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DATE 7/23/87
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OP

87-385-A
#263
Church of God
111 W. Chesapeake Ave.
Towson, Maryland 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner
Date: March 17, 1987
Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition Number 87-385-A

Assuming compliance with the Zoning Plans Advisory Committee

comments, this office is not opposed to the granting of the subject request.

Norman E. Gerber, AICP
Director

NEG:JGH:bph

RECEIVED
MAR 19 1987
ZONING OFFICE

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 11, 1987

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Reverend Jerry Noble
2132 Smith Avenue
Lansdowne, Maryland 21227

RE: Item No. 263 - Case No. 87-385-A
Petitioner: Church of God
Petition for Zoning Variance

Dear Reverend Noble:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GERBER
DIRECTOR

MARCH 4, 1987

Re: Zoning Advisory Meeting of December 30, 1986
Item # 263
Property Owner: Church of God
Location: NE/S of Smith Ave. 575'
NW of E of Gable Ave.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on 1/28/87.
- (X) Landscaping: Must comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is 15.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- (X) Additional comments:
"LANDSCAPE MANUAL, SECTION 3.3 - INCREASES IN THE FLOOR AREA OF LESS THAN 50% SHALL REQUIRE THAT THE PORTION OF THE SITE IMPACTED CONFORM TO THE STANDARDS IN THIS MANUAL FOR LANDSCAPE REQUIREMENTS. CONTACT AVERY HARDEN AT 494-3335"

David Fields, Acting Chief
Current Planning and Development

cc: James Moswell

87-385-A
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your petition has been received and accepted for filing this 1st day of January, 1987.
Petitioner: Church of God
Attorney: Norman E. Gerber
Received by: James E. Dyer
Zoning Commissioner

4-7-87
16505

87-385-A
#263

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550
STEPHEN E. COLLINS
DIRECTOR

January 30, 1987

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 251, 252, 253, 256, 257, 259, 260, 261, 263, 265, 267, and 268.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

January 29, 1987

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Church of God
Location: NE/S Smith Avenue, 565' NW centerline Gable Ave.
Item No.: 263
Zoning Agenda: Meeting of 12/30/86
Gentlemen:

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

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- (X) 2. A second means of vehicle access is required for the site. Proposed building has poor access for fire apparatus.
- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 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", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group
Special Inspection Division
Fire Prevention Bureau

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 263 Zoning Advisory Committee Meeting are as follows:

Property Owner: Church of God
Location: NE/S Smith Avenue, 565 feet NW centerline Gable Avenue
District: D.R. 5.5

APPLICABLE ITEMS ARE CIRCLED:

- (4) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill 617-85, the Maryland Code for the Building and Code (B.C.C. 21-101 - 1985) and other applicable Code and Standards.
- (5) A building and other miscellaneous permits shall be required before the start of any construction.
- (6) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.
- 2. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- 3. All the Groups except 3-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls above the 4'-0" to an interior lot line. 3-2 Two Groups require a one hour wall if closer than 1'-0" to an interior lot line. 4-1 wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 107, Section 108.2 and Table 1102. No openings are permitted in an exterior wall within 1'-0" of an interior lot line.
- 4. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 102 and have your Architect/Engineer contact this department.
- 5. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
- 6. No filing for a required Change of Use/Accessory Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to _____ or to Mixed Use _____ See Section 317 of the Building Code.
- 7. The proposed project appears to be located in a Flood Plain, Flood/Divergence. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill 617-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.
- (3) Comments: Unless there are some legitimate "Fire Wall" separations existing or proposed, the new addition could exceed the permissible area under table 501, depending on the type of construction overall.
- 8. These observations comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Please have a qualified professional (registered architect or engineer) review your structure and proposal to give proper direction.

IN RE: PETITION FOR ZONING VARIANCE
NE/S Smith Avenue, 575' NW of the c/l of Gable Avenue
(2132 Smith Avenue)
13th Election District
1st Councilmanic District
Church of God
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-385-A

The Petitioner herein requests a variance to permit a distance between principal buildings of 25 feet in lieu of the required 40 feet.

Testimony on behalf of the Petitioner indicated that they propose the construction of a 50' x 85' addition to the existing church to create a new worship center annex. The annex will be located 25 feet away from the existing parsonage. The addition is needed by the Church to hold its mid-week worship services because attendance on weekdays is insufficient to warrant the use of the 275-seat main sanctuary. Although it would be possible to attach the proposed addition to the parsonage, the separation of the building from the parsonage provides superior access for fire apparatus. A landscaping plan is being prepared for submittal. There were no Protestants.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 29th day of April, 1987, that a variance to permit a distance between principal buildings of 25 feet, in accordance with the plan submitted, be and is hereby GRANTED, from and after the date of this Order.

Jean M. Dwyer
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
Date 4/30/87
By [Signature]

11-25-87

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

Arnold Jablon
Zoning Commissioner

April 8, 1987



Dennis F. Rasmussen
County Executive

Reverend Jerry Noble
Church of God
2132 Smith Avenue
Lansdowne, Maryland 21227

RE: Petition for Zoning Variance
NE/S Smith Avenue, 575' NW of
the c/l of Gable Avenue
13th Election District
1st Councilmanic District
Case No. 87-385-A

Dear Rev. Noble:

Enclosed please find a copy of the decision rendered in the above-referenced case. Your Petition for Zoning Variance has been Granted in accordance with the attached Order.

If you have any questions on the subject, please do not hesitate to contact this office.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMH:jbs

Enclosure

cc: Mr. Ron Martin, Associate Pastor
Church of God

Ms. Theresa Lawry
2517 Hammonds Ferry Road, Balto., Md. 21227
People's Counsel

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NE/S of Smith Ave., 575' NW of : OF BALTIMORE COUNTY
the C/L of Gable Ave. :
(2132 Smith Ave.), 13th Dist. :
CHURCH OF GOD, Petitioner : Case No. 87-385-A

ENTRY OF APPEARANCE

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

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 9th day of March, 1987, a copy of the foregoing Entry of Appearance was mailed to Jerry Noble, Pastor, Church of God, 2132 Smith Ave., Lansdowne, MD 21227, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 1B02.2.B (V.B.2 - C.M.D.P.) and 102.2 to permit a distance Variance from Section between principal buildings of 25 feet in lieu of the required 40 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

To attach the buildings to be legal would cut off access and the building layout would not lend itself to create an entrance at that location.

If proposed building was cut back to meet the setback standards it would not begin to serve our needs as a midweek place of worship.

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

I, or we, agree to pay expenses of above Variance 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:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day

of February, 1987, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 7th day of April, 1987, at 10:00 o'clock A.M.

ESTIMATED LENGTH OF HEARING : 1/2 HR. + 15R.
AVAILABLE FOR HEARING : MON./TUES./WED. - NEXT TWO MONTHS
ALL : OTHER :
REVIEWED BY: *uon* DATE: 12/18/86

Zoning Commissioner of Baltimore County.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13th Date of Posting: 3-16-87

Posted for: Variance

Petitioner: Church of God

Location of property: NE/S of Smith Ave. 575' NW of the C/L of Gable Ave. (2132 Smith Ave.)

Location of Sign: In front of subject property 2132 Smith Ave.

Remarks:

Posted by: *A.J. Smith* Date of return: 3-20-87

Number of Signs: 1

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 1, 1987

Pastor Jerry Noble
Church of God
2132 Smith Avenue
Baltimore, Maryland 21227

RE: PETITION FOR ZONING VARIANCE
NE/S Smith Ave., 575' NW of the c/l of Gable Ave. (2132 Smith Ave.)
13th Election District - 1st Councilmanic District
Church of God - Petitioner
Case No. 87-385-A

Dear Pastor Noble:

This is to advise you that \$65.05 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing.

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

DATE: 4/7/87 ACCOUNT: E-01-615-3000

SIGN & POST RETURNED AMOUNT: \$ 65.05

RECEIVED FROM: Church of God, 2132 Smith Ave., Lansdowne, Md. 21227

FOR: ADVERTISING & POSTING COSTS RE CASE #87-385-A

PN: 8 8024*****65051a 80747

VALIDATION OR SIGNATURE OF CARRIER

PETITION FOR ZONING VARIANCE

13th Election District - 1st Councilmanic District

Case No. 87-385-A

LOCATION: Northeast Side of Smith Avenue, 575 feet Northwest of the Centerline of Gable Avenue (2132 Smith Avenue)

DATE AND TIME: Tuesday, April 7, 1987, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a distance between principal buildings of 25 feet in lieu of the required 40 feet

Being the property of Church of God, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 19, 1987.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 19, 1987.

THE JEFFERSONIAN,

Publisher

2896

March 24 19 87

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR ZONING VARIANCE

was inserted in the following:

☐ Catonsville Times
☒ Arbutus Times

weekly newspapers published in Baltimore County, Maryland
once a week for one successive weeks before
the 1 day of March 19 87, that is to say,
the same was inserted in the issues of

March 19, 1987

PATUXENT PUBLISHING CORP.
By *[Signature]*

Pastor Jerry Noble
Church of God
2132 Smith Avenue
Baltimore, Maryland 21227

February 19, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
NE/S Smith Ave., 575' NW of the c/l of
Gable Ave. (2132 Smith Ave.)
13th Election District - 1st Councilmanic District
Church of God - Petitioner
Case No. 87-385-A

TIME: 10:00 a.m.

DATE: Tuesday, April 7, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake

Avenue, Towson, Maryland

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

DATE: 12/18/86 ACCOUNT: Pot-615-000

AMOUNT: \$ 100.00

RECEIVED FROM: Church of God

FOR: VARIANCE ITEM # 263

8 8123*****100000* 0138F

VALIDATION OR SIGNATURE OF CASHIER

