

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - NW/S Philadelphia Road, 330' W of Rosewick Avenue (7920 Philadelphia Road) 14th Election District 7th Councilmanic District Theresa DeLuca Petitioner

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 92-99-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve that the proposed improvements will take into consideration the Residential Transition Area (RTA) requirements to such extent that compliance will be maintained and will otherwise be compatible with the character and general welfare of the surrounding residential premises, and a variance from Section 1802.2.B of the Baltimore County Zoning Regulations (B.C.Z.R.) and from Section V.B.2 of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a front yard setback of 24 feet in lieu of the required 40 feet for a proposed Sunday school and church office building, in accordance with Petitioner's Exhibit 1.

The Petitioners, by Michael W. Sigman, Reverend, Rosedale Community Evangelical Congregational Church, appeared, testified and was represented by Leroy E. Gerding, Jr., Esquire. Also appearing on behalf of the Petitioner was Thomas Hoffman, Surveyor and Land Planner, and Stanley Fickus. There were no Protestants.

Testimony indicated that the subject property, known as 7920 Philadelphia Road, consists of 1.22 acres zoned D.R. 5.5 and is improved with a 2.5 story frame dwelling. Petitioner has entered into a contract to sell the subject property to the Rosedale Community Evangelical Congregational Church. The Church proposes to relocate their offices and Sunday

school classes to the subject dwelling subsequent to making some minor modifications to the interior. Testimony indicated that the Church has existed to the rear of the subject property since 1963 and has operated from this location to the present time. Petitioner testified that this acquisition is needed as the Church membership continues to grow and has outgrown its present building. Testimony indicated the requested variances are needed for the existing dwelling which was constructed approximately 70 years ago. Petitioner and her witnesses presented testimony which satisfied the requirements of Section 307.1 of the B.C.Z.R. and therefore, the requested variance relief should be granted.

The B.C.Z.R. require a finding that the proposed project complies to the extent possible with RTA use requirements and that it is otherwise compatible with the character and general welfare of the surrounding residential uses. The testimony and evidence presented indicate that the use proposed has been designed with consideration being given to the residential uses nearby and that sufficient landscaping and screening exists to buffer the community from the subject property. In addition, the proposed improvements will be compatible with the character and nature of existing and surrounding uses.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14 day of November, 1991 that the proposed improvements will take into consideration the Residential Transition Area (RTA) requirements to such extent that compliance will be maintained and will otherwise be compatible with the character and general welfare of the surrounding residential premises, and as such, the Petition for Special Hearing be and the same is hereby GRANTED; and,

ORDER RECEIVED FOR FILING
Date 11/14/91
By [Signature]

IT IS FURTHER ORDERED that the Petition for Zoning Variance from Section 1802.2.B of the Baltimore County Zoning Regulations (B.C.Z.R.) and from Section V.B.2 of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a front yard setback of 24 feet in lieu of the required 40 feet for a proposed Sunday school and church office building, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Prior to the issuance of any permits, Petitioner shall submit a landscape plan for approval by the Deputy Director of Planning and the Landscape Planner for Baltimore County. A copy of the approved plan shall be submitted to the Zoning Commissioner's Office for final review and inclusion in the case file.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

[Signature]
TIMOTHY M. ROTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 11/14/91
By [Signature]

ORDER RECEIVED FOR FILING
Date 11/14/91
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21284

887-3353

November 1, 1991

Leroy E. Gerding, Jr., Esquire
1107 North Point Boulevard, Suite 227
Baltimore, Maryland 21224

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE NW/S Philadelphia Road, 330' W of Rosewick Avenue (7920 Philadelphia Road) 14th Election District - 7th Councilmanic District Theresa DeLuca - Petitioner Case No. 92-99-SPHA

Dear Mr. Gerding:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

[Signature]
TIMOTHY M. ROTROCO
Deputy Zoning Commissioner
for Baltimore County

cc: Ms. Theresa DeLuca
7920 Philadelphia Road, Baltimore, Md. 21237

Rev. Michael W. Sigman
4 Basilan Court, Baltimore, Md. 21237

People's Counsel
File

#98
Petition for Special Hearing
92-99-SPHA

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 R.T.A. use requirements will be taken into consideration in the plan of

proposed improvements in such a way so that compliance will be maintained and can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises.

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/Lessee:
Rosedale Community Evan. Cong. Church
(Type or Print Name)
[Signature]
7901 Redmore Road, P.O. Box 9641
Address
Baltimore, MD 21237
City and State

Legal Owner(s):
Theresa DeLuca
(Type or Print Name)
[Signature]
Rosedale Community Evan. Cong. Church
(Type or Print Name)
[Signature]
7901 Redmore Road, P.O. Box 9641
Address
Baltimore, MD 21237
City and State

Attorney for Petitioner:
Leroy E. Gerding, Jr.
(Type or Print Name)
[Signature]
1107 North Point Blvd., Suite 227
Address
Baltimore, MD 21224
City and State
Attorney's Telephone No.: 301-285-3883

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Rev. Michael W. Sigman
Address
4 Basilan Court
Baltimore, MD 21237... 301-574-0187
City and State
Phone No.

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING - 1/2HR. (1HR)
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: [Signature] DATE: 11/14/91

ORDER RECEIVED FOR FILING
Date 11/14/91
By [Signature]

#98
Petition for Variance
92-99-SPHA

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 1802.2.B and C.M.D.P., Sec. V.B.2 to permit a front yard setback of 24' in lieu of the required 40'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty). Existing building, situated 24 feet from the side of Philadelphia Road, was built over 70 years ago as a residence and would be difficult and prohibitively expensive to move.

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.

Contract Purchaser/Lessee:
Rosedale Community Evan. Cong. Church
(Type or Print Name)
[Signature]
7901 Redmore Road, P.O. Box 9641
Address
Baltimore, MD 21237
City and State

Legal Owner(s):
Theresa DeLuca
(Type or Print Name)
[Signature]
Rosedale Community Evan. Cong. Church
(Type or Print Name)
[Signature]
7901 Redmore Road, P.O. Box 9641
Address
Baltimore, MD 21237
City and State

Attorney for Petitioner:
Leroy E. Gerding, Jr.
(Type or Print Name)
[Signature]
1107 North Point Blvd., Suite 227
Address
Baltimore, MD 21224
City and State
Attorney's Telephone No.: 301-285-3883

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Rev. Michael W. Sigman
Address
4 Basilan Court
Baltimore, MD 21237... 301-574-0187
City and State
Phone No.

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING - 1/2HR. (1HR)
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
REVIEWED BY: [Signature] DATE: 11/14/91

ORDER RECEIVED FOR FILING
Date 11/14/91
By [Signature]

#98
ZONING DESCRIPTION
ROSEDALE COMMUNITY CHURCH, 1.22 ac.±
14TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
92-99-SPHA

BEGINNING AT A POINT ON THE NORTHWEST SIDE OF PHILADELPHIA ROAD, WHICH IS 70 FEET WIDE, AT A DISTANCE OF 330' SOUTHWEST OF THE CENTERLINE OF ROSEWICK AVENUE; THENCE THE FOLLOWING COURSES AND DISTANCES:

1. SOUTH 48°50' WEST 78.35 FEET, THENCE
2. NORTH 42°42' WEST 18.07 FEET, THENCE
3. NORTH 56°35' WEST 329.13 FEET, THENCE
4. NORTH 48°50' EAST 238.95 FEET, THENCE
5. SOUTH 56°51' EAST 171.93 FEET, THENCE
6. SOUTH 48°50' WEST 157.00 FEET, THENCE
7. SOUTH 53°49'30" EAST 173.83 FEET TO THE PLACE OF BEGINNING, AS RECORDED IN IN DEEDS; LIBER 3975-53 AND LIBER 7137-222.

BEING "PARCEL A" AND "LOT 1" AS SHOWN OF PLAT ENTITLED "SUBDIVISION A. DELUCA TRACT", AS RECORDED IN BALTIMORE COUNTY PLAT BOOK W.J.R. 28, FOLIO 44, CONTAINING 1.22 ACRES. ALSO KNOWN AS NO 7901 REDMORE ROAD AND NO 7920 PHILADELPHIA ROAD IN THE 14TH ELECTION DISTRICT.

[Signature]
TIMOTHY M. ROTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 11/14/91
By [Signature]

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 111 Date of Posting: _____
 Posted for: Theresa Deluca and Rosedale Community Evangelical Church
 Location of property: 330' SW of Rosewick Avenue
 Location of sign: 330' SW of Rosewick Avenue
 Remarks: _____
 Posted by: Theresa Deluca Date of return: _____
 Number of Signs: _____

CERTIFICATE OF PUBLICATION
Office of
THE AVENUE NEWS

442 Eastern Blvd. September 26 19 91
 Balto., MD. 21221

THIS IS TO CERTIFY, that the annexed advertisement of

Zoning Hearing in the matter of 7920 Philadelphia Rd. Dulca/Rosedale Community Evangelical. Case # 92-99-SPHA, P.O. # 0115218, Req #949716, 66.5 Times E. 95 or S. 90. 90

was inserted in **The Avenue News** a weekly newspaper published in Baltimore County, Maryland once a week for 1 successive week(s) before the 27 day of September 19 91; that is to say, the same was inserted in the issues of September 26 19 91.

The Avenue Inc.
per publisher

By David Goodell

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, hereby notifies you that a public hearing will be held on the property identified herein in Room 106 of the County Office Building located at 111 West Chesapeake Avenue in Towson, Maryland 21284 on the following date:
 Case Number: 92-99-SPHA
 M/S Philadelphia Road, 330' SW of Rosewick Avenue
 7920 Philadelphia Road
 14th Election District - 7th Councilmanic District
 Councilmanic District: Theresa Deluca and Rosedale Community Evangelical Congregational Church
 Hearing: TUESDAY, OCTOBER 22, 1991 at 9:00 a.m.
 Special Hearing to approve R.T.A. use requirements will be taken into consideration in the plan of proposed improvements in such a way so that compliance will be maintained and no other variance will be required or the character and general welfare of the surrounding residential premises. Variance to permit a front yard setback of 24 feet in lieu of the required 40 feet.
 Zoning Commissioner of Baltimore County

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21284

receipt

Date: 9/25/91 Account: R-001-6150
Number: H9200098

PAID PER RECEIPT HAND-WRITTEN DATED 9/20/91

PUBLIC HEARING FEES	QTY	PRICE
020 - ZONING VARIANCE (OTHER)	1 X	\$175.00
040 - SPECIAL HEARING (OTHER)	1 X	\$175.00
TOTAL:		\$350.00

LAST NAME OF OWNER: DELUCA
 Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD. 21284

887-5554

COPY

DATE: 10-8-91

Wesdale Community Evangelical Congregational Church
7920 Rosewick Road
Baltimore, Maryland 21227

RE:
 CASE NUMBER: 92-99-SPHA
 M/S Philadelphia Road, 330' SW of Rosewick Avenue
 7920 Philadelphia Road
 14th Election District - 7th Councilmanic District
 Petitioner(s): Theresa Deluca and Rosedale Community Evangelical Congregational Church
 HEARING: TUESDAY, OCTOBER 22, 1991 at 9:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 344.60 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21284. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

Lawrence E. Schmidt
 Lawrence E. Schmidt
 ZONING COMMISSIONER
 BALTIMORE COUNTY, MARYLAND

Rev. Michael W. Sigman
 Leroy E. Gerding, Jr., Esq.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, hereby notifies you that a public hearing will be held on the property identified herein in Room 106 of the County Office Building located at 111 West Chesapeake Avenue in Towson, Maryland 21284 on the following date:
 Case Number: 92-99-SPHA
 M/S Philadelphia Road, 330' SW of Rosewick Avenue
 7920 Philadelphia Road
 14th Election District - 7th Councilmanic District
 Councilmanic District: Theresa Deluca and Rosedale Community Evangelical Congregational Church
 Hearing: Tuesday, October 22, 1991 at 9:00 a.m.
 Special Hearing to approve R.T.A. use requirements will be taken into consideration in the plan of proposed improvements in such a way so that compliance will be maintained and no other variance will be required or the character and general welfare of the surrounding residential premises. Variance to permit a front yard setback of 24 feet in lieu of the required 40 feet.
 Zoning Commissioner of Baltimore County
 9291 September 26

CERTIFICATE OF PUBLICATION

TOWSON, MD. 10/2 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/16/91.

THE JEFFERSONIAN,

S. Zabe Deluca
 Publisher

944.56

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21284

Account: R-001-6150
Number

receipt

Date: 9/20/91 CENTNER DOWN Item # 98

ANN RESIDENTIAL VARIANCE FEE 175.00
 " " SPECIAL HEARING " 175.00
 \$ 350.00 TOTAL

OWNERS DELUCA AND ROSEDALE COMMUNITY EVANGELICAL CONGREGATIONAL CHURCH
 7920 PHILADELPHIA RD
 14th ELECTION DISTRICT
 LOCATION 7920 PHILADELPHIA RD
 14th ELECTION DISTRICT
 (22222) PHILADELPHIA RD
 14th ELECTION DISTRICT

9291 9204941CHRC \$350.00
 Please Make Checks Payable To: Baltimore County 92-1111A008-22-91

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21284

receipt

Date: _____ Account: R-001-6150
Number: _____

92-99

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD. 21284

887-5554

COPY

September 13, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority 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 West Chesapeake Avenue in Towson, Maryland 21284 as follows:

CASE NUMBER: 92-99-SPHA
 M/S Philadelphia Road, 330' SW of Rosewick Avenue
 7920 Philadelphia Road
 14th Election District - 7th Councilmanic District
 Petitioner(s): Theresa Deluca and Rosedale Community Evangelical Congregational Church
 HEARING: TUESDAY, OCTOBER 22, 1991 at 9:00 a.m.

Special hearing to approve R.T.A. use requirements will be taken into consideration in the plan of proposed improvements in such a way so that compliance will be maintained and no other variance will be required or the character and general welfare of the surrounding residential premises. Variance to permit a front yard setback of 24 feet in lieu of the required 40 feet.

J. Robert Hines
 Zoning Commissioner of Baltimore County

cc: Theresa Deluca - No Address on file
 Rev. Michael W. Sigman
 Leroy E. Gerding, Jr., Esq.

Baltimore County Government
Office of Zoning Administration and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD. 21284

887-5554

October 8, 1991

Leroy E. Gerding, Esquire
 1107 North Point Blvd, Suite 227
 Baltimore, MD 21224

RE: Item No. 98, Case No. 92-99-SPHA
 Petitioner: Theresa Deluca, et al
 Petition for Special Hearing and Zoning Variance

Dear Mr. Gerding:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committee Comments
 Date: October 8, 1991
 Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,
James E. Dyer
 JAMES E. DYER
 Chairman
 Zoning Plans Advisory Committee

JED:jw
 Enclosures
 cc: Rev. Michael W. Sigman
 Ms. Theresa Deluca

Baltimore County Government
Office of Zoning Administration and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD. 21284

887-5554

Your petition has been received and accepted for filing this 20th day of August, 1991.

Carl Jablon
 ARNOLD JABLON
 DIRECTOR

Received By:
James E. Dyer
 Chairman,
 Zoning Plans Advisory Committee

Petitioner: Theresa Deluca, et al
 Petitioner's Attorney: Leroy E. Gerding, Jr.

DATE: October 8, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili
Traffic Engineer II

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: September 3, 1991
ITEM NUMBER: 98

ONE WAY/DO NOT ENTER signs should be shown to clarify the directions of traffic flow.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: September 25, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: DeLuca, Item No. 98

In reference to the Petitioner's request staff offers the following comments:

A landscape plan shall be filed with the Baltimore County landscape planner for approval by the deputy director of the Office of Planning and Zoning. Subsequent to approval, the plan should be forwarded to the Zoning Office to be maintained in the official file.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/rdn
ITEMNO98/TXTROZ

700 East Joppa Road, Suite 901
Towson, MD 21284-5510

(801) 887-4500

SEPTEMBER 16, 1991

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: THERESA DELUCA AND ROSEDALE COMMUNITY
EVANGELICAL CONGREGATIONAL CHURCH

Location: 7920 PHILADELPHIA ROAD
Item No.: 98 Zoning Agenda: SEPTEMBER 3, 1991

Gentlemen:

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

5. The building 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", 1996 edition prior to occupancy.

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

JP/FFK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: September 3, 1991

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for September 3, 1991

The Developers Engineering Division has reviewed the subject zoning items and the following comments for Items 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, and 99.

For Item 85, see the County Review Group comments for the St. Lukes Apartment site.

For Item 91, the previous County Review Group and Public Works Agreement comments remain in effect.

For Item 92, the previous County Review Group comments remain in effect.

For Item 95, see the County Review Group comments for this site.

For Item 101, comments are reserved for this site until the County Review Group meeting.

Robert W. Bowling
ROBERT W. BOWLING, P.E. Chief
Developers Engineering Division

RWB:c

PLEASE PRINT CLEARLY

PERMITTEE(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Leroy E. Gerding, Jr.</i>	<i>1107 NORTH PT. BLVD. 21204</i>
<i>Michael W. Sigman</i>	<i>4100 ...</i>
<i>Amely ...</i>	<i>2574 ...</i>



#98
ROSEDALE COMMUNITY
EVANGELICAL CONGREGATIONAL CHURCH
7901 Redmore Road • P.O. Box 9641 • Baltimore, Maryland 21237
Michael W. Sigman, Pastor • (301) 860-4521

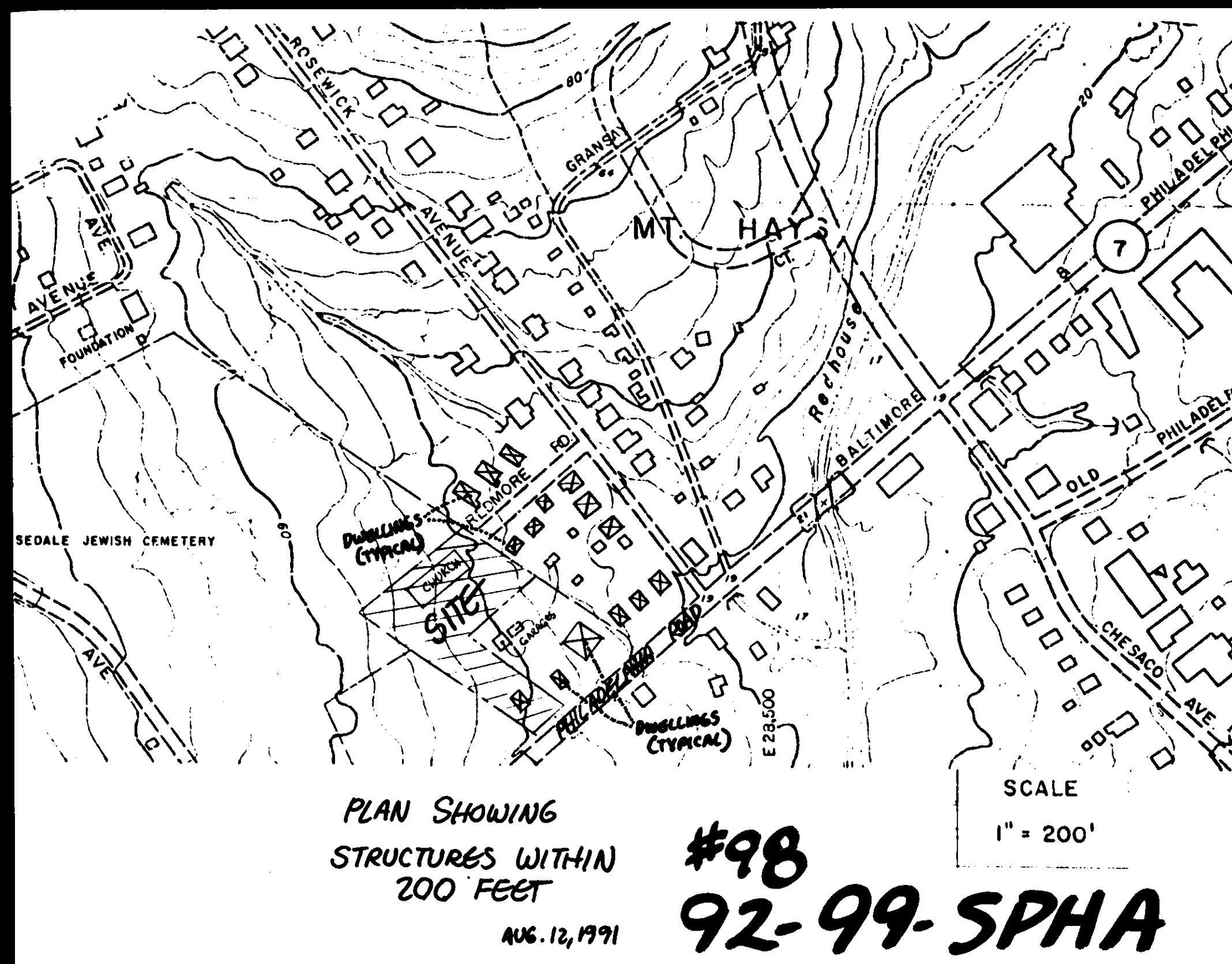
92-99-SPHA
August 19, 1991

Baltimore County Zoning Office
111 West Chesapeake Avenue
Room 113
Towson, MD 21204

Dear Sir or Madam:

At the July 11 meeting of the Official Board of Rosedale Community Evangelical Congregational Church, Rev. Michael W. Sigman was authorized to represent the church in all matters related to the zoning requests for 7920 Philadelphia Road.

Respectfully yours,
Darlene Rudasill
Darlene Rudasill
Secretary



PLAN SHOWING
STRUCTURES WITHIN
200 FEET

AUG. 12, 1991

#98
92-99-SPHA

SCALE
1" = 200'

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
October 7, 1991

TO: ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: RICHARD F. SEIM, PLANS REVIEW CHIEF,
DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 98
PROPERTY OWNER: Legal Owner: Theresa DeLuca & Rosedale Community Evangelical Congregational Church Contract Purchaser/
LOCATION: Lessee: Rosedale Community Evangelical Congregational Church
7920 Philadelphia Rd., 330' SW of Rosewick Ave. (#7920 Philda. Rd.)
ELECTION DISTRICT: 14th
COUNCILMANIC DISTRICT: 7th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

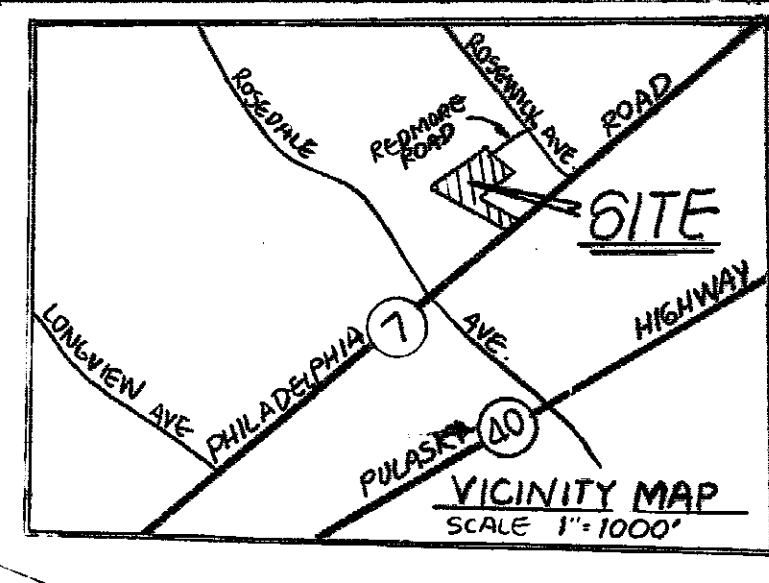
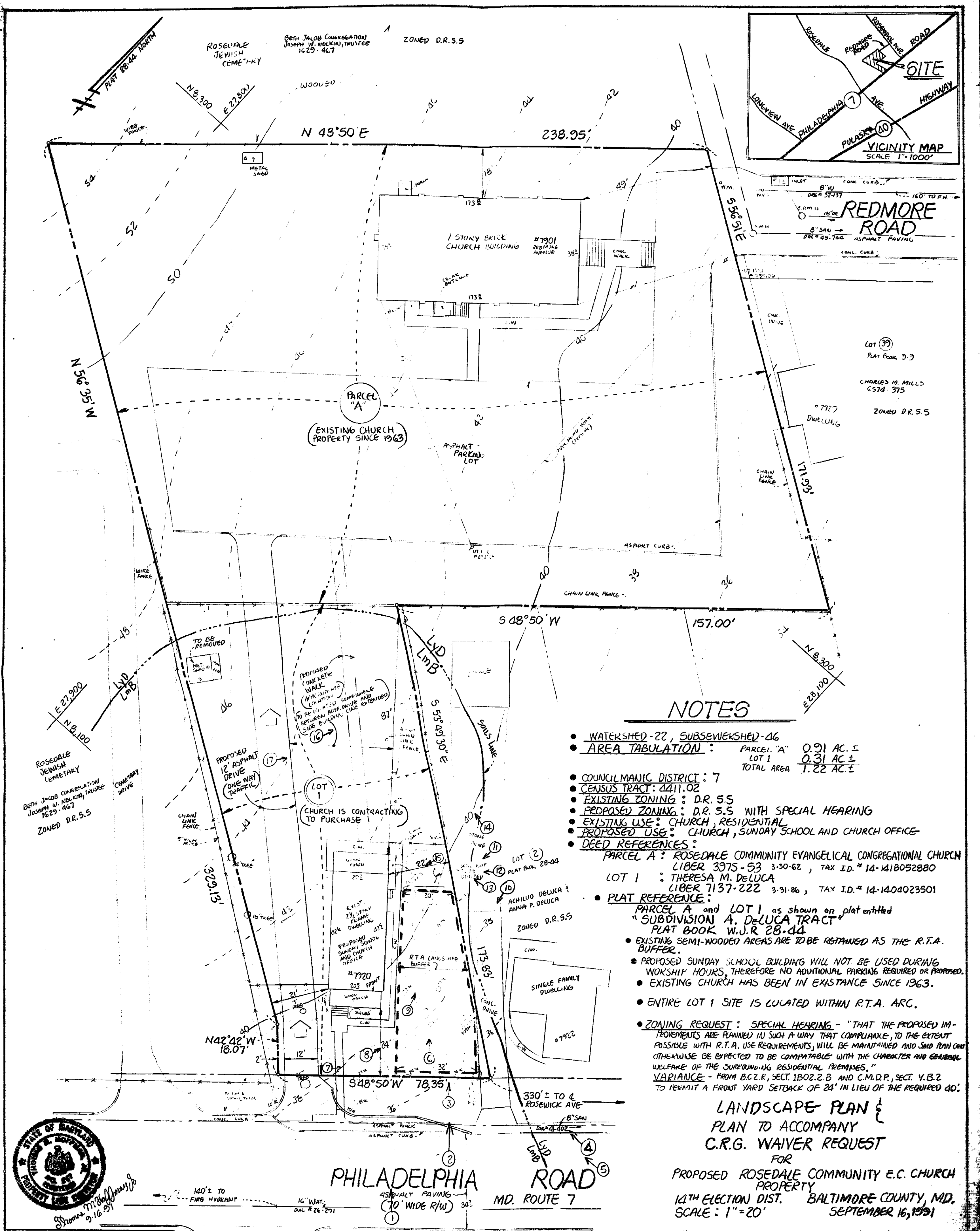
- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.02.02, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- (x) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 517.0 COUNCIL BILL #192-90 (BALTIMORE COUNTY BUILDING CODE).
- () OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1990 NATIONAL BUILDING CODES AS ADOPTED BY COUNTY COUNCIL BILL #192-90 EFFECTIVE 1/13/91





NOTES

- WATERSHED - 22, SUBWATERSHED - 06
- **AREA TABULATION:** PARCEL "A" 0.91 AC. ±
LOT 1 0.31 AC. ±
TOTAL AREA 1.22 AC. ±
- COUNCIL MANIC DISTRICT: 7
- CENSUS TRACT: 2211.02
- EXISTING ZONING: D.R. 5.5
- PROPOSED ZONING: D.R. 5.5 WITH SPECIAL HEARING
- EXISTING USE: CHURCH, RESIDENTIAL
- PROPOSED USE: CHURCH, SUNDAY SCHOOL AND CHURCH OFFICE
- **DEED REFERENCES:**
PARCEL A: ROSEDALE COMMUNITY EVANGELICAL CONGREGATIONAL CHURCH
LIBER 3975-53 3-30-62, TAX ID. # 14-1418052880
LOT 1: THERESA M. DELUCA
LIBER 7137-222 3-31-86, TAX ID. # 14-1404023501
- **PLAT REFERENCE:**
PARCEL A and LOT 1 as shown on plat entitled
"SUBDIVISION A. DELUCA TRACT"
PLAT BOOK W.J.R. 28-44
- EXISTING SEMI-WOODEN AREAS ARE TO BE RETAINED AS THE R.T.A. BUFFER.
- PROPOSED SUNDAY SCHOOL BUILDING WILL NOT BE USED DURING WORSHIP HOURS, THEREFORE NO ADDITIONAL PARKING REQUIRED OR PROVIDED.
- EXISTING CHURCH HAS BEEN IN EXISTENCE SINCE 1963.
- ENTIRE LOT 1 SITE IS LOCATED WITHIN R.T.A. ARC.
- **ZONING REQUEST: SPECIAL HEARING:** "THAT THE PROPOSED IMPROVEMENTS ARE PLANNED IN SUCH A WAY THAT COMPLIANT, TO THE EXTENT POSSIBLE WITH R.T.A. USE REQUIREMENTS, WILL BE MAINTAINED AND SAID PLAN CAN OTHERWISE BE EXPECTED TO BE COMPATIBLE WITH THE CHARACTER AND GENERAL WELFARE OF THE SURROUNDING RESIDENTIAL PREMISES."
VARIANCE - FROM B.C.E.R. SECT. 1802.2 B AND C.M.D.P. SECT. V.B.2 TO PERMIT A FRONT YARD SETBACK OF 24' IN LIEU OF THE REQUIRED 40'.

LANDSCAPE PLAN & PLAN TO ACCOMPANY C.R.G. WAIVER REQUEST

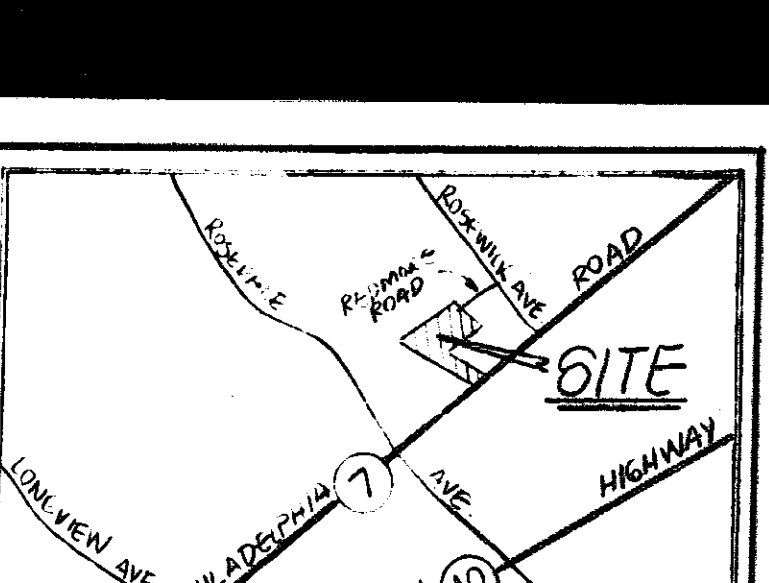
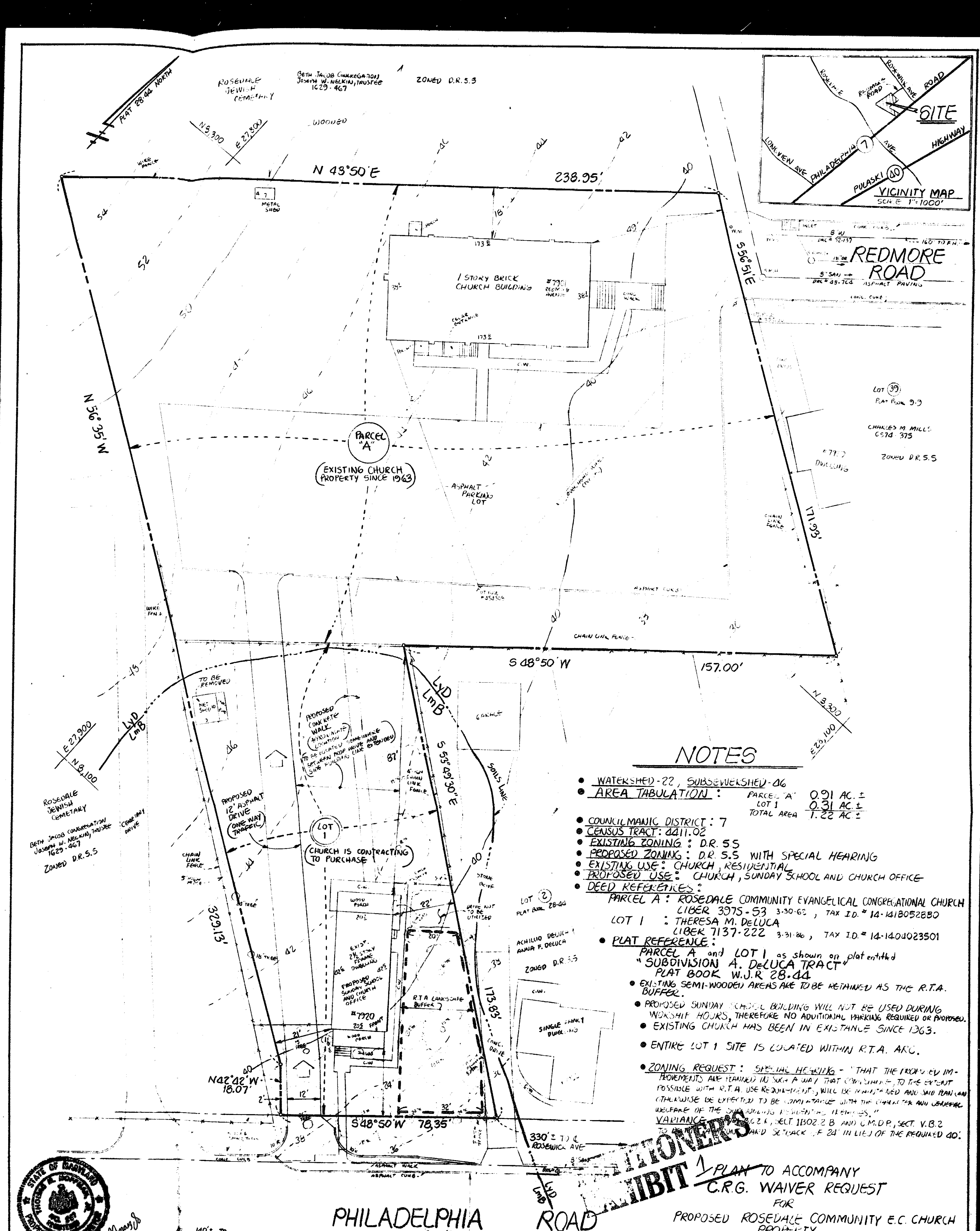
FOR PROPOSED ROSEDALE COMMUNITY E.C. CHURCH PROPERTY
14TH ELECTION DIST. BALTIMORE COUNTY, MD.
SCALE: 1" = 20'
SEPTEMBER 16, 1991

PARCEL "A"
ROSEDALE COMMUNITY EVANGELICAL CONGREGATIONAL CHURCH
7901 REDMORE ROAD
BALTIMORE, MD. 21237
301-574-0187

LOT 1
THERESA M. DELUCA
7920 PHILADELPHIA ROAD
BALTIMORE, MD. 21237
(ROSEDALE COMMUNITY E.C. CHURCH IS CONTRACT PURCHASER)



HOFFMAN and HOFFMAN
SERVICES - LAND PLANNERS
200 SOUTH BALTIMORE AVENUE • BALTIMORE, MARYLAND 21201
301-468-0281



NOTES

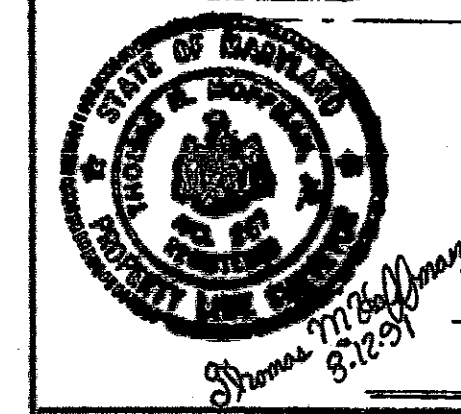
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