IN RE:	PETITION FOR SPECIAL EXCEPTION NE/S Greenbank Road, 225' NW of Eastern Avenue Extended (7018 Greenbank Road) 15th Election District 5th Councilmanic District Robert L. Foehrkolb, et ux Petitioners	* * * * * *	BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 97-282-X

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 7018 Greenbank Road, located across from Sylvan Avenue in the Twin River Beach area of Chase. The Petition was filed by the owners of the property, Robert L. and Ann L. Foehrkolb. The Petitioners request a special exception to permit a Shoreline, Class I, fishing and shellfishing facility on the subject property, zoned D.R. 5.5., in accordance with the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Robert and Ann Foehrkolb, property owners, and numerous residents of the surrounding community, all of whom support the Petitioners' request for special exception. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 14,400 sq.ft., more or less, zoned D.R. 5.5, and is improved with a single family dwelling, garage and shed. The property is a waterfront lot, approximately 50 feet wide and 288 feet deep, located on the Gunpowder River. Mr. Foehrkolb has been in the business as a commercial crabber since he was 21 years of age and has held a commercial license for fishing and crabbing since 1987. Testimony indicated that Mr. Foehrkolb's operation as a commercial crabber and fisherman is his livelihood and that

he has operated his business from the subject site since their purchase of the property 16 years ago. Mr. Foehrkolb testified that his business is a wholesale operation and that he has a location in the City where he goes to sell his catch. He testified that there are no sales transactions on the property and that no commercial vehicles are stored on the premises. However, as a result of an anonymous complaint received by the Code Enforcement Division of the Department of Permits and Licenses, the Petitioners were advised to file the instant Petition to legitimize his operation on the premises as a Shoreline, Class I fishing and shellfishing facility.

Further testimony revealed that in connection with his business, the Petitioner owns and operates two boats, a 38-foot workboat and a 14-foot skiff, which are docked at the pier. In addition, the Petitioner has 600 crab pots which are neatly stored along the bulkhead and a stuff box for soft crabs. Testimony and evidence offered demonstrated that the Petitioners' property is well-maintained and that his business has had little or no effect upon his neighbors. As noted above, many of the Petitioners' neighbors, including the immediately adjoining property owners, appeared in support of the Petitioners' request and submitted letters (Petitioner's Exhibits 2A through 2H) corroborating the testimony offered. Clearly, the two adjoining property owners would be the most affected by the Petitioners' business and if there were any adverse effects as a result of this operation, it would be felt most by those living next door.

It is clear from the testimony and evidence presented that Mr. Foehrkolb has operated his business from the subject property for many years with no detrimental effect upon the surrounding community. However, in order to insure that the commercial business does not exceed the limits

of his property, restrictions shall be imposed upon the granting of the special exception.

It is clear that the B.C.Z.R. permits the use proposed in a D.R. 5.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of February, 1997 that the Petition for Special Exception to permit a Shoreline, Class I, fishing and shellfishing facility on the subject property, zoned D.R. 5.5., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The relief granted herein shall be limited to the Petitioners, Robert L. and Ann L. Foehrkolb. Furthermore, the Petitioners are limited to the storage of two commercial fishing and crabbing boats at their pier. The Petitioners shall be permitted to store pleasure boats at the pier; however, they will be limited to storing no more than two (2) commercial fishing boats at their pier.

3) There shall be no commercial sales transactions conducted on the subject site.

4) The Petitioner shall be restricted to utilizing no more than 600 crab pots in his business, all of which shall continue to be stored in such a manner so as not to block the view of his neighbors.

5) The Petitioners shall be permitted to maintain the existing sluff box, as shown in the pictures identified as Petitioner's Exhibits 3A and 3B, and shall operate this sluff box in as quiet a fashion as possible. All pumps shall be enclosed to reduce noise and any drainage from the sluff box shall either be self-contained or piped through a drainage pipe down into the water. The Petitioners shall also be permitted to install a small roof over the sluff box to provide shade for the soft crabs; however, said roof

shall not be any higher than 2 or 3 feet above the sluff box itself.

6) There shall be no commercial vehicles stored on the property.

7) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 9/21/90
By

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 21, 1997

Mr. & Mrs. Robert L. Foehrkolb
7018 Greenbank Road
Baltimore, Maryland 21220

RE: PETITION FOR SPECIAL EXCEPTION
NE/S Greenbank Road, 225' NW of Eastern Avenue Extended
(7018 Greenbank Road)
15th Election District - 5th Councilmanic District
Robert L. Foehrkolb, et ux- Petitioners
Case No. 97-282-X

Dear Mr. & Mrs. Foehrkolb:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Timothy M. Fitch
7020 Greenbank Road, Baltimore, Md. 21220

Mr. LeRoy W. Black, Jr.
7016 Greenbank Road, Baltimore, Md. 21220

Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel; Case File

97-282-X

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 7018 GREENBANK RD

which is presently zoned DR5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 Regulations of Baltimore County, to use the herein described property for A 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 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/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Legal Owner(s):

ROBERT L. FOENZKOLB
(Type or Print Name)

Signature

ANN L. FOENZKOLB
(Type or Print Name)

Ann L. Foenzkolb
Signature

7018 GREENBANK RD 335-8927
Address Phone No

BALTO MD 21220
City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No

City State Zipcode

Name, Address and phone number of representative to be contacted

Name

Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 1/2 HRS.

unavailable for Hearing

the following dates _____ Next Two Months

ALL ✓ OTHER

REVIEWED BY: DATE 1/9/97

ORDER RECEIVED FOR FILING

Date

By

Zoning Administration & Development Management

Phone: 687-6922

97-282-X

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237

December 4, 1996

No. 7018 Greenbank Road
15th District Baltimore County, Maryland

Beginning for the same on the northeast side of Greenbank Road at the distance of 225 feet more or less measured northwesterly along the northeast side thereof from a point where the center of Eastern Avenue extended intersects the northeast side of Greenbank Road,and being known as Lots 115 and 116, Section "A", Twin River Beach, said plat being recorded among the land records of Baltimore County in Plat Book 9 folio 33.

Containing 14,400 square feet of land more or less.

STATE OF MARYLAND
FRANK S. LEE
No. 11
REGISTERED
PROPERTY LINE SURVEYOR

CERTIFICATE OF PUBLICATION

TOWSON, MD., Jan. 23, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Jan. 23, 1997.

THE JEFFERSONIAN,

A. Henelbaum

LEGAL AD. - TOWSON

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-282-X
(Item 282)
7018 Greenbank Road
NE/S Greenbank Road, 225' NW of Eastern Avenue Extended
15th Election District
5th Councilmanic

Legal Owner(s):
Robert L. Foehrkolb and Ann L. Foehrkolb

Special Exception: for a fishing and shellfishing facility, shoreline, Class I.

Hearing: Tuesday, February 18, 1997 at 9:00 a.m. in Rm. 118 Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.
(2) For information concerning the File and/or Hearing, Please Call 887-3391.

1/293 Jan. 23 C114228

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

No. [illegible]

JLL #282

97-282-X

DATE 1/9/97 ACCOUNT R001150

AMOUNT $ 300.00

RECEIVED FROM: FOEHRKOLB.

FOR: SPX FILING.

VALIDATION OR SIGNATURE OF CASHIER

CASHIER PINK - AGENCY YELLOW - CUSTOMER

Baltimore County
Department of Permits and
Development Management

97-282-X

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 282

Petitioner: FOEHRKOLB

Location: 7018 GREENBANK RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ROBERT L. FOEHRKOLB

ADDRESS: 7018 GREENBANK RD.
BALTO., MD. 21220

PHONE NUMBER: 410-335-8927

AJ:ggs

(Revised 09/24/96)

CERTIFICATE OF POSTING

RE: Case No.: 97-282-X

Petitioner/Developer:

ROBERT FOEHRKOLB

Date of Hearing/~~Closing~~: 2-18-97

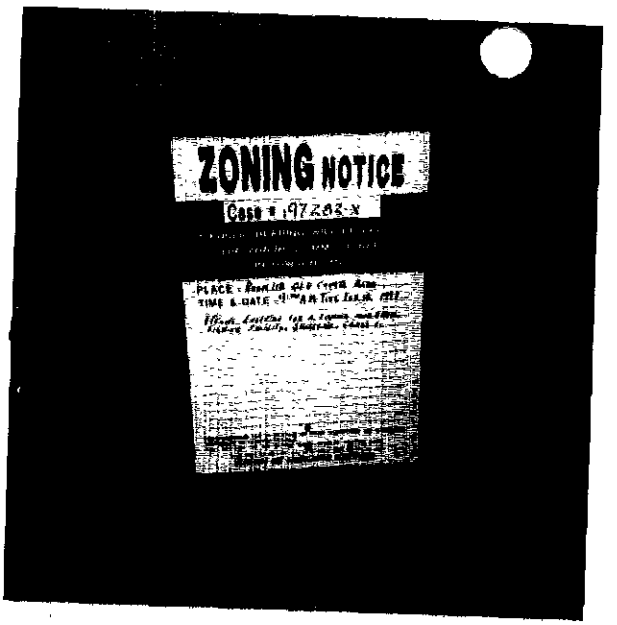
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 7018 GREENBANK ROAD BALTIMORE MARYLAND 21220

The sign(s) were posted on FEB. 3, 1997
(Month, Day, Year)



Sincerely,

2/3/97
(Signature of Sign Poster and Date)

THOMAS P. OGLE SR
(Printed Name)

325 NICHOLSON ROAD
(Address)

BALTIMORE, MARYLAND 21221
(City, State, Zip Code)

(410) 687-8405
(Telephone Number)

97-282-A

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than [illegible]

Format for Sign Printing, Black Letters on White Background:

ITEM # 282

ZONING NOTICE

Case No.: 97-282-X

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD.

PLACE: _____

DATE AND TIME: _____

REQUEST: TO PERMIT A FISHING AND SHELLFISHING FACILITY, SHORELINE, CLASS I

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

9/96
post.4.doc

TO: PUTUXENT PUBLISHING COMPANY
January 23, 1997 Issue - Jeffersonian

Please foward billing to:

Robert and Ann Foehrkolb
7018 Greenbank Road
Baltimore, MD 21220
335-8927

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-282-X (Item 282)
7018 Greenbank Road
NE/S Greenbank Road, 225' NW of Eastern Avenue Extended
15th Election District - 5th Councilmanic
Legal Owner(s): Robert L. Foehrkolb and Ann L. Foehrkolb

Special Exception for a fishing and shellfishing facility, shoreline, Class I.

HEARING: TUESDAY, FEBRUARY 18, 1997 at 9:00 a.m. in Room 118 Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 17, 1997

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-282-X (Item 282)
7018 Greenbank Road
NE/S Greenbank Road, 225' NW of Eastern Avenue Extended
15th Election District - 5th Councilmanic
Legal Owner(s): Robert L. Foehrkolb and Ann L. Foehrkolb

Special Exception for a fishing and shellfishing facility, shoreline, Class I.

HEARING: TUESDAY, FEBRUARY 18, 1997 at 9:00 a.m. in Room 118 Old Courthouse.

Arnold Jablon
Director

cc: Robert and Ann Foehrkolb

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY FEBRUARY 3, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 14, 1997

Mr. and Mrs. Robert Foehrkolb
7018 Greenbank Road
Baltimore, MD 21220

RE: Item No.: 282
Case No.: 97-282-X
Petitioner: Robert Foehrkolb, et ux

Dear Mr. and Mrs. Foehrkolb:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 9, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development Management

DATE: January 29, 1997

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 7018 Greenbank Road

INFORMATION:

Item Number: 282

Petitioner: Foehrkolb Property

Property Size:

Zoning: DR 5.5

Requested Action:

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:
The applicants request the approval of a Special Exception for a "Fishing and Shellfishing Facility., Shoreline, Class I.

Based upon the information provided and analysis conducted, staff offers the following comment:

It appears that a "Fishing and Shellfishing Facility, Shoreline, Class I" has been operating from the property for an undetermined amount of time. The Baltimore County Zoning Regulations define such a use as follows:

> Shoreline fishing and shellfishing facility that can accommodate a fishing business no larger than that entailing the use of not more than two commercial fishing boats and that is situated on a lot also occupied by the primary residence of its operator, who is a person required to have a license by any of the provisions of Title 4 of the Natural Resources Article of the Annotated Code of Maryland. For the purposes of these regulations, a "commercial fishing boat" does not include a boat more than 45 feet long. Bill No. 30, 1978.

The submission of the Petition for Special Exception was apparently precipitated by the filing of an anonymous zoning violation. According to the code enforcement inspector, Robert Moorefield, the accessory use of the property is confined to the pier area where a boat and crab pots are stored.

The applicant's property is long and narrow, consisting of 14,400 square feet in area and measuring only 50 feet in width. Under current regulations this lot could not be developed for residential use unless a Petition for Variance was granted. Clearly, a larger property would be more conducive to an accessory commercial use as mitigation of impacts to adjacent properties could be minimized.

The Petitioner's site is located within the community of Oliver Beach, which is primarily residential. Similar to many of the Couunty's peninsula communities, Oliver Beach is undergoing an apparent transformation; older small scale shore homes are being replaced with upscale housing. In fact, two new homes are currently being constructed immediately adjacent to the subject site.

Based upon the information provided, it would appear that the use of the property as a "Fishing and Shellfishing Facility, Shoreline, Class I" is not appropriate for this particular property.

However, if the applicants can demonstrate to the Zoning Commissioner that the continued use of the property for an accessory commercial use is possible without any negative impact to adjacent residential properties, this office would not oppose granting of the Special Exception.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JL:rdn

B A L T I M O R E C O U N T Y, M A R Y L A N D

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

February 13, 1997

FROM: R. Bruce Seeley
DEPRM

SUBJECT: Zoning Item #282 - Foehrkolb Property
7018 Greenbank Road
Zoning Advisory Committee Meeting of January 21, 1997

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

The proposed fishing and shellfishing facility is a water dependent facility and is a permitted use per Sections 26-454 and 26-456 of the Baltimore County Code.

RBS:TKsp

FOEHRKOL/DEPRM/WQCBCA

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/23/97

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JAN. 21, 1996.

Item No.: SEE BELOW Zoning Agenda:

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 276,277,278,281,282,283,284 AND 286.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER - OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: Jan. 21,1997

ATTN: John L. Lewis
Zoning Office, P&DM

FROM: David L. Thomas DLT
DPW Director's Office

SUBJECT: ZAC Agenda **Item 282**
7018 Greenbank Road
Fishing & Shellfishing Facility

The property is within the Tidal Floodplain (FIRM Zone A).

Approval of the facility as a functionally dependent use **is recommended**, subject to compliance with all applicable provisions of Bill 173-93.

DLT/s

cc: Roslyn Eubanks
Tom Hamer
John Maple

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 1.17.97
Item No. 282 (JLL)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

L. J. Gredlein

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS

97-282-X

#276 --- JCM

1. Need title of person signing for contract purchaser.

#280 --- MJK

1. There is no attorney listed on the petition form. As the legal owner is incorporated, they need to be represented by an attorney.

#281 --- JRA

1. Need telephone number for legal owner.

#282 --- JLL

1. No zoning on folder.
2. No election district on folder.
3. No councilmanic district on folder.
4. No acreage on folder.

#283 --- JRA

1. No acreage on folder.
2. No election district on folder.
3. No councilmanic district on folder.

#285 --- CAM

1. Need name and title of person signing for contract purchaser.

#286 --- JCM

1. Folder not marked "Floodplain".

RE: PETITION FOR SPECIAL EXCEPTION 7018 Greenbank Road, NE/S Greenbank Road, 225' NW of Eastern Avenue Extended 15th Election District, 5th Councilmanic Robert L. and Ann L. Foehrkolb Petitioner	* * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 97-282-X

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of February, 1997, a copy of the foregoing Entry of Appearance was mailed to Robert L. and Ann L. Foehrkolb, 7018 Greenbank Road, Baltimore, MD 21220, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME	ADDRESS
FRANK LEE	1277 NEIGHBORS AVE 21237
TIMOTHY M. FITCH	7020 GREENBANK RD 21220
RICHARD PRESKI	7007 GREENBANK Rd 21220
LE ROY W BLACK JR	7016 GREENBANK RD 21220
Elmer W Fitch	866 Sue Grove RD 21221
William E Maddox	13019 EASTER AVE 21220

February 10, 1997

Baltimore County
Department of Permits and
Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

To Whom It May Concern:

It has been brought to our attention, that through an annonymous letter, Mr. & Mrs. Foehrkolb have had to apply for a special exception in regard to fishing and crabbing from their property.

Although it is true that Mr. Foehrkolb does engage in these activities, as he has for years, it must also be stated that he does so in a manner which in no way detrimentally affects either his immediate neighbors or the surrounding neighborhood.

Since he merely lands his catch at his property, and does not engage in the sale of seafood from this location, there is neither a problem from excess traffic, nor the annoyance of strangers being brought into the area as a result of his endeavors.

It should also be stated that as long time residents at this location, the Foehrkolbs have always maintained a clean and well kept appearance to both their home and property. In fact, several neighbors have in the past, told them that their property is one of the best kept in the area.

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Sincerely,

Richard Przybylowski
7007 Greenbank Rd.

February 10, 1997

2B

Baltimore County
Department of Permits and
Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

To Whom It May Concern:

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Sincerely,

Mr & Mrs. William T. Wallace Jr.
7019 Greenbank Rd.

February 10, 1997

2C

Baltimore County
Department of Permits and
Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

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Sincerely,

Cindy Wallace

William Wallace

7017 Greenbank Rd.

February 10, 1997

2D

Baltimore County
Department of Permits and
Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

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Sincerely,

Raymond & Trudy Blevins

7014 Greenbank Rd.

February 10, 1997

JE

Baltimore County
Department of Permits and
Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

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Sincerely,

Mildred M Hangmann

7024 Greenbank Rd.

February 10, 1997

2F

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Department of Permits and
Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

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Sincerely,

Timothy M. Fitch

Susan M. Fitch 02/15/97

7020 Greenbank Rd.

February 10, 1997

26

Baltimore County
Department of Permits and
Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

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Sincerely,

Charles T. Brickell
Sharon L. Brickell

7022 Greenbank Rd
Balt, MD 21220
(410) 335-3717

February 10, 1997

2H

Baltimore County
Department of Permits and
Development Management
Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

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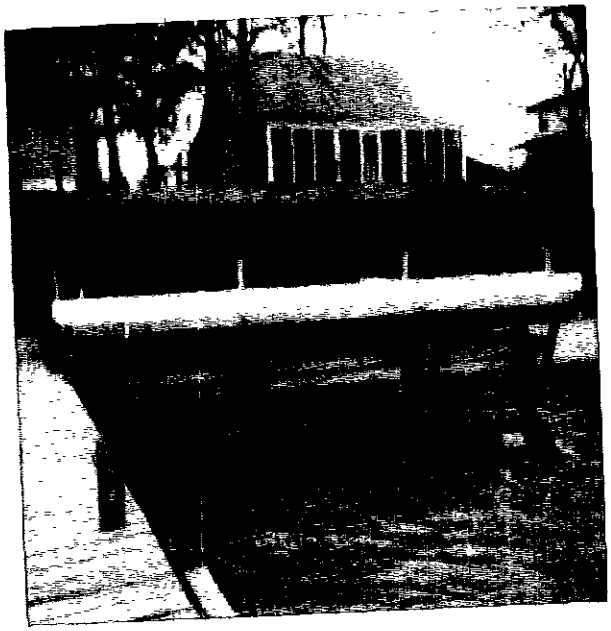
Sincerely,

LeRoy W. Black Jr.
7016 Greenbank Rd.

Petitioner's
Exhibits 3A-
3C

97-282-X



3A

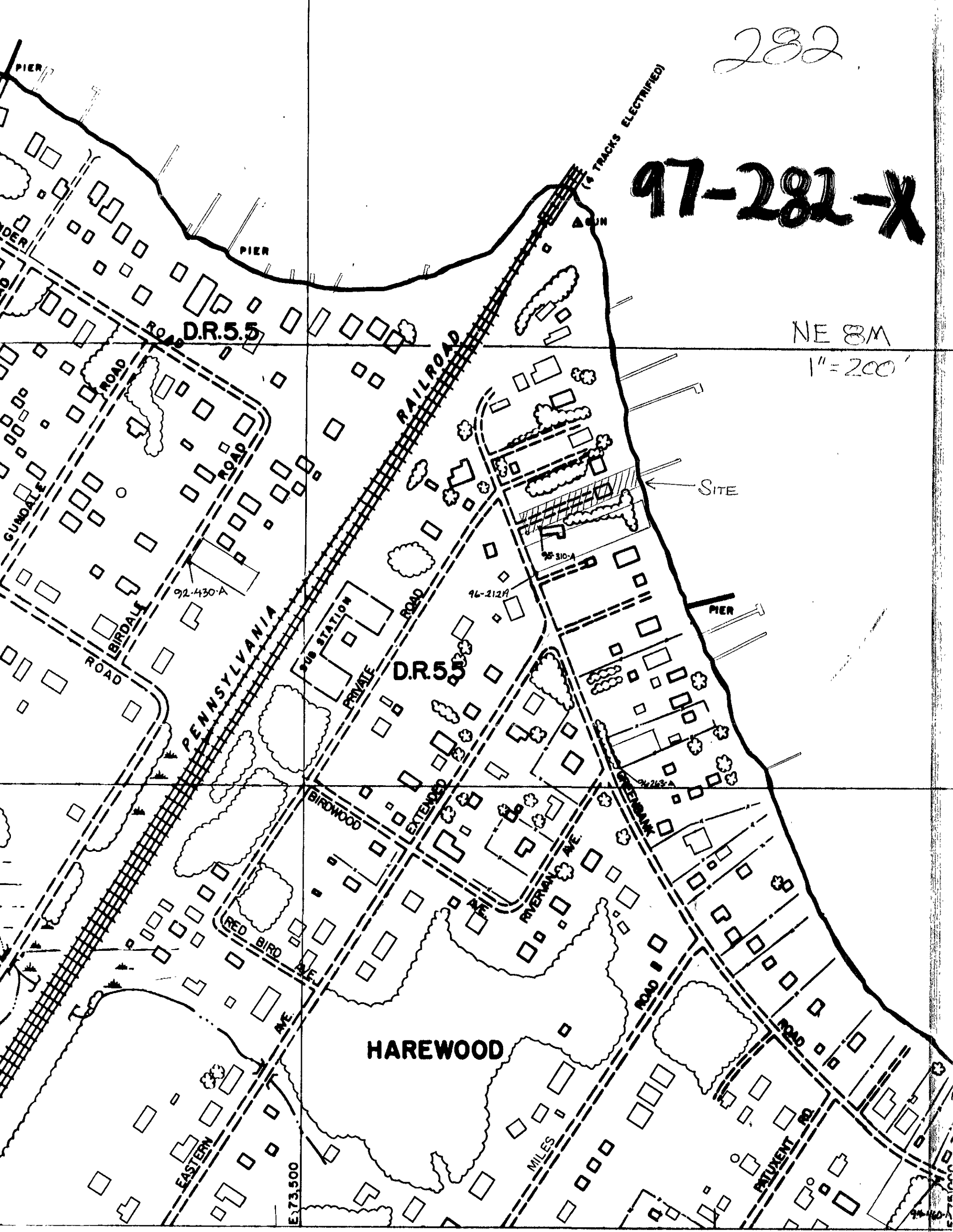
3B

3C

282

97-282-X

NE 8M
1" = 200'



97-282-X

BALTIMOR
OFFICE OF PLAN
OFFICIAL Z

DS

282

PLAN TO ACCOMPANY SPECIAL EXCEPTION FOR A FISHING AND SHELL FISHING FACILITY, SHORELINE CLASS I

OWNER

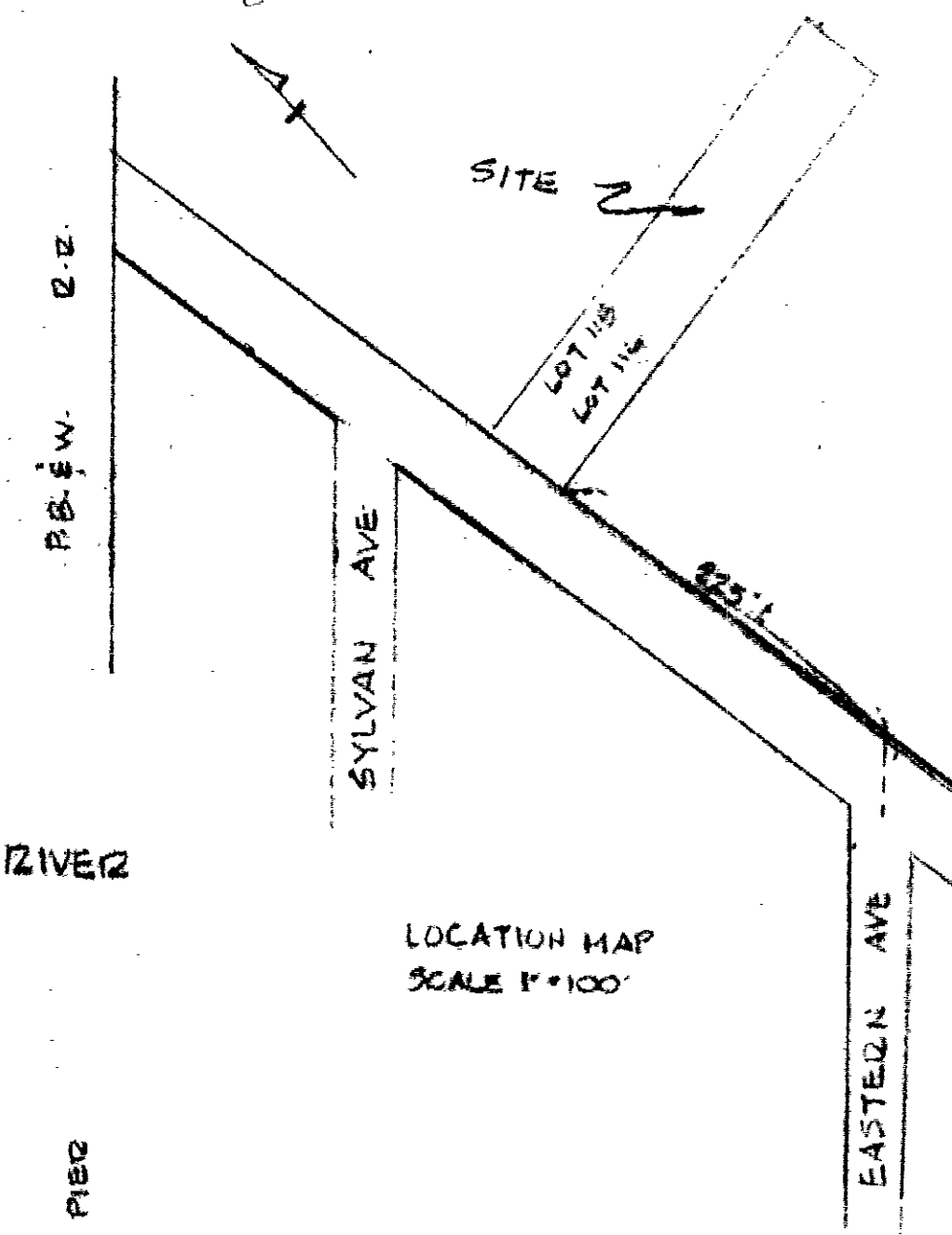
ROBERT ~~FOERSTER~~ FOEHRKOLB
7019 GREENBANK ROAD
BALTIMORE, MARYLAND 21220

ZONING MAP N.E. 8M

THIS SITE IS LOCATED IN C.B.C.A.

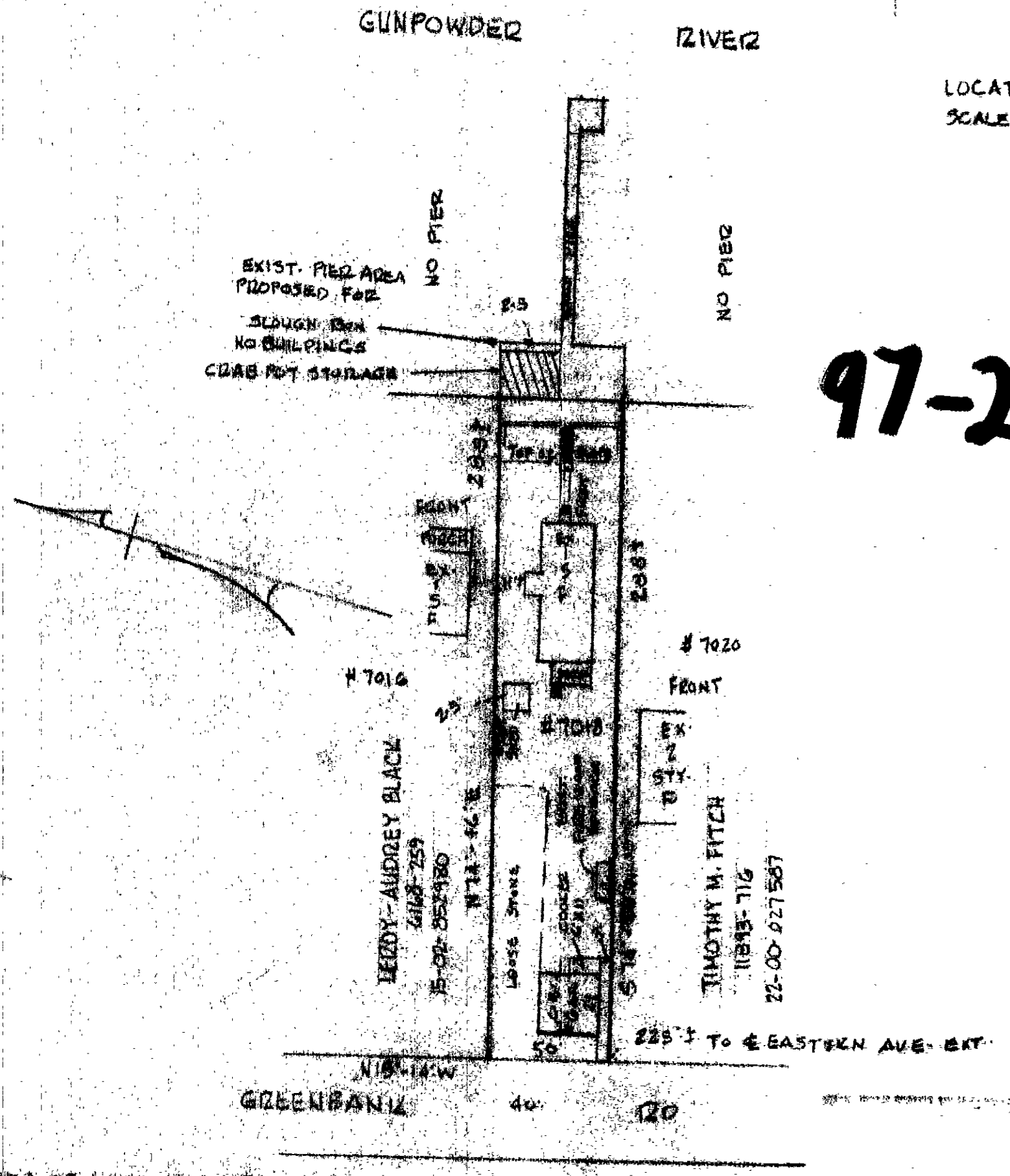
THIS SITE IS LOCATED IN THE 100 YEAR FLOOD PLAIN

FEDERAL FLOOD INSURANCE RATE MAP
240010 0315B ZONES A, B, C



LOCATION MAP
SCALE 1" = 100'

97-282-X



AREA OF LOT - 14,400 SQ. FT. ±
EX. ZONING - D.R.5.5
TAX # 15-08-651790
COUNCILMATIC DIST. 5
PUBLIC WATER & SEWER SERVICE LOT
PARKING AS SHOWN

CASE 97-171 (V)

LOTS 115-116 SECTION A
TWIN RIVER BEACH
PLAT BOOK 9-43

STATE OF MARYLAND
FRANK S. LEE
PROPERTY LINE SURVEYOR

FRANK S. LEE