



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

ARNOLD JADON
ZONING COMMISSIONER

November 13, 1984

Mr. Keith J. Stetler
125 Summer Lane
Lititz, Pennsylvania 17543

RE: Goller's Boat Yard
3814 Clarks Point Road -
15th Election District

Dear Mr. Stetler:

Reference is made to your letter of August 8, 1984 requesting information as to the updating of Goller's Boat Yard on Clarks Point Road.

Please be advised that a Special Hearing will be required in order to revise the operation of the boat yard as granted by the original Special Exception, Case No. 78-170-X. This revision is necessary to permit the sale of boats, the addition of an office, and the proposed six-foot-high wooden fence.

Very truly yours,

JAMES E. DYER
Zoning Supervisor

JED:nr

cc: Case File

[Case # 78-170] 85-361
 3814 Clarks Point Road
 on Seneca Creek
 Henry Goller owner

85-361
20
 PB: Proposed Boat Storage
 Sales and Storage
 8/9/84
 x 11/14
 to JD
 8

Mr. Dyer,
 My name is KEITH STETLER and I am planning to purchase this property. The drawing in pencil is how the property is set up now. The red overlay is what I would like to do to the property after I purchase it. I was told by Nick Conadori I should draw this plan and submit to you for approval. If we must meet in person please call collect (717-569-8157) otherwise please send your reply to the address on the envelope. All footage and locations on drawing are approximate but, very close to real. I would appreciate prompt reply.

Thank you
 * 125 Summer Lane
 Lititz, PA 17543 Keith J. Stetler

① REPLACE A VARY ONLY 3' HIGH WIRE FENCE ON BOTH PROPERTY LINES WITH A NICE 6' HIGH WOODEN FENCE FOR BOTH PRIVACY AND SECURITY.

② BUILD A SMALL ADDITION TO HOUSE TO ACCOMMODATE 2 SALES OFFICE FOR SMALL CHAL BOATS, AT FIRST, AND MAYBE LARGER BOATS IN FUTURE. ADDITION WOULD BE APPROXIMATELY 15'x20' AND ONE STORY IN HEIGHT.

③ KEEP AREA AROUND HOUSE AND INSIDE DASHED LINE IN GRASS. REMAINDER OF PROPERTY WOULD BE GRAVEL FOR BASE OR UP KEEP AND I BELIEVE NICE APPEARANCE. (NO GRASS OR WEEDS GROWING AROUND STORED BOATS)

④ REMAINDER OF PROPERTY WOULD BE USED FOR PARKING IN SUMMER WHEN BOATS ARE IN THEIR SLIPS, AND BOAT STORAGE IN WINTER. ALLOWING WITH A LIMITED NUMBER OF NEW SMALL BOATS FOR SALE IN DESIGNATED AREA. (10). MR. GOLLER PRESENTLY STORES APPROXIMATELY 32 BOATS ON PROPERTY OVER WINTER WITH ADEQUATE REM.

NOTE: ALL ADDITIONS WILL BE DONE NICELY AND ATTRACTIVELY / WHEN CONSTRUCTION IS COMPLETE THE PROPERTY WILL BE AS GOOD AS NEW. THIS WILL BE MY

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Henry F. Goeller, legal owner 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ to an _____; and for the following reasons:

See attached description

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

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 regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Henry F. Goeller
Henry F. Goeller

Contract purchaser _____ Legal Owner _____
Address: 16 Clarks Point Road
Baltimore, Maryland 21220

John W. Hessian, III
John W. Hessian, III
809 Eastern Boulevard
Baltimore, Maryland 21220

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 197____.

November 197____ that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of February, 197____, at 11:00 o'clock A. M.

John W. Hessian, III
Zoning Commissioner of Baltimore County.



ORDER RECEIVED FOR FILING
DATE: April 11, 1978
BY: John W. Hessian, III

11:00
8/15/78

IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, Henry F. Goeller, legal owner of the property situate in Baltimore County, the property outline of which is shown to scale, complete with bearings and distances of 200 FT. SCALE MAPS, WHICH ARE ATTACHED HERETO, HEREBY MAKE APPLICATION TO FILE FOR A SPECIAL

EXCEPTION _____ IN A _____ ZONE TO USE THE HEREIN DESCRIBED PROPERTY FOR _____

boat yard

THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

GROSS SITE AREA 6.0 ACRES DEED REF. MIR 1575, folio 302
GRAZING _____ % OF OVERALL SITE WILL REQUIRE GRASSING

BUILDING SIZE
GROUND FLOOR 28 x 38
NUMBER OF FLOORS _____ TOTAL HEIGHT _____
FLOOR AREA RATIO = TOTAL FLOOR AREA DIVIDED BY SITE AREA = _____

BUILDING USE
GROUND FLOOR Office & Shell

REQUIRED NUMBER OF PARKING SPACES
GROUND FLOOR 25 OTHER FLOORS _____ TOTAL _____

PAVING
AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES _____ including parking area (PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 300 SQ. FT. IN AREA)

UTILITIES
WATER: PUBLIC PRIVATE, TYPE OF SYSTEM _____

SEWER: PUBLIC PRIVATE, TYPE OF SYSTEM _____

UTILITIES SECURITY APPROVAL _____ BUREAU OF LAND DEVELOPMENT

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICANT, LICENSE OR CONTRACT PURCHASER
Henry F. Goeller
ADDRESS 75 Clarks Point Road
Baltimore, Maryland 21220

THE PLANNING BOARD HAS DETERMINED ON April 12 THAT THE PROPOSED DEVELOPMENT DOES SUBSTANTIALLY COMPLY TO THE REQUIREMENTS OF SUBSECTION 21-11(b) OF THE BALTIMORE COUNTY ZONING LAW.



RECEIVED
AUG 1 1978
OFFICE OF PLANNING & ZONING

Phone: 687-6922
FRANK S. LEE
Registered Land Surveyor
1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237
May 20, 1977

Goeller's Boat Yard,
North side of Clarks Point Road, 2000 feet more or less east of Bowleys Quarters Road,
Lots 3 & 4, plat No. 2, Bowleys Quarter, 7/13 15th District; Baltimore County, Maryland.
Beginning for the same on the north side of Clarks Point Road at the distance of 2000 feet more or less measured along the north side of Clarks Point Road from the east side of Bowleys Quarter Road, thence running and binding on the north side of Bowleys Quarter Road North 74 degrees 00 minutes 30 seconds East 104.70 feet, thence leaving Clarks Point Road for a line of division North 4 degrees 51 minutes 30 seconds East 270 feet more or less to the western of Seneca Creek, thence along the western of Seneca Creek in a westerly direction 100 feet more or less and thence running for a line of division South 4 degrees 51 minutes 30 seconds West 360 feet more or less to the place of beginning.
Containing 0.60 acres of land more or less.

Very truly yours,
S. Eric Di Nenna
S. ERIC DI NENNA
Zoning Commissioner

SED/jhm
Attachment
cc: John W. Hessian, III, Esquire
People's Counsel



RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
N/S of Clarks Point Road, 2000' E of Bowleys Quarters Road - 15th Election District
Henry F. Goeller - Petitioner : OF
NO. 78-170-X (Item No. 113) : BALTIMORE COUNTY

This matter comes before the Zoning Commissioner as a result of a Petition for a Special Exception for a boat yard. The subject property is located on the north side of Clarks Point Road, 2000 feet east of Bowleys Quarters Road, in the Fifteenth Election District of Baltimore County, and contains 0.60 acres of land, more or less.

Testimony on behalf of the Petitioner indicated that the subject property was purchased by the Petitioner in 1959 and was, at that time, being utilized as a boat yard. It was further stated that there will be a total of 25 slips for the storage of boats. There is sufficient parking available for the patrons of the boat yard.

Area residents appearing at the hearing testified in favor of the subject Petition but indicated that they did not want the parking lot to be macadam. They felt that this area should be dustless and remain grass. In addition, they felt that there was sufficient hedging around the subject property so as not to necessitate stockade fencing.

In order to grant a Special Exception, the prerequisites of Section 502.1 of the Baltimore County Zoning Regulations must be met. In the opinion of the Zoning Commissioner, this burden has been met by the Petitioner, and the Special Exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17 day of April, 1978, that the Special Exception for a boat yard should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

John W. Hessian, III
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
DATE: April 11, 1978
BY: John W. Hessian, III

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21284
(301) 454-2551
October 26, 1977
S. ERIC DI NENNA
ZONING COMMISSIONER

Mr. Henry F. Goeller
75 Clarks Point Road
Baltimore, Md. 21220

RE: Interim Development Control Act (IDCA) Application #77-32-X

Dear Sirs:
Please be advised that your IDCA application for a Boat Yard hearing was approved by the Planning Board on October 21, 1977 and you may now file your petition, plans, and description for said Special Exception hearing in accordance with the Zoning Commissioner's rules for filing.

In order to assist you, we are enclosing a copy of the Zoning Commissioner's rules for filing and petition forms to be completed by you.

Very truly yours,
S. Eric Di Nenna
S. ERIC DI NENNA
Zoning Commissioner

SED/JED/scw
Enclosures

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
N/S of Clarks Point Rd. 2000' E of Bowleys Quarter Rd., 15th District : OF BALTIMORE COUNTY
HENRY F. GOELLER, Petitioner : Case No. 78-170-X

ORDER TO ENTER APPEARANCE

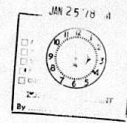
Mr. Commissioner:
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in the proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kountz, Jr.
Charles E. Kountz, Jr.
Deputy People's Counsel

John W. Hessian, III
John W. Hessian, III
People's Counsel
County Office Building
Towson, Maryland 21204
474-2188

I HEREBY CERTIFY that on this 25th day of January, 1978, a copy of the foregoing Order was mailed to Robert J. Romadka, Esquire, 809 Eastern Boulevard, Baltimore, Maryland 21220, Attorney for Petitioner.

John W. Hessian, III



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21284
(301) 484-2551
S. ERIC DI NENNA
ZONING COMMISSIONER

April 17, 1978

Robert J. Romadka, Esquire
Gorman's Federal Building
809 Eastern Boulevard
Baltimore, Maryland 21220

RE: Petition for Special Exception N/S of Clarks Point Road, 2000' E of Bowleys Quarters Road - 15th Election District
Henry F. Goeller - Petitioner
NO. 78-170-X (Item No. 113)

Dear Mr. Romadka:
I have this date passed my Order in the above referenced matter, in accordance with the attached.

Very truly yours,
S. Eric Di Nenna
S. ERIC DI NENNA
Zoning Commissioner

SED/jhm
Attachment
cc: John W. Hessian, III, Esquire
People's Counsel

October 26, 1977
ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BLVD. 8TH FLOOR
ESSEX, MARYLAND 21221
January 25, 1978
MURKIN 6-8274

Mr. Nicholas B. Commodari
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

RE: IDCA No. 77-32-X
Henry F. Goeller
Special Exception for a Boat Yard

Dear Mr. Commodari:
In reply to your inquiry concerning the use of the dwelling on the above captioned property, please be advised that this building is used by Mr. Goeller as his residence and office. In reviewing the zoning regulations, I do not feel it is necessary for Mr. Goeller to obtain a side yard variance in continuing to use this building for such dual purpose. If I am incorrect in my interpretation of the regulation, I would appreciate your bringing to my attention the specific regulation which would require a side yard variance at this time. I have received notice that this case is scheduled for hearing on February 15, 1978.

Very truly yours,
Robert J. Romadka

RJR/dsl
cc: Mr. Henry F. Goeller



78-82
78-170-X
Fall
Pitt
John
Vicki

76-370-V

ROBERT J. ROMADKA
ATTORNEY AT LAW
777 LANTANA BOULEVARD
ESSEX, MARYLAND 21221

March 21, 1978

MURKIN 6-8274



Hon. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: No. 78-170-X
Henry F. Goeller
76 Clarks Point Road

Dear Mr. DiNenna:

Please find enclosed herewith a copy of Memorandum Opinion and Order from the Circuit Court for Baltimore County pertaining to the alleged zoning violation of Henry F. Goeller.

As you will recall, on February 15, 1978, you had a hearing on our Petition for Special Exception for a boat yard for this property. Despite the fact that we have received an Order from the Court finding that we have a nonconforming use, it was felt that we should still obtain a Special Exception for a boat yard. I thought you would want a copy of this Order prior to your issuing an Order on our Petition for Special Exception.

Very truly yours,

Robert J. Romadka

RJR/dsl

Enc. Mr. Henry F. Goeller

Re: ALLEGED ZONING VIOLATION * IN THE CIRCUIT COURT FOR
on property located at * BALTIMORE COUNTY
76 Clarks Point Road * Misc. No. 6201
15th District * Docket 10
* Folio 352

MEMORANDUM OPINION

This matter involves an Appeal from the County Board of Appeals of Baltimore County which by its order dated the 10th day of March, 1977, found that the Defendant (Henry Goeller) was not in violation of operating a junkyard on the property known as 76 Clarks Point Road, Seneca Creek, in the 15th Election District of Baltimore County. The Board further ruled that there was insufficient evidence and testimony to establish a legal non-conforming use on the subject property for a boatyard/marina. The Board therefore found the Defendant in violation of operating a boatyard/marina in a residential zone and ordered the Defendant to cease the operation of the boatyard/marina on the subject property within ninety (90) days from the 10th day of March, 1977.

The property owner, Henry Goeller, through his attorney Robert J. Romadka, took an appeal to this Court from that portion of the Board's order dealing with the non-conforming use and holding the Defendant in violation of operating a boatyard/marina in a residential zone.

No appeal was taken from the decision of the Board ruling that there was no junkyard violation at the subject property. Therefore, that question is not before this Court and, in fact, that issue was finally adjudicated by the Board's decision.

The hearing before the Board and before this Court was criminal in nature and the sole question to be determined is whether or not the use of the subject property as a boatyard/marina was in violation of the Baltimore County Zoning Regulations. It has been stipulated that the subject property has been

zoned residential (DR 5.5). But while the property owner concedes this zoning, he claims that he is not in violation in light of the fact that the subject property enjoys a non-conforming use which predated the Baltimore County Zoning Regulations which came into effect on January 2, 1945.

The transcript drips with overwhelming and uncontradicted evidence which clearly shows that the property has been used uninterruptedly as a residence and a boatyard since at least 1940 to the present date. The Baltimore County Zoning Regulations specifically recognize non-conforming uses and the law is crystal clear that such non-conforming uses are allowed to continue to prevent undue hardship on property owners as well as to satisfy constitutional questions. As a matter of fact, the Baltimore County Zoning Regulations go so far as to permit limited expansions of non-conforming uses. Furthermore, the Board in its own opinion stated, "While there is uncontradicted testimony of boatyard like activities at the subject property prior to January 2, 1945, the scope and expansion of the activities now taking place at the subject property seem to have gone far beyond the use that might have been initially established in 1945." (p. 3).

It is clear to this Court that the Board completely misunderstood the facts of the case and clearly drew erroneous conclusions from the facts. The Board also committed an error of law since, on one hand, it says that there was evidence of a non-conforming use and, on the other hand, states, "The Board has, based upon the testimony and evidence before it, no alternative but to find that the Defendant has not evidenced a non-conforming use operation since January 2, 1945, of either a boatyard or a marina." (p. 3-4). The Board, in effect, says to the property owner, "you are in violation of operating a boatyard/marina in a residential zone and you are ordered to cease the operation of the boatyard/marina at the subject property within ninety (90) days."

A boatyard is defined by the Baltimore County Zoning Regulations as

"a commercial or non-profit boat basin with facilities for one or more of the following: sale, construction, repair, storage, launching, berthing, securing, fueling, and general servicing of marine craft of all types [Bill No. 64, 1963]" (emphasis added). The testimony produced coincides and adequately meets the requirements of this definition.

This Court is convinced and persuaded that the Board erred in holding the property owner in violation in light of the fact that the property enjoys a non-conforming use. The Board seems to indicate there has been an expansion and/or intensification of the use, but this has not been born out by the evidence produced at the hearing. To make this determination, the Zoning Commissioner, the Board or the Court would need testimony as to this issue. The Court has no evidence to make this determination at this time, nor can the Court make a determination concerning the extension of the pier for which a permit was received, which was subsequently revoked, and which apparently precipitated this entire controversy. The extension of the pier and the alleged expansion of the boatyard/marina operation surfaced momentarily during the course of this controversy, but just as quickly disappeared, apparently in the waters of Seneca Creek.

For the reasons stated herein, it is this 13th day of March, 1978, ORDERED

that the Order of the Board of Appeals of Baltimore County, dated March 10, 1977, be and the same is hereby REVERSED.

Frank E. Cicone
Judge Frank E. Cicone

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: February 3, 1978
FROM: Leslie H. Graf, Director of Planning
SUBJECT: Petition 78-170-X, Petition for Special Exception for a Boat Yard.
Northside of Clarks Point Road 2000 feet, more or less, East of Bowleys Quarter Road
Petitioner- Henry F. Goeller

15th District

There are no comprehensive planning factors requiring comment on this petition.

Leslie H. Graf
Director of Planning

LHG:JGHtrw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

ROBERT J. ROMADKA, Esquire
809 Eastern Blvd.
Essex, MD. 21221
ITEM # 113
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Ave.
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 29th day of November 1977.

S. Eric DiNenna
S. ERIC DI NENNA
Zoning Commissioner

Petitioner HENRY F. GOELLER
Petitioner's Attorney ROBERT ROMADKA
Reviewed by
CC: Mr. Frank E. Lee
1377 Neighbors Avenue
Baltimore, Maryland 21237

Nicholas S. Lombardi
NICHOLAS S. LOMBARDI
Chairman, Zoning Plans
Advisory Committee



Mr. Eric S. DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #113, Zoning Advisory Committee Meeting, November 29, 1977, are as follows:

Property Owner: Henry F. Goeller
Location: N/S Clarks Point Road 5000' E Bowleys Quarters Road
Existing Zoning: D, R 5.5
Proposed Zoning: Special Exception for a boat yard (IDCA 77-32-X)
Acres: 0.60
District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plan or problems with regard to development plans that may have a bearing on this petition.

All parking areas must be paved and provided with wheel stops or curbing.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 6, 1978

COUNTY OFFICE BLDG.
111 M. Chesapeake Ave.
TOWSON, MARYLAND 21284

cc
Nicholas S. Commadori
Chairman

Robert J. Romadka, Esquire
809 Eastern Boulevard
Germania Federal Building
Essex, Maryland 21221

RE: Special Exception Petition
Item Number 113
Petitioner - Henry F. Goeller

Dear Mr. Romadka:

MEMBER
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Bureau of Education
Zoning Administration
Industrial Development

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the request zoning.

Located on the north side of Clarks Point Road approximately 2,000 feet east of Bowleys Quarters Road in the 15th Election District, this D.R. 5.5 zoned property is presently improved with the facilities of your client's boat yard. Surrounding properties on both sides of Clarks Point Road are similarly zoned and are improved with shore homes.

As you are aware, this property was the subject of a previous zoning violation hearing (C-76-476) in which the existing operation was found to be in violation of the Baltimore County Zoning Regulations, because a Special Exception had never been requested and granted. The decision was eventually upheld by the Board of Appeals, and this Special Exception is now being requested in order to legalize the existing operation.

Robert J. Romadka, Esquire
Page 2
Item Number 113
February 6, 1978

As indicated in the comments from the Office of Current Planning and Development and our previous conversation, the parking areas are required to be paved. Since the site plan does not reflect this, it was decided that this matter would be addressed at the time of the scheduled hearing. If this Special Exception is granted and in order to alleviate any future problems that may arise when approving this site plan, I strongly urge that this matter be resolved.

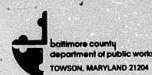
This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Nicholas S. Commadori
NICHOLAS S. COMMADORI
Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: Mr. Frank S. Lee
1277 Neighbors Avenue
Baltimore, Maryland 21237



THOMSON M. MOURING, P.E.
INSPECTOR
December 28, 1977

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Townson, Maryland 21284

Re: Item #113 (1977-1978)
Property Owner: Henry F. Goeller
W/S Clarks Point Rd. 2000' E. Bowleys Quarters Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for a boat yard
(IDCA 77-32X)
Acre: 0.60 District: 15th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Comments were supplied for this property for Project IDCA No. 77-32X.

Highways:

Clarks Point Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section roadway on a 50-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings down-stream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #113 (1977-1978)
Property Owner: Henry F. Goeller
Page 2
December 28, 1977

Storm Drains: (Cont'd)

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

The property to be developed is located adjacent to the water front. The petitioner is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on first floor levels of residential and commercial development and other special construction features are required.

Water and Sanitary Sewer:

There is an 8-inch public water main in Clarks Point Road. Additional fire hydrant protection is required in the vicinity.

Public sanitary sewerage is not available to serve this property, which is using private onsite sewage disposal.

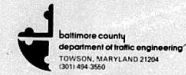
Very truly yours,

Edward S. Dyer, P.E.
EDWARD S. DYER, P.E.
Chief, Bureau of Engineering

END:EMM:PLM:SS

cc: J. Somers
M. Sundeel

2-SW Key Sheet
15 NW 44 Pos. Sheet
N 3 K Topo
91 Tax Map



STEPHEN E. COLLINS
DIRECTOR

June 30, 1978

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
First Floor
Townson, Maryland 21284

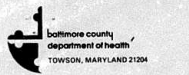
Item No. 113 - ZOC - November 29, 1977
Property Owner: Henry F. Goeller
Location: N/S Clarks Point Rd. 2000' E Bowleys Quarters Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for a boat yard (IDCA 77-32-X)
Acre: 0.60
District: 15th

Dear Mr. DiNenna:

The requested special exception for a boat yard can be expected to cause some traffic problem due to the narrow road serving the site.

Very truly yours,
Michael S. Flanagan
MICHAEL S. FLANAGAN
Traffic Associate Engineer

MSF/ams



DONALD J. ROOF, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

December 12, 1977

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Townson, Maryland 21284

Dear Mr. DiNenna:

The following are comments on Item # 113, Zoning Advisory Committee Meeting of November 29, 1977

Property Owner: Henry F. Goeller
Location: N/S Clarks Point Rd. 2000' E Bowleys Quarter Rd.
Acre: 0.60
District: 15th

This marina is regularly inspected by a Department of Health representative and conforms with the County Marina regulations.

Very truly yours,
Thomas H. Dawling
THOMAS H. DAWLING, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD/EP/ps
SEC 35 118

Office of Planning and Zoning
Baltimore County Office Building
Townson, Maryland 21284

Attention: N. Commadori, Chairman
Zoning Advisory Committee

Re: Property Owner: Henry F. Goeller

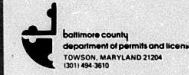
Location: N/S Clarks Point Rd. 2000' E Bowleys Quarters Rd.
Item No. 113
Zoning Agenda Meeting of 11/29/77

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at _____
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

Noted and Approved: *Thomas H. Dawling*
Thomas H. Dawling, Director
Special Inspection Division
Fire Prevention Bureau



JOHN O. STEFFERT
DIRECTOR

December 8, 1977

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Townson, Maryland 21284

Dear Mr. DiNenna:

Comments on Item # 113 Zoning Advisory Committee Meeting, November 29, 1977 are as follows:

Property Owner: Henry F. Goeller
Location: N/S Clarks Point Road - 2000' E Bowleys Quarters Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for a boat yard (IDCA 77-32 X)
Acre: 0.60
District: 15th

The items checked below are applicable:

- (X) A. Any new structure shall conform to Baltimore County Building Code (B.C.O.C.) 1970 Edition and the 1971 Supplement and other applicable codes.
- () B. A building permit shall be required before construction can begin.
- () C. Three sets of construction drawings will be required to file an application for a building permit.
- () D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- (X) E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- () F. All above comments are applicable to any improvements.
- () G. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.

Very truly yours,
Charles E. Burbas
Charles E. Burbas
Plans Review Chief
CDB:rrj

BOARD OF EDUCATION
OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: November 28, 1977

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: November 29, 1977

RE: Item No: 113
Property Owner: Henry F. Goeller
Location: N/S Clarks Point Rd., 2000' E Bowleys Quarters Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Special Exception for a boat yard (IDCA 77-32-X)

District: 15ht
No. Acres: 0.60

Dear Mr. DiNenna:

No hearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

MNP/dp

JOSEPH N. MCGOWAN, PRESIDENT
T. WATARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS W. BOWEN

THOMAS H. ROYER
MR. LORNAINE F. CURCIUS
ROSE B. HAYES

ALVIN LORECK
MR. MILTON H. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

ROBERT V. DUBEL, SUPERINTENDENT

OFFICE OF
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 January 26 19 78

THIS IS TO CERTIFY that the annexed advertisement of Petition Special Exception - Henry F. Goeller was inserted in the following:

Catonsville Times Towson Times
 Dundalk Times Arbutus Times
 Essex Times Community Times
 Suburban Times East Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 27 day of Jan. 1978., that is to say, the same was inserted in the issues of Jan. 26, 1978.

STROMBERG PUBLICATIONS, INC.
BY *Louisa Pennell McKel*

PETITION FOR SPECIAL EXCEPTION
FOR A BOAT YARD

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 26, 1978

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 a week~~ one time ~~successive weeks~~ before the 15th day of February, 1978., the ~~first~~ publication appearing on the 26th day of January 1978.

THE JEFFERSONIAN
H. Lusk
Manager

Cost of Advertisement \$ _____

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 10th day of Nov. 1977. Filing Fee \$ 50.00. Received Cash Other

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Henry Goeller Submitted by Robert Romanick
Petitioner's Attorney Reviewed by NBC

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map					1/21	1/14				
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>NBC</u>	Revised Plans:		Change in outline or description: <u>Yes</u>							
Previous case: <u>None</u>	Map # <u>DEK3</u>		No							

BALTIMORE COUNTY, MARYLAND
OFFICE OF REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 65415

DATE Jan. 23, 1978 ACCOUNT 01-662

AMOUNT \$50.00

RECEIVED Robert J. Romanick, Esq. 809 P-stern Blvd.
FROM "Times", 78-2122
FOR Petition for Special Exception for Henry Goeller #78-170-X

875 4234 23 5000 REC

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 65454

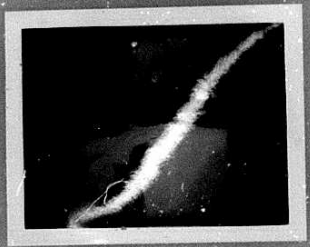
DATE Feb. 17, 1978 ACCOUNT 01-662

AMOUNT \$15.50

RECEIVED FROM M.O. 25715313, Henry J. Goeller, 76 Clarks Pt. Rd., Balto., Md. 21220
FOR Advertising and posting of property #78-170-X

367 2782 21 4550 REC

VALIDATION OR SIGNATURE OF CASHIER

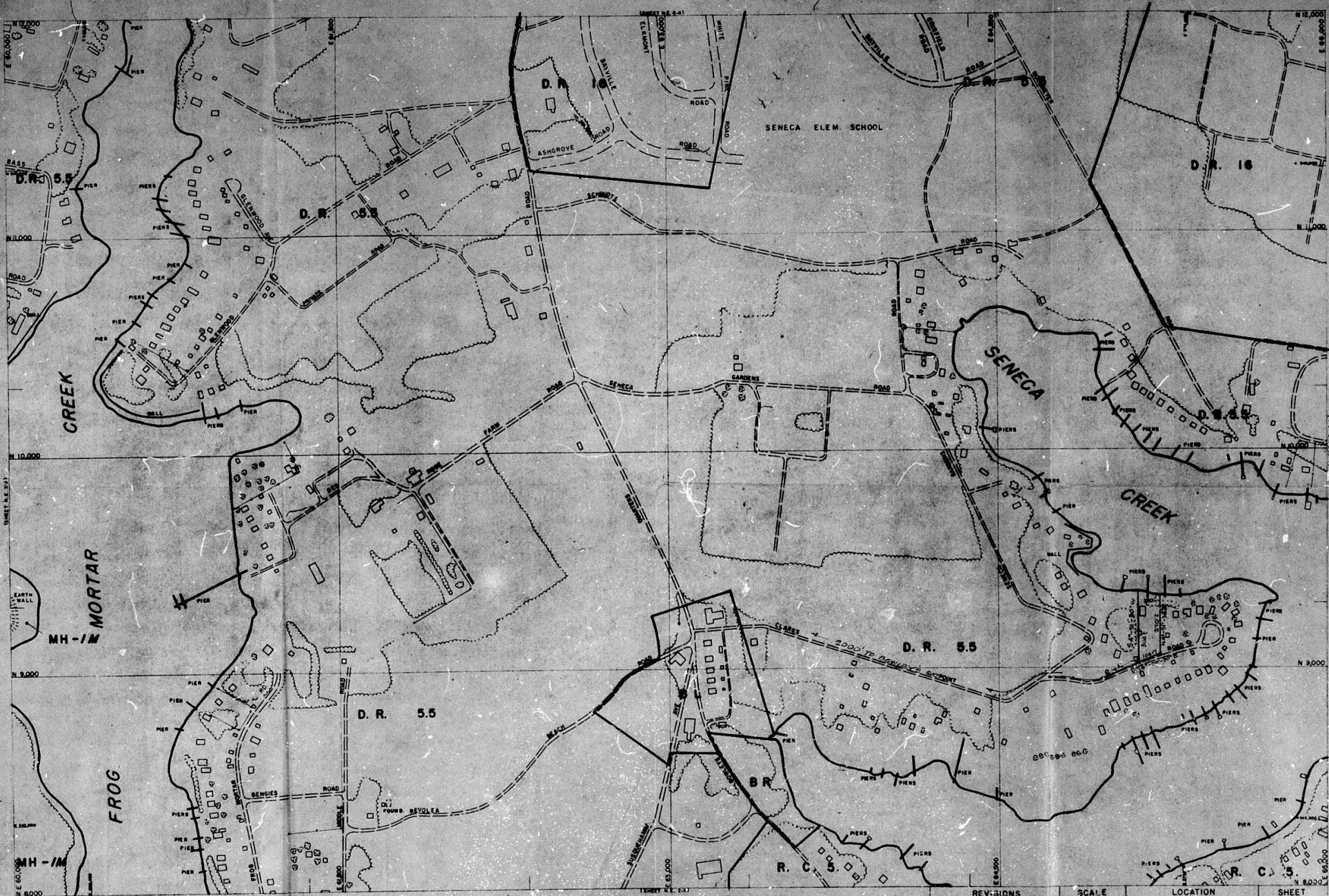


CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#78-170-X

District 154 Date of Posting 1-26-78
Posted for: Henry and Est. 15th 1978 @ 11:00 A.M.
Petitioner: Henry F. Suller
Location of property: N/S of Clark Point Rd 200' East of
Bowleys Frontier Rd
Location of Signs: Sign posted on N/S of Clark Point Rd
in front yard of existing front yard of Mr. Suller.
Remarks: _____
Posted by Amel H. Hoss Date of return: 2-2-78
Signature





1-SE Z-SW
1-NE Z-NW

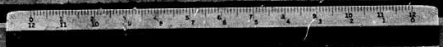
1976 COMPREHENSIVE ZONING MAP
ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
OCT. 7, 1976 & OCT. 8, 1976
BILL NOS. 10876, 10976, 11076, 1117
11276, 11376, and 11476

CHICAGO COUNTY COUNCIL

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA
OFFICIAL ZONING MAP

REVISIONS		SCALE 1" = 200'	LOCATION BOWLEYS QUARTERS	SHEET NE 3-4
BY	DATE			
		DATE OF PHOTOGRAPHY DEC 1954		

Prepared by: Computed by Photogrammetric Methods
AERIAL SURVEY CORP. LANSING MICH.





72-47

25 12

14°-57'-30" E
770 ft

104°-00'-00" E
104 ft

4

25-12 NE





PHOTOGAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

1-SE Z-SW
1-NE Z-NW

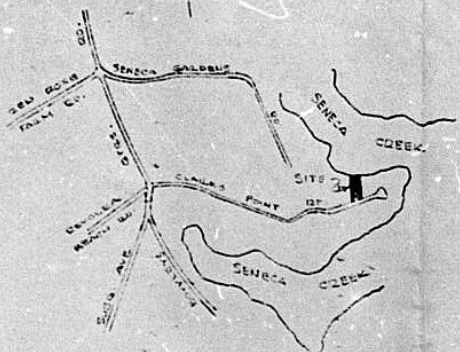
REVISIONS		SCALE	LOCATION	SHEET
BY	DATE	1" = 200'	BOWLEYS QUARTERS	N E 3-4
		DATE OF PHOTOGRAPHY DEC 1954		

Topography Compiled By Photogrammetric Methods
ABRAMS AERIAL SURVEY CORP LANSING, MICH.

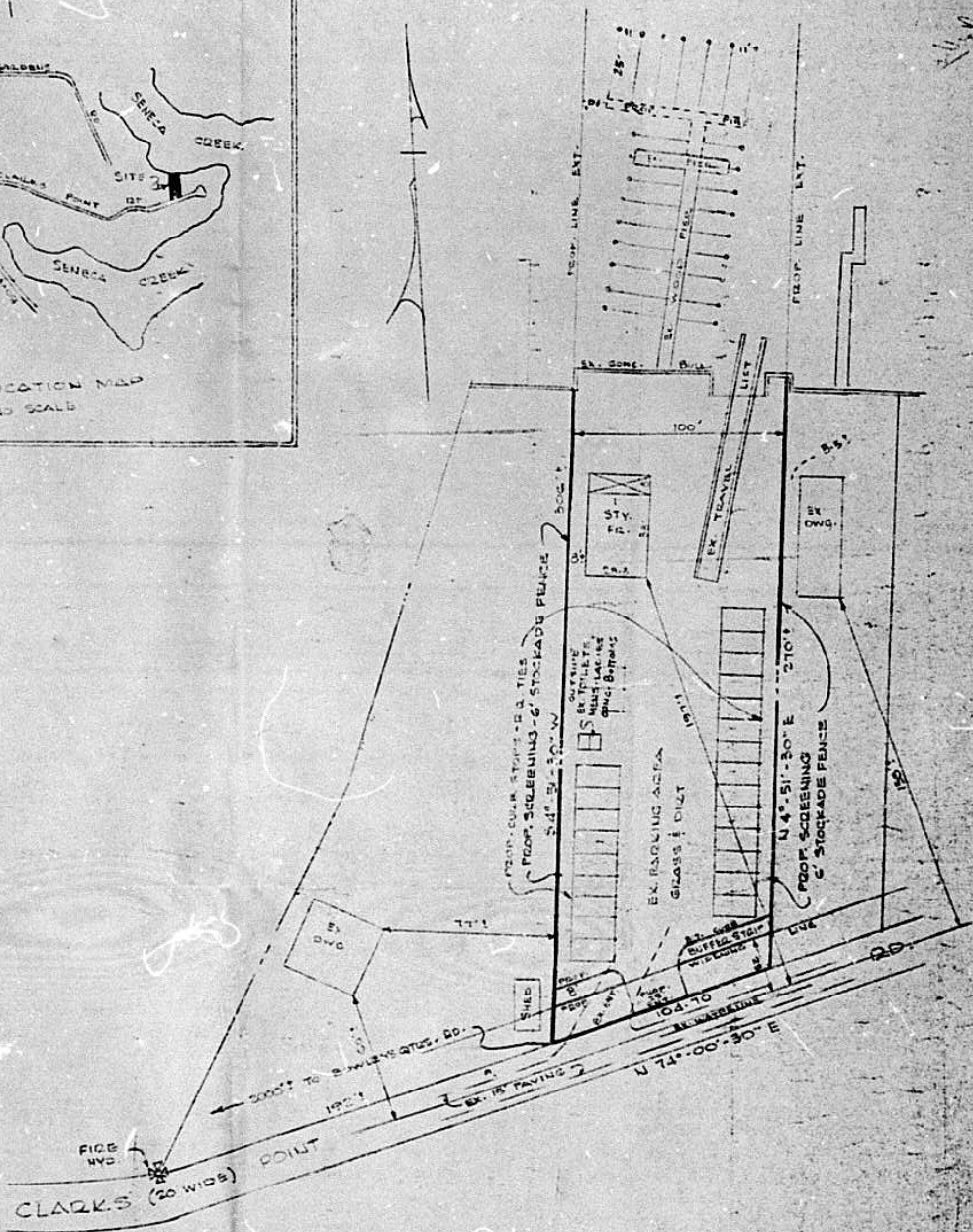


SENECA CREEK

20' PROP. PIED. EXTENSION
PERMIT # 66931



LOCATION MAP
NO SCALE



EXISTING USE: BOAT YARD
 PROP. USE: SAME
 EXISTING ZONING: DD-20
 PROP. ZONING: SAME, WITH A SPECIAL EXCEPTION FOR A BOAT YARD.
 AREA OF LOT: 0.033 AC.
 NO. OF EXIST. NO. SLIPS: 17, NO. OF SLIPS WITH PROP. EXT.: 24
 BOATS WILL BE STORED IN VEHICLE PARKING AREA DURING WINTER MONTHS.
 NO. OF PARKING SPACES PROVIDED: 25

NOTE: PAVING AND STORAGE AREA TO REMAIN AS IS FOR AESTHETIC PURPOSES.
 PAVING TO BE MAINTAINED AS DURABLE & DUSTLESS SURFACE.
 SCREENING & PAVING WILL BE PROVIDED IF A COMPLAINT IS EVER FILED.

UTILITIES
 PUBLIC WATER & SEWER SERVICES LAY.
 SEWERAGE: OUTSIDE TOILETS WITH CON. BOTTOMS

PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY: *[Signature]*
 DATE: 3-16-79
 78-170-X

GORLETT'S BOAT YARD
 LOTS 3-4 PLAT NO. 2
 BOWEN'S QUARTERS
 PLAT BOOK 7-13
 5TH DISTRICT BALTIMORE CO., MARYLAND
 SCALE: 1"=40' DATE: 5-20-77



FRANK S. LEE
 1277 NEIGHBORS AVE.
 BALTIMORE, MD 21237