

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 23, 1992

Kenneth F. Krach, Esquire
Gebhardt & Smith
Ninth Floor
The World Trade Center
Baltimore, MD 21202-3064

RE: Verification of Zoning Compliance
Sun Marine, Inc.
850 Baltimore Yacht Club Road
Zoning Cases #5191-X & 90-215-SPH
15th Election District

Dear Mr. Krach:

This letter is in response to your correspondence requesting zoning verification for the above referenced site. Based on the information provided and a review of the two referenced zoning cases, this office has determined the following:

1. A letter from Arnold Jablon (then Zoning Commissioner) to Donald J. Conner, Esquire dated 2/14/84 states the site was not in compliance with the approved plan in Zoning Case #5191-X. A zoning special hearing was suggested by Mr. Jablon in this letter and this was requested in zoning special hearing (not special exception as referenced in your letter) case #90-215-SPH; however, the site is not in compliance with this approved plan. (Please see below for an explanation.)
2. A careful review of the zoning special hearing files in case #90-215-SPH indicates that the required revised plan referenced in the zoning order restriction #2 (also as it references restrictions #3 and #4), has not been received by this office for inclusion in the case file. The deadline as specified in the order for receipt of this plan was 2/15/91. Apparently the mandatory restriction was not complied with; therefore, in the absence of a corroborating plan, the amended special exception is not in place.

Kenneth F. Krach, Esquire
September 23, 1992
Page 2

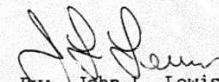
3. The original special exception (#5191-X) as granted and approved (if utilized within two years of the date of the zoning order) will continue in effect with the transfer of the property to other owners.
4. In the absence of the above referenced documentation, a new zoning special hearing would be required to amend the original case to bring the property into compliance with the Baltimore County Zoning Regulations.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact John Lewis at 887-3391 (FAX - 887-5708).

Very truly yours,

WCR

W. Carl Richards, Jr.
Zoning Coordinator

By: 
John L. Lewis
Planner II

JLL:scj

cc: Zoning File #90-251-SPH
Zoning File #5191-X





**BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353**

ARNOLD JABLON
ZONING COMMISSIONER

February 14, 1984

J. Donald Connor, Esquire
Suite 105
660 Kenilworth Drive
Towson, Maryland 21204

Re: Rack Storage of Boats
Existing Special Exception
(Case No. 5191-XA)
NW Corner of Holly Neck Road
and Baltimore Yacht Club Road
15th Election District

Dear Mr. Connor:

Your letter of January 18, 1984 seeks information as to whether or not the establishment of out of water storage facilities for boats in racks, both outdoors and enclosed in a building to be constructed, would be a satisfactory use under the present Special Exception.

Please be advised that a Special Exception, Case No. 5191-XA, was granted for a boatyard and marina at the subject location on January 18, 1961. Plans originally submitted with the Special Exception included a much larger area than that presently being utilized by your boatyard. That part of the original site which is not included in your present operation contained buildings, parking, boat slips, etc., while that part of the site within which you are presently operating a boatyard was set aside for boat storage with a private driveway entrance from Holly Neck Road. As a result of a recent telephone conversation, you have indicated that buildings have been constructed in this boat storage area and you simply plan to increase your boat storage capacity by utilizing racks to store boats both inside and outside.

Based upon the above, it is my opinion that the original Special Exception should be amended via a Special Hearing, so as to properly indicate both the existing and proposed uses which differ from that originally set forth on the site plan submitted with the original case.

J. DONALD CONNOR
ATTORNEY AT LAW
1301 921-9410



January 18, 1984

Mr. Arnold Jablon
Zoning Commissioner
109 Baltimore County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon:

I am arranging to lease the property on the Northwest corner of Holly Neck Road and Baltimore Yacht Club Road, Essex which property contains approximately 5-1/4 acres of land and is presently owned by James W. Brown.

The property has a special exception for use as a boatyard and marina as set forth in Order No. 5191X.

We intend to establish out of the water storage facilities for boats in racks both outdoors and enclosed in a building to be constructed.

I would appreciate your advice as to whether this use is satisfactory under the present special exception.

Your prompt consideration of this request is appreciated and I shall await your reply.

Very truly yours,

J. Donald Connor
J. DONALD CONNOR

JDC:grc

cc: Mrs. Barbara B. Kernan
Economic Development Commission

Notes: 1-15-84
NW cor. of Holly Neck Rd & Baltimore Yacht Club Rd
15th & 16th BL Zoning
Residential - R-1
P, 1

Case File

5191-XA
15-C
X-C
1/15/84

SECTION FOR SPECIAL EXCEPTION

23 713 707 00 00

For a Special Exception
To the Zoning Ordinance of Baltimore County

APPLICANT: J. DONALD CONNOR, Esquire
660 Kenilworth Drive
Towson, Maryland 21204

PROPERTY: NW Corner of Holly Neck Road and Baltimore Yacht Club Road
15th Election District

Special Exception No. 5191-XA
Granted January 18, 1961
For a Boatyard and Marina

Special Exception No. 5191-XA
Granted January 18, 1961
For a Boatyard and Marina

Special Exception No. 5191-XA
Granted January 18, 1961
For a Boatyard and Marina

CERTIFICATE OF PUBLICATION

STATE OF MARYLAND
BALTIMORE COUNTY

I, the undersigned, Clerk of the Board of Assessors, do hereby certify that the foregoing is a true and correct copy of the Special Exception as filed in the Office of the Clerk of the Board of Assessors, Baltimore County, Maryland, on this 15th day of January, 1984.

CLERK OF THE BOARD OF ASSESSORS
BALTIMORE COUNTY, MARYLAND

15-C
X-C
1/15/84

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
RECEIVED

5191-XA
15-C
X-C
1/15/84

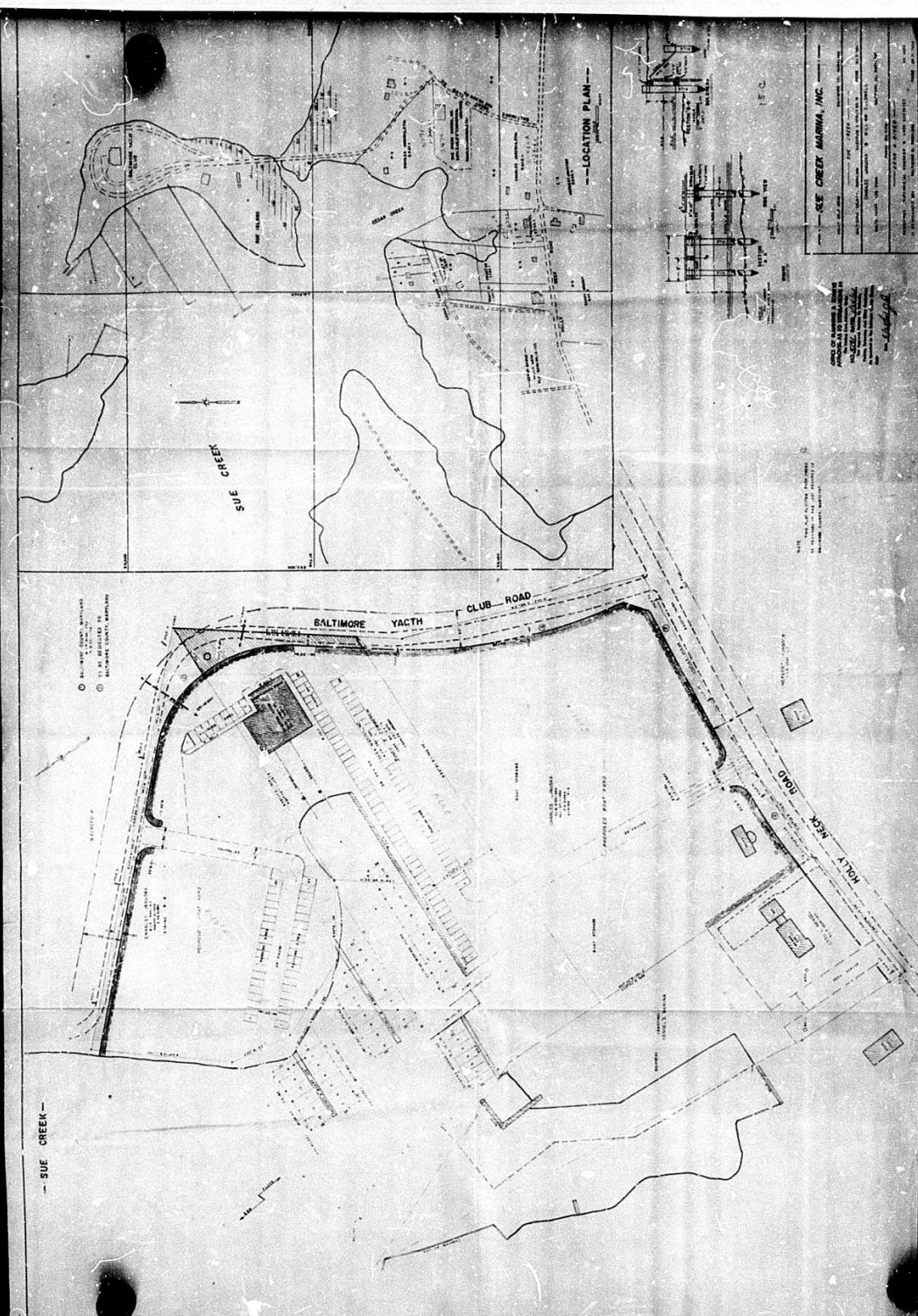
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
RECEIVED

5191-XA
15-C
X-C
1/15/84

5191-XA
15-C
X-C
1/15/84

RECEIVED BY THE BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

15-C
X-C
1/15/84



(ORDERED by the Zoning Commissioner of Baltimore County
this 15th day of November, 1960
that the subject matter of this petition be advertised in two
newspapers 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 18th day of
January, 1961, at 3:00 o'clock
P.M.

Zoning Commissioner
of Baltimore County

Upon hearing on the above petition for a special
exception to use the property described therein for a Boat Yard
and Marina, and it appearing that by reason of location, the
safety, health and the general welfare of the locality not
being detrimentally affected, the special exception should be
granted, therefore:

It is this 15th day of January, 1961, by the
Zoning Commissioner of Baltimore County, ORDERED that the aforesaid
special exception should be and the same is hereby granted, subject,
however, to approval of plans for the development of said property
by the Office of Planning and Zoning.

Zoning Commissioner of
Baltimore County

TELEPHONE VALLEY 3-3000

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 4091
DATE 11/28/60

TO: Sue Creek Marina, Inc.
Box 266 Holly Neck Rd.
Baltimore 21, Md.

BILLED BY: Zoning

DEPOSIT TO ACCOUNT NO. 01622

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT	COST
	Petition for Special Exception - Caldwell	50.00	50.00
		50.00	50.00
		50.00	50.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

TELEPHONE VALLEY 3-3000

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 4205
DATE 1/18/61

TO: Sue Creek Marina, Inc.
Box 266 Holly Neck Road
Baltimore 21, Md.

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. 01622

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT	COST
	Advertising and posting of property	39.50	39.50
		39.50	39.50
		39.50	39.50

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

5191

District: 15th Date of Posting: 12-28-60

Posted for: Special Exception for Boat Yard & Marina

Petitioner: Charles F. Januska

Location of property: M.W. Creek of Holly Neck Rd. and Baltimore Yacht Club Road, etc.

Location of Sign: M.S. of Holly Neck Rd. 100 ft. west of Baltimore Yacht Club Rd. and M.W. Creek of Holly Neck Rd. Baltimore Yacht Club Rd. and M.S. of Holly Neck Rd. 100 ft. west of Baltimore Yacht Club Rd.

Posted by: Charles F. Januska

Date of return: 1-2-61

CERTIFICATE OF PUBLICATION

FOR BALTIMORE COUNTY, MARYLAND

FOR THE TOWSON MD. December 29, 1960

TO BE CERTIFIED, That the annexed advertisement
was published in The COUNTY Paper, Inc., a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks before the 18th day of January, 1961, the first publication appearing on the 29th day of December, 1960

The COUNTY Paper, Inc.
Fenwick K. YER
Manager.
Per Helen S. Theilman

MINOR CHANGES

Address: 11111
38.1

ZONING DEPARTMENT

PETITION FOR SPECIAL EXCEPTION

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

For a Special Exception :
To The Zoning Commissioner of Baltimore County :

William T. Caldwell and Charles F. Januska Legal Owner

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 277 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 & Marina

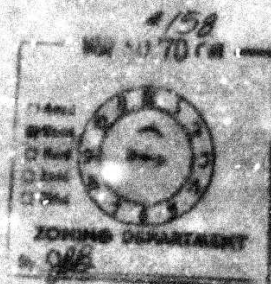
All that parcel of land in the 15th District of Baltimore County at the Northwest corner of Holly Neck and Baltimore Yacht Club Roads, thence westerly, on the north side of Holly Neck Road 108 feet; thence North 1 degree 30 minutes west 1512 feet to the south shore line of Cedar Creek; thence binding on said shore line of Cedar Creek and running easterly and northerly 711.57 feet; thence North 36 degrees 15 minutes East 190 feet to the west side of Baltimore Yacht Club Road and thence southerly on the west side Baltimore Yacht Club Road 1223.23 feet to the place of beginning. Saving and excepting therefrom that portion known as M.W. Creek of Holly Neck Rd., zoning Case No. 2174. Being property of William T. Caldwell and Charles F. Januska as shown on plot plan filed with the Zoning Department.

William T. Caldwell
Charles F. Januska
Legal Owner
Address: 11111
38.1

EXISTING ZONING: BL
 PROPOSED ZONING: BL WITH
 SPECIAL EXCEPTION FOR
 LABORATORY USE (L30.13)
 NET AREA: 1.68 TAC
 GROSS AREA: 1.82 TAC
 OFF-STREET PARKING

FIRST FLOOR:
 TOTAL FLOOR AREA: 5,500 SQ. FT.
 NO. OF SPACES REQUIRED: 5500/100 = 55
 SECOND FLOOR:
 TOTAL FLOOR AREA: 1,268 SQ. FT.
 NO. OF SPACES REQUIRED: 1268/500 = 2.5
 TOTAL NO. OF SPACES REQUIRED: 57.5
 TOTAL NO. OF SPACES PROVIDED: 61

John T. Smith, et al



OFFICE COPY

REVISED PLANS

E70-202A

OFFICE COPY

MAP
 A-B
 EASTMAN
 AREA
 SE-2-K



John E. Spillman

PLAT FOR SPECIAL EXCEPTION
 BALTIMORE YACHT CLUB RD.
 15TH DISTRICT
 BALTIMORE CC, MD.

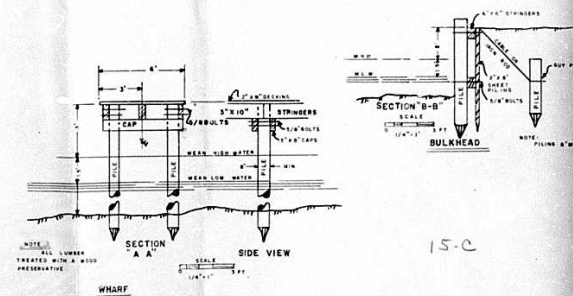
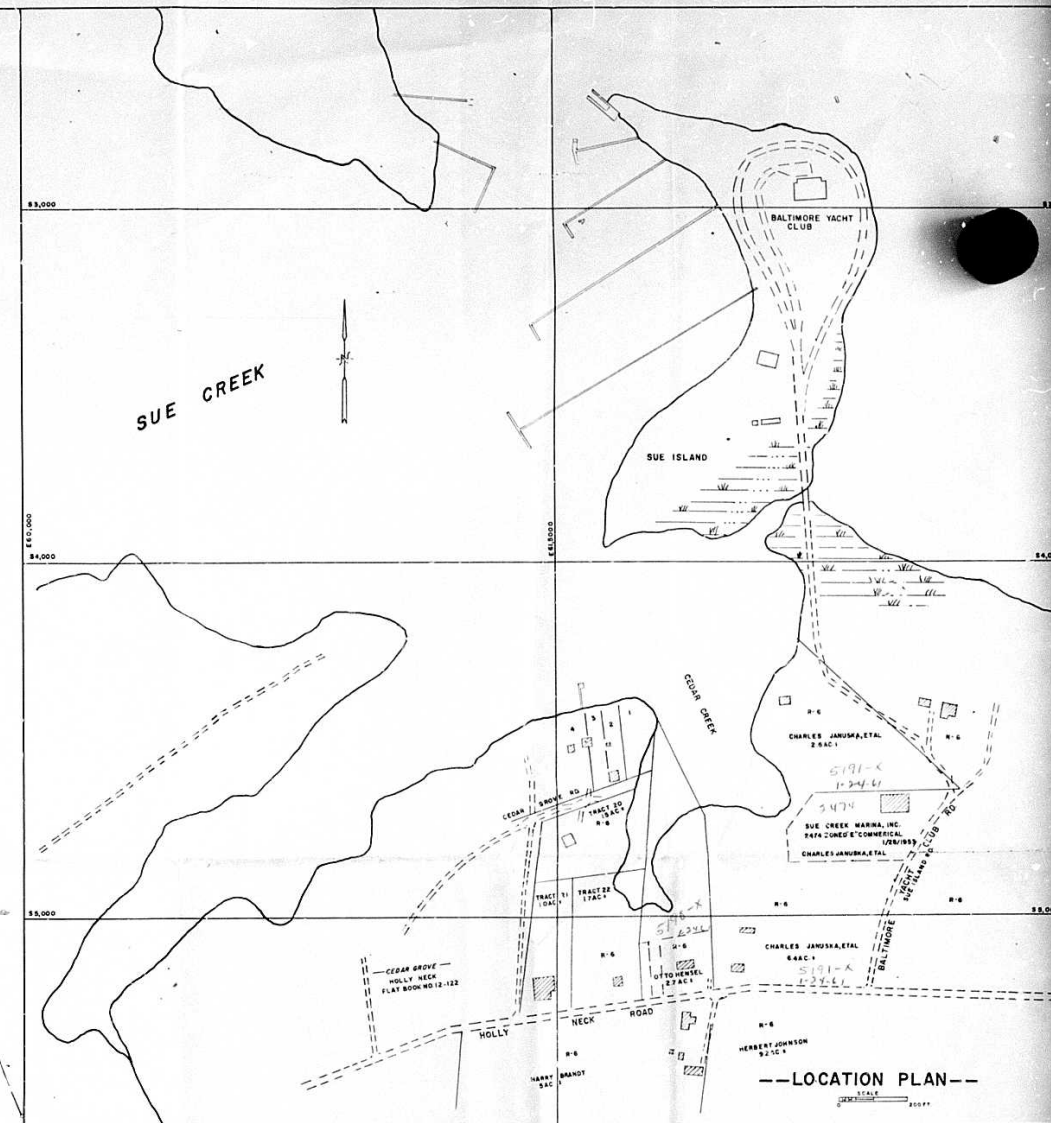
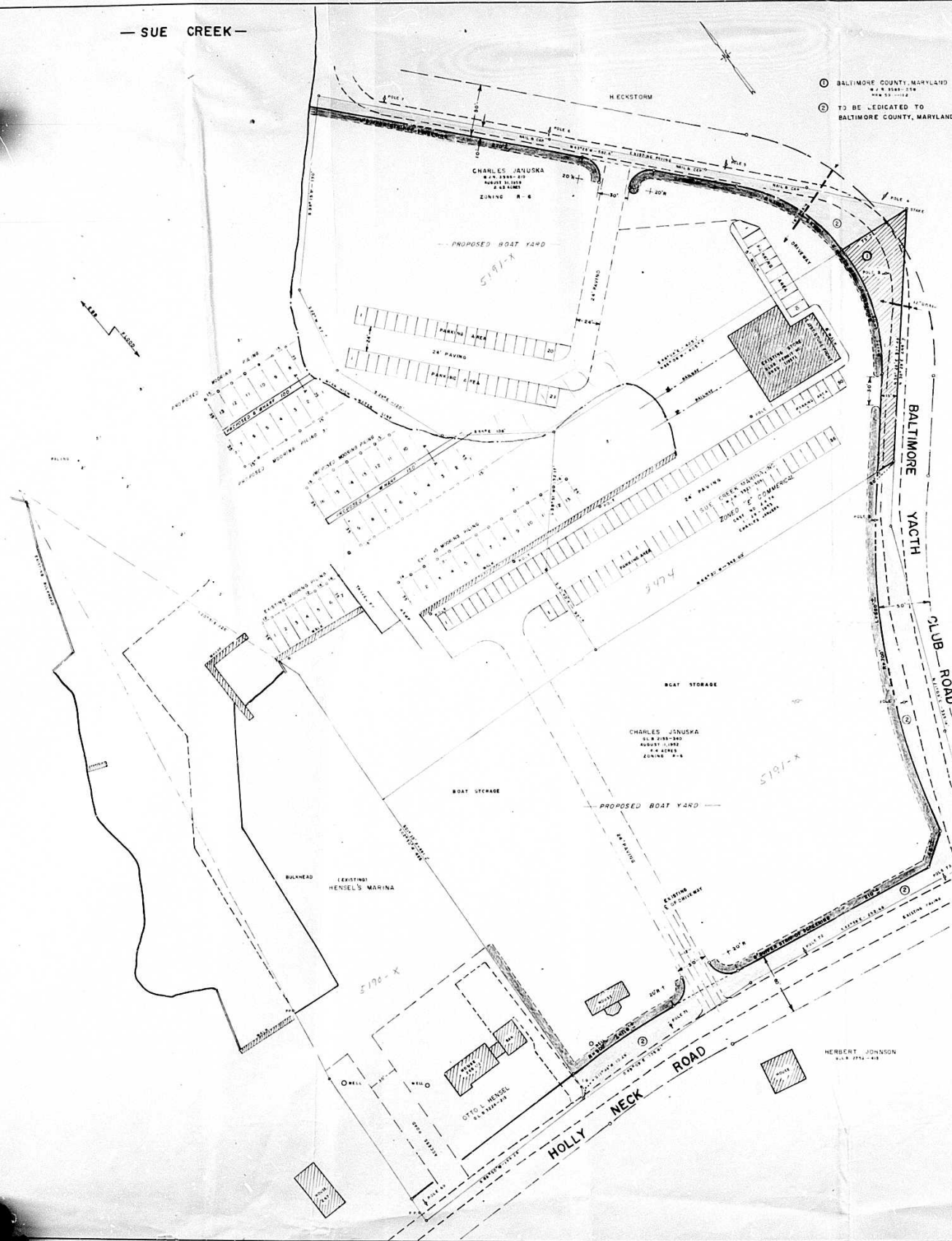
ENVIRONMENT & RESEARCH ASSOC.
 APC #3, BOX 26514
 ESSEX, MD
 21221

RECEIVED: MAR 30, 1970
 JOSEPH D. THOMPSON
 ENGINEER AND SURVEYOR
 181 S. HILL BLVD. 200 E. JEFFERSON
 TOWSON, MD. 21204-2610
 E70-202A



— SUE CREEK —

- ① BALTIMORE COUNTY, MARYLAND
W. & A. 2000-100
NO. 51-100-100
- ② TO BE DEDICATED TO
BALTIMORE COUNTY, MARYLAND



NOTE:
THIS PLAN PLOTTED FROM DEEDS
AS RECORDED IN THE LAND RECORDS OF
BALTIMORE COUNTY, MARYLAND.

OFFICE OF PLANNING & ZONING
APPROVED AS TO SIMULATIONS IN
THE Zoning Commission's Code
NO. 5171 DATED 1/15/64
This Approval Pertains To Subdivisions,
Paving, Sewerage And Other Installations
As Specified In The Baltimore County Zoning
Code.
Date 6/15/64 J.A.C.

— SUE CREEK MARINA, INC. —	
HOLLY NECK ROAD	BALTIMORE 20, MARYLAND
SUE CREEK	
BALTIMORE COUNTY, MARYLAND	ELECTION DISTRICT NO. 15 PHONE MU 7-7811
CHARLES JANUSKA & WILLIAM CALDWELL	
BALTO YACHT CLUB ROAD	BALTIMORE 20, MARYLAND
PHONE MU 7-7811	
JOHN A. CIVEN	
REGISTERED PROFESSIONAL ENGINEER & LAND SURVEYOR	NO. 1005
11 ST. MICHAEL'S WAY BALTIMORE 12, MARYLAND	PHONE DR 7-7459