ORDER RECEIVED FOR FILING

Date 1093 97

By 7000

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE

W/S Hanover Pike, 1200 N of

Mount Gilead Road * ZONING COMMISSIONER

14450 Hanover Pike

4th Election District * OF BALTIMORE COUNTY

3rd Councilmanic District

Baltimore County Baptist Church, * Case No. 98-93-X

Inc., Petitioner

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 14450 Hanover Pike in the northwestern section of Baltimore County. The Petition was filed by the Baltimore County Baptist Church, Inc., property owner. Special Exception relief is requested to approve the subject property as a place of worship in an R.C.2 and R.C.4 zone; more particularly, to approve the construction of a church building and proposed addition on the subject property. The subject site and requested relief are more particularly shown on Petitioner's Exhibit 1, the plat to accompany the Petition for Special Exception.

Appearing at the public hearing held for this case was Reverend David J. LeBlanc, Pastor of the Baltimore County Baptist Church, property owner. Also appearing in support of the Petition was Kristin Barmoy, the engineer who prepared the site plan, and Don E. Stedham and Charles M. Gilmore, consultants retained by the Church. Certain members of the congregation appeared in support of the Petition, as did Samuel G. Elseroad, a neighbor. The Petitioner was represented by John F. Blevins, Esquire. There were no Protestants present.

Testimony and evidence presented was that the subject property is approximately 6.38 acres in area, split zoned R.C.2 and R.C.4. The predominant zoning of the property is R.C.2, but for a small corner of the site, zoned R.C.4. The subject property is roughly rectangular in shape, with frontage on the Hanover Pike (Md. Route 30).

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An Hondard

Presently, the property is improved with a single story building which is used as a church. The existing building is 7680 sq. ft. Apparently, the building was constructed a number of years ago, before the adoption of the R.C.2 and R.C.4 zones by the County Council. Thus, the use of the subject property as a church is nonconforming in nature, given the long term use of this site by the Petitioner. (See Section 104 of the BCZR).

The Petitioner proposes adding a single story structure to the church building. The proposed addition will be 9270 sq. ft. and will provide needed space, particularly for Sunday School and other educational activities. In that the proposed addition represents more than a 25% increase to the existing building size, special exception relief is needed for the entire property in that an expansion of this size is not permitted for a nonconforming use, pursuant to Section 104.

Testimony from Reverend LeBlanc and Kristin Barmoy, an engineer, was persuasive that the relief should be granted. In my judgment, the existing and proposed construction will not be detrimental to the health, safety or general welfare of the locale. It appears that the subject property is an appropriate location for the existing church building and addition, and that the relief requested complies with the requirements set forth in Section 502.1 of the BCZR. Thus, the Petition for Special Exception shall be granted.

It is also to be noted that the project has received an exemption from the development regulations of Baltimore County, as set out in Note 12 on the plan. Thus, no further governmental approvals are necessary, but for the issuance of permits. Moreover, the Petitioner has agreed that a land-scape plan will be submitted for approval by Avery Harden, Baltimore County's Landscape Architect. Apparently, preliminary discussions were conducted between Mr. Harden and the Church's representatives and a schematic

proposal was presented. It does not appear that a significant amount of landscaping is warranted, given the large area of the property and the surrounding agricultural uses. Nonetheless, Mr. Harden shall approve the final plan when permits for the proposed addition are issued for this project.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of October 1997 that, pursuant to the Petition for Special Exception, approval for the construction of a church building and proposed addition on the subject property, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. The Petitioner shall submit for review and approval a landscape plan, as more fully set forth above.

LAWRENCE E. SCHMIDT Zoning Commissioner for

Baltimore County

LES:mmn

tile



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

October 24, 1997

John F. Blevins, Esquire 606 Bosley Avenue, Suite C Towson, Maryland 21204

RE: Petition for Special Exception

Case No. 98-93-X

Property: 14450 Hanover Pike

Baltimore County Baptist Church, Petitioner

Dear Mr. Blevins:

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

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

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn

c: Mr. Charles M. Gilmore, Progressive Contracting Co., Inc., 11419 Cronridge Drive, Suite 8, Owings Mills, Maryland 21117

c: Reverend David J. LeBlanc, 14450 Hanover Pike, Reisterstown, Md. 21136



ATTORNEY

Petition for Special Exception 98-93-X

to the Zoning Commissioner of Baltimore County

for the property located at

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 affactive hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the A PLACE OF WURSHIP IN AN RC-2, ZONING DISTRICT.

AND RC-Y

inly 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.

æ

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

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

· ,	pal Owner(s):
Signature	PAUTIMORE COUNTY BASTIST CASECH, INC.
Address Cryp	DAVID J. LEBLANC
City State Zipcode Stan	nature
11419 CRONADGE DRIVE, STE 8 Address O D DWINGS Mills, MD. ZILI7 City State State State City Stat	CHARLES GILMARE DRIVE #8
The second control of	the fallowing datas Next Two Months
606 Bosley ave.	EWED BY OATE 9/11/97
Towson, Mol 21204	
410-321-6400	

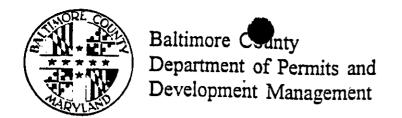
98-93-X

ZONING DESCRIPTION for BALTIMORE COUNTY BAPTIST CHURCH

Beginning at a point on the west side of Maryland Route 30, Hanover Pike, which is 80 feet wide at the distance of 1200+/- feet north of the centerline of the nearest improved intersection street known as Mount Gilead Road. Thence the following courses and distances:

- 1. South 84° 52'00" West, 497.61 feet, thence
- 2. North 08° 43'55" East, 41.30 feet, thence
- 3. North 03° 13'23" West, 540.97 feet, thence
- 4. North 87° 54'00" East, 489.58 feet, thence
- 5. South 03° 09'00" East, 555.19 feet to the place of beginning, containing 6.383 Acres, more or less. Also known as 14450 Hanover Pike, and located in the 4th Election District, Baltimore County, Maryland





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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring 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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.

ARN	OLD JABLON, DIRECTOR
For newspaper advertising:	
Item No.: 93	
Petitioner: ROLTIMORE COUNTY BARTAT	CHURCH, INC.
Location: 14450 HALLOVER PIKE	
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: RATINGEE COUNTY BAPTIST	Convect, Inc.
ADDRESS: 14450 Hanguar PINE	
ILS COM MUOTESSTERS	36
PHONE NUMBER: (410) 833-7764	

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 in <u>Downson Maryland</u> on the property identified herein as follows:

Case: #98-93-X
14450 Hanover Pike, 1200 N of
WS Hanover Pike, 1200 N of
Mount Gilead Road
4th Election District
3rd Councilmanic
Legal Owner(s):
Battimore County Baptist
Church, Inc
Special Exception: for a
place of worship
Hearing: Monday, October
20, 1997 at 2:00 p.m. in
Room 407 Courts Building,

401 Bosley Avenue.

LAWRENCE E. SCHMIDT Zoning Commissioner for Battimore County NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353. (2) For information concerning the File and/or Hearing; Please Call (410) 887-3391

30078 October 2 C178387

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 2, 1997
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 successive
weeks, the first publication appearing on \cancel{DCL} , 19 $\cancel{97}$.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

	RE: Case No.: 98-93-X
•	Petitioner/Developer: <u>Don Steadman</u>
	BALTIMORE CO. BAPTIST CHURCH
	Date of Hearing/Closing: Oct. 20, 1997
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	•
were posted conspicuously on the property louding UpperCo, MD 21155	perjury that the necessary sign(s) required by law ocated at 14450 HONOVEY PIKES
	(Month, Day, Year)
ZONING MIKE 18 1 - W - 2 William to the first the second of the second	Sincerely, (Signature of Sign Poster and Date) LES CUNNINGHAM SHANNON BAUMORUM SINC. 105 COMPETITIVE GOALS DR. ELDERSBURG; MD. 21784
	(City, State, Zip Code) 4/10-78/-4000
	(Telephone Number)

Request for Zoning: Var Special Exception, or Special Hearing
Date to be Posted: Anytime before but no later than
Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98 - 93 - x

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

PLACE: *
DATE AND TIME: *
REQUEST: A SPECIAL EXCEPTION FOR A BUILDING-IFOR
RELIGIOUS WIRSHIP IN A RC-2 AND RC- 4 ZOWE
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

TO CONFIRM HEARING CALL 887-3391.

HANDICAPPED ACCESSIBLE

9/96 post.4.doc

*UPON RECEIPT OF THE NOTICE OF HEARING, THE PETITIONER OR HIS AGENT FILLS IN THIS INFORMATION AND THEN FORWARDS THIS FORM TO THE SIGN POSTER.

TO: PUTUXENT PUBLISHING COMPANY
October 2, 1997 Issue - Jeffersonian

Please foward billing to:

Baltimore County Baptist Church, Inc. 14450 Hanover Pike Reisterstown, MD 21136 410-833-7764

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-93-X 14450 Hanover Pike

W/S Hanover Pike, 1200' N of Mount Gilead Road

4th Election District - 3rd Councilmanic

Legal Owner(s): Baltimore County Baptist Church, Inc.

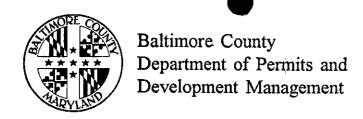
Special Exception for a place of worship.

HEARING: MONDAY, OCTOBER 20, 1997 at 2:00 p.m. in Room 407 Courts Building, 401 Bosley Avenue.

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.



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

September 25, 1997

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 in <u>Towson</u>, <u>Maryland</u> on the property identified herein as follows:

CASE NUMBER: 98-93-X 14450 Hanover Pike W/S Hanover Pike, 1200' N of Mount Gilead Road 4th Election District - 3rd Councilmanic Legal Owner(s): Baltimore County Baptist Church, Inc.

Special Exception for a place of worship.

HEARING: MONDAY, OCTOBER 20, 1997 at 2:00 p.m. in Room 407 Courts Building, 401 Bosley Avenue.

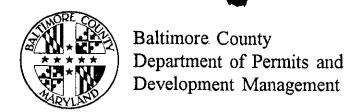
Arnold Jablon Director

cc: Baltimore County Baptist Church, Inc. Charles Gilmore

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 5, 1997.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



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

October 17, 1997

Mr. David J. LeBlanc Baltimore County Baptist Church, Inc. 14450 Hanover Pike Reisterstown, MD 21136

> RE: Item No.: 93

> > Case No.: 98-93-X

Petitioner: David J. LeBlanc

Dear Mr. LeBlanc:

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 September 11, 1997.

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.

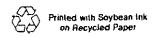
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

W. Cont Richardy W. Carl Richards, Jr.

Zoning Supervisor

WCR/re Attachment(s)





26 1997

Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 (410)887-4880

SEPTEMBER 24, 1997

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

RE: Property Owner: BALTIMORE COUNTY BAPTIST CHURCH, INC. FAISON, AGENT FOR HUNTMAK ASSOCIATES

Location: DISTRIBUTION MEETING OF SEPTEMBER 22, 1997

Item No.: 7093 & 098

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.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: September 26, 1997

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting

for September 29, 1997

Item No. 093

The Bureau of Developer's Plans Review has reviewed the subject zoning item. Remove Note #24 from the plan. This office was mistaken in its belief that the site was not subject to development review and hearings. The Final Landscape Plan may be subject to additional requirements.

RWB:HJO:jrb

cc: File



David L. Winstead Secretary Parker F. Williams Administrator

Ms Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building
Room 109
Towson MD 21204

RE: Baltimore County ッ・ス4、97

Item No.

JLL

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 30 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief

Engineering Access Permits

Division

LG

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

T0:

POM

FROM:

R. Bruce Seeley.

Permits and Development Review

DEPRM

SUBJECT: Zoning Advisory Committee Meeting Date: Syp 20

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

Item #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP





INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

DATE: October 15, 1997

Dept. of Permits & Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

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

Can C. Kerns

Item Nos. 93

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3495.

Prepared by:

Division Chief:

AFK/JL

RE: PETITION FOR SPECIAL EXCEPTION							*		BEFORE	THE		
14450 Hanover Pike, W/S Hanover Pike, 1200' N of Mount Gilead Road							*		ZONING	COMM	SSIONI	ER
		ion Dis		· :			*		OF BAL	TIMORE	e coun!	ľY
Balt		County tioner	/ Bapti	ist Chu	irch,	Inc.	*		CASE N	0. 98-	-93 - X	
*	*	*	*	*	*	*	*	*	*	*	*	y.

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

ter Maro Timmeinan

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 _____ day of October, 1997, a copy of the foregoing Entry of Appearance was mailed to Charles M. Gilmore, Progressive Contracting Co., 11419 Cronridge Drive, Suite 8, Owings Mills, MD 21117, representative for Petitioner.

Peter Max Zimmerman



TO. ZONING FILE + H.O. CONCERNING ATTNY.

THE UNDERSIONED ENDR. FILED ZONING APPLICATION,
AT FILING THE ENDOR. WAS POUSED THAT
AN ATTINY IS RAD TO REP. A. CORP.
THE PASTOR WAS CONTACTED BY PHONE + ADVISED
SAME, THE ATTNY WILL SION PETITIONS AS
WELL BEFORE HEARING AND WILL BEPRESENT.
DS ROD.

Lon Stedham Don Steanson (703) 598-1589

9/11/97

PLEASE PRINT CLEARLY

Pet timers

NAME	ADDRESS
My F. V Seven	606 Bosley are Sente C
	Townson, Mod 21204
Kristin Barman	2001 Meadow Dr
THE STATE OF THE S	Westmingter MD 21158
DON E. STENHAM	
	P.O. Box 2428 FAIRFOX VA 22031
CHARLES M. GRINDRE	11419 Cronridge De, Swings Mills 21117
CHESTER J. WHITTEN Ur	111 OAKMERE RD OWINDS MILLS 21177
TROY PALMISANO	63 BOND Ave Reistersbun 21136
JOSEPH HORSY	20015 SPANE RUN RD. HAMPSTEAD LOOK
SAMUEL G ELSEROAI)	5423 MT GILEAN RE-REISTERSTOWN
DR. DAVID J. LeBlanc PASTOR	24 GREENVIEW AVE. REISTERS TOWN MD 21136
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