

IN RE: PETITION FOR VARIANCE
NW/Corner North Dakota Ave. and
Headland Blvd., S of Betz Ave.
(7405 Betz Avenue)
15th Election District
5th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-110-A

Gregory A. Bober, et ux, Owners;
Edgemere Church of God, Contract Purchasers

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Gregory A. Bober, and his wife, Lois A. Potter-Bober, and the Contract Purchasers, Edgemere Church of God, by Trustees Ronald Huffman, Carl Sandridge and Robert James. The Petitioners seek relief from Section 1B01.1.B.1.3(5) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a Residential Transition Area setback of 0 feet in lieu of the required 75 feet and a buffer of 0 feet in lieu of the required 50 feet for a proposed parking lot. In addition to the variance request, the Petitioners request a special hearing to approve a waiver of public works standards to allow a stone porous parking surface in lieu of the required durable and dustless surface. The special hearing request is consistent with the fact that the subject property is located within the Chesapeake Bay Critical Areas. 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.

Appearing at the hearing on behalf of the Petition were Lois Potter-Bober, co-owner of the subject property, Howard Hancock, Pastor of the Edgemere Church of God, J. Scott Dallas, Registered Property Line Surveyor, who prepared the site plan for this property, and Robert Long, a

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Date

By

11/19/97

[Signature]

Real Estate Agent with Covenant Realty. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the property which is the subject of this request consists of approximately .7 acres, more or less, zoned D.R. 5.5, and is unimproved. The property is part of a larger parcel of land owned by Gregory and Lois Bober, identified as Lot D1 on Petitioner's Exhibit 1, and is located on the north side of Dakota Avenue, west of Headland Boulevard in Edgemere. The property is located not far from North Point Creek, and thus, is subject to Chesapeake Bay Critical Area requirements. Testimony revealed that the Edgemere Church of God owns the adjacent Lot D3, which contains approximately 1.1 acres in area, and uses same for parking for its Church which is located across the street from the subject site at 7414 Ellen Avenue. The Church seeks to expand their parking lot in order to accommodate its growing congregation and has contracted to purchase the additional .7-acre parcel from the Petitioners for this purpose. However, in order to proceed with the proposed expansion, the requested variance is necessary. Furthermore, the special hearing request is necessary to allow the surface of the parking lot to remain porous, given that the land is located in the Chesapeake Bay Critical Areas.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing and variance requests were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and

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Date 11/14/92
BY [Signature]

500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public.

The facts and evidence presented have established that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner, and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and

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Date

By

3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

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 Deputy Zoning Commissioner for Baltimore County this 19th day of November, 1997 that the Petition for Variance seeking relief from Section 1B01.1.B.1.3(5) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a Residential Transition Area (RTA) setback of 0 feet in lieu of the required 75 feet and a buffer of 0 feet in lieu of the required 50 feet for a proposed parking lot, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their permits 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2) Compliance with the Zoning Plans Advisory Committee comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated October 9, 1997, a copy of which is attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING
Date 11/19/97
By [Signature]

3) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the special hearing to approve a waiver of public works standards to allow a stone porous parking surface in lieu of the required durable and dustless surface, be and is hereby GRANTED.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date 11/19/97

By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

November 19, 1997

Mr. & Mrs. Gregory A. Bober
7405 Betz Avenue
Baltimore, Maryland 21219

RE: PETITION FOR VARIANCE
NW/Corner North Dakota Ave. and Headland Blvd., S of Betz Ave.
(Part of 7405 Betz Avenue)
15th Election District - 5th Councilmanic District
Gregory A. Bober, et ux, Owners;
Edgemere Church of God, Contract Purchasers
Case No. 98-110-A

Dear Mr. & Mrs. Bober:

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 Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Edgemere Church of God
7414 Ellen Avenue, P.O. Box 6686, Baltimore, Md. 21219

Mr. J. Scott Dallas
13523 Long Green Pike, P.O. Box 26, Baldwin, Md. 21013

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

Mr. Robert B. Long, 3827 Annadale Road, Baltimore, Md. 21222
DEPRM; People's Counsel; Case Files





Petition for Variance

98-110-A
to the Zoning Commissioner of Baltimore County

for the property located at South and East of 7405 Betz Avenue
(North side N. Dakota Ave.
opposite Edgemere Church of God) which is presently zoned D.R. 5.5

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) 1801.1B.1.e (5) to allow a zero foot setback in lieu of the required 75 feet and a zero foot buffer in lieu of the required 50 feet.

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

R.T.A. requirements will severely impact the developable area of the proposed parking lot, rendering the site nearly useless to the Church. The development is an expansion of the existing Church use. The C.B.C.A. L.D.A. regulations will require a 15% forest cover which combined with the proposed fences, will satisfy neighboring property owners. The neighborhood supports the proposed parking lot.

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.

TRUSTEES:

Owner Lot C3

Ronald Huffman
Carl Sandridge

Contract Purchaser/Lessee: (Lot D1) Robert James
Edgemere Church of God

(Type or Print Name) *Carl Sandridge*
Robert James
Signature *Ronald Huffman*
7414 Ellen Avenue
P.O. Box 6686

Address
Baltimore MD 21219
City State Zipcode

Surveyor:
J. Scott Dallas

(Type or Print Name) *J. Scott Dallas*
Signature *J. Scott Dallas*
13523 Long Green Pike
P.O. Box 26 410-817-4600
Address Phone No.
Baldwin MD 21013
City State Zipcode

(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): (Lot D1)

Gregory A. Bober

(Type or Print Name)
Signature *Gregory A. Bober*

Lois A. Potter-Bober

(Type or Print Name)
Signature *Lois A. Bober 9-20-97*

7405 Betz Ave 410-388-1898
Address Phone No.

Balt. MD 21219
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: DATE

ORDER RECEIVED FOR FILING

Printed with Soybean Ink
on Recycled Paper

J. S. DALLAS, INC.

SURVEYING & ENGINEERING

13523 LONG GREEN PIKE
P.O. BOX 26
BALDWIN, MD 21013
(410) 817-4600
FAX (410) 817-4602

110

98-110-A

ZONING DESCRIPTION

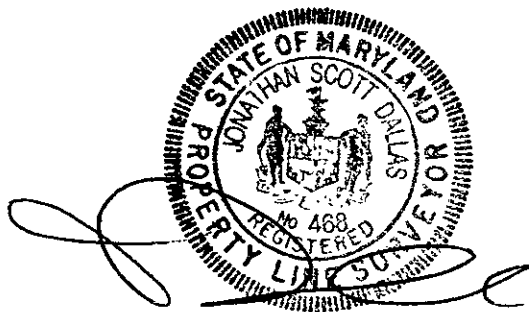
EDGEMERE CHURCH OF GOD (Parking Lot Site)

BEGINNING at a point on the north side of North Dakota Avenue which is 30 feet wide at the distance of 225.5 feet, more or less east of the centerline of Lincoln Avenue which is 30 feet wide thence leaving said North Dakota Avenue and running the four following courses and distances: (1) North 14 degrees 35 minutes 00 seconds East 131.24 feet (2) North 87 degrees 02 minutes 00 seconds East 176.58 feet (3) North 2 degrees 02 minutes 54 seconds East 150.26 feet and (4) North 87 degrees 02 minutes 00 seconds East 216.64 feet to intersect the west side of Headland Boulevard (unimproved) which is 45 feet wide thence running with and binding on said west side of Headland Boulevard the two following courses and distances: (5) South 8 degrees 24 minutes West 93.76 feet and (6) South 7 degrees 44 minutes 40 seconds West 186.14 feet to intersect said north side of said North Dakota Avenue thence leaving said Boulevard and running with and binding on said north side of North Dakota Avenue (7) South 87 degrees 02 minutes 00 seconds West 392.86 feet to the place of beginning.

BEING all of Lot D3 and a part of Lot D1 as shown on the Hinson Vs. Cremen Plat as recorded among the Land Records of Baltimore County in Plat Book 10 folio 97.

CONTAINING 1.82 acres of land, more or less.

BEING in the 7400 block of North Dakota Avenue and located in the 15th Election District.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 042799

DATE 9-23-97 ACCOUNT R-001-6150

AMOUNT \$ 250.⁰⁰

RECEIVED FROM: Edgemere Church of God

FOR: Commercial Variance Filing Fee
S E of 7405 Betz Ave. (NE of N. Dakota Ave
off 103rd Edgemere Church of God) Item #110

CASHIER'S VALIDATION

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

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 Room 205, Maryland on the property identified below at 10:00 a.m.

Case: 79B-119-A
7402 26th Ave. Baltimore, Md. 21218
Lot 53 and 54, 26th Ave. and N/S of Lexington
16th Edition
7th General Map
Legal Owner: 11313
Gregory A. Rober and Lois A. Potter Rober Ltd. 57
Engineers Church Road
Lot 58
Verdict: to allow a 2nd foot setback on lot 58 and a 10 foot and a 2nd foot setback on lot 57 and a 2nd foot setback in lieu of the required 5 foot setback.
Hearing: 10:00 a.m. October 27, 1979 at 205 Maryland
Room 205, Baltimore County, Baltimore, Maryland 21218
LAWRENCE E. SCHMIDT
Zoning Commissioner of Baltimore County
NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call (410) 887-3383.
(2) For information concerning the file and/or hearing. Please Call (410) 887-3381
10/188 Oct. 9 0180274

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16th Edition
7th General Map
Legal Owner: 11313
Gregory A. Rober and Lois A. Potter Rober (d. 5)
Engineers Christal Broad
Lot 53
Verified to allow a 2nd foot setback on lot 53 and 54 and 75 feet and a 2nd foot setback in lieu of the required 5 foot setback.
Hearing: 10:00 a.m. October 27, 1979 at 205 Maryland Room at County Center, 7402 26th Ave., Baltimore, Maryland.

LAWRENCE E. SCHMIDT
Zoning Commissioner of Baltimore County

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16th Edition
7th General Map
Legal Owner: 11313
Gregory A. Rober and Lois A. Potter Rober Ltd. 57
Engineers Church Road
Lot 58
Verdict: to allow a 2nd foot setback on lot 58 and a 10 foot and a 2nd foot setback on lot 57 and a 2nd foot setback in lieu of the required 5 foot setback.
Hearing: 10:00 a.m. October 27, 1979 at 205 Maryland
Room 205, Baltimore County, Baltimore, Maryland 21218
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Case: 78B-119-A
7402 1/2 Ave. 2nd Floor
Lot 53 and 54
N/S Oak and Pine
of 1/2 Acre
15th Edition
7th County Map
Legal Owner: 11313
Gregory A. Rober and Lois A. Potter Rober Ltd. 57
Engineers Church Road
Lot 68
Verdict: to allow a 2nd foot setback on lot 68 and a 10 foot and a 2nd foot setback on lot 69 and a 2nd foot setback on lot 68 in lieu of the required 5 foot setback.
Hearing: 10:00 a.m. October 27, 1978 at 10:00 a.m.
Room 205, County Court 401
Baltimore, Maryland

LAWRENCE E. SCHMIDT
Zoning Commissioner of
Baltimore County

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7th General Map
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Engineers Church Road
Lot 58
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LAWRENCE E. SCHMIDT
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9/188 Oct. 9 0180274

CERTIFICATE OF POSTING

RE: Case No.: 98-110-A

Petitioner/Developer: BOBER, ETAL
J.S. DALLAS

Date of Hearing/Closing: 10/27/97

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:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at N. DAKOTA AVE, 200'± E, LINCOLN AVE
1/2 N. DAKOTA AVE. @ VIC. CHESAPEAKE TERR. E.S.
(2 SIGNS - BOTH PARCELS ONSITE)

The sign(s) were posted on 10/12/97
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe, 10/19/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

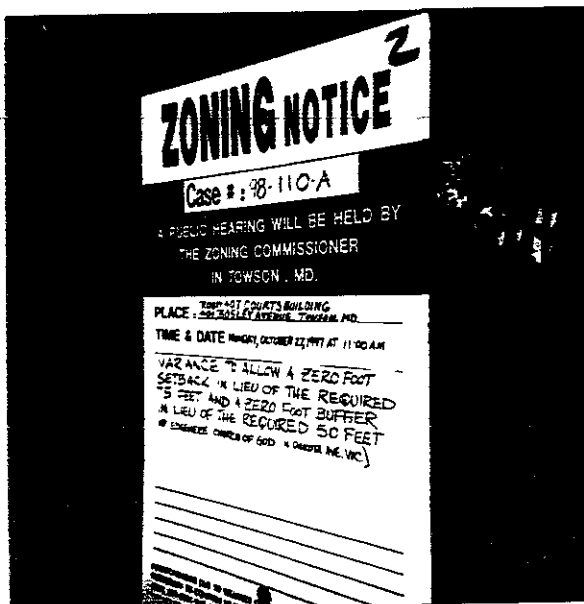
523 Penny Lane

(Address)

Hunt Valley, MD 21030

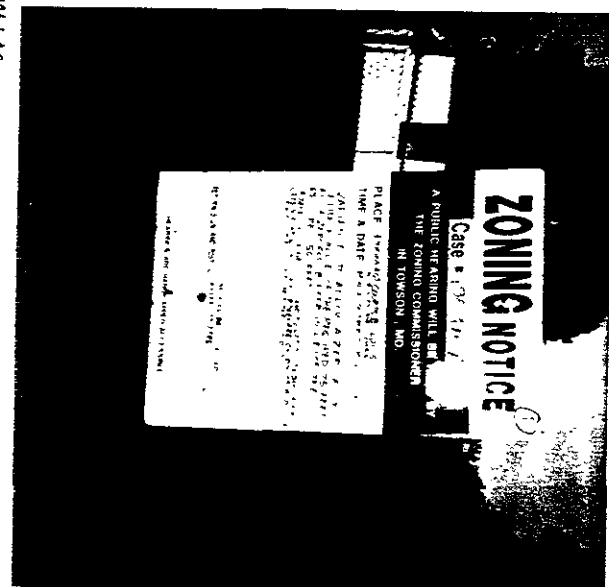
(City, State, Zip Code)

REPAIRED SIGN



DALLAS 98-110
NORTH DAKOTA-E of LINCOLN
BOBER, ETAL
4-10/27/97
P/10/12/97

14171 244-5322
905-8571
Pager (410) 244-5322
DALLAS
4-10/27/97
BOBER, ETAL
N. DAKOTA AVE. E.S.
LINCOLN AVE
P/10/12/97



Request for Zoning: Variance, 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.: 98-110-A

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

PLACE: * _____

DATE AND TIME: * _____

REQUEST: 18011.B, i.e. to allow a 0 ft setback & a 0 ft
buffer for a proposed parking lot in lieu of the minimum
required 75 ft & 50 ft, respectively.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

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

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

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

October 6, 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 Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-110-A

7400 block Dakota Avenue - Lot C3 and part of Lot D1

N/S Dakota Avenue, 225.5' E of c/l Lincoln Avenue

15th Election District - 7th Councilmanic

Legal Owner(s): Gregory A. Bober and Lois A. Potter Bober - Lot D1

Edgemere Church of God - Lot C3

Variance to allow a zero foot setback in lieu of the required 75 feet and a zero foot buffer in lieu of the required 50 feet.

HEARING: MONDAY, OCTOBER 27, 1997 at 11:00 a.m., Room 407 Courts Building, 401 Bosley Avenue/

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

Arnold Jablon
Director

cc: Gregory A. Bober and Lois A. Potter-Bober
Edgemere Church of God
J. Scott Dallas

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 10, 1997.
(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.



TO: PUTUXENT PUBLISHING COMPANY
October 9, 1997 Issue - Jeffersonian

Please forward billing to:

J. Scott Dallas
P O Box 26
Baldwin MD 21013
410-817-4600

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: 98-110-A

7400 block Dakota Avenue - Lot C3 and part of Lot D1

N/S Dakota Avenue, 225.5' E of c/l Lincoln Avenue

15th Election District - 7th Councilmanic

Legal Owner(s): Gregory A. Bober and Lois A. Potter Bober - Lot D1
Edgemere Church of God - Lot C3

Variance to allow a zero foot setback in lieu of the required 75 feet and a zero foot buffer in lieu of the required 50 feet.

HEARING: MONDAY, OCTOBER 27, 1997 at 11:00 a.m., 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.



Baltimore County
Department of Permits and
Development Management

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

October 22, 1997

Mr. Gregory Bober & Ms. Lois Potter
7405 Betz Avenue
Baltimore, MD 21219

RE: Item No.: 110
Case No.: 98-110-A
Petitioner: Gregory Bober, et al

Dear Mr. Bober and Ms. Potter:

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 23, 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,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



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

DATE: October 9, 1997

To: Arnold L. Jablon
From: R. Bruce Seeley *RBS/ep*
Subject: Zoning Item #110

Edgemere Church of God, Betz Avenue

Zoning Advisory Committee Meeting of October 6, 1997

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
- ☐ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
- ☒ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

ORDER RECEIVED FOR FILING

Date

By

RBS
Edge.doc.

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

DATE: October 9, 1997

To: Arnold L. Jablon
From: R. Bruce Seeley *BS/ep*
Subject: Zoning Item #110

Edgemere Church of God, Betz Avenue

Zoning Advisory Committee Meeting of October 6, 1997

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
 - ☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
 - ☐ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
 - ☒ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

B A L T I M O R E C O U N T Y, M A R Y L A N D

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
 Department of Permits & Development
 Management

Date: October 15, 1997

FROM: Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for October 14, 1997
 Item No. 110

The Bureau of Developer's Plans Review has reviewed the subject zoning item. This office does not oppose the proposed modifications to the Landscape Manual and requested variances. A landscape plan, prepared by a landscape architect, must be submitted.

Conformance with the Baltimore County Landscape Manual to the full extent possible is required.

RWB:HJO:jrb

cc: File

ZONE1014.110



Maryland Department of Transportation
State Highway Administration

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, Maryland 21204

RE: Baltimore County 10-3-97
Item No. 110 JJS

Dear Ms. Eubanks:

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 Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

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, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

DATE: October 8, 1997

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):

Item Nos. 109, 110, 111, 113, 114, 116, 117, 118, and 119

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:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

AFK/JL



Baltimore County
Fire Department

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

October 14, 1997

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 October 6, 1997

Item No.: 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:

108, 109, 110, 111, 114, 116, 117, 118, 119

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

cc: File



RE: PETITION FOR VARIANCE * BEFORE THE
7400 block Dakota Avenue - Lot C3 and *
part of Lot D1, N/S Dakota Avenue, * ZONING COMMISSIONER
225.5' E of c/l Lincoln Avenue *
15th Election District, 7th Councilmanic * OF BALTIMORE COUNTY

Legal Owners: Gregory A. Bober & Lois A. * CASE NO. 98-110-A
Potter-Bober - Lot D1
Edgemere Church of God - Lot C3
Contract Purchaser: Edgemere Church of God - Lot D1
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 21st day of October, 1997, a copy of the foregoing Entry of Appearance was mailed to J. Scott Dallas, 13523 Long Green Pike, P.O. Box 26, Baldwin, MD 21013, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Worksheet A: Standard Application Process

Calculating Pollutant Removal Requirements *

Step 1: Project Description

*Edgemere Church of God
Parking Lot*

A. Calculate Percent Imperviousness

98-110-A

1) Site Acreage = 1.82 acres

2) Site Imperviousness, existing and proposed, (See Table 1.0 for details)

	(a) Existing (acres)	(b) Post-Development (acres)
rooftop		
roads		
sidewalks		
parking lots		
pools/ponds		
decks		
other		
Impervious Surface Area	<u>0</u>	<u>1.3</u>

Imperviousness (I)

Existing Impervious Surface Area/Site Area = (Step 2a)/(Step 1) = 0

Post-Development Impervious Surface Area/Site Area = (Step 2b)/(Step 1) = 0.71

110

B. Define Development Category (circle)

1) Redevelopment:

2) New development:

3) Single Lot Residential

Existing imperviousness greater than 15% I (Go to Step 2A)

Existing imperviousness less than 15% I (Go to Step 2B) ✓

Single lot being developed or improved; single family residential; and more than 250 square feet being disturbed. (Go to Page 27- Single Lot Residential sheet for remaining steps).

* NOTE: All acreage used in this worksheet refer to areas within the IDA of the critical area only.



Step 2: Calculate the Pre-Development Load (L_{pre})

A. Redevelopment

$$\begin{aligned}
 L_{pre} &= (R_v)(C)(A)8.16 \\
 R_v &= 0.05 + 0.009(I_{pre}) \\
 L_{pre} &= (\quad)(\quad)(\quad)8.16 \\
 &= \underline{\hspace{2cm}} \text{ lbs P/year}
 \end{aligned}$$

where:

R_v = runoff coefficient, which expresses the fraction of rainfall which is converted into runoff.

I_{pre} = site imperviousness (i.e., $I=75$ if site is 75% impervious)

C = flow-weighted mean concentration of the pollutant in urban runoff (mg/l).

C = 0.26 if pre-development $I < 20\%$

C = 1.08 if pre-development $I \geq 20\%$

A = area of the development site (acres in the Critical Area).

8.16 = includes regional constants and unit conversion factors.

OR

✓ B. New Development

$$\begin{aligned}
 L_{pre} &= 0.5 \text{ lbs/year} * A \\
 &= (0.5)(\underline{1.82}) \\
 &= \underline{0.91} \text{ lbs P/year}
 \end{aligned}$$

Step 3: Calculate the Post-Development Load (L_{post})

A. New Development and Redevelopment:

$$\begin{aligned}
 L_{post} &= (R_v)(C)(A)8.16 \\
 R_v &= 0.05 + 0.009(I_{post}) \\
 &= 0.05 + 0.009(\underline{71}) = \underline{0.689}
 \end{aligned}$$

$$\begin{aligned}
 L_{post} &= (\underline{0.689})(\underline{0.26})(\underline{1.82})8.16 \\
 &= \underline{2.66} \text{ lbs P/year}
 \end{aligned}$$

where:

R_v = runoff coefficient, which expresses the fraction of rainfall which is converted into runoff.

I_{post} = site imperviousness (i.e., $I=75$ if site is 75% impervious)

C = flow-weighted mean concentration of the pollutant in urban runoff (mg/l).

C = 0.26 if pre-development $I < 20\%$

$C = 1.08$ if pre-development $I \geq 20\%$

A = area of the development site (acres).

8.16 = includes regional constants and unit conversion factors.

Step 4: Calculate the Pollutant Removal Requirement (RR)

$$\begin{aligned} RR &= L_{\text{post}} - (0.9)(L_{\text{pre}}) \\ &= (2.66) - (0.9)(0.91) \\ &= 1.89 \text{ lbs P} \end{aligned}$$

Step 5: Identify Feasible Urban BMP

Select BMP Options using the screening tools and pollutant removal rates listed in the Applicant's Guide Tables 5.0, 5.1, 5.2, and 5.4 Calculate the load removed for each option.

BMP Type	(Removal Efficiency x [use 0.50 or 50%])	(Fraction of Drainage x Area Served)	(L post)	Load Removed
POROUS PAVING		x 0.71	x 2.66	= 1.89 lbs
		x	x	= lbs
		x	x	= lbs
		x	x	= lbs

If the Load Removed is equal to or greater than the pollutant removal requirement (RR) calculated in Step 4, then the on-site BMP option complies with the 10% Rule. (See Table 5.3, page 16) for submittal requirements for each BMP option.

TR-55 DESIGN COMPUTATION

J.O. _____
Dist. _____

Total Sq. Mi. $\cdot 00284 =$ Total Acres : 1.82

Weighted RCN = _____, Use 72

110

Total =

Rainfall Freq. =	<u>2 Yr.</u>	<u>5 Yr.</u>	<u>10 Yr.</u>	<u>25 Yr.</u>	<u>50 Yr.</u>	<u>100 Yr.</u>
Rainfall, P =	<u>3.2 in.</u>	<u>4.2 in.</u>	<u>5.1 in.</u>	<u>5.5 in.</u>	<u>6.3 in.</u>	<u>7.1 in.</u>
Ia/P =	<u>0.243</u>		<u>0.152</u>			<u>0.109</u>
Peak csm/in. =	<u>957</u>		<u>991</u>			<u>1007</u>
Runoff Q"(2) =	<u>0.93 in.</u>	<u>in.</u>	<u>2.27 in.</u>	<u>in.</u>	<u>in.</u>	<u>3.91 in.</u>
Peak Dischg (3)	<u>2.5 cfs</u>	<u>cfs</u>	<u>6.4 cfs</u>	<u>cfs</u>	<u>cfs</u>	<u>11.2 cfs</u>

$$(2) Q'' = \frac{(P-0.2S)^2}{(P+0.8S)} \quad \text{where } S = \frac{1000}{RCN} = 10$$

(3) Peak Discharge = Peak (csm/in.) x Q" x Area (Sq. Mi.)

3.89

Rev. 6./86

TR-55 DESIGN COMPUTATION

J.O.

By USD Location Edgemere Church of God Dist. _____
Date 9-11-97 Area No. _____ Ex. _____ Prop. ☒ Ult. _____ Sht. _____ of _____

Total Sq. Mi., 00284 = Total Acres : 1.82 164.84

Weighted RCN = 91, Use

(Place Travel Time Comps on back of sheet)

Total =

Initial Abstraction Ia = 2.198 in. (Tbl. 5-1) Use Tc = , Tt =

$$(1) T_T = \frac{0.007(nL)^{0.8}}{P_2^{0.5} S^{0.4}} \text{ hr.} \quad (2) Q'' = \frac{(P-0.2S)^2}{(P+0.8S)} \quad \text{where } S = \frac{1000}{RCN} - 10$$

Rev. 6./86

Storage Estimate
Edgemere Church of God
Parking Lot

9-11-97

100 year storage

$$q_0/q_i = 11.2/17.2 = 0.65$$

$$V_s/V_r = 0.225$$

$$V_r = 53.33 \times 0.00284 \times 6.03 = 9.13$$

$$V_s = 0.225 \times 9.13 = 0.205 \text{ ac. ft.}$$

$$= 8948 \text{ CF}$$

provided storage = 11,200 CF.

110

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

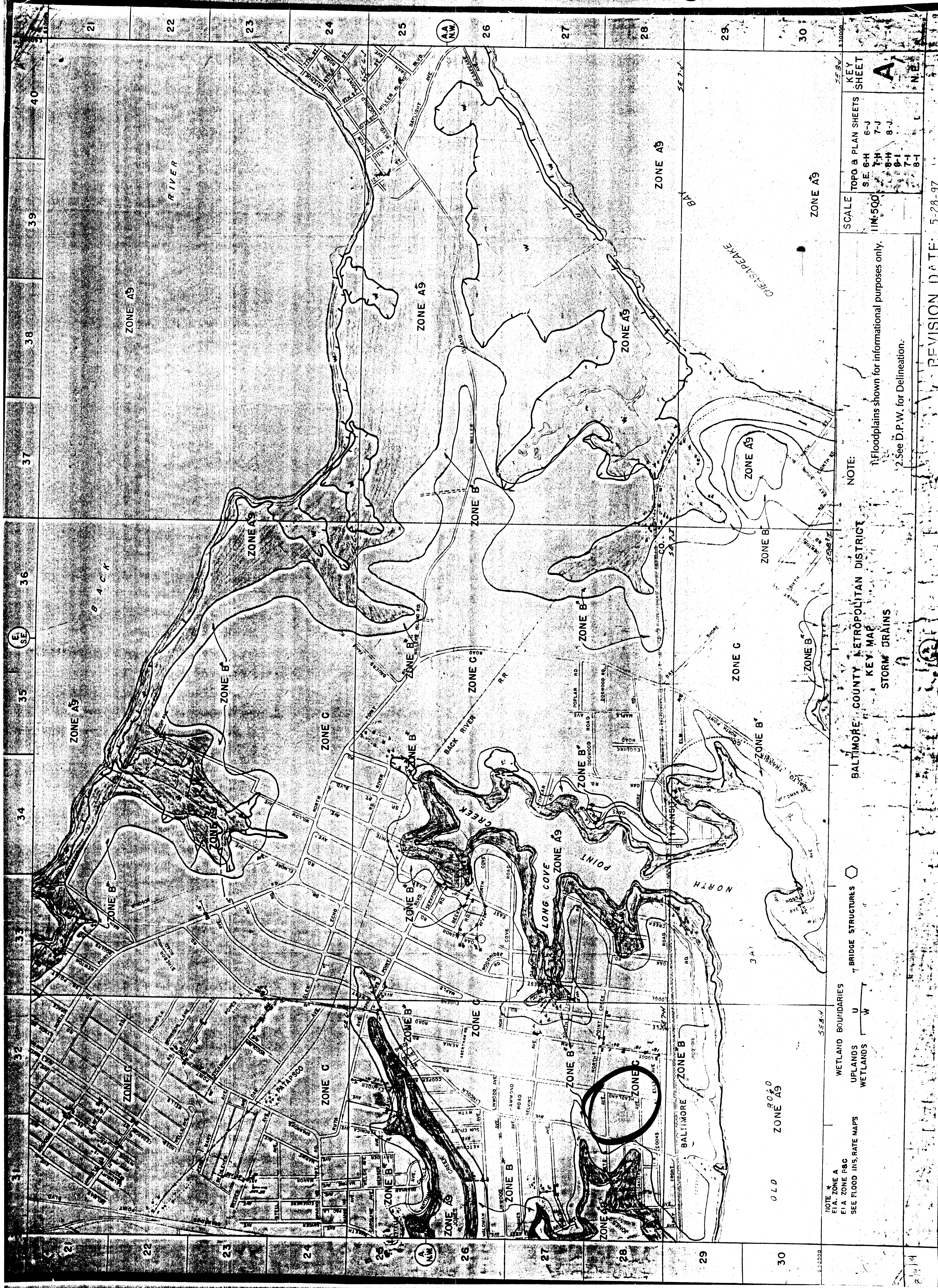
ADDRESS

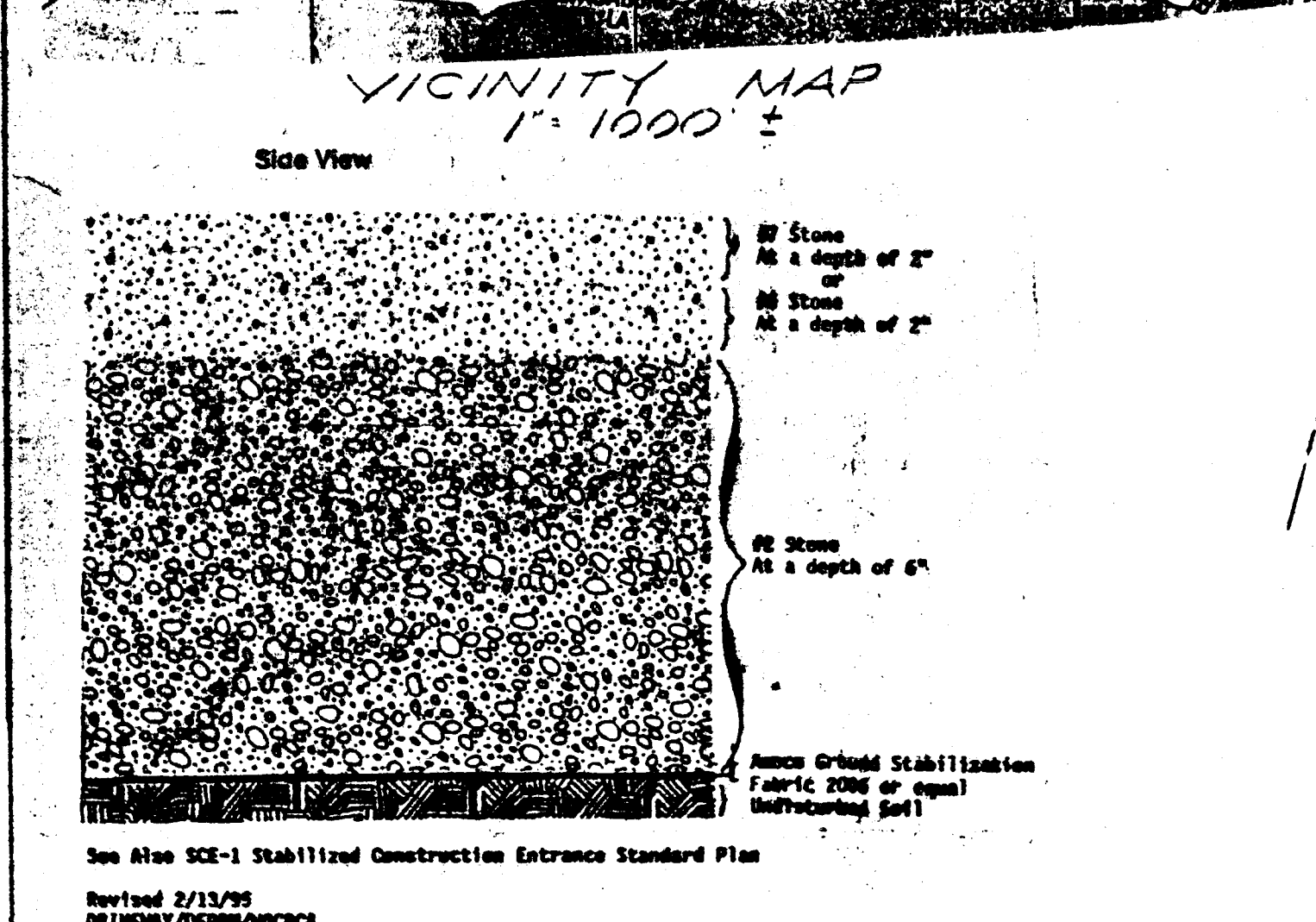
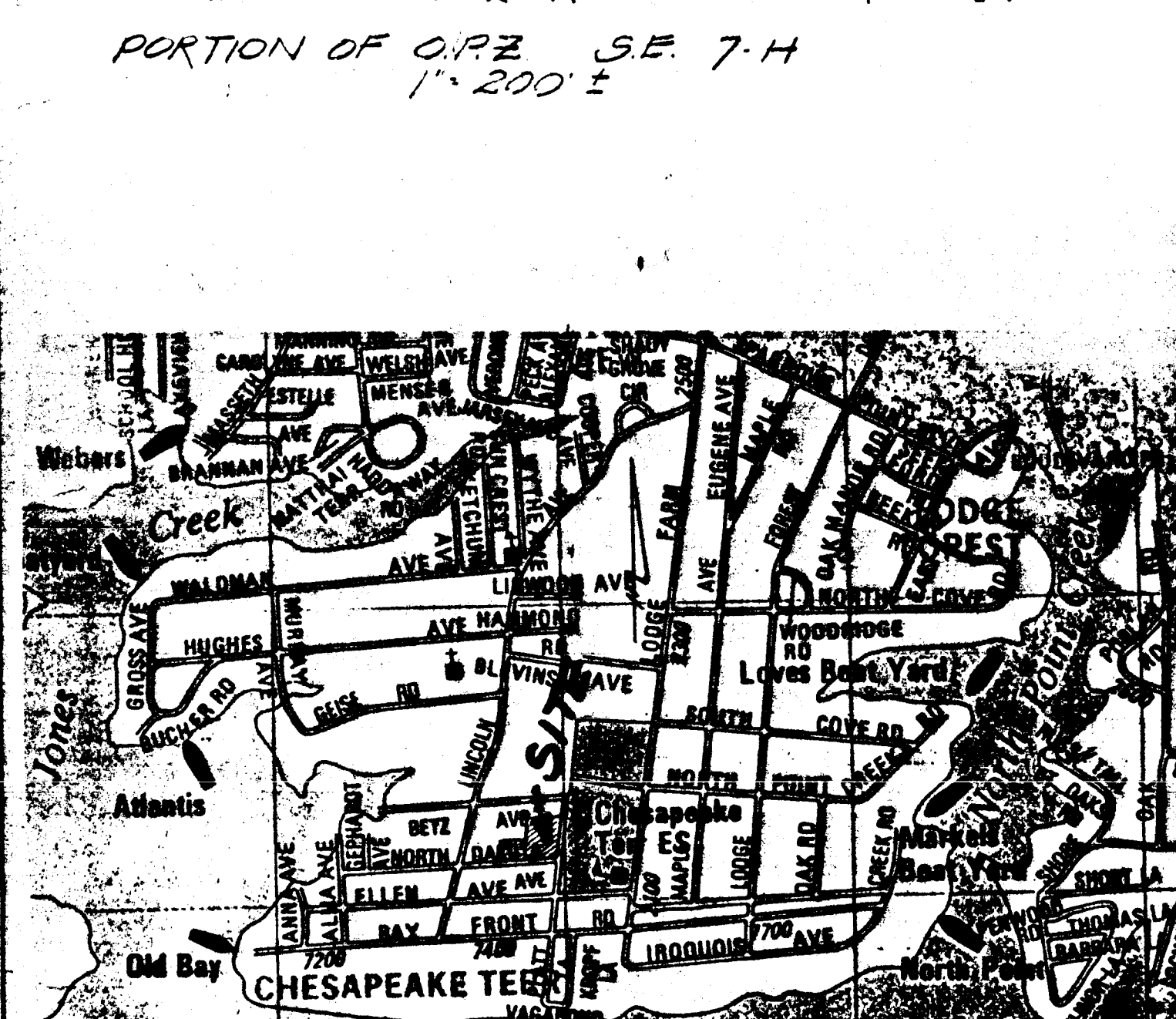
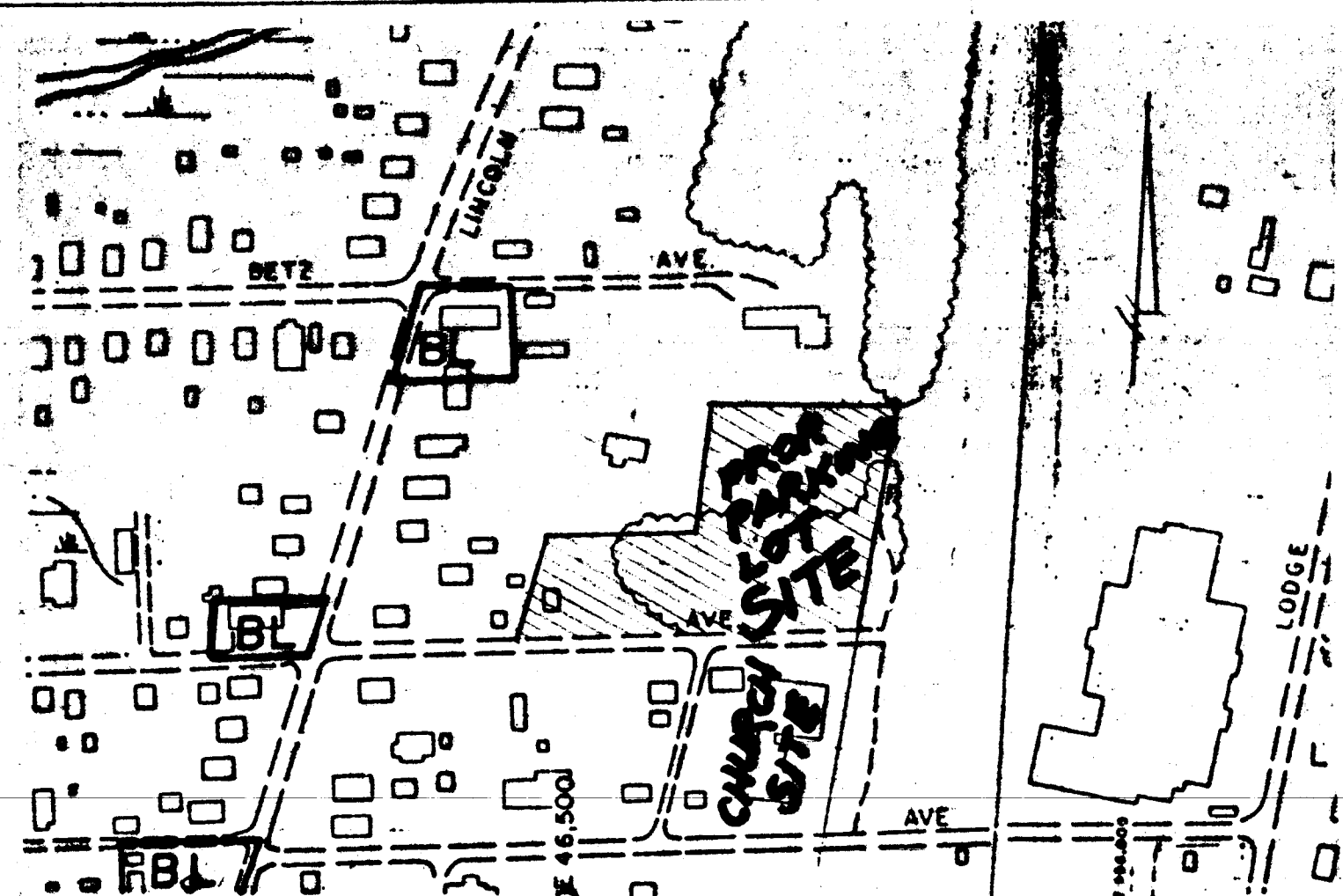
J. Scott Dallas (Surveyor)
Howard Hancock - (Pastor)
Lois Anne Potter - owner
Robert B. Long

P.O. Box 26 Baldwin Md. 21013
2131 Lodge Farm Rd. Balto, Md. 21219
7403 Betz Ave Baltimore MD 21219
3827 Annapole Rd 21222



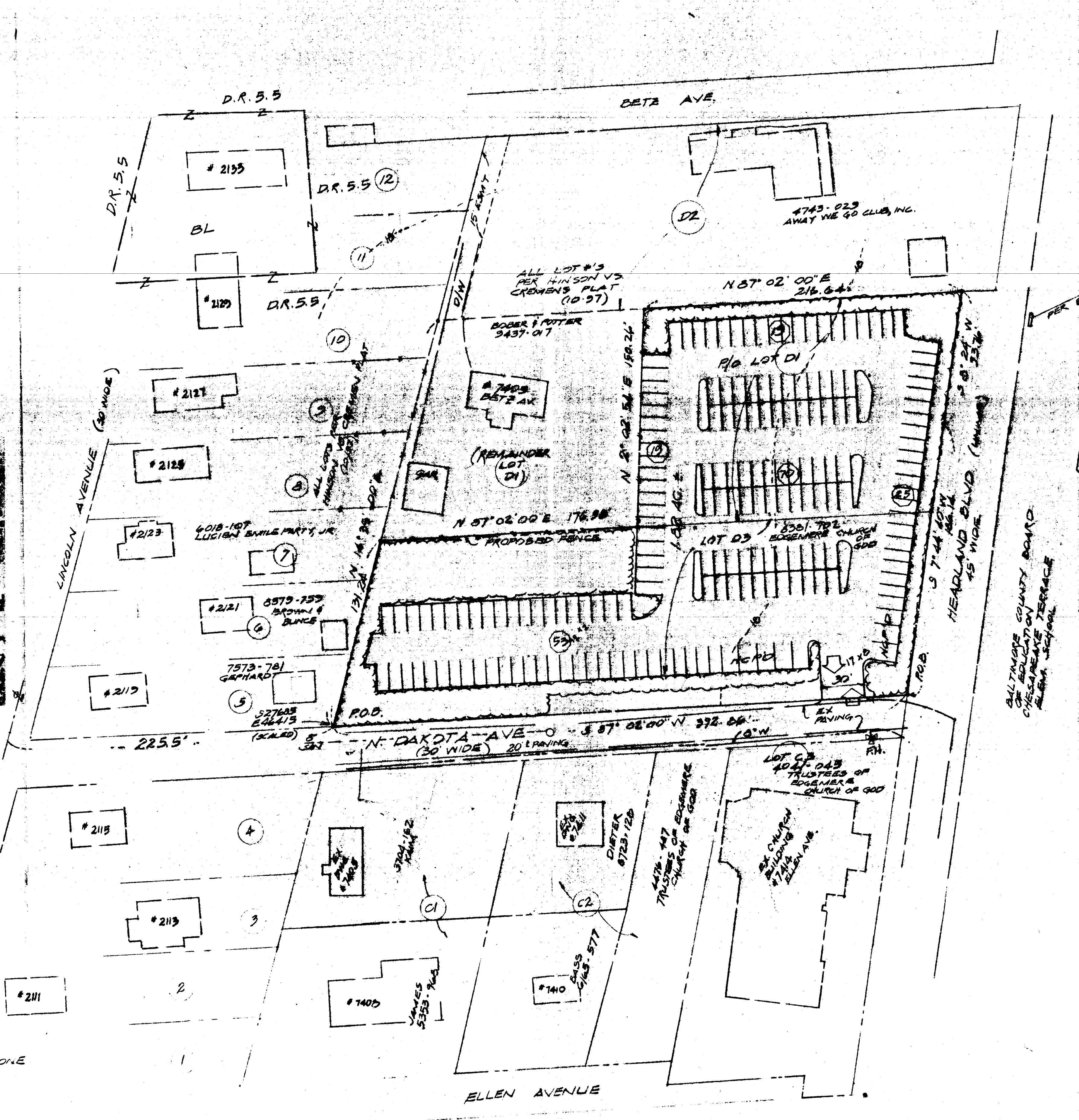
Keep in
ZC's
file.





CBCA/DEPRM POROUS PARKING
 6' x 13 AC. = 75' x 50,000 SF = 280000 CF #2 STONE
 28,000 CF x 0.4 1012 = 11,200 CF STORAGE
 LEVEL LOT

J.S. DALLAS, INC.
 Surveying & Engineering
 13525 Long Green Pkwy
 Bethesda, MD 20813
 (410) 817-4600



NOTES

1. SUBJECT SITE AND SURROUNDING AREAS SHOWN ON THE ZONING MAP NO. 5.E. 7-H.
2. NEIGHBORING DWELLINGS SHOWN FOR LOCATION OF OFF ZONING MAP NO. 5.E. 7-H.
3. EXISTING USE OF PROPERTY - VACANT. PROPOSED USE OF PROPERTY - PARKING LOT FOR CHURCH.
4. OWNER OF PROPERTY - EXISTING CHURCH LOT C3 EDGEMERE CHURCH OF GOD TRUSTEES 401/048 EXISTING UNIMPROVED CHURCH LOT D6 EDGEMERE CHURCH OF GOD PART OF LOT D1 TO BE CONVEYED TO EDGEMERE CHURCH OF GOD GREGORY A. BOBER AND LOIS A. POTTER.
5. PER 5/3/96 LETTER FROM STATE OF MARYLAND DEPT. OF NATURAL RESOURCES, SITE IS NOT REGULATED AS A FOREST UNDER C.B.C.A. RULES, BUT 15% FOREST COVER MUST BE MAINTAINED PER 5/7/96 LETTER FROM BALT. CO. D.E.P. E.M. SUM OF ALL MANMADE IMPROVEMENTS SHALL NOT EXCEED 15% 15% FOREST COVER MUST BE CONTAINED AND FORESTED. PORTION OF SITE IS NOT REGULATED UNDER C.B.C.A. REGULATION. SITE LIES WITHIN LDA.
6. VARIANCE FROM E.T.A. REQUIREMENTS NEEDED FOR SUBJECT SITE PER 8/5/97 LETTER FROM M.J. KILLMAN, PLANNING E, IN RESPONSE TO: OUR 7/25/97 LETTER REQUESTING CLARIFICATION FROM MR. ARNOLD JARLON.

98-110-A 110

PETITIONER'S EXHIBIT

SITE PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE
 EDGEMERE CHURCH OF GOD
 15TH EL. DIST. 7TH COUNC. DIST.
 BALTIMORE COUNTY, MD.
 SCALE: 1" = 40' SEPTEMBER 3, 1997

REQUESTED VARIANCES
 VARIANCES FROM SECTION 1801.18.1.e(5) TO ALLOW A ZERO FOOT SETBACK IN LIEU OF THE REQUIRED 75 FEET AND A ZERO FOOT BUFFER IN LIEU OF THE REQUIRED 50 FEET.