

MEMORANDUM FOR THE BOARD OF ZONING APPEALS
OF BALTIMORE COUNTY
SUBJECT: PETITION FOR SPECIAL PERMIT FOR
BOATYARD AND/OR MARINE RAILWAY
TWO PARCELS ON NORTH SIDE OF
BARRISON ROAD, FIFTEENTH DISTRICT
OF BALTIMORE COUNTY
JEFFERSON D. PORTER AND
JOHN W. PORTER, PETITIONERS

The appeal in the above entitled petition for Special Permit having come on for hearing before the Board of Zoning Appeals of Baltimore County from an Order of the Zoning Commissioner, passed on May 26, 1948, denying the petition, testimony having been taken before the Board and the respective parties or their counsel heard, therefore:

It is this 22nd day of January, 1949, by the Board of Zoning Appeals of Baltimore County ORDERED that the Order of the Zoning Commissioner in denying the petition for Special Permit is hereby affirmed.

Charles H. Davis
E. J. R. R. R.

Board of Zoning Appeals
of Baltimore County

OPINION OF THE BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

This case was heard on appeal on December 16, 1948. It is an appeal from the Order of the Zoning Commissioner denying the petition for a Special Permit to use certain property for a Boat Yard and/or Marine Railway, the property being described as follows:

First parcel: North side of Barrison Road, beginning 470 feet westerly from Point Road, thence westerly, on north side of Barrison Road, 199.43 feet, thence North 38 degrees 30 minutes west 866 feet to the south shore of Brown Creek, thence easterly, on the south shore, 275 feet, more or less, thence south 35 degrees 36 minutes east 215 feet to beginning, being Lots Nos. 2 to 15, Inc'l., Section "B" of Barrison Point.

Second parcel: North side of Barrison Road, beginning 830 feet west of Point Road, thence on the north-west side of Barrison Road, 207.48 feet, thence North 88 degrees 44 minutes west 234.71 feet to the south shore of Brown Creek, thence easterly, along the south shore, 260 feet, more or less, thence South 85 degrees 57 minutes east 310 feet to beginning, being Lots Nos. 21 to 28, Inc'l., Section "B" of Barrison Point.

The Board after thorough consideration of this case and after hearing all witnesses and counsel for both the petitioners and protestants find as follows:

1. That the property in question is located in an exclusive residential area. The granting of this petition would be purely "spot zoning" without any justification as there is no community need for the proposed operation.
2. The use and valuation of surrounding properties would be seriously affected and the granting of such a permit in this area would without cause or justification defeat the purpose of the Zoning Regulations of Baltimore County.

The Board, therefore, after having given full and adequate opportunity for the submission of all pertinent testimony of any interested parties, is of the opinion that the petition should not be granted and that the Order of the Zoning Commissioner should be affirmed. The Board will sign an Order in accordance with this opinion.

Samuel H. Brown
E. J. R. R. R.

Board of Zoning Appeals
of Baltimore County

IN THE MATTER OF THE
PETITION OF JEFFERSON D. PORTER
AND JOHN W. PORTER
FOR SPECIAL PERMIT FOR BOATYARD
AND/OR MARINE RAILWAY - TWO
PARCELS OF LAND ON N. S. BARRISON RD.,
FIFTEENTH ELECTION DISTRICT OF
BALTIMORE COUNTY

EXPOSE
CHARLES H. DAVIS
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

Mr. Commissioner:

Please enter an Appeal to the Board of Zoning Appeals of Baltimore County in the matter of the Order of the Zoning Commissioner of Baltimore County passed in the above captioned case on May 26, 1948, and transmit all records and papers incident thereto to said Board of Zoning Appeals.

Samuel H. Brown
Attorneys for Applicant

LAURENCE
SHALVIN & HESSIAN
TOWSON, MARYLAND

ORDERED by the Zoning Commissioner of Baltimore County this 14th day of April, 1949, that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 28th day of May, 1949, at 11:00 o'clock A.M.

Charles H. Davis
Zoning Commissioner
of Baltimore County

Upon hearing on petition for special permit to use the property described in the within petition for Boat Yard and/or Marine Railway and after the required advertisement, posting of property and hearing, it appearing by reason of testimony taken in an exclusive residential area, the granting of which would be "spot zoning", that said petition should be denied, therefore:

It is this 22nd day of May, 1949, ORDERED by the Board of Zoning Appeals of Baltimore County, that the aforesaid petition for special permit be and the same is hereby denied.

Charles H. Davis
Zoning Commissioner
of Baltimore County

PETITION FOR SPECIAL PERMIT

IN THE MATTER OF
Petition of
Jefferson D. Porter and
John W. Porter

SEVERAL THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

For a Special Permit

To The Zoning Commissioner of Baltimore

Jefferson D. Porter and
John W. Porter

Legal Owners

Contract

Purchaser

hereby petition for a Special Permit, under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 877 of the Acts of the General Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

A Special Permit to use the land (and improvements now or to be erected thereon) hereinafter described for: Boat Yard and/or Marine Railway for sale, repair & storage of water craft, not to exceed 50' in length on tidal waters - property located on Barrison Road, 470' from Point Road.

All those two parcels of property in the 15th District of Baltimore County, situate as follows:

First Parcel: North side of Barrison Road, beginning 470' westerly from Point Road, thence westerly, on north side of Barrison Road, 199.43', thence N 38° 30' west 866' to the south shore of Brown Creek, thence easterly, on the south shore, 275', more or less, thence S 35° 36' east 215' to beginning. Being Lots Nos. 2 to 15, Inc'l., Section "B" of Barrison Point.

Second parcel: North side of Barrison Road, beginning 830' west of Point Road, thence on the northwest side of Barrison Road, 207.48', thence N 88° 44' west 234.71' to the south shore of Brown Creek, thence easterly, along the south shore, 260', more or less, thence S 85° 57' east 310' to beginning. Being Lots Nos. 21 to 28, Inc'l., Section "B" of Barrison Point. As shown on plat filed with Zoning Department.

April 14, 1949

\$24.00

RECEIVED of Jefferson D. Porter, et al, the sum of Twenty Four (\$24.00) Dollars, being cost of petition for special permit, advertising and posting of property. Barrison Road, 15th District of Baltimore County.

Zoning Commissioner

Hearing
Monday, May 8, 1949
at 11:00 a.m.

PAID
APR 14 1949
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

June 3, 1949

RECEIVED of Shalvin & Hessian, Attorneys for Jefferson D. Porter, et al, petitioners, the sum of Twenty Two (\$22.00) Dollars, being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner denying the special permit for Boatyard and/or Marine Railway, north side of Barrison Road, 15th District.

Zoning Commissioner

PAID
JUN 2 1949
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

April 16, 1948

\$5.00

Porter,

RECEIVED of Jefferson D. Paxton, et al, the sum
of Five (\$5.00) Dollars, being additional cost for advertise-
ment of property on Barrison Road.

Zoning Commissioner

PAID

APR 16 1948
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

BY

Received
4-16-48
C. Enson

ZONING DEPARTMENT OF
BALTIMORE COUNTY
RE PETITION FOR SPECIAL
PERMIT—15TH DIST.

Pursuant to Petition filed with
the Zoning Commissioners of Baltimore
County, for SPECIAL PER-
MIT to use the property hereinafter
described for Boat Yard and/or
Marine Railway, the Zoning Com-
missioners of Baltimore County, by
authority of the Zoning Act and
Regulations of Baltimore County,
will hold a public hearing at the
Zoning Office, in the Hockford Build-
ing, Towson, Baltimore County,
Maryland:

On Wednesday, May 5, 1948

at 11:00 A. M.

to determine whether or not the
SPECIAL PERMIT petitioned for
as aforesaid, should be granted, the
property in said petition being par-
ticularly described as follows, to wit:

All those two parcels of property
in the 15th District of Baltimore
County, situate as follows:
First Parcel: North side of Barrison
Road, beginning 41' westerly from
Point Road, thence westerly, on
north side of Barrison Road, 199.42',
thence N 25° 26' west 264' to the
south shore of Brown Creek, thence
easterly, on the south shore, 272'
more or less, thence N 25° 26' east
218' to beginning. Being lots Nos.
2 to 12, Inc'l. Section "B" of Barrison
Point.
Second Parcel: North side of Barrison
Road, beginning 824' west of
Point Road, thence on the north-
west side of the road 237.25',
thence N 25° 46' west 244.71' to
the south shore of Brown Creek,
thence easterly along the south
shore 260', more or less, thence N
25° 57' east 218' to beginning. Be-
ing lots Nos. 21 to 26 Inc'l. Sec-
tion "B" of Barrison Point. As
shown on plat filed with Zoning
Department.

By Order of
CHAS. H. DOING,
Zoning Commissioner of
Baltimore County
April 16-21

RECD APR 26 1948

#1192-S

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 26, 1948

THIS IS TO CERTIFY, That the annexed advertisement was
published in THE UNION NEWS, a weekly newspaper printed
and published in Towson, Baltimore County, Md., once in each
of TWO successive weeks before the 5th
day of May, 1948 the first publication
appearing on the 16th day of May
1948.

The UNION NEWS

W. Fenwick Keyser
Manager.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#1192-S

District 15
Date of Posting April 23/48
Posted for Boat yard & Marine Railway
Petitioner: Jefferson D. Porter
Location of property N. Side of Barrison Road 407 feet west
Point Road and parcel 830 feet west of Point Road
Location of Signs: N. Side of Barrison Road 1 sign 506' 2 signs
930-3 signs 1000 feet west of Point Road
Remarks:
Posted by Harry C. Gantide
Signature
Date of return: April 23/48

