IN RE: PETITION FOR SPECIAL EXCEPTION

NE/Corner Bowleys Quarters Road and

Clarks Point Road

(737 Bowleys Quarters Road)

15th Election District 6th Council District

Carl A. Stallard Petitioner

* BÉFORE THE

* ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

Case No. 06-131-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consideration of a Petition for Special Exception filed by Carl A. Stallard, owner of the subject property located at 737 Bowleys Quarters Road, through his attorney, John B. Gontrum, Esquire. The Petitioner requests special exception approval to permit the use of the subject property as a boatyard, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (BCZR). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Carl A. Stallard, owner of the property, Kenneth Wells, a registered land surveyor, who prepared the site plan of the property, and John B. Gontrum, Esquire, attorney for the Petitioner. Also appearing in support of the request were William Bissell, an owner of a nearby marina and boatyard, and William Jones, of Baltimore County's Office of Economic Development. R. Bruce Seeley and Adam Block from the Department of Environmental Protection and Resource Management, and David Pinning with the Office of Planning also appeared. There were no Protestants or other interested persons present.

Testimony and evidence offered disclosed that the subject property is an irregular shaped parcel located on the northeast corner of Bowleys Quarters Road and Clarks Point Road in eastern Baltimore County. The property contains a net area of 0.7375 acres, split zoned B.L. (30,473 sq.ft.) and D.R.5.5 (10,725 sq.ft.), and is improved with a two story frame building,

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which was previously occupied by the former Windjammer restaurant and bar; however is currently vacant. Access to the site has been from both Clarks Point Road and Bowleys Quarters Road. Photographs introduced at the hearing indicate that the parking lot is comprised of crusher run and some paving with no defined spaces.

The Petitioners are desirous of utilizing the property as a boatward. An amended plan

The Petitioners are desirous of utilizing the property as a boatyard. An amended plan depicting the proposed use was submitted at the hearing and marked into evidence as Petitioner's Exhibit 1. The amended plan was prepared in response to Zoning Advisory Committee (ZAC) comments to show a reconfigured parking area and also a boat storage area. The existing building will be razed and a new building comprising a one-story showroom and office for boat sales is proposed, with plans for a future addition. All improvements, including the boat storage area and parking areas are located in the B.L. zoned portion of the site. An afforestation easement is proposed on the D.R.5.5 zoned portion of the site, which calls for the replacement of some of the impervious surface. Mr. Wells stated that upon full development of the site there would be less impervious area than what currently exists. It was proffered that there will be no substantial boat repairs occurring on the site and that the use proposed is primarily to accommodate boat sales and storage of new boats and equipment. Testimony also indicated that the subject property has one of the higher elevations in Bowleys Quarters and is less susceptible to flooding than the marina owned by the Petitioner further south on Bowleys Quarters Road. Other specifics of the proposed special exception area, including sidewalks, signage and parking are all more particularly shown on the plan.

In support of the request, the Petitioner submitted a letter from Michael Vivirito, President of the Bowleys Quarters Improvement Association supporting the special exception, and, as indicated above, statements in support of the special exception for a boatyard at this location were made by both Mr. Jones and Mr. Bissell.

A ZAC comment was received from Development Plans Review, which indicated that full road improvements (ie., curb and gutter, sidewalks, inlets, street lights, etc.) are required on both road frontages. Mr. David Pinning on behalf of the Office of Planning indicated they

support these comments. Currently, there are no curbs, gutters or sidewalks along Bowleys Quarters Road or Clarks Point Road in the vicinity of the subject site. Mr. Wells indicated that a significant engineering problem would be created by these improvements impacting a large section of these roadways extending beyond the property lines. This engineering issue has to do with the current construction and crowning of the roadways to accommodate runoff. Accordingly, it seems appropriate that these comments be addressed when a Development Plan is reviewed for the proposed development. Perhaps a dedicated walking pathway can accommodate foot traffic in lieu of raised sidewalks. These comments, however, in-and-of themselves, have no impact on the appropriateness of the requested zoning relief. All of the other recommendations made by Development Plans Review have been addressed on the plan.

There were no adverse ZAC comments submitted by any County reviewing agency. However, the Fire Marshall's Office indicated that the proposed building should be designed and constructed to meet the applicable provisions of the Baltimore County Fire Prevention Code. In addition, the Department of Environmental Protection and Resource Management noted that development of the property must comply with Chesapeake Bay Critical Area Regulations and the Limited Development Area requirements. Moreover, the Office of Planning has requested that elevation drawings of the proposed building be submitted for their review and approval prior to the issuance of any permits.

Section 502 of the BCZR governs special exception uses. That section provides that before the requested special exception may be granted, it must appear that the use for which it is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic, or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;

- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air;
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations;
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations...

Mr. Gontrum proffered the testimony from the Petitioner and his witnesses. It is clear that the proposed use would not create any adverse impact at this location more burdensome than that typically expected from such a use at similarly zoned property and that the proposed special exception met the burdens imposed by Section 502 1 of the BCZR. Based on the submitted exhibits and proffered testimony, the improvements proposed by Petitioner appear to lessen the environmental impact of the existing conditions and will improve the appearance of the property without any negative impacts on the community.

A special exception use is "expressly permissible" once certain statutory criteria have been satisfied. <u>Mossburg v. Montgomery County</u>, 107 Md. App. 1, 7 (1995). "It is part of a comprehensive zoning plan, sharing the presumption that it is in the interest of the general welfare and is, therefore valid." *Id.* The proper issue to be considered in a special exception case is whether the adverse effects in the particular location would be above and beyond those inherently associated with the special exception use irrespective of its location within the zone. *Id.* (Quoting <u>Schultz v. Pritts</u>, 291 Md. 1, 22-23 (1981)).

The evidence presented indicates that the use of the property as a boatyard will not create adverse effects above and beyond those inherently associated with a boatyard elsewhere within the B.L. zone. Therefore, I believe the special exception request to permit a boatyard on the property should be granted. After considering all of the testimony and evidence offered at the hearing, both for and against this request, I find that the special exception request to permit

the use of the property as a boatyard, pursuant to Section 230.13 of the BCZR, is hereby approved. During the development process, Petitioner shall address the unresolved issues raised by the Bureau of Development Plans Review.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2 day of November 2005, that the Petition for Special Exception to permit the use of the subject property as a boatyard, pursuant to Section 230.13 of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their 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.
- 2) Compliance with the ZAC comments submitted by DEPRM relative to Chesapeake Bay Critical Areas regulations and all other appropriate environmental, floodplain and B.O.C.A. regulations for the protection of water quality, streams, wetlands and floodplains. Copies of those comments have been attached hereto and are made a part hereof.
- 3) The Petitioners shall submit a landscape plan and architectural elevation drawings of the proposed structure and future addition to the Office of Planning for review and approval prior to the issuance of any permits.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that any appeal of this decision must be filed within thirty

(30) days from the date of this Order.

WJW:bjs

KOE E

Date

Zoning Commissioner for Baltimore County



JAMES T. SMITH, JR. County Executive

November 3, 2005

WILLIAM J. WISEMAN III

Zoning Commissioner

John B. Gontrum, Esquire Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION

NE/S Corner Bowleys Quarters Road and Clarks Point Road (737 Bowleys Quarters Road)
15th Election District – 6th Council District
Carl A. Stallard - Petitioner
Case No. 06-131-X

Dear Mr. Gontrum:

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 Department of Permits and Development Management office at 887-3391.

WJW:bjs

Zoning Commissioner
for Baltimore County

Very truly yours

cc: Mr. Carl A. Stallard
825 Bowleys Quarters Road, Baltimore, Md. 21220
Chesapeake Bay Critical Areas Commission
1804 West Street, Suite 100, Annapolis, Md. 21401
Development Plans Review, DPDM; DEPRM; Office of Planning
People's Counsel; Case/File







Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 33 Basker's Quarters Research which is presently zoned A.C. 15.25

This Petition shall be filed with the Department of Permits and 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

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Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded 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.

			is the subject of this Petition.	
Contract Purchaser	<u>Lessee:</u>		<u>Legal Owner(s):</u>	!
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Attorney For Petition	ier.		825 Bowles Quanters 18/ 9	111 -276
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kjWellsInc

Trading for Kenneth J. Wells, Inc. Land Surveying and Site Planning

Telephone: (410) 592-8800

Fax: (410) 817-4055

Email: kwells@kiwellsinc.com

- 7403 New Cut Road Kingsville, Md. 21087-1132

August 30, 2005

Zoning Description
for
737 Bowleys Quarters Road
Baltimore County
Maryland
15th Election District
6th Councilmanic District

Beginning at a point formed by the intersection of the north edge of pavement of Clarks Point Road which varies in width and the northeast edge of pavement of Bowleys Quarters Road which varies in width and being approximately 10 feet northwest from the centerline of said Clarks Point Road; thence binding along the northeast edge of pavement of said Bowleys Quarters Road North 18 degrees 07 minutes 57 seconds West 101.35 feet; thence leaving the northeast edge of pavement South 86 degrees 33 minutes 30 seconds West 12.33 feet to the centerline of said Bowleys Quarters Road; thence binding on or near the centerline of Bowleys Quarters Road North 19 degrees 12 minutes 00 seconds West 50.93 feet; thence North 86 degrees 33 minutes 30 seconds East 308.48 feet; thence South 3 degrees 26 minutes 30 seconds East 147.05 feet to the north edge of pavement of the aforementioned Clarks Point Road; thence binding on or near the north edge of pavement of the last mentioned Road South 86 degrees 33 minutes 30 seconds West 256.62 feet to the place of beginning as recorded in the Land Records of Baltimore County in Liber 21032 folio 57.



BALTIMORE COUNTY, MAINAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS, RECEIPT	No. 44745	
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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: #06-131-X

737 Bowleys Quarters Road N/east corner of Clarks Point Road and Bowleys Quarters Road 15th Election District 15th Election District
6th Councilmanic District
Legal Owner(s): Carl A.
Stallard
Special Exception: to permit a boatyard.
Hearing: Thursday, October 20, 2005 at 11:00 a.m.
In Room 407, County
Courls Building, 401
Bosley Avenue, Towson
21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible;
for special accommodations Please Contact the
Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or
Hearing, Contact the Zoning Review Office at (410)
887-3391.

JT/10/618 Oct 4 69716

JT/10/618 Oct. 4

CERTIFICATE OF PUBLICATION

106,20	05
THIS IS TO CERTIFY, that the annexed advertis	sement was published
in the following weekly newspaper published in Bai	ltimore County, Md.,
once in each ofsuccessive weeks, the first p	oublication appearing
on 1014,20 <u>05.</u>	-
The Jeffersonian Arbutus Times Catonsville Times Towson Times Owings Mills Times NE Booster/Reporter	
☐ North County News	

LEGAL ADVERTISING

CERTIFICATE OF POSTING

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	Date	: 10-2-05	·
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RE:	Case Number 06-131 X		
	Petitioner/Developer: Carl A. Stallar	<u>d</u>	· .
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OCT 4 2005

Department of Permits and Development Management



Baltimore County

James T. Smith, Jr., County Executive Tunothy M. Kotroco, Director

Director's Office County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Tel: 410-887-3353 • Fax: 410-887-5708

September 15, 2005

NOTICE OF ZONING 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: 06-131-X

737 Bowleys Quarters Road

N/east corner of Clarks Point Road and Bowleys Quarters Road

15th Election District – 6th Councilmanic District

Legal Owner: Carl A. Stallard

Special Exception to permit a boatyard.

Hearing: Thursday, October 20, 2005 at 11:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: John Gontrum, Whiteford, Taylor & Preston, 210 W. Pennsylvania Ave., Towson 21204 Carl Stallard, 825 Bowleys Quarters Road, Baltimore 21220

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, OCTOBER 5, 2005

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Visit the County's Website at www.baltimorecountyonline.info

TO: PATUXENT PUBLISHING COMPANY

Tuesday, October 4, 2005 Issue - Jeffersonian

Please forward billing to:

Carl A. Stallard

825 Bowleys Quarters Road

Baltimore, MD 21220

410-335-6489

NOTICE OF ZONING 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: 06-131-X

737 Bowleys Quarters Road

N/east corner of Clarks Point Road and Bowleys Quarters Road

15th Election District – 6th Councilmanic District

Legal Owner: Carl A. Stallard

Special Exception to permit a boatyard.

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401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S

OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT

THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:	
Item Number or Case Number: 06-131-X	·
Petitioner: STALLARD	· -
Address or Location: 737 BOWLEYS QUARTE	RS RD.
PLEASE FORWARD ADVERTISING BILL TO:	
Name: CARL A. STALLARD	· · · · · · · · · · · · · · · · · · ·
Address: 825 BOWLEYS QUARTERS RD	d
BALTO: MD 21220	
Telephone Number: 410-335-6489	

Revised 2/20/98 - SCJ

Department of Permits and Development Management

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



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

October 17, 2005

John Gontrum Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, Maryland 21204

Dear Mr. Gontrum:

RE: Case Number: 06-131-X, 737 Bowleys Quarters Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 1, 2005.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

U. Callinal D.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Carol A. Stallard 825 Bowleys Quarters Road Baltimore 21220



Visit the County's Website at www.baltimorecountyonline.info

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 September 13, 2005

ATTENTION: Zoning Review Planners

Distribution Meeting of September 19, 2005

Item No. 131 134 and 135.

Pursuant to your request, the above referenced plan(s) have been reviewed by this Office and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

Proposed building plans shall be designed and constructed so as to meet the applicable provisions of the Baltimore County Fire Prevention Code.

If you have any questions contact my office.

Acting Lt. Warren T. Moffitt Fire Marshal's Office 410-887-4880 MS-1102F

Cc:file

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 26, 2005

Item No. 13

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

This project is subject to all development regulations and comments. Some of the comments are as follows:

1. Full road improvements (i.e., curb and gutter, sidewalks, inlets, street lights, etc.) are required on both road frontages.

DATE: September 19, 2005

- 2. A right-of-way cut back @ the intersection of two roads is required.
- 3. The minimum commercial two-way access is 24-feet wide.
- 4. The purpose of the proposed 18-foot access off Clarks Point Road must be identified.
- 5. The minimum parking isle for perpendicular parking spaces must be 22-feet wide.

More detailed comments on the development plan are to be provided at a later date.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 131-09192005.doc

Inter-Office Correspondence



TO:

Timothy M. Kotroco

FROM:

R. Bruce Seeley

DATE:

October 20, 2005

SUBJECT:

Zoning Item

06-131

Address

737 Bowleys Quarters Road

Stollard Property

Zoning Advisory Committee Meeting of September 19, 2005

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

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

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

This property is located in a Limited Development Area (LDA) of the Chesapeake Bay Critical Area and must comply with LDA requirements. Specifically, the property is limited to the greater of 15% impervious surface or the amount of man-made impervious surface that existed prior to the inception of the Critical Area regulations.

Reviewer:

Martha Stauss

Date: October 20, 2005

S:\Devcoord\ZAC06-131.doc

INTER-OFFICE CORRESPONDENCE

DATE: October 18, 2005

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

737 Bowleys Quarters Road

INFORMATION

Item Number:

6-131

Petitioner:

Carl Stollard

Zoning:

BL & DR 5.5

Requested Action:

Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request. The petitioner shall provide the following items to the Office of Planning for review and approval prior to the issuance of any building permits:

- 1) Four sided architectural elevations, including building materials and dimensions thereof;
- 2) Provide highway-widening area on both Bowley's Quarters and Clarks Point Roads with a 6' landscaped area behind the curb a 4' sidewalk along both lengths. Provide accessibility at all curb cuts (Consult Baltimore County Department of Public Works for widening dimensions).
- 3) Provide a landscape plan showing landscaping between the curbs and building on both Bowley's Quarters and Clarks Point Roads.
- 4) Provide shown aforestation and, expand to the limits of the sidewalk and the proposed fence.
- 5) Provide a lighting package, showing location, lighting type, height and foot-candles
- 6) Provide a sign package showing elevations, colors and type of illumination.
- 7) Provide elevations of proposed fencing and locations of gates. If chain link fencing is proposed, the fencing shall be black-coated vinyl.

For further information concerning the matters stated here in, please contact David Pinning at 410-887-3480.

Prepared by:

Division Chief:

AFK/LL: CM

For further information concerning the matters stated here in, please contact David Pinning at 410-887-3480.

Prepared by:

Division Chief:

AFK/LL: CM

INTER-OFFICE CORRESPONDENCE

DATE: October 18, 2005

RECEIVED

OCT 2 0 2005

ZONING COMMISSIONER

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: 737 Bowleys Quarters Road

INFORMATION:

Item Number:

6-131

Petitioner:

Carl Stollard

Zoning:

BL & DR 5.5

Requested Action: S

Special Exception

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- 6) Provide a sign package showing elevations, colors and type of illumination.
- 7) Provide elevations of proposed fencing and locations of gates. If chain link fencing is proposed, the fencing shall be black-coated vinyl.



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 9.13.05

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

RE:

Baltimore County
Item No. 13/

Dear. Ms. Matthews:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief

Engineering Access Permits Division

RE: PETITION FOR SPECIAL EXCEPTION *
737 Bowleys Quarters Road; NE corner
Clarks Point Road & Bowleys Quarters Road*
15th Election & 6th Councilmanic Districts
Legal Owner(s): Carl A. Stallard *

*

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

06-131-X

ENTRY OF APPEARANCE

ж

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of September, 2005, a copy of the foregoing Entry of Appearance was mailed John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, 210 W Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

SEP 1 5 2005

Per.....

410-391-4111 · FAX 410-687-3458

September 1, 2005

Mr. Tim Kotroco, Director Baltimore County Dept. of Permits and Development County Office Building 111 West Chesapeake Ave., Room 111 Towson, MD 21204

Dear Mr. Kotroco:

As a Baltimore County business and neighboring property owner, I would like to express our support for the requested special zoning exception submitted by Mr. Stallard, owner of Beacon Light Marina, for the property located at 737 Bowleys Quarters Road, Baltimore, MD 21220.

Mr. Stallard's plan to remove the old Windjammer Bar building and construct a new showroom, sales office and new boat ground storage on this property has our full support. It definitely will provide better use of the commercial property currently zoned BL and it will have normal operating hours consistent with the surrounding neighborhood.

Thank you for your consideration in this matter.

Sincerely,

Chris M. Johnson

Street Lighters Electric

SFP - 2 2005 05-2684

Case No.:)	6-		31	-	}	X	
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Exhibit Sheet

Petitioner/Developer Protestant

		i - 1 ,	
No. 1	AMENDED SITE PLAN		
No. 2	PHOTO'S OF EXISTING IN PROVEMENTS		
No. 3	Bowley: Quarters Improv. assoc Letter OF Suppret		·•···
No. 4	CE WALL DONNE		
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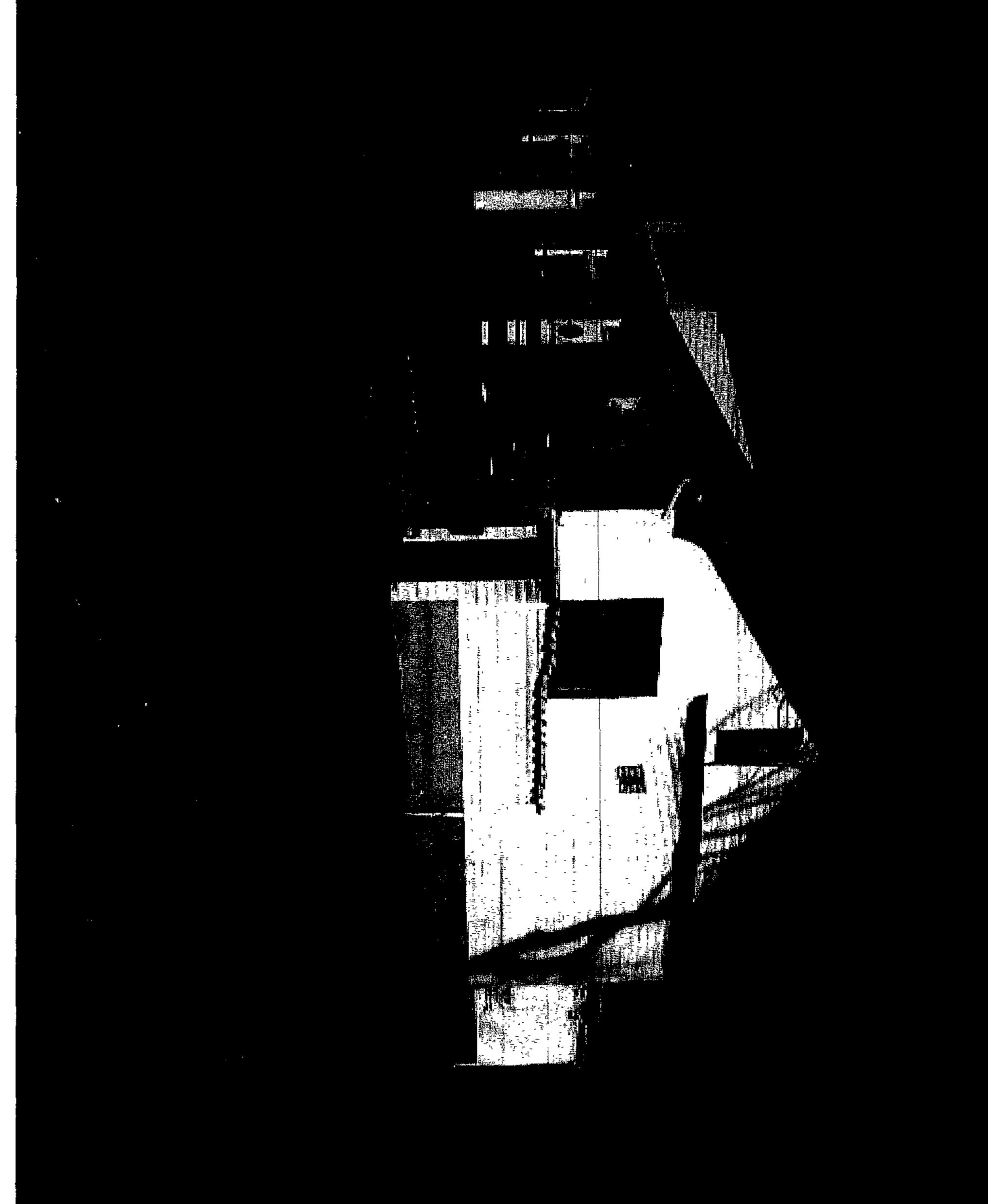
PETITIONER'S

EXHIBIT NO.

1







The Bowleys Quarters Improvement Association, Inc.

P.O. Box 18051

Baltimore, Maryland

410-335-9802

August 19, 2005

Mr. Tim Kotroco, Director
Baltimore County Dept. of Permits and Development
County Office Building
111 West Chesapeake Avenue, Room111
Towson, Maryland 21204

Dear Mr. Kotroco:

Mr. Stallard, owner of Beacon Light Marina, recently requested a zoning special exception for property located at 737 Bowleys Quarters Rd. The BQIA supports this request as well as his plan to remove the old Windjammer Bar building in order to construct a showroom, sales office, and new boat ground storage. We believe this to be a much better commercial use of this property, currently zoned BL, with operating hours that will be more compatible with our neighborhood.

Thank you for your continued support and consideration.

Sincerely,

Mike Vivirito

President

Michael Vivinto

PETITIONER'S

3

PLEASE PRINT CLEARLY

CASE NUMBER

PETITIONER'S SIGN-IN SHEET

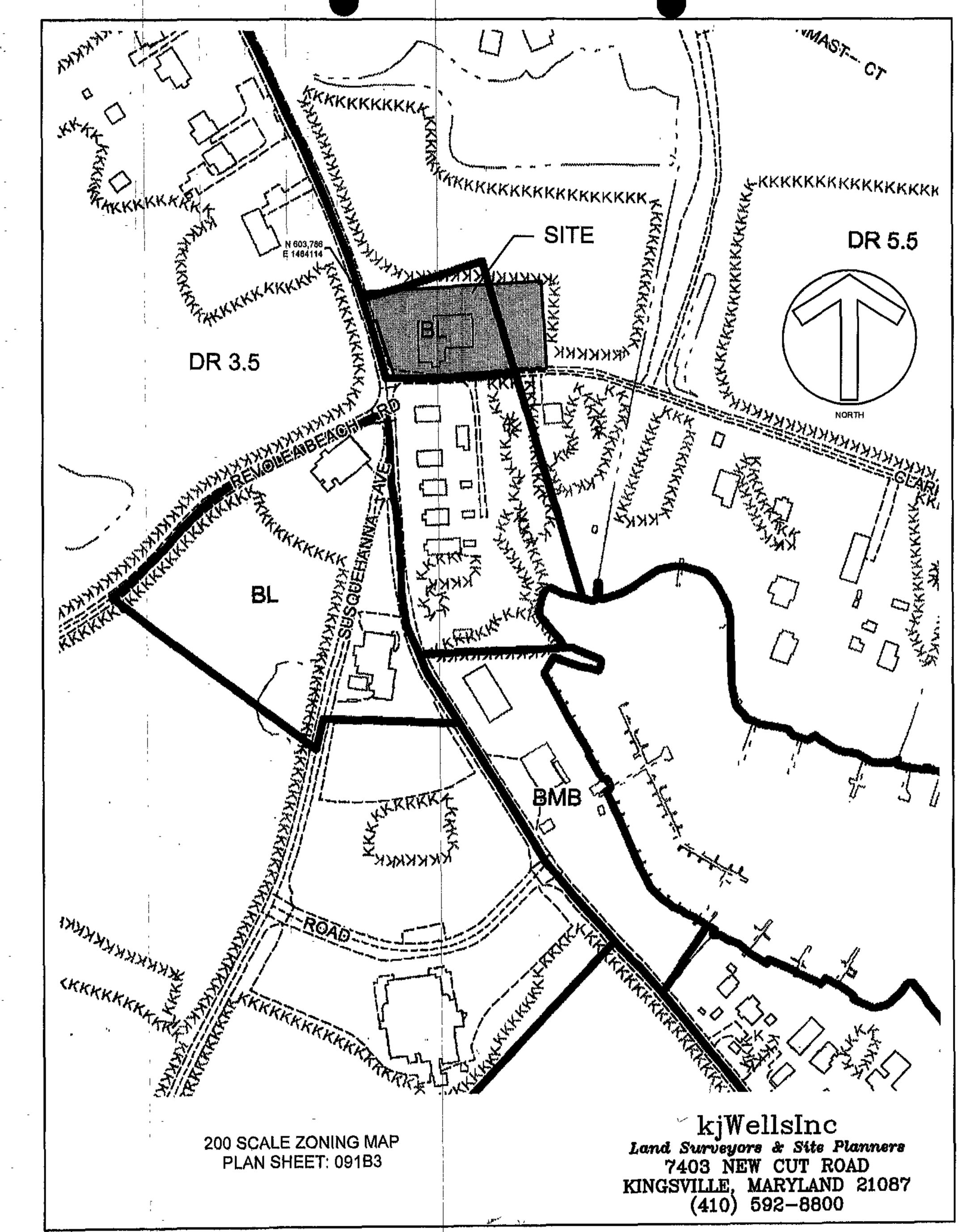
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CASE NAME CASE NUMBER DATE

COUNTY REPRESENTATIVE'S SIGN-IN SHEET

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