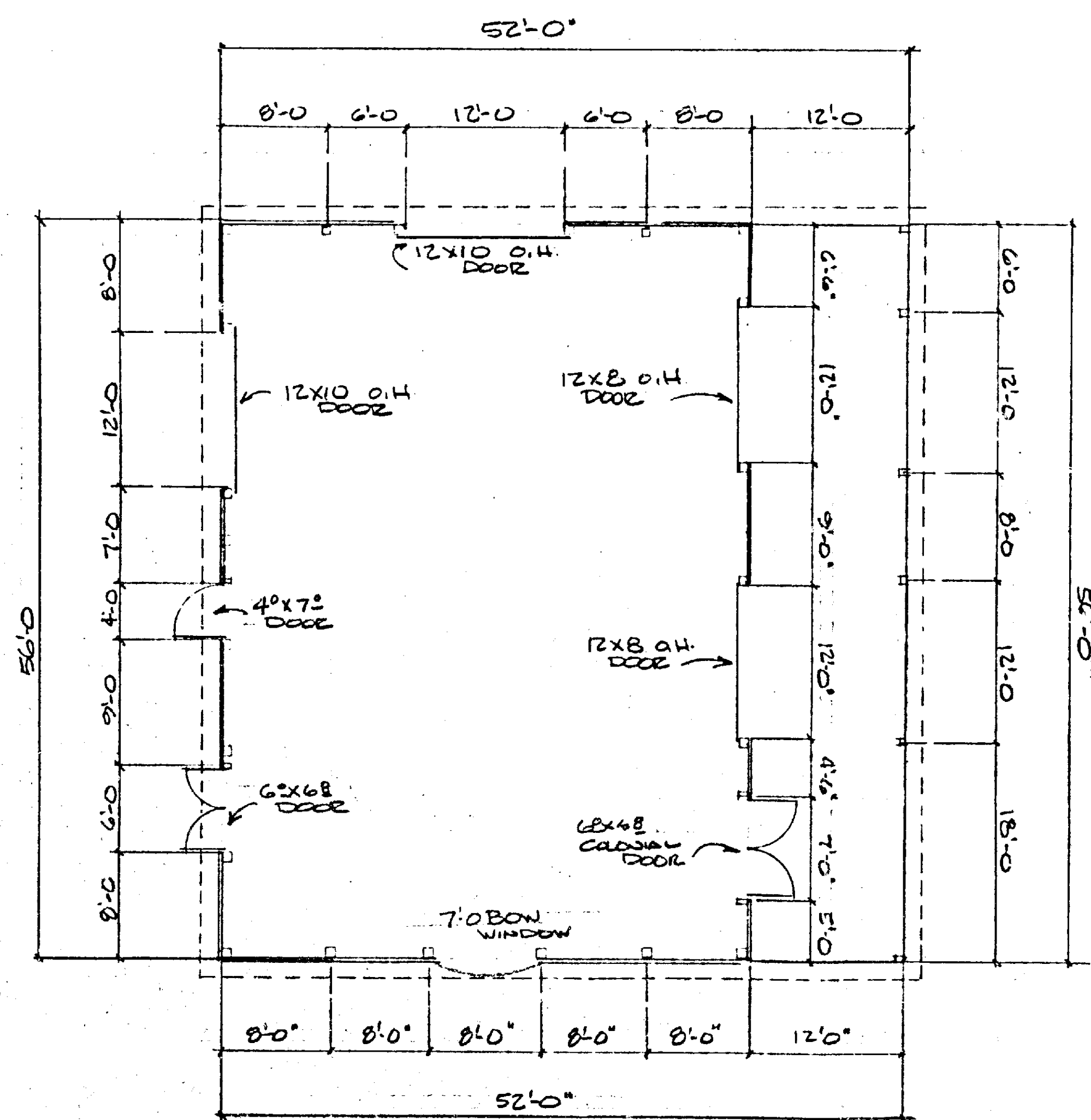




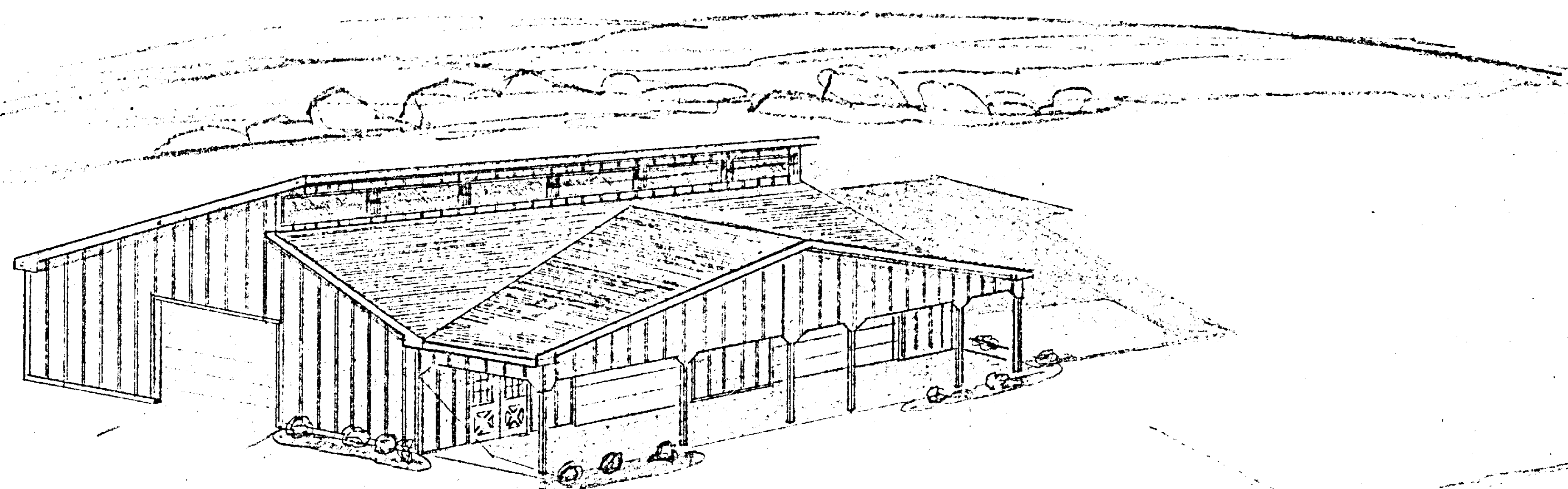
END WALL ELEVATION 1/8"=1'-0"



FRONT ELEVATION 1/8"=1'-0"



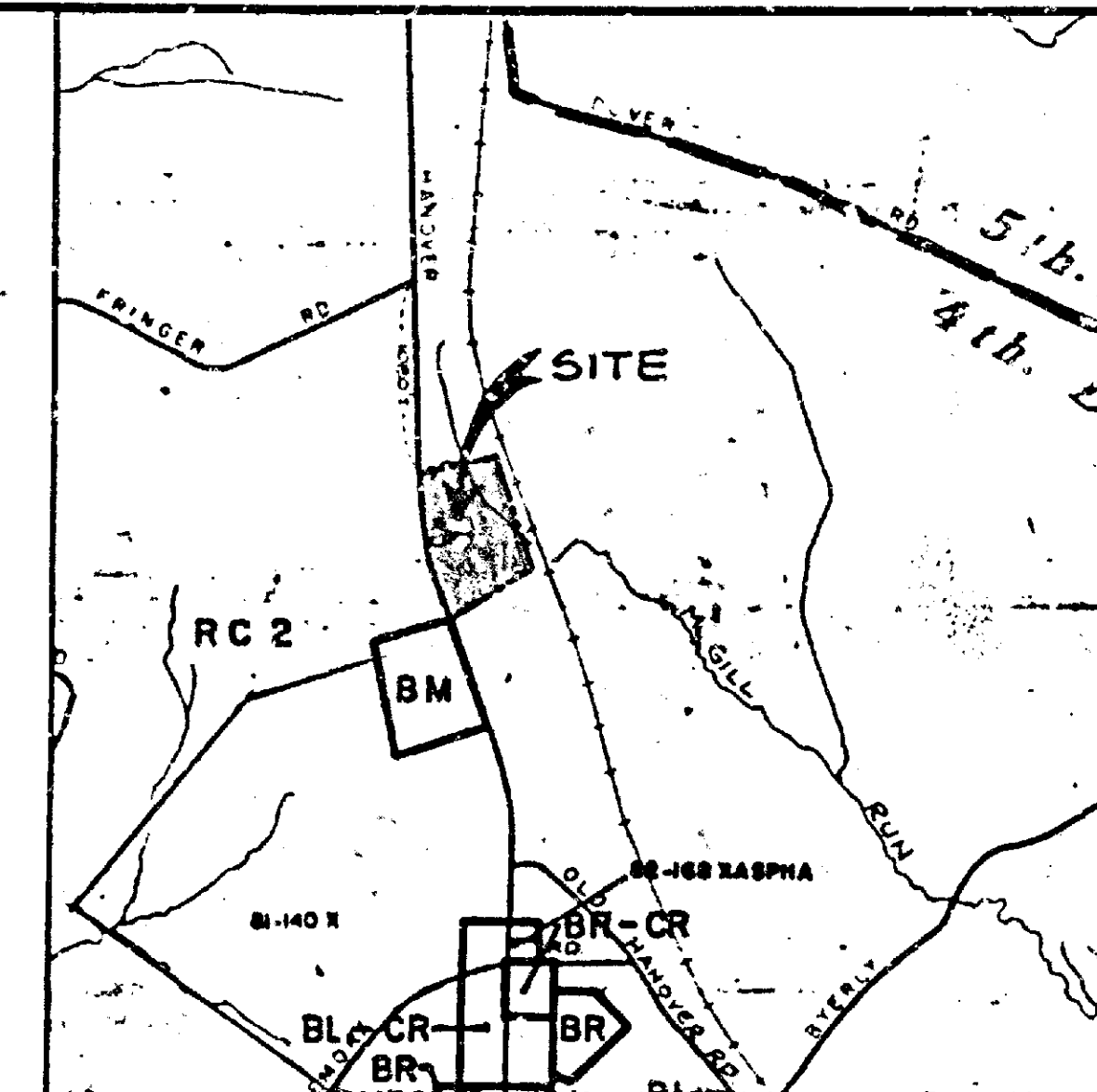
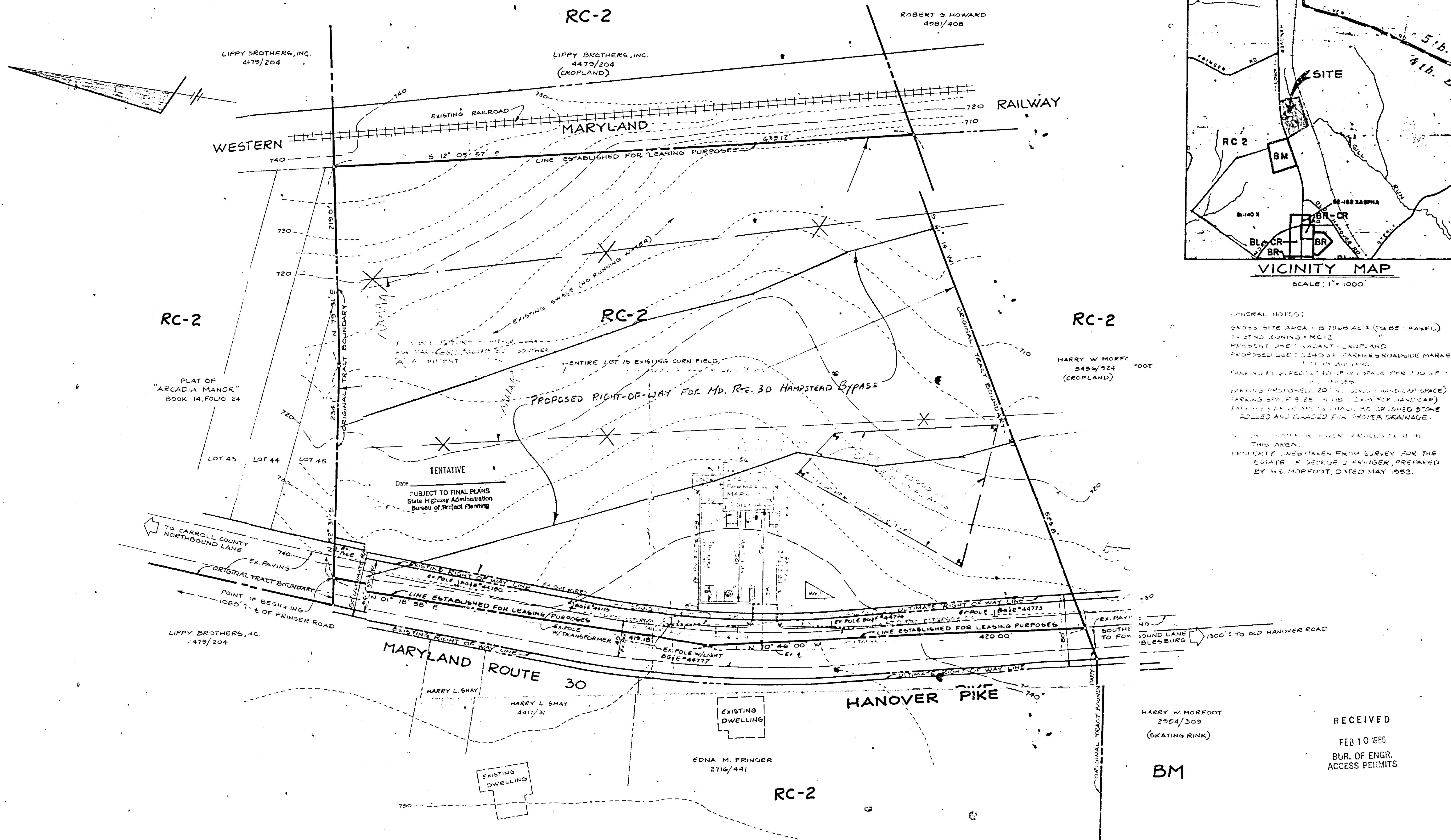
FLOOR PLAN 1/8"=1'-0"



INTERIOR
EXIST 2

40'-12" X 66' FARM MARKET	
FOR: DAVKOWSKI AND HORNER	
FLOOR PLAN	SCALE: 1/8"=1'-0"
ELEVATIONS - PERSPECTIVE	NOTES: 1. EXISTING
HANOVER, POLE BUILDING CO. INC.	
DATE: SEPT 6-89	DRAWING NUMBER: HFB 9856

4/5 JUNG



VICINITY MAP
SCALE: 1" = 1000'

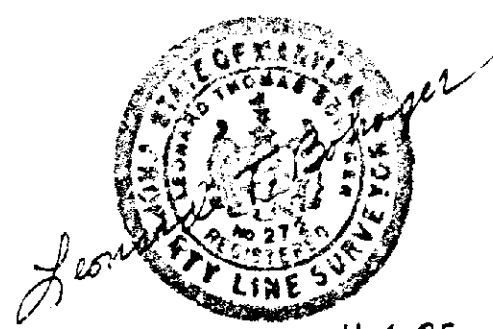
GENERAL NOTES:
GROSS SITE AREA: 18.19 AC. (TAX MAP BASED)
EXISTING ZONING: RC-2
PRESENT USE: VACANT CROPLAND
PROPOSED USE: 2240 SF FARMERS' ROADSIDE MARKET
1.11 AC. BUILDING
PARKING REQUIRED: 2240 SF @ 100 SF PER 200 SF OF BUILDING
PARKING PROVIDED: 2074 SF (2074 SF HANDICAP SPACE)
PARKING SPACE SIZE: 9' x 18' (20' FOR HANDICAP)
PARKING SURFACE: ASPHALT OR CRUSHED STONE
ROLLED AND GRADED FOR PROPER DRAINAGE.
NO UTILITIES KNOWN TO EXIST IN THIS AREA.
PROPERTY LINES TAKEN FROM SURVEY FOR THE ESTATE OF GEORGE J. FRINGER, PREPARED BY H.W. MORFOOT, DATED MAY 1952.

HARRY W. MORFOOT
2254/309
(SKATING RINK)

BM

RECEIVED
FEB 10 1986
BUR. OF ENGR.
ACCESS PERMITS

ENGINEERS - SURVEYORS
W. DUVALL & ASSOCIATES, INC.
530 E. JOPPA ROAD
TOWSON, MARYLAND 21204
(301) 583-9571



11-4-85

OWNER
LIPPY BROTHERS, INC.
% DONALD E. LIPPY
334 LEE'S MILL ROAD
HAMPSTEAD, MARYLAND 21074

CONTRACT LESSEE
STAN DABKOWSKI &
WAYNE HORNER
2046 VALLEY VIEW ORCHARD ROAD
NEW WINDSOR, MARYLAND 21776

PLAT TO ACCOMPANY
ZONING VARIANCE &
SPECIAL EXCEPTION FOR
ROADSIDE FARMERS MARKET
HANOVER PIKE - UPPER CO. MARYLAND
4TH ELECTION DISTRICT BALTIMORE COUNTY, MD.
SCALE: 1" = 50' DATE: NOVEMBER 4, 1985
REVISED 1-14-86 TO ACCOMMODATE COMMENTS OF JAN. 9, 1986
REVISED 2-7-86 REV. LAYOUT TO ACCOMMODATE S.H.A. COMMENTS OF JAN. 9, 1986
HEARING CASE NO. 85-300XA ITEM NO. 181



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary

Hal Kassoff
Administrator

February 10, 1986

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

Att: Mr. James Dyer

Re: Revised Comments
ZAC Meeting of 11-19-85
ITEM: #181.
Property owner: Lippy Brothers,
Inc.
Location: Centerline of Hanover
Pike, Route 30, 1080' S. of
Fringer Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to
permit a crushed stone paving
area in lieu of a durable and
dustless surface (tar & chip) and
a Special Exception for a farmers
co-op roadside stand in an R.C.
2 zone
Acres: 8.7968
District: 4th

Dear Mr. Jablon:

On review of the revised submittal of 2-7-86 (layout
to accommodate State Highway Administration comments of
1-9-86), the State Highway Administration finds the
revised site plan for Special Exception generally acceptable.

All work within the S.H.A. - Right of Way must be through
S.H.A. permit with the posting of a bond or letter of credit
to guarantee construction.

Very truly yours,

Charles Lee

CL:GW:maw

cc: Ms. J. Jung (w-plan)✓
Mr. J. Ogle
W. Duvall & Assoc., Inc.

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

My telephone number is (301) 659-1350

Teletypewriter for Impaired Hearing or Speech

383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5082 Statewide Toll Free

P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Stripped

MAP No. 23-4
1-
E. D. 4
DATE 12-10-86
200
1000
DP

181#
4X-206-73

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, 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 Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for FARMERS CO-OP ROADSIDE STAND IN A R.C.-2 ZONE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception 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.

I/We do 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 Petition.

Lessee
Contract Purchaser:
Stanley J. Dabkowski & Wayne H. Horner
(Type or Print Name)
Signature
3617 St. Paul Road
Address
Hampstead, MD 21074
City and State

Legal Owner(s):
Lippy Brothers, Inc.
(Type or Print Name)
Signature
Donald E. Lippy
(Type or Print Name)
Signature

Attorney for Petitioner:
Dulany, Parker & Scott
(Type or Print Name)
Signature
127 East Main Street
Address
Westminster, MD 21157
City and State

334 Iees Mill Road 301-374-9708
Address
Hampstead, MD 21074
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
W. Duvall & Assoc.
Address
530 E. Joppa Road 301-583-9571
Towson, MD 21204
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of January, 1986, 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 11th day of February, 1986, at 10:15 o'clock.

BY: [Signature]
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, 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 409.2 F. (2) to permit a crushed stone paving area in lieu of a durable and dustless surface (tar & chip).

The costs involved in paving the parking lot for the Roadside Farmers Market proposed by the Contract Lessee, would impose an extreme and additional financial hardship on said Contract Lessee at this time.

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.

I/We do 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 Petition.

Lessee
Contract Purchaser:
Stanley J. Dabkowski & Wayne H. Horner
(Type or Print Name)
Signature
3617 St. Paul Road
Address
Hampstead, MD 21074
City and State

Legal Owner(s):
Lippy Brothers, Inc.
(Type or Print Name)
Signature
Donald E. Lippy
(Type or Print Name)
Signature

Attorney for Petitioner:
Dulany, Parker & Scott
(Type or Print Name)
Signature
127 East Main Street
Address
Westminster, MD 21157
City and State

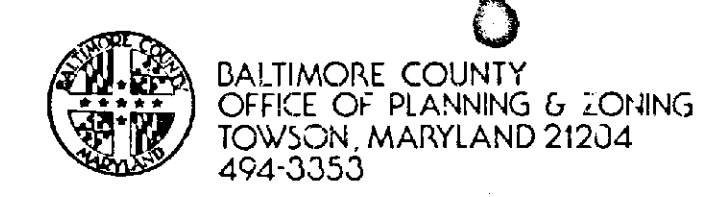
334 Iees Mill Road 301-374-9708
Address
Hampstead, MD 21074
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
W. Duvall & Assoc., Inc.
Address
530 E. Joppa Road 301-583-9571
Towson, MD 21204
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of January, 1986, 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 11th day of February, 1986, at 10:15 o'clock.

BY: [Signature]
Zoning Commissioner of Baltimore County.

(over)



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 18, 1986

William B. Dulany, Esquire
Dulany, Parker & Scott
127 East Main Street
Westminster, MD 21157

RE: PETITIONS SPECIAL EXCEPTION AND VARIANCE
Beg. at the centerline of Hanover Pike, 1,081' S of the centerline of Fringer Road - 4th Election District
Lippy Brothers, Inc.,
Petitioner
Case No. 86-300-XA

Dear Mr. Dulany:

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

JMHJ:bg

Attachments

cc: People's Counsel

Mr. Stanley J. Dabkowski
Mr. Wayne H. Horner
3617 St. Paul Road
Hampstead, MD 21074

Ms. Gladys Fringer
Ms. Edna Fringer
15510 Hanover Pike
Upperco, MD 21155

RE: PETITIONS SPECIAL EXCEPTION AND VARIANCE
beg. at the centerline of Hanover Pike, 1,081' S of the centerline of Fringer Road - 4th Election District
Lippy Brothers, Inc.,
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-300-XA

The Petitioner herein requests a special exception for a farmers co-op roadside stand in a R.C.2 zone and a variance to permit a crushed stone paving area in lieu of a durable and dustless surface.

Testimony by and on behalf of the Petitioner indicated that the Contract Lessees propose to construct a board and batten farmers co-op roadside stand on a portion of the site, as indicated on the plan prepared by W. Duvall & Associates, Inc., dated November 4, 1985 and marked Petitioner's Exhibit 1. They further propose to farm the remaining tillable portion in truck produce. The vehicular entrance, but not the parking and drive areas, will be paved. The Lessees believe that crusher run stone, tamped and rolled, with load capabilities of 50,000 lbs. gross weight, would absorb more water runoff than a durable and dustless surface and thus better protect adjacent farmland which will be used for row crops such as strawberries or asparagus. There is a ten-year lease with option to buy the site or renew the lease. The Lessees plan to farm an additional 120 acres minimum and sell its produce as well as that of other local producers at retail, 12 months a year, 8:00 a.m. to dusk, seven days a week. They intend, in limited instances, to make arrangements with neighboring farmers to obtain certain produce and to share the profits made from the sale of that produce with the farmers. In addition to locally grown Maryland and Pennsylvania food products which will be the primary produce sold, other produce will include citrus fruit from November through March and bedding and other plants.

Testimony by representatives of the professional association, the Maryland

Roadside Market Association, and the University of Maryland County Extension Director indicated that the Lessees are experienced, high quality farmers and produce marketers and that there is a consumer need for the proposed facility. There were no Protestants.

An examination of the literature by the Deputy Zoning Commissioner revealed such phrases as "...co-operative corporation...banding together of persons for their common advantage...organized for mutual benefit of members...", "...co-operative association...farmers act together...marketing farm products of persons so engaged...", "co-operative corporation may be created by a banding together of persons for their common advantage...organized for the mutual benefit of its members..." Black's Law Dictionary, 4th edition, 1968 defines "Co-operative Association. A union of individuals commonly laborers, farmers, or small capitalists, formed for the prosecution in common of some productive enterprise, the profits being shared in accordance with the capital or labor contributed by each." In addition, it is clear to the Deputy Zoning Commissioner that it is the intent of the Baltimore County Zoning Regulations (BCZR) to enable local farmers to have an outlet for selling their produce. The proposed operation is within the spirit and intent of the regulations.

Pursuant to the advertisement, posting of property and public hearing, in the opinion of the Deputy Zoning Commissioner, strict compliance with the BCZR would result in practical difficulty or unreasonable hardship upon the Petitioner, the requirements of Section 502.1 of the BCZR have been met, and the health, safety and general welfare of the community will not be adversely affected, and the special exception and variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 18th day of April, 1986, that the Petition for Special Exception for a farmers co-op roadside stand in a R.C.-2 zone and, additionally,

the Petition for Variance to permit a crushed stone paving area in lieu of a durable and dustless surface. In accordance with Petitioner's Exhibit 1, are hereby GRANTED, from and after the date of this Order, subject, however, to the following restriction:

1. The variance may be utilized for five (5) years from the date of this Order. In order to continue the use of crushed stone paving beyond that date, a Petition for Special Hearing to approve an extension shall be filed and granted by way of another public hearing.
2. Compliance with the requirements of the State Highway Administration.
3. Citrus fruit may be sold only from November through March and only so long as those sales are incidental to the sale of local produce.
4. Crates, equipment, etc. shall be stored inside the building when not in use.
5. Anyone whose produce is sold at the stand (other than growers of citrus fruit) shall be a member of the co-op and their names shall be posted.
6. Compliance with any applicable Maryland laws regarding co-operatives.
7. Display areas shall be restricted to the interior of the building and the 12 foot overhang, both indicated on Petitioner's Exhibit 1.
8. The placement of any future greenhouse shall be indicated on a revised site plan and approved by the Deputy Zoning Commissioner.
9. Signage shall be limited to 30 square feet in area (including both sides of a double faced sign) on a free-standing sign. There shall be no variance to this sign requirement.

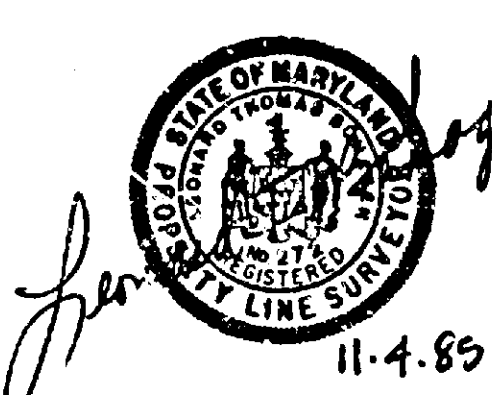
[Signature]
Deputy Zoning Commissioner
of Baltimore County

W. DUVALL & ASSOCIATES, INC.

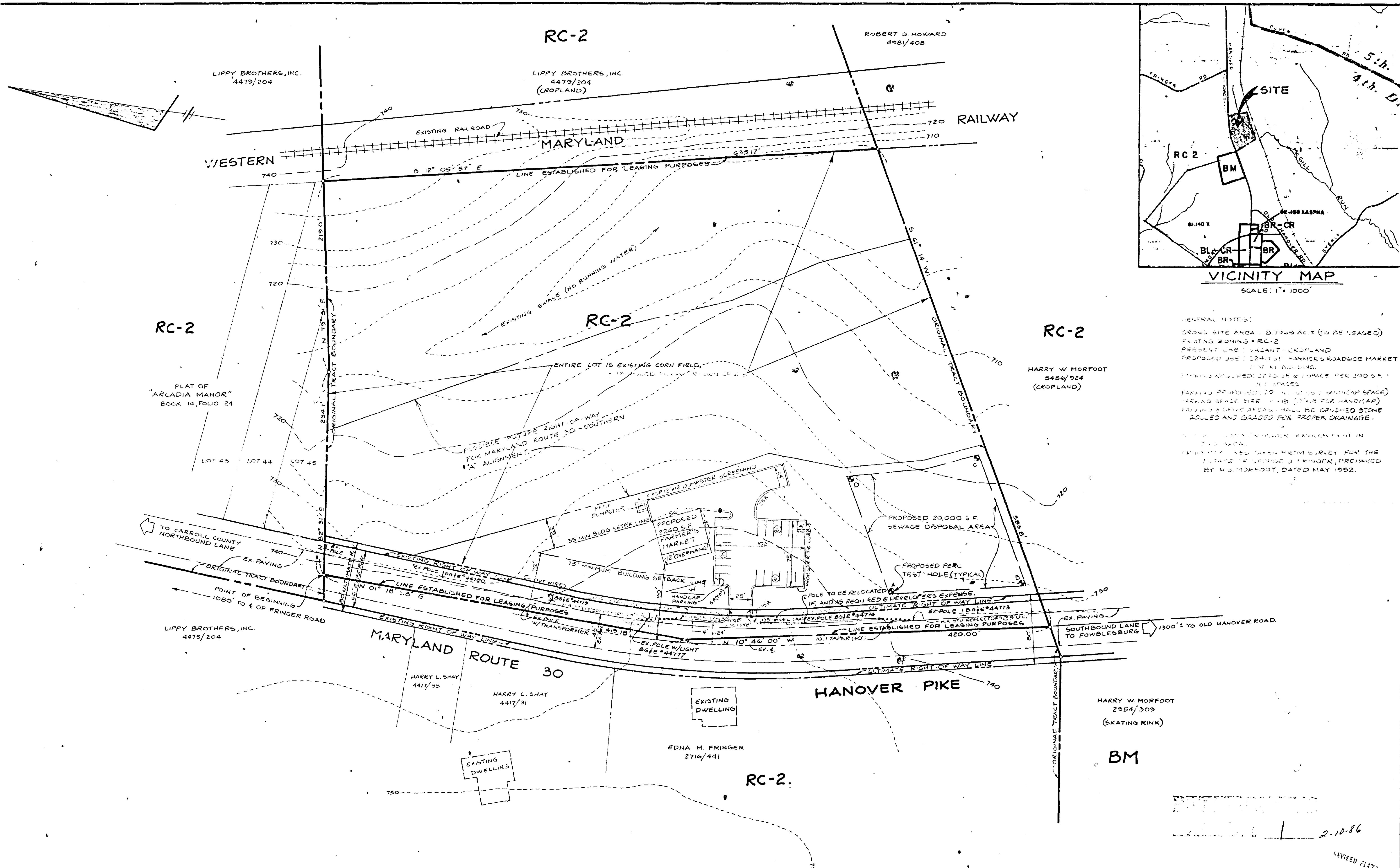
Engineers • Surveyors • Land Planners

DESCRIPTION TO ACCOMPANY
SPECIAL EXCEPTION FOR
ROAD SIDE FARMERS MARKET
MARYLAND ROUTE 30, UPPERCO, MARYLAND

Beginning for the same in the center of Hanover Pike, Maryland Route 30, 66 feet wide at a point located 1080 feet south of the centerline of Fringer Road, where said centerline intersects the centerline of Hanover Pike and running thence, leaving said Hanover Pike and binding on the original tract boundary lines of that land owned by Lippy Brothers, Inc. and recorded among the Land Records of Baltimore County in Liber R.R.G. 4479 Folio 204, with all courses referred to the meridian of said tract of land as surveyed and laid out according to a survey prepared by H. S. Norfoot, dated May 1952,
North 82 degrees 31 minutes East 234.1 feet,
North 79 degrees 31 minutes East 219.0 feet,
thence leaving said tract lines and running for a new line of division created for leasing purposes and along the west side of the Western Maryland Railroad Right of Way, South 12 degrees 05 minutes 57 seconds East 655.17 feet to intersect the original tract boundary, thence binding there on South 61 degrees 14 minutes West 583.8 feet to the center of the said Hanover Pike, 66 feet wide, and running thence in the bed of said Road and for new lines of division created for leasing purposes, North 10 degrees 46 minutes 00 seconds West 420.00 feet, North 01 degrees 18 minutes 58 seconds East 419.18 feet to the place of beginning. Containing 8.7968 acres of land more or less.



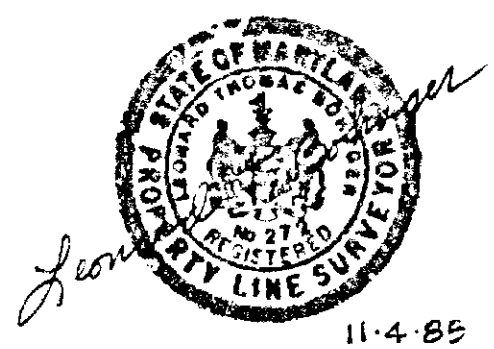
530 East Joppa Road / Towson, Maryland 21204 / (301) 583-9571



GENERAL NOTES:
GROSS SITE AREA - 8.7905 AC. (TO BE LEASED)
EXISTING ZONING - RC-2
PRESENT USE - VACANT CROPLAND
PROPOSED USE - 2240 SF FARMER'S ROADSIDE MARKET
BENTON BUILDING
PARKING PROVIDED: 20 SF OF SPACE PER 200 SF OF BUILT-UP SPACE
PARKING PROVIDED: 10 HANDICAP SPACES
PARKING SPACE SIZE - 10' x 18' (20' FOR HANDICAP)
PARKING & LANDING AREAS SHALL BE CRUSHED STONE
ROLLED AND GRADED FOR PROPER DRAINAGE.
ALL UTILITIES SHOWN HEREON EXIST IN THE AREA
UTILITIES ALSO TAKEN FROM SURVEY FOR THE LATE DE LOURDES J. FRINGER, PREPARED BY H. MORFOOT, DATED MAY 1952.

2-10-86
REVISED PLAT

ENGINEERS - SURVEYORS
W. DUVALL & ASSOCIATES, INC.
530 E. JOPPA ROAD
TOWSON, MARYLAND 21204
(301) 583-9571



OWNER
LIPPY BROTHERS, INC.
% DONALD E. LIPPY
334 LEES MILL ROAD
HAMPSHIRE, MARYLAND 21074

CONTRACT LESSEE
STAN DABKOWSKI &
WAYNE HORNER
2046 VALLEY VIEW ORCHARD ROAD
NEW WINDSOR, MARYLAND 21776

PLAT TO ACCOMPANY
ZONING VARIANCE &
SPECIAL EXCEPTION FOR
FARMERS CO-OP ROADSIDE STAND
~~ROADSIDE FARMERS MARKET~~
HANOVER PIKE - UPPER CO. MARYLAND
4TH ELECTION DISTRICT BALTIMORE COUNTY, MD.
SCALE: 1" = 50' DATE: NOVEMBER 4 1985
REVISED 1-14-86 - ADDED ZONING VARIANCE IN TITLE ADDED MEANING IN ITEM N1
REVISED 2-7-86 - REV. LAYOUT TO ACCOMMODATE S.H.A. COMMENTS OF JAN. 9, 1986
HEARING CASE NO. 86-300 XA ITEM NO. 181

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Centerline of Hanover Pike, 1080 feet South of centerline of Fringer Road
DATE AND TIME: Tuesday, February 11, 1986, 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 Special Exception to use the herein described property for Farmers Co-op Roadside Stand in a RC-2 Zone.

Petition for Zoning Variance from Section 409.2 c. (2) to permit a crushed stone paving area in lieu of a durable and dustless surface (tar and chip).

Being the property of Lippy Brothers, Inc., as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may 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 set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
C/L of Hanover Pike, 1080' S of : OF BALTIMORE COUNTY
C/L of Fringer Rd., 4th District :
LIPPY BROTHERS, INC., Petitioner : Case No. 86-300-XA
: : : : :
ENTRY OF APPEARANCE

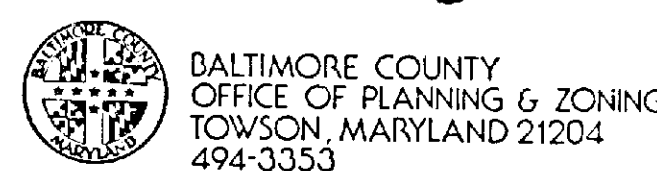
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

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
494-2188

I HEREBY CERTIFY that on this 21st day of January, 1986, a copy of the foregoing Entry of Appearance was mailed to William B. Dulany, Esquire, Dulany, Parker & Scott, 127 East Main St., Westminster, MD 21157, Attorney for Petitioner; Stanley J. Dabkowski and Wayne H. Horner, 3617 St. Paul Rd., Hampstead, MD 21074, Contract Lessees; and W. Duval & Associates, 530 E. Joppa Rd., Towson, MD 21204, which requested notification.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

January 29, 1986

William B. Dulany, Esquire
Dulany, Parker & Scott
127 East Main Street
Westminster, Maryland 21157

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
C/L of Hanover Pike, 1,080' S of c/l of Fringer Rd.
4th Election District
Lippy Brothers, Inc., Petitioner
Case No. 86-300-XA

Dear Mr. Dulany:

This is to advise you that \$67.39 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 OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 112, County Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018600

DATE 2-19-86 ACCOUNT R-01-655000

AMOUNT \$ 67.39

RECEIVED FROM *William B. Dulany - Westminster*

FOR *Advertising & Posting 86-300-XA*

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD, January 23, 1986

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 January 23, 1986.

THE JEFFERSONIAN,

Publisher

Cost of Advertising

27.50

86-300-XA

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District

LOCATION: Centerline of Hanover Pike, 1080 feet South of centerline of Fringer Road
DATE AND TIME: Tuesday, February 11, 1986, 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 Special Exception to use the herein described property for Farmers Co-op Roadside Stand in a RC-2 Zone.

Petition for Zoning Variance from Section 409.2 c. (2) to permit a crushed stone paving area in lieu of a durable and dustless surface (tar and chip).

By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Jan. 23.

PETITION FOR SPECIAL EXCEPTION
PETITION FOR ZONING VARIANCE
4th Election District
LOCATION: Centerline of Hanover Pike, 1080 feet South of centerline of Fringer Road, at 10:15 a.m.
DATE AND TIME: Tuesday, February 11, 1986, 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:

NEWSPAPERS OF MARYLAND, INC.
minster, Md., JAN. 23, 1986
that the annexed Reg. #184126 P.O. #73202
January 19, 86 in the
Times, a daily newspaper published
in Westminster, Carroll County, Maryland.
News, a weekly newspaper published
in Baltimore County, Maryland.
mes, a weekly newspaper published
in Baltimore County, Maryland.
NEWSPAPERS OF MARYLAND, INC.
Per *James Taylor*

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-300-XA

District *4th* Date of Posting *Jan 22 86*
Posted for *Special Exception and Variance*
Petitioner *Lippy Brothers, Inc.*
Location of property *East side of Hanover Pike, 1080' S of c/l of Fringer Rd.*
Location of Sign *East side of Hanover Pike, approx. 150' south of the Baltimore of Fringer Rd.*
Remarks
Posted by *A. J. Ratti* Date of return
Number of Signs *2*

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 13, 1986

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

William B. Dulany, Esquire
Dulany, Parker & Scott
127 East Main Street
Westminster, Maryland 21157

RE: Item No. 181, Case No. 86-300-YA
Petitioner - Lippy Brothers, Inc.
Special Exception and Variance Petition

Dear Mr. Dulany:

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 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 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,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: W. Duval & Associates, Inc.
530 East Joppa Road
Towson, Maryland 21204



State Highway Administration

William K. Heilmann
Secretary
Hal Kassoff
Administrator

February 10, 1986

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

Att: Mr. James Dyer

Re: Revised Comments
ZAC Meeting of 11-19-85
ITEM: #181.
Property Owner: Lippy Brothers, Inc.
Location: Centerline of Hanover Pike, Route 30, 1080' S. of Fringer Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a crushed stone paving area in lieu of a durable and dustless surface (tar & chip) and a Special Exception for a farmers co-op roadside stand in an R.C. 2 zone
Acre: 8.7968
District: 4th

Dear Mr. Jablon:

On review of the revised submittal of 2-7-86 (layout to accommodate State Highway Administration comments of 1-9-86), the State Highway Administration finds the revised site plan for Special Exception generally acceptable.

All work within the S.H.A. - Right of Way must be through S.H.A. permit with the posting of a bond or letter of credit to guarantee construction.

Very truly yours,
Charles Lee

CL:GW:maw

cc: Ms. J. Jung (w-plan)
Mr. J. Ogle
W. Duval & Assoc., Inc.

By: George Wittman

My telephone number is (301) 659-1350

Telephone for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717



State Highway Administration

William K. Heilmann
Secretary
Hal Kassoff
Administrator

November 27, 1985

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

Att: Mr. James Dyer

Re: ZAC Meeting of 11-19-85
ITEM: #181.
Property Owner: Lippy Brothers, Inc.
Location: Centerline of Hanover Pike, Route 30, 1080' S. of Fringer Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a crushed stone paving area in lieu of a durable and dustless surface (tar and chip) and a Special Exception for a farmers co-op roadside stand in an R.C. 2 zone
Acre: 8.7968 acres
District: 4th Election District

Dear Mr. Jablon:

The submittal of 11-4-85 was forwarded to State Highway Administration Bureau of Project Planning with reference to the future alignment of MD. Route 30.

On receipt of their findings additional comments will be forthcoming.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:maw

cc: Mr. J. Ogle

By: George Wittman

My telephone number is (301) 659-1350

Telephone for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717



State Highway Administration

January 9, 1986

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

Att: James Dyer

Re: Baltimore County ZAC Meeting of 11/19/85
ITEM: #181
Property Owner: Lippy Brothers, Inc.
Location: Centerline of Hanover Pike, Route 30, 1080' S. of Fringer Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to permit a crushed stone paving area in lieu of a durable and dustless surface (tar and chip) and a Special Exception for a farmers co-op roadside stand in an R.C. 2 zone
Acre: 8.7968
District: 4th

Dear Mr. Dyer:

The State Highway Administration's Bureau of Project Planning has completed their review of the above site.

They have indicated in red the affects of the Hampstead Bypass proposals to the proposed Roadside Farmers Market.

You will note that in addition to the physical impacts, traffic will be diverted to the bypass with little traffic utilizing existing Route 30 in the area of the market. The Bypass is proposed as access controlled with at-grade intersections allowed only at local roadways. Existing Route 30 would be cul-de-sac'd where the Bypass crosses Route 30 just north of the subject area.

It is important to comment that three southern optional tie-ins to Route 30 are under careful consideration at this time. The one depicted in red reflects tie-in "A". Two others, "B" and "C" are located farther north and would have no effect to the market site. It is anticipated that a selection will be made in the near future with Location Design approval granted during March-April, 1986.

Continued

My telephone number is (301) 659-1350

Telephone for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717

Mr. James Dyer
Page 2
January 9, 1986

Further, the plan indicates a previous proposed corridor for the bypass from studies terminated in 1981. The revised corridor shown in red is a result of detailed engineering and environmental consideration necessary for the present study.

The State Highway Administration's Bureau of Engineering Access Permits will require revisions to the site plan.

The proposed deceleration lane south of the proposed entrance must be revised to show a 135' full width section with a 10:1 taper to meet the existing edge of roadway, and the proposed building relocated outside the proposed Right-of-Way.

All work within the S.H.A. Right-of-Way for commercial access to the site must be through S.H.A. Permit with the posting of a bond or letter of Credit.

Be advised, the information from S.H.A. Bureau is tentative and subject to final planning.

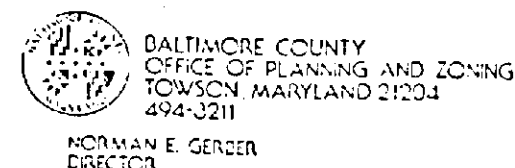
If the Developer has any questions, please do not hesitate to call this office or Mr. Frank Desantis-S.H.A. Project Manager at 659-1109.

Very truly yours,
Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits
by: George Wittman

CL:GW:es

cc: J. Ogle

enclosure



NORMAN E. GERZIN
DIRECTOR

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

JANUARY 14, 1986

Re: Zoning Advisory Meeting of NOVEMBER 19, 1985
Item #181
Property Owner: LIPPY BROTHERS, INC.
Location: CENTERLINE OF HANOVER PIKE, 1080' S. OF FRINGER ROAD

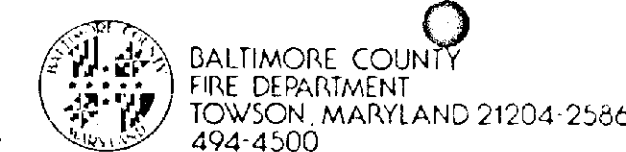
Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☐ A County Review Group Meeting is required.
- ☐ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☐ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The proposed Development Plan was approved by the Planning Board on 11/19/85.
- ☐ The property is located in a deficient service area as defined by Bill 178-79. The building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "T" level intersection as defined by Bill 178-79, and its conditions change are re-evaluated annually by the County Council.
- ☒ Individual comments:
- ☒ A VARIANCE OF CRG (W-85-176) PLAN WAS GRANTED BY BALTIMORE COUNTY PLANNING DIVISION ON 11/21/85.

cc: James Howell

Norman E. Gerzin
Chief, Current Planning and Development



PAUL H. REINCKE
CHIEF

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Lippy Brothers, Inc.

Location: Centerline of Hanover Pike, 1080' S of Fringer Road

Item No.: 181 Zoning Agenda: Meeting of November 19, 1985

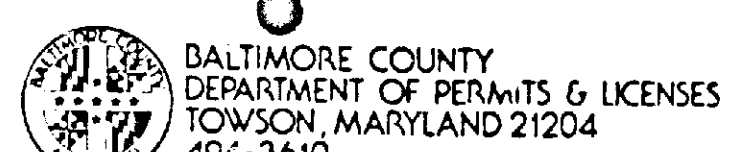
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☐ 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☐ 2. A second means of vehicle access is required for the site.
- ☐ 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Driveway shall be durable & dustless (tar & chip) & support 50,000 lb. fire apparatus.
- ☐ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☐ 6. Site plans are approved, as drawn.
- ☐ 7. The Fire Prevention Bureau has no comment at this time.

REVIEWED BY: *John F. O'Neill* Noted and Approved: Fire Prevention Bureau
Planning Group
Special Inspection Division

/mb



TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 181 Zoning Advisory Committee Meeting are as follows:
Property Owner: Lippy Brothers, Inc.
Location: O/L of Hanover Pike, 1080' S of Fringer Road
District: 4th.

APPLICABLE STANDARDS AND COMMENTS:

- ☐ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, The Maryland Code for the Handicapped and Aged (A.D.A.), #11-81 - 1980 and other applicable codes and standards.
- ☐ A building and other miscellaneous permits shall be required before the start of any construction.
- ☐ Residential: The sets of construction drawings are required to file a permit application. The seal of a professional Engineer or Architect is not required on plans and technical data.
- ☒ Commercial: These sets of construction drawings sealed and signed by a registered Maryland Architect or Engineer shall be required to file with a permit application. Registered seals are not necessary. Seals may be waived on minor structures if drawings are in good order.
- ☐ All the Group except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6' to an interior lot line. For the Group require a one hour wall, if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.1, Section 101.2 and Table 101.1. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ☐ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this Department.
- ☐ The requested variance appears to conflict with Section 101.1 of the Baltimore County Building Code.
- ☐ When filing for a required Change of Use/Recovery Permit, an alteration permit application shall also be filed along with these sets of drawings indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The owner of the Group use the Code to the Code or Mixed Use Section 102 of the Building Code.
- ☐ The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 116.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevation above sea level for the lot and the finished floor levels including basement.
- ☐ Comments: The structure shall comply with the Code requirements for retail sales, Use Group "M" Section 508.0.

These abbreviated comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as an approval of any project. If desired the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 Chesapeake Avenue, Towson, Maryland 21204.

Charles E. O'Neill
C. E. O'Neill, Chief
Building Plans Service



February 11, 1936

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablons: REVISED

June 4, 1971 Advisory Committee Meeting are as follows

Property Owners: Lippy Brothers, Inc.
Location: c/o of Hanover Pike, 1080' S of Fringer Road
Districts: 4th.

APPLICABLE ITEMS ARE CIRCLED

APPLICABLE DEEDS AND CHARGES

(A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards

5 A building and other miscellaneous permits shall be required before the start of any construction.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

D. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1607, Section 1606.2 and Table 1602. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) _____, _____, of the Baltimore County Building Code.

H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or _____ to Use _____. See Section 212 of the Building Code.

I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plan shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

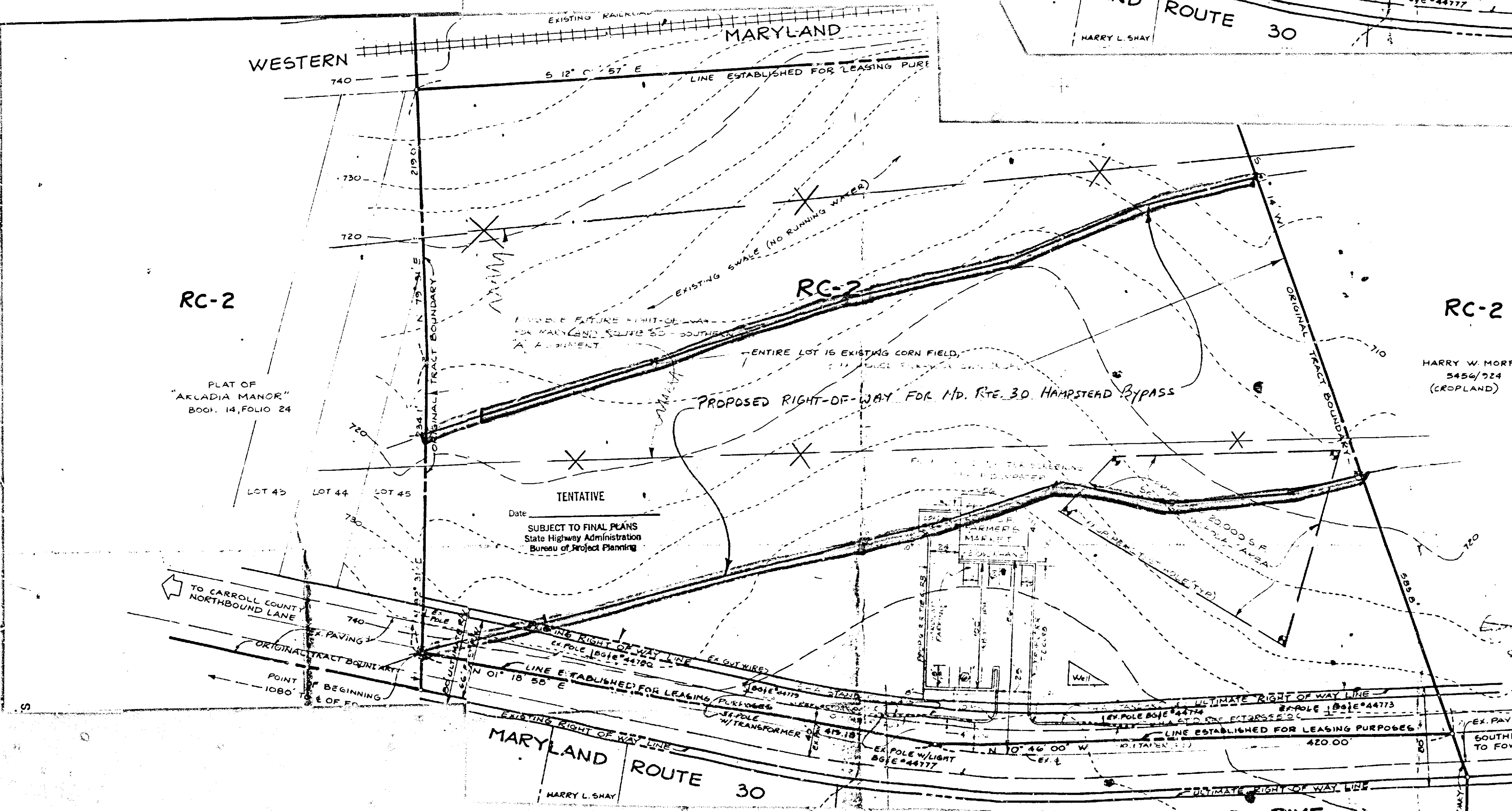
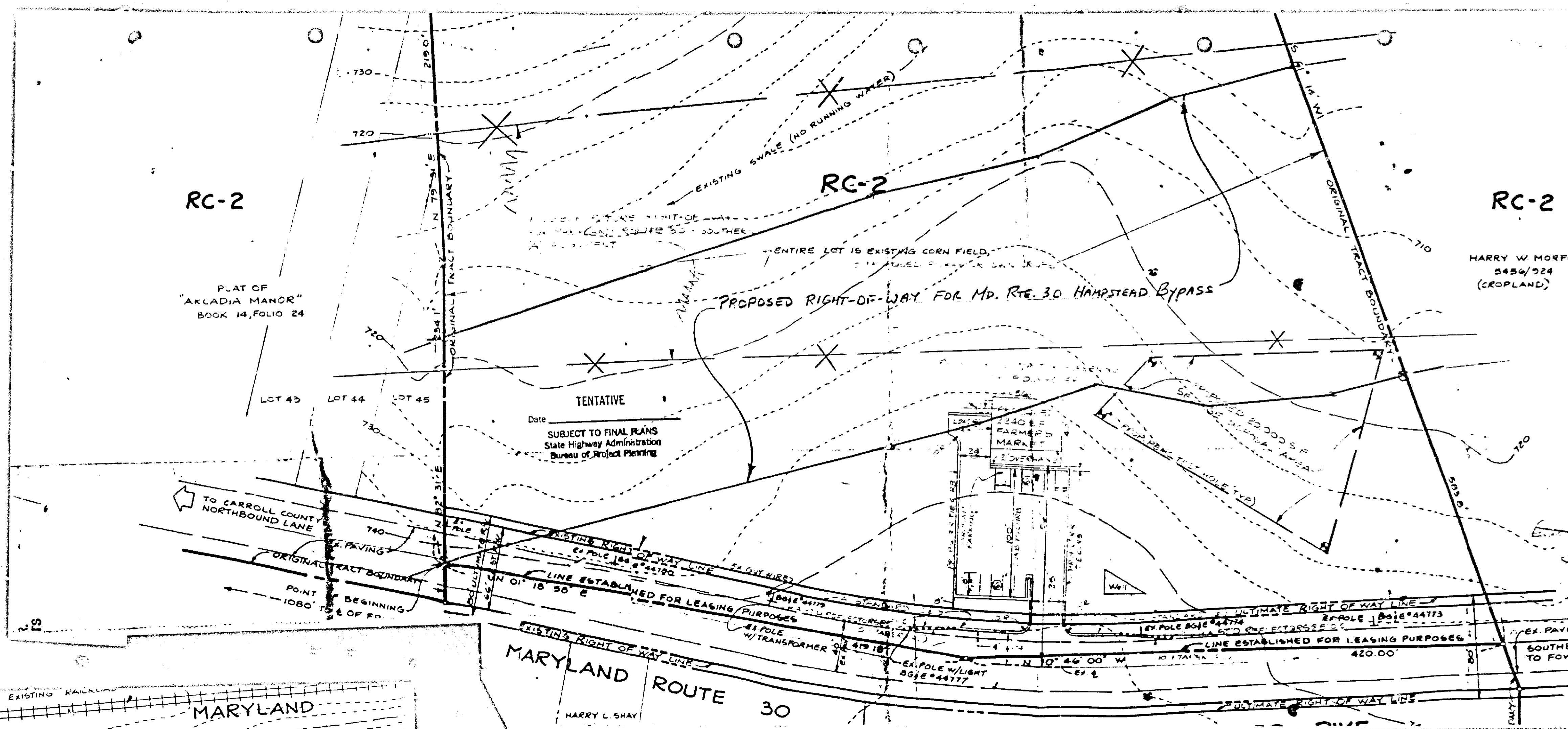
Comments: Building will be classified as a mercantile use and shall comply with the code requirements for the proposed use.

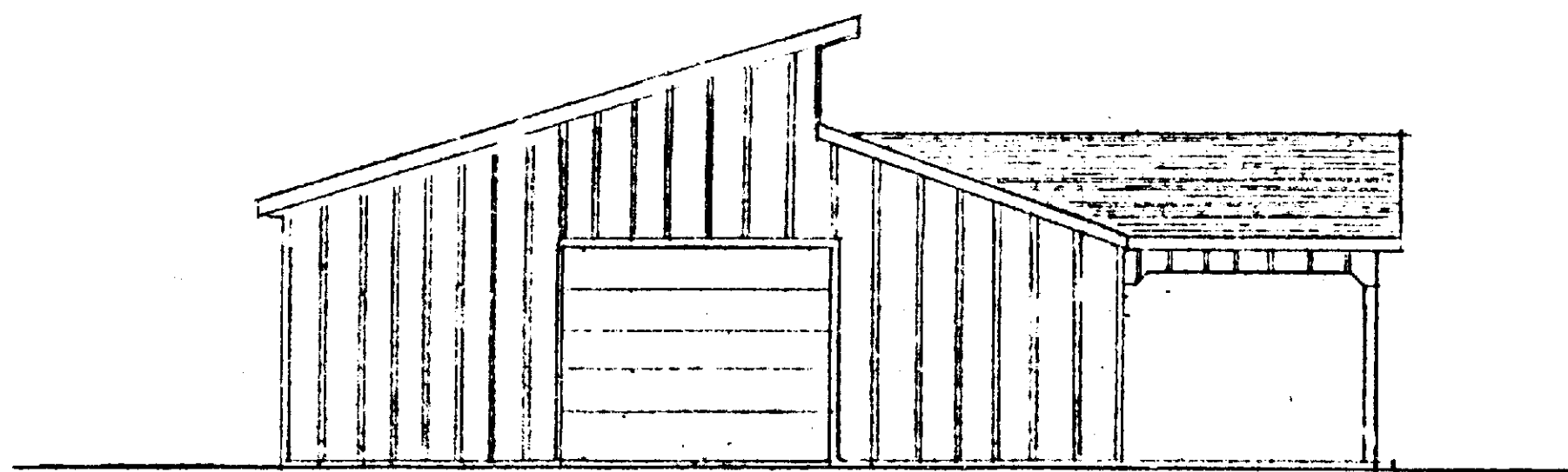
8. These abbreviated comments reflect only on the information provided by the drawings submitted to the OIA. They do not constitute a full assessment of any permit, nor do they constitute a recommendation for or against the issuance of a permit.

These abbreviated comments reflect only on the
of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired
the applicant may obtain additional information by visiting Room 122 of the County Office Building at 1
W. Chesapeake Avenue, Towson, Maryland 21204.

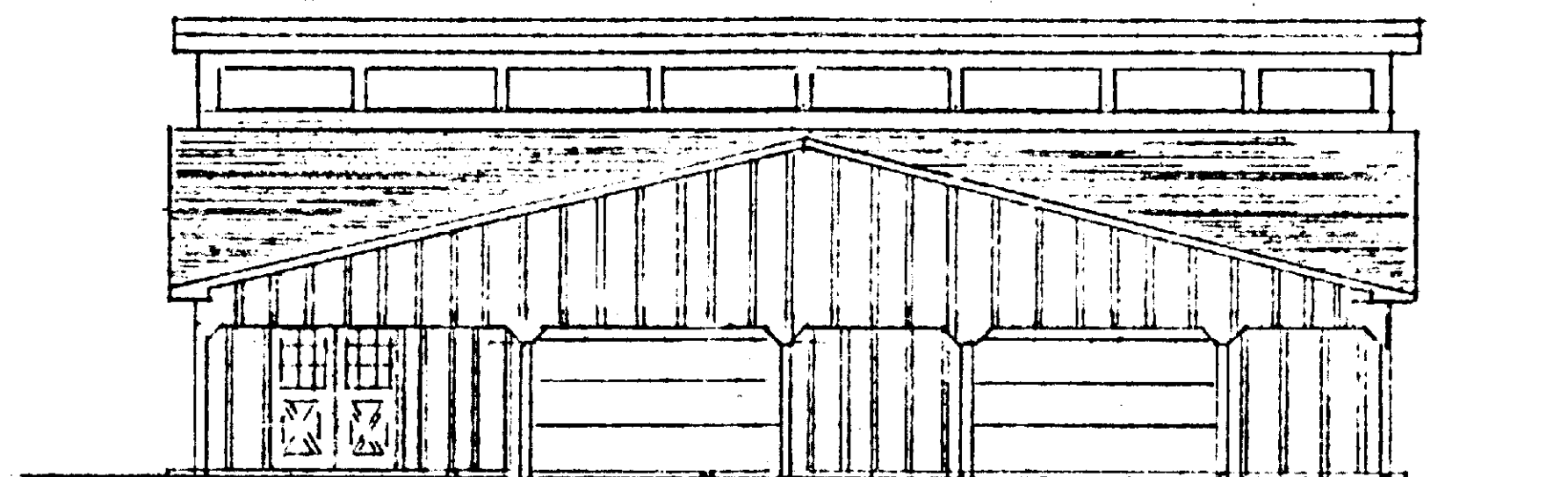
BY: C. E. Burnham, Chief
Building Plans Review

Building Plans Review

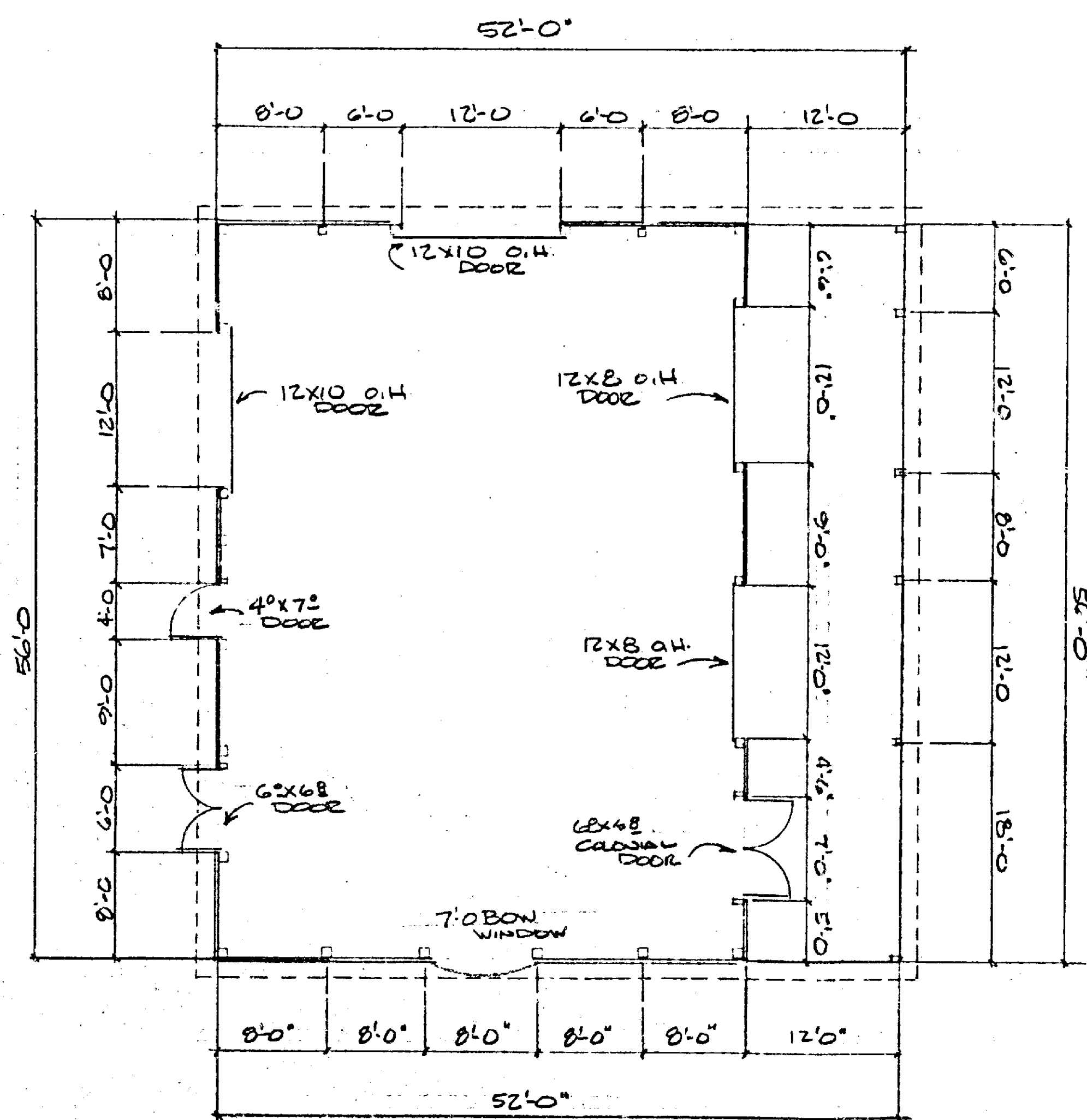




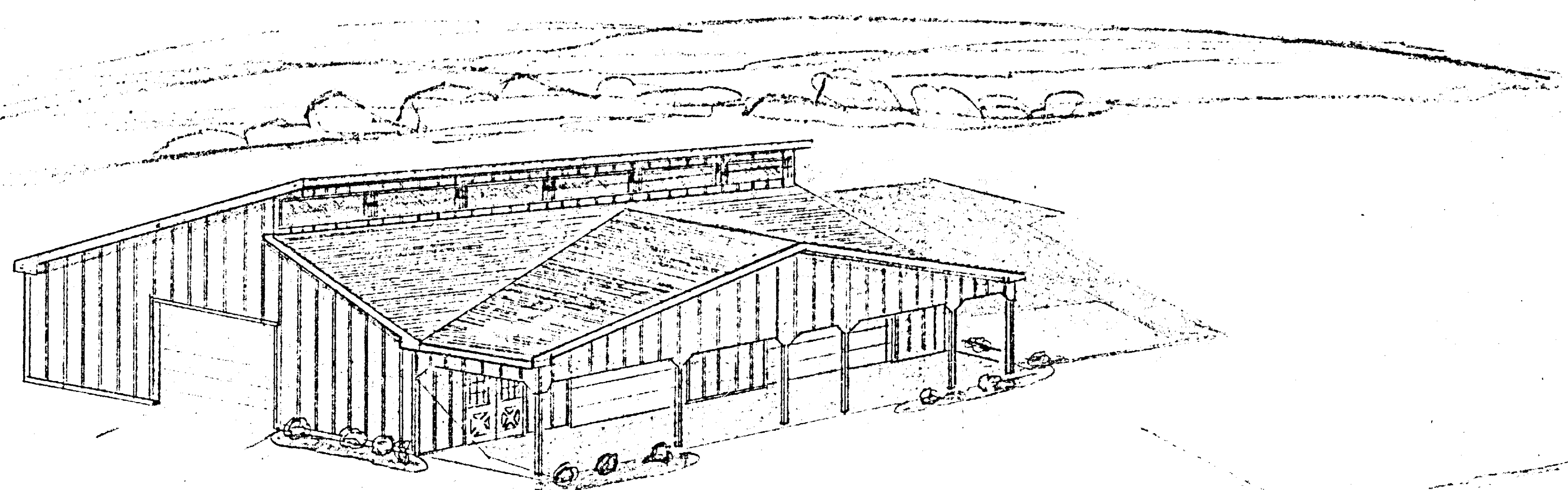
END WALL ELEVATION 1/8"=1'-0"



FRONT ELEVATION 1/8"=1'-0"



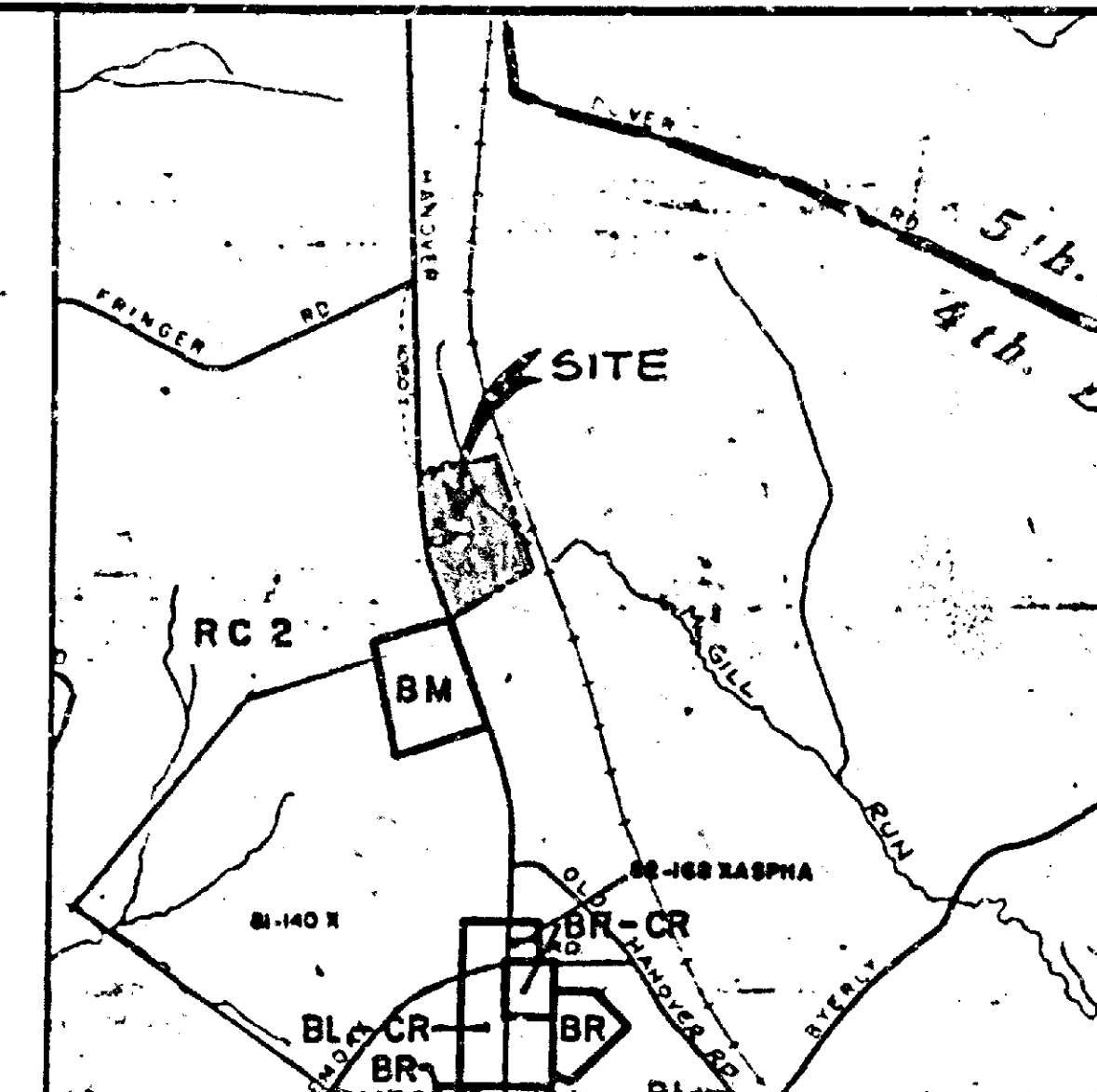
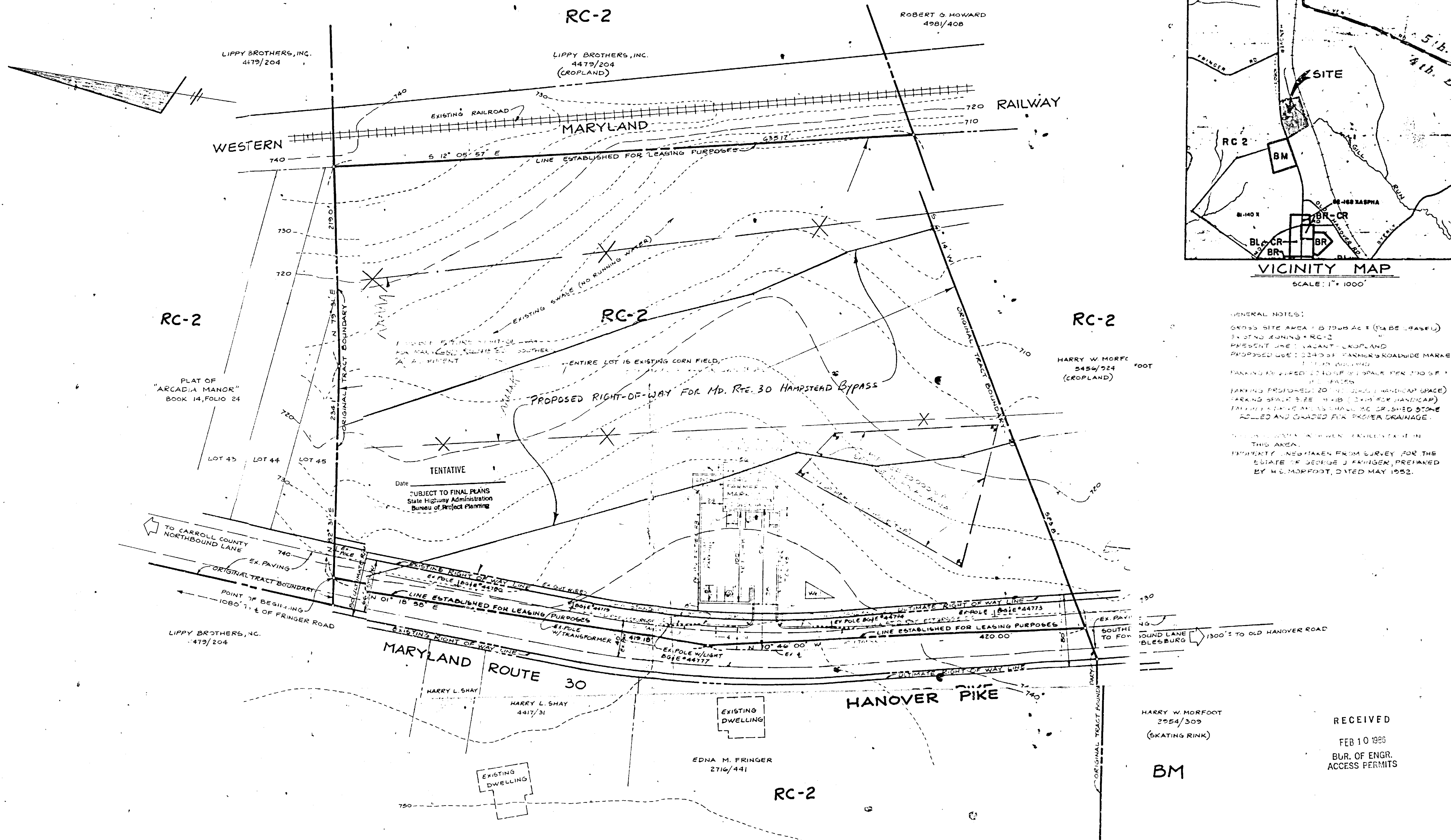
FLOOR PLAN 1/8"=1'-0"



INTERIOR
EXHIBIT 2

40'-12" X 66' FARM MARKET	
FOR: DAVKOWSKI AND HORNER	
FLOOR PLAN	SCALE: 1/8"=1'-0"
ELEVATIONS - PERSPECTIVE	NOTES: 1. EXHIBIT 2
HANOVER, POLE BUILDING CO. INC.	
DATE: SEPT 6-89	DRAWING NUMBER: HFB 9856

4/5 JUNG



VICINITY MAP
SCALE: 1" = 1000'

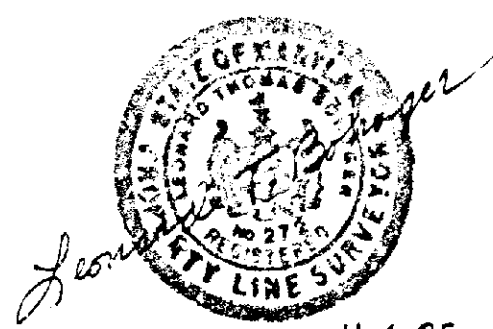
GENERAL NOTES:
GROSS SITE AREA: 18.19 AC. (TAX MAP BASED)
EXISTING ZONING: RC-2
PRESENT USE: VACANT CROPLAND
PROPOSED USE: 2240 SF FARMERS' ROADSIDE MARKET
1.11 AC. BUILDING
PARKING REQUIRED: 2240 SF @ 100 SF PER 200 SF OF BUILDING
PARKING PROVIDED: 2074 SF (2074 SF HANDICAP SPACE)
PARKING SPACE SIZE: 9' x 18' (20' FOR HANDICAP)
PARKING SURFACE: ASPHALT OR CRUSHED STONE
ROLLED AND GRADED FOR PROPER DRAINAGE.
NO UTILITIES KNOWN TO EXIST IN THIS AREA.
PROPERTY LINES TAKEN FROM SURVEY FOR THE ESTATE OF GEORGE J. FRINGER, PREPARED BY H. MORFOOT, DATED MAY 1952.

HARRY W. MORFOOT
2254/309
(SKATING RINK)

BM

RECEIVED
FEB 10 1986
BUR. OF ENGR.
ACCESS PERMITS

ENGINEERS - SURVEYORS
W. DUVALL & ASSOCIATES, INC.
530 E. JOPPA ROAD
TOWSON, MARYLAND 21204
(301) 583-9571



11-4-85

OWNER
LIPPY BROTHERS, INC.
% DONALD E. LIPPY
334 LEE'S MILL ROAD
HAMPSTEAD, MARYLAND 21074

CONTRACT LESSEE
STAN DABKOWSKI &
WAYNE HORNER
2046 VALLEY VIEW ORCHARD ROAD
NEW WINDSOR, MARYLAND 21776

PLAT TO ACCOMPANY
ZONING VARIANCE &
SPECIAL EXCEPTION FOR
ROADSIDE FARMERS MARKET
HANOVER PIKE - UPPER CO. MARYLAND
4TH ELECTION DISTRICT BALTIMORE COUNTY, MD.
SCALE: 1" = 50' DATE: NOVEMBER 4, 1985
REVISED 1-14-86 TO ACCOMMODATE COMMENTS OF JAN. 9, 1986
REVISED 2-7-86 REV. LAYOUT TO ACCOMMODATE S.H.A. COMMENTS OF JAN. 9, 1986
HEARING CASE NO. 85-300XA ITEM NO. 181



Maryland Department of Transportation

State Highway Administration

William K. Hellmann
Secretary

Hal Kassoff
Administrator

February 10, 1986

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

Att: Mr. James Dyer

Re: Revised Comments
ZAC Meeting of 11-19-85
ITEM: #181.
Property owner: Lippy Brothers,
Inc.
Location: Centerline of Hanover
Pike, Route 30, 1080' S. of
Fringer Road
Existing Zoning: R.C. 2
Proposed Zoning: Variance to
permit a crushed stone paving
area in lieu of a durable and
dustless surface (tar & chip) and
a Special Exception for a farmers
co-op roadside stand in an R.C.
2 zone
Acres: 8.7968
District: 4th

Dear Mr. Jablon:

On review of the revised submittal of 2-7-86 (layout
to accommodate State Highway Administration comments of
1-9-86), the State Highway Administration finds the
revised site plan for Special Exception generally acceptable.

All work within the S.H.A. - Right of Way must be through
S.H.A. permit with the posting of a bond or letter of credit
to guarantee construction.

Very truly yours,

Charles Lee

CL:GW:maw

cc: Ms. J. Jung (w-plan)✓
Mr. J. Ogle
W. Duvall & Assoc., Inc.

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

My telephone number is (301) 659-1350

Teletypewriter for Impaired Hearing or Speech

383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5082 Statewide Toll Free

P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717