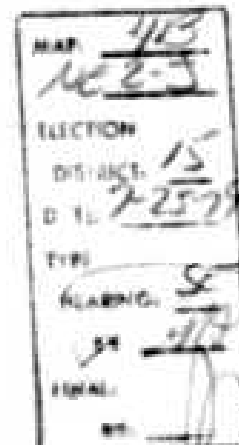


PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John E. Miller and Patricia A. Miller, 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 _____ zone to an _____ zone; for the following reasons:



and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for fishing and shellfishing facility, shoreline, Class I.

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.

Contract purchaser John E. Miller Legal Owner
Address 2227 Monocacy Road
Baltimore, Md. 21221
Robert J. Romadka, Esquire
Address 809 Eastern Boulevard
Baltimore, Maryland 21221

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of November 1979, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of January 1980, at 9:30 o'clock A.M.

William E. Hammond
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John E. Miller and Patricia A. Miller, 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 for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a fishing and shellfishing facility, shoreline Class I, as a Special Exception in a residential transition zone.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing 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.

Contract purchaser John E. Miller
Address 2227 Monocacy Road
Baltimore, Maryland 21221
Patricia A. Miller Legal Owner
Robert J. Romadka
Address 809 Eastern Boulevard
Baltimore, Maryland 21221

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of November 1979, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of January 1980, at 9:30 o'clock A.M.

William E. Hammond
Zoning Commissioner of Baltimore County

(over)

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John E. Miller and Patricia A. Miller, 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 for a Variance from Section 1802.2B (VR.2) to permit site yard setbacks of three feet in lieu of the required twenty feet, and a front yard setback of 0 feet in lieu of the required forty feet for the storage of crab pots and other related materials.

The configuration of said lot is long and narrow and due to certain improvements now already on the property which cannot be moved without destroying same, this variance is requested.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance 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.

Contract purchaser John E. Miller
Address 2227 Monocacy Road
Baltimore, Maryland 21221
Patricia A. Miller Legal Owner
Robert J. Romadka, Esquire
Address 809 Eastern Boulevard
Baltimore, Maryland 21221

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of November 1979, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of January 1980, at 9:30 o'clock A.M.

William E. Hammond
Zoning Commissioner of Baltimore County.

(over)

IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John E. Miller and Patricia A. Miller, legal owner... of the property situate in Baltimore County, the property outline of which is shown in scale, complete with bearings and distances on 200 FT. SCALE MAP, which are attached hereto, hereby make application to file for a Special Exception in a DR 5.5 zone to use the herein described property for commercial fishing, crabbing and shellfish operation.

THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

GROSS SITE AREA 14,950 sq. ft. DEED REF. BOOK 6883/794
GRADING _____ % OF OVERALL SITE WILL REQUIRE GRADING.
BUILDING SIZE
GROUND FLOOR 12 x 20 AREA _____
NUMBER OF FLOORS 1 TOTAL HEIGHT 8 ft.
FLOOR AREA RATIO = TOTAL FLOOR AREA DIVIDED BY SITE AREA = _____

BUILDING USE
GROUND FLOOR _____ OTHER FLOORS _____
dwelling

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

PAVING
AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES _____ SQRS.
(PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 360)

UTILITIES
WATER: ☒ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM _____
SEWER: ☒ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM _____

UTILITIES SECURITY APPROVAL _____

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

APPLICANT, LESSEE OR CONTRACT PURCHASER John E. Miller LEGAL OWNER
ADDRESS 2227 Monocacy Road
Baltimore, Maryland 21221

THE PLANNING BOARD HAS DETERMINED ON _____ THAT THE PROPOSED DEVELOPMENT DOES / DOES NOT CONFORM TO THE REQUIREMENTS OF SUBSECTION 22-61.1P OF THE BALTIMORE COUNTY CODE, 1988.

DATE 11/20/79 CHAIRMAN, BALTIMORE COUNTY PLANNING BOARD

11/20/79 AM
IDCA FORM NO. 2, REVISED 8-6-77
BY PLANNING & ZONING

Robert J. Romadka, Esquire
809 Eastern Blvd.
Baltimore, Maryland 21221

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

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 28th day of November 1979.

William E. Hammond
Zoning Commissioner

Petitioner John E. Miller, et al
Petitioner's Attorney Romadka

Reviewed by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Ave.
Towson, Maryland 21204

December 27, 1979

TO: Nicholas B. Commodari
Chairman

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

Robert J. Romadka, Esquire
809 Eastern Blvd.
Baltimore, Maryland 21221

RE: Item No. 22
Petitioner - John E. Miller, et al
Special Hearing and Variance
and Special Exception Petitions

Dear Mr. Romadka:

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 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 requested zoning.

Located on the northeast side of Monocacy Road, northwest of Wicomico Road in the 15th Election District, the subject property is presently improved with a single family dwelling, a garage under construction, and storage area of crab pots and related materials. Adjacent properties are zoned Density, Residential (D.R. 5.5) as is the subject property, and are improved with single family dwellings.

The Special Exception/Variance originates as a result of your client's proposal to conduct a Fishing and Shellfishing facility, shoreline, Class I operation from this property, while the Variances are included in order to allow the storage of said materials to be within three feet of the side property lines and zero feet of the front property line along the water. The Special Hearing is included in order to determine whether the proposed use is permitted within a residential transition area as defined in the Baltimore County Zoning Regulations.

In view of the fact that revised site plans were received that reflect the comments of the Office of Current Planning, I proceeded to schedule this petition for a hearing date. However, I suggest you contact Mr. Ted Burnham at 494-3987 in order to discuss his comment from the Department of Permits and Licenses.

Item No. 22 - John E. Miller, et al
Page Two
December 27, 1979

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. 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 B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

Enclosure

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



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

THORNTON M. MOURING
DIRECTOR

August 28, 1979

Mr. William B. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #22 (1979-1980)
Property Owner: John E. & Patricia A. Miller
N/ES Monocacy Rd. 390' N/W Wicomico Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Special Exception for a commercial fishing, crabbing and shellfishing operation (FIP 79-26X).
Acres: 0.332, District: 15th

Dear Mr. Hammond:

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 FIP 79-26X.

Highways:

Monocacy 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 downstream 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.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of _____

the above Reclassification should be had; and it further appearing that by reason of _____

a Special Exception for a _____ should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 197____, that the herein described property or area should be and the same is hereby reclassified; from a _____ zone to a _____ zone, and/or a Special Exception for a _____ should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above Petition and it appearing that by reason of the Petitioners' proposed fishing and shellfishing facility, shoreline, Class I, being within a transition area and the Petitioners being unable to comply with the conditions, limitations, and provisions thereof, the Special Exception should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of April, 1980, that the herein Petition for Special Exception for a fishing and shellfishing facility, shoreline, Class I, be, for the reasons herein above set forth, and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the following finding of facts that the Baltimore County Council enacted Bill No. 30-78, which, in part, added as a use permitted by Special Exception, under Section 1B01.1.C.7A., "Fishing AND SHELLFISHING facilities, shoreline, Class I or II..."; that Section 1B01.1.C. provides, in part, "The following uses, only, are permitted by special exception in all D.R. Zones..."; that the subject property lies within a D.R. 5.5 Zone; that Section 1B01.1.B.1.a.1. defines a transition area as "any D.R. 1, D.R. 2, D.R. 3.5, D.R. 5.5, or D.R. 10.5 zone or part thereof which lies (a) within 300 feet of any point on a dwelling other than an apartment building..."; that the uses permitted in a transition area are as provided in Section 1B01.1.B.2.; that fishing and shellfishing facilities, shoreline, Class I or II, are not uses permitted in a transition area; and that the proposed use of the subject property would be conducted within the transition area to the extent that it "lies (a) within 300 feet of any point on a dwelling...".

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of April, 1980, that - fishing and shellfishing facility, shoreline, Class I or II, as a Special Exception in a D.R. Zone, is subject to the definition and application thereof of the transition area requirements (Section 1B01.1.B.1.a.1.), as well as the conditions, limitations, and provisions of the Baltimore County Zoning Regulations, with respect to D.R. Zones in general (Section 1B01), to the same extent and in the same manner as such regulations apply to permitted uses.

ORDER RECEIVED FOR FILING

DATE April 3, 1980

BY John L. Wimbley
ADMINISTRATIVE ASSISTANT

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the petitioner(s), the Variance(s) should be had; and it further appearing that by reason of the granting of the Variance(s) requested not adversely affecting the health, safety, and general welfare of the community, the Variance(s) should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for the Variance(s) to permit _____

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the Petitioners' proposed fishing and shellfishing facility, shoreline, Class I, being within a transition area, the Variances requested therefor should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of April, 1980, that the herein Petition for Variances to permit a side yard setback of three feet in lieu of the required twenty feet and a front yard setback of zero feet in lieu of the required forty feet be, for the reason herein above set forth, and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Item #22 (1979-1980)
Property Owner: John E. & Patricia A. Miller
Page 2
August 28, 1979

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.

Water and Sanitary Sewer:

There is an 8-inch public water main and 8-inch public sanitary sewerage in Monocacy Road.

Very truly yours,

Ellsworth N. Diver, P.E.
Chief, Bureau of Engineering

END: EAM: FWR:ss

1-SE Key Sheet
5 & 6 NE 37 Pos. Sheets
NE 2 J Topo
98 Tax Map

ORDER RECEIVED FOR FILING
DATE April 3, 1980
BY John L. Wimbley
ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING
DATE April 3, 1980
BY John L. Wimbley
ADMINISTRATIVE ASSISTANT

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211
John D. Seyffert
DIRECTOR

September 17, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #22, Zoning Advisory Committee Meeting, August 7, 1979, are as follows:

Property Owner: John E. and Patricia A. Miller
Location: NE/S Monocacy Road 390' NW Wicomico Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for a commercial fishing, crabbing, and shellfishing operation, (IDCA 79-26-X)
Acres: 0.3329
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 plans or problems with regard to development plans that may have a bearing on this petition.

The site plan should be revised to show the adjacent piers and bulkheads. All storage areas should be screened from neighboring properties or be within enclosed structures.

A letter explaining the operation should be submitted to indicate the number of vehicles coming to the site, the type of vehicle and the storage areas.

Very truly yours,

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

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550
STEPHEN E. COLLINS
DIRECTOR

September 19, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 22 - Meeting of August 7, 1979
Property Owner: John E. and Patricia A. Miller
Location: NE/S Monocacy Rd. 390' NW Wicomico Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for a commercial fishing, crabbing, and shellfishing operation (IDCA 79-26-X)

Acres: 0.3329
District: 15th

Dear Mr. Hammond:

Monocacy Road and the driveway to this site were not designed for commercial use.

Sincerely yours,

Michael S. Flanagan
Michael S. Flanagan
Engineering Associate II

MSF/mjm

baltimore county
department of health
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

September 24, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #22, Zoning Advisory Committee meeting of August 7, 1979, are as follows:

Property Owner: John E. & Patricia A. Miller
Location: NE/S Monocacy Rd. 390' NW Wicomico Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for a commercial fishing, crabbing and shellfishing operation (IDCA 79-26-X)
Acres: 0.3329
District: 15

Metropolitan water and sewer exist.

The parking area(s) should be surfaced with a dustless, bonding material.

Very truly yours,

Ian J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JRP:ph

baltimore county
fire department
TOWSON, MARYLAND 21204
(301) 825-7310
Paul H. Reincke
CHIEF

August 9, 1979

William E. Hammond
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: John E. & Patricia A. Miller

Location: NE/S Monocacy Rd. 390' NW Wicomico Rd.

Item No. 22 Zoning Agenda Meeting of 8/7/79

Gentlemen:

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.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ 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 load and condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 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", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: Paul H. Reincke 8/9/79 Noted and Approved: George M. Wagonet
Special Inspection Division Fire Prevention Bureau

August 13, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 22 Zoning Advisory Committee Meeting, August 7, 1979
are as follows:

Property Owners: John E. & Patricia A. Miller
Location: 2252 Monocacy Road 390' NW Wicomico Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for a commercial fishing, crabbing and
shellfishing operation (IDCA 79-26-X)

Acres: 0.3329
District: 15th

The items checked below are applicable:

X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.)
1979 Edition and the 1971 Supplement, State of Maryland Code for the
Handicapped and aged and other applicable codes.

2. A building permit shall be required before construction can begin.

X C. Additional Change of occupancy Permits shall be required. See Section 105.2

X D. Building shall be upgraded to new use - requires alteration permit.

2. Three sets of construction drawings will be required to file an
application for a building permit.

7. 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 G. 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. There appears to be problem with set backs.

H. Requested setback variance conflicts with the Baltimore County
Building Code. See Section _____.

I. No Comment.

X J. Comment: In commercial uses setbacks from property lines shall comply
with Table 5 and Table 6 for existing and proposed structures.

NOTE: These comments reflect only on the information provided by the
drawing submitted to the office of Planning and Zoning and are not
to be construed as the full extent of any permit.

Very truly yours,

Charles E. Purnham

Charles E. Purnham, Chief
Plans Review

CEB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: August 7, 1979

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

Z.A.C. Meeting of: August 7, 1979

RE: Item No: 21, 22, 23, 24, 25, 26, 27, 30, 31
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. DiNenna:

All of the above have no bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

NWP/bp

JOSEPH N. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
FARUC M. BUTRARI

THOMAS H. BOYER
MRS. LOBBINE F. CHURCH
ROGER B. HAYDEN

ELVIN LORECK
MRS. MILTON B. SMITH, JR.
RICHARD W. TRACEY, DVM.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
TO: Zoning Commissioner

John D. Seyffert, Director
FROM: Office of Planning and Zoning

Date: December 19, 1979

SUBJECT: Petition No. 80-134-XASPH - Item 22

Petition for Special Exception for fishing and shellfishing facility
Northeast side of Monocacy Road, 390 feet Northwest of Wicomico Road
Petitioner - John E. Miller, et ux

15th District

HEARING: Tuesday, January 8, 1980 (9:30 A.M.)

If granted, it is requested that details of landscaping/screening,
approved by the Division of Current Planning and Development, be required.

John D. Seyffert
John D. Seyffert, Director
Office of Planning and Zoning

JDS:agb:dme

PETITION

WE, THE UNDERSIGNED, LIVING IN THE VICINITY OF THE PROPERTY LOCATED AT
2252 MONOCACY RD., OPPOSE THE REQUEST BY MR. MILLER TO REZONE THIS PROPERTY
TO APPROVE A FISHING AND SHELLFISH FACILITY SHORELINE CLASS I AS A SPECIAL
EXCEPTION IN A RESIDENTIAL ZONE, AND ALL OTHER RELATED REZONING REQUESTS
REFERRED TO IN CASE NO. 80134 XASPH.

MR. MILLER HAS MADE IT KNOWN THAT HE INTENDS TO CATCH, STEAM AND SELL
CRABS FROM HIS PROPERTY AT 2252 MONOCACY RD., OUR OPPOSITION TO A COMMERCIAL
RULING IN A RESIDENTIAL NEIGHBORHOOD IS AS FOLLOWS:

1. WE OBJECT TO THE DOWNSHIFTING THAT THIS REZONING TO COMMERCIAL
WOULD IMPOSE UPON OUR RESIDENTIAL NEIGHBORHOOD
2. REZONING TO COMMERCIAL WOULD VIOLATE THE RESIDENTIAL INTEGRITY
OF OUR NEIGHBORHOOD AND CAUSE LOSS TO PROPERTY VALUES.
3. MONOCACY RD. IS A NARROW 2 LANE RD. TRAFFIC CONGESTION WOULD
RESULT FROM THE SALE OF "STEAMED CRABS" FROM THE ABOVE ADDRESS.
4. SAID CONGESTION WOULD CAUSE FIRE LANE BLOCKAGE.
5. THE SWEET AND RESIDUE FROM A "STEAMED CRAB" HOUSE WOULD ATTRACT
UNWANTED FLYING INSECTS AND RODENTS.

NAME ADDRESS VOTING DISTRICT

Charles F. Ferguson 309154th Rd 15

Mr + Mrs. Jaffey Kamm 2203 Corsica Rd 15

Kenneth Hooker 2201 CORSCAP RD

Russell Baker 308 Miles Rd

James A. Baker

George Krause 320 Miles Rd

Shelma Krause 320 Miles Rd

Fredrick B. Frank 2207 Corsica Rd 15

Ann M. Frank 2207 Corsica Rd 21221

I, *Ann M. Frank*, DO, TO THE BEST OF MY KNOWLEDGE, ATTEST
THAT THE SIGNATURES (NAMES) APPEARING ON THIS PETITION, ARE TRUE AND VALID.

IV

PETITION

WE, THE UNDERSIGNED, LIVING IN THE VICINITY OF THE PROPERTY LOCATED AT
2252 MONOCACY RD., OPPOSE THE REQUEST BY MR. MILLER TO REZONE THIS PROPERTY
TO APPROVE A FISHING AND SHELLFISH FACILITY SHORELINE CLASS I AS A SPECIAL
EXCEPTION IN A RESIDENTIAL ZONE, AND ALL OTHER RELATED REZONING REQUESTS
REFERRED TO IN CASE NO. 80134 XASPH.

MR. MILLER HAS MADE IT KNOWN THAT HE INTENDS TO CATCH, STEAM AND SELL
CRABS FROM HIS PROPERTY AT 2252 MONOCACY RD., OUR OPPOSITION TO A COMMERCIAL
RULING IN A RESIDENTIAL NEIGHBORHOOD IS AS FOLLOWS:

1. WE OBJECT TO THE DOWNSHIFTING THAT THIS REZONING TO COMMERCIAL
WOULD IMPOSE UPON OUR RESIDENTIAL NEIGHBORHOOD
2. REZONING TO COMMERCIAL WOULD VIOLATE THE RESIDENTIAL INTEGRITY
OF OUR NEIGHBORHOOD AND CAUSE LOSS TO PROPERTY VALUES.
3. MONOCACY RD. IS A NARROW 2 LANE RD. TRAFFIC CONGESTION WOULD
RESULT FROM THE SALE OF "STEAMED CRABS" FROM THE ABOVE ADDRESS.
4. SAID CONGESTION WOULD CAUSE FIRE LANE BLOCKAGE.
5. THE SWEET AND RESIDUE FROM A "STEAMED CRAB" HOUSE WOULD ATTRACT
UNWANTED FLYING INSECTS AND RODENTS.

NAME ADDRESS VOTING DISTRICT

Joseph J. Schmidt 2227 Wicomico Rd 15

Myrtle Schmidt 2227 Wicomico Rd

William J. Messard 2274 Monocacy Rd

Jessie Messard 2274 Monocacy Rd

Patricia D. Chaplin 2246 Monocacy Rd

Ann M. Thaddeus 2241 Monocacy Rd

Robert W. Sloan 2215 Wicomico Rd

Linda A. Sloan 2215 Wicomico Rd

Gerardine L. Mera 2209 Middleborough Rd

George D. Mera 2209 Middleborough Rd

I, *Joseph J. Schmidt*, DO, TO THE BEST OF MY KNOWLEDGE, ATTEST
THAT THE SIGNATURES (NAMES) APPEARING ON THIS PETITION, ARE TRUE AND VALID.

IV

PETITION

WE, THE UNDERSIGNED, LIVING IN THE VICINITY OF THE PROPERTY LOCATED AT
2252 MONOCACY RD., OPPOSE THE REQUEST BY MR. MILLER TO REZONE THIS PROPERTY
TO APPROVE A FISHING AND SHELLFISH FACILITY SHORELINE CLASS I AS A SPECIAL
EXCEPTION IN A RESIDENTIAL ZONE, AND ALL OTHER RELATED REZONING REQUESTS
REFERRED TO IN CASE NO. 80134 XASPH.

MR. MILLER HAS MADE IT KNOWN THAT HE INTENDS TO CATCH, STEAM AND SELL
CRABS FROM HIS PROPERTY AT 2252 MONOCACY RD., OUR OPPOSITION TO A COMMERCIAL
RULING IN A RESIDENTIAL NEIGHBORHOOD IS AS FOLLOWS:

- SUBJECT TO THE DOWNSHIFTING THAT THIS REZONING TO COMMERCIAL
WOULD IMPOSE UPON OUR RESIDENTIAL NEIGHBORHOOD
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OF OUR NEIGHBORHOOD AND CAUSE LOSS TO PROPERTY VALUES.
3. MONOCACY RD. IS A NARROW 2 LANE RD. TRAFFIC CONGESTION WOULD
RESULT FROM THE SALE OF "STEAMED CRABS" FROM THE ABOVE ADDRESS.
 4. SAID CONGESTION WOULD CAUSE FIRE LANE BLOCKAGE.
 5. THE SWEET AND RESIDUE FROM A "STEAMED CRAB" HOUSE WOULD ATTRACT
UNWANTED FLYING INSECTS AND RODENTS.

NAME ADDRESS VOTING DISTRICT

Charles R. Brundick 225 Monocacy Rd 15

Maryann Brundick " " " "

Karen Brundick " " " "

Sharon K. K. K. 2207 Monocacy Rd 15

Sharon K. K. K. " " " "

Robert J. Weissman 2206 Monocacy Rd 15

Kathleen J. Weissman 2206 Monocacy Rd 15

Edward R. R. R. 2202 Monocacy Rd 15

Betty R. R. R. 2202 Monocacy Rd 15

Linda Jones 235 Antietam Rd 15

I, *Diane M. Griffiths*, DO, TO THE BEST OF MY KNOWLEDGE, ATTEST
THAT THE SIGNATURES (NAMES) APPEARING ON THIS PETITION, ARE TRUE AND VALID.

IV

PETITION

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UNWANTED FLYING INSECTS AND RODENTS.

NAME ADDRESS VOTING DISTRICT

Charles H. H. 229 Antietam Rd 15

John J. Clark 227 Antietam Rd

Elyse Verchinski 223 Antietam Rd

John Verchinski 223 Antietam Rd

Joseph Teale 217 Antietam Rd

Juanita Teale " " "

John T. M. M. 2201 Middleborough Rd 15

Debra J. M. M. " " "

John T. M. M. " " "

Kelvin M. M. 2201 Middleborough Rd

I, *Diane M. Griffiths*, DO, TO THE BEST OF MY KNOWLEDGE, ATTEST
THAT THE SIGNATURES (NAMES) APPEARING ON THIS PETITION, ARE TRUE AND VALID.

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UNWANTED FLYING INSECTS AND RODENTS.

NAME ADDRESS VOTING DISTRICT

Nicholas J. Biscotti 2246 Monocacy Rd 15

Joe Smith 2232 Monocacy Rd 15

R. C. C. 2234 Monocacy Rd 15

Emily C. C. 2236 Monocacy Rd 15

Karen C. C. 2246 Monocacy Rd 15

Mr + Mrs Frank Kowalski 2222 Monocacy Rd 15

Mrs. B. B. B. 2204 Monocacy Rd 15

Mrs. B. B. B. 2204 Monocacy Rd 15

Mr. Sanghak Kim 2200 Monocacy Rd 21221

Mrs. H. H. H. 2200 Monocacy Rd 21221

Mrs. J. J. J. 223 Antietam Rd 21221

Mrs. J. J. J. 223 Antietam Rd 21221

Mr. Nicholas J. Biscotti 219 Antietam Rd 21221

I, *Karen C. C.*, DO, TO THE BEST OF MY KNOWLEDGE, ATTEST
THAT THE SIGNATURES (NAMES) APPEARING ON THIS PETITION, ARE TRUE AND VALID.

IV

PETITION
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NAME	ADDRESS	VOTING DISTRICT
Victoria Bimotti	219 Antietam Rd	15
Stella Lamoreaux	230 Antietam Rd	15
Margaret Miller	230 Antietam Rd	
Francis B. Green	2203 Middleborough Rd	15
Nolan Green	2203 Middleborough Rd	15
Mary Lillie	1923 Middleborough Rd	
Don Lillie	1923 Middleborough Rd	
Edward Lange	2010 Middleborough Rd	
Robert R. Hoff	Colfax Creek	
Mary Lou Obeginski	2433 Middleborough Rd	

I, Karen Sivetti, DO, TO THE BEST OF MY KNOWLEDGE, ATTEST THAT THE SIGNATURES (NAMES) APPEARING ON THIS PETITION, ARE TRUE AND VALID.

PETITION
WE, THE UNDERSIGNED, LIVING IN THE VICINITY OF THE PROPERTY LOCATED AT 2252 MONOCACY RD., OPPOSE THE REQUEST BY MR. MILLER TO REZONE THIS PROPERTY TO APPROVE A FISHING AND SHELLFISH FACILITY SHORELINE CLASS I AS A SPECIAL EXCEPTION IN A RESIDENTIAL ZONE, AND ALL OTHER RELATED REZONING REQUESTS REFERRED TO IN CASE NO. 80134 KASPH.

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NAME	ADDRESS	VOTING DISTRICT
George J. Power	2248 Monocacy Rd	15
Edmund H. Allen	2242 Monocacy Rd	15
Howard Koenig	2210 Monocacy Rd	15
Paul H. Schenck	2207 Wisconsin Rd	15
Charles Schenck	2207 Wisconsin Rd	15
Richard L. Hanel	220 Antietam Rd	15
George M. Zuk	218 St. Mary Rd	
Mary Zuk	218 St. Mary Rd	
Edna Maciejczyk	201 Antietam Rd	15
Mrs. J. J. Zuk	216 St. Mary Rd	15

I, George J. Power, DO, TO THE BEST OF MY KNOWLEDGE, ATTEST THAT THE SIGNATURES (NAMES) APPEARING ON THIS PETITION, ARE TRUE AND VALID.

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NAME	ADDRESS	VOTING DISTRICT
Mary Freyer	2008 Middleborough Rd	15
Verna E. Tupper	2018 Middleborough Rd	
Carrie Venturi	2025 Middleborough Rd	
Joan Skelley	2011 Middleborough Rd	
Catherine Smith	2110 Middleborough Rd	
Walter Johnson	234 Antietam Rd	
Diana S. Ugher	2115 Middleborough Rd	
Mary P. Ugher	"	
Joseph J. Martini	2234 Monocacy Road	
Mildred J. James	2249 Monocacy Rd	15

I, Diane M. Griffiths, DO, TO THE BEST OF MY KNOWLEDGE, ATTEST THAT THE SIGNATURES (NAMES) APPEARING ON THIS PETITION, ARE TRUE AND VALID.

PETITION
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NAME	ADDRESS	VOTING DISTRICT
Mary M. Griffiths	2250 Monocacy Rd	15
Donald J. Kucinski	2254 Monocacy Rd	15
John Kucinski	2254 Monocacy Rd	15
Mildred Kucinski	2254 Monocacy Rd	15
Frank L. Pithers	2250 Monocacy Rd	
Virginia R. Zink	2238 Monocacy Rd	
James H. Smith	2238 Monocacy Rd	
Jeanette H. Parian	2217 Monocacy Rd	
William Parian	2217 Monocacy Rd	
Manda Gross	2224 Monocacy Rd	

I, Diane M. Griffiths, DO, TO THE BEST OF MY KNOWLEDGE, ATTEST THAT THE SIGNATURES (NAMES) APPEARING ON THIS PETITION, ARE TRUE AND VALID.

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NAME	ADDRESS	VOTING DISTRICT
Michael S. Mance	2203 Middleborough Road	15
John L. Kasten	2210 Middleborough Rd	15
Mrs. J. Kasten	2210 Middleborough Rd	15
Richard Blayke	2205 Middleborough Rd	15
Evelyn Blayke	"	15
Ronald W. Mitchell	2302 Riverside Drive	15
James L. Mitchell	2305 Middleborough Rd	15
Thomas J. Dillinger	"	15
William Dillinger	220 Wisconsin Rd	15
Theris T. Dillinger	2224 Middleborough Rd	15

I, Karen Sivetti, DO, TO THE BEST OF MY KNOWLEDGE, ATTEST THAT THE SIGNATURES (NAMES) APPEARING ON THIS PETITION, ARE TRUE AND VALID.

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NAME	ADDRESS	VOTING DISTRICT
Dorothy S. Garrison	2108 Middleborough Rd	15
Barbara S. Garrison	2108 Middleborough Rd	15
Robert F. Garrison	2242 Monocacy Rd	15
Donald A. Garrison	2212 Monocacy Rd	15
John E. Garrison	318 Mile Rd	15
James Hanel	2221 Corsica Rd	15
Robert Hanel	2221 Corsica Rd	15

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NAME	ADDRESS	VOTING DISTRICT
Harold A. Mark	213 St. Mary's	15
Mary Mark	213 St. Mary's	15
Paul Mark	213 St. Mary's	15
Robert C. Mark	1672 Cedar Rd	15
Joseph C. Tuzzolo	2003 Ind. Ave. Rd	15
Kathy Emerson	2228 Monocacy Rd	15
Ernest Emerson	2228 Monocacy Rd	15

I, George J. Power, DO, TO THE BEST OF MY KNOWLEDGE, ATTEST THAT THE SIGNATURES (NAMES) APPEARING ON THIS PETITION, ARE TRUE AND VALID.

20-40

MIDDLEBOROUGH IMPROVEMENT ASSOCIATION
BALTIMORE 21, MARYLAND

4th January 1980

The Middleborough Civic Association opposes the request by Mr. Miller to rezone his residential property at 2252 Monocacy Road to approve a fishing and shellfish facility Shoreline Class I as a special exception in a residential zone and all other related rezoning requests referred to in case no. 80134 KASPH.

It has come to the attention of this association that Mr. Miller has constructed a large cement block structure on said property and has already moved large steaming kettles into this structure for the purpose of steaming and selling crabs from the 2252 Monocacy Road address.

This association opposes Mr. Miller's rezoning request for obvious reasons. The area around the 2252 Monocacy Road property is a fairly desirable residential waterfront area. Downgrading to accommodate Mr. Miller's rezoning request would be to the detriment of the community, in that, property values in the area would be reduced, congestion would result in view of the small 50 foot frontage lots on a narrow 2 lane road and the smell and residue that this commercial venture will generate will be undesirable and attract unwanted flying insects and vermin.

A steamed crab house is certainly out of character in a residential community and not in the best interest of the neighborhood. Said neighborhood has expressed its opposition to Mr. Miller's rezoning request through petitions.

This association supports the petitioners from the affected neighborhood and strongly objects to Mr. Miller's attempt to violate the residential integrity of our entire community for self serving reasons. We understand a hearing date on this matter has been set for Jan. 8th, 1980.

Charles Furgison,
President

cc: The Honorable N. W. Lauenstein

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

Jan. 8, 1982

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 80-134-XASPH

JOHN E. MILLER, et ux

SE-for fishing facility
Var.-to permit side yd. setbacks and a front yd. setback
SH-to approve a fishing and shellfishing facility

NE/S of Monocacy Rd., 390' NW of Wicomico Rd.

15th District

4/3/80-Z.C. (Hammond) DENIED SE for fishing facility and variances for front and side yd. setbacks and special hearing to approve fishing and shellfishing facility

TUESDAY, FEBRUARY 16, 1982, at 10 am

ASSIGNED FOR:

cc: Robert J. Romadka, Esq.

Attorney for Petitioners

Mr. and Mrs. J. E. Miller

Petitioners

Mrs. Diane Griffiths

Protestant

Mr. Gerald Kuczinski

"

Mrs. Ann Franke

"

Mr. Paul Schmuff

"

Mrs. Alberto Y. Pugh

"

Mr. John-C. Pytlík

"

J. W. Hessian, Esq.

People's Counsel

J. E. Dyer

Zoning Office

W. Hammond

"

June Holman, Secretary

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCES :
PETITION FOR SPECIAL HEARING : OF BALTIMORE COUNTY
NE/S of Monocacy Rd., 390'
NW of Wicomico Rd., 15th District :
JOHN E. MILLER, et ux, Petitioners : Case No. 80-134-XASPH

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 this 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.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 18th day of December, 1979, a copy of the foregoing Order was mailed to Robert J. Romadka, Esquire, 809 Eastern Boulevard, Baltimore, Maryland 21221, Attorney for Petitioners.

John W. Hessian, III

RE: PETITIONS FOR SPECIAL EXCEPTION, : BEFORE THE
VARIANCES, and SPECIAL HEARING : ZONING COMMISSIONER
NE/S of Monocacy Road, 390' :
NW of Wicomico Road :
15th Election District : OF
John E. Miller, et ux : BALTIMORE COUNTY
Petitioners : Case No. 80-134-XASPH
(Item No. 22) :

NOTICE OF APPEAL

Please enter an appeal to the Orders of the Zoning Commissioner of Baltimore County dated April 3, 1980 and forward same to the County Board of Appeals.

Robert J. Romadka
809 Eastern Boulevard
Baltimore, Maryland 21221
686-8274

ATTORNEY FOR PETITIONER

I HEREBY CERTIFY this 14 day of April, 1980, that a copy of the foregoing Notice of Appeal was mailed to County Board of Appeals, Court House, Towson, Maryland 21204, John W. Hessian, III, Esq., People's Counsel, County Office Building, Towson, Maryland 21204.

Robert J. Romadka

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

No. 86417

DATE April 25, 1980 ACCOUNT 01-662

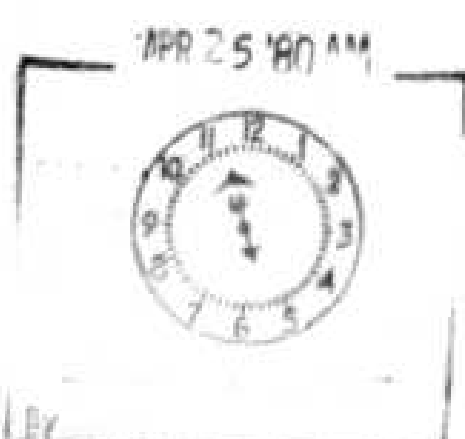
AMOUNT \$75.00

RECEIVED FROM Robert J. Romadka, Esquire

FOR Filing Fee for Appeal of Case No. 80-134-XASPH

75.00

VALIDATION OR SIGNATURE OF CASHIER



County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

April 29, 1982

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

Re: Case No. 80-134-XASPH
John E. Miller, et ux

Dear Mr. Romadka:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Holman
June Holman, Secretary

Encl.

cc: Mr. and Mrs. John E. Miller
Mrs. Diane Griffiths
Mr. Gerald Kuczinski
Mrs. Ann M. Franke
Mr. Paul Schmuff
Mrs. Alberto Y. Pugh
Mr. John C. Pytlík
John W. Hessian, III, Esq.
Mr. W. E. Hammond
Mr. J. E. Dyer
Mr. N. E. Garber
Mr. J. G. Howell
Mr. George Schneider

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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

April 3, 1980

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

RE: Petitions for Special Exception,
Variances, and Special Hearing
NE/S of Monocacy Road, 390'
NW of Wicomico Road - 15th
Election District
John E. Miller, et ux - Petitioners
NO. 80-134-XASPH (Item No. 22)

Dear Mr. Romadka:

I have this date passed my Orders in the above referenced matters in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: Mrs. Diane Griffiths
2250 Monocacy Road
Baltimore, Maryland 21221

Mr. Gerald Kuczinski
2254 Monocacy Road
Baltimore, Maryland 21221

Mrs. Ann M. Franke
2207 Corsica Road
Baltimore, Maryland 21221

Mr. Paul Schmuff
2207 Wicomico Road
Baltimore, Maryland 21221

Mrs. Alberto Y. Pugh
843 Middlesex Road
Baltimore, Maryland 21221

John W. Hessian, III, Esquire
People's Counsel

Mr. John C. Pytlík
905 Stags Head Road
Towson, Maryland 21204

PETITION FOR SPECIAL EXCEPTION, VARIANCE AND SPECIAL HEARING

15th District

ZONING: Petition for Special Exception for fishing and shellfishing facility
Variance for front and side yard setbacks and Special Hearing for a fishing and shellfishing facility

LOCATION: Northeast side of Monocacy Road, 390 feet Northwest of Wicomico Road

DATE & TIME: Tuesday, January 8, 1980 at 9:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for fishing and shellfishing facility, shoreline, Class I; Petition for Variance to permit side yard setback of 3 feet in lieu of the required 20 feet, and a front yard setback of 0 feet in lieu of the required 10 feet for the storage of crab pots and other related materials and Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a fishing and shellfishing facility, shoreline Class I, as a Special Exception in a residential transition zone.

The Zoning Regulation to be excepted as follows:

Section 1802.2B (VE 2) - front and side yard setbacks

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of John E. Miller, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, January 8, 1980 at 9:30 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Phone: 687-6922

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

June 19, 1979

Northeast side of Monocacy Road
Lot 5, Flat of Middleborough, 4/191
15th District Baltimore County, Maryland

Beginning for the same on the northeast side of Monocacy Road at the distance of 390 feet measured along the northeast side of Monocacy Road from the north side of Wicomico Road, and thence running and binding on the northeast side of Monocacy Road North 38 degrees 40 minutes West 50 feet, thence leaving Monocacy Road for a line of division North 51 degrees 20 minutes East 280.18 feet to the waters of Middle River, thence binding on the waters of Middle River in a southeasterly direction 52.90 feet, thence running for a line of division South 51 degrees 20 minutes West 298.10 feet to the place of beginning.

Containing 14,500 square feet of land more or less.



Mrs. Diane Griffiths
2550 Monocacy Road
Baltimore, Maryland 21221

April 28, 1980

RE: Petitions for Special Exception,
Variance and Special Hearing
NE/S of Monocacy Road, 390' NW
of Wicomico Road
John E. Miller, et ux - Petitioners
Case No. 80-134-XASPH

Dear Mrs. Griffiths:

Please be advised that an Appeal has been filed by Robert J. Romadka, Esquire on behalf of the Petitioners, from the decision rendered by the Zoning Commissioner of Baltimore County in the above-referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

cc: Mr. Gerald Kucinski
2550 Monocacy Road
Baltimore, Maryland 21221

Mrs. Alberta Y. Pugh
843 Middlebrook Road
Baltimore, Maryland 21221

Mrs. Ann M. Franke
2207 Curvian Road
Baltimore, Maryland 21221

Mr. John C. Pylik
905 Stage Road Road
Towson, Maryland 21204

Mr. Paul Schmuff
2207 Wicomico Road
Baltimore, Maryland 21221

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. John D. Seyffert, Director
TO: Office of Planning & Zoning Date: May 27, 1980
Mr. William E. Hammond
FROM: Zoning Commissioner
Case No. 80-134-XASPH (Item No. 22)
SUBJECT: NE/S of Monocacy Road, 390' NW of Wicomico Road -
15th Election District
John E. Miller, et ux - Petitioners

With reference to the above, I have been requested to forward a copy of my Order by which I have held that the "transition area" limitations are applicable to the fishing and shellfishing uses established by Bill No. 30-78.

Mr. Robert J. Romadka, the Petitioners' attorney, indicated that he had met with you and discussed, in general, this problem which affects most D.R. zoned properties because of their sizes.

It is my understanding that he intends to continue his discussion with you, in spite of his filing of an appeal.

If there are any questions, please so advise.

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Enclosure

cc: Robert J. Romadka, Esquire
Germania Federal Building
809 Eastern Boulevard
Baltimore, Maryland 21221

March 23, 1982

To: Mr. N. Commodari
From: County Board of Appeals
Subject: Case #80-134-XASPH - John E. Miller

At the present time we have in our office 15 case folders - applications for zoning use permits - which have been entered as exhibits in the above entitled case. These folders are:

CFC 17	A. C. Pinder
CFC 9	Gordon Southam
CFC 7	Larry Fentmann
CFC 1	Frank Dorn
CFC 10	Milton Rubin
CFC 16	Paul J. Farber, Jr.
CFC 11	Robert P. Surles
CFC 12	Robert Surles
CFC 8	William Peter
CFC 14	Carl R. Fletcher, Jr.
CFC 2	Kenneth Hubbard
CFC 3	Daniel Beck, Jr.
CFC 4	Daniel Beck
CFC 5	Charles L. McDaniel, Jr.
CFC 6	John Callin

We also have 26 files - CFR 1 thru CFR 27 (CFR 20 missing) which have not been entered as exhibits but which the Board is to consult in arriving at their decision.

The above for your information, as requested.

4-20-82

Received from Board of Appeals above
folders. Gary C. Finner
Zoning Inspector

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

NOTICE OF ASSIGNMENT

CONTINUED HEARING

February 17, 1982

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 80-134-XASPH

JOHN E. MILLER

for SE - Fishing Facility

" Variance - to permit side yard setbacks
and front yard setbacks
" Special Hearing - to approve a fishing
and shellfishing facility

NE/S Monocacy Road 390'
NW of Wicomico Road

15th District

4/3/80 - Z.C. DENIED PETITION

ASSIGNED FOR:

TUESDAY, MARCH 9, 1982 at 9:00 a.m.

cc: Robert J. Romadka, Esq.
Mr. and Mrs. John E. Miller
Mrs. Diane Griffiths
Mr. Gerald Kucinski
Mr. George Schneider
Mrs. Ann M. Franke
Mr. Paul Schmuff
Mrs. Alberta Y. Pugh
Mr. John C. Pylik
John W. Hession, III, Esq.
Mr. J. E. Dyer
Mr. W. E. Hammond
Mr. J. G. Howell
Mr. N. E. Gerber

Counsel for Petitioner
Petitioners
Protestant
"
"
"
"
"
"
People's Counsel

Edith T. Eisenhart, Adm. Secretary

1/7/81 - Notified the following of hearing scheduled for THURS., FEB. 26, '81, at 11 a.m.:

R. J. Romadka, Esq.
Mr. & Mrs. J. Miller
Mrs. Diane Griffiths
Mr. Gerald Kucinski
Mrs. Ann Franke
Mr. Paul Schmuff

Mrs. Alberta Y. Pugh
Mr. John Pylik
John Hession, Esq.
J. Dyer
W. Hammond

1/8/82 - Notified the above of hearing set for Tues., Feb. 16, 1982, at 10 am

2/17/82 - Above notified of CONTINUED HEARING scheduled for TUESDAY, MARCH 9, 1982 at 9 a.m.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 12th day of July, 1979.

Filing Fee \$ 50.00 Received: ☒ Check

☐ Cash

☐ Other

William E. Hammond, Zoning Commissioner

Petitioner John E. & Petitioner Miller Submitted by Same

Petitioner's Attorney Robert Romadka Reviewed by GUP

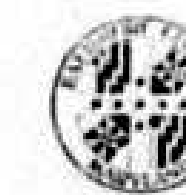
*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15 Date of Posting 5/17/80
Posted for Board of Appeals
Petitioner John E. Miller, et ux
Location of property NE/S of Monocacy Rd, 390'
NW of Wicomico Rd
Location of Signs front of property (H&S Monocacy)
Remarks
Posted by Gary C. Finner Signature Date of return 5/18/80

PETITION MAPPING PROGRESS SHEET

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										
Petition number added to outline										
Denier										
Granted by ZC, BA, CC, CA										
Reviewed by: GUP	Revised Plans: Change in outline or description Yes ☐ No ☐									
Previous case: none	Map #									



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

WILLIAM E. HAMMOND
ZONING COMMISSIONER

December 28, 1979

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Special Exception, Variance
and Special Hearing - John E. Miller, et ux
NE/S Monocacy Rd., 390' NW Wicomico Road
Case No. 80-134-XASPH

Dear Sir:

This is to advise you that \$76.30 is due for
advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and
remitted to Sondra Jones, Room 113, County Office Building, Towson,
Maryland 21204, before the hearing.

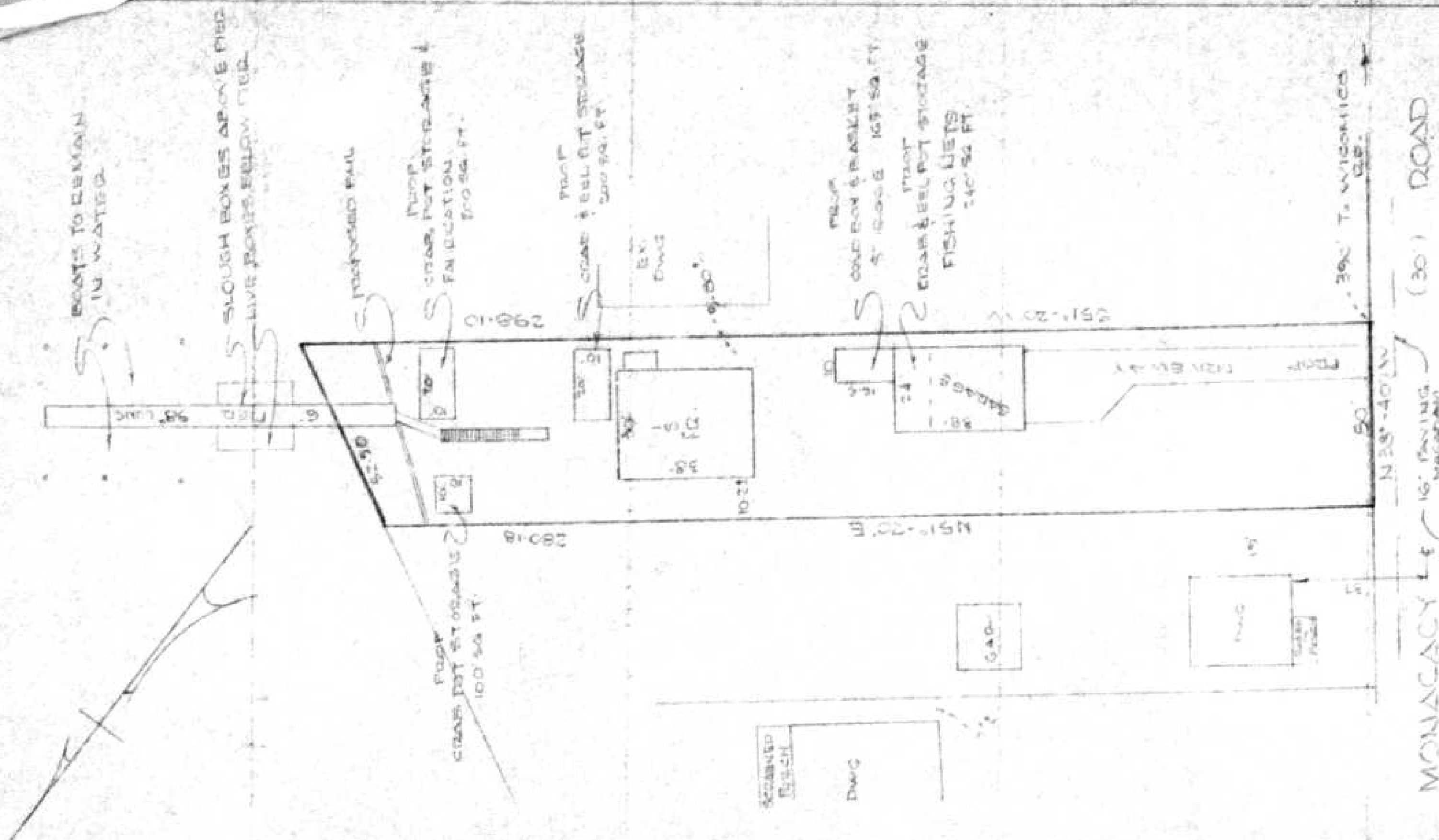
Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 85573
DATE January 8, 1980 ACCOUNT 01-462
AMOUNT \$76.30 (Cash)
RECEIVED FROM John E. Miller
FOR Advertising and Posting for Case No. 80-134-XASPH
7638

MIDDLE

DIVIDED



EXISTING USE - RESIDENCE
PROPOSED USE - COMMERCIAL, COMMERCIAL GRABBING & FISHING
EXISTING ZONING - D-10-55
PROPOSED ZONING - D-10-55, WITH A SPECIAL EXCEPTION FOR FISH AND SHELL FISH FACILITY SHORELINE, CLASS 2
AREA OF LOT - 14,500 SQ. FT.
AREA TO BE USED FOR GRABBING AND FISHING 1500 SQ. FT.



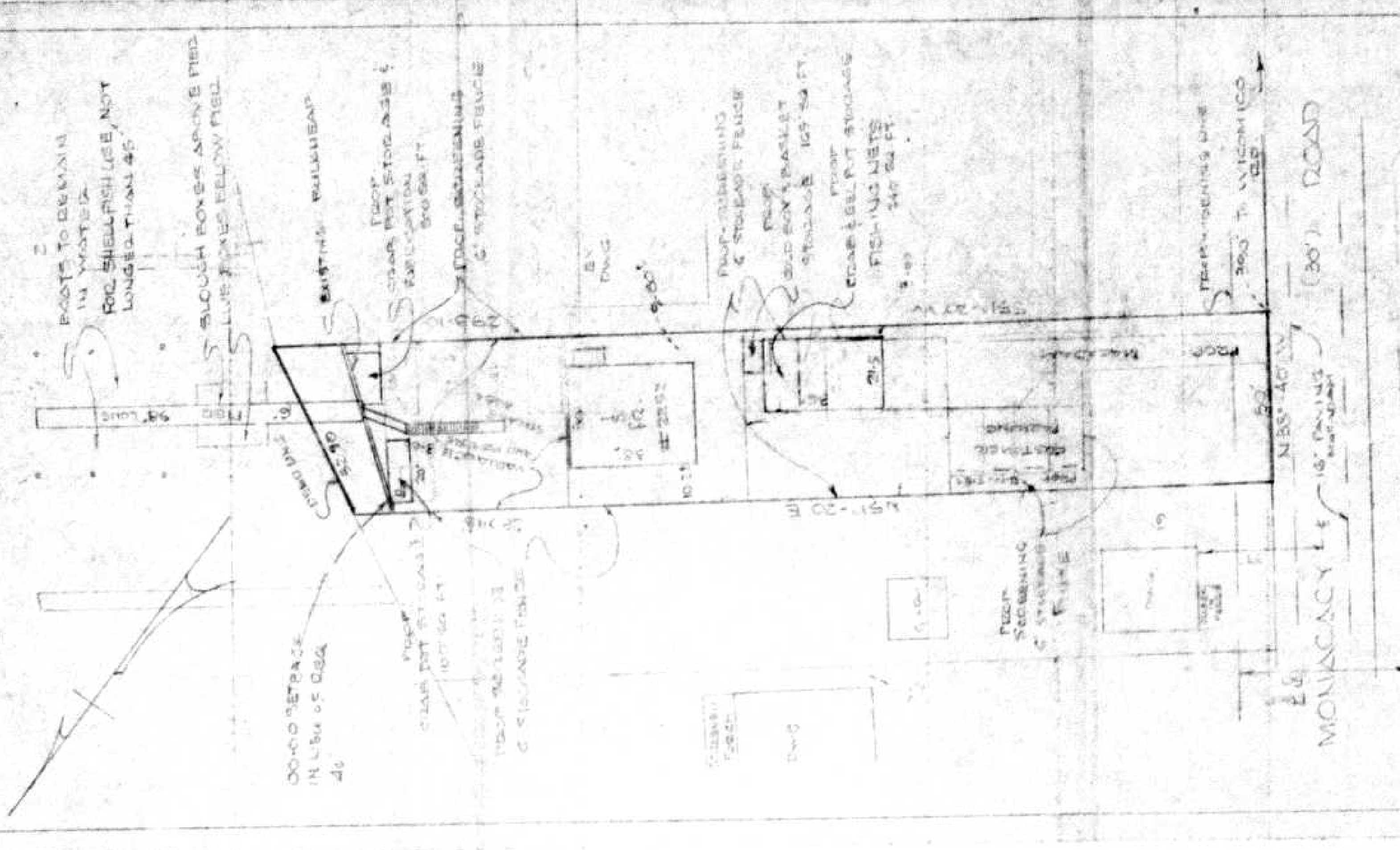
LOT 5 PLAT OF
MIDDLEBOROUGH
PLAT BOOK A-191
15TH DISTRICT BALTIMORE COUNTY, MARYLAND
DATE: 5-19-79
SCALE: 1"=20'



FRANK B. LEE
1877 NEIGHBORS AVE.
BALTIMORE, MD. 21237

MIDDLE

DIVIDED



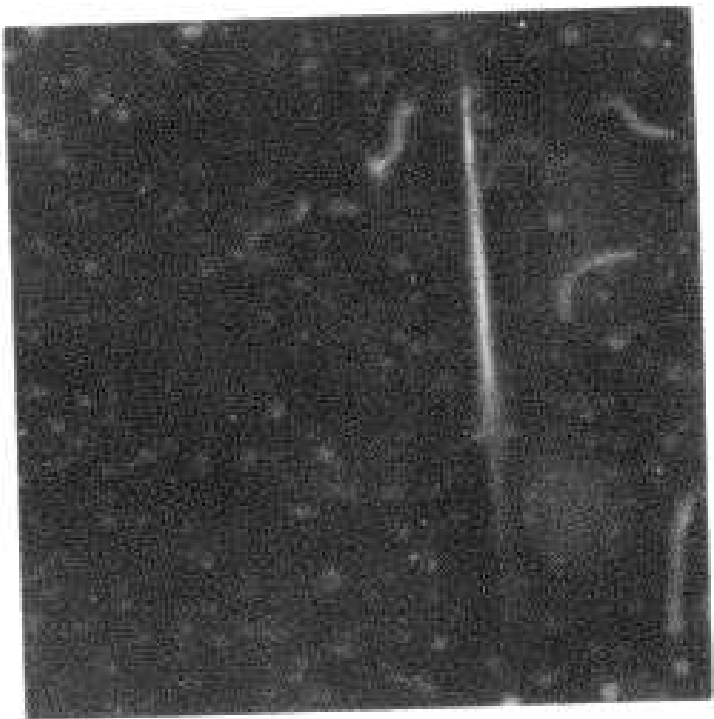
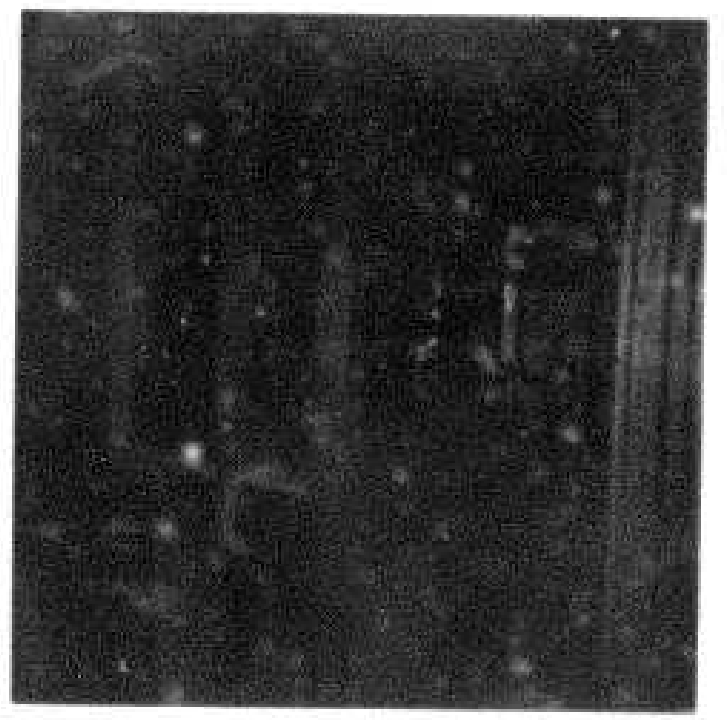
EXISTING USE - RESIDENCE
PROPOSED USE - COMMERCIAL, COMMERCIAL GRABBING & FISHING
EXISTING ZONING - D-10-55
PROPOSED ZONING - D-10-55, WITH A SPECIAL EXCEPTION FOR FISH AND SHELL FISH FACILITY SHORELINE, CLASS 1
AREA OF LOT - 14,500 SQ. FT.
AREA TO BE USED FOR GRABBING AND FISHING 1500 SQ. FT.
WATER & SEWER EXISTING IN ROAD BED

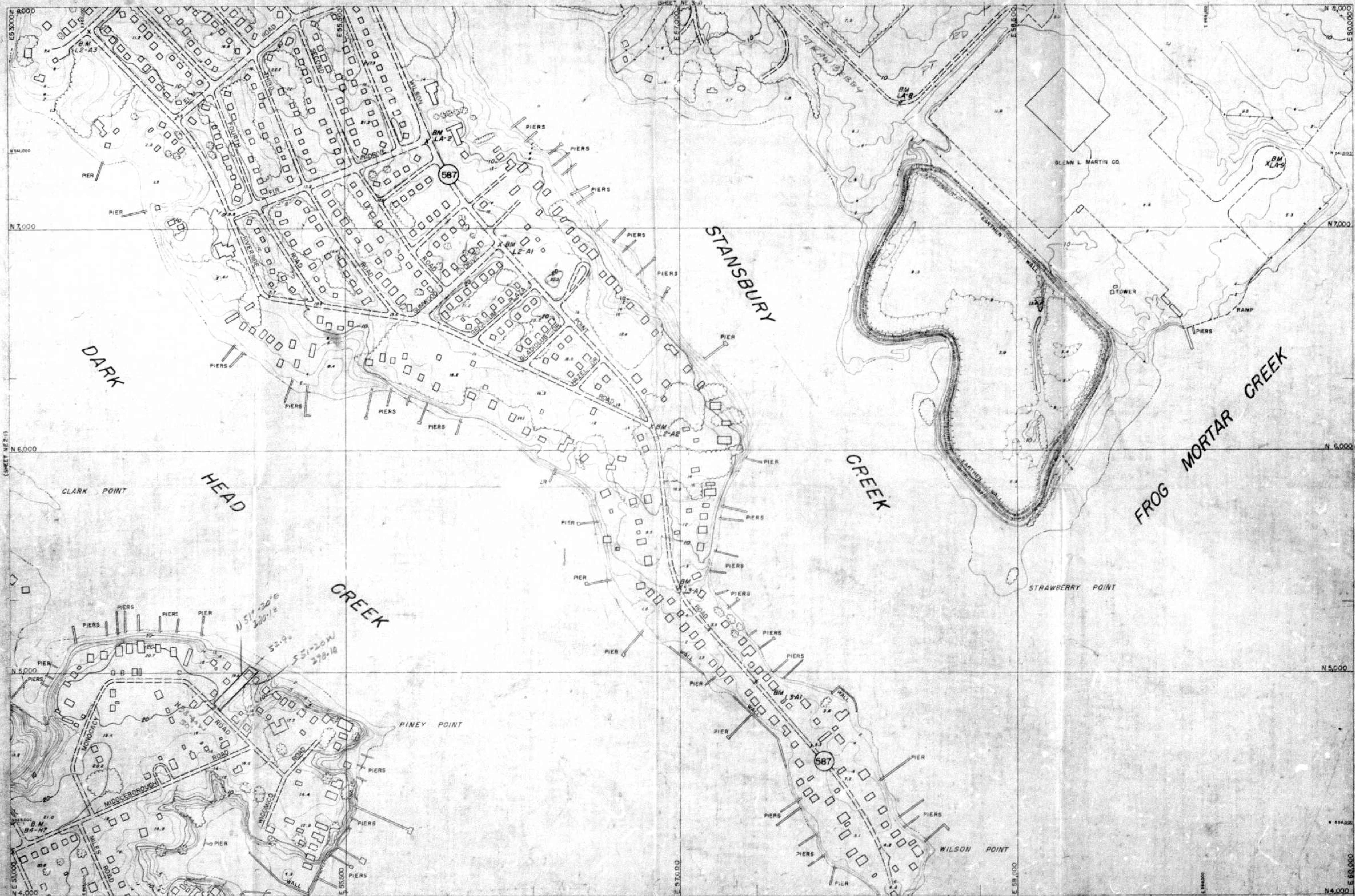
PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION, SPECIAL HEARINGS AND VARIANCES
LOT 5 PLAT OF
MIDDLEBOROUGH
PLAT BOOK A-191
15TH DISTRICT BALTIMORE COUNTY, MARYLAND
DATE: 5-19-79
SCALE: 1"=20'

CASE NO. 80-134-map
1. No retail sales of any kind to be permitted from this site, no signs of any kind denoting the use of the property as a fishing facility or offering for sale any product or service to be permitted.
2. (a) No cash price to be placed on any lot or acreage.
3. A 3 foot wide easement to be granted to the adjacent property owner for access to the water.



FRANK B. LEE
1877 NEIGHBORS AVE.
BALTIMORE, MD. 21237





PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE 1" = 200'	LOCATION WILSON POINT P.C. 10/10/54 #84	SHEET N.E. 2-J
BY	DATE			
		DATE OF PHOTOGRAPHY DEC. 1954		

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