

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
 AND VARIANCE – S/S Piney Grove Road,
 329' E of the c/l Peltzer Lane * ZONING COMMISSIONER
 (4505 Piney Grove Road)
 4th Election District * OF BALTIMORE COUNTY
 3rd Council District * Case No. 05-359-XA
 Stephen E. Blankenship, et ux
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owners of the subject property, Stephen E. Blankenship, and his wife, Jilian E. Blankenship, through their attorney, E. Alexander Adams, Esquire. The Petitioners request a special exception to allow a landscape service operation on the subject property, pursuant to Section 1A01.2.C.14 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, variance relief is requested from Section 1A01.3(B)(3) of the B.C.Z.R. to allow a principal structure to be 19 feet from the property line in lieu of the required 35 feet. In the alternative, relief is requested from Sections 404.1.B and 404.1.C to allow an accessory structure to be located 19 feet from any property line, including any right-of-way line, in lieu of the required 50 feet; to allow the exterior loading and unloading of vehicles for the purpose of shipping and receiving goods to be 59 feet from any property line in lieu of the required 100 feet; and, to allow such loading activities to be carried on within the fully enclosed accessory structure within 50 feet of any property line. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests were Stephen B. Blankenship, co-owner of the subject property; Thomas J. Hoff, the registered landscape architect who prepared the site plan of the property; and E. Alexander Adams, Esquire, attorney for the Petitioners. Additionally, James Peters, adjacent landowner to the east, and Robert Walter and Lee

Yachimowicz, neighboring landowners, appeared in favor of the Petitioners' requests. Appearing as an interested citizen/Protestant was Robert J. Collison, II, adjacent property owner to the west.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the south side of Piney Grove Road, just east of Peltzer Lane in Reisterstown. The property contains a gross area of 5.64 acres, more or less, zoned R.C.2 and is improved with a two-story dwelling and accessory shed. In addition to the dwelling and shed, there exists a partially completed 40' x 80' x 21' accessory building (pole barn) in the front yard of the property. It is this building which is the subject of the instant requests. In this regard, the Petitioner commenced construction of the building in January 2005 without benefit of a building permit and upon receipt of an anonymous complaint, was cited with a zoning violation notice by the Code Enforcement Division of the Department of Permits and Development Management. The Petitioners were subsequently advised to file the instant Petition to legitimize the building.

The Petitioners have owned and resided on the property since March 2003. Mr. Blankenship testified that he owns and operates a landscape service business from his home and that he recently constructed the subject building for the purpose of storing vehicles and equipment used in his operation. The location of the building and related parking and driveway areas are more particularly described on the site plan. As shown thereon, the building is located in the northwest corner of the site, approximately 78 feet from the centerline of Piney Grove Road and 19 feet from the western property line. It was indicated that this area of the property was the most practical, given the topography of the site to the rear, and that the landscaping in this area consists of mature pine trees, which serve to screen the building from the adjacent property. Moreover, the building will be accessed via the existing driveway, which leads into the property from Piney Grove Road. Mr. Blankenship testified that he discussed his plans with Mr. Collison, his immediate neighbor to the west, and believed that there was no objection to his proposal. He further testified that the building was similar to other such buildings in the area, and introduced numerous photographs of similar structures in the neighborhood. Testimony indicated that the surrounding area features

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large residential lots, farms and associated service home-based businesses and that the use proposed is consistent with other uses in the area.

Mr. Hoff described the property as an elongated rectangle, with approximately 400 feet of frontage on Piney Grove Road and ranging in depth of from 850 feet on the east side to 991 feet on the west side; however, it tapers to the rear to a width of 150 feet. Additionally, the southern two-thirds of the property, which is wooded, is steeply sloped and falls approximately 70 feet from the front of the Petitioners' residence to the southwest (rear) corner of the site. Mr. Hoff testified that the requested variances were necessary, given the unique shape of the property, its topography and existing vegetation, and the minimum required for Petitioners' limited use of the property.

Messrs. Peters, Walter and Yachimowicz spoke in favor of the proposal and indicated that Mr. Blankenship's business, as presently conducted, has not caused any detrimental impacts upon the neighborhood.

Mr. Collison testified in opposition to the requests. He testified that the close proximity of the building to his property was a concern for noise from trucks and vehicle back-up beepers, and lighting. He also was concerned about the survivability of the mature pine trees on his property and indicated that they did not fully screen the subject building.

In response to these concerns, Mr. Blankenship agreed to limit the vehicles stored on the property to four, to disable vehicle back-up warning devices, and not to permit shredding activities on the property. He further agreed not to construct any additional buildings related to the special exception use thereon and to seek the proper permits, zoning, etc., for any structures, and to forego all retail activity from the subject location. Additionally, Mr. Blankenship agreed to limit his hours of operation from 6:00 AM to 6:00 PM, Monday through Friday, and 7:00 AM to 7:00 PM on weekends, excepting snow removal activities for customers on an as-needed basis during the snow season. He also agreed to plant additional vegetative screening material to minimize impacts of the building and his landscaping activities on the Collison property.

It is to be noted that two adverse Zoning Advisory Committee (ZAC) comments were received from the Office of Planning and the Department of Environmental Protection and

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Resource Management. The Office of Planning noted the burden upon the Petitioners to show that strict compliance with the B.C.Z.R. would result in a practical difficulty and unreasonable hardship. DEPRM referenced the criteria set forth in Section 414.1 of the B.C.Z.R.; however, this Zoning Commissioner believes this is in error and that DEPRM intended to refer to Sections 404.1 and 404.3 of the B.C.Z.R., which enumerate the requirements for a landscape service operation.

Landscape service operations are permitted in the R.C.2 zone by special exception, pursuant to Section 1A01.3.B.3 of the B.C.Z.R., and are regulated under Sections 404.1 and 404.3 thereof. A landscape service operation is defined as "An operation primarily engaged in the designing, installing, planting or maintaining of lawns, gardens or other plantings at off-site commercial or residential uses." In this regard, it is clear from the testimony that the landscape service operation proposed on the subject property is limited. The definition noted above is more wide-ranging and could include the storage of equipment, mulch, nursery stock, etc. on a given property. On the contrary, the operation proposed here consists only of the storage of vehicles and equipment incidental to Mr. Blankenship's landscape service operation. Mr. Blankenship testified that he and his employees meet on the property early in the day, travel to clients' properties to perform the lawn service/maintenance operations, and return to the subject site in late afternoon/early evening. He does not grow nursery stock on the site and does not maintain or sell produce, mulch, or equipment from the property. Moreover, there will be no fueling services performed on the site, nor wood related materials stored on the property.

Limited to the use as described above, I believe that the Petition for Special Exception can be granted and that a landscape service operation can be conducted on this site without detrimental impact to the surrounding locale. In this regard, I believe that such a limited operation would meet the special exception standards set forth in Section 502.1 of the B.C.Z.R. for relief to be granted. Thus, I will grant the relief requested for a landscape service operation consistent with that described at the hearing, subject to certain terms and conditions as more fully described below.

Turning next to the variance requests, I find that the location of the building and related parking areas is appropriate in this instance, given the site constraints associated with this property

and its topography. Moreover, due to the location of existing improvements, including the well and septic areas, it appears that the location of the building where proposed is the most logical and practical. The Petitioner agreed to provide year-round landscaping/screening around the proposed building and related parking areas to buffer its view from neighboring properties. Additionally, the Petitioner agreed to certain terms and conditions discussed with Mr. Collison after the hearing to mitigate any impacts the proposed use might have on his property. Specifically, the Petitioner shall thin, as necessary to enhance survivability of existing trees, and replant evergreens from the north end of the western property line at Piney Grove Road to the existing gap along the west side. An evergreen shall be planted every 10 feet along that line and continue south from the gap to the existing forsythia. The Petitioners shall extend the forsythia planting to south of the existing large shed and from the shed and the end of the forsythia plantings, additional appropriate vegetative screening will be installed to the existing tree line.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 1st day of April 2005 that the Petition for Special Exception to allow a landscape service operation on the subject property, pursuant to Section 1A01.2.C.14 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 alternative relief from Sections 404.1.B and 404.1.C to allow an accessory structure (pole barn) to be located 19 feet from any property line, including any right-of-way line, in lieu of the required 50 feet; to allow the exterior loading and unloading of vehicles for the purpose of shipping and receiving goods to be 59 feet from any property line in lieu of the required 100 feet; and to allow such loading activities to be carried on within the fully enclosed accessory structure, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for the building/use permit 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 relief granted herein is limited to the landscape service operation described herein. There shall be no storage or sale of any landscape products on-site, including mulch and no nursery stock shall be grown on the premises. Further, there shall be no mechanical shredding of landscape materials on the subject property. Likewise, there shall be no storage of fuels or the fueling of vehicles on the premises. Only the storage of the vehicles and equipment used in the landscape service operation, as described herein, shall be permitted on the property.
- 3) There shall be no more than four (4) trucks or truck/trailer combinations stored on the property and the hours of operation shall be limited to 6:00 AM to 6:00 PM, Monday through Friday, and 7:00 AM to 7:00 PM on Saturdays and Sundays (excepting snow removal activities).
- 4) Appropriate sanitation facilities shall be made available on the premises for all employees.
- 5) The Petitioner shall provide year-round landscaping/screening around the proposed building and related parking areas to buffer its view from neighboring properties. Additionally, in accordance with the agreement reached with Mr. Collison, the Petitioner shall thin, as necessary to enhance survivability of existing trees, and replant evergreens from the north end of the western property line at Piney Grove Road to the existing gap along the west side. An evergreen shall be planted every 10 feet along that line and continue south from the gap to the existing forsythia. The Petitioners shall extend the forsythia plantings to south of the existing large shed and from the shed and the end of the forsythia plantings, additional appropriate vegetative screening will be installed to the existing tree line.
- 6) There shall be no additional buildings related to the special exception relief constructed on the subject property without the requisite permits and, if necessary, a public hearing on the proposal.
- 7) There shall be no business signage erected on the building and all exterior lighting on the building shall be mounted on the front (west side), facing downward.
- 8) Within sixty (60) days of the date hereof, the Petitioners shall record in the Land Records of Baltimore County a covenant to the deed restricting the use of the Landscape Service Operation to the Petitioners, only, and no

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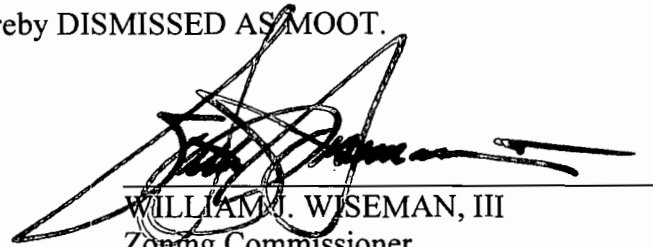
Date

By

others. Said covenant shall contain the proviso that such use shall terminate upon the sale of the property and no subsequent purchaser shall maintain the Landscape Service Operation on the property without a special hearing. A copy of the recorded covenant shall be submitted to the Department of Permits and Development Management for inclusion in the case file.

- 9) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief pursuant to Section 1A01.3(B)(3) of the B.C.Z.R., to allow a principal structure to be 19 feet from the property line in lieu of the required 35 feet be and is hereby DISMISSED AS MOOT.


WILLIAM M. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
Date 7/1/06
By Ryp

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

April 1, 2005

E. Alexander Adams, Esquire
8808 Centre Park Drive, #205
Columbia, Maryland 21045

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE
S/S Piney Grove Road, 329' E of the c/l Peltzer Lane
(4505 Piney Grove Road)
4th Election District – 3rd Council District
Stephen E. Blankenship, et ux - Petitioners
Case No. 05-359-XA

Dear Mr. Adams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. J. Wiseman III", is written over the typed name.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Stephen B. Blankenship
4505 Piney Grove Road, Reisterstown, Md. 21136-4221
Mr. Thomas J. Hoff, 406 W. Pennsylvania Avenue, Towson, Md. 21204
Mr. Robert J. Collison, II, 4525 Piney Grove Road, Boring, Md. 21020
Mr. James W. Peters, 4427 Piney Grove Road, Reisterstown, Md. 21136
Code Enforcement Division, DPDM; Office of Planning; DEPRM
People's Counsel; Case File





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 4505 Piney Grove Road

which is presently zoned RC-2

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Please see attached.

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.

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:

E. Alexander Adams, Esq.

Name - Type or Print

City

Signature

Adams & Adams

Company

8808 Centre Park Drive #205 (410) 992-1477

Address

Telephone No.

Columbia, MD 21045

City

State

Zip Code

Legal Owner(s):

Stephen B. Blankenship

Name - Type or Print

Signature

Jillian E. Blankenship

Name - Type or Print

Signature

4505 Piney Grove Road (410) 429-4115

Address

Telephone No.

Reisterstown, MD 21136-4221

State

Zip Code

Representative to be Contacted:

THOMAS J. HOFF

Name

406 W. PENNSYLVANIA AVE.

Address

Telephone No.

TOWSON, MD 21204 410-296-3668

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

2 HRS

UNAVAILABLE FOR HEARING

Reviewed By

JL

Date

4/14/05

ORDER RECEIVED FOR FILING

Date

By

Case No. 05359 XA

REV 02/15/98

PETITION FOR SPECIAL EXCEPTION - ATTACHMENT

Petitioners are requesting a Special Exception for landscape service operations (as permitted by §1A01.2.C.14. of the Baltimore County Zoning Regulations) ~~for a building [40' x 80'] to service~~ *for a building [40' x 80'] to service* ~~Petitioners' existing landscape service operation.~~ *PDV*

404.1 Special Regulation

Petitioners' primary occupation is their landscape service operation and the design of the existing building, with accompanying landscaping, will not be out of character for or adversely affect the neighborhood or the existing adjacent properties. Because of the existing vegetative buffer and the additional vegetative buffer that remains to be planted, there will be no adverse effect on immediately adjacent properties or in the neighborhood. In addition, the design and siting of the subject building (with the parking/turnaround area in the front) is meant to both minimize the sounds of Petitioners' vehicles and minimize any light pollution relative to vicinal properties.

Petitioners are contemporaneously filing a Petition for Variance from the 35-foot side yard setback requirement to a 19-foot side yard setback requirement (pursuant to §1A01.3.B.3. of the Baltimore County Zoning Regulations).

35' of any lot line

75' from c/c any street

ORDER RECEIVED FOR FILING

Date *5/11/15*

By *Rgo*



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4505 Piney Grove Road
which is presently zoned RC-2

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) 1A01.3(B)(3), 404.1.B & 404.1.C. *See attached. 50' if enclosed loading - 100' from*

50' from Property Line including R4 of Way Lane

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

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:

E. Alexander Adams, Esq.

Name - Type or Print

Signature

Adams & Adams

Company

8808 Centre Park Drive #205 (410) 992-1477

Address Telephone No.

Columbia, MD 21045

City State Zip Code

Legal Owner(s):

Stephen B. Blankenship

Name - Type or Print

Signature

Jillian E. Blankenship

Name - Type or Print

Signature

4505 Piney Grove Road (410) 429-4115

Address Telephone No.

Reisterstown, MD 21136-4221

State Zip Code

Representative to be Contacted:

THOMAS J. HOFF

Name

406 W. PENNSYLVANIA AVE

Address Telephone No.

TOWSON, MD 21204 410-296-3668

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 HRS

UNAVAILABLE FOR HEARING

Reviewed By JL Date 7/14/05

Case No. 05 359 XA

REV 9/15/98

ORDER RECEIVED FOR FILING

Date

By

PETITION FOR VARIANCES – ATTACHMENT

- 1) Pursuant to §1A01.3.B.3. of the Baltimore County Zoning Regulations, Petitioners are requesting a variance to allow a principal structure to be 19 feet from the property line in lieu of the required 35 feet.

Or alternatively,

- 2) Pursuant to §404.1.B. of the Baltimore County Zoning Regulations, Petitioners are requesting a variance to allow an accessory structure¹ to be 19 feet from any property line, including any right-of-way line, in lieu of the required 50 feet, as determined by the Zoning Commissioner.
- 3) Pursuant to §404.1.C. of the Baltimore County Zoning Regulations, Petitioners are requesting a variance to allow the exterior loading and unloading of vehicles for the purpose of shipping and receiving goods to be 59 feet from any property line in lieu of the required 100 feet.
- 4) Pursuant to §404.1.C. of the Baltimore County Zoning Regulations, Petitioners are requesting a variance to allow the loading activities to be carried on within the fully enclosed accessory structure¹ 19 feet from any property line in lieu of the required 50 feet.

Hardship or Practical Difficulty:

Variance #1 - The subject property is a 5.455 acre heavily wooded parcel containing significant mature forest and severe terrain in a rural area with substantial large non-residential buildings being utilized for various uses in the neighborhood, and in particular in properties adjacent to the subject property. Because of the topography of the subject setting, it is not practical to locate the building on another portion of the subject parcel as that would require extensive clearing of woodland, including mature trees, and substantial regrading and change of grade. The subject building is not out of keeping with the character and nature of other non-residential buildings in the immediate neighborhood, and will be fully landscaped to minimize visual impact from the public road or adjacent properties. There is already substantial forest area existing between the subject property and the neighboring property most affected, and with additional plantings over the next several years the visual impact will be lessened even further. The variance requested is the minimum required to permit construction of the required building.

Variance #2 - Petitioners are asking that a variance be granted to allow the construction of an accessory structure 19 feet from the property line due again to the topography of the property. It would not be practical for Petitioners to clear and regrade the heavily wooded portion of the property in order to construct said accessory structure.

Variance #3 & 4 - This would be the most sensible solution for Petitioners as the loading and unloading should occur at the principal structure and the accessory structure for efficiency's sake. Again due to the topography of the property, it is not practical for Petitioners to comply with the setbacks as set forth in the cited sections of the Zoning Regulations. As noted above, Petitioners will be fully landscaping the property in order to further shield neighboring properties from any visual and/or audio impact.

Petitioners are contemporaneously filing a Petition for Special Exception for landscape service operations (as permitted by §1A01.2.C.14. of the Baltimore County Zoning Regulations) for a building [40' x 80'] to service Petitioners' existing landscape service operation. Petitioners' landscape service operation involves the use of various pickup trucks/trailers to haul excavation equipment, building/landscape supplies and related material, and necessitates a wide turning radius to turn around and park such vehicles/equipment.

¹Same physical structure as the "principle structure" for which the variance is being requested in Variance #1

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Date

By

THOMAS J. HOFF, INC.
Landscape Architects and Land Development Consultants
406 WEST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
410-296-3668
FAX 410-296-5326

January 10, 2005

Description of 4505 Piney Grove Road, to Accompany Petition for Special Exception and Variances.

BEGINNING FOR THE SAME at a point on the south side of Piney Grove Road 329 feet more or less east of the intersection of the south side of Piney Grove Road and the centerline of Peltzer Lane.

Thence binding on the south side of Piney Grove Road,

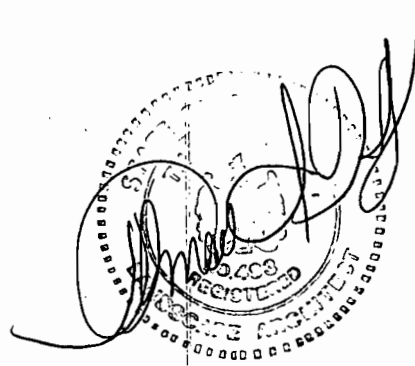
- 1) South 73 degrees 47 minutes 31 seconds East 183.24 feet, thence,
- 2) South 51 degrees 20 minutes 55 seconds East 193.86 feet, thence leaving the south side of Piney Grove Road,
- 3) South 21 degrees 09 minutes 40 seconds West 856.42 feet, thence,
- 4) South 86 degrees 05 minutes 35 seconds West 155.84 feet, thence,
- 5) North 08 degrees 12 minutes 38 seconds East 658.91 feet, thence,
- 6) North 07 degrees 28 minutes 02 seconds East 332.18 feet to the place of beginning.

Containing 5.47 acres of land more or less.

Note:

This Description has been prepared for zoning purposes only.

259



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: #05-359-XA

4505 Piney Grove Road

S/side of Piney Grove Road, 329 feet east of Peltzer Lane

4th Election District — 3rd Councilmanic District

Legal Owner(s): Stephen B. & Jillian E. Blankenship

Special Exception: for landscape service operations.

Variance: to allow a principal structure to be 19 feet from the property line in lieu of the required 35, to allow an accessory structure to be 19 feet from any property line including any right-of-way line in lieu of the required 50 feet, to allow the exterior loading and unloading of vehicles for the purpose of shipping and receiving goods to be 59 feet from any property line in lieu of the required 100 feet, and to allow the loading activities to be carried on within the fully enclosed accessory structure 19 feet from any property line in lieu of the required 50 feet.

Hearing: Monday, February 28 2005 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM WISEMAN

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.

2/097 Feb. 10

38680

CERTIFICATE OF PUBLICATION

2/10/, 2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/10/, 2005.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News



LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No. **05-359-XA**
Petitioner/Developer:
Stephen B. & Jillian E.
Blankenship
Hearing Date: **Feb. 28, 2005**

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

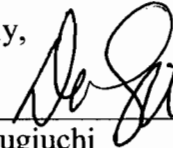
Attention: Ms. Kristen Matthews:

Ladies and Gentlemen:

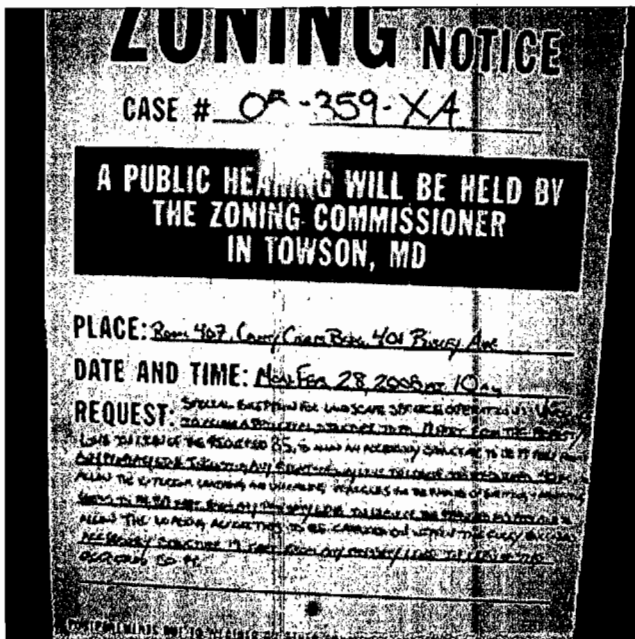
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located **4505 Piney Grove Rd.**

The sign(s) were posted on **2/12/05**

Sincerely,



Diana Sugiuchi
Thomas J. Hoff, Inc.
406 West Pennsylvania Avenue
Towson, MD. 21204
410-296-3668





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

Tel: 410-887-3353 • Fax: 410-887-5708

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

January 24, 2005

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: 05-359-XA

4505 Piney Grove Road
S/side of Piney Grove Road, 329 feet east of Peltzer Lane
4th Election District – 3rd Councilmanic District
Legal Owners: Stephen B. & Jillian E. Blankenship

Special Exception for landscape service operations. Variance to allow a principal structure to be 19 feet from the property line in lieu of the required 35, to allow an accessory structure to be 19 feet from any property line including any right-of-way line in lieu of the required 50 feet, to allow the exterior loading and unloading of vehicles for the purpose of shipping and receiving goods to be 59 feet from any property line in lieu of the required 100 feet, and to allow the loading activities to be carried on within the fully enclosed accessory structure 19 feet from any property line in lieu of the required 50 feet.

Hearing: Monday, February 28, 2005 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: E. Alexander Adams, 8808 Centre Park Dr., Columbia 21045
Stephen & Jillian Blankenship, 4505 Piney Grove Rd., Reisterstown 21136
Thomas Hoff, 406 W. Pennsylvania Ave., Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, FEBRUARY 12, 2005.**
- (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
Thursday, February 10, 2005 Issue - Jeffersonian

Please forward billing to:
Stephen Blankenship
4505 Piney Grove Road
Reisterstown, MD 21136

410-429-4115

NOTICE OF ZONING HEARING

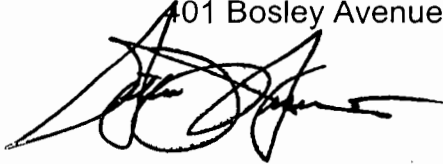
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 05-359-XA

4505 Piney Grove Road
S/side of Piney Grove Road, 329 feet east of Peltzer Lane
4th Election District – 3rd Councilmanic District
Legal Owners: Stephen B. & Jillian E. Blankenship

Special Exception for landscape service operations. Variance to allow a principal structure to be 19 feet from the property line in lieu of the required 35, to allow an accessory structure to be 19 feet from any property line including any right-of-way line in lieu of the required 50 feet, to allow the exterior loading and unloading of vehicles for the purpose of shipping and receiving goods to be 59 feet from any property line in lieu of the required 100 feet, and to allow the loading activities to be carried on within the fully enclosed accessory structure 19 feet from any property line in lieu of the required 50 feet.

Hearing: Monday, February 28, 2005 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM WISEMAN
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 Baltimore County Zoning Regulations (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: 05 359 XA
Petitioner: STEPHEN BLANKENSHIP
Address or Location: 4505 PINEY GROVE RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: STEPHEN BLANKENSHIP
Address: 4505 PINEY GROVE RD.
REISTERSTOWN, MD. 21136
Telephone Number: 410-429-4115

**Department of Permits and
Development Management**

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



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

February 22, 2005

E. Alexander Adams, Esquire
Adams & Adams
8808 Centre Park Drive, # 205
Columbia, Maryland 21045

Dear Mr. Adams:

RE: Case Number: 05-359-XA, 4505 Piney Grove Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 14, 2005.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Stephen and Jillian Blankenship 4505 Piney Grove Road Reisterstown 21136-4221
Thomas J. Hoff 406 W. Pennsylvania Avenue Towson 21204



Fire Department



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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

January 25, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 31, 2005

Item No.: 359

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

Visit the County's Website at www.baltimorecountyonline.info



Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*



Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

Date: 1.21.05

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

RE: Baltimore County
Item No. 359 JLL

Dear Ms. Matthews:

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,

Steven D. Foster, Chief
Engineering Access Permits Division

BW
2/28

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
FROM: John D. Oltman, Jr. *JDO*
DATE: February 11, 2005
SUBJECT: Zoning Item # 05-359
Address 4505 Piney Grove Road

RECEIVED

FEB 25 2005

ZONING COMMISSIONER

Zoning Advisory Committee Meeting of January 24, 2005

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Additional Comments:

The Agricultural Preservation section of this Department does not support the request for a Special Exception for a landscape service operation at this location. As evidenced by the extent and scope of the requested variances, this site is not suitable for the proposed uses. The standards in Section 414.1 serve to assure that landscape service operation sites will be suitable and minimize the impact on the neighboring properties. In this case the property appears too small and too constrained (petitioner's statement about citing issues) to be suitable for this intensive operation.

Reviewer: Wally Lippincott,
L:\SHARED\DESHARED\Devcoord\ZACSHL-1-11-05.doc

Date: February 11, 2005

Rec'd After Hearing

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: January 31, 2005

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

SUBJECT: 4505 Piney Grove Road

INFORMATION:

Item Number: 5-359

Petitioner: Steven B. Blakenship

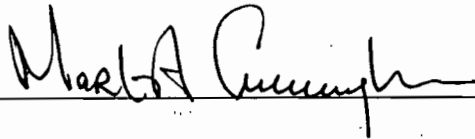
Zoning: RC 2

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

It is incumbent upon the petitioner to demonstrate to the Zoning Commissioner that there are special circumstances or conditions existing on the subject site that are peculiar to the subject land or structure where strict compliance of the BCZR would result in practical difficulty and unreasonable hardship.

Prepared by:



Division Chief:



AFK/LL:MAC:

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: February 9, 2005

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For January 31, 2005
Item Nos. 348, 349, 350, 351, 352, 355,
357, 358 and 359

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

RWB:CEN:cp

cc: File

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE *
4505 Piney Grove Road; S/side Piney Grove * ZONING COMMISSIONER
Road, 329' E Peltzer Lane
4th Election & 3rd Councilmanic Districts * FOR
Legal Owner(s): Stephen & Jillian Blankenship
Petitioner(s) * BALTIMORE COUNTY
* 05-359-XA

* * * * *

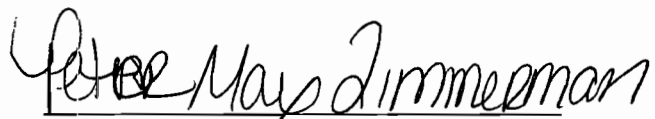
ENTRY OF APPEARANCE

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 and all documentation filed in the case.

RECEIVED

JAN 25 2005

Per. CLB



PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

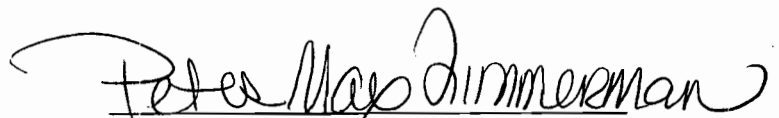


CAROLE S. DEMILIO

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 25th day of January, 2005, a copy of the foregoing Entry of Appearance was mailed to Thomas J. Hoff, 406 W. Pennsylvania Avenue, Towson, MD 21204 and to E. Alexander Adams, Esquire, Adams & Adams, 8808 Centre Park Drive, Suite 205, Columbia, MD 21045, Attorney for Petitioner(s).



PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

April 8, 2005

E. Alexander Adams, Esquire
8808 Centre Park Drive, #205
Columbia, Maryland 21045

RE: MOTION FOR CLARIFICATION
PETITIONS FOR SPECIAL EXCEPTION & VARIANCE
(4505 Piney Grove Road)
Stephen E. Blankenship, et ux - Petitioners
Case No. 05-359-XA

Dear Mr. Adams:

In response to your letter of April 7, 2005 concerning the above-captioned matter, the following comments are offered. Your letter has been accepted as a Motion for Clarification of the terms and conditions of the Order issued by me on April 1, 2005.

As noted within my Opinion, the landscape service operation proposed on the subject site is limited in that Mr. Blankenship does not grow nursery stock on the premises and does not maintain or sell produce, mulch, or equipment from the property. Essentially, the operation proposed here consists only of the storage of vehicles and equipment incidental to the operation of the business. Based upon the representations made in your letter, the *occasional* storage of leftover landscaping materials from various job sites and abrasives for snow removal would not constitute an expansion of the Petitioners' use of his property. Moreover, the limited storage of fuel in a portable gas can on the premises seems appropriate and reasonable; however, the fueling of vehicles or equipment from portable pickup truck tanks would not be acceptable and could be a fire safety issue. Finally, Restrictions Nos. 2 and 3 relate expressly to the trucks and vehicles used in the landscape service operation and not the personal automobiles used by the Petitioners.

I hope that this clarifies the concerns raised in your letter and should you have any further questions on the subject, please do not hesitate to call me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Bill Wiseman", is written over a large, stylized, and somewhat illegible signature that spans across the text.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. & Mrs. Stephen B. Blankenship
4505 Piney Grove Road, Reisterstown, Md. 21136-4221
Case File



Bill Wiseman - Blankenship Property - Special Exception

From: "Lexi Levy" <cal@a-alaw.com>
To: <wwiseman@co.ba.md.us>
Date: 4/5/2005 1:42:35 PM
Subject: Blankenship Property - Special Exception

Mr. Wiseman -

Mr. Adams got your fax and thanks you for same. He is fine with the changes you made; the only particular point to which he'd like to call your attention is that he believes under OSHA/MOSHA Mr. Blankenship is not permitted to disable beeping back up devices on his vehicles. Since disabling those devices was not mentioned as a condition for granting the special exception/variances he assumes that's not an issue.

Also, might you have a suggested format for the deed covenant that will be required?

Thank you for all of your assistance with this matter!

Lexi Levy
Paralegal
Adams & Adams
(410) 992-1477 voice
(410) 992-1685 fax
cal@a-alaw.com

ADAMS & ADAMS
Attorneys at Law
One Centre Park Office Building
8808 Centre Park Drive, Suite #205
Columbia, Maryland 21045

E. ALEXANDER ADAMS

BETTY SMITH ADAMS
LISA C. HEIMLICH, OF COUNSEL

(410) 992-1477

FAX: (410) 992-1685

FACSIMILE TRANSMITTALDATE: April 7, 2005TIME: 1:50TO: Mr. William J. Wiseman, IIIFAX #: (410) 887-3468FROM: E. Alexander Adams, Esq.

MESSAGE: Re: Case No. 05-359-XA

Please see attached letter.

Accept as "Motion to Clarify"

ORIGINAL DOCUMENTS () WILL FOLLOW BY MAIL
() WILL BE FEDERAL EXPRESSED
(X) WILL NOT FOLLOW AT THIS TIME

TOTAL NUMBER OF PAGES INCLUDING COVER LETTER: 3

Please notify us immediately if all pages are not received, or are not clear. (410) 992-1477.

Confidentiality Notice: The documents accompanying this facsimile transmission may contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone to arrange the return of the transmitted documents to us.

ADAMS & ADAMS

Attorneys at Law
One Centre Park Office Building
8808 Centre Park Drive, Suite #205
Columbia, Maryland 21045

E. ALEXANDER ADAMS

BETTY SMITH ADAMS

LISA C. HEIMLICH,
OF COUNSEL

(410) 992-1477

FAX: (410) 992-1685

April 7, 2005

William J. Wiseman, III,
Zoning Commissioner for
Baltimore County
County Courts Building
401 Bosley Avenue, Suite 405
Towson, MD 21204
VIA FACSIMILE: (410) 887-3468

Re: Zoning Hearing
Case No. 05-359-XA

Dear Mr. Wiseman:

I am in receipt of your letter dated April 1, 2005, and thank you for same. However, Mr. Blankenship does have some concerns about some of the conditions listed in Paragraphs 2 and 3 of the Decision.

He did testify that he generally had all job material delivered to his various work sites, but that there would on occasion be leftover material stored on site at the Piney Grove property (generally, stone/mulch and miscellaneous cats and dogs plant material). In the winter, he needs to store abrasives, etc. for his snow removal jobs as well. The conditions seem to prohibit storage of those leftover materials and abrasives even in fairly limited quantity, which concerns Mr. Blankenship. His current procedure minimizes waste and is fairly standard in the landscaping industry.

Additionally, Paragraph 2 seems to prohibit any refueling of vehicles from portable cans or portable pickup truck tanks. While my client has not ever intended to have under- or above-ground permanent fuel tanks, a strict interpretation of Paragraph 2 would require him to load his Bobcat on a trailer and drive to a gas station rather than using a portable can to fill it.

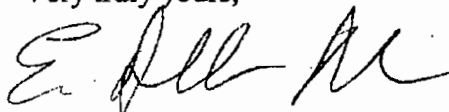
Finally, as you might recall, the property is also my clients' primary residence. Mr. Blankenship has a Dodge pickup truck which he uses as his primary personal vehicle. Ms.

Blankenship also has a car for personal use. Paragraphs 2 and 3 as currently worded seem to prohibit the storage of those vehicles on the property even though they do not have anything to do with the landscape operation per se.

I would appreciate it if you could give me a call to discuss the above and to let me know if there a procedure to seek a reconsideration/clarification of the conditions contained in the Decision. My client does not want to appeal the Decision but rather reasonably clarify it for his own peace of mind.

Again, thank you for all of your assistance with this matter.

Very truly yours,



E. Alexander Adams

EAA/II

F:\Old W Drive\LTR\Wiseman.william.wpd - April 7, 2005 (10:05am)



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

Account Identifier: District - 04 Account Number - 0419007425

Owner Information

Owner Name: BLANKENSHIP STEPHEN B
 BLANKENSHIP JILIAN E
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 4505 PINEY GROVE RD
 REISTERSTOWN MD 21136-4221
Deed Reference: 1) /17737/ 554
 2)

Location & Structure Information

Premises Address
 4505 PINEY GROVE RD

Legal Description
 5.455 AC
 4505 PINEY GROVE RD SS
 2150FT W LONGNECKER RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Group	Plat No:
40	1	26						80	Plat Ref:

Special Tax Areas
 Town
 Ad Valorem
 Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1973	1,152 SF	5.46 AC	04
Stories SPFOY	Basement	Type SPLIT FOYER	Exterior STUCCO

Value Information

	Base Value	Value As Of 01/01/2004	Phase-in Assessments As Of 07/01/2004	As Of 07/01/2005
Land:	71,150	85,380		
Improvements:	96,150	159,490		
Total:	167,300	244,870	193,156	219,012
Preferential Land:	0	0	0	0

Transfer Information

Seller: PETERS PAULA MAE	Date: 03/26/2003	Price: \$255,000
Type: IMPROVED ARMS-LENGTH	Deed1: /17737/ 554	Deed2:
Seller: SCHLATRE PAULUS	Date: 09/18/2002	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /16842/ 732	Deed2:
Seller: BISSES ADOLPH ET AL	Date: 02/19/1946	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 1436/ 239	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2004	07/01/2005
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

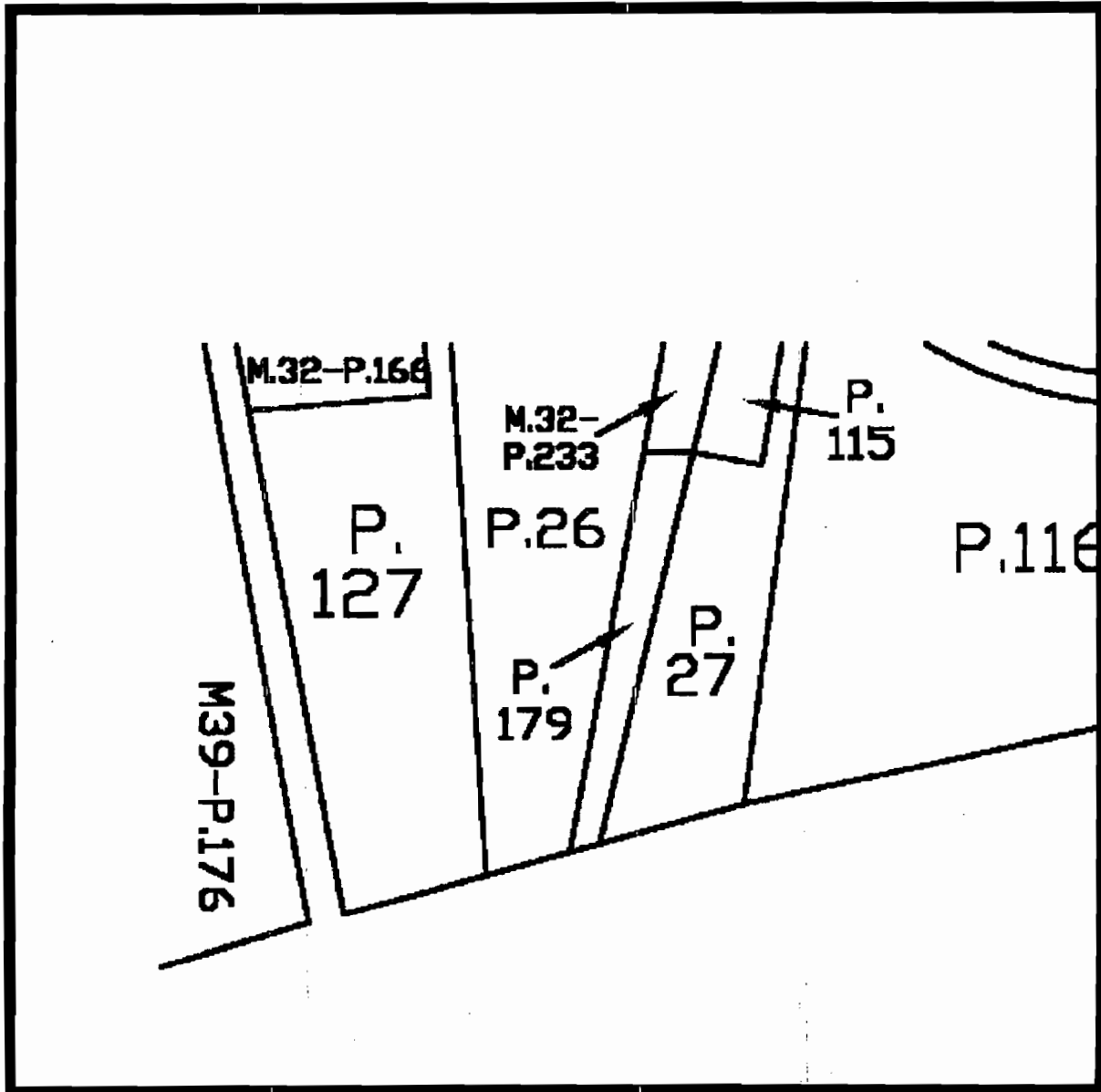
* NONE *



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[View Map](#)

District - 04 **Account Number - 0419007425**



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning
web site at

ZAC AGENDA

Item Number: 358 Case Number: 5-358-A Primary Use: Residential Reviewer: BPR
Type: Administrative Variance
Legal Owner: Gloria R. Hartwell
Contract Purchaser:
Critical Area: No Flood Plain: No Historic: No Election Dist: 2nd Councilmanic Dist: 4th
Property Address: 2114 Holder Avenue
Location: West side Holder Avenue, 230 feet south centerline Carl Avenue.
Existing Zoning: DR 3.5 Area: 15,000 square feet
Proposed Zoning: ADMINISTRATIVE VARIANCE to permit a front yard setback of 23 feet in lieu of the required front yard average of 40 feet for an addition.

Attorney:

Miscellaneous:

Item Number: 359 Case Number: 5-359-XA Primary Use: Residential Reviewer: JLL
Type: Special Exception Variance
Legal Owner: Stephen B. and Jillian E. Blankenship
Contract Purchaser:
Critical Area: No Flood Plain: No Historic: No Election Dist: 4th Councilmanic Dist: 3rd
Property Address: 4505 Piney Grove Road
Location: South side Piney Grove Road, 329 feet east of Peltzer Lane.
Existing Zoning: RC 2 Area: 5.47 AC +/-
Proposed Zoning: SPECIAL EXCEPTION for landscape service operations

VARIANCE to allow a principal structure to be 19 feet from the property line in lieu of the required 35 feet, to allow an accessory structure to be 19 feet from any property line including any right-of-way line in lieu of the required 50 feet, to allow the exterior loading and unloading of vehicles for the purpose of shipping and receiving goods to be 59 feet from any property line in lieu of the required 100 feet, and to allow the loading activities to be carried on within the fully enclosed accessory structure 19 feet from any property line in lieu of the required 50 feet.

Attorney: E. Alexander Adams, Esquire

Miscellaneous:

Garland
04-6726

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: January 31, 2005

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: Rick Wisnom, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 359
Legal Owner/Petitioner: Blankenship, Stephen B. & Jillian E.
Contract Purchaser: n/a
Property Address: 4505 Piney Grove Rd
Location Description: S.S. Piney Grove Rd

VIIOLATION INFORMATION: Case No. 04-6726
Defendants: Blankenship, Stephen & Jillian

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 person(s) regarding the hearing date:

NAME	ADDRESS
Jim Garland Bldg. Insp.	410-887-3953 M.S. 1009

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- X 1. Complaint letter/memo/email/fax (if applicable)
- X 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- X 3. State Tax Assessment printout
- ☐ 4. State Tax Parcel Map (if applicable)
- ☐ 5. MVA Registration printout (if applicable)
- ☐ 6. Deed (if applicable)
- ☐ 7. Lease-Residential or Commercial (if applicable)
- X 8. Photographs including dates taken
- X 9. Correction Notice/Code Violation Notice
- ☐ 10. Citation and Proof of Service (if applicable)
- ☐ 11. Certified Mail Receipt (if applicable)
- ☐ 12. Final Order of the Code Official/Hearing Officer (if applicable)
- ☐ 13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
- X 14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/jg
C: Code Enforcement Officer

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Dt Rec: 7282004 Intake: HOPKINS, K Act: _____ Case #: 04-6726

Insp: GARLAND, J Insp Grp: ENF Insp Area: 17 Tax Acct: 419007425

Address: 4505 PINEY GROVE RD Apt #: _____ Zip: 21236

Owner: BLANKENSHIP, STEPHEN B & JILIAN E

Problem Descript.: BLT 40' X 80' X 21' HIGH BLDG W/O PERMIT

Complainant Name (Last): ANONYMOUS (First): _____

Complainant Addr: _____

Complainant City: _____ State: _____ Zip: _____

Complainant Phone (H): _____ (W): _____

Date of Reinspection: 3222005 Date Closed: _____ Delete Code (P): _____

F3=Exit

F5=Refresh

F6=Select format

F9=Insert

F10=Entry

F11=Change

The description for Special Exception does not state that the new structure is located in front yard. Please be aware that it appears to have a front (Road Entrance From Piney Grove Rd.) setback. This violation was noted on the correction notice issued!

J. Garland

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Notes: 04-6726 7/29/04 ON SITE INSP. VERIFIED POLE BARN APPROX 50'X80' UNDER
CONSTRUCTION. APPEARS LARGER THAN DWELLING & LOCATED ON FRONT OF PROPERTY ISSUED
VIOLATION NOTICE. NO COMPLAINANT TO CONTACT. P/U 8/10/04 J.GARLAND/NS***
08/11/04 SPOKE W/OWNER-STATES HE HAS A MEETING SCHEDULED FOR 09/01 @ 3 PM W/ZONI
NG TO FILE VAR. FOR HEIGHT & LOCATION OF STRUCTURE. P/U 09/01/04. J.GARLAND/KH.*
** 9/2/04 SPOKE W/MR.BLANKENSHIP. STATES HE M/W MR.ALEXANDER (ZONING) ON 9/
1/04. HE HAS BEEN INFORMED OF HIS OPTIONS TO FILE FOR PERMIT & WILL DO SO W/IN
10 DAYS. P/U 9/12/04 J.GARLAND/NS***
6/14/04 MR.BLANKENSHIP & LAWYER ARE FILING FOR PERMIT ON 9/15/04. P/U 9/25/04 J.
GARLAND/NS*** 9/30/04 OWNER IS MEETING W/ZONING OCT.26 TO SUBMIT PAPERWORK F
OR VARIANCE & SPECIAL EXCEPTION. P/U 10/27/04 J.GARLAND/NS***
10/28/04 SPOKE W/MR.BLANKENSHIP. STATES IN PROCESS OF SUBMITTING PAPERWORK FOR
VARIANCE. ASKED FOR 2 WKS EXTENSION. P/U 11/18/04 J.GARLAND/NS***
11/23/04 SPOKE W/MR.BLANKENSHIP. P/U 12/18/04 J.GARLAND/NS***
12/21/04 SEE LETTER IN FILE MR HOFF EPLAINS HE WILL BE FILING FOR A ZONING PETIT
ION ON JAN 13, 2005 THE ZONING SHOULD FOLLOW WITHIN SIX TO TEN WEEKS P/U 1/17/05
J.GARLAND/JB***----->

F3=Exit

F9=Insert

F5=Refresh

F10=Entry

F6=Select format

F11=Change

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Notes 2: 04-6726 1/26/05 PETITION FOR ZONING VARIANCE FILED. REQUEST FOR DOCUMENTS FROM ZONING COMMISSIONERS OFFICE HAVE BEEN FORWARDED FOR REVIEW. HEARING DATE APPROX. 6-8 WEEKS. P/U 3/22/05 J.GARLAND/NS***

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

PHOTOGRAPHIC RECORD

Citation/Case No.: Zoning #5-359-XA Building Insp. 04-6726

Date of Photographs: 1.26.05



Picture of Structure in Violation - located in front yard of dwelling

HEREBY CERTIFY that I took the (3) photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced citation/case number on the date set out above.
(number of photos)


Enforcement Officer



CAR shown in driveway which leads to dwelling



From Piney Grove Rd - driveway leads to dwelling - Pole structure is between Piney Grove & dwelling.

THOMAS J. HOFF, INC.
Landscape Architects and Land Development Consultants
406 WEST PENNSYLVANIA AVENUE, 2nd FLOOR
TOWSON, MD. 21204
410-296-3668
FAX 410-296-5326

December 7, 2004

James Garland
Code Inspections & Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

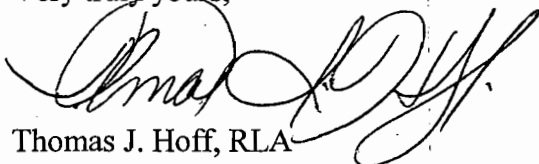
Re: 4505 Piney Grove Road
Citation Case No. 04-6726

Dear Jim:

As per our phone conversation of last Wednesday, I am sending this letter to inform you of our zoning hearing and permitting schedule. We are currently schedule to file our zoning petition on January 13, 2005. Our zoning hearing will be six to ten weeks after the filing date. After the zoning hearing there is a thirty-day appeal period before the zoning order is final. If we get a favorable decision from the Zoning Commissioner, we will then prepare and submit a Stormwater Management Analysis. Once we have Stormwater Management approval, we can complete the site plan for the permit, the grading plan and the sediment control plan. We will then be able to file for the building permit.

If you have any questions or require any additional information, please give me a call.

Very truly yours,



Thomas J. Hoff, RLA
President



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Code Enforcement: 410-887-3351
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

Citation/Case No. 04-6726	Property No. 0419007425	Zoning: RM-1
Name(s): Stephen & Julian Blankenship		
Address: 4505 Piney Grove Rd.		
Violation Location: EA012		

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

I.R.C. 2000
Sec. 1051.1
Must file for permit to construct accessory (Pole Barn) in front of dwelling - Accessory Bldg. approx 50' x 80' appears larger than dwelling -
Stop Work immediately or 200.00/00 a day fine will be issued -

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

On or Before: 8.10.04	Date Issued: 7.29.04
---------------------------------	--------------------------------

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name JAMES CARLSON

INSPECTOR:

STOP WORK NOTICE

PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN:

Not Later Than: 8.10.04	Date Issued: 7.29.04
-----------------------------------	--------------------------------

INSPECTOR:

AGENCY

DATE: 07/28/2004

STANDARD ASSESSMENT INQUIRY (1)

TIME: 11:28:04

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
04 19 007425	04	1-0	04-00	H	NO		06/15/04

BLANKENSHIP STEPHEN B DESC-1.. IMPS5.455 AC

BLANKENSHIP JILIAN E DESC-2.. 2150FT W LONGNECKER RD

.4505 PINEY GROVE RD	PREMISE. 04505	PINEY GROVE	RD	00000-0000
----------------------	----------------	-------------	----	------------

REISTERSTOWN MD 21136-4221 FORMER OWNER: PETERS PAULA MAE

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR	CURR	PRIOR
				FCV	ASSESS	ASSESS
LAND:	71,150	85,380				
IMPV:	96,150	159,490	TOTAL..	193,156	193,156	167,300
TOTL:	167,300	244,870	PREF...	0	0	0
PREF:	0	0	CURT...	193,156	193,156	167,300
CURT:	167,300	244,870	EXEMPT.		0	0
DATE:	07/00	05/03				

---- TAXABLE BASIS ---- FM DATE

ASSESS: 193,156 11/22/03

ASSESS: 167,300

ASSESS: 0

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

entered KH

DE ENFORCEMENT REPORT

CB

DATE: 7/28/04 INTAKE BY: Hopkins, K CASE #: 04-6726 INSPEC:

COMPLAINT

LOCATION: 4505 Piney Grove Rd

ZIP CODE: DIST:

COMPLAINANT

NAME: Anonymous 4505 Piney Grove Rd PHONE #: (H) (W)

ADDRESS: ZIP CODE:

PROBLEM: 1st 40 x 80 x 21 high bldg w/o permit

IS THIS A RENTAL UNIT? YES NO

IF YES, IS THIS SECTION 8? YES NO

OWNER/TENANT

INFORMATION:

TAX ACCOUNT #: ZONING:

INSPECTION:

REINSPECTION:

REINSPECTION:

REINSPECTION:

RESUME

THOMAS J. HOFF

THOMAS J. HOFF, INC.

406 West Pennsylvania Avenue

Towson, Maryland 21204

410-296-3668

EDUCATION:

Bachelor of Science Landscape Architecture,

Magna Cum Laude

West Virginia University, 1976

EXPERIENCE:

January 1992 to Present.

THOMAS J. HOFF, INC.

Towson, Maryland

Principal - President. Responsibilities include administration, client relations, site design, project management, government agency coordination and project scheduling for all projects in the office. Project supervision of staff responsible for zoning plans, site plans, grading plans, storm water management plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

December 1986 to December 1991.

HOFF & ANTONUCCI, INC.

Lutherville, Maryland

Principal - President. Responsibilities include administration, client relations, site design, project management, government agency coordination and project scheduling for all projects in the office. Project supervision of staff responsible for zoning plans, site plans, grading plans, storm water management plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

Petersons # 3

Thomas J. Hoff
Resume (cont.)

July 1983 to December 1986.

HOFF, ROSENFELT, AND WOOLFOLK, INC.

Owings Mills, Maryland

Principal - Secretary/Treasurer. Responsibilities included administration, client relations, site design, project management, government agency coordination and project scheduling for all projects in the office. Project supervision of staff responsible for zoning plans, site plans, grading plans, storm water management plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

February 1978 to July 1983.

DEVELOPMENT DESIGN GROUP LIMITED

Towson, Maryland

Chief Project Manager. Responsibilities included site design, project management, government agency coordination, and supervision of staff responsible for zoning plans, site plans, grading plans, storm water management plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

July 1976 to February 1978.

DAFT McCUNE & WALKER, INC.

Towson, Maryland

Staff Landscape Architect. Responsibilities included site design, site plans, grading plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

ORGANIZATIONS:

Baltimore Association of Landscape Architects

PROFESSIONAL REGISTRATION:

Registered Landscape Architect (1981)
Maryland - No. 493

AWARDS:

The Baltimore County Soil Conservation District, Consultant Firm of the Year,
2002

Zoning Hearings:

1104 Harwall Road, Baltimore County – Special Exception and Variances, Case No. 05-242-XA.

9101 Liberty Road, Auto Collision Technologies, Baltimore County – Special Exception and Variances, Case No. 04-422-XA, 2004.

11420 York Road, Baltimore County – Variances, Case No. 04-302-A, 2004.

4 Marlyn Avenue, Care Management, Inc., Baltimore County – Variances, Case No. 03-537-XA, 2003.

212 Cockeys Mill Road, Miller Tree & Landscape, Baltimore County – Special Exception, Special Hearing and Variances, Case No. 03-466-SPHXA, 2003.

9701 Reisterstown Road, Northwest Honda, Baltimore County – Special Hearing and Variances, Case No. 03-406-SPHA, 2003.

15509 Manor Road, Bozman Property, Baltimore County – Variances, Case No. 03-235-SPHA, 2003.

4106 Klausmier Road, Baltimore County – Variance to permit undersized lot, Case No. 03-217-A, 2002.

4104 Klausmier Road, Baltimore County – Variance to permit undersized lot, Case No. 03-216-A, 2002.

Tom's Sports Tavern, 9307 Liberty Road, Baltimore County – Setback Variances, Case No. 02-377-SPHA, 2002.

Sunoco Service Station, 6401 Golden Ring Road, Baltimore County – Sign Variances, Case No. 02-371-A, 2002.

Sunoco Service Station, 8000 Loch Raven Blvd., Baltimore County – Sign Variances, Case No. 02-370-A, 2002.

Radio Shack, 1206 Reisterstown Road, Baltimore County – Sign Variances, Case No. 02-211-A, 2002.

Sunoco Service Station, 6324 Baltimore National Pike, Baltimore County – Sign Variances, Case No. 01-312-A, 2001.

Sunoco Service Station, 10812 Reisterstown Road, Baltimore County – Sign Variances, Case No. 01-311-A, 2001.

Zoning Hearings:

Sunoco Service Station, 11701 Reisterstown Road, Baltimore County – Sign Variances, Case No. 01-310-A, 2001.

10233 Liberty Road, Baltimore County – Special Exception, Case No. 00-561-X, 2000.

114 Dundalk Avenue, Baltimore County - Special Exception and Variances, Case No. 00-07-XA, 2000.

103 Riverton Road, Baltimore County – Special Hearing, Special Exception and Variances, Case No. 00-370-SPHXA, 2000.

Sunoco Service Station, 143 Back River Neck Road, Baltimore County – Sign Variances, Case No. 00-348-A, 2000.

405 East Joppa Road/510-514 & 518 Fairmount Avenue, Baltimore County – Special Hearing to amend the Special Exception and Variances, Case No. 00-305-SPHA, 2000.

Sunoco Service Station, 10800 Pulaski Highway, Baltimore County – Special Hearing and Variances, Case No. 00-103-SPHA, 1999.

St. Charles @ Old Court Apartments, Baltimore County – Variance to allow detached garages, Case No. 00-076-A, 1999.

Northwest BMW/Honda, 9700 Reisterstown Road, Baltimore County – Variance, Case No. 00-009-A, 1999.

Sunoco Service Station, 100 West Timonium Road, Baltimore County – Special Exception, Special Hearing and Variances, Case No. 99-408-SPHXA, 1999.

1623 Bellona Avenue, Baltimore County – Special Exception for a physician's office within a primary residence, Case No. 99-283-SPX, 1999.

2448 Spring Lake Drive, Baltimore County - Sideyard Variance, Residential, Case No. 99-71-A, 1998.

9608 & 9610 Belair Road, Baltimore County - Special Exception for Class B Group Child Care, Special Hearing and Variances, Case No. 98-282-SPHXA, 1998.

7303 Belair Road, Baltimore County - Setback Variances, Case No. 98-192-A, 1997.

CVS Pharmacy, 9519 Philadelphia Road, Baltimore County - Parking and Setback Variances, Case No. 97-395-A, 1997.

Zoning Hearings:

114 Dundalk Avenue, Baltimore County - Variance, Case No. 96-484-A, 1996.

3419 Sweet Air Road, Baltimore County - Parking Variance for Restaurant, 1996

Rolling View Green, Baltimore County - Special Hearing and Variances, Case No. 95-432-SPHA, 1995.

The Estates at Rolling View, Baltimore County - Setback Variances for Residential Subdivision, Case No. 94-464-A, 1994.

1110 Reisterstown Road, Baltimore County - Variances and Special Hearing, Case No. 94-248-SPHA, 1994.

Edgewood Senior Center, Harford County - Special Exception and Variances, 1994

Hyatt Property, Baltimore County - Setback Variance, 1994

Camp Glyndon, Baltimore County - Special Exception and Sign Variance, 1993

Painters Mill Executive Office Park, Baltimore County - Sign Variance

204 Sudbrook Lane, Baltimore County - Special Exception for Assisted Living Facility in a DR Zone

Amoco Oil, Philadelphia Road, Baltimore County - Special Exception & Sign Variance

Amoco Oil, Route 40, Harford County - Setback Variance

Littman Property, Residential Subdivision, Baltimore County - Special Hearing

Schuster Concrete, Crondall Lane, Baltimore County - Setback Variance

Amoco Oil, Carroll Plaza, Carroll County - Sign Variance

Maerk, Ltd., Carroll Plaza Shopping Center, Carroll County - Parking Variance

Methodist Home, Powells Run Rd., Baltimore County - Special Exception & Variance

Board of Appeals:

Sunoco Service Station, 6324 Baltimore National Pike, Baltimore County - Sign Variances, Case No. 01-312-A, 2001.

Board of Appeals:

Sunoco Service Station, 10812 Reisterstown Road, Baltimore County – Sign Variances, Case No. 01-311-A, 2001.

Sunoco Service Station, 11701 Reisterstown Road, Baltimore County – Sign Variances, Case No. 01-310-A, 2001.

Bundy Property, Baltimore County – Petition for Reclassification, Case No. R-99-184, 1999.

Easter Property, Baltimore County - CRG Appeal, 1994

Amoco Oil, Philadelphia Road, Baltimore County - Special Exception & Sign Variance

Pizza Palace, Baltimore County - Parking Variance for Restaurant

Littman Property, Residential Subdivision, Baltimore County - Special Hearing

Schuster Concrete, Crondall Lane, Baltimore County - Setback Variance

Hearing Officer's Hearings:

Chapeldale Woods, Single family detached lots, RC-5 zone, 2001

Merrymans Manor, Single family detached lots, RC-4 zone, 2000.

Carrington Ridge, Single family detached lots, DR-2 zone, 2000.

CASE NAME _____
CASE NUMBER 05-359 KA
DATE _____

CASE NAME _____
CASE NUMBER 05-359 KA
DATE _____

[illegible]

P. 180

POB

PINEY GROVE RD.

P. 166

SITE

P. 115

P. 26

RC 2

P. 116

P. 176

P. 127

P. 27

PELTZER LN

P. 30

359



1 inch = 200 feet

0 50 100 200 300 400 Feet

Case No.:

05-359 XA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	1 a b c d e f
No. 2	Photo's	
No. 3	Resume of Mr. Hoff	
No. 4	Photo's - 1/2 mile away SIMILAR STRUCTURE	
No. 5	" "	
No. 6	" " across old Hanover 1/2 mile	
No. 7	SUBURBAN PROPOSE, " " 1/2 mile from Piney	
No. 8	3 miles old Hanover and Route 30	
No. 9	Same Structure as #8	
No. 10		
No. 11		
No. 12		



PHOTO 'A'



PHOTO 'C'



PHOTO 'B'



PHOTO 'D'



PHOTO 'E'



PHOTO 'G'



PHOTO 'F'



PHOTO 'H'

PETITIONER'S EXHIBIT 2



PHOTO 'I'



PHOTO 'K'



PHOTO 'J'



PHOTO 'L'

PETITIONER'S EXHIBIT 2



PHOTO 'M'



PHOTO 'O'



PHOTO 'N'



PHOTO 'P'



PHOTO 'Q'



PHOTO 'S'



PHOTO 'R'



PHOTO 'T'

PETITIONER'S

EXHIBIT NO. 14



PETITIONER'S

EXHIBIT NO. 5



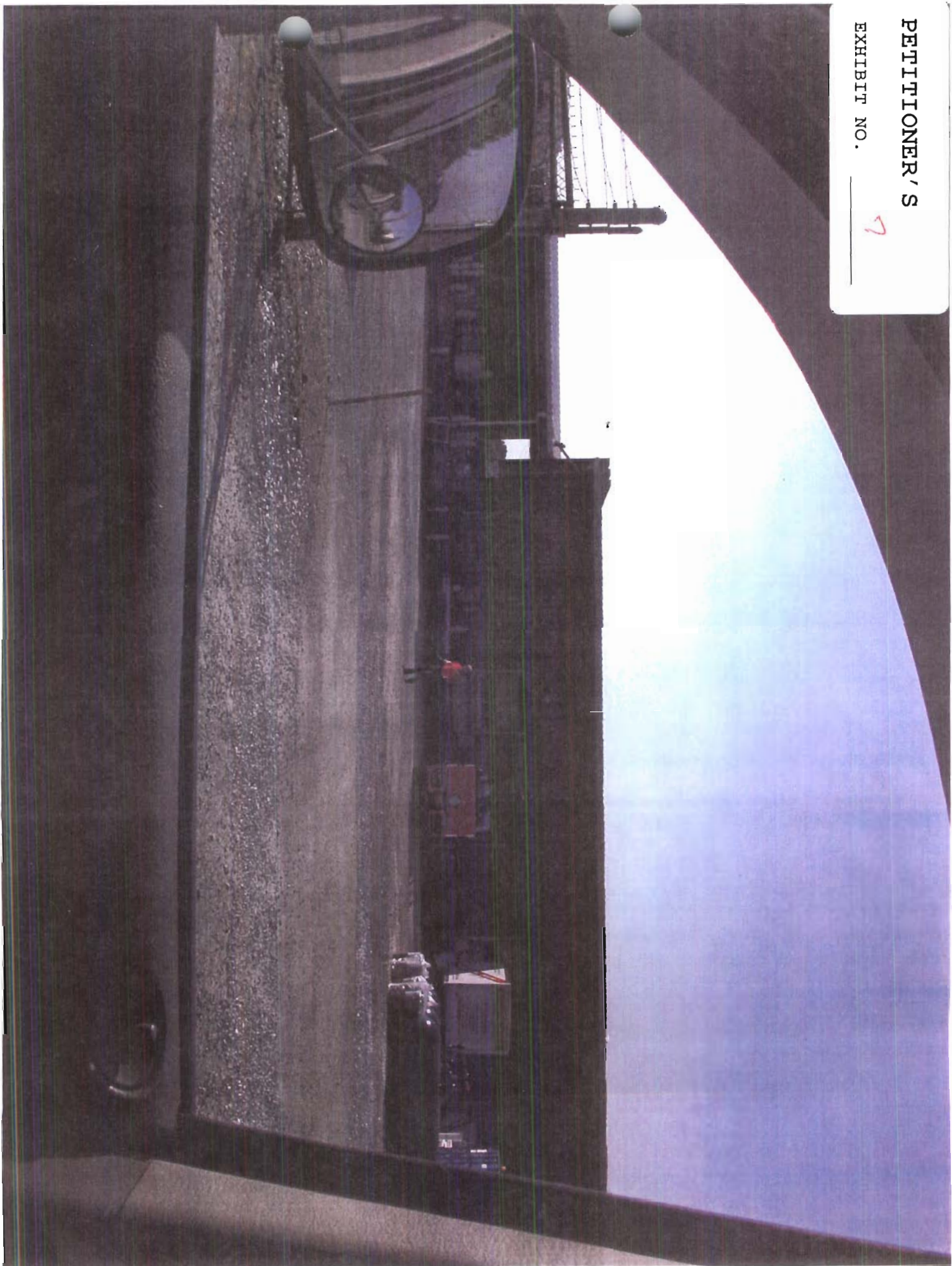
PETITIONER'S

EXHIBIT NO. 6



PETITIONER'S

EXHIBIT NO. 7



PETITIONER'S

EXHIBIT NO. _____

8



PETITIONER'S

EXHIBIT NO. _____

9





PROTESTANT'S

EXHIBIT NO.

1A thru

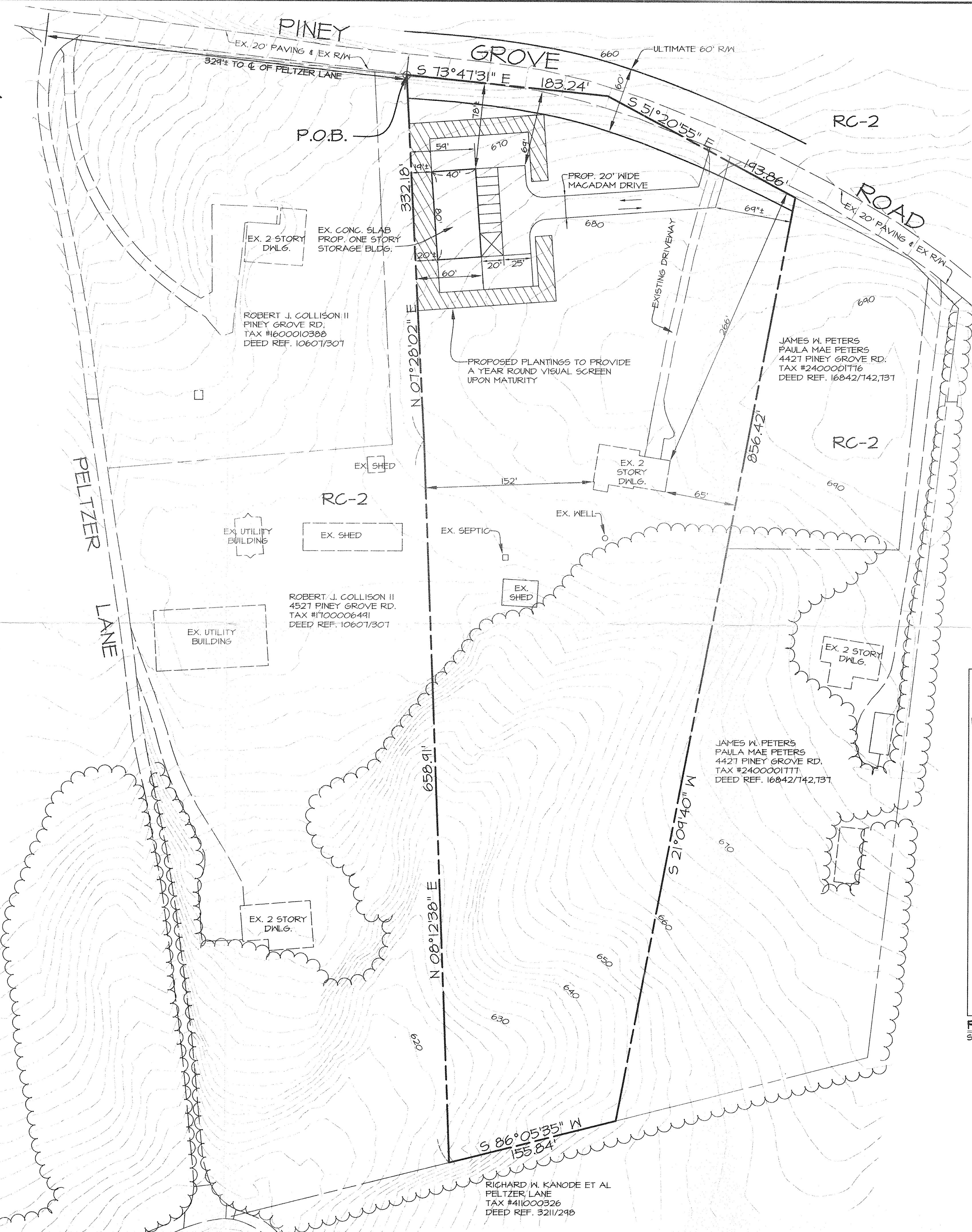
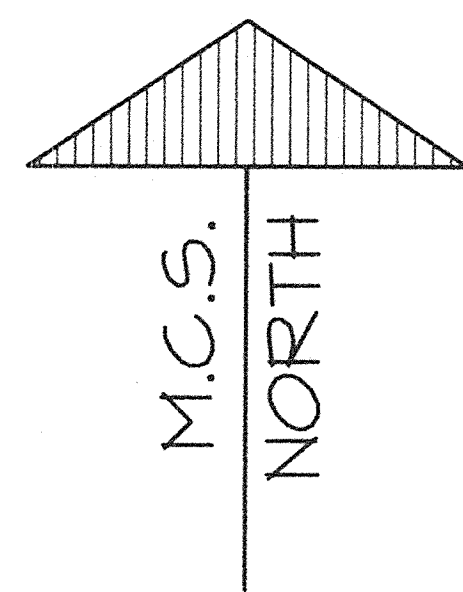






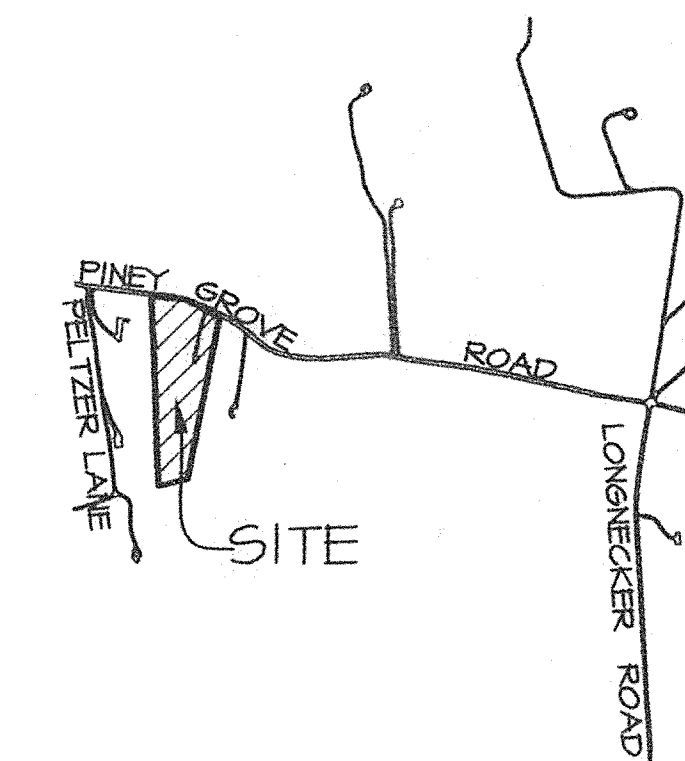
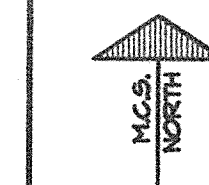






GENERAL NOTES:

- 1) BOUNDARY SHOWN HEREON TAKEN FROM DEEDS & PLATS. TOPOGRAPHIC INFORMATION SHOWN HEREON TAKEN FROM COUNTY GIS, FIELD SURVEY AND OTHER SOURCES.
- 2) PROPERTY IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
- 3) THERE ARE NO STREAMS OR 100 YEAR FLOODPLAIN ON SITE.
- 4) THERE ARE NO HISTORICAL STRUCTURES LISTED ON THE HISTORICAL INVENTORY AS DETERMINED BY THE LANDMARKS PRESERVATION COMMISSION ON SITE. THE PROPERTY IS NOT IN A HISTORIC DISTRICT.
- 5) PARKING LOT SHALL BE BITUMINOUS CONCRETE PAVING AND PARKING SPACES SHALL BE STRIPED.
- 6) PROPERTY IS NOT IN ANY MORATORIUM AREA.
- 7) ALL SIGNAGE SHALL COMPLY WITH SECTION 450, BCZR.
- 8) PROPERTY IS SERVED BY PRIVATE WELL & SEPTIC.
- 9) THE SITE IS OF SUFFICIENT SIZE AND IS PROPERLY DESIGNED TO INSURE PROTECTION OF EXISTING NEIGHBORING DWELLINGS FROM NOISE, DUST, GLARE AND OTHER NUISANCE FACTORS.



VICINITY MAP
SCALE: 1"=1000'

SITE DATA:

NET SITE AREA - 5.41 AC. , 238,256 SQ. FT. ±
GROSS SITE AREA - 5.64 AC. ± , 245,844 SQ. FT.
EXISTING ZONING - RC-2, MAP NN 20-J

EXISTING USE RESIDENTIAL
PROPOSED USE RESIDENTIAL & LANDSCAPE SERVICE OPERATIONS

COMMERCIAL PERMIT HISTORY:

THERE ARE NO RECENT COMMERCIAL BUILDING PERMITS ON THIS SITE.

ZONING & DEVELOPMENT PLAN HISTORY:

THERE ARE NO PRIOR ZONING CASES DRCS, CRGS OR DEVELOPMENT PLANS ON THIS SITE. THIS PROPERTY HAS BEEN ISSUED A BLDG. PERMIT VIOLATION #04-6126.

BUILDING AREA:

PROPOSED 3,200 SQ. FT.

PARKING CALCULATIONS:

PARKING REQUIRED
5 EMPLOYEES @ 1/EMPLOYEE = 5 SPACES

PARKING PROPOSED - 6 SPACES
(INCLUDING 1 VAN ACCESSIBLE SPACE)

ZONING RELIEF REQUESTED:

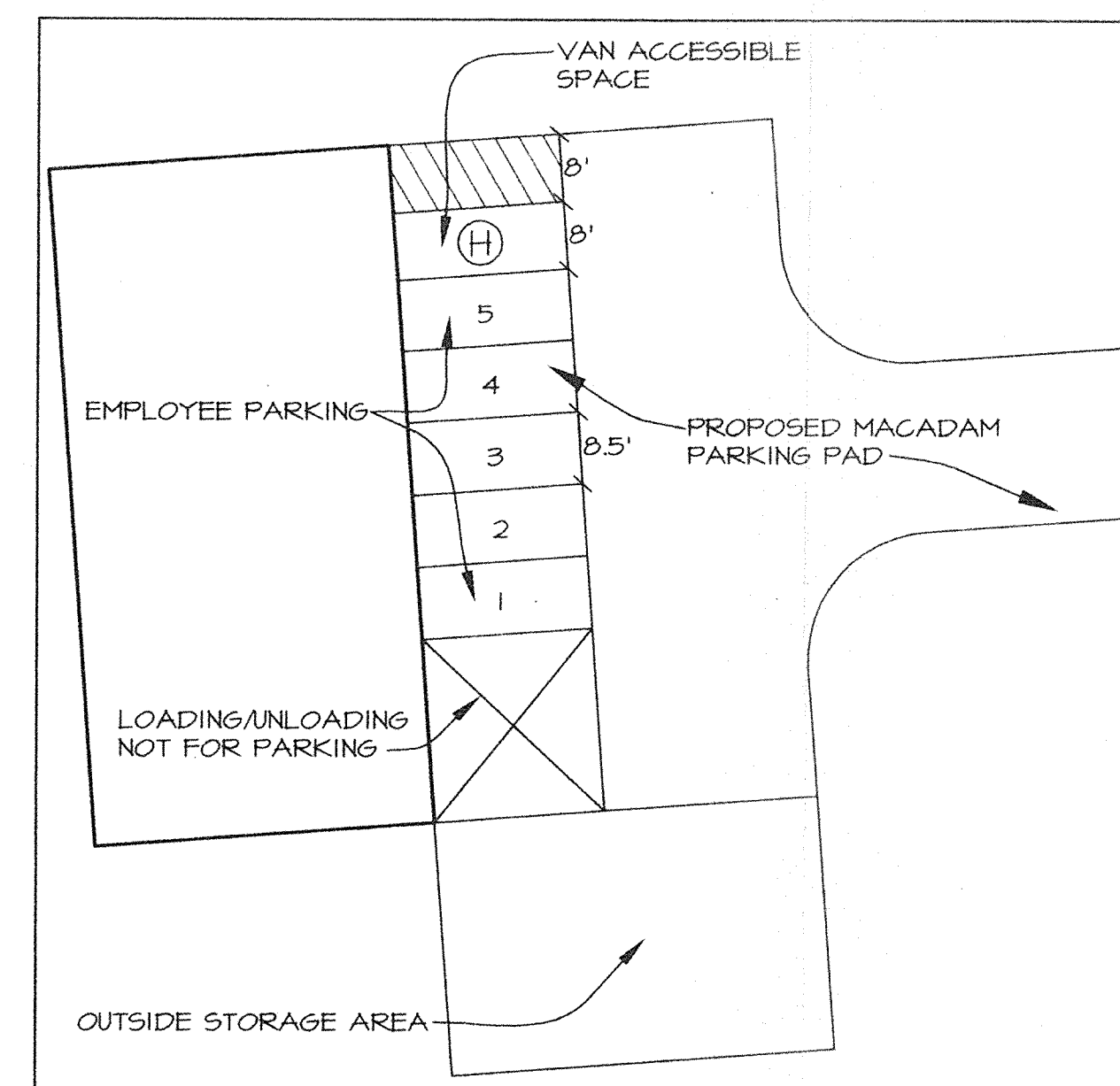
SECTION 1A01.2.G.14. - SPECIAL EXCEPTION FOR LANDSCAPE SERVICE OPERATIONS.

VARIANCES:

- 1) SECTION 1A01.3.B.3. - TO ALLOW A PRINCIPLE STRUCTURE TO BE 14 FEET FROM THE PROPERTY LINE IN LIEU OF THE REQUIRED 35 FEET.
- 2) SECTION 404.1.B. - TO ALLOW AN ACCESSORY STRUCTURE TO BE 14 FEET FROM THE PROPERTY LINE IN LIEU OF THE REQUIRED 50 FEET.
- 3) SECTION 404.1.C. - TO ALLOW THE EXTERIOR LOADING OR UNLOADING OF VEHICLES 54 FEET FROM THE PROPERTY LINE IN LIEU OF THE REQUIRED 100 FEET.
- 4) SECTION 404.1.C. - TO ALLOW THE LOADING ACTIVITIES TO BE CARRIED ON WITHIN THE FULLY ENCLOSED ACCESSORY STRUCTURE 14 FEET FROM ANY PROPERTY LINE IN LIEU OF THE REQUIRED 50 FEET.

PETITIONER'S

EXHIBIT NO. 1



PARKING DETAIL
SCALE: 1"=20'

OWNER:

STEPHEN B. BLANKENSHIP
JILIAN E. BLANKENSHIP
4505 PINEY GROVE RD.
REISTERSTOWN, MD 21136-4221
TAX #0419001425
DEED REF. 17131/554

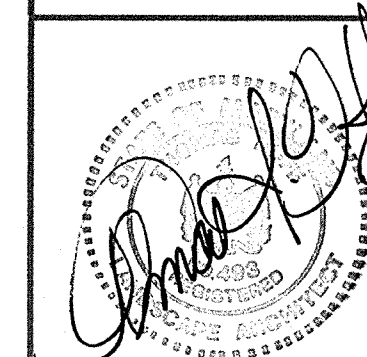
PLAN TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION & VARIANCES BLANKENSHIP PROPERTY 4505 PINEY GROVE ROAD

TAX MAP #40, GRID #1, PARCELS #26
4th ELECTION DISTRICT, 3rd COUNCILMANIC BALTIMORE COUNTY, MD

THOMAS J. HOFF, INC.

LAND DEVELOPMENT CONSULTANTS
LANDSCAPE ARCHITECTS

406 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
410-296-3668 FAX 410-296-5326



REVISIONS:

SCALE: 1"=50'

DATE: 01/13/05

JOB NO.: 0484-01

DESIGNED: TJH

DRAWN: TJH/LA

CHECKED:

DRAWING NUMBER:

ZP-1

SHEET OF