

PETITION FOR SPECIAL HEARING

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 Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an existing non-conforming warehouse and storage use.

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

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

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

(301) 823-4111

Legal Owner(s):

The Arundel Corporation

(Type or Print Name)

Signature

Address

City and State

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

John B. Howard, Esquire

210 Allegheny Avenue

Towson, Maryland 21204

Phone No.

(301) 823-4111

Address

City and State

Phone No.

(301) 823-4111

Address

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City and State

Phone No.

(301) 823-4111

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: May 13, 1987

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

SUBJECT: Zoning Petition Nos. 87-491-SPH, 87-494-SPH, 87-495-SPH and 87-496-SPH

In view of the subjects of these petitions, this office offers no comments.

NEG:JGH:sib

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 19th day of April, 1987.

Petitioner: The Arundel Corporation
Attorney: John B. Howard, Esquire
Received by: Susan B. Ryan
Chairman, Zoning Plans Advisory Committee

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

TELEPHONE
(301) 823-4111
TELETYPE
(301) 823-4111

October 2, 1987

Arnold E. Jablon, Esquire
County Attorney
Baltimore County Office Building
Towson, Maryland 21204

Re: Petition for Special Hearing
The Arundel Corporation
Case No.: 87-494-SPH

Dear Mr. Jablon:

Enclosed please find a draft of the proposed Findings of Fact and Conclusions of Law in the above-referenced case.

Please let me have any comments you may have at your earliest convenience.

Yours truly,

Robert A. Hoffman

RAH:bw
Enclosure

In Re: PETITION FOR SPECIAL HEARING
Lightfoot Dr., 1600'
W of Greenspring Dr.
3rd Election District
The Arundel Corporation,
Petitioner
BEFORE THE
ZONING COMMISSIONER OF
BALTIMORE COUNTY
Case No. 87-494-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests the Zoning Commissioner to confirm the existence of a nonconforming use on the subject property for a warehouse and storage use, as is more particularly described on Petitioner's Exhibit 1.

The Petitioner by David Scheffner, Vice-President, appeared and testified, and was represented by counsel, Barbara Zirkin and Robert Goldman of the Smith-Greenspring Association, Inc., and Herbert Silverman, an adjacent property owner, appeared in opposition. Donald Kennedy, the retired property manager for Arundel, and Edward Beck, current manager, testified for the Petitioner.

Testimony indicated that the subject property, located on the south side of Arundel's current property, was sold by Arundel in 1952. The new owner cleared the site and began storing trucks. In 1952 or 1953, the new owner constructed a garage and repair facility for this trucks, a use which continued uninterrupted and, according to Arundel, which has continued to this date. Upon the death of the owner, the estate leased the property to another, similar user, which continued to store trucks and utilize the garage to repair its own trucks. In 1985, the property was leased to Plants Plus, Inc., which used the site to store and care for plants. This use continued until early in 1987, when it ceased operation after questions from the Zoning Office raised the specter of cessation of any possible nonconforming use. The Petitioner herein filed this petition to clarify what uses it could have, and which uses would constitute a legitimate continuation of the nonconforming use.

ORDER RECEIVED FOR FILING
Date 10/13/87
By [Signature]

ORDER RECEIVED FOR FILING
Date 10/13/87
By [Signature]

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of April, 1987, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 15th day of June, 1987, at 10:30 o'clock

[Signature]
Zoning Commissioner of Baltimore County

The Arundel Corporation has entered into a long-term lease agreement with the family of the owner who purchased the property in 1952 and wants to insure that whatever uses it may deem appropriate for the site would not be in violation of the zoning regulations.

The property, zoned R-10 in 1957, and zoned DR 3.5 in 1971, was not zoned prior to 1957.

The Protestants are concerned about what uses Arundel proposes, and, in light of the covenants executed by and between Arundel and the community a few years ago, demand to know to what purpose Arundel proposes to utilize this site.

The Petitioner seeks relief pursuant to Section 104.1 and Section 500.7, BCZR.

The Petitioner and Protestants have been able to resolve the concerns expressed by the Protestants and to clarify the uses which they believe would be in conformity with the uses which have existed on the property since 1952. By letter to Mr. Goldman, dated 13 August 1987, the Petitioner's counsel delineates the intent and purpose of Arundel's request for a determination of possible uses permitted. This letter, adopted in its entirety and made part of this Order, accurately reflects the legitimate utilization of the property and places the legal parameters for its present and future use, providing, of course, that there is no voluntary cessation for more than one year, in which case the nonconforming use would terminate.

After reviewing all of the testimony and evidence presented, it is determined that a nonconforming use does exist. However, it is also necessary to define when either intensification or change oversteps its permissible role and changes the use to the extent not permitted causing the termination of the nonconforming use. The letter, cited above, establishes those parameters, and for the limitations contained therein is adopted as part of this Order.

Pursuant to the advertisement, posting of the property, and public hearing held on this Petition, and for the reasons given, the relief prayed for shall be Granted.

Therefore, It is Ordered by the Zoning Commissioner of Baltimore County, this 14th day of October, 1987, that a nonconforming use for a warehouse and storage use is approved, and as such, the Petition for Special Hearing is hereby Granted, from and after the date of this Order, subject to the following:

1. The letter dated 13 August 1987 from counsel for Arundel to Robert Goldman is and shall be adopted and made part of this Order, in its entirety, and the Petitioner is thereby restricted and encumbered by and to numbered paragraphs therein 1, 2, 3 and 4. These restrictions establish the parameters beyond which will cause the nonconforming use to terminate for the subject property.

[Signature]
Zoning Commissioner of Baltimore County

cc: Robert A. Hoffman, Esq.
Herbert Silverman, Esq.
Robert L. Goldman, President
Barbara Zirkin
People's Counsel

ORDER RECEIVED FOR FILING
Date 10/13/87
By [Signature]

Description to Accompany Petition for Special Hearing
(4.0 Acres More or Less Parcel Situate at Lightfoot Drive
1600 Feet More or Less West of Green Spring Drive.)
Third Election District, Baltimore County, Maryland.

Beginning for the same is the centerline of Lightfoot Drive, 50 feet wide, at a point distant 1600 feet more or less as measured in a westerly direction on said centerline of Lightfoot Drive from its intersection with the centerline of Green Spring Avenue, thence leaving said point of beginning and the centerline of Lightfoot Drive and running the five following courses and distances, viz: (1) South 68 degrees 40 minutes 45 seconds West 139 feet more or less, thence (2) North 05 degrees 15 minutes 05 seconds West 338.20 feet, thence (3) North 78 degrees 29 minutes 55 seconds East 616.65 feet, thence (4) South 03 degrees 54 minutes 00 seconds East 230.38 feet, and thence (5) South 68 degrees 40 minutes 45 seconds West 493 feet more or less to the point of beginning.

Containing 4.0 acres of land more or less.

NOTE: THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

February 18, 1987

Our Job No. 85030 (3D:L85030)



PETITION FOR SPECIAL HEARING
3rd Election District - 2nd Councilmanic District
Case No. 87-494-SPH

LOCATION: North Side of Lightfoot Drive, 1600 feet west of the Centerline of Greenspring Avenue
DATE AND TIME: Monday, June 15, 1987, at 10:30 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 Hearing to approve an existing nonconforming warehouse and storage use

Being the property of The Arundel Corporation, 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 HEARING : BEFORE THE ZONING COMMISSIONER
N/S Lightfoot Dr., 1500' W of
C/L of Greenspring Ave., : OF BALTIMORE COUNTY
3rd District
THE ARUNDEL CORPORATION, : Case No. 87-494-SPH
Petitioner

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
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 26th day of May, 1987, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

June 10, 1987

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
N/S Lightfoot Dr., 1600' W of the c/l of
Greenspring Ave.
3rd Election District - 2nd Councilmanic District
The Arundel Corporation - Petitioner
Case No. 87-494-SPH

Dear Mr. Howard:

This is to advise you that \$60.57 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 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
Arnold Jablon
Zoning Commissioner

AJ:md

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 35947

DATE 6/14/87 ACCOUNT R-01-615-000
AMOUNT \$ 25.00
Cook, Howard, Downes & Tracy, 210 Allegheny Ave., Towson, Md. 21204
RECEIVED FROM
LOST SIGN FEE RE ARUNDEL CORP. CASE #87-494-SPH
FOR
B 8043*****250014 7248F
VALIDATION OR SIGNATURE OF CASHIER



CERTIFICATE OF PUBLICATION

37956

Pikesville, Md., May 27, 1987

RTIFY, that the annexed advertisement in the NORTHWEST STAR, a weekly paper published in Pikesville, Baltimore and before the 15th day of

19 87

location appearing on the

day of May, 19 87

location appearing on the

day of May, 19 87

the third publication appearing on the

day of May, 19 87

THE NORTHWEST STAR

Phyllis Cole Friedman
Phyllis Cole Friedman
Manager

Cost of Advertisement \$22.40

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 3589

DATE 6/10/87 ACCOUNT R-01-615-000
SIGN & POST TO BE RETURNED
AMOUNT \$ 60.57
Cook, Howard, Downes & Tracy, 210 Allegheny Ave., P.O. Box 5517, Towson, Md. 21204
RECEIVED FROM
ADVERTISING & POSTING COSTS RE CASE #87-494-SPH
FOR
B 8137*****605714 8118F
VALIDATION OR SIGNATURE OF CASHIER

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

May 8, 1987

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
N/S Lightfoot Dr., 1600' W of the c/l of
Greenspring Ave.
3rd Election District - 2nd Councilmanic District
The Arundel Corporation - Petitioner
Case No. 87-494-SPH

TIME: 10:30 a.m.

DATE: Monday, June 15, 1987

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

Arnold Jablon
Arnold Jablon
Zoning Commissioner
of Baltimore County

AJ:md

cc: The Arundel Corporation
110 West Road
Towson, Maryland 21204
ATTENTION: Mr. David P. Scheffacker, Vice President

Ms. Barbara Zirkin
6820 Chippewa Drive
Baltimore, Maryland 21209

Mr. Robert Goldman
6601 Pimlico Road
Baltimore, Maryland 21209

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 30580

DATE 6/26/87 ACCOUNT R-01-615-000
AMOUNT \$ 100.00
RECEIVED FROM
Cook, Howard, Downes & Tracy
FOR FILING FEE FOR SPECIAL HEARING Item 351
B 8118*****1000014 2274F
ARUNDEL CORP. - PETITIONER
VALIDATION OR SIGNATURE OF CASHIER

LAW OFFICES
COOK, HOWARD, DOWNE & TRACY
210 ALLEGHENY AVENUE
P.O. BOX 5517

TOWSON, MARYLAND 21204

TELEPHONE
(301) 583-4841
TELEFAX
(301) 583-0447

HAND DELIVERY

August 13, 1987

JUDITH A. ARNOLD
DEBORAH C. DOWNS
KATHLEEN GALLAGHER COV
KEVIN H. SMITH
J. MICHAEL BRENNAN
H. BARRY PETERSON, JR.
KATHLEEN L. KOTZ
REGAN J. H. SMITH
JULIE A. STEINBERG
JAMES O. C. DOWNS
(301) 583-4841

Robert L. Goldman, President
Smith-Greenspring Association, Inc.
6601 Pimlico Road
Baltimore, Maryland 21209

Re: Petition for Special Hearing
Case No.: 87-494-SPH
The Arundel Corporation, Petitioner

Dear Mr. Goldman:

As you are aware, this firm represents the Arundel Corporation in its Petition for Special Hearing to approve an existing non-conforming warehouse and storage use at the above referenced property.

On Monday, June 15, 1987, a hearing was held before the Zoning Commissioner of Baltimore County. At the instance of the Zoning Commissioner, discussions were held between you (as President of the Smith-Greenspring Association), protestants at the hearing, and the Arundel Corporation in regards to acceptable uses of the subject property. The intent was to resolve the differences between the parties. As a result, it has been agreed that the Association will support the Arundel Corporation's Petition for Special Hearing and will agree not to appeal the decision of the Zoning Commissioner, provided that the Arundel Corporation limit its use of the subject property to the following:

1. A warehouse nursery and landscaping operation, including but not limited to, the storage of plants, plant foods, fertilizers, trees, shrubs, garden supplies, seeds and garden tools within the area designated as "site" on the attached plan. There shall be no storage of cranes, bulldozers or other similar types of equipment.

2. There shall be no signs for the above described nursery and landscaping operation except one at the entrance used by the nursery and landscaping operation.

3. The south entrance to the Arundel Quarry shall not be the entrance utilized by the above described nursery and landscaping operation.

Robert L. Goldman, President
Smith-Greenspring Association, Inc.
August 13, 1987
Page 2

4. The use of the property for the above described nursery and landscaping operation shall cease on December 31, 1999. Following that date, the property may be used in any manner consistent with its then zoning classification.

This agreement is expressly contingent upon the granting of the relief asked for in Arundel's Petition for Special Hearing and no appeal being taken by any persons to that decision. Should either contingency not be met, this agreement shall immediately be null and void.

If the foregoing properly reflects your understanding of the agreement between the parties, it would be appreciated if you would sign where indicated below.

Yours truly,

Robert L. Hoffman
Robert L. Hoffman

RAH:bw

cc: Herbert H. Silverman, Esquire
David P. Scheffacker

Smith-Greenspring Association, Inc.

Robert L. Goldman 9/2/87
By: Robert L. Goldman, President

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 21, 1987

STAFF OFFICE BLDG.
11 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

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

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No. 351 - Case No. 87-494-SPH
Petitioner: The Arundel Corporation
Petition for Special Hearing

Dear Mr. Howard:

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:kbb

Enclosures

cc: Deft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21204



STEPHEN E. COLLINS
DIRECTOR

April 13, 1987

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

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items 350, 351, 352, 353, 354, 355, and 356.

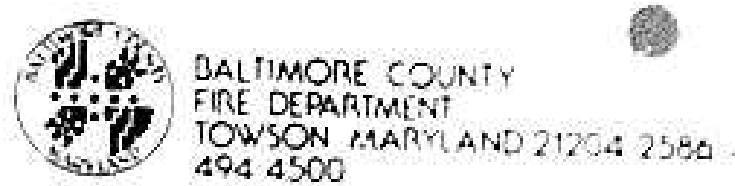
Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

CERTIFICATE OF POSTING
BUREAU OF ENGINEERING
TOWSON, MARYLAND

87-494-SPH

District: *3rd*
Filed for: *Special Hearing*
Petitioner: *The Arundel Corp.*
Location of property: *N/S of Lightfoot Dr. 1600' W of the C/L of Greenspring Ave.*
Location of sign: *South side of Lightfoot Dr. opposite Arundel Quarry*
Remarks: *See attached*
Filed by: *A. J. Roth*
Date of return: *June 1, 1987*
Number of signs: *1*



PAUL H. REINKE
CHIEF

March 13, 1987

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

Property Owner: The Arundel Corporation

Location: N/S Lightfoot Drive, 1600' W. of centerline of Greenspring Avenue

Item No.: 351

Zoning Agenda: 3/17/87

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.

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.

REVIEWER: *Paul H. Reinke* Noted and
Planning Group Approved:
Special Inspection Division

Fire Prevention Bureau

/mb



TED ZALESKI, JR.
DIRECTOR

April 16, 1987

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

Dear Mr. Jablon:

Comments on Item # 351 Zoning Advisory Committee Meeting are as follows:

Property Owner: The Arundel Corporation
Location: N/S Lightfoot Drive, 1600' W. of centerline of Greenspring Ave.
District: 3rd

APPLICABLE ITEMS ARE CIRCLED:

(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 Age (A.D.A. 1974) - 1987 and other applicable Codes and Standards.

(B) A building and other structures permit 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 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. Registered seals are not acceptable.

(E) All One Group except 2-4 Single Family Detached Buildings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. 2-4 One Group require a one hour wall if closer than 5'-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 1007, Section 1008.2 and Table 1007. No openings are permitted in an exterior wall within 5'-0" of an interior lot line.

(F) The structure shall not appear to comply with Table 505 for permissible height/area. Apply 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 requested Change of Use/Accessory Permit, an alternative 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 Mixed Use _____. See Section 313 of the Building Code.

(I) The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 514.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the Flood Plain Levels including basement.

(J) Comments: Section 103.1 as amended in Bill #17-85 appears applicable to the existing use.

(K) These abbreviated comments reflect only on the information provided by the licensee submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. It is desired that the applicant may obtain additional information by visiting Room 177 of the County Office Building at 111 N. Chesapeake Avenue, Towson, Maryland 21204.

111 N. Chesapeake Avenue, Towson, Maryland 21204
Building Plans Review

JTZ/MS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James Dyer
Zoning Supervisor

Date: 2/27/87

FROM: James Thompson
Zoning Enforcement Coordinator

Item No.: 351 (if known)
SUBJECT: Petitioner: Arundel Corp. (if known)

VIOLATION CASE: C-87-431

LOCATION OF VIOLATION: 6904 Greenspring Avenue

DEFENDANT: Arundel Corp. ADDRESS: 670 ROBERT HOFMANN, JR.
670 ROBERT HOFMANN, JR.
P.O. BOX 1007
TOWSON, MD 21204

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME: (1) Mrs. Barbara Jirkin

ADDRESS: 6830 Chaffery Drive
Pulaski, Md. 21209

(2) Robert Goldman

6601 Primier Road
Baltimore, Md. 21209

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

PS-008

SUBLEASE

THIS SUBLEASE AGREEMENT, made this 26 day of June, 1986, by and between THE ARUNDEL CORPORATION, a Maryland corporation, ("Sublandlord") and PLANTS PLUS, INC., a Maryland corporation ("Subtenant").

Sublandlord is the Tenant under a lease dated July 10, 1955 from ELIZABETH S. GROOM ("Owner"); the parties hereto acknowledge that Subtenant's rights pursuant to the herein Sublease are expressly subject to the rights and privileges of Owner.

WITNESSETH, that in consideration of the rents and covenants hereinafter set forth, Sublandlord hereby leases to Subtenant and Subtenant hereby rents from Sublandlord, all that lot of ground with the improvements (the "Building") thereon (collectively, the "Property") situate and lying in Baltimore County, Maryland consisting of 3.98 acres, more or less, and more particularly described in a Deed and Agreement dated October 29, 1952 and recorded among the Land Records of Baltimore County in Liber 2200, folio 513, upon the following terms and conditions:

1. TERM: The term of this Sublease shall commence on July 1, 1986 (the "Commencement Date") and shall be for a period of one (1) year (the "Base Term"), ending on June 30, 1987, unless sooner terminated or renewed as hereinafter provided.

2. RENEWAL OPTION: Provided Subtenant is not in default of any of the terms hereof during the Base Term or any renewal term, Subtenant shall have the right to renew the term of this Sublease for one period of four (4) years (the "First Renewal Term") and for one period of two (2) years (the "Second Renewal Term") upon all the same terms and conditions as provided herein, except for the rental which shall be determined in accordance with paragraph 3(b) below. Subtenant shall give Sublandlord written notice of its election to renew the term four (4) months prior to the expiration of the Base Term and six (6) months prior to the expiration of the First Renewal Term.

3. RENT:

a) During the Base Term of this Sublease, Subtenant covenants and agrees to pay to Sublandlord, as rental for the Property, the sum of Twelve Thousand Dollars (\$12,000.00) per annum in monthly installments of One Thousand Dollars (\$1,000.00) each, without offset, deduction or demand, which shall be due and payable in advance on the first day of each month during the term. Any monthly installment of rent hereunder received by Sublandlord later than five (5) days following the due date thereof shall carry a penalty for late payment amounting to five percent (5%) of such monthly installment.

b) During the First Renewal Term of this Sublease, Subtenant shall pay to Sublandlord, as annual rental for the Property, the greater of:

JEFFERSONIAN
EXHIBIT 2

Exhibit 2

CERTIFICATE OF PUBLICATION

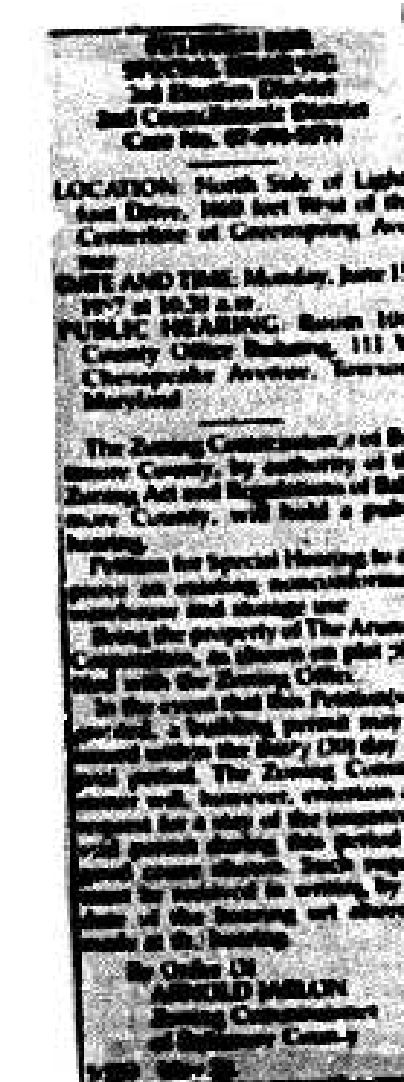
TOWSON, MD. May 26, 1987

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 May 26, 1987.

THE JEFFERSONIAN.

Susan Stueder O'Connell
Publisher

32.17



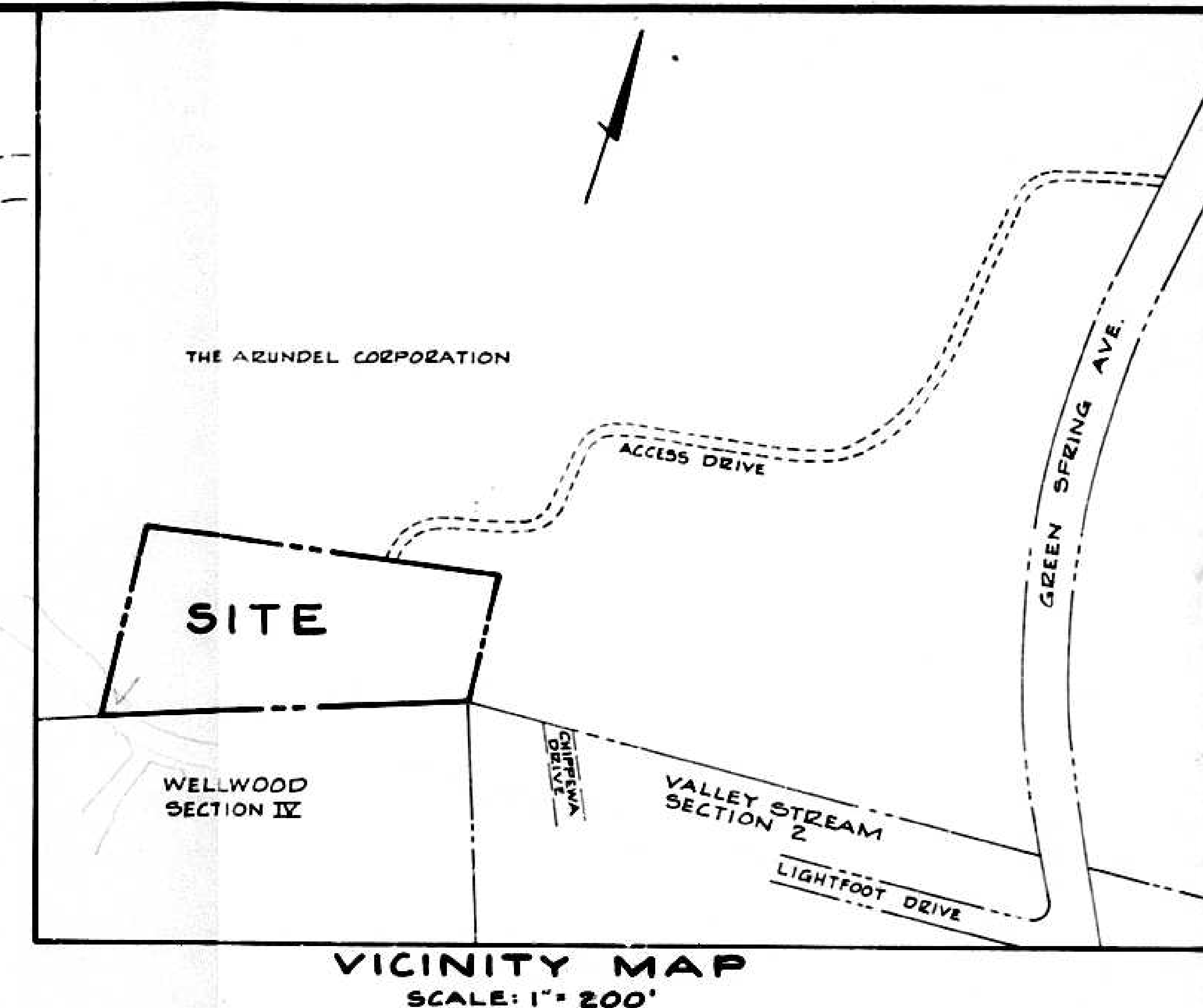
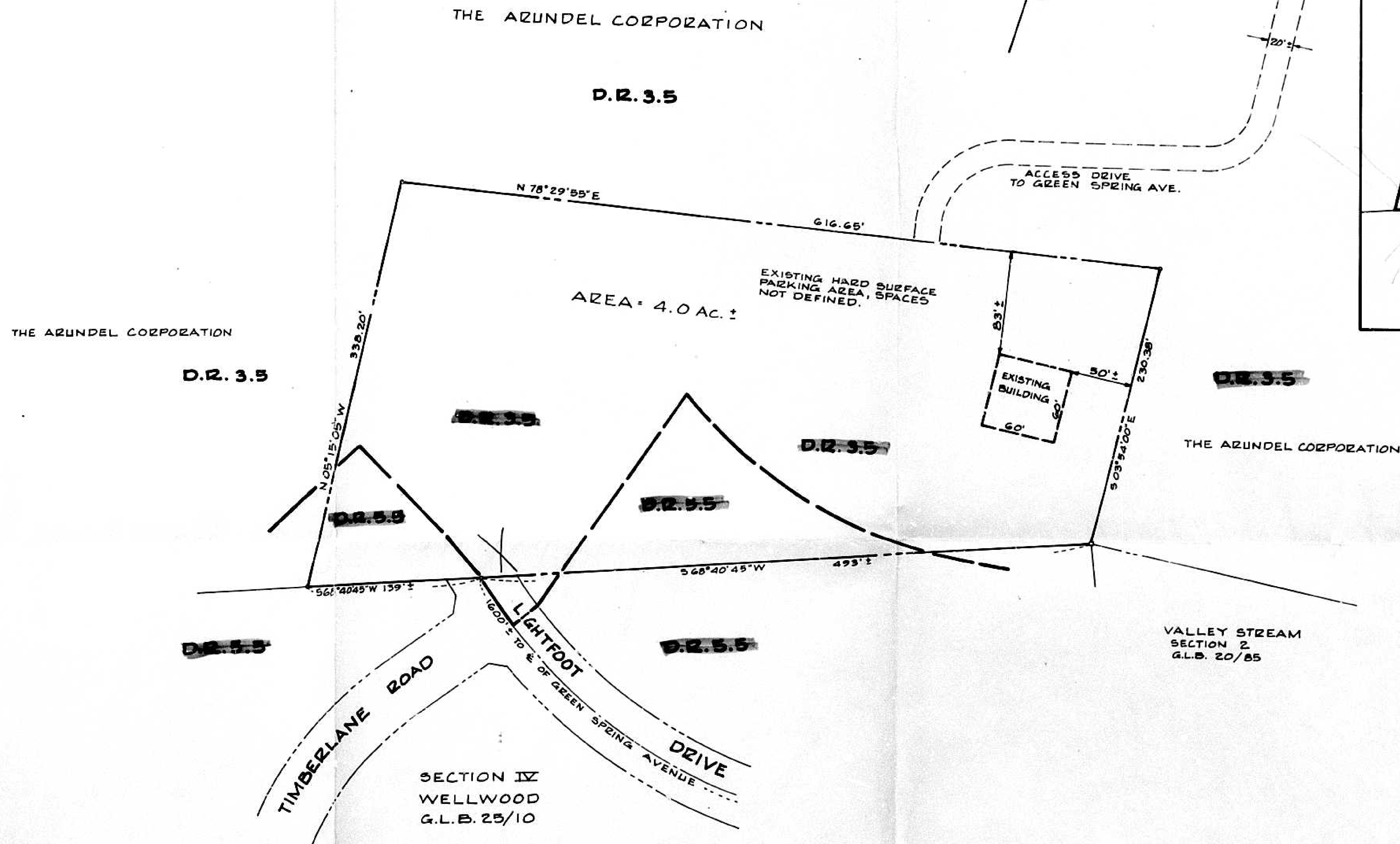
THIS AGREEMENT, made this 10 day of Oct. in the year nineteen hundred and sixty-nine, between ELIZABETH GROOM, Pasadena, Maryland, hereinafter called the Landlord, and HOWARD G. WILLIAMS, T/A WILLIAMS CRANE SERVICE, 3727 E. Joppa Road, Baltimore, Maryland, 21236, hereinafter called the Tenant.

WITNESSETH, that the said Landlord for and in consideration of the payment of the rental and performance of the covenants and agreements herein-after mentioned, demises and leases unto the said Tenant the following described premises: All that land and building located just west of Greenspring Avenue and just north of Lightfoot Drive in Baltimore County which is currently enclosed by a metal fence together with the radio antenna and fuel tanks now on the property with the right of ingress and egress to Greenspring Avenue for automobiles, trucks, and other contractor's equipment, to be used by the Tenant as an office, workshop and storage area for contractor's equipment including tractors, trucks, cranes and allied equipment, and for no other purposes, for the term of two (2) years, beginning on the 10th day of October, 1969, and ending on the 9th day of October, 1971, at rental of Four Thousand Five Hundred (\$4500.00) Dollars per annum, payable in equal quarterly installments of One Thousand One Hundred Twenty-Five (\$1125.00) Dollars in advance, on the 10th days of October, January, April, and July in each year, during the term of this lease. Tenant may terminate this lease at anytime by giving to the Landlord prior written notice of at least ninety (90) days.

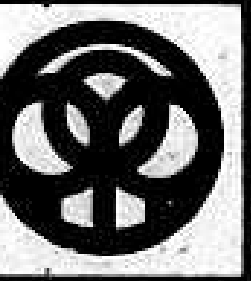
THE above letting is on the following terms and conditions:

FIRST: Tenant covenants, without any previous demand therefor, to pay the said specified rental at all times and in the manner above provided. In case of non-payment of said rent, or in case the Tenant shall abandon or vacate said leased premises, the Landlord shall have the right to enter the same and to distraint for rent, and also to re-let the said premises as the agent of the Tenant,

JEFFERSONIAN
EXHIBIT 3



**PETITIONER'S
EXHIBIT** 1

 DAFT - McCUNE - WALKER INC. LAND PLANNING CONSULTANTS LANDSCAPE ARCHITECTS ENGINEERS 200 E. PENNSYLVANIA AVE. TOWSON, MD 21204 TELEPHONE 301-296-3337	
PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING FOR NON-CONFORMING USE	
2ND COUNCILMANIC DISTRICT 3RD ELECTION DISTRICT BALTIMORE CO., MD.	
DATE	REVISIONS
2/23/87	ZONING COMMENTS
SCALE: 1" = 50'	
JOB ORDER NO. 83035	
ISSUE DATE FEB. 16, 1987	

351 *[Signature]*

OFFICE COPY

87-494-SPH

PRINTED

FEB 24 1987

DAFT-McCUNE-WALKER, INC.

JUL 28 1988