

IN RE: DEVELOPMENT PLAN HEARING and
PETITION FOR VARIANCE for
Open Bible Property
(12410 Belair Road)
11th Election District
5th Councilmanic District

Open Bible Broadcasts, Inc.,
Owner/Developer

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. XI-689 & 96-153-A
*

* * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Zoning Commissioner/Hearing Officer for consideration of a development plan prepared by Hicks Engineering Company, Inc., for the proposed development of the subject property by Open Bible Broadcasts, Inc. Owner/Developer, with seven (7) single family dwellings, two (2) of which are existing, in accordance with the development plan submitted and marked into evidence as Developer's Exhibit 1. In addition to development plan approval, the Owner/Developer seeks relief, pursuant to the Petition for Variance, from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (barn) to be located in a side yard in lieu of the required rear yard, with a height of 25 feet in lieu of the maximum permitted 15 feet, in accordance with Developer's Exhibit 1.

The subject property, known as 12410 Belair Road, is located on the west side of Belair Road in Kingsville and is presently improved with two single family dwellings and a block barn. The property contains a total gross area of 28.25 acres which has been divided into two parcels. Parcel 1, which is proposed to be developed in accordance with Developer's Exhibit 1, consists of a gross area of 17.29 acres, more or less, of which 14.97 acres are zoned R.C. 5 and the remaining 2.32 acres zoned B.M.-C.R. The proposed lots will range in size from slightly over 1.00 acre to over

ORDER RECEIVED FOR FILING
Date 11/3/96
By [Signature]

11/3/96

2.00 acres in area. Proposed Lots 1 and 2 will contain the existing homes and proposed Lot 3 will contain the existing barn. Parcel 2 (10.69 acres) is reserved for future development as a Church and school facility. A new road will be created to serve the proposed development and future church/school use. An area of open space and a storm water management facility has also been provided.

As to the history of this project, the concept plan conference for this development was conducted on November 28, 1994. As required, a community input meeting was held on January 9, 1995 at the Kingsville Elementary School. Subsequently, a development plan was submitted and a conference held thereon on October 3, 1995. Following the submission of that plan, development plan comments were submitted by the appropriate agencies of Baltimore County prior to the combined development plan/variance hearing held before me on November 22, 1995. At that time, it was determined that a number of outstanding issues and unresolved County comments existed. Thus, the matter was continued to December 27, 1995, affording the Owner/Developer an opportunity to resolve these issues.

Appearing at the public hearing required for this project were Christian G. Hayes, a representative of Open Bible Broadcasting, Inc., property owner, Donald E. Hicks and J. Kevin Wight, professional engineers with Hicks Engineering Company, who prepared the site plan/development plan for this project, and J. Neil Lanzi, Esquire, attorney for the Owner/Developer. Numerous representatives of the various Baltimore County reviewing agencies attended the hearing, including Mitch Kellman with the Department of Permits and Development Management (PDM), Robert Bowling from Developer's Plans Review (PDM), Lee Dregier from Storm Water Management (PDM), Donald Rascoe, Project Manager with PDM, Carolyn McEvoy of the

Office of Planning and Zoning (OPZ), and Bruce Seeley of the Department of Environmental Protection and Resource Management (DEPRM). In addition, several neighboring property owners appeared in support of this project, including Dennis Davies, who resides on proposed Lot 2, Reverend Davis McCurley, Ernest Laudenklos, George and Karen Benson, who reside on proposed Lot 1, and Nelson Bell.

At the November 22, 1995 hearing, the County representatives noted that a number of agency comments remained unresolved. For example, Mr. Dregier of DEPRM indicated that additional computations needed to be submitted for the storm water management facility and that the outfall from the proposed pond was not shown on the plan. Ms. McEvoy from OPZ indicated that the total acreage for each lot should be shown and density calculations needed to be indicated on the plan. Mr. Seeley from DEPRM also indicated that an access easement for the forest conservation area must be shown on the plan. Several other similar comments were presented by the County agency representatives who were present. Generally, their concerns are set forth in the development plan comments issued by those various agencies. As noted above, the hearing was continued to address these issues. When the hearing was reconvened on December 27, 1995, the Owner/Developer indicated that the revised red-lined plan which was submitted at that hearing and marked as Developer's Exhibit 1A, satisfied all agency concerns and issues. This representation was corroborated by the agency representatives who were present at the hearing. In fact, they indicated that the proposed plan was now in full compliance with all County regulations, policies, and rules relating to development.

No residents from the surrounding community appeared in opposition to the plan. In fact, the members of the community who were present

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Date 11/3/96
BY [Signature]

at the hearing, voiced their approval of the plan. Pursuant to Section 26-206 of the B.C.C., I will therefore approve the plan. As required by that Section, I find that the plan is in compliance with all County regulations, rules, policies and procedures relating to development. There are no open issues or unresolved comments and no conditions or restrictions need be attached to the approval of this plan to insure that there will be no detriment to the surrounding neighborhood.

As to the Petition for Variance, same will also be granted. This variance is requested to legitimize an existing barn which is located on proposed Lot 3. As shown on the site plan, the barn will remain in its present location and configuration. The new house will be constructed facing the roadway. Due to the construction and orientation of this house, the subject barn will be in the side yard of the newly created lot. Also the height of the barn is greater than that permitted under the regulations. As to both variance requests, I am persuaded that same should be granted. I am convinced that the Petitioner has offered the requisite proof to comply with the standards for variance relief contained in Section 307.1 of the B.C.Z.R. and case law. I find that the Owner/Developer will suffer a practical difficulty if the variance is denied and that the property/structure at issue features unique characteristics which justify the requested relief.

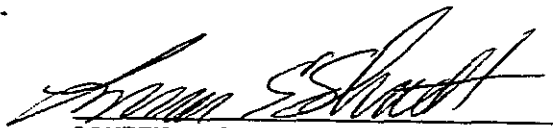
Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved and the Petition for Variance granted, consistent with the comments contained herein and the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by the Zoning Commissioner and Hearing Officer for Baltimore County this 3rd day of January, 1996 that the development plan for the Open Bible Property, identified herein as Developer's Exhibit 1A, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (barn) to be located in a side yard in lieu of the required rear yard, with a height of 25 feet in lieu of the maximum permitted 15 feet, in accordance with Developer's Exhibit 1, be and is hereby GRANTED.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

LES:bjs


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 3, 1996

J. Neil Lanzi, Esquire
300 Allegheny Avenue
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITION FOR VARIANCE
for the Open Bible Property
(12410 Belair Road)
11th Election District - 5th Councilmanic District
Open Bible Broadcasts, Inc., Owner/Developer
Case No. XI-689 & 96-153-A

Dear Mr. Lanzi:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petition for Variance 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 dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Christian G. Hayes, 13804 Manor Glen Road, Baldwin, Md. 21013

Messrs. Donald E. Hicks and John K. Wight, Hicks Engineering Co., Inc.
200 E. Joppa Road, Towson, Md. 21286

Mr. & Mrs. George Benson, 12400 Belair Road, Kingsville, Md. 21087
Mr. Dennis Davies, 12410 Belair Road, Kingsville, Md. 21087
Rev. David McCurley, 1404 Lake Vista Drive, Joppa, Md. 21085
Mr. Nelson Bell, Sr., 9820 Homeland Avenue, Baltimore, Md. 21234
Mr. Ernest Laudenklos, 12323 Claydent Lane, Kingsville, Md. 21087

Don Rascoe, Proj. Mgr., PDM; DEPRM; DPW; People's Counsel; Case File



Petition for Variance

96-153-A

to the Zoning Commissioner of Baltimore County

NOTE: The barn is located on Lot 3 of The Development Plan for "Open Bible Property"

West side of Belair Road, 0.75 miles north of Sunshine Avenue. Property surrounds #12400 & #12410 Belair Road in Kingsville.

which is presently zoned RC-5

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)

See attached.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

See attached.

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

Legal Owner(s)

(Type or Print Name)

OPEN BIBLE BROADCASTS, INC.

(Type or Print Name)

Signature

Signature

Address

CHRISTIAN G. HAYES, V.P.

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner

J. Neil Lanzi, Esquire

(Type or Print Name)

14307 JARRETTSVILLE PIKE 628-7900

Address

Phone No

Signature

PHOENIX, MD 21131

City

State

Zipcode

Name, Address and phone number of representative to be contacted

300 Allegheny Avenue (410) 337-9039

Address

Phone No

Towson, MD 21204

City

State

Zipcode

KEVIN WIGHT HICKS ENGINEERING COMPANY, INC.

Name

200 E. Joppa Rd., Towson, MD 21286 410/494-0001

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

10/11/95

* This is part of a Dev. Plan; however, this may not been filed too late for a combined hearing

Printed with Soybean Ink on Recycled Paper



ORDER RECEIVED FOR FILING
Date 11/3/96
By [Signature]

PETITION FOR VARIANCE

96-153-A

Petitioner, Open Bible Broadcasts, Inc., for the property located on the west side of Belair Road, .75 miles north of Sunshine Avenue, hereby petitions the Zoning Commissioner for the following variances from the Baltimore County Zoning Regulations:

1. Variance from Section 400.1 to allow an accessory building in a side yard in lieu of the required rear yard.
2. Variance from Section 400.3 to allow an accessory building to be 25 feet in height in lieu of the 15 feet permitted.

The existing barn is an accessory building, which is both attractive and functional and, therefore, an amenity to the proposed lot. Additionally, the existing barn is a feature which is consistent with the rural character of the community. Existing conditions on the property will cause your Petitioner practical difficulty and unnecessary hardship if strict compliance with the regulations is required.

The Zoning Commissioner has the power to grant variances in cases where strict compliance with the BCZR would result in practical difficulty or unreasonable hardship to Petitioner. Petitioner further states the granting of the variances requested will provide substantial justice to the Petitioner and will allow for the observance of the spirit of the BCZR while maintaining the security of the public safety and welfare.

ZONING DESCRIPTION FOR LOT 3 "OPEN BIBLE PROPERTY"

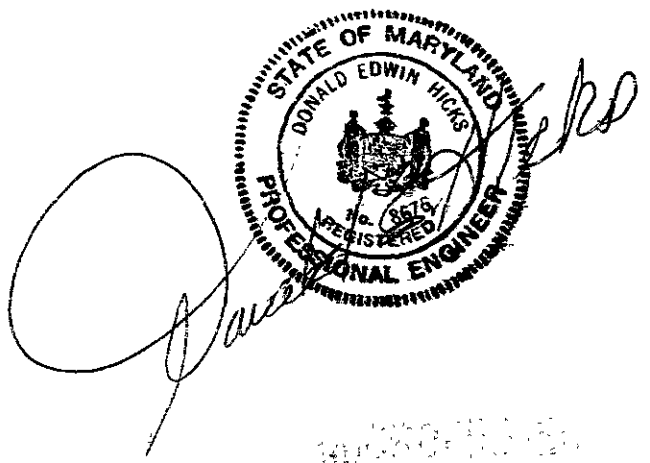
96-153-A

Beginning at a point on the west side of Bel Air Road which is 60 feet wide at a distance of 2,000 feet, more or less, south of New Cut Road, running thence the following nine courses and distances, vie:

1. S 33° 57' 10" W, 59.08' thence;
 2. N 56° 02' 50" W, 25.00' thence;
 3. N 11° 02' 50" W, 20.24' thence;
 4. N 74° 31' 43" W, 165.00' thence;
 5. S 30° 44' 25" W, 203.59' thence;
 6. N 64° 16' 05" W, 165.95' thence;
 7. S 83° 13' 55" W, 92.43' thence;
 8. N 03° 47' 04" W, 245.56' thence;
 9. S 74° 31' 43" E, 600.00' to the point of beginning,
- containing 76,217 square feet or 1.75 acres of land.

Being Lot 3 "Open Bible Property" as shown on 'DEVELOPMENT PLAN AND VARIANCE PLAN-OPEN BIBLE PROPERTY', and located in the 11TH Election District, 5TH Councilmanic District of Baltimore County, Md.

156



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: #95-153-A

(Item 153)

12410 Belair Road

W/S Belair Road, 2000' s of q

New Cut Road

11th Election District

5th Councilmanic

Legal Owner(s):

Open Bible Broadcasts, Inc.

Hearing: Wednesday, November 22, 1995 at 9:00 a.m. in

Rm. 118, Old Courthouse.

Variance: to allow an accessory building in a side yard in lieu of the required rear yard and to allow an accessory building to be 25 feet in height in lieu of the 15 feet permitted.

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 Call 887-3391.

CT4407/11/004 Nov. 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., 11/3, 1995

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 11/2, 1995.

THE JEFFERSONIAN,

A. H. Erickson
LEGAL AD. - TOWSON

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

96-15-A

No.

000300

DATE 10-11-95 ACCOUNT 01-615

Items: 156

By: mdk

AMOUNT \$ 85.00

RECEIVED J. Neil Lenz - Open Bible Property
FROM: w/s of Belair Rd - 2000 S New Cir R

010- Res Var. - \$ 50.00
080- 1510 - \$ 35.00
85.00

FOR:

0240290154NICHRC
EA 0012:09AM10-11-95

\$85.00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

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

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, DIRECTOR

For newspaper advertising:

Item No.: 156 Petitioner: Open Bible Broadcasts, Inc.

Location: Westside of Belair Road, 2000 Ft South of New Cut Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: J Neil Lanzi, Esquire

ADDRESS: 300 Allegheny Avenue

Towson, MD 21204

PHONE NUMBER: 337-9039



TO: PUTUXENT PUBLISHING COMPANY

November 2, 1995 Issue - Jeffersonian

Please forward billing to:

J. Neil Lanzi, Esq.
300 Allegheny Avenue
Towson, MD 21204
337-9039

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: 96-153-A (Item 156)
12410 Belair Road
W/S Belair Road, 2000' S of c/l New Cut Road
11th Election District - 5th Councilmanic
Legal Owner: Open Bible Broadcasts, Inc.

Variance to allow an accessory building in a side yard in lieu of the required rear yard and to allow an accessory building to be 25 feet in height in lieu of the 15 feet permitted.

HEARING: WEDNESDAY, NOVEMBER 22, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

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 CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

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

October 26, 1995

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:

DEVELOPMENT PLAN HEARING

Project Name: Open Bible Property, aka 12410 Belair Road
Location: W/S Belair Road, N of Sunshine Avenue
Developer: Open Bible Broadcasts, Inc/Chris Hayes
Proposal: 5 new single family dwellings and 2 existing.

and

CASE NUMBER: 96-153-A (Item 156)
12410 Belair Road
W/S Belair Road, 2000' S of c/l New Cut Road
11th Election District - 5th Councilmanic
Legal Owner: Open Bible Broadcasts, Inc.

Variance to allow an accessory building in a side yard in lieu of the required rear yard and to allow an accessory building to be 25 feet in height in lieu of the 15 feet permitted.

HEARING: ~~WEDNESDAY~~, NOVEMBER 22, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

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

Arnold Jablon
Director

cc: Open Bible Broadcasts, Inc.
Kevin Wight/Hicks Engineering Co., Inc.
J. Neil Lanzi, 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.

10/26/95





Baltimore County
Department of Permits and
Development Management

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

November 15, 1995

J. Neil Lanzi, Esquire
300 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 156
Case No.: 96-153-A
Petitioner: Open Bible Broadcast

Dear Mr. Lanzi:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 11, 1995.

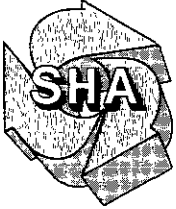
Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

October 31, 1995

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Baltimore County
US 1 (west side)
Open Bible Broadcast Property
12410 Belair Road
Variance request
Item #156 (MJK)
~~Mile Post 25.03~~

Dear Mr. Watson:

This letter is in response to your request for our review of the plan for the referenced item.

In our recent review of the development plan for the subject development and in a letter to Mr. Donald Rascoe, Development Manager for Baltimore County, dated October 2nd, we indicated that the proposed entrance improvements and right-of-way dedication along the property frontage on US 1 indicated on the plan were acceptable to the State Highway Administration (SHA). In addition, we indicated that a hydraulic review will be required prior to issuing an access permit for the proposed entrance improvements.

Therefore, since our review of the current plan reveals the proposed entrance improvements and right-of-way dedication to be consistent with the previously approved development plan, we have no objection to approval of the subject variance request as submitted.

Should you have any questions, please contact Bob Small at 410-545-5581. Thank you for the opportunity to review this plan.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is 410-545-5600 (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

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 10/11/95

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

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF OCT. 30, 1995.

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 152, 156, 157, 158,
159 & 160. ✓

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

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 24, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

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

Item No. 156

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

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: Oct. 30, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for October 30, 1995
Items 156, 157, 159 and 160

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

RE: PETITION FOR VARIANCE
12410 Belair Road, W/S Belair Rd, 2000'
S of c/l New Cut Road, 11th Election
District, 5th Councilmanic

Open Bible Broadcasts, Inc.
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-153-A

* * * * *

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
People's Counsel for Baltimore County



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 24th day of November, 1995, a copy of the foregoing Entry of Appearance was mailed to J. Neil Lanzi, Esquire, 300 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner.



PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Case File

DATE: November 27, 1995

FROM: Lawrence E. Schmidt
Zoning Commissioner



SUBJECT: Open Bible Property
Development Plan & Variance
Case Nos. XI-689 & 96-153-A

This matter came before me on November 22, 1995 for consideration of a combined development plan and Petition for Variance case. This is the second time this matter was scheduled. The first Hearing Officer's Hearing was scheduled before Timothy Kotroco, Deputy Zoning Commissioner, on October 24, 1995; however, the hearing was continued when it was discovered that a variance was necessary.

As my notes will reflect, there were a great many issues which were unresolved and identified at the hearing before me. Many of these issues, in my judgment, could have been resolved by way of the submission of a red-lined plan. For example, the Office of Planning and Zoning (OPZ) indicated that some of the density tabulations and acreage calculations were erroneous and inconsistent. Bruce Seeley from the Department of Environmental Protection and Resource Management (DEPRM) also wanted the easement access shown for the Forest Conservation Area and Lee Dreiger of Storm Water Management needed additional information shown as to the site's topography and outfall. These are just a few of the errors, which, although noted within the development plan review comments, were never corrected on the plan.

I advised the Developer at that time that the plan was not ripe for my consideration because there were many outstanding issues which had not been addressed and/or corrected. After I explained the issues, the Developer asked for a continuance of the matter to address these concerns on a red-lined plan and submit same. I granted the request for continuance.

Don Rascoe, the Project Manager, will supervise the submission of the red-lined plan. He will also handle the rescheduling of the continued hearing on this matter, which should be set before me. In addition, there were four Protestants/interested neighbors who appeared at the hearing who must also be notified of the continued hearing date and time.

LES:bjs

cc: Don Rascoe - PDM

N60,000

R.C. 5

"OPEN BIBLE PROPERTY"

CONTINUED ON (SHEET N.E. 18-J)

69-203 R

BM

E57,000

BEL AIR ROAD

BR
67-141 R

91-415-A

N59,000

R.C.

BR

69-153-A

ZONING MAP NO. N.E. 18-J

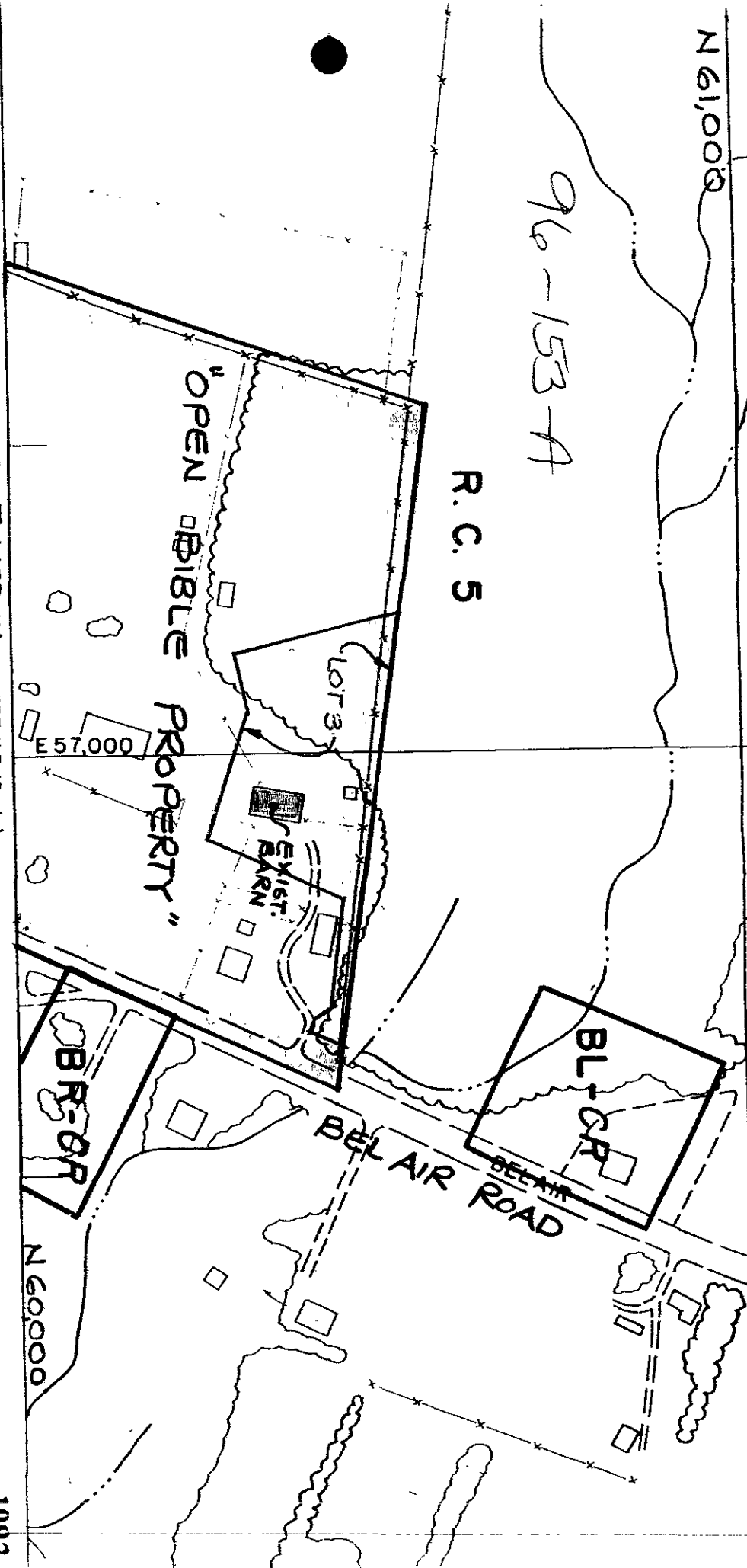
1"=200'

#156

N 61,000

96-153-A

R. C. 5



CONTINUED ON (SHEET N.E. 15-J)

E 57,000

BR-CR

N 60,000

● BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

ZONING MAP No. N.E. 16-J

1"=200'

156

1992
Adopted

Bill Nos. 18

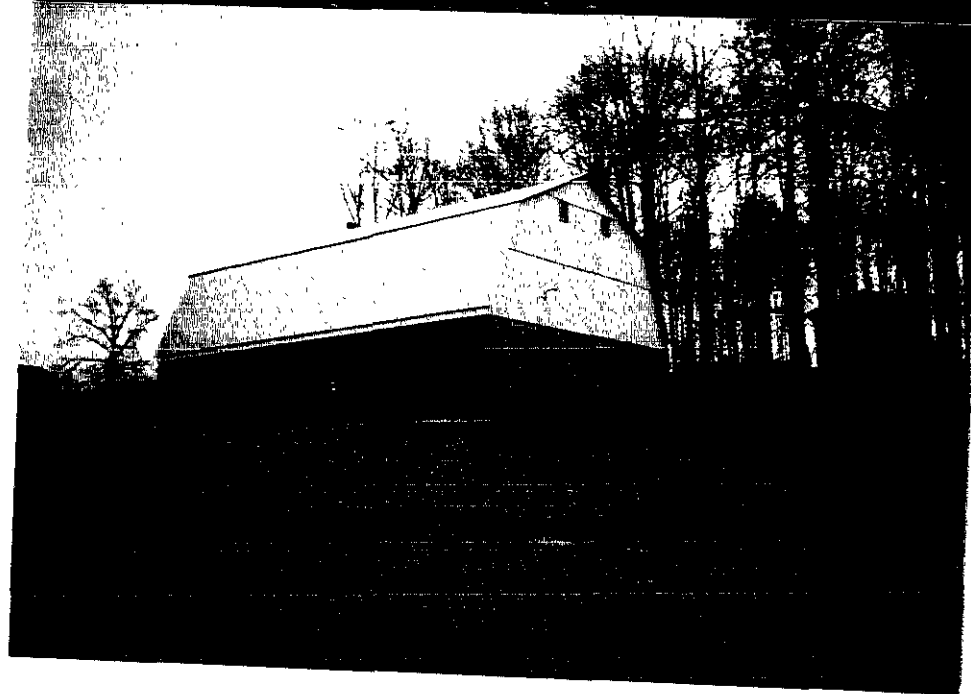
photographs

Case 96-153-A

(see X1-689)

Rev. Plan

11-1-89





IN RE: DEVELOPMENT PLAN HEARING and
PETITION FOR VARIANCE for
Open Bible Property
(12410 Belair Road)
11th Election District
5th Councilmanic District
Open Bible Broadcasts, Inc.,
Owner/Developer

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. XI-689 & 96-153-A

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Zoning Commissioner/Hearing Officer for consideration of a development plan prepared by Hicks Engineering Company, Inc., for the proposed development of the subject property by Open Bible Broadcasts, Inc. Owner/Developer, with seven (7) single family dwellings, two (2) of which are existing, in accordance with the development plan submitted and marked into evidence as Developer's Exhibit 1. In addition to development plan approval, the Owner/Developer seeks relief, pursuant to the Petition for Variance, from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (barn) to be located in a side yard in lieu of the required rear yard, with a height of 25 feet in lieu of the maximum permitted 15 feet, in accordance with Developer's Exhibit 1.

The subject property, known as 12410 Belair Road, is located on the west side of Belair Road in Kingsville and is presently improved with two single family dwellings and a block barn. The property contains a total gross area of 28.25 acres which has been divided into two parcels. Parcel 1, which is proposed to be developed in accordance with Developer's Exhibit 1, consists of a gross area of 17.29 acres, more or less, of which 14.97 acres are zoned R.C. 5 and the remaining 2.32 acres zoned B.M.-C.R. The proposed lots will range in size from slightly over 1.00 acre to over

2.00 acres in area. Proposed Lots 1 and 2 will contain the existing homes and proposed Lot 3 will contain the existing barn. Parcel 2 (10.69 acres) is reserved for future development as a Church and school facility. A new road will be created to serve the proposed development and future church/school use. An area of open space and a storm water management facility has also been provided.

As to the history of this project, the concept plan conference for this development was conducted on November 28, 1994. As required, a community input meeting was held on January 9, 1995 at the Kingsville Elementary School. Subsequently, a development plan was submitted and a conference held thereon on October 3, 1995. Following the submission of that plan, development plan comments were submitted by the appropriate agencies of Baltimore County prior to the combined development plan/variance hearing held before me on November 22, 1995. At that time, it was determined that a number of outstanding issues and unresolved County comments existed. Thus, the matter was continued to December 27, 1995, affording the Owner/Developer an opportunity to resolve these issues.

Appearing at the public hearing required for this project were Christian G. Hayes, a representative of Open Bible Broadcasting, Inc., property owner, Donald E. Hicks and J. Kevin Wight, professional engineers with Hicks Engineering Company, who prepared the site plan/development plan for this project, and J. Neil Lanzi, Esquire, attorney for the Owner/Developer. Numerous representatives of the various Baltimore County reviewing agencies attended the hearing, including Mitch Kellman with the Department of Permits and Development Management (PDM), Robert Bowling from Developer's Plans Review (PDM), Lee Dregier from Storm Water Management (PDM), Donald Rascoe, Project Manager with PDM, Carolyn McEvoy of the

2

Office of Planning and Zoning (OPZ), and Bruce Seeley of the Department of Environmental Protection and Resource Management (DEPRM). In addition, several neighboring property owners appeared in support of this project, including Dennis Davies, who resides on proposed Lot 2, Reverend Davis McCurley, Ernest Loudenklos, George and Karen Benson, who reside on proposed Lot 1, and Nelson Bell.

At the November 22, 1995 hearing, the County representatives noted that a number of agency comments remained unresolved. For example, Mr. Dregier of DEPRM indicated that additional computations needed to be submitted for the storm water management facility and that the outfall from the proposed pond was not shown on the plan. Ms. McEvoy from OPZ indicated that the total acreage for each lot should be shown and density calculations needed to be indicated on the plan. Mr. Seeley from DEPRM also indicated that an access easement for the forest conservation area must be shown on the plan. Several other similar comments were presented by the County agency representatives who were present. Generally, their concerns are set forth in the development plan comments issued by those various agencies. As noted above, the hearing was continued to address these issues. When the hearing was reconvened on December 27, 1995, the Owner/Developer indicated that the revised red-lined plan which was submitted at that hearing and marked as Developer's Exhibit 1A, satisfied all agency concerns and issues. This representation was corroborated by the agency representatives who were present at the hearing. In fact, they indicated that the proposed plan was now in full compliance with all County regulations, policies, and rules relating to development.

No residents from the surrounding community appeared in opposition to the plan. In fact, the members of the community who were present

3

at the hearing, voiced their approval of the plan. Pursuant to Section 26-206 of the B.C.C., I will therefore approve the plan. As required by that Section, I find that the plan is in compliance with all County regulations, rules, policies and procedures relating to development. There are no open issues or unresolved comments and no conditions or restrictions need be attached to the approval of this plan to insure that there will be no detriment to the surrounding neighborhood.

As to the Petition for Variance, same will also be granted. This variance is requested to legitimize an existing barn which is located on proposed Lot 3. As shown on the site plan, the barn will remain in its present location and configuration. The new house will be constructed facing the roadway. Due to the construction and orientation of this house, the subject barn will be in the side yard of the newly created lot. Also the height of the barn is greater than that permitted under the regulations. As to both variance requests, I am persuaded that same should be granted. I am convinced that the Petitioner has offered the requisite proof to comply with the standards for variance relief contained in Section 307.1 of the B.C.Z.R. and case law. I find that the Owner/Developer will suffer a practical difficulty if the variance is denied and that the property/structure at issue features unique characteristics which justify the requested relief.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved and the Petition for Variance granted, consistent with the comments contained herein and the restrictions set forth hereinafter.

4

THEREFORE, IT IS ORDERED by the Zoning Commissioner and Hearing Officer for Baltimore County this 30th day of January, 1996 that the development plan for the Open Bible Property, identified herein as Developer's Exhibit 1A, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing accessory structure (barn) to be located in a side yard in lieu of the required rear yard, with a height of 25 feet in lieu of the maximum permitted 15 feet, in accordance with Developer's Exhibit 1, be and is hereby GRANTED.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjjs



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

January 3, 1996

J. Neil Lanzi, Esquire
300 Allegheny Avenue
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITION FOR VARIANCE
for the Open Bible Property
(12410 Belair Road)
11th Election District - 5th Councilmanic District
Open Bible Broadcasts, Inc., Owner/Developer
Case No. XI-689 & 96-153-A

Dear Mr. Lanzi:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petition for Variance 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,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjjs

cc: Mr. Christian G. Hayes, 13804 Manor Glen Road, Baldwin, Md. 21013

Messrs. Donald E. Hicks and John K. Wight, Hicks Engineering Co., Inc.
200 E. Joppa Road, Towson, Md. 21286

Mr. & Mrs. George Benson, 12400 Belair Road, Kingsville, Md. 21087
Mr. Dennis Davies, 12410 Belair Road, Kingsville, Md. 21087
Rev. David McCurley, 1404 Lake Vista Drive, Joppa, Md. 21085
Mr. Nelson Bell, Sr., 9820 Homeland Avenue, Baltimore, Md. 21234
Mr. Ernest Loudenklos, 12323 Claydett Lane, Kingsville, Md. 21087

Don Rascoe, Proj. Mgr., PDM; DEPRM; DPW; People's Counsel; Case File



Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at Sunshine Avenue, Property surrounds #12400 & 12410 Belair Road in Kingsville, which is presently zoned RC-5

This Petition shall be filed with the 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)

See attached.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

See attached.

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.

Contact Purchaser/Lessee

Name of Applicant

Signature

Address

City

State

Zipcode

Attorney for Petitioner

Name of Attorney

Address

City

State

Zipcode

Address

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ZONING DESCRIPTION FOR LOT 3 "OPEN BIBLE PROPERTY"

96-153-A

Beginning at a point on the west side of Bel Air Road which is 60 feet wide at a distance of 2,000 feet, more or less, south of New Cut Road, running thence the following nine courses and distances, viz:

1. S 33° 57' 10" W, 59.08' thence;
2. N 56° 02' 50" W, 25.00' thence;
3. N 11° 02' 50" W, 20.24' thence;
4. N 74° 31' 43" W, 165.00' thence;
5. S 30° 44' 25" W, 203.59' thence;
6. N 64° 16' 05" W, 165.95' thence;
7. S 83° 13' 55" W, 92.43' thence;
8. N 03° 47' 04" W, 245.56' thence;
9. S 74° 31' 43" E, 600.00' to the point of beginning, containing 76,217 square feet or 1.75 acres of land.

Being Lot 3 "Open Bible Property" as shown on "DEVELOPMENT PLAN AND VARIANCE PLAN-OPEN BIBLE PROPERTY", and located in the 11th Election District, 5th Councilmanic District of Baltimore County, Md.

156



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, Towson, Maryland 21204, on the following date and time:

Case: 96-153-A (Item 156)
12410 Belair Road
W/S Belair Road, 2000' S of c/l New Cut Road
11th Election District - 5th Councilmanic District
Legal Owner: Open Bible Broadcasts, Inc.
Variance: To allow an accessory building to be 25 feet in height in lieu of the 15 feet permitted.
Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Special Accommodations: None
Please Call 887-3353.
On the distribution concerning the proposed hearing, please call 887-3353.
C4401064 Nov 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., 11/3, 1995

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 11/2, 1995.

THE JEFFERSONIAN,
A. Henickson
LEGAL AD. - TOWSON

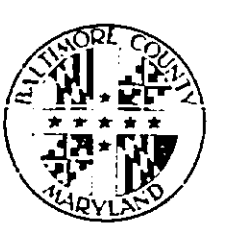
96-153-A
No. 000389

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

DATE: 10-11-95 ACCOUNT: 01-615
Item: 156
By: [Signature]
AMOUNT: \$ 85.00
RECEIVED: J. Neil Lanzi - W/S of Bel Air Rd - 2000' S of New Cut Rd
FROM: 010- Rev. Div. - \$ 50.00
060- 153-A - \$ 35.00
FOR: 85.00

0240000344KITCHNO
BA 00101280610-11-95 \$85.00

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

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

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:

- 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, DIRECTOR

For newspaper advertising:

Item No.: 156 Petitioner: Open Bible Broadcasts, Inc.
Location: W/S of Bel Air Rd., 2000' S of c/l New Cut Road
PLEASE FORWARD ADVERTISING BILL TO:
NAME: J. Neil Lanzi, Esquire
ADDRESS: 300 Allegheny Avenue
Towson, MD 21204
PHONE NUMBER: 337-9039

Printed with Soybean Ink
on Recycled Paper

12

TO: FUTURE PUBLISHING COMPANY
November 2, 1995 Issue - Jeffersonian

Please forward billing to:

J. Neil Lanzi, Esq.
300 Allegheny Avenue
Towson, MD 21204
337-9039

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, on the following date and time:

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

CASE NUMBER: 96-153-A (Item 156)
12410 Belair Road
W/S Belair Road, 2000' S of c/l New Cut Road
11th Election District - 5th Councilmanic District
Legal Owner: Open Bible Broadcasts, Inc.

Variance: To allow an accessory building in a side yard in lieu of the required rear yard and to allow an accessory building to be 25 feet in height in lieu of the 15 feet permitted.

HEARING: WEDNESDAY, NOVEMBER 22, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

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 CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

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

October 26, 1995

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, on the following date and time:

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

DEVELOPMENT PLAN HEARING
Project Name: Open Bible Property, aka 12410 Belair Road
Location: W/S Belair Road, W of Sunshine Avenue
Developer: Open Bible Broadcasts, Inc./Chris Hayes
Proposal: 5 new single family dwellings and 2 existing.

and

CASE NUMBER: 96-153-A (Item 156)
12410 Belair Road
W/S Belair Road, 2000' S of c/l New Cut Road
11th Election District - 5th Councilmanic District
Legal Owner: Open Bible Broadcasts, Inc.

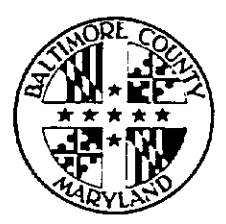
Variance: To allow an accessory building in a side yard in lieu of the required rear yard and to allow an accessory building to be 25 feet in height in lieu of the 15 feet permitted.

HEARING: WEDNESDAY, NOVEMBER 22, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Open Bible Broadcasts, Inc.
Kevin Night/Aiche Engineering Co., Inc.
J. Neil Lanzi, 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.



Baltimore County
Department of Permits and
Development Management

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

November 15, 1995

J. Neil Lanzi, Esquire
300 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 156
Case No.: 96-153-A
Petitioner: Open Bible Broadcast

Dear Mr. Lanzi:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 11, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

October 31, 1995

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Baltimore County
US 1 (west side)
Open Bible Broadcast Property
12410 Belair Road
Variance request
Item #156 (MJK)
Mail-Pest-25.03

Dear Mr. Watson:

This letter is in response to your request for our review of the plan for the referenced item.

In our recent review of the development plan for the subject development and in a letter to Mr. Donald Rascoe, Development Manager for Baltimore County, dated October 2nd, we indicated that the proposed entrance improvements and right-of-way dedication along the property frontage on US 1 indicated on the plan were acceptable to the State Highway Administration (SHA). In addition, we indicated that a hydraulic review will be required prior to issuing an access permit for the proposed entrance improvements.

Therefore, since our review of the current plan reveals the proposed entrance improvements and right-of-way dedication to be consistent with the previously approved development plan, we have no objection to approval of the subject variance request as submitted.

Should you have any questions, please contact Bob Small at 410-545-5581. Thank you for the opportunity to review this plan.

Very truly yours,

David N. Kasey
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

410-545-5600 (Fax# 333-1041)

My telephone number is

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

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 10/11/95

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

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF OCT. 30, 1995.

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.

E. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 152, 157, 158, 159 & 160.

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

cc: File

Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 24, 1995

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

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

Item No. 156

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*

Division Chief: *Carol L. Kins*

PK/JL

ITEM156/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: Oct. 30, 1995

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for October 30, 1995
Items 156, 157, 159 and 160

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:aw

Re: PETITION FOR VARIANCE
12410 Belair Road, W/S Belair Rd, 2000'
S of c/l New Cut Road, 11th Election
District, 5th Councilmanic
Open Bible Broadcasts, Inc.
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-153-A

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 24th day of November, 1995, a copy of the foregoing Entry of Appearance was mailed to J. Neil Lanzi, Esquire, 300 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

TO: Case File
DATE: November 27, 1995

FROM: Lawrence E. Schmidt
Zoning Commissioner

SUBJECT: Open Bible Property
Development Plan & Variance
Case Nos. XI-689 & 96-153-A

This matter came before me on November 22, 1995 for consideration of a combined development plan and Petition for Variance case. This is the second time this matter was scheduled. The first Hearing Officer's Hearing was scheduled before Timothy Kotroco, Deputy Zoning Commissioner, on October 24, 1995; however, the hearing was continued when it was discovered that a variance was necessary.

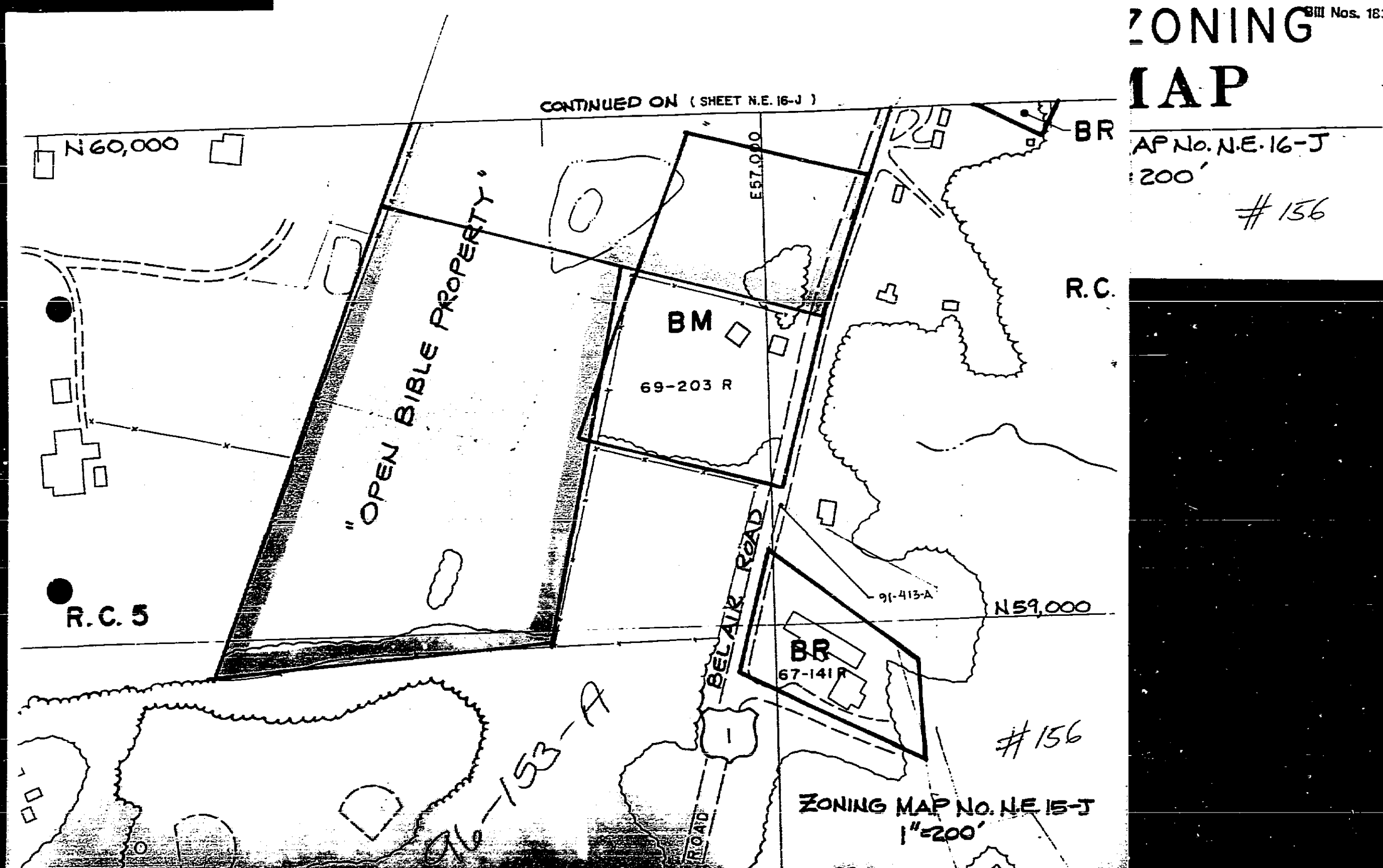
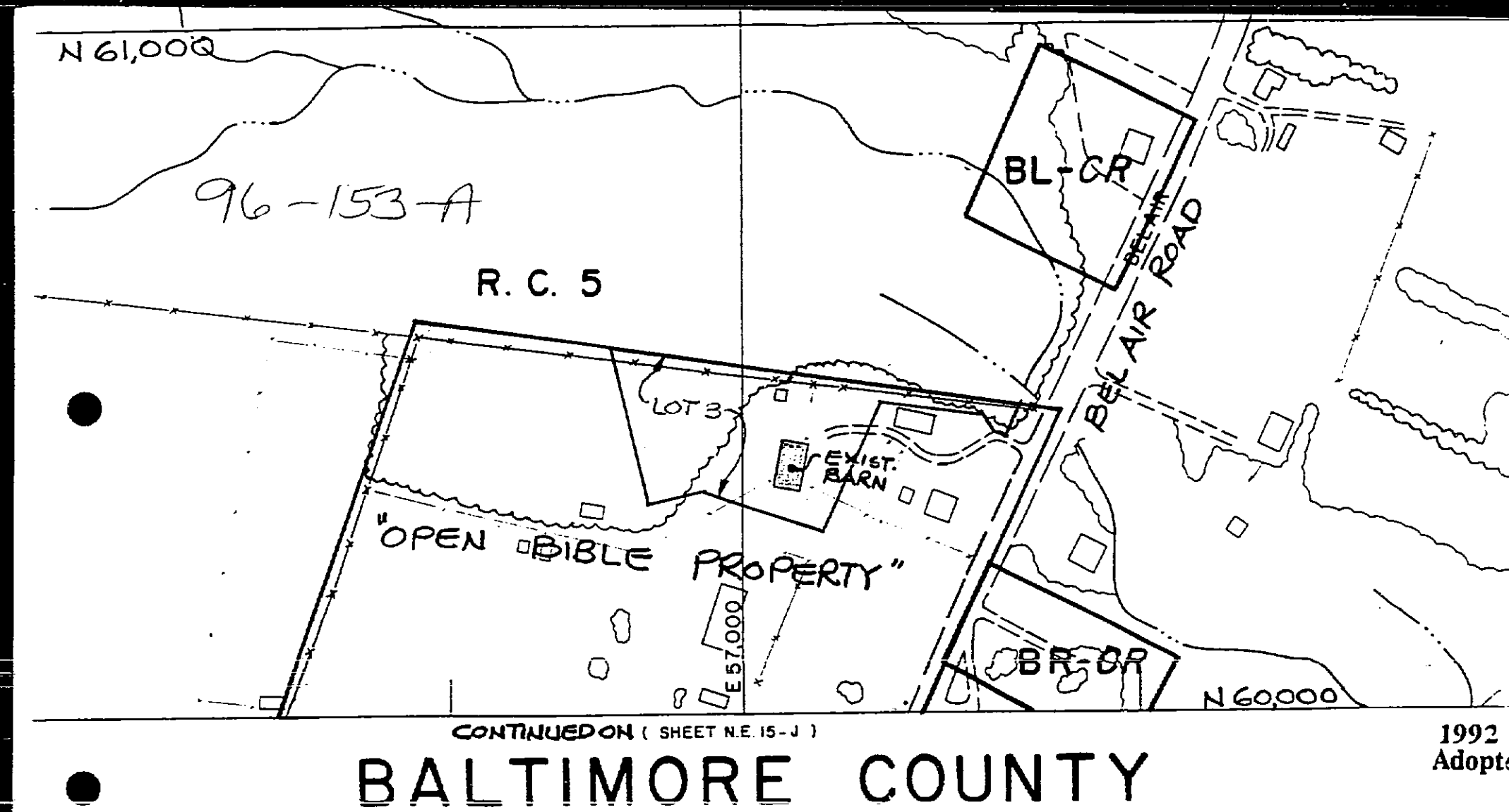
As my notes will reflect, there were a great many issues which were unresolved and identified at the hearing before me. Many of these issues, in my judgment, could have been resolved by way of the submission of a red-lined plan. For example, the Office of Planning and Zoning (OPZ) indicated that some of the density tabulations and acreage calculations were erroneous and inconsistent. Bruce Sealey from the Department of Environmental Protection and Resource Management (DEPRM) also wanted the easement access shown for the Forest Conservation Area and Lee Dreiger of Storm Water Management needed additional information shown as to the site's topography and outfall. These are just a few of the errors, which, although noted within the development plan review comments, were never corrected on the plan.

I advised the Developer at that time that the plan was not ripe for my consideration because there were many outstanding issues which had not been addressed and/or corrected. After I explained the issues, the Developer asked for a continuance of the matter to address these concerns on a red-lined plan and submit same. I granted the request for continuance.

Don Rascoe, the Project Manager, will supervise the submission of the red-lined plan. He will also handle the rescheduling of the continued hearing on this matter, which should be set before me. In addition, there were four Protestants/interested neighbors who appeared at the hearing who must also be notified of the continued hearing date and time.

LES:bjs

cc: Don Rascoe - PDM



photographs
Case 96-153-A
(see XI-689)
Rev Plan



SITE TABULATION

GROSS SITE AREA: PARCEL 1: 16.67 AC. + 1/2 RD. RW (0.62 AC.) = 17.29 (GROSS)
PARCEL 2: 10.06 AC. (GROSS) NET (ACCORDING TO SURVEY)

CURRENT ZONING: RC-5 1/2 BM-CR
DEED REF. 9326/72 CONSISTS OF 2 PARCELS
DENSITY ALLOWED: PARCEL 1: 17.29 x 0.667 = 11.53 LOTS
PARCEL 2: 10.06 x 0.667 = 6.71 LOTS
18.24 LOTS

DENSITY PROVIDED: PARCEL 1: 7 SINGLE FAMILY RESIDENTIAL LOTS (2 EXISTING + 5 PROPOSED) + PARCEL 2: 8

PARCEL 2: RESERVED FOR FUTURE DEVELOPMENT (CHURCH/SCHOOL SITE)

DENSITY REMAINING (PARCEL 1) 3 DWELLING UNITS TO BE ALLOCATED AS FOLLOWS (1 DWELLING UNIT EACH FOR LOTS 2, 3 & 7)
THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE THE DEVELOPER'S ENGINEER
HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER
BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.

LANDSCAPE CALCULATIONS

PLANTING REQUIRED

1 PU / 20 LF ADJ. RW = 13
(80 LF + 40) = 13
1 PU / 20 LF INTERIOR RD = 40
(80 LF + 80) = 40
SCREEN SIDE/REAR YARDS FR. ADJ. RW
(80 LF + 15) CLASS A = 5
SCREEN SWM POND
(40 LF + 15) CLASS A = 26.5
TOTAL PLANTING REQUIRED = 84.5 PLANT UNITS
TOTAL PLANTING PROVIDED = 84.5 PLANT UNITS
(41) MAJOR DEC TREES = 41
(19) FLOWERING TREES = 9.5
(36) EVERGREEN TREES = 18
(80) SHRUBS FOR SCREENING = 16
TOTAL = 84.5

A FINAL LANDSCAPE PLAN SHALL BE
APPROVED PRIOR TO ISSUANCE OF
GRADING OR BUILDING PERMITS.

SUMMARY OF FOREST CONSERVATION DATA

SEE SH. 2 OF 2 (PRELIMINARY FOREST
CONSERVATION PLAN)

MINIMUM HOUSE SETBACK REQUIREMENTS

FROM	DISTANCE
CENTERLINE OF STREET	75'
ANY LOT LINE OTHER THAN A STREET	50'
SEPTIC TANKS AND SEWAGE RESERVE AREAS	20'
WELLS	30'
FOREST BUFFER EASEMENT	35'
FOREST CONSERVATION EASEMENT	0' (HOWEVER, NO BUILDING BEYOND LINE AND INTO EASEMENT)

NO.	BEARING	DISTANCE
1	N 76° 45' 30" W	102.46'
2	N 65° 41' 27" W	283.50'
3	N 01° 35' 56" W	40.40'
4	N 43° 59' 07" E	58.11'
5	N 68° 37' 31" E	86.27'
6	S 70° 40' 54" E	140.26'
7	S 48° 31' 21" E	143.43'
8	R = 5784.56'	L = 103.70'
	Δ = 0° 03' 28"	TAN = 53.73'
	CHD = 27° 03' 41" W	107.45'

NO.	BEARING	DIST.
1	S 33° 57' 10" W	85.00'
2	N 56° 02' 50" W	45.00'
3	N 21° 44' 08" W	83.31'
4	S 74° 31' 43" E	122.00'

FOREST BUFFER EASEMENT & S.W.M. NOTE:
THE FOREST BUFFER EASEMENTS SHOWN HEREON ARE AS THEY WERE
ESTABLISHED FOR MINOR SUBDIVISION NO. 72-254 MP. THE EXISTING
WET POND IS TO BE DRAINED AND MODIFICATIONS WILL BE MADE IN
ORDER TO ESTABLISH A STORMWATER MANAGEMENT DETENTION (DR)
POND THAT UTILIZES CURRENT STANDARDS AND SPECIFICATIONS.
THE POND WILL BE DESIGNED FOR ULTIMATE CONDITIONS WHERE
PARCEL 2 IS ASSUMED TO BE DEVELOPED WITH A CHURCH/SCHOOL
COMPLEX. WATER QUALITY MANAGEMENT FOR AREAS DRAINING
TO THE POND WILL BE VIA EXTENDED DETENTION. WATER QUALITY
IS TO BE PROVIDED FOR BY-PASS AREAS VIA ACCEPTED METHODS.

SCHOOL DISTRICT #85

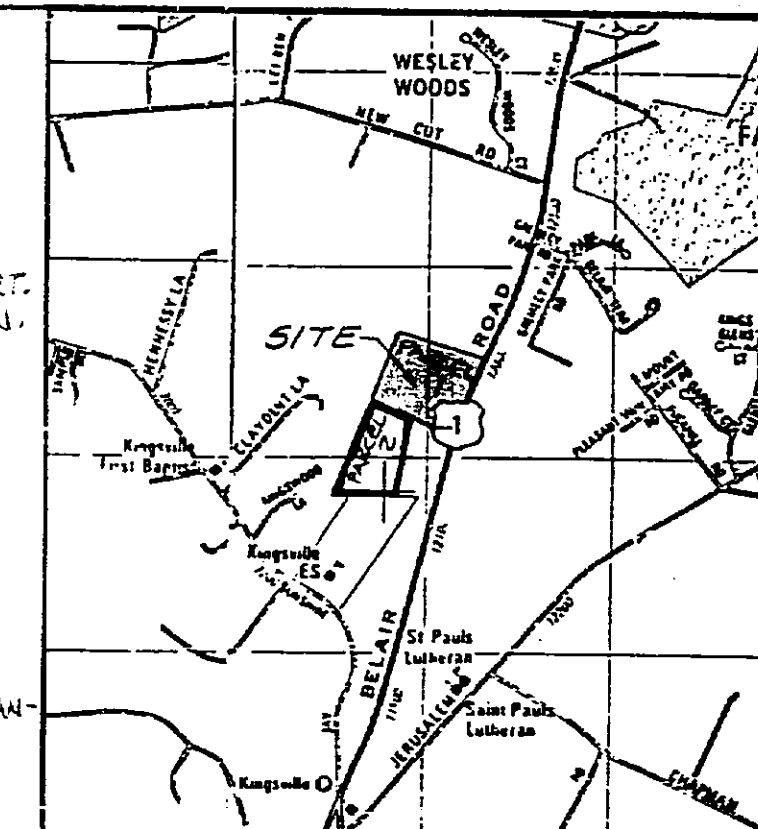
REGIONAL PLANNING DIST. #318
TAX ACCOUNT NO. PARCEL 1 (11-13-076051)
PARCEL 2 (11-13-076052)

TAX MAP 55, GRID 13 & 14, PARCEL 184
CENSUS TRACT 4111.01
WATERSHED 7, SUBSEWERSHED 81
EXISTING USE: AGRICULTURAL

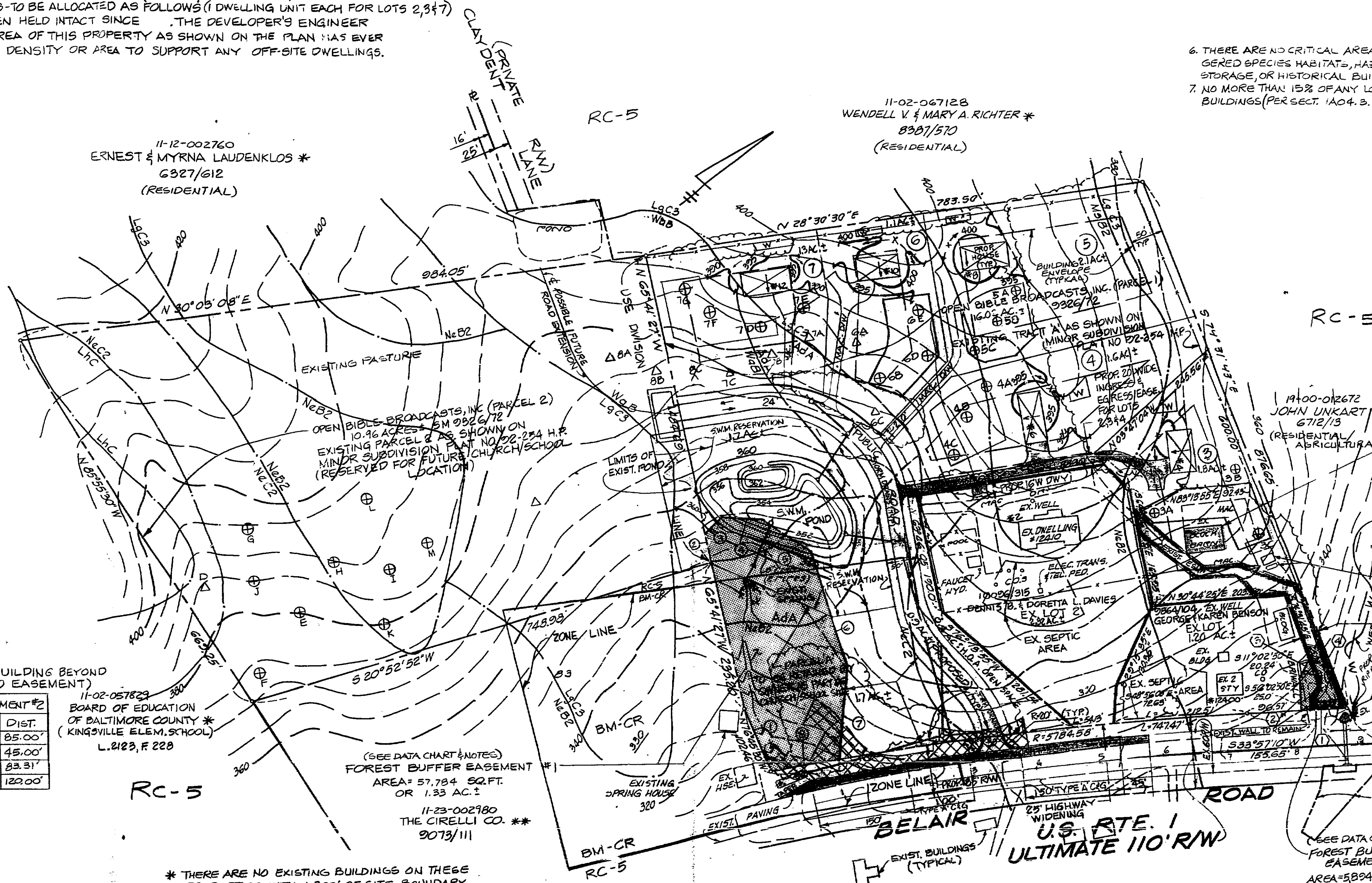
I, Christian S. Hayes, CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS
FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON
WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM
CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

GENERAL NOTES

1. THERE ARE NO 100-YEAR FLOOD PLANS ON SITE.
2. BUILDING EASEMENTS SHOWN ARE MAXIMUM AREA LIMITS
(75' SETBACK FROM E. ROAD, 50' SETBACK FROM ALL OTHER
PROPERTY LINES). OTHER SETBACKS TO BE APPLIED ARE
LISTED IN "MINIMUM HOUSE SETBACK REQUIREMENT" CHART.
3. ALL EXISTING BUILDINGS ON EXISTING LOTS 1 & 2 ARE TO REMAIN.
4. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS
REMAINING ON SITE.
5. THE LOCATION OF THE FUTURE ROAD EXTENSION TO
THE WEST PROPERTY LINE WILL BE REVIEWED WHEN
PARCEL 2 IS DEVELOPED.
6. THERE ARE NO CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDAN-
GERED SPECIES HABITATS, HAZARDOUS MATERIALS SITES OR
STORAGE, OR HISTORICAL BUILDINGS ON SITE.
7. NO MORE THAN 15% OF ANY LOT MAY BE COVERED BY
BUILDINGS (PER SECT. 1404.3.B.4.)



VICINITY MAP
SCALE: 1" = 2000'



A "PETITION FOR VARIANCE" REGARDING THE EXISTING
BLOCK BARN IS TO BE FILED ALONG WITH THIS PLAN.
NO PERMITS SHALL BE ISSUED FOR THIS DEVELOPMENT
UNTIL THE REQUESTED VARIANCES ARE GRANTED
RELIEF OR UNTIL THE EXISTING BARN IS RAZED.
(IF VARIANCES ARE DENIED).

1. SECTION 400.1 B.C.Z.R.: TO ALLOW AN ACCESSORY
BUILDING IN A SIDE YARD.
2. SECTION 400.3 B.C.Z.R.: TO ALLOW AN ACCESSORY
BUILDING TO BE 25' IN HEIGHT IN LIEU OF THE MAXIMUM 15'.

EXISTING SHEDS TO BE REMOVED BY
OWNERS PRIOR TO RECORD PLAT.

NOTE: ALTHOUGH PROPOSED AS PART OF LOT 3, THIS PANHANDLE STRIP (W/EXIST.
DRIVEWAY) MAY NOT BE USED BY LOT 3 FOR ACCESS TO BELAIR ROAD.
ACCESS THROUGH THIS AREA WILL BE RESTRICTED TO EXIST. LOT 1 VIA
AN EXIST. EASEMENT OVER SAID STRIP. LOT 3 SHALL ACCESS ON THE
PROPOSED ROAD VIA AN EASEMENT OVER LOT 4. EXISTING LOT 2
(12410 BELAIR ROAD) IS TO BE ASSIGNED A NEW ADDRESS AND SHALL
HAVE ACCESS ONLY ON THE PROPOSED ROAD. THE EXIST. EASEMENT
GIVING INGRESS, EGRESS, TO LOT 2 SHALL BE EXTINGUISHED WITHIN
ONE YEAR OF THE OPENING OF THE NEW ROAD.

SITE DATA

Existing Zoning and Maximum Density Permitted

Zone	Gross Acres (Parcel 1)	Units Allowed	Density Units	Units Proposed
RC-5 BM-CR	17.29	11	NA	5 SINGLE FAMILY LOTS RESIDENTIAL LOTS (EXIST. + 5 PROPOSED)
Total	17.29	11	NA	7

SITE DEVELOPMENT PROPOSAL

Dwelling Type	Proposed Units	Parking Required	Parking Provided	Open Space Required (acres)	Open Space Proposed (H.O.A.)	Average Daily Trips	Phase	Development Schedule
RESIDENTIAL	7 (5+2 B.A.)	14	14	NA	NA	12.4 x 7 = 87		
Total	7	14	14	NA	NA	87		

25% SLOPES
OR GREATER
WETLANDS AREA

Standard Nondisturbance Note:

"There shall be no clearing, grading, construction or disturbance of
vegetation in the Forest Buffer Reservation except as permitted by the
Baltimore County Department of Environmental Protection and Resource
Management."

Protective Covenants Note:

"Any Forest Buffer Easement shown hereon is subject to protective
covenants which may be found in the Land Records of Baltimore County
and which restrict disturbance and use of these areas."

OWNER

NAME: OPEN BIBLE BROADCASTS, INC.
ADDRESS: 8014 HARBOR ROAD
BALTIMORE, MD. 21214
9326/72
CONTACT: MR. CHRIS HAYES
PHONE: 628-7800
TAX ACCT NO.: PARCEL 1 (11-13-076051)
PARCEL 2 (11-13-076052)

REF:
MINOR SUBDIVISION PLAT
PROJECT NO. 92-254 MP
APPROVED: 5-12-93
Z.A.D.M. #X1-639
DEVELOPMENT PLAN #
"OPEN BIBLE PROPERTY"
FORMERLY
"12410 BELAIR ROAD"
BALTIMORE CO., MD.
11th ELECTION DIST.
COUNCILMANIC DIST. 5
SCALE: 1" = 100' SHEET 1 OF 2 DATE: MAY 1993

HICKS ENGINEERING CO., INC.
ENGINEERS, SURVEYORS & PLANNERS
200 EAST JOPPA ROAD - SUITE 200
TOWSON MARYLAND 21204

