



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 13, 1986

John B. Gontrum, Esquire
809 Eastern Boulevard
Essex, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
N/S/Ebenezer Rd., 575' E of Earls Beach Rd.
(6836 Ebenezer Rd.)
15th Election District
John W. Richardson - Petitioner
Case No. 86-370-A

Dear Mr. Gontrum:

This is to advise you that \$65.16 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.

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

No. 018454

DATE 3-26-86 ACCOUNT 2-1-1-15-000

AMOUNT \$ 65.16

RECEIVED FROM John W. Richardson

FOR Advertising & Posting 46-22-A

VALIDATION OR SIGNATURE OF CASHIER

more County, Maryland, and remit
Building, Towson, Maryland

CORRECTED NOTICE

John B. Gontrum, Esquire
809 Eastern Boulevard
Essex, Maryland 21221

February 28, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
N/S/Ebenezer Rd., 575' E of Earls Beach Rd.
(6836 Ebenezer Rd.)
15th Election District
John W. Richardson - Petitioner
Case No. 86-370-A
11:30 a.m.

TIME:

DATE: Wednesday, March 26, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

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

No. 018326

DATE 3-26-86 ACCOUNT 01-615

AMOUNT \$ 100.00

RECEIVED FROM John W. Richardson

FOR (John W. Richardson)

VALIDATION OR SIGNATURE OF CASHIER

John B. Gontrum, Esquire
809 Eastern Boulevard
Essex, Maryland 21221

February 21, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
N/S/Ebenezer Rd., 575' E of Earls Beach Rd.
(6836 Ebenezer Rd.)
15th Election District
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BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012329

DATE 3-26-86 ACCOUNT

AMOUNT \$

RECEIVED FROM

FOR Item - 134

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MR. ARNOLD JABLON
TO: Zoning Commissioner Date: March 20, 1986

NORMAN E. GERBER, AICP
FROM: Director of Planning and Zoning

Chesapeake Bay Critical Area Review - Herbert R. Bush et ux
SUBJECT: (86-372-A, Item 243) and John W. Richardson (86-370-A, Item 134)

In regard to the Herbert R. Bush et ux petition, it has been determined and is recommended that this petition will be deemed consistent with Critical Area requirements if one-half of the existing wooded area on each lot is permanently maintained as such. These wooded areas to be preserved must also be protected during construction. All runoff generated by impervious surfaces should be directed towards the wooded areas of the lots in order to achieve maximum infiltration.

The John W. Richardson petition is deemed to be consistent with the Chesapeake Bay Critical Area requirements. A crusher run parking lot would provide for somewhat more stormwater infiltration and would otherwise be no more damaging environmentally than a paved lot.

NEG:PJS:vh

Norman E. Gerber, AICP

cy: Ms. Jean Jung
Dep. Zoning Commissioner

James G. Hoswell, Planner
Office of the Director

Andrea Van Arsdale
Coastal Zone Planner

People's Counsel

Thomas L. Vidmar
Bureau of Engineering, DPW

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner

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

SUBJECT: Zoning Petition Nos. 86-370-A
and 86-372-A

Date: March 21, 1986

Please consider the Chesapeake Bay Critical Area review comments (see memo, Gerber to Jablon dated March 20, 1986) to be the position of this office.

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

NEG/JGH/dmi

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 27, 1986

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

John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

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
Industrial
Development

RE: Item No. 134 - Case No. 86-370-SPHA
Petitioner - John W. Richardson
Special Hearing and Variance
Petitions

Dear Mr. Gontrum:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petitions. 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 petitions. 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. These petitions were accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:npr

Enclosures

cc: Mr. Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

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

MARCH 3, 1986
(CRITICAL AREA)

Re: Zoning Advisory Meeting of OCTOBER 22, 1985
Item 134 - JOHN W. RICHARDSON
Petitioner: JOHN W. RICHARDSON
OF EARLS BEACH RD.

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, to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement site is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on or alteration of the floodplain is prohibited under the provisions of Section 22-95 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual.
- ☒ 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 as conditions change are reevaluated annually by the County Council.

THIS SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIVISION.

cc: James Hoswell

Eugene A. Sober
Chief, Current Planning and Development

IN RE: PETITION SPECIAL EXCEPTIONS
N/S of Ebenezer Road, 575' E
of Earls Beach Road - 15th
Election District

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

John W. Richardson,
Petitioner

Case No. 86-202-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests special exceptions for a farmers' co-op roadside stand and a fishing and shellfishing facility, Class II, as more fully described on Petitioner's Exhibit 1.

The Petitioner appeared and testified and was represented by Counsel. Various neighbors appeared on his behalf, some of which testified. See Petitioner's Exhibit 9. Also appearing were Wade Bowers, Ira G. Smith, and Richard Burchett, Protestants.

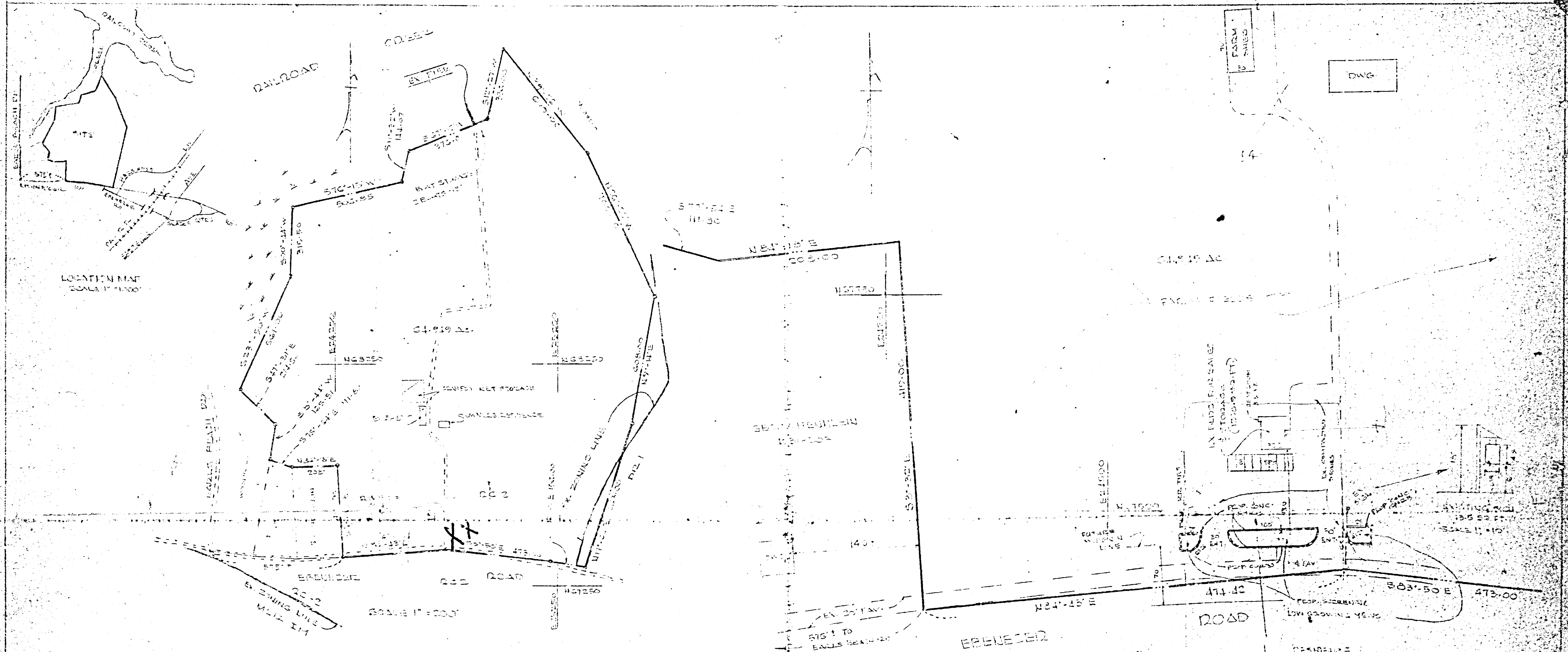
Testimony indicated that the subject property is zoned R.C.2 and comprises 65 acres. The Petitioner purchased the property in 1979 and began operating a farmers' co-op roadside stand by selling produce. He also sold crabs and fish either on consignment or by purchasing them from watermen in the area. Such a stand requires a special exception in an R.C.2 Zone. The property borders Railroad Creek, a tidal water, and the Petitioner wishes to extend his business to include a Class II fishing and shellfishing facility so that he may sell his catch.

The property consists of the roadside co-op stand which faces south toward Ebenezer Road, a driveway extending the entire width of the property from Ebenezer Road to the water, the Petitioner's residence, an existing shed, and an area denoted for crab pot/net storage, as shown on Petitioner's Exhibit 1. The stand is 32.2' x 37' and is equally divided between the actual area for selling

having been met and the health, safety, and general welfare of the community not being adversely affected, the special exceptions should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of February, 1984, that the Petition for Special Exceptions for a farmers' co-op roadside stand and a fishing and shellfishing facility, Class II, in accordance with the site plan introduced and accepted into evidence as Petitioner's Exhibit 1, be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The farmers' co-op roadside stand shall be open for business only from March 1 through December 30 each year.
2. The Petitioner may sell fresh produce, including vegetables and fruit and excluding milk, and fresh fish, i.e., crabs and shellfish, including shrimp, from said stand. Such fish cannot be prepackaged, frozen variety but may be frozen by the fisherman who has caught it for the purpose of transporting it to the Petitioner for sale.
3. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZPAC), which are adopted in their entirety and made a part of this Order.
4. A detailed site plan, incorporating the comments submitted by ZPAC, shall be submitted to the Office of Zoning. Such plan shall bind the Petitioner.
5. Only two boats shall be used for the commercial fishing business and no more than three other professional commercial fishermen may utilize the property.
6. Outdoor cleaning of fish and crabpots shall take place only at the site of the shed across from the dwelling. Such cleaning may occur at the stand if done indoors.
7. A landscaping plan, showing channelization, internal circulation, and screening of the parking area, shall be submitted for approval to the Current Planning and Development Division. No other landscaping shall be required.
8. An appropriate surface plan for the parking area shall be submitted for approval to the Zoning Commissioner.



EXISTING USE - FARMERS COOP STORE AND FISH, SHELLFISH FACILITY (SEE PLAT 1)
 PROPOSED USE - SAME
 EXISTING ZONING - R-1
 PROPOSED ZONING - SAME, WITH A SPECIAL EXCEPTION FOR A FARMERS COOP STORE AND FISH, SHELLFISH FACILITY AND FOR A NEW COOP STORE
 AREA OF TRACT - 31.949 AC.
 AREA OF ROADSIDE COOP BLDG - 1914 SQ. FT.

- RESTRICTIONS - PAGE # 21-202-N
1. THE FARMERS' COOP BOARD OF STORES SHALL BE OPEN FOR BUSINESS ONLY FROM 10:00 A.M. TO 6:00 P.M. EACH DAY.
 2. THE FARMERS' COOP BOARD OF STORES SHALL BE OPEN FOR BUSINESS ONLY FROM 10:00 A.M. TO 6:00 P.M. EACH DAY.
 3. COMPLIANCE WITH THE COMMENTS SUBMITTED BY THE BALTO. CO. ZONING PLANS ADVISORY COMMITTEE (2002), WHICH ARE ADOPTED IN THEIR ENTIRETY AND MADE PART OF THIS ORDER.
 4. ONLY TWO EGGS SHALL BE USED FOR THE COMMERCIAL FISHING BUSINESS AND NO MORE THAN THREE OTHER FISHermen MAY UTILIZE THE PROPERTY.
 5. OUTDOOR CLEANING OF FISH AND CRABPOTS SHALL TAKE PLACE ONLY AT THE SITE OF THE SHED ADJACENT FROM THE DWELLING. SUCH CLEANING MAY OCCUR AT THE STAND IF DONE INDIVIDUALLY.
 6. A LANDSCAPING PLAN, SHOWING CHANNELIZATION, INTERNAL CIRCULATION, AND SCREENING OF THE PARKING AREA, SHALL BE SUBMITTED FOR APPROVAL TO THE CURRENT PLANNING AND DEVELOPMENT DIVISION. NO OTHER LANDSCAPING SHALL BE REQUIRED.
 7. AN APPROPRIATE SURFACE PLAN FOR THE PARKING AREA SHALL BE SUBMITTED TO THE ZONING COMMISSIONER. SUCH PLAN MUST BE APPROVED BEFORE THE STAND MAY BE OPEN OR THE COMMERCIAL FISHING BUSINESS MAY BEGIN OPERATING.

NOTE: THE USE OF APPROVED CHEMICALS FOR PEST CONTROL TO INCLUDE CALCIUM HYDROXIDE AND OTHERS (WITH THE EXCEPTION OF ALL THE ENTIRE LENGTH OF THE ROADWAY AS REQUIRED). CHEMICAL APPLICATION TO BE REFRESHED IMMEDIATELY FOLLOWING MODERATE TO HEAVY RAINS. ALL SURFACES TO COMPLY WITH CORAL SECTION 10-18-02, C1.00.

PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY *[Signature]*
 DATE 11/13/83
 BY *[Signature]*
 ZONING COMMISSIONER
 DATE 11/21/84
 89-202-A
 JOHN W. RICHARDSON
 6336 EREBUEZER ROAD
 BALTO., MARYLAND 21221

FILE TO ACCOMPANY PETITION FOR A SPECIAL EXCEPTION FOR FARMERS' COOP STORE AND FISH, SHELLFISH FACILITY

NO. 6336 EREBUEZER ROAD
 15TH DISTRICT BALTIMORE CO. MARYLAND
 SCALE 1"=50'
 DATE 11-3-83
 REVISED 3/24/84
 3/25/84
 5-19-84 6-6-84 11-15-84



2 signs
 86-350-SP44
 #134

MICROFILMED



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 13, 1986

John B. Gontrum, Esquire
809 Eastern Boulevard
Essex, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
N/S/Ebenezer Rd., 575' E of Earls Beach Rd.
(6836 Ebenezer Rd.)
15th Election District
John W. Richardson - Petitioner
Case No. 86-370-A

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809 Eastern Boulevard
Essex, Maryland 21221

February 28, 1986

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John W. Richardson - Petitioner
Case No. 86-370-A
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OFFICE OF FINANCE-REVENUE DIVISION
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FOR (John W. Richardson)

VALIDATION OR SIGNATURE OF CASHIER

John B. Gontrum, Esquire
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February 21, 1986

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FOR Item - 134

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MR. ARNOLD JABLON
TO: Zoning Commissioner Date: March 20, 1986

NORMAN E. GERBER, AICP
FROM: Director of Planning and Zoning

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Dep. Zoning Commissioner

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Coastal Zone Planner

People's Counsel

Thomas L. Vidmar
Bureau of Engineering, DPW

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner

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

SUBJECT: Zoning Petition Nos. 86-370-A
and 86-372-A

Date: March 21, 1986

Please consider the Chesapeake Bay Critical Area review comments (see memo, Gerber to Jablon dated March 20, 1986) to be the position of this office.

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Office of Planning and Zoning

NEG/JGH/dmi

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 27, 1986

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

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Enclosures

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BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

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

MARCH 3, 1986
(CRITICAL AREA)

Re: Zoning Advisory Meeting of October 22, 1985
Item 134 - John W. Richardson
Petitioner - John W. Richardson
Location: N/S EBENEZER RD. 575' E.
OF EARLS BEACH RD.

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THIS SITE IS LOCATED IN THE CHESAPEAKE BAY
CRITICAL AREA. ADDITIONAL COMMENTS WILL BE
FORWARDED BY THE COMPREHENSIVE PLANNING DIVISION.

cc: James Hoswell

Eugene A. Sober
Chief, Current Planning and Development

IN RE: PETITION SPECIAL EXCEPTIONS
N/S of Ebenezer Road, 575' E
of Earls Beach Road - 15th
Election District

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

John W. Richardson,
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Case No. 86-202-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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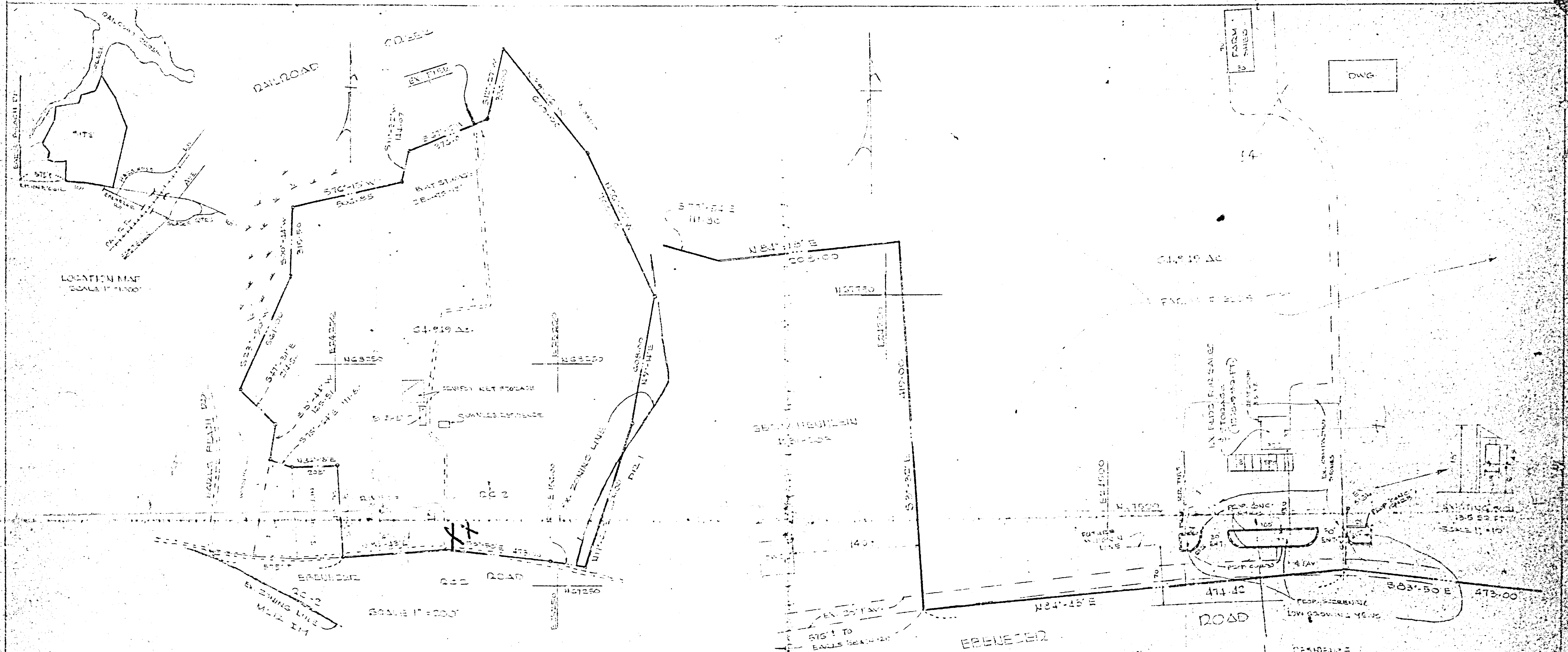
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EXISTING USE - FARMERS COOP STORE, FISH, SHELLFISH FACILITY (SEE PLAT 1)
 PROPOSED USE - SAME
 EXISTING ZONING - R-1
 PROPOSED ZONING - SAME, WITH A SPECIAL EXCEPTION FOR A FARMERS COOP STORE, FISH, SHELLFISH FACILITY AND FOR A NEW COOP STORE
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2 signs
 86-350-SP44
 #134

NOTE: THE USE OF APPROVED CHEMICALS FOR PEST CONTROL TO INCLUDE CALCIUM HYDROXIDE AND OTHERS (WITH THE EXCEPTION OF ALL THE ENTIRE LENGTH OF THE ROADWAY AS REQUIRED). CHEMICAL APPLICATION TO BE REFRESHED IMMEDIATELY FOLLOWING MODERATE TO HEAVY RAINS. ALL SURFACES TO COMPLY WITH CORAL SECTION 10-18-02, C1.00.

PLAT TO ACCOMPANY PETITION FOR A SPECIAL EXCEPTION FOR FARMERS COOP STORE, FISH, SHELLFISH FACILITY

PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY: *[Signature]*
 DATE: 11/13/83
 BY: *[Signature]*
 DATE: 11/21/84
 89-202-A
 JOHN W. RICHARDSON
 6336 EREVEZER ROAD
 BALTO., MARYLAND 21221



NO. 6336 EREVEZER ROAD
 15TH DISTRICT, BALTIMORE CO., MARYLAND
 SCALE 1"=50'
 DATE: 11-3-83
 REVISED: 3/24/84
 3/25/84
 5-19-84 6-6-84 11-15-84

MICROFILMED



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

March 13, 1986

John B. Gontrum, Esquire
809 Eastern Boulevard
Essex, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
N/S/Ebenezer Rd., 575' E of Earls Beach Rd.
(6836 Ebenezer Rd.)
15th Election District
John W. Richardson - Petitioner
Case No. 86-370-A

Dear Mr. Gontrum:

This is to advise you that \$65.16 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.

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

No. 018454

DATE 3-26-86 ACCOUNT 2-1-1-15-000

AMOUNT \$ 65.16

RECEIVED FROM John W. Richardson

FOR Advertising & Posting 46-22-A

VALIDATION OR SIGNATURE OF CASHIER

more County, Maryland, and remit
Building, Towson, Maryland

CORRECTED NOTICE

John B. Gontrum, Esquire
809 Eastern Boulevard
Essex, Maryland 21221

February 28, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
N/S/Ebenezer Rd., 575' E of Earls Beach Rd.
(6836 Ebenezer Rd.)
15th Election District
John W. Richardson - Petitioner
Case No. 86-370-A
11:30 a.m.

TIME:

DATE: Wednesday, March 26, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

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

No. 018326

DATE 3-26-86 ACCOUNT 01-615

AMOUNT \$ 100.00

RECEIVED FROM John W. Richardson

FOR (John W. Richardson)

VALIDATION OR SIGNATURE OF CASHIER

John B. Gontrum, Esquire
809 Eastern Boulevard
Essex, Maryland 21221

February 21, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
N/S/Ebenezer Rd., 575' E of Earls Beach Rd.
(6836 Ebenezer Rd.)
15th Election District
John W. Richardson - Petitioner
Case No. 86-370-A

TIME: 11:30 a.m.

DATE: Wednesday, March 26, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

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

No. 012329

DATE 3-26-86 ACCOUNT

AMOUNT \$

RECEIVED FROM

FOR Item - 134

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MR. ARNOLD JABLON
TO: Zoning Commissioner Date: March 20, 1986

NORMAN E. GERBER, AICP
FROM: Director of Planning and Zoning

Chesapeake Bay Critical Area Review - Herbert R. Bush et ux
SUBJECT: (86-372-A, Item 243) and John W. Richardson (86-370-A, Item 134)

In regard to the Herbert R. Bush et ux petition, it has been determined and is recommended that this petition will be deemed consistent with Critical Area requirements if one-half of the existing wooded area on each lot is permanently maintained as such. These wooded areas to be preserved must also be protected during construction. All runoff generated by impervious surfaces should be directed towards the wooded areas of the lots in order to achieve maximum infiltration.

The John W. Richardson petition is deemed to be consistent with the Chesapeake Bay Critical Area requirements. A crusher run parking lot would provide for somewhat more stormwater infiltration and would otherwise be no more damaging environmentally than a paved lot.

NEG:PJS:vh

Norman E. Gerber, AICP

cy: Ms. Jean Jung
Dep. Zoning Commissioner

James G. Hoswell, Planner
Office of the Director

Andrea Van Arsdale
Coastal Zone Planner

People's Counsel

Thomas L. Vidmar
Bureau of Engineering, DPW

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner

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

SUBJECT: Zoning Petition Nos. 86-370-A
and 86-372-A

Date: March 21, 1986

Please consider the Chesapeake Bay Critical Area review comments (see memo, Gerber to Jablon dated March 20, 1986) to be the position of this office.

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

NEG/JGH/dmi

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 27, 1986

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

John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

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
Industrial
Development

RE: Item No. 134 - Case No. 86-370-SPHA
Petitioner - John W. Richardson
Special Hearing and Variance
Petitions

Dear Mr. Gontrum:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petitions. 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 petitions. 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. These petitions were accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

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

JED:npr

Enclosures

cc: Mr. Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21201

MARCH 3, 1986
(CRITICAL AREA)

Re: Zoning Advisory Meeting of OCTOBER 22, 1985
Item 134 JOHN W. RICHARDSON
Petitioner: EBENEZER RD. 575' E.
OF EARLS BEACH RD.

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, to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement site is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on or alteration of the floodplain is prohibited under the provisions of Section 22-95 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual.
- ☒ 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 as conditions change are reevaluated annually by the County Council.

THIS SITE IS LOCATED IN THE CHESAPEAKE BAY
CRITICAL AREA. ADDITIONAL COMMENTS WILL BE
FORWARDED BY THE COMPREHENSIVE PLANNING DIVISION.

cc: James Hoswell

Eugene A. Sober
Chief, Current Planning and Development

IN RE: PETITION SPECIAL EXCEPTIONS
N/S of Ebenezer Road, 575' E
of Earls Beach Road - 15th
Election District

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

John W. Richardson,
Petitioner

Case No. 86-202-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests special exceptions for a farmers' co-op roadside stand and a fishing and shellfishing facility, Class II, as more fully described on Petitioner's Exhibit 1.

The Petitioner appeared and testified and was represented by Counsel. Various neighbors appeared on his behalf, some of which testified. See Petitioner's Exhibit 9. Also appearing were Wade Bowers, Ira G. Smith, and Richard Burchett, Protestants.

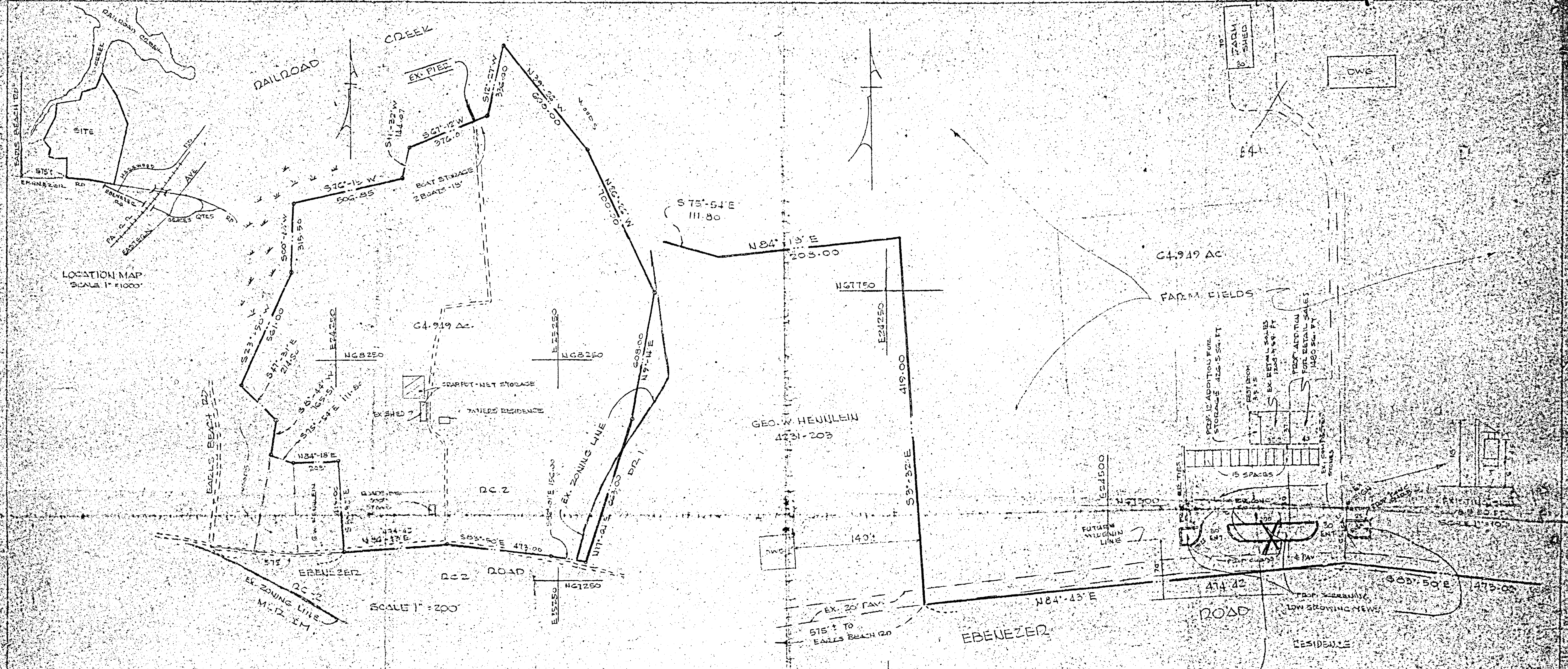
Testimony indicated that the subject property is zoned R.C.2 and comprises 65 acres. The Petitioner purchased the property in 1979 and began operating a farmers' co-op roadside stand by selling produce. He also sold crabs and fish either on consignment or by purchasing them from watermen in the area. Such a stand requires a special exception in an R.C.2 Zone. The property borders Railroad Creek, a tidal water, and the Petitioner wishes to extend his business to include a Class II fishing and shellfishing facility so that he may sell his catch.

The property consists of the roadside co-op stand which faces south toward Ebenezer Road, a driveway extending the entire width of the property from Ebenezer Road to the water, the Petitioner's residence, an existing shed, and an area denoted for crab pot/net storage, as shown on Petitioner's Exhibit 1. The stand is 32.2' x 37' and is equally divided between the actual area for selling

having been met and the health, safety, and general welfare of the community not being adversely affected, the special exceptions should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of February, 1984, that the Petition for Special Exceptions for a farmers' co-op roadside stand and a fishing and shellfishing facility, Class II, in accordance with the site plan introduced and accepted into evidence as Petitioner's Exhibit 1, be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The farmers' co-op roadside stand shall be open for business only from March 1 through December 30 each year.
2. The Petitioner may sell fresh produce, including vegetables and fruit and excluding milk, and fresh fish, i.e., crabs and shellfish, including shrimp, from said stand. Such fish cannot be prepackaged, frozen variety but may be frozen by the fisherman who has caught it for the purpose of transporting it to the Petitioner for sale.
3. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZPAC), which are adopted in their entirety and made a part of this Order.
4. A detailed site plan, incorporating the comments submitted by ZPAC, shall be submitted to the Office of Zoning. Such plan shall bind the Petitioner.
5. Only two boats shall be used for the commercial fishing business and no more than three other professional commercial fishermen may utilize the property.
6. Outdoor cleaning of fish and crabpots shall take place only at the site of the shed across from the dwelling. Such cleaning may occur at the stand if done indoors.
7. A landscaping plan, showing channelization, internal circulation, and screening of the parking area, shall be submitted for approval to the Current Planning and Development Division. No other landscaping shall be required.
8. An appropriate surface plan for the parking area shall be submitted for approval to the Zoning Commissioner.



EXISTING USE - FARMERS ROADSIDE COOP STAND - FISH, SHELLFISH (SHORELINE CLASS 1)
 PROPOSED USE - SAME
 EXISTING ZONING - MC-2
 PROPOSED ZONING - SAME, WITH A SPECIAL EXCEPTION FOR A ROADSIDE COOP STAND - FISH & SHELLFISH FACILITY AND FOR A NON CONFORMING USE
 AREA OF TRACT - 64.919 AC.
 AREA OF ROADSIDE COOP STAND - 1191.4 SQ. FT.

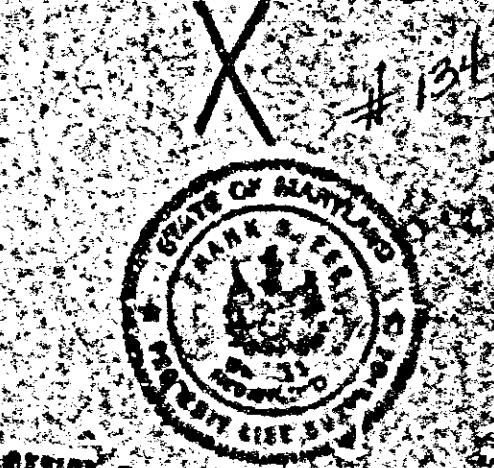


1. COMPLIANCE WITH THE COMMENTS SUBMITTED BY THE BALTO. CO. ZONING PLANS ADVISORY COMMITTEE (ZPAC) WHICH WERE ADOPTED IN THEIR ENTIRETY AND MADE PART OF THIS ORDER.
2. ONLY TWO BOATS SHALL BE USED FOR THE COMMERCIAL FISHING BUSINESS AND NO MORE THAN THREE OTHER FISHERMEN MAY UTILIZE THE PROPERTY.
3. OUTDOOR CLEANING OF FISH AND CRABPOTS SHALL TAKE PLACE ONLY AT THE SITE OF THE SHED ACROSS FROM THE DWELLING. SUCH CLEANING MAY OCCUR AT THE STAND IF DONE INDOORS.
4. A LANDSCAPING PLAN, SHOWING CHANNELIZATION, INTERNAL COAGULATION, AND SCREENING OF THE PARKING AREA, SHALL BE SUBMITTED FOR APPROVAL TO THE CURRENT PLANNING AND DEVELOPMENT DIVISION. NO OTHER LANDSCAPING SHALL BE REQUIRED.
5. AN APPROPRIATE SURFACE PLAN FOR THE PARKING AREA SHALL BE SUBMITTED TO THE ZONING COMMISSIONER. SUCH PLAN MUST BE APPROVED BEFORE THE STAND MAY BE OPEN TO THE COMMERCIAL FISHING BUSINESS MAY BEGIN OPERATING.

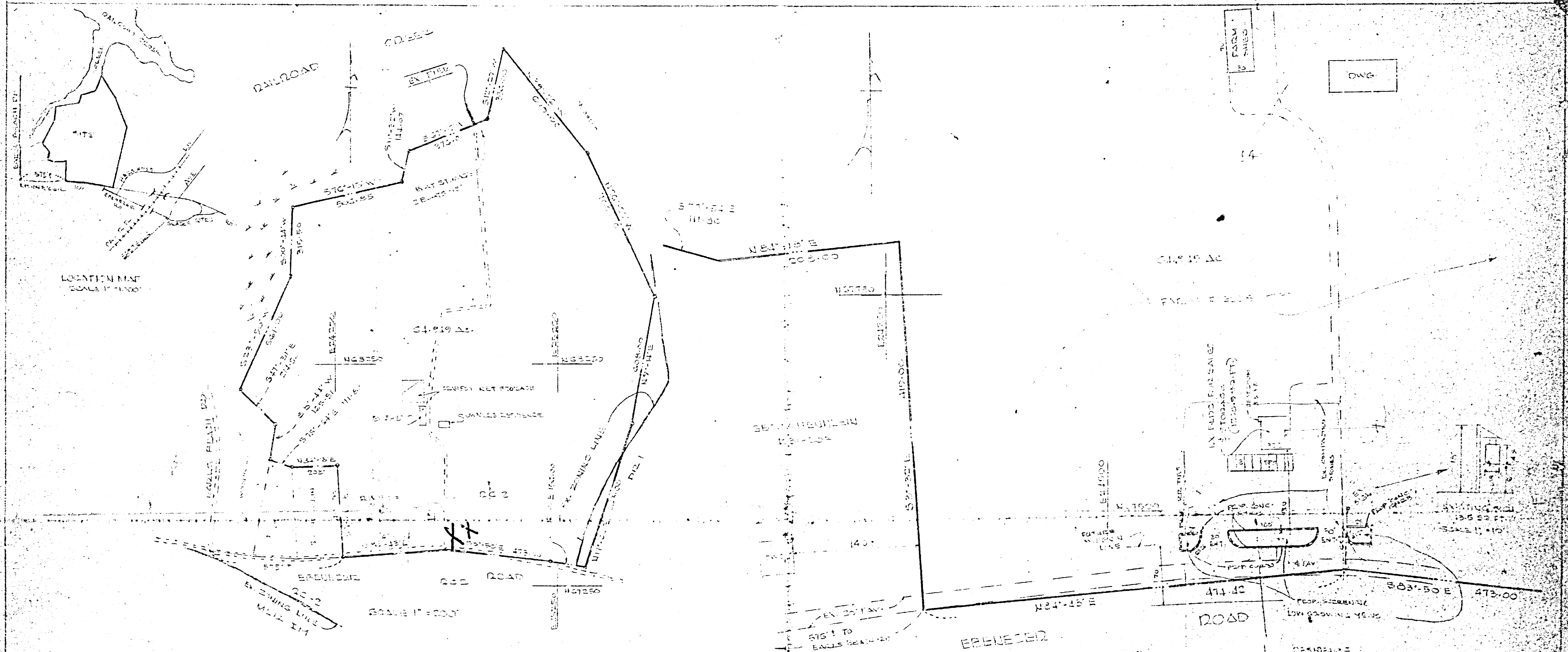
NOTE: THE USE OF APPROVED CHEMICALS FOR DUST CONTROL TO INCLUDE CALCIUM HYDROXIDE AND OTHERS (WITH THE EXCEPTION OF OIL) THE ENTIRE LENGTH OF THE ROADWAY AS REQUIRED. CHEMICAL APPLICATION TO BE REPLENISHED IMMEDIATELY FOLLOWING MODERATE TO HEAVY RAINS. ALL SURFACES TO COMPLY WITH COMAR SECTION 10-18.06.01.B.

PLAT TO ACCOMPANY PETITION FOR AN AMENDED SPECIAL EXCEPTION AND OR VARIANCE FROM SECTION 409.2(C) AND TO ELIMINATE RESTRICTIONS 1 AND 2.

No. 6836 EBENEZER ROAD
 15TH DISTRICT BALTIMORE CO. MARYLAND
 SCALE 1" = 50'



FILED
 PHANT B. 119
 17TH DISTRICT BALTO.
 BALTIMORE, MD. 21201
 6-19-84



EXISTING USE - FARMERS CO. STORE AND STAGE - FISH, SHELLFISH (INCLUSIVE OF FISH)
 PROPOSED USE - SAME
 EXISTING ZONING - R-1
 PROPOSED ZONING - SAME, WITH A SPECIAL EXCEPTION FOR A FARMER'S CO. STORE AND STAGE - FISH, SHELLFISH FACILITY AND FOR A NEW OUTDOOR FISH MARKET.
 AREA OF TRACT - 31.949 AC.
 AREA OF ROADSIDE SHOP BLDG - 1191.4 SQ. FT.

- RESTRICTIONS - PAGE # 21-202-N**
1. THE FARMERS' CO. OUTDOOR STAND SHALL BE OPEN FOR BUSINESS ONLY FROM MARCH 1 TO OCT. 31 OF EACH YEAR.
 2. THE FARMER MAY SELL FRESH FISH, INCLUDING VEGETABLES AND FRESH AND DRIED MEAT, AND FRESH FISH, EGGS AND SHELLFISH, INCLUDING SHRIMP, FROM SAID STAND. SUCH FISH CANNOT BE REFRIGERATED, FROZEN, VACUUMED, BUT MAY BE FROZEN BY FARMERMAN WHO HAS CAUGHT IT FOR THE PURPOSE OF TRANSPORTING IT TO THE FARMERMAN FOR SALE.
 3. COMPLIANCE WITH THE COMMENTS SUBMITTED BY THE BALTO. CO. ZONING PLANS ADVISORY COMMITTEE (2002), WHICH ARE ADOPTED IN THEIR ENTIRETY AND MADE PART OF THIS ORDER.
 4. ONLY TWO EGGS SHALL BE USED FOR THE COMMERCIAL FISHING BUSINESS AND NO MORE THAN THREE OTHER FARMERMAN MAY UTILIZE THE PROPERTY.
 5. OUTDOOR CLEANING OF FISH AND CRABPOTS SHALL TAKE PLACE ONLY AT THE SITE OF THE SHED ADJACENT FROM THE DWELLING. SUCH CLEANING MAY OCCUR AT THE STAND IF DONE INDIVIDUALLY.
 6. A LANDSCAPING PLAN, SHOWING CHANNELIZATION, INTERNAL CIRCULATION, AND SCREENING OF THE PARKING AREA, SHALL BE SUBMITTED FOR APPROVAL TO THE CURRENT PLANNING AND DEVELOPMENT DIVISION. NO OTHER LANDSCAPING SHALL BE REQUIRED.
 7. AN APPROPRIATE SURFACE PLAN FOR THE PARKING AREA SHALL BE SUBMITTED TO THE ZONING COMMISSIONER. SUCH PLAN MUST BE APPROVED BEFORE THE STAND MAY BE OPEN OR THE COMMERCIAL FISHING BUSINESS MAY BEGIN OPERATING.

2 signs
 86-350-SP44
 #134

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FILE TO ACCOMPANY PETITION FOR A SPECIAL EXCEPTION FOR FARMERS' ROADSIDE COOP STORE - FISH, SHELLFISH FACILITY

PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY *[Signature]*
 DATE 11/13/83
 BY *[Signature]*
 ZONING COMMISSIONER
 DATE 11/21/84
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 JOHN W. RICHARDSON
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