

IN RE: ZONING MAP CORRECTION
SOUTH SIDE OF RIVERSIDE DRIVE
AT THE TERMINUS OF
MARGARET AVENUE

*

BEFORE THE
BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND
and
ROBERT G. BAUMGARTNER
LAVINIA BAUMGARTNER

*

BOARD OF APPEALS

*

CASE NO.: M.C. 93-3

Petitioners

* * * * *

PETITION FOR CORRECTION OF ZONING MAP

Petitioners, Baltimore County, Maryland and Robert G. and Lavinia Baumgartner, file this Petition with the Board of Appeals of Baltimore County pursuant to Section 26-134 of the Baltimore County Code, and state as follows:

1. Robert G. and Lavinia Baumgartner are the owners of a .83 acre portion of land located on the south side of Riverside Drive approximately at the terminus of Margaret Avenue.
2. In 1991, as part of and pursuant to Baltimore County's 1992 Comprehensive Zoning Map Process, the County Council initiated an issue on the Riverside Marina property, as set forth in Issue No. 5-107. A copy of the final Issue Log is attached hereto and incorporated herein as Exhibit "A".
3. As certified by the Office of Planning pursuant to a letter dated March 1, 1993, a copy of which is attached hereto and made a part hereof as Exhibit "B", a technical drafting error was made by

the original petitioner for a zoning change, such error not impacting on the intent of the County Council to place the B.M.B. zoning classification on a .83 acre portion of the Riverside Marina property located on the south side of Riverside Drive.

4. The intent of the County Council during the 1992 Comprehensive Zoning Map Process was to rezone the .83 acre parcel to the B.M.B. zone.

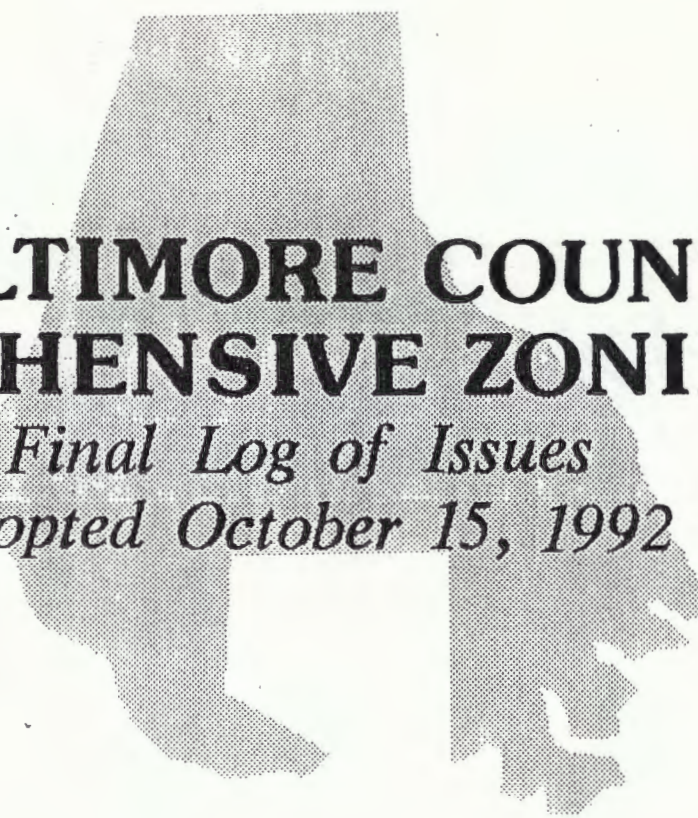
WHEREFORE, Petitioners respectfully request that the Board of Appeals correct the zoning on the .83 acre portion of the subject property in order to reflect the legislative intent by ordering that the property be classified in the B.M.B. zone, as shown on the attached Exhibit "C".

X Lavinia Baumgartner
Robert Baumgartner

JLMC93.3/TXTLLE

James L. Beatty
BALTIMORE COUNTY OFFICE OF LAW

LOG



BALTIMORE COUNTY COMPREHENSIVE ZONING MAP

Final Log of Issues
Adopted October 15, 1992

EXHIBIT "A"

BALTIMORE COUNTY
1992 COMPREHENSIVE ZONING MAP ISSUES

ISSUE NO	OWNER, PETITIONER	LOCATION	TOTAL ACRES	EXISTING ZONING AND ACRES	REQUESTED ZONING AND ACRES	PLANNING BOARD RECOMMENDATIONS	COUNTY COUNCIL DECISIONS	COMMENTS
5-107	County Council Member	S Side of Riverside Dr W of Essexwood Ct (600 Riverside Dr)	2.60	DR 5.5 1.60 BL 1.00	DR 5.5 1.60 BL 1.00	DR 5.5 2.60	BMB 1.60 BL 1.00	See Issue 5-062 Acreage corrected by staff Overlay adopted
5-108	County Council Member	628' E of Eastern Ave (1907 Old Eastern Ave)	12.70	DR 5.5 7.00 BL 5.70	DR 5.5 7.00 BL 5.70	DR 5.5 12.70	BMB 7.00 BL 5.70	Acreage corrected by staff Overlay adopted
5-109	County Council Member	W Side Burke Rd 700' N of Bowley's Quarters Rd (1414 Burke Rd)	1.80	RC 5 1.80	RC 5 1.80	RC 5 1.80	BMB 1.80	

Baltimore County Government
Office of Planning and Zoning



401 Bosley Avenue
Towson, MD 21204

887-3211
Fax 887-5862

March 1, 1993

Mr. Robert G. Baumgartner, Jr.
600 Riverside Drive
Essex, Maryland 21221

RE: Zoning Map Correction (Riverside Marina, Inc.) certification of findings of the Director of the Office of Planning and Zoning - Case No. 93-3

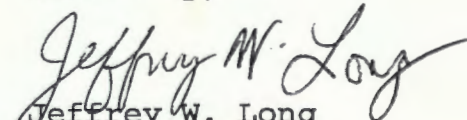
Dear Mr. Baumgartner:

In response to your notice of an error on the 1992 - 200' scale zoning map and pursuant to Section 26 134(b)(2) of the Baltimore County Code, the Director of the Office of Planning and Zoning certifies his findings as follows:

Based upon a review of (1) the 1992 Comprehensive Zoning Map Issue on the Riverside Marina, Inc. property (see Issue No. 5-107, (2) the intent of the County Council to raise the entire property including a portion of the property subject to a Special Exception previously granted in Case No. 90-566 SPHXA, and (3) the 1992 - 200' scale zoning map, this office concludes that a technical drafting error occurred resulting in a portion of the property being zoned B.L. The County Council, in accordance with Issue No. 5-107, intended that the .83 acre portion of the Riverside Marina property be rezoned to B.M.B. in its entirety.

Therefore, the Office of Planning will prepare a Petition for correction of zoning designation on which Mr. Robert G. Baumgartner will be joined by Baltimore County as parties. If there should be any questions, please contact me at 887-3480.

Sincerely,


Jeffrey W. Long
Area Planner

JWL:lw
JLBAUMG.ART/TXTLLF

EXHIBIT "B"

cc: Hon. Vincent J. Gardina
Merreen E. Kelly, Admin. Officer
Phyllis Cole Friedman, People's Counsel
James G. Beach III, Law Office
Arnold Jablon, ZADM
Kathi Weidenhammer

37-410

BOARD OF APPEALS
ZONING MAP CORRECTION

15 Case # M.C. 93-3

HEARING DATE: April ~~14~~ 1993

TIME: 9:30 AM

PLACE: RM. ~~300~~ COUNTY OFFICE BUILDING Old Courthouse
Rm 48

EXISTING ZONING: B.L.

CORRECTED ZONING: B.M.B.

REASON FOR COUNTY RECOMMENDATION: a technical drafting error made by the original petitioner for a zoning change, such error not impacting on the intent of the County Council to place a particular zoning classification on the particular property.

²⁶⁻¹³⁴
PURSUANT TO SECTION ~~22-25~~ BALTIMORE COUNTY CODE TO CHANGE AND CORRECT THE ZONING TO INCLUDE THE SUBJECT PARCEL DESCRIBED BELOW:

South side of Riverside Drive at the
terminus of Margaret Ave.

ADDITIONAL INFORMATION IS AVAILABLE BY CALLING THE OFFICE OF PLANNING # 887-~~2210~~ 3480

DO NOT REMOVE THIS SIGN & POST UNTIL AFTER ABOVE DATE, UNDER PENALTY OF LAW, RETURN BOTH TO RM. 315

Post by 3-30-93

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

MC-93-3

District 1524

Date of Posting 3/26/93

Posted for: Zoning Map Correction

Petitioner: Bolton County

Location of property: s/s Riverside Dr. at end of Margaret Ave.

Location of Signs: Facing road way, on property for zoning.

Remarks: _____

Posted by M. L. [Signature]
Signature

Date of return: 4/2/93

Number of Signs: 1



DR. 5.5

SEENA

RD.

DRIVE

88-511-A

D.R. 5.5

BL

Riverside Marina
600 Riverside Dr
BMB

NI,000

PROP. OF ROBERT BAUMGARTNER
PIERS
TO BE REZONED BMB
LOTS 9-10 BLKO
PLAT OF ESSEX 9:75
CONT 0.83 Ac±

DRIV

PIERS

PIERS

PIERS

5340

00

EXHIBT "C"

E40,500

E40,000

SCALE

1" = 200' ±

DATE
OF

PHOTOGRAPHY

LOCATION

ESSEX

SHEET

N. E.
I-G.