RE: PETITION FOR SPECIAL EXCEPTION for a Boat Yord, North Shore of Bird River east of Bowerman Road - 11th District George S., Bowerman, Jr. -

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#554F-X BEFORE COUNTY BOARD OF APPEALS

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BALTIMORE COUNTY MAP No. 5548-X XA

. OPINION

This is a petition for a special exception for a Marina to be built and perated on property located on the north side of the Bird Rivar in the Eleventh Election District of Baltimore County. The total property owned by the petitioner consists of approximately 5-3/4 acres zoned "R-6", of which approximately three acres would be used for the purpose of the Marina. Adjacent share property to the west of approximately six acres belongs to an uncle of the petitioner, while the adjacent property to the east is a large tract of land which is to be developed as the Gunpowder State Park.

The petitioner testified that all existing buildings on the subject property would be torn down and one building, approximately 40 feet by 60 feet, would be built. This building would house the sanitary facilities as well as be a service building for the repairs and maintenance of boats. There would be three piers, as shown on petitioners' Exhibit No. 1, which would be used for 110 slips. The middle pier is now partially constructed. Boats in the pleasure class of 14 feet to 35 feet in length would use this

The petitioner, Mr. George S. Bowerman, Jr., has been employed in the boat building business at the Edwards Boat Yard, located in Baltimore County, for nine years and offers a proper background to quality as a Marina operator. He readily admits that he intends to construct the Marina himself with the help of his family, and that he does not expect to have more than 25 slips in use for the 1963 boating season. He anticipates that it would be three to four years before the entire 110 slips would be

The protestants were all residents of homes on the south side of the Bird River, some 1700 feat away from the north side and the proposed site of this Marina. Some of the approximately aleven protestants were year-around residents while others have summer type cottages. All are longtime residents of this community. Their testimony could be summed up in the fears for water safety and the ultimate change in the character of the neighborhood that could result if this special exception was granted. They visualize the north side of the Bird River being a row of Marinas, commercial

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TG Mr. John G. Rose, Zoning Countssioner Date. April 27, 1962

FROM Mr. George E. Gavrelis, Deputy Director

SURJECT #5518-X. Special Exception for a Boat Yard. North Shores of Bird River Road 725 feet East of Bowerman Road. Being property of George S. Bowerman, Jr.

1)th District

HEARING Wednesday, May 9, 1962 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject pointion for a Special Exception for a Boat Yard. It has the following advisory comment to make with respect to pertinent planning factors:

1. The Planning staff is in accord with the concept of use of The Flamming staff is in accord with the concept of use of this property for best yard purposes, however, it raises property. If granted, the granting should be conditioned upon completion of a 21 foot pared readway leading into the subject property from Edwerman Roud and approval finally of a site development plans.



#5578-XA businesses in a residential area, the presence of which would be detr of their properties

The Board can fully appreciate the feeling of the protestants. Anyone wning water-front property used by their families and friends for recreational purposes are desirous of preventing any intrusion of their particular waterway by anyone, especially a commercial enterprise.

On the other hand, the Board recognizes the need to provide proper facilities for the rapidly expanding boating industry and the needs and requirements of the general public who wish to participate in the sport of boating. The Board has been particularly impressed in this case with certain pertinent facts.

- 1. The nearest boat yard is some 1.5 to 16 miles away by water, even faither by
- 2. The petitioner, by his experience, is well qualified to operate a Marina
- Three acres is ample for this type of operation and the absence of living quarters on the property is most desirable
- 4. The immediate adjaining property owners. On the west the property is owned by the petitioners' family and the property on the east as a State Park would make the subject property unobjectionable for a Marina by
- 5. The width of the Bird River at this point, 1700 feet, seems to afford ample
- The existence of a railroad bridge some two miles away that is not equipped with a draw-bridge limits the size of the boats that could use this Marina
- 7. Access by higheav to the Marina would Inot be through a residential community and would Inot cause noise, danger to children or other objectionable factors that are present when a boat yard must be reached by boot traillers and visitors through a residential area

From the above facts it is quite evident that the Roard is of the oninion that this special exception should be granted. While any Marina on any waterfront would be annoying to other property owners to some degree, we do not believe that this Marina, located 1700 feet away from the nearest protestant, would have any detrimental effect on the property owners or that it would cause an undue water hazard. Further, the Board feels that the fears of the protestants that this special exception would open the flood gates to many additional Marinas in the immediate area are without foundation. First, special exceptions differ from reclassifications in that the mere granting of one special exception does not in itself change the character of a neighborhood and each special exception must meet the test of Section 502, I on its own merit. These are far different fac's than that which exist where residential property is changed in classification to commercial property. Further, there is little chance that additional Marinas would be built in the immediate area considering that the remaining property on the north side of

JOHN G. ROSE

FOR BALTIMORE COUNTY

Claude A. Hanley Attorney for Protestants First National Bank Bldg. Towson 4, Maryland Va. 3-1174

IN THE MATTER OF

GEORGE S. BOWERMAN, JR.

Applicant for Special

#5588

NOTICE OF APPEAL

of May 21, 1962, granting a special exception in the above matter.

Please enter an appeal to the County Appeal Board from your Order

#5548-XA the river is either to be occupied by the Gunpowder Park or is owned by the family of the

The Board has heard many cases for special exceptions for Marinas and the stant case seems to offer more,or at least more advantages than disadvantages, than any case we can recallect in sometime

The petitioner has further requested the Board to grant them a period greater than two years to construct this Marina to completion as allowed for in Section 502.3 of the Baltimore County Zoning Regulations. It is the feeling of the Board that two years is a asonable length of time to complete the Marina. If the petitioner finds that he needs a greater length of time he may, at that time, apply for same as provided for by Section 502.3.

The Board is unanimous in its decision that this special exception does not violate Section 502.1 of the Baltimore County Zoning Regulations and orders that same should be granted subject to the following restrictions:

- 1; No more than 110 slips may be constructed
- 2. No more than three piers may be constructed
- Before the first slip n.ay be put to unn, sanitary facilities as required by the Baltimare County Health Regulations must be installed and be in operating condition for all 110 slips
- No buildings to be utilized for living quarters may be constructed on the approximately three acres to be used for this Marina
- Lights must be provided on the piers, a minimum of one light for each 10 slips. The lights are to be of sufficient strength as to provide for safely lighted piers
- Adequate trash containers must be supplied so that boat owners will have sufficient containers for ease of trash disposal
- In accordance with Section 502,3 of the Soltimore County Zoning Regula-tions this special exception must be completed within two years from the final date of the order granting some. This does not preculate petitioner seeking relief from this restriction as provided for in Section 502,3 of the Soltimore County Zoning Regulations

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 5 day of February, 1963 by the County Board of Appeals, ORDERED that the special exception petitioned for, be and the same is hereby granted, subject to the afore-

- JUN 1 2'62 PM ---PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: BEFORE

MAPY I, or we, George S. Bowersen, Jre legal owner of the property situate 2-11 Fas anty and which is described in the description and plat attached hereto and made a part her hereby petition (1) that the zoning status of the herein described property be re-clasto the Zoring Law of Baltimore County, from an-

__zone: for the following reasons:

4/24/62

#5548 XA

See Attached Description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore BOAT YARD County, to use the herein described property, for.....

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning ons and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

Lange S. Bowerman J. Contract purchaser man Rd. White march mayland. Petitioner's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this. 15th of Marah, 196.2., that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in a newspaper of general circulation thro nore County in Room 106, County Office Building in Towson, Reltime

9th day of May (2000000



subtitle B of Maryland Rules of Procedure, 1961 edition. #11 COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY Note: Mr. Austin did not sit at this hearing.

Any appeal from this decision must be in accord-

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of location, the mafety, health and the general welfare of the locality involved not being detrimentally affected, e Moute to that, and it further appearing that by a Special Exception for a Roat Yard should be granted. IT IS ORDERED by the Zoning Commissioner of Baltimore County this 2 lost day of Noy , 196.2 , that the worth was the property and account Special Exception for a Root Yard should be and the same is granted, from and after the date of this order, subject, howevers to approval of the site
plan by the Office of Planning and the Division of Aird Development.

Zoning Commissioner of Baltimore County Pursuant to the advertisement, posting of property and public hearing on the above octific and it appearing that by reason of_ the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED ..., 196..., that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and

: MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION for a Best Yard Morth Shore of Bird River east of Bowerman Road - 11th Dist., Geo. S. Bomerman, Jr., Petitioner -No. 5548-X

It is this 2/1/4 day of January, 1965,

by the Zoning Commissioner of Baltimore County, ORDERED that the Special Exception granted on February 5, 1965 be and the

same is extended unti! February 4, 1968.

BALTIMORE COUNTY, MARY AND

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

DATE 6/13/62

No. 11672

Office of Flanning & Zoning 119 County Office Bldg., lewson b. Mi.

EPOSIT TO ACCOUNT NO. 01-622		
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MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

TELEPHONE

BALTIMORE COUNTY, MARYN IND OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 11638 DATE 5/1/02

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MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITT. ICE. S PAYABLE TO BALTIMORE COUNTY, MARYLAND

SPECIAL EXCEPTION ergland.

a Zoning Commissioner of Balre County by authority of the
ng Act and Regulations of Balre County, will hold a public raing all thet parcel of land Eleventh District of Battle Comparison of the control of what is a second of the control of th **b** 5548-x

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 19, 1962 THIS IS TO CERTIFY, 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 _____ successive weeks before the day of ______19 ___the first publication appearing on the ______luth ____ day of _A_pril_-19 62..

The COUNTY Paper, Inc.

TO A TON SEN

TELEPHONE

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

No. 11553 DATE 3/16/62

Bowerman Road White Marsh, Howyland

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CERTIFICATE OF POSTING

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Signature /	Date of return	4-19-62

CERTIFICATE OF POSTING NG DEPARTMENT OF BALTIMORE COUNTY

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with	# 5548
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EXCEPTION FOR BORING BPSCIAL CONING: Petition for Special Exception CONING: Petition for Special Exception ACCATON: North Shores of Bird River Sand 725 from East of Soverman Rand. ANTE AND TIES. Wednesday, May 5, 1942 at 1:80 P. H. VIELIC: HEARING: Room 168, Consty Office Building, 111 W. Chenapeake Ave-nne, Townon, Starpland. Select on 1000 als. One secured systems, as "winning for the same of a point dis-on 58-31-588. Tal finel, more of thes. The three of the selection of the selection of the selection of the selection of the No. 3 and 6 as above on the plast critical three of the selection of Battimer County in the First Records of Battimer County in the three of the selection of the selection of the three of the selection of the selection of the latter of the selection of the selection of the latter of the selection of the selection of the latter of the selection of the selection of the 1000 the selection of the selection of the selection of the 1000 the selection of the selection of the selection of the 1000 the selection of the selection of the selection of the 1000 the selection of the selection of the selection of the 1000 the selection of the selection of

CERTIFICATE OF PUBLICATION

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TOWSON, MD. April 20, 19 62 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once to the county and the county are county and the county are consistent and the county are county are county are county and the county are county ar of 1 time ______ resources before the __2th day of _____ Hay ______, 19_62, the *** publication appearing on the 20th day of April

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