

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - W/S of of Riverside Avenue, 1450' NW of the c/l of Bay Avenue (1110 E. Riverside Avenue) 15th Election District 5th Councilmanic District

Charles E. Myers, et ux
Petitioners

ORDER OF DISMISSAL

Pursuant to the receipt of a written request for withdrawal from Counsel for Petitioners,

IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2/10 day of February, 1990 that the Petitions for Special Hearing and Zoning Variance in the above-captioned matter be and the same are hereby DISMISSED without prejudice.

ANN H. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Thomas J. Peddicord, Jr., Esquire
404 Allegheny Avenue, Baltimore, Md. 21204

Mr. Steven K. Broyles
1922 Middleborough Road, Baltimore, Md. 21221

Chesapeake Bay Critical Areas Commission
Taves State Office Building, D-4, Annapolis, Md. 21404

Department of Environmental Protection and Resource Mgmt.

People's Counsel

File

PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-250-SPHA

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 Hearing under Section 407.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

To Amend Site Plan from Special Exception # 4678-X

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

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

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

Contract Purchaser:

N/A
(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Thomas J. Peddicord, Jr.

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Townson, Maryland 21204

City and State

Attorney's Telephone No.: 821-1013

Address

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Steven K. Broyles P.E.

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1524 Date of Posting: 12/3/89

Posted for: Special Hearing & Variance

Petitioner: Charles E. Myers, et ux

Location of property: W/S Riverside Ave., 1450' NW c/l of Bay Avenue

1110 E. Riverside Avenue

Location of Sign: Riverside Ave. & Riverside Hwy, across 10' on the side

Remarks: Property of Baltimore

Posted by: William Date of return: 12/1/89

Number of Signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 30, 1989

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once each of 1 successive weeks, the first publication appearing on Nov 30, 1989

THE JEFFERSONIAN

S. Zebe Orlan
Publisher

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

Charles E. and Regina E. Myers
1100 E. Riverside Avenue
Baltimore, Maryland 21221

Bar

Petition for Special Hearing and Zoning Variance
CASE NUMBER: 90-250-SPHA
W/S of Riverside Avenue, 1,450' NW c/l of Bay Avenue
1110 E. Riverside Avenue
15th Election District - 5th Councilmanic
Petitioner(s): Charles E. Myers, et ux
HEARING: WEDNESDAY, DECEMBER 20, 1989 at 9:30 a.m.

Dear Mr. & Mrs. Myers:

receipt
No. 745
90-250-SPHA
119000866

12/20/89
12/19/89

PUBLIC HEARING FEES QTY PRICE
600 - POSTING SIGNS / ADVERTISING 1 X \$160.91
TOTAL: \$160.91

LAST NAME OF OWNER: MYERS

0 008*****160911a 7208F
Please make checks payable to: Baltimore County

Phone: (301) 574-2227

90-250-SPHA #109
CRITICAL AREA
BROYLES, HAYES AND ASSOCIATES
Engineers • Designers • Surveyors
1922 MIDDLEBOROUGH ROAD • BALTIMORE, MD. 21221

June 14, 1989

Mr. J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204
Mail Stop 1108

RE: West Shore Special Hearing & Variance

Dear Mr. Haines:

We hereby request an early hearing, if possible, for the above referenced project.

Any consideration that can be given to this project would be greatly appreciated. We will make every effort to supply all required information in a timely manner.

Very truly yours,
Steven K. Broyles
Steven K. Broyles P.E.

SKB/sb

RECEIVED-NOVA COUNTY-PA

11/22/89 11:00:05C*****0018

11/22/89 11:00:05C*****0018

00:05E 5 JANUARY

515-10

687110

Tracking System

Baltimore County
Zoning Commissioner
Office of Planning & Zoning

Date: 12/1/89 Receipt FEE
Month Year Number TYPE Identification Number Zip Code

01/01/89 077989 07 01-6155 15 21221

Petitioner: West Shore Yacht Center, Inc. (Last) (Middle Initial)

Property Address: 1100 E. Riverside Avenue (Number) (Street)

CERTIFICATE OF PUBLICATION

Office of
THE AVENUE NEWS

November 30, 1989

THIS IS TO CERTIFY that the annexed advertisement of Charles E. Myers, et ux, in the matter of Special Hearing and Zoning Variance for 1110 E. Riverside Ave., Case 90-250-SPHA, was published in The Avenue News, a weekly newspaper published in Baltimore County, Maryland once a week for 1 successive week(s) before the 1 day of Dec. 1989.

It is to say, the same was inserted in the issue of Nov. 30, 1989.

The Avenue Inc.
per publisher
Quinn K. Caldwell

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

11-24-89

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Special Hearing and Zoning Variance
CASE NUMBER: 90-250-SPHA
W/S of Riverside Avenue, 1,450' NW c/l of Bay Avenue
1110 E. Riverside Avenue
15th Election District - 5th Councilmanic
Petitioner(s): Charles E. Myers, et ux
HEARING: WEDNESDAY, DECEMBER 20, 1989 at 9:30 a.m.

Special Hearing: To meet with the plan from Special Exception #6678-2. Variance(s) from Section 417.5 - any structure build beyond mean low tide must be contained within construction setbacks as prescribed. The structure must not extend beyond any of the following limits: a. Three hundred feet beyond mean low tide. (Variance to permit 425 feet beyond mean low tide in line of 300 feet and to extend 1/2 the width of the setback in line of 1/3 of an admissible channel.)

In the event that this Petition is 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

Phone: (301) 574-2227

90-250-SPHA
BROYLES, HAYES AND ASSOCIATES
Engineers • Designers • Surveyors
1922 MIDDLEBOROUGH ROAD • BALTIMORE, MD. 21221

December 12, 1989

Mr. Robert J. Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Carl Richards, Zoning Plans Advisory Committee

RE: Item No.: 109 - Case No. 90-250-SPHA-Special Hearing and Zoning Variance

Petitioner: Charles E. Myers, et ux
Location: W/S of Riverside Avenue, 1,450' NW c/l of Bay Avenue
1110 E. Riverside Avenue
Zoning Hearing: December 20, 1989 at 9:30 a.m.

Dear Mr. Haines:

Attached is a copy of the revised site plan dated December 12, 1989 for the above mentioned project. The revisions to our plan include:

1. Reducing setbacks from 25' to 10' from the future channel.
2. Proposed total number of slips for phase I & II 129 slips; this is an expansion of 56 slips.

I have distributed revised plans to and or met with the with the following departments and their representatives:

- Ed Johnson - Current Planning and Development
- Charles E. Burnham - Building Plans Review
- Michael S. Flanagan - Traffic Engineering
- Captain Joseph Kelly - Fire Prevention Bureau
- Rocky O. Powell - Environmental Impact Review Section
- David C. Flowers - Chesapeake Bay Critical Area Program
- Robert C. Merry - Bureau of Air Quality

If you have any questions please call me at 574-2227.

Respectfully,
Steven K. Broyles
Steven K. Broyles P.E.

SKB/sk
Enclosures

cc: Ed Johnson
Charles E. Burnham
Michael S. Flanagan
Captain Joseph Kelly
Rocky O. Powell
David C. Flowers
Robert C. Merry

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS

HARRY RICKARD 1 SOUTHERLY CRT
JAMES E. CASE 40 E. Riverside Ave. No.
Charles E. MYERS JR. 3 SOUTHERLY CRT Towson, Md.

Steve Broyles

GENERAL NOTES

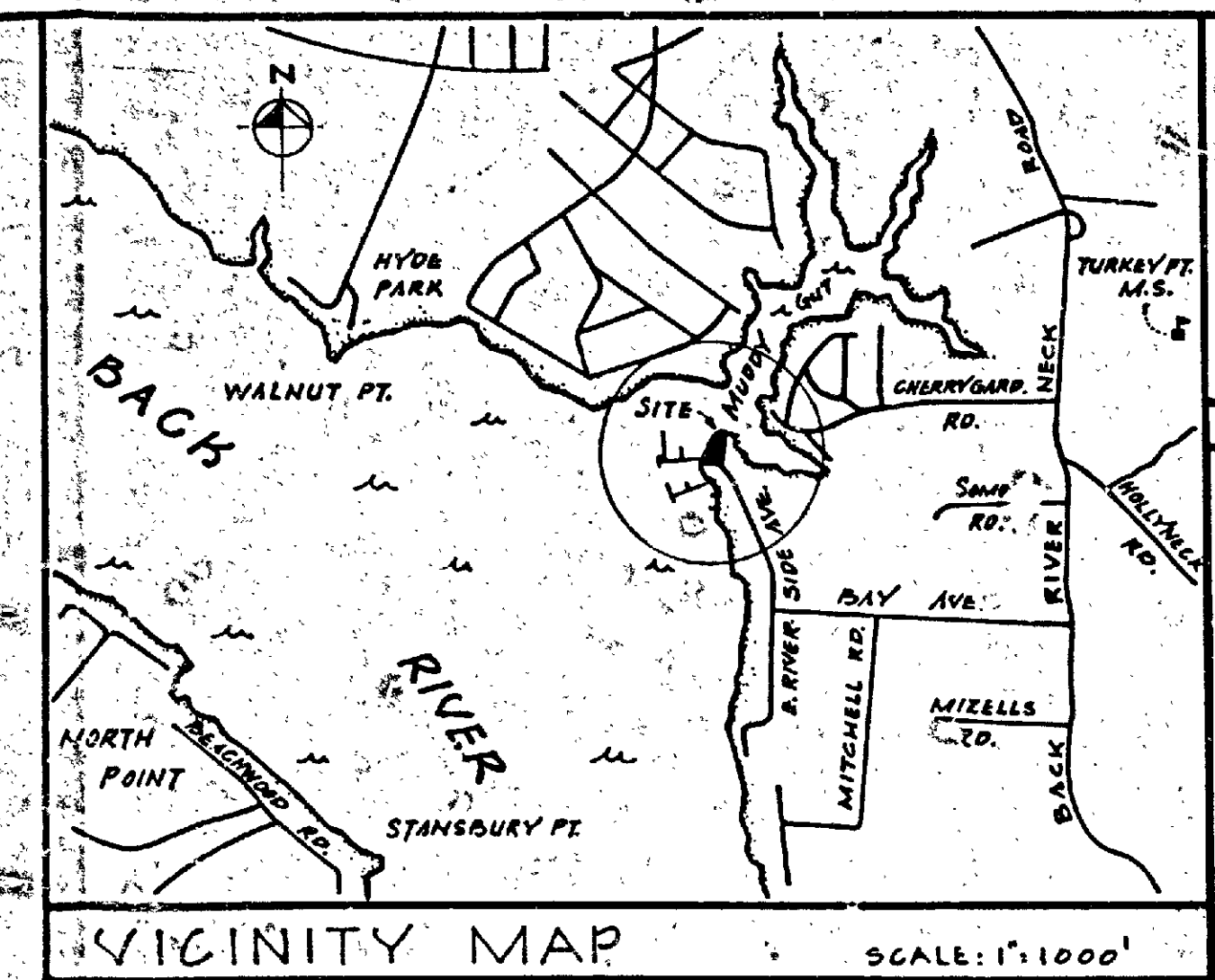
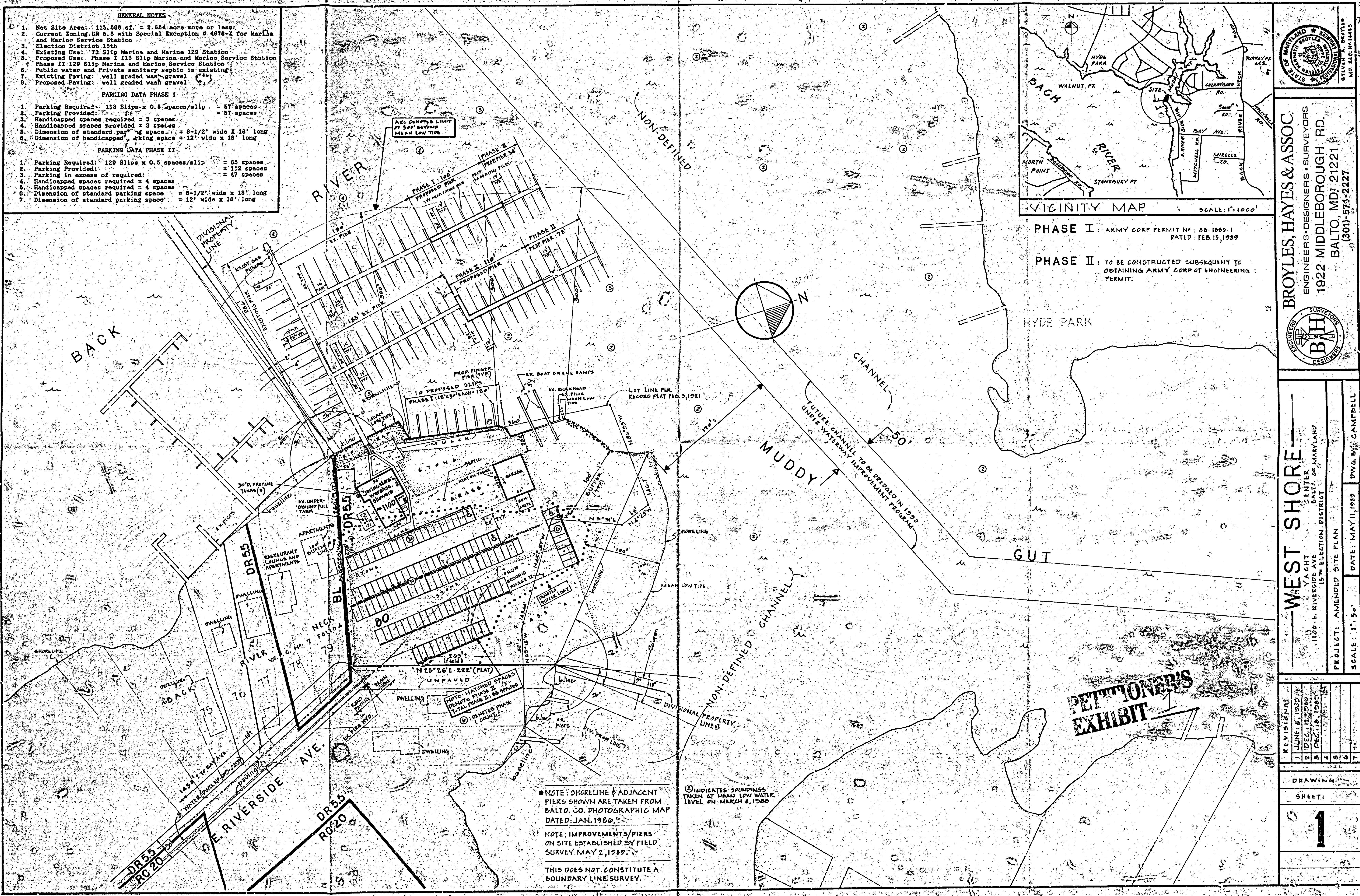
1. Net Site Area: 115,588 sq. ft. = 2.654 acre more or less
2. Current Zoning DR 5.3 with Special Exception # 4678-X for Marina and Marine Service Station
3. Election District 15th
4. Existing Use: 73 Slip Marina and Marine 129 Station
5. Proposed Use: Phase I 113 Slip Marina and Marine Service Station
6. Phase II 129 Slip Marina and Marine Service Station
7. Public water and Private sanitary septic is existing
8. Existing Paving: well graded wash gravel
9. Proposed Paving: well graded wash gravel

PARKING DATA PHASE I

1. Parking Required: 113 Slips x 0.5 spaces/slip = 57 spaces
2. Parking Provided: = 57 spaces
3. Handicapped spaces required = 3 spaces
4. Handicapped spaces provided = 3 spaces
5. Dimension of standard parking space = 8-1/2' wide x 18' long
6. Dimension of handicapped parking space = 12' wide x 18' long

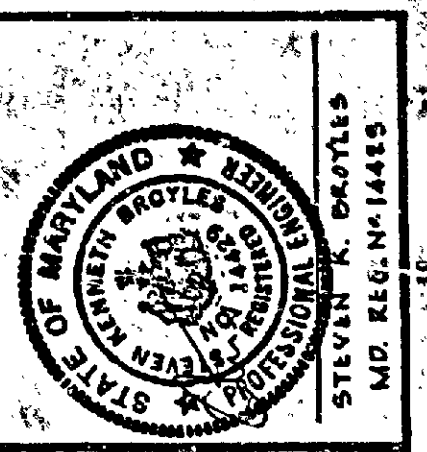
PARKING DATA PHASE II

1. Parking Required: 129 Slips x 0.5 spaces/slip = 65 spaces
2. Parking Provided: = 112 spaces
3. Parking in excess of required: = 47 spaces
4. Handicapped spaces required = 4 spaces
5. Handicapped spaces provided = 4 spaces
6. Dimension of standard parking space = 8-1/2' wide x 18' long
7. Dimension of standard parking space = 12' wide x 18' long

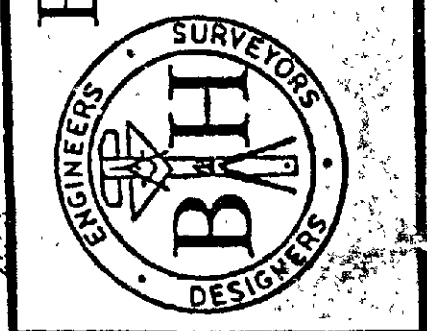


PHASE I: ARMY CORP PERMIT NO. 88-1863-1
DATED: FEB. 13, 1989

PHASE II: TO BE CONSTRUCTED SUBSEQUENT TO
OBTAINING ARMY CORP OF ENGINEERING
PERMIT.



BROYLES, HAYES & ASSOC.
ENGINEERS • DESIGNERS • SURVEYORS
1922 MIDDLEBOROUGH RD.
BALTO., MD. 21221
(301) 573-2227



WEST SHORE
YACHT CENTER
1100 E. RIVERSIDE AVE.
15TH ELECTION DISTRICT
BALTO., MD.

PROJECT: AMENDED SITE PLAN
SCALE: 1" = 50'
DATE: MAY 11, 1989
DWG. BY: CAMPBELL

REVISION	DATE	BY	CHKD.
1	JUNE 8, 1989		
2	DEC. 12, 1989		
3	FEB. 19, 1990		
4			
5			
6			
7			

DRAWING
SHEET
1

NOTE: SHORELINE & ADJACENT
PIERS SHOWN ARE TAKEN FROM
BALTO. CO. PHOTOGRAPHIC MAP
DATED: JAN. 1980.

NOTE: IMPROVEMENTS/PIERS
ON SITE ESTABLISHED BY FIELD
SURVEY: MAY 2, 1989.

THIS DOES NOT CONSTITUTE A
BOUNDARY LINE SURVEY.

② INDICATES SOUNDINGS
TAKEN AT MEAN LOW WATER
LEVEL ON MARCH 8, 1988

**PETITIONER'S
EXHIBIT**

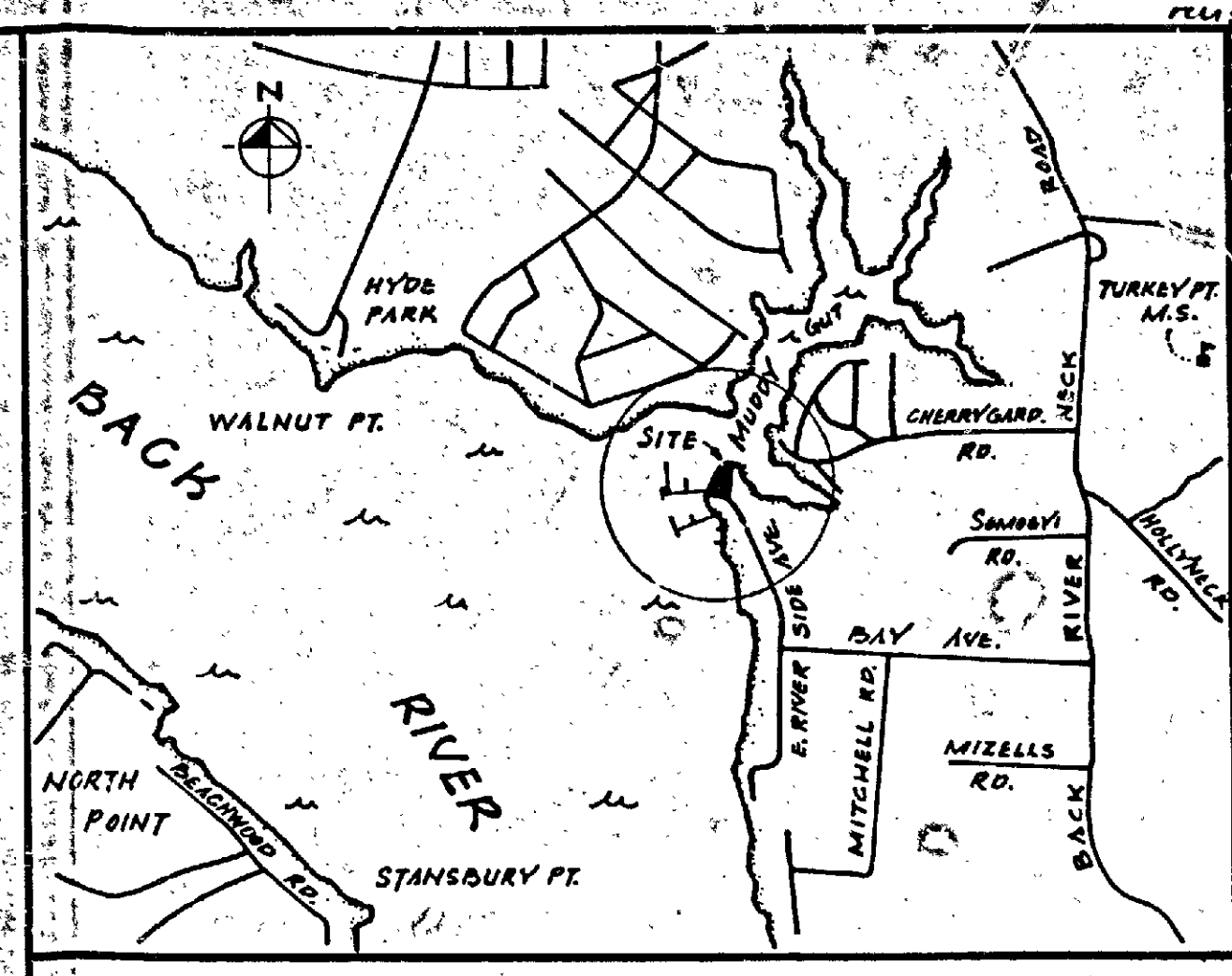
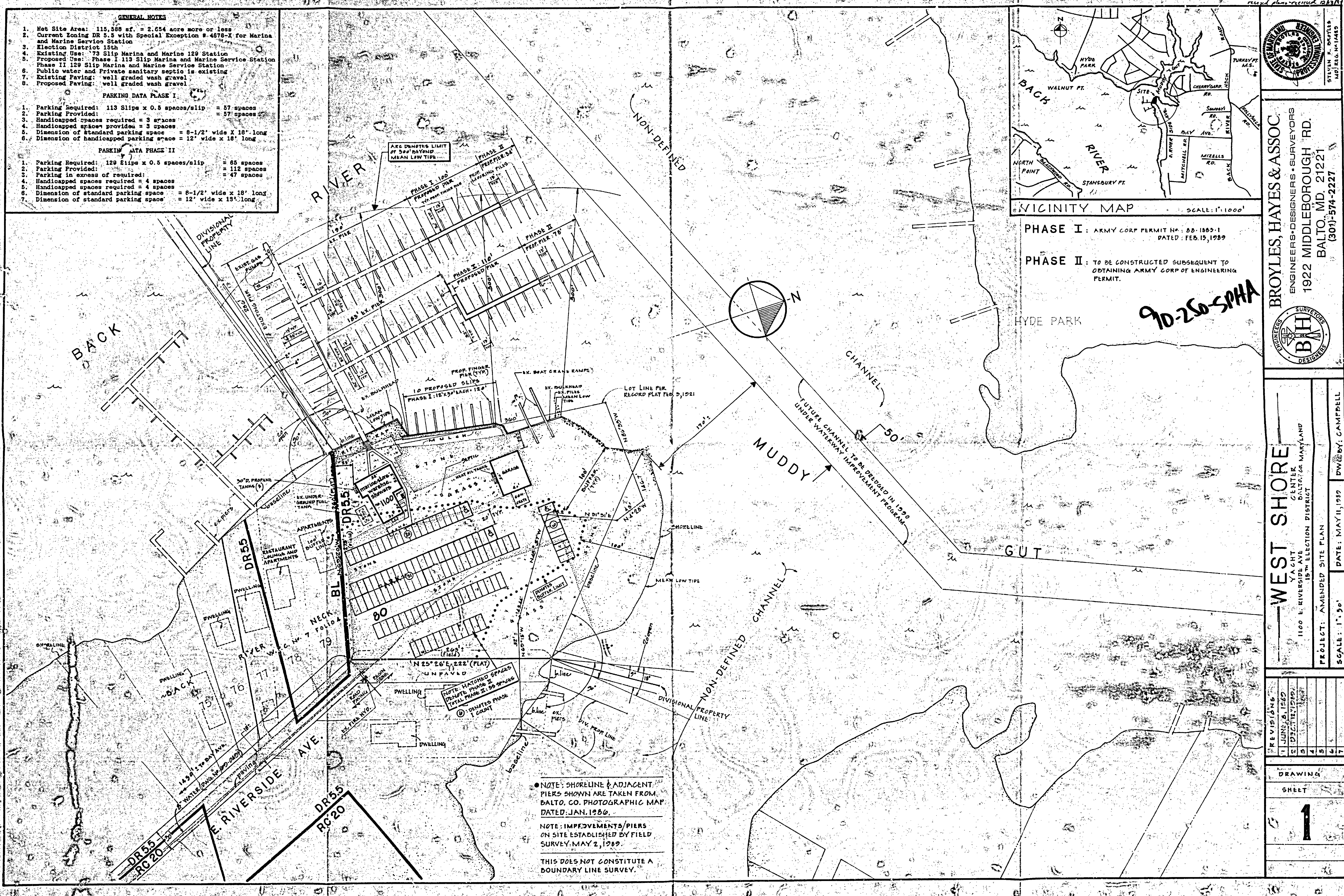
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 3. Election District 15th
 4. Existing Use: 73 Slip Marina and Marine 129 Station
 5. Proposed Use: Phase I 113 Slip Marina and Marine Service Station
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PARKING DATA PHASE II

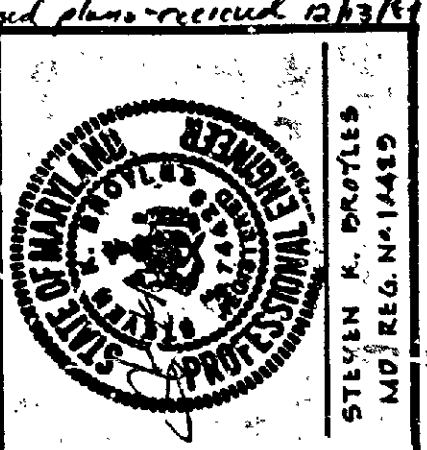
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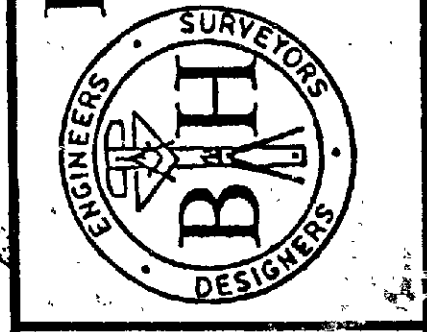
PHASE I: ARMY CORP PERMIT NO. 88-1889-1
DATED: FEB. 15, 1989

PHASE II: TO BE CONSTRUCTED SUBSEQUENT TO OBTAINING ARMY CORP OF ENGINEERING PERMIT.

90-250-SPHA



BROYLES, HAYES & ASSOC.
ENGINEERS-DESIGNERS • SURVEYORS
1922 MIDDLEBOROUGH RD.
BALTO. MD. 21221
(301)-574-2227



WEST SHORE
YACHT CENTER
1100 E. RIVERSIDE AVE.
15TH ELECTION DISTRICT
BALTO., MD. 21202

PROJECT: AMENDED SITE PLAN
SCALE: 1" = 50'
DATE: MAY 11, 1989
DWG BY: CAMPBELL

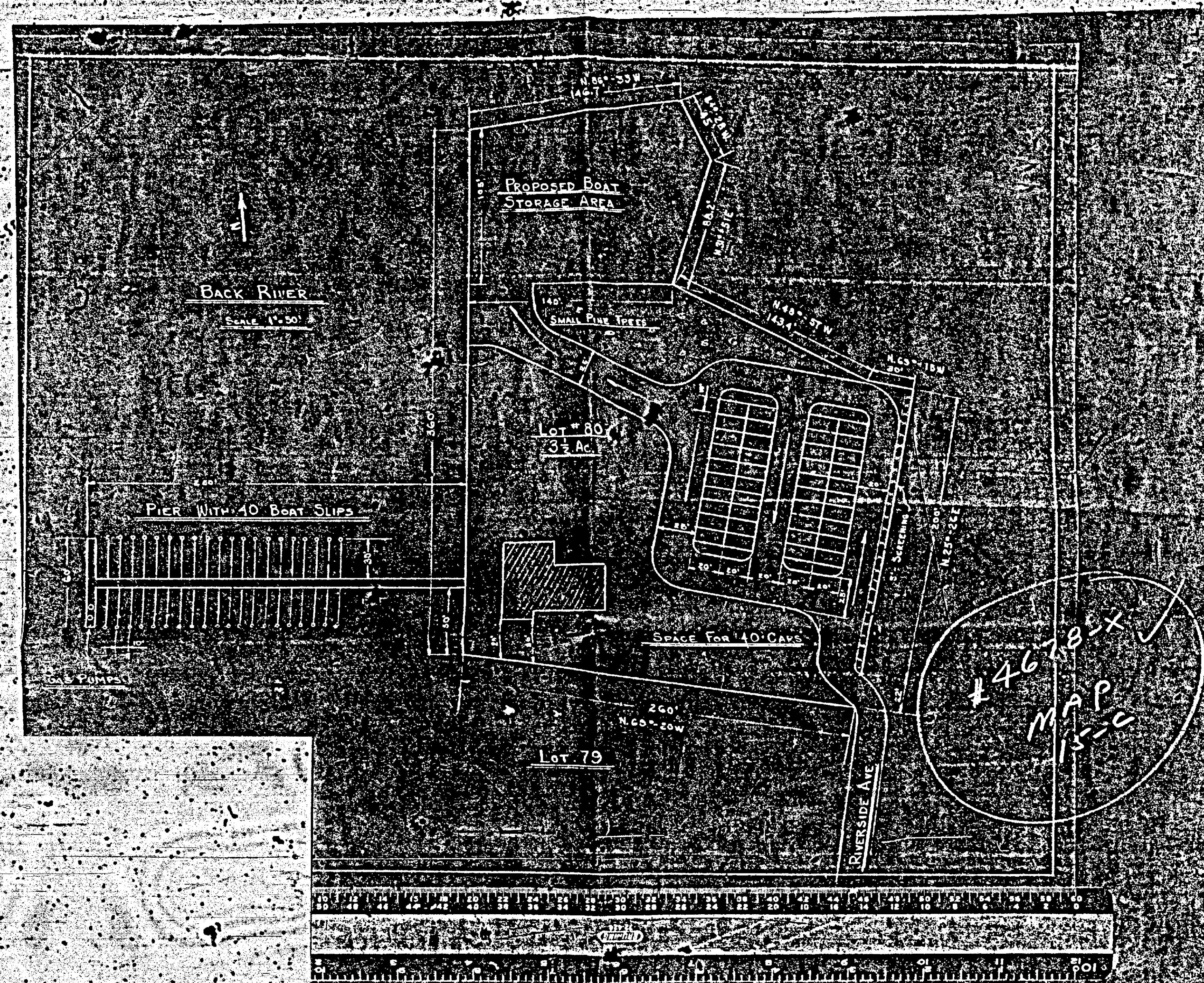
REVISIONS	DATE	BY	CHKD
1	JUNE 5, 1989		
2	DECEMBER 1989		
3			
4			
5			

DRAWING
SHEET
1

NOTE: SHORELINE & ADJACENT PIERS SHOWN ARE TAKEN FROM BALTO. CO. PHOTOGRAPHIC MAP DATED: JAN. 1980.

NOTE: IMPROVEMENTS/PIERS ON SITE ESTABLISHED BY FIELD SURVEY, MAY 2, 1989.

THIS DOES NOT CONSTITUTE A BOUNDARY LINE SURVEY.



AVERAGE DAILY TRIPS MARINA USE

DAY	WEEK DAY	SATURDAY	SUNDAY
TRIPS/ACRE	20.92	24.85	34.48
SITE:	55.52	65.95	91.51
2.654 AC.			
DAY	WEEK DAY	SATURDAY	SUNDAY
TRIPS/EMPLOYEE	251.46	303.46	426.41
2 EMPLOYEE	502.92	606.92	852.82
DAY	WEEK DAY	SATURDAY	SUNDAY
TRIPS/SLIP	3.00	3.20	7.90
129 SLIPS	387	412.8	1019.1

EXHIBIT 3

PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF
Reynolds & Higgs

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

For a Special Exception

To The Zoning Commissioner, Baltimore County

James W. Reynolds and Loretta M. Reynolds

Phillip G. Higgs and Alice L. Higgs

Legal Owners

none

Contract Purchaser

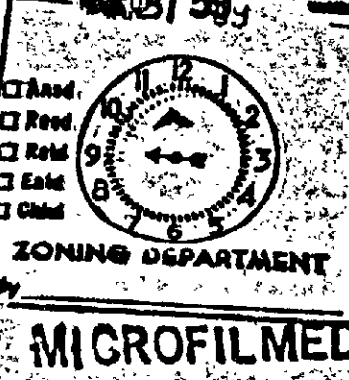
herby petition for a Special Exception, under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 577 of the Acts of the General Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

A Special Exception to use the land (and improvements now or be erected thereon) hereinafter described for Marina and Marine Service Station

Beginning for the same at the North end of Riverside Avenue and running thence North 69 degrees 20 minutes West 260 feet to the East Shore line of Back River; thence binding on said shore line and running Northerly 300 feet; thence South 86 degrees 33 minutes East 116.7 feet; thence South 4 degrees 28 minutes East 45 feet; thence South 31 degrees 51 minutes West 56.2 feet; thence South 45 degrees 57 minutes East 113.4 feet; thence South 69 degrees 15 minutes East 30 feet; thence South 25 degrees 26 minutes West 200 feet to place of beginning.

Contract Purchaser

Testify J. Thomas Ott
Machine Excavation
46559 - VA - 7-3000
1015 Chesapeake Ave
Baltimore - 6
MU-7-428



ORDERED by the Zoning Commissioner of Baltimore County

this 31st day of March, 1959

that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 24th day of June, 1959, at 1 o'clock P.M.

Zoning Commissioner
of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition to use the property described therein for a Marina and Marine Service Station, and it appearing that by reason of location, the safety, health and the general welfare of the locality not being detrimentally affected, the special exception should be granted, therefore:

It is this 24th day of June, 1959, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception should be and the same is hereby granted.

Alfred A. Allen
Zoning Commissioner
of Baltimore County

ZONING DEPARTMENT OF BALTIMORE COUNTY

NOTICE OF HEARING

James Reynolds
Phillip Higgs
et al.

Re: North end of Riverside Ave. and West 260' to the East Shore line of Back River
15th District

TIME: 1:00 P.M.

DATE: Wednesday, June 24, 1959

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

Zoning Commissioner
of Baltimore County

PAID - Baltimore, Md. - Office of the

RECEIPT

RECEIVED at: James W. Reynolds
LOCATION OF PROPERTY: North end of Riverside Ave. and West 260' to the East Shore line of Back River
AMOUNT: \$40.00

Zoning Commissioner
of Baltimore County

MICROFILMED

CERTIFICATE OF PUBLICATION

TOWSON, MD. JUNE 24, 1959

THIS IS TO CERTIFY, That the annexed advertisement was published in The COUNTY Paper, Inc., a weekly newspaper printed and published in Towson, Baltimore County, Md. once in each of 1 successive weeks before the 24th day of June, 1959, the first publication appearing on the 14th day of June, 1959.

The COUNTY Paper, Inc.
Towson, Md.
Essex Office Manager

MICROFILMED

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 15th Date of Posting: 6-16-59
Posted for: Special Exception to Marina and Marine Service Station
Petitioner: James W. Reynolds and Loretta M. Reynolds
Location of property: North end of Riverside Ave. and West 260' to the East Shore line of Back River
Location of Signs: On sign at end of Riverside Ave. and the back of said property

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21286

ERIC DINENBA
ZONING COMMISSIONER

November 17, 1978

Edward B. Rybczynski, Esquire
820 Fidelity Building
Baltimore, Maryland 21201

RE: Case No. 4678-X
N/end of Riverside Avenue, 260' W to the East Shoreline of Back River
15th Election District

Dear Mr. Rybczynski:

This will confirm our telephone conversation of this date relative to the above Special Exception for a boat yard and marina, granted June 24, 1959.

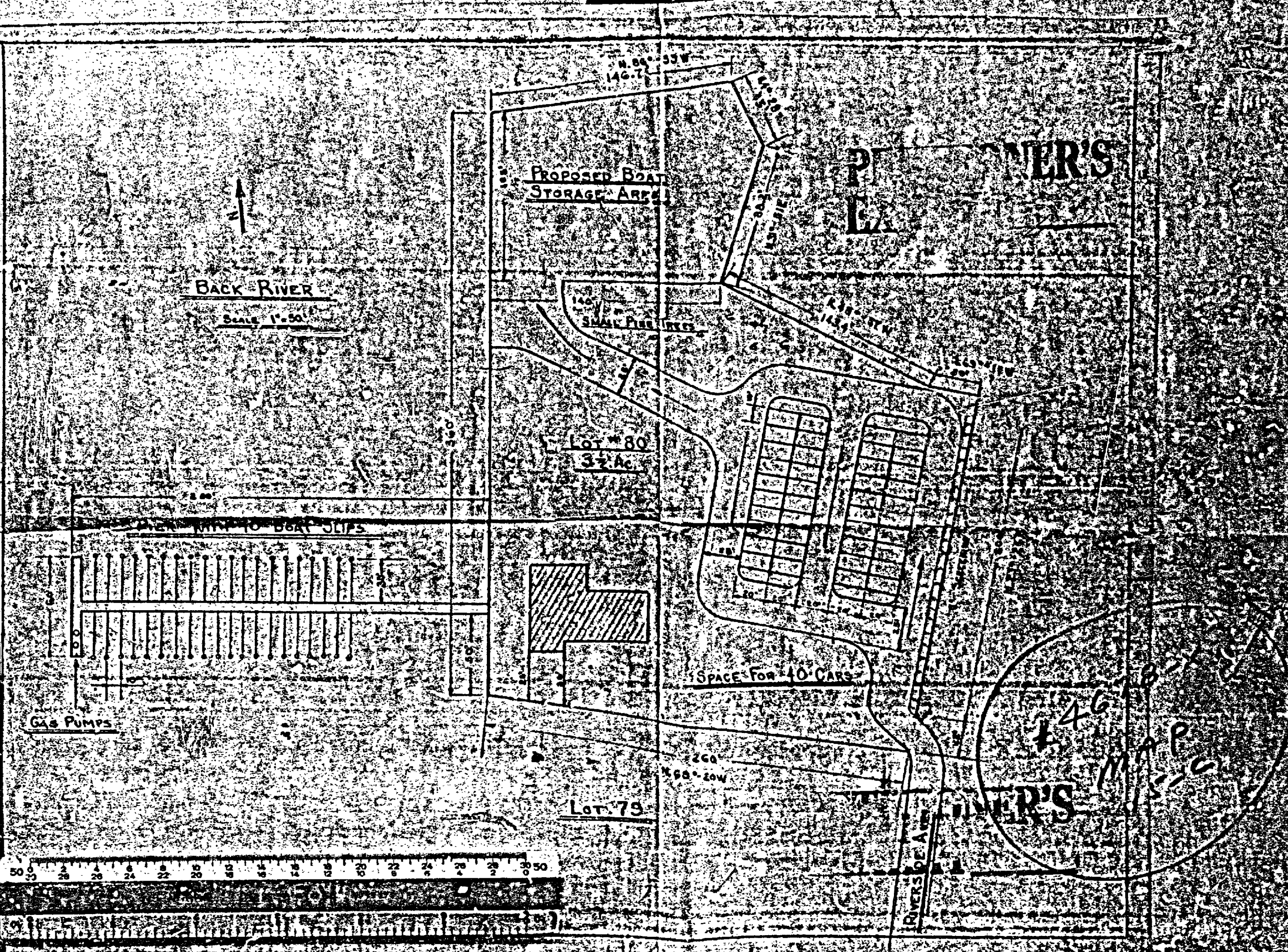
As I indicated in our conversation, it is my opinion that the Special Exception remains valid for the existing uses of this property. There are no restrictions of record in this office regarding the number of boat slips permitted thereon, provided that same are in compliance with the Corps of Engineers' regulations and all necessary approvals have been obtained from the Baltimore County Department of Permits and Licenses.

Please call me if you require further information on this matter.

Very truly yours,

George J. Martinak
GEORGE J. MARTINAK
Deputy Zoning Commissioner

cc: Mr. S. Eric Dinenna



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 13, 1989

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

Thomas J. Peddicord, Jr.
404 All-gheny Avenue
Towson, MD 21204

RE: Item No. 109, Case No. 90-250-SPHA
Petitioner: Charles E. Myers, et al
Petition for Zoning Variance and
Special Hearing

Dear Mr. Peddicord:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the ab. a 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. Director of Planning may file a written report with the Zoning Commission 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 2-7-3391.

Very truly yours,

James E. Eyer
JAMES E. EYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Charles E. Myers
Mr. Steven K. Broyles

Baltimore County
Zoning Commission
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner



Your petition has been received and accepted for filing this
11th day of October, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Eyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Charles E. Myers, et al

Petitioner's Attorney: Thomas J. Peddicord, Jr.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

RECEIVED
DEC 20 1989

ZONING OFFICE

TO: J. Robert Haines
Zoning Commissioner

DATE: December 19, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Charles E. and Regina N. Myers, Item 109
Zoning Petition No. 90-250

Staff has met with Howard R. Sprinkle, a project manager with Broyles, Hayes and Associates to discuss the office's comment regarding soundings of the channel. Mr. Sprinkle provided a plat which indicated soundings and setbacks from a future channel that is to be dredged in 1990 as a part of the County's Waterway Improvement Program. Staff is satisfied that an actual hardship exists with respect to the depth of the Muddy Gut; however, all other comments expressed in the inner-office correspondence of December 7, 1989, remain unchanged.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cwm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: December 7, 1989

TO: J. Robert Haines
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Charles E. and Regina N. Myers, Item 109
Zoning Petition No. 90-250

The Petitioner requests a variance to build beyond mean low tide parking in the buffer area adjacent to the muddy gut should be implemented.

Based on the analysis conducted and the information provided, staff offers the following comments:

- Should phase II be approved, the existing stone area which is indicated on the plan should be restored to its natural state.
- Wheelstops or some other means of preventing vehicles from parking in the buffer area adjacent to the muddy gut should be implemented.
- Prior to any action on this plan, measurements of the channel should be provided by the Petitioner to determine if an actual hardship exists.

This project falls within the critical area and the site is water dependent. These areas need to be carefully examined; staff defers its recommendation to the Department of Environmental Protection and Resource Management's position on this matter.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cwm

DEC 12 1989

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Building, Suite 406
Towson, Maryland 21204
(301) 887-3554

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item #109
Property Owner:
Location:

Existing Zoning:
Proposed Zoning:

Area:
District:

Dear Mr. Haines:

The general notes on the plan shows an expansion of 96 boat slips for this site and the plan itself shows an expansion of 106 slips. For the purposes of this review, I am assuming the 106 number is correct.

The proposed 106 slip expansion can be expected to generate approximately 318 additional on week days, 339 additional trips on Saturdays, and 837 additional trips on Sundays.

The roadways in the area are intended for low volume residential use. The proposed expansion of this marina will cause a major increase in traffic and congestion can be expected.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan,
Traffic Engineer Associate II

MSF/lab

RECEIVED
NOV 16 1989
ZONING OFFICE

Baltimore County
Department of Environmental Protection
& Resource Management
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
(301) 887-3733

Robert W. Sheehy
Deputy

October 31, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

Comments on Zoning Advisory Committee meeting item #109 are as follows:

Property Owner: Charles E. and Regina Myers and
Harry A. and Wilma Bickford

Location: West Shore Yacht Club, 1100 E. Riverside Avenue

Existing Zoning: DR 5.5 with Special Exception #4676-X for Marina and
Marine Service Station

Proposed Zoning: Special Hearing to approve an amended Site Plan for Special
Exception #4678-X, and to permit parking on well graded washed
gravel in lieu of the required durable and dustless
surface for the parking area.

Area: 2.654 acres more or less

District: 15th

This office recommends approval for non-conforming use of lot to be used for parking and storage and to permit a dustless and durable surface of stone in lieu of macadam paving providing: all stone surfaces are to be treated in accordance with Environmental Article 26.11.06.03 D (2) in order to prevent particulate matter from becoming airborne. Treatment and maintenance of this surface will be on a continuing basis as necessary to control airborne particulate.

Very truly yours,

Robert C. Morrey, Jr.
Robert C. Morrey, Jr., Director
Division of Support Services
Bureau of Air Quality Management

tk

cc: Mr. Jerry Zittik

RECEIVED
NOV 2 1989
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

RECEIVED
NOV 9 1989

ZONING OFFICE

TO: Mr. J. Robert Haines
Zoning Commissioner

DATE: November 3, 1989

FROM: Rocky O. Powell

SUBJECT: Zoning Variance for a Pier Extension
at 1100 East Riverside Avenue (#109)

The Environmental Impact Review Section of the Department of Environmental Protection and Resource Management has reviewed the above referenced application for a zoning variance. This application has requested a variance to allow a 425 ft. pier extension in lieu of 300 ft. and to extend the length of this pier to extend one-half the width of the waterway in lieu of one-third of the width of the waterway.

The granting of this variance could have significant negative environmental and navigational impacts to Muddy Gut and Rock River. The extension of this pier to the center of the channel may serve to disrupt the navigation of Muddy Gut. It is desirable to keep a minimum of 100 ft. from a navigation channel to a pier to minimize the impact of wakes on docked boats. In order to maintain a reasonable distance from the proposed pier extension, boats navigating in and out of Muddy Gut may be forced to leave the channel and enter the shallow waters along the north bank of the creek.

The extension of this pier would also impact a channel dredging project for Muddy Gut scheduled in January, 1990. The scheduled dredge channel is located in approximately the same location as the end of the proposed pier extension. The construction of this pier extension as proposed would require a major and undesirable relocation of the navigation channel for Muddy Gut.

As a result of the above considerations, it is the recommendation of the Environmental Impact Review Section that this zoning variance not be granted. If you have any questions, please contact Mr. Jim Komatinsky at extension 3980.

ROP:JK:sp

cc: Mrs. Janice Outen
Mr. David Flowers
Ms. Candy Szabad

Rocky O. Powell
Rocky O. Powell, Supervisor
Environmental Impact Review Section

NOV 15 1989

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: November 11, 1989

TO: J. Robert Haines
Zoning Commissioner

FROM: David C. Flowers

SUBJECT: Zoning Hearing - Item 109
1100 E. Riverside Avenue

The Chesapeake Bay Critical Area Program requests an extension for the review of the Special Hearing and Zoning Variance requests for Mr. and Mrs. Myers and Mr. and Mrs. Bickford. Additional information is necessary to complete a Critical Area Findings for this property. For further information contact Ms. Karen McGarry at 887-3980.

DCF:NSS:ju

cc: Janice Outen
Gwen Stephens

RECEIVED
OCT 18 1989
ZONING OFFICE

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500

Paul H. Reinke
Chief

OCTOBER 9, 1989



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: CHARLES E. MYERS
Location: W/S CP RIVERSIDE AVENUE

Item No.: 109 Zoning Agenda: OCTOBER 10, 1989

Gentlemen:

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

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Class II standpipe systems shall be installed on all piers in excess of 200 feet in length extending from the shoreline according to NFPA 303 sec. 4-5.3

REVIEWER: *Capt. J. M. Kelly* 10-10-89
Planning Group
Special Inspection Division

Noted and
Approved

Capt. J. M. Kelly
Fire Prevention Bureau

JK/KEK

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner

DATE: December 15, 1989

FROM: Mr. Robert W. Sheesley

SUBJECT: Petition for Zoning Hearing - Item 109
West Shore Yacht Center
Chesapeake Bay Critical Area Findings

RECEIVED
DEC 21 1989

ZONING OFFICE

SITE LOCATION

The subject property is located at 1100 E. Riverside Avenue along Back River. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Mr. and Mrs. Myers and Mr. and Mrs. Bickford

APPLICANT PROPOSAL

The applicant has requested a Special Hearing to amend the site plan from Special Exemption #4678-X.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts."

<COMAR 14.15.10.01.0>

Memo to Mr. J. Robert Haines
December 15, 1989
Page 2

REGULATIONS AND FINDINGS

1. Regulation: "(a) A water-dependent facility includes those structures or works associated with industrial, maritime, recreational, educational or fisheries activities that require location at or near the shoreline. An activity is water-dependent if it cannot exist outside the buffer and is dependent on the water by the intrinsic nature of its operation.

(b) Buffer - all siting, development, redevelopment and expansion of water-dependent facilities within the buffer must strictly conform to the criteria set forth in the Baltimore County Water-Dependent Facilities Manual" (Baltimore County Code, Section 22-218).

Finding: The applicant proposes the redevelopment and expansion of a water-dependent facility within the 100' shoreline buffer. The applicant must therefore submit a Water-Dependent Facilities Plan to specify compliance with the criteria set forth in the Baltimore County Water-Dependent Facilities Manual. At this time, the applicant has not submitted a Water-Dependent Facilities Plan for the proposed development. Therefore, this department cannot determine whether the proposed development will conform with the criteria set forth in the Baltimore County Water-Dependent Facilities Manual, and the applicant is not in compliance with this regulation.

CONCLUSION

The applicant has failed to comply with the Baltimore County Chesapeake Bay Critical Area Regulations, therefore the Findings for this request are negative, and this Department recommends that the request for a Special Hearing to amend site plan from Special Exemption #4678-X be denied.

If there are any questions, please contact Mr. David C. Flowers at 887-2904.

Robert W. Sheesley
Robert W. Sheesley, Director
Department of Environmental Protection
and Resource Management

RWS:DCF:ju
Attachment

cc: The Honorable Ronald B. Hickernell
The Honorable Norman R. Lauenstein
The Honorable Dale T. Volz
Mrs. Janice B. Outen
Mr. Steven K. Broyles
Mr. David C. Flowers