

M E M O R A N D U M

DATE: August 26, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0316-X- Appeal Period Expired

The appeal period for the above-referenced case expired on August 23, 2019. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
(194 Goose Harbor Road) *
15th Election District * OFFICE OF
6th Council District *
Anthony & Andrea Conrad * ADMINISTRATIVE HEARINGS
Legal Owners *
Petitioners * FOR BALTIMORE COUNTY
* **Case No. 2019-0316-X**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Exception filed on behalf of Anthony & Andrea Conrad, legal owners (“Petitioners”). The special exception petition was filed pursuant to Section 1A05.2.A.8 of the Baltimore County Zoning Regulations (“BCZR”) to allow a Commercial Fisheries Facility.

Anthony Conrad and David Billingsley appeared in support of the petition. Timothy Kotroco, Esq. represented the Petitioners. Several members of the community attended the hearing to obtain additional information and express concerns regarding the request. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Environmental Protection and Sustainability (“DEPS”), the Department of Planning (“DOP”) and the Bureau of Development Plans Review (“DPR”). None of the reviewing agencies opposed the request.

The specific property at issue is approximately 9.89 acres in size and zoned RC-20. The property is unimproved and is located in the Bowleys Quarters area. Petitioners propose to conduct a small commercial crabbing operation at the site, a use permitted in the zone by special exception. The BCZR refers to the use as a “commercial fisheries facility,” even though Mr. Conrad explained he will not catch fish (only crabs) and that his business involves just one boat and two or three other employees. He explained he will construct on site a 30’x30’ pole barn as shown on the site

ORDER RECEIVED FOR FILING

Date 7/24/19

By sen

plan admitted as Petitioners' Ex. No. 1, for storage of crab pots and other equipment and materials used in the business.

Special Exception

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

In this case both Mr. Conrad and Mr. Billingsley testified the use would not have a detrimental impact upon the community. They also both opined the use would have no greater impact at this location than at other similarly zoned properties in the County. Mr. Conrad explained only one boat would be used in the crabbing operation and he was amenable to certain restrictions requested by the community. In these circumstances I believe Petitioners are entitled to the grant of the requested special exception.

THEREFORE, IT IS ORDERED this 24th day of **July, 2019**, by this Administrative Law Judge, that the Petition for Special Exception to allow a Commercial Fisheries Facility, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for

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2

Date

7/24/19

By

sen

whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.

2. No sales of any type shall be permitted on the subject property.
3. The existing driveway shown on the site plan shall not be paved or widened.
4. Petitioners shall maintain a 50' wide uncleared setback buffer on both sides of the subject property.
5. The special exception granted herein is personal to Petitioners and shall not run with the land. Should Petitioners sell or lease the property or otherwise discontinue the operation of the crabbing facility the special exception shall terminate immediately by operation of law.
6. Only one boat is permitted on the subject property (or the pier attached thereto) in connection with the special exception use.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 7/24/19

By sen



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 194 Goose Harbor Road which is presently zoned RC20
Deed References: 38181/031 10 Digit Tax Account # 1512200320
Property Owner(s) Printed Name(s) Anthony Conrad & Andrea Conrad

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. X a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

SEE ATTACHED PETITION

3. a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

TO BE DETERMINED AT THE HEARING

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Timothy M. Kotroco, Esquire

Name- Type or Print

Signature

305 Washington Avenue, Suite 502 Towson Md

Mailing Address City State
21204 / 410-299-2943 / Tkotroco@gmail.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Anthony F. Conrad

Name #1 - Type or Print

Andrea M. Conrad

Name #2 - Type or Print

Signature #1

Signature #2

712 Connolly Farms Road Fallston Maryland

Mailing Address City State

21047 / 443-677-4910 wecatchourown@yahoo.com
Zip Code Telephone # Email Address

Representative to be contacted:

Same as Attorney

Name - Type or Print

Signature

Date

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2019-0316-X Filing Date 5/9/19 Do Not Schedule Dates: N/A Reviewer RJ

ATTACHMENT TO SPECIAL EXCEPTION PETITION

The Petitioner, requests the following zoning relief:

SPECIAL EXCEPTION RELIEF, pursuant to section 1A05.2.A.8 of the BCZR to allow a Commercial Fisheries Facility.

AND For such other and further relief as the nature of this cause may require.

**ZONING DESCRIPTION
3838 GOOSE HARBOR ROAD**

Beginning at a point on the north side of Goose Harbor Road (30 feet wide) distant 510 feet northeasterly from its intersection with the centerline of Bowleys Quarters Road, thence:

- (1) N 27° 05' 17" W 1023.64 feet
- (2) N 72° 36' 13" E 300.94 feet
- (3) N 62° 06' 53" E 76.95 feet
- (4) S 33° 47' 27" E 990.72 feet
- (5) S 80° 36' 43" W 39.29 feet
- (6) S 52° 59' 43" W 241.00 feet and
- (7) S 73° 20' 23" W 217.99 feet to the place of beginning.

Containing 9.89 acres of land, more or less.

Being known as 3838 Goose Harbor Road. Located in the 15TH Election District, 6TH

Councilmanic District of Baltimore County, Maryland



BALTIMORE COUNTY, MARYL
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **182650**

Date: **5/9/19**

PAID RECEIPT

BUSINESS ACTUAL TIME LRU
 5/10/2019 5/09/2019 10:20:52 2

REG MODE WALKIN JEE
 >>RECEIPT N 000904 5/09/2019 OFLN

Dept 5 528 ZONING VERIFICATION
 CR NO. 182698

Receipt Tot \$ 500.00
 500.00 CR .00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	306	0000		6150				\$ 500.00

Total: **\$ 500.00**

Rec

From:

TIMOTHY KOTROCO / CONRAD

For:

3838 GOOSE HARBOR ROAD

SPECIAL EXCEPTION HEARING

HEARING No. 2019-0316-X

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

June 11, 2019

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2019-0316-X

194 Goose Harbor Road
N/s of Goose Harbor Road, east of Bowley's Quarters Road
15th Election District – 6th Councilmanic District
Legal Owners: Anthony & Andrea Conrad

Special Exception to allow a Commercial Fisheries Facility; for such other and further relief as the nature of this cause may require.

Hearing: Monday, July 22, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Michael Mallinoff".

Michael Mallinoff
Director

MM:kl

C: Timothy Kotroco, 305 Washington Avenue, Ste. 502, Towson 21204
Mr. & Mrs. Conrad, 712 Connolly Farms Road, Fallston 21047

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 2, 2019.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

7/2/2019

Order #: 11757150
Case #: 2019-0316-X
Description:

NOTICE OF ZONING HEARING - CASE NUMBER: 2019-0316-X



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Baltimore County

NOTICE OF ZONING HEARING

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15th Election District - 6th Councilmanic District

Legal Owners: Anthony & Andrea Conrad

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Hearing: Monday, July 22, 2019 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204

/s/ Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

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

jj2

Debra Wiley

From: David Billingsley <dwb0209@yahoo.com>
Sent: Wednesday, July 17, 2019 12:53 PM
To: Administrative Hearings
Subject: 194 (AKA 3838) goose harbor rd CASE NO 2109-0316-SPH
Attachments: Scan_0214.pdf

CAUTION: This message from dwb0209@yahoo.com originated from a non Baltimore County Government or non BCPL email system. Hover over any links before clicking and use caution opening attachments.

POSTING RECERTIFICATIONS ATTACHED
THANKS

Dave Billingsley
Central Drafting and Design
410-679-8719 OFFICE
410-458-1401 CELL

CERTIFICATE OF POSTING

RECEIVED 7/17/19
Date: JULY 2, 2019

RE: Project Name: 194 GOOSE HARBOR ROAD #1
Case Number /PAI Number: 2019-0316-X
Petitioner/Developer: CONRAD
Date of Hearing/Closing: JULY 22, 2019

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 194 GOOSE HARBOR ROAD

The sign(s) were posted on JUL 17, 2019 8:38:21 AM

RECEIVED 7/17/19
JULY 2, 2019

(Month, Day, Year)

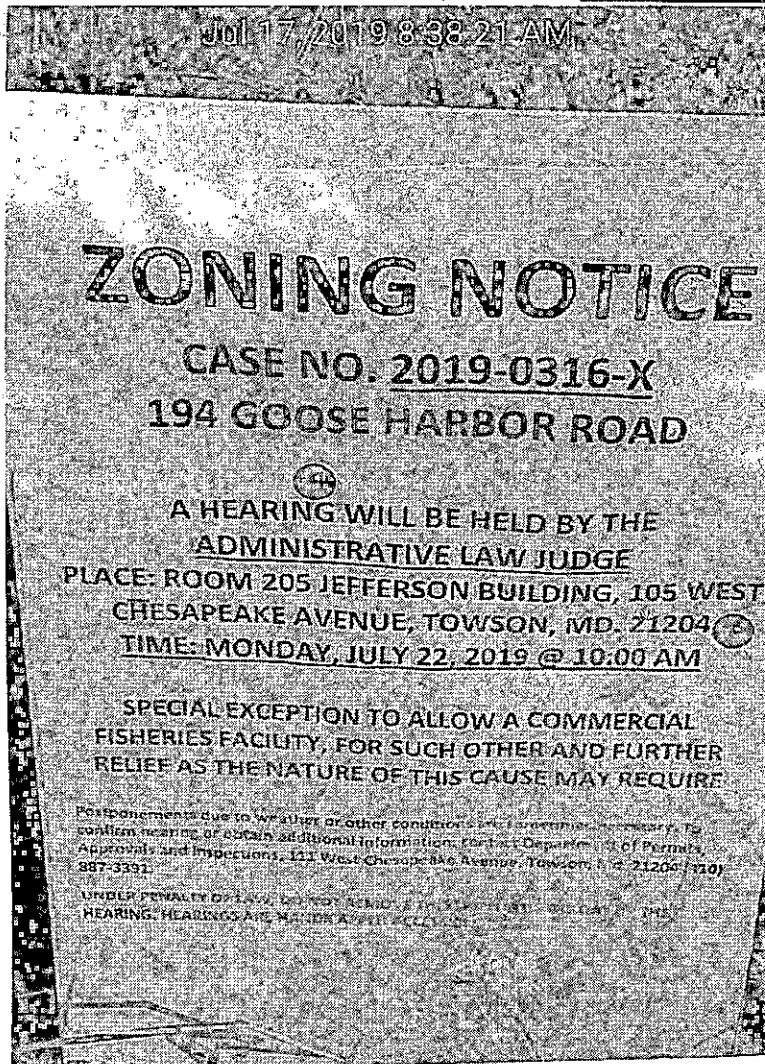
David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)



CERTIFICATE OF POSTING

RECEIPT 7/17/19
Date: JULY 2, 2019

RE: Project Name: 194 GOOSE HARBOR ROAD #2
Case Number /PAI Number: 2019-0316-X
Petitioner/Developer: CONRAD
Date of Hearing/Closing: JULY 22, 2019

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 194 GOOSE HARBOR ROAD

The sign(s) were posted on

JULY 2, 2019

(Month, Day, Year)

RECEIPT 7/17/19
David Billingsley
David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

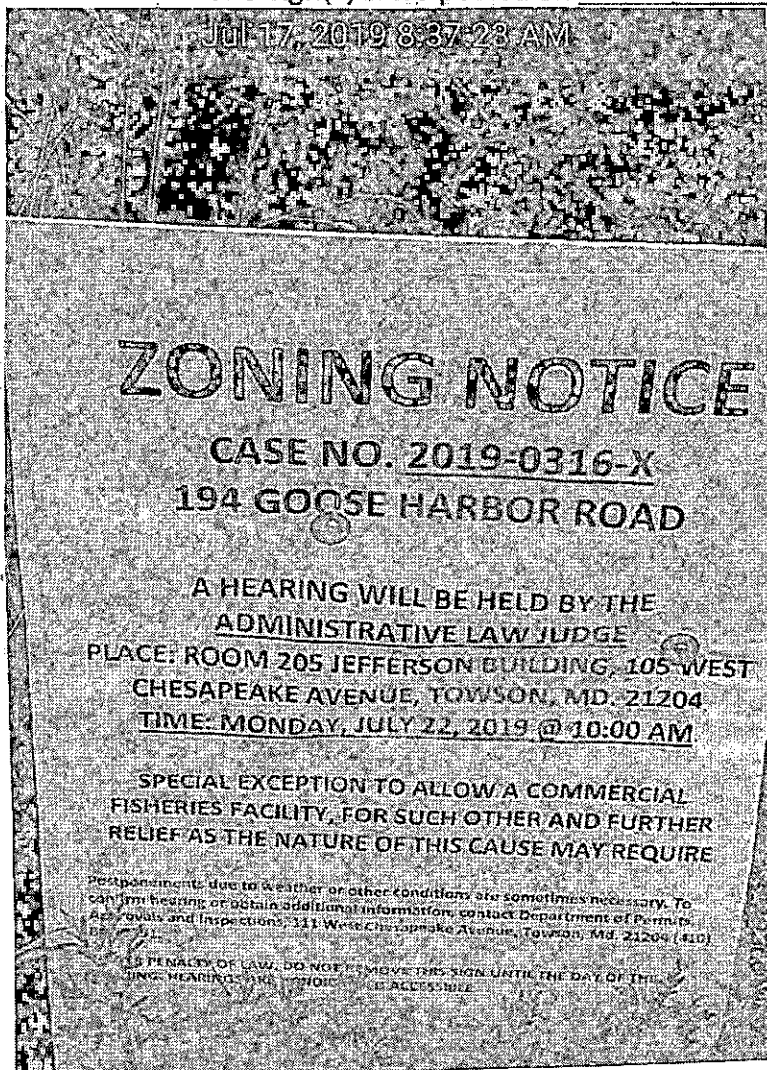
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)



CERTIFICATE OF POSTING

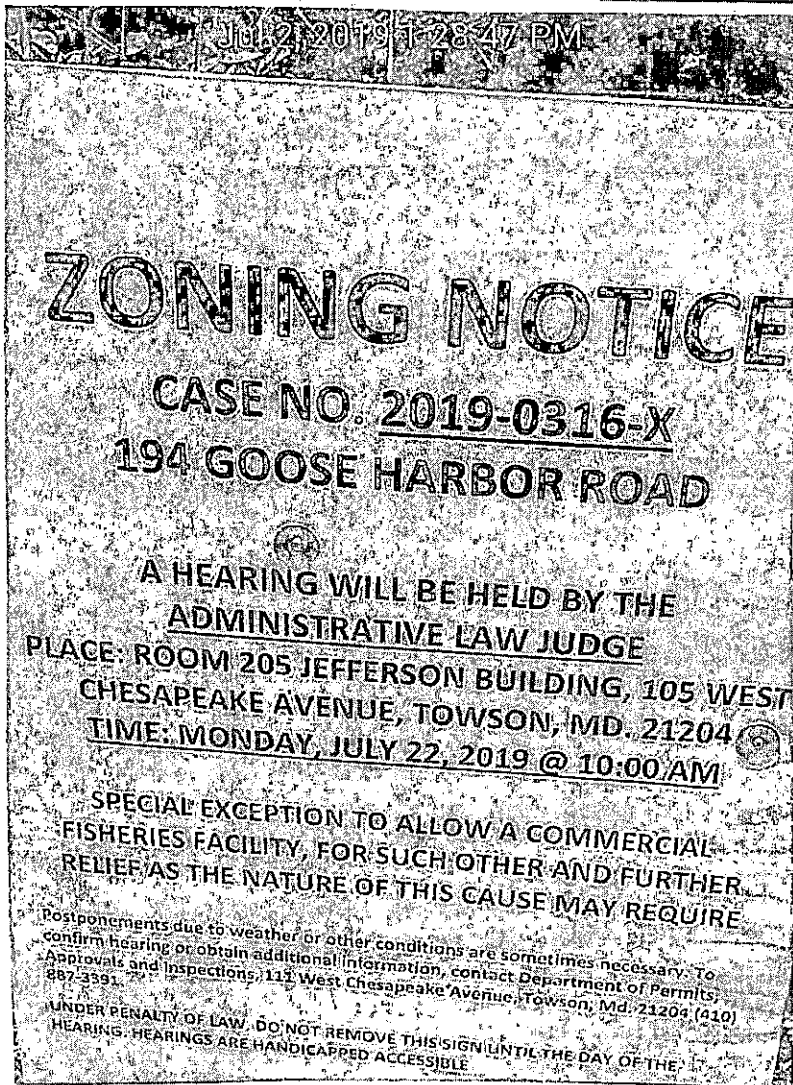
Date: JULY 2, 2019

RE: Project Name: 194 GOOSE HARBOR ROAD #1
Case Number /PAI Number: 2019-0316-X
Petitioner/Developer: CONRAD
Date of Hearing/Closing: JULY 22, 2019

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 194 GOOSE HARBOR ROAD

The sign(s) were posted on JULY 2, 2019

(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY
(Printed Name of Sign Poster)

601 CHARWOOD COURT
(Street Address of Sign Poster)

EDGEWOOD, MD. 21040
(City, State, Zip Code of Sign Poster)

(410) 679-8719
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

Date: JULY 2, 2019

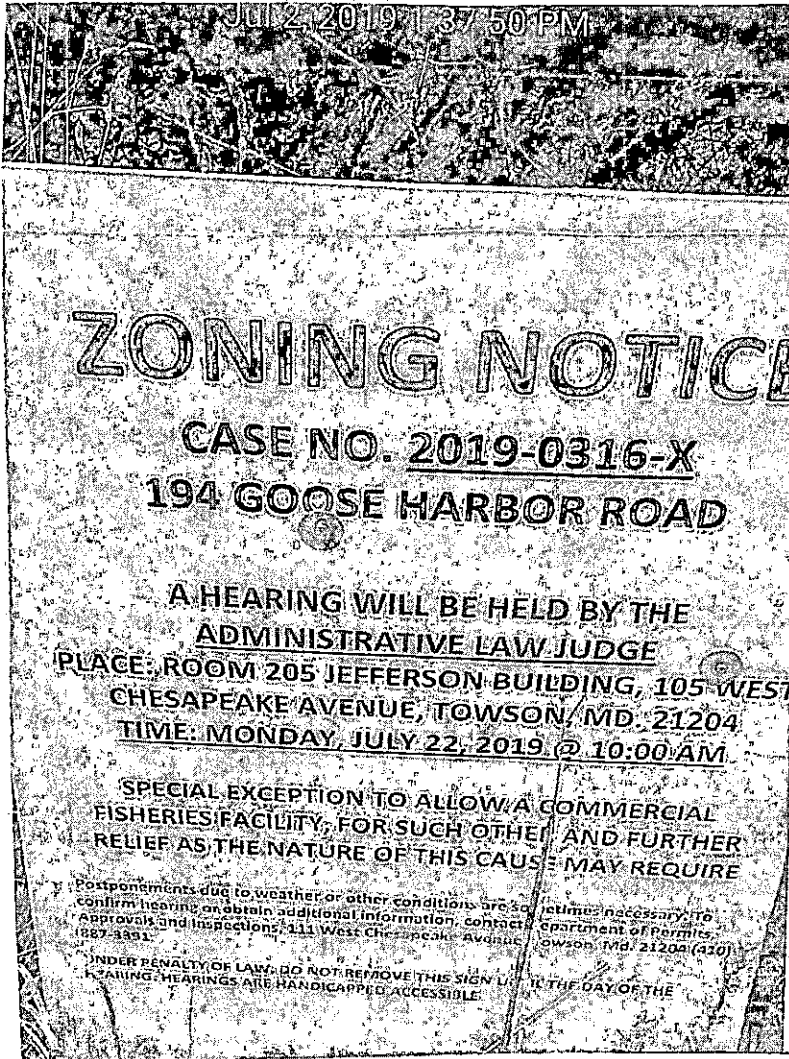
RE: Project Name: 194 GOOSE HARBOR ROAD #2
Case Number /PAI Number: 2019-0316-X
Petitioner/Developer: CONRAD
Date of Hearing/Closing: JULY 22, 2019

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 194 GOOSE HARBOR ROAD

The sign(s) were posted on

JULY 2, 2019

(Month, Day, Year)



David Billingsley
(Signature of Sign Poster)

DAVID W. BILLINGSLEY

(Printed Name of Sign Poster)

601 CHARWOOD COURT

(Street Address of Sign Poster)

EDGEWOOD, MD. 21040

(City, State, Zip Code of Sign Poster)

(410) 679-8719

(Telephone Number of Sign Poster)

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 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 the legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2019-0316-X
Property Address: 3838 GOOSE HARBOR ROAD
Property Description: N SIDE GOOSE HARBOR ROAD
510' E. OF BOWLEYS QUARTERS RD.
Legal Owners (Petitioners): ANTHONY & ANOREA CONRAD
Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVE BILLINGSLEY
Company/Firm (if applicable): _____
Address: 601 CHARYWOOD CT
EDGEWOOD, MO 21040
Telephone Number: (410) 679-8719



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

July 16, 2019

Timothy M. Kotroco
305 Washington Ave Suite 502
Towson MD 21204

RE: Case Number: 2019-0316-X, 194 Goose Harbor Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 09, 2019. This letter is not an approval, but only a **NOTIFICATION**.

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.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

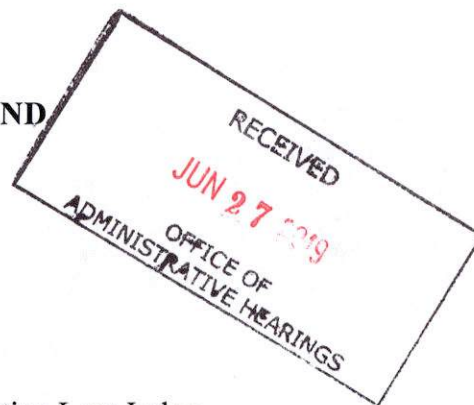
Enclosures

c: People's Counsel
Anthony F. & Andrea M. Conrad 712 Connolly Farm Road Fallston MD 21047

7-22

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: June 26, 2019

SUBJECT: DEPS Comment for Zoning Item # 2019-0316-X
Address 194 Goose Harbor Road
(Conrad Property)

Zoning Advisory Committee Meeting of **May 20, 2019**.

EPS has reviewed the subject zoning petition for compliance with the goals of the State-mandated Critical Area Law listed in the Baltimore County Zoning Regulations, Section 500.14. Based upon this review, we offer the following comments:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;

The subject property is located within a Resource Conservation Area (RCA) and is subject to Critical Area requirements. The applicant is proposing to permit a commercial fisheries operation with a 900 square foot pole barn and a 6000 square foot storage and parking area. The lot is waterfront and contains extensive nontidal wetlands and associated buffer. The pole barn and storage/parking area are proposed within the nontidal wetlands. No Critical Area variance has been requested or approved for these impacts. Based on the information provided we cannot determine that the relief requested by the applicant will result in minimal adverse impacts to water quality.

2. Conserve fish, plant, and wildlife habitat;

This property is waterfront and impacts are proposed within the nontidal wetlands. As proposed this request will not help conserve fish, plant, and wildlife habitat in the Chesapeake Bay.

3. Be consistent with established land use policies for development in the Chesapeake Bay Critical Area, which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement and activities of persons in that area can create adverse environmental impacts;

Because development is proposed within the nontidal wetlands, the relief requested is not consistent with established land-use policies.

Reviewer: Regina Esslinger

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Michael Millanoff, Director
Department of Permits, Approvals

FROM: *VKD*
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 20, 2019
Item No. 2019-0316-X

DATE: June 13, 2019

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

Since the proposed development is commercial, the Owner/Developer must go to the Baltimore County Development Review Committee (DRC) as part of the development process.

* * * * *

VKD: cen
cc: file

7-22

BALTIMORE COUNTY, MARYLAND INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-316



INFORMATION:

Property Address: 3838 Goose Harbor Road
Petitioner: Anthony F. Conrad, Andrea M. Conrad
Zoning: RC 20
Requested Action: Special Exception

The Department of Planning has reviewed the petition for special exception relief to allow a Commercial Fisheries Facility.

A site visit was conducted on May 22, 2019.

The Department does not object to granting the petitioned zoning relief conditioned upon the following:

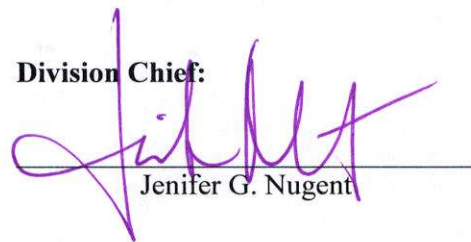
- Minimize the LOD to the extent possible
- No major mechanical work is to be performed on site.

For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:


Jessie Bialek

Division Chief:


Jenifer G. Nugent

CPG/JGN/JAB/

c: Krystle Patchak
Timothy M. Kotroco, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: Michael D. Mallinoff
Director, Department of Permits, Approvals and Inspections

DATE: 6/3/2019

FROM: C. Pete Gutwald
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-316

INFORMATION:

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Zoning: RC 20
Requested Action: Special Exception

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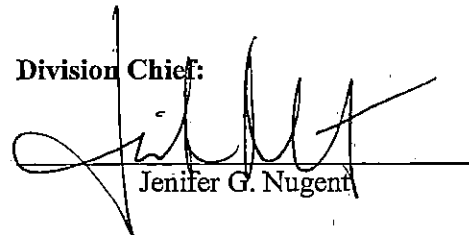
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- No major mechanical work is to be performed on site.

For further information concerning the matters stated herein, please contact Krystle Patchak at 410-887-3480.

Prepared by:


Jessie Bialek

Division Chief:


Jenifer G. Nugent

CPG/JGN/JAB/

c: Krystle Patchak
Timothy M. Kotroco, Esquire
Office of the Administrative Hearings
People's Counsel for Baltimore County

MDT
MARYLAND DEPARTMENT
OF TRANSPORTATION
STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 5/15/19

Ms. Kristen Lewis
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the Case number referenced below. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Case No. 2019-0316-X

*Special Exception
Anthony Conrad & Andrea Conrad
194 Goose Harbor Road*

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

TO: THE DAILY RECORD
Tuesday, July 2, 2019 - Issue

Please forward billing to:
David Billingsley
601 Charwood Court
Edgewood, MD 21040

410-679-8719

NOTICE OF ZONING HEARING

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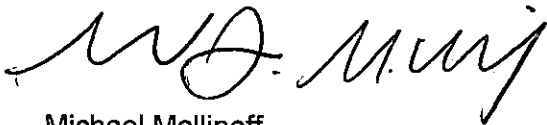
N/s of Goose Harbor Road, east of Bowley's Quarters Road

15th Election District – 6th Councilmanic District

Legal Owners: Anthony & Andrea Conrad

Special Exception to allow a Commercial Fisheries Facility; for such other and further relief as the nature of this cause may require.

Hearing: Monday, July 22, 2019 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Michael Mallinoff

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE OFFICE
194 Goose Harbor Road; N/S of Goose *
Harbor Road, E of Bowleys Quarters Road * OF ADMINISTRATIVE
15th Election & 6th Councilmanic Districts *
Legal Owner(s): Anthony & Andrea Conrad * HEARINGS FOR
Petitioner(s) *
* BALTIMORE COUNTY
* 2019-316-X

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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 all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED
MAY 16 2019

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of May, 2019, a copy of the foregoing Entry of Appearance was mailed to Timothy Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 2019-0316-X
CASE NUMBER _____
DATE 7-22-2019

[illegible]

CASE NAME 194 Goose Harbor Road
CASE NUMBER 2019-0316-X
DATE 7/22/2019

NAME

CITY, STATE, ZIP

E - MAIL

[illegible]

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment6/13DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)Comment6/26DEPS
(if not received, date e-mail sent _____)Comment

FIRE DEPARTMENT

6/3PLANNING
(if not received, date e-mail sent _____)NO OBJ
w/Comment5/15

STATE HIGHWAY ADMINISTRATION

No Objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 7/2/19SIGN POSTING (1st) Date: 7/2/19by BillingsleySIGN POSTING (2nd) Date: 7/17/19by BillingsleyPEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 15 Account Number - 1512200320			
Owner Information					
Owner Name:	CONRAD ANTHONY F CONRAD ANDREA M		Use:	RESIDENTIAL	
Mailing Address:	712 CONNOLLY FARMS RD FALLSTON MD 21047-		Principal Residence:	NO	
			Deed Reference:	/38181/ 00031	
Location & Structure Information					
Premises Address:		194 GOOSE HARBOR RD BALTIMORE 21220- Waterfront		Legal Description:	9.89 AC NWS GOOSE HARBOR RD 500 N BOWLEYS QTR RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot:
0098	0005	0194		0000	
					Assessment Year: 2018
					Plat No:
					Plat Ref:
Special Tax Areas:			Town: NONE		
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use	
			9.8900 AC	34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
	Base Value	Value	Phase-in Assessments		
		As of 01/01/2018	As of 07/01/2018	As of 07/01/2019	
Land:	241,200	241,200			
Improvements	2,200	2,200			
Total:	243,400	243,400	243,400	243,400	
Preferential Land:	0			0	
Transfer Information					
Seller: GOOSE HARBOR INVESTMENTS LLLP		Date: 10/27/2016		Price: \$275,000	
Type: ARMS LENGTH VACANT		Deed1: /38181/ 00031		Deed2:	
Seller: HARMAN MARK S		Date: 05/20/2011		Price: \$300,000	
Type: ARMS LENGTH VACANT		Deed1: /30823/ 00245		Deed2:	
Seller: HARMAN MARK		Date: 05/05/2009		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /28523/ 00269		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
County:	000	0.00			
State:	000	0.00			
Municipal:	000	0.00 0.00		0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application

Date:



Permits, Approvals & Inspections

111W. Chesapeake Avenue
Towson, MD 21204

Report Generated On:
5/9/2019

Permit Processing Commerical Permit & Development Report

Page 1 of 1

Property Information

Tax Account Number: 1512200320

Election District: 15

Owner Name(s): CONRAD ANTHONY F and CONRAD ANDREA M

PDM #:

Address: 712 CONNOLLY FARMS RD
FALLSTON, MD 21047

Zoning District(s): RC 20
RC 5

Premise Address: 194 GOOSE HARBOR RD

Elevation Range: 0ft - 10ft

Affected Overlays	Instructions: Begin review process with Zoning Review, Room 111		Agency Acknowledgn
Contact Agency	Potential Overlay Issues	New Com Bldg. Interior Alts. Add / Ext. Alts. Piers/Pilings Grading/SW Tanks Ret Walls/Bulk Razing Chg. of Occup. Tower Antenna Signs Elect. & Plumb	Initial & Date
DEPS-Dev. Coord. Jefferson Building 4th Floor Phone: 410-887-3733	Growth Tier 4: No New Subdivisions of 4 or More Additional Lots Chesapeake Bay Critical Area 100 Year Flood Zone Possible Flood Hazard - Water Body Present	X X X X X X X X X X X	X X X X X X X X X X X
DEPS-Sed. Control Jefferson Building 4th Floor Phone: 410-887-3226	Note: All Razing Permits must be sent to Sediment Control for review. Chesapeake Bay Critical Area 100 Year Flood Zone Possible Flood Hazard - Water Body Present	X X X X X X X X X X X	X X X X X X X X X X X
PAI-Public Services County Office Building Room 119 Phone: 410-887-3751	Note: All permits for Grading, New Buildings & Building Additions must be sent to Public Services. 100 Year Flood Zone Possible Flood Hazard - Water Body Present	X X X X X X X X X X X	X X X X X X X X X X X
Zoning Review County Office Building Room 111 Phone: 410-887-3391	Martin State Aiport Zoning Area Zoning Cases: 2008-0369-A; 2006-0177-A URDL (Outside)	X X X X X X X X X X X	X X X X X X X X X X X
Building Plans Review County Office Building Room 120 Phone: 410-887-3987	100 Year Flood Zone Possible Flood Hazard - Water Body Present	X X X X X X X X X X X	X X X X X X X X X X X

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Exempt Class:		NONE			
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Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0098	0005	0194		0000	
				Block:	Lot:
				Assessment Year:	Plat No:
				2018	
					Plat Ref:
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
				Property Land Area	
				9.8900 AC	
				County Use	
				34	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
		Base Value		Value	Phase-in Assessments
				As of	As of
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Preferential Land:		0			0
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Partial Exempt Assessments:		Class		07/01/2018	07/01/2019
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00 0.00	0.00 0.00
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.



PET. EX. 2

Goose Harbor Neighborhood Rezoning Notice Protest Petition

Protest Petition against Rezoning Notice Case No. 2019-0316-X

We, the undersigned property owners, do hereby protest the rezoning of 194 Goose Harbor Rd. Bowleys Quarters, MD. 21220 (case #2019-0316-X) up for Committee hearing on July 22, 2019.

We respectfully ask for no zoning change on this parcel not because we are anti-growth, but because this is a quiet hidden residential waterfront community. We want this area to remain this way and not become commercialized. The proposed plan would allow construction of a commercial fisheries facility and increase the traffic and noise level both on the road and our waterway. In addition, we fear the ecological and pollution impact it might have on this area and our waterfront. Not to mention how dead seafood would be disposed of properly without causing foul odors and rodent infestation.

The current zoning of the property is not incompatible with the surrounding properties. Neighbors most impacted by the project live within the area of this proposed property development and are against the proposed development.

We, the undersigned, are owners of real property located within the area of notification related to the area for which a rezoning is sought, whereby, our signatures shall hereafter be verified by one of the signers of the Protest Petition as true and correct signatures in order for this Protest Petition to be valid.

Legal Signature of Resident

Printed Name

Property Address

Michael Kratz

Michael Kratz 1344 Goose Neck Rd.

Jodi Zannino

Jodi Zannino 1312 Goose Neck Rd.

Susan Kwikowski

Susan Kwikowski 1342 Goose Neck Rd.

Michael Kulakowski

Michael Kulakowski 1342 Goose Neck Rd.

John Pedone

John Pedone 1340 Goose Neck Rd.

MARK Zannino

MARK Zannino 1312 Goose Neck Rd.

George A. Adams

George A. Adams 1338 Goose Neck Rd.

Anna E. Adams

Anna E. Adams 1338 Goose Neck Rd.

Michael Bauer

Michael Bauer 1330 Goose Neck Rd.

Lisa J. Bauer

Lisa J. Bauer 1330 Goose Neck Rd.

John E. Gray Jr.

John E. Gray Jr. 1328 Goose Neck Rd.

Lilla M. Gray

Lilla M. Gray 1328 Goose Neck Rd.

Legal Signature of Resident

Printed Name

Property Address

Ray G Rohde	Ray G Rohde	1320 Goose Neck Rd
Vickey Rohde	Vickey Rohde	1320 Goose Neck Rd
Earl Bigham	EARL BIGHAM	1316 GOOSENECK RD.
Darlene Stevens	Darlene Stevens	1304 Goose Neck Rd
Michael Walter	Michael Walter	1302 Goose Neck Rd
Karen Smith	Karen Smith	1302 Goose Neck Rd.
HALEY DAVIS	HALEY DAVIS	1300 GOOSENECK RD
Charlotte Oktavec	Charlotte OKTavec	1322 Goose Neck Rd
John C Mohr	JOHN C. MOHR	1350 GOOSE NECK RD
Shirley Mohr	SHIRLEY MOHR	1350 GOOSE NECK RD
Cecile Myrick	CECILE MYRICK	1326 GOOSENECK RD.
Mary Catherine Snelling	MARY CATHERINE SNELLINGER	1334 GOOSE NECK RD
Richard Snelling	RICHARD SNELLING	1334 GOOSE NECK RD.

**Petition Against Granting a Special Exception
To Allow a Commercial Fisheries Facility
At 194 Goose Harbor Road**

We the undersigned are against granting a special exception for the establishment of a Commercial Fisheries Facility at 194 Goose Harbor Road for the following reasons:

- The area is in an environmentally sensitive area which will have a negative impact on the environment.
- Typically when a special exemption is granted, it is just the beginning of a long process where addition expansion may be requested to expand the business having a negative impact on residential property values
- The undersigned all have residential properties in close proximity to the proposed Commercial Fisheries Facility and are concerned that such a facility may contribute to noise pollution as well as stench from discarded seafood and bait.

Name	Address	Phone #	Signature
1. Ray Rohde	1320 Goose Neck Rd	443-7973179	Ray Rohde
2. Vicky Rohde	1320 Goose Neck Rd	410-404-0038	Vicky Rohde
3.			
4.			
5.			
6.			



Cathy Shuler Snellinger Bowleys Quarters Social Club

July 3 at 11:25 PM ·

Would anyone know about the zoning notice posted at 194 Goose Harbor Road (off Bowley's Quarters Road) which proposes a special exception to allow a commercial fisheries facility? The notice was recently posted.

Cathy Shuler Snellinger

Bowleys Quarters Social Club

July 3 at 11:25 PM ·

19 Comments

Would anyone know about the zoning notice posted at 194 Goose Harbor Road (off Bowley's Quarters Road) which proposes a special exception to allow a commercial fisheries facility? The notice was recently posted.

Like

Comment



Anthony F. Cohrad Intending to dock my commercial work boat at my Pier. Besides that nothing will change. With Galloway creek marina closing I need to move. Please message me for any questions.
Happy Fourth!

19 Comment

End of Results

19 Comments · 2w



Cathy Shuler Snellinger Anthony- thanks so much for the prompt reply.

19 Comments · 2w



John Hammen I did not hear the Galloway Creek Marina was closing. What's the plan for it?

19 Comments · 2w



John Hammen replied · 10 Replies



Cindy Kress Massey Hate to say it but: CATHY BEVINS

19 Comments · 2w



Kimberly Paddison Tubb MORE TRAFFIC!!

19 Comments · 2w



Eric Baumgart The condos are a great move and as a lifetime resident of BQ I was saddened to see it take as long as it did.

At this location the condos will reduce the boater traffic by eliminating 100 +/- slips and it also creates property owners (condos) instead ... See More

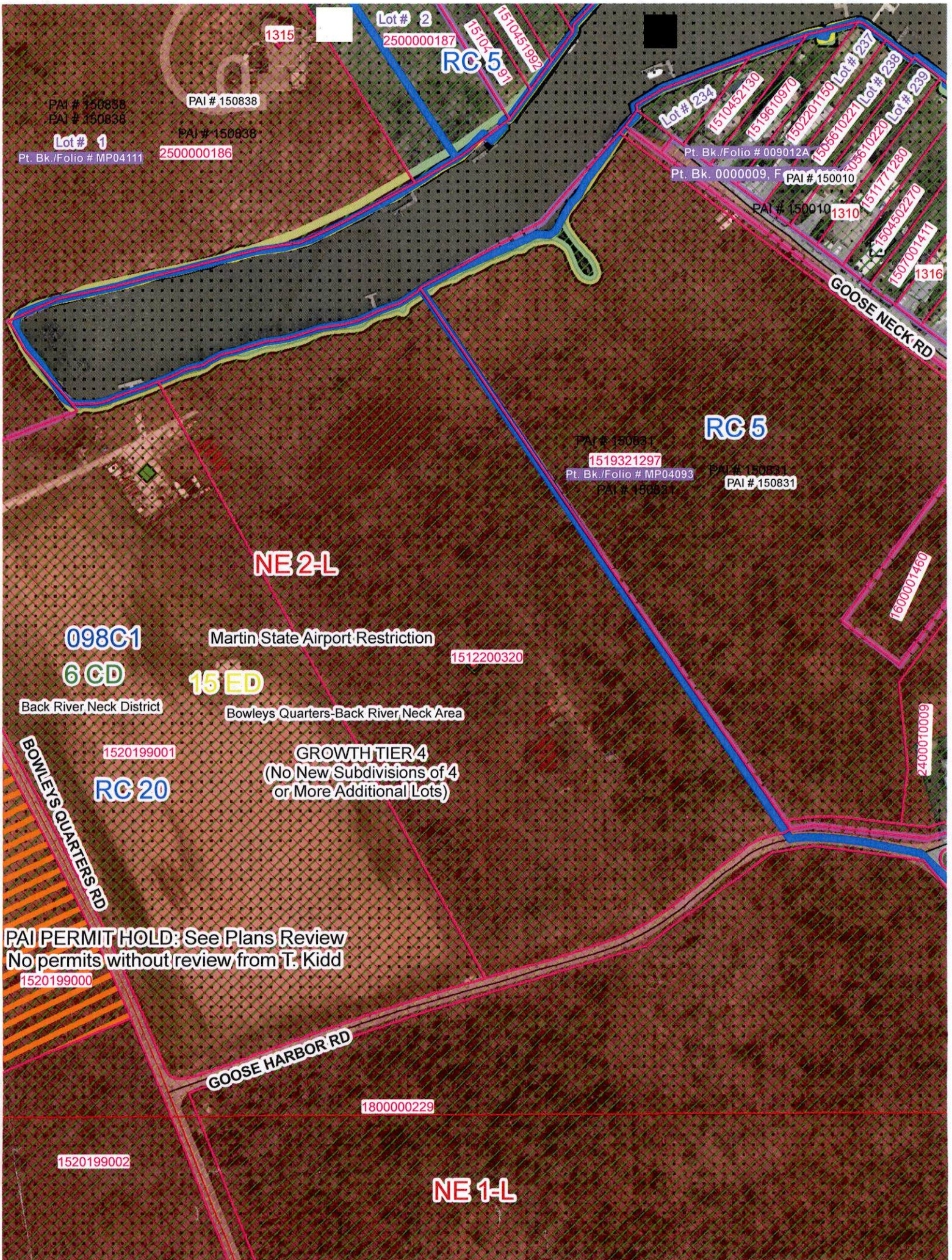
19 Comments · 2w

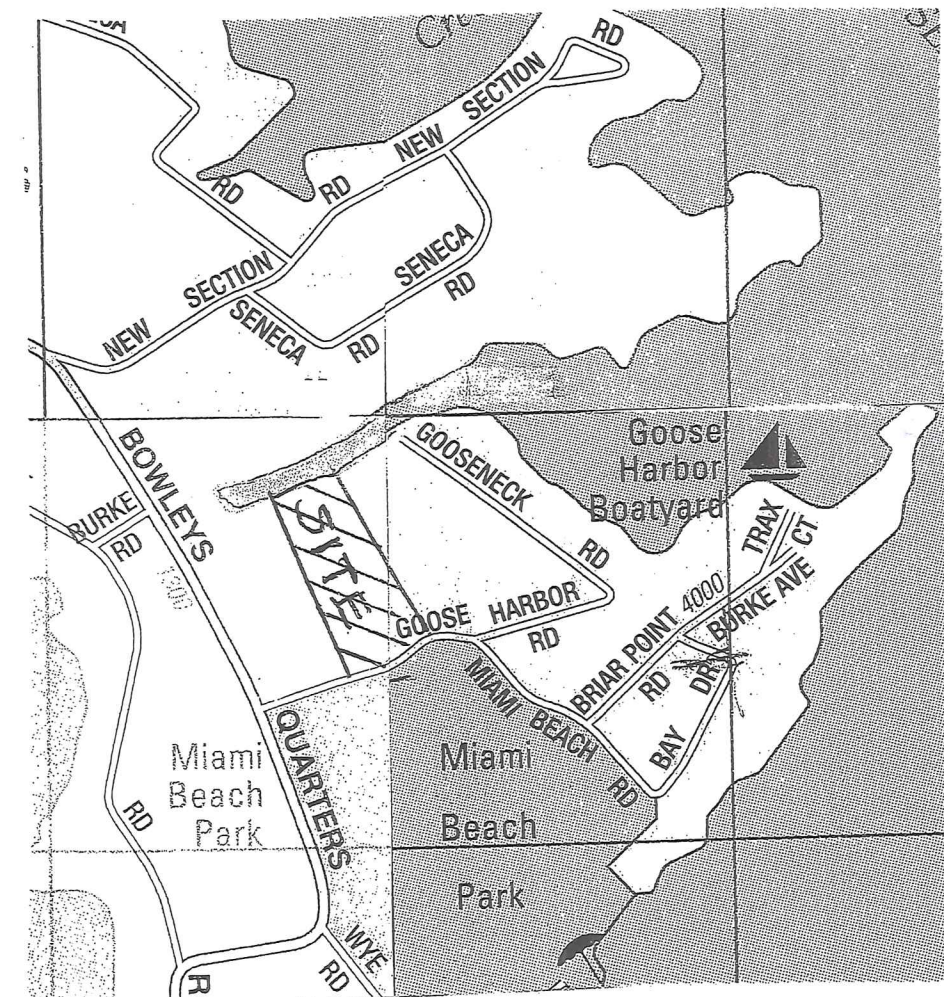
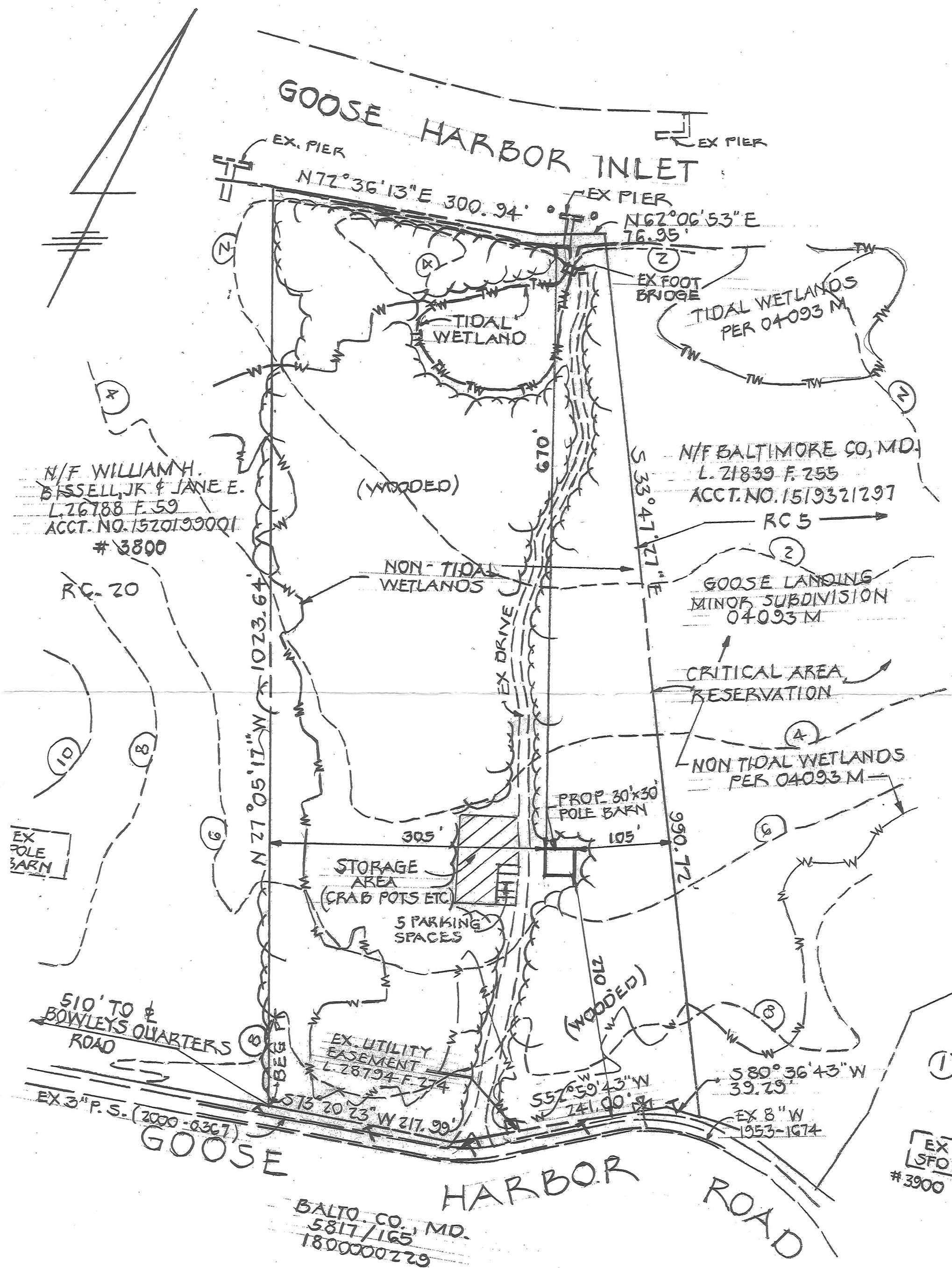


Erika M. Randolph Who is building these condo's? How many are there going to be? I didn'rknow this was happening now either.

19 Comments · 2w







LOCATION PLAN
SCALE: 1 INCH = 1000 FEET

NOTES

1. ZONING.....RC20 (MAP NO. 098C1)
2. GROSS AREA.....9.89 ACRES
3. EXISTING AND PROPOSED USE...COMMERCIAL FISHERY
4. OFFSTREET PARKING DATA
REQUIRED...5 EMPLOYEES @ 1 SPACE PER EMPLOYEE = 5 SPACES
PROPOSED..... 5 SPACES
SPACES WILL NOT BE STRIPED OR HAVE A DURABLE DUSTLESS SURFACE
5. PREVIOUS ZONING HISTORY -
CASE NO. 2008-0369-A (APRIL 18, 2008) GRANTED A VARIANCE TO PERMIT THE CONSTRUCTION OF A DWELLING WITH A HEIGHT OF 45 FEET IN LIEU OF THE PERMITTED 35 FEET
6. NO SIGNAGE OR LIGHTING IS PROPOSED
7. TO THE PREPARERS KNOWLEDGE, NO VIOLATIONS, HISTORIC STRUCTURES, HAZARDOUS MATERIALS OR UNDERGROUND STORAGE TANKS EXIST.
8. THIS SITE IS NOT IN ANY FAILED BASIC SERVICES MAP AREA.
9. THIS SITE IS LOCATED IN A 100 YEAR FLOOD ZONE
10. THIS SITE IS LOCATED IN THE CBCA

PROFESSIONAL CERTIFICATION



"Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the state of Maryland, License No. 15453, Expiration Date: July 2, 2019."

GEOFFREY A. TIZARD, II, P.E.
5 LEADBURN COURT
TOWSON, MD. 21204

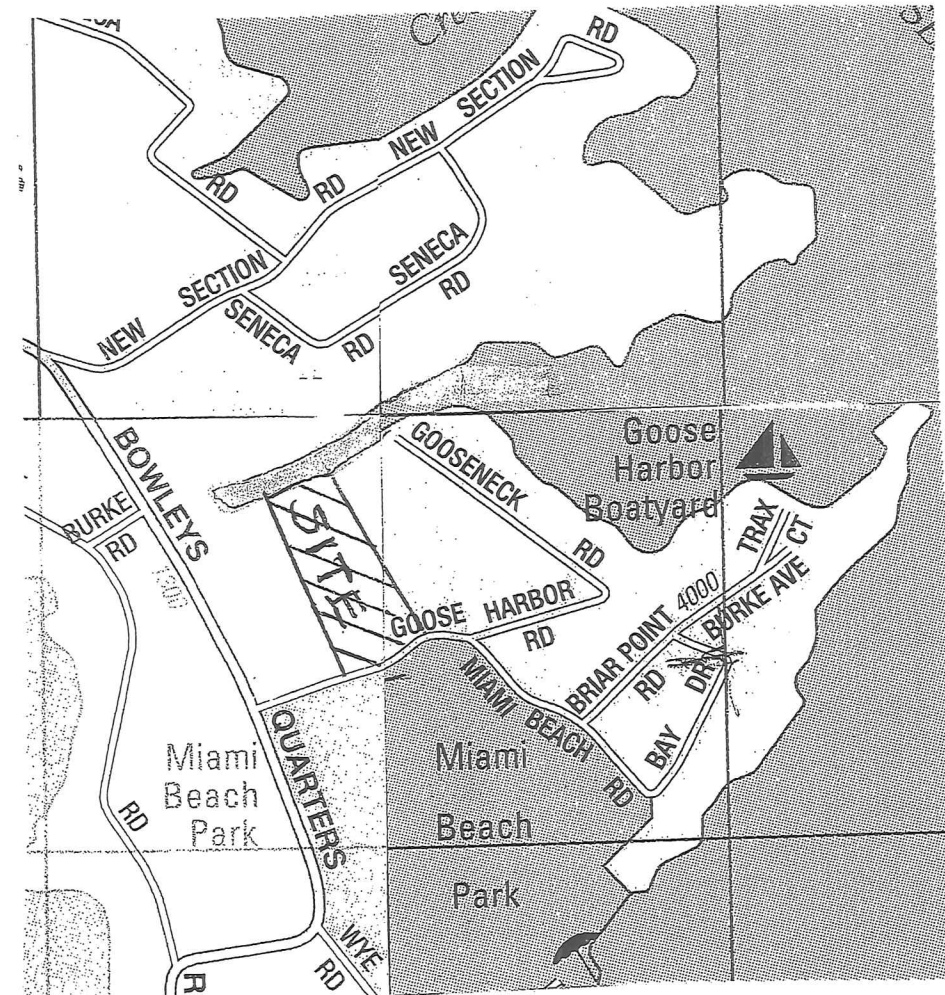
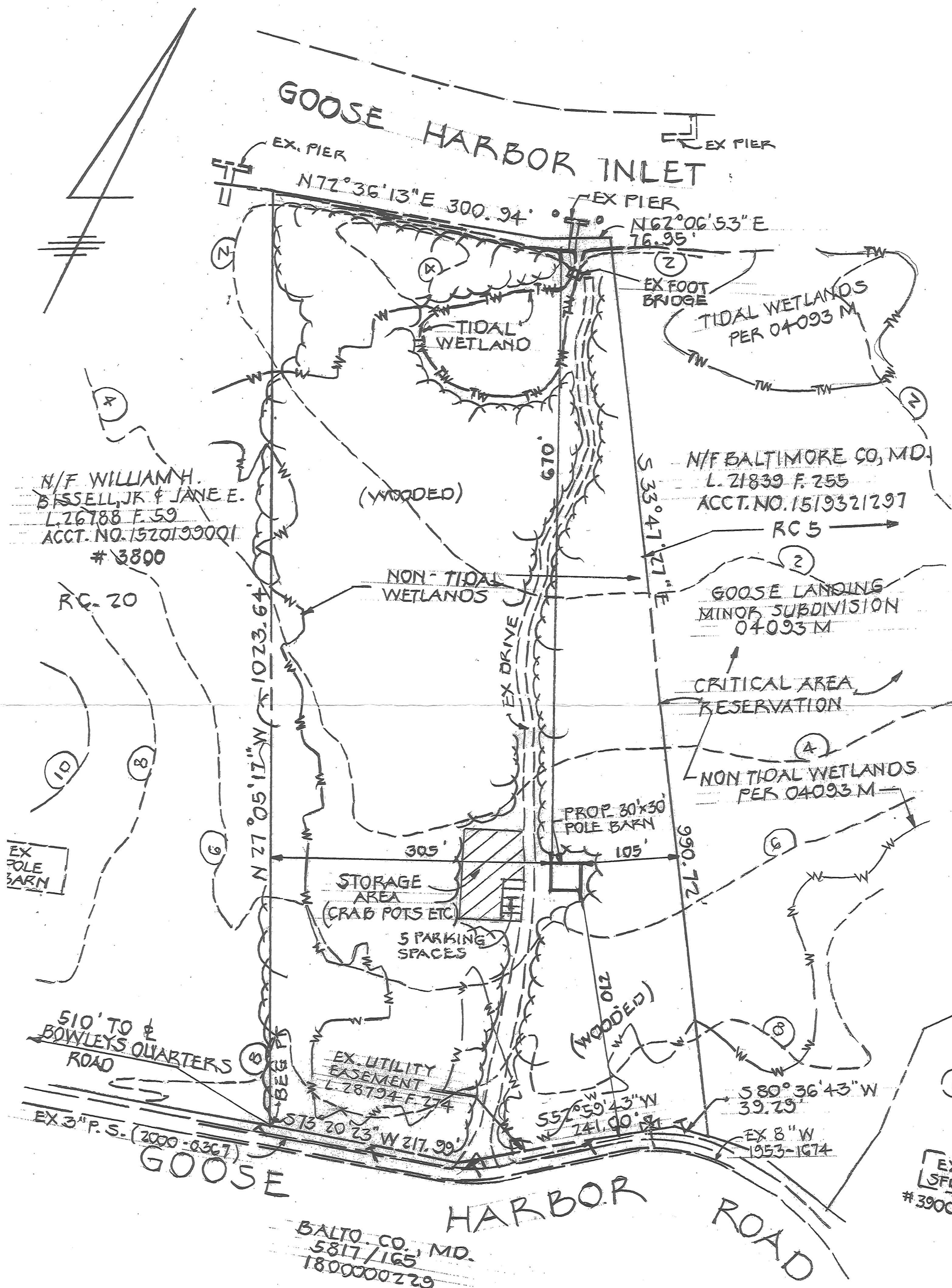
OWNER

ANTHONY F AND ANDREA M. CONRAD
712 CONNOLLY FARMS ROAD
FALLSTON, MD. 21047
DEED REF: L.381815 F.031
ACCT. NO. 1512200320

2019-0316-X

CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
EDGEWOOD, MD 21040
(410) 679-8719

**PLAT TO ACCOMPANY PETITION
FOR SPECIAL EXCEPTION
3838 GOOSE HARBOR ROAD
TAX MAP 0098 GRID 005 PARCEL 0194
ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 100 FEET APRIL 30, 2019**

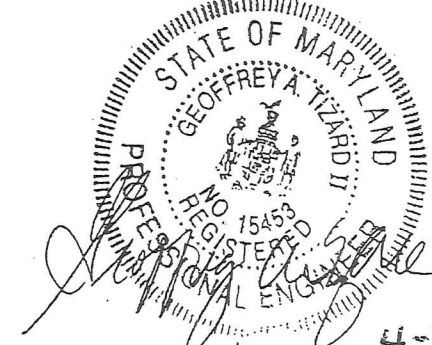


LOCATION PLAN
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2019-0316X

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3838 GOOSE HARBOR ROAD

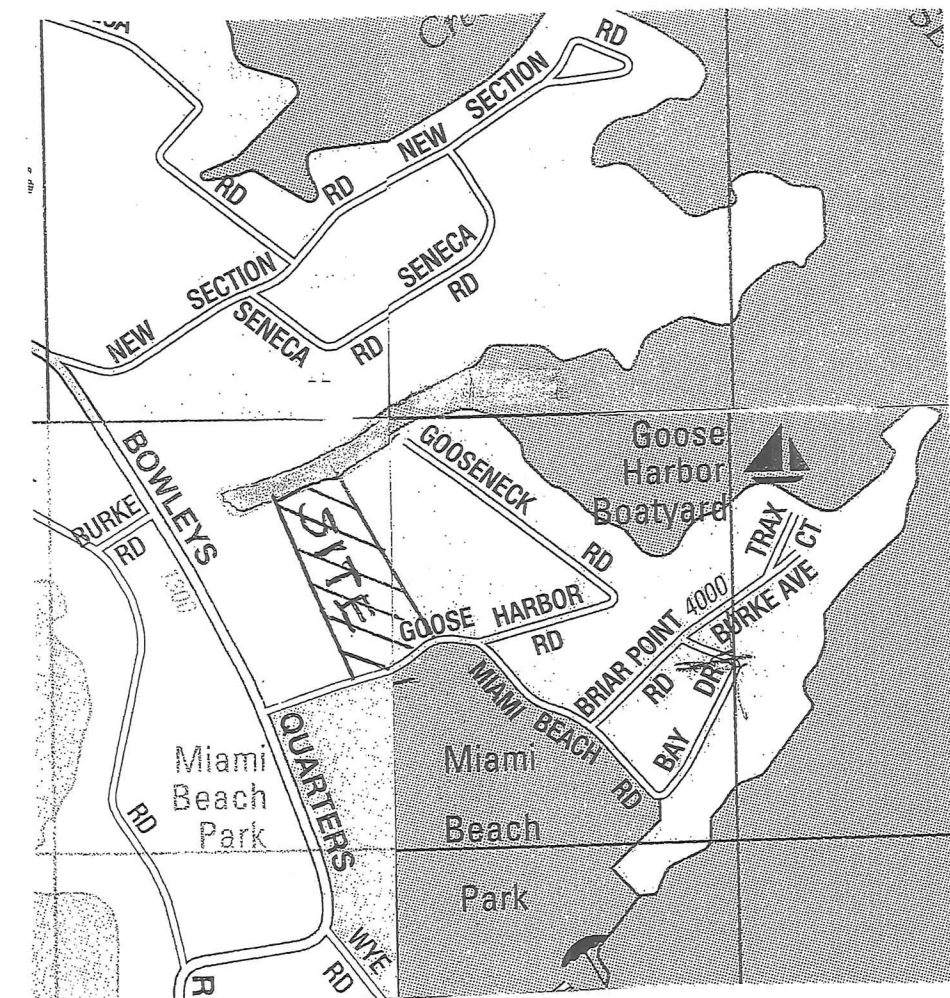
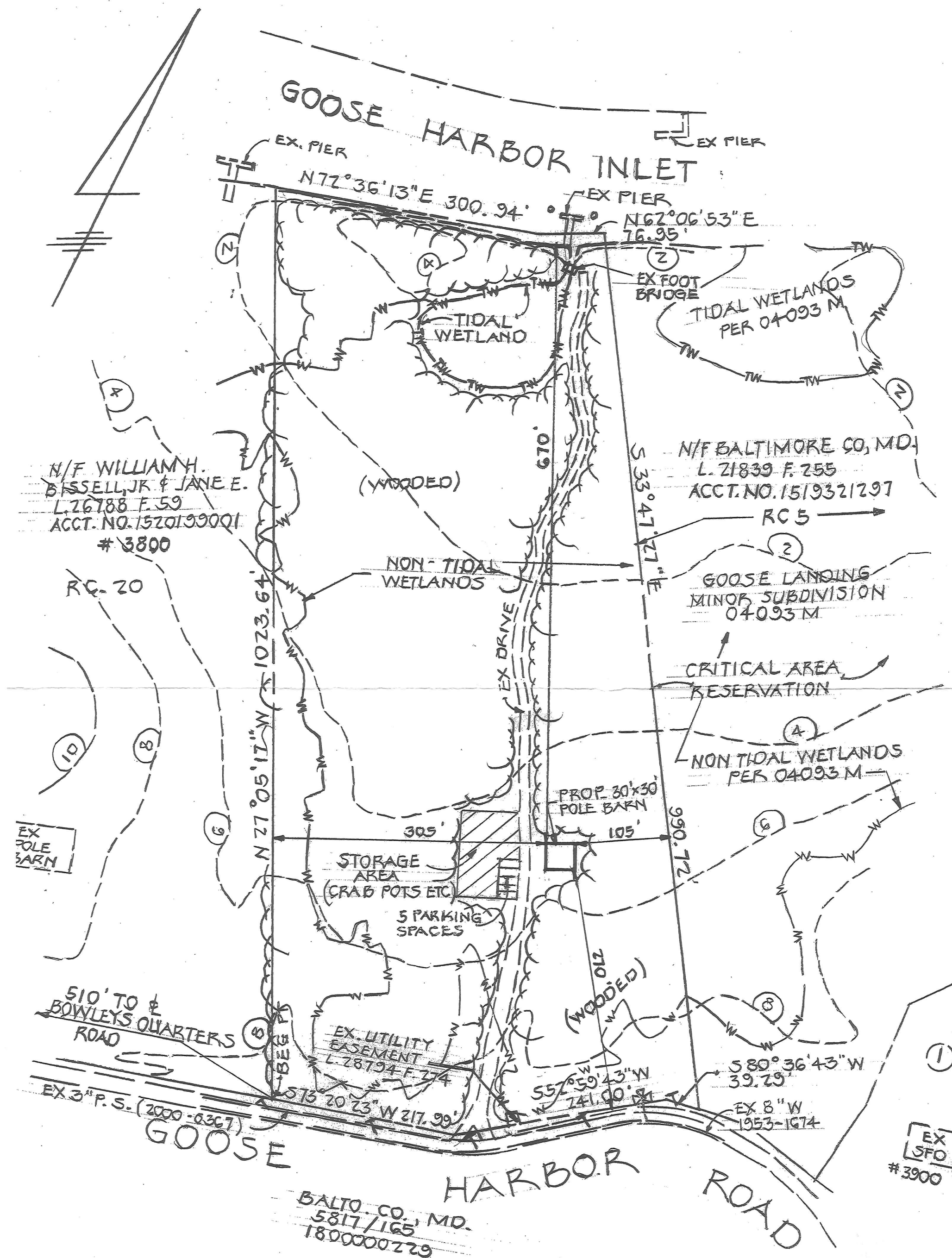
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CENTRAL DRAFTING & DESIGN, INC.
601 CHARWOOD COURT
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(410) 679-8719

PET. No. 1



LOCATION PLAN
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PROFESSIONAL CERTIFICATION

STATE OF MARYLAND
GEOFFREY A. TIZARD II
PROFESSIONAL ENGINEER
LICENSE NO. 15453
EXPIRATION DATE: JULY 2, 2019
4-30-19
"Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the state of Maryland, License No. 15453, Expiration Date: July 2, 2019."

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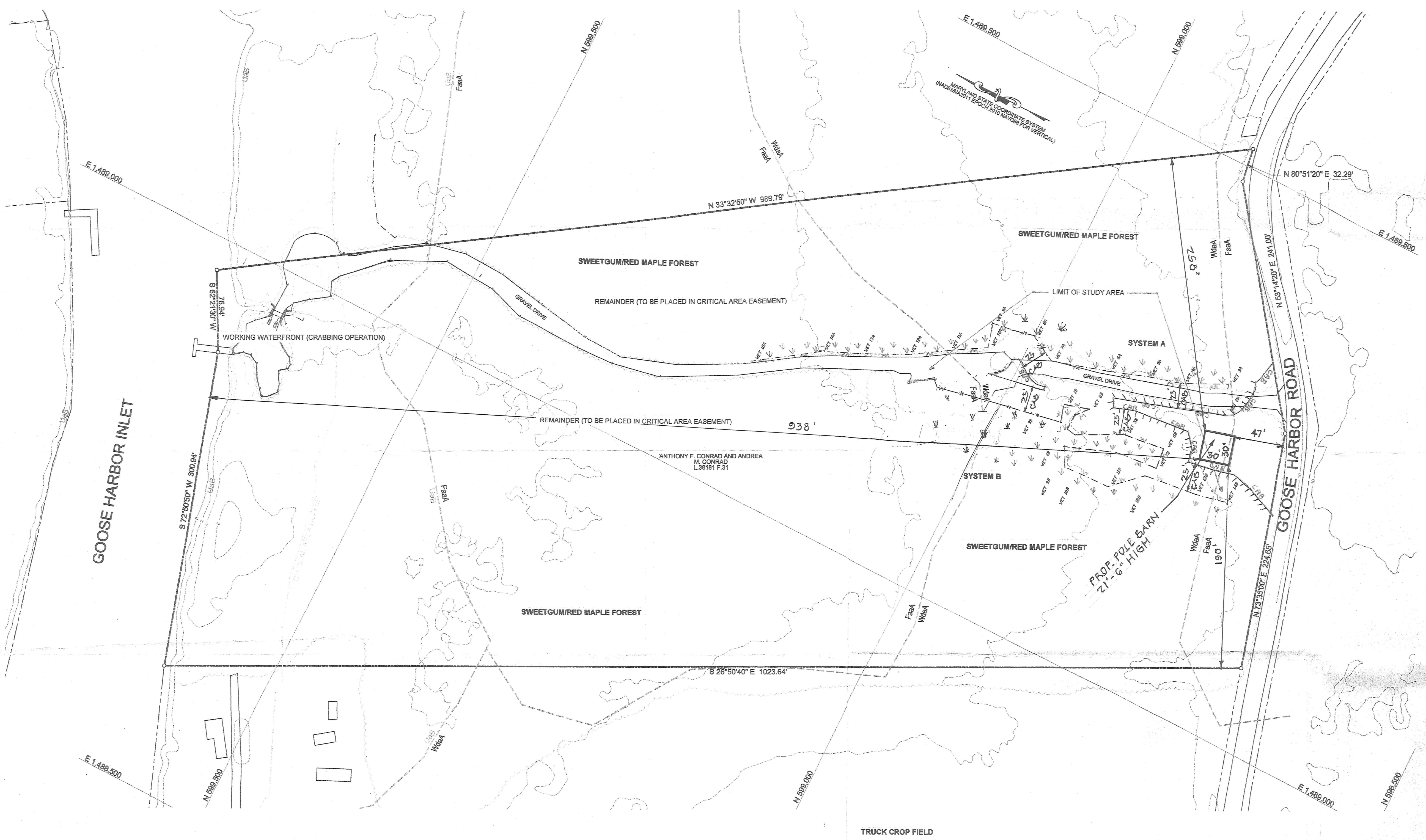
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ELECTION DISTRICT 15C6 BALTIMORE COUNTY, MD.
SCALE: 1 INCH = 100 FEET APRIL 30, 2019

Wetland Descriptions table with 3 columns: WETLAND SYSTEM, COWARDIN SYMBOL, DOMINANT VEGETATION. Rows A and B.

See report for complete wetland description



GENERAL SURVEY NOTES: 1. THE LOCATION OF IMPROVEMENTS SHOWN HEREON ARE DERIVED FROM MARYLAND COORDINATE SYSTEM (NAVD83/NA2011 EPOCH 2010) & NAVD83 FOR VERTICAL.

- SOILS NOTES: 1. Soils within the study area include: FaaA - Fallsington sandy loams, 0-2 percent slopes, Northern Coastal Plain, poorly drained.

- NOTES: 1. No rare, threatened or endangered species were observed on the project site. Giant cane (Arundinaria gigantea), a State rare plant known to occur in the Bowley's Quarters area, was not observed within the study area.

CRITICAL AREA NONTIDAL WETLAND BUFFER DETERMINATION All soils on the project site have low erodibilities and all slopes are less than 10 percent (the site almost flat). Therefore, a Steep Slopes/Erodible Soils Analysis to establish the Critical Area buffer from the nontidal wetlands is not required since no segment along a transect could score 35 and be included in the buffer. The buffer has been established at 25 feet from the limits of nontidal wetlands (the standard wetland buffer).

CENTRAL DRAFTING AND DESIGN 601 CHARWOOD COURT EDGEWOOD, MD 21040

- LEGEND: EX. TOPOGRAPHY, SOIL BOUNDARY, EX. TREELINE, NONTIDAL WETLAND LIMITS, CRITICAL AREA/WETLAND BUFFER LIMITS

Eco-Science Professionals, Inc. Consulting Ecologists. MD DNR Qualified Professional. USACE Wetland Delimiter. Certification # WD0000000100064. Henry A. Robinson

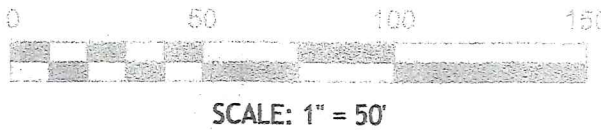


Table with 3 columns: No., REVISIONS, Date. Multiple empty rows for revisions.

PRECISION SURVEY AND MAPPING LLC. Using Modern Technology to Map America. 6809 South River Drive, Baltimore, Maryland 21220. www.precision-surveys.us. Phone: 410-459-2124

SITE PLAN FOR POLE BARN 3838 GOOSE HARBOR ROAD ELECTION DISTRICT 15 BALTIMORE COUNTY, MD. SCALE: 1 INCH = 50 FEET DECEMBER 11, 2020

Revised