

IN RE: PETITION FOR VARIANCE

N side of Ebenezer Road; 7.5 feet W of
the c/l of Meyers Lane
15th Election District
6th Councilmanic District
(5028 Ebenezer Road)

Richardson Holdings, LLC
Petitioner

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 2010-0215-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by Leslie A. Richardson, Member, on behalf of the legal owner of the subject property, Richardson Holdings, LLC. Petitioner is requesting Variance relief from Section 229.6.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an additional building for a retail greenhouse use of 6,274 square feet in lieu of the required 5,000 square feet. The subject property and requested relief are more fully depicted on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the variance request were Leslie A. Richardson on behalf of Petitioner Richardson Holdings, LLC, and Adam D. Baker, Esquire attorney for Petitioner. Also appearing in support of the requested relief was Patrick C. Richardson with Richardson Engineering, LLC, the professional engineer who prepared the site plan. There were no Protestants or other interested persons in attendance.

Testimony and evidence offered proceeded by a way of a proffer from Mr. Baker and revealed that the subject property is irregular in shape and consists of approximately 2.25 acres, zoned C.B. (Community Business). The property is located at the northwest corner of Myers Lane and Ebenezer Road, opposite Vincent Farm Lane, in the Middle River area of Baltimore

ORDER RECEIVED FOR FILING

Date 4.20.10

By PB

County, and is part of a much larger farming property to the north and west that is zoned R.C.2 and R.C.50. Mr. Baker indicated that the farming of the property has been ongoing for many years. During the 2008 Comprehensive Zoning Map Process (C.Z.M.P.), the subject site was rezoned C.B. for an anticipated expansion of the farm in order to use this relatively small site as a farm market and greenhouse.

Further evidence indicated that the proposed farm market and greenhouse will operate as a compliment to the overall farming operation. The farm market and greenhouse are already under construction, since they are permitted in the C.B. Zone. Currently, the greenhouse is being built at 4,608 square feet; however, in order to realize the full benefit of the greenhouse vis-à-vis the farming operation, Petitioner is in need of an additional 1,536 square feet for a total of 6,274 square feet. Mr. Baker noted that the requested variance will have an almost immeasurable effect on the nearest adjacent property, which is almost 1,500 feet away to the north, and also pointed out that there will be no adverse impact to the larger tract owned by Petitioner.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

In the statement of legislative policy for the C.B. Zone set forth in Section 229.1.A.1 of the B.C.Z.R., it states as follows:

The primary purpose of the Community Business Zone (C.B.) is to provide for the daily shopping and service needs of nearby residents through small businesses which do not generate large amounts of traffic at any one time. The zone shall accommodate vehicular parking needs, but also be pedestrian oriented. Where appropriate, parking should be located to the side and to the rear. In design, the C.B. Zone should reflect elements of the architectural style of neighboring residential buildings, so that the commercial development becomes an integral, harmonious component of the neighborhood.

ORDER RECEIVED FOR FILING

Date 4-20-10 _____ 2

By pr _____

Section 229.6.A.1 of the B.C.Z.R. states that uses such as the proposed greenhouse in this case shall have a gross floor area not to exceed 5,000 square feet. Petitioners propose a gross floor area of 6,274 square feet.

Considering all of the testimony and evidence presented, I am persuaded to grant the requested variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. As shown on the aerial photograph that was marked and accepted into evidence as Petitioner's Exhibit 3, the subject property is located in a rural and resource conservation area just south of Bird River that is presently devoted to farming. In order to enhance the farming operation, Petitioner desires to open a farm store and greenhouse to better serve its local customers. The granting of the variance will allow Petitioner to follow through with its plan. I agree with Petitioner that the farm market and greenhouse will provide a suitable complement to the farming operation, and will be in keeping with the goals and purpose of the C.B. Zone. I also find that Petitioner would suffer practical difficulty and undue hardship if the variance were not granted.

Finally, I find that the variance can be granted in strict harmony with the spirit and intent of said Regulations, and in such a manner as to grant relief without injury to the public health, safety and general welfare. Thus, I find that the variance can be granted in such a manner as to meet the requirements of Section 307.1 of the B.C.Z.R., as interpreted in *Cromwell v. Ward*, 102 Md.App. 691 (1995).

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's variance request should be granted.

ORDER RECEIVED FOR FILING

Date 4.20.10

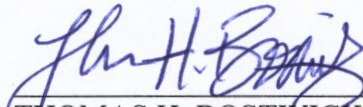
By pr

THEREFORE, IT IS ORDERED this 20th day of April, 2010 by this Deputy Zoning Commissioner that Petitioner's Variance request from Section 229.6.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an additional building for a retail greenhouse use of 6,274 square feet in lieu of the required 5,000 square feet be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 4.20.10

By pz 4



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

April 20, 2010

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

ADAM D. BAKER, ESQUIRE
WHITEFORD TAYLOR & PRESTON LLP
1 WEST PENNSYLVANIA AVENUE, SUITE 300
TOWSON MD 21204

Re: Petition for Variance
Case No. 2010-0215-A
Property: 5028 Ebenezer Road

Dear Mr. Baker:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

c: Leslie A. Richardson, Richardson Holdings LLC, 5828 Ebenezer Road, White Marsh MD 21162
Patrick C. Richardson, Richardson Engineering LLC, 30 East Padonia Road, Suite 500, Timonium MD 21093



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 5828 Ebenezer Road (5900)
which is presently zoned C.B.

Deed Reference: 28921 / 411 Tax Account # 2500005868

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)

229.6.A.1 to permit an additional building for a retail greenhouse use of 6,274 square feet in lieu of the required 5,000 square feet.

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

Greenhouse use would be permitted by special exception in adjacent zone; location in C.B. zone allows buffer clustering of development, accessibility and traffic flow and for such other reasons presented at hearing.

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:

John B. Gontrum _____

Name - Type or Print _____

Signature JBG

Whiteford, Taylor & Preston, LLP

Company _____

1 West Pennsylvania Ave., St. 300 410-832-2055

Address _____ Telephone No. _____

Towson, Maryland 21204-5025

City _____ State _____ Zip Code _____

Legal Owner(s):

Richardson Holdings, LLC

Name - Type or Print _____

Signature Leslie A. Richardson GP

LESLIE A RICHARDSON, MEMBER
Name - Type or Print _____

Signature _____

5828 Ebenezer Road 410-335-9032

Address _____ Telephone No. _____

White Marsh, Maryland 21162

City _____ State _____ Zip Code _____

Representative to be Contacted:

Name _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Case No. 2010-0215-A

Office Use Only

Estimated Length of Hearing _____
Unavailable For Hearing _____

Reviewed by D.T. Date 2/8/10

REV 8/20/07

ORDER RECEIVED FOR FILING

Date 4.20.10

By m

**ZONING DESCRIPTION FOR
5900 EBENEZER ROAD
15TH ELECTION DISTRICT
6TH COUNCILMANIC District
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point where the west side right-of-way of Meyers Lane (15 feet in width) intersects the north side right-of-way of Ebenezer Road (25 feet in width), thence binding on Meyers Lane; (1) North 01 degrees 40 minutes 31 seconds west 361.74 feet, thence leaving Meyers Lane for the following courses and distances; (2) North 83 degrees 13 minutes 28 seconds West 253.80 feet, (3) South 06 degrees 46 minutes 32 seconds West 342.97 feet to a point on the north side right-of-way of Ebenezer Road, thence binding on the north side right-of-way of Ebenezer Road (4) South 80 degrees 27 minutes 21 seconds East 307.32 feet to the point of beginning;

Containing a net area of 98,046 square feet, or 2.251 acres of land, more or less.



**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: 2010-0215-A
Petitioner: RICHARDSON HOLDINGS, LLC
Address or Location: ~~5828~~ 5900 EBENEZER RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: LESLIE A. RICHARDSON, MEMBER
Address: RICHARDSON HOLDINGS, LLC
5828 EBENEZER RD.
WHITE MARSH, MD 21162
Telephone Number: 410-335-9032

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 177

Date: 2010-02-10

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	206	0000		450					355.00

Total: 355.00

Rec

From: JOHN F. GILSON

For: 2010-0215-A

5728 FISCAL YEAR

ENCLOSURE

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

**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: # 2010-0215-A

5900 Ebenezer Road
N/side of Ebenezer Road,
7.5 feet west of the
centerline of Meyers Lane
15th Election District
6th Councilmanic District
Legal Owner(s): Richardson
Holdings, LLC

Variance: to permit an additional building for a retail greenhouse use of 6,274 square feet in lieu of the allowed 5,000 square feet.

Hearing: Wednesday,
March 24, 2010 at 9:00
a.m. in Room 104, Jefferson
Building, 105 West
Chesapeake Avenue,
Towson 21204.

WILLIAM J. WISEMAN, III
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.

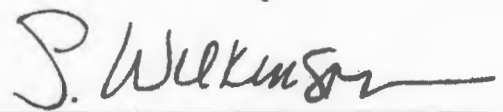
JT/3/792 Mar. 9 232287

CERTIFICATE OF PUBLICATION

3/12/2010

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 3/9/2010.

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



LEGAL ADVERTISING

+ CERTIFICATE OF POSTING

2010-0215-A

RE: Case No.: _____

Petitioner/Developer: _____
Richardson Holdings, LLC

March 24, 2010

Date of Hearing/Closing: _____

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

Attn: Kristin 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 at: _____
5900 Ebenezer Road

March 8 2010

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

Robert Black 3/9/10
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2010-0215-A

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

PLACE: Room 104 JEFFERSON BUILDING 21204
105 WEST CHESAPEAKE AVE. TOWSON

DATE AND TIME WEDNESDAY, MARCH 24, 2010 AT 4:00^{A.M.}

REQUEST: VARIANCE TO PERMIT AN ADDITIONAL BUILDING
FOR A RETAIL GREENHOUSE USE OF 6,274 SQUARE FEET IN
LIEU OF THE ALLOWED 5,000 SQUARE FEET.

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

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

HANDICAPPED ACCESSIBLE



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Planning and Management
March 1, 2010

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: 2010-0215- A

5900 Ebenezer Road

N/side of Ebenezer Road, 7.5 feet west of the centerline of Meyers Lane

15th Election District – 6th Councilmanic District

Legal Owners: Richardson Holdings, LLC

Variance to permit an additional building for a retail greenhouse use of 6,274 square feet in lieu of the allowed 5, 000 square feet.

Hearing: Wednesday, March 24, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: John Gontrum, 1 West Pennsylvania Avenue, Ste. 300, Towson 21204
Leslie Richardson, 5828 Ebenezer Road, White Marsh 21162

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, MARCH 9, 2010.**
- (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, March 9, 2010 Issue - Jeffersonian

Please forward billing to:
Leslie Richardson
Richardson Engineering
5828 Ebenezer Road
White Marsh, MD 21162

410-335-9032

NOTICE OF ZONING HEARING

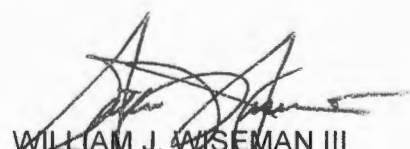
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2010-0215- A

5900 Ebenezer Road
N/side of Ebenezer Road, 7.5 feet west of the centerline of Meyers Lane
15th Election District – 6th Councilmanic District
Legal Owners: Richardson Holdings, LLC

Variance to permit an additional building for a retail greenhouse use of 6,274 square feet in lieu of the allowed 5, 000 square feet.

Hearing: Wednesday, March 24, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
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.



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

March 17, 2010

John B. Gontrum
Whiteford, Taylor & Preston, LLP
1 W. Pennsylvania Ave, Ste. 300
Towson, MD 21204

Dear: John B. Gontrum

RE: Case Number 2010-0215-A, 5828 Ebenezer Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 08, 2010. This letter is not an approval, but only a **NOTIFICATION**.

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

WCR:lnw

Enclosures

c: People's Counsel
Richardson Holding, LLC; 5828 Ebenezer Rd; White Marsh, MD 21162



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

March 8, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: February 22, 2010

Item Numbers: 0215, 0216, 0218

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.

3. 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 Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 25, 2010

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For March 8, 2010
Item Nos. 2010-192, 209, 210, 211,
212, 214, 215, 216, 217 and 218

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-03082010 -NO COMMENTS.doc

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: FEB. 29, 2010

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

RE: Baltimore County
Item No. 2010-0215-A
5028 EBENEZER RD
RICHARDSON HOLDINGS, LLC
VARIANCE -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2010-0215-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

A handwritten signature in black ink, appearing to read "Steven D. Foster".

Foster Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 24, 2010

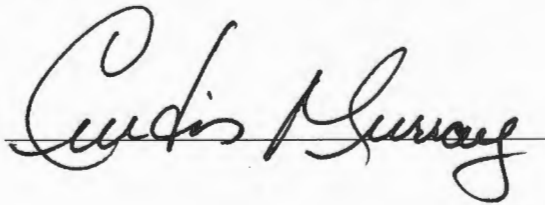
FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-215- Administrative Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Laurie Hay in the Office of Planning at 410-887-3480.

Prepared By:
CM/LL

A handwritten signature in cursive script, appearing to read "Laurie Hay", written over a horizontal line.

RE: PETITION FOR VARIANCE * BEFORE THE
5028 Ebenezer Road; N/S Ebenezer Road, * ZONING COMMISSIONER
7.5' W c/line of Meyers Lane *
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Richardson Holdings, LLC * FOR
Petitioner(s) * BALTIMORE COUNTY
* 10-215-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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

MAR 03 2010

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of March, 2010, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, One W Pennsylvania Avenue, Suite 300, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME _____
CASE NUMBER 2010-215A
DATE MARCH 24, 2010

[illegible]

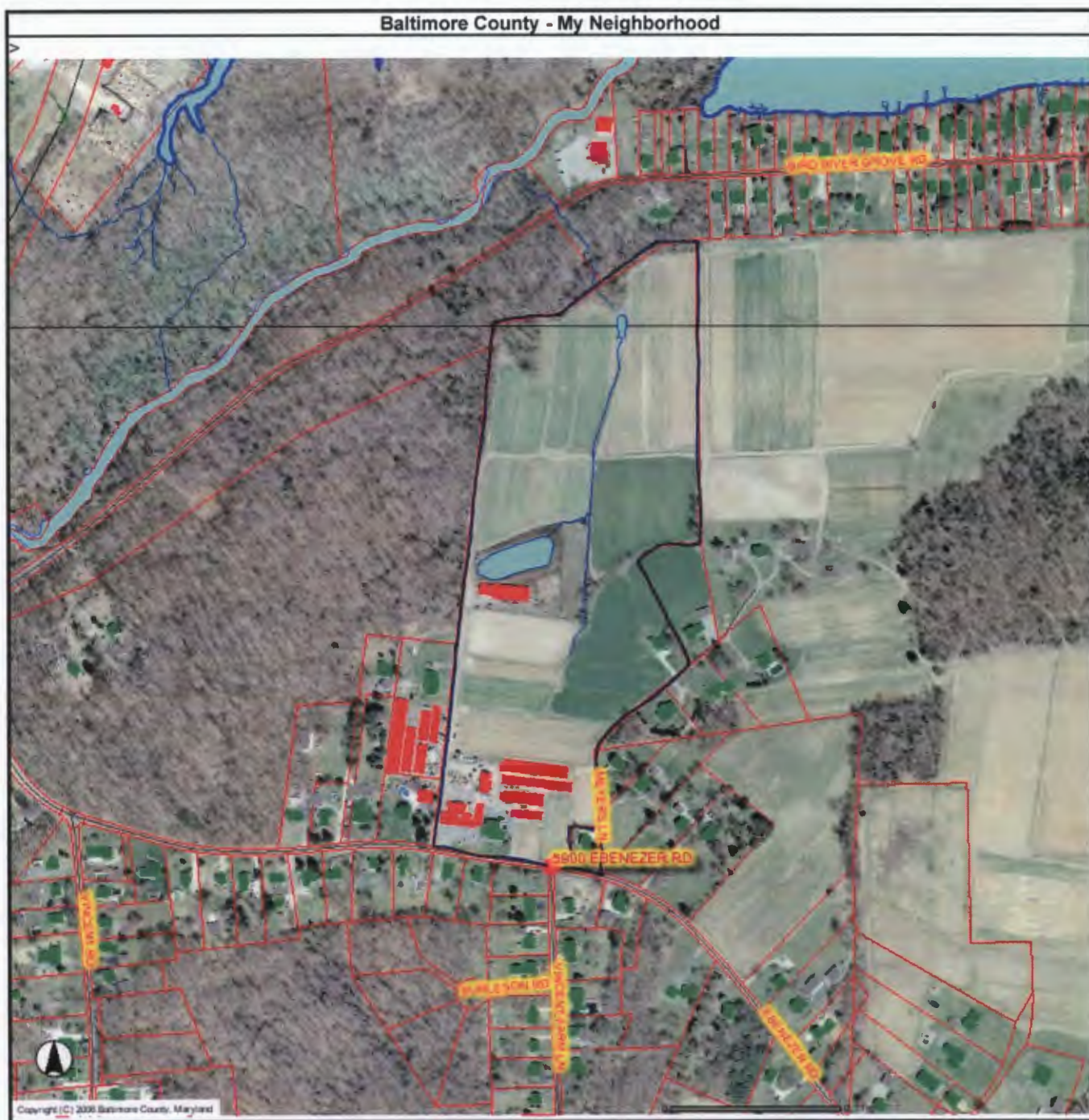
Case No.: 2010-0215-A

Exhibit Sheet

Petitioner/Developer

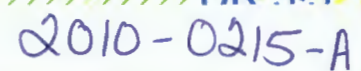
Protestant

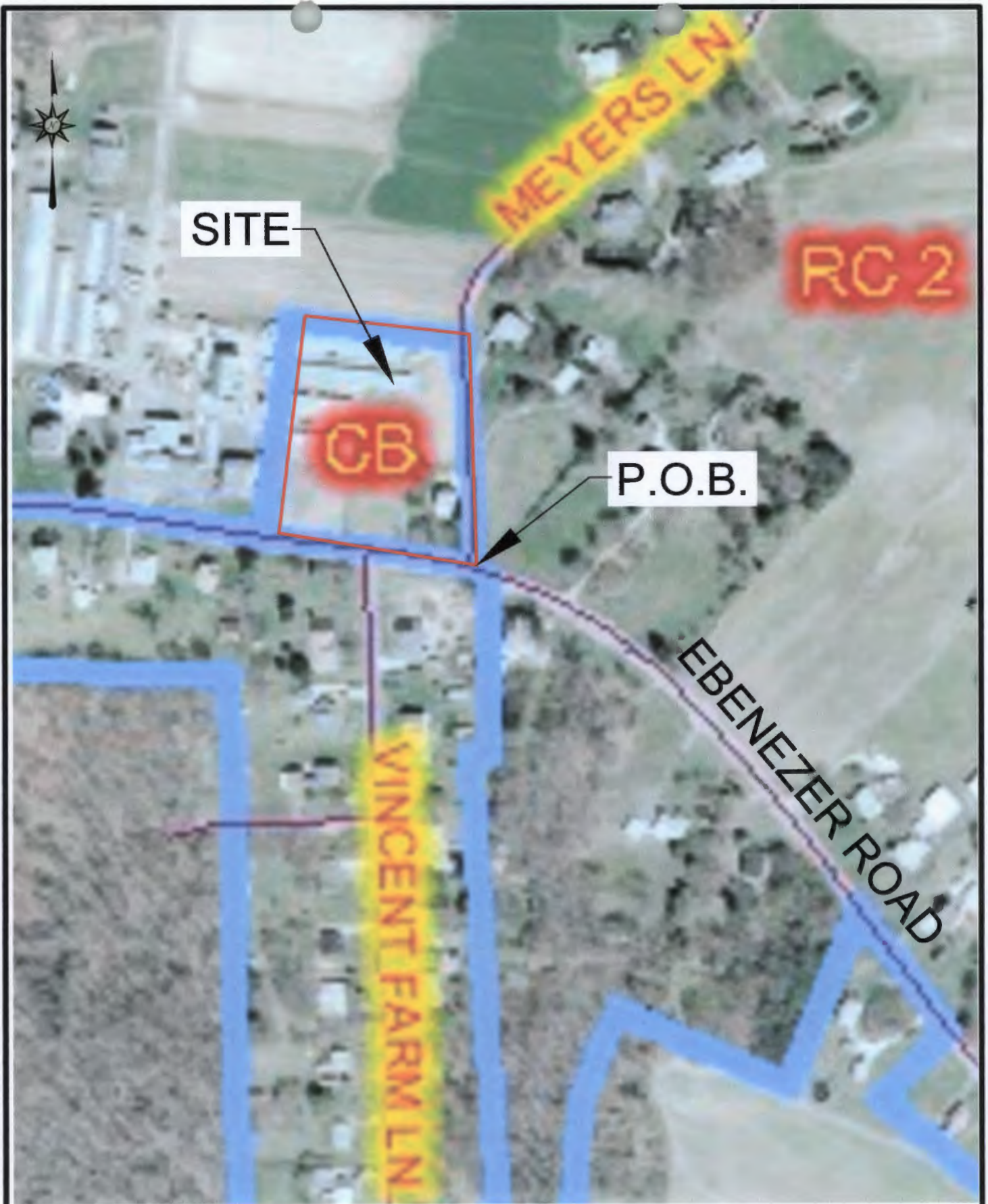
No. 1	site plan	
No. 2	close up aerial photograph	
No. 3	further out view of aerial photograph	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



PETITIONER' S

EXHIBIT NO. 3





PETITIONER' S

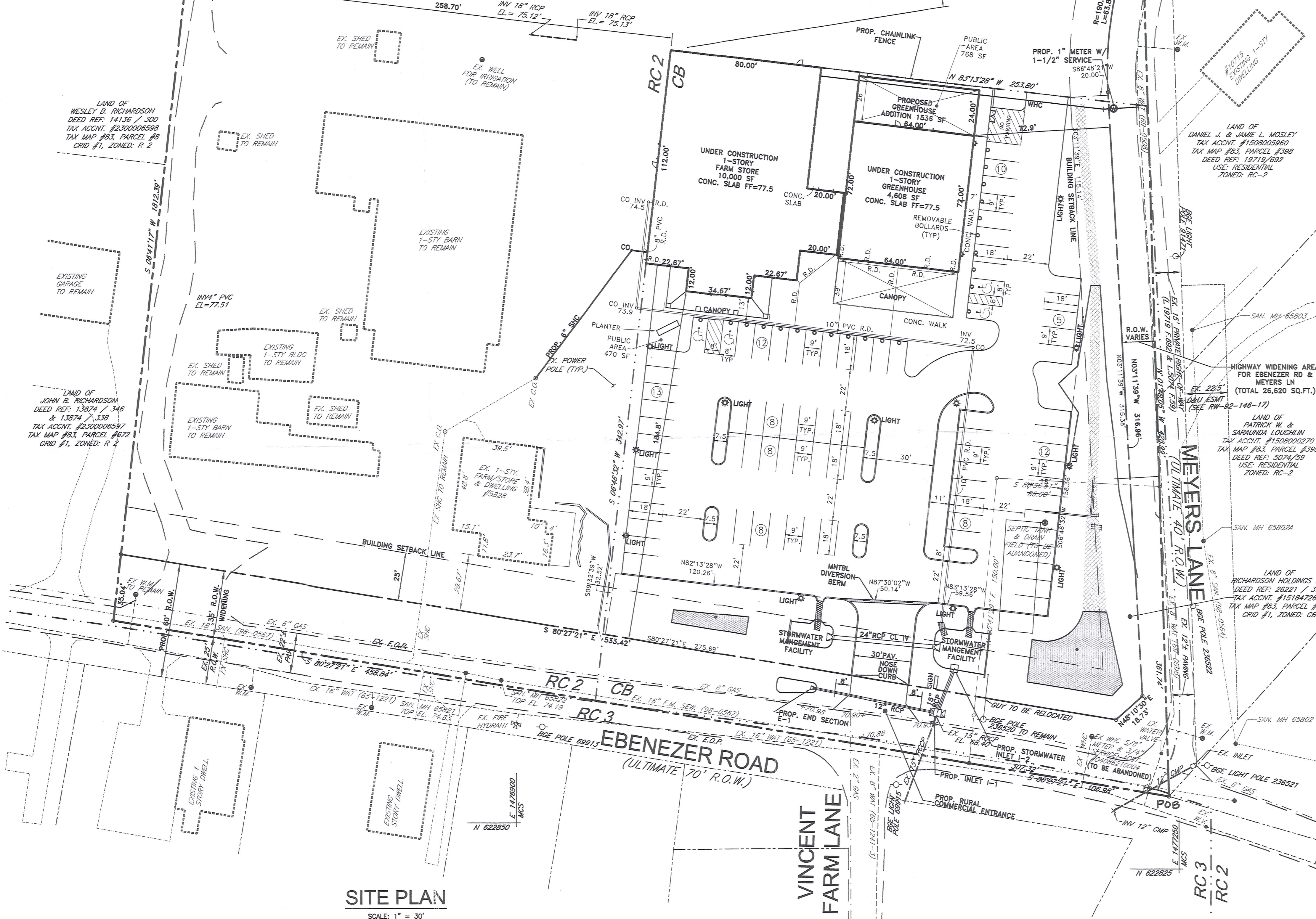
ZONING MAP #083 A-1
SCALE: 1" = 200'

EXHIBIT NO.

2

LEGEND

- EX. EDGE OF PAVING
- EX. PROPERTY LINE
- EX. ADJACENT PROPERTY LINE
- EX. R.O.W.
- EX. OVERHEAD ELECTRIC
- EX. CONTOUR
- EX. SANITARY
- EX. STORM DRAIN
- EX. WATER
- PROP. CONTOUR
- PROP. SANITARY
- PROP. W.C.
- PROP. EDGE OF PAVING
- PROP. BUILDING
- RIPRAP
- LIMIT OF DISTURBANCE
- RC2
- ZONING LINE

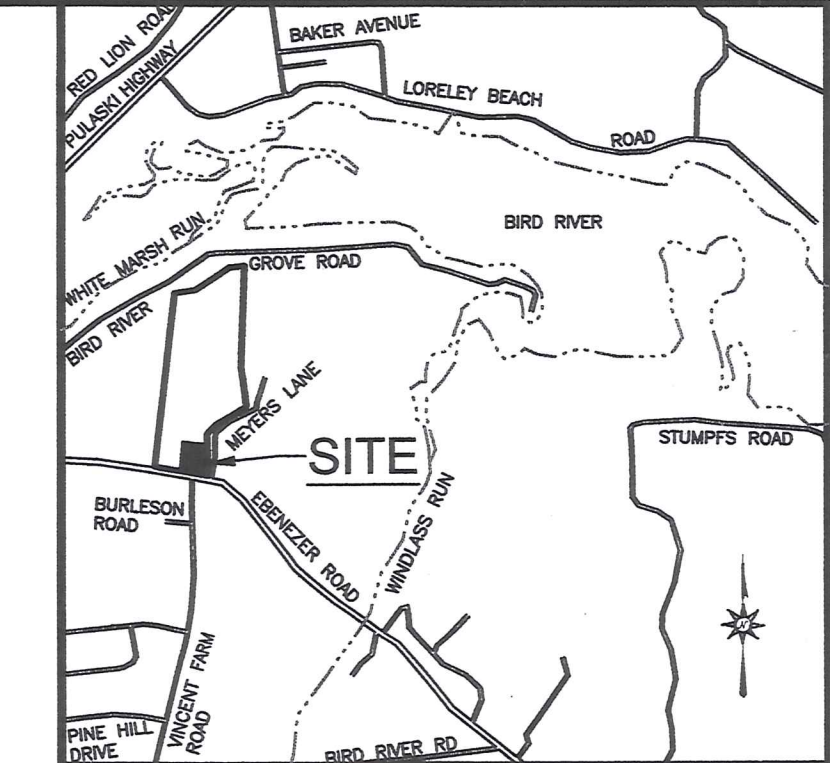


SITE PLAN

SCALE: 1" = 30'

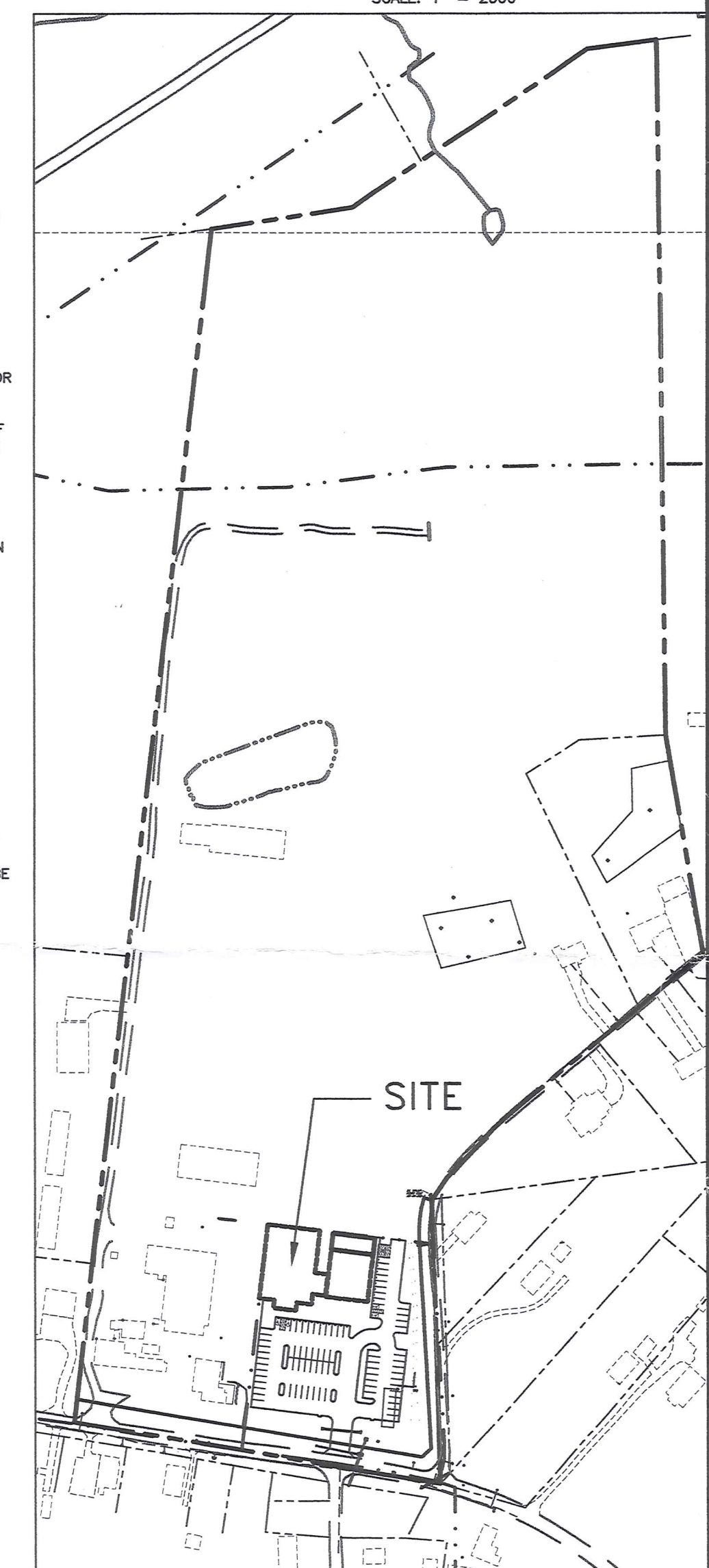
GENERAL NOTES:

1. OWNER/DEVELOPER: RICHARDSON HOLDINGS, LLC 5828 EBENEZER ROAD WHITE MARSH, MARYLAND 21162-1941
2. TOTAL PROPERTY AREA: 1,338,329 Sq.Ft. or 30.72 Ac±
3. TOTAL SITE AREA: 98,045 Sq.Ft. or 2.25 Ac±
4. TAX MAP #83, GRID #1, PARCEL #356 & #466
5. TAX ACCOUNT: #15103002971 & #1518472690
6. DEED REF: 28921/411 & 28221/377
7. COUNCILMANIC DISTRICT 6th
8. REGIONAL PLANNING DISTRICT: 322B
9. CENSUS TRACT: 4517.02
10. WATERSHED: BIRD RIVER
11. THERE IS NO 100 YEAR FLOODPLAIN ON SITE.
12. THE SITE DOES LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
13. ZONING: RC-2, RC-3 & CB (PER 1"-200' ZONING MAP 08341)
14. UTILITIES: PUBLIC & PRIVATE WATER & SEWER
15. USES: EXISTING: AGRICULTURE, FARM STORE/RESIDENTIAL DWELLING (EBENEZER RD) & (2) RESIDENTIAL DWELLING (MEYERS LN) PROPOSED: AGRICULTURE, FARM STORE, RESIDENTIAL DWELLING (EBENEZER RD) & (2) RESIDENTIAL DWELLING (MEYERS LN)
16. PROPOSED BUILDING AREA: 1-STY 14,608 SQ.FT. FARM STORE/GREENHOUSE
17. BUILDING HEIGHT NOT TO EXCEED 35' HIGH.
18. PREVIOUS ZONING CASE: NONE ON FILE
19. PREVIOUS PERMITS: THE FOLLOWING PERMITS ARE ACTIVE AT THIS TIME 8720878 GRADING PERMIT FOR FARM STORE AND PARKING LOT 8720879 STORMWATER MANAGEMENT PERMIT FOR FARM STORE 8725942 BUILDING PERMIT FOR FARM STORE AND GREENHOUSE
20. PREVIOUS DRC CASES: #121007 DRC DETERMINED THAT THIS PROJECT MEETS THE REQUIREMENTS FOR A GENERAL EXEMPTION FROM SECTION 32-4-105 (B) "SUBDIVISION OF LAND FOR AGRICULTURAL PURPOSES" AND WAS GRANTED ON 05-05-08. #1110080 DRC DETERMINED THAT THIS PROJECT MEETS THE REQUIREMENTS OF A LIMITED EXEMPTION UNDER SECTION 32-4-106(b)(8) AND WAS GRANTED ON NOVEMBER 10, 2008.
21. PARKING TABULATION (FARM STORE & GREENHOUSE): PARKING REQUIRED: 32 SPACES = 16,824sf @ 5 SP/1000sf PARKING PROVIDED: 84 SPACES (4 HANDICAP SPACE)
22. SETBACKS REQUIRED: FRONT: 25' FROM ULTIMATE R.O.W. OR AVERAGE OF ADJACENT BUILDINGS WITHIN 100' WHICHEVER IS LESS. SIDE & REAR: 20' FROM PROPERTY LINE OF RESIDENTIAL ZONE & 10' FROM PROPERTY LINE OF NONRESIDENTIAL ZONE.
23. SETBACKS PROPOSED: FRONT: 184.80' SIDE: 72.90' & 258.70' REAR: 1498.00'
24. SITE IS MADE UP OF 'B' SOILS, LYO & LYB (LOAMY/CLAYEY LAN), SHB (SASSAFRAS) & 'C' SOIL B1B (BELTSVILLE).
25. THERE ARE NO KNOWN HAZARDOUS MATERIALS ON SITE.
26. ALL DRIVEWAYS AND PARKING ALLEYS SHALL COMPLY WITH SECTION 409.4 (BC2R). ALL PARKING MANEUVERING AND AISLE AREAS SHALL BE BITUMINOUS PAVED AND PERMANENTLY STRIPPED.
27. FLOOR AREA RATIO: 0.21 (MAX PERMITTED 0.33)
28. THERE ARE NO KNOWN HISTORIC BUILDINGS, ARCHAEOLOGICAL SITES, SCENIC VIEWS OR SIGNIFICANT FEATURES LOCATED ON OR ADJACENT TO THE SITE.
29. ALL PROPOSED SIGNS SHALL CONFORM TO BC2R AND SHALL BE SUBMITTED TO THE OFFICE OF PLANNING FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF ANY BUILDING PERMITS.
30. ALL PAVING SURFACES SHALL HAVE A DURABLE AND DUSTLESS SURFACE AND BE PERMANENTLY STRIPPED PURSUANT TO BC2R SECTION 409.8.



LOCATION MAP

SCALE: 1" = 2000'



PROPERTY LAYOUT

SCALE: 1" = 200'

PDM #15-950
DRC #111008C

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR

RICHARDSON FARM STORE 5900 EBENEZER ROAD

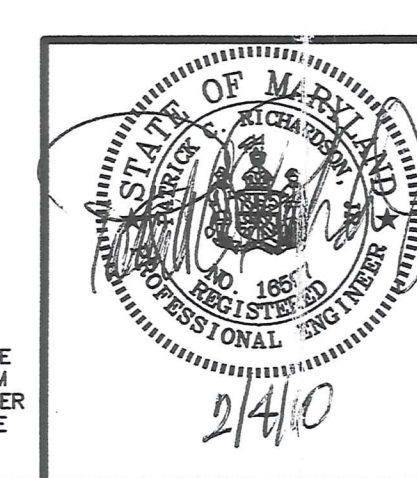
15TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	BTk	BTk	1" = 30'
	DATE:	JOB NO.:	SHEET NO.:
	02-03-10	04074	1 OF 1

PETITIONER'S

EXHIBIT NO.



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 16597, EXPIRATION DATE: 08-15-2011