RE: PETITION FOR SPECIAL EXCEPTION
11411 Harford Road; SE side Harford Rd;
766'NE cline Long Green Pike
11th Election & 3rd Councilmanic Districts
Legal Owner(s): David Twining
Contract Purchaser(s): Judi Landenklos,

Purchaser(s): Judi Landenkios,
Tree House Nurseries, LLC
Petitioner(s)

* BEFORE THE

* ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* 03-496-X

* * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

mmerman

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 day of May, 2003, a copy of the foregoing Entry of Appearance was mailed to D. Dusky Holman, Esquire, Gildea, LLC, 301 N. Charles Street, Suite 900, Baltimore, MD 21201, Attorney for Petitioner(s).

RECEIVED

MAY 1 5 2003

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PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

IN THE MA					*	BEFO	RE TI	IE ZO	VING			
SPECIAL EX HORTICUL	TURAL.	NURS			*	COM	MISSI	ONER	OF			
(Twining Pro	perty)				*	BALT	'IMOR	E COU	JNTY			
11 th Election 3rd Councilm					*	Case N	lo. <u>03-</u> 4	<u> 196-X</u>				
* *	*	*	*	*	*	*	*	*	*	*	*	
					SUBPO	<u>DENA</u>						
Please	e proces	s in ac	cordanc	e with	Zoning C	ommiss	ioner	Rule I	V (c).			
TO: Mark Cu	unningh	am, Pla	nning									
									,			
YOU ARE HE) Personally ap						illy appea	ar; () Pi	roduce d	ocumen	its and o	· objects	only; (X
at Room 407 (Place where a				<u>'owson</u>								
on <u>Friday</u> the determined by	_				: <u>9:00 a</u> .m	. for such	ı witnes	s' testin	ony and	d continu	ing the	reafter as
YOU	ARE CC)MMAI	1DED TO	O produ	ice the follo	owing do	cument	ts or obj	ects:			
Produce any captioned mat		corresp	ondence	, files,	notes, pla	ns, repo	orts, sti	ıdies, et	tc. as tl	hey rela	te to th	e above
J. Carroll Hol (Name of Party									<u> </u>	and the same		
Date:					c							
Date.					25	Zoning	Comm	issioner				
				SH	ERIFF'S	RETU	RN					
()- Served and ()- Unserved,			on date ir	ndicated	d below.			(
Date:							Fee: \$	}				
C SUBPOENA Aircy	Property					SHER	IFF		······································	, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		

	BEFORE THE ZONING
SPECIAL EXCEPTION FOR	
	COMMISSIONER OF
11411 Harford Road (Twining Property) *	DATTRAODE COINTS
(Twining Property) 1 1 th Election District	BALTIMORE COUNTY
	Caga No. 02.406. V
Sid Councilliante District	Case No. <u>03-496-X</u>
* * * * * *	* * * * *
<u>SUBPO</u>	ENA CONTRACTOR OF THE PROPERTY
Dlegge process in pagerdance with Zoning Co	municaiones Dulo IV/(a)
Please process in accordance with Zoning Co	ommissioner Kule IV (c).
TO: Larry Gredlein	
State Highway Administration	
707 N. Calvert Street, Baltimore, MD 21202	
YOU ARE HEREBY COMMANDED TO: (X) Persona	lly appear; () Produce documents and or objects only;
(X) Personally appear and produce documents or objects;	
-t. Doone 407 County County Dido: 401 Dooley Ave. Te.	
at Room 407, County Courts Bldg., 401 Bosley Ave., To (Place where attendance is required)	<u>wson</u>
(1 face where attendance is required)	
on Friday the 15th day of August, 2003 at 9:00 a.m.	for such witness' testimony and continuing thereafter as
determined by the Zoning Commissioner.	
YOU ARE COMMANDED TO produce the follow	wing documents or objects:
Produce any and all correspondence, files, notes, plan	s, reports, studies, etc. as they relate to the above
captioned matter.	
I Canali Halman 600 Fairmannt Ana Tanzan Maral	J 21206 410 925 6061
J. Carroll Holzer, 508 Fairmount Ave., Towson, Maryl (Name of Party or Attorney, Address and Phone Number re	
(1141110 02 2 4110) 01 1 10001110), 1 2444 000 4110 1 110110 1 110110 01 11	
Date:	
	Zoning Commissioner
SHERIFF'S	RETURN
() Compad and some delicered as data indianced beloss.	
()- Served and copy delivered on date indicated below.()- Unserved, by reason of	
Data	Fee: \$
Date:	ΓCC. Φ
C SUBPOENA Airey Property	SHERIFF
a abbe abturemel contains	



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

We do solemnly declare and affirm, under the penalties of

OFFICE USE ONLY

Reviewed By BN Date 4/22/03

ESTIMATED LENGTH OF HEARING ____

UNAVAILABLE FOR HEARING

perjury, that I/we are the legal owner(s) of the property which

for the property located at 11411 Harford Road

is the subject of this Petition.

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 herein described property for

Special Exception pursuant to Sections 1A01.2.C.12 and 404.2 of the BCZR to permit a horticultural nursery.

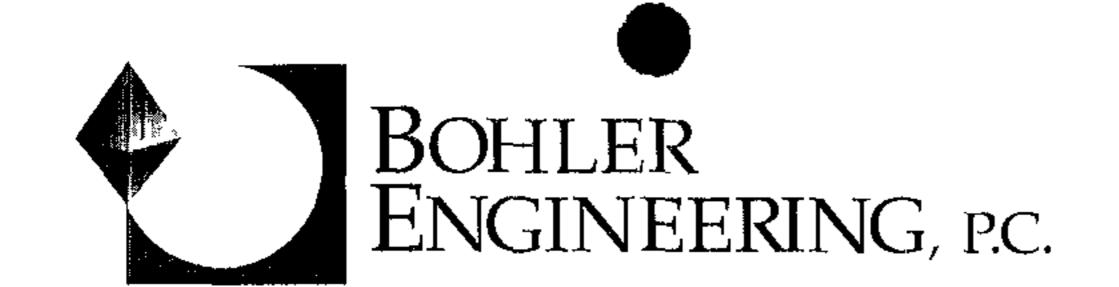
Property is to be posted and advertised as prescribed by the zoning regulations.

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

Contract Purchaser/Lessee:	Legal Owner(s):	
Tree House Nurseries, LLC Name - Type or Print Laudenklos, Owner Signature By: Judi Laudenklos, Owner	David Twining Name - Type or Print Signature	
6275 Days Cove Rd. (410)335-0400 Address White Marsh, MD 21162	Name - Type or Print	· · · · · · · · · · · · · · · · · · ·
City State Zip Code	Signature	
Attorney For Petitioner;	683 Barnstable Rd.	(717)243-8042
D. Dusky Holman Name-Type or Print	Address Carlisle, PA 17013	Telephone No.
Dusky Holman Signature	City Representative to be Conta	State Zip Code
Gildea, LLC Company	D. Dusky Holman Name	······································
301 N. Charles St., Suite 900 Address Telephone No.	301 N. Charles St., Address	Suite 900 Telephone No.
Baltimore, MD 21201 (410)234-0070 City State Zip Code	Baltimore, MD 21201 City	(410)234-0070 State Zip Code

REV 09/15/98

Case No. <u>63-496-x</u>



810 Gleneagles Court, Suite 300 Towson, MD 21286 410.821 7900 410 821.7987 fax md@bohlereng.com

April 18, 2003

ZONING DESCRIPTION OF PART OF THE LANDS KNOWN AS PARCEL 657, TAX MAP 633 AS RECORDED IN LIBER 15515 FOLIO 882 BALTIMORE COUNTY, MARYLAND 218 5²⁴ COUNCILMANIC DISTRICT

BEGINNING AT A POINT ON THE SOUTHEAST SIDE OF MARYLAND ROUTE 147 (HARFORD ROAD) WHICH IS OF VARIABLE WIDTH AT THE DISTANCE OF 765.8 FEET NORTHEAST OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET, LONG GREEN PIKE WHICH IS OF VARIABLE WIDTH.

THENCE, BINDING ON THE SOUTHEASTERN MOST OUTLINE OF THE LIMITS OF THE SPECIAL EXCEPTION AREA, AND REFERRING SAID COURSES AND DISTANCES TO THE MARYLAND STATE GRID MERIDIAN NAD 83 NORTH VIZ;

- 1. SOUTH 50 DEGREES 06 MINUTES 58 SECONDS EAST; 722.60 FEET TO A POINT.
- 2. NORTH 39 DEGREES 03 MINUTES 15 SECONDS EAST; 378.62 FEET TO A POINT.
- 3. NORTH 42 DEGREES 24 MINUTES 33 SECONDS WEST; 323.67 FEET TO A POINT.
- 4. NORTH 44 DEGREES 09 MINUTES 28 SECONDS WEST; 398.53 FEET TO A POINT.
- 5. SOUTH 39 DEGREES 53 MINUTES 02 SECONDS WEST; 463.72 FEET TO A POINT TO THE PLACE OF BEGINNING.

BEING ALSO KNOWN AS THE LIMITS OF SPECIAL EXCEPTION OF PART OF PARCEL 657 AS RECORDED IN BALTIMORE COUNTY LIBER 15515 FOLIO 882. CONTAINING IN ALL 304,920 SQUARE FEET OR 7.00 ACRES OF LAND MORE OR LESS.

Prepared by: MG Reviewed by, GHR



Other Office Locations:

■ Watchung, NJ 908 668 8300 ■ North Wales, PA 215 393 8300 ■ Melville, NY 631 872.2000

■ Sterling, VA 703 709.9500

■ Southboro, MA 508.480 9900

■ Albany, NY 518.438.9900

■ Center Valley, PA 610,797 3000

•	UDGET & FINANCE NEOUS RECEIPT			No. 23631	i i	PATO RECEIPT BUSINESS ACTUAL TIME
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HEADING HEADING

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:

Contract Purchaser: Tree House Nurseries, LLC Special Exception: to permit a horticultural nursery. Hearing: Wednesday, June 25, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave-Case: #03-496-X
11411 Harford Road
S/east side Harford Road
766 feet northeast centerline Long Green Pike
11th Election District
3rd Councilmanic District
Legal Owner(s): David Twining.

31e.

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) 8873391.

JT/6/667 June 10 C608763

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once in each of on 610 in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTIFY, that the annexed advertisement was ,2003 _successive weeks, the first publication appearing published

LEGAL ADVERTISING

CERTIFICATE POSTING

	RE: Case No.: 03-496-X
•	Petitioner/Developer: 77265 House
	NURSERIES, LLC.
	Date of Hearing/Closing: 8/15/03
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	•
Ladies and Gentlemen:	•
were posted conspicuously on the property leading of t	ocated at
The sign(s) were posted on	7/26/03 (Month, Day, Yéar)
The second state of the se	Sincerely,
ZONING NOTICE	7/2//03
CASE # OSTIME X	Type Department of velopment Management Building, Room 111 speake Avenue 11204 Gwendolyn Stephens clemen: Detrify under the penalties of perjury that the necessary sign(s) required by law spicuously on the property located at
A PUBLIC HEARING WILL BE USE	SSG ROBERT BLACK
THE ZONING COMMISSIONER IN TOWSON, MO	(Printed Name)
DATE AND TIME: PIDAY ALLES IS 2005 AT 9 COAM.	1508 Leslie Rd
REQUEST: \$21(-IAI EXTENDED TO FERRIFA INTITUTURAL	. (Address)
	Dundalk, Maryland 21222
PRETPRESIDED BUT TO MERCHAN AND AND AND AND AND AND AND AND AND A	(City, State, Zip Code)
AND CONTRACT BOCK AND PORT OF THE STATE OF T	**************************************
	(Telephone Number)

CERTIFICATE OF POSTING

	RE: Case No.: 03-496-X
	Petitioner/Developer: TREE HOUS
	NURSERIES
	Date of Hearing/Closing: 6/25/03
Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapeake Avenue Fowson, Maryland 21204	
Date of Hearing/Closing: <u>6/25/0</u> Baltimore County Department of Permits and Development Management County Office Building, Room 111 11 West Chesapcake Avenue	
Ladies and Gentlemen:	r
•	y that the necessary sign(s) required by law were
Petitioner/Developer: TREE HOUS NURSERIES Date of Hearing/Closing: 6/25/03 Itimore County Department of rmits and Development Management unty Office Building, Room 111 1 West Chesapeake Avenue wson, Maryland 21204 TN: Becky Hart {(410) 887-3394} dles and Gentlemen: is letter is to certify under the penalties of perjury that the necessary sign(s) required by law were sted conspicuously on the property located at: //4// HARFORD R.D is sign(s) were posted on (Month, Day, Year) Sincerely, Signature of Sign Poster) SSG Robert Black (Print Name) 1508 Leslie Road	
11411 111114	
The sign(s) were posted on(M	onth Day, Year)
~/**	1 //
	6/2/2
	(Signature of Sign Poster) (Date)
	SSG Robert Black
· · · · · · · · · · · · · · · · · · ·	
let	(Address)
	Dundalk, Maryland 21222
	Petitioner/Developer: TREE HOL NURSERIES Date of Hearing/Closing: 425/6 maty Department of Development Management Development Development Management Development Management Development Development Management Development Developme
	(410) 282-7940
	(Telephone Number)



Baltimore County
Department of Permits and
Development Management

Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

May 1, 2003

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: 03-496-X

11411 Harford Road

S/east side Harford Road 766 feet northeast centerline Long Green Pike

11th Election District – 3rd Councilmanic District

Legal Owner: David Twining.

Contract Purchaser: Tree House Nurseries, LLC

Special Exception to permit a horticultural nursery.

Hearings:

Friday, August 15, 2003 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:rlh

C: David Twining, 683 Barnstable Road, Carlisle, PA 17013

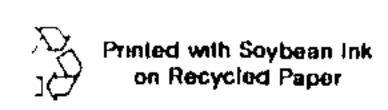
D. Dusky Holman, Gildea, LLC, 301 N. Charles Street, Suite 900, Baltimore 21201 Tree House Nurseries, LLC, Judi Laudenklos, Owner, 6275 Days Cove Road, White Marsh 21162

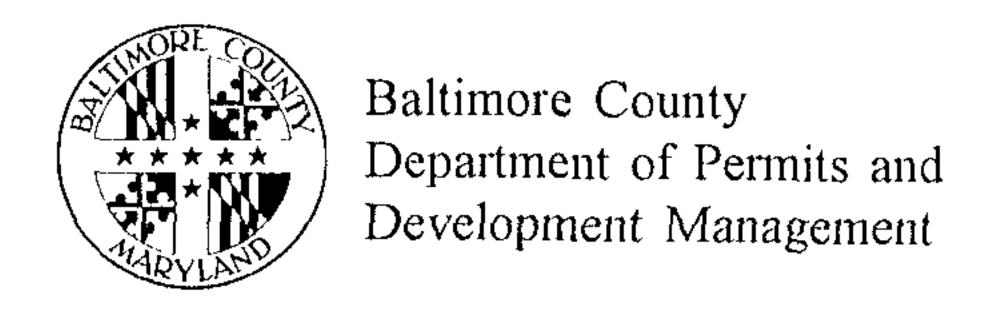
NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JULY 31, 2003.

(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.

Post-it® Fax Note 7671	Date 6/23 # of pages /
To Delbu	From Buckey
Co/Dept David Hilden	Co
Phone #	Phone #
Fax # 410-234-0072	Fax #





Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

May 1, 2003

NOTICE OF ZONING HEARING

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CASE NUMBER: 03-496-X

11411 Harford Road

S/east side Harford Road 766 feet northeast centerline Long Green Pike

11th Election District – 3rd Councilmanic District

Legal Owner: David Twining

Contract Purchaser: Tree House Nurseries, LLC

Special Exception to permit a horticultural nursery.

Hearings:

Wednesday, June 25, 2003 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon

Director

AJ:rlh

C: David Twining, 683 Barnstable Road, Carlisle, PA 17013

D. Dusky Holman, Gildea, LLC, 301 N. Charles Street, Suite 900, Baltimore 21201

Tree House Nurseries, LLC, Judi Laudenklos, Owner, 6275 Days Cove Road,

White Marsh 21162

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 10, 2003.

(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.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, June 25, 2003 Issue - Jeffersonian

Please forward billing to:

D. Dusky Holman

410-234-0070

Gildea, LLC

301 N. Charles Street, Suite 900

Baltimore, MD 21201

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: 03-496-X

11411 Harford Road

S/east side Harford Road 766 feet northeast centerline Long Green Pike

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Hearings: Wednesday, June 25, 2003 at 9:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

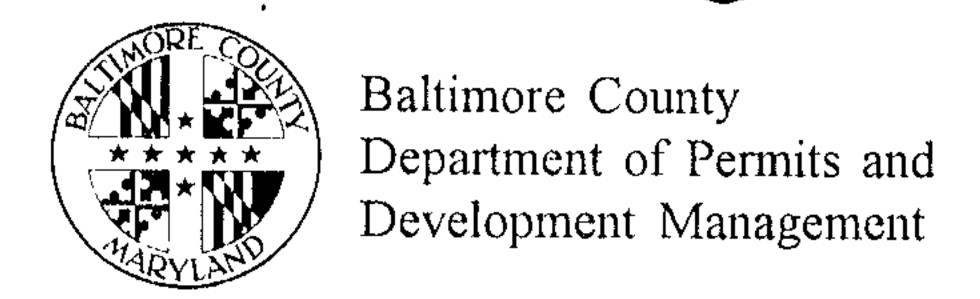
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:	
Item Number or Case Number: 03-496-X Petitioner: Trace House No. 110-110-110-110-110-110-110-110-110-110	A
Petitioner Tree House Nurseries, LLC c/o Judi Laudenklos- Address or Location: 11411 Harford Road, Glen Arm, MD	Owner
PLEASE FORWARD ADVERTISING BILL TO	
Name. D Dusky Holman	
Address: Gildea, LLC	
301 North Charles St., Suite 900	
Raltimore, MD 21201	
Telephone Number: <u>4/0 - 234 - 0070</u>	



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

٠,

August 8, 2003

D. Dusky Holman Gildea, LLC 301 N. Charles Street, Suite 900 Baltimore, MD 21201

Dear Mr. Holman:

RE: Case Number: 03-496-X, 11411 Harford Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 22, 2003.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. Supervisor, Zoning Review

U. Cal Rihal D

WCR:klm

Enclosures

c: People's Counsel
David Twining, 683 Barnstable Road, Carlisle Pennsylvania 17013
Tree House Nurseries, LLC, Judi Laudenklos, 6275 Days Cove Rd., White Marsh 21162



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

May 6, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: May 5, 2003

Item No.:

496

Dear Ms. Hart:

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.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code, (2000 edition of NFPA 1 & 101), prior to occupancy or beginning of operation.

LIEUTENANT JIM MEZICK Fire Marshal's Office PHONE 887-4881 MS-1102F

cc: File



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Nell J. Pedersen, Administrator

WARYLAND DEPARTMENT OF TRANSPORTATION

May 12, 2003

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

RE: Baltimore County Item No. 496 (BR)

MD 147

11411 Harford RD Mile Post 6.07

Dear Ms. Hart:

We have reviewed the referenced plan and have no objection to approval of the Special Hearing and the Special Exception.

However we will require the owner to obtain an access permit through our office and as a minimum the following roadway improvements will be required:

- Highway widening dedication to an ultimate 80' right-of way.
- Deceleration lane shall be 15' wide, 350' long with 50' of curb and gutter and a 100' painted taper.
- Acceleration lane shall be 15' wide and equal to the length of the paved site area, with 50' of curb and gutter and a 100' painted taper.
- The proposed entrance shall be 25'-35' wide with 25' curbed radii and a minimum landing grade of 3% for 50'.
- Hydraulic analysis will be required.
- A traffic study will be required to determine the need for a left turn/by-pass lane.

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

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

DATE: June 18, 2003

RECEIVED
JUN 1 8 2003
ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

11411 Harford Road

INFORMATION:

Item Number:

03-496

Petitioner:

David Twining

Zoning:

RC 2

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

Harford Road is designated as a scenic route in the 2010 Master Plan. Unlike rural scenic routes such as Hanover Pike and York Road, the stretch of Harford Road between the Gunpowder Falls and Fork Road is absent of any permanent commercial structures or activity. The predominant land-uses are farms, pastures and scattered rural residential dwellings.

This office considers a horticultural nursery an agricultural support use and appropriate in most cases in the RC-2 zone. However, this office of the opinion that the grading required for this development would significantly alter the natural landform that contributes greatly to the scenic and rural character of Harford Road. As such, the Office of Planning recommends that the petitioner's request be **DENIED**.

Section Chief:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: May 13, 2003

TO:

Arnold Jablon, Director

Department of Permits & Development Management

Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 12, 2003 Item Nos 496, 497, 498, 501, 502, 503, 504, 505, 508, 509, and 511

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

RWB:CEN:jrb

cc: File



LAW OFFICES

J. Carroll Holzer, pa

J. HOWARD HOLZER 1907-1989

THOMAS J. LEE OF COUNSLI THE 508 BUILDING

508 FAIRMOUNT AVE. TOWSON, MD 21286 (410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@BCPL.NET

June 2, 2003 # 7417

Arnold Jablon, Director Department of Permits & Development Management County Office Building Towson, MD 21204

Re: Case No. 03-496-X
Special Exception for 11411 Harford Road
Long Green Valley Association

Dear Mr. Jablon:

Please be advised that I am entering my appearance on behalf of the Long Green Valley Association, Protestants in the case below and Appellees before the County Board of Appeals.

As I have previously indicated in other correspondence, I will be out of the state on June 25, 2003 on vacation, and would, therefore, request a postponement of the Hearing on that date.

Long Green Valley Association and the number of individuals who have retained me, intend to be present and present evidence and testimony in this matter. I would very much appreciate your postponing this matter, and please feel free to contact me in regard to a mutually agreeable date.

Very truly yours,

J. Carroll Holzer

cc: Long Green Valley Association

JUN 4 2003 03-1853



LAW OFFICES

J. Carroll Holzer, pa

J. HOWARD HOLZER 1907-1989

THOMAS J. LEE OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE. Towson, MD 21286 (410) 825-6961

Fax: (410) 825-4923

E-MAIL: JCHOLZER@BCPL.NET

June 6, 2003 # 7417

Timothy Kotroco, Esq. Director Department of Permits & Development Management County Office Building Towson, MD 21204

> Re: Case No. 03-496-X Special Exception for 11411 Harford Road Long Green Valley Association

Dear Mr. Kotroco:

Please be advised that I am entering my appearance on behalf of the Long Green Valley Association, Protestants in the above captioned matter. In my previous letter to Mr. Jablon dated June 2, 2003 in this same matter, the letter inadvertently mentioned that this case is at the Board of Appeals. This Special Exception is obviously before the Zoning Commissioner. Please accept my apology for the error.

However, I would like to reiterate that I will be out of the state on June 25, 2003 on vacation, and would, therefore, request a postponement of the Hearing on that date.

Long Green Valley Association and a number of individuals who have retained me, intend to be present and present evidence and testimony in this matter. I would very much appreciate your postponing this matter. Please feel free to contact me in regard to a mutually agreeable date.

Very truly yours,

J. Carroll Holzer

J. Carroll Holzer

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JCH: bdm

H:\Letters\Tim Kotroco-LGVA 6-6-03.doc

GILDEA. LLC

DAVID K. GILDEA DAVIDGILDEA OGILDEALLO.COM

301 NORTH CHARLES STREET SUITE 900

SEBASTIAN A. CROSS BUROSSOCILDBALLO.COM BALITIMORE, MARYLAND 21201 TELEPHONE 410-234-0076

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D. DUSKY HOLMAN DHOLMANOGILDEALLO.COM

STUART W. COX SCOX#GILDEALLO.COM

August 12, 2003

Sent Via Facsimile Only

Mr. Lawrence E. Schmidt Baltimore County Zoning Commissioner 401 Bosley Avenue, Fourth Floor Towson, Maryland 21204

RE:

Treehouse Properties/11411 Harford Road

Case No.: 03-496-X

Dear Larry:

Pursuant to our conversation, I am writing to confirm that the Petition for Special Exception in the above referenced matter is hereby withdrawn. As such, the hearing scheduled for August 15, 2003 at 9:00 A.M. is no longer necessary. I have copied J. Carroll Holzer, Esquire on this letter and have left telephone messages for Dr. McQuade and Ms. Carol Shaw indicating that they do not need to appear. Should you require anything further to effectuate the withdrawal of the Petition, please do not hesitate to contact me.

With kind regards, I remain

DDH:dls

Ms. Judy Laudenklos, Treehouse Properties CC:

J. Carroll Holzer, Esquire

DAVID K. GILDEA

BEBASTIAN A. CROSS

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D. DUBRY HOLMAN DEGLMANOGILDEALLOCOM

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FACSIMILE COVER SHEET

TO:	FAX #:	-
Zoning Commissioner Schmidt	(410) 887-3468	
J. Carroll Holzer	(410) 825-4923	
Carroll Shaw	(410) 887-3468	
FROM: D. Dusky Holman	DATE: 8/12/03	
NO. OF PAGES: 2		
(INCLUDING COVER)		
REGARDING:		
Treehouse Properties/11411 Harford Case No.: 03-496-X	Road	

confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this facsimile in error, please notify Gildea, LLC by telephone (410-234-0073) immediately.



***** ACTIVITY REPORT *****

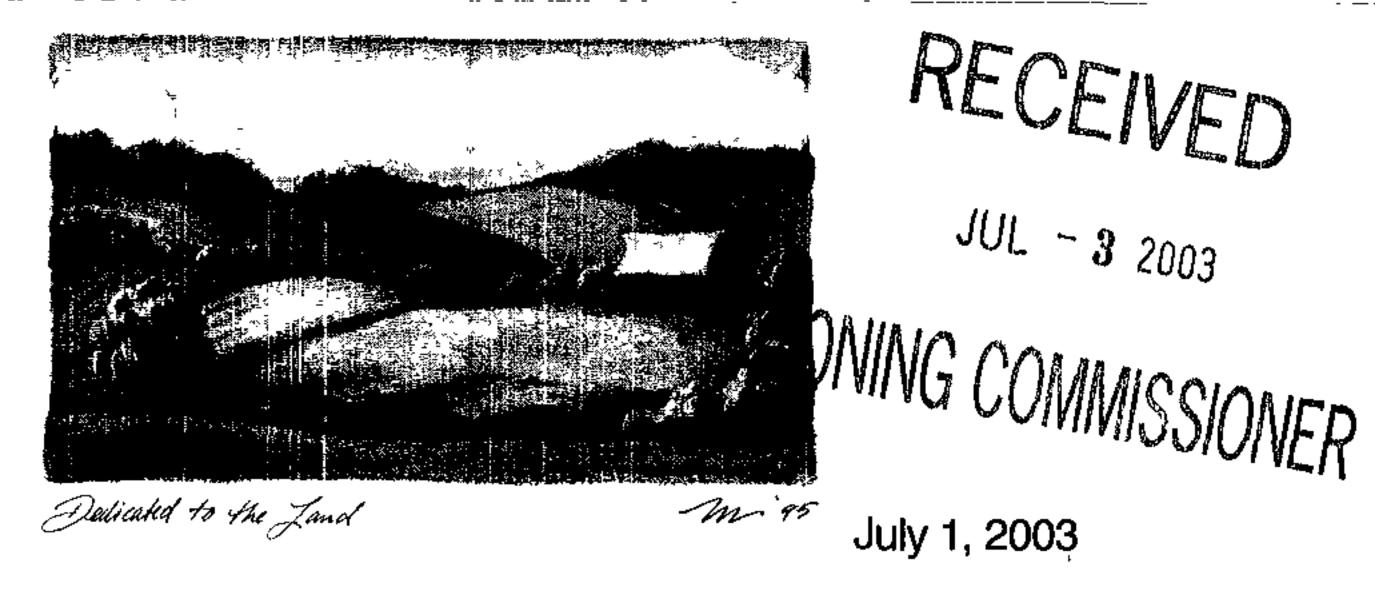
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TX/RX NO. 3007 CONNECTION TEL 5708

CONNECTION ID

START TIME 08/12 16:23

USAGE TIME 00'49
PAGES 2
RESULT OK



Zoning Commissioner Baltimore County New Courts Building, 4th. floor 401 Bosley Ave. Towson, MD. 21204

Re: Case # 03-496 X --Special Exception for a Horticultural Nursery, 11411 Harford Rd.

Dear Sir:

We are writing on behalf of the North County Coalition, Inc. to enter our objection to the above referenced case.

The petitioner requests a Special Exception on the referenced RC-2 property for a horticultural nursery with wholesale and retail sales occupying 4 acres of the 50 + acres of the property. It is possible for the owner of the property to use the balance of the property to grow plants to supply the nursery and to store mulch, stone and other material for sale.

The request should be denied for the following reasons:

- 1. A Special Exception should not negatively impact the health, safety and welfare of the community. The proposed commercial business will require an excessive amount of water-used to both water plants in the nursery and irrigate plants in the field. A nursery requires higher water usage than agricultural crops which depend solely on rain. The property is located in a water deficient area and will deprive residents in the area of adequate water to assure their health, fire safety and welfare.
- 2. The proposed Special Exception use, as requested, is more detrimental in the proposed location than if it were located elsewhere. The use, in the proposed scenic agricultural area, where there is no commercial activity, will create an obtrusive non-agricultural presence. In addition, a traffic hazard will result from customers and deliveries to and from the site at all hours of the day and night using a busy road such as Harford Rd.

In summary, the case described above violates the regulations governing Special Exceptions in Baltimore County and must be denied.

Dr. Richard W. McQuaid

Very truly yours,

President

Robert L. Ehrlich, Jr.



Audrey E. Scott
Socretary

Florence E. Burlan
Deputy Secretary

Michael S. Steele Lt. Governor

16.

May 12, 2003

Ms. Rebecca Hart
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue, Room 111
Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, 05/12/03 re: case numbers 03-496-X, 03-497-A, 03-498-A, 03-499-A, 03-500-A, 03-501-A, 03-502-SPH, 03-503-A, 03-504-A, 03-505-A, 03-506-A, 03-507-SPHX, 03-508-SPH, 03-509-A, 03-510-A, 03-511-SPHX

Dear Ms. Hart:

The Maryland Department of Planning has received the above-referenced information on 05/05/03. The information has been submitted to Mr. Mike Nortrup.

Thank you for your cooperation in this review process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

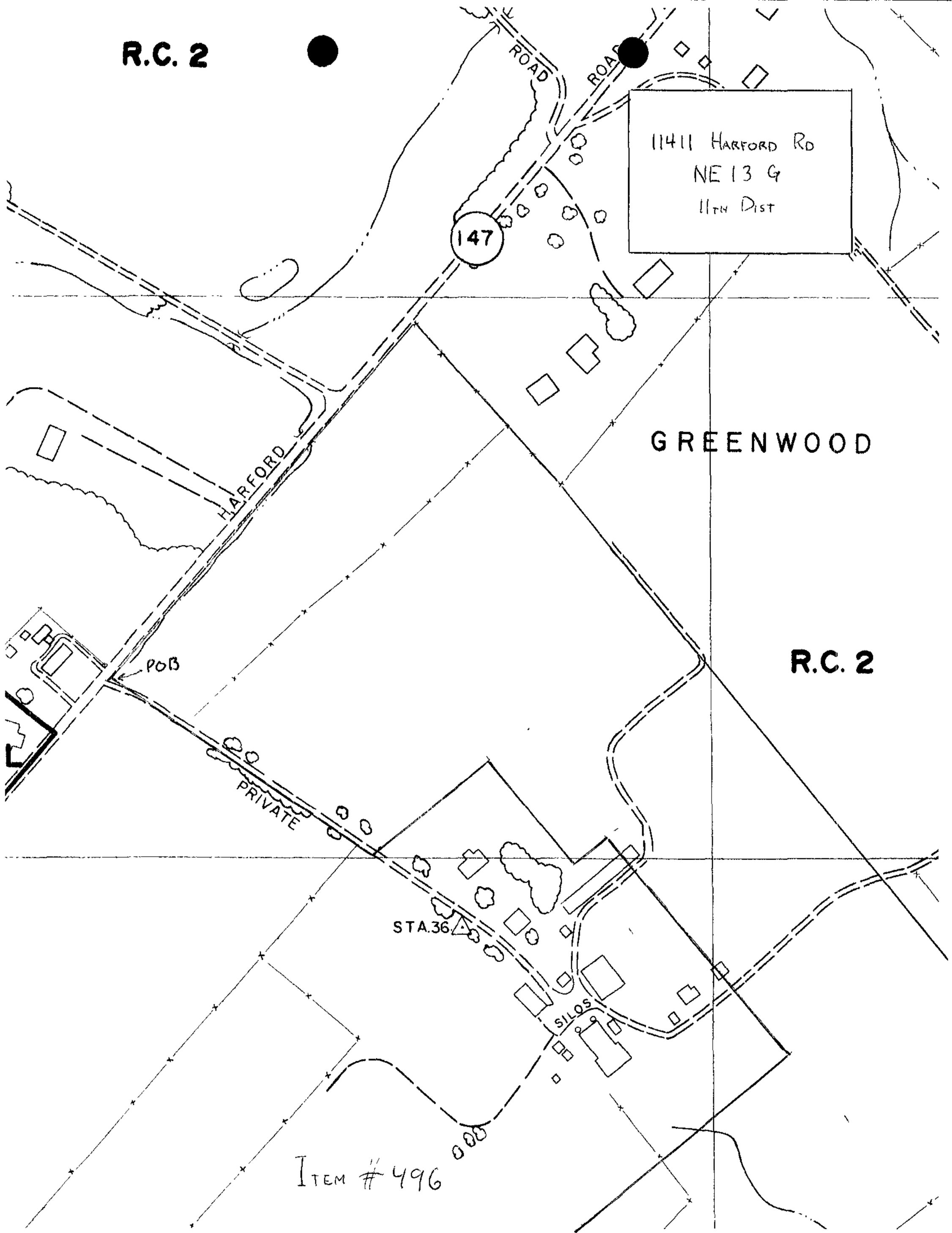
Sincerely,

James R. Gatto

Manager

Metropolitan Planning Planning Services

cc: Mike Nortrup



BOHLER ENGINEEI PROFESS910 GiFOWSON(410)

DESCRIPTION

SHEET NUMBER

ZONING RELIEF REQUESTED

1. SPECIAL EXCEPTION PURSUANT TO BCZR SECTIONS 1A01.2.C.12, 404.1 AND 404.2 TO PERMIT A HORTICULTURAL NURSERY.

ISAAC JOHN TWININGS, 3RD MARTHA C. TWIMINGS MAP 63, PARCEL 655 ACCOUNT NUMBER 2300008577 S.M. 14476/701 USE: AGRICULTURAL ZONE: R.C.2. CHARLES H. TWINING JR. ACCOUNT NUMBER 2300012380 HELEN T. KADLEC MAP 63, PARCEL 506 S.M. 10699/542 ACCOUNT NUMBER 2300012381 USE: AGRICULTURAL ZONE: R.C.2. MAP 63, PARCEL 522 USE: RESIDENTIAL ZONE: R.C.2. ROLAND C. TWININGS
IDA C. THOMPSON
MAP 63, PARCEL 524
ACCOUNT NUMBER 2300008576 HELEN T. KADLEC S.M. 14476/690 USE: AGRICULTURAL ZONE: R.C.2. DISTRICT 11 ACCOUNT NUMBER 2300012381 MAP 63, PARCEL 522S.M. 15515/102

USE: RESIDENTIAL

ZONE: R.C.2. N39'03'15"E 378.62' MAP 63, PARCEL 657 15515/88 NORMAN L. HOUCK PATRICIA A. HOUCK MAP 63, PARCEL 384 S.M. 12132/246 USE: RESIDENTIAL ZONE: R.C.2. 75' BUILDING SETBACK 400'± TO LONG GREEN PIKE

HARFORD ROAD

PLAN PREPARED BY: BOHLER ENGINEERING, P.C. 810 GLENEAGLES COURT, SUITE 300 TOWSON, MARYLAND 21286 ATTN: ADAM J. VOLANTH PHONE (410) 821-7900 APPLICANT/DEVELOPER

TREE HOUSE NURSERIES, LLC 6275 DAYS COVE ROAD WHITEMARSH, MD 21162 PHONE (410) 335-0400 ATTN: JUDY LAUDENKLOS

GENERAL NOTES

1.) THIS PLAN IS BASED ON INFORMATION OBTAINED FROM DAFT-McCUNE & WALKER, INC. DATED 3/13/01. 2.) ALL SIGNAGE SHALL COMPLY WITH B.C.Z.R. SECTION 450.

3.) ZONE: R.C.2 (RESOURCE CONSERVATION-AGRICULTURE)

PROPOSED: FARM W/ HORTICULTURE NURSERY

REQUIRED: FIVE (5) SPACES PER 1,000 S.F. OF GROSS FLOOR AREA 3,200 S.F./1,000 S.F. x 5 = 16 SPACES

PROPOSED: TWENTY-ONE (21) SPACES INCLUDING ONE (1) HANDICAP SPACE.

7.) LOT AREA: 2,253,694.86 S.F. OR 52 ACRES.

8.) PRINCIPLE DWELLING: PERMITTED: 1 PER LOT

EXISTING: 2,253,094.86 S.F. OR 51.74 ACRES PROPOSED: 2,210,219.86 S.F. OR 50.73 ACRES

10.) IMPERVIOUS AREA: EXISTING: 0 S.F. OR 0 ACRES
PROPOSED: 43,475 S.F. OR .99 ACRES

11.) FLOOR AREA:

EXISTING: 0 S.F. PROPOSED: 3,200 S.F.

12.) ELECTION DISTRICT: 11 13.) COUNCILMANIC DISTRICT: 03

14.) WATERSHED: LOWER GUNPOWDER 15.) SPECIAL EXCEPTION AREA: 305,023 S.F. OR 7 AC.

16.) DEED REFERENCE: L. 15515, F. 88

17.) OWNER: DAVID TWINING 18.) TAX ACCOUNT NUMBER: 2-300012379

19.) THIS SITE IS LOCATED IN FLOOD HAZARD ZONE C (AREAS OF MINIMAL FLOODING) PER PANEL 290 OF 575, COMMUNITY PANEL 240010-0290-B.

20.) THE SITE IS NOT LOCATED WITHIN A HISTORIC DISTRICT.

21.) ZONING MAP: NE 13-G

GRAPHIC SCALE

(IN FEET)
1 inch = 150 ft.

