

#4337-X
MAP
15-D

RE: PETITION FOR SPECIAL EXCEPTION :
FOR BOATYARD AND MARINE SERVICE
STATION - S. S. Proposed Road
550' S.W. Seneca Road, 15th
District - Thomas C. Hill and
Bessie R. Hill, Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
No. 4337-X

OPINION

The petitioner in this case seeks a special exception for a Boatyard and Marine Service Station on the south side of a proposed road 550 feet southwest of Seneca Road, in the Fifteenth District. The subject property is located on Seneca Creek in a section known as Goose Harbor. The petitioner acquired the 28 acre tract of unimproved land in 1957. The area for which the special exception is applied consists of 5.1 acres. The petitioner submitted plans for calling for the construction of three piers with sufficient slips for 150 boats, a club-house building, recreation area, fueling facilities and a marine railway. Because of the shallow depth of the water in Goose Harbor, considerable dredging will also be required.

It was testified that the subject property is principally marshland and is a breeding place for mosquitoes. The petitioner contended that the contemplated Boatyard and Marine Service Station would improve the general appearance of the area which is sparsely populated, according to Mr. George Gerovits, of the Office of Planning. Mr. Gerovits also testified that the plans as submitted by the petitioner have the approval of the Office of Planning.

Several protestants who reside in the area testified that, in their opinion, the granting of this special exception would increase the flow of traffic, particularly on week-ends and holidays, on Seneca Road, a dirt and gravel road with a 16' width. They claimed that this increased traffic would create a traffic hazard and also increase the dust and dirt from the roadway. Several property owners in the neighborhood testified as being in favor of the special exception.

The Board is cognizant of the fact that roads in the vicinity of waterfront property bear a heavy traffic load on week-ends and holidays with resulting traffic hazards. However, the members of the Board feel that the traffic impact of the proposed use for the subject property would not materially affect the traffic pattern in the upland area or tend to create congestion in the roads.

It is the opinion of this Board that the use sought in no way violates any of the provisions of Section 502.1 of the Zoning Regulations. For that reason the Board unanimously grants the special exception for the above mentioned 5.1 acre tract, subject, however, to the following restrictions:

- One parking space shall be provided on the grounds for each slip.
- No major boat repairs shall be performed on the property.
- The petitioner shall require that the clubhouse toilet facilities be used instead of the head on the boats while tied up at the piers.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 29th day of January, 1959, by the County Board of Appeals, ORDERED that the special exception petitioned for be and the same is hereby granted.

COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

(OVER)

RE: PETITION FOR A SPECIAL EXCEPTION :
FOR BOAT YARD AND MARINE SERVICE
STATION - PROP. ON S.S. PROPOSED
ROAD 550' S.W. SENECA ROAD, 15th
DIST., THOMAS C. HILL AND BESSIE
R. HILL, PETITIONERS.

BEFORE THE ZONING COMMISSIONER
FOR
BALTIMORE COUNTY

NOTICE OF APPEAL

MR. CLARK

PLEASE note an Appeal to the County Board of Appeals for Baltimore County in the above-entitled case, from the order of Mr. Wilkie H. Adams, Zoning Commissioner, dated March 19, 1958.

Edward A. Vassili
Edward A. Vassili,
Attorney for Applicant-Protes-
tants, Nicholas J. Libertini,
et al.

Mr. Thomas C. Hill,
Aberdeen Air Park,
Aberdeen, Maryland

Re: Petition for a Special Exception
for Boat Yard and Marine Service
Station - Prop. on S.S. of proposed
road 550' S.W. Seneca Road, 15th
Dist., Thomas C. Hill and Bessie R.
Hill, Petitioners

Dear Mr. Hill:

I have today passed my Order granting the special exception in the above matter.

Very truly yours,

Zoning Commissioner

cc: Mr. George W. Rohde,
2203 Highland Avenue,
Baltimore 13, Maryland

PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF :
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

THOMAS C. & BESSIE R. HILL :
: For a Special Exception
To The Zoning Commissioner of Baltimore County

Thomas C. and Bessie R. Hill : Legal Owner, s
None : Contract
Purchaser

hereby petition for a Special Exception, 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 Exception to use the land (and improvements now or be erected thereon) hereinafter described for : Boat Yard and
Marine Service Station

All that parcel of land in the Fifteenth District of Baltimore County on the South side of a proposed road, beginning 550 feet Southwest of Seneca Road (said proposed road being 550 feet South of Bay Section Road), thence Easterly and binding on the South side of proposed road 550 feet; thence South 21 degrees 00 minutes East 340 feet to the North Shore of Seneca Creek thence binding on said Creek 600 feet; thence North 15 degrees 00 minutes West 400 feet to the place of beginning.

It is this 29th day of December, 1958, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception is hereby extended for a period of one year beginning January 29, 1959 and ending January 29, 1961.

William H. Adams
Zoning Commissioner
of Baltimore County

OFFICE OF PLANNING

Inter-Office Correspondence

From : Office of Planning : January 29, 1959

To : Mr. Wilkie H. Adams, Zoning Commissioner

Subject : Special Exception for Boat Yard and Marine Service Station. Beginning at a point fronting on an existing road, but approx. 850 ft. southeast of intersection of Seneca Creek. 5.1 acres 15th District. Hearing: Jan. 29, 1958 (10:00 A.M.)

Advisory Comment - Land Use:

- (1) This 5 acre site lies on the South shore of a small peninsula. There are from 30 to 40 dwellings on the North shore of the same peninsula, within a 1000 ft. radius. These dwellings will, without doubt be affected, if the large Boat yard proposed is established, and the residential interests involved should definitely be a part of any consideration of the Special Exception.
- (2) Unless local circumstances that are brought out at the hearing indicate otherwise, we would think that a Boat Yard at such a site is acceptable in the location.
- (3) We recommend, however, that some restrictions be made, if the Petition is granted:
 - (a) Board of Health approval of septic tanks and water facilities should precede any final commitment.
 - (b) A limitation to the number of boats permitted should be included in the order.
 - (c) An automobile parking space should be required for every so many boats. We suggest one parking space for 2 boats.
 - (d) "Boat yard" is a use of near commercial type permitted under residential zoning. This commercial character may be incorrectly construed as permitting other commercial uses. Other commercial uses, including drive-in items, such as dance pavilions, lunch counters, souvenir shops, penny arcades, might be specifically excluded in the order.

The location does not appear to be suitable for run-of-the-mill Commercial, and spelling out these restrictions may also discourage any later moves toward commercial zoning in the vicinity.

Site Plan:

We understand that the Petitioner plans, at some time in the future, to subdivide the remainder of his 30 acre property into several large dwelling lots. The subdivision layout will require approval. Approval includes approval of access road - there is no existing public road running through the property. The approved alignment of the access road may be different from that shown on the plat accompanying the petition. Since the road, as shown, forms the Northern boundary of the Boat Yard site, change in the road may argue change in the bounds of the site - and change in the area to be described for Special Exception.

It is highly desirable, therefore, that any zoning approval be withheld until an agreement is reached between the Petitioner and the Office of Planning as to the subdivision layout, including road alignment and Boat Yard boundaries. The problem involved in the

OFFICE OF PLANNING

Inter-Office Correspondence

From : Office of Planning : January 29, 1959

To : Mr. Wilkie H. Adams, Zoning Commissioner

Subject : Special Exception for Boat Yard and Marine Service Station. 15th District.

subdivision are not complete; preliminary discussion has already occurred between the Petitioner and our office and subdivision layout agreement should not mean undue delay in zoning.



Thomas C. Hill
Bessie R. Hill
Aberdeen Air Park
2203 Highland Ave.
Baltimore 13, Md.
(3)

ORDERED BY the Zoning Commissioner of Baltimore
County this 20th day of December, 19 57,
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 29th
day of January, 19 58, at 10 o'clock
A. M.

Zoning Commissioner
of Baltimore County

Pursuant to the advertisement, posting of property and
public hearing for a special exception to use the property described
therein, on a boat land and marine service station, and it appearing
that the petitioner having met all the requirements of Section 507.1
of the Zoning Regulations plus the fact that the State House Com-
mission has plans well under way for the relocation of Carroll
Island and Bowleys Quarters Road, with an interchange at Eastern
Avenue, which will relieve the excessive traffic situation in
this area, the special exception should be granted.

It is, therefore, this 20th day of March, 1958
by the Zoning Commissioner of Baltimore County, ORDERED that the
aforesaid petition for a special exception, to operate a Boat
Land and Marine Service Station, should be and the same is hereby
granted.

William A. Adams
Zoning Commissioner
of Baltimore County

March 27, 1958

\$30.00

RECEIVED of Leonard A. Vadala, attorney for Protestants,
the sum of thirty (\$30.00) Dollars, being cost of appeal from the
decision of the Zoning Commissioner granting a special exception
for a Boat Land and Marine Service Station on south side of a pro-
posed road 550 feet southeast of Seneca Road, 15th District.

Zoning Commissioner

January 14, 1958

\$3.00

RECEIVED of Thomas C. Hill, petitioner, the sum of
Three Dollars (\$3.00), being cost of additional sign required
for posting the property situate on the South side of a proposed
road, beginning 550 feet Southeast of Seneca Road.

Thank you.

Zoning Commissioner
of Baltimore County

WM/t

RECEIVED
JAN 14 1958
COMPTROLLER'S OFFICE

Certificate Of Publication

ESSEX, MD. 195.....

THIS IS TO CERTIFY, That the annexed advertisement
was published in THE EASTERN ENTERPRISE, a weekly
newspaper published in Essex, Baltimore County, Md. once
in each of successive weeks before the
day of 195..... the first publication
appearing on the day of 195.....

THE EASTERN ENTERPRISE, INC.

Thos. B. Alderson
Manager



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

4337

District 15 Date of Posting 1-16-58
Posted for: Special Exception for a Boat Land & Marine Service Station
Petitioner: Thomas C. Hill
Location of property: South side of proposed road, beginning 550 feet Southeast of Seneca Road, 15th District
Location of Sign: South side of proposed road, beginning 550 feet Southeast of Seneca Road, 15th District
Remarks: Back on said property
Posted by: George R. Hunsicker Date of return: 1-17-58

January 7, 1958

\$35.00

RECEIVED of Thomas C. Hill, petitioner, the sum of
Thirty-five Dollars (\$35.00), being cost of petition, ad-
vertising and posting property situate on the South side of
a proposed road, beginning 550 feet Southeast of Seneca Road.

An additional sign is required for posting this
property, therefore a balance of Three Dollars (\$3.00) is
due.

Zoning Commissioner
of Baltimore County

HEARING:

Wednesday, January 29, 1958
at 10:00 A. M.
Room 108
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland

RECEIVED
JAN 27 1958
COMPTROLLER'S OFFICE

January 29, 1958

\$2.00

RECEIVED of Thomas C. Hill, petitioner, the sum of
Two Dollars (\$2.00) to cover cost of advertising the property
situate on the South side of a proposed road, beginning 550
feet Southeast of Seneca Road.

Thank you.

Zoning Commissioner
of Baltimore County

RECEIVED
JAN 30 1958
COMPTROLLER'S OFFICE

SENECA CREEK

