

IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE
PETITIONS FOR SPECIAL HEARING,
SPECIAL EXCEPTION & VARIANCE * DEPUTY ZONING COMMISSIONER
(E/S Babikow Rd. N of King Ave.)
14th Election District * OF BALTIMORE COUNTY
6th Councilmanic District *
Case Nos. XIV-369 & 98-234-SPHXA
James W. Bartenfelter, et al, Owners;
Boumi Temple, Developer *

* * * * *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer for consideration of a development plan for the proposed development of the subject property by James William Bartenfelter, et al, Owners, and Boumi Temple, Developer, with a 58,600 sq.ft. temple and 11,760 sq.ft. storage building, with associated parking area. The development plan was prepared by Thomas M. Repsher, a Registered Landscape Architect with Daft-McCune-Walker, Inc. In addition to development plan approval, the Owner/Developer requests a special exception to permit a community building/structures devoted to a civil and social use to be located in a D.R.3.5 and D.R.5.5 zone and to approve compliance to the extent possible with the Residential Transition Area (RTA) restrictions under Section 1B01.1.B.1.g(10) of the Baltimore County Zoning Regulations (B.C.Z.R.); a special hearing to approve that 406 parking spaces is sufficient for the proposed community building; and variance relief from Section 450.4.G of the B.C.Z.R. to permit a sign height of as tall as 10 feet in lieu of the maximum allowed 6 feet. The subject property and proposed development are more particularly described on the development plan/site plan submitted into evidence as Developer's Exhibit 1/Petitioner's Exhibit 1.

As to the history of this project, a concept plan for this development was prepared and a conference held thereon on October 6, 1997. As

ORDER RECEIVED FOR FILING

Date

By

required, a community input meeting was held on November 19, 1997 at the Perry Hall Elementary School. Subsequently, a development plan was submitted and a conference held thereon on January 21, 1998. Following the submission of that plan, development plan comments were submitted by the appropriate agencies of Baltimore County and a revised development plan incorporating those comments was submitted at the hearing held before me on February 17, 1998.

Appearing at the hearing on behalf of this project were John and James Bartenfelter, co-owners of the property, George Hunt, John Fink, Clifford A. Stevens, and Charles Irish, representatives of Bouni Temple, Developer, and Robert A. Hoffman, Esquire, attorney for the Owner/Developer. Also appearing in support of the development plan were Edmund Haile, George E. Gavrelis, Joe Fortino and Mitch Kellman, representatives of Daft-McCune-Walker, Inc., the consulting firm which prepared the development plan/site plan for this project, Richard Moore, a traffic engineering consultant with Wells and Associates, Neal Kitt, and Gary Murphy. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including Ervin McDaniel with the Office of Planning (OP), Glenn Shaffer with the Department of Environmental Protection and Resource Management (DEPRM), Jun Fernando, Zoning Review, and Robert W. Bowling, Development Plans Review, both divisions of the Department of Permits and Development Management (DPDM). Several residents from the surrounding locale appeared as interested citizens including Michael E. Brown, Arlene Roth, Bernadine D. Seymour, a representative of the South Perry Hall Boulevard Improvement Association, and Thomas Seymour. The citizens were represented by Leslie Pittler, Esquire.

ORDER PREPARED BY: [Signature]
Date: 2/23/98
By: [Signature]

The subject property is an unimproved parcel of land containing 34.73 acres, more or less, split zoned D.R.3.5 and D.R.5.5. The property is located on the east side of Babikow Road, north of King Avenue not far from the Essex Community College. The property has been in the Bartenfelter family for many years and is currently under contract to be sold to the Boumi Temple, who is desirous of constructing a 58,600 sq.ft. temple and an 11,000 sq.ft. accessory storage building. In addition, a parking lot layout is also proposed for the subject site, as shown on the development plan submitted and accepted into evidence as Developer's Exhibit 1.

Section 26-206 of the Baltimore County Code sets forth the standards by which the Hearing Officer must follow when considering a development plan. At the public hearing, the Hearing Officer is required to determine what, if any, open issues or agency comments remain unresolved. Testimony and evidence received was that all issues raised within the comments submitted by the various County reviewing agencies have been resolved and incorporated within the revised development plan and that the plan complies with all County regulations. Furthermore, the citizens who attended the hearing and their Counsel indicated that they had no objections to the development plan. There being no open issues or concerns raised by either the Developer, any County agency representatives, or the citizens in attendance, it was not necessary to take any testimony, but a brief presentation of the development plan was provided by Mr. Edmund Haile, a principal with the firm of Daft-McCune-Walker, Inc.

In addition to development plan approval, the Owners/Developers also requested special hearing, special exception and variance relief. Testimony was offered by Clifford A. Stevens, who holds the office of "Recorder" with the Boumi Temple. Mr. Stevens testified that the Boumi

2/23/98
[Signature]

Temple has been located at 4900 North Charles Street in Roland Park for the past 30 years. That facility comprises approximately 85,000 sq.ft. of space and will soon be taken over by Loyola College. Therefore, the Boumi Temple is in need of relocating their facility and have selected the subject site as the new location for their temple. As shown on the development plan/site plan, the new facility will consist of two separate buildings, one of which will contain 58,600 sq.ft. and house the temple, and the other building will contain approximately 11,000 sq.ft. and will be used for storage purposes. The layout of the proposed facility has been carefully designed so as not to impose upon the surrounding residential community. The Owner/Developer and their engineers have done an excellent job of screening the property so that the least amount of impact on the surrounding neighborhood will occur. Due to the zoning of the property, the requested special exception is necessary in order to use the subject site as proposed. Furthermore, inasmuch as there is currently no formula for calculating the required number of parking spaces to be provided for the use proposed in the D.R.3.5 and D.R.5.5 zone, the Owner/Developer requested the special hearing to approve that the 406 spaces proposed are sufficient for this site. In addition, Mr. Stevens testified that the Boumi Temple wishes to relocate the identification sign from their Charles Street address to the subject site. That sign and the surrounding stone upon which is mounted is approximately 10 feet tall. Thus, the requested variance is necessary. Further testimony revealed that the Boumi Temple has entered into a letter agreement with Mr. Leslie Pittler, attorney at law, who represents the South Perry Hall Boulevard Improvement Association, which reflects certain terms and conditions agreed to by the Developer.

On behalf of the Developer, Mr. George Gavrelis testified to the landscaping proposed for this site. In addition, Mr. Gavrelis explained the two areas where the Owner/Developer is unable to meet the RTA requirements imposed by the B.C.E.R. Those impositions into the RTA are fairly minor, and were, in fact, unavoidable by the Developer in the design and layout of this facility. Therefore, I find that they have complied to the extent possible with the RTA regulations.

Finally, the Petitioners have asked that the special hearing be granted to approve that 406 parking spaces are sufficient for the proposed facility. On behalf of the Developer, Mr. Stephens indicated that their facility on Charles Street operates with approximately 370 parking spaces. He indicated that this number has been sufficient to accommodate the needs of the Boumi Temple for the many years that they have been existed at the Charles Street location. The proposed facility, which is smaller than the Charles Street facility, will have 406 parking spaces, or, 36 more parking spaces than they currently have. Therefore, the Owner/Developer believes the parking proposed for this site will be sufficient to accommodate the new facility. Mr. Stevens further testified that the average age of many Boumi Temple members is approximately 70 years; thus, many of its members carpool when they attend services.

As noted above, many citizens from the surrounding community appeared out of interest. Mr. Pittler represented those citizens, as well as the South Perry Hall Boulevard Improvement Association. There was no testimony in opposition to the relief requested; however, Mr. Pittler did ask that the letter agreement, which was submitted into evidence as Developer's Exhibit 2, be incorporated into the Order.

In considering the special exception relief sought, it is clear that the B.C.Z.R. permits the use proposed in a D.R. 3.5/D.R.5.5 zone by special exception. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

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).

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

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner/Hearing Officer for Baltimore County this 23rd day of February, 1998, that

ORDER RECEIVED FOR FILING
Date 2/23/98
By [Signature]

the development plan for Boumi Temple, identified herein as Developer's Exhibit 1, be and is hereby APPROVED, subject to the following restriction:

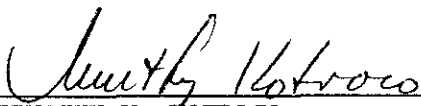
1) The Letter Agreement entered into by and between the Owner/Developer and the South Perry Hall Boulevard Improvement Association, a copy of which was submitted into evidence as Developer's Exhibit 2, shall be incorporated herein and is enforceable as if a part of this Order. A copy is attached for reference.

IT IS FURTHER ORDERED that the Petition for Special Exception to approve a community building/structures devoted to a civil and social use in a D.R.3.5 and D.R.5.5 zone, and compliance to the extent possible with RTA restrictions, pursuant to Section 1B01.1.B.1.g(10) of the Baltimore County Zoning Regulations (B.C.Z.R.), and in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that 406 parking spaces is sufficient for the proposed community building, in accordance with Petitioner's Exhibit 1, and as such, the Petition for Special Hearing is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 450.4.G of the B.C.Z.R. to permit a sign height of as tall as 10 feet in lieu of the maximum allowed 6 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

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


TIMOTHY M. KOTROCO
Hearing Officer
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 2/23/98
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

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

February 23, 1998

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and,
PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCE
Boumi Temple (E/S Babikow Road, N of King Avenue)
14th Election District - 6th Councilmanic District
James W. Bartenfelter, et al, Owners; Boumi Temple, Developer
Case Nos. XIV-369 & 98-234-SPHXA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Development Plan has been approved and the Petitions for Special Hearing, Special Exception and Variance granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Messrs. Edward, John, and Jamee Bartenfelter
3013 Edgewood Avenue, Baltimore, Md. 21234

Messrs. George Hunt, John Fink, Clifford Stevens, and Charles Irish
Boumi Temple, 4900 North Charles Street, Baltimore, Md. 21210

Messrs. Edmund Haile, George Gavrelis, Joe Fortino and Mitch Kellman
Daft-McCune-Walker, Inc., 200 E. Pennsylvania Ave., Towson, Md. 21286

Leslie Pittler, Esquire, 8415 Bellona Lane, Baltimore, Md. 21204-2055
Don Rascoe, Proj. Mgr., DPDM; DEPRM; DPW; OP; R&P; People's Counsel;
Case Files



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at King Avenue and Babikow Road (5012 King Ave.) *SW*

which is presently zoned DR 3.5 and DR 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

406 parking spaces for the proposed Community Building use as shown on the Development Plan.

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

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

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

Contract Purchaser/Lessee:

Boumi Temple Corporation
C. Russel Fields, President

(Type or Print Name)

C. Russel Fields
Signature

4900 North Charles Street

Address

Baltimore MD 21210

City State Zipcode

Attorney for Petitioner:

Venable, Baetjer, and Howard
Robert A. Hoffman, Esq.

(Type or Print Name)

Robert A. Hoffman
Signature

210 Allegheny Avenue (410) 494-6200

Address Phone No.

Towson MD 21204

City State Zipcode

Legal Owner(s):

John Joseph Bartenfelter
James William Bartenfelter
Edward John Bartenfelter

(Type or Print Name)

John Joseph Bartenfelter
Signature

James William Bartenfelter
(Type or Print Name)

Edward John Bartenfelter
Signature

c/o Mr. Mike Brown, Esq.
4313 Edro Avenue

(410) 665-3758

Address

Phone No.

Baltimore

MD

21236

City State Zipcode

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

Daft-McCune-Walker, Inc.
Joseph D. Fortino, Project Manager

Name

200 Pennsylvania Avenue

(410) 296-3333

Address

Phone No.

Towson, MD 21286

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: *JLM* DATE 12-18-97

* schedule w/ HOTH
234

Zoning Administration
& Development Management

98-234-
SPH KA



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at King Avenue and Babikow Road (5012 King Ave.) *BoD*
which is presently zoned DR 3.5 and DR 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 Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

A Community Building/Structures devoted to a civil and social use in a DR 3.5 and DR 5.5 zone and to approve compliance to the extent possible with RTA restrictions under 1801.1.B 1.g(10) of the Baltimore County Zoning Regulations.

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 Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Bourni Temple Corporation
C. Russel Fields, President

(Type or Print Name)

C. Russel Fields

Signature

4900 North Charles Street

Address

Baltimore MD 21210

City

State

Zipcode

Attorney for Petitioner:

Venable, Baetjer, and Howard
Robert A. Hoffman, Esq.

(Type or Print Name)

Robert A. Hoffman

Signature

210 Allegheny Avenue (410) 494-6200

Address

Phone No.

Towson MD 21204

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): John Joseph Bartenfelter
James William Bartenfelter
Edward John Bartenfelter

(Type or Print Name)

John J. Bartenfelter

Signature

James William Bartenfelter

(Type or Print Name)

Edward John Bartenfelter

Signature

c/o Mr. Mike Brown, Esq.

4313 Edro Avenue (410) 665-3758

Address

Phone No.

Baltimore, MD 21286

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser, or representative to be contacted.

Daft-McCune-Walker, Inc.

Joseph D. Fortino, Project Manager

Name

200 East Pennsylvania Avenue (410) 296-3333

Address

Phone No.

Towson MD 21286

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: *Jem*

DATE

12-18-97

* schedule w/ Hoff
234

Zoning Administration

& Development Management

98-234-
SPHXA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at King Avenue and Babikow Road (5012 King Ave.) ^{Box}

which is presently zoned DR 3.5 and DR 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):

450.4.G to permit a sign height as tall as 10 feet in lieu of the maximum 6-foot.

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

To be determined at hearing. Sure

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

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

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

Contract Purchaser/Lessee:

Boumi Temple Corporation
C. Russel Fields, President

(Type or Print Name)

C. Russel Fields
Signature

4900 North Charles Street

Address

Baltimore MD 21210
City State Zipcode

Attorney for Petitioner:

Venable Baetjer, and Howard
Robert A. Hoffman, Esq.

(Type or Print Name)

Robert A. Hoffman
Signature

210 Allegheny Avenue (410) 494-6200

Towson MD 21204
City State Zipcode

Legal Owner(s): John Joseph Bartenfelter
James William Bartenfelter
Edward John Bartenfelter

(Type or Print Name)

John Joseph Bartenfelter
Signature

James William Bartenfelter
(Type or Print Name)

Edward John Bartenfelter
Signature

c/o Mr. Mike Brown, Esq.
4313 Edro Avenue (410) 665-3758

Baltimore MD 21236
City State Zipcode
Name, Address and phone number of representative to be contacted.

Daft-McCune-Walker, Inc.
Joseph D. Fortino, Project Manager

200 East Pennsylvania Avenue (410) 296-3333
Address Towson, MD 21286 Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: *Jan* DATE 12-18-97

Zoning Administration

& Development Management

98-234-
SPHXA

234

* schedule w/ Hott

Description

to Accompany Petition for

Special Hearing, Special Exception and Variance

34.209 Acre Parcel

Bartenfelter Property

Northwest of John F. Kennedy Memorial Highway

East of Babikow Road

North of King Avenue

Fourteenth Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at a point in the centerline of Babikow Road, said point being North 11 degrees 58 minutes 50 seconds East 150 feet, more or less, from the intersection of the centerline of Babikow Road with the centerline of King Avenue, thence with the centerline of Babikow Road (1) North 11 degrees 58 minutes 50 seconds East 311.66 feet, thence leaving the centerline of said road the five following courses and distances, viz: (2) South 86 degrees 14 minutes 10 seconds East 204.50 feet, thence (3) North 11 degrees 58 minutes 50 seconds East 382.17 feet, thence (4) South 86 degrees 14 minutes 10 seconds East 15.50 feet, thence (5) North 11 degrees 58 minutes 50 seconds East 110.00 feet, and thence (6) North 86 degrees 14 minutes 10 seconds West 220.00 feet to intersect the centerline of Babikow Road, thence with the centerline of Babikow Road (7) North 11 degrees 58 minutes 50 seconds East 114.62 feet, thence leaving the centerline of said road the seven following courses and distances, viz: (8) South 86 degrees 38 minutes 35 seconds East 286.32 feet, thence (9) South 84 degrees 14 minutes 35 seconds East 99.92 feet, thence (10) North 83 degrees 23 minutes 04 seconds East 114.62 feet, thence (11) North 74 degrees 48 minutes 38 seconds East 132.00 feet, thence (12) South 61 degrees 26 minutes 22 seconds East 428.69 feet,

98-234-SPH XA

Page of 2

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thence (13) South 72 degrees 29 minutes 41 seconds East 126.34 feet, and thence (14) South 25 degrees 59 minutes 23 seconds East 827.99 feet to intersect the northwest right-of-way line of John F. Kennedy Memorial Highway (Interstate 95) as shown on the State Roads Commission Plat No. 24612, thence binding on the northwest right-of-way line of said highway the two following courses and distances, viz: (15) South 49 degrees 09 minutes 00 seconds West 306.90 feet to a point of curvature, and thence (16) by the line curving to the right having a radius of 5579.58 feet for a distance of 383.12 feet (the arc of said curve being subtended by a chord bearing South 51 degrees 07 minutes 02 seconds West 383.04 feet) to intersect the north right-of-way line of King Avenue as shown on State Roads Commission No. 24613, thence leaving said curve by a line of non-tangency and binding on the north right-of-way of said avenue the two following courses and distances, viz: (17) North 59 degrees 36 minutes 26 seconds West 187.16 feet, and thence (18) North 76 degrees 42 minutes 52 seconds West 565.16 feet, thence leaving said right-of-way lines and running the four following courses and distances, viz: (19) North 00 degrees 58 minutes 20 seconds East 178.97 feet, thence (20) North 69 degrees 27 minutes 40 seconds West 178.25 feet, thence (21) South 20 degrees 32 minutes 20 seconds West 55.00 feet, and thence (22) North 69 degrees 27 minutes 40 seconds West 269.12 feet to the point of beginning; containing 34.209 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

December 18, 1997

Project No. 97063.A (L97063.A)



BALTIMORE COUNTY, MARYL
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 046981

DATE 12-18-97

ACCOUNT Rec 1-6150

AMOUNT \$ 650.00

RECEIVED FROM:

Bonni Temple, Inc. King Ave. 1303 Kline Rd

FOR:

(070) Sp. H. X, A.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JLW

046-234-SPHX A

CASHIER'S VALIDATION

PAID RECEIPT

12/10/1997 12/18/1997 14:20:36
M504 CASHIER LSH LMS DRAWER 9
5 MISCELLANEOUS CASH RECEIPT
Receipt # 032060
CR NO. 046981
650.00 CHECK
Baltimore County, Maryland
DATE

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #98-234-SB-MX

5012 King Avenue
ES, Backlot, Road, 500' +/-
from centerline King Avenue
14th Election District
6th Councilmanic District

Legal Owner(s): John Joseph
Barnes & James William
Barnes & Edward John
Barnes
Contract Purchaser: Round
Temple Corporation

Special Hearing: to approve
408 parking spaces for the
proposed community building
use.

Special Exception for a community building structure devoted to a civil and social use and to approve compliance to the extent possible with RTA restrictions. Variance to permit a sign height as tall as 10 feet in lieu of the maximum 6-foot.

Hearing: Tuesday, February 17, 1998 at 9:30 a.m., Room 407 County Court Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore 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.

1/4/93 Jan. 29

C209291

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 29, 19 98

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 Jan. 29, 19 98.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

A. H. Erickson

CERTIFICATE OF POSTING

RE: Case No.:

98-234 SPHXA

Petitioner/Developer: **BOOMI TEMPLE, ETAL**
% ROB HOFFMAN ESQ.

Date of Hearing/Closing: **2/17/98**

C900
RM 407-CCB

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 **ONSITE 3 LOCATIONS**
KING AVE. & BABIKOW ROAD

The sign(s) were posted on: **1/14/98**
 (Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 1/15/98
 (Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
 (Printed Name)

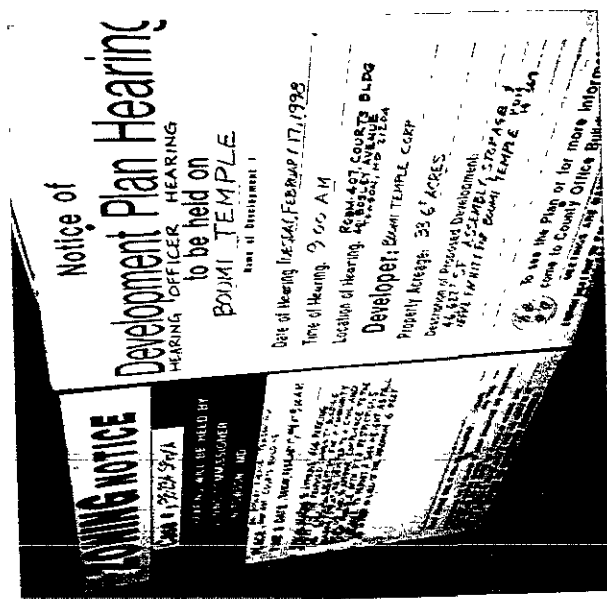
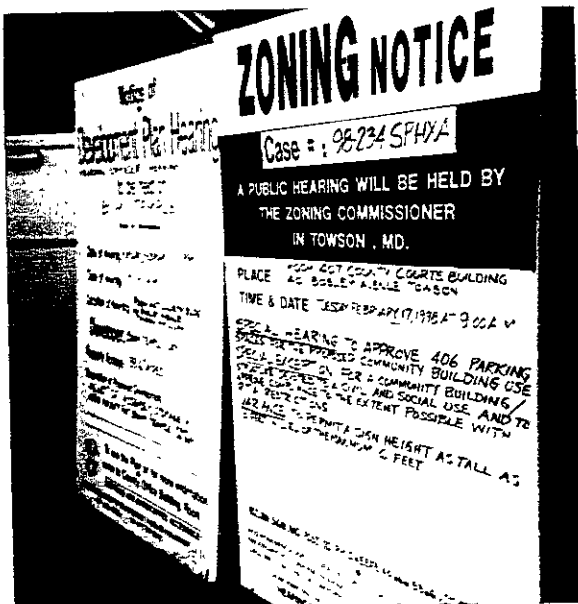
523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 CELL 410-905-8571



BOOMI TEMPLE
Case # 98-234.SPHXA
PDM-14-369 H-2/17/98

BOOMI TEMPLE
PDM # 14-369
CASE 98-234.SPHXA
H-2/17/98

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

98-234 SPHXA

Case No.: ~~98-234 SPHXA~~

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

PLACE: _____

DATE AND TIME: _____

REQUEST: FOR SPECIAL HEARING TO APPROVE 406
PARKING SPACES FOR THE PROPOSED COMMUNITY BUILDING
A SPECIAL EXCEPTION FOR A COMMUNITY BUILDING/
STRUCTURES AND TO APPROVE COMPLIANCE TO THE
EXTENT POSSIBLE WITH RESIDENTIAL TRANSITION AREA
REQUIREMENTS; AND A VARIANCE TO PERMIT A SIGN
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

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.: 98-234-SPHXA

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

PLACE: _____

DATE AND TIME: _____

REQUEST: Height of 10ft. in ~~lieu~~ of
THE PERMITTED 6ft.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 387-3391.

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

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.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 234
Petitioner: Bouui Temple
Location: King and Babikow Rds

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Barbara W. Ormrod
Venable, Baetjer + Howard, LLP.
ADDRESS: 210 Allegany Ave
Towson, Md 21204
PHONE NUMBER: 410-494-6201

AJ:ggs

(Revised 09/24/96)

98-234-
SPHXA

TO: PATUXENT PUBLISHING COMPANY
January 29, 1998 Issue - Jeffersonian

Please forward billing to:

Barbara W. Ormord 410-494-6201
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

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: 98-234-SPHXA

5012 King Avenue

E/S Babikow Road, 500' +/- from centerline King Avenue

14th Election District - 6th Councilmanic District

Legal Owner: John Joseph Bartenfelter & James William Bartenfelter & Edward John Bartenfelter

Contract Purchaser: Boumi Temple Corporation

Special Hearing to approve 406 parking spaces for the proposed community building use.
Special Exception for a community building/structure devoted to a civil and social use and to approve compliance to the extent possible with RTA restrictions. Variance to permit a sign height as tall as 10 feet in lieu of the maximum 6-foot.

HEARING: Tuesday, February 17, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE 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.



Baltimore County
Department of Permits and
Development Management

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

December 26, 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:

HEARING OFFICER HEARING
PROJECT NAME: Boumi Temple
Project Number: 14-369
Location: NS King Avenue, E of Babikow Road
Acres: 33.6
Developer: Boumi Temple
Engineer: Daft, McCune, Walker, Inc.
Proposal: 46,627 SF Assembly and Stor. Fac.

***** AND *****

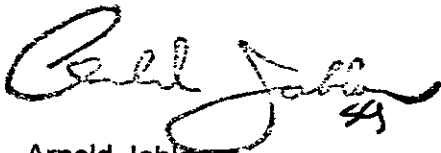
CASE NUMBER: 98-234-SPHXA
5012 King Avenue
E/S Babikow Road, 500' +/- from centerline King Avenue
14th Election District - 6th Councilmanic District
Legal Owner: John Joseph Bartenfelter & James William Bartenfelter & Edward John Bartenfelter
Contract Purchaser: Boumi Temple Corporation

Special Hearing to approve 406 parking spaces for the proposed community building use.
Special Exception for a community building/structure devoted to a civil and social use and to approve compliance to the extent possible with RTA restrictions. Variance to permit a sign height as tall as 10 feet in lieu of the maximum 6-foot.



HEARING NOTICE
CASE NO. 98-234-SPHXA & BOUMI TEMPLE
PAGE 2

HEARING: Tuesday, February 17, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon", with a stylized flourish at the end.

Arnold Jablon
Director

c: Robert A. Hoffman, Esquire
John & James & Edward Bartenfelter
Boumi Temple Corporation
Daft-McCune-Walker, Inc.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY
FEBRUARY 2, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS
OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

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

February 12, 1998

Robert A. Hoffman, Esquire
Venable, Baetjer, and Howard
210 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 234
Case No.: 98-234-SPHXA
Petitioner: John Bartenfelter, et al

Dear Mr. Hoffman:

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 December 18, 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, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



Baltimore County Government
Fire Department



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

(410) 887-4500

January 9, 1998

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1103

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 29, 1997

Item No.: 234, 238, 239, 240 Zoning Agenda:

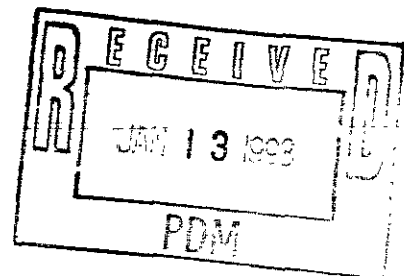
Gentlemen:

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.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.
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.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4281, MS-1102F

cc: File



INTEROFFICE CORRESPONDENCE

Date: January 6, 1998

SUBJECT: Zoning Advisory Committee Meeting
for January 5, 1998
Item No. 234

cc: File

ZONE0105.234

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

DATE: January 6, 1997 2/17

To: Arnold L. Jablon

From: Bruce Seeley *BS/s/gp*

Subject: Zoning Item #234

Bartenfelder, Boumi Temple

Zoning Advisory Committee Meeting of December 29, 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.

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

X 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.)

X 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).

GS:GP:sp



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 12-31-97
Item No. 234 (JCM)

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,

1w 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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR SPECIAL EXCEPTION	*	ZONING COMMISSIONER
PETITION FOR VARIANCE	*	
5012 King Avenue, E/S Babikow Rd,	*	OF BALTIMORE COUNTY
500' +/- from c/l King Ave	*	
14th Election District, 6th Councilmanic	*	CASE NO. 98-234-SPHXA
Legal Owners: John, James & Edward Bartenfelter	*	
Contract Purchaser: Boumi Temple Corp.	*	
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
 People's Counsel for Baltimore County


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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of February, 1998, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.


PETER MAX ZIMMERMAN

2/17/98

WHITE MARSH BUSINESS ASSOCIATION, INC

11450 Pulaski Highway
White Marsh, Maryland 21162

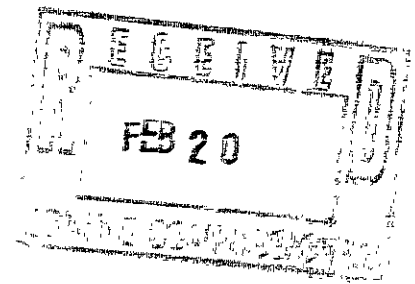


Ronald W. Parker, President
Jere Shue, Vice President
James Wloczewski, Treasurer
Jerald Welch, Secretary

February 12, 1998

2/17/98
08-234
Tmk

W. Carl Richards
Chief of Zoning Review
Department of Permits & Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204



Dear Mr. Richards:

I have talked to the members of the White Marsh Business Association, and we fully support the Boumi Temple moving into the White Marsh area.

It is our understanding they will be moving from the North Charles Street area and relocating in the vicinity of I-95 and Babikow & King Avenues.

We welcome and support the Boumi Temple, and further believe their relocation would be an asset to the community.

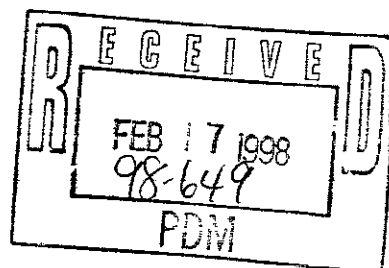
We have visited the existing Temple and they have an outstanding reputation. The Temple has always supported the sick and needy. Furthermore, they have always kept their grounds in an impeccable manner.

The White Marsh Business Association welcomes and supports the Boumi Temple, and requests the County to accept their request to relocate in the White Marsh community.

Very truly yours,

Ronald W. Parker

RWP/dcb



VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Robert A. Hoffman
(410) 494-6262

VENABLE
ATTORNEYS AT LAW

February 13, 1998

Leslie M. Pittler, Esquire
8415 Bellona Lane
Baltimore, Maryland 21204-2055

Re: Boumi Temple

Dear Les:

I am writing to respond to certain issues we discussed at our meeting on February 13, 1998. On behalf of the Boumi Temple, I would propose the following:

1. Trash pickup would be no earlier than 8:00 a.m. and no later than 6:00 p.m.
2. There will be a construction entrance for the Boumi Temple located along Babikow Road, but it will not serve as the permanent entrance to the facility. The construction entrance will be removed, graded and replanted prior to a use and occupancy permit being issued for the building.
3. Hours of construction would be between the hours of 6:30 a.m. to dusk during the site operations period. Site operations include grading, paving and foundation work. This will take approximately 10 weeks. One exception to the no work after dusk rule would be if there is a concrete pour that needs supervision after sunset.

Following the site operations, contractors would be working from 7:00 a.m. to dusk. A second exception to the "work after dusk" rule would be for work done inside the building.

During the site operation period, the contractor will provide dust control measures as needed and will see to it that "clots" of dirt are removed from Babikow Road.

4. The Community Association you represent (I need the "official name") is welcome to use the new facility twice a year at times to be mutually agreed upon. The Association would advise Boumi of two preferred dates prior to February 15 of each year.

DEVELOPER'S
EXHIBIT NO. 2

RECEIVED FOR FILING
Date 2/23/98
By [Signature]

February 13, 1998

Page 2

I would also appreciate it if you could give us some idea of an approximate number of people expected for each of these functions. Of course, the Association would need to cover expenses specifically related to their function (no cost for the use of the facility itself) and follow the same rules and policies in effect for any Boumi Temple function.

5. In terms of the Boumi Temple use, we believe that it can be broken down into three categories each of which designates an approximate total number of people who will be using the Boumi Temple at any given time:

Affairs such as a formal dinner, dance or bull roast with 275 people or more occurs approximately 3 times per month.

Smaller affairs such as luncheons or meetings (or a combination) with between 125 and 275 people occurs approximately 5 times per month.

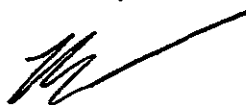
Less than 125 people in the facility could occur at any time.

For the larger events such as dinner, dinners and dances, a function of 350 people would generate about half the number of cars or 175. Smaller functions and meetings in terms of the number of cars are more of a one to one ratio. I am told that in the 40 years the Boumi Temple was located in Roland Park, the 320 parking spaces provided there never presented a parking problem or a complaint from the Roland Park neighbors.

Except for New Year's Eve which may end a little later, evening functions would end by 1:00 a.m. The norm would be more like 11:30 p.m. to 12:00 a.m., with cleanup to follow.

Please give me a call if you have any questions.

Yours truly,



Robert A. Hoffman

RAH/sm

ORDER RECEIVED FOR FILING
Date 2/23/98
By RAH



Daft-McCune-Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
410-296-3333
Fax 410-296-4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

To: PDM / Zoning Review
111 W. Chesapeake Ave
Towson, Maryland 21204
(410) 887-3391

Date: 12/18/97
Job No.: 97063. A
Attention: Boumi Temple
Reference: Plan for Zoning Petition

We are sending you
☐ Shop drawings
☐ Specifications

☐ attached
☐ Samples
☐

☐ under separate cover:
☐ Plans

☐ via _____

Copies	Date	Number	Description
10	12/18		Zoning Petition Site Plan
3	12/18		Zoning Description (w/200' scale map)
9	12/18		Original Petition Forms
1	12/18		Check for filing

These are transmitted as checked below:

☐ For approval
☐ For your use
☐ As requested
☐ For review and comment

☐ Approved as submitted
☐ Approved as noted
☐ Returned for corrections
☐

☐ Resubmit
☒ Submit
☐ Return

_____ copies for approval
_____ copies for distribution
_____ corrected prints

Remarks _____

98-234-
3 PHXA

cc: _____

Signed _____

Mitch Kellman



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at King Avenue and Babikow Road (5012 King Ave.)

which is presently zoned DR 3.5 and DR 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

406 parking spaces for the proposed Community Building use as shown on the Development Plan.

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

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

Contract Purchaser/Lessee:

Boumi Temple Corporation
C. Russel Fields, President

(Type or Print Name)

Signature

4900 North Charles Street

Address

Baltimore MD 21210

City State Zipcode

Attorney for Petitioner:

Venable, Baetjer, and Howard
Robert A. Hoffman, Esq.

(Type or Print Name)

Signature

210 Allegheny Avenue (410) 494-6200

Address Phone No.

Towson MD 21204

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): John Joseph Bartenfelter
James William Bartenfelter
Edward John Bartenfelter

(Type or Print Name)

Signature

(Type or Print Name)

Signature

c/o Mr. Mike Brown, Esq.
4313 Edro Avenue (410) 665-3758

Address Phone No.

Baltimore MD 21236

City State Zipcode

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

Daft-McCune-Walker, Inc.
Joseph D. Fortino, Project Manager

Name
200 Pennsylvania Avenue (410) 296-3333

Address Phone No.

Towson, MD 21286

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: Jim DATE 12-18-97

*schedule w/ HOH
234

ORDER RECEIVED FOR FILING

Date

98-234-
SPHXA

Zoning Administration
& Development Management



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at King Avenue and Babikow Road (5012 King Ave)

which is presently zoned DR 3.5 and DR 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 Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for:

A Community Building/Structures devoted to a civil and social use in a DR 3.5 and DR 5.5 zone and to approve compliance to the extent possible with RTA restrictions under 1B01.1.B.1g(10) of the Baltimore County Zoning Regulations.

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 Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

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

Contract Purchaser/Lessee:

Boumi Temple Corporation
C. Russel Fields, President

(Type or Print Name)

Signature

4900 North Charles Street

Address

Baltimore MD 21210

City

State

Zipcode

Attorney for Petitioner:

Venable, Baetjer, and Howard
Robert A. Hoffman, Esq.

(Type or Print Name)

Signature

210 Allegheny Avenue (410) 494-6200

Address

Phone No.

Towson MD

21204

City

State

Zipcode

Legal Owner(s): John Joseph Bartenfelter
James William Bartenfelter
Edward John Bartenfelter

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

c/o Mr. Mike Brown, Esq.

Phone No.

4313 Edro Avenue (410) 665-3758

City Baltimore MD 21286 State

Zipcode

Name, Address and phone number of legal owner, contract purchaser, or representative to be contacted.

Daft-McCune-Walker, Inc.

Joseph D. Fortino, Project Manager

Name

200 East Pennsylvania Avenue (410) 296-3333

Address Towson, MD 21286

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: Jan DATE 12-18-97

Zoning Administration
& Development Management

schedule w/ HOH. 234

ORDER RECEIVED FOR FILING

Date

By

98-234-SPHYA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at King Avenue and Babikow Road (5012 King Ave.)
which is presently zoned DR 3.5 and DR 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):

450.4.G to permit a sign height as tall as 10 feet in lieu of the maximum 6-foot.

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

To be determined at hearing. Buo

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

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

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

Contract Purchaser/Lessee:

Boumi Temple Corporation
C. Russel Fields, President

(Type or Print Name)

C. Russel Fields
Signature

4900 North Charles Street

Address

Baltimore MD 21210
City State Zipcode

Attorney for Petitioner:

Venable Baetjer, and Howard
Robert A. Hoffman, Esq.

(Type or Print Name)

Robert A. Hoffman
Signature

210 Allegheny Avenue (410) 494-6200

Towson MD 21204
City State Zipcode

Legal Owner(s): John Joseph Bartenfelter
James William Bartenfelter
Edward John Bartenfelter

(Type or Print Name)

John Joseph Bartenfelter
Signature

James William Bartenfelter
(Type or Print Name)

Edward John Bartenfelter
Signature

c/o Mr. Mike Brown, Esq.
4313 Edro Avenue (410) 665-3758

Baltimore MD 21236
City State Zipcode
Name, Address and phone number of representative to be contacted.

Daft-McCune-Walker, Inc.
Joseph D. Fortino, Project Manager

200 East Pennsylvania Avenue (410) 296-3333
Address Towson MD 21286 Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: *Jim* DATE 12-18-97

Zoning Administration
& Development Management

schedule w/ H.O.H.

234

ORDER RECEIVED FOR FILING

Date

By

98-234 -
SPHXA

1976
Zoning



M - SW
I - NW

1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96
Kevin Kamenev
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE 1" = 200' ±	LOCATION FULLERTON VICINITY	SHEET N.E. 6-6
DATE OF PHOTOGRAPHY JANUARY 1986		

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

48-234-
SPH XA

NE 7G

1996 Zoning



M - SW

1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bills Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96

Kevin Kamenech
Chairman, County Council

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

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
FULLERTON
VICINITY

SHEET
N.E.
7-G