

IN RE: PETITION FOR VARIANCE
N/S Dogwood Road, 190' E of
Belmont Terrace
(6712 Dogwood Road)
2nd Election District
2nd Councilmanic District

George A. Johnson, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-323-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 6712 Dogwood Road, located in the vicinity of Featherbed Lane in Woodlawn. The Petition was filed by the owners of the property, George A. and H. Eloise T. Johnson, and the Contract Lessees, the Oak Ridge Education Trust, Inc., through Stephen L. Verch, Esquire, attorney for the Petitioners. The Petitioners seek relief from Section 1B01.1.B.1.c.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit Residential Transition Area (RTA) buffers and setbacks of 40 feet each in lieu of the required 50 feet and 75 feet, respectively, for a proposed private school. The Petition as filed also seeks relief from Sections 409.4.A and 409.8.A.2 and 6 to permit a two-way driveway width of 12 feet in lieu of the required 20 feet, and a non-durable, non-dustless, unstriped parking area in lieu of the required durable and dustless permanently striped surface. However, at the preliminary stage of the hearing, Counsel for the Petitioners requested a withdrawal of the variances from Sections 409.4.A and 409.8.A.2 and 6 for reasons explained during the hearing. The Petition was amended accordingly and the matter proceeded on the RTA buffers and setbacks. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

ORDER RECEIVED FOR FILING

Date

By

Appearing at the hearing on behalf of the Petition were representatives of the Oakridge Education Trust, Inc., Contract Purchasers, and Stephen L. Verch, Esquire, attorney for the Petitioners.

Testimony and evidence offered revealed that the subject property consists of 1.9 acres, more or less, zoned D.R. 5.5 and is improved with a one-story frame dwelling, a detached garage, and storage building. The Petitioners are desirous of operating a private school on the premises, utilizing the existing improvements. The proposed school will be operated through the Windsor Mill Gospel Hall by way of the Oak Ridge Education Trust, Inc. Testimony indicated that children who attend this private school will be required to contribute to their tuition and their parents will be required to participate in the education of their children. At the present time, 14 children are enrolled in this school; however, the Petitioners would like to expand their facility to accommodate up to 35 children. Currently, the school provides educational services for Grades K through 12. In order to operate a private school on the subject site, the requested variance from RTA buffers and setback requirements are necessary. Testimony revealed that the improvements on the property are very well-buffered by existing trees and foliage on the site and are barely visible to adjoining residences. Thus, strict compliance with the regulations is unnecessary and would be unreasonably burdensome.

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 a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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

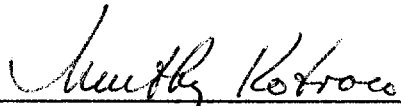
It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good. Although the Petitioners do not meet the technical RTA setback requirements, it is clear that the property is very well buffered from the surrounding residences by virtue of the large amount of trees and foliage that presently exists along the perimeter of this property. Thus, I believe that the Petitioners have a sufficient buffer from surrounding residences, and the variance shall be granted.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is 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 this variance request 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 variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with 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 variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of April, 1996 that the Petition for Variance seeking relief from Section 1B01.1.B.1.c.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit Residential Transition Area (RTA) buffers and setbacks of 40 feet each in lieu of the required 50 feet and 75 feet, respectively, for a proposed private school, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their use 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) The relief granted herein is limited to a private school for no more than 35 children. In the event the Petitioners wish to alter this restriction, a Petition for Special Hearing must be filed to determine the appropriateness of same.
- 3) When applying for any permits, the site plan and/or 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

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/18/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 18, 1996

Stephen L. Verch, Esquire
12 Dallington Court
Perry Hall, Maryland 21128

RE: PETITION FOR VARIANCE
N/S Dogwood Road, 190' E of Belmont Terrace
(6712 Dogwood Road)
2nd Election District - 2nd Councilmanic District
George A. Johnson, et ux - Petitioners
Case No. 96-323-A

Dear Mr. Verch:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has 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, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. George A. Johnson
6712 Dogwood Road, Baltimore, Md. 21207

Oak Ridge Education Trust, Inc.
6741 Whitestone Road, Baltimore, Md. 21207

People's Counsel

✓ File

MICROFILM



#323

ORIGINAL SIGNATURES.
KEEP IN ZONING FILE.

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6712 DOGWOOD RD BALTO MD 21207
which is presently zoned DR.SF

96-323-A

This Petition shall be filed with the Department of Permits & 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) PROPERTY BOUNDARIES ALREADY EXIST WITH BUILDING IN ITS EXISTING LOCATION!

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.

Contract Purchaser/Lessee

OAK RIDGE EDUCATION TRUST INC
(Type or Print Name)

Richard W. Verch
Signature

6741 WHITESTONE RD
Address

BALTO MD 21207
City State Zipcode

Attorney for Petitioner.

STEPHEN L. VERCH
(Type or Print Name)

Stephen L. Verch
Signature

1/2 DALLINGTON CT 931-1724
Address Phone No.

PERRY HALL MD 21128
City State Zipcode

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.

Legal Owner(s)

GEORGE A. JOHNSON
(Type or Print Name)

George A. Johnson
Signature

H. ELOISE T. JOHNSON
(Type or Print Name)

H. Eloise T. Johnson
Signature

6712 DOGWOOD ROAD 410-944-2990
Address Phone No.

BALTIMORE MD 21207-4120
City State Zipcode
Name, Address and phone number of representative to be contacted.

Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL ☒ OTHER

REVIEWED BY: [Signature] DATE 3/23/96

ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

~~VAR~~ VARIANCE REQUEST # 322

- ① 1301.1.B.1. C.2 TO ALLOW 40 FT. RTA BUFFERS
AND SETBACKS IN LIEU OF THE REQUIRED 50 FT. AND
75 FT. RESPECTIVELY.

96-323-A

- ② ~~409.4.A AND 409.8.A.2 AND 6 TO PERMIT A 12 FT DRIVEWAY
(2WAY) AND A NON DURABLE DUSTLESS UNSTRIPED PARKING AREA
IN LIEU OF THE REQUIRED DURABLE DUSTLESS PERMANENTLY
STRIPED SURFACE.~~
- Deleted
T.M.K.

ORDER RECEIVED FOR FILING

Date

By

4/18/96
[Signature]

#323

STATEMENT OF
PRACTICAL DIFFICULTY + HARDSHIP.

Regarding #1 - Sec 1B01.1.B.1 c2+c

The house is already situated 48' ~~51'~~ from property line right side with nearest Neighbour House OVER 150' DISTANCE ~~between back~~ away. ON REAR OF DWELLING APPROX 42' TO PROPERTY LINE AND OVER 200' TO PUBLIC SCHOOL BEYOND.

#2 SEC 409.4A THE EXPENSE TO PAVE THIS AREA WOULD BE A GREAT HARDSHIP TO CONSIDER DOING AT THIS TIME BUT IS OUR STRONGEST DESIRE TO DO AS SOON AS WE CAN AFFORD IT. WE WILL HOWEVER, PUT IN ALL NECESSARY SIDEWALKS + RAMPS FOR HANDICAP REQUIREMENTS BEFORE USE.

#323

JOHNSON PROPERTY
6712 WINDSOR MILL RD. BALTO MD 21207

96-323-A

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

323

DONALD SIMMONS ASSOCIATES, INC.
Consulting Engineers

4637 S. LEISURE COURT
ELLICOTT CITY, MD 21043
(410) 465-7354

DESCRIPTION OF PROPERTY PERTAINING TO HEARING FOR USE OF EXISTING
RESIDENCE AT 6712 DOGWOOD ROAD AS A CHURCH SCHOOL BY OAK RIDGE
EDUCATION TRUST.

Beginning at a point on the center line of Dogwood Road which has
a 30' R.O.W., at a distance of 190' ft. east of Belmont Terrace,
which has 35' R.O.W., thence the following courses and distances:

N 49 degrees. 5 minutes east, 398.52 ft., S 40 degrees, 55
minutes east, 197 ft., S 35 degrees, 15 minutes west, 297.51 ft.,
N 63 degrees, 40 minutes west, 182.0 ft., N 63 degrees, 5 minutes
west, 107.85 ft. to place of beginning. As recorded in Baltimore
County G.L.B. 2125-551 and G.L.B. 1985-519.



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

96-323-A

District 2nd Date of Posting 3-22-96
Posted for: April 8th hearing
Petitioner: George E. Johnson, et al / Oakridge Education Trust
Location of property: 6712 Dogwood Rd
Location of Sign: _____
Remarks: _____
Posted by: Mark Powell Date of return: _____
Number of Signs: _____



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 Mt. Chesapeake Avenue, in Towson, Maryland 21204 at Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-323-A
(Item 323)

6712 Dogwood Road
MS Dogwood Road, 190' E of Belmont Terrace
2nd Election District
2nd Councilmanic

Legal Owner(s):

George A. Johnson and H. Boese T. Johnson

Variance: to allow 40 feet RTA buffers and setbacks in lieu of the required 50 feet and 75 feet, respectively, and to permit a 12' foot driveway (2-way) and a non-durable unstriped parking area in lieu of the required durable dustless permanently striped surface.

Hearing: Monday, April 8, 1996 at 11:30 a.m. in Rm. 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.

3/108 Mar 14

C37092

CERTIFICATE OF PUBLICATION

TOWSON, MD., 3/14, 1996

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 3/14, 1996.

THE JEFFERSONIAN,

A. H. Henshaw

LEGAL AD. - TOWSON

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

JL # 323

No. 518579

DATE 3/23/96 ACCOUNT R0016150

96-323-A

AMOUNT \$ 285.00

RECEIVED FROM: MID EASTERN ADVERTISING
6712 DOGWOOD RD,

FOR: COMM VAR FILING 250.00
1 SPAN 35.00 \$285.00
03A9140015MICHAE
04 COLL 26AND2-23-96

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER

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:

- 1) Posting fees will be assessed 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.: 323

Petitioner: JOHNSON

Location: 6712 DOGWOOD ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: PETER WASKEY

ADDRESS: 1917 HILLSIDE DR.

BALTO MD 21207

PHONE NUMBER: 410 944 7308

AJ:ggs

(Revised 04/09/93)



Printed on Recycled Paper

TO: PUTUXENT PUBLISHING COMPANY
March 14, 1996 Issue - Jeffersonian

Please forward billing to:

Peter Waskey
1917 Hillside Drive
Baltimore, MD 21207
944-7308

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: 96-323-A (Item 323)
6712 Dogwood Road
N/S Dogwood Road, 190' E of Belmont Terrace
2nd Election District - 2nd Councilmanic
Legal Owner: George A. Johnson and H. Eloise T. Johnson
Contract Purchaser: Oak Ridge Education Trust, Inc.

Variance to allow 40 feet RTA buffers and setbacks in lieu of the required 50 feet and 75 feet, respectively; and to permit a 12 foot driveway (2-way) and a non-durable unstriped parking area in lieu of the required durable dustless permanently striped surface.

HEARING: MONDAY, APRIL 8, 1996 at 11:00 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

March 7, 1996

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: 96-323-A (Item 323)
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Variance to allow 40 feet RTA buffers and setbacks in lieu of the required 50 feet and 75 feet, respectively; and to permit a 12 foot driveway (2-way) and a non-durable unstriped parking area in lieu of the required durable dustless permanently striped surface.

HEARING: MONDAY, APRIL 8, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: George and H. Eloise Johnson
Oak Ridge Education Trust, Inc./Peter Waskey
Stephen L. Verch, 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

April 1, 1996

Stephen L. Verch, Esquire
12 Dallington Court
Perry Hall, MD 21128

RE: Item No.: 323
Case No.: 96-323-A
Petitioner: G. A. Johnson

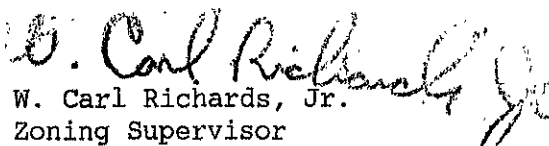
Dear Mr. Verch:

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 March 23, 1996.

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)



3/18/96
f

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

TO: Arnold Jablon
PDM

DATE: March 13, 1996

FROM: Robert A. Wirth *RAW/AMS*
Permits and Development Review
DEPRM

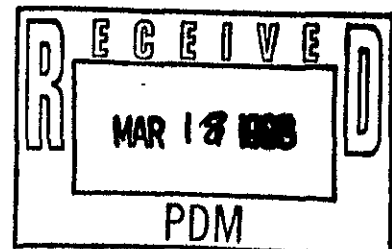
SUBJECT: Zoning Advisory Committee
Meeting of: March 4, 1996

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 316
317
318
319
322
323
324

RAW:sp

MTG/DEPRM/TXTSBP





Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

3-1-96

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

RE: Baltimore County
Item No. 323 (JLL)

Dear Ms. Watson:

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

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

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: March 11, 1996

FROM: *RWB* Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for March 11, 1996
Item No. 323

The Development Plans Review Division has reviewed the subject zoning item. Dogwood Road is an existing road which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way.

The proposed single commercial entrance shall be built in its ultimate location per the Department of Public Works standards Plate R-32 with a minimum entrance width of 24 feet between the curb returns.

The existing stone driveway will be improved to a minimum 16 feet wide paved macadam with a paved parking area.

Public water and sewer are located in Dogwood Road along the site's frontage and is available, if required. The existing residence is using a private well and septic now.

RWB:jrb

cc: File

ZONE1A

03/11/96

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 03/06/96

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

RE: Property Owner: GEORGE A. JOHNSON & H. ELOISE JOHNSON

Location: N/S DOGWOOD RD., 190' E OF BELMONT TERRACE (6712 DOGWOOD RD.)

Item No.: 323

Zoning Agenda: VARIANCE

Gentlemen:

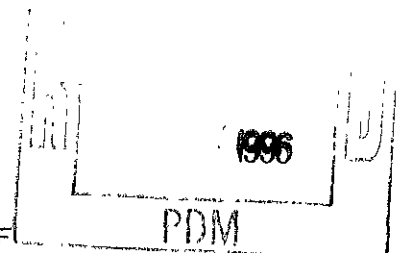
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

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.

* A 16 FT. DRIVEWAY IS REQUIRED FOR EMERGENCY EQUIPMENT ACCESS.

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, PDM

DATE: March 13, 1996

FROM: Arnold F. "Pat" Keller, III, Director, PO 

SUBJECT: 6712 Dogwood Road

INFORMATION:

Item Number: 323

Petitioner: Johnson Property

Property Size: _____

Zoning: DR-5.5

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

A review of the plan accompanying the subject request and a site inspection reveal that the closest residential uses are a substantial distance away from the proposed use, and that an existing wooded area will effectively buffer the school from adjacent properties.

This office defers to the respective positions taken by DEPRM and Traffic Engineering regarding issues related to a durable/dustless surface and a 12-foot driveway.

Based upon an analysis of the requested Variance, this office recommends approval subject to the following conditions:

- The maximum number of students should be indicated on the plan.
- A landscape plan should be submitted to the Baltimore County Landscape Planner for review and approval.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Kerns

PK/JL

Handwritten signature/initials at bottom center

PETITION PROBLEMS

#317 --- JRA

1. Notary section is incomplete.

#320 --- JJS

1. Receipt still in folder, not given to petitioner.

#321 --- JLL

1. No telephone number for legal owner.

#322 --- JLL

1. Two contract purchasers listed on petition form - only one signature.
2. Need attorney - legal owner is incorporated.

323 #323 --- JLL

1. Need printed name and title of person signing for contract purchaser.

RE: PETITION FOR VARIANCE
6712 Dogwood Road, N/S Dogwood Road,
190' E of Belmont Terrace, 2nd
Election District, 2nd Councilmanic

Legal Owner: George and Eloise Johnson
Contract Purchaser: Oakridge Education
Trust, Inc.

Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-323-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 2nd day of April, 1996, a copy of the foregoing Entry of Appearance was mailed to Stephen L. Verch, Esquire, 12 Dallington Court, Perry Hall, MD 21128, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



OAK RIDGE EDUCATION TRUST, INC.

6741 White Stone Road
Baltimore, Maryland 21207
(410) 265-6614

April 8, 1996

Baltimore County, Maryland
Department of Zoning
111 W. Chesapeake Avenue - Room 111
Towson, MD 21204
attn: Mr. John Lewis

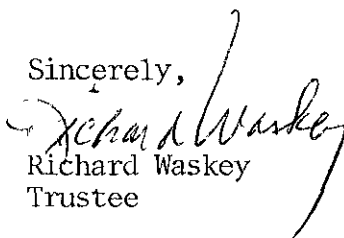
Dear Mr. Lewis,

As per your telephone conversation with my father this afternoon, I am sending you the 3 sets of site plans which you requested for the Oak Ridge School. The permit number which we were given earlier today is B265948.

We are presently waiting for the transcript from the hearing with the Zoning Commissioner this morning also. This was case no. 96-323-A. We were granted the requested variance to allow for a 40' RTA set-back & buffer instead of the required 50 & 75 foot set-back.

As soon as you receive a copy of the transcript in your office and are able to give your final approval and "sign-off" on the plans, we will be able to obtain the permits. Your help, interest and cooperation is and always has been appreciated.

Sincerely,


Richard Waskey
Trustee

/rw

Enclosure

P.S. Department of Permits and Development Management did not require any site plans in that there is to be no perimeter changes to the existing building.
Trustees: J.G. Walley • P.K. Waskey • R.A. Waskey



OAK RIDGE EDUCATION TRUST, INC.

6741 White Stone Road
Baltimore, Maryland 21207
(410) 265-6614

PLEASE NOTE:

DRIVEWAY AND PARKING LOT WILL BE MADE TO MEET
REQUIREMENTS SET OUT IN BALTIMORE COUNTY FIRE
DEPARTMENT REGULATIONS.

Trustees: J.G. Walley • P.K. Waskey • R.A. Waskey

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

• Oakridge Educational Trust, Inc
by Attorney Stephen L. Verdu

12 DALLINGTON COURT
PERRY HALL, MD 21128



FINDINGS OF FACT AND CONCLUSIONS OF LAW

ORDER RECEIVED FOR FILING
Date 2/15/66
By JLB

- 2 -

ORDER RECEIVED FOR FILING
Date 7/13/66
By [Signature]

- 3 -

TMK:bis

4

(410) 887-4386

~~File~~

MICROFILME

ORDER RECEIVED FOR FILING
Date 4/18/96
By MS 250

the following date: _____ Next Two Months
ALL ☒ OTHER _____
REVIEWED BY: [Signature] DATE 3/23/96

ORDER RECEIVED FOR FILING
Date 4/18/96

96-323-A

ORDER RECEIVED FOR FILING
Date 4/18/06
By [Signature]

MICROFILMED



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

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

RE: Baltimore County
Item No. 323 (JLL)

Dear Ms. Watson:

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

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

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management Date: March 11, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT: Zoning Advisory Committee Meeting
for March 11, 1996
Item No. 323

The Development Plans Review Division has reviewed the subject zoning item. Dogwood Road is an existing road which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way.

The proposed single commercial entrance shall be built in its ultimate location per the Department of Public Works standards Plate R-32 with a minimum entrance width of 24 feet between the curb returns.

The existing stone driveway will be improved to a minimum 16 feet wide paved macadam with a paved parking area.

Public water and sewer are located in Dogwood Road along the site's frontage and is available, if required. The existing residence is using a private well and septic now.

RWB:jrb

cc: File

ZONE1A

**Baltimore County Government
Fire Department**



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 03/06/96

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

RE: Property Owner: GEORGE A. JOHNSON & H. ELOISE JOHNSON

Location: N/S DOGWOOD RD., 190' E OF BELMONT TERRACE (6712 DOGWOOD RD.)

Item No.: 323

Zoning Agenda: VARIANCE

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

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.

* A 16 FT. DRIVEWAY IS REQUIRED FOR EMERGENCY EQUIPMENT ACCESS.

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

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: March 13, 1996

FROM: Arnold F. "Pat" Keller, III, Director, PO

SUBJECT: 6712 Dogwood Road

INFORMATION:

Item Number: 323

Petitioner: Johnson Property

Property Size:

Zoning: DR-5.5

Requested Action: Variance

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

A review of the plan accompanying the subject request and a site inspection reveal that the closest residential uses are a substantial distance away from the proposed use, and that an existing wooded area will effectively buffer the school from adjacent properties.

This office defers to the respective positions taken by DEPM and Traffic Engineering regarding issues related to a durable/dustless surface and a 12-foot driveway.

Based upon an analysis of the requested Variance, this office recommends approval subject to the following conditions:

- The maximum number of students should be indicated on the plan.

- A landscape plan should be submitted to the Baltimore County Landscape Planner for review and approval.

Prepared by: *Jeffrey W. Long*

Division Chief: *Carol L. Kims*

PK/JL

PETITION PROBLEMS

#317 --- JRA

1. Notary section is incomplete.

#320 --- JJS

1. Receipt still in folder, not given to petitioner.

#321 --- JLL

1. No telephone number for legal owner.

#322 --- JLL

1. Two contract purchasers listed on petition form - only one signature.
2. Need attorney - legal owner is incorporated.

#323 --- JLL

1. Need printed name and title of person signing for contract purchaser.

MICROFILMED

RE: PETITION FOR VARIANCE
6712 Dogwood Road, N/S Dogwood Road,
190' E of Belmont Terrace, 2nd
Election District, 2nd Councilmanic
Legal Owner: George and Eloise Johnson
Contract Purchaser: Oakridge Education
Trust, Inc.
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 2nd day of April, 1996, a copy of the foregoing Entry of Appearance was mailed to Stephen L. Verch, Esquire, 12 Dallington Court, Perry Hall, MD 21128, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

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

May 20, 1996

Richard Waskey, Trustee
Oak Ridge Education Trust, Inc.
8741 White Stone Road
Baltimore, MD 21207

RE: Oak Ridge School
Permit #B-265948
Zoning Case #96-323-A
2nd Election District

Dear Mr. Waskey:

Due to restrictions in the zoning case order, the building permit plans under B-265948 will require some amendments prior to release by this office. These include:

1. Showing and dimensioning a 20-foot wide driveway.
2. Showing durable, dustless paving and striping.
3. Showing compliance with all restrictions, inclusive of #3 which requires that the zoning case number, order and restrictions are included on all permit and landscaping site plans.

Please resubmit three revised plans, with the above revisions and permit "B" number included, along with a copy of these comments to myself in the Zoning Review Office at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Please contact Mr. Avery Hardon of the Developers Engineering Section (887-3751) for landscape plan requirements.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at (410) 887-3381.

Very truly yours,

John L. Lewis
John L. Lewis
Planner II, Zoning Review

c: zoning case #96-323-A

Printed with Soybean Ink
on Recycled Paper



OAK RIDGE EDUCATION TRUST, INC.
6741 White Stone Road
Baltimore, Maryland 21207
(410) 265-6614

April 8, 1996

Baltimore County, Maryland
Department of Zoning
111 W. Chesapeake Avenue - Room 111
Towson, MD 21204
attn: Mr. John Lewis

Dear Mr. Lewis,

As per your telephone conversation with my father this afternoon, I am sending you the 3 sets of site plans which you requested for the Oak Ridge School. The permit number which we were given earlier today is B265948.

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Sincerely,
Richard Waskey
Richard Waskey
Trustee

/rw

Enclosure

MICROFILMED

P.S. Department of Permits and Development Management did not require any site plans in that there is to be no perimeter changes to the existing building.
Trustees: J.G. Walley • P.K. Waskey • R.A. Waskey



OAK RIDGE EDUCATION TRUST, INC.
6741 White Stone Road
Baltimore, Maryland 21207
(410) 265-6614

PLEASE NOTE:

DRIVEWAY AND PARKING LOT WILL BE MADE TO MEET
REQUIREMENTS SET OUT IN BALTIMORE COUNTY FIRE
DEPARTMENT REGULATIONS.

Trustees: J.G. Watley • P.K. Waskey • R.A. Waskey

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

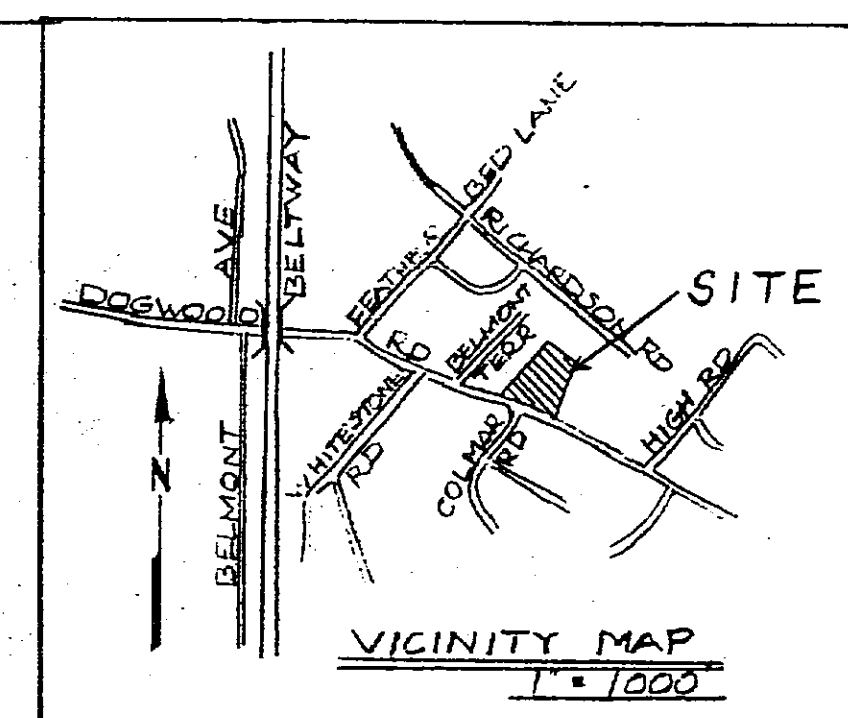
NAME

ADDRESS

Oakridge Educational Trust, Inc.
by Attorney Stephen L. Veach

12 DALLINGTON COURT
PERRY HALL, MD 21121

Printed with Daybreak Ink
on Recycled Paper



DESCRIPTION OF PROPERTY PERTAINING TO HEARING FOR USE OF EXISTING
RESIDENCE AT 6712 DOGWOOD ROAD AS A CHURCH SCHOOL BY OAK RIDGE
EDUCATION TRUST.

Beginning at a point on the center line of Dogwood Road which has
a 30' R.O.W., at a distance of 190' ft. east of Belmont Terrace,
which has 35' R.O.W., thence the following courses and distances:
N 49 degrees, 5 minutes east, 398.52 ft., S 40 degrees, 55
minutes east, 197 ft., S 35 degrees, 15 minutes west, 297.51 ft.,
N 63 degrees, 40 minutes west, 182.0 ft., N 63 degrees, 5 minutes
west, 107.85 ft. to place of beginning. AS RECORDED IN BALTIMORE
County G.L.B. 2125-551 and G.L.B. 1985-519.

PROPERTY ZONED DR 5.5

PROPERTY 1.9 ACRES GROSS AREA

F.A.R. = $(1405 + 945 + 700) / (1.91 \times 43,560) = .037$

A.O.S. = NONE

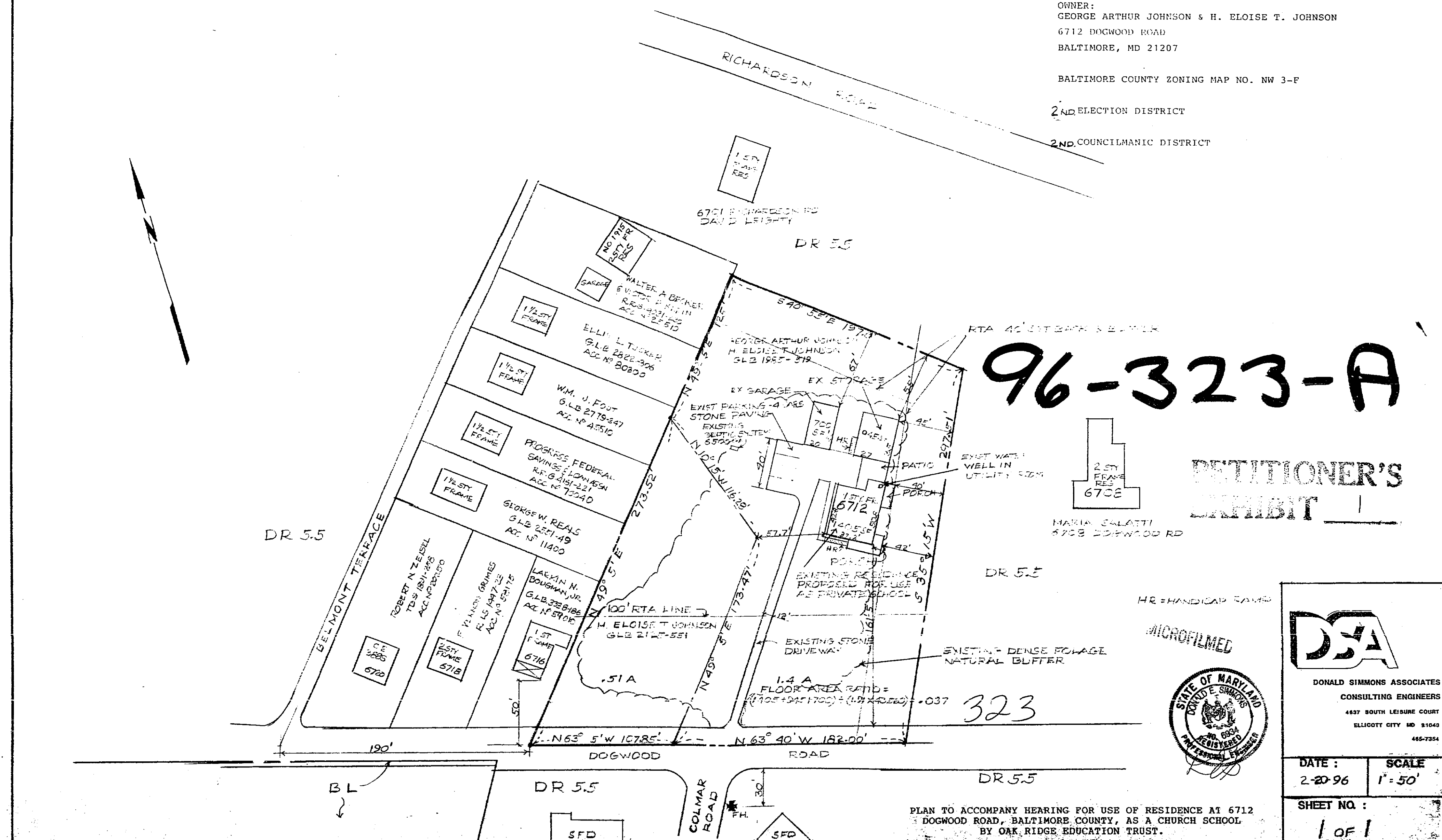
PARKING DATA: CHURCH SCHOOL
1 SPACE PER EMPLOYEE PLUS VISITOR
1 EMPLOYEE PLUS VOLUNTEER = 2
SPACES REQUIRED = 3
SPACES PROVIDED = 4
TYPICAL SPACE SIZE = 8.5 X 18
PAVING TYPE: CRUSHED STONE MACADAM
NO PRIOR ZONING HEARINGS ON SITE

OWNER:
GEORGE ARTHUR JOHNSON & H. ELOISE T. JOHNSON
6712 DOGWOOD ROAD
BALTIMORE, MD 21207

BALTIMORE COUNTY ZONING MAP NO. NW 3-P

2ND ELECTION DISTRICT

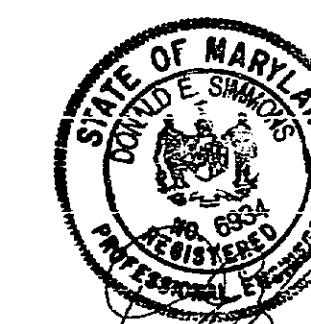
2ND COUNCILMANIC DISTRICT



PETITIONER'S
EXHIBIT

HE HANDICAP RAMP

MICROFILMED

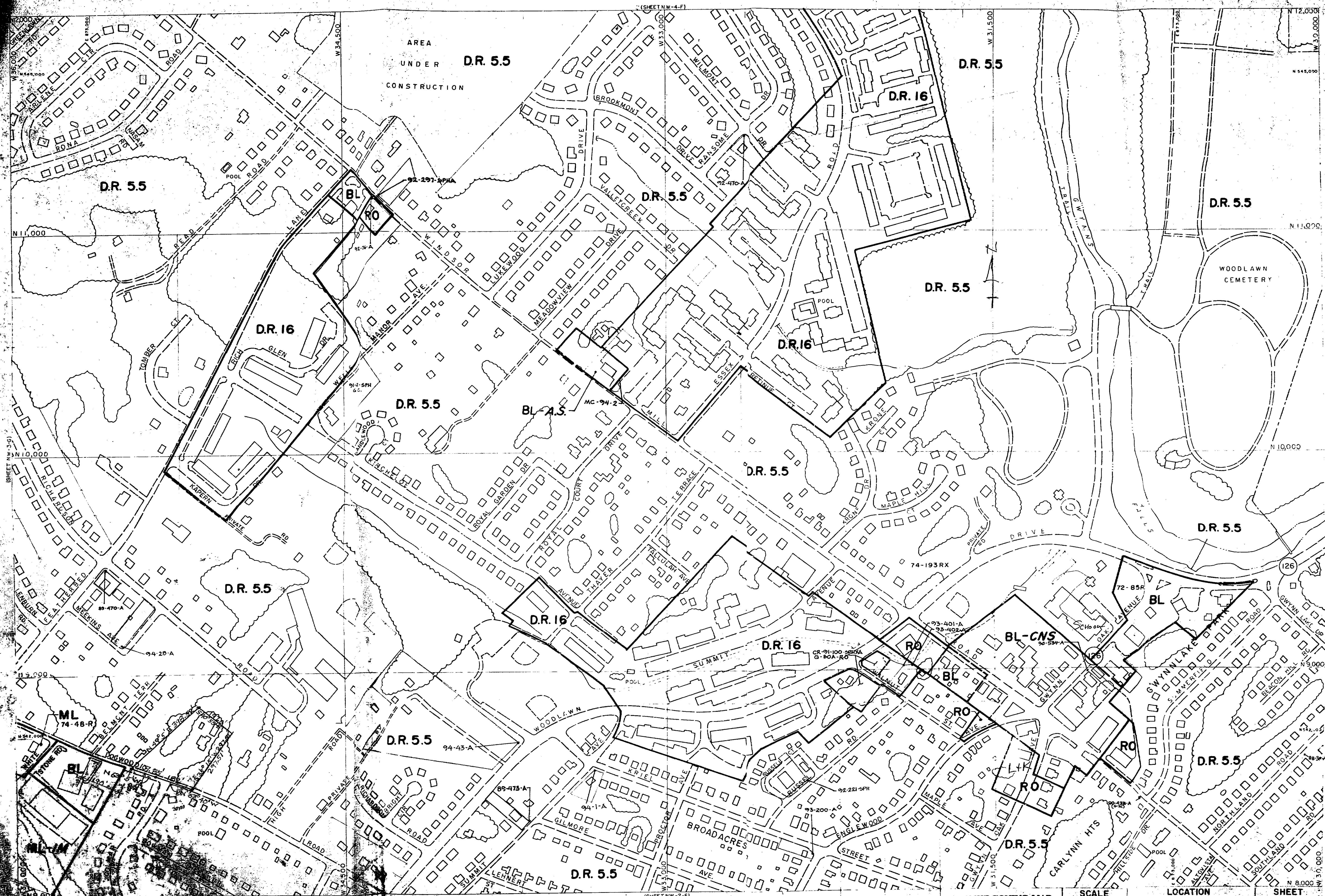


DONALD SIMMONS ASSOCIATES
CONSULTING ENGINEERS
4837 SOUTH LEISURE COURT
ELICOTT CITY, MD 21042
446-7354

DATE: 2-20-96 SCALE: 1" = 50'

SHEET NO: 1 OF 1

PLAN TO ACCOMPANY HEARING FOR USE OF RESIDENCE AT 6712
DOGWOOD ROAD, BALTIMORE COUNTY, AS A CHURCH SCHOOL
BY OAK RIDGE EDUCATION TRUST.



1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 13, 1988
 Ord. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
 Chairman, City Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 15, 1992
 Ord. Nos. 153-92, 154-92, 155-92, 156-92, 157-92, 158-92, 159-92, 160-92
 Chairman, County Council

SCALE 1" = 200'	LOCATION WOODLAWN	SHEET NW 3-F
DATE OF PHOTOGRAPHY JANUARY 1986	MICROFILMED	

6-323-A