

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – S/S Joppa Road, and
W/S 20' Wide Use in Common R/W
(3611 East Joppa Road)
11th Election District
6th Councilmanic District

Lockered Scott Gahs, Jr. and
Thurley M. Gahs - Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-303-SPHA

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Lockered Scott Gahs, Jr. and Thurley M. Gahs, through their attorney, John B. Gontrum, Esquire. The Petitioners request a special hearing to determine parking requirements, pursuant to Section 409 of the Baltimore County Zoning Regulations (B.C.Z.R.), for an existing greenhouse and garden center with display areas, and to approve a modified parking plan, pursuant to Section 409.12 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioners request variance relief from the B.C.Z.R. as follows: From Section 409.6.A.2 to permit 87 parking spaces in lieu of the required 119; from Section 409.8.A.2 to permit parking on gravel and crusher run surfaces in lieu of the required durable and dust-free surface, and from Section 409.8.A.6 to permit unstriped parking spaces in lieu of the required visible striped spaces. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Lockered S. Gahs, Jr. and William Gahs, property owners, Richard Matz, Professional Engineer who prepared the site plan of this property, Wes Guckert, Traffic Engineer, and John B. Gontrum, Esquire, attorney for the

ORDER RECEIVED FOR FILING

Date

By

Petitioners. Appearing as Protestants in the matter were Nancy Hastings, Anna Reich, and Ruth Baisden, nearby property owners.

Testimony and evidence offered revealed that the subject property consists of a gross area of 4.455 acres, more or less, split zoned B.L.-B.M., and is located on the south side of Joppa Road, just east of its intersection with Jasper Lane in Parkville. The property is improved with a retail garden center known as the Country Plant Store and is accessed from Joppa Road via a tar and chip driveway that runs a distance of approximately 230 feet. Improvements on the property include an open pavilion, four (4) connected retail buildings, a number of greenhouses, and other accessory structures, as shown on the site plan. The Petitioners are desirous of constructing an addition to the rear of existing Retail Building #4 for use as a greenhouse. However, in order to proceed as proposed, the requested special hearing and variance requests are necessary.

As noted above, several residents from the surrounding community appeared in opposition to the request. Of particular concern to these residents was the use of the tar and chip driveway by the Petitioners to gain access to Joppa Road. Ms. Hastings testified that the use of this driveway by customers and delivery trucks disperses an enormous amount of dust into the adjacent community. She indicated that her family owns property across Joppa Road from the subject site and that the dust created by the use of this driveway can be troublesome during hot, dry months. The citizens who appeared at the hearing were not so much concerned about the use of the property as a garden center; however, Ms. Hastings wanted assurances that dust would not continue to be a problem as a result of the proposed improvements.

Subsequent to the hearing, I visited the property and observed conditions as I drove over the tar and chip driveway. I found that the surface of this driveway was not creating the dust problem referred to by the Protestants. While this driveway does contain some potholes that need

CODER RECEIVED FOR PLANNING
3/25/89
JHP

to be repaired, I find that if the Petitioners were to sweep the driveway and parking lot in front of the business on a regular basis, that any dust problem would be eliminated. I believe that with proper sweeping, and watering, if necessary, the tar and chip driveway and parking lot can function without causing dust to be generated into the air.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variance relief are not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

ORDER RECEIVED FOR FILING
Date 5/22/89
By [Signature]

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25th day of May, 1999 that the Petition for Special Hearing to approve a modified parking plan, pursuant to Section 409.12 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Section 409.6.A.2 to permit 87 parking spaces in lieu of the required 119; from Section 409.8.A.2 to permit parking on gravel and crusher run surfaces in lieu of the required durable and dust-free surface, and from Section 409.8.A.6 to permit unstriped parking spaces in lieu of the required visible striped spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The tar and chip driveway and parking lot shall be regularly swept and watered to the extent necessary to minimize the disbursement of dust particles into the air. In addition, the Petitioners shall be required to repair all potholes that exist on the driveway and parking lot.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED
Date 5/25/99
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

May 24, 1999

John B. Gontrum, Esquire
Romadka, Gontrum and McLaughlin
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
S/S Joppa Road at W/S 20' Wide Use in Common R/W
(3611 East Joppa Road)
11th Election District – 6th Councilmanic District
Lockered S. Gahs, Jr. & Thurley M. Gahs – Petitioners
Case No. 99-303-SPHA

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Messrs. Lockered S. Gahs, Jr. & Thurley M. Gahs
4101 Martin Avenue, Baltimore, Md. 21236
Ms. Nancy Hastings, 7714 Buck Hill Road, Baltimore, Md. 21234
Ms. Ruth Baisden, 7706 Oak Avenue, Baltimore, Md. 21234

People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 3611 E. 400th Road
which is presently zoned B.L. + B.M.

This Petition shall be filed with the Department of Permits and Development Management. 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

*Parking Requirements Pursuant to Section 405 of the BCZR
for Greenhouse and garden center with display areas and to
grant a modified Parking Plan Pursuant to Section 405.12 of the BCZR.*

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

John B. Gontz
Name - Type or Print _____

Signature _____

Company *Caradillo, Gontz and McLaughlin, P.A.*

Address *514 Eastern Blvd.* Telephone No. *410-686-8274*

City *Baltimore, Md.* State _____ Zip Code *21221*

Legal Owner(s):

LOCKWOOD SCOTT GALT, JR.
Name - Type or Print _____

Signature *Lockwood Scott Galt, Jr.*

Thomas M. Galt
Name - Type or Print _____

Signature _____

4101 MARTIN AVE.
Address _____ Telephone No. _____

Baltimore, Md. City _____ State _____ Zip Code *21236*

Representative to be Contacted:

Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By UC Date 2/5/99

No Review

Case No. 99-303-SPHA

Drop off

ORDER RECEIVED FOR FILING
Date 2/5/99
By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3611 E. YAPPA ROAD
which is presently zoned B.C. & B.M.

This Petition shall be filed with the Department of Permits and Development Management. 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(s) 409.6A.2 TO PERMIT 87 SPACES in lieu of required 118 spaces; FROM SECTION 409.8A.2 TO PERMIT parking on gravel underlaid run surfaces in lieu of required double and JUST FREE SURFACE; FROM SECTION 409.8A.6 TO PERMIT UNSTRIPED PARKING spaces in lieu of required visible striped spaces.

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

IRREGULARLY SHAPED LOT WITH EXISTING GREENHOUSES and garden center presents a unique parking situation, which cannot be accommodated without destruction of existing buildings. Existing parking has always been sufficient on paved areas and unpaved areas only used as none, overflow. Paving and striping these areas would produce more run-off with no beneficial effects.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Name

Address

City

Telephone No.

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By 461 Date 2/5/99

Case No. 99-303-SPHA

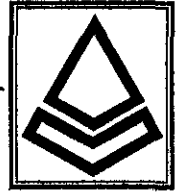
RE 9/15/98

Drop Off No Review

ORDER RECEIVED FOR FILING

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



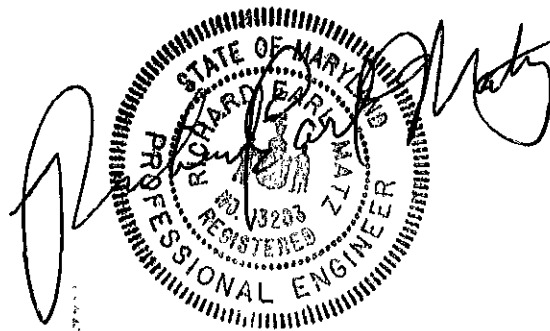
ZONING DESCRIPTION

3611 EAST JOPPA ROAD

Beginning at a point on the west side of a 20-foot use in common right-of-way which is 635 feet south of the centerline of the nearest improved intersecting street, Joppa Road, which is 70 feet wide. Thence the following courses and distances:

N 88°11'31" W 330.37 ft.;
S 17°51'33" E 137.77 ft.;
N 53°05'58" W 240.84 ft.;
N 27°51'59" E 137.29 ft.;
N 02°42'43" E 134.14 ft.;
N 89°13'12" E 112.63 ft.;
N 27°41'11" E 16.05 ft.;
N 82°32'46" E 143.14 ft.;
S 75°53'58" E 243.50 ft.; and
S 00°49'02" W 254.28 ft. to the place of beginning.

As recorded in Deed Liber 12446, Folio 595, containing 160,165 sq. ft. or 3.68 acres. Also known as 3611 East Joppa Road and located in the 11th Election District.



I:\jobs\95092ga\hs.doc

12/23/1998

99-303-SPHA

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-303-SPHA
3611 East Joppa Road
S/S Joppa Road, 300' to the rear, and approximately 450' E of Jasper Lane
11th Election District - 6th Councilmanic District
Legal Owner: Thurley, M. & Luckerad Scott Gals, Jr.

Special Hearing: to approve parking requirements for greenhouse and garden center with display areas and to grant a modified parking plan. **Variance:** to permit 67 spaces in lieu of the required 119 spaces; to permit parking on gravel and crusher run surfaces in lieu of required durable and dust free surfaces; and to permit unstriped parking spaces in lieu of required striped spaces.
Hearing: Wednesday, March 24, 1999 at 3:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations please contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, contact the Zoning Review Office at (410) 887-3391.
3/016 Mar. 4

C294398

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/4/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/4/, 1999.

THE JEFFERSONIAN,

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 076608

DATE 1/14/00 ACCOUNT 001-6150

AMOUNT \$ 40.00 (JRA)

RECEIVED FROM: Colbert Matz Rosenfelt

FOR: 00-3361

3611 E Joppa Rd

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
1/10/2000	1/14/2000	14:19:04
REG 0904	CASHIER JKAR JLK	DRAWER 5
Dept 5	526 ZONING VERIFICATION	
Receipt #	112261	OFFN
CR NO.	076608	

Receipt Tot 40.00
40.00 OK 00 EA
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLA
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 063024

DATE 2/5/99 ACCOUNT 001-6150 (WDR)

AMOUNT \$ 500.00

RECEIVED FROM: Thurley & Lochered Gahs

FOR: COMMERCIAL SPECIAL HEARING & VARIANCE Item 303

3611 East Joppa Road

Drop - Off No Review Case #99-303-SPHA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS	ACTUAL	TIME
2/08/1999	2/05/1999	15:20:22
REG 0903	CASHIER PWS PWS	DRAWER 3
5	MISCELLANEOUS CASH RECEIPT	
Receipt #	074313	OFFN
CR NO.	063024	

500.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 99-303-SPHA
PETITIONER/DEVELOPER:
(Thurley/ Lockered Gahs)
DATE OF Hearing
(Mar 24. 1999)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
3611 East Joppa Road Baltimore, Maryland 21234_____

The sign(s) were posted on _____ 3-8-99 _____
[Month, Day, Year]

Sincerely,

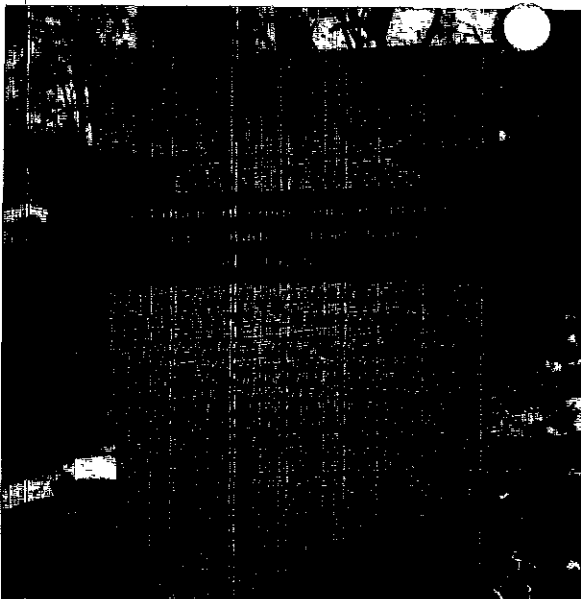

[Signature of Sign Poster & Date]

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
[Telephone Number]



TO: PATUXENT PUBLISHING COMPANY
March 4, 1999 Issue – Jeffersonian

Please forward billing to:

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, MD 21221

410-686-8274

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-303-SPHA

3611 East Joppa Road

S/S Joppa Road, 300' to the rear, and approximately 450' E of Jasper Lane

11th Election District – 6th Councilmanic District

Legal Owner: Thurley M. & Lockered Scott Gahs, Jr.

Special Hearing to approve parking requirements for greenhouse and garden center with display areas and to grant a modified parking plan. Variance to permit 87 spaces in lieu of the required 119 spaces; to permit parking on gravel and crusher run surfaces in lieu of required durable and dust free surface; and to permit unstriped parking spaces in lieu of required striped spaces.

HEARING: Wednesday, March 24, 1999 at ³~~2~~:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue


Lawrence E. Schmidt (s)

2/24/99 - TC to
Jeff - Susan
will change
time

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
3611 E. Joppa Road, Appx. 330' S of c/l Joppa Rd
and appx. 200' E of c/l Jasper Lane, 11th Election
District, 6th Councilmanic

Legal Owners: Lockered S. & Thurley M. Gahs, Jr.

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-303-SPHA

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of February, 1999, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 18, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-303-SPHA
3611 East Joppa Road
S/S Joppa Road, 300' to the rear, and approximately 450' E of Jasper Lane
11th Election District – 6th Councilmanic District
Legal Owner: Thurley M. & Lockered Scott Gahs, Jr.

Special Hearing to approve parking requirements for greenhouse and garden center with display areas and to grant a modified parking plan. Variance to permit 87 spaces in lieu of the required 119 spaces; to permit parking on gravel and crusher run surfaces in lieu of required durable and dust free surface; and to permit unstriped parking spaces in lieu of required striped spaces.

HEARING: Wednesday, March 24, 1999 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: John B. Gontrum, Esquire
Thurley & Lockered Gahs, Jr.

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 9, 1999.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 5, 1999

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, MD 21221

Dear Mr. Gontrum:

RE: Drop-Off Petitions, Case Number 99-302-X (9615 Philadelphia Road) and Case Number 99-303-SPHA (3611 East Joppa Road)

At the request of the attorney/petitioner, the above referenced petitions were accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearings).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper forms pertaining to this. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to this office.

If you have any questions regarding the above, please do not hesitate to contact Sophia Jennings at or myself 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosures

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-303-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL HEARING TO APPROVE PARKING
REQUIREMENTS FOR GREENHOUSE AND GARDEN CENTER
WITH DISPLAY AREAS AND TO GRANT A MODIFIED
PARKING PLAN. VARIANCE TO PERMIT 87 SPACES IN
LIEU OF REQUIRED 119 SPACES; TO PERMIT PARKING ON

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

GRAVEL AND CRUSHER RUN SURFACES IN LIEU OF
REQUIRED DURABLE AND DUST FREE SURFACE;
AND TO PERMIT UNSTRIPED PARKING SPACES
IN LIEU OF REQUIRED ~~VISIBLY~~ STRIPED SPACES.
RM WCR



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 18, 1999

John B. Gontrum, Esq.
Romadker, Gontrum & McLaughlin, P.A.
814 Eastern Boulevard
Baltimore, MD 21221

RE: Case No.: 99-303-SPHA
Petitioner: Lockened Scott Gahs, Jr.
Location: 3611 E. Joppa Road

Dear Mr. Gontrum:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on February 5, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, which appears to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: February 23, 1999

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for February 22, 1999
Items Nos. 291, 292, 293, 294, 295, 296,
300, 301, 303 and Case No. 99-280-X

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comment.

RWB:HJO:cab

cc: File

ZONE0222.NOC

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: 2/25/99

FROM: R. Bruce Seeley, Project Manager RBS/JP
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date: 2/15/99

The Department of Environmental Protection and Resource Management has
no comments for the following Zoning Advisory Committee Items:

Item #'s:	290	300
	291	301
	292	302
	293	303
	294	
	295	
	296	



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEBRUARY 15, 1999

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

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

8. The Fire Marshal's Office has no comments at this time in reference to the following item numbers:

291, 292, 293, 294, 295, 296, 297, 299, 300 AND 303

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

Jim
3/24

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: February 26, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 3611 E. Joppa Road

INFORMATION:

Item Number: 303

Petitioner: Gahs Property

Zoning: BL & BM

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

Based upon the information provided and analysis conducted, the staff offers the following comment:

The site plan shows a future access to the adjacent property to the north. An existing chain link fence is shown dividing the properties. A break in parking spaces is shown at the future access.

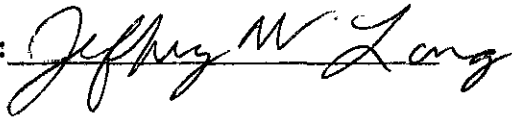
1. Clarify whether the existing access will be abandoned in favor of connection to the property on the north.
2. Clarify whether the existing sign will remain at the present location.

The proposed development plan for the property to the north seeks to subdivide the access drive connecting Joppa Road and this property as lot 2. Lot 2 is proposed to also encompass the west landscape island at the entrance from Joppa Road. Sign locations are not shown on the plan for the center; however, the west landscape island is the most probable choice for the joint identification sign

1. A single joint identification sign should be the only freestanding sign allowed when access is taken from the center.
2. The joint identification sign should be a low monument style sign that identifies the shopping center, address, and tenants.

Show the location and provide details of all proposed freestanding and building signs for the Country Plant Store, including any that are connected with the center

Section Chief:

A handwritten signature in cursive script, reading "Jeffrey W. Long", written over a horizontal line.

AFK/JL:



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 2.16.93

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

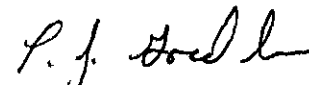
RE: Baltimore County
Item No. 303 WCR

Dear, Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


for Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 2, 2000

Mr. Richard E. Matz
Colbert Matz Rosenfelt, Inc.
2835 South Avenue, Suite G
Baltimore, Maryland 21209

Dear Mr. Matz:

RE: Spirit and Intent Request 3611 E. Joppa Rd., Case #99-303-SPHA, For the County Plant Store and Greenhouse Place, 11th Election District

We have reviewed your site plan for the existing site, the order for the above referenced case, and the site plan you have provided, which you indicated would be for a proposed Special Exception hearing.

Your proposed lot line adjustment which is the subject of this request, creates several undersized sections of property, which are removed by incorporation into lot one of the proposed site plan that will accompany the Special Exception hearing. As such your request will be within the Spirit and Intent of the Existing order, if the proposed site plan is approved. Therefore, the change you requested is within the Spirit and Intent of Case #99-303-SPHA, subject to approval of the property line adjustments proposed on the site plan that is to accompany the subsequent Special Exception Hearing.

This letter does not address any zoning issues for the proposed Special Exception Hearing.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

John R. Alexander
Planner II
Zoning Review

JRA:kew
Enclosure

c: Zoning Case #99-303-SPHA



Census 2000



For You, For Baltimore County



Census 2000

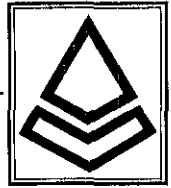


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Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



January 10, 2000

Mr. Arnold Jablon, Director
Dept. of Permits and Development Management
111 West Chesapeake Avenue
Towson, Md. 21204

TO: JRA
1/13/00 uaw
B. Carter

Re: Country Plant Store & Greenhouse Place
Spirit and Intent Request: Case No. 99-303-SPHA
CMR Job No. 95092.1
PDM No. XI-800

3611 E. Joppa Rd.
11C6

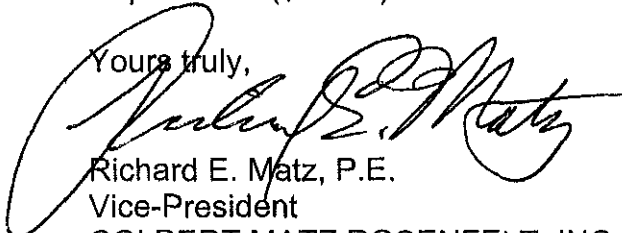
Dear Mr. Jablon,

On behalf of the owner, we hereby request approval of a minor site plan change for this property as within the Spirit and Intent of Zoning Case No. 99-303-SPHA.

The property is an existing garden center and greenhouse for wholesale flowers and plants. In the above-referenced zoning case, approval was granted for variances to parking requirements for a greenhouse addition and pavilion. In conjunction with a proposed Assisted Living Facility on an adjoining property, the property boundary of the garden center will be adjusted, increasing the total lot area by ± 2100 square feet. A portion of the existing greenhouse buildings, totaling ± 788 square feet, which was previously to be removed, will be retained. Neither of the changes will affect the parking requirements for the garden center.

Enclosed is a redlined plan indicating the proposed minor change and the required fee (\$40.00). We look forward to your approval of this request.

Yours truly,


Richard E. Matz, P.E.
Vice-President
COLBERT MATZ ROSENFELT, INC.

cc: John Clark
Jeff Klein
Bud Gahs
David Farrell

Called 01-18-00.
SPOKE w/ SUDY FORM
PROPOSED SPECIAL
EXCEPTION SITE PLAN
TO BE DELIVERED TO
CLARIFY RELATIONSHIP
OF ADJACENT PROPERTY
TO SUBJECT PROP. JRM

J:\950921ltr.doc

COLBERT MATZ ROSENFIELD, INC.

 2835 Smith Avenue Suite G
 BALTIMORE, MARYLAND 21209

 (410) 653-3838
 FAX (410) 653-7953

LETTER OF TRANSMITTAL

 1/12/00
 c8
 WCP

TO

 Balt. County POM
 111 W Chesapeake Ave.
 Towson, Md. 21204
 Zoning Office - Rm 111

DATE	1-11-00	JOB NO.	95092.1
ATTENTION	Arnold Jablon		
RE:	Country Plant Store		
	Spirit & Intent		
	Request		

 WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

- | | | | | |
|---|---------------------------------------|--------------------------------|----------------------------------|---|
| ☐ Shop drawings | ☐ Prints | ☐ Plans | ☐ Samples | ☐ Specifications |
| ☐ Copy of letter | ☐ Change order | ☐ _____ | | |

COPIES	DATE	NO.	DESCRIPTION
1			Letter
1			Plans
1			Fee (\$40.)

THESE ARE TRANSMITTED as checked below:

- | | | |
|--|---|---|
| ☒ For approval | ☐ Approved as submitted | ☐ Resubmit _____ copies for approval |
| ☐ For your use | ☐ Approved as noted | ☐ Submit _____ copies for distribution |
| ☐ As requested | ☐ Returned for corrections | ☐ Return _____ corrected prints |
| ☐ For review and comment | ☐ _____ | |
| ☐ FOR BIDS DUE _____ | ☐ PRINTS RETURNED AFTER LOAN TO US | |

REMARKS

COPY TO

file

SIGNED:

Judy Floren

If enclosures are not as noted, kindly notify us at once

COLBERT MATZ ROSENFIELD, INC.

 2835 Smith Avenue Suite G
 BALTIMORE, MARYLAND 21209

 (410) 653-3838
 FAX (410) 653-7953

 TO Balt. County Zoning Office
111 W. Chesapeake Ave.
Towson, Md. 21204
LETTER OF TRANSMITTAL

DATE	1-19-00	JOB NO.	95092.2
ATTENTION	John Alexander		
RE:	Country Plant Store/ Greenhouse Place		

 WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

- | | | | | |
|---|--|--------------------------------|----------------------------------|---|
| ☐ Shop drawings | ☒ Prints | ☐ Plans | ☐ Samples | ☐ Specifications |
| ☐ Copy of letter | ☐ Change order | ☐ _____ | | |

COPIES	DATE	NO.	DESCRIPTION
1			Plan to Accompany Special Exception & Development Plan (2 sheets)

RECEIVED
 JAN 19 2000
 DEPT. OF PLANNING AND
 ZONING

THESE ARE TRANSMITTED as checked below:

- | | | |
|---|---|---|
| ☐ For approval | ☐ Approved as submitted | ☐ Resubmit _____ copies for approval |
| ☐ For your use | ☐ Approved as noted | ☐ Submit _____ copies for distribution |
| ☐ As requested | ☐ Returned for corrections | ☐ Return _____ corrected prints |
| ☐ For review and comment | ☐ _____ | |
| ☐ FOR BIDS DUE _____ | ☐ PRINTS RETURNED AFTER LOAN TO US | |

REMARKS

John -
 We are preparing to submit this plan
 for a Special Exception & Development Plan
 hearing.
 The Spirit & Intent plan changes are
 to bring the Country Plant Store zoning
 approval in conformity with that plan prior
 to the hearing.
 Please call if you have any questions.

COPY TO

file

SIGNED:

Judy Hoan

If enclosures are not as noted, kindly notify us at once.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

March 3, 1999

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, MD 21221

Dear Mr. Gontrum:

RE: Drop-Off Petition Review, Case Number 99-303-SPHA, 3611 E. Joppa Road

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. No telephone number for legal owner on the special hearing petition form.
2. The description does not call from an intersection of two public roads, nor is such a distance shown on the plan.
3. Typical parking space dimensions of 8-1/2 x 18 feet are not shown on the plan.
4. Adequate loading areas per Section 409, BCZR, are not shown on the plan.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

John L. Lewis
Planner II
Zoning Review

Enclosure (receipt)

c: Zoning Commissioner

Come visit the County's Website at www.co.ba.md.us



ROMADKA, GONTRUM & McLAUGHLIN, P.A.

814 Eastern Boulevard
Baltimore, Maryland 21221

(410) 686-8274
(410) 686-0118 FAX

ROBERT J. ROMADKA
JOHN B. GONTRUM
J. MICHAEL McLAUGHLIN, JR.*

* Also Admitted In the District of Columbia

February 1, 1999

Carl Richards
Zoning Supervisor
Department of Permits and Development Management
111 W. Chesapeake Ave.
Towson, Maryland 21204

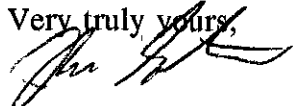
Re: Country Plant Store

Dear Mr. Richards:

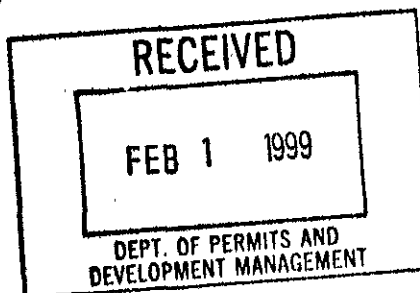
The attached drop off petitions for Special Hearing and for Zoning Variance have come about as a result of a series of meetings between your office and the engineers. These Petitions and site plans have been reviewed by John Lewis in your office.

There are no outstanding zoning violations.

Very truly yours,


John B. Gontrum

*Drop Off
No Review
2/5/99*



99-303-SPHA



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 24, 1999

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, MD 21221

Dear Mr. Gontrum:

RE: Zoning Case Number 99-303-SPHA, 3611 East Joppa Road

This letter is to confirm a conversation that took place today between your secretary, Jean and myself. Due to a scheduling conflict, the above referenced case is being moved from 2:00 p.m. to 3:00 p.m. on Wednesday, March 24, 1999. The case will remain in Room 106, County Office Building, 111 West Chesapeake Avenue.

I apologize for any inconvenience that the rescheduling of this case has caused. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in black ink that reads "Sophia".

Sophia C. Jennings
Zoning Review

SCJ:scj

c: Mr. & Mrs. Lockered Gahs, Jr.

Come visit the County's Website at www.co.ba.md.us



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PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

mail → Nancy Hastings
Anna Reich
Beth Baider

367714 Buck Hill Rd
Kingsville, MD 21087
7706 Oak Ave, MD 21234

*Ret Ex #2***COUNTRY PLANT STORE**
CUSTOMER COUNT 1998**JANUARY - CLOSED****FEBRUARY - CLOSED****DAYS OPEN****CUSTOMERS****MARCH - HRS. MON-SAT 9-5**
SUN 11-5

WEEK 1	1	32
WEEK 2	6	78
WEEK 3	7	82
WEEK 4	7	221
WEEK 5	2	53
TOTAL	23	466

APRIL - HRS. MON-SAT 9-8
SUN 9-6

WEEK 1	5	233
WEEK 2	7	832
WEEK 3	7	665
WEEK 4	7	959
WEEK 5	4	380
TOTAL	30	3069

MAY - HRS. MON-SAT 9-8
SUN 9-6

WEEK 1	3	1006
WEEK 2	7	1455
WEEK 3	7	1326
WEEK 4	7	1392
WEEK 5	7	1091
TOTAL	31	6270

JUNE - HRS. MON-SAT 9-8
SUN 9-6

WEEK 1	7	835
WEEK 2	7	478
WEEK 3	7	447
WEEK 4	7	423
WEEK 5	2	63
TOTAL	30	2246

	DAYS OPEN	CUSTOMERS
JULY - HRS. MON,TUES,SAT 9-5 WED-FRI 9-8 SUN 11-5		
WEEK 1	5	312
WEEK 2	7	327
WEEK 3	7	285
WEEK 4	7	211
WEEK 5	5	109
TOTAL	31	1244
AUGUST - HRS. MON,TUES,SAT 9-5 WED-FRI 9-8 SUN 11-5		
WEEK 1	2	47
WEEK 2	7	161
WEEK 3	7	167
WEEK 4	7	153
WEEK 5	7	114
AUG 31	1	10
TOTAL	31	652
SEPTEMBER - HRS. MON,TUES,SAT 9-5 WED-FRI 9-8 SUN 11-5		
WEEK 1	6	114
WEEK 2	6	107
WEEK 3	7	153
WEEK 4	7	159
WEEK 5	3	64
TOTAL	29	597
OCTOBER - HRS. MON,TUES,SAT 9-5 WED-FRI 9-8 SUN 11-5		
WEEK 1	4	349
WEEK 2	7	192
WEEK 3	7	259
WEEK 4	7	195
WEEK 5	6	133
TOTAL	31	1128

**NOVEMBER - HRS. MON,TUES,SAT 9-5
WED-FRI 9-8
SUN 11-5**

WEEK 1	1	31
WEEK 2	7	79
WEEK 3	7	66
WEEK 4	7	147
WEEK 5	7	135
NOV 30	1	16
TOTAL	30	474

**DECEMBER - HRS. MON-SAT 9-8
SUN 9-5**

WEEK 1	6	311
WEEK 2	7	551
WEEK 3	7	623
WEEK 4	6	337
WEEK 5	4	68
TOTAL	30	1890

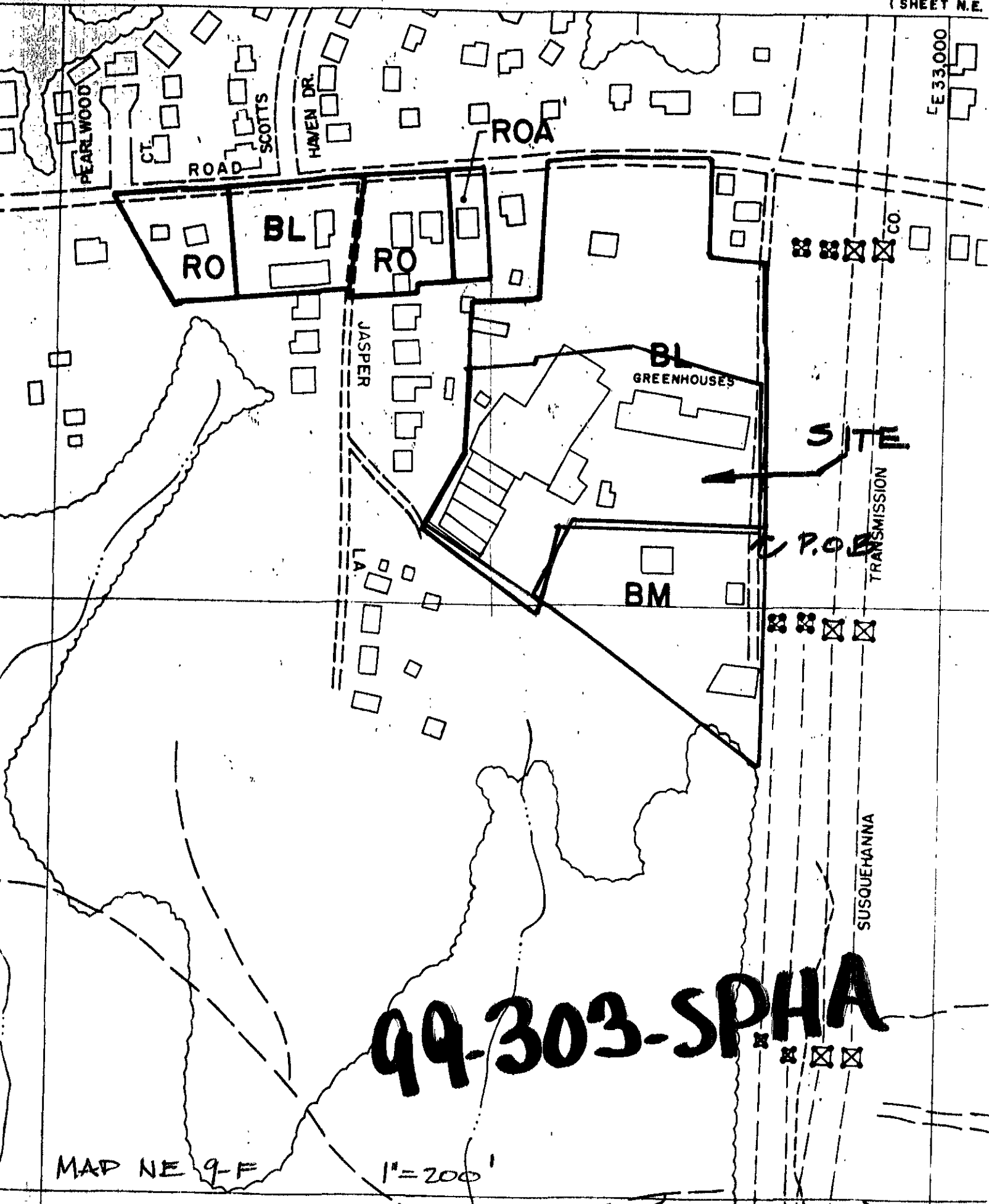
TOTAL DAYS OPEN 296

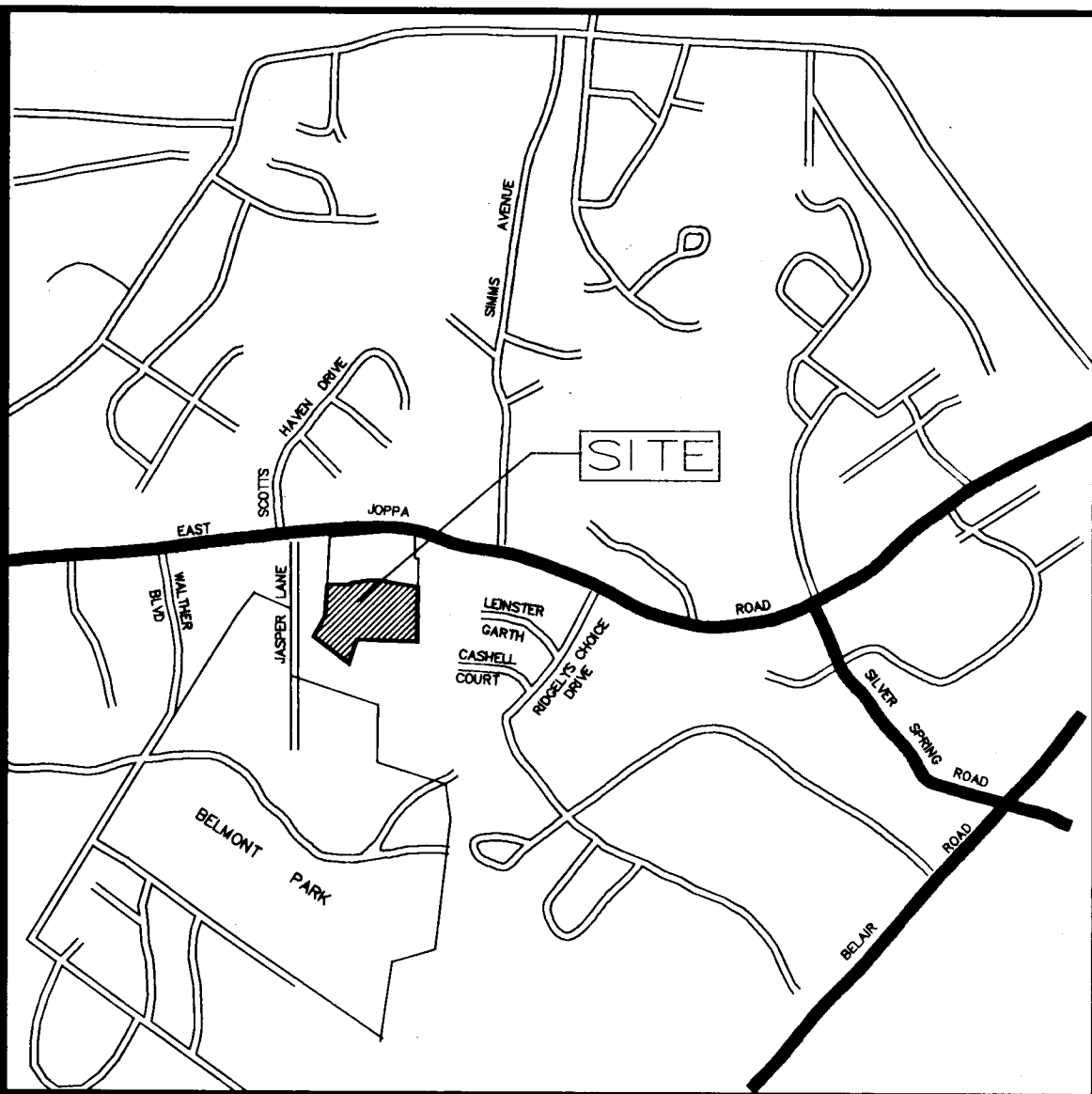
TOTAL CUSTOMERS 1997 18,036

DECEMBER - EMPTY PARKING SPACES PER DAY**2.1 PARKING SPACES AVAILABLE**

**LISTED IS HOW MANY EMPTY
PARKING SPACES THERE
AT THE TIMES LISTED**

	10AM	2PM	4PM
12-5-98	20	11	16
12-6-98	21	7	12
12-7-98	19	17	18
12-8-98	20	17	19
12-9-98	17	19	17
12-10-98	18	18	17
12-11-98	17	13	14
12-12-98	17	7	10
12-13-98	14	8	11
12-14-98	17	18	15
12-15-98	18	14	16
12-16-98	19	15	17
12-17-98	21	18	16
12-18-98	17	14	17
12-19-98	12	10	9
12-20-98	15	15	16
12-21-98	19	14	17
12-22-98	18	17	20
12-23-98	18	16	20
12-24-98	17	19	.





GENERAL NOTES

- PREPARED BY: ROSEN, J.
COLBERT MATZ ROSENFIELD, INC.
2835 SMITH AVENUE, SUITE C
BALTIMORE, MD. 21209
(410) 653-3836
2. OWNER:
LOCKREED SCOTT GAHS, JR.
THURLEY M. GAHS
4101 MARTIN AVE.
BALTIMORE, MD 21236
3. TAX ACCOUNT NUMBERS:
PARCEL 374: 11-01-074309 - 0.93 AC.
11-06-0002 37 - 1.80 AC.
PARCEL 381: 11-01-074308 - 0.978 AC.
PARCEL 382: 11-06-000278 - 0.747 AC.
TOTAL SITE AREA = 4.455 AC.
4. DEED REFERENCES: 12446/595
5. TOTAL FLOOR AREA : 72,476 SQ.FT.
TOTAL SITE AREA: 194,060 SQ.FT. (4.455 AC.)
PROP. FLOOR AREA RATIO: 0.37
MAX. F. A. R. PERMITTED: 3.0
6. VARIANCE AND SPECIAL HEARING AREA:
160,165 SQ.FT. (3.68 AC.)
7. ZONING: BL AND BM
8. ON SITE TOPOGRAPHY FROM A FIELD RUN
SURVEY BY COLBERT MATZ ROSENFIELD, INC.
DATED MAY 1, 1997. OFF SITE TOPOGRAPHY
FROM BALTIMORE COUNTY 200 SCALE
MAPS: NE SP.
9. ELECTION DISTRICT: 11
CONGRESSIONAL DISTRICT: C6
CENSUS TRACT: 4114.02
10. PREVIOUS COMMERCIAL PERMIT
E 32896
11. NO PUBLIC ACCESS TO
GREENHOUSE AREAS.
- VICINITY MAP
12. A SPECIAL HEARING HAS BEEN REQUESTED TO DETERMINE PARKING
REQUIREMENTS PURSUANT TO SECTION 409 OF THE BCZR FOR
GREENHOUSE AND GARDEN CENTER WITH DISPLAY AREAS AND
TO GRANT A MODIFIED PARKING PLAN PURSUANT TO SECTION
409.12.
13. VARIANCES REQUESTED:
- A. FROM SECTION 409.6A.2 TO PERMIT 87 SPACES FOR
FOR PARKING IN LIEU OF THE REQUIRED 119 SPACES.
- B. FROM SECTION 409.8A.2 TO PERMIT PARKING ON
GRAVEL AND CRUSHER RUN SURFACE AS DEFICIED ON
SITE PLAN IN LIEU OF REQUIRED DURABLE AND DUSTLESS
SURFACE.
- C. FROM SECTION 409.8A.6 TO PERMIT UNSTRIPPED PARKING
SPACES IN LIEU OF REQUIRED VISIBLY STRIPPED SPACES.
- OFF-STREET PARKING NOTES.
- EX. RETAIL BUILDINGS - 15,149 SQ.FT. ● 5 SP./1,000 SQ.FT.=76 SPACES

OFF-STREET PARKING NOTES

EX. RETAIL BUILDINGS - 15,149 SQ.FT. @ 5 SP./1,000 SQ.FT.=76 SPACES
EX. PAVILION, EX. GREENHOUSES, PROP. GREENHOUSE ADDITION -
2 EMPLOYEES @ 1 SPACE/EMPLOYEE ON LARGEST SHIFT=2 SPACES
TOTAL REQUIRED - 78 SPACES, INCL. 4 HC. SPACES
TOTAL EXISTING - 87 SPACES, INC. 4 HC. SPACES.

A SPECIAL HEARING IS BEING REQUESTED TO DETERMINE THAT THE EXISTING PAVILION AND PROPOSED GREENHOUSE ADDITION ARE NOT RETAIL USES. (SEE TABLE BELOW FOR PARKING ANALYSIS.)

	SQ.FT.	REQUIRED PARKING ● 5 SP./10QOSF.	VARIANCE REQUIRED
GREENHOUSES	N/A	2	0
RETAIL BUILDINGS 1,2,3 AND 4	15,149	76	0
EX. OPEN PAVILION	5,341	27	18
PROP. GREENHOUSE ADDITION	2,800	14	5
TOTAL	23,290	119	32

SPIRIT & INTENT REQUEST 1-10-00

PLAN TO ACCOMPANY VARIANCE HEARING AND SPECIAL HEARING

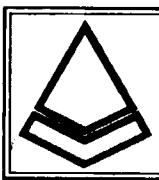
COUNTRY PLANT STORE

3611 E. JOPPA ROAD

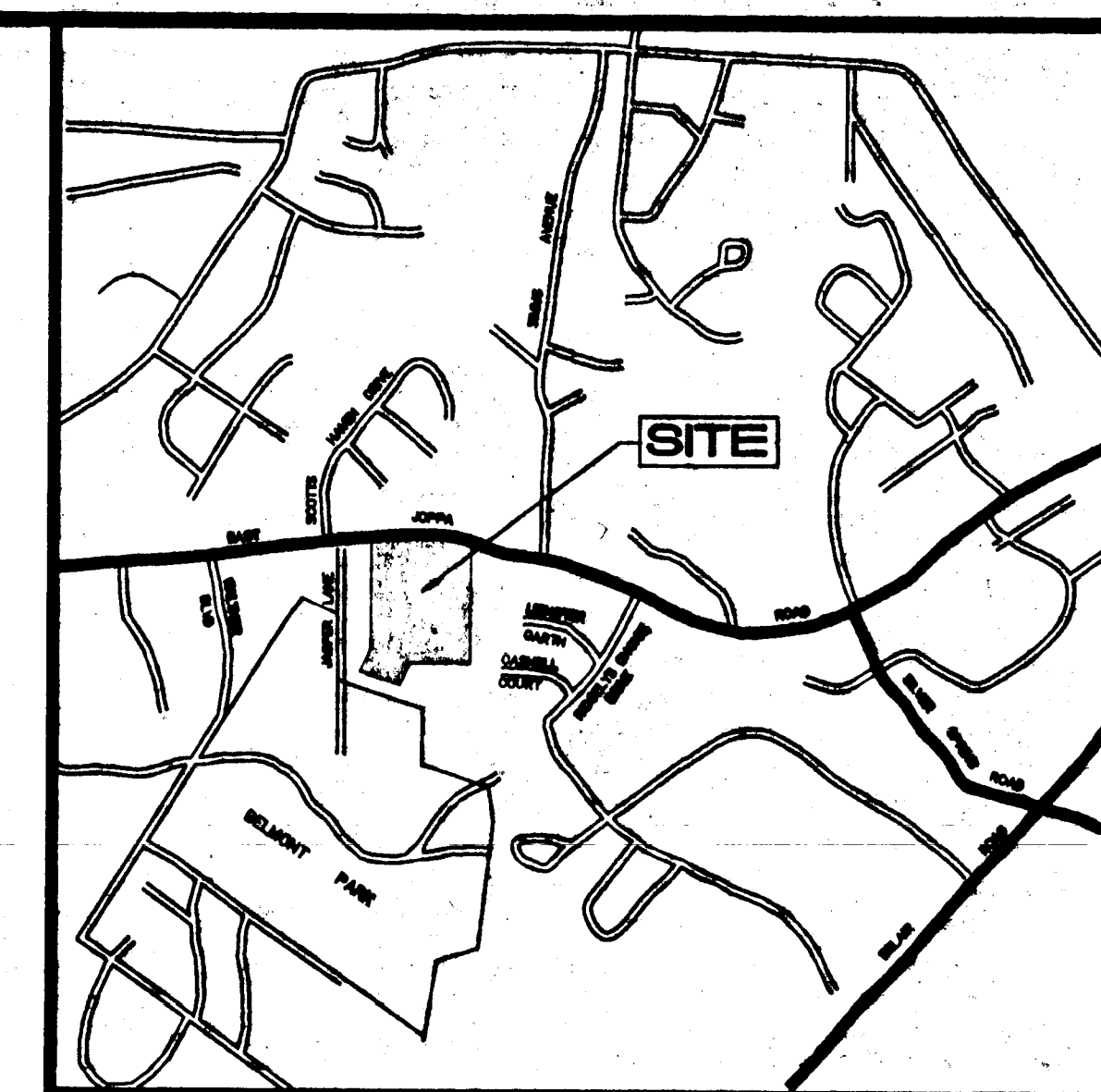
ELECTION DISTRICT:11 C6 BALTIMORE COUNTY, MARYLAND

Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



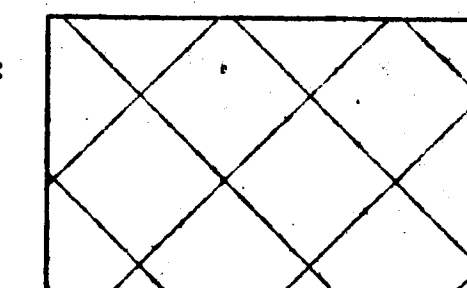
				SCALE: 1"= 50'
				DATE: NOVEMBER 17, 1998
				JOB NO.: 95092
				DESIGNED:
				DRAWN: PJS/EVT
				CHECKED: R.M.
				FILE: 95092VAR2.DWG
				DRAWING NUMBER:
NO.	DATE	REVISIONS:	BY	SHEET 1 OF 1



VICINITY MAP
SCALE: 1"=1000'

- LEGEND**
- PROPOSED SEWER
 - PROPOSED SEWER MANHOLE
 - PROPOSED STORM DRAIN
 - PROPOSED STORM DRAIN MANHOLE
 - PROPOSED INLETS
 - PROPOSED WATER LINE
 - PROPOSED CONTOURS
 - PROPOSED DRAINAGE/UTILITY

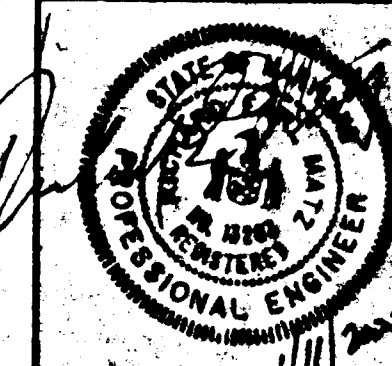
SPECIAL EXCEPTION AREA:



PDM No. XI-800 DRO #112904

**DEVELOPMENT PLAN
PLAN TO ACCOMPANY HEARING
FOR SPECIAL EXCEPTION
GREENHOUSE PLACE**

ELECTION DIST. 11 COUNCILMANIC DIST. 6 BALTIMORE COUNTY, MARYLAND



Robert Matz, Inc.

Engineers • Surveyors • Planners
2836 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



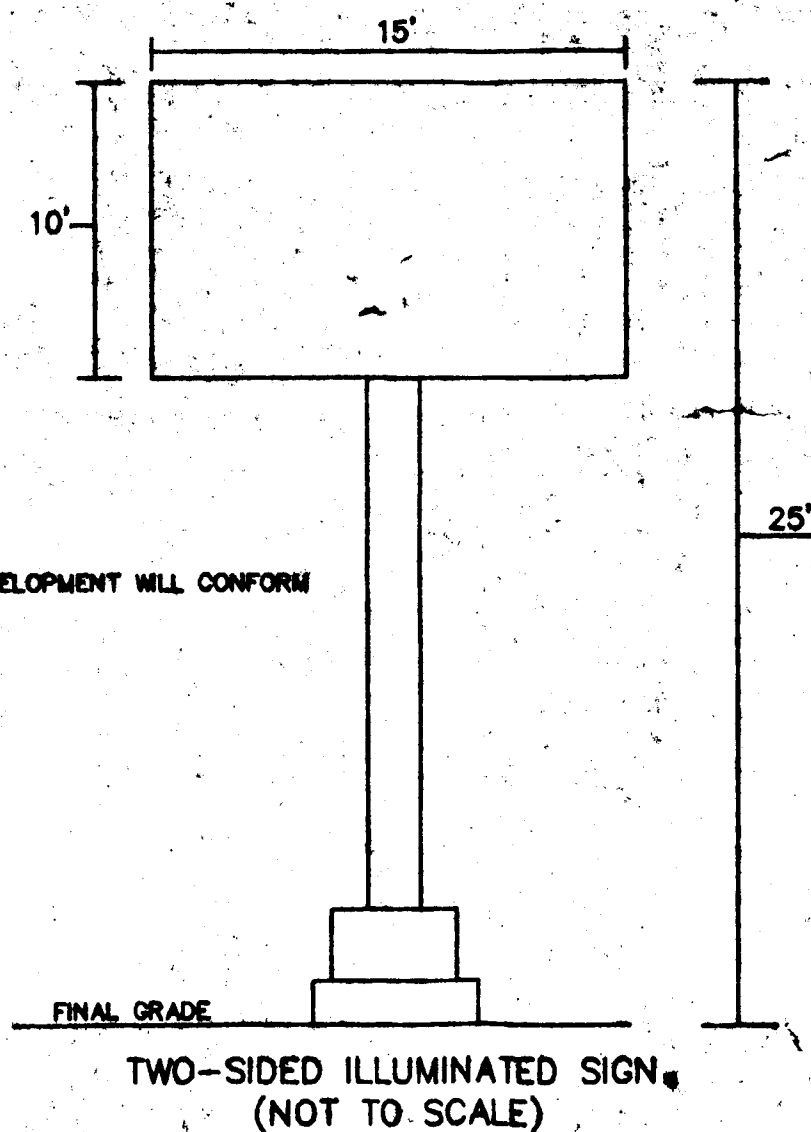
NO.	DATE	REVISIONS	BY	SHEET	OF

SCALE: 1" = 50'
DATE: JANUARY 7, 2000
JOB NO. 9000
DESIGNED: EYDM
DRAWN: EYDM
CHECKED: RM
FILE: 90002704.dwg
DRAWING NUMBER: DEV-1

GENERAL NOTES:

- OWNERS:
GREENHOUSE PLACE LIMITED
115 SUBROCK LANE
BALTIMORE, MD 21208
DEED REFERENCE: 12838/958
- DEVELOPERS:
GREENHOUSE PLACE LLC
C/O MR. JEFFREY KLEIN
115 SUBROCK LANE, SUITE 208
BALTIMORE, MD 21208
(410) 454-9837
- PARCEL NUMBERS:
MAP: 71 GRID: 18 PARCEL 58
TAX ACCOUNT NUMBER:
11-1000004413
DEED REFERENCE:
12838/958
MAP: 71 GRID: 17 PARCEL 322
TAX ACCOUNT NUMBER:
11-1106000278
DEED REFERENCE:
12448/595
- SITE AREA:
GROSS AREA: 325,185.43 S.F. = 7.47AC.
LOT 1: 72,182.35 S.F. = 1.64AC.
LOT 2: 88,121.85 S.F. = 2.05AC.
LOT 3: 85,232.58 S.F. = 1.96AC.
LOT 4: 39,348.29 S.F. = 0.90AC.
LOT 5: 12,632.29 S.F. = 0.29AC.
LOT 6: 28,889.27 S.F. = 0.66AC.
- ELECTION DISTRICT: 11
COUNCILMANIC DISTRICT: 8
CENSUS TRACT: 4114.02
WATERSHED: 4 WATER DESIGNATION: W-1 (EXISTING SERVICE)
SUBWATERSHED: 23 SEWER DESIGNATION: S-1 (EXISTING SERVICE)
ZONED: R, D.R.S.S. ROAD & HW
ZONING MAP (N.E. 5-F)
- DENSITY CALCULATIONS FOR ASSISTED LIVING:
DENSITY UNITS ALLOWED: 5.6 X 1.0640 X 4 BEDS PER UNIT = 38.52 = 38
DENSITY UNITS PROPOSED = 32
- PARKING REQUIREMENTS:
PROPOSED BUILDINGS:
BANK: 3.3 SPACES REQUIRED PER 1,000 SF OF FLOOR AREA
1,000 SF @ 3.3/1,000 S.F. = 10 SPACES
PARKING PROVIDED: 10 + 1 HANDICAPPED SPACE
REQUIRED RETAIL SPACES: 5,670 S.F. @ 5/1,000 S.F. = 28
PARKING PROVIDED: 41 + 2 HANDICAPPED SPACES
PROPOSED ASSISTED LIVING UNITS: 32
REQUIRED PARKING SPACES: 1 SPACE/3 BEDS = 10 SPACES
PARKING PROVIDED: 18 + 2 HANDICAPPED SPACES
BDC COUNTRY PLANT STORE:
EX. RETAIL BUILDINGS: 15,149 S.F. @ 5/1,000 S.F. = 78 SPACES
EX. GREENHOUSES:
2 EMPLOYEES @ 1 SPACE/EMPLOYEE ON LARGEST SHFT = 2 SPACES
EX. OPEN PAVILION (RETAIL): 5,341 S.F. @ 5/1,000 S.F. = 27 SPACES
EX. GREENHOUSE ADDITION (RETAIL): 2,800 S.F. @ 5/1,000 S.F. = 14 SPACES
TOTAL REQUIRED: 118 SPACES
TOTAL PROVIDED: 87 SPACES INCLUDING 4 H.C. (SEE VARIANCE BELOW)
VARIANCES GRANTED IN CASE #80-305-SPHA FOR GREENHOUSE & GARDEN CENTER:
A. 87 SPACES FOR PARKING IN LIEU OF THE REQUIRED 118 SPACES.
B. PERMIT PARKING ON GRAVEL AND CRUSHER RUN SURFACE
IN LIEU OF REQUIRED DURABLE AND DUSTLESS SURFACE.
C. TO PERMIT UNSTRIPED PARKING SPACES IN LIEU OF REQUIRED VISIBLY STRIPED SPACES.
8. ALL PARKING SPACES WILL BE A TYPICAL 8.5'X18' SPACE. HANDICAPPED PARKING SHALL BE PROVIDED BY BALTIMORE COUNTY CODE.
9. MAXIMUM PERMITTED FLOOR AREA RATIO (FAR) = 3.0
PROPOSED (FAR) = 50,860 S.F./325,185.43 S.F. = 0.156
BANK: 3,000 S.F.
RETAIL: 5,670 S.F.
GREENHOUSES: 23,208 S.F.
ASSISTED LIVING (4 BUILDINGS TOTAL): 16,908 S.F.
TOTAL: 50,860 S.F.
SITE AREA: 7.47AC. = 325,185.43 S.F.
10. THERE ARE NO BUILDINGS, PROPERTIES, OR SITES WITHIN OR CONTIGUOUS TO THE PROPOSED DEVELOPMENT INCLUDED ON THE MARYLAND HISTORICAL TRUST INVENTORY OF HISTORIC PROPERTIES, THE BALTIMORE COUNTY PRELIMINARY OR FINAL LANDMARKS LIST, THE NATIONAL REGISTER OF HISTORIC PLACES, THE MARYLAND ARCHAEOLOGICAL SURVEY, OR IDENTIFICATION OF ANY BALTIMORE COUNTY HISTORIC DISTRICT, OR NATIONAL REGISTER DISTRICT COVERING THE PROPOSED DEVELOPMENT.
11. AVERAGE DAILY TRIPS:
BANK: 3,000 S.F. @ 285/1,000 SF = 795
3 WINDOWS @ 411/WINDOW = 1,233
RETAIL: 5,670 S.F. @ 158/1,000 SF = 952
ASSISTED LIVING: 3.5/UNIT @ 32 UNITS = 112
GREENHOUSES: 15,149 S.F. @ 82/1,000 S.F. = 1,363
TOTAL TRIPS: 4,485
12. PROPOSED LOT 5 IS THE PRESENT KERST PROPERTY & WILL RETAIN ITS EXISTING LOT LINES.
13. ALL EXISTING ON-SITE TREES WILL BE REMOVED AND REPLACED WITH TREES AND PLANTS AS SHOWN ON THE LANDSCAPE PLAN.
14. THERE ARE NO KNOWN WETLANDS, 100-YEAR FLOOD PLAINS, STREAMS, CRITICAL AREAS, OR KNOWN HAZARDOUS MATERIALS ON THE SITE.

SIGN NOTE:
ALL SIGNS PROPOSED FOR THIS DEVELOPMENT WILL CONFORM TO SECTION 450 OF THE BCDC.

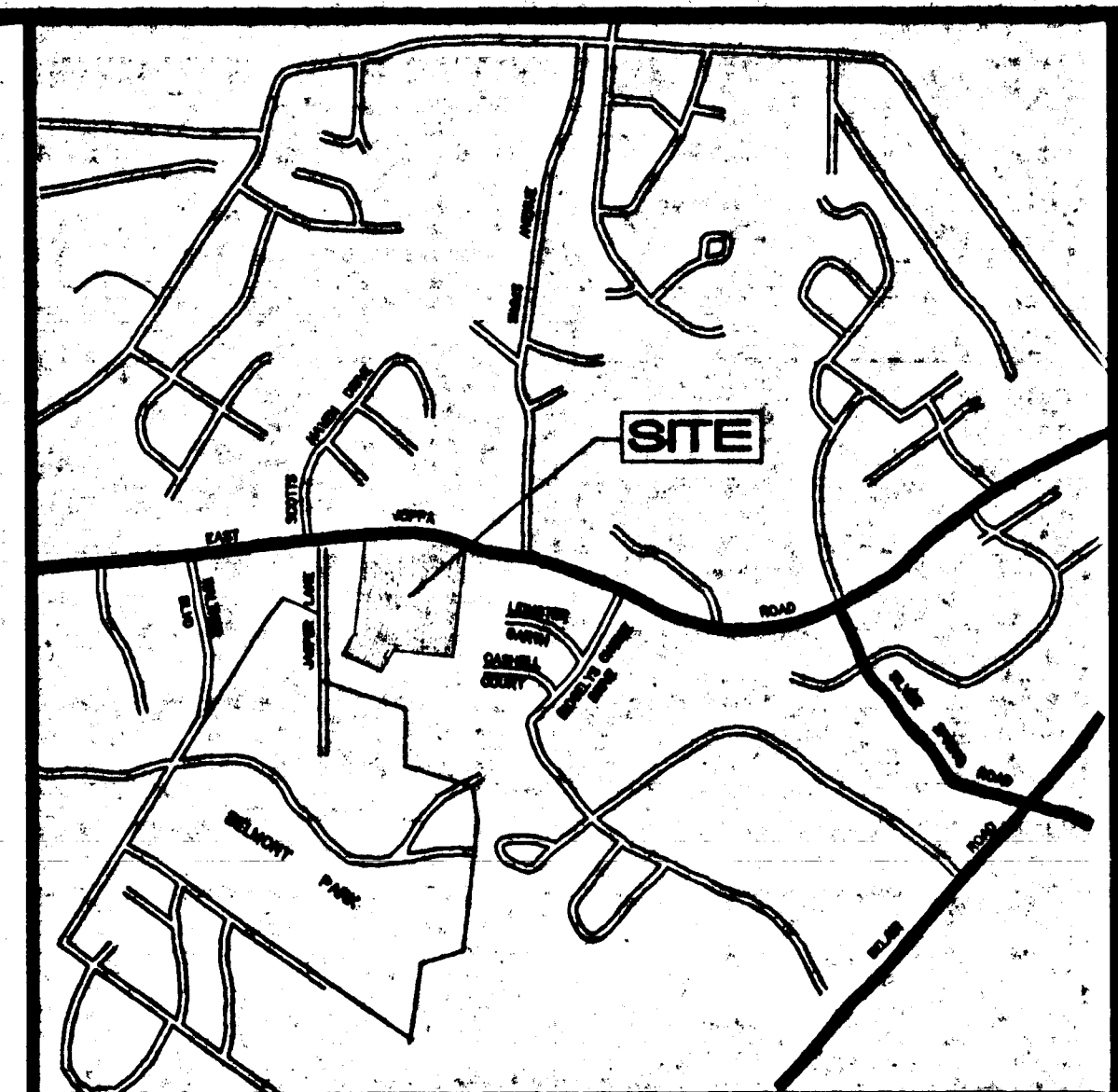


STORMWATER MANAGEMENT:			
EXISTING CONDITIONS:			
	2 YEAR	10 YEAR	
ON SITE	7.81 CFS	19.34 CFS	
PROPOSED CONDITIONS:			
	2 YEAR	10 YEAR	
BYPASS	7.18 CFS	15.59 CFS	
ALLOWABLE RELEASE	0.63 CFS	3.75 CFS	
TO FACILITY	5.33 CFS	11.40 CFS	
ACTUAL RELEASE	0.12 CFS	1.98 CFS	
STORAGE VOLUME	0.2828 AC-FT	0.3742 AC-FT	
PROPOSED SHW FACILITY LOCATED IN THE TRIBUTARY TO GUNPOWDER FALLS WATERSHED.			

SOILS ON SITE:			
CHB2	CHILLUM SILT LOAM	2 TO 5 PERCENT SLOPES	MODERATELY ERODED K FACTOR: 0.32
JpC2	JOPPA GRAVELLY SANDY LOAM	5 TO 10 PERCENT SLOPES	MODERATELY ERODED K FACTOR: 0.28

I, JEFFREY KLEIN, HEREBY CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.
Jeffrey Klein / REN 1/1/2000
(SIGNATURE) JEFFREY KLEIN (MANAGING MEMBER) DATE
GREENHOUSE PLACE LIMITED LIABILITY PARTNERSHIP

I, DAVID FARRELL, HEREBY CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.
David Farrell / REN 1/1/2000
(SIGNATURE) DAVID FARRELL DATE
JOPPA ROAD ASSISTED LIVING, LLC



VICINITY MAP
SCALE 1"=1000'

PDM No. XI-800 DRC #112664

DEVELOPMENT PLAN PLAN TO ACCOMPANY HEARING FOR SPECIAL EXCEPTION GREENHOUSE PLACE

ELECTION DIST. 11 COUNCILMANIC DIST. 16 BALTIMORE COUNTY, MARYLAND

Colbert Matz Rosenfelt, Inc.
Engineers • Surveyors • Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

NO.	DATE	REVISIONS	BY	SHEET	OF
1				2	2

SCALE: 1" = 50'
DATE: JANUARY 7, 2000
JOB NO.: 85092
DESIGNED: EYT/DAL
DRAWN: EYT/DAL
CHECKED: RDM
FILE: 85092/FINAL.DWG
DRAWING NUMBER: DEV-2