

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
W/S Clarks Point Road, 2000' E of
the c/l Bowleys Quarters Road * DEPUTY ZONING COMMISSIONER
(3814 Clarks Point Road)
15th Election District * OF BALTIMORE COUNTY
5th Councilmanic District * Case No. 97-541-SPH

Steven H. Goeller
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Steven H. Goeller. The Petitioner seeks approval of an amendment to the previously approved site plan in Case No. 90-185-SPHA to permit the addition of four (4) boat slips at the marina on the subject property, located on Seneca Creek in Bowleys Quarters. The subject property and relief sought are more particularly described on 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 Steve Goeller, property owner, Dawn Lawrence, and Patrick O'Keefe. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of 0.68 acres, more or less, zoned D.R.5.5, and is improved with a single family dwelling and a detached garage. The property is also the site of a marina which, at one time, had slip accommodations for 24 boats. As noted above, the property was the subject of prior Case No. 90-185-SPHA in which the Petitioner was granted special hearing and variance relief in order to make certain upgrades to the marina use. As a result of those improvements, however, Mr. Goeller lost several boat slips and currently

ORDER RECEIVED FOR FILING

Date

By

has accommodations for 19 boats. The Petitioner now comes before me seeking approval of an amendment to the site plan approved in prior Case No. 90-185-SPHA to allow a reconfiguration of some of the existing boat slips to accommodate wider and longer boats, and to permit the addition of four (4) more boats slips. Thus, the requested special hearing is necessary in order to proceed with the proposed modifications. Testimony revealed that Mr. Goeller's family has been in the marina business for many years and that Mr. Goeller, himself, has lived on the subject property and operated the existing marina for the past 38 years. Mr. Goeller testified that he spoke with all of his neighbors on Clarks Point Road, and entered into evidence a signed Petition of support for his request, identified as Petitioner's Exhibit 2. Furthermore, there were no adverse comments submitted by any Baltimore County reviewing agency. Thus, it appears that the relief requested should be granted.

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 spe-

7/30/97
[Signature]

cial exception use, irrespective of its location within the zone.
Schultz v. Pritts, 432 A.2d 1319 (1981).

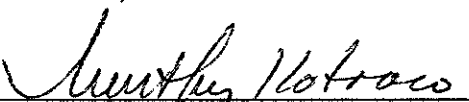
The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and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

After reviewing all of the testimony and evidence presented, it is clear that the use proposed meets the special exception requirements set forth in Section 502.1 of the B.C.Z.R., and that the requested relief meets the spirit and intent of the zoning regulations and will not be detrimental to the public health, safety, and general welfare.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30th day of July, 1997 that the Petition for Special Hearing seeking approval of an amendment to the previously approved site plan in Case No. 90-185-SPHA to permit the addition of four (4) boat slips, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

IN THE MATTER OF THE
THE APPLICATION OF
STEVEN H. GOELLER, ET UX
FOR A SPECIAL HEARING ON
PROPERTY LOCATED ON THE WEST
SIDE CLARKS POINT ROAD, 2000'
E OF THE C/L BOWLEYS QUARTERS
ROAD (3814 CLARKS POINT ROAD)
15TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 97-541-SPH
* * * * *

O P I N I O N

This case comes to the County Board of Appeals of Baltimore County relative to an appeal by People's Counsel concerning a Petition for Special Hearing which was granted by the Deputy Zoning Commissioner, order dated July 30, 1997. People's Counsel filed an appeal to this Board on August 28, 1997.

At the time of the hearing, the Petitioner, Mr. Steven H. Goeller, appeared pro se; and the Office of People's Counsel was represented by Carole S. Demilio, Deputy People's Counsel. Since Mr. Goeller did not have benefit of counsel, the Chairman explained how the proceeding would advance; and that this was a "de novo" proceeding; and that irrespective of the prior decision rendered by the Deputy Zoning Commissioner, the Board would decide the matter based upon the testimony and evidence produced at this hearing.

The Petitioner opted not to make an opening statement; and Ms. Demilio proceeded with a brief recap of what the hearing would consist of and the primary reason why People's Counsel had filed the appeal in this matter. The Petitioner was sworn in and indicated to the Board that he would prefer to state his case and the reasons why he was requesting the special hearing in narrative form, to which the Chairman agreed, subject to cross-examination by Deputy People's Counsel.

Mr. Goeller stated that he owned a marina in the Bowleys Quarters area of Baltimore County on property where he resided. The site had accommodations for 24 boats and had been the subject of a prior Board hearing in Case No. 90-185-SPHA, in which he had been granted special hearing and variance relief in order to upgrade the facilities to the marina use. Mr. Goeller opined that during the process he had lost several boat slips and has accommodations for a lesser number of boats. Mr. Goeller explained that he was seeking approval to reconfigure some of the presently existing boat slips to facilitate wider and larger boats and also add on four more boat slips.

Petitioner stated that he was a resident of the area for approximately 40 years; and had actively been engaged in the business with his father since he was 5 years old. Since 1990, when his father passed away, he has been running the operation essentially by himself. Mr. Goeller testified that his neighbors were fully aware of his proposal; and no one was opposed to his request (Petitioner's Exhibit No. 1). He also produced a letter from the Maryland Department of Transportation, State Highway Administration, reflecting no objection to the existing entrance into the State route, and had no objection to this request for special hearing. Petitioner also stated that the operation of the marina was not his full-time occupation, but that he expended considerable time in its operation and maintenance.

Petitioner's Exhibit No. 3 was presented representing the CRG Plan dated February 15, 1989, which was admitted along with photographs (Petitioner's Exhibit No. 4A, B, and C) which were

generally explained by him and examined by the Board members. Petitioner also explained that the U.S. Army Corps of Engineers had originally examined his project and had certain objections to it; but, at his request, revisited the site and re-evaluated their findings to the extent that, subsequent to the second visit, they had no objections to his proposed plans. A copy of a letter from the Department of the Army (Baltimore District, U.S. Army Corps of Engineers) dated October 28, 1997 was admitted into evidence reflecting that the Petitioner's proposed work was eligible for authorization under Activity No. 18 of Category III conditions of the Maryland State Programmatic General Permit (MDSPGP), if accomplished in accordance with the MDSPGP standard conditions.

At the time of the hearing, the Petitioner also submitted Exhibit No. 6 which was an application for a permit with Baltimore County relative to his proposed project, along with a drawing of the proposed pier as drawn by Skarda & Associates, Inc., structural consultants. The Petitioner was advised by the Chairman that, in order for the Board to grant the special hearing, it was necessary that the Petitioner be questioned concerning Section 502.1 of the Baltimore County Zoning Regulations (BCZR), Sections (a) through (h). Each of these was the subject of questioning by the Chairman; and Mr. Goeller responded that if approval was granted by the Board it would not be inconsistent with the requirements of Section 502.1.

On cross-examination, Ms. Demilio indicated that she would usually object to the Petitioner's Exhibit No. 3, but in this particular case would not do so. Mr. Goeller also stated that he

had satisfied the Baltimore County parking regulations in that he actually needed only 20 but had 25 spaces available, and that he has not started construction on this project, pending a decision by this Board as to the granting of any special hearing.

Mr. Goeller opted not to make a closing statement; and Ms. Demilio had a brief closing statement indicating that People's Counsel had appealed this case initially based upon comments made by the U.S. Army Corps of Engineers and their concern as to the impact of a possible encroachment to the Seneca area, but that the concerns of People's Counsel had been satisfied by the Department of the Army, U.S. Corps of Engineers, letter dated October 28, 1997, and they had no objections, provided that the necessary permits were secured before the Applicant could actually proceed with the physical work.

The Board recessed for a brief time to review their notes and the evidence submitted at the hearing and held a public deliberation shortly thereafter.

The Board, having given weight to the testimony presented at the hearing, and also having had the opportunity to review the physical evidence presented, unanimously concluded that the special hearing should be granted. It was obvious from the Petitioner's testimony that the requirements of Section 502.1 of the BCZR, Sections (a) through (h) were satisfied, and with the entry of the letter from the U.S. Army Corps of Engineers dated October 28, 1997, any serious objection to the Petitioner's proposal had been satisfactorily overcome.

The Chairman did indicate to the Petitioners that the appeal

on the part of the People's Counsel was not a frivolous one but one which that Office of Baltimore County takes very seriously, and that their responsibility places upon them the obligation to defend the zoning maps of Baltimore County in any situation that might detrimentally impact all of the citizens of the County.

O R D E R

IT IS THEREFORE this 11th day of February, 1998 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Special Hearing seeking approval of an amendment to the previously approved site plan in Case No. 90-185-SPHA, to permit the addition of four (4) boat slips according to Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject to the Petitioner securing any and all additional permits that may be required by Baltimore County prior to actual construction of the addition.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY



Charles L. Marks, Acting Chairman



Donna M. Felling



Thomas P. Melvin



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

February 11, 1998

Peter Max Zimmerman
People's Counsel
for Baltimore County
Room 47, Old Courthouse
400 Washington Avenue
Towson, MD 21204

RE: Case No. 97-541-SPH
Steven H. Goeller, et ux

Dear Mr. Zimmerman:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules and Procedure. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Charlotte E. Redcliff
Kathleen C. Bianco
Administrator

encl.

cc: Mr. Steven H. Goeller
Mr. Patrick O'Keefe
Chesapeake Bay Critical Areas Commission
George Perdikakis, Director /DEPRM
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director/PDM
Virginia W. Barnhart, County Attorney





Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

July 30, 1997

Mr. Steven H. Goeller
3814 Clarks Point Road
Baltimore, Maryland 21220

RE: PETITION FOR SPECIAL HEARING
W/S Clarks Point Road, 2000' E of the c/l Bowleys Quarters Road
(3814 Clarks Point Road)
15th Election District - 5th Councilmanic District
Steven H. Goeller, et ux - Petitioners
Case No. 97-541-SPH

Dear Mr. Goeller:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing 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,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel; Case Files



RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
3814 Clarks Point Rd (Goellers Boatyard),		
W/S Clarks Point Road, 2000' E of c/l	*	ZONING COMMISSIONER
Bowleys Quarters Road		
15th Election District, 5th Councilmanic	*	OF BALTIMORE COUNTY
Steven H. Goeller	*	CASE NO. 97-541-SPH
Petitioner		
* * * * *		

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 9th day of July, 1997, a copy of the foregoing Entry of Appearance was mailed to Patrick O'Keefe, 523 Penny Lane, Cockeysville, MD 21030, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at #3814 CLARKS POINT ROAD
which is presently zoned DR 5.5

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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

THE AMENDMENT TO THE SITE PLAN AND/OR ZONING CASE #90-185-SPHA BY THE ADDITION OF FOUR (4) BOAT SLIPS

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

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

STEVEN K. GOELLER

(Type or Print Name)

Signature

(Type or Print Name)

Signature

410

3814 CLARKS POINT RD. 335-6079

Address

Phone No.

BALTO., MD.

21220

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

PATRICK O'KEEFE

Name

523 PENNY LANE

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL OTHER

REVIEWED BY: mm

DATE

6/2/97

ORDER RECEIVED FOR FILING

Date

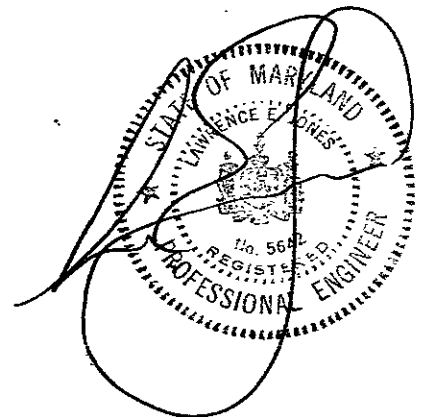
By



"GOELLER'S BOATYARD"

ZONING DESCRIPTION FOR #3814 CLARKS POINT ROAD
(address)

Beginning at a point on the NORTH side of
(north, south, east or west)
CLARKS POINT ROAD which is 50.0 FEET
name of street on which property fronts (number of feet of right-of-way width)
wide at the distance of 2000 FEET EAST of the
(number of feet) (north, south, east or west)
centerline of the nearest improved intersecting street BOWLEYS QUARTERS ROAD
(name of street)
which is 60 FEET wide. *Being Lot # 3 & 4,
(number of feet of right-of-way width)
Block —, Section # — in the subdivision of PLAT-2 BOWLEYS QUARTERS
(name of subdivision)
as recorded in Baltimore County Plat Book # 7, Folio # 13,
containing 0.68 ACRES. Also known as #3814 CLARKS POINT ROAD
(square feet or acres) (property address)
and located in the 15 Election District, 5 Councilmanic District.



541

The zoning commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on Tuesday, March 14, at 7:00 p.m. in the County Administration Center, 10000 Reisterstown Road, Baltimore, Maryland.

Identifying Normal Users

Casa, 3814 Quince Road
Goalposts Road
W/S. Cuts in 1964, 2000
E of 61, 300 yds. quarters
Road

15th Election District
5th Congressional
Legal Owner(s):

(8) 伯明翰

Steven H. Galler
Special Hearing: to approve
an amendment to the site plan
and/or zoning case
#80-185-SPHA by addition of

Four-boat slips:

Hearing: Thursday, July 10, 1997 at 9:00 a.m. in Room

407 Courts Bldg., 401 Bosley
Avenue,

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for Social accommodations. Please Call (410) 887-3353. (2) For information concerns, please call (410) 887-3391.

3/325 June 19 0152332

TOWSON, MD., Feb 19, 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 Feb 19, 1997.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

SECRET

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

038083

DATE 6/2/97

ACCOUNT

GI-CIS

Item: 541

AMOUNT

\$ 250.00

IN: MDX

RECEIVED Goelicks Boat Yd. - 3814 Clarks Pt. Rd

FROM: Goelicks Boat Yd. - 3814 Clarks Pt. Rd

FOR: 340- Special Heavy - \$250.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

06/02/97 06 8 KRM P 4585
Debit 5 513 FUNDING DEPT/10
CR NO. 038083
\$250.00 EX P-A-1-D

Baltimore County Maryland
Office of Budget & Finance

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 97-541 SPH

Petitioner/Developer: STEVE GOELLER, ETAL
GOELLERS BOATYARD

Date of Hearing/Closing: 7/10/97

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 #3814 CLARKS POINT ROAD

The sign(s) were posted on 6/23/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 6/27/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

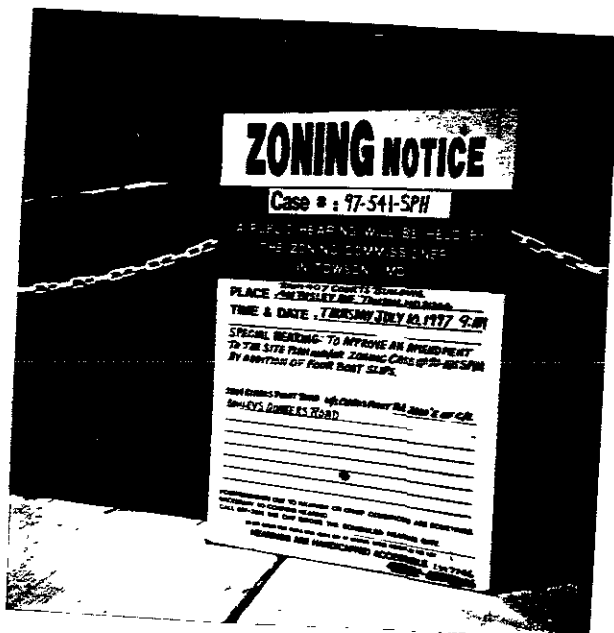
(Address)

Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

Pager (410) 646-8354
(Telephone Number)



CERTIFICATE OF POSTING

RE: Case No: 97-541-SPH

Petitioner/Developer: STEVE GOELLER

P. M. O'KEEFE

Date of Hearing/Closing 7/10/97

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 GOELLERS BOAT YARD
2814 - CLARKS POINT RD.

The sign(s) were posted on 6/18/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 6/18/97
(Signature of Sign Poster and Date)

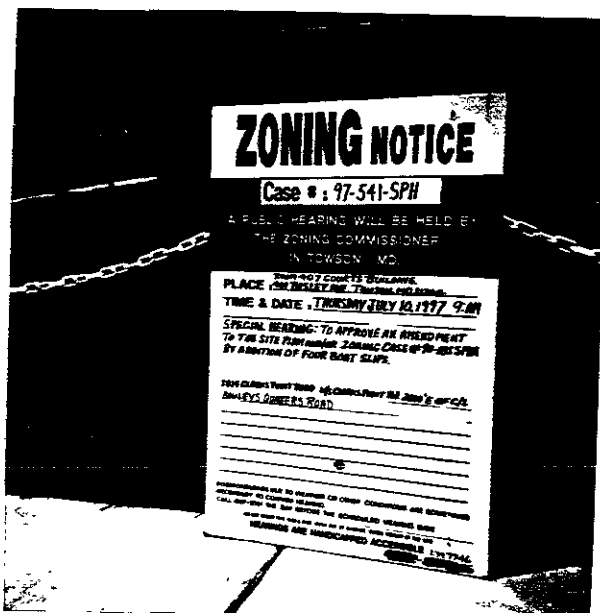
Patrick M. O'Keefe
(Printed Name)

523 Perry Lane
(Address)

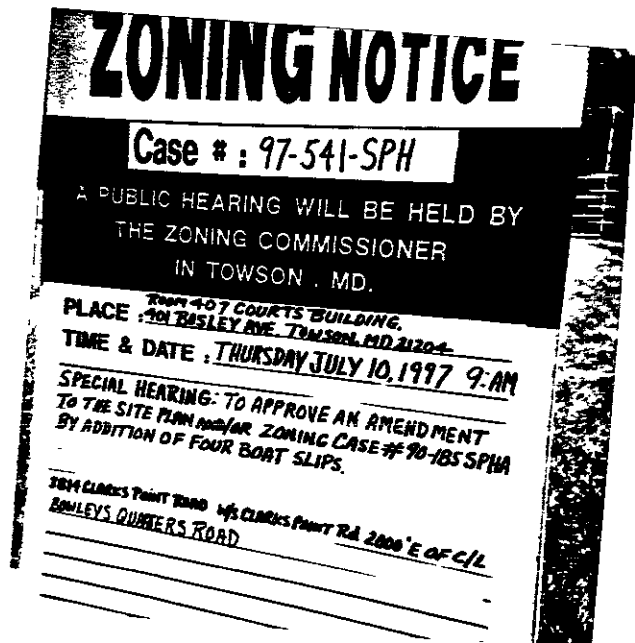
Hunt Valley, MD 21030
(City, State, Zip Code)

(410) 666-5366 Page (410) 646
(Telephone Number)

074
part one



97-541-SPH
GOELLERS BOAT YARD
2814 CLARKS POINT RD
7/10/97



GOELLERS

CERTIFICATE OF POSTING

RE: Case No.: 97-541-SPH

Petitioner/Developer: _____

STEVEN H. GOELLER

Date of Hearing/Closing: _____

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 3814 CLARKS POINT RD.

The sign(s) were posted on 10/7/97 ✓
(Month, Day, Year)

REPOSTED
97-541-SPH
1/9/98
GCF

Sincerely,

Gary Freund 10/7

(Signature of Sign Poster and Date)

GARY FREUND

(Printed Name)

(Address)

(City, State, Zip Code)

(Telephone Number)

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

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

541

ZONING NOTICE

Case No.: 97-541 SPH

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

PLACE: *

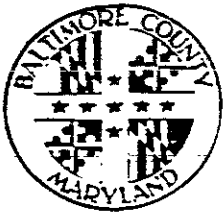
DATE AND TIME: *

REQUEST: Special hearing to approve the amendment to the
site plan and/or Zoning Case 90-185-SPHA by the
addition of four (4) boat slips

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



Baltimore County
Department of Permits and
Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbors 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.: 541

Petitioner: Steven H. Goeller

Location: 3814 Clarks Point Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Steven H. Goeller

ADDRESS: 3814 Clarks Point Road

Baltimore MD. 21220

PHONE NUMBER: (410) 335-6079

AJ:ggg

(Revised 09/24/96)

TO: PUTIXENT PUBLISHING COMPANY
June 19, 1997 Issue - Jeffersonian

Please forward billing to:

Steven H. Goeller
3814 Clarks Point Road
Baltimore, MD 21220
410-335-6079

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-541-SPH
3814 Clarks Point Road - Goellers Boatyard
W/S Clarks Point Road, 2000' E of c/l Bowleys Quarters Road
15th Election District - 5th Councilmanic
Legal Owner(s): Steven H. Goeller

Special Hearing to approve an amendment to the site plan and/or zoning case #90-185-SPHA by addition of four boat slips.

HEARING: WEDNESDAY, JULY 9, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

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

June 13, 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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-541-SPH
3814 Clarks Point Road - Goellers Boatyard
W/S Clarks Point Road, 2000' E of c/l Bowleys Quarters Road
15th Election District - 5th Councilmanic
Legal Owner(s): Steven H. Goeller

Special Hearing to approve an amendment to the site plan and/or zoning case #90-185-SPHA by addition of four boat slips.

HEARING: WEDNESDAY, JULY 9, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Steven H. Goeller
Patrick O'Keefe

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 25, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



TO: PUTTICK PUBLISHING COMPANY
June 19, 1997 Issue - Jeffersonian

Please forward billing to:

Steven H. Goeller
3814 Clarks Point Road
Baltimore, MD 21220
410-335-6079

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-541-SPH
3814 Clarks Point Road - Goellers Boatyard
W/S Clarks Point Road, 2000' E of c/l Bowleys Quarters Road
15th Election District - 5th Councilmanic
Legal Owner(s): Steven H. Goeller

Special Hearing to approve an amendment to the site plan and/or zoning case #90-185-SPHA by addition of four boat slips.

HEARING: THURSDAY, JULY 10, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

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

June 13, 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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-541-SPH
3814 Clarks Point Road - Goellers Boatyard
W/S Clarks Point Road, 2000' E of c/l Bowleys Quarters Road
15th Election District - 5th Councilmanic
Legal Owner(s): Steven H. Goeller

Special Hearing to approve an amendment to the site plan and/or zoning case #90-185-SPHA by addition of four boat slips.

HEARING: THURSDAY, JULY 10, 1997 at 9:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with the first name "Arnold" and last name "Jablon" clearly visible.

Arnold Jablon
Director

cc: Steven H. Goeller
Patrick O'Keefe

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 25, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

November 21, 1997

NOTICE OF ASSIGNMENT

CASE #: 97-541-SPH

**IN THE MATTER OF: STEVEN H. GOELLER, ET UX -
Petitioners 3814 Clarks Point Road
15th Election District; 5th Councilmanic
(Petition for Special Hearing GRANTED /D.Z.C.)**

ASSIGNED FOR:

WEDNESDAY, JANUARY 28, 1998 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

Kathleen C. Bianco
Administrator

cc: Appellant : Peter Max Zimmerman, People's Counsel
for Baltimore County
: Carole S. Demilio, Deputy People's Counsel

Petitioner : Steven H. Goeller

Patrick O'Keefe

Chesapeake Bay Critical Areas Commission

Pat Keller, Director /Planning
George G. Perdikakis, Director /DEPRM
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

Case No. 97-541-SPH

STEVEN H. GOELUER - Petitioner

W/s Clarks Point Road, 2000' E of the
c/a Bowleys Quarters Road (3814 Clarks
Point Road)

15th Election District Appealed: 8/28/97

(see attached Plat
Pet.'s Ex. No. 1)



Baltimore County
Department of Permits and
Development Management

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

July 1, 1997

Mr. Steven H. Goeller
3814 Clarks Point Road
Baltimore, MD 21220

RE: Item No.: 541
Case No.: 97-541-SPH
Petitioner: Steven Goeller

Dear Mr. Goeller:

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 June 2, 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 (410-887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a circular stamp that contains the same name in a serif font.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Date: June 23, 1997
Department of Permits & Development
Management

FROM: Robert W. Bowling, Chief **SIGNED: ROBERT W. BOWLING**
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for June 23, 1997
Item No. 541

The Development Plans Review Division has reviewed the subject zoning item. A Landscape Plan was approved for this site as a condition for the building permit of the now existing building. Compliance with the approved landscape is required before additional request may be considered by the County.

RWB:HJO:jrb

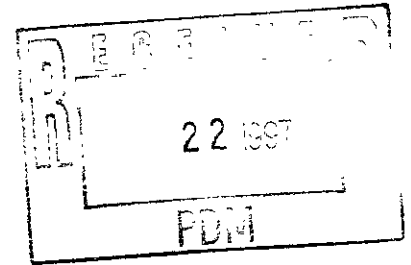
cc: File

ZONE623.541



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1715
BALTIMORE, MD 21203-1715



Operations Division

SUN 1 9 1997

Subject: Zoning Advisory Committee Item 541 - Goeller's Boatyard

Baltimore County Department of Zoning
Attn: Ms. Roslyn Eubanks
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

Dear Ms. Eubanks:

This letter is in response to the request for comments concerning Zoning Advisory Committee Item 541, a request for a marina expansion at Goeller's Boatyard, 3814 Clark's Point Road, near Bowley's Quarters, Baltimore County, Maryland.

I have reviewed the signed CRG plan dated April 21, 1997 with regards to Corps of Engineers regulatory issues and have the following comments:

1. The proposed marina expansion will have a maximum encroachment of almost one third of Seneca Creek. This will result in the loss of a large amount of navigable water currently available to the general public. Mr. Goeller should provide rational for the need for this magnitude of encroachment including a discussion of alternatives (i.e adding additional boat slips, etc.).

2. A bathymetric survey of the marina expansion and adjacent areas should be prepared to insure that the pier encroachment will not impact any major navigation channels.

3. Recent submerged aquatic vegetation (SAV) surveys have documented SAV beds in adjacent areas of Seneca Creek. An early season and a late season SAV survey of the project area should be performed during the 1997 growing season to determine if the expansion will impact existing SAV beds.

If you have any questions concerning this matter, please call me at (410) 962-6029.

Sincerely,

Paul J. Sneeringer

Paul J. Sneeringer
Biologist, Western Shore Section

_____ Attach original petition

Due Date 6/23/97

To: Arnold L. Jablon

From: Bruce Seeley *B.S./y*

Subject: Zoning Item 541

Goeller 3814 Clarks Point Rd

_____ Zoning Advisory Committee Meeting of 6-16-97

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

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

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

x Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

x

Redevelopment of the existing piers must comply with the Chesapeake Bay Critical Area Water -Dependent Facilities Manual Abbreviated Review Process.

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

June 16.97 kl
DATE: 10/07/96

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

RE: Property Owner: Browing-Ferris, Inc.
Steven H. Goeller
Gordon M. Roberts, Jr. & Mary A. Roberts
Owings Mills Self Storage, Inc.
Timonium Land Corporation
10,000 York Road LLC

Location: DISTRIBUTION MEETING OF OCT. 07, 1996.

Item No.: 536, 541, 543, 545, 547, and 548

Zoning Agenda:

Gentlemen:

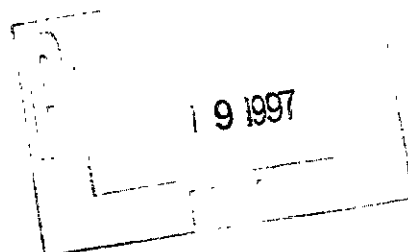
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4281, MS-1102F

cc: File







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

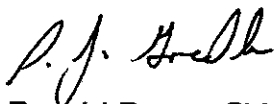
RE: Baltimore County 6. 18.97
Item No. 541 MJK

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US - 1 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

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

Jim
7/10

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: July 1, 1997

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

SUBJECT: 3814 Clarks Point Road

INFORMATION

Item Number: 541

Petitioner: Goeller Property

Zoning: DR 5.5

Requested Action: Special Hearing

Summary of Recommendations:

Staff does not object to amending the existing special exception in Case No. 90-185 SPHA to allow four additional boat slips at the subject property. The distance from the bulkhead of the marina to the opposite shoreline is 735 feet. The pier, including the proposed four new slips measure 235 feet, leaving ample space to navigate the waters of Seneca Creek.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JL



Baltimore County
Department of Permits and
Development Management

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

August 29, 1997

RECEIVED
COUNTY BOARD OF APPEALS
97 SEP -3 AM 10:03

Mr. Steven H. Goeller
3814 Clarks Point Road
Baltimore, MD 21220

RE: Petition for Special
Hearing
W/S Clarks Pt. Rd., 2000'
E of the c/l Bowleys
Quarters Road
(3814 Clarks Point Road)
15th Election District
5th Councilmanic District
Steven H. Goeller, et ux
- Petitioners
Case No. 97-541-SPH

Dear Mr. Goeller:

Please be advised that an appeal of the above-referenced case was filed in this office on August 28, 1997 by Peter Max Zimmerman and Carole S. Demilio on behalf of People's Counsel. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 410-887-3180.

Sincerely,

ARNOLD JABLON
Director

AJ:rye

c: People's Counsel



c: Mr. Steven H. Goeller, 3814 Clarks Point Road, Baltimore, MD 21220
Mr. Patrick O'Keefe, 523 Penny Lane, Cockeysville, MD 21030
Chesapeake Bay Critical Areas Commission, 45 Calvert Street, 2nd
Floor, Annapolis, MD 21401
DEPRM
People's Counsel of Baltimore County, M.S. 2010
Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

August 28, 1997

CAROLE S. DEMILIO
Deputy People's Counsel

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Hand-delivered

Re: PETITION FOR SPECIAL HEARING
3814 Clarks Point Road (Goellers
Boatyard), W/S Clarks Point Road,
2000' E of c/l Bowleys Quarters Road
15th Election Dist, 5th Councilmanic
Legal Owner: STEVEN H. GOELLER
Petitioner
Case No. 97-541-SPH

Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Order dated July 30, 1997 of the Baltimore County Deputy Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

A handwritten signature in cursive script, reading "Peter Max Zimmerman".

Peter Max Zimmerman
People's Counsel for Baltimore County

A handwritten signature in cursive script, reading "Carole S. Demilio".

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/caf

cc: Stephen H. Goeller, 3814 Clarks Point Rd., Baltimore, MD 21220
Patrick O'Keefe, 523 Penny Lane, Cockeysville, MD 21030

Case No. 97-541-SPH

SPH -To amend previously approved site plan in 90-185-SPHA to permit addition of 4 boat slips at marina as described on Petitioner's Exhibit 1.

7/30/97 -D.Z.C.'s Order in which Petition for Special Hearing was GRANTED.

11/21/97 - Notice of Assignment for hearing scheduled for Wednesday, January 28, 1998 at 10:00 a.m. sent to following:

People's Counsel for Baltimore County
Steven H. Goeller
Patrick O'Keefe
Chesapeake Bay Critical Areas Commission
Pat Keller, Director /Planning
George G. Perdikakis, Director /DEPRM
Lawrence E. Schmidt /Z.C.
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

1/28/98 -Hearing concluded before Board; deliberated at conclusion of same; petition to be granted; four additional slips to be allowed. Written Opinion and Order to be issued; appellate period to run from date of written Order. (C.F.M.)



Baltimore County
Department of Permits and
Development Management

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

May 21, 1997

Mr. Steven H. Goeller
3814 Clarks Point Road
Baltimore, MD 21220

Subject: REFINEMENT APPROVED PLAN dated May 19, 1997
Goeller's Boatyard
PDM No.XV-528

Gentlemen:

Enclosed you will find a copy of the approved, signed plan for your files on the above referenced project.

This development proposal may be further processed in accordance with the following:

You may apply for a building permit with the Department of Permits and Development Management, in the County Office Building, Room 100, 111 West Chesapeake Avenue, Towson, MD. A copy of the approved, signed plan should be presented when making application. Please be advised that building permit approval is contingent upon compliance with all county agency requirements.

Should you have any questions, please do not hesitate to contact our office.

Respectfully,

A handwritten signature in cursive script, reading "Donald T. Rascoe".

Donald T. Rascoe
Development Manager

DTR:jnw

Attachment - Plan

c: Jones Assocaites, 944 Beaverbank Circle, Towson, MD 21204

R & P (1)

DEPRM (2)

DPR (1)

PO (1)

Sophie Jennings, PDM/DR

File

SHORT.DOC/JNW

(NOT SUBMITTED)
AS
EXHIBIT



COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Steven H. Goeller -Petitioner
Case No. 97-541-SPH

DATE : January 28, 1998 /at conclusion of hearing

BOARD /PANEL : Charles L. Marks, Acting Chairman (CLM)
Donna M. Felling (DMF)
Thomas P. Melvin (TPM)

SECRETARY : Kathleen C. Bianco
Administrator

PURPOSE: To deliberate Case No. 97-541-SPH, Steven H. Goeller, et ux, Petitioners; Petition for Special Hearing.

IN ATTENDANCE: Carole S. Demilio, Deputy People's Counsel for Baltimore County, and Steven N. Goeller, et ux, Petitioners.

CLM: We will begin our public deliberation on the case just heard. Donna?

DMF: First of all, I want to say that I want to approve this request for the four additional slips. The basis for my opinion revolves around the Army Corps of Engineers who had re-evaluated and approved on a second review and, as well, the Department of the Environment has indicated they will move forward if the decision is rendered, and the four slips can be okayed.

I think we went over a number of issues in the special hearing regarding safety, health, and welfare. No objections from the neighborhood; Department of Transportation has no objection; County fire services -no; as well as no overcrowding of the lot, issues of air, light and so forth all have been addressed as far as the County is concerned.

This is an appropriate request and I would approve it.

TPM: Donna, I agree with you. You laid it all out very well. We also have the petition signed by the neighbors with no objection. Should be approved. I would also like to comment on the neatness of the boat yard. It's very well maintained.

CLM: I have a final comment -- People's Counsel and also the Deputy People's Counsel have a heavy responsibility to the citizens of Baltimore County in defending the zoning maps and making sure that the interests of all citizens are protected in special exception and special hearing cases. Their concern relative to the Army Corps of Engineers' original objections to the granting of the permission by the Deputy Zoning

Steven H. Goeller, et ux -Petitioners
Case No. 97-541-SPH /Deliberation

Commissioner was an area of concern, and I think very appropriate.

However, in listening to Mr. Goeller and the testimony and evidence produced today, I am satisfied that the requirements of Section 502 have been satisfied, and that the granting of permission for the extra four slips would be appropriate.

Based upon what we heard today, the Deputy People's Counsel really does not have strenuous objections, particularly in light of the fact that the Army Corps of Engineers has rescinded their original objections.

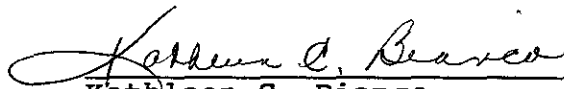
I would agree that the special hearing should be granted, and we will couple that with the fact that the permit to be issued must comply with all other rules and regulations of Baltimore County for the granting of such permits.

That is the decision of the Board. We will issue a formal Opinion and Order, and anyone concerned about it may file an appeal to the Circuit Court within 30 days after that Order is issued.

If there is nothing further, we will be adjourned.

* * * * *

Respectfully submitted,


Kathleen C. Bianco
Administrator

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 28, 1998
Permits & Development Management

FROM: Charlotte E. Radcliffe *CR*
County Board of Appeals

SUBJECT: Closed File: 97-541-SPH /Steven H. Goeller, et ux

As no further appeals have been taken in the above captioned case, we are hereby closing the file and returning same to you herewith.

Attachment (Case File No. 97-541-SPH)

97-541-SPH

Pier is $\frac{1}{3}$

Waterway width

Mike Kulis says

DEPRM 16 Oct 97

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

PATRICK O'KEEFE

523 PENNY LANE 21030

STEVE GOELZER

3814 CLARKS PT RD. 21220

DAWN LAWRENCE

4012 Chestnut Rd 21220



I have reviewed the proposed drawing of Seneca River Boatyard
and agree that the expansion is fair and reasonable.

Name

Address

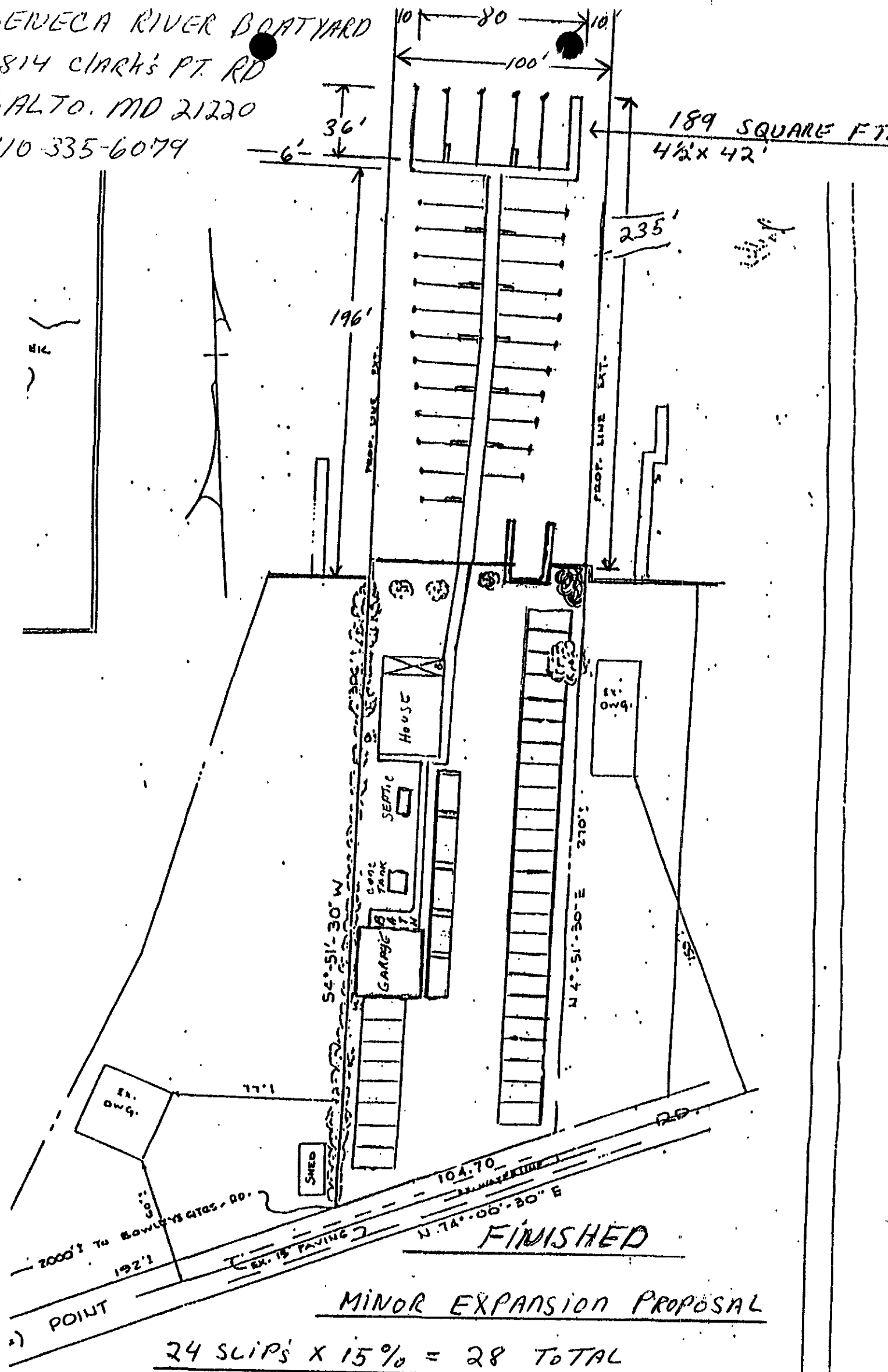
Phone #

1	W. Kenneth Kue	725 SENECA GARDENS RD.	410-321-1454
2	Charles F. Thomas	3818 CLARK'S PT. RD.	335-6307
3	Bob Ducker	3824 CLARK'S PT. RD.	445-2210
4	John Kellman	3800 CLARK'S PT. RD.	335-8002
5	Donna Kellman	3830 CLARK'S PT. RD.	344-0833
6	Curtis Brown	3822 CLARK'S PT. RD.	335-2658
7	Bob Mazurek	3810 CLARK'S PT. RD.	335-2729
8	Keith P. Canapp	727 Seneca Gardens Rd	335-0630
9	Wm C Winkler	3802 CLARK'S PT. RD.	335-0000
10	Al Schaffer	731 SENECA GARDENS R	335-8478
11	Stan L Kilby	3802 CLARK'S PT. RD.	877-3938
12	Stephen B Kilby	3802 CLARK'S PT. RD.	877-3938
13	Daniel Rachels	3828 CLARK'S PT. RD.	284-5723
14	Marjorie Imbach	4410 Springwood Ave.	485-7829
15	Mike Rachels	3826 CLARK'S PT. RD.	876-5011

THIS IS A SIGNATURE MIKE RACHELS

PET. #1

SENECA RIVER BOATYARD
 3814 CLARK'S PT. RD
 BALTO. MD 21220
 410-335-6079





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

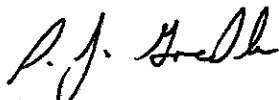
RE: Baltimore County 6. 18. 97
Item No. 541 MSK

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US - 1 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

LG

pet. EXH. #2

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





LEFT REAR YARD



LOOKING TOWARD PIER



FROM END OF PIER



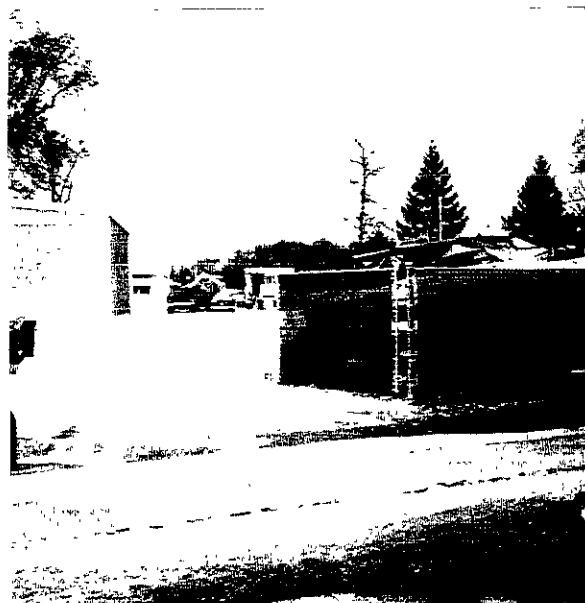
LOOKING TOWARD SENECA CR.

4-18-97

POT. 46



ENTRANCE - LEFT



ENTRANCE - RIGHT



REAR YARD - LEFT



REAR YARD - RIGHT

4-18-97

PET HC



DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1715
BALTIMORE, MD 21203-1715

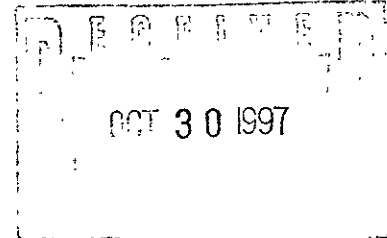
REPLY TO
ATTENTION OF

OCT 28 1997

Operations Division

Subject: CENAB-OP-RW (SENECA RIVER BOATYARD/MARINA EXPANSION)
97-62317-15

Seneca River Boatyard
c/o Water Management Administration
Attn: Mr. Bob Tabisz
2500 Broening Highway
Baltimore, Maryland 21224



Dear Mr. Tabisz:

I am replying to your subject application dated February 21, 1997, and received by the District on March 7, 1997, for Department of the Army (DA) authorization to reconfigure and to expand the existing marina to 28 boat slips in Seneca Creek at the Seneca River Boatyard, 3814 Clarks Point Road, Bowleys Quarters, Baltimore County, Maryland. The proposed marina expansion will be a maximum of 235 feet channelward of the existing timber bulkhead. All work will be completed in accordance with the enclosed plans dated March 1997.

This waterway has been determined to be within our regulatory jurisdiction and the activity requires DA authorization pursuant to Section 10 of the River and Harbor Act of 1899.

Our review of this proposal indicates that the proposed work is eligible for authorization under Activity #18 of the Category III conditions of the Maryland State Programmatic General Permit (MDSPGP), if accomplished in accordance with the MDSPGP standard conditions. This project does not require an individual water quality certification (WQC).

If you have any questions concerning this matter, please call Mr. Paul Sneeringer of this office at (410) 962-6029.

Sincerely,

Abigail A. Hopkins
Chief, Western Shore Section

Enclosures

pet
Exit #5

Copy Furnished:

Baltimore County DEPRM - Mike Kulis

✓ Baltimore County, Maryland
Office of People's Counsel
Attn: Ms. Carole Demilio
Room 47, Old Court House
400 Washington Avenue
Towson, Maryland 21204

JOINT FEDERAL / STATE APPLICATION FOR THE ALTERATION OF ANY TIDAL WETLAND IN MARYLAND

- All applications must be accompanied by plan drawings which show the location and character of the proposed work. For specific information on what is required on the plans, refer to the instruction package. 8½" x 11" black & white drawings are required for every application.
- Any application which is not completed in full or is accompanied by poor quality drawings may be returned and will result in a time delay to the applicant.
- If you need help understanding how to fill out the application form, please refer to the instruction booklet.

APPLICATION NUMBER:

(To be assigned by the agencies)

1. APPLICANT INFORMATION: SENECA RIVER BOATYARD FAX: ()
Name: STEVE H. GOLLIER Telephone: (710) 335-6079
Address: 3814 CLARKS PT RD
City: BRLT State: MD Zip: 21220

2. AGENT / ENGINEER INFORMATION: FAX: ()
Name: Telephone: ()
Address:
City: State: Zip:

3. PRINCIPAL CONTACT, if not the applicant: FAX: ()
Name: Telephone: ()

4. PROJECT DESCRIPTION: MIDCO REDEVELOPMENT
24 SLIPS X 15% = 28 TOTAL

5. PROJECT PURPOSE:

- | | | |
|---|---|--|
| ☐ Shore Erosion Control | ☐ Erosion/Sediment Control | ☐ Storm Drain/Stormwater Management |
| ☐ Utility Installation | ☐ Improve Navigable Access | ☐ Marina |
| ☐ Create Waterfowl Habitat | ☐ Improve Fish Habitat | ☐ Fill |
| ☐ Temporary Construction | ☐ Stream Channelization | ☐ Bridge |
| ☐ Beach Nourishment | ☐ Maintenance/Repair | ☐ Dam |
| ☐ Residential/Commercial Development | ☐ Small Pond | ☐ Road |
| ☒ Other: (describe) <u>15% ADDITION</u> | | ☐ Culvert |

CERTIFICATION:

I hereby designate and authorize the agent named above to act on my behalf in the processing of this application and to furnish any information that is requested. I certify that the information on this form and on the attached plans and specifications is true and accurate to the best of my knowledge and belief. I understand that any of the agencies involved in authorizing the proposed works may request information in addition to that set forth herein as may be deemed appropriate in considering this proposal. I grant permission to the agencies responsible for authorization of this work, or their duly authorized representative, to enter the project site for inspection purposes during working hours. I will abide by the conditions of the permit or license if issued and will not begin work without the appropriate authorization. I also certify that the proposed works are not inconsistent with Maryland's Coastal Zone Management Plan.

APPLICANT MUST SIGN: Steve H. Gollier Date 2/21-97

6. PROJECT LOCATION: This project is in ☒ Tidal ☐ Non-Tidal Waters. (Please Check One)

County: BALTO.

Name of Waterway: SENECA CREEK

Site Address or Location: 3814 CLARK'S PT. RD

Directions from nearest intersection of two state roads: EAST on RT 150 - RIGHT ON TO
CARROLL ISLAND RD - RIGHT ON TO BOWLEYS QUARTERS RD
LEFT ON CLARK'S PT. RD.

County Book Map (A.D.C.) Coordinates: Page: 2 Letter: E Number: 20

7. TYPE OF PROJECT:

Work Proposed

Overall Length
(in feet)

Average Width
(in feet)

Maximum Distance Channelward From Mean High
Water For projects in tidal waters (in feet)

- ☐ Bulkhead
☐ Revetment
☐ Vegetative Stabilization
☐ Gabions
☐ Groins or Jetties
☐ Boat Ramp
☒ Pier
☐ Breakwater
☐ Road Crossing
☐ Utility Line
☐ Outfall Construction
☐ Dredging
☐ New ☐ Maintenance
☐ Hydraulic ☐ Mechanical

235'

6'

THE CHANNEL IS
475' FROM BUEKHO

THE PIER WILL
BE 235'

☐ Other: For other projects, please supply project dimensions including the area of disturbance (acreage), volume of fill (cubic yards), type of fill, and area (acreage) of wetlands to be impacted.

8. PROPOSED STARTING DATE: MAY 1997

9. CONTRACTOR'S NAME (If known): _____

10. LAND USE:

Current Use Is:

☐ Agriculture

☐ Wooded

☐ Marsh/Swamp

☐ Meadow

☐ Developed

Present Zoning Is:

☐ Residential

☐ Commercial

☐ Agriculture

☐ Other: SPECIAL EXCEPT.

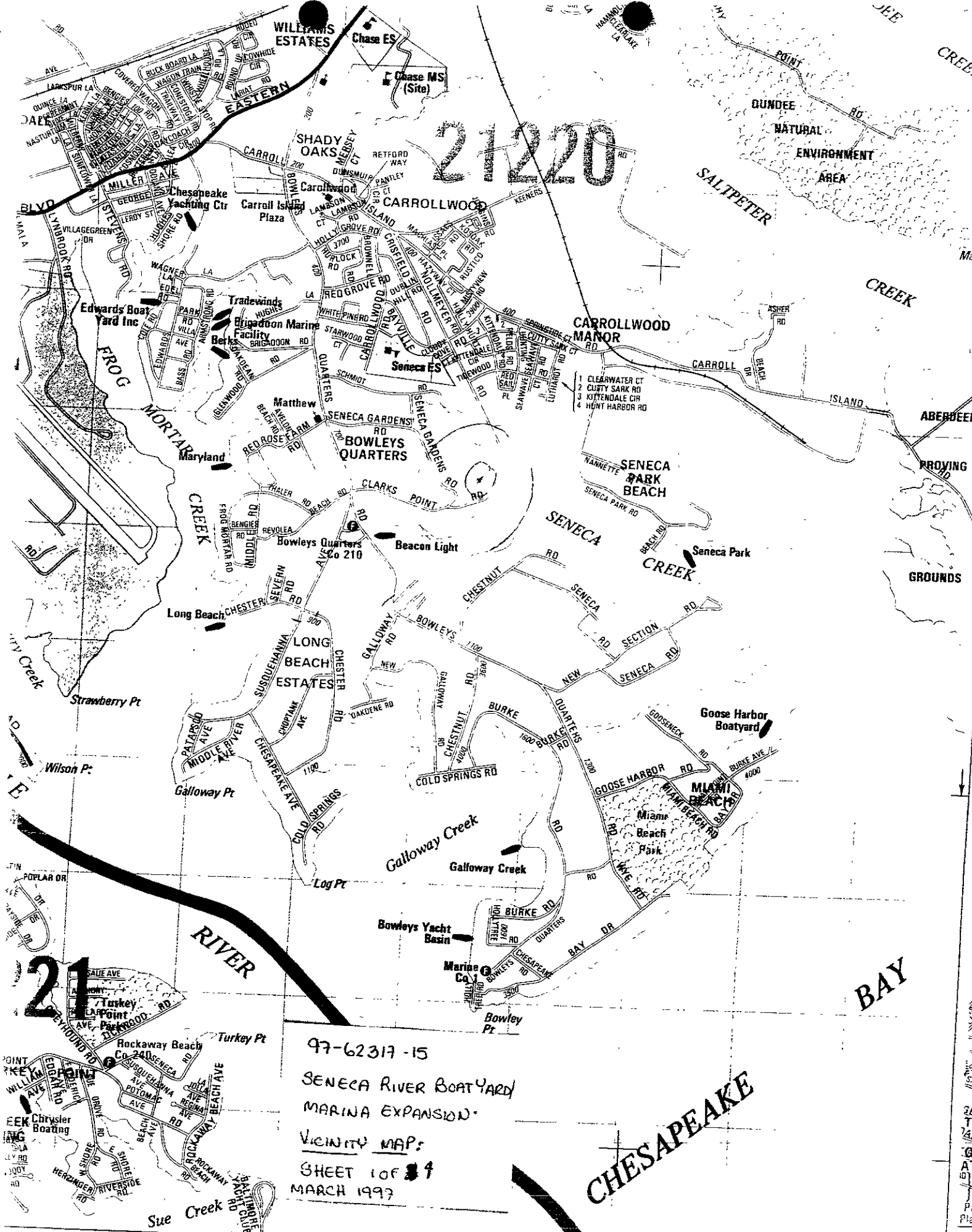
11. OTHER PERMITS REQUIRED: ☐ Building Permit ☐ Soil Conservation District ☐ Other: _____

12. NOTIFICATION OF ADJACENT PROPERTY OWNERS: DONE
The applicant/agent will be informed by the permitting agencies when notification of adjacent property owners is required.

IMPORTANT: PLEASE MAIL 5 COPIES OF THE APPLICATION, SITE PLAN
VICINITY MAP (WITH PROJECT LOCATION PINPOINTED) TO:

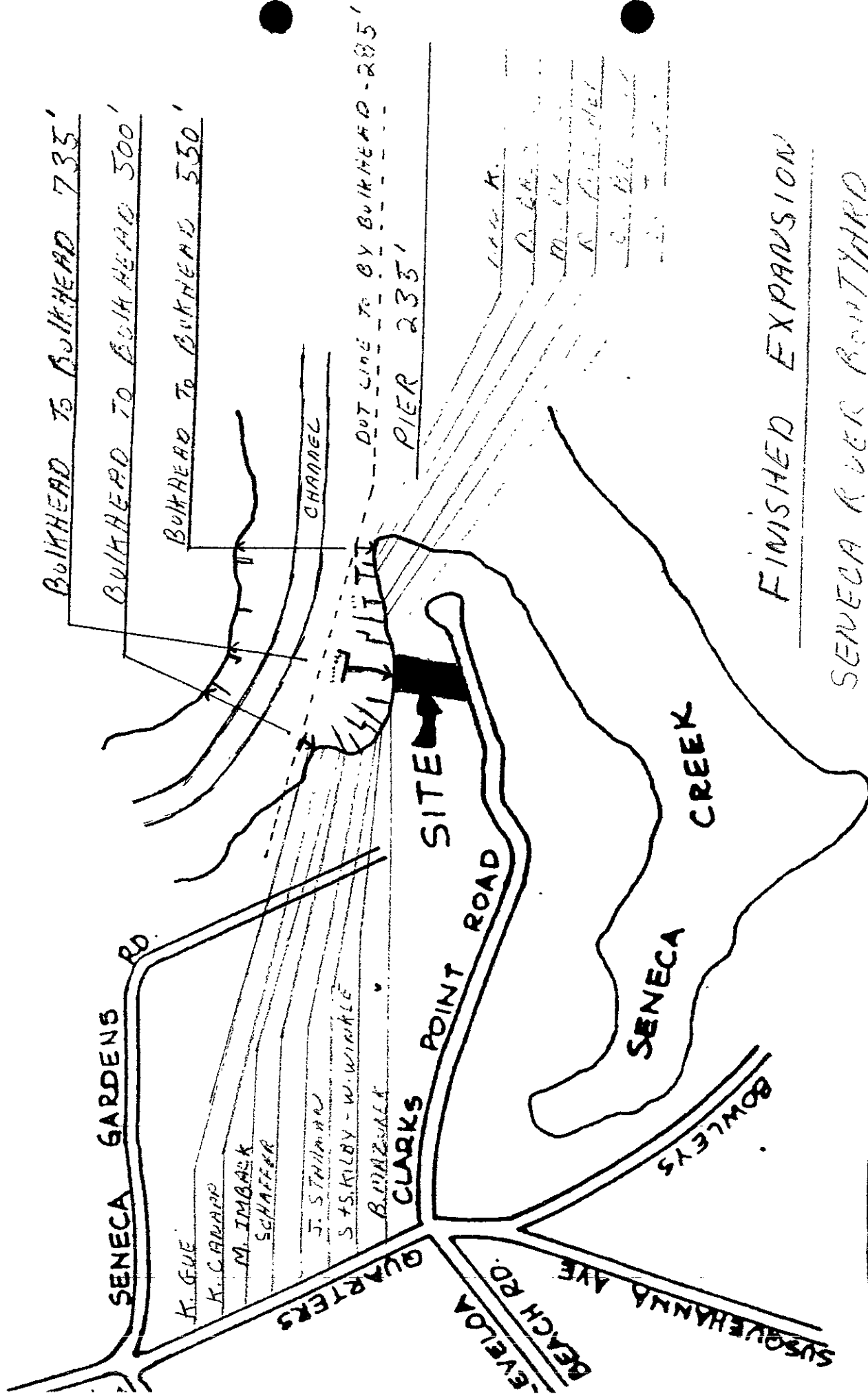
~~15074~~
MDE, WATER MANAGEMENT ADMIN
REGULATORY SERVICES COORD
2500 BROENING HIGHWAY
BALTIMORE MD 21224

(800) 896-0200



97-62317-15
SENECA RIVER BOATYARD
MARINA EXPANSION
VICINITY MAP
SHEET 1 OF 4
MARCH 1997

CHESAPEAKE



97-62317-15
 SITE OVERVIEW
 SHEET 2 OF 4
 MARCH 1999

SENECA RIVER BOUTHARD
 3814 CLARKS PT RD
 BALTO MD 21220
 410-335-6079

DEVECH RIVER BOATYARD

3814 CLARK'S PT. RD

BALTO MD 21220

410-335-6079

TOTAL SLIPS 19

CURRENTLY AUTHORIZED TO
HAVE 24 BOATSLIPS

235

PROP. LINE EXT.

47-623.7-15

CRISTINE CARRINGTON

SHEET 3 OF 34

MARCH 1997

HOUSE

SEALING

CONC. TANK

CARAGE

ST. DWG.

N 4° 51' 30" E 270'

N 30° 15' 75"

ST. DWG.

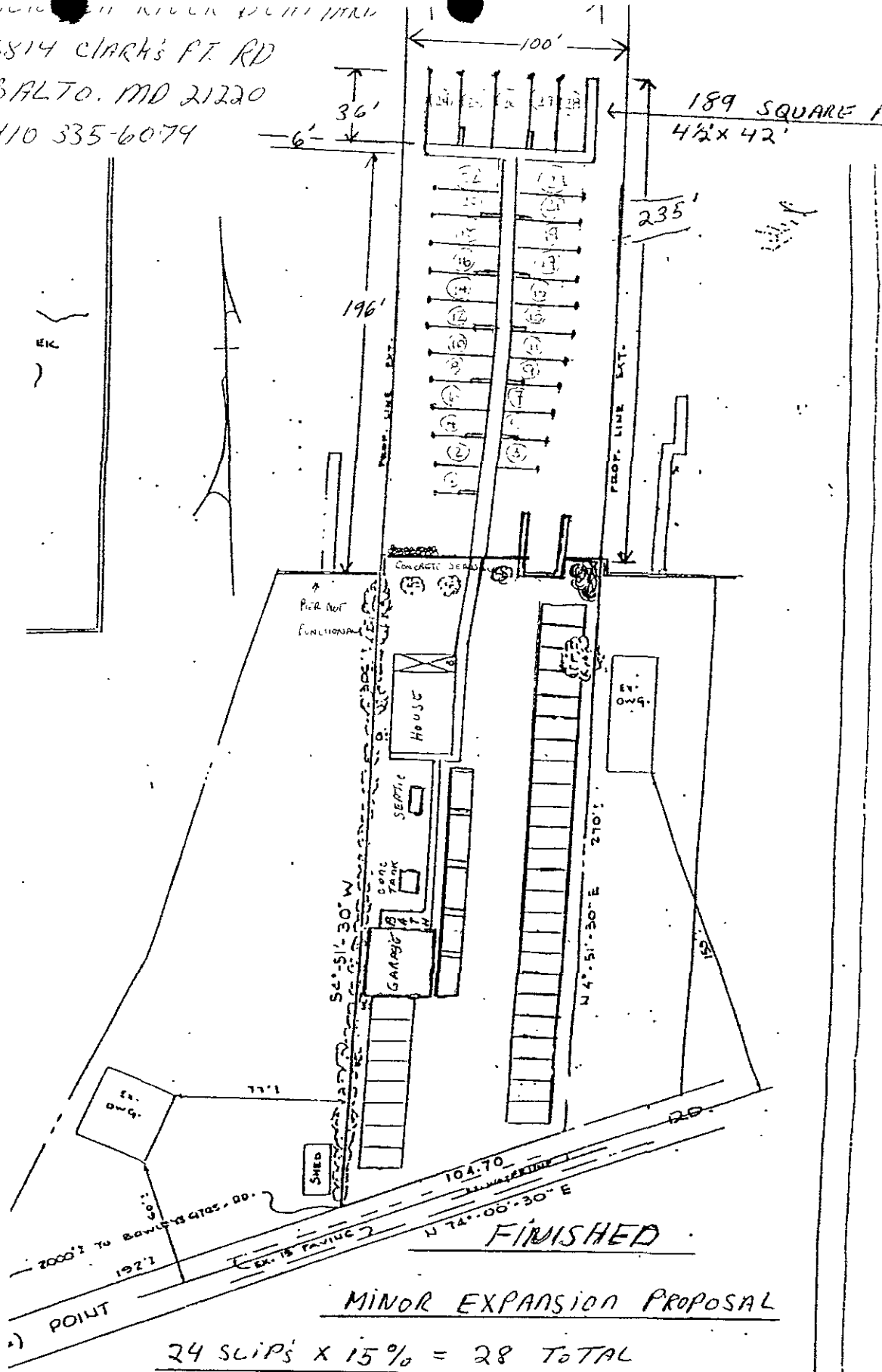
SWER

104.70

11.74° 06' 30" E

ROWING 4702-80

3814 CLARK'S PT. RD
BALTO. MD 21220
410 335-6074



17-6237-15
PROPOSED N.E. 1/4
SHEET 4 of 4
MARCH 1992

1470
APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

11/11/97
DATE: 8-22-97

OEA: 11A/PLS
HISTORIC DISTRICT/BLDG.

PERMIT #: B328810
RECEIPT #: H344403
CONTROL #: WFC-
XREF #:

PROPERTY ADDRESS 3814 Clarks Point Rd
SUITE/SPACE/FLOOR
SUBDIV: Bowleys Quarters
TAX ACCOUNT #: 15-07-422-130 98
OWNER'S INFORMATION (LAST, FIRST)
NAME: Steven H. Geller
ADDR: 3814 Clarks Point Rd

YES ☐ NO ☒
DO NOT KNOW ☐

DISTRICT/PRECINCT 15 8

FEE: \$20.00
PAID: \$20.00
PAID BY: Appl
INSPECTOR:

21220-4004 DOES THIS BLDG.
HAVE SPRINKLERS
YES ☐ NO ☐

I HAVE CAREFULLY READ THIS APPLICATION
AND KNOW THE SAME IS CORRECT AND TRUE,
AND THAT IN DOING THIS WORK ALL PROVI-
SIONS OF THE BALTIMORE COUNTY CODE AND
APPROPRIATE STATE REGULATIONS WILL BE
COMPLIED WITH WHETHER HEREIN SPECIFIED
OR NOT AND WILL REQUEST ALL REQUIRED
INSPECTIONS.

BUILDING 1 or 2 FAM.

CODE CODE

BOCA CODE

TYPE OF IMPROVEMENT

1. ☒ NEW BLDG CONST
2. ☐ ADDITION
3. ☐ ALTERATION
4. ☐ REPAIR
5. ☐ WRECKING
6. ☐ MOVING
7. ☐ OTHER

TYPE OF USE

RESIDENTIAL

01. ☐ ONE FAMILY
02. ☐ TWO FAMILY
03. ☐ THREE AND FOUR FAMILY
04. ☐ FIVE OR MORE FAMILY
(ENTER NO UNITS)
05. ☐ SWIMMING POOL
06. ☐ GARAGE
07. ☐ OTHER

TYPE FOUNDATION

1. ☐ SLAB
2. ☐ BLOCK
3. ☐ CONCRETE

BASEMENT

1. ☐ FULL
2. ☐ PARTIAL
3. ☐ NONE

TYPE OF CONSTRUCTION

1. ☐ MASONRY
2. ☐ WOOD FRAME
3. ☐ STRUCTURE STEEL
4. ☐ REINF. CONCRETE

TYPE OF HEATING FUEL

1. ☐ GAS 3. ☐ ELECTRICITY
2. ☐ OIL 4. ☐ COAL

TYPE OF SEWAGE DISPOSAL

1. ☐ PUBLIC SEWER EXISTS ☐ PROPOSED
2. ☒ PRIVATE SYSTEM
SEPTIC ☒ EXISTS ☐ PROPOSED
PRIVY ☐ EXISTS ☐ PROPOSED

CENTRAL AIR: 1. ☐ 2. ☐

ESTIMATED COST: \$75,000

OF MATERIALS AND LABOR

PROPOSED USE: Boat Yard + Pier Addition w/ Piles
EXISTING USE: Boat Yard

OWNERSHIP

1. ☒ PRIVATELY OWNED 2. ☐ PUBLICLY OWNED 3. ☐ SALE 4. ☐ RENTAL

RESIDENTIAL CATEGORY:

1. ☐ DETACHED 2. ☐ SEMI-DET. 3. ☐ GROUP 4. ☐ TOWNHSE 5. ☐ MIDRISE

#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS: 6. ☐ HIRISE

GARBAGE DISPOSAL 1. ☐ 2. ☐ N

POWDER ROOMS

BATHROOMS
KITCHENS

CLASS 29
LIBER 07

FOLIO 13

BUILDING SIZE

FLOOR 0

WIDTH 80'

DEPTH 75'

HEIGHT

STORIES

LOT #'S 3-4

CORNER LOT

1. ☐ Y 2. ☐ N

LOT SIZE AND SETBACKS

SIZE 107.26' WIDE

FRONT STREET

SIDE STREET

FRONT SETBK

SIDE SETBK 10' / 10'

SIDE STR SETBK

REAR SETBK N.C.

ZONING

APPROVAL SIGNATURES

(DATE)

BLD INSP:
BLD PLAN: 120
FIRE: 120
SEDI CTL:
ZONING: 111
PUB SERV:
ENVRMNT: 416 NC
PERMITS:
DATE: 1/21/98
DATE: 8/20/97
DATE: 8/20/97

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

Wants to Waive Data.

pet #4

SKARDA AND ASSOCIATES INC.
STRUCTURAL CONSULTANTS

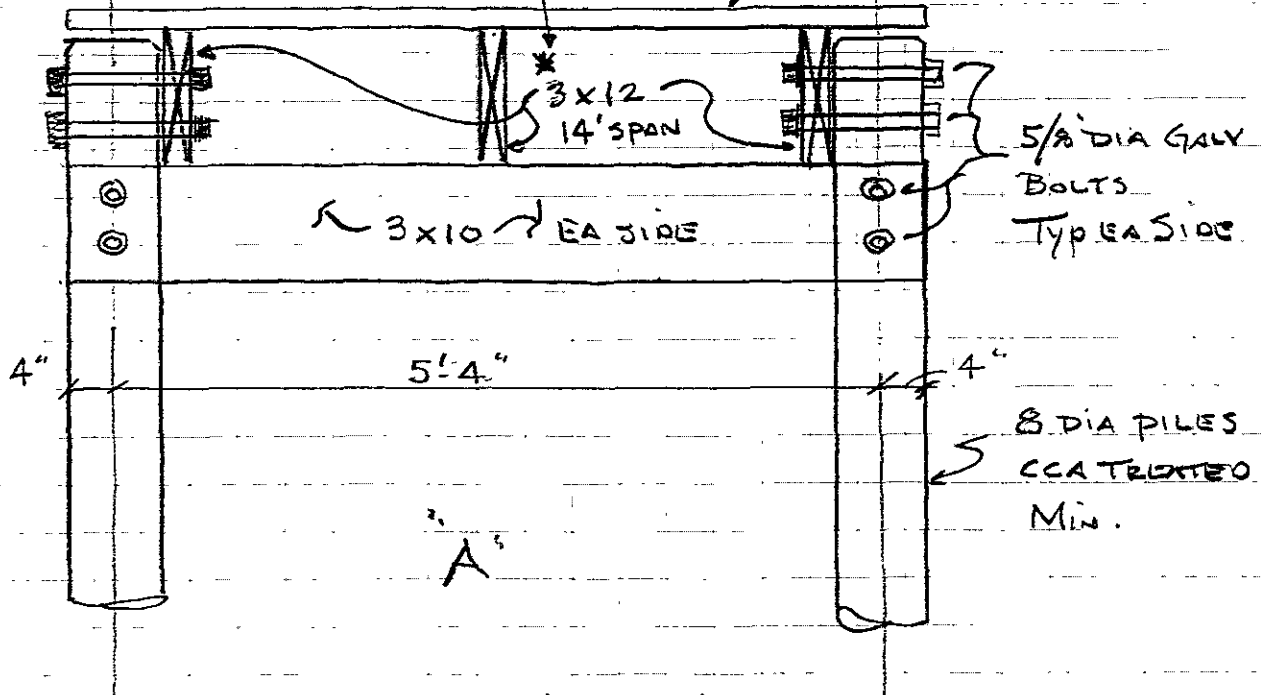
2439 N. Charles Street/Baltimore, Maryland 21218
 Phone: (410) 366-9384/Fax: (410) 366-9389

TITLE: 3814 CLARK STREET
 GRELLER'S BOATYARD
 PIER EXTENSION

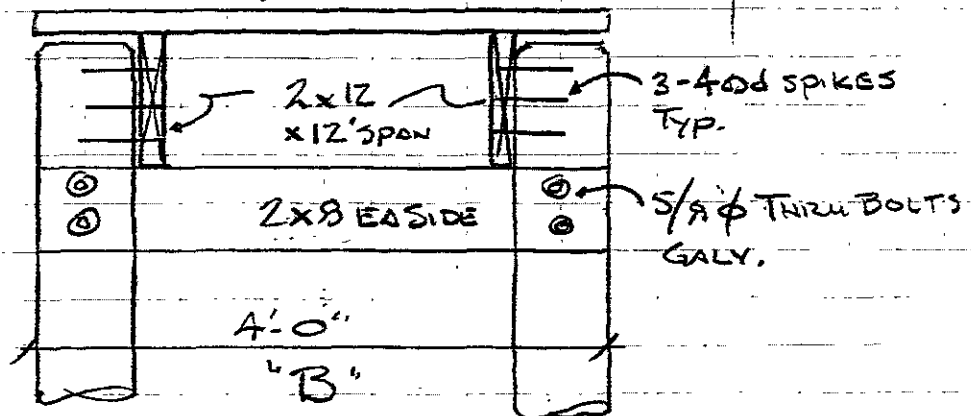
JOB NO.: 97431
 DATE: 1-19-98 BY: T.S.
 DWG. NO.: SK-2

* @ 10' SPAN 2x12'S OKAY.

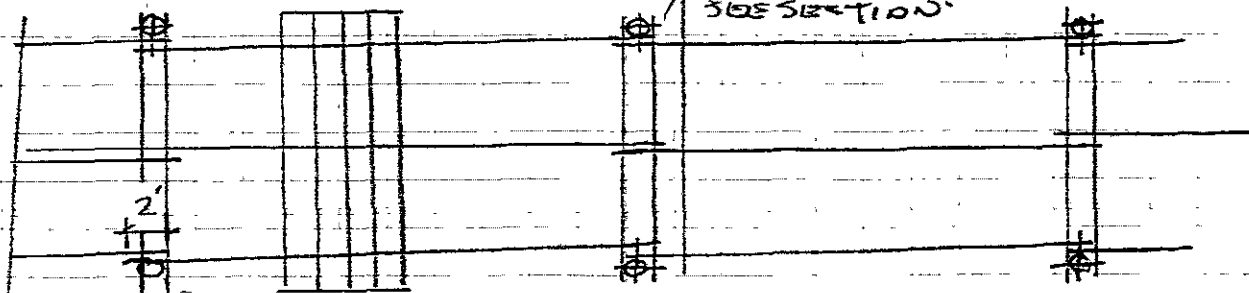
2x8 TIGHT 1/2" DECKING.
 3-10d SPIRALS EA CONN.



2x8'S TIGHT 1/2"
 3-10d SPIRALS EA CONN.

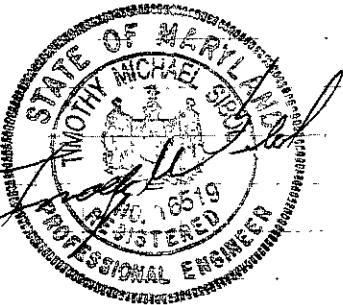


5/8" BOLTS GALV (NUTS & WASHERS)
 SEE SECTION



PARTIAL PLAN.

per EX



SKARDA AND ASSOCIATES INC.
STRUCTURAL CONSULTANTS

2439 N. Charles Street/Baltimore, Maryland 21218
 Phone: (410) 366-9384/Fax: (410) 366-9389

TITLE:

3814 CLARKSTON

JOB NO.:

97431.

DATE:

1-19-98

BY:

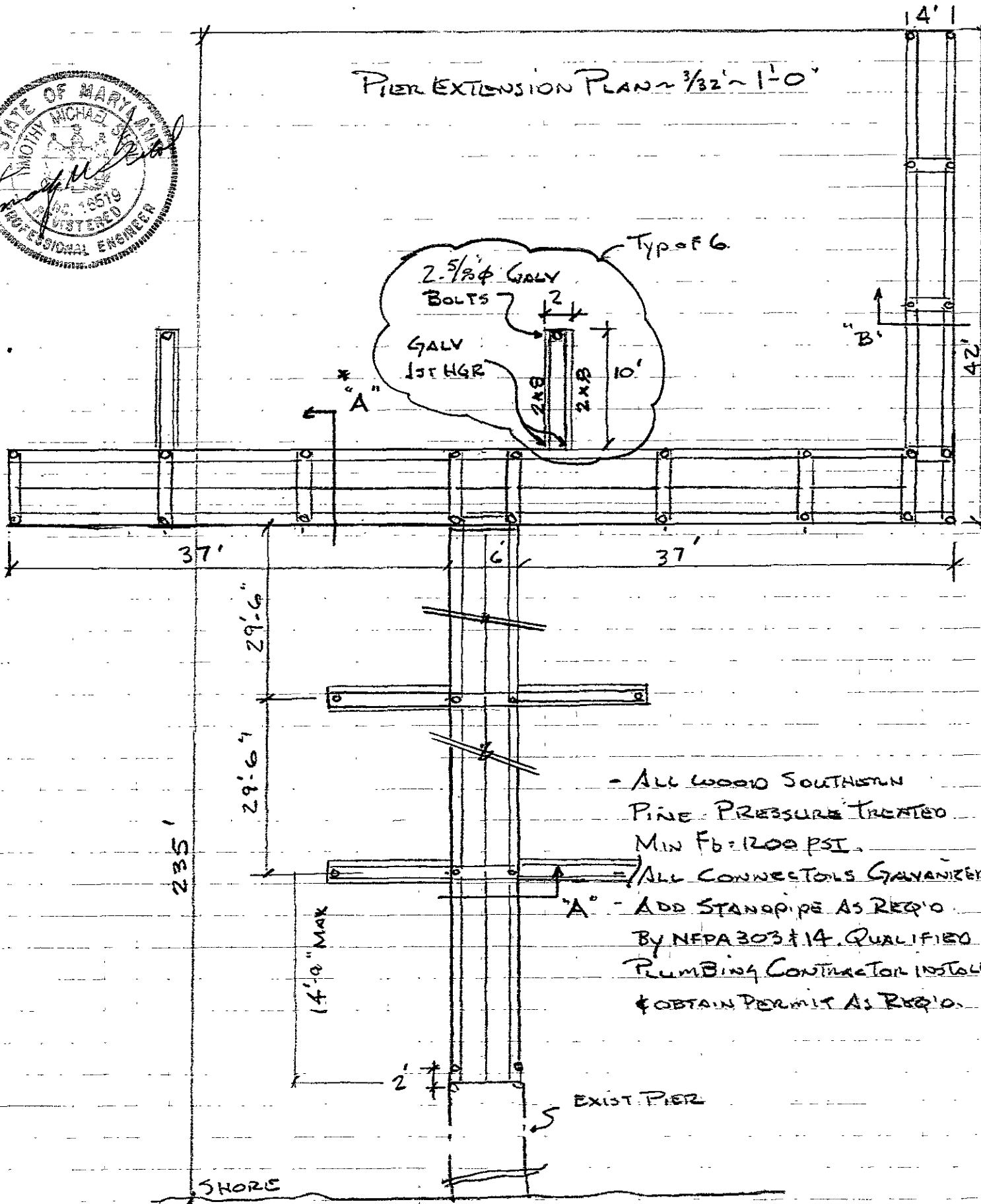
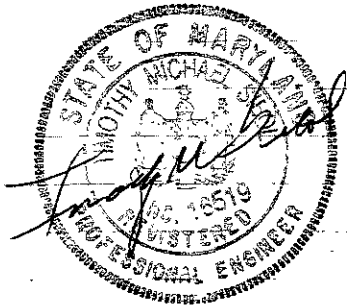
T.S.

DWG. NO.:

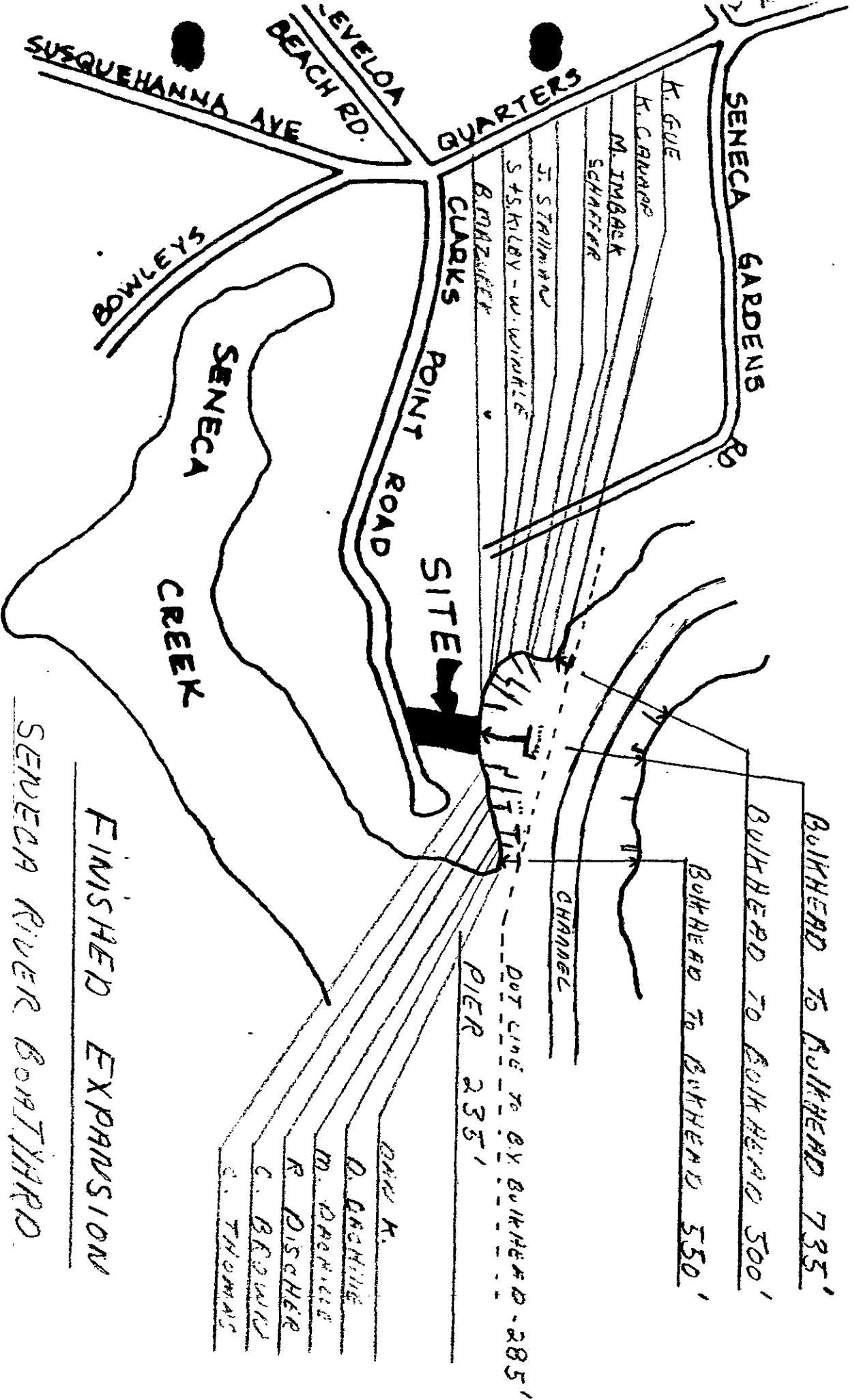
SK-1.

PIER EXTENSION

PIER EXTENSION PLAN ~ 3/32 ~ 1'-0"



- ALL WOOD SOUTHERN PINE PRESSURE TREATED MIN Fb = 1200 PSI.
- ALL CONNECTORS GALVANIZED
- "A" - ADD STANPIPE AS REQ'D BY NEPA 303 & 14. QUALIFIED PLUMBING CONTRACTOR INSTALL & OBTAIN PERMIT AS REQ'D.



FINISHED EXPANSION

SENECA RIVER BOATYARD

3814 CLARKS PT RD

BALTO MD 21220

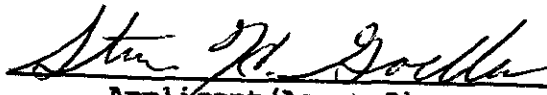
410-335-6079

Department of the Environment
Water Management Administration
Tawes State Office Building C-3
Annapolis, Maryland 21401

"A Commitment to Excellence in Managing Maryland's Water Resources"

PUBLIC NOTICE BILLING APPROVAL FORM

I agree to pay all expenses associated with the publishing of a public notice for the wetland application of STEVE GOELLER (Applicant's Name) which is dated 2-21-97 SENECA RIVER BOAT YARD


Applicant/Agent Signature

STEVE H GOELLER
Printed Name of Signee

Billing Address: SENECA RIVER BOATYARD
3814 CLARK'S PT. RD
BALTO. MD 21220

Telephone Number: 410-335-6079

Please provide the names and mailing addresses of the adjacent property owners:

<u>CHARLES THOMAS</u>	<u>3818 CLARK'S PT. RD</u>	<u>335-6307</u>
<u>CURTIS BROWN</u>	<u>3822 CLARK'S PT. RD</u>	<u>335-2658</u>
<u>BOB MAZURER</u>	<u>3810 CLARK'S PT. RD</u>	<u>335-2729</u>
<u>SHARON KILBY</u>	<u>3802 CLARK'S PT. RD</u>	<u>977-3938</u>

NOTICE TO TIDAL WETLAND APPLICANTS

Certain projects involving tidal wetlands licenses and permits require that a description of the proposed project be published in a local newspaper. This advertisement is necessary to fulfill legal public notice requirements. Projects that require public notice include but are not limited to the following:

- ▶ Bulkheads greater than 300 feet long and 10 feet channelward of the mean high water line.
- ▶ Stone revetments greater than 500 feet long and 10 feet channelward of the mean high water line.
- ▶ Marsh creation projects greater than 500 feet long and 35 feet channelward of the mean high water line.
- ▶ Dredging projects that have a surface area greater than 1,500 square feet or result in the removal of more than 100 cubic yards of material.
- ▶ Jetties, breakwaters and groins.
- ▶ All marina creation and expansion projects.

The Water Management Administration will advertise the project for you. However, as the applicant for the project you are responsible for paying the publishing costs. The publishers will bill you directly. In order for this process of public notice to occur your approval is necessary prior to publishing. Please complete the form on the back of this page and return it to the Water Management Administration with your application so that your proposed project may be advertised without delay. Please make sure to sign the form. Processing of your application cannot continue until a signed form is received.

Please call the Tidal Wetlands Division at (410) 974-3871 if you have any questions.

Thank you for assistance in this matter.

Please complete the reverse side of this page.

JOINT FEDERAL / STATE APPLICATION FOR THE ALTERATION OF ANY TIDAL WETLAND IN MARYLAND

- All applications must be accompanied by plan drawings which show the location and character of the proposed work. For specific information on what is required on the plans, refer to the instruction package. 8½" x 11" black & white drawings are required for every application.
- Any application which is not completed in full or is accompanied by poor quality drawings may be returned and will result in a time delay to the applicant.
- If you need help understanding how to fill out the application form, please refer to the instruction booklet.

APPLICATION NUMBER:

(To be assigned by the agencies)

1. **APPLICANT INFORMATION:** SENECA RIVER FAX: (____) _____
Name: STEVE H. GOEHLER BOATYARD Telephone: (410) 335-6079
Address: 3814 CLARK'S PT. RD.
City: BALTO State: MD Zip: 21220

2. **AGENT / ENGINEER INFORMATION:** FAX: (____) _____
Name: _____ Telephone: (____) _____
Address: _____
City: _____ State: _____ Zip: _____

3. **PRINCIPAL CONTACT**, if not the applicant: FAX: (____) _____
Name: _____ Telephone: (____) _____

4. **PROJECT DESCRIPTION:** MINOR REDEVELOPMENT
24 SLIPS X 15% = 28 TOTAL

5. PROJECT PURPOSE:

- | | | |
|---|---|--|
| ☐ Shore Erosion Control | ☐ Erosion/Sediment Control | ☐ Storm Drain/Stormwater Management |
| ☐ Utility Installation | ☐ Improve Navigable Access | ☐ Marina |
| ☐ Create Waterfowl Habitat | ☐ Improve Fish Habitat | ☐ Fill |
| ☐ Temporary Construction | ☐ Stream Channelization | ☐ Bridge |
| ☐ Beach Nourishment | ☐ Maintenance/Repair | ☐ Dam |
| ☐ Residential/Commercial Development | ☐ Small Pond | ☐ Road |
| ☒ Other: (describe) <u>15% ADDITION</u> | | ☐ Culvert |

CERTIFICATION:

I hereby designate and authorize the agent named above to act on my behalf in the processing of this application and to furnish any information that is requested. I certify that the information on this form and on the attached plans and specifications is true and accurate to the best of my knowledge and belief. I understand that any of the agencies involved in authorizing the proposed works may request information in addition to that set forth herein as may be deemed appropriate in considering this proposal. I grant permission to the agencies responsible for authorization of this work, or their duly authorized representative, to enter the project site for inspection purposes during working hours. I will abide by the conditions of the permit or license if issued and will not begin work without the appropriate authorization. I also certify that the proposed works are not inconsistent with Maryland's Coastal Zone Management Plan.

APPLICANT MUST SIGN: Steve H. Goehler Date 2/21-99

6. PROJECT LOCATION: This project is in ☒ Tidal ☐ Non-Tidal Waters. (Please Check One)

County: BALTO.

Name of Waterway: SENECA CREEK

Site Address or Location: 3814 CLARK'S PT. RD.

Directions from nearest intersection of two state roads: EAST on 150 - RIGHT on to
CARROLL ISLAND RD - RIGHT on to BOWLEY'S QUARTERS RD.
LEFT on CLARK'S PT. RD.

County Book Map (A.D.C.) Coordinates: Page: 2 Letter: E Number: 20

7. TYPE OF PROJECT:

Work Proposed

Overall Length
(in feet)

Average Width
(in feet)

Maximum Distance Channelward From Mean High
Water For projects in tidal waters (in feet)

- ☐ Bulkhead
☐ Revetment
☐ Vegetative Stabilization
☐ Gabions
☐ Groins or Jetties
☐ Boat Ramp
☒ Pier
☐ Breakwater
☐ Road Crossing
☐ Utility Line
☐ Outfall Construction
☐ Dredging
☐ New ☐ Maintenance
☐ Hydraulic ☐ Mechanical

235'

6'

THE CHANNEL IS
475' FROM BULKHEAD

THE PIER WILL
BE 235'

- ☐ Other: For other projects, please supply project dimensions including the area of disturbance (acreage), volume of fill (cubic yards), type of fill, and area (acreage) of wetlands to be impacted.

8. PROPOSED STARTING DATE: MAY 1997

9. CONTRACTOR'S NAME (If known): _____

10. LAND USE:

Current Use Is:

☐ Agriculture

☐ Wooded

☐ Marsh/Swamp

☐ Meadow

☐ Developed

Present Zoning Is:

☐ Residential

☐ Commercial

☐ Agriculture

☐ Other:

SPECIAL EXCEPTION

11. OTHER PERMITS REQUIRED: ☐ Building Permit ☐ Soil Conservation District ☐ Other: _____

12. NOTIFICATION OF ADJACENT PROPERTY OWNERS: DONE

The applicant/agent will be informed by the permitting agencies when notification of adjacent property owners is required

IMPORTANT: PLEASE MAIL 5 COPIES OF THE APPLICATION, SITE PLAN AND VICINITY MAP (WITH PROJECT LOCATION PINPOINTED) TO:

~~45074~~

MDE, WATER MANAGEMENT ADMIN
REGULATORY SERVICES COORD
2500 BROENING HIGHWAY
BALTIMORE MD 21224

(800) 876-0200

ATTENTION PIER & PILING APPLICANTS

1. Please complete and sign the Joint Federal/State Application Form.
2. Please sign this Notification Form and submit it with your Joint Federal/State Application.

State of Maryland Pier and Piling Notification Form

PRIVATE WATERFRONT PROPERTY OWNERS AND NON-MARINA COMMERCIAL WATERFRONT PROPERTY OWNERS are not required to obtain an authorization from the State of Maryland to construct and install structures in tidal waters of the State of Maryland provided that they agree to perform the activities in accordance with the special and general conditions described below and submit a Joint Federal/State Application.

If a proposal does NOT meet the conditions of this authorization, DNR will notify the project proponent within 10 days of receipt of application. IF YOU DO NOT HEAR FROM THE STATE WITHIN 10 DAYS AFTER YOU SEND IN YOUR SIGNED NOTIFICATION FORM YOU CAN ASSUME YOU MEET THE NOTIFICATION FORM CRITERIA.

SPECIAL CONDITIONS

Private piers, boat hoists or lifts, mooring piles, and osprey poles that meet all of the following criteria are exempt from obtaining a license or permit directly from MDE where local authorization has been granted.

1. Only one pier, and four boat hoists or lifts per property;
2. Width of the main section of the pier is not greater than 6 feet;
3. Total area of all fixed and floating auxiliary platforms including T's, L's, and step down platforms does not exceed 200 square feet and are not located over vegetated wetlands;
4. Platforms are not constructed within the landward 50% of the main pier section;
5. Project does not include more than six mooring piles or create more than four boat slips;
6. Project does not include more than two osprey poles per property;
7. A maximum of two, 3-foot wide finger piers not exceeding 50 percent of the proposed slip length are constructed on the landward side of the end of a private pier;
8. Project meets the minimum extended property line setback requirements established by the local jurisdictions in which the activity is proposed;
9. In localities where there are no set back requirements, structure(s) is constructed in a manner so as not to obstruct ingress and egress from adjacent properties;
10. Piers over vegetated tidal wetlands are constructed a minimum of 3 feet above the wetlands;
11. Pier does not extend within 100 feet of a ski course approved by DNR;
12. Pier does not extend more than 100 feet channelward of the mean high water line and/or vegetated tidal wetlands; or a distance of 25 percent of the width of the waterway, which ever is less;
13. Project does not obstruct the flow of the tide; and
14. A signed copy of this notification with a completed Joint Federal/State Application including plans is sent to the Regulatory Services Coordination Office 10 days prior to the start of any construction.

GENERAL CONDITIONS

1. Property owners must comply with all Federal, State and local requirements and regulations, including the State of Maryland's Chesapeake Bay Critical Area Criteria where applicable, pertaining to construction and installation of structure(s). Any structure(s) installed shall be constructed in such a manner to comply with local (County and or City) setback requirements, so as not to obstruct ingress and egress from adjacent properties.
2. A pier may be constructed in and over marsh areas to allow access provided that these areas are not disturbed. Piers shall be attached to uplands above the mean high water line so that shading of marsh and disturbance of fish and wildlife habitat are minimized. Mooring piles are not authorized in marsh areas for the purposes of boat moorings unless sufficient water depth allows mooring without alteration of the marsh. Heavy equipment utilized in pier construction over marshes shall be placed on mats or other suitable material to minimize damage to the marsh.

3. No structure(s) is allowed under this authorization if another similar type of structure(s) exists on the same property, unless the proposed work is an extension to an existing pier and the total resulting structure does not exceed the limits of this authorization, or unless the total number of auxiliary structures or Osprey poles will not exceed the limits of this authorization.
4. No petroleum dispensing apparatus may be placed or stored on piers or floating docks.
5. MDE reserves the right to determine whether or not a particular structure(s) qualifies for this authorization.
6. The shared use of piers, auxiliary structures and/or mooring piles by adjoining property owners is encouraged and strongly recommended wherever possible.
7. Mooring pile(s) allowed by this authorization will be used only for the purpose of mooring vessels by residential waterfront property owners and non-marina commercial property owners.
8. The property owner shall maintain the activity allowed by this authorization in good condition and in compliance with the terms and conditions of this authorization.
9. The property owner shall allow representatives from MDE to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of this authorization.
10. This authorization does not convey any public or private property rights. The land and water below the pier and the air above remain property of the State of Maryland.
11. This authorization does not allow any injury to the property or rights of others.
12. The State of Maryland does not assume any liability for the following:
 - a. Damages to the authorized project as a result of other permitted or unpermitted activities or from natural causes;
 - b. Damages to the authorized project as a result of current or future activities undertaken by or on behalf of the State of Maryland in the public interest;
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity allowed by this authorization;
 - d. Design or construction deficiencies associated with the authorized work; and
 - e. Damage claims associated with any future modification, suspension, or revocation of this authorization.
13. MDE may re-evaluate its decision on this authorization or any authority granted under it at any time circumstances warrant. Circumstances that could require a re-evaluation include, but are not limited to, the following:
 - a. The property owner fails to comply with the terms and conditions of this authorization;
 - b. The information provided by the property owner in the notification form is false, incomplete, or inaccurate; and
 - c. Significant new information becomes available which was not considered in reaching the original public interest decision.Such a re-evaluation may result in a determination that it is appropriate to use the suspension, modification, revocation or enforcement procedures such as those contained in Title 9.
14. The property owner's use of the allowed activity must not interfere with the public's right to free navigation on all navigable waters of the State.

I have read and understand the criteria set forth in this Notification Form and will perform all work herein described in accordance with the conditions.

SIGNATURE OF PROPERTY OWNER

Stu. W. Gable

Address:

3814 CLARK'S PT. RD

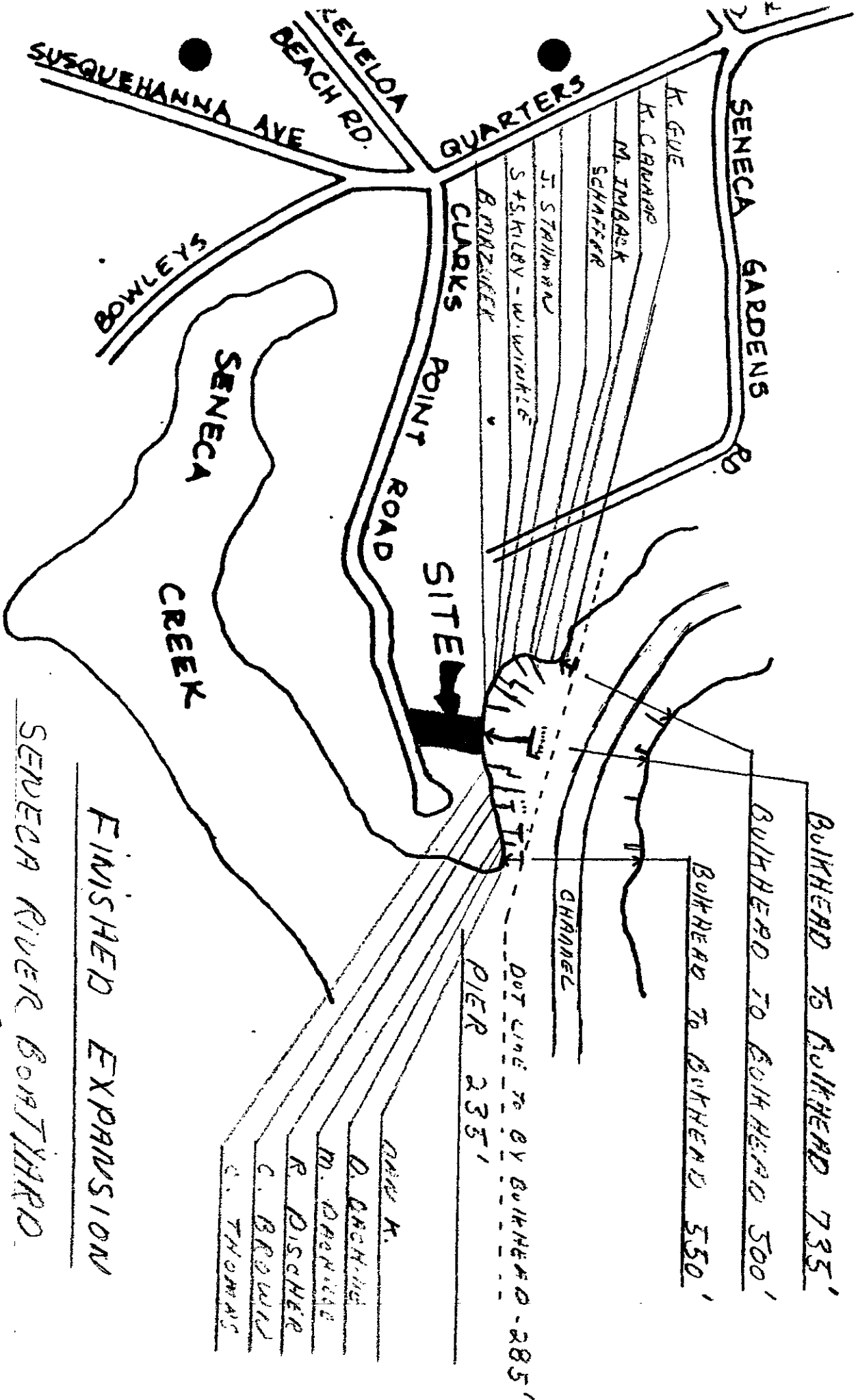
County:

BALTO

MD 21220

Date:

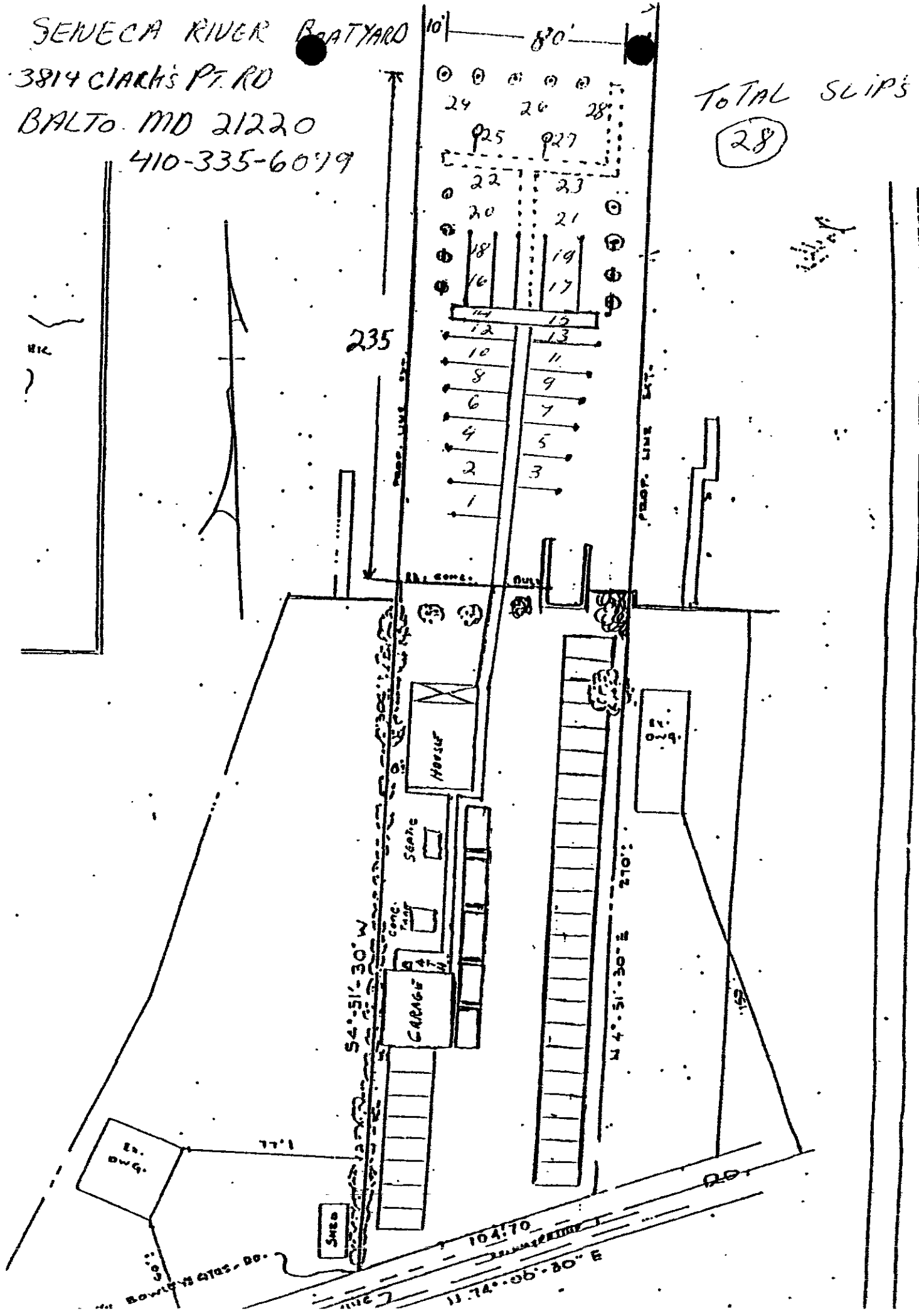
2-21-97



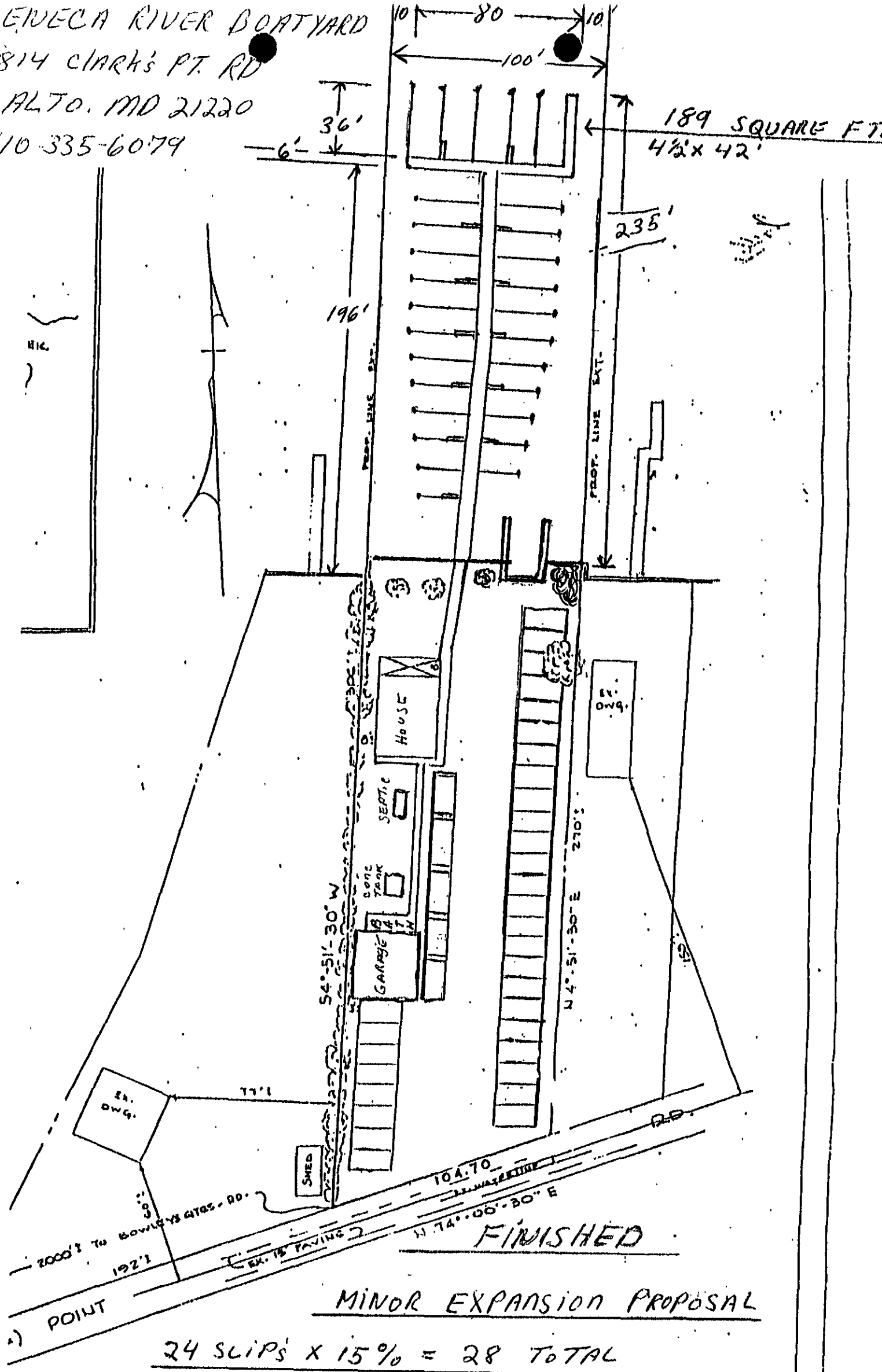
SENeca RIVER BOATYARD
 3814 CHARLES PT RD
 BALTO MD 21220
 410-335-6009

SENECA RIVER BOATYARD
 3814 CLARK'S PT. RD
 BALTO. MD 21220
 410-335-6079

TOTAL SLIPS
 (28)



SENECA RIVER BOATYARD
 3814 CLARK'S PT. RD
 BALTO. MD 21220
 410-335-6079



MINOR EXPANSION PROPOSAL

24 SLIPS x 15% = 28 TOTAL

I have reviewed the proposed drawing of Seneca River Boatyard
and agree that the expansion is fair and reasonable.

Name

Address

Phone #

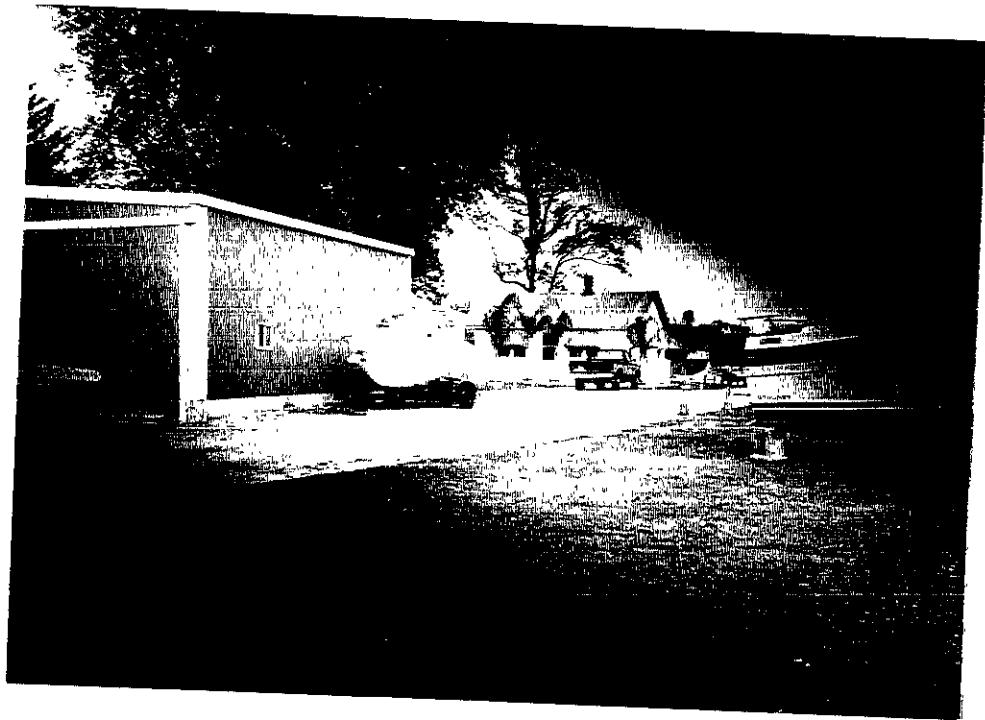
1	W. Kenneth Shee	715 SENECA GARDENS RD.	410-321-1454
2	Charles F. Thomas	3818 CLARK'S PT. RD.	335-6307
3	Jack Ducker	3804 CLARKS PT RD	335-2210
4	John Sullivan	3800 CLARKS PT. RD	335-8002
5	Donna [Signature]	3830 CLARKS PT RD	344-0835
6	Carrie Brown	3822 CLARKS PT RD	335-2658
7	Bob Mazurek	3810 CLARKS PT RD	335-2729
8	Kevin P. Canapp	727 Seneca Gardens Rd	335-0630
9	Wm C Winkler	3802 CLARKS PT RD	335-0000
10	Al Schaffer	731 SENECA GARDENS R	335-8978
11	Stanley Kilby	3802 CLARKS PT RD	877-3938
12	Stephen B Kilby	3802 CLARKS PT. RD.	877-3938
13	Daniel Rachelle	3828 CLARKS PT. RD	284-5723
14	Marjorie Imbach	4410 Springwood Ave	485-7829
15	[Signature]	3826 CLARKS PT RD	- 876-5011

THIS IS A SIGNATURE MIKE DACHILLE

PETITIONER'S
EXHIBIT 2







Petitioner's
Exhibits

3A - 3C

photographs

(97-541-SPH)