

PETITION FOR SPECIAL HEARING 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 Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

A new church under Section 1801.1B.1.C.6
To use the R.T.A. use requirements to the R.T.A.
as it is possible

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):	MAP NE9G
(Type or Print Name)	(Type or Print Name)	4C
Signature	Signature	DATE 2-9-87
Address	(Type or Print Name)	200 BF
City and State	Signature	1000 BF
		DP
Attorney for Petitioner:	Attorney:	E 36,962
(Type or Print Name)	(Type or Print Name)	N 34,825
Signature	Signature	
Address	Address	
City and State	City and State	
Attorney's Telephone No.: 656-5274	Name, address and phone number of legal owner, contract purchaser or representative to be contacted	
	Name	
	Address	
	Phone No.	

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of September, 1987, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 7th day of December, 1987, at 9:00 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

REVIEWED BY: *RCM* DATE: 7/2/87

NAME	ADDRESS
<i>Clark Zentgraf</i>	<i>Member of Church</i>
<i>Elmer Kraus</i>	<i>adjoining property</i>
<i>Emma Foley</i>	<i>adjoining property</i>
<i>James Willey</i>	<i>Pastor</i>
<i>Charles Ramsey</i>	<i>Member of Church</i>
<i>Robert S. Hoke</i>	<i>Member of Church</i>
<i>Warren J. Hoke</i>	<i>Member of Church</i>

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 27th day of September, 1987.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Middle River Baptist Church
Petitioner's Attorney: John B. Gontrum, Esquire
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

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

No. 37707

7/2/87 ACCOUNT R-01-615000

AMOUNT \$ 1000

RECEIVED FROM: Middle River Baptist Church

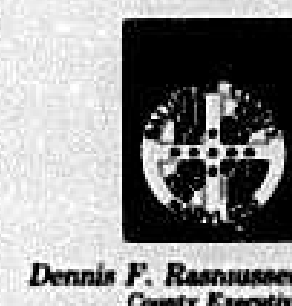
DATE: 7/2/87

FOR: DTE 11-12

VALIDATION ON SIGNATURE OF CARRIER

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

July 31, 1987



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

Item No. 12 -ZAC-
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:
Area:
District:

Dear Mr. Jablon:

Please see the CRG comments for this site.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:lt

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

Paul H. Reinecke
Chief

July 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: Middle River Baptist Church

Location: SE/S Raab Ave., 450 ft. E of Belair Rd.

Item No.: 12 Zoning Agenda: Meeting of 7/14/87

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.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Capt. James Willey 7/15/87* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE December 2, 1987

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

John B. Gontrum, Esquire
809 Eastern Blvd.
Baltimore, Maryland 21221

RE: Item No. 12 - Case No. 88-222-SPH
Petitioner: Middle River Baptist Church
Petition for Special Hearing

Dear Mr. Gontrum:

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
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Baffis & Associates
1249 Englebert Road
Baltimore, Maryland 21221

IN RE: PETITION FOR SPECIAL HEARING
S/S Raab Avenue, approx.
450' E of Belair Road
11th Election District
5th Councilmanic District
Middle River Baptist Church
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-222-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve a new church and to determine that the proposed church meets the Residential Transition Area (R.T.A.) use requirements to the extent possible, and therefore, is exempt from further R.T.A. considerations, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, represented by Pastor James Willey, appeared and was represented by Counsel. Also appearing on behalf of the Petition were the following: Brooks Ramsey, James Willey, Jr., Robert Hoke, and Clark Fortney, all members of the Chapel; Warren Hofmeier of the Parkville Baptist Building Committee; and Elmer Kraus and Emma Foley, both adjoining property owners. There were no Protestants.

Testimony by and on behalf of the Petitioner was a combination of direct testimony and testimony by proffer of Counsel. Testimony indicated that the subject property is located off of Silver Spring Road and Raab Avenue and is zoned D.P. 5.5. The Petitioner proposes constructing a new church on the property and indicated that the necessity for the hearing is due to the presence of one house on the north side of the subject property, which was separated from the property by Raab Avenue, and a house to the southeast side of the subject property, which was separated from the property by a vacant lot. (See Petitioner's Exhibit 1). Neither house appeared to be within 100' from the proposed site. On the sides of the subject site which were actually closest to the existing house, it ap-

peared that the R.T.A. setback requirements had been met. A landscaping plan, which had been previously reviewed and approved by the Planning Office, was submitted as Petitioner's Exhibit 2. This plan showed extensive screening along both the north and southeast sides of the property. It was pointed out that construction of the proposed facility would be phased in over time.

Mrs. Emma Foley, who lives at the corner of the church entrance and Silver Spring Road, testified that she believes that the use proposed for the subject property is fully compatible with the neighborhood and that she had no objections to the proposed church. Mr. Elmer Kraus, whose property also borders the church entrance and the church property, testified he has been a long-time resident of the property and had originally sold the property to the Church. He testified he is in favor of the proposed church and the plans submitted as Petitioner's Exhibits 1 and 2.

The Petitioner testified that the only entrance to the church would be off of Silver Spring Road and that no entrance existed off of Raab Avenue. No adverse comments to the plan were submitted by any Baltimore County Department or Agency. The Petitioner indicated that the plan had previously been approved by the County Review Group, subject to the outcome of this zoning hearing. No Protestants appeared at the hearing.

The Petitioner seeks relief from Section 1801.1B.1.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.).

After due consideration of the testimony and evidence presented, it is the opinion of the Deputy Zoning Commissioner that the R.T.A. requirements have been met to the extent possible and that the use proposed for the subject property is fully compatible with the neighborhood.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the relief requested in the Petition for Special Hearing should be granted.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts:

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 18th day of December, 1987 that a new church, in accordance with Petitioner's Exhibit 1, be approved, and further, that it meets the Residential Transition Area (R.T.A.) use requirements to the extent possible, and therefore, is exempt from further R.T.A. considerations, and as such, the Petition for Special Hearing is hereby GRANTED subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioner shall comply with all requirements imposed by the County Review Group.
- 3) The Petitioner's landscaping plan shall be in accordance with the Baltimore County Landscaping Manual and shall be approved by the Baltimore County Office of Current Planning.

AMN:bjs

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
Date 12/18/87
By [Signature]

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

J. ROBERT HAINES
ZONING COMMISSIONER

November

John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Special Hearing
S/S Raab Avenue, approx. 450' E of Belair Road
11th Election District; 5th Councilmanic District
Case No. 88-222-SPH; Middle River Baptist Church - Petitioner

Dear Mr. Gontrum:

This is to advise you that \$71.36 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.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

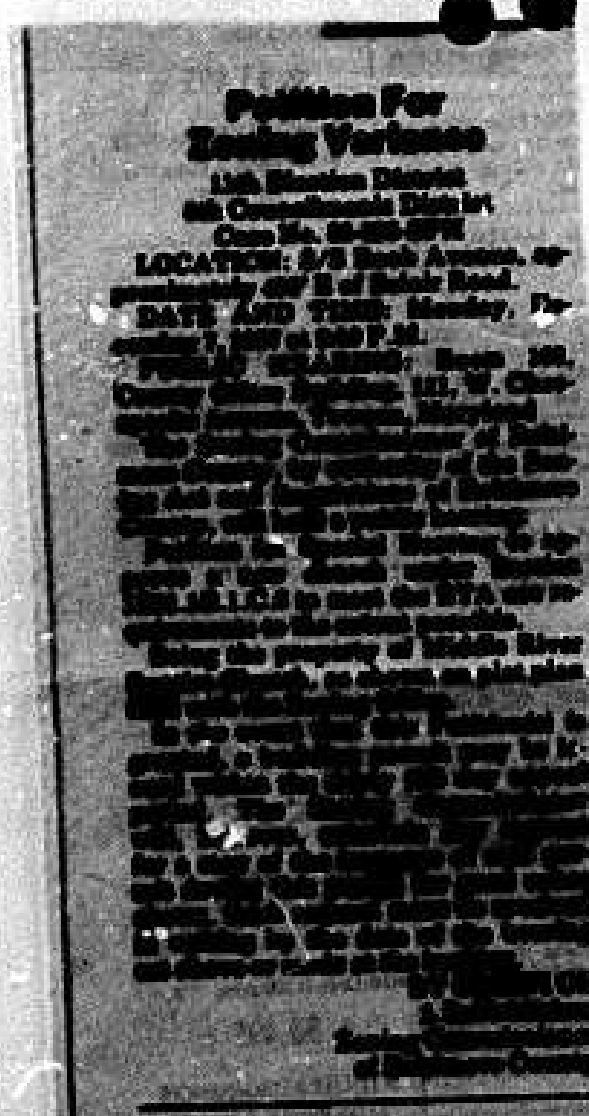
Sincerely,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:ad

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 11 Date of Posting 11/11/87
Posted for: Special Hearing
Petitioner: Middle River Baptist Church
Location of property: S/S Raab Ave., approx. 450' E of Belair Rd.
Location of Sign: Facing Raab Ave., approx. 5' E of 700 S Wby. Ave.
Remarks: per 11/4/87 Petitioner
Posted by: [Signature] Date of return: 11/14/87
Number of Signs: 1



The Times

Middle River, Md., Nov. 19 1987

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed

and published in Baltimore County, once in each

of one successive

weeks before the 19th day of

Nov. 1987

Signature Publisher



ZONING SPECIAL HEARING
PROPERTY DESCRIPTION
OF
WHITE MARSH BAPTIST CHURCH

Beginning at a point on the south side of Raab Avenue extended, 30 feet wide, said point being 450 feet, more or less, in an easterly direction from the intersection of Belair Road and Raab Avenue; thence running with and binding on the south side of said Raab Avenue extended the following courses:

1. South 53°-26'-21" East 527.58 feet to a point; thence
2. South 42°-28'-41" West 6.50 feet to a point; thence
3. South 42°-28'-41" West 376.20 feet to a point; thence
4. North 73°-28'-50" West 405.5 feet to a point; thence
5. North 40°-07'-19" East 361.20 feet to a point; thence
6. North 53°-26'-21" West 146.01 feet to a point; thence
7. North 42°-27'-39" East 160.00 feet to the point of beginning.

Containing 193,798 square feet or 4.449 acres of land, more or less.



(Seal)
William N. Baffis, P.E. #11641

Civil Engineers / Land Planners / Surveyors — 1243 Engleberth Road / Baltimore, Maryland 21221 / 301-391-2336

NOTICE OF HEARING

PETITION FOR ZONING VARIANCE - Case No. 88-222-SPH
11th Election District; 5th Councilmanic District

LOCATION: S/S Raab Avenue, approximately 450' E of Belair Road

DATE AND TIME: Monday, December 7, 1987 at 2:00 PM

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 Special Hearing to approve a new church under Section 1B01.1B.1.C.6 to meet the RTA use requirements to the extent possible.

Being the property of Middle River Baptist 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.

JRH:bjs

cc: John B. Gontrum, Esquire
809 Eastern Boulevard, Baltimore, Md. 21221

Middle River Baptist Church
610 Middle River Road, Baltimore, Md. 21220

J. ROBERT HAINES
ZONING COMMISSIONER
OF BALTIMORE COUNTY

December 21, 1987

John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Special Hearing
S/S of Raab Avenue, approx. 450' East of Belair Road
11th Election District; 5th Councilmanic District
Middle River Baptist Church - Petitioner
Case No. 88-222-SPH

Dear Mr. Gontrum:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Special Hearing has been Granted, subject to the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

AMN:bjs
Enclosures

cc: People's Counsel

File

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
S/S Raab Ave., approx. 450' E : OF BALTIMORE COUNTY
of Belair Rd., 11th District :
MIDDLE RIVER BAPTIST CHURCH, : Case No. 88-222-SPH
Petitioner :

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 23rd day of November, 1987, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, 809 Eastern Blvd., Baltimore, MD 21221, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF PUBLICATION

TOWSON, MD., Nov 19, 1987

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

THE JEFFERSONIAN,

Susan Seiden O'neil

Publisher

**NOTICE OF HEARING
PETITION FOR
ZONING VARIANCE
11th Election District
5th Councilmanic District
Case No. 88-22-SP4**

LOCATION: 5/5 East Avenue,
approximately 450' E of Belair
Road

DATE AND TIME: Monday, Decem-
ber 7, 1987 at 2:00 p.m.

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

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

Petition for Special Hearing to ap-
prove a new church under Section
1801.18.1 C.6 to meet the RTA use
requirements to the extent possible.

Being the property of Middle
River Baptist Church, as shown on
plot plan filed with the Zoning Of-
fice.

In the event that this Petition(s) is
granted, a building permit may be
issued within the thirty (30) day ap-
peal period. The Zoning Commis-
sioner 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
J. ROBERT HAINES
Zoning Commissioner
of Baltimore County

11/24 - Nov. 19.

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

No. 45859

DATE 12/7/87 ACCOUNT R-01-615-000

AMOUNT \$ 71.36

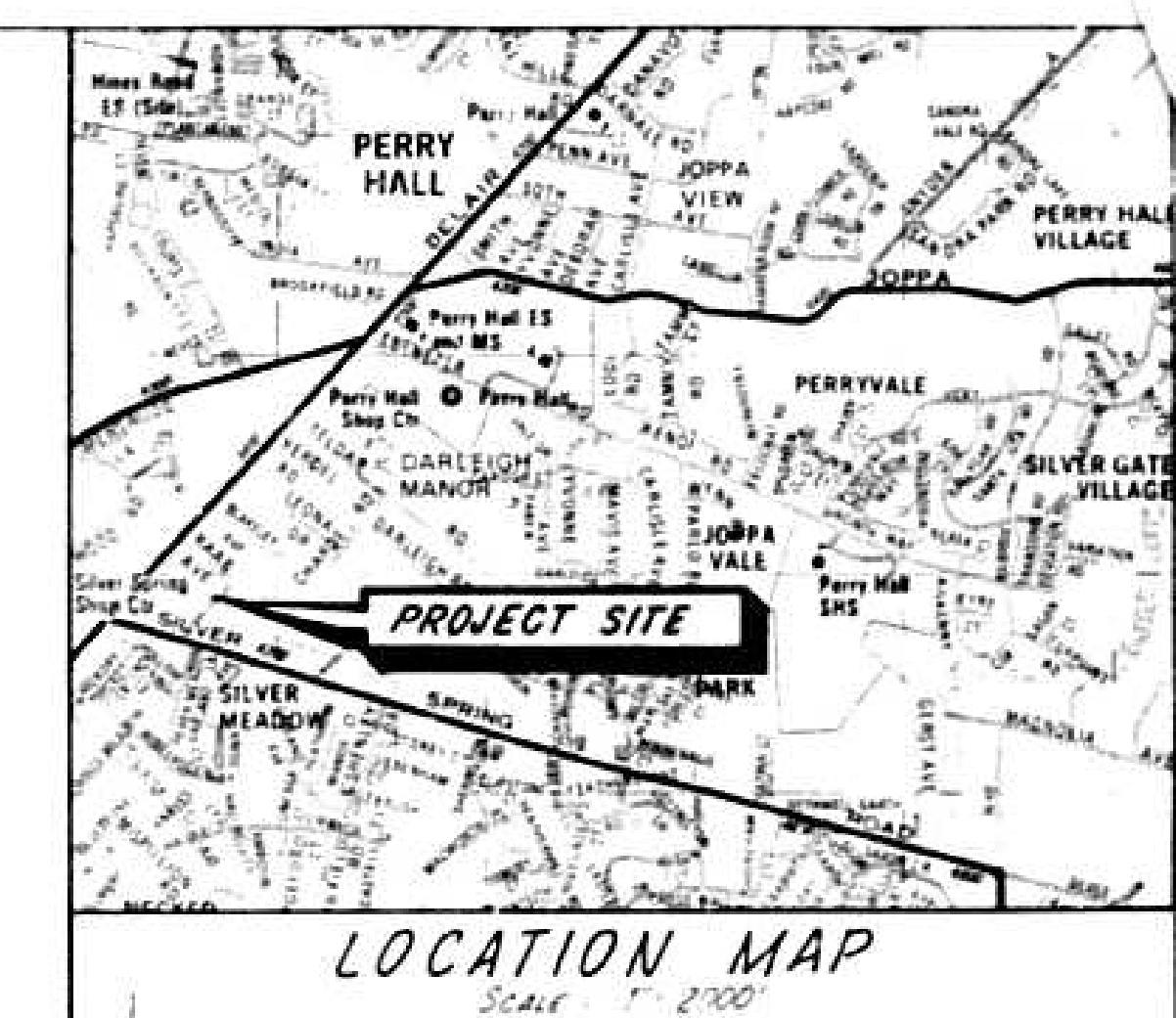
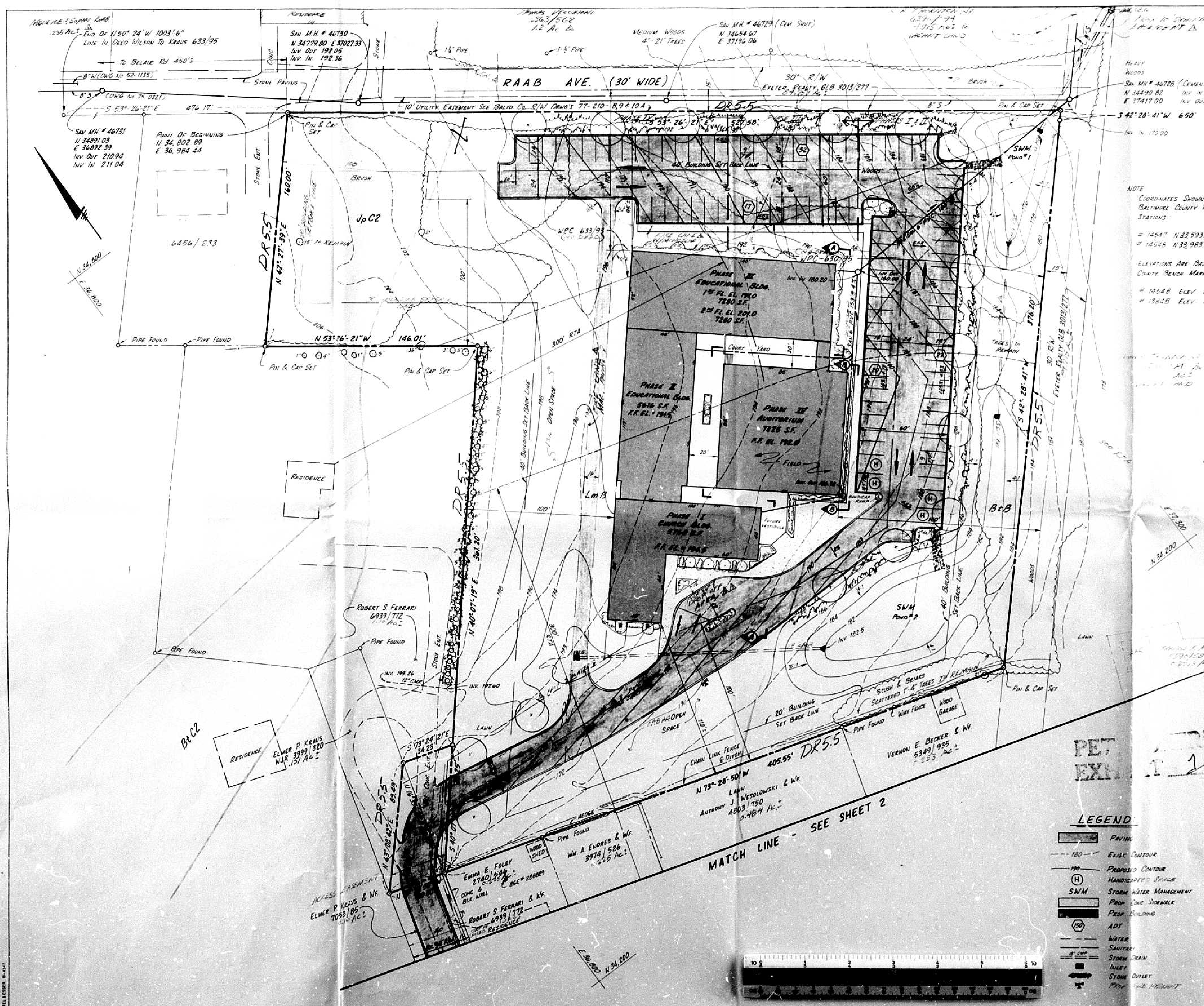
RECEIVED FROM John B. Gantman

FOR Posting Advertising

B 5118*****713613 2000F

88-222-SP4

VALIDATION OR SIGNATURE OF CASHIER



NOTE
 COORDINATES SHOWN ARE BASED ON BALTIMORE COUNTY TRAVERSE STATIONS:
 # 14547 N 83.593.94 E 35.535.67
 # 14548 N 83.983.98 E 37.209.02
 ELEVATIONS ARE BASED ON BALTIMORE COUNTY BENCH MARK:
 # 14548 ELEV 170.45
 # 13648 ELEV 158.36

GENERAL NOTES:

1. 1/2 AC. MIDDLE RIVER BAPTIST CHURCH
2. GROSS AREA 4.80 ACRES - NET AREA 4.449 ACRES
3. TOPOGRAPHIC SURVEY PERFORMED BY BEAVER COMPANY
4. EXISTING ZONING - DR 5.5
5. EXISTING USE - VACANT LAND
PROPOSED USE - CHURCH
6. CENSUS TRACT 411303
7. WATERSHED 4, SUBWATERSHED 22
8. DEED REF
TAX ACCOUNT NOS 11-11-077602
11-11-077600
9. ADT = 150
10. OPEN SPACE:
REQUIRED: $6768 \times 4.84 = 0.288 \text{ AC}$
PROVIDED: $13 \times 0.48 = 1.78 \text{ AC}$
11. SECURITY LIGHTING SHALL BE INSTALLED ON BUILDINGS. ANY PARKING LIGHTING SHALL BE INSTALLED AWAY FROM RESIDENCES.

PARKING REQUIREMENTS:

NOTE: IF LAND UNDER THE EXISTING PARKING SPACES AND ADJACENT LOTS ARE MAINTAINED, THE FOLLOWING ARE REQUIRED:
 REQUIRED: PHASE I = 240 SEATS + 6 = 40 SPACES
 PHASE II = 42 SEATS + 6 = 7 SPACES
 PHASE III = 190 SEATS + 6 = 20 SPACES
 PHASE IV = 150 SEATS + 6 = 25 SPACES
 TOTAL REQUIRED PARKING SPACES = 92 SPACES
 9' x 18' TYPICAL = 92 SPACES
 13' x 18' HANDICAPPED = 4 SPACES
 TOTAL = 96 SPACES

PUBLIC SERVICES CRG No. 87171
 PLANNING No.

		William N. Baftis, P.E. 301-391-2336	
Civil Engineers / Land Planners / Surveyors 1249 Englebert Rd. Baltimore, Md. 21221			
I sign PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING FOR #12 WHITE MARSH BAPTIST CHURCH			
ELECTION DIST. No. 11		COUNCILMANIC DIST. No. 5	
SCALE: 1" = 30'		JOB ORDER NO. 87007	
DATE 7/12/87		SHEET 1 OF 2	
NO	REVISIONS	DATE	
1	ADDED INFO. - ADDED TO EXISTING PROPOSALS	6/15/87	
2	ADDED CHANGES - ADDED TO EXISTING PROPOSALS	6/17/87	
3	ADDED CHANGES - ADDED TO EXISTING PROPOSALS	7/1/87	

- LEGEND**
- PAVING
 - EXIST. CONTOUR
 - PROPOSED CONTOUR
 - HANDICAPPED SPACE
 - STORM WATER MANAGEMENT
 - PROP. CONC. SIDEWALK
 - PROP. BUILDING
 - ADT
 - WATER
 - SEWER
 - STORM DRAIN
 - INLET
 - STONE OUTLET
 - PROP. CONC. SIDEWALK

