

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

September 10, 2003

Mr. Mitchell J. Kellman Daft McCune Walker 200 East Pennsylvania Avenue Towson, MD 21286

Dear Mr. Kellman:

Re: Church of the Nativity, 20 East Ridgely Road, (aka 1800 Vista Lane), 8th Election District

Your letter to Timothy Kotroco, Director of Permits and Development Management, has been referred to me for reply. Your client's request is for verification that a proposed 27 ft. X 65 ft. addition to the existing church would be permitted. The proposed addition would be 20 ft. in height and be located on the front and the side. It would be used as a meeting and life center. As stated in your letter this site was the subject of a prior zoning hearing. In Case Number 88-437-A, the Deputy Zoning Commissioner on 5-2-88 granted a variance allowing a front setback of 40 ft. in lieu of the minimum required 50 ft for a proposed 2500 sq. ft. church addition. The proposed 1, 755 sq. ft. addition as shown on the submitted site plan would be permitted as being within the spirit and intent of the aforementioned zoning case.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

John J. Sullivan, Jr.

Planner II Zoning Review

Enclosure

C: Case No. 88-437-A



Petitioner

DEPUTY ZONING COMMISSIONER

8th Election District 4th Councilmanic District OF BALTIMORE COUNTY Church of the Nativity Case No. 88-437-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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The Petitioner herein requests a variance to permit a front yard building setback of 40 feet in lieu of the required 50 feet for a proposed addition as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by the Rev. Charles F. Meisel, appeared and testified. Also appearing on behalf of the Petition were William P. Monk, a land planning consultant and expert witness, and Edward Rogers, an architect with Rogers and Vaeth, Architects. There were no Protestants.

Testimony indicated that the subject property, zoned D.R. 3.5, consists 13.21 acres, plus or minus. Testimony further indicated that the subject roperty is improved with an existing church building which was completed in

Testimony by all witnesses concurred that to require strict compliance ith the zoning regulations would result in both practical difficulty and unrea-Mr. Monk introduced numerous pictures to evidence that the placement of the addition will not result in any detriment to the health, safety and general welfare of the public. The Petitioner has maintained and landscaped

"DUPLICATE" CERTIFICATE OF PUBLICATION

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

THE JEFFERSONIAN,

Gusan Sender Descett

PLACE FOR NORTHWEST GOOD REAL ESTATE ESTATE SALE - Pikesville Cape Cod. "Fixer-upper special." Quiet street.
Good investment property. Most self.
By appt. only. Principals only. Law
Offices of Malcohim Joseph Bond.
Randalistown Office. 922-0007.
Towson office, 828-6670. FOR SALE - Fredericksburg, VA. Re-sort, ALL YEAR round activity. Fur-missed RV's. No down payment, \$96 monthly. Can own in 3 is years, 521-5047

LEGAL NOTICE

MOTICE OF HEATING

Zoning Art and Begularizans of Bubb more County will hold a public bearing on the preparty shoulded herein in Room 106 of the County Office Building, boosted at 111 W Chrospecke Avenue in Buston, Maryland as follows:

April 26, 1988 at 11:00 a.m. Variance from Section 1802.2(8 (V.B.2) to allow a front yard building arthack at 40 in lieu of the required

in the event that this Pettion

CERTIFICATE OF PUBLICATION

Pikesville, Md., ________April61988 IFY, that the annexed advertisement the NORTHWEST STAR, a weekly hed in Pikesville, Baltimore d before the ______day of Variance from Section 1800 3(5) (V B 2) to allow a front yeard building research of 40° or line of the re-ducted 20 less. __19____13 ation appearing on the the day of April

cation appearing on the __day of ____ cation appearing on the

THE NORTHWEST STAR

Cost of Advertisement_

its property in an effort to conform to the surrounding residential area and save the woods. The proposed location for the addition will not result in the

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variance should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this AM day of May, 1988 that a front yard building setback of 40 feet in lieu of the required 50 feet for a proposed addition, in accordance with Pehereby 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 apsollate 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.

Petitioner shall landscape the property in compliance with the Baltimore County Landscaping Manual.

> ann M Nosterowia ANN M. NASTAROWICZ Deputy Zoning Commissione of Baltimore County

Zoning Commissioner Office of Flanning & Zoning Towson, Maryland 21204 494-3353

J. Robert Haines

Date: _ 7-17-88

Rev. Charles F. Meisel Church of the Nativity 1839 Vista Lane Timonium, Mezyland 21093

Res Patition for Zaming Variance Cose Numbers 88-437-A MW/Cor. Ridgely Road and Charmuth Road (1900 Vista Read) Oth Election District - 4th Councilments District Petitioner(s)s Church of the Netivity HEARING SCHEDULED: TUESDAY, APRIL 25, 1868 of 11:50 a.m.

Dear Ray. Amisals

Please be advised that 67.95 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing.

Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

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

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room III, Towson, Maryland 21204 fifteen (15) minutes before

your hearing is scheduled to begin. i and post set(s), there BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION i for each set not MISCELLANEOUS CASH RECEIPT 1126 58 TELLER CARE NOT ssioner of 8 045 *** *** 67 85 14 82 F 6 R S . 4 5 7

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR ZONING VARIANCE

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

-----Sethack_of_40!_in_lieu_or_the_required_50!___

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The size, configuration and location of the proposed addition necessitates an encroachment into the required front yard. This addition is needed to meet the expanding internal operations at the congregation. The proposed location is dictated due to the existing internal layout of the building and pedestrian traffic flow. Siting of the proposed addition to another location on site would be economically unfeasible and pose a hardship as well.

Property is to be posted and advertised as prescribed by Zoming Regulations. BALTIMORE COUNTY, MARYLAND advertising, posting, etc., upon filing of this OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT /We do solemnly declare and affirm, MTE / /27/25 * the penalties of perjury, that I/we he legal owner(s) of the property a is the subject of this Petition.

Charles F. Meisel Charles F Meinel pater

mer(s): Church of the Nativity

B 134*****100061# 528EF VALIDATION OR SIGNATURE OF CASHIF 1800 Vista Lane 252-03 .___Iimonium<u>_ Md. 21093</u>

- Hilliam P. Monk Name Loyola Federal Building, Ste.204A 22 W. Pa. Avenue, Towson, Md. 21204

, 19 5, that the subject matter of this petition be advertised, as

METATED LENGTH OF HEARING (-1/2018) AVAILABLE FOR HEARING MON. / TUES. / WED. - NEXT TWO MONTHS ALL ____OTHER _ HEVIEWED BY: UCH DATE 1/27/88

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

J. Robert Haines

MAR 0 4 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by auxiliarity of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Joning Wariance Cose Numbers 88-437-A Aw/Cor. Ridgely Read and Charmuth Road (1800 Vista Road) Ath Election District - Ath Councilmania District Petitioner(e): Church of the Mativity HEARING ECHEDULED: TUESDAY, APRIL 26, 1888 at 11100 a.m.

Veriance from Section 1802.2(8) (Y.B.2) to allow a front yeard building sethack of AD* in lieu of the required SD feet.

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, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Baltimore County cor Rev. Charles F. Reteet tilliam P. Fonk

J. ROBERT HAINES

Zoning Commissioner of

ZONING DESCRIPTION

Beginning for the same in the center line of Charmuth Road (60 feet wide), where it is intersected by the north side of Ridgely Road, 80 feet wide, and running thence binding on the north side of Ridgely Road.

1) South 73 degrees 30 minutes 00 seconds West 89.88 feet, (2) by a line curving to the left with a radius of 2040.00 feet the distance of 350.11 feet and a chord bearing South 68 degrees 35 minutes 00 seconds Nest 349.68 feet, (3) South 63 degrees 40 minutes 00 seconds West 556.25 feet, thence leaving Ridgely Road by a line parallel to York Road, (4) North 20 degrees 11 minutes 00 seconds West 692.07 feet to intersect the first line of the parcel of land which by a deed dated February 25, 1960 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3672, folio 491 was conveyed by Guarantee Title Holding Corporation to The Most Reverend Francis P. Keough, Roman Catholic Archbishop of Baltimore at the distance of 590.04 feet measured along said first line from the center line of York Road, (5) thence binding on the remainder of Said first line North 65 degrees 45 minutes 10 seconds East 623.28 feet to the center line of Vista Lane, 50 feet wide, (6) thence binding on the center line of Vista Lane by a line curving to the left with a radius of 250.00 feet the distance of 199.48 feet and a chord bearing South 40 degrees 09 minutes 10 seconds East 194.21 feet, (7) by a line curving to the left with a radius of 1000.00 feet the distance of 448.31 feet and a chord bearing South 75 degrees 51 minutes 00 seconds East 444.55 feet to the center line of Charmuth Road, (8) thence binding on the center line of Charmuth Road by a line curving to the left with a radius of 850.00 feet the distance of 130.18 feet and a chord bearing South 3 degrees 04 minutes 50 seconds East 130.05 feet. (9) by a line curving to the left with a radius of 3000.00 feet the distance of 119.73 feet and a chord bearing South 8 degrees 36 minutes 36 seconds East 119.72 feet to the place of beginning. Containing 13.210 acres of land more or less including 0.547 acres in the beds of Vista Lane and Charmuth Road, located in the 8th Election District.

CERTIFICATE OF POSTING

chorch of The Notivity Location of property: NW/cox. Aidgoly Rd & Charmuth Ad. Location of Signe Foring Try large him of Ridgels AS. Ethermoth Pt. opres 12 for nodwy

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines TO Zoning Commissioner Date March 24, 1988

P. David Fields FROM Director of Planning and Zoning Zoning Petition Nos. 88-419-A 88-420-A, 88-421-A, 88-422-A, SUBJECT 88-437-A, 88-438-A, 88-439-A

There are no comprehensive planning factors requiring comment on this petition.

PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel

Rev. Charles F. Meisel Church of the Mativity 1800 Vista Lane Timonium, Maryland 21093

RE: Petition for Zoning Variance NW/corner Ridgely Road and Charmuth Road 8th Election District - 4th Councilmanic District Church of the Nativity - Petitioner Case No. 88-437-A

Dear Rev. Meisel:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance 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.

Yery truly yours,

ANN M. MASTAROWICZ for Baltimore County

Loyola Federal Building, Suite 204-A 22 W. Pennsylvania Avenue, Towson, Hd.

People's Counsel

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

day of <u>February</u>, 1988.

Petitioner Church of the Estivity Petitioner's Attorney Millies P. Monk

Chairman, Zoning Plans Advisory Committee

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

March 2, 1988

Dennis F. Rasmussen

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 269, 270, (271), 272, 273, 275, 276, 277 and 278.

> Very truly yours, Michael S. Flanigan Traffic Engineer Associate II

MSF/pm1-b



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE April 18, 1988

Mr. William P. Monk, Esquire 22 West Pennsylvania Avenue

Bureau of Engineering

Department of Traffic Engineering State Boads Commission

Realth Department Project Planning Building Department Board of Education Soning Administration Industrial Development

Appendicate the same of the same of

Lovola Federal Building, Euite 204 Towson, Maryland 21204

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 hearing 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.

Item No. 271 - Case No. 88-437-A

Petition for Zoning Variance

Petitioner: Church of the Nativity

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 & Dys/de JAMES E. DYER Chairman

Zoning Plana Advisory Committee

JED:cer Enclosures

> cc: Rogers & Vaeth, Architects 6 S. Calvert St. Baltimore, MD 21202



WILLIAM P. HONE Loyola Federal Building 22 W. Pennsylvania Avenue & Towson, Maryland 21204 (301) 494-8931 PROFESSIONAL EMPLOYMENT: LAND PLANNING & Consultant to commercial and residential BONING CONSULTANT land developers and national Maryland, Delaware, corporations in site planning and soning virginia, New activities: involved in all consultant services including; site analysis, soning, site plan development, landscape plan development, government liasion, building permit processing, presentations to community groups. presentations to community groups, governmental agencies and soning boards.

June 1980 - Present OFFICE PARKS
DIVISION: NATIONAL Region (NJ, Eastern PA, DE, MD, DC, VA)
HOMES CORPORATION provide design/planning, marketing, and project feasibility consulting services to developers involved in suburban office parks.

December 1983 - June 1986 THEODORE EMBER Commercial and industrial real estate brokers, emphasis on commercial pad site Baltimore, Maryland development with national corporations.

January 1983 - Present THEODORE EMBER GENERAL AMERICAN Commercial and industrial real estate REAL ESTATE AND brokers. April 1982 - December 1982 DEVELOPMENT CORPORATION YORK ROAD PLANNING Assistant director of private, non-AREA COMMITTEE, INC. profit community planning and re-Baltimore, Maryland development corporation, national pilot program for commercial revitalisation. April 1977 - June 1980

ANNE ARUNDEL COUNTY Site planner for the county, reviewed OFFICE OF PLANNING all subdivision proposals, coordinated

5 EONING county subdivision review process
Annapolis, Maryland encompassing 17 county review agencies.
September 1976 - March 1977

PETITION 2:

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

Paul H. Reincke

Gentlemen:

February 4, 1988

J. Robert Haines Zoning Commissioner Office of Pianning and Zoning Baltimore County Office Building Towson, MD 21204

Re: Property Owner: Church of the Nativity

Location: NW/cct. Ridgely Rd., and Charmuth Rd.

Item No.: 271

Meeting of 2/9/88 Zoning Agenda:

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 Profection 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.

fire Prevention Bureau Special Inspection Division

/jl



















