

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 1 A 04.4B.3 (sideward set backs of 5 ft., northside, and 37 ft. southside, respectively, in lieu of the required 50 ft.) and frontyard set back of 65 feet in lieu of required 75 feet from centerline of the street of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reason: (Indicate hardship or practical difficulty)

Variance is necessary to preserve use and structure which existed prior to purchase. The house cannot be moved without destroying it. No adjacent land is available for purchase.

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.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Donald Lee Dasher
(Type or Print Name)
Signature: [Signature]
Address: [Address]
City and State: [City and State]
Attorney for Petitioner: Donald E. Brand
(Type or Print Name)
Signature: [Signature]
Address: 609 Eastern Boulevard
Baltimore, Maryland 21221
City and State: Baltimore, Maryland 21221
Attorney's Telephone No.: 686-8274

Legal Owner(s): Donald Lee Dasher
(Type or Print Name)
Signature: [Signature]
Address: Loretta Jean Dasher
(Type or Print Name)
Signature: [Signature]
Address: 2545 Barrison Point Road 574-6198
Baltimore, Maryland 21221
City and State: Baltimore, Maryland 21221
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Donald E. Brand
Address: 809 Eastern Blvd. 686-8274
City and State: Baltimore, Maryland 21221

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of November, 1985, 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 10th day of December, 1985, at 1:30 o'clock P.M.

[Signature]
Zoning Commissioner of Baltimore County.

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for fish and shellfishing facilities, shoreline, Class I, including storage and sale onsite of fish and crabs.

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

I, or we, agree to pay expenses of above 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.

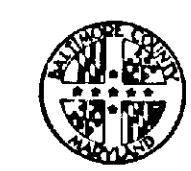
I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Donald Lee Dasher
(Type or Print Name)
Signature: [Signature]
Address: Loretta Jean Dasher
(Type or Print Name)
Signature: [Signature]
City and State: Baltimore, Maryland 21221
Attorney for Petitioner: Donald E. Brand
(Type or Print Name)
Signature: [Signature]
Address: 2545 Barrison Point Road 574-6198
Baltimore, Maryland 21221
City and State: Baltimore, Maryland 21221
Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Donald E. Brand
Address: 809 Eastern Blvd. 686-8274
City and State: Baltimore, Maryland 21221

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of November, 1985, 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 10th day of December, 1985, at 1:30 o'clock P.M.

[Signature]
Zoning Commissioner of Baltimore County.

ECO-No. 1 (over)



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

ARNOLD JADON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 16, 1985

Donald E. Brand, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
E/S Barrison Point Road, 55' SW of Island View Road - (2545 Barrison Point Road) - 15th Election District
Donald L. Dasher, et ux, Petitioners
Case No. 86-242-XA

Dear Mr. Brand:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

[Signature]
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bg

Attachments

cc: People's Counsel

Ms. Rose Mary Matthew, President
Barrison Point Improvement Assoc., Inc.
2502 Barrison Point Road
Baltimore, Maryland 21221
Mr. Stoney Fraley
Dept. of State Planning
301 W. Preston Street
Baltimore, Maryland 21201

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
E/S of Barrison Point Road, 55' SE of Island View Road - (2545 Barrison Point Road) - 15th Election District
Donald L. Dasher, et ux, Petitioners
Case No. 86-242-XA

The Petitioners herein request a special exception for fish and shellfishing facilities, shoreline, Class I, including storage and sale on site of fish and crabs, and, additionally, variances to permit side yard setbacks of 5 feet northside, and 37 feet southside in lieu of the required 50 feet and a front yard setback of 65 feet in lieu of the required 75 feet from the centerline of the street.

Testimony by and on behalf of the Petitioners indicated that the site was purchased in 1973 with a 35 to 40 year old dwelling and existing 5 foot and 37 foot side yard setbacks. In 1974 the Petitioner began a part-time operation of a fishing and shellfishing facility, shoreline, Class I, on the subject property. In approximately 1976 it became a full-time business which has continued fishing, including eeling, and crabbing, including sloughing. The business makes use of one boat and is conducted by the Petitioner and his son. General fishing has been restricted by the rockfish ban, but is usually a year-round process during which fish are caught in nets and transferred from the boat to the truck into coolers in the summer and wooden boxes in the winter. When not in use, the nets are stored in 21 wooden boxes. The chief eeling season is March and April when, once a day, eels, caught in 370 eel pots, are transferred from the boat into 3 to 5, 50 gallon salting drums located in the shade near the bulkhead. The pots are stored in the basement off season. During hard crab season from May to September, crabs are caught on trout lines and transferred from the boat into baskets placed on the truck for immediate delivery since

there are no on site storage facilities for hard crab storage. The trout lines are stored in 50 gallon plastic barrels when not in use. In pursuit of the soft shell crab business, the petitioner generally meets crabbers off shore and collects peelers from May through October. The Petitioner had two sloughing boxes as recently as the summer of 1984, increased the number to seven in 1985, and now proposes a total of nine. As many as 20 to 25 dozen soft crabs may be stored in refrigerators in the basement of the dwelling at any one time. All pumps and piping for bringing water from the Bay to the boxes are stored under the porch from October to April. The facilities are kept clean; there is no odor or noise associated with the business. There are never more than two customer cars on the durable and dustless parking area at any one time. The family owns a pick-up truck and two automobiles. The boat is kept at an off site pier or on a trailer in the parking area in the rear of the property adjacent to the road. The dwelling is oriented to the water and the Petitioners consider the water side to be the front yard. Both adjacent neighbors have garages on the road side indicating that they too consider the water side to be the front.

Both the President of the Barrison Point Improvement Association, Inc. and the President of Baltimore County Waterman's Association spoke in favor of the Petitions. There were no protestants.

Pursuant to the advertisement, posting of property, and public hearing on the Petition; it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners; Baltimore County having reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and having determined that it is consistent with the requirements of the State of Maryland to minimize adverse impacts on water quality and fish, wildlife, and

plant habitat; and the granting of the requested special exception and part of the variances not adversely affecting the health, safety, and general welfare of the community, the special exception should be granted and the variances should be granted in part.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 16th day of December, 1985, that the herein Petition for Special Exception for fish and shellfishing facilities, shoreline, Class I, including storage and sale on site of fish and crabs, and, additionally, the Petition for Variance to permit side yard setbacks of 5 feet northside and 37 feet southside in lieu of the required 50 feet, in accordance with the plan prepared by Frank S. Lee, revised November 29, 1985 and marked Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- There shall be no more than two people employed, other than members of the operator's family, during any one period of time.
- No more than two trucks shall be utilized in the business.
- Pipes, pumps, facilities for sloughing, nets, pots, etc. shall be dismantled and stored off season.
- Business shall be conducted as outlined in the letter from Donald E. Brand to Ian Forrest dated December 5, 1985.
- No more than one boat may be stored on land on site and that shall be stored a minimum of 24 feet from any rear or side lot line; however, when in a side yard it must be situated at least 8 feet to the rear of a lateral projection of the front foundation line (water side) of the dwelling.
- Within the annual season maximum percentages of each product sold at retail from the site shall not exceed 25% for fish including eels, 5% for hard crabs and 30% for soft crabs.
- There shall be no sign other than that allowed in Section 413.1.a of the BCZR.

ORDER RECEIVED FOR FILING

DATE December 16, 1985
BY [Signature]
ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING

DATE December 16, 1985
BY [Signature]
ADMINISTRATIVE ASSISTANT

Phone: 687-6922

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

September 9, 1985

No. 2545 Barrison Point Road
15th District Baltimore County, Maryland

Beginning for the same on the northeast side of Barrison Point Road at the distance of 55 feet measured southeasterly along the northeast side of Barrison Point Road from the point of intersection of Barrison Point Road and Island View Road, and being known and designated as lots 22 and 23, as shown on the Assented plat of Barrison Point, said plat being recorded among the land records of Baltimore County in Plat Book 8 folio 82.



PETITION FOR SPECIAL EXCEPTION AND VARIANCE

15th Election District

LOCATION: East Side of Barrison Point Road
55 feet Southeast of Island View Road, (2545 Barrison Point Road)

DATE AND TIME: Tuesday, December 10, 1985 at 1:30 p.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 Fish and Shellfishing facilities, shoreline, Class I, including storage and sale on site of fish and crabs. Petition for Variance from Section 1 A 04.4B.3 (sideyard set backs of 5 feet, northside, and 37 feet southside, respectively, in lieu of the required 50 feet and frontyard set back of 65 feet in lieu of required 75 feet from centerline of the street.

Being the property of Donald Lee Dasher, et ux, as shown on plat plan filed with the Zoning Office.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR VARIANCES : BEFORE THE ZONING COMMISSIONER
E/S Barrison Pt. Rd., : OF BALTIMORE COUNTY
55' SE of Island View :
Rd. (2545 Barrison Pt. :
Rd.), 15th District :
DONALD LEE DASHER, et ux, : Case No. 86-242-XA
Petitioners :
: : : : :

ENTRY OF APPEARANCE

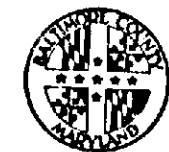
Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 19th day of November, 1985, a copy of the foregoing Entry of Appearance was mailed to Donald E. Brand, Esquire, 809 Eastern Boulevard, Baltimore, MD 21221, Attorney for Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman



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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 4, 1985

Donald E. Brand, Esquire
809 Eastern Blvd.
Baltimore, Maryland 21221

RE: Petition for Special Exception & Variance
E/S Barrison Point Rd., 55' SE of Island View
Rd. (2545 Barrison Point Rd.)
15th Election District
Case 86-242-XA
Donald A. Dasher - Petitioners

Dear Mr. Brand:

This is to advise you that \$ 62.97 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

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

No. 012408

DATE 12-10-85 ACCOUNT R-01-1015-000

AMOUNT \$ 62.97

RECEIVED Donald E. Brand, Esq.

FOR Advertising & Posting 86-242-XA

B 0001*****525718 21161

VALIDATION OR SIGNATURE OF CASHIER

Donald E. Brand, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

November 8, 1985

NOTICE OF HEARING

Re: Petitions for Special Exception and Variances
E/S Barrison Point Rd., 55' SE of Island View
Rd. (2545 Barrison Point Rd.)
15th Election District
Donald A. Dasher, et ux - Petitioners
Case No. 86-242-XA

TIME: 1:30 p.m.

DATE: Tuesday, December 10, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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

No. 012709

DATE 12-23-85 ACCOUNT R-01-1015-000

AMOUNT \$ 135.00

RECEIVED Phyllis Cole Friedman

FOR Advertising & Posting 86-242-XA

B 0101*****135000 52457

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 21, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on November 21, 1985.

THE JEFFERSONIAN,

1985
Publisher

Cost of Advertising

27.50

PETITION FOR SPECIAL EXCEPTION AND VARIANCE
15th Election District
LOCATION: East Side of Barrison Point Road, 55 feet Southeast of Island View Road, (2545 Barrison Point Road)
DATE AND TIME: Tuesday, December 10, 1985 at 1:30 p.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 Fish and Shellfishing facilities, shoreline, Class I, including storage and sale on site of fish and crabs. Petition for Variance from Section 1 A 04.4B.3 (sideyard set backs of 5 feet, northside, and 37 feet southside, respectively, in lieu of the required 50 feet and frontyard set back of 65 feet in lieu of required 75 feet from centerline of the street.)
Being the property of Donald Lee Dasher, et ux, as shown on the plat plan filed with the Zoning Office.
In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of:
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
Nov. 21, 1985

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15th Date of Posting 11/19/85
Posted for: Special Exception & Variance
Petitioner: Donald A. Dasher, et ux
Location of property: E/S Barrison Pt. Rd. 55' SE of Island View Rd. 2545 Barrison Pt. Rd.
Location of Signs: Facing Barrison Pt. Rd. 15' E. View Rd.
Remarks: Property of Dasher
Posted by: W. H. H. H. Date of return: 11/21/85
Number of Signs: 2

STATE OF MARYLAND

SEE REVERSE FOR EXPLANATION OF LICENSE ABBREVIATIONS
OUT ALONG THIS LINE TO REDUCE TO WALLET SIZE

DEPARTMENT OF NATURAL RESOURCES
Licensing and Consumer Services
P.O. Box 1888 Annapolis, Md. 21404

TIDAL FISH LICENSE

BIRTHDATE 04/04/37 SOCIAL SECURITY NO. 232-56-7052

DONALD L. DASHER
2545 BARRISON PT RD
BALTIMORE, MD 21221

THIS LICENSE IS ISSUED FOR:
BFF-BAY POT & FYKES
ICF-INACTIVE COMMERCIAL FINFISH
LCC-LIMITED CRAB CATCHER
EXPIRATION DATE 08/31/86

IDENTIFICATION NO. 12140

DATE ISSUED 10/25/85

OCT 25 85 *****1682*****75.00
OCT 25 85 *****1682*****75.00

PETITIONER'S
EXHIBIT 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MR. ARNOLD JABLON
To: Zoning Commissioner Date November 26, 1985
FROM: NORMAN E. GERBER, AICP, Director
Office of Planning and Zoning
SUBJECT: Chesapeake Bay Critical Area Consistency -
M. J. STEFANOWICZ (806-234-A, Item 133), W. R. DOWELL, SR.,
et ux (86-245-A, Item 129) and D. L. DASHER, et ux
(86-242-XA, Item 120)

These zoning petitions have been reviewed for consistency with the requirements of the Chesapeake Bay Critical Area law. The findings of this agency are as follows:

Item 129 and 133 will be deemed to be consistent if environmental enhancement plantings are established based on area of impervious surface. Impervious surfaces include primarily the area of the dwelling, related structures, driveways and sidewalks. The Zoning Commissioner should require plantings based on the following formula:

- 1 major deciduous tree for every 600 sq. ft. of impervious area
- or
- 3 conifers for every 600 sq. ft. of impervious surface
- or
- 6 minor deciduous trees for every 600 sq. ft. of impervious surface.

A combination of these 3 classes of trees would be most desirable.

Due to the fact that the soils on these two lots are not suitable, underground seepage beds are not recommended to control runoff. However, the runoff should be spread over a porous area of the lot to encourage a degree of infiltration.

Item 120. This petition is consistent with Critical Area requirements without mitigative measures being required.

Please call Paul Solomon at Ext. 3521 if any questions arise.

NEG:PJS:vh
cy: James G. Howell
Tim Dugan
People's Counsel

Norman E. Gerber
Norman E. Gerber, AICP, Director

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Jean Jung
To: Deputy Zoning Commissioner Date December 10, 1985
FROM: Ian J. Forrest, Director
Bureau of Environmental Services
SUBJECT: Special Exception and Variance Petition - Item No. 120 Donald Lee Dasher

This Bureau removes its objection approval of the subject petition provided the applicant adheres to the proposed utilization of property as outlined by his counsel.

Thomas H. Ernst
for
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/kek

Attachment

Petition For Special Exception and Variance
15th Election District
LOCATION: East Side of Barrison Point Road, 55 feet Southeast of Island View Road, (2545 Barrison Point Road)
DATE AND TIME: Tuesday, December 10, 1985 at 1:30 p.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 Fish and Shellfishing facilities, shoreline, Class I, including storage and sale on site of fish and crabs. Petition for Variance from Section 1 A 04.4B.3 (sideyard set backs of 5 feet, northside, and 37 feet southside, respectively, in lieu of the required 50 feet and frontyard set back of 65 feet in lieu of required 75 feet from centerline of the street.)
Being the property of Donald Lee Dasher, et ux, as shown on the plat plan filed with the Zoning Office.
In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order of:
ARNOLD JABLON
Zoning Commissioner
of Baltimore County
Nov. 21, 1985

The Times

Middle River, Md., Nov 20 1985

This is to Certify, That the annexed advertisement was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 20th day of Nov, 1985.

Joe Brown Publisher

Re: Petitions for Special Exception and Variances
E/S Barrison Point Rd., 55' SE of Island View Road
(2545 Barrison Point Road)
15th Election District
Donald Lee Dasher and Loretta Jean Dasher, Petitioners
Case No. C-86-170

The undersigned individuals acknowledge that they are familiar with the residence of Donald and Loretta Dasher and are familiar with the use being made of the property for producing soft shell crabs, etc. that they are aware that Mr. and Mrs. Dasher have filed a Petition to continue their operation as it presently exists, including two proposed additional slough boxes. It is the opinion of the undersigned that the existing and proposed uses do not adversely affect the neighborhood nor the use of neighborhood properties, and they acknowledge that they have been notified that a hearing is being held by the County at 1:30 P.M. on Tuesday, December 10, 1985, Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.

NAME J. Annen Ploch NAME Louis E. Stachurski
ADDRESS 2525 (DORRISON) P. Rd. ADDRESS 2521 BARRISON PT. Rd.
BALTO., MD. 21221 Baltimore, MD. 21221

NAME Ben G. Fox NAME Stanley J. Sawe Pura
ADDRESS 2546 Island View ADDRESS 2539 BARRISON PT. Rd.
BALTO. MD. 21221 Baltimore, MD. 21221

NAME Larry E. Hinn NAME Pat P. Ostrow
ADDRESS 2547 Barrison Pt. Rd. ADDRESS 2519 Barrison Pt. Rd.
BALTO. MD. 21221 Baltimore, MD. 21221

NAME Mary Ann Bury NAME J. K. Kuchta
ADDRESS 2539 Barrison Pt. Rd. ADDRESS 2519 Barrison Pt. Rd.
BALTO. MD. 21221 BALTO. MD. 21221

NAME Frank C. Bury NAME James Raynor Jr.
ADDRESS 2539 BARRISON ADDRESS 2519 Barrison Pt. Rd.
PT. RD. BALTO. MD. 21221 BALTO. MD. 21221

EXHIBIT 3

Re: Petitions for Special Exception and Variances
E/S Barrison Point Rd., 55' SE of Island View Road
(2545 Barrison Point Road)
15th Election District
Donald Lee Dasher and Loretta Jean Dasher, Petitioners
Case No. C-86-170

The undersigned individuals acknowledge that they are familiar with the residence of Donald and Loretta Dasher and are familiar with the use being made of the property for producing soft shell crabs, etc. that they are aware that Mr. and Mrs. Dasher have filed a Petition to continue their operation as it presently exists, including two proposed additional slough boxes. It is the opinion of the undersigned that the existing and proposed uses do not adversely affect the neighborhood nor the use of neighborhood properties, and they acknowledge that they have been notified that a hearing is being held by the County at 1:30 P.M. on Tuesday, December 10, 1985, Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.

NAME W. L. Beck NAME Dennis Joseph Ferraro
ADDRESS 2534 Island View Rd. ADDRESS 2551 BARRISON PT. Rd.
BALTO. MD. 21221 BALTO. MD. 21221

NAME W. J. Thompson NAME Mr. & Mrs. Robert L. Sprinkle
ADDRESS 2534 Island View Rd. ADDRESS 2549 BARRISON PT. Rd.
BALTO. MD. 21221 BALTO. MD. 21221

NAME Mr. & Mrs. William J. G. G. G. NAME Louis Kuo
ADDRESS 2532 Island View Rd. ADDRESS 2329 BARRISON PT. Rd.
BALTO. MD. 21221 BALTO. MD. 21221

NAME Charles A. Wagoner Jr. NAME Robert L. Smith
ADDRESS 2540 Island View Rd. ADDRESS 2503 BARRISON PT. Rd.
BALTO. MD. 21221 BALTO. MD. 21221

NAME Mr. & Mrs. J. P. Plawski NAME George J. Lower
ADDRESS 2553 BARRISON PT. Rd. ADDRESS 2148 BARRISON PT. Rd.
BALTO. MD. 21221 BALTO. MD. 21212

Re: Petitions for Special Exception and Variances
E/S Barrison Point Rd., 55' SE of Island View Road
(2545 Barrison Point Road)
15th Election District
Donald Lee Dasher and Loretta Jean Dasher, Petitioners
Case No. C-86-170

The undersigned individuals acknowledge that they are familiar with the residence of Donald and Loretta Dasher and are familiar with the use being made of the property for producing soft shell crabs, etc. that they are aware that Mr. and Mrs. Dasher have filed a Petition to continue their operation as it presently exists, including two proposed additional slough boxes. It is the opinion of the undersigned that the existing and proposed uses do not adversely affect the neighborhood nor the use of neighborhood properties, and they acknowledge that they have been notified that a hearing is being held by the County at 1:30 P.M. on Tuesday, December 10, 1985, Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.

NAME Sadie M. Raynor NAME Charles Z. Talley
ADDRESS 2514 BARRISON PT. Rd. ADDRESS 2500 BARRISON PT. Rd.
BALTO. MD. 21221 BALTO. MD. 21221

NAME Unrest Luen NAME James R. Talley
ADDRESS 2512 BARRISON PT. Rd. ADDRESS 2500 BARRISON PT. Rd.
BALTO. MD. 21221 BALTO. MD. 21221

NAME J. L. Fauscher NAME Robert S. Sasser
ADDRESS 2511 BARRISON PT. Rd. ADDRESS 2531 BARRISON PT. Rd.
BALTO. MD. 21221 ESSEX MD. 21221

NAME Victor Seibel NAME James M. Matthews
ADDRESS 2507 BARRISON PT. Rd. ADDRESS 2502 BARRISON PT. Rd.
BALTO. MD. 21221 BALTO. MD. 21221

NAME Don Seibel NAME Paul H. Mattern
ADDRESS 2507 BARRISON PT. Rd. ADDRESS 2502 BARRISON PT. Rd.
BALTO. MD. 21221 BALTO. MD. 21221

LAW FIRM
Romack, Jonkum, Hennegan & Foss
GERMANIA FEDERAL BUILDING
809 EASTERN BOULEVARD
TOWSON, MARYLAND 21204
TELEPHONE (410) 886-8874

ROBERT J. ROMACK
JOHN A. JONKUM
JOHN A. HENNEGAN
CHARLES E. FOSS III

December 5, 1985

Ian J. Forrest, Chief
Bureau of Environmental Services
4th Floor, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Item No. 120 - Case No. 86-242-XA
Petitioners - Donald Lee Dasher, et ux
Special Exception and Variance Petitioner

Dear Mr. Forrest:

As discussed with you on Thursday, December 5, 1985 concerning your comments to the referenced matter filed with the Baltimore County Zoning Plans Advisory Committee, I wish to advise you that I have requested my client to contact Mr. Thomas Ernst of your department, telephone number 494-3811, and to make an appointment with Mr. Ernst to come in and discuss with him his operation at 2545 Barrison Point Road and to see if he needs any County permits. I am sending a copy of this letter to Mr. Dasher, as discussed with him, so that it is clear as to what is expected of him.

Mr. Dasher does some crabbing, peeling, fishing, and sloughing of softshell crabs. His eel catch is salted and stored under the rear patio of his house. The fish that he catches, which is none at the present time due to the Rockfish Ban, are brought into the bulkhead of his home and hauled to market. The only additional activity is the icing down of the fish by ice purchased at Ensor Brothers. His crabbing operation is by line and not by pot. All crabs caught by line are taken directly off the boat, loaded on a truck and taken directly to market as fast as possible. The softshell crabs produced on site are held in refrigeration units in the basement and transferred from there to automobiles for delivery off site. There is no consumption of or preparation of food on site, except for salting eels, icing hardcrabs and fish and refrigerating softshell crabs.

It is my understanding that you will amend your comments and approve with certain conditions. Your consideration in this matter is

RECEIVED
DEC 9 1985
ENVIRONMENTAL
SERVICES

Page Two
Ian J. Forrest, Chief

greatly appreciated and both my client and I will cooperate in anyway we can to satisfy you that the on-site activities do not present public health problems.

Very truly yours,

Donald E. Brand

DEB:kb
cc: Mr. Donald Dasher

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: November 26, 1985
Norman E. Gerber, AICP
FROM: Director of Planning and Zoning
SUBJECT: Zoning Petition No. 86-242-XA

This office is not opposed to the granting of this request provided conditions are included that ensure the adequate protection of the adjacent residential properties.

Norman E. Gerber, AICP
Director

NEG:JGH:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 20, 1985

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

Donald E. Brand, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

Re: Item No. 120 - Case No. 86-242-XA
Petitioners - Donald Lee Dasher, et ux
Special Exception and Variance Petition

Dear Mr. Brand:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. 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.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:nr

Enclosures

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
111 W. Chesapeake Avenue
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

November 15, 1985

Re: Zoning Advisory Meeting of October 8, 1985
Item # 120
Property Owner: Donald Lee Dasher, et ux
Location: 111 W. of Barrison Point Rd. 55'
SE of Island View Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual.
- ☒ The property is located in a deficient service area as defined by S111 173-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by S111 173-79, and as conditions change traffic capacity may become more limited. The Traffic Services Area is re-evaluated annually by the County Council.
- ☒ Additional comments:

cc: James Hoswell

Eunne A. Biber
Chief, Current Planning and Development

BALTIMORE COUNTY DEPARTMENT OF HEALTH
Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 120, Zoning Advisory Committee Meeting of OCT 8, 1985

Property Owner: Donald Lee Dasher

Location: NE/S Barrison Point Rd, 55' SE of Island View District 15th

Water Supply: Private Sewage Disposal: Private

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 194-3775, to obtain requirements for such installation before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

MICROFILMED

Zoning Item # 120, Zoning Advisory Committee Meeting of OCT 31, 1985
Page 2

- () Prior to raising of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 194-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 194-3768.
- () Soil percolation tests (have been/must be) conducted.
() The results are valid until _____
() Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until _____
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others: Advance preparation of Fil Fish by
beheading, scaling or filleting will not be
allowed until a food service facility permit
is obtained. Limits in available area for on-site
sewage disposal prohibit the establishment of
a crab steaming operation at this location.

MICROFILMED

SS 20 1283 (2) R

James J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

October 14, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Donald Lee Dasher, et ux

Location: NE/S Barrison Point Road, 55' SE of Island View Road

Item No.: 120

Zoning Agenda: Meeting of October 8, 1985

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 of _____ 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 _____

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 operation.

- () 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 comment at this time.

REVIEWER: Paul H. Reincke Noted and Approved: John E. O'Neill
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

NOVEMBER 22, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 120, Zoning Advisory Committee Meeting are as follows:

Property Owner: Donald Lee Dasher, et ux
Location: NE/S of Barrison Point Road, 55' SE of Island View Road
District: 15th.

APPLICABLE ITEMS ARE CHECKED:

- (X) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.S.S.I. #17-1 - 1980) and other applicable Codes and Standards.
- () A Building and other miscellaneous permits shall be required before the start of any construction.

COMMERCIAL OPERATION

- () Residential: Two sets of construction drawings are required to file a permit application. The seal of a Registered Professional Engineer or Architect is not required on plans and technical data.

- (X) Commercial: Three sets of construction drawings sealed and signed by a registered Professional Engineer or Architect shall be required to file with a permit application. Registered seals are not acceptable.

- (X) All the Groups except 3-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 3'-0" to an interior lot line. But fire Groups require a one hour wall of closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 404, Section 1007, Section 1006.2 and Table 1002. See openings are permitted in an exterior wall within 3'-0" of an interior lot line.

- () The structure does not appear to comply with Table 505 for permissible height/area. Apply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 1001 and 505 and have your Architect/Engineer contact this department.

- () The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

CHANGE OF OCCUPANCY REQUIREMENTS

- () When filing for a requested Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seal, as usually required. The change of the Group is from the _____ to the _____ or to Mixed Use _____ to _____ See Section 312 of the Building Code.

- () The proposed project appears to be located in a Flood Plain, Flood/Alleviation. Please see the attached copy of Section 316.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the Flood Plain levels including basement.

POSSIBLE STRUCTURAL PROBLEM

- (X) Comments: Comply with 1105.5.3 if sales area is located on other than a slab on grade floor. The floor shall be capable of complying with a 75 lb. live load design as per Table 906.0.

- () These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Charles E. Johnson
Director, Department of Permits & Licenses
Building Plans Review

11/22/85

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

November 14, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- 120
Property Owner: Donald Lee Dasher, et ux
Location: NE/S of Barrison Point Road
Existing Zoning: R.C. 5
Proposed Zoning: Variance for side yard setbacks of 5 ft., northside, and 37ft. southside, in lieu of the required 50ft. and front yard setback of 65ft. in lieu of required 75ft. from centerline of the street
Acres: .38
District: 15th Election District

Dear Mr. Jablon:

The requested variances are not expected to cause any major traffic problems. The entrances and parking area fails to meet county standards and should be revised.

Michael S. Flynn
Michael S. Flynn
Traffic Engineer Assoc II

MSF/bld

Case No. 86-242-XA

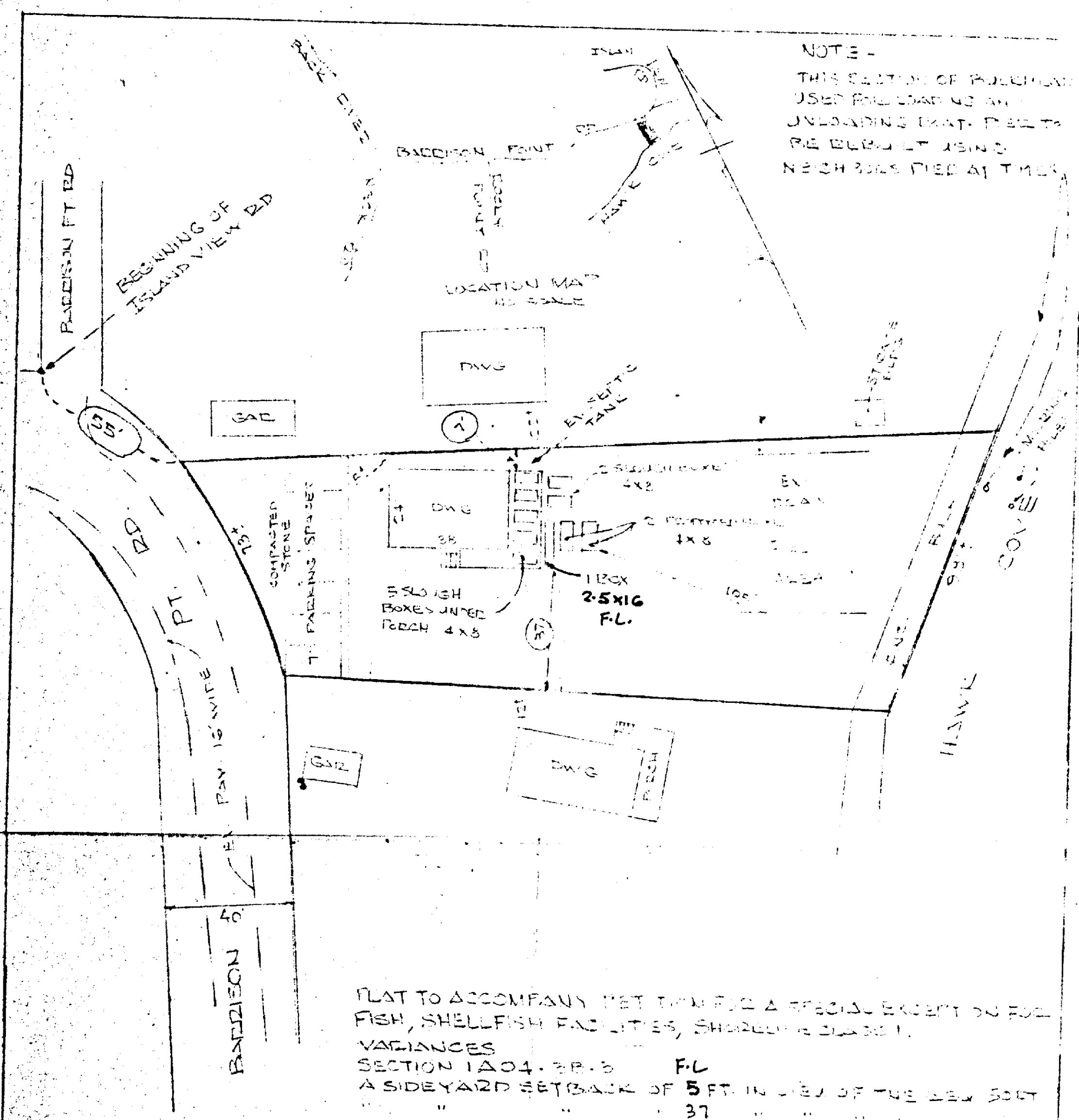
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this
day of November, 1985

Petitioner: Donald Lee Dasher, et ux
Attorney: Donald E. Brand, Esquire

Received by: James E. Ryan
Chairman, Zoning Plans
Advisory Committee



EX. USE - RESIDENCE, STORAGE & SALE OF FISH & CRABS
 PROP. USE - SAME
 EX. ZONING - RCB
 PROP. ZONING - SAME
 AREA OF LOT: 0.33 AC. ± - 16,574 SQ. FT.
 TOTAL OF HOUSE & SLOUGH BOXES = 1250 SQ. FT.

LOT SERVED BY PRIVATE SEPTIC SYSTEM & WELL

NOTE -
 13 FT. WIDE WOOD BOAT
 PULLED UP AND STORED ON SITE.
 WHEN USED, KEPT AT ISLAND
 VIEW INN PIER. TURBULENCE
 TO GREAT AT FULLHEAD TO
 MOOR WOOD BOAT

46-85
 SE 3K

OWNER
 DON DASHLEY
 2517 BARRISON PT RD
 BALTO., MD. 21221
 574-6198

LOTS 22-23 AMENDED PLAT OF
 BARRISON POINT
 PLAT BOOK B-82

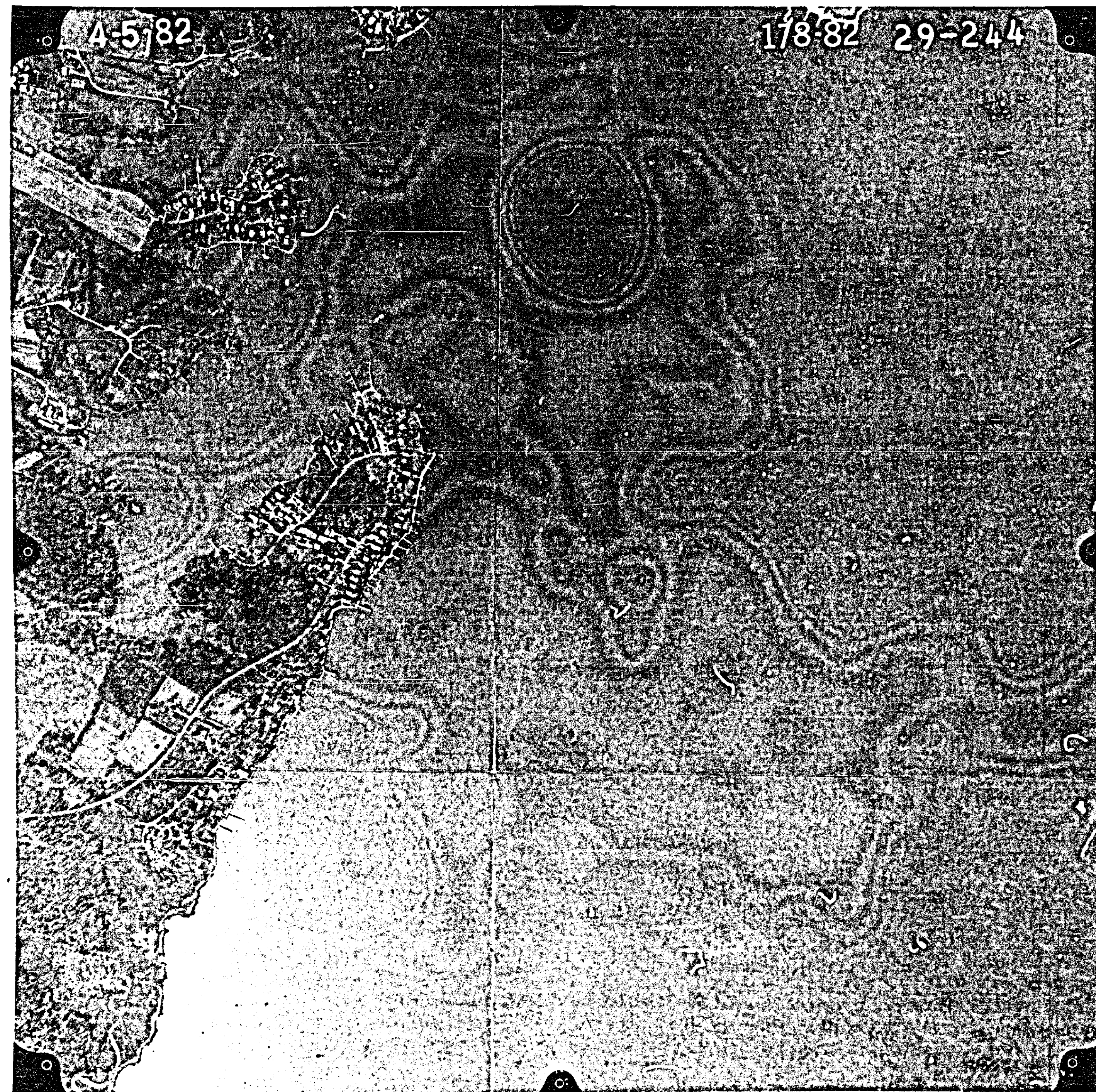
15TH DISTRICT BALTIMORE CO, MARYLAND
 Scale 1" = 30' Date 9-4-35
 REVISED 11-20-35



FRANK S. LEE
 1277 NEIGHBORS AVE.
 BALTIMORE, MD. 21237
 687-6922

PETITIONER'S
 EXHIBIT 1

PETITIONER'S
 EXHIBIT 1



AERIAL DATA REDUCTION ASSOCIATES, INC.
 29-3