#88-65-A Rock Church - C. of S.A.
AFFIRMED Circuit Court 6/20/89

UNREPORTED

IN THE COURT OF SPECIAL APPEALS

OF MARYLAND

No. 1284

September Term, 1988

ROCK CHURCH OF BALTIMORE, INC.

v.

PEOPLES COUNSEL FOR
BALTIMORE COUNTY

Gilbert, C. J.,
Karwacki,
Wenner,

JJ.

PER CURIAM

Filed: June 20, 1989

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COUNTY BOARD OF APPEALS
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Rock Church of Baltimore, Inc., the appellant, operates a church and school on its property located at the intersection of the Baltimore Beltway (Interstate Route 695), Loch Raven Boulevard and Cromwell Bridge Road in Towson. The property is situated in a residentially zoned area. Perceiving that its presence was not well enough marked for those traveling on the Beltway, appellant decided to erect an 84 square foot, free standing sign bearing its name in illuminated lettering and capable of generating flashing messages. The Baltimore County zoning ordinance, however, restricted the maximum size of such signs to 30 square feet.[1] Aware of this restriction, appellant submitted to the Zoning Commissioner its petition for a zoning variance. Appellant in its petition listed three reasons for the request:

1. Sign will help to spread the Gospel of our Lord Jesus Christ.

2. To maximize church exposure from 695. Since the church building is surrounded by trees, visibility from street level is difficult. Our existing sign at our Cromwell Bridge Road entrance is only 15 square feet and serves more as an

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1 Balto. Co. Zoning Reg. § 413.16 (1955).

On appeal, the Circuit Court for Baltimore County (Jacobson, J.) affirmed, holding that the decision of the Board of Appeals was "fairly debatable" and should therefore be left undisturbed. In its appeal from that judgment, appellant raises the following issues for our review:

> I. Did the Court err in affirming the Board's decision as reasonably debatable and fail to address the questions of law presented?
>
> II. Did the Board [of Appeals] err in denying [appellant's] request for variance in regard to its proposed identification sign on the basis of traffic safety?
>
> III. Did the Board [of Appeals] err in denying [appellant's] request on the basis of some special and negative treatment of signs in residential zones?
>
> IV. Did the Board [of Appeals] err in denying [appellant's] request by using the incorrect legal standard for an "area" variance?
>
> V. Did the Board [of Appeals] err in denying [appellant's] request on the basis of the compromise made in design to accommodate the community concerns?

We will affirm.

I.

As the Board of Appeals recognized in its written opinion, a zoning variance will be granted under the Baltimore County Zoning Regulations only upon a showing that enforcement of the zoning regulation would work an

that the proposed sign would not provide effective guidance to highway motorists. The Board thus characterized the proposed sign as providing "minimal directional value."

As the Court of Appeals held in McLean v. Soley, supra, the determinations of the Board of Appeals must not be disturbed if fairly debatable: "This rule will be adhered to even if we were of the opinion that the administrative body came to a conclusion we probably would not have reached on the evidence." McLean, supra, 270 Md. at 215 (quoting Sembly v. County Bd. of Appeals, 269 Md. 177 (1973)). Northamptom Corp. v. Prince George's County, 273 Md. 93, 101 (1974); Green v. Bair, 77 Md. App. 144, 152 (1988), cert. denied, 315 Md. 307 (1989).

Having reviewed the record in this case, we hold that the circuit court gave proper deference to the decision of the Board of Appeals. The issue of whether appellant demonstrated that the relevant zoning regulation imposed upon it an unreasonable burden or practical difficulty was fairly debatable. Much of the evidence appellant introduced in support of its case tended only to establish the commendably philanthropic causes which the church supports. Unfortunately for appellant, the ends in this case do not justify the means. More substantial evidence was required to show that the existing sign restriction significantly hindered the church in its worthy pursuits. What little

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ROCK CHURCH, * BEFORE THE
Petitioner * BOARD OF APPEALS OF
BOARD OF APPEALS, * BALTIMORE COUNTY
* CASE NO.#: 88-65-A
* * * * * * *

ORDER OF APPEAL

Rock Church of Baltimore Inc, and Reverend Bart Pierce individually, Petitioners, by their attorney, John V. Murphy, Esquire, pursuant to Subtitle B of the Maryland Rules of Procedure, appeal the decision of the panel of the Baltimore County Board of Appeals dated March 3, 1988 to the Circuit Court for Baltimore County for reasons that the Board failed to grant the Petitioners' request to grant a variance permitting building second identification sign on the Church property pursuant to the Petitioners amended plan for a total signage of 84 square feet in lieu of the allowed one sign of 30 square feet as prescribed by the Baltimore County Zoning Regulations Section 413.1 b.

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For Rock Church of Baltimore

By: Rev. Bart Pierce, Pastor
and Individually

John V. Murphy, Esquire
14 North Rolling Road
Catonsville, Maryland 21228
(301) 744-4967
Attorney for Petitioners

LAW OFFICES OF
JOHN V. MURPHY
14 NORTH ROLLING ROAD
CATONSVILLE, MARYLAND 21228
(301) 744-4967

CERTIFICATION OF SERVICE

I, CERTIFY, that on this 25 day of March, 1988, this Order of Appeal was mailed, postage prepaid, to the Lawrence E. Schmidt, Henry L. Lewis and Patricia Phipps, panel members the Board of Appeals, Old Courthouse, Towson, Maryland 21204 and Phillis Friedman, Esquire, Peoples Counsel, Old Courthouse, Towson, Maryland 21204.

John V. Murphy, Esquire

LAW OFFICES OF
JOHN V. MURPHY
14 NORTH ROLLING ROAD
CATONSVILLE, MARYLAND 21228
(301) 744-4967

IN THE MATTER OF * IN THE
ROCK CHURCH OF BALTIMORE, * CIRCUIT COURT
INC., et al * FOR
Petitioners * BALTIMORE COUNTY
Variance for sign on property located at 1607 Cromwell Bridge Road, Baltimore, Md. 21234 * CASE NO.#: 88-65-A
* * * * * * *

PETITION

Now comes, Rock Church of Baltimore, Inc., and Reverend Bart Pierce, individually, by their attorney, John V. Murphy, Esquire, who appeals the decisions of the Board of Appeals of Baltimore County dated March 3, 1988 for the following reasons:

A. That the Board heard case number 88-65-A in which the Petitioners requested to be allowed to erect an additional identification sign on their property located at 1607 Cromwell Bridge Road, Baltimore, Maryland 21234; and that,

B. The Petitioner Corporation owns the subject lot of ground and buildings on which the Church requests to be able to erect the additional sign attached to the west facing wall of the church building so as to be visible from a greater distance than their existing non-illuminated sign at their entrance road on Cromwell Bridge Road.

C. That the Board of Appeals denied their request for a variance from Zoning Regulations Section 413.1(b) and 413.5(d).

D. That the Petitioners appeal this decision to this Honorable Court and say that the Board of Appeals decision was not supported by the evidence or based upon any credible evidence before it, that said decision is inconsistant with the

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JOHN V. MURPHY
14 NORTH ROLLING ROAD
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only evidence before it and was arbitrary and capricious. In particular the Petitioner says:

1) That the Board's conclusion that an additional sign along the Baltimore Beltway "can not only be distracting but dangerous" is wholly unsupported by any credible evidence and is beyond judical recognition.

2) That the Board's conclusion that the zoning regulations allow variance for sign in a residential zone only in extraordinary circumstances is incorrect as a matter of law and that signs are not treated differently in different zones under Section 413 of the Zoning Regulations nor in appellate opinions.

3) That the Board misreads the case of McLean v. Soley, 270 MD. 208, 310 A.2d 783 (1973) which the Board holds to mean that the standard to be used in granting variance is "that the need for the relief requested must be substantial and urgent and not merely for the property owners convenience." The Petitioners respectfully suggest that the McLean, case distinguishes the referenced standard and upholds a different standard under which the variance should have been granted.

4) That the Board based its decision denying the variance upon the "minimal directional value" of the amended sign plan but that such design is the result of compromises in sign design to accommodate expressed concerns of the Peoples Counsel and community. The Petitioners say that such denial for this reason would be unconscionable.

WHEREFORE, the Petitioner prays:

LAW OFFICES OF
JOHN V. MURPHY
14 NORTH ROLLING ROAD
CATONSVILLE, MARYLAND 21228
(301) 744-4967

A) That the requested zoning variance for an additional sign be granted; and/or

B) That the case be remanded to the Board of Appeals with direction as the proper standards of law to use in granting a zoning variance;

C) And for such other and further relief as the nature of their cause may require.

John V. Murphy
John V. Murphy, Esquire
14 North Rolling Road
Catonsville, Maryland 21228
(301) 744-4967
Attorney for Petitioner

CERTIFICATION OF SERVICE

I, CERTIFY, that on this 25 day of March, 1988, this Petition was mailed, postage prepaid, to Lawrence E. Schmidt, Henry L. Lewis and Patricia Phipps, panel members of Chairperson, the Board of Appeals, Old Courthouse, Towson, Maryland 21204 and Phillis Friedman, Esquire, Peoples' Counsel, Old Courthouse, Towson, Maryland 21204.

John V. Murphy
John V. Murphy, Esquire

LAW OFFICES OF
JOHN V. MURPHY
14 NORTH ROLLING ROAD
CATONSVILLE, MARYLAND 21228
(301) 744-4967

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County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

March 3, 1988

John V. Murphy, Esquire
16 E. Lombard Street
Baltimore, MD 21202

RE: Case No. 88-65-A
Rock Church

Dear Mr. Murphy:

Enclosed is a copy of the final Opinion and Order passed today the County Board of Appeals regarding the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Secretary

Encl.

cc: Mr. Christopher J. Trionfo
Mr. Samuel D. Morrone
Mr. Eugene Waters
Mr. Stewart Shannick
Phyllis Cole Friedman, Esquire
P. David Fields
James G. Hoswell
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Robyn Clark
Arnold Jablon, County Attorney

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MAR 4 1988
ZONING OFFICE

IN THE MATTER OF THE APPLICATION OF ROCK CHURCH FOR A ZONING VARIANCE ON PROPERTY LCOATED ON THE SOUTHEAST CORNER OF CROMWELL BRIDGE ROAD AND LOCH RAVEN BOULEVARD (1607 CROMWELL BRIDGE ROAD) 9th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT	:	BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO. 88-65-A

: :

OPINION

This matter comes before the Board as an appeal of the decision of the Zoning Commissioner, dated July 30, 1987. In his Order, the Zoning Commissioner denied the property owner's Petition for Zoning Variance from Sections 413.1(b) and 413.5(d) of the Baltimore County Zoning Regulations (B.C.Z.R.). Specifically, the Rock Church seeks a variance to allow construction of an illuminated sign larger than the size permitted within the residential area (D.R. 2) in which this property is located.

Testimony was received from numerous witnesses. Reverend Bart Pierce, pastor of the Rock Church, testified. He described the services which his church offers to the community. Activities conducted on site include, in addition to religious services: school classes, athletic events, and other services to members of the community in need. Reverend Pierce stated that many of the church functions attract a great number of visitors and non-members. Because of the church's peculiar topographical location and due to the great amount of foliage surrounding the site, he opined that the building suffered from visibility and accessibility problems. That is, he advised of numerous occasions when visitors to the church were unable to locate the facility. In his view, the construction of a sign as depicted in Petitioner's Exhibit No. 1 would assist in providing direction to those individuals searching for the church.

Also testifying on behalf of the petition was Scott McGregor, a professional athlete and active member of the church. He reiterated the good deeds and services rendered within the church and opined that a denial of the petitioned variance would hinder the growth of the church. In his view, the proposed sign would not detrimentally impact the surrounding community but would provide a real service to those attempting to reach the church.

Christopher Trionfo, a deacon of the church, repeated the testimony of Mr. McGregor and Reverend Pierce. In addition to beltway traffic, Mr. Trionfo stated that the construction of a sign as proposed would be visible from the ramps onto Cromwell Bridge Road and Loch Raven Boulevard from the Baltimore Beltway (I-695).

This Board is most certainly impressed by the sincerity of the above three witnesses and the active role the church has assumed within the community. Certainly, the good works accomplished by this church are well known and undisputed. However, despite the nature of the commendable work on-site, the Board must consider the variance on its own merits.

The final witness in support of the petition was Robert Nathen, a professional sign salesman and designer. He stated that the proposed sign, although illuminated, would not disturb the tranquility of the surrounding area. That is, he described the proposed illumination as producing a "glow," which would enable visitors to clearly see the sign at night but would not cause a "shining" of light into the neighborhood. His testimony was particularly relevant in that he stated that the proposed sign would not assist travelers west-bound on the beltway in locating the church. That is, because of the topography of I-695 and the hill on which the church sits, only a minimal amount of assistance would be provided to west-bound beltway traffic.

In opposition to the petitioned variance was James G. Hoswell, a planner from the Office of Planning and Zoning of Baltimore County. He expressed his department's opposition to signs in residential zones and also questioned the aesthetics of the proposal.

Residents of the community including Mr. Waters and Mr. Schwab also testified. Although the sign as amended and proposed at the hearing was less objectionable than previous proposals and also not directly visible by the surrounding residential communities, they continued in their opposition to the sign.

In addressing the petition, it is relevant to note the purpose and anticipated effect of the sign. Those witnesses in support of the variance stated that the sign was to be constructed for the purpose of identifying the site. However, much of this intended effect would not be obtained if the sign were constructed as depicted in Petitioner's Exhibit No. 1. That is, by the testimony of even the Petitioner's expert, there would be minimal directional value to motorists on the beltway. Rather, the real benefit, if any, appears to be to those individuals who have already made the proper exit from the beltway and who, once reaching Cromwell Bridge Road, are still unable to locate the facility. Although this assistance may be welcomed by those travelers, the proximity of the church's driveway entrance to the Cromwell Bridge ramps is of such that, in the Board's opinion, the entrance is easily determinable.

The Board must address the variance pursuant to Section 307 of the B.C.Z.R., which provides that the Petitioner must prove practical difficulty or unreasonable hardship in order for his petition to be granted. The guidelines for this standard have been set forth on numerous occasions by this Board and are provided in McLean v. Soley, 270 MD 208, 310 A2nd 783 (1973). That is,

the need for the relief requested must be substantial and urgent, and not merely for the property owner's convenience. Additionally, variances should be granted only if in strict harmony to the zoning regulations and without substantial injury to the public health, safety and general welfare. Applying those standards to the case before us, we are not persuaded that the Petitioner has met his burden. That is, the restrictions imposed by these regulations do not in our view prevent the property owner from using his property as contemplated. Further, the impact of granting the variance on both the surrounding community and the motoring public must be considered. Clearly, the intent of any sign is to catch the eye of a passer-by. At this location, with high-speed beltway traffic, the proliferation of any sign must be clearly monitored. The results of excess signage along these routes can be not only distracting, but dangerous. Particularly in a residential area, the restrictions contained within Section 413 of the B.C.Z.R. should be set aside only in extraordinary circumstances.

In our view, the circumstances as described and the evidence presented do not so justify the granting of this variance. Therefore, the Board will deny the variance as petitioned for and will so order.

ORDER

It is therefore this 3rd day of March, 1988 by the County Board of Appeals of Baltimore County ORDERED that the Petition for Variance from Sections 413.1(b) and 413.5(d) of the Baltimore County Zoning Regulations to permit construction of a sign greater than the area allowed be and the same is DENIED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Lawrence E. Schmidt, Acting Chairman

Henry H. Lewis

Patricia Phipps

CBA AFFIRMED by [illegible] Jacobson
Appealed to CSA: 9/13/88

Denied

PCF ✓
FMZ ✓

ROCK CHURCH OF BALTIMORE, INC. etc. Appellant vs. PEOPLE'S COUNSEL OF BALTIMORE COUNTY Appellee	:	IN THE CIRCUIT COURT FOR BALTIMORE COUNTY CASE NO. 88 CG 1539 Zoning Case No. 88-65-A

: :

MEMORANDUM OPINION AND ORDER

This case comes before this Court as an appeal from an Order of the Baltimore County Board of Appeals affirming a decision of the Zoning Commissioner, dated June 30, 1987, wherein the Appellant was denied a variance from the applicable sections of the Zoning Regulations. Originally, the variance was sought to allow construction of an illuminated sign larger than the size permitted within the residential area in which the church property is located. Between the time of the Zoning Commissioner's Order and the hearing before the Board, the specifications of the sign were amended in an attempt to overcome objections from the surrounding community. Nevertheless, after a full hearing, the Board affirmed the decision of the Commissioner by its written Opinion and Order of March 3, 1988. This Court shall affirm the decision of the Board.

The scope of this Court's review in such cases is that if there was sufficient evidence to make the issue before the Board fairly debatable, then the decision of the Board must be affirmed. McLean v. Soley, 270 Md. 208, 310 A.2d 783 (1973).

COPY: J. Robert Haines File

ROCK CHURCH OF BALTIMORE INC, et al	*	IN THE
	*	CIRCUIT COURT
Appellants	*	FOR
VS.	*	BALTIMORE COUNTY
PEOPLES COUNSEL OF BALTIMORE, et al	*	Case No.#: 88 CG 1539/54/339
Appellees	*	Zoning Case No. 88-65-A

* * * * * * *

ORDER FOR APPEAL TO THE COURT
OF SPECIAL APPEALS

Now comes, the Appellants, Rock Church of Baltimore, Inc. and Pastor Bart Pierce, by their attorney, John V. Murphy, Esquire, who appeal the decision of the Honorable Leonard S. Jacobson dated August 16, 1988 affirming the decision of the Baltimore County Board of Appeals which denied the Appellants request for variance for a sign on the Appellants' property.

John V. Murphy

John V. Murphy, Esquire
14 North Rolling Road
Catonsville, Maryland 21228
(301) 744-4967

SEP 1 1 1988

LAW OFFICES OF
JOHN V MURPHY
NORTH ROLLING ROAD
SVILLE, MARYLAND 21228
(301) 744-4967

I HEREBY CERTIFY that on this 13 day of Sept, 1988, a copy of the aforegoing Order of Appeal was mailed, postage prepaid, to Peter M. Zimmerman, Esquire, Peoples Counsel Office, Old Courthouse, Towson, Maryland 21204 and Michael Gisriel, Esquire, Suite 400, 210 E. Lexington Street, Baltimore, Maryland 21202-3514.

John V. Murphy

John V. Murphy, Esquire

LAW OFFICES OF
JOHN V MURPHY
NORTH ROLLING ROAD
SVILLE, MARYLAND 21228
(301) 744-4967

Copy: J. Robert Haines

PCF ✓
PMZ ✓

Denied

ROCK CHURCH OF BALTIMORE, INC. etc.	:	IN THE
Appellant	:	CIRCUIT COURT
Vs.	:	FOR BALTIMORE COUNTY
PEOPLE'S COUNSEL OF BALTIMORE COUNTY	:	CASE NO. 88 CG 1539
Appellee	:	Zoning Case No. 88-65-A

AUG 1 3 1988

: :

MEMORANDUM OPINION AND ORDER

This case comes before this Court as an appeal from an Order of the Baltimore County Board of Appeals affirming a decision of the Zoning Commissioner, dated June 30, 1987, wherein the Appellant was denied a variance from the applicable sections of the Zoning Regulations. Originally, the variance was sought to allow construction of an illuminated sign larger than the size permitted within the residential area in which the church property is located. Between the time of the Zoning Commissioner's Order and the hearing before the Board, the specifications of the sign were amended in an attempt to overcome objections from the surrounding community. Nevertheless, after a full hearing, the Board affirmed the decision of the Commissioner by its written Opinion and Order of March 3, 1988. This Court shall affirm the decision of the Board.

The scope of this Court's review in such cases is that if there was sufficient evidence to make the issue before the Board fairly debatable, then the decision of the Board must be affirmed. McLean v. Soley, 270 Md. 208, 310 A.2d 783 (1973).

Based upon a review of the entire record of the proceedings before the Board, including the exhibits, and after hearing argument of counsel in this appeal, this Court finds that reasonable minds could reasonably reach the conclusion from the facts in the record before the Board.

Accordingly, the decision of the Baltimore County Board of Appeals is hereby **AFFIRMED** and it is so **ORDERED.**

Leonard S. Jacobson

LEONARD S. JACOBSON, JUDGE

Date signed 8/16/88

COPIES SENT TO:

John V. Murphy, Esquire
Phyllis Cole Friedman, Esquire
Michael Gisriel, Esquire

Based upon a review of the entire record of the proceedings before the Board, including the exhibits, and after hearing argument of counsel in this appeal, this Court finds that reasonable minds could reasonably reach the conclusion from the facts in the record before the Board.

Accordingly, the decision of the Baltimore County Board of Appeals is hereby **AFFIRMED** and it is so ORDERED.

Leonard S. Jacobson
LEONARD S. JACOBSON, JUDGE

Date signed *8/16/88*

COPIES SENT TO:

John V. Murphy, Esquire
Phyllis Cole Friedman, Esquire
Michael Gisriel, Esquire

408
88-65-A

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 Variance from Section 413.1b to permit two (2) signs with a total of 84 square feet in lieu of the allowed one (1) sign of 30 square feet and 413.5.d to permit a sign height of 40 feet in lieu of the allowed 25 feet

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

1. Sign will help to spread the Gospel of our Lord Jesus Christ.
2. To maximize church exposure from 695. Since the church building is surrounded by trees, visibility from street level is difficult. Our existing sign at our Cromwell Bridge Road entrance is only 15 square feet and serves more as an ornamental entrance than a directional sign.
3. Sign facing 695 will enable travelers to see church location and minimize difficulty in finding it when approaching Cromwell Bridge Raod on Loch Raven Boulevard.

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:	Legal Owner(s):
(Type or Print Name)	Rev. Bart Pierce (Type or Print Name)
Signature	*Rev. Bart Pierce* Signature
Address	for Rock Church (Type or Print Name)
City and State	Signature
Attorney for Petitioner:	
(Type or Print Name)	1607 Cromwell Bridge Road Address Phone No.
Signature	Baltimore, Maryland 21234 City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State	Name
Attorney's Telephone No.:	Address Phone No.

MAP NE10C
3C
E.D. 9H
DATE 7-11-90
200 [illegible]
1000 X
DP

ORDER RECEIVED FOR FILING
Date *July 30 1987*
By [illegible]

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of June, 19 87, 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 29th day of July, 19 87, at 1:30 o'clock P. M.

[signature]
Zoning Commissioner of Baltimore County.

(over)

Description for Rock Chur h
1607 Cromwell Bridge Rd

Located on the Southeast corner of Cromwell Bridge Rd. and Loch Raven Blvd. and thence running North 17° 15' East 830± thence South 26° 58' East 610± to the North side of the Baltimore Beltway and thence running 898± in a Northwesterly direction to the West side Loch Raven Blvd. and thence running in a Northerly direction 380' to the place of beginning.

PM 84-339 99-020

THIS REVOCABLE LICENSE, Made this day of September , 1984, by and between BALTIMORE GAS AND ELECTRIC COMPANY, hereinafter referred to as "Licensor", and Rock Church ,hereinafter referred to as "Licensee".

WITNESSETH:

THAT the Licensee has requested the right and privilege to enter upon and use that portion of the Licensor's property, hereinafter referred to as parcel of land, as delineated on a plat entitled Rock Church , attached hereto, made a part hereof, and marked "Exhibit A", for the purpose stated below, and the Licensor is willing to grant such use subject to the terms and conditions as hereinafter set forth.

NOW, THEREFORE, in consideration of the right and privilege herein granted and the sum of One Dollars ($ 1.00), paid by the Licensee to the Licensor in advance for the period October 1, 1984 to September 30, 1994 , it is mutually agreed as follows:

1. LICENSOR hereby grants unto Licensee, and the latter hereby accepts a license to enter upon and use the parcel of land as delineated on the aforementioned plat solely for the purpose of **erecting a sign with a base 11 feet wide and height of approximately 9 feet.**

Grantee is responsible for mowing grass and maintaining area around the sign.

2. LICENSOR shall have the right of ingress and egress over the said parcel of land to:
   a. Construct, operate and maintain present and/or future gas and/or electric facilities in, over and under the said parcel of land and the right to make necessary openings and excavations for the purpose of examining, repairing, altering or extending said electric and/or gas facilities provided that all openings and excavations shall be properly refilled and resurfaced and the parcel of land left in a good and safe condition.
   b. Make test borings or surveys on said parcel of land provided that such ingress and egress to the parcel of land does not unreasonably disturb the peaceful enjoyment of the licensee.
   c. Trim, top and/or cut down and keep trimmed, topped and cut down any trees or bushes on said parcel of land which, in the sole judgment of Licensor, may interfere with or fall upon the said present and/or future gas and/or electric facilities.
3. LICENSOR shall not be liable for any crop and/or other damage, regardless of cause, on the parcel of land.
4. LICENSEE, as part of the consideration hereof, agrees to:
   a. Accept the parcel of land in its present condition for the right and privilege hereby given.
   b. Keep said parcel of land in good order and condition at all times.
   c. Comply with all present and future applicable laws and requirements of public authorities in respect to the parcel of land or use thereof.

(LM-3453) (SEE OVER)

---

d. Idemnify, defend and hold harmless the Licensor, its agents, employees and assigns, from and against any and all liability and/or damage of person or property, including the loss of life, sustained to any persons, whether the agents, employees, assigns, servants, invitees, contractors, or members of the family of Licensor or Licensee, while in and around the licensed parcel of land, whether resulting from acts of negligence on the part of the Licensor, its agents, employees or assigns, or arising in any manner from the exercise of the right and privilege herein granted.

e. Not to assign this License or transfer in any manner any part thereof for any purpose.

f. Not to construct any buildings or structures of any kind or nature unless specifically provided for by this license.

g. Remove, upon termination of this License, all property belonging at the Licensee, surrender the right and privilege hereby granted and surrender possession of said parcel of land to Licensor upon termination in good order and condition.

5. THE PAYMENT hereunder by the Licensee of any sum or sums in advance shall not be held to create an irrevocable license for the period for which same is paid, but the Licensor may at any time revoke this License by giving the Licensee thirty (30) days' written notice and refunding the payment for the balance of the period for which the same has been paid.

6. THIS LICENSE may be renewed thirty (30) days prior to the expiration of the original term or any extension thereof ~~for an additional like term by payment of the sum of~~ XXXXXXXXXXXXXXXXX Dollars($) in advance.xx

IN WITNESS WHEREOF, the parties hereto have caused this License to be duly executed the day and year first above written.

WITNESS: *[signature]*

BALTIMORE GAS AND ELECTRIC COMPANY
BY: *R J Smith* (SEAL)
Supervisor, Property Management
Robert J. Smith

WITNESS: *Edith K. Thompson*

[signature] (SEAL)
Rock Church
By Christopher J Trionfo (SEAL)

Mailing Address:

1607 Cromwell Bridge Road

Baltimore Md. ZIP 21237
Office 661 4408
Church 882 2217

(LM-3453) 28-30-JAK

IN THE MATTER OF THE APPLICATION OF ROCK CHURCH, et al. FOR ZONING VARIANCE ON PROPERTY LOCATED ON SE CORNER OF CROMWELL BRIDGE RD. & LOCH RAVEN BLVD. (1607 CROMWELL BRIDGE RD.) 9th Election District 6th Councilmanic District	: IN THE CIRCUIT COURT : FOR BALTIMORE COUNTY : AT LAW : Case No. 88CG1539/54/339

: : : : : : :

ANSWER TO PETITION ON APPEAL

People's Counsel for Baltimore County, Protestant below and Appellee herein, answers the Petition heretofore filed by the Appellant, viz:

1. That the Appellee denies the allegations made and contained in Paragraph A and B of said Petition.

2. That the Appellee admits the allegations made and contained in Paragraph C of said petition.

3. That the Appellee denies the allegations made and contained in Paragraph D of said petition.

4. In further answering, People's Counsel states that the decision of the County Board of Appeals was reasonable and lawful and based on substantial evidence, and was neither arbitrary nor capricious.

WHEREFORE, Appellee People's Counsel prays that an Order be passed sustaining and affirming the decision of the Baltimore County Board of Appeals dated March 3, 1988

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

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- 2 -

I HEREBY CERTIFY that on this *13th* day of April, 1988, a copy of the foregoing Answer to Petition on Appeal was delivered to the Administrative Secretary, County Board of Appeals, Room 200, Court House, Towson, MD 21204; and mailed to John V. Murphy, Esquire, 16 E. Lombard Street, Baltimore, MD 21202.

Phyllis Cole Friedman
Phyllis Cole Friedman

ROCK CHURCH OF BALTIMORE INC, et al Appellants VS. PEOPLES COUNSEL OF BALTIMORE, et al Appellees	* IN THE * CIRCUIT COURT * FOR * BALTIMORE COUNTY * Case No.#: 88 CG 1539/54/339

* * * * * * *

ORDER FOR APPEAL TO THE COURT OF SPECIAL APPEALS

Now comes, the Appellants, Rock Church of Baltimore, Inc. and Pastor Bart Pierce, by their attorney, John V. Murphy, Esquire, who appeal the decision of the Honorable Leonard S. Jacobson dated August 16, 1988 affirming the decision of the Baltimore County Board of Appeals which denied the Appellants request for variance for a sign on the Appellants' property.

John V. Murphy
John V. Murphy, Esquire
14 North Rolling Road
Catonsville, Maryland 21228
(301) 744-4967

LAW OFFICES OF JOHN V. MURPHY [illegible] NORTH ROLLING ROAD [illegible]VILLE, MARYLAND 21228 (301) 744-4967

I HEREBY CERTIFY that on this 13 day of Sept, 1988, a copy of the aforegoing Order of Appeal was mailed, postage prepaid, to Peter M. Zimmerman, Esquire, Peoples Counsel Office, Old Courthouse, Towson, Maryland 21204 and Michael Gisriel, Esquire, Suite 400, 210 E. Lexington Street, Baltimore, Maryland 21202-3514.

John V. Murphy
John V. Murphy, Esquire

LAW OFFICES OF
JOHN V. MURPHY
NORTH ROLLING ROAD
SYKESVILLE, MARYLAND 21784
(301) 795-4960

IN THE MATTER OF THE APPLICATION OF ROCK CHURCH FOR ZONING VARIANCE ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF CROMWELL BRIDGE RD. AND LOCH RAVEN BLVD. (1607 CROMWELL BRIDGE RD.) 9th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT	:	IN THE CIRCUIT COURT FOR BALTIMORE COUNTY AT LAW
ROCK CHURCH OF BALTIMORE, INC., PETITIONER-PLAINTIFF	:	CG Doc. No. 54
	:	Folio No. 339
FILE NO. 88-65-A	:	File No. 88-CG-1539

CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND THE BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come Lawrence E. Schmidt, Henry H. Lewis and Patricia Phipps, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

No. 88-65-A

June 5, 1987	Petition of Rock Church by Rev. Bart Pierce, for variance from Sec. 413.1b to permit 2 signs with a total of 84 sq. ft. in lieu of the allowed 1 sign of 30 sq. ft. and 413.5.d to permit a sign height of 40 ft. in lieu of the allowed 25 ft.
June 5	Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for July 29, 1987 at 1:30 p.m.
July 6	Certificate of Posting of property filed
July 9	Certificate of Publication in newspaper filed
July 20	Comments of Baltimore County Zoning Plans Advisory Committee filed
July 29	At 1:30 p.m. hearing held on petition by Zoning Commissioner

July 30, 1987	Order of the Zoning Commissioner denying the Petition for Variances to permit two signs totaling 84 sq. ft. in lieu of the permitted one sign containing 30 sq. ft. and a sign height of 40 ft. in lieu of the permitted 25 ft.
September 1	Order for Appeal to the C.B. of A. from Rev. Bart Pierce, The Rock Church.
February 11, 1988	Hearing on appeal before County Board of Appeals
March 3	Order of the Board of Appeals ordering that the Petition for Variance to permit construction of a sign greater than the area allowed be DENIED.
March 31	Order for Appeal filed in the Circuit Ct. for Baltimore County by John V. Murphy, Esq., on behalf of Petitioners.
March 31	Petition to accompany Order for Appeal filed in the Circuit Ct. for Baltimore County
April 4	Certificate of Notice sent to interested parties
May 2	Transcript of testimony filed

Petitioner's Exhibit No. 1 - Proposed sign drawing, 1/13/88

" " " 2 - Aerial Photographic Map of site dated 1/19/86.

" " " 3 - Photogrammetic/topographic map of site and area

" " " 4 - Photos of site, 4-A - 4-L

" " " 5 - Three larger photographs of site, 5A. 5B, 5C

" " " 6 - State Highway Aerial Photo (in Bd.'s closet)

" " " 7A - Permit for sign, 12/23/85.

" " " 7B - Subject sign which received permit

" " " 8 - Site Distance Data

People's Counsel's Exhibit No. 1 - Gerber Comments dated 6/30/87.

" " " " 2 - Balto. Co. Zoning Map #3-C

Protestants' Exhibit No. 1 - Chatterleigh Assn. Rule 8 Compliance Packet

" " " 2A - Road map of subject area highlighted with picture guide

" " " 2B - Photos taken from points as marked on #2A.

May 2, 1988	Record of proceedings filed in the Circuit Ct. for Baltimore County

Record of proceedings pursuant to which said Order was entered and upon which said Board acted are hereby forwarded to the Court, together with exhibits entered into evidence before the Board. However, all tangible material or evidence of an unwieldy or bulky nature will be retained in the Board of Appeals' office, and upon request of the parties or the Court will be transmitted to the Court by whomever institutes the request.

Respectfully submitted,

June Holmen
June Holmen
County Board of Appeals of Baltimore County

cc: John V. Murphy, Esq.
Phyllis C. Friedman
Mr. Eugene Waters

IN THE MATTER OF THE APPLICATION OF ROCK CHURCH FOR ZONING VARIANCE ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF CROMWELL BRIDGE RD. AND LOCH RAVEN BLVD. (1607 CROMWELL BRIDGE RD.) 9th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT	:	IN THE CIRCUIT COURT FOR BALTIMORE COUNTY AT LAW
ROCK CHURCH OF BALTIMORE, INC., PETITIONER-PLAINTIFF	:	CG Doc. No. 54
	:	Folio No. 339
FILE NO. 88-65-A	:	File No. 88-CG-1539

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, Lawrence E. Schmidt, Henry H. Lewis and Patricia Phipps, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, John V. Murphy, Esq., 16 E. Lombard St., Baltimore, Md. 21202, Counsel for Petitioner-Plaintiff; Samuel D. Morrone, 1212 Brook Meadow Drive, Towson, Md. 21204, Protestant; Eugene Waters, President, Chatterleigh Association, 1001 Concordia Dr., Towson, Md. 21204, Protestants; Stewart Shannick, 1111 Ryegate Rd., Towson, Md. 21204; H. B. Warfield, 1007 Cowpens Ave., Towson, Md. 21204; and Phyllis C. Friedman, Esq., Rm. 223, Old Court House, Towson, Md. 21204, People's Counsel for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holmen
June Holmen
County Board of Appeals of Baltimore County
Rm. 200, Court House, Towson, Md. 21204
494-3180

I HEREBY CERTIFY that a copy of the aforegoing Certificate of Notice has been mailed to John V. Murphy, Esq., 16 E. Lombard St., Baltimore, Md. 21202, Counsel for Petitioner-Plaintiff; Samuel D. Morrone, 1212 Brook Meadow Dr., Towson, Md. 21204, Protestant; Eugene Waters, President, Chatterleigh Association, 1001 Concordia Dr., Towson, Md. 21204, Protestants; Stewart Shannick, 1111 Ryegate Rd., Towson, Md. 21204; H. B. Warfield, 1007 Cowpens Ave., Towson, Md. 21204; and Phyllis C. Friedman, Esq., Rm. 223, Old Court House, Towson, Md. 21204, People's Counsel for Baltimore County, on this 4th day of April, 1988.

June Holmen
June Holmen
County Board of Appeals of Baltimore County

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

October 19, 1987

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79.

CASE NO. 88-65-A	ROCK CHURCH
	SE/corner Cromwell Bridge Rd. and Loch Raven Blvd. (1507 Cromwell Bridge Rd.)
	9th Election District 6th Council. District
	Var.-Signs
	7/30/87 - Z.C.'s Order - Variances, DENIED
ASSIGNED FOR:	THURSDAY, FEBRUARY 11, 1988, at 10 a.m.

cc: Christopher J. Trionfo c/o Rock Church	Agent for Petitioner
Samuel D. Morrone	Protestant
Eugene Water, Pres. Chatterleigh Assoc.	Protestants
Stewart Shannick	
Phyllis C. Friedman	People's Counsel
Norman E. Gerber James Hoswell J. Robert Haines Ann Nastarowicz James E. Dyer Margaret duBois	

RECEIVED
OCT 20 1987
ZONING OFFICE

June Holmen, Secretary

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

April 4, 1988

RECEIVED
APR 6 1988
ZONING OFFICE

Phyllis C. Friedman
People's Counsel for Baltimore County
Court House
Towson, Md. 21204

Dear Mrs. Friedman:

Re: Case No. 88-65-A
Rock Church

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.
cc: Samuel D. Morrone
Eugene Waters
Stewart Shannick
H. B. Warfield
David Fields
James Hoswell
J. Robert Haines
Ann Nastarowicz
James E. Dyer
Docket Clerk

IN THE MATTER OF THE APPLICATION OF ROCK CHURCH FOR ZONING VARIANCE ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF CROMWELL BRIDGE RD. AND LOCH HAVEN BLVD. (1607 CROMWELL BRIDGE RD.) 9th ELECTION DISTRICT 6th COUNCILMANIC DISTRICT	:	IN THE CIRCUIT COURT FOR BALTIMORE COUNTY AT LAW
ROCK CHURCH OF BALTIMORE, INC., PETITIONER-PLAINTIFF	:	CG Doc. No. 54 Folio No. 339
FILE NO. 88-65-A	:	File No. 88-CG-1539

: : : : : : : : : : : :

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, Lawrence E. Schmidt, Henry H. Lewis and Patricia Phipps, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, John V. Murphy, Esq., 16 E. Lombard St., Baltimore, Md. 21202, Counsel for Petitioner-Plaintiff; Samuel D. Morrone, 1212 Brook Meadow Drive, Towson, Md. 21204, Protestant; Eugene Waters, President, Chatterleigh Association, 1001 Concordia Dr., Towson, Md. 21204, Protestants; Stewart Shannick, 1111 Ryegate Rd., Towson, Md. 21204; H. B. Warfield, 1007 Cowpens Ave., Towson, Md. 21204; and Phyllis C. Friedman, Esq., Rm. 223, Old Court House, Towson, Md. 21204, People's Counsel for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holmen
June Holmen
County Board of Appeals of Baltimore County
Rm. 2[illegible]0, Court House, Towson, Md. 21204
494-3180

Rock Church
Case No. 88-65-A

2.

I HEREBY CERTIFY that a copy of the aforegoing Certificate of Notice has been mailed to John V. Murphy, Esq., 16 E. Lombard St., Baltimore, Md. 21202, Counsel for Petitioner-Plaintiff; Samuel D. Morrone, 1212 Brook Meadow Dr., Towson, Md. 21204, Protestant; Eugene Waters, President, Chatterleigh Association, 1001 Concordia Dr., Towson, Md. 21204, Protestants; Stewart Shannick, 1111 Ryegate Rd., Towson, Md. 21204; H. B. Warfield, 1007 Cowpens Ave., Towson, Md. 21204; and Phyllis C. Friedman, Esq., Rm. 223, Old Court House, Towson, Md. 21204, People's Counsel for Baltimore County, on this 4th day of April, 1988.

June Holmen
June Holmen
County Board of Appeals of Baltimore County

APPEAL

Petition for Zoning Variance
SE/corner Cromwell Bridge Road and Loch Raven Boulevard
(1607 Cromwell Bridge Road)
9th Election District - 6th Councilmanic District
Rock Church - Petitioner
Case No. 88-65-A

Petition for Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments missing from file

Petitioner's Exhibits: 1 - Grading & Sediment Control Permit drawing revised 4/22/86

2a thru 2c - Color photographs of Site

3 - Calendar of Events

4 - None identified in the file

5 - Print-out of Membership

6 - Scale drawing of single-faced sign proposed

Letter of Protest dated 7/24/87 from Samuel D. Morrone

Letter of Protest dated 7/22/87 from Eugene Waters, President of the Chatterleigh Association

Plat of Property with attachments

Zoning Commissioner's Order dated July 30, 1987

Letter of Appeal with attachment received September 2, 1987 from Christopher J. Trionfo, Agent for Petitioner

---

Mr. Christopher J. Trionfo, Agent for Petitioner
c/o Rock Church, 1607 Cromwell Bridge Road, Baltimore, Md. 21234

Mr. Samuel D. Morrone, Protestant
1212 Brook Meadow Drive, Towson, Md. 21204

Mr. Eugene Waters, President, Chatterleigh Association, Protestants
1001 Concordia Drive, Towson, Md. 21204

Phyllis Cole Friedman, Esquire,
People's Counsel of Baltimore County
Rm. 223, Old Courthouse, Towson, Maryland 21204

Request Notification: Norman E. Gerber, Director of Planning
James Hoswell, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
Margaret E. duBois, Docket Clerk

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

J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

September 3, 1987

Baltimore County Board of Appeals
Old Courthouse, Room #205
Towson, Maryland 21204

RE: Petition for Zoning Variance
SE/cor. Cromwell Bridge Road and Loch Raven Boulevard
(1607 Cromwell Bridge Road)
Rock Church - Petitioner
Case No. 88-65-A

Dear Board:

Please be advised that on September 2, 1987, an appeal of the decision rendered in the above-referenced case was filed by Christopher J. Trionfo, Agent for Petitioner. All relative to the case are being forwarded to your office herewith. Please notify all parties to the case when a date and time for the appeal hearing has been scheduled.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:bjs

cc: Mr. Christopher J. Trionfo, Agent for Petitioner
c/o Rock Church, 1607 Cromwell Bridge Road, Baltimore, Md. 21234

Mr. Samuel D. Morrone, Protestant
1212 Brook Meadow Drive, Towson, Md. 21204

Mr. Eugene Waters, President, Chatterleigh Association, Protestants
1001 Concordia Drive, Towson, Md. 21204

Phyllis Cole Friedman, Esquire,
People's Counsel of Baltimore County
Rm. 223, Old Courthouse, Towson, Maryland 21204

File

September 1, 1987

RECEIVED
SEP 2 1987
ZONING OFFICE

Baltimore County Board of Appeals
County Office Building
Towson, Maryland 21204

RE: Request for Appeal in
Case # 88-65-A

Gentlemen:

My request for appeal was filed late. The final order for our request for variance was dated July 30, 1987 and at the time of the hearing commissioner Jablon advised me that he would provide in writing the various reasons for the denial. He was very specific regarding this so when the final order came in, I was expecting additional information. I was on vacation from the 17th to the 22nd of August during which time my father-in-law died. On the 24th when I returned to work, the denial of our petition was in my mail but without any comments from which I intended to base my appeal. Approximately mid week I attempted to contact Mr. Jablon concerning these comments so that I could file a reasonable request. His former secretary Stella finally got in touch with him on Friday, but he was not able to return my call. I contacted him again on Monday but he was unable to return my call, and on Tuesday September 1, I finally had the opportunity to speak with him which in fact was very helpful. When I spoke to Stella approximately the 26th of August she referred me to someone to enable me to get a copy of the tape recording of the hearing so that I could get the information I needed in order to file properly my appeal. When I finally got in touch with the person responsible for the tapes on Thursday I was informed that the tape recording machine was not working during that time. The tape recording itself was inaudible. Due to the circumstances outlined above I respectfully request that you except our appeal concerning the above matter. Thanking you in advance for your consideration and awaiting your reply I remain.

Very truly yours

Christopher J. Trionfo
Agent for Rock Church

Rock Church of Baltimore
1607 Cromwell Bridge Road
Baltimore, Maryland 21234

September 1, 1987

Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Petition for zoning variance
Case #88-65-A for The Rock Church

Gentlemen:

We hereby respectfully submit our request for appeal on the above referenced case, enclosed please find our fee of $100.00.

Signed: Bart Pierce
Rev. Bart Pierce
Rock Church

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

No. 33099

DATE 9/3/87 ACCOUNT R-01-615-000

AMOUNT $ 100.00

(Reimburse $10: Check #2443 rec'd. for $100)

RECEIVED FROM Rock Church of Baltimore, 1607 Cromwell Bridge Rd., Baltimore, Md. 21234

FOR Appeal Filing & Posting Fees in Case No. 88-65-A
Rock Church - Petitioner
B B032******3000:a5303af

VALIDATION OR SIGNATURE OF CASHIER

RECEIVED
SEP 2 1987
ZONING OFFICE

PETITION FOR ZONING VARIANCES

9th Election District - 6th Councilmanic District

Case No. 88-65-A

LOCATION: Southeast Corner Cromwell Bridge Road and Loch Raven Boulevard (1607 Cromwell Bridge Road)

DATE AND TIME: Wednesday, July 29, 1987, at 1:30 p.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 Variances to permit two signs with a total of 84 square feet in lieu of the permitted one sign of 30 square feet and a sign height of 40 feet in lieu of the permitted 25 feet

Being the property of Rock Church, 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

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

July 22, 1987

Reverend Bart Pierce
Rock Church
1607 Cromwell Bridge Road
Baltimore, Maryland 21234

RE: PETITION FOR ZONING VARIANCES
SE/cor. Cromwell Bridge Rd. and Loch Raven Blvd. (1607 Cromwell Bridge Rd.)
9th Election District - 6th Councilmanic District
Rock Church - Petitioner
Case No. 88-65-A

Dear Reverend Pierce:

This is to advise you that $107.79 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 itself.

e County, Maryland, and remit
ding, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 37824

DATE 7/21/87 ACCOUNT R-01-615-000
AMOUNT $ 107.79
SIGNS & POST RETURNED
RECEIVED FROM Rock Church of Baltimore, 1607 Cromwell Bridge Rd., P.O. Box 10811, Balto., Md. 21234
FOR ADVERTISING AND POSTING COSTS RE CASE #88-65-A
B 8165*****10779:a 031*F
VALIDATION OR SIGNATURE OF CASHIER

"DUPLICATE"

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 9, 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 July 9, 1987

THE JEFFERSONIAN,

Susan Sudrow O'Brien
Publisher

LOCATION: Southeast Corner Cromwell Bridge Road and Loch Raven Blvd. (1607 Cromwell Bridge Road)
DATE AND TIME: Wednesday, July 29, 1987 at 1:30 p.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 Variances: to permit two signs with a total of 100 square feet of signage and permit a sign with a total of 40 square feet of signage to be located in lieu of the permitted 32 feet.

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

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will hear any petition filed within that period for a stay of the issuance of said permit if requested in writing by the property owner(s) and/or other interested persons at the scheduled hearing. If the order is appealed, the hearing will be held by the Board of Zoning Appeals.

By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County

7190A July 9.

RE: PETITION FOR VARIANCES
SE Corner Cromwell Bridge Rd. and LOch Raven Blvd. (1607 Cromwell Bridge Rd.), 9th Dist.

ROCK CHURCH, Petitioner

: BEFORE THE ZONING COMMISSIONER
: OF BALTIMORE COUNTY
: Case No. 88-65-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 8th day of July, 1987, a copy of the foregoing Entry of Appearance was mailed to Rev. Bart Pierce, 1607 Cromwell Bridge Road, Baltimore, MD 21234, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Reverend Bart Pierce
Rock Church
1607 Cromwell Bridge Road
Baltimore, Maryland 21234

June 22, 1987

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCES
SE/cor. Cromwell Bridge Rd. and Loch Raven Blvd. (1607 Cromwell Bridge Rd.)
9th Election District - 6th Councilmanic District
Rock Church - Petitioner
Case No. 88-65-A

TIME: 1:30 p.m.

DATE: Wednesday, July 29, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 32534

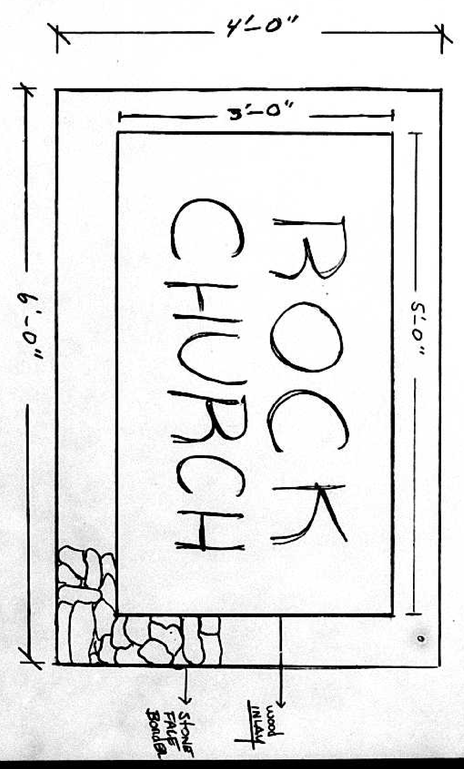
ent Co., Inc.

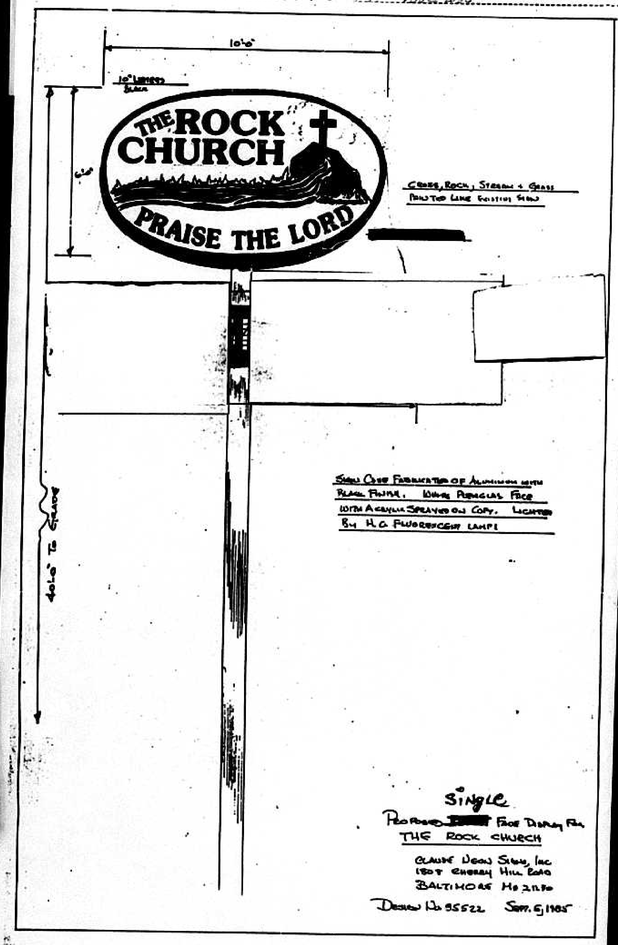
DATE 4/6/87 ACCOUNT 01-615
AMOUNT $ 100.00
RECEIVED FROM Rock Church of Baltimore
FOR Filing Fee for Variance from 40B
B 8173*****10000:a 008*F
VALIDATION OR SIGNATURE OF CASHIER

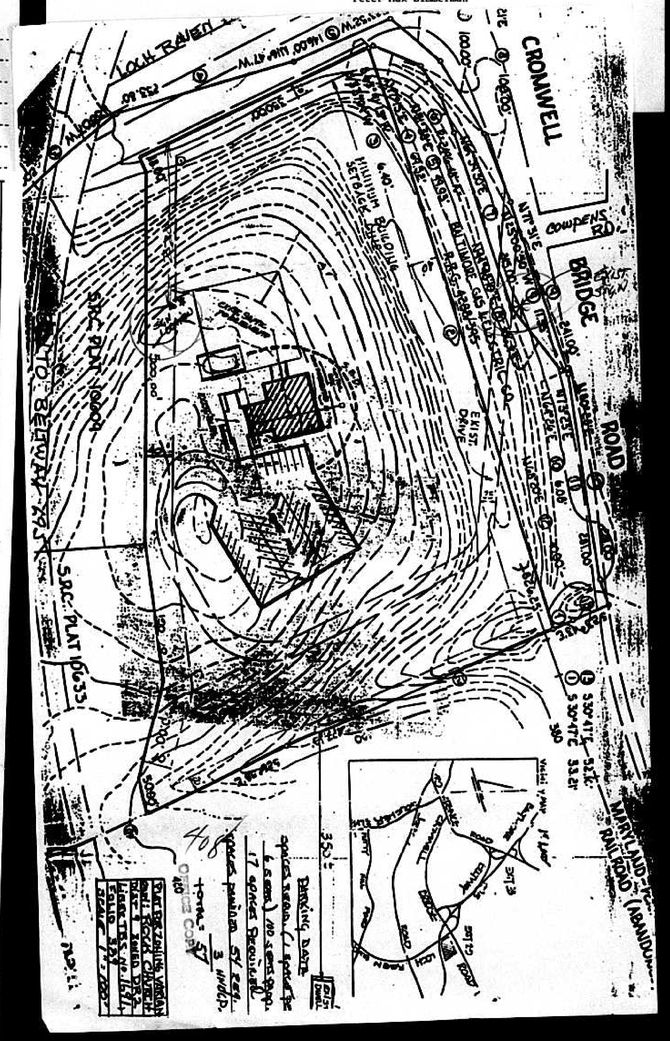
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

88-65-A

District 9th Date of Posting 7/16/87
Posted for: Variance
Petitioner: Rock Church
Location of property: SE/Cor. Cromwell Bridge Rd. & Loch Raven Blvd., 1607 Cromwell Bridge Rd.
Location of Signs: Facing intersection of Loch Raven & Cromwell Br. Rd., approx. 6' fr. road way.







Case No. 88-65-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 5th day of June, 1987.

ARNOLD JABLON
Zoning Commissioner

Petitioner Rock Church
Petitioner's Attorney

Received by: James E Dyer bsc
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

July 20, 1987

Rev. Bart Pierce
Rock Church
1607 Cromwell Bridge Road
Baltimore, Maryland 21234

RE: Item No. 408 - Case No. 88-65-A
Petitioner: Rock Church
Petition for Zoning Variance

Dear Rev. Pierce:

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 bsc

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:bjs

Enclosures

cc: File

RECEIVED
MAY 8 1987
ZONING OFFICE

Maryland Department of Transportation
State Highway Administration

William K. Hellmann, Secretary
Hal Kassoff, Administrator

May 5, 1987

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

RE: Baltimore County
Item No. 408
Property Owner: Rock Church
Location: SE/C Cromwell Bridge Road & Loch Raven Boulevard At Baltimore Beltway I-695
Existing Zoning: D.R. 2
Proposed Zoning: Variance to permit two signs with a total of 84 sq. ft. in lieu of the allowed one sign of 30 sq. ft. and to permit a sign height of 40 feet in lieu of the allowed 25 feet
District: 9th

Att: James Dyer

Dear Mr. Jablon:

On review of the submittal for sign variance, the State Highway Administration Bureau of Engineering Access Permits has forwarded the Rock Church submittal to the following bureaus.

The S.H.A. Bureau of Project Planning, Mr. Donald Honeywell (333-1156), will review the submittal in connection with the proposed improvements to the Baltimore Beltway I-695 and the S.H.A. Beautification Section, c/o Morris Stein (333-1642), will review the Rock Church submittal for variance pertaining to sign location in reference to Interstate highways.

On receipt of additional information, the State Highway Administration will provide additional comments to Baltimore County Zoning.

Very truly yours,

Charles Lee, Chief
Bureau of Engr. Access Permits

by: George Wittman

CL-GW/es
cc: J. Ogle
Don Honeywell
Morris Stein

My telephone number is 301-333-1350
attachment
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro — 565-0451 D.C. Metro — 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

---

(4)

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

~~STEPHEN E. COLLINS~~
DIRECTOR
C. Richard Moore
Acting Director

May 11, 1987

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

Dear Mr. Jablon:

The Bureau of Traffic Engineering has no comments for items number (408), 419, 421, 422, 424, 425, 426, 427, 428, 429, 430, 433, and 432.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

April 28, 1987

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

Dennis F. Rasmussen
County Executive

Re: Property Owner: Rock Church

Location: SE/C Cromwell Bridge Road and Loch Raven Blvd.

Item No.: 408 Zoning Agenda: Meeting of 4/28/87

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.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 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.

( ) 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.

(X) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Capt. Joseph Kelly 4-28-87 Noted and Approved: John E O'Neill
Planning Group
Special Inspection Division
Fire Prevention Bureau

/jl

PP-0330

SAMUEL D. MOREONE
1212 BROOK MEADOW DRIVE
TOWSON, MARYLAND 21204

7/28/87 To file

July 24, 1987

RECEIVED
JUL 27 1987
ZONING OFFICE

Zoning Commissioner
Baltimore County
111 W. Chesapeake Ave.
Towson, Md. 21204

Dear Sir.

we have noticed a request for a Zoning Exception by the Rock Church at Cromwell Bridge Rd and Loch Raven Blvd. to erect a 40ft high lighted sign. We strongly object to having a sign of this magnitude in a residential area East of the Beltway. It is not in keeping with our Community, and the obvious intent of the Zoning Commissioner in past decisions.

The Rock Church already has a stone and masonry sign at their entrance, and today were assembling a white stone sign with each stone imbedded in the earth hillside and it appears to be at least 30ft. long. I find this second sign very objectionable since it is at the entrance to our Community I wish to ask if permits were granted to erect the first two signs which are already place and if we have any rights to have the sign past by limited to the first one in

It was too late for us to object when the Rock Church deforested the top of this tree covered hill. Unfortunately two separate buildings have been added to the top of this hill which produces the appearance of sheet metal buildings in an industrial park, instead of a Church. The money that they will spend on the proposed sign can certainly be put to better use by improving the aesthetic appearance of their existing structures and not to offend the surrounding communities.

We will not be able to attend the Hearing on July 29, 1987 since we will be on Vacation. This issue is so important to us that we certainly would have taken time off work to attend and express our objections if it were at all possible.

Thank you for your attention to this problem.

Yours truly,

Samuel D. Moreone

88-0339

7/28/87 To file

THE CHATTERLEIGH ASSOCIATION
INCORPORATED
TOWSON, MD. 21204

RECEIVED
JUL 27 1987
ZONING OFFICE

July 22, 1987

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Request for Zoning Variance
Rock Church
Case # 88-65A

The Chatterleigh Association represents 311 owner/occupants of fine residences in Chatterleigh, Brook Meadows, Hunt Club Farms, and Hunt Crest Estates. This entire area north of the beltway is zoned for low density residential use and the character of the area is firmly established, that of single family dwellings and permitted institutional uses. It is the opinion of the members of this association that the present regulations for this area are correct and should not be changed or deviated from.

Our association wants to go on record as to being strongly opposed to the Rock Church's petition for a variance to allow them to construct a sign of over sixty (60) square feet and forty (40) feet high. The sign is to be lighted, comming on at dusk and going off at dawn. This sign would be viewable by most of the homes in our association.

We believe a sign of this magnitude is not necessary for the church to carry out its mission and would not be in the best interest of the home owners in this area.

Respectfully submitted,

Eugene Waters

Eugene Waters, President
Chatterleigh Association
1001 Concordia Drive
Towson, Md. 21204

c: Rev. Bart Pierce - Rock Church

Stewart Shinnick-Zonning Chairman
Chatterleigh Association

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO Zoning Commissioner

Date June 30, 1987

Norman E. Gerber, AICP, Director
FROM Office of Planning and Zoning

SUBJECT Zoning Petition No. 88-65-A

This office is opposed to the granting of the subject request. Such a sign would impinge upon the adjacent residential area. Further, this office is opposed to the posting of additional signage along the interstate system.

Norman E. Gerber, AICP
Director

NEG:JGH:slb

RECEIVED
JUL 1 1987
ZONING OFFICE

CPS-008

RECORD

Petition for Zoning Variance
SE/corner Cromwell Bridge Road and Loch Raven Boulevard
(1607 Cromwell Bridge Road)
9th Election District - 6th Councilmanic District
Rock Church - Petitioner
Case No. 88-65-A

Petition for Zoning Variance ✓
Description of Property ✓
Certificate of Posting ✓
Certificate of Publication ✓
Entry of Appearance of People's Counsel ✓
Zoning Plans Advisory Committee Comments ✓
Director of Planning & Zoning Comments missing from file

Petitioner's Exhibits: 1 - Grading & Sediment Control Permit drawing revised 4/22/86
2a thru 2c - Color photographs of Site
3 - Calendar of Events
4 - None identified in the file
5 - Print-out of Membership
6 - Scale drawing of single-faced sign proposed

Letter of Protest dated 7/24/87 from Samuel D. Morrone
Letter of Protest dated 7/22/87 from Eugene Waters, President of the Chatterleigh Association
Plat of Property with attachments
Zoning Commissioner's Order dated July 30, 1987
Letter of Appeal with attachment received September 2, 1987 from Christopher J. Trionfo, Agent for Petitioner

JJJJJ

Mr. Christopher J. Trionfo, Agent for Petitioner
c/o Rock Church, 1607 Cromwell Bridge Road, Baltimore, Md. 21234

Mr. Samuel D. Morrone, Protestant
1212 Brook Meadow Drive, Towson, Md. 21204

Mr. Eugene Waters, President, Chatterleigh Association, Protestants
1001 Concordia Drive, Towson, Md. 21204

Phyllis Cole Friedman, Esquire,
People's Counsel of Baltimore County
Rm. 223, Old Courthouse, Towson, Maryland 21204
Stewart Shannick
1111 Ryegate Rd. (21204)

John V. Murphy, Esq
16 E. Lombard St
Balto., MD 21202
Counsel for Pet'r.

Request Notification: Norman E. Gerber, Director of Planning
James Hoswell, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
Margaret E. duBois, Docket Clerk

Copy to:
H. B. Glasgow
1009 Compass Ave
21204

ROCK CHURCH #88-65-A

SE/corner Cromwell Bridge road and
Loch Raven Boulevard (1607 Cromwell Bridge Road)

9th Election District
6th Councilmanic District

VAR -signs

June 5, 1987	Petition for Variance by Rev. Bart Pierce, Rock Church, for variance to permit 2 signs with total of 84 sq. ft. in lieu of allowed 1 sign w/30 sq ft; and to permit a sign height of 40 ft in lieu of allowed 25 ft.
July 29	Hearing held before the Z.C. on petition.
July 30	Order of the Z.C.: Petition for Variances DENIED.
September 1	Order for Appeal to the C.B. of A. from Rev. Bart Pierce, Rock Church.
February 11, 1988	Hearing before the Board on appeal.
March 3	Order of the Board: that Petition for Variance is DENIED.
March 31	Order for Appeal filed in CCt, BCo, by John V. Murphy, Esquire, on behalf of Rock Church.
March 31	Petition to accompany appeal filed.
April 4	Certificate of Notice sent to interested parties.
May 2	Transcript of testimony filed; record of proceedings filed in CCt, BCo.
August 16	✓ Order of the Circuit Court that the decision of the Board of Appeals is AFFIRMED. (J. Jacobson)
September 13	✓ Order for Appeal to the Court of Special Appeals filed by John V. Murphy, Esquire on behalf of Rock Church and Rev. Bart Pierce.
June 20, 1989	✓ Order of the C. of S. A. AFFIRMING Circuit Court.

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

December 1, 1988

Leslie D. Gradet, Clerk
Court of Special Appeals
of Maryland
Annapolis, MD 21401-1698

RE: Case No. 88-CG-1539
Rock Church of Baltimore, Inc. v.
People's Counsel of Baltimore County

Dear Ms. Gradet:

The subject case was appealed from the Circuit Court for Baltimore County to the Court of Special Appeals on September 13, 1988.

In order that we may follow this case through to its conclusion, we would appreciate your noting our request for a copy of the Opinion in this case when it is filed by the Court of Special Appeals.

Thank you for your time and attention to our request.

Very truly yours,

Kathleen C. Weidenhammer
Administrative Secretary

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

JOHN V. MURPHY
RICHARD DI SALVO

IN REPLY REFER TO:
32 LIGHT STREET
SECOND FLOOR
BALTIMORE, MD 21202
(301) 576-0006

16 EAST LOMBARD STREET
THIRD FLOOR
BALTIMORE, MD 21202
(301) 837-0215

14 NORTH ROLLING ROAD
CATONSVILLE, MD 21228
(301) 744-4967

John V. Murphy
Attorney At Law
14 North Rolling Road
Catonsville, MD. 21228

PCF:
PMZ:

September 13, 1988

Clerk of the Court
Circuit Court for Baltimore County
P.O. Box 6754
Towson, Maryland 21204-0754

RE: Rock Church of Baltimore, Inc. et al
Variance for sign on property
Case No.#: 88 CG 1539/54/339

Dear Ladies/Gentlemen:

Please find attached an Order for Appeal in reference to the above case for filing with the Court. Our two checks, each in the amount of $50.00, are attached for the filing fee.

Please kindly send us the form for the Pre-hearing Conference Information Report. It is my understanding that we only have ten (10) days to file.

Your most prompt response is necessary and gratefully appreciated. Thank you.

Very truly yours,

John V. Murphy

JVM/any
Enclosures
cc: Peter M. Zimmerman, Esquire
Michael Gisriel, Esquire
Rev. Bart Pierce

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

May 2, 1988

Michael Gisriel, Esquire
210 E. Lexington Street, Suite 400
Baltimore, MD 21202

RE: Case No. 88-65-A
Rock Church

Dear Mr. Gisriel:

In response to your request, enclosed is a copy of the Opinion/Order issued March 3, 1988 by the County Board of Appeals regarding the subject case.

If I can provide any additional information, please call me.

Sincerely,

Kathleen C. Weidenhammer
Administrative Secretary

Encl.

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

JOHN V. MURPHY
RICHARD DI SALVO

IN REPLY REFER TO:
32 LIGHT STREET
SECOND FLOOR
BALTIMORE, MD 21202
(301) 576-0006

16 EAST LOMBARD STREET
THIRD FLOOR
BALTIMORE, MD 21202
(301) 837-0215

14 NORTH ROLLING ROAD
CATONSVILLE, MD 21228
(301) 744-4967

March 28, 1988

June Holman
Secretary to the Board of Appeals of
Baltimore County
Old Court House
Towson, MD. 21204

RE: Case No.#: 88-65-A
Petition of Rock Church
Variance

Dear Ms. Holman,

Please find attached a copy of the Order of Appeal and Petition for filing with the Court. My secretary had sent the original Order of Appeal to the wrong county. It was sent to Board of Appeals of Howard County, Courthouse Drive, Ellicott City, Maryland 21043. We are in the process of trying to get the original to you as soon as possible.

Please submit what I have sent to you. Thank you so much for your consideration in this matter.

Very Truly Yours:

John V. Murphy

JVM/any
Enclosures

RECEIVED
COUNTY BOARD OF APPEALS
1988 MAR 29 A 10:47

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

JOHN V. MURPHY
RICHARD DI SALVO

IN REPLY REFER TO:
☐ 32 LIGHT STREET
SECOND FLOOR
BALTIMORE, MD. 21202
(301) 576-0006

☐ 16 EAST LOMBARD STREET
THIRD FLOOR
BALTIMORE, MD. 21202
(301) 837-0215

☑ 14 NORTH ROLLING ROAD
CATONSVILLE, MD. 21228
(301) 744-4967

March 22, 1988

Board of Appeals of Baltimore County
Courthouse Drive
Ellicott City, Maryland 21043

RE: Case No.: 88-65-A
Petition of Rock Church -
Variance

Dear Ladies/Gentlemen:

Please find attached an Order of Appeal for filing with the Board. Thank you.

Very Truly Yours:

John V. Murphy

JVM/any
Enclosures
cc: Lawrence E. Schmidt, Acting Chairman
Henry H. Lewis
Patricia Phipps
Phyllis Friedman, Esquire, Peoples' Counsel
Mr. Eugene Waters, President, Chatterleigh Community Assoc.
Pastor Bart Pierce

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

JOHN V. MURPHY
RICHARD DI SALVO

IN REPLY REFER TO:
☐ 32 LIGHT STREET
SECOND FLOOR
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(301) 576-0006

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THIRD FLOOR
BALTIMORE, MD. 21202
(301) 837-0215

☑ 14 NORTH ROLLING ROAD
CATONSVILLE, MD. 21228
(301) 744-4967

March 22, 1988

Board of Appeals of Baltimore County
Courthouse Drive
Ellicott City, Maryland 21043

RE: Case No.: 88-65-A
Petition of Rock Church -
Variance

Dear Ladies/Gentlemen:

Please find attached an Order of Appeal for filing with the Board. Thank you.

Very Truly Yours:

John V. Murphy

JVM/any
Enclosures
cc: Lawrence E. Schmidt, Acting Chairman
Henry H. Lewis
Patricia Phipps
Phyllis Friedman, Esquire, Peoples' Counsel
Mr. Eugene Waters, President, Chatterleigh Community Assoc.
Pastor Bart Pierce

RECEIVED
COUNTY BOARD OF APPEALS
1988 MAR 28 A 11:51

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

April 4, 1988

John V. Murphy, Esq.
16 E. Lombard St.
Baltimore, MD. 21202

Re: Case No. 88-65-A
Rock Church

Dear Mr. Murphy:

In accordance with Rule B-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the appeal which you have taken to the Circuit Court for Baltimore County in the above entitled matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you file in court, in accordance with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice which has been filed in the Circuit Court.

Very truly yours,

June Holmen, Secretary

Enclosures

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

April 4, 1988

Phyllis C. Friedman
People's Counsel for Baltimore County
Court House
Towson, Md. 21204

Re: Case No. 88-65-A
Rock Church

Dear Mrs. Friedman:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

June Holmen, Secretary

Encl.
cc: Samuel D. Morrone
Eugene Waters
Stewart Shannick
H. B. Warfield
David Fields
James Hoswell
J. Robert Haines
Ann Nastarowicz
James E. Dyer
Docket Clerk

LAW OFFICES OF
JOHN V. MURPHY, ESQUIRE

JOHN V. MURPHY
RICHARD DI SALVO

IN REPLY REFER TO:
☐ 32 LIGHT STREET
SECOND FLOOR
BALTIMORE, MD. 21202
(301) 576-0006

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THIRD FLOOR
BALTIMORE, MD. 21202
(301) 837-0215

☑ 14 NORTH ROLLING ROAD
CATONSVILLE, MD. 21228
(301) 744-4967

RECEIVED
COUNTY BOARD OF APPEALS
1987 OCT 22 P 2:27

October 20, 1987

The Honorable William Hacket
Chairman of Baltimore County Board of Appeals
Old County Courthouse
Towson, Maryland 21204

RE: The Appeal
Case NO.: 88-65-A
Appeal by The Rock Church

Dear Mr. Hacket,

Please be advise that I will be representing the Rock Church in their petition for Zoning Variance before the Board of Appeal in the above reference case. I would appreciate you adding my name to the mailing list in this regard and letting me know when the hearing will be scheduled.

I understand from Mr. Christopher J. Trionfo who filed the appeal in his September 1, 1987 letter that you have considered the issue of whether the appeal was filed timely. I understand from Mr. Trionfo that you have ruled that the appeal was timely filed and that as a result thereof will be having a hearing on the matter. If this is not the case please let me know so that I might prepare arguments in regard to timely filing.

Thank you for your consideration in this matter.

Very Truly Yours:

John Murphy
John V. Murphy

JVM/any
cc: Rev. Bart Pierce
Christopher J. Trionfo

February 10, 1988

County Board of Appeals
Baltimore County

Dear Sirs:

The Cowpens Association comprises about thirty homes located on Cowpens Avenue and Providence Road in Baltimore County. Members of the Cowpens Association oppose approval of the request for a zoning variation to permit the Rock Church, at Cromwell Bridge Road and Cowpens Avenue, to erect lighted signs on their property.

Regardless of the character of the organization petitioning, lighted, elevated signs give the appearance of commercialism. Such lighted signs are offensive to a residential community, and we object to the prospect of such signs in our community.

Therefore, we request that the Rock Church's petition for a zoning variation be denied.

Very truly yours,
Charles G. Werner, President
Cowpens Association
1201 Providence Road
Towson, Maryland - 21204

Warfield

1007 Cowpens Ave
Towson, Md 21204
February 9, 1988

TO Whom it May Concern:

As a member of the Cowpens Improvement Association and long time resident of the area, I am opposed to the request of Rock Church to erect large signs with lights. I consider it an invasion of privacy and to be disruptive.

H. Brand Warfield
Phone 828-6912
Office 338-0112

County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

October 19, 1987

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79.

CASE NO. 88-65-A — ROCK CHURCH

SE/corner Cromwell Bridge Rd. and Loch Raven Blvd.
(1507 Cromwell Bridge Rd.)

9th Election District
6th Council District

Var.-Signs

7/30/87 - Z.C.'s Order - Variances, DENIED

ASSIGNED FOR: THURSDAY, FEBRUARY 11, 1988, at 10 a.m.

cc: Christopher J. Trionfo c/o Rock Church	Agent for Petitioner
Samuel D. Morrone	Protestant
Eugene Water, Pres. Chatterleigh Assoc.	Protestants
Stewart Shannick	
Phyllis C. Friedman	People's Counsel
Norman E. Gerber James Hoswell J. Robert Haines Ann Nastarowicz James E. Dyer Marguret duBois	
John V. Murphy, Esquire	Counsel for Appellant/Petitioner

June Holmen, Secretary

THE CHATTERLEIGH ASSOCIATION

INCORPORATED

TOWSON, MD. 21204

January 20, 1988

County Board Of Appeals Of Baltimore County
Room 200 Court House
Towson, Maryland 21204

RE: Request for Zoning Variance
Rock Church
Case # 88-65A

The Chatterleigh Association represents 311 owner/occupants of fine residences in Chatterleigh, Brook Meadows, Hunt Club Farms, and Hunt Crest Estates. This entire area north of the beltway is zoned for low density residential use and the character of the area is firmly established, that of single family dwellings and permitted institutional uses. It is the opinion of the members of this association that the present regulations for this area are correct and should not be changed or deviated from.

Our association wants to go on record as to being strongly opposed to the Rock Church's petition for a variance to allow them to construct a sign of over sixty (60) square feet and forty (40) feet high. The sign is to be lighted, coming on at dusk and going off at dawn. This sign would be viewable by most of the homes in our association.

The zoning commissioner denied the request for a variance on July 29, 1987 stating the sign would be of an advertizing nature and not directional. Our association agrees with Mr. Jablon's opinion and in addition belives a sign of this magnitude is not in the best interest of the home owners in this area.

Respectfully submitted,

Eugene Waters, President
Chatterleigh Association
1001 Concordia Drive
Towson, Maryland 21204

RECEIVED
COUNTY BOARD OF APPEALS
1988 JAN 22 A 10 13

c:

Hon. William R. Evans - Councilman, 6th District

Stewart Shinnick - Zoning Chairman, Chatterleigh Association

January 19, 1988

County Board of Appeals
Baltimore County
Court House - Room 200
Towson, MD 21204

REF: Case 88-65-A Rock Church

Gentlemen:

It has come to our attention that on February 11, 1988, at 10:00 a.m., in Room 218 in the Old Court House, the appeal to the referenced case will be heard.

As a representative of the Hampton Improvement Association (600 homes), we support the Chatterly Community's objection to the Rock Church's proposal to erect two lighted signs to indicate their location. Our primary objection to this is that it smacks of advertising. In addition, it will be an eyesore in a beautiful residential community.

No other church in the Towson area finds it necessary that such monstrous signs, as those proposed by Rock Church, are needed to establish their identity. It would appear the objective of this latter church is for advertising only -not identity. They already have an acceptable sign at the foot of their driveway which serves the purpose.

Very truly yours,

D. P. Tarallo

RECEIVED
COUNTY BOARD OF APPEALS
1988 FEB -2 P 1:57

10/19/87 - Following notified of hear. set for Thurs. Feb. 11, 1988, at 10 a.m.:

Christopher J. Trionfo
Samuel Morrone
Eugene Waters
Stewart Shannick
P/ Friedman
N. Gerber, J. Hoswell
J. R. Haines, A. Nastarowicz, J. Dyer, B. duBois
John V. Murphy, Esq. (w/52)

d. Idemnify, defend and hold harmless the Licensor, its agents, employees and assigns, from and against any and all liability and/or damage of person or property, including the loss of life, sustained to any persons, whether the agents, employees, assigns, servants, invitees, contractors, or members of the family of Licensor or Licensee, while in and around the licensed parcel of land, whether resulting from acts of negligence on the part of the Licensor, its agents, employees or assigns, or arising in any manner from the exercise of the right and privilege herein granted.

e. Not to assign this License or transfer in any manner any part thereof for any purpose.

f. Not to construct any buildings or structures of any kind or nature unless specifically provided for by this license.

g. Remove, upon termination of this License, all property belonging to the Licensee, surrender the right and privilege hereby granted and surrender possession of said parcel of land to Licensor upon termination in good order and condition.

5. THE PAYMENT hereunder by the Licensee of any sum or sums in advance shall not be held to create an irrevocable license for the period for which same is paid, but the Licensor may at any time revoke this License by giving the Licensee thirty (30) days' written notice and refunding the payment for the balance of the period for which the same has been paid.

6. THIS LICENSE may be renewed thirty (30) days prior to the expiration of the original term or any extension thereof ~~for an additional like term upon payment of the sum of~~ Dollars ~~xxx~~ in advance ~~xxx~~

IN WITNESS WHEREOF, the parties hereto have caused this License to be duly executed the day and year first above written.

WITNESS:

BALTIMORE GAS AND ELECTRIC COMPANY

BY: R J Smith (SEAL)
Supervisor, Property Management
Robert J. Smith

WITNESS:

Emile K. Thompson

(SEAL)
Rock Church
By Christopher J. Trionfo (SEAL)

Mailing Address:

1607 Cromwell Bridge Road

Baltimore Md. ZIP 21237
Office 661 4408
Church 882 2217

(LM-3453) 28-20-JAK

84-339 99-020

THIS REVOCABLE LICENSE, Made this day of September, 1984, by and between BALTIMORE GAS AND ELECTRIC COMPANY, hereinafter referred to as "Licensor", and Rock Church, hereinafter referred to as "Licensee".

WITNESSETH:

THAT the Licensee has requested the right and privilege to enter upon and use that portion of the Licensor's property, hereinafter referred to as parcel of land, as delineated on a plat entitled Rock Church, attached hereto, made a part hereof, and marked "Exhibit A", for the purpose stated below, and the Licensor is willing to grant such use subject to the terms and conditions as hereinafter set forth.

NOW, THEREFORE, in consideration of the right and privilege herein granted and the sum of One Dollars ($ 1.00), paid by the Licensee to the Licensor in advance for the period October 1, 1984 to September 30, 1994, it is mutually agreed as follows:

1. LICENSOR hereby grants unto Licensee, and the latter hereby accepts a license to enter upon and use the parcel of land as delineated on the aforementioned plat solely for the purpose of erecting a sign with a base 11 feet wide and height of approximately 9 feet.

Grantee is responsible for mowing grass and maintaining area around the sign.

2. LICENSOR shall have the right of ingress and egress over the said parcel of land to:

a. Construct, operate and maintain present and/or future gas and/or electric facilities in, over and under the said parcel of land and the right to make necessary openings and excavation. for the purpose of examining, repairing, altering or extending said electric and/or gas facilities provided that all openings and excavations shall be properly refilled and resurfaced and the parcel of land left in a good and safe condition.

b. Make test borings or surveys on said parcel of land provided that such ingress and egress to the parcel of land does not unreasonably disturb the peaceful enjoyment of the licensee.

c. Trim, top and/or cut down and keep trimmed, topped and cut down any trees or bushes on said parcel of land which, in the sole judgment of Licensor, may interfere with or fall upon the said present and/or future gas and/or electric facilities.

3. LICENSOR shall not be liable for any crop and/or other damage, regardless of cause, on the parcel of land.

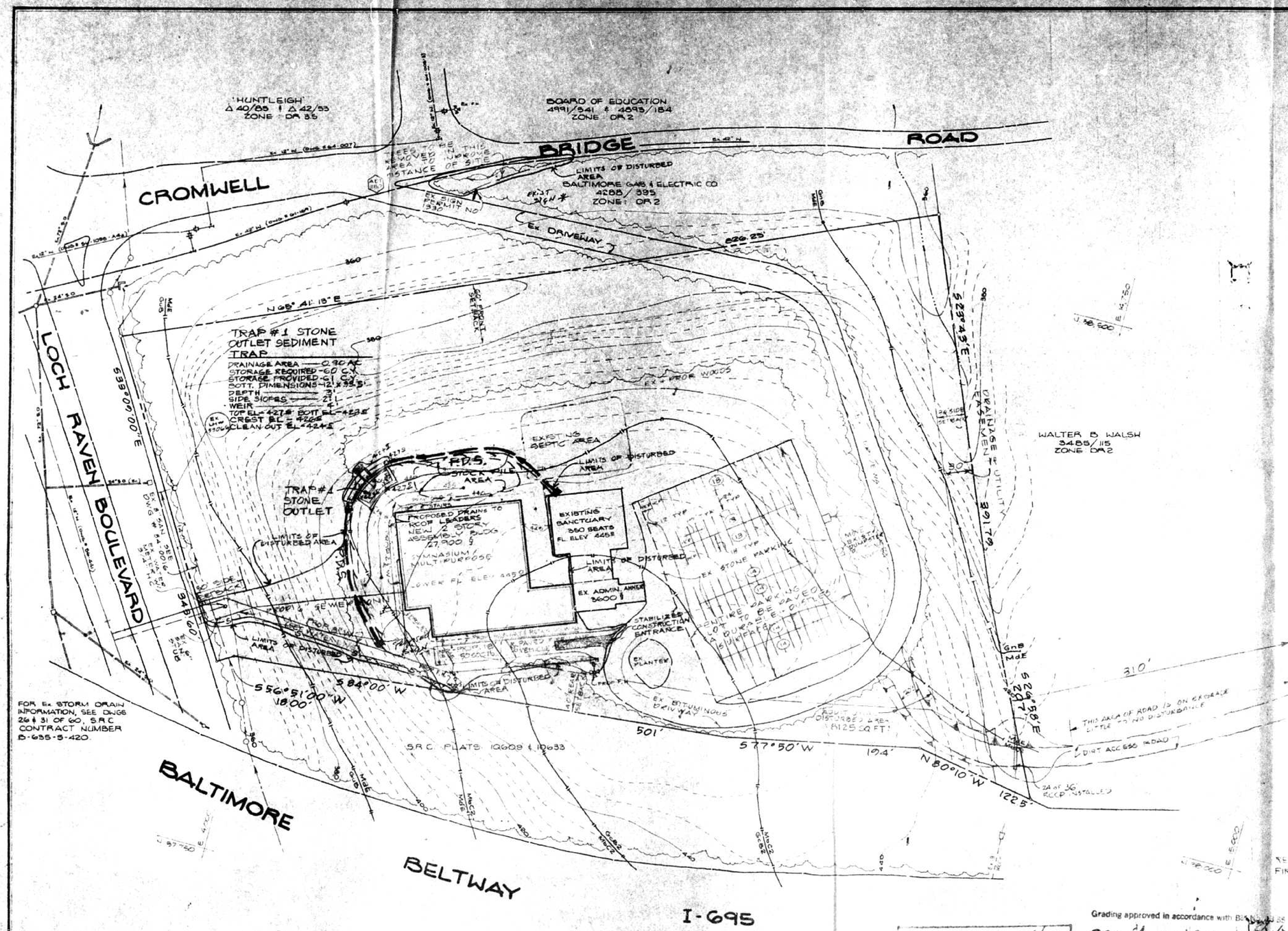
4. LICENSEE, as part of the consideration hereof, agrees to:

a. Accept the parcel of land in its present condition for the right and privilege hereby given.

b. Keep said parcel of land in good order and condition at all times.

c. Comply with all present and future applicable laws and requirements of public authorities in respect to the parcel of land or use thereof.

(LM-3453) (SEE OVER)



VICINITY MAP SCALE 1" = 2000'

NOTES:

1. GROSS SITE AREA 8.85 ACRES
   NET SITE AREA 7.95 ACRES
2. EXISTING ZONING : DR 2
3. PARKING SPACES REQUIRED:
   SANCTUARY 350 SEATS @ 1/4 = 88 SPACES (SUNDAYS)
   OFFICE
   1ST FLOOR 800 SQ FT @ 1/300 = SPACES (WEEKDAYS)
   2ND FLOOR 2400 SQ FT @ 1/300 = 8 SPACES (WEEKDAYS)
   GYM / MULTIPURPOSE 450 SEATS @ 1/6 = 75 SPACES (SPECIAL EVENTS)
4. PARKING PROVIDED = 100 SPACES INCL REGULAR + 4 HCP
5. SITE DATA: COUNCILMATIC DISTRICT 6
   CENSUS TRACT 4970.01
   WATERSHED 4
   SUPERVISORED 28
6. THERE ARE NO KNOWN WETLANDS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES, HABITATS, CRITICAL AREAS, OR NATURAL WATERWAYS ON THIS SITE
7. THE EXISTING SITE IS WOODED EXCEPT IN THE IMMEDIATE VICINITY OF THE BUILDING AND PARKING LOT. EXISTING TREES SHALL ONLY BE REMOVED TO MAKE WAY FOR THE NEW BUILDING ADDITIONAL PARKING AND ANY ASSOCIATED GRADING
8. CURRENT OWNER & DEED REFERENCE:
   THE ROCK CHURCH OF BALTIMORE 6315/169
   TAX ACCOUNT NUMBER 09-04-750530
10. ALL EXCESS CUT OR BORROW MATERIAL SHALL GO TO OR COME FROM A SITE WITH AN APPROVED SEDIMENT CONTROL PLAN

Storm Water Management is Required

Baltimore County Soil Conservation District
APPROVED FOR SEDIMENT CONTROL 6/19/85
DATE
Walter Lick
District Manager
Soil Conservation Service
If not approved and specified within one year of this date, this plan shall be resubmitted to the District.

APPLICANT / OWNER
ROCK CHURCH
1607 CROMWELL BRIDGE RD
BALTIMORE CO MD 21234
PASTOR BART M PIERCE
(301) 882-2217

REVISED 5-8-85 AS PER CRC MEETING - ADDED FIRE HYDRANTS, FIRE LANE & EX SIGN ON DRIVEWAY.
SITE IS BALANCED
DISTURBED AREA = ~~51,460 SQ FT~~ 55,585.00 FT²

GRADING AND SEDIMENT CONTROL & PERMIT DRAWING MAY 6 1985

88-65-A
HDP
4-24-88

Sediment Control
APPROVED 6/21/85
DEVELOPERS DESIGN & APPROVAL SECTION
BUREAU OF PUBLIC ROADS

Grading approved in accordance with Bill No. 32-85
6/21/85
Chief, Developers Engineering Division

ROCK CHURCH

REVISED PLANS

9TH ELECTION DISTRICT, 6C BALTIMORE COUNTY, MARYLAND

REVISED 4/18/85 DESCRIPTION: ADDED WALTER B. WALSH HOUSE, ADDED PARKING NOTE, REMOVE TREES AT ENTRANCE FOR SIGHT ADDED WATER & SEWER CONN
REVISED 10-14-85 MOVED F.H. AS PER CAPT KELLY'S COMMENTS
REVISED 4-22-86 Added Dirt Access Road 36' Offset, Add 1 Disturbed Area

ENGINEER
W. DUVALL & ASSOC. INC.
20 E. SUSQUEHANNA AVE
TOWSON MARYLAND 21204
(301) 583-9871

SCALE: 1" = 60'

NORTH

JANUARY 24, 1985

REVISED AS PER SCS 6-18-85

SOIL TYPES & LIMITATIONS

TYPE	AREA	LIMITATIONS FOR ROADS	LIMITATIONS FOR BUILDINGS	CLASS
GcB2	0.29 ac	MODERATE: SLOPE	SLIGHT	B
GnB	0.22 ac	SEVERE: HIGH WATER TABLE	SEVERE (WITH BASEMENTS) HIGH WATER TABLE MODERATE (W/O BASEMENTS) HIGH WATER TABLE	C
GuB	0.15 ac	SEVERE: HIGH WATER TABLE	SEVERE (WITH BASEMENTS): HIGH WATER TABLE MODERATE (W/O BASEMENTS): HIGH WATER TABLE	C
MbC2	0.64 ac	SEVERE: SLOPE	MODERATE: SLOPE	B
MdE	7.9 ac	SEVERE: SLOPE	SEVERE: SLOPE	B

GcB2 - GLENELG LOAM, 3 TO 8 % SLOPES, MODERATELY ERODED
GnB - GLENVILLE SILT LOAM, 2 TO 8% PERCENT SLOPES
GuB - GLENVILLE - URBAN LAND COMPLEX, 0 TO 8% SLOPES
MbC2 - MANOR LOAM, 8 TO 15 % SLOPES MODERATELY ERODED
MdE - MANOR SOILS, 25 TO 50 % SLOPES