

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

November 17, 1995

Bruce E. Doak Gerhold, Cross & Etzel, Ltd. Suite 100 320 East Towsontown Boulevard Towson, Maryland 21286-5318

RE: Proposed Garage
Jacksonville Church of God
14525 Old York Road

10th Election District

Dear Mr. Doak:

Your letter to Arnold Jablon, Director of Permits Development and Management, has been referred to me for reply. Please excuse the delay of my response.

The proposed residential garage use as shown on the submitted plat, would be permitted as being within the spirit and intent granted in zoning case no. 93-452-X. However, the detached garage would have to be located in the rear yard or a variance of Section 400 of the Baltimore County Zoning Regulations (BCZR) would be required. To be located in the side yard, the garage would have to be functionally connected to the dwelling and a detail of same shown on the plan. However, if attached, it must meet the principal building setback of 35 feet or a variance of Section 1A01.3B.3 of the BCZR would be required.

I trust that the information set forth in this letter is sufficiently detailed and responsive to your request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391 (FAX - 887-5708).

Sincerely,

John J. Sullivan, Jr.

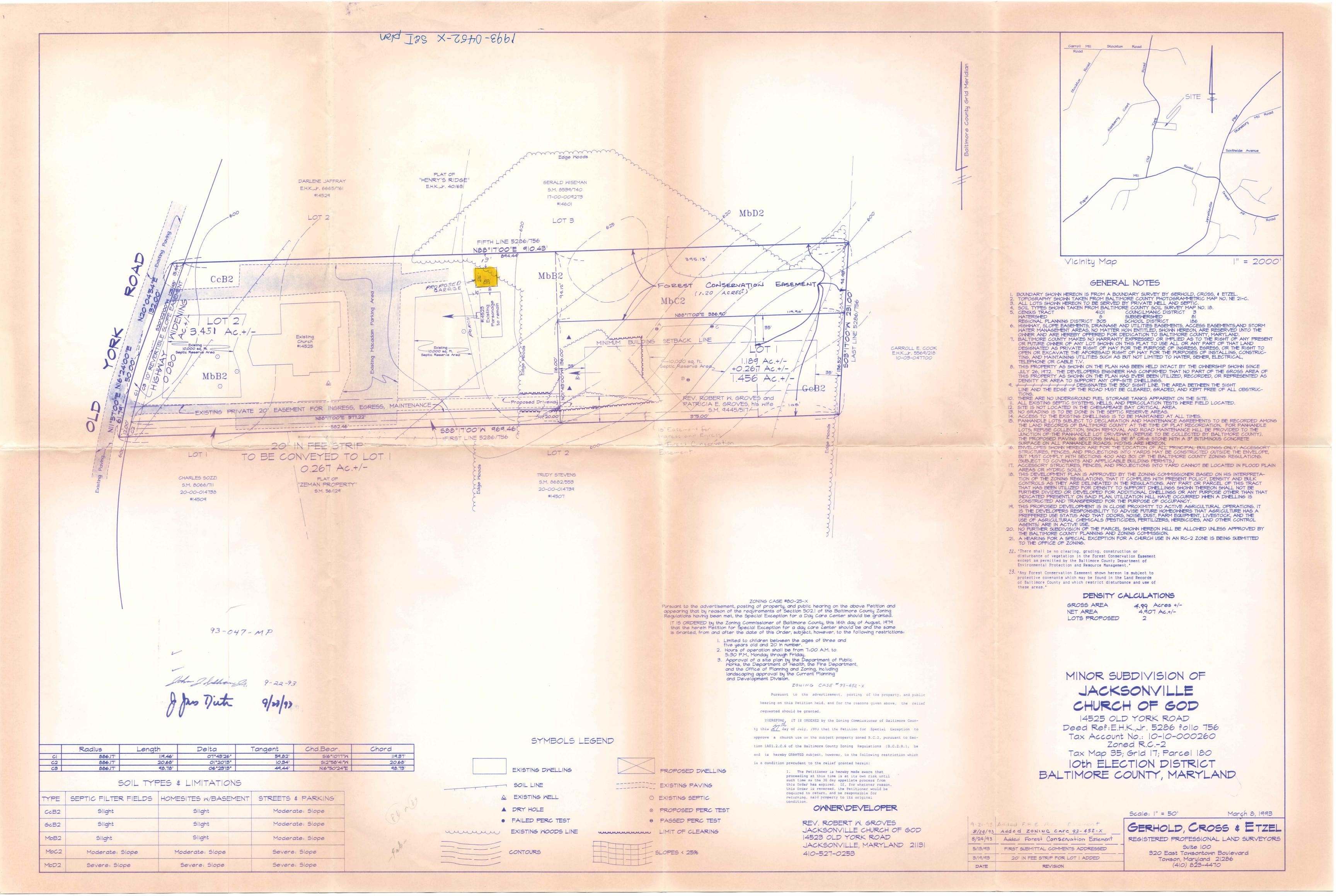
I full to

Planner II Zoning Review

JJS/jnw

Enclosure





GORDON T. LANGDON EDWARD F. DEIACO-LOHR BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100 320 EAST TOWSONTOWN BOULEVARD TOWSON, MARYLAND 21286-5318

> 410-823-4470 FAX 410-823-4473

5148-95

PAUL G. DOLLENBERG FRED H. DOLLENBERG CARL L. GERHOLD PHILIP K. CROSS

JOHN F. ETZEL 145 u ac 16/25/95

October 19, 1995

Mr. Arnold Jablon Director of Permits & Management Development 111 West Chesapeake Avenue Towson, Maryland 21204

Dear Arnold:

The Jacksonville Church of God, located at No. 14525 Old York Road wishes to erect a garage adjacent to the parsonage, as shown on the accompanying plat.

The frame garage will be 26 feet by 28 feet and will not exceed 15 feet in height. The location of the garage as shown is the most logical site. Architecturally it blends with the parsonage and has the least impact on the wooded area. We talked to the Zoning Office and it was suggested that we submit a Letter of Intent to clarify a filing for a permit to construct.

The Day Care Center granted in Zoning Case #80-25-x is no longer in operation. The Special exception granted in Zoning Case No. 93-452-x to approve a church use in a R.C.2 zone was in conjunction with a minor subdivision plat. We believe we are within the spirit and intent of the church use to construct the proposed garage as shown.

We ask your confirmation of the zoning case No. 93-452-x and as to the building setbacks of the proposed garage.

Your truly,

Bruce E. Doak Principal

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	No.
DATE 076 000 25,1975 CCOUNT	R-001-6150
AMOUNT_\$	40.00
FROM: Deal old, Cross, 4	Etgs (14d)
FOR 2014 ng Verificati	91C
Charles of Stating 29 3 mich Charles of Stating 3 mich BA COB9: 25 AMI	187 OIK KE0.00 0-27-95
VALIDATION OR SIGNATURE VALIDATION OR SIGNATURE VALIDATION OR SIGNATURE VALIDATION OR SIGNATURE	

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for that property known as 14525 Old York Road near the Jacksonville community of Baltimore County.

The Petitioner seeks approval for a church use on the subject property which is zoned R.C.2. The relief is requested pursuant to Section 1A01.2.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.). The special exception use is more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Special Exception.

Appearing at the public hearing held for this case was Reverend Robert W. Groves, Pastor of the Jacksonville Church of God. Also appearing at the public hearing was John Etzel, a Registered Land Surveyor, who prepared the plat. There were no Protestants or other interested persons present.

Testimony and evidence presented at the hearing was that the subject

site was originally a 5 acre tract which fronts Old York Road. The parcel is a narrow, yet deep, property. Recently, the property owner, identified in the Petition as the Trustees of the Jacksonville Church of God, decided to subdivide the property. Two lots were created as a result of this subdivision. Lot No. 1 is shown on the site plan as being approximately 1.456 acres and is located to the rear. Access to the lot is by way of a panhandle drive. Apparently, Reverend Groves is retiring from his active duties with the Church and the property will be divided to enable him to develop

the rear lot with a dwelling. The remaining lot is identified on the plan as Lot No. 2 and has an area of 3.525 acres. This lot is presently improved with an existing Church building, related parking area and Parsonage.

It is to be noted that the Church building already exists and the property has been used in the current fashion for approximately 18 years. Photographs submitted at the hearing show a well maintained Church building and grounds. Reverend Groves indicated that the Church has a congregation of approximately 100 people. In that the Church has existed at this site for many years, the lack of Protestants appearing at the hearing is of note. Clearly, if the use were detrimental to the health, safety and welfare of the location, residents of the community would come forward to oppose the Petition. As is noted on the site plan, the subject property is surrounded by residential uses and several existing residential communities.

It is clear that the Section 1A01.2.C.6 permits a Church on the subject property by special exception. Therefore, the Petitioner must adduce testimony that the proposed use satisfies the standards set forth in Section 502.1 of the regulations. That section provides that a special exception use may be granted only upon the showing that the proposed use is not detrimental to the health, safety and general welfare of the community. Based on the uncontradicted testimony and evidence presented, the Petitioner has satisfied its burden and the Petition should be granted. It is also to be noted that a special exception was previously approved on this property under case No. 80-25-X. Within that matter, approval was granted for a limited day care center at the subject site. Clearly, these uses are compatible with the property, as improved, and existing locale.

Notwithstanding my approval of the Petition, attention should be given to the Zoning Plans Advisory Committee (ZAC) comments. A comment received

from the Department of Public Works suggested additional landscaping on the site and improvement to the access drive to promote better traffic flow.

As to the landscape issue, photos of the subject site show that the property is heavily wooded and is located within a rural area. Further, the property appears to be very well kept and a number of trees and plantings are already in place. Testimony at the hearing was also offered that the Petitioner has been in contact with the County's Landscape Architect. Avery Harden. The plat, as submitted, shows substantial landscaping and ? do not believe that additional plantings are necessary. The fact that the building has been at this location for 18 years and there is no proposed new construction is significant.

As to the traffic flow issue, I questioned Reverend Groves carefully about existing conditions. He noted that there are two access/egress points to the subject Church from Old York Road. The entrance to the south is used as the access point. Traffic then goes to the rear of the Church building to a parking lot which extends to the north side of the site. Traffic then exits the site from an entrance on the north side of the lot onto Old York Road. Reverend Groves testified that this present arrangement works perfectly. The congregation is accustomed to this traffic pattern. Further, egress from the site from the south entrance would be difficult because of site distance constraints. Further, the traffic flow pattern which has been established is marked by both arrows on the macadam surface and signs. In that the existing traffic pattern works, I am not inclined to tamper with it and require changes. Thus, I will not require adherence to the ZAC comment offered by the Department of Public Works.

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

-3-

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 27 day of July, 1993 that the Petition for Special Exception to approve a church use on the subject property zoned R.C.2, pursuant to Section 1A01.2.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED subject, however, to the following restriction which is a condition precedent to the relief granted herein:

> 1. The Petitioner is hereby made aware that proceeding at this time is at its 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

> > Zoning Commissioner for Baltimore County

LES:mmn

FOR FILING EIVEB

#459

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

July 26, 1993

c/o Jacksonville Church of God 14523 Old York Road Phoenix, Maryland 21131 RE: Petition for Special Exception Case No. 93-452-X

Property: 14525 Old York Road Jacksonville Church of God

Dear Reverend Groves:

Reverend Robert W. Groves

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

LES:mmn cc: John Etzel Gerhold, Cross and Etzel 320 E. Towsontown Blvd. Towson, Maryland 21286

Petition for Special Exception to the Zoning Commissioner of Baltimore County for the property located at 14525 OLD YORK ROAD which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Church use in RC-2 Zone

Section 1A01.2.C.6

NOTE: See attached Exhibit A

Property is to be posted and advertised as prescribed by Zoning Regulations. i, or we, agree to pay expenses of above Special Exception 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.

		VWe do solemnly declare and affirm, und legal owner(s) of the property which is the	
Contract Purchaser/Lesses:		Legal Owner(s):	
		Jācksonville Churc	h of God
(Type or Print Name)		(Type or First Name)	Port
Signature		Bignature	Tru
	•	Sple H R Signature Dale H. Per	LK
Address		(Type or Print Name)	
City State	Zipcode	Signature	<u> </u>
		14525 Old York F	Road
Attorney for Petitioner:		Address	Phone No.
		Jacksonville	MD 21131
(Type or Print Name)		Otly Name, Address and phone number of legs to be contacted.	State Zipcode il owner, contract purchaser or represent
Bignature		Rev. Robert W. (Groves
		14523 Old York F	Road 527-025
Address Phone No.		Address	Phone No.
City State	Zipcode	OFFICE ESTIMATED LENGTH OF HEARING	_/ hr-
,	1	the fellowing dates	
•	•	ALLOTHER	
5	_	REVIEWED BY: 777K	DATE

EXHIBIT A

The existing church and parsonage existed prior to November 26, 1979 during which time they were permitted as of right. Since that date, these uses are permitted by special exception only. The church has given to the Pastor a lot of ground in the rear of the church property that requires a Minor Subdivision procedure. Since the area of the original church lot will be decreased, a special exception for the church use is required.

The existing use is certainly appropriate here, the continued church use would not:

- a. be detrimental to the health, safety, or general welfare of the area;
- b. create congestion in roads, streets, or alleys; c. create a potential hazard from fire, panic, or other
- d. overcrowd land and cause undue concentration of
- population: e. interfere with adequate provisions for schools, parks, water, sewerage, transportation, or other public requirements, conveniences, or improvements;
- f. interfere with adequate light and air; g. be inconsistent with the spirit and intent of the

vegetative retention provisions of the B.C.Z.R.

B.C.Z.R.; h. be inconsistent with the impermeable surface and

DEMNIS M. MILLER EDWARD F. DEIAGO-LOHR BRUCE E. DOAK

GERHOLD, CROSS & ETZEL Registered Professional Land Surveyors SUITE 100 320 EAST TOWSONTOWN BOULEVARD TOWSON, MARYLAND 21286-5318 410-823-4470

FAX 410-823-4473

PAUL G. DOLLENBERG FRED H. DOLLENBERG CARL L. SERHOLD PHILIP K. CROSS or counsel JOHN F. ETZEL WILLIAM G. ULRICH

93-452-X

May 13, 1993

Zoning Description Jacksonville Church of God 14525 Old York Road

Beginning for the same on the east side of Old York Road, as widened, at a distance of 900 feet Northerly from the centerline of Jackson Ridge Court, running thence and binding on the east side of Old York Road, as widened, by a line curving to the right having a radius of 886.17 feet and for an arc distance of 119.46 feet and North 20 degrees 02 minutes East 125.45 feet, thence leaving the Old York Road and binding on and running through the land of the herein Petitioner the five following courses and distances viz: North 88 degrees 17 minutes East 894.44 feet, South 03 degrees 17 minutes West 94.48 feet and South 88 degrees 17 minutes West 386.90 feet, South 01 degree 43 minutes East 136 feet and South 88 degrees 17 minutes West 582.46 feet to the

Containing 3.792 Acres, more or less.

William S. Wend



#459

att.

Date of Posting 6/30/73 Special Fxcop tio's Focksonville Church of God Location of property: 14 535 Old York Rd., 100 N Hickson Rid. CT. Location of some Facing to dway, on fro forty of filibioners

Case Number: 93-452-X (Item 459) 14525 Old York Road E/S Old York Road, 900' N of of Jackson Ridge Court 10th Election District 3rd Councilments Petitioner(s): Jacksonville Church of God HEARING: WEDNESOAY, JULY 21, 1993 at 9:00 a.m. in Pm. 106, County Office Build-ion.

CERTIFICATE OF PUBLICATION

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 _

THE JEFFERSONIAN.

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

July 15, 1993

Mr. Dale H. Peak Jackonsville Church of God 13425 Old York Road Jackonsville MD 21131

> RE: Case No. 93-452-X, Item No. 459 Petitioner: Jacksonville Church of God Petition for Special Exception

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 indicate the appropriateness of the zoning action requested, but 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 June 17, 1993, and a hearing was 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 preliminary review by Zoning personnel.

Zoning Administration & Development Management 111 West Chesepouke Avenue

Jacksonville Church of Gol -

93-452-X

Taken In By: mork

14525 OIL York Rd. # 050 - Special Exception - 300.00 # 680 - 1 sign Total #335.00

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: July 2, 1993 Zoning Administration and Development Management

The Development Plan Review Division has reviewed

the subject zoning item. We recommend that the parking areas

It is recommended that the access drive be widened to carry two-way traffic; however, if the one-way configuration

is to stay, the direction of travel should be reversed and

the parking spaces be changed to angled spaces. One-way/do

FROM Robert W. Bowling, P.E., Senior Engineer Development Plan Review

be made to conform to the Landscape Manual buffer

RE: Zoning Advisory Committee Meeting for July 6, 1993

Item No. 459

not enter signs should be installed.

requirements.

RWB:s

figilesen

111 West Chesapeake Avenue

Baltimore County Government Office of Zoning Administration and Development Management



Towson, MD 21204 JUNE 25, 1993

(410) 887-3353

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, 111 W. Chesspeeks Avenue in Touson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92 452-X (Item 459) 14525 Old York Road E/S Old York Road, 900' N of c/l Jackson Ridge Court 10th Election District - 3rd Councilmanic Petitioner(s): Jacksonville Church of God HEARING: WEDNESDAY, JULY 21, 1993 at 9:00 a.m. in Rm. 106, County Office Building.

Special Exception for a church use.

cc: Dale H. Peak/Jacksonville Church of God/14525 Old York Road/Jacksonville MD 21131 Rev. Robert W. Groves/14523 Old York Road/Phoenix, MD 21131

NOTES: (1) ZONING SIGN & POST MOST BE RETURNED TO RM. 104, 111 W. CHESAPPARE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMPODATIONS PLEASE CALL 887-3353. (3) FOR IMPORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391

TO: PUTUKENT PUBLISHING COMPANY JULY 1, 1993 Issue - Jeffersonian

Please formerd billing to

Rev. Robert W. Groves 14523 Old York Road Phoenix, Maryland 21131 (410) 527-0253

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, 111 W. Chesapeake Avenue in Townon, Haryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Haryland 21204 as follows

CASE NUMBER: 93-452-X (Item 459) 14525 Old York Road E/S Old York Road, 900' N of c/l Jackson Ridge Court 10th Election District - 3rd Councilmanic Petitioner(s): Jacksonville Church of God HEARING: WEDNESDAY, JULY 21, 1993 at 9:00 a.m. in Rm. 106, County Office Building.

Special Exception for a church use.

ZONTING COMMISSIONER FOR BALTIMORE COUNTY

TO: Arnold Jablon, Director

Zoning Administration and Development Management

Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

FROM: Pat Keller, Deputy Director

MOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 420, 435, 441, 443, 444, 445, 446, 447, 448, 457, 458, 459 and 461.

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 887-3480.

DATE: June 28, 1993

State Highway Administration

O. James Lighthizer Hal Kassoff

6-24-95

Ms. Helene Kehring Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toli Free 707 North Calvert St., Baltimore, Maryland 21203-0717

435.ZAC/ZAC1

£

n Ca			7	
			-	

PETITIONER(S) SIGN-IN SHEET PLEASE PRINT CLEARLY 14513 Calyer 61 16 my 14 21131

123 1 23

a discription of the control of the

control of the second of the s

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER

C/L Jackson Ridge Ct. (14525 : OF BALTIMORE COUNTY

.

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

and the second s

Dist., 3rd Councilmanic Dist. : Case No. 93-452-X

E/S 01d York Rd., 900' N of

Petitioner

final Order.

Old York Rd.), 10th Election

JACKSONVILLE CHURCH OF GOD. :

Feter Max Zumen No Comments People's Counsel for Baltimore County No Comments Carole S. Demilio Deputy People's Counsel Building shall be in compliance with 1991 Life Safety Code Room 47, Courthouse 400 Washington Avenue No Comments Towson, Maryland 21204 (410) 887-2188 Edi ' No Comments I HEREBY CERTIFY that on this 13th day of July , 1993, a copy of the foregoing Entry of Appearance was mailed to Dale H. Peak, Trustee, Jacksonville Church of God, 14525 Old York Rd., Jacksonville, MD 21131, Petitioner. Peter Max Zum Peter Max Zimmerman 13 1993 (CX 2) B126

BALTIMORE COUNTY, MARYLAND

and primarily for the first form of the first fo

TO: Zoning Advisory Committee

SURJECT: July 06, 1993 Meeting

No Comments

No Corments

FROM: Captain Jerry Pfeifer

Inter-Office Correspondence

DATE: June 28, 1993

