

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
 AND VARIANCE - E/S York Road at * DEPUTY ZONING COMMISSIONER
 its intersection Monkton Road * OF BALTIMORE COUNTY
 (16931 York Road) *
 7th Election District * Case No. 95-92-SPHA
 3rd Councilmanic District *
 Hereford Methodist Church, Inc. *
 Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 16931 York Road, located in the Hereford area of northern Baltimore County. The Petitions were filed by the owner of the property, the Hereford Methodist Church, Inc., by Rev. Steven T. Cochran, through their attorney, Jeffrey H. Gray, Esquire. The Petitioner seeks a special hearing to approve an exemption, pursuant to Section 259.3.F of the Baltimore County Zoning Regulations (B.C.Z.R.) for the existing building use and/or structure, due to the limited nature, extent and locations of the proposed additions thereto, and that the project is in keeping with the spirit and intent of the Baltimore County Code. In addition to the special hearing relief sought, the Petitioner seeks variances from Section 409.8.A.2 of the B.C.Z.R. to permit the existing gravel parking lot to remain in its present state in lieu of the required durable and dustless surface, from Section 409.8.A.6 to permit unstriped parking spaces in lieu of the required striping, from Section 409.6 to continue to provide seven (7) on-site parking spaces which are supported by additional off-site parking facilities in lieu of the required 18 additional spaces, and from Section 409.12.B and the procedures set forth in Section 409.8.B.1 to approve a modified parking plan. The subject property, proposed improvements, and the relief

ORDER RECEIVED FOR FILING

Date

By

10/15/94
 [Signature]

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sought are more particularly described on the site plan submitted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing on behalf of the Petitions were Rev. Steven T. Cochran, Donald Pearce, Chairman of the Building Committee, Dave Recchia with Rubeling and Associates Architects, Kenneth Bollinger, Jr. with the Hereford Community Association, and Jeffrey H. Gray, Esquire, attorney for the Petitioner. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 1.14 acres, more or less, zoned B.M.-C.R. and is the site of the Hereford Methodist Church. The property is presently improved with a one-story sanctuary building, two-story religious education building, and a two and one-half story parsonage. The Petitioner is desirous of connecting the church building with the parsonage via a one-story addition in accordance with Petitioner's Exhibit 1. Both the church building and parsonage have existed on the property for at least the past 120 years. The Petitioner engaged the architectural services of Mr. Dave Recchia with Rubeling and Associates to design this project in a manner that would maintain the historic character of the two buildings in question. Mr. Recchia explained the design proposal depicted on Petitioner's Exhibit 1 and argued that the Petitioner should be exempt from the requirements of the B.C.Z.R. due to the limited nature and extent of the proposed improvements, and that the special hearing relief sought is in keeping with the spirit and intent of the Baltimore County Code.

The Petitioner has also requested parking variances associated with the proposed improvements. As to the number of existing parking spaces, the Petitioner requests a variance to permit 7 spaces in lieu of the required 18. In support of this request, the Petitioner submitted as

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Date

By

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Exhibits 5, 6 and 7, parking agreements with the Hereford Volunteer Fire Company, Foster Brothers Hardware and the adjacent shopping center which allow for sufficient parking for all parishioners who attend services at this church. Therefore, it appears that the relief requested will not result in any detriment upon the surrounding locale and that adequate parking exists immediately adjacent to the subject site. Furthermore, the Petitioner has requested a variance to permit the existing parking lot to remain with its present gravel surface in lieu of the required durable and dust-free surface. Testimony revealed that there is a drainage problem in this particular area and that the gravel surface allows for the natural drainage and absorption of rain water into the ground where a durable and dust-free surface would promote additional storm water runoff and exacerbate the existing drainage problem. Also the Petitioner stated that the septic system is located beneath the parking area and that access to same would become difficult if the parking area was required to be paved.

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.

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Date 10/14/84
By [Signature]

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

It is clear from the testimony that if the variances are granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variance relief are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of these requests and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition 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 14th day of October, 1994 that the Petition for Special Hearing seeking an exemption, pursuant to Section 259.3.F of the Baltimore County Zoning Regulations (B.C.Z.R.) for the existing building use and/or structure, due to the limited nature, extent and locations of the proposed additions thereto, and that the project is in keeping with the spirit and intent of the Baltimore County Code, be and is hereby GRANTED; and,

ORDER RECEIVED FOR FILING
Date 10/14/94
By [Signature]

SECRET

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Section 409.8.A.2 to permit the existing gravel parking lot to remain in its present state in lieu of the required durable and dust-free surface, from Section 409.8.A.6 to permit unstriped parking spaces in lieu of the required striping, from Section 409.6 to permit seven (7) on-site parking spaces which are supported by additional off-site parking facilities in lieu of the required 18 additional spaces, and from Section 409.12.B and the procedures set forth in Section 409.8.B.1 to approve a modified parking plan, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED,

- 1) The Petitioners may apply for their building 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 relief granted herein shall be rescinded.
- 2) Prior to the issuance of any occupancy permits, the Petitioner shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County. A copy of the approved plan shall be submitted to the Zoning Administration and Development Management (ZADM) office for inclusion in the case file.
- 3) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 10/12/04
By [Signature]

TMK:bjjs

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

October 14, 1994

Jeffrey H. Gray, Esquire
17000 York Road
P.O. Box 551
Monkton, Maryland 21111-0551

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
E/S York Road at its intersection Monkton Road
(16931 York Road)
7th Election District - 3rd Councilmanic District
Hereford Methodist Church, Inc. - Petitioner
Case No. 95-92-SPHA

Dear Mr. Gray:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

MICROFILMED



Petition for Variance

to the Zoning Commissioner of Baltimore County

95-92-58A

for the property located at 16931 York Road, Monkton, MD 21111

which is presently zoned BM CR

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 Variance from Section(s) A Variance to Section 409.8(a)2 to allow the existing gravel parking lot to remain as currently constructed in lieu of "a durable and dustless surface." A Variance to Section 409.6 asking nob to provide the 18 required additional spaces on site but instead use existing parking facilities in the immediate area for which parking agreements have been executed. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) Maintenance and inspection of existing septic system would be rendered extremely difficult if asphalt surface is required. Petitioner desires to maintain the esthetics of the site and with off site parking agreements for spaces immediately adjacent to the church signed the additional 18 spaces unnecessary, and for other reasons to be presented at the hearing on the Petition.

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

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

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Jeffrey H. Gray, Esquire

(Type or Print Name)

Jeffrey H. Gray
329-2104

17000 York Road, P.O. Box 551
Address Phone No.

Monkton, Maryland 21111-0551
City State Zipcode

Legal Owner(s):

Hereford Methodist Church, Inc.
(Type or Print Name)

Rev. Steven T. Cochran
Signature

Rev. Steven T. Cochran
(Type or Print Name)

Signature

16931 York Road, Monkton, MD 21111
Address Phone No. 343-0660

City State Zipcode
Name, Address and phone number of representative to be contacted.

Don Pearce
Name

343-0946
Address Phone No.

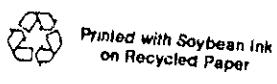
OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 hr. +
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: *MDK* DATE 9/8/90



PROCESSED





Petition for Special Hearing

95-92-SPAA

to the Zoning Commissioner of Baltimore County

for the property located at 16931 York Road, Monkton, MD 21111
which is presently zoned BM-CR

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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an exemption pursuant to Section 259.3, Paragraph F for the project, exempting any building use or structure in existence", because of the limited nature, extent, and locations of the proposed additions to the existing buildings, and that the project is in keeping with the spirit and intent of the code.

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

I, or we, agree to pay expenses of 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:

Legal Owner(s):

(Type or Print Name)

Hereford Methodist Church, Inc.
(Type or Print Name)

Signature

Rev. Steven T. Cochran
Signature

Address

Rev. Steven T. Cochran
(Type or Print Name)

City State Zipcode

Signature

Attorney for Petitioner.

16931 York Road 343-0660
Address Phone No.

Jeffrey H. Gray, Esquire
(Type or Print Name)

Monkton, MD 21111
City State Zipcode

Signature

Don Pearce
Name

17000 York Road, P.O. Box 551
Address Phone No.

16931 York Road, Monkton, MD 21111
Address Phone No. 343-0964

Monkton, Maryland 21111-0551
City State Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 hr. +
unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: msk DATE 9/8/94

ORDER RECEIVED FOR FILING

Date

By



MICROFILMED

ATTACHED SHEET

95-92-SQHA

Pursuant to Section 409.6 to continue to provide 7 on-site existing parking spaces supported by additional parking facilities off-site in lieu of the 18 required additional spaces; and pursuant to Section 409.12B and the procedures set forth in Section 409.8B.1, to approve a modified parking plan.

MICROFILMED

E. F. RAPHEL & ASSOCIATES

Registered Professional Land Surveyors

201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

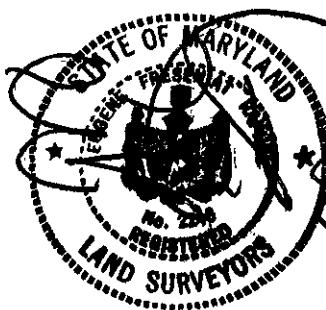
9592-SPHA

OFFICE: 825-3908

RESIDENCE: 771-4892

DESCRIPTION TO ACCOMPANY ZONING PETITIONS FOR THE HEREFORD
METHODIST CHURCH, HEREFORD, BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at the intersection formed by the east side of York Road and the North side of Monkton Road at the end of the first or North 1 degree West 137 foot line of the land which by deed dated April 7, 1886 and recorded among the land records of Baltimore County in Liber J.N.S. 152 folio 161 was conveyed by Ann Lousia Merryman (nee) Gittings to D. Bosley etal, Trustee of the Parsonage Property of Hereford Circuit Methodist Episcopal Church, said point being also the beginning of the land which deed dated October 18, 1957 and recorded among the Land Records of Baltimore County in Liber 3254 folio 510 was conveyed by Hereford Circuit Methodist Episcopal Church, Baltimore County to Hereford Methodist Church, said point being also the end of the third or West 119.8 foot line of the land which by deed dated August 25, 1969 and recorded among the Land Records of Baltimore County in Liber O.T.G. 5029 folio 561 was conveyed by Thelma E. Knouse and Samuel W. Knouse, her husband and Margaret L. Taylor and Marvin B. Taylor her husband to Hereford Methodist Church Running thence and binding on the East side of York Road and on the fourth or last of the last mentioned deed North 1 Degree 0 minutes West 66.3 feet to the beginning said deed thence leaving the East side of York Road and binding on the first and second lines of the last mentioned deed South 89 Degrees 30 Minutes East 200 feet and South 1 Degree 00 Minutes East 66.3 feet to intersect the second or North 89 1/2 Degree 212 foot line as set forth in the first mentioned deed at a distance of 200 feet from the beginning of said line running thence and binding on part of said second line North 89 Degrees 30 Minutes East 12 feet to the end thereof running thence and binding on the third and fourth or last line as described in the first mentioned deed (Merryman to D. Bosley etal) South 1 Degree East 137 feet to a point in the bed of Monkton Road running thence in the bed of Monkton Road South 89 Degrees 30 Minutes West 212 feet to the East side of York Road and to the beginning of the first mentioned deed (Merryman to D. Bosley etal) running thence and binding on the East side of York Road and on part of the first lint of the last mentioned deed North 1 Degree West 55.4 feet to the beginning of the sixth or last line of the second mentioned deed (Trustee of Parsonage Property to Hereford Methodist Church) running thence on the east side of York Road and continuing the same course and binding on the said sixth or last line North 1 Degree 00 Minutes West 81.6 to the place of beginning. Containing 0.97 acres of land more or less.



E. F. Raphael

MICROFILMED

#92

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-92-SP H12

District 7th

Date of Posting 9/25/94

Posted for: Special Hearing & Variance

Petitioner: Honford Methodist Church, Inc.

Location of property: 16931 York Rd, cor Monkton Rd.

Location of Signs: Facing road way on property being zoned

Remarks: _____

Posted by M. H. Hales
Signature

Date of return: 9/30/94

Number of Signs: 2



RECEIVED
BALTIMORE COUNTY
ZONING DEPARTMENT
SEP 27 1994

NOTICE OF HEARING

The Zoning Commission 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 Towson, Maryland 21204 or Room 116, Old Courthouse, 201 Washington Avenue, Towson, Maryland 21204 as follows:

Case: 99-02-SPHA
(Item 99)
1605 York Road
corner E/S York Road and
N/S Monkton Road
7th Election District
3rd Councilmanic
Petitioner(s):
Hereford Methodist
Church, Inc.
Hearing: Wednesday,
October 12, 1994 at
10:00 a.m. in Rm. 106,
County Office Building.

Special Hearing to approve an exemption exempting any building use or structure in existence because of the limited nature, extent, and locations of the proposed additions to the existing buildings; Variance to allow the existing gravel parking lot to remain as currently constructed, in lieu of a durable and dustless surface; to allow the existing gravel parking lot to remain as currently constructed without permanent striping in lieu of the required striping; to continue to provide 7 on-site existing parking spaces supported by additional parking facilities on-site in lieu of the 18 required additional spaces; and to approve a modified parking plan.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/22, 1994

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 9/22, 1994.

THE JEFFERSONIAN,

A. Henrichson
LEGAL AD - TOWSON

10/12/94



Baltimore County
 Zoning Administration &
 Development Management
 111 West Chesapeake Avenue
 Towson, Maryland 21204

receipt

95-92-SPHA

Account: R-001-6150

Number 92 (MJK)

Date 9/14/94

#110 --- REVISIONS ----- \$100.00
 (Revised Variance Petition)

Hereford Methodist Church, Inc.
 16931 York Road
 ED: 7c3
 1.14 acres
 Attorney: Jeffrey H. Gray

MICROFILMED

03A03#0058MICHRC \$100.00
 8A 0003#36PM09-15-94

Please Make Checks Payable To: Baltimore County

Cashier Validation



Baltimore County
 Zoning Administration &
 Development Management
 111 West Chesapeake Avenue
 Towson, Maryland 21204

receipt

95-92-SPHA

Account: R-001-6150

Number

Item Number: 92

Taken In By: MDK

Date 9/7/94

Herford Methodist Church, Inc. —
 16931 York Road

020- Zoning Var. — \$250.00

040- Sp. Hearing — \$250.00

080- 2 signs @ (\$35.00 each) \$70.00

Total — \$570.00

DUPLICATE

01A01#0322NICHR

\$570.00

BA 001:27AM09-07-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

#92



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 92

Petitioner: Hereford Methodist Church, Inc

Location: York + Monkton Pds. Hereford (16931 York Rd)

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Ken Bollinger

ADDRESS: P.O. Box 99

Monkton Md 21111-0099

PHONE NUMBER: 343-0660

AJ:ggs

MICROFILMED
(Revised 04/09/93)

Item Number: 92
 Planner: MJK
 Date Filed: 9-8-94

P E T I T I O N P R O C E S S I N G F L A G

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

 ✓

The following information is missing:

- Descriptions, including accurate beginning point
- Actual address of property
- Zoning
- Acreage
- Plats (need 12, only submitted)
- 200 scale zoning map with property outlined
- Election district
- Councilmanic district
- BCZR section information and/or wording
- Hardship/practical difficulty information
- Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
- Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Notary Public's section is incomplete and/or incorrect and/or commission has expired

MICROFILMED ✓

REVISED VARIANCE PETITIONS (WITH \$100)
FEE MUST BE FILED IMMEDIATELY
WITH CORRECT WORDING TO MATCH
AGENDA.

GG5

Need to
talk to
you about
Item #92

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

SEPTEMBER 16, 1994

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

CASE NUMBER: 95-92-SPHA -(Item 92)

16931 York Road

corner E/S York Road and N/S Monkton Road

7th Election District - 3rd Councilmanic

Petitioner(s): Hereford Methodist Church, Inc.

HEARING: WEDNESDAY, OCTOBER 12, 1994 at 10:00 a.m. in Room 106 County Office Building.

Special Hearing to approve an exemption exempting any building use or structure in existence because of the limited nature, extent, and locations of the proposed additions to the existing buildings. Variance to allow the existing gravel parking lot to remain as currently constructed, in lieu of a durable and dustless surface; to allow the existing the existing gravel parking lot to remain as currently constructed without permanent striping in lieu of the required striping; to continue to provide 7 on-site existing parking spaces supported by additional parking facilities off-site in lieu of the 18 required additional spaces; and to approve a modified parking plan.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Hereford Methodist Church, Inc.
Jeffrey H. Gray, Esq.

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

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCT. 05 1994

Jeffrey H. Gray, Esquire
17000 York Road, P. O. Box 551
Monkton, Maryland 21111

RE: Item No. 92 Case No. 95-92
Petitioner: Hereford Methodist Church, Inc.

Dear Petitioner:

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 September 08, 1994 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 preliminary review by Zoning personnel.
- 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, engineers and applicants 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 forfeiture loss of the filing fee.

Very truly yours,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Zoning Supervisor

MICROFILMED

WCR:jaw



Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 09/22/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RECEIVED
SEP 26 1994

RE: Property Owner: SEE BELOW

LOCATION: SEE BELOW

ZADM

Item No.: SEE BELOW

Zoning Agenda:

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 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", 1991 edition prior to occupancy.

IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 92, 93 AND 96.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: September 26, 1994
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for September 26, 1994
Item No. 92

The Developers Engineering Section has reviewed the subject zoning item. A final landscape plan must be approved as a condition for releasing permits.

RWB:sw

SEP. 28 1994

[Faint, illegible stamp]

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: September 27, 1994

SUBJECT: Hereford Methodist Church, Inc.

INFORMATION:

Item Number: 92

Petitioner: Hereford Methodist Church, Inc.

Property Size: 1.14 acres

Zoning: BM-CR

Requested Action: _____

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Staff has reviewed the Petitioner's request and recommends approval. Staff visited the site with the Pastor and Chairman of the Building Committee and believes that the proposal will improve the function of the Church.

Division Chief: *Kevin McDaniel*

PK/JL:bjs

SEP. 28 1994

RECEIVED
SEP 28 1994

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

September 19, 1994

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

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #92 - Revised - Hereford Methodist Church, Inc.
16931 York Road
Zoning Advisory Committee Meeting of September 19, 1994

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Ground Water Management

Structural improvements to the septic system will be made as part of the building permit.

/
JLP:TE:sp

HEREFORD/DEPRM/TXTSBP

MICROFILMED



**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

September 29, 1994

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

Re: Baltimore County
MD 45/MD 138
Hereford United
Methodist Church
Special Hearing and
Variance request
Item # +92 (MJK)
Mile Post 16.06

Dear Ms. Winiarski:

This office has reviewed the plan for the referenced item.

In a previous review of a limited exemption request for this development and in a letter to Mr. Donald Rascoe, Development Manager for Baltimore County, dated July 21st, we indicated the following:

A review of the State Highway Administration's (SHA) current and long range planning documents reveals that MD 45 and MD 138 are not identified for future roadway improvements in this area.

A field inspection of the property reveals that the existing entrance located on MD 138 is in an acceptable condition.

Therefore, we have no objection to approval of the special exemption request, subject to the following.

The existing entrance on MD 45 located on the north side of the property that is indicated to be removed, must be closed using SHA bituminous curbing (MD 615.01 standard).

Our review of the current plan reveals that our aforementioned comments have been addressed, therefore, we have no objection to approval for the special hearing to approve an exemption exempting any building use or structure in existence because of the limited nature, extent, and locations of the proposed additions to the existing building. Variance to allow the existing gravel parking lot to remain as currently

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

Ms. Julie Winiarski
Page Two
September 29, 1994

constructed in lieu of "a durable and dustless surface"; to allow the existing gravel parking lot to remain as currently constructed without permanent striping in lieu of the required striping; to continue to provide 7 on-site existing parking spaces supported by additional parking facilities off-site in lieu of the 18 required additional spaces; and to approve a modified parking plan.

Removal of the entrance shall be subject to the terms and conditions of an access permit issued by this office with the following submittals required:

- a. Eight (8) copies of the site plan showing the SHA requirements.
- b. Completed application.
- c. Performance bond, letter of credit, or certified check (include Federal ID number or social security number on certified checks only) in the amount of 150% of the actual entrance construction cost (to include the cost of relocating any affected utilities) and in an even thousand dollar increment. These must be made payable to the State of Maryland. (Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection).
- d. An engineering fee check in the amount of \$50.00 for each point of access, made payable to the State of Maryland.
- e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction. Or, a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

10/10/94

Mr. Julie Winiarski
Page ~~Two~~ *THREE*
September 29, 1994

Should you have any questions, or require additional information, please contact Bob Small at (410) 333-1350. Thank you for the opportunity to review this plan.

Very truly yours,



David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/es

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Admin. & Development
Management Office

DATE: September 16, 1994

FROM: Pat Keller, Director
Office of Planning & Zoning

SUBJECT: Item Nos. 88 and 92

JL for P.K.

Please be advised that comments regarding the subject petitions will be submitted as part of the Development Plan Review Process.

PK:JL:lw
MEMOD.EVR/PZONE/TXTLLF

MICROFILMED

9/9/94

Note to Sophia, Gwen, + Hearing Officer:

The submitted petition forms for variance do not have all of the four items. I am waiting for an attachment for the variance forms. The attached copy will have the four requests. Those should be put on the agenda + advertised.

I advised the petitioners that engineer's seals should be on the plan besides the description.

Any questions see

MICROFILMED

. Mitch

ZONING ADVISORY COMMITTEE
ROOM 301, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING OF SEPTEMBER 19, 1994 - 2:30 p.m.

Revised Petition Distribution:

ZADM, Development Control H.O. Hearing File (Gwendolyn Stephens)
ZADM, Development Control Work File (Gwendolyn Stephens)
Planning Office (Jeffrey Long)
DEPRM (Larry Pilson)
People's Counsel (Peter Zimmerman)

=====
Item Number: + 92 (MJK)
Legal Owner: Hereford Methodist Church, Inc.
Contract Purchaser: N/A
Location: corner E/S York Road and N/S Monkton Road
(#16931 York Road)

Attached you will find a revised variance petition for the above item #92. The wording on this revised petition does not conflict with the previously submitted plat and corresponding agenda for this item.

If you have any questions regarding the above revised petition, please contact Mitchell Kellman, ZADM, at 887-3391.

scj

MICROFILMED

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
 PETITION FOR VARIANCE * ZONING COMMISSIONER
 16931 York Road, corner E/S York *
 Road and N/S Monkton Road, 7th *
 Election Dist., 3rd Councilmanic * OF BALTIMORE COUNTY
 Hereford Methodist Church, Inc. * CASE NO. 95-92-SPHA
 Petitioners *

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, MD 21204
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of September, 1994, a copy of the foregoing Entry of Appearance was mailed to Jeffrey H. Gray, Esquire, 17000 York Road, P. O. Box 551, Monkton, MD 21111-0551, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

[Faint handwritten notes]

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Jessrey H. Gray *Jessrey Gray* 17010 York Rd, Monkton 21111

MARK E. GARDNER *Mark E. Gardner* 1400 MT. CARMEL ROAD PARKTON 21120

Duvall G. Sollers *Duvall G. Sollers* 2201 Mt. Carmel Rd. Parkton 21120

PAUL F. CUMMINS, II 16933 FLICKERWOOD RD. PARKTON MD 21120

SHIRLEY H. WHITEHURST 1112 MT. CARMEL RD, PARKTON, 21120

D. KEITH WHITEHURST 1112 MT. CARMEL RD, PARKTON, 21120

ALBERT W. RUBENING, JR. 15714 IRISH AVE. MONKTON 21111

Rev. Steven T. Cochran *Rev. Steven T. Cochran* Hereford United Methodist Church
P.O. Box 99, Monkton, MD 21111

Kenneth C. Ballinger Jr. 400 RIVERSIDE RD MONKTON MD 21111

DAVE RECENTIS / RUBENING *DAVE RECENTIS / RUBENING* 401 JEFFERSON AVE TOWSON 21286

Donald E. Bruce 922 Mt. Carmel Rd, Parkton, MD 21120

Blank lines for additional sign-in entries.

5+

P.29
FOSTER, DONALD B. 9 AN E.
17101 BIG FALLS RD
MONKTON MO 21111
5334/363 710706045100

#92

ng, the following is the anticipated approach for
he project.

on the Zoning Commissioner to rule that Section
e or structure in existence" applies to this project
ions of the proposed additions to the existing

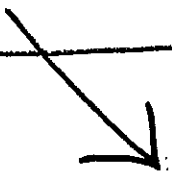
ject is in keeping with the "spirit and intent" of the
died for:

allow the existing gravel parking lot to remain as
urable and dustless surface. *

allow the existing gravel parking lot to remain as
ent striping, in lieu of the required striping.

ue to provide 7 on site existing parking spaces,
ities off site, in lieu of the 18 required additional

r to approve a modified parking plan, due to undue
409.12 B and the procedures set forth in section



These are the
variance requests
to be advertised
+ put on agenda

If at the end of the Special Hearing, the Zoning Commis
Paragraph F do not apply to the spirit and intent of this
be applied for:

- Variance of Section 259.3 C.1.a - to allow for 9,000 maximum square feet allowed and to allow for 8,000 in lieu of the 6, 600 square feet maximum allowed.
- Variance of Section 259.3 C.1.b - to allow for a [unclear] allowed.
- A Variance of Section 259.3 C.2.a to allow for an average setback of 16.5'.
- A Variance of Section 301.1 A to allow for a [unclear] in lieu of the minimum 12' allowed by the 25% setback.
- Variance of Section 259.3 C.3 - a variance to [unclear] currently configured and shown on the site plan setbacks and 7% of the parking area.
- Variance of Section 259.3 C.4 - to allow for an [unclear] spaces required for the new nave seating.
- A Variance to Section 409.8 A.2 to allow the [unclear] currently constructed, in lieu of "a durable and [unclear]"
- A Variance to Section 409.8 A.6 to allow the [unclear] currently constructed without permanent striping
- A Variance to Section 409.6 to continue to [unclear] supported by additional parking facilities off site spaces.
- To petition the Zoning Commissioner to approve hardship, in compliance with Section 409.12 B 409.8 B.1

UNRECORDED

discussed before me this 13th day.

94.

Sheppard

HEPPERD
OF MARYLAND
December 14, 1997

Baltimore County Government
Department of Environmental Protection
and Resource Management



RECEIVED

JUL 5 1994

RUBELING & ASSOC. (410) 887-3733
June 30, 1994

a, A.I.A.
ces
ie
.286-5308

RE: HEREFORD UNITED METHODS CHURCH
Exemption Request

response to your letter of June 22, 1994, requesting an
storm water management requirements for the above

provided the material submitted with your letter and hereby
under the provisions of Section 14-155 (b) of the
not over 5,000 square feet of disturbed land area).

any questions, please contact Ed Schmaus at 887-3768.

Very truly yours,

G.A. Smith for
Thomas L. Vidmar, Chief
Bureau of Engineering Services

SCD
Design, Storm Drain Design
1 Impact Review

WAIVER

SITE PLAN

1" = 20'

Zoning Variances applied for:

Pursuant to a meeting with the Office of Zoning
obtaining the necessary zoning variances for

A Special Hearing will be applied for to petition
259.3, Paragraph F exempting "any building u
because of its limited nature, extent, and local
building.

If the Zoning Commissioner rules that the pr
code, then the following variances will be app

- A Variance to Section 409.8 A.2 to
currently constructed, in lieu of "a d
- A Variance to Section 409.8 A.6 to
currently constructed without perma
- A Variance to Section 409.6 to cont
supported by additional parking faci
spaces.
- To petition the Zoning Commission
hardship, in compliance with Section
409.8 B.1

HEREFORD COMMUNITY ASSOCIATION

P.O. BOX 180 MONKTON, MD 21111


October 4, 1994

Zoning Commissioner of Baltimore County
Office of Zoning Administration and Development Management
11 West Chesapeake Avenue
Towson, MD 21204

Dear Commissioner,

The Hereford Community Association, at its regularly scheduled meeting on September 20, 1994, voted to support the building expansion plan of the Hereford United Methodist Church. Approximately 40 members were in attendance and following an explanation of building plans and the Notice of Hearing (case number 95-92-SPHA - item 92) by a representative of the church, our association voted its unanimous support of the plan.

Yours truly,


Kenneth Bollinger
Vice President

**PETITIONER'S
EXHIBIT NO. 2**

MICROFILMED

PARISHIONERS
EXHIBIT NO. 5

PARKING LOT AGREEMENT

THIS AGREEMENT Made this 8 day of August, 1994, by and between the Hereford United Methodist Church (hereinafter referred to as "Church"), and the Hereford Volunteer Fire Company, Inc., a body corporate of the State of Maryland (hereinafter referred to as the "Fire Company").

WHEREAS, the Church desires to extend and enlarge its sanctuary; and

WHEREAS, in order to do so, the Church must provide an additional forty (40) parking spaces to meet the needs of its increased numbers of parishioners and comply with various local ordinances; and

WHEREAS, the Fire Company owns property located at 510 Monkton Road, Monkton, Maryland 21111 adjacent to the rear of the the Church with ample parking well in excess of the forty (40) additional spaces necessary (hereinafter "Fire House Lot"); but on occasion requires overflow parking for special events; and

WHEREAS, the Church and the Fire Company desire to enter into this Agreement for the sole benefit of the Church for the purpose of expanding parking available for the Church.

NOW THEREFORE, for no good, valuable nor money consideration, but out of goodness of heart of the Fire Company toward the Church, the parties agree as follows:

1. That they agree that the Fire Company shall permit the Church to use forty (40) spaces on the Fire House Lot.

MICROFILMED

2. That the Church, its parishioners, employees and agents shall have the right to park on the Fire House Lot during normal church hours on Sundays from 9:00 a.m. through 12:30 p.m.

3. That the parties agree that parking during the hours stated in Paragraph No. 2 hereof shall not interfere with nor conflict with regular business activities or use of the Fire House Lot.

4. That the Church, its parishioners, employees and agents shall have the right to park on the Fire House Lot at such other days and times as may be required for other Church related activities or special Church events, provided, however, that such additional parking shall require advance permission of the Fire Company, and shall not be scheduled in such a way as to conflict with any Fire Company use or activity which requires the use of the Fire House Lot.

5. That the Church shall indemnify and hold the Fire Company harmless for any and all liability for injury sustained to person or property as a result of its use or the use of its parishioners, agents, servants, employees, or anyone using the Fire House Lot for purposes consistent with this Agreement, and at the request of the Fire Company, the Church shall provide proof satisfactory to the Fire Company that the Church carries general liability coverage endorsed to protect the Fire Company.

6. That in the event that spaces on the Fire House Lot immediately adjacent to the Church are not available, the parishioners shall have access to Fire Company overflow parking on

Monkton Road across from the Fire House under the same terms and conditions of this Parking Lot Agreement.

7. That the term of this Agreement shall be five (5) years, or until the date the Fire Company sells its adjacent property, whichever shall occur sooner, and shall be renewable for so many additional terms as the parties may agree.

IN WITNESS WHEREOF, the parties have signed this Agreement on the day and year first above written.

Witness:

Donald S. Peace

Hereford United Methodist Church

by: Barbara Sollers
Barbara Sollers
Administrative Board Chairperson

Rev. Steven T. Cochran

by: Mark E. Gardner
Mark E. Gardner
Trustees Chairman

Witness:

Thomas Mahall

Hereford Volunteer Fire Company, Inc.

by: Ronald S. Campion
Ronald Campion
President

Allen E. Peace

by: Charles D. Robertson
Charles Robertson
Board of Directors, Chairman

PARISHIONERS'
EXHIBIT NO. 6

PARKING LOT AGREEMENT

THIS AGREEMENT Made this 28th day of July, 1994,
by and between the Hereford United Methodist Church (hereinafter
referred to as "Church"), and Foster Brothers, Inc. (hereinafter
referred to as "Fosters").

WHEREAS, the Church desires to extend and enlarge its
sanctuary; and

WHEREAS, in order to do so, the Church must provide an
additional forty (40) parking spaces to meet the needs of its
increased numbers of parishioners and comply with various local
ordinances; and

WHEREAS, Fosters owns property housing a hardware store
located at 16925 York Road, Monkton, Maryland, 21111, directly
across York Road from the Church with ample parking well in excess
of the forty (40) additional spaces necessary (hereinafter
"Hardware Lot"); and

WHEREAS, the Church and Fosters desire to enter into this
Agreement for the sole benefit of the Church for the purpose of
expanding parking available for the Church.

NOW THEREFORE, for no good, valuable nor money consideration,
but out of goodness of heart of Fosters toward the Church, the
parties agree as follows:

1. That they agree that Fosters shall permit the Church to
use forty (40) spaces on the Hardware Lot.
2. That the Church, its parishioners, employees and agents

MICROFILMED

shall have the right to park on the Hardware Lot during normal church hours on Sundays from 9:00 a.m. through 12:30 p.m.

3. That the parties agree that parking during the hours stated in Paragraph No. 2 hereof shall not interfere with nor conflict with regular business activities or use of the Hardware Lot.

4. That the Church, its parishioners, employees and agents shall have the right to park on the Hardware Lot at such other days and times as may be required for other Church related activities or special Church events, provided, however, that such additional parking shall require advance permission of Fosters, and shall not be scheduled in such a way as to conflict with any hardware store or tenant use or activity which requires the use of the Hardware Lot.

5. That the Church shall indemnify and hold Fosters harmless for any and all liability for injury sustained to person or property as a result of its use or the use of its parishioners, agents, servants, employees, or anyone using the Hardware Lot for purposes consistent with this Agreement, and at the request of Fosters, the Church shall provide proof satisfactory to Fosters that the Church carries general liability coverage endorsed to protect Fosters.

6. That the term of this Agreement shall be five (5) years, or the sale of Fosters business, whichever shall occur sooner, and shall be renewable for so many additional terms as the parties may agree.

IN WITNESS WHEREOF, the parties have signed this Agreement on the day and year first above written.

Witness:

Donald E. Pearce

Hereford United Methodist Church

by: Barbara Sollers
Barbara Sollers
Administrative Board Chairperson

Rev. Steven T. Fisher

by: Mark E. Gardner
Mark E. Gardner
Trustees Chairman

Witness:

Philip S. Wisnom

Foster Brothers, Inc.

by: Bruce S. Wisnom
Bruce Wisnom

PETITIONER'S EXHIBIT NO. 7

PARKING LOT AGREEMENT

THIS AGREEMENT Made this 25th day of July, 1994,,
by and between the Hereford United Methodist Church (hereinafter
referred to as " Church"), and Carl Yarema and Eleanor Yarema
(hereinafter referred to as the "Yaremas").

WHEREAS, the Church desires to extend and enlarge its
sanctuary; and

WHEREAS, in order to do so, the Church must provide an
additional forty (40) parking spaces to meet the needs of its
increased numbers of parishioners and comply with various local
ordinances; and

WHEREAS, the Yaremas own property housing a branch of the
Baltimore County Library located at 16940 York Road, Monkton,
Maryland, 21111, directly across York Road from the Church with
ample parking well in excess of the forty (40) additional spaces
necessary (hereinafter "Library Lot"); and

WHEREAS, the Church and the Yaremas desire to enter into this
Agreement for the sole benefit of the Church for the purpose of
expanding parking available for the Church.

NOW THEREFORE, for no good, valuable nor money consideration,
but out of goodness of heart of the Yaremas toward the Church, the
parties agree as follows:

1. That they agree that the Yaremas shall permit the Church
to use forty (40) spaces on the Library Lot.
2. That the Church, its parishioners, employees and agents

RECORDED

shall have the right to park on the Library Lot during normal church hours on Sundays from 9:00 a.m. through 12:30 p.m.

3. That the parties agree that parking during the hours stated in Paragraph No. 2 hereof shall not interfere with nor conflict with regular Library or business activities or use of the Library Lot.

4. That the Church, its parishioners, employees and agents shall have the right to park on the Library Lot at such other days and times as may be required for other Church related activities or special Church events, provided, however, that such additional parking shall require advance permission of the Yaremas, and shall not be scheduled in such a way as to conflict with any Library or tenant use or activity which requires the use of the Library Lot.

5. That the Church shall indemnify and hold the Yaremas harmless for any and all liability for injury sustained to person or property as a result of its use or the use of its parishioners, agents, servants, employees, or anyone using the Library Lot for purposes consistent with this Agreement, and at the request of the Yaremas, the Church shall provide proof satisfactory to the Yaremas that the Church carries general liability coverage endorsed to protect the Yaremas.

6. That the term of this Agreement shall be five (5) years, the termination of the Baltimore County Library Lease, or the sale of Yaremas business, whichever shall occur sooner, and shall be renewable for so many additional terms as the parties may agree.

IN WITNESS WHEREOF, the parties have signed this Agreement on

the day and year first above written.

Witness:

Ronald E Pearce

Rev. Steve Tucker

Hereford United Methodist Church

by: Barbara Sollers
Barbara Sollers
Administrative Board Chairperson

by: Mark E Gardner
Mark E. Gardner
Trustees Chairman

Witness:

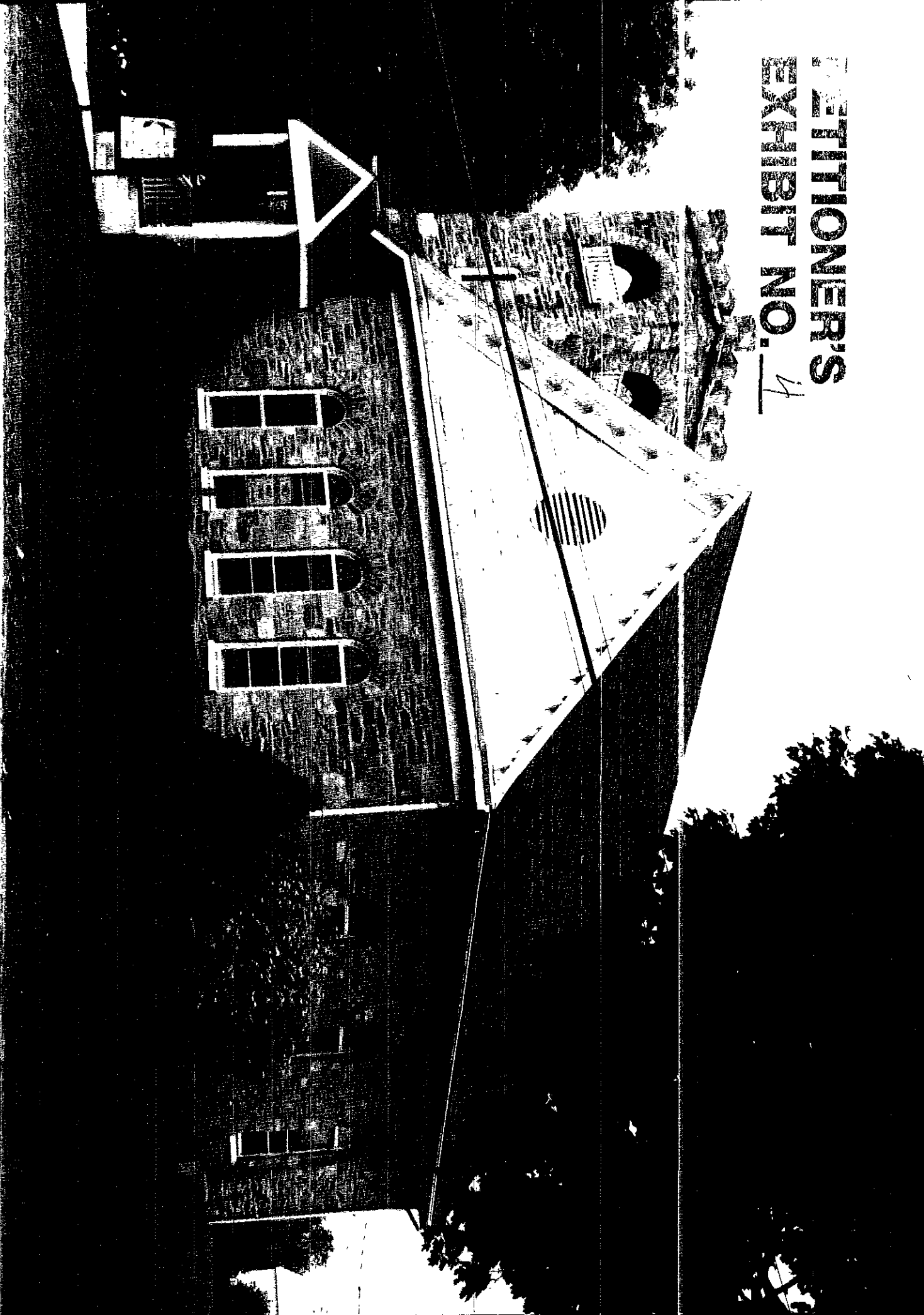
Ronald E Pearce

Ronald E Pearce

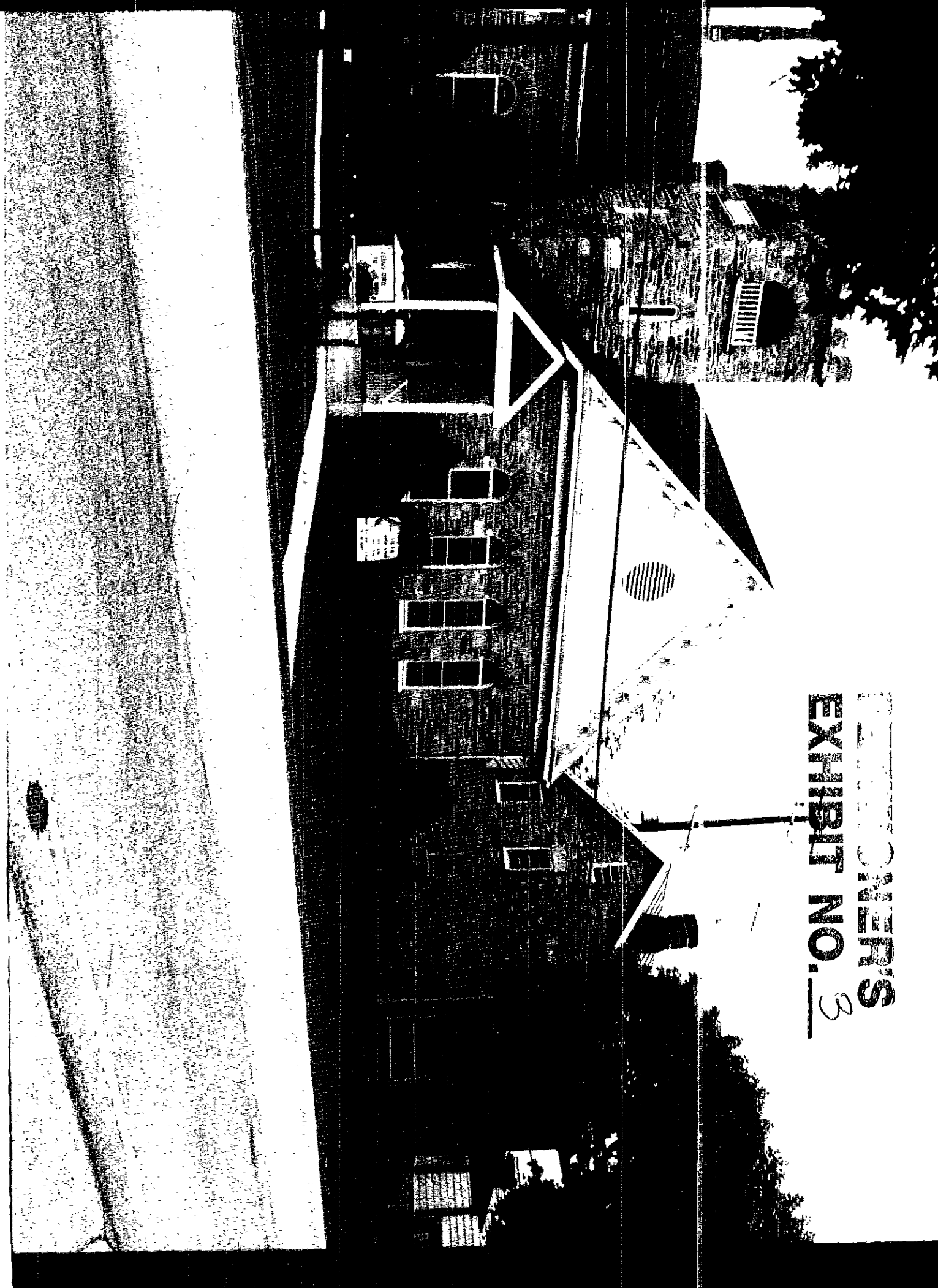
Carl J. Yarema
Carl Yarema

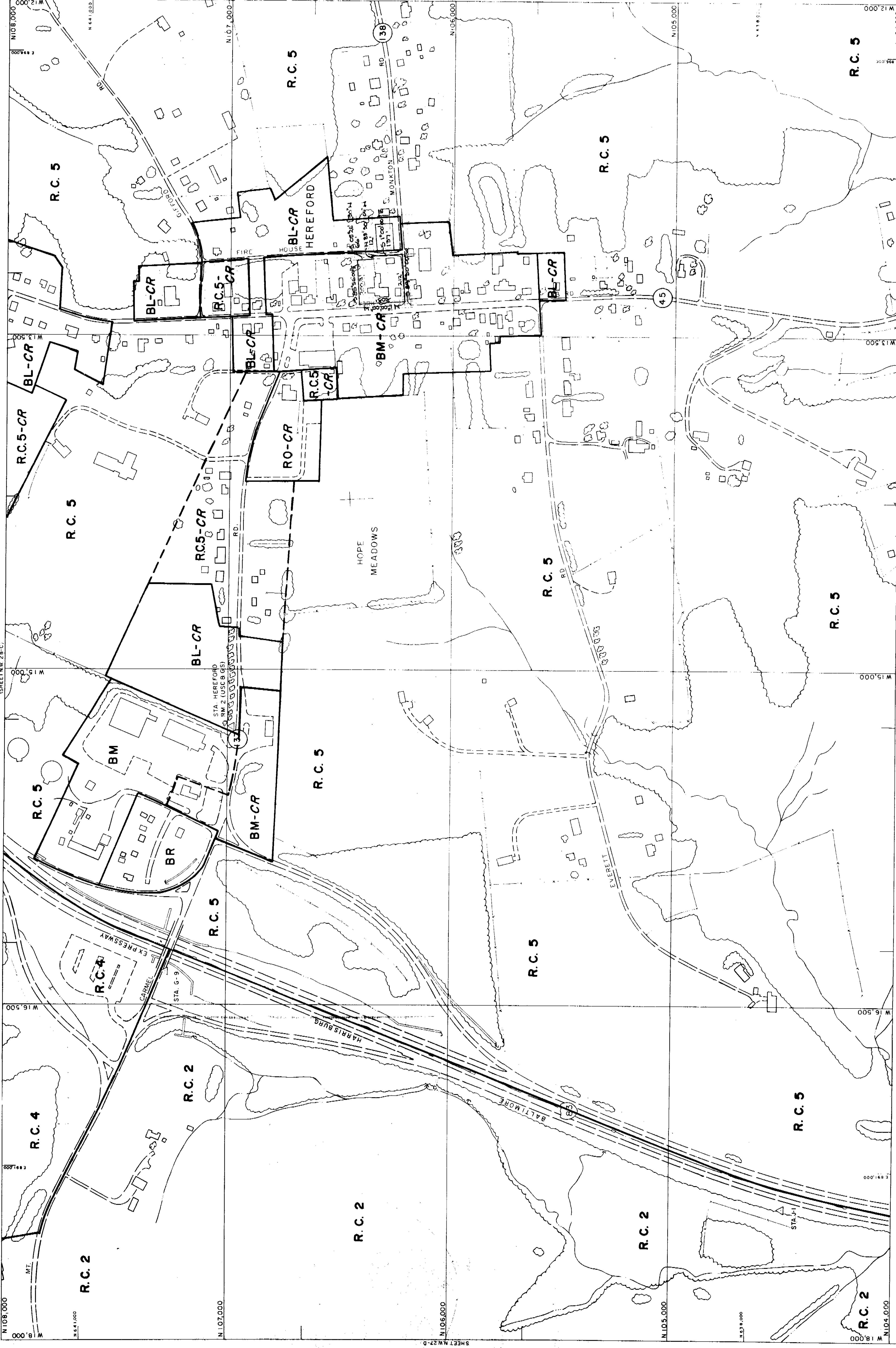
Eleanor M. Yarema
Eleanor Yarema

**DEFENDANT'S
EXHIBIT NO. 4**



OWNER'S
EXHIBIT NO. 5





BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP		1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992 <small>Bill Nos. 83-92, 84-92, 85-92, 86-92, 87-92, 88-92, 89-92</small>	SCALE 1" = 200' ±	LOCATION HEREFORD	SHEET N.W. 27-C
HH-SW HH-SE		DATE OF PHOTOGRAPHY JANUARY 1986	CHAIRMAN, COUNTY COUNCIL <i>William L. Howard</i>		

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

95-92-5 PHD

#92

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE - E/S York Road at its intersection Monkton Road (16931 York Road) 7th Election District 3rd Councilmanic District Hereford Methodist Church, Inc. Petitioner

* BEFORE THE * DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 95-92-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 16931 York Road, located in the Hereford area of northern Baltimore County. The Petitions were filed by the owner of the property, the Hereford Methodist Church, Inc., by Rev. Steven T. Cochran, through their attorney, Jeffrey H. Gray, Esquire. The Petitioner seeks a special hearing to approve an exemption, pursuant to Section 259.3.F of the Baltimore County Zoning Regulations (B.C.Z.R.) for the existing building use and/or structure, due to the limited nature, extent and locations of the proposed additions thereto, and that the project is in keeping with the spirit and intent of the Baltimore County Code. In addition to the special hearing relief sought, the Petitioner seeks variances from Section 409.8.A.2 of the B.C.Z.R. to permit the existing gravel parking lot to remain in its present state in lieu of the required durable and dustless surface, from Section 409.8.A.6 to permit unstriped parking spaces in lieu of the required striping, from Section 409.6 to continue to provide seven (7) on-site parking spaces which are supported by additional off-site parking facilities in lieu of the required 18 additional spaces, and from Section 409.12.B and the procedures set forth in Section 409.8.B.1 to approve a modified parking plan. The subject property, proposed improvements, and the relief

sought are more particularly described on the site plan submitted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing on behalf of the Petitions were Rev. Steven T. Cochran, Donald Pearce, Chairman of the Building Committee, Dave Recchia with Rubeling and Associates Architects, Kenneth Bollinger, Jr. with the Hereford Community Association, and Jeffrey H. Gray, Esquire, attorney for the Petitioner. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 1.14 acres, more or less, zoned B.M.-C.R. and is the site of the Hereford Methodist Church. The property is presently improved with a one-story sanctuary building, two-story religious education building, and a two and one-half story parsonage. The Petitioner is desirous of connecting the church building with the parsonage via a one-story addition in accordance with Petitioner's Exhibit 1. Both the church building and parsonage have existed on the property for at least the past 120 years. The Petitioner engaged the architectural services of Mr. Dave Recchia with Rubeling and Associates to design this project in a manner that would maintain the historic character of the two buildings in question. Mr. Recchia explained the design proposal depicted on Petitioner's Exhibit 1 and argued that the Petitioner should be exempt from the requirements of the B.C.Z.R. due to the limited nature and extent of the proposed improvements, and that the special hearing relief sought is in keeping with the spirit and intent of the Baltimore County Code.

The Petitioner has also requested parking variances associated with the proposed improvements. As to the number of existing parking spaces, the Petitioner requests a variance to permit 7 spaces in lieu of the required 18. In support of this request, the Petitioner submitted as

Exhibits 5, 6 and 7, parking agreements with the Hereford Volunteer Fire Company, Foster Brothers Hardware and the adjacent shopping center which allow for sufficient parking for all parishioners who attend services at this church. Therefore, it appears that the relief requested will not result in any detriment upon the surrounding locale and that adequate parking exists immediately adjacent to the subject site. Furthermore, the Petitioner has requested a variance to permit the existing parking lot to remain with its present gravel surface in lieu of the required durable and dust-free surface. Testimony revealed that there is a drainage problem in this particular area and that the gravel surface allows for the natural drainage and absorption of rain water into the ground where a durable and dust-free surface would promote additional storm water runoff and exacerbate the existing drainage problem. Also the Petitioner stated that the septic system is located beneath the parking area and that access to same would become difficult if the parking area was required to be paved.

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 variances are granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variance relief are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of these requests and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.

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

THEFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of October, 1994 that the Petition for Special Hearing seeking an exemption, pursuant to Section 259.3.F of the Baltimore County Zoning Regulations (B.C.Z.R.) for the existing building use and/or structure, due to the limited nature, extent and locations of the proposed additions thereto, and that the project is in keeping with the spirit and intent of the Baltimore County Code, be and is hereby GRANTED; and,

COPIES RECEIVED FOR FILING
Date: 10/14/94
By: [Signature]

COPIES RECEIVED FOR FILING
Date: 10/14/94
By: [Signature]

COPIES RECEIVED FOR FILING
Date: 10/14/94
By: [Signature]

COPIES RECEIVED FOR FILING
Date: 10/14/94
By: [Signature]

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Section 409.8.A.2 to permit the existing gravel parking lot to remain in its present state in lieu of the required durable and dust-free surface, from Section 409.8.A.6 to permit unstriped parking spaces in lieu of the required striping, from Section 409.6 to permit seven (7) on-site parking spaces which are supported by additional off-site parking facilities in lieu of the required 18 additional spaces, and from Section 409.12.B and the procedures set forth in Section 409.8.B.1 to approve a modified parking plan, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

1) The Petitioners may apply for their building 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 relief granted herein shall be rescinded.

2) Prior to the issuance of any occupancy permits, the Petitioner shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County. A copy of the approved plan shall be submitted to the Zoning Administration and Development Management (ZADM) office for inclusion in the case file.

3) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this order.

Timothy M. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjc

COPIES RECEIVED FOR FILING
Date: 10/14/94
By: [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21284

October 14, 1994 (410) 887-4386

Jeffrey H. Gray, Esquire
17000 York Road
P.O. Box 551
Monkton, Maryland 21111-0551

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
E/S York Road at its intersection Monkton Road
(16931 York Road)
7th Election District - 3rd Councilmanic District
Hereford Methodist Church, Inc. - Petitioner
Case No. 95-92-SPHA

Dear Mr. Gray:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjc

cc: People's Counsel

file

#92
95-92-SPHA

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 16931 York Road, Monkton, MD 21111 which is presently zoned BM-CR

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 Variance from Section(s) 409.8(a)2 to allow the existing gravel parking lot to remain as currently constructed in lieu of "a durable and dustless surface". A Variance to Section 409.6 asking not to provide the 18 required additional spaces on site but instead use existing parking facilities in the immediate area for which parking agreements have been signed with the Hereford Volunteer Fire Company, Foster Brothers Hardware and the adjacent shopping center, and the Hereford Methodist Church, Inc. Pursuant to the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Maintenance and inspection of existing septic system would be rendered extremely difficult if asphalt surface is required. Petitioner desires to maintain the esthetics of the site and with off site parking agreements for spaces immediately adjacent to the church signed the additional 18 spaces unnecessary, and for other reasons to be presented at the hearing on the Petition.

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.

(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: Hereford Methodist Church, Inc.
Type of Petition Name: [Signature]
Signature: [Signature]
Address: [Address]
City: [City] State: [State] Zipcode: [Zipcode]

Attorney for Petitioner: Jeffrey H. Gray, Esquire
Address: 16931 York Road, Monkton, MD 21111
Phone No: 343-0660
City: [City] State: [State] Zipcode: [Zipcode]

Attorney for Petitioner: Jeffrey H. Gray, Esquire
Address: 17000 York Road, P.O. Box 551
Monkton, Maryland 21111-0551
Phone No: 343-0946
City: [City] State: [State] Zipcode: [Zipcode]

ESTIMATED LENGTH OF HEARING: 2 Hr. +
unavailable for hearing

ALL the following dates: [Date]
REVIEWED BY: [Signature] DATE: 9/14/94

92
95-92-SPHA

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 16931 York Road, Monkton, MD 21111 which is presently zoned BM-CR

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 Variance from Section(s) 409.8(a)2 to allow the existing gravel parking lot to remain as currently constructed in lieu of "a durable and dustless surface"; Pursuant to Section 409.8 A.6 to allow the existing gravel parking lot to remain as currently constructed without permanent striping in lieu of the required striping; SEE ATTACHED plat. Pursuant to the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Maintenance and inspection of existing septic system would be rendered extremely difficult if asphalt surface is required. Petitioner desires to maintain the esthetics of the site and with off site parking agreements for spaces immediately adjacent to the church signed the additional 18 spaces unnecessary, and for other reasons to be presented at the hearing on the Petition.

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.

(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: Hereford Methodist Church, Inc.
Type of Petition Name: [Signature]
Signature: [Signature]
Address: [Address]
City: [City] State: [State] Zipcode: [Zipcode]

Attorney for Petitioner: Jeffrey H. Gray, Esquire
Address: 16931 York Road, Monkton, MD 21111
Phone No: 343-0660
City: [City] State: [State] Zipcode: [Zipcode]

Attorney for Petitioner: Jeffrey H. Gray, Esquire
Address: 17000 York Road, P.O. Box 551
Monkton, Maryland 21111-0551
Phone No: 343-0946
City: [City] State: [State] Zipcode: [Zipcode]

ESTIMATED LENGTH OF HEARING: 2 Hr. +
unavailable for hearing

ALL the following dates: [Date]
REVIEWED BY: [Signature] DATE: 9/15/94

REVISED 9-15-94 WCK
DEP. OFF



Petition for Special Hearing

95-92-SPHA

to the Zoning Commissioner of Baltimore County
for the property located at 16931 York Road, Monkton, MD 21111
which is presently zoned BM-CR

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owners of the property situated 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an exemption pursuant to Section 259.3, Paragraph F for the project, exempting any building use or structure in existence, because of the limited nature, extent, and locations of the proposed additions to the existing buildings, and that the project is in keeping with the spirit and intent of the code.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and 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 penalty of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Contract Purchaser(s):

(Type or Print Name)

Signature

Address

City State Zipcode

Signature

16931 York Road 343-0660

Monkton, MD 21111

Jeffrey H. Gray, Esquire

17000 York Road, P.O. Box 551

Monkton, Maryland 21111-0551

Don Pearce

16931 York Road, Monkton, MD 21111

Monkton, Maryland 21111-0551

ESTIMATED LENGTH OF HEARING: 2 hr +

the following date: Next Two Months

OTHER: DATE: 9/14/94

REVIEWED BY: DATE: 9/14/94

#92

ATTACHED SHEET 95-92-SPHA

Pursuant to Section 409.6 to continue to provide 7 on-site existing parking spaces supported by additional parking facilities off-site in lieu of the 18 required additional spaces; and pursuant to Section 409.12B and the procedures set forth in Section 409.8B.1, to approve a modified parking plan.

E. F. RAPHEL & ASSOCIATES
Registered Professional Land Surveyors
201 COURTLAND AVENUE
TOWSON, MARYLAND 21204

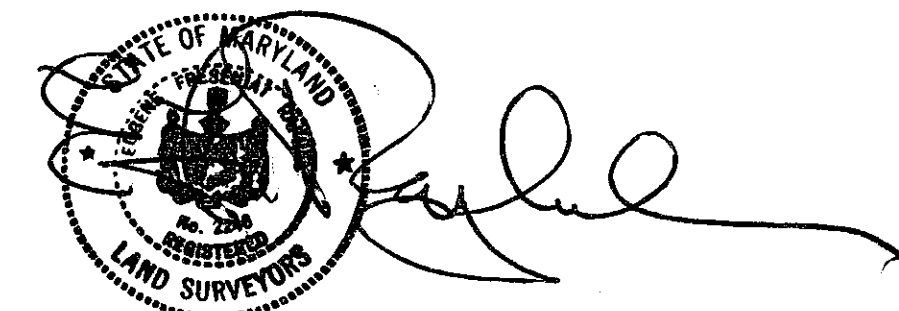
95-92-SPHA

OFFICE: 882-8908

RESIDENCE: 771-4982

DESCRIPTION TO ACCOMPANY ZONING PETITIONS FOR THE HEREFORD METHODIST CHURCH, HEREFORD, BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at the intersection formed by the east side of York Road and the North side of Monkton Road at the end of the first or North 1 degree West 137 foot line of the land which by deed dated April 7, 1888 and recorded among the land records of Baltimore County in Liber J.N.S. 152 folio 161 was conveyed by Ann Louisa Merryman (nee) Gittings to D. Bosley, et al, Trustees of the Parsonage Property of Hereford Circuit Methodist Episcopal Church, said point being also the beginning of the land which deed of Baltimore County in Liber 3254 folio 510 was conveyed by Hereford Circuit Methodist Episcopal Church, Baltimore County to Hereford Methodist Church, said point being also the end of the third or West 119.8 foot line of the land which by deed dated August 25, 1869 and recorded among the Land Records of Baltimore County in Liber O.T.G. 5029 folio 561 was conveyed by Theina E. Knouse and Samuel W. Knouse, her husband and Margaret L. Taylor and Marvin B. Taylor her husband to Hereford Methodist Church Running thence and binding on the East side of York Road and on the fourth or last of the last mentioned deed North 1 Degree 0 minutes West 66.3 feet to the beginning said deed thence leaving the East side of York Road and binding on the first and second lines of the last mentioned deed South 85 Degrees 30 Minutes East 200 feet and South 1 Degree 00 Minutes East 66.3 feet to intersect the second or North 89 1/2 Degree 212 foot line as set forth in the first mentioned deed at a distance of 200 feet from the beginning of said line running thence and binding on part of said second line North 85 Degrees 30 Minutes East 12 feet to the end thereof running thence and binding on the third and fourth or last line as described in the first mentioned deed (Merryman to D. Bosley et al) South 1 Degree East 137 feet to a point in the bed of Monkton Road running thence in the bed of Monkton Road South 89 Degrees 30 Minutes West 212 feet to the East side of York Road and to the beginning of the first mentioned deed (Merryman to D. Bosley et al) running thence and binding on the East side of York Road and on part of the first line of the second mentioned deed (Trustee of Parsonage Property to Hereford Methodist Church) running thence on the east side of York Road and binding on the same course and binding on the said sixth or last line North 1 Degree 00 Minutes West 81.0 to the Place of beginning. Containing 0.97 acres of land more or less.



#92

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

District: 7th Date of Posting: 9/14/94
Posted for: Special Hearing & Variance
Petitioner: Hereford Methodist Church, Inc.
Location of property: 16931 York Rd., cor. Monkton Rd.
Location of Sign: Facing road by ea. property being zoned
Posted by: [Signature] Date of return: 9/14/94
Number of Signs: 7

CERTIFICATE OF PUBLICATION

TOWSON, MD, 9/12, 1994
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 9/12, 1994
THE JEFFERSONIAN,
A. Henricson
LEGAL AD - TOWSON

receipt 95-92-SPHA

Number: 92 (MJK)

Date: 9/14/94

020 - zoning fees - \$ 350.00
040 - Sp. Hearing - \$ 350.00
010 - 2 signs (one on rd) \$ 70.00
Total - \$ 770.00

Please Make Checks Payable To: Baltimore County

receipt 95-92-SPHA

Number: 92 (MJK)

Date: 9/14/94

#110 - REVISIONS (Revised Variance Petition) \$100.00

Hereford Methodist Church, Inc.
16931 York Road
Rt. 1
1.14 acres
Attorney: Jeffrey H. Gray

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be assessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

For newspaper advertising:
Item No.: 92
Petitioner: Hereford Methodist Church, Inc.
Location: York + Monkton Rd. Hereford (6931)

PLEASE FORWARD ADVERTISING BILL TO:
NAME: Ken Bollinger
ADDRESS: P.O. Box 99
Monkton Md. 21111-0099
PHONE NUMBER: 343-0660

(Revised 04/09/93)

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or the zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Item Number: 92
Planner: MJK
Date Filed: 9-8-94

Need an attorney

The following information is missing:

- Descriptions, including accurate beginning point
- Actual address of property
- Zoning
- Acreage
- Plats (need 12, only ___ submitted)
- 200 scale zoning map with property outlined
- Election district
- Councilmanic district
- BCZR section information and/or wording
- Hardship/practical difficulty information
- Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
- Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- Power of attorney or authorization for person signing for legal owner/contract purchaser
- Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Notary Public's section is incomplete and/or incorrect and/or commission has expired

REVISOR VARIANCE PETITIONS (WITH \$100) FEE MUST BE FILED IMMEDIATELY WITH CORRECT WORDING TO MATCH AGENDA.

665
Need to talk to you about item #92

PET-FLAG (XTSOPH)
11/17/93

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

SEPTEMBER 16, 1994

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 West Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-92-SPHA (Item 92)
16931 York Road
corner 2/5 York Road and 1/2 Monkton Road
7th Election District - 3rd Councilmanic
Petitioner(s): Hereford Methodist Church, Inc.
HEARING: WEDNESDAY, OCTOBER 12, 1994 at 10:00 a.m. in Room 106 County Office Building.

Special Hearing to approve an exemption exempting any building use or structure in existence because of the limited nature, extent, and locations of the proposed additions to the existing buildings. Variance to allow the existing gravel parking lot to remain as currently constructed, to allow the existing gravel parking lot to remain as currently constructed without permanent striping in lieu of the required striping; to continue to provide 7 on-site existing parking spaces supported by additional parking facilities off-site in lieu of the 18 required additional spaces; and to approve a modified parking plan.

Arnold Jablon
Director

cc: Hereford Methodist Church, Inc.
Jeffrey H. Gray, Esq.

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

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Admin. & Development
Management Office

DATE: September 16, 1994

FROM: Pat Keller, Director
Office of Planning & Zoning

SUBJECT: Item Nos. 88 and 92 *92 for PK*

Please be advised that comments regarding the subject petitions will be submitted as part of the Development Plan Review Process.

PP: JMK
MEMO: E/P/PAW/MS/TW/LL

9/9/94 #92
Note to Sophia, Gwen, + Hearing Officer:

The submitted petition forms for variance do not have all of the four items. I am waiting for an attachment for the variance forms. The attached copy will have the four requests. These should be put on the agenda + advertised.

I advised the petitioners that engineer's seals should be on the plan besides the description

Any questions see [unclear]

ZONING ADVISORY COMMITTEE
ROOM 301, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING OF SEPTEMBER 19, 1994 - 2:30 p.m.

Revised Petition Distribution:

ZADM, Development Control H.O. Hearing File (Gwendolyn Stephens)
ZADM, Development Control Work File (Gwendolyn Stephens)
Planning Office (Jeffrey Long)
DEPRM (Larry Pilson)
People's Counsel (Peter Zimmerman)

Item Number: + 92 (MJK)
Legal Owner: Hereford Methodist Church, Inc.
Contract Purchaser: N/A
Location: corner E/S York Road and N/S Monkton Road
(#16931 York Road)

Attached you will find a revised variance petition for the above item #92. The wording on this revised petition does not conflict with the previously submitted plat and corresponding agenda for this item.

If you have any questions regarding the above revised petition, please contact Mitchell Kellman, ZADM, at 887-3391.

scj

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR VARIANCE * ZONING COMMISSIONER
16931 York Road, corner E/S York *
Road and N/S Monkton Road, 7th *
Election Dist., 3rd Councilmanic * OF BALTIMORE COUNTY
Hereford Methodist Church, Inc. * CASE NO. 95-92-SPHA
Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of September, 1994, a copy of the foregoing Entry of Appearance was mailed to Jeffrey H. Gray, Esquire, 17000 York Road, P. O. Box 551, Monkton, MD 21111-0551, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Jessie H. Gray	17000 York Rd, Monkton 21111
Mark E. Gossard	1400 Mt. Carmel Road Parkton 21120
Dovall G. Sotters	2201 Mt. Carmel Rd. Parkton 21120
Paul F. Cummins, II	16333 Flickerwood Rd. Parkton MD 21120
Shirley M. Whitehurst	112 Mt. Carmel Rd, Parkton, 21120
P. Keith Whitehurst	112 Mt. Carmel Rd, Parkton, 21120
Albert W. Kuselung, Jr.	1574 Irish Ave. Monkton 21111
Rev. Steven Z. Cohen	400 B. 4th Street, MD 21111
Kenneth C. Ballinger	400 B. 4th Street, MD 21111
Doree Regan	401 Jefferson Ave. Towson 21286
Donald E. Price	922 Mt. Carmel Rd. Parkton, MD 21120

passed before me this 13th day
94.

Shepherd

SEAL OF BALTIMORE COUNTY
October 14, 1997

Baltimore County Government
Department of Environmental Protection
and Resource Management

RECEIVED
JUL 5 1994
RUBELING & ASSOC. (410) 887-3733
June 30, 1994

a. A. I. A.
285
286-5308

RE: HEREFORD UNITED METHODS CHURCH
Exemption Request

response to your letter of June 22, 1994, requesting an
rm water management requirements for the above

ved the material submitted with your letter and hereby
under the provisions of Section 14-155 (b) of the
not over 5,000 square feet of disturbed land area).

any questions, please contact Ed Schmaus at 887-3769.

Very truly yours,
G.A. Storch
Thomas L. Vidmar, Chief
Bureau of Engineering Services

SCD
Stm. Storm Drain Design
Impact Review
DAIVER

EXISTING RETAIL
229
OSTER, DONALD E. & ANNE E.
17101 BIG FALLS RD
MONKTON MD 21111
5334/363 7/0706045100

#92

SITE PLAN

1" = 20'

Zoning Variances applied for:

Pursuant to a meeting with the Office of Zoning, the following is the anticipated approach for obtaining the necessary zoning variances for the project.

A Special Hearing will be applied for to petition the Zoning Commissioner to rule that Section 259.3, Paragraph F exempting "any building use or structure in existence" applies to this project because of its limited nature, extent, and locations of the proposed additions to the existing building.

If the Zoning Commissioner rules that the project is in keeping with the "spirit and intent" of the code, then the following variances will be applied for:

- A Variance to Section 409.8 A.2 to allow the existing gravel parking lot to remain as currently constructed, in lieu of "a durable and dustless surface." *
- A Variance to Section 409.8 A.6 to allow the existing gravel parking lot to remain as currently constructed without permanent striping, in lieu of the required striping.
- A Variance to Section 409.6 to continue to provide 7 on site existing parking spaces, supported by additional parking facilities off site, in lieu of the 18 required additional spaces.
- To petition the Zoning Commissioner to approve a modified parking plan, due to undue hardship, in compliance with Section 409.12 B and the procedures set forth in section 409.8 B.1

These are the variance requests to be advertised + put on agenda

If at the end of the Special Hearing, the Zoning Commission Paragraph F do not apply to the spirit and intent of this be applied for:

- Variance of Section 259.3 C.1.a - to allow for 9, maximum square feet allowed and to allow for 8 feet of the 6, 600 square feet maximum allowed.
- Variance of Section 259.3 C.1.b - to allow for a allowed.
- A Variance of Section 259.3 C.2.a to allow for average setback of 16.5'.
- A Variance of Section 301.1 A to allow for a ft in lieu of the minimum 12' allowed by the 25% setback.
- Variance of Section 259.3 C.3 - a variance to p currently configured and shown on the site plan setbacks and 7% of the parking area.
- Variance of Section 259.3 C.4 - to allow for an spaces required for the new nave seating.
- A Variance to Section 409.8 A.2 to allow the c currently constructed, in lieu of "a durable and
- A Variance to Section 409.8 A.6 to allow the c currently constructed without permanent striping
- A Variance to Section 409.6 to continue to p supported by additional parking facilities off si spaces.
- To petition the Zoning Commissioner to appr hardship, in compliance with Section 409.12 B 409.8 B.1

HEREFORD COMMUNITY ASSOCIATION
P.O. BOX 180 MONKTON, MD 21111

October 4, 1994

Zoning Commissioner of Baltimore County
Office of Zoning Administration and Development Management
11 West Chesapeake Avenue
Towson, MD 21204

Dear Commissioner,

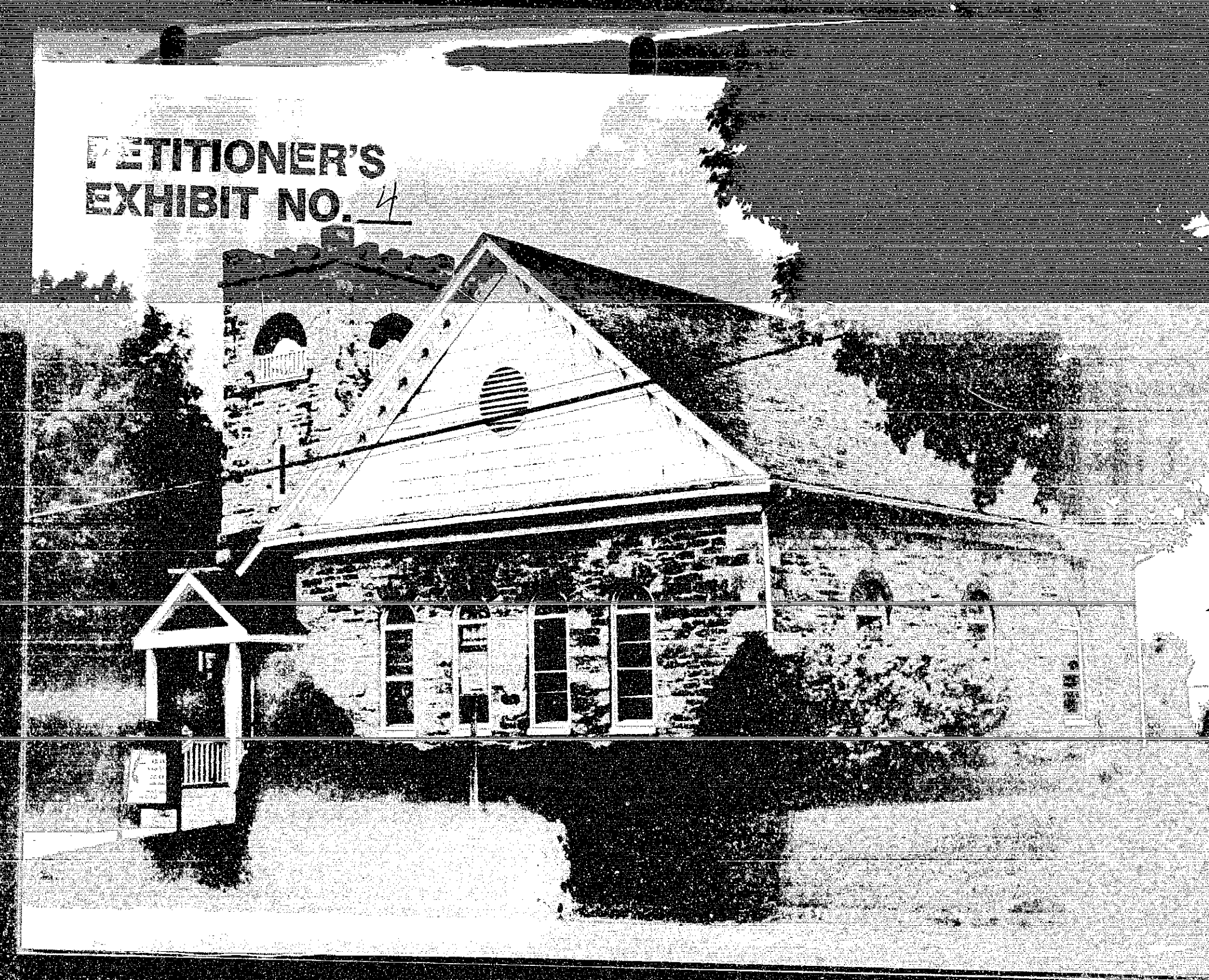
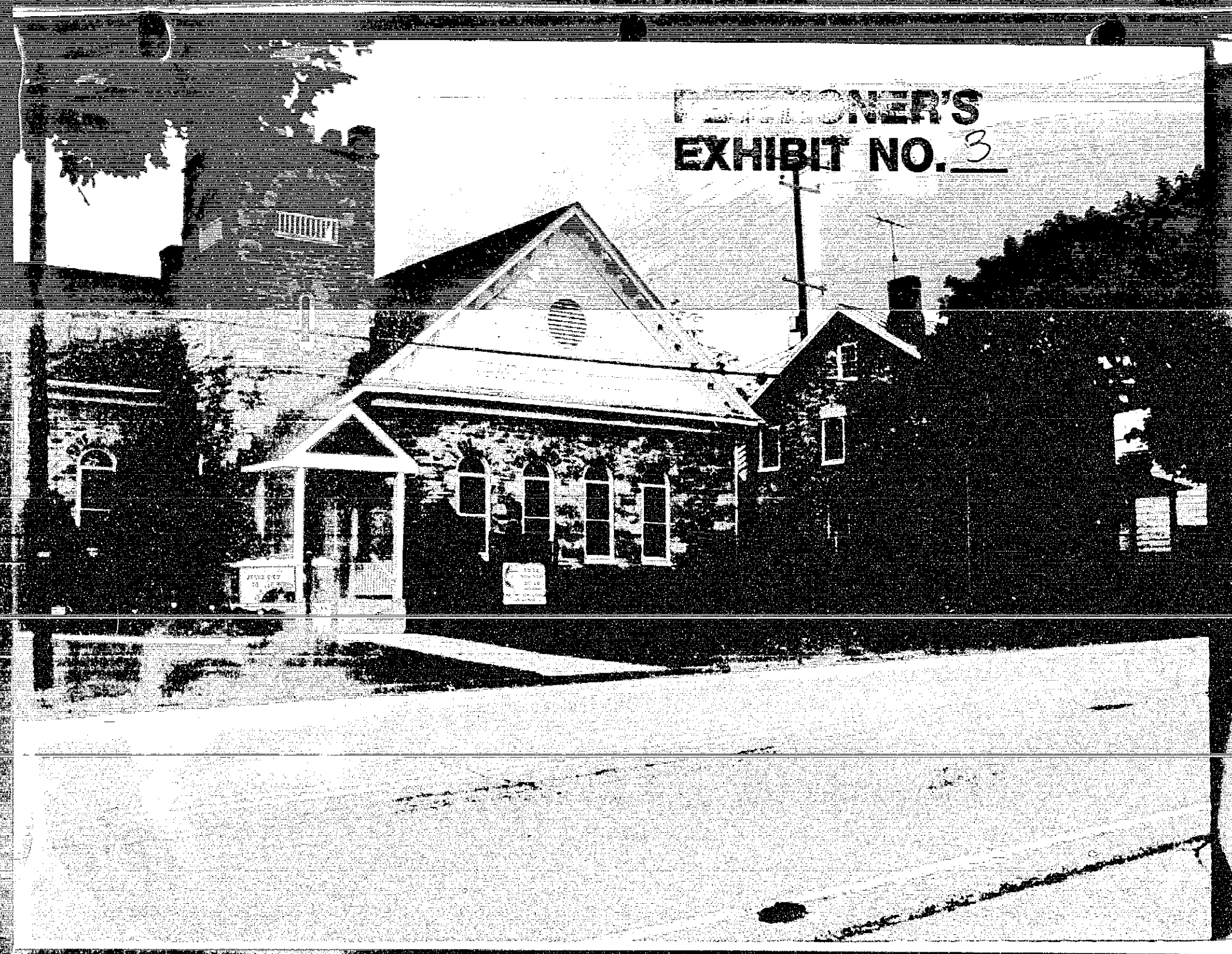
The Hereford Community Association, at its regularly scheduled meeting on September 21, 1994, voted to support the building expansion plan of the Hereford United Methodist Church. Approximately 40 members were in attendance and following an explanation of building plans and the Notice of Hearing (case number 95-92-SPHA - item 92) by a representative of the church, our association voted its unanimous support of the plan.

Yours truly,

Kenneth Bellinger
Vice President

PETITIONER'S
EXHIBIT NO. 2

THE PRINCIPLE VOICE OF THE HEREFORD COMMUNITY



PETITIONER'S
EXHIBIT NO. 5

PARKING LOT AGREEMENT

THIS AGREEMENT Made this 8 day of August, 1994, by and between the Hereford United Methodist Church (hereinafter referred to as "Church"), and the Hereford Volunteer Fire Company, Inc., a body corporate of the State of Maryland (hereinafter referred to as the "Fire Company").

WHEREAS, the Church desires to extend and enlarge its sanctuary; and

WHEREAS, in order to do so, the Church must provide an additional forty (40) parking spaces to meet the needs of its increased numbers of parishioners and comply with various local ordinances; and

WHEREAS, the Fire Company owns property located at 510 Monkton Road, Monkton, Maryland 21111 adjacent to the rear of the the Church with ample parking well in excess of the forty (40) additional spaces necessary (hereinafter "Fire House Lot"); but on occasion requires overflow parking for special events; and

WHEREAS, the Church and the Fire Company desire to enter into this Agreement for the sole benefit of the Church for the purpose of expanding parking available for the Church.

NOW THEREFORE, for no good, valuable nor money consideration, but out of goodness of heart of the Fire Company toward the Church, the parties agree as follows:

1. That they agree that the Fire Company shall permit the Church to use forty (40) spaces on the Fire House Lot.

PETITIONER'S
EXHIBIT NO. 6

PARKING LOT AGREEMENT

THIS AGREEMENT Made this 28th day of July, 1994, by and between the Hereford United Methodist Church (hereinafter referred to as "Church"), and Foster Brothers, Inc. (hereinafter referred to as "Fosters").

WHEREAS, the Church desires to extend and enlarge its sanctuary; and

WHEREAS, in order to do so, the Church must provide an additional forty (40) parking spaces to meet the needs of its increased numbers of parishioners and comply with various local ordinances; and

WHEREAS, Fosters owns property housing a hardware store located at 16925 York Road, Monkton, Maryland, 21111, directly across York Road from the Church with ample parking well in excess of the forty (40) additional spaces necessary (hereinafter "Hardware Lot"); and

WHEREAS, the Church and Fosters desire to enter into this Agreement for the sole benefit of the Church for the purpose of expanding parking available for the Church.

NOW THEREFORE, for no good, valuable nor money consideration, but out of goodness of heart of Fosters toward the Church, the parties agree as follows:

1. That they agree that Fosters shall permit the Church to use forty (40) spaces on the Hardware Lot.
2. That the Church, its parishioners, employees and agents

PETITIONER'S
EXHIBIT NO. 7

PARKING LOT AGREEMENT

THIS AGREEMENT Made this 25th day of July, 1994, by and between the Hereford United Methodist Church (hereinafter referred to as "Church"), and Carl Yarema and Eleanor Yarema (hereinafter referred to as the "Yaremas").

WHEREAS, the Church desires to extend and enlarge its sanctuary; and

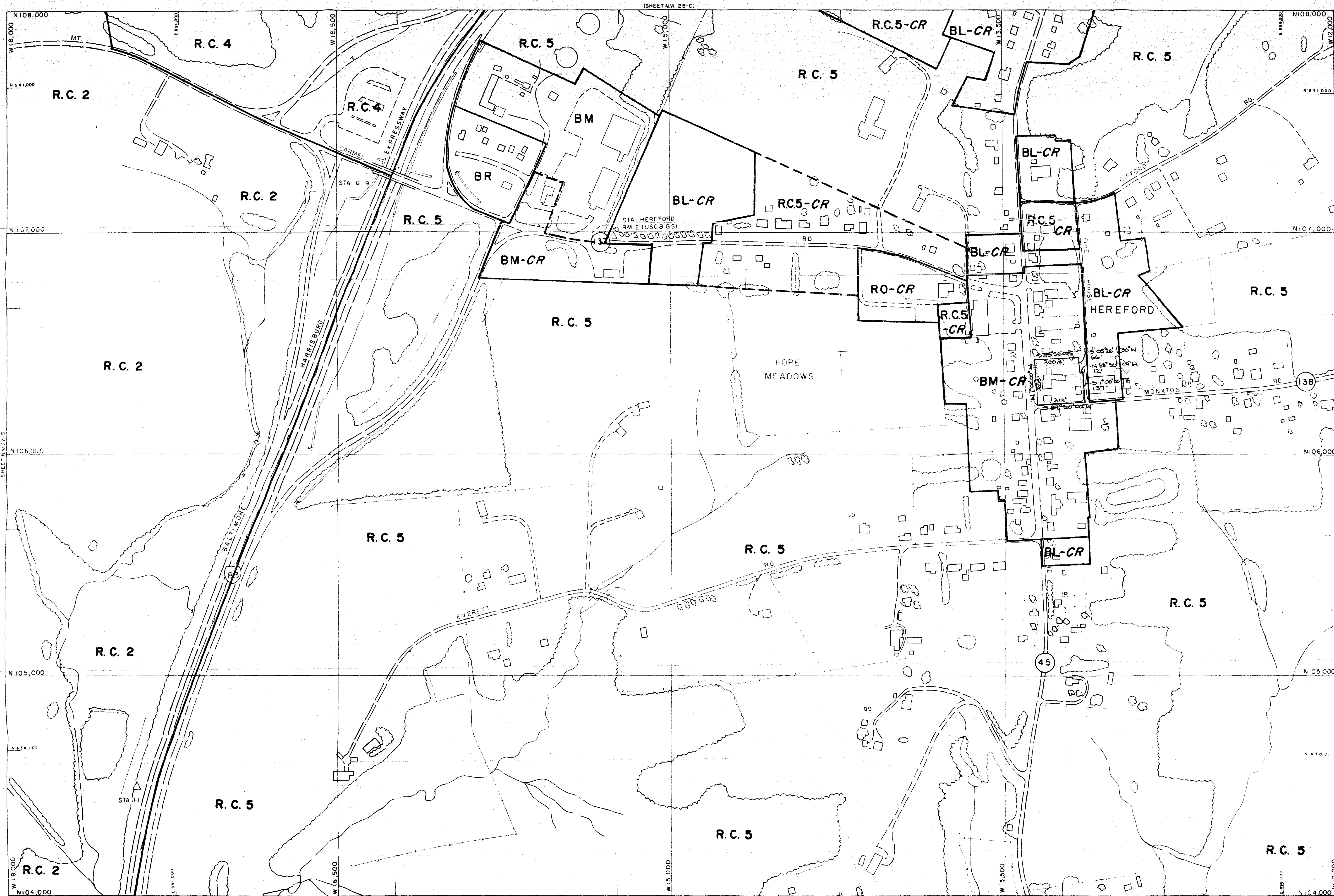
WHEREAS, in order to do so, the Church must provide an additional forty (40) parking spaces to meet the needs of its increased numbers of parishioners and comply with various local ordinances; and

WHEREAS, the Yaremas own property housing a branch of the Baltimore County Library located at 16940 York Road, Monkton, Maryland, 21111, directly across York Road from the Church with ample parking well in excess of the forty (40) additional spaces necessary (hereinafter "Library Lot"); and

WHEREAS, the Church and the Yaremas desire to enter into this Agreement for the sole benefit of the Church for the purpose of expanding parking available for the Church.

NOW THEREFORE, for no good, valuable nor money consideration, but out of goodness of heart of the Yaremas toward the Church, the parties agree as follows:

1. That they agree that the Yaremas shall permit the Church to use forty (40) spaces on the Library Lot.
2. That the Church, its parishioners, employees and agents



HH-SW HH-SE

**BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

SCALE
1" = 200'

LOCATION

SHEET

HEREFORD

N.W.

DATE
OF
PHOTOGRAPHY
JANUARY
1986

William A. Howard IV
Chairman, County Council

27-C

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

#92

95-92-SPHA