IN RE: PETITION FOR SPECIAL EXCEPTION

NE/S Old Court Road, 2,000' E of the c/l

Dogwood Road

(9711 Old Court Road)

2<sup>nd</sup> Election District

1st Councilmanic District

Myanmar Buddhist Meditation Society Petitioner

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 00-046-X

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the owner of the subject property, Myanmar Buddhist Meditation Society, by Mehm T. Thaung, Vice President, through their attorney, Michael P. Tanczyn, Esquire. The Petitioner requests a special exception to permit the use of the subject property for a church or other buildings for religious worship, pursuant to Section 1A01.2.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Mehm T. Thaung, Aung Myint, Tim M. Khin and Khin N. Win, Members of the Myanmar Buddhist Meditation Society, owner of the subject property; Herbert Malmud, Registered Land Surveyor who prepared the site plan for this property; and, Michael P. Tanczyn, Esquire, attorney for the Petitioner. Also appearing in support of the request were nearby residents of the area, Rosalyn N. Roddy, and Mr. & Mrs. James A. Higgs, who reside immediately adjacent to the property. There were no Protestants.

Testimony and evidence received revealed that the subject property is an irregular shaped parcel consisting of a gross area of 6.6 acres, zoned R.C.2. The property is located on the south side of Old Court Road, just east of that road's intersection with Dogwood Road in western Baltimore County. As shown on the site plan, the property is presently improved with a one-story

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dwelling that is currently occupied by two monks and one nun of the Buddhist religion. Mr. Malmud explained the proposed use of the property and the Petitioner's plans for improvements. These include an addition to the existing dwelling to provide more living space for the monks, the construction of a second building which will be used as a prayer room, and the erection of a stupa, or pagoda, which is a religious shrine/statue to the Buddhist religion.

Mr. Malmud also described the character of the subject property and surrounding community. Photographs were also submitted which depict the property and its environs. The photographs show that the property rises in grade from its frontage along Old Court Road to a plateau towards the rear of the lot. The existing and proposed improvements are located on that plateau. Immediately to the rear of the lot, the property slopes away and is wooded. Mr. Malmud described the proposed improvements and indicated that a storm water management plan to address runoff caused by the proposed improvements has been submitted to the Department of Environmental Protection and Resource Management for their review and approval. Apparently, the proposed storm water management system has been preliminarily accepted by DEPRM.

It is also to be noted that there are no public utilities to serve the subject property; however, a 10,000 sq.ft. septic reserve area is shown on the plan. Additionally, a parking lot for up to 50 cars will be provided on site. Mr. Malmud concluded that the proposed use of the property will not be detrimental to the health, safety or general welfare of the surrounding locale.

Also testifying in support of the request were Aung Myint and Mehm T. Thaung, both members of the Executive Council of the Myanmar Buddhist Meditation Society. They educated this Zoning Commissioner as to the customs and ways of the Buddhist religion. Under the Buddhist religion, individuals of that faith visit the temple for meditation and prayer services. Unlike a western church, there are not regularly scheduled services on any given day. Moreover, in regard to the number of individuals who will be using this site, Messrs. Thaung and Myint indicated that there would be three occasions during the course of the year when as many as 200 people could be present for fundraising and religious services. These events are typically scheduled for one in the spring, one in the summer and one in the fall. During other times of the

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reside on the property. The significance of the stupa was also discussed. This structure will not be occupied; rather, it is a shrine or memorial which duplicates the holiest stupa located in Rangoon, Burma. The stupa will be less than 35 feet in height.

In addition to the testimony offered by the applicant's witnesses, testimony was also received from Ms. Roddy and Mr. Higgs. Both of these neighbors support the project. They indicated that the members of the Myanmar Buddhist Meditation Society have been very good neighbors and that the proposed use of the property will not be detrimental to the surrounding locale. Mr. Higgs, in particular, indicated that the services and activities conducted on the property were peaceful and quiet and did not cause any disruption to the neighborhood. His only concern would be that unwarranted landscaping would be required in connection with the proposed improvements. In this regard, Mr. Higgs indicated that he and his wife enjoy the open vista which presently exists and do not want that disturbed.

Based upon the testimony and evidence presented, I am easily persuaded that the Petition for Special Exception should be granted. In my judgment, the proposed use is entirely appropriate. This is a relatively large site which can easily accommodate the proposed use. Moreover, the nature of the use is such that it will not be detrimental to the surrounding locale. Although easily confused with a western church facility by those unfamiliar with this religion, it is clear that the proposed use of the property by the Myanmar Buddhist Meditation Society will not generate the volumes of traffic, noise and detrimental impacts which might normally be associated with a western church.

As noted above, there are two buildings proposed for this site; namely, the existing dwelling and the proposed prayer room. As shown on the site plan, the two buildings will be located quite close to one another. It was explained at the hearing that the residence of the monks is considered a holy place and must be separated from the facility used by the general members of the Buddhist Meditation Society. Moreover, due to the topography of the land and the location of the septic reserve area, it appears that the proposed distance between the two buildings is appropriate.

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the Buddhist Meditation Society. Moreover, due to the topography of the land and the location of the septic reserve area, it appears that the proposed distance between the two buildings is appropriate.

Insofar as the imposition of any restrictions on the granting of the special exception, I am hesitant to impose same. Clearly, the existing well and septic system should be evaluated prior to the issuance of any building permits to insure that there will be no adverse impacts or health concerns raised. Moreover, final computations in support of the storm water management plan should be submitted and approved by DEPRM prior to the issuance of any permits. The other typical requirements of that agency (regulations for the protection of water quality, streams, wetlands, floodplains, forest conservation regulations, etc.) should also be satisfied. However, owing to the unique use proposed for this site, I will not require the submittal of a landscape plan for review and approval. The buildings here are unique and Mr. Higgs' request for minimal disturbance of existing views is appropriate and warranted. As to the architectural design of the proposed buildings, that is an issue somewhat governed by the nature of the Buddhist faith. It was indicated that the buildings would be single story in height and the stupa less than 35 feet tall. It appears that these structures will not be entirely visible to surrounding properties, due to the topography of the property and the fact that a large portion of the site remains wooded.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the special exception shall be granted.

this \_\_\_\_\_\_ day of November, 1999 that the Petition for Special Exception to permit the use of the subject property for a church or other buildings for religious worship, pursuant to Section 1A01.2.C.6 of the Baltimore County Zoning Regulations (B.C.Z.R.), and in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until 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.

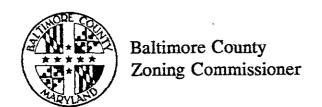
- 2) Prior to the issuance of any permits, the Petitioner shall be required to comply with any recommendations made by the Department of Environmental Protection and Resource Management (DEPRM) to insure that the existing well and septic system are sufficient to handle the proposed use of the site. In addition, the Petitioner shall finalize its plans for a storm water management facility and obtain approval of same from DEPRM, prior to the issuance of any building permits.
- 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.

LAWRENCE E. SCHMIDT

**Zoning Commissioner** 

for Baltimore County

LES:bjs



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386 Fax: 410-887-3468

November 17, 1999

Michael P. Tanczyn, Esquire 606 Baltimore Avenue, Suite 106 Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION

NE/S Old Court road, 2,000' E of the c/l Dogwood Road

(9711 Old Court Road)

2<sup>nd</sup> Election District – 1<sup>st</sup> Councilmanic District

Myanmar Buddhist Meditation Society - Petitioners

Case No. 00-46-X

Dear Mr. Tanczyn:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception 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,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:bjs

cc: Messrs. Mehm T. Thaung and Khin N. Win
1610 Barthel Road, Lutherville, Md. 21093
Mr. Herbert Melmud, 100 Church Long River

Mr. Herbert Malmud, 100 Church Lane, Pikesville, Md. 21208

Ms. Rosalyn N. Roddy, 3036 Hernwood Road, Woodstock, Md. 21163 Mr. & Mrs. James A. Higgs, 9721 Old Court Road, Baltimore, Md. 21244

Ms. Susan Ingram, Community Times, Randallstown, Md. 21133

People's Counsel; Case File



# Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 9711 old court Rd 21244

which is presently zoned \_\_RC\_2
This Petition shall be filed with the Department of Permits and 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

Church or other buildings for religious worship

pursuant to BCZR 1A01.2C.6.

Property is to be posted and advertised as prescribed by the zoning regulations. I. or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

	!/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:	<u>Legal Owner(s):</u>
	MYANMAR BUDDHIST MEDITATION SOCIETY
Name - Type or Print	Name - Type or Print
Signature	Signature
Address Telephone No.	Name - Type of Print  Maune  M
City State Zip Code	Signature
Attorney For Petitioner:	9711 Old Court Rd. 410 296 8823 Address Telephone No.
Michael P. Tanczyn  Name - Type or Print  M. J. J. C. Torry	Raltimore, Md 21244 State Zip Code  Representative to be Contacted:
Signature	Name
Stello, 606 Baltimore No. Ave	Address Telephone No.
C. City Towson MCV1019 Zip Code	City State Zip Code  OFFICE USE ONLY
No. 00-046-X	UNAVAILABLE FOR HEARING 2 13 15 22 27 28
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No Review

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### H. MALMUD & ASSOCIATES, INC. 100 CHURCH LANE BALTIMORE, MARYLAND 21208

TELEPHONE 410 653-9511

# ZONING DESCRIPTION 9711 OLD COURT ROAD BALTIMORE COUNTY, MARYLAND

BEGINNING AT A POINT ON THE SOUTH SIDE OF OLD COURT ROAD, 60 FEET WIDE, SAID POINT BEING 1830 FEET, MORE OR LESS, NORTHEASTERLY FROM THE CENTERLINE OF DOGWOOD ROAD THENCE LEAVING OLD COURT ROAD AND RUNNING THE THREE (3) FOLLOWING COURSES AND DISTANCES:

- 1. SOUTH 17 DEGREES 16' 37" EAST 762.59 FEET,
- 2. NORTH 35 DEGREES 13' 40" EAST 550.63 FEET AND
- 3. NORTH 14 DEGREES 08' 30" WEST 489.37 FEET TO THE SOUTH SIDE OF OLD COURT ROAD, THENCE BINDING THEREON:
- 4. BY A LINE CURVING TO THE LEFT WITH A RADIUS OF 1367.76 FEET, AN ARC LENGTH OF 469.97 FEET, CHORD BEARING SOUTH 65 DEGREES 12' 09" WEST 467.66 FEET TO THE PLACE OF BEGINNING.

CONTAINING 6.6 ACRES OF LAND, MORE OR LESS.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR THE CONVEYANCE OF TITLE.



HERBERT MALMUD REGISTERED L AND SURVEYOR MARYLAND # 7558

**OCTOBER 22, 1999** 

FILE: DES9711OLDCT

SOE LIN & ASSOCIATES
ARCHITECTURE PLANNING
INTERIORS
8108 FENWAY ROAD
BETHESDA, MARYLAND 20817
U.S.A.
(301) 469-8784 FAX 469-7830





ZONING DESCRIPTION MYANMAR BUDDHIST MEDITATION SOCIETY 9711 OLD COURT RD. GWYNN OAK CT, MD 21244

Beginning at a point on the Northeast side of Old Court Rd. which is approximately 60ft, wide at the distance of 2,000 ft. East of the centerline of the intersection of Dogwood Rd. and Old Court Rd. which is 60ft, wide. Thence the following courses and distances:

Metes and bounds: R=1,367.76' L=462.07', N.17 33'20"W 759.95', S.35 51'52"W 561.90', S.17 03'20"W 488.52' to the place of beginning as recorded in Liber 12072 Folio 750.

Being Parcel # 02-11-151050, Folio #750, containing 304,920 SF in the lot. Also known as 9711 Old Court Rd. in the 2nd Election District.

00.046-X

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WHITE - CASHIER RECEIVED FROM: MISCELLANEOUS RECEIPT OFFICE OF BUDGET & FINANCE BALTIMORE COUNTY, MARYLAND PINK - AGENCY Michael Tanczyn Escrow Acct Drop-Off Petition - Spec Ex 9711 Old Court Road AMOUNT \$ ACCOUNT YELLOW - CUSTOMER #00-046-X 300,00 (WCR) 069273 REG MSO.1 CASHIER JRIC JMR DRAMER
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The Zoning Commissioner of Battimore County, by authority of the Zoning Act and Regulations of Battimore County will hold a public hearing in Towerson. Maryland on the property identified hereif as follows:

Case: #00-046-X
9711 Old Court Road
SE/S Old Court Road approximately 2000 NE of bogwood
Road 2nd Ecclon District 1st Councilmanic District
Legal Owner(s): Mysermar Buddhist Meditation 8colety

Special Exception, for a church or other buildings for religious worship.

Hearing: Wednesday, 8ap-tearing: Wednesday, 8ap-tearing: Wednesday, 8ap-tearing: T22, 1999 at 2:00 tearing. Room 407, County Courts Budg., 407 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County
NOTES: (1) Hearings are
Handtrapped Accessible; for
special general accommodations
please Contact the Zoning
Commissioners Office at
(410) 887/4388
(2) For Information concerning the Rile and/or Hearing
Contact the Zoning Review Office at (410) 887/3381

JTU/9/772 Sept. 7 C337239

# CERTIFICATE OF PUBLICATION

0 TOWSON, MD., -

published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of \_\_\_\_\_ successive weeks, the first publication appearing on TUES 911, 1929. THIS IS TO CERTIFY, that the annexed advertisement was

THE JEFFERSONIAN,

LEGAL ADVERTISING > Walturan

### **CERTIFICATE OF POSTING**

RE: CASE # 00-046-X
PETITIONER/DEVELOPER:
(Myanmar Buddhist)
DATE OF Hearing
(Nov. 1, 1999)

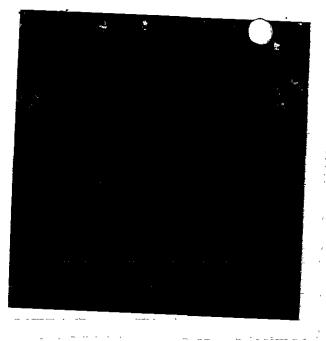
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

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 9711 Old Court Road Baltimore, Maryland 21244\_\_

The sign(s) were posted on \_\_\_\_\_10-15-99 \_\_\_\_\_\_
[Month, Day, Year]



Sincerely,
Ohom Olfulistag
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405
(Telephone Number)

RE: PETITION FOR SPECIAL EXCEPTION 9711 Old Court Road, SE/S Old Court Rd, appx. 2000' NE of Dogwood Rd 2nd Election District, 1st Councilmanic

Legal Owner: Myanmar Buddhist Meditation Society Petitioner(s)

- \* BEFORE THE
- \* ZONING COMMISSIONER
- \* FOR
- \* BALTIMORE COUNTY
- \* Case No. 00-46-X

### 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

Old Courthouse, Room 47

400 Washington Avenue

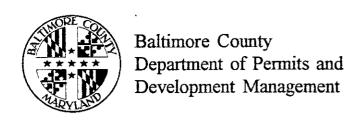
Towson, MD 21204

(410) 887-2188

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this  $\frac{\mathcal{I}\mathcal{I}}{\mathcal{I}}$  day of August, 1999 a copy of the foregoing Entry of Appearance was mailed to Michael P. Tanczyn, Esq., 606 Baltimore Avenue, Suite 106, Towson, MD 21204, attorney for Petitioners.

PETER MAX ZIMMERMAN



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

August 26, 1999

### NOTICE OF ZONING 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: 00-046-X 9711 Old Court Road SE/S Old Court Road, approximately 2000' NE of Dogwood Road 2<sup>nd</sup> Election District — 1<sup>st</sup> Councilmanic District Legal Owner: Myanmar Buddhist Meditation Society

Special Exception for a church or other buildings for religious worship.

HEARING: Wednesday, September 22, 1999 at 2:00 p.m. in Room 407, County

Courts Building, 401 Bosley Avenue

Arnold Jablon Director

c: Michael P. Tanczyn, Esquire, 606 Baltimore Avenue, Suite 106, Towson 21204 Myanmar Buddhist Meditation Society, 9711 Old Court Road, Baltimore 21244

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SEPTEMBER 7, 1999.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, September 7, 1999 Issue – Jeffersonian

Please forward billing to:

Michael P. Tanczyn, Esquire 606 Baltimore Avenue Suite 106 Towson, MD 21204

### **NOTICE OF ZONING 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: 00-046-X 9711 Old Court Road

SE/S Old Court Road, approximately 2000' NE of Dogwood Road

2<sup>nd</sup> Election District – 1<sup>st</sup> Councilmanic District

Legal Owner: Myanmar Buddhist Meditation Society

Special Exception for a church or other buildings for religious worship.

HEARING: Wednesday, September 22, 1999 at 2:00 p.m. in Room 407, County

Courts Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

JCT 2 8

**DATE:** October 27, 1999



# BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

9711 Old Court Road

INFORMATION:

Item Number:

046

Petitioner:

Myanmar Buddhist Meditation Society

Property Size: Zoning:

6.6 acres RC 2

Requested Action:

Special Exception

**Hearing Date:** 

November 1, 1999

The property in question, 9711 Old Court Road, is zoned RC2, Agricultural. The petition for Special Exception for a church or other buildings for religious worship involves the relocation of the existing driveway access to Old Court Road, a new 50 car parking lot, a proposed prayer room, an addition to the existing single family dwelling and a Stupa (statue). A revised site plan prepared by H.Malmud & Associates dated October 21, 1999 was reviewed by this office.

The subject property is located within the Patapsco/Granite Area Community Plan area, which was adopted as an amendment to the Baltimore County Master Plan 1989-2000. The plan contains recommendations for institutional development to meet compatibility requirements as per Section 26-281 (b) of the Baltimore County Code. This will include Baltimore County Design Review Panel review, and special consideration to architecture, scale, mass, fencing, landscaping and signage. It also recommends landscaped buffers of 50 feet for any institutional building or parking lot located within a residential transition area. RTA applies to the proposed parking lot located 35 feet from the Higgs property and 42 feet from the Day property.

Additionally, Old Court Road is a scenic route, grading and clearing for the driveway should be limited to that required for sight distance requirements.

Lastly, it should be noted that unless the buildings are attached, a setback variance appears to be needed for a distance between buildings of 10 feet in lieu of the required 70 feet. This office would support such a variance if it is needed.

### **SUMMARY OF RECOMMENDATIONS:**

- 1. A landscape plan should be submitted to the Office of Planning and the County's Landscape Architect, Avery Harden that shows appropriate screening for the proposed parking lot. RTA buffer recommendations should be met.
- 2. A limit of disturbance area should be clearly delineated on the site plan indicating wooded areas to remain.

Jeffy W Jong

3. In accordance with the Patapsco/Granite Area Community Plan, it is recommended that the Design Review Panel review the plan, architectural drawings, and the landscape plan. The comments of the Design Review Panel are advisory to the Office of Planning and will be forwarded to the Zoning Commissioner to be incorporated in the order.

Section Chief:

AFK:DI:lsn

# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:	Arnold Jablon
FROM:	R. Bruce Seeley Ms
DATE:	September 14, 1999
SUBJECT:	Zoning Item #46 Myanmar Buddhist Church, 9711 Old Court Road
Zoning	g Advisory Committee Meeting of August 23, 1999
-	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
an exte	epartment of Environmental Protection and Resource Management requests ension for the review of the above-referenced zoning item to determine the to which environmental regulations apply to the site.
	epartment of Environmental Protection and Resource Management offers lowing 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).
<u>X</u>	Development of this property must comply with the Forest Conservation Regulations (Section 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).
X	Inspection revealed evidence of recent clearing of understory in an area that will most likely be forest buffer. Please be advised that no clearing or disturbance of the existing forest should be performed until a forest buffer is determined.
<u>X</u>	The existing well and septic system must be evaluated prior to building permit approval. Additional soil evaluation tests may be required. A Water Balance Assessment is required.



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

Accest 30, 1999

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

RE: Property Owner:

MYANMAR BUDDHIST MEDITATION SOCIETY -046
ISAIAH BARTIST CHURCH OF MONKTON - 055
CHARLES H. MAGSAMEN, JR. & WILLIAM D. MAGSAMEN - 062
THE TRUSTEES OF ST. FAUL'S LUTHERAN CHURCH OF KGSV. - 066

WHALEN PROPERTIES - 067

Location: DISTRIBUTION MEETING OF August 23, 1999

Item No.: (046), 055) 062, 066, & 067 Zoning Agenda:

Gantleman:

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

- 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- 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", 1994 edition prior to occupancy.

REVIEWER: Lieutenant Herb Taylor, Fire Marshal's Office PHONE 887-4831, MS-1102F

cc: File



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: September 8, 1999

RE:

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

Baltimore County Item No. 046 (WCR) 9711 Old Court Rd. MD Route 125 Mile Post 3.42

Dear Ms. Stephens:

This office has reviewed the referenced Item and have no objection to approval.

However we will require the owner to obtain an access permit. Please have their representative contact this office regarding the roadway improvements conditioned to the permit.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

1r Kenneth A. McDonald Jr.

P. J. Hell

**Acting Chief** 

Engineering Access Permits Division

LG



PO Box 31, Granite, MD 21163

October 16, 1999

RE: Myanmar Buddhist Meditation Society

Michael P. Tanczyn 606 Baltimore Avenue Towson, MD 21204-4026

Dear Mike,

I regret that I will be out of town at the time of the special exception hearing about the Meditation Society's building plans. As you know, the presentation by you and the leadership of the Society about their building plans and meditation practices was well received by community residents in attendance at our October meeting. We were provided ample opportunity to review the site plans and architectural designs as well as to ask questions about membership and meeting schedules. As a result, we are satisfied that the planned buildings and parking spaces will be well placed on the Society's property. We believe that the impact of additional traffic, well-water usage and environmental change will be minimal.

The Greater Patapsco Community Association supports the request by the Myanmar Buddhist Meditation Society for a special exception to permit the establishment of a Meditation Center. However, this support should not preclude any changes in the plan that may be requested by residents of the community.

This statement may be offered to the Hearings Officer as evidence.

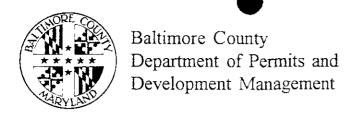
Sincerely,

Bob Hocutt

President

cc: Mehm T. Thaung, M.D.

looby Root Public Affairs Officer
Source Schmidt



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

January 17, 2002

Michael J. Walkley, P.E., President Michael j. Walkley, P.A. 2000 Clipper Park Road, Suite 200 Baltimore, MD 21211

Dear Mr. Walkley:

RE: Spirit and Intent, Case # 02-162-SPH and Case # 00-046-X, 9711 Old Court Road, 2<sup>nd</sup> Election District

Your recent letter to Arnold Jablon, Director, was forwarded to me for reply. Based on the information provided therein and my review of the available zoning records, the following has been determined:

- After consultation with the Zoning Commissioner, this office considers the four adjustments outlined in your letter and red-lined on the approved hearing plan, to be within the "spirit and intent" of the Baltimore County Zoning Regulations (BCZR), relative to the orders and plans contained in the above referenced zoning cases.
- 2. This "spirit and intent" approval is subject to any required change of occupancy permits, interior alteration permits, or other building permits. Contact the Permit Processing Office at 410-887-3900 in that regard.
- 3. If a permit is required, you must incorporate a copy of this response letter on all plans submitted for review.
- 4. This "spirit and intent" approval applies to the zoning regulations (BCZR) and policies only and does not apply to regulations enforced by other County and State agencies.

A copy of your letter, this response and the red-lined plan will be recorded and made a permanent part of the zoning case files.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Dee Red-Lined plan Located in 02-162-5PH

Sincerely.

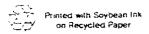
Jeffrey N. Perlow

frey M. Perlou-

Planner II

Zoning Review

JNP



19102 MAILOD PKG TO SOE LIN

MICHAEL J. WALKLEY, P.A

2000 Clipper Park Road Suite 200 Baltimore, Maryland 21211 Telephone (410) 889-7700 Fax (410) 889-7756

Structural Engineering Foundation Engineering Construction Engineering Forensic Engineering Building Renovation

Bridge Renovation Systems Engineering Harbor Engineering Civil Engineering Industrial Buildings

January 3, 2002

Mr. Arnold Jablon, Director Development Permit & Review Management 111 West Chesapeake Avenue Towson, Maryland 21204

Re: 9711 Old Court Road Special Exception Case # 00-046-X & Case # 02-162-SPH MIW PA #W213

Dear Mr. Jablon;

This is to request your determination that our plan meets the spirit and intent of the Special Exception granted for this property.

Enclosed please find a copy of the Plat to Accompany a Petition for a Special Exception Request dated October 21, 1999 marked in red with our proposed layout also enclosed is a copy of our proposed site plan, C-1 dated December 6, 2001 and a check for \$40.

Adjustments to the approved plan are fourfold:

- 1. Road access shifting driveway entrance to east slightly and widening for convenience of simultaneous egress and ingress and to avoid utilities.
- 2. Parking area rearranging parking layout in order to preserve certain existing trees.
- 3. Building location final location based on field run topography.
- 4. Pedestrian walkway added paving

We believe that our engineered plan meets the spirit and intent of the Special Exception. Adjustments we have made are minor in nature done only for facilitating egress and preserving the existing forest and trees. Please call if you have any questions

or require additional information.

Sincerely, Michael J. Walkley, P.A

1/2/1/

Michael J. Walkley, P.E.

See Red-Sined plan located in 02-162-SPH

Enclosures

CC: Soe Lin & Associates

jmw/MJW

wpwin/wpdocs/W213

### LAW OFFICES MICHAEL P. TANCZYN, P.A.

Suite 106 • 606 Baltimore Avenue Towson, Maryland 21204 (410) 296-8823 • (410) 296-8824

Fax: (410) 296-8827 • Computer Fax: (410) 296-2848

8/3/199 SJ To: Soph

August 30, 1999

Mr. Arnold Jablon, Director Attn: Sophie Jennings Dept. of Permits & Development Management 111 W. Chesapeake Avenue, Room 111 Towson, MD 21204

Re: Case No. 00-046-X, 9711 Old Court Road

Dear Sophie:

I am writing you because I just received your notice dated last Thursday setting the above case in for hearing on September 22, 1999 at 2:00 p.m. As I have been previously scheduled to try the specially set case of Haynes v. Ayres before the Board of Appeals beginning at 10:00 a.m. on September 22nd all day and continued through September 28th all day, I am writing immediately upon receipt of your notice to ask that this case be rescheduled prior to posting. I also left a phone message for you and ask if we resolve this prior to your receipt of this letter, that is fine.

I look forward to hearing from you soon.

Very truly yours,

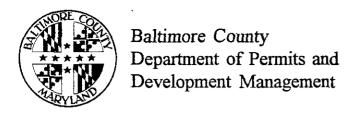
Michael P. Tanczyn, Esquire

Michael Janeyn/gr

MPT/gr

cc: Mr. Tin Khin

Douglas Soelin



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

September 15, 1999

Michael P. Tanczyn, Esquire 606 Baltimore Avenue Suite 106 Towson, MD 21204

Dear Mr. Tanczyn

RE: Case Number 00-046-X, 9711 Old Court Road

The above matter, previously assigned to be heard on September 22, 1999 has been rescheduled for Monday, November 1, 1999 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue, per your request.

As the person requesting the postponement, you are now responsible for affixing the new hearing date and time to the hearing notice sign posted on the property as soon as possible.

If you need further information or have any questions, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

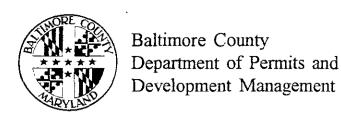
Amoid Jabion

Director

AJ:sci

C: Myanmar Buddhist Meditation Society, 9711 Old Court Road, Baltimore 21244

Date OK with attorney six



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

September 3, 1999

Michael P. Tanczyn, Esquire 606 Baltimore Avenue Suite 106 Towson, MD 21204

Dear Mr. Tanczyn:

RE: Case Number 00-046-X, 9711 Old Court road

The above matter, previously scheduled for September 22, 1999, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

Arnold Jablen

Director

AJ:sci

C: Myanmar Buddhist Meditation Society, 9711 Old Court Road, Baltimore 21244

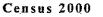


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on Recycled Paper











# Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

August 26, 1999

Michael P. Tanczyn, Esq. 600 Baltimore Avenue, Suite 106 Towson, MD 21204

Dear Mr. Tanczyn:

RE: Drop-Off Petition Review, Buddhist Meditation Society, Case Number: 00-46-X

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

- 1. Provide parking calculation at the rate of 1 space per 4 seats in the worship hall. If no traditional seating is proposed, then use the Fire Marshall's occupancy capacity rating for the hall.
- Provide maximum proposed height of buildings in feet.
- There is no councilmanic district on the plat.
- There is no telephone number for the attorney on the petition form.
- 5. There was no 200' scale zoning map with the property outlined included with the information that was dropped-off.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Joseph C. Merre

Zon<del>ing R</del>eview

JCM:ggs

### PLEASE PRINT CLEARLY

### PETITIONER(S) SIGN-IN SHEET

Case 00-04 &X A true 2 be 0 11 CP

NAME	ADDRESS 3,1204
Michael TANZZYW	Ste 10% 606 Bothwork are Touch Md
HERBORT MALMUD	
H. MALMUD & ASSO INC	100 CHURCH LAND PIKESVILLE MD
TIN M. KHIN	202 RITTERSLEA CT. QUING MILLS M)
Anny Myind	8337 governord Run Estiment City
MEHM T. THAUNG	1610 BARTHEL ROAD LUTHERVILLE, MD, 21093
KHIN N. WIN	1610 BARTHEL ROAD LUTHERVILLE, M.D. 21093
SUSAN INGRAM	COMMONITY TIMES/ RANDAUSTEL 21133
_	

Correct spolling and phonetic pronunciation of Patitioner's intrasses Away Might - Member pronound and Mint) Mahrett. Thouse MD - Manber "(Mem Thong)

represent Robert - Land Surveyor





## PLEASE PRINT CLEARLY

# CITIZEN SIGN-IN SHEET

NAME  ROSALYN N. Roddy  JAMES R HIGGS  N. JEAN HIGGS	ADDRESS  3036 Hernwood Pd 2/163  9721 OLD Court RD 2/214  9121 OLD Court RD 2/214



### R. A. Childress & Associates, Inc.

Civil Engineering Consultants

713 Pheasant Drive. Forest Hill, Maryland 21050-1528 (410) 803-0304 FAX (410) 803-0299 e-mail: racassoc@netfox.net

Ref No Y

October 22, 1999

Mr. Al Wirth, P.E.
Dept. of Environmental Protection
& Resource Management
Courts Building
401 Bosley Avenue
Towson, MD. 21204

RE: Conceptual SWM Study to accompany Zoning Petition - Case No. 00-046-X for 9711 Old Court Road

Dear Mr. Wirth.

The reference property is scheduled for a zoning hearing on Nov. 1,1999 and the community planner Diana Itter requested information on the proposed stormwater management.

The 6.6 acre site is located on the south side of Old Court Road, west of Brice Run. Existing buildings are located at the crest of the property. Most of the land is forest and grass and is within a type "A" soil classification. Drainage flows north to Old Court Road, east and south to the existing forested slopes of Brice Run and west to a neighboring residential property (see page 3).

Although the proposed expansion of the buildings, driveway and parking lot will increase the stormwater discharge, the site work will be designed to avoid concentrating the runoff. The flows will be directed to several areas to provide stormwater management via infiltration if possible and then dissipate the flow with long level spreaders. Sufficient areas are shown to provide the required on-site stormwater management (see page 2). Roof drains will be directed away for paved areas and to vegetative swales (see page 4).

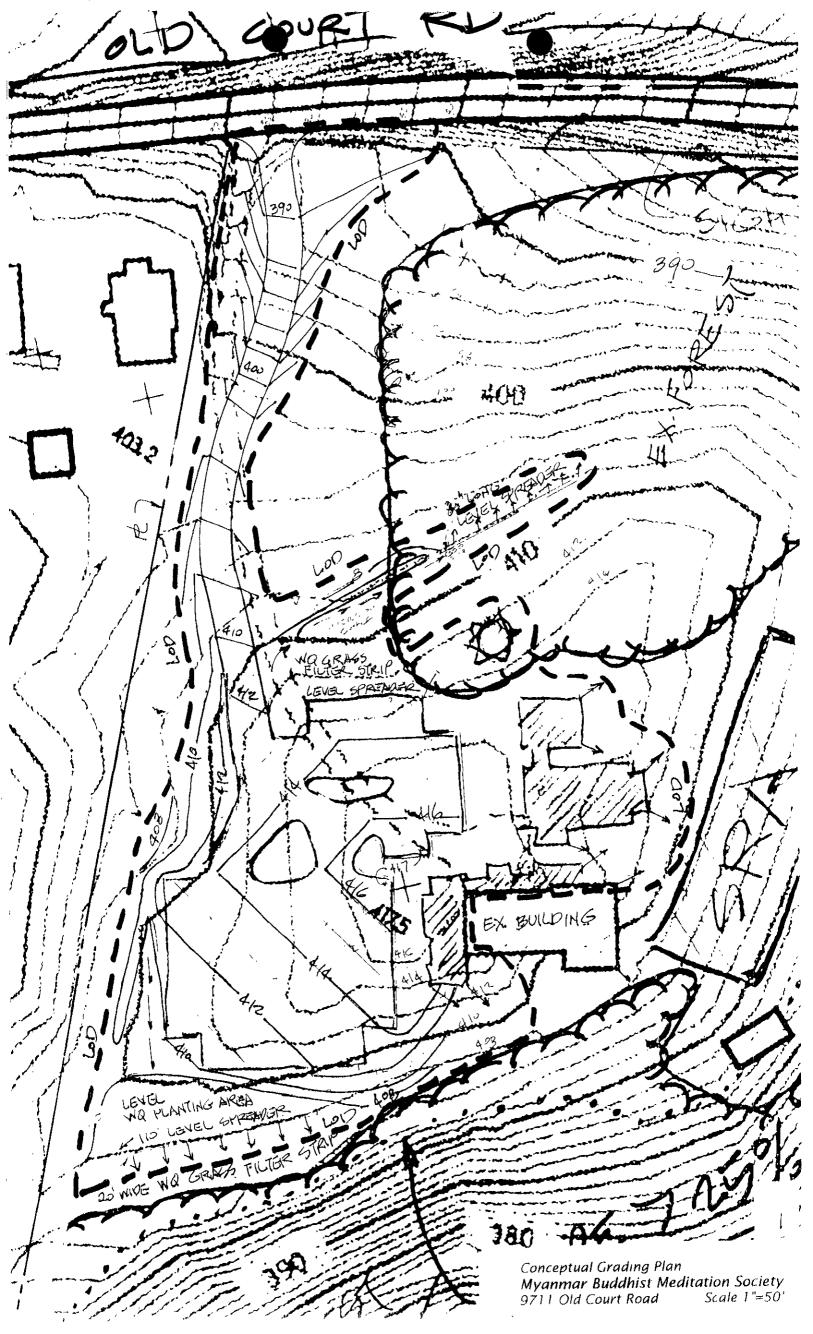
It is not our intention to design the final stormwater management system at this time. During the design phase, all discharge points will be analyzed in detail. However, the western neighboring residential property is of particular concern at this time (see area No. 2). The new parking area will be graded to direct the majority of the additional paving away from the neighbor's property (see area "A" - page 4). TR55 computations are provided for that portion of the site. (see page 5 for existing discharge Q2=0 cfs and page 6 for proposed discharge Q2=0.1 cfs)

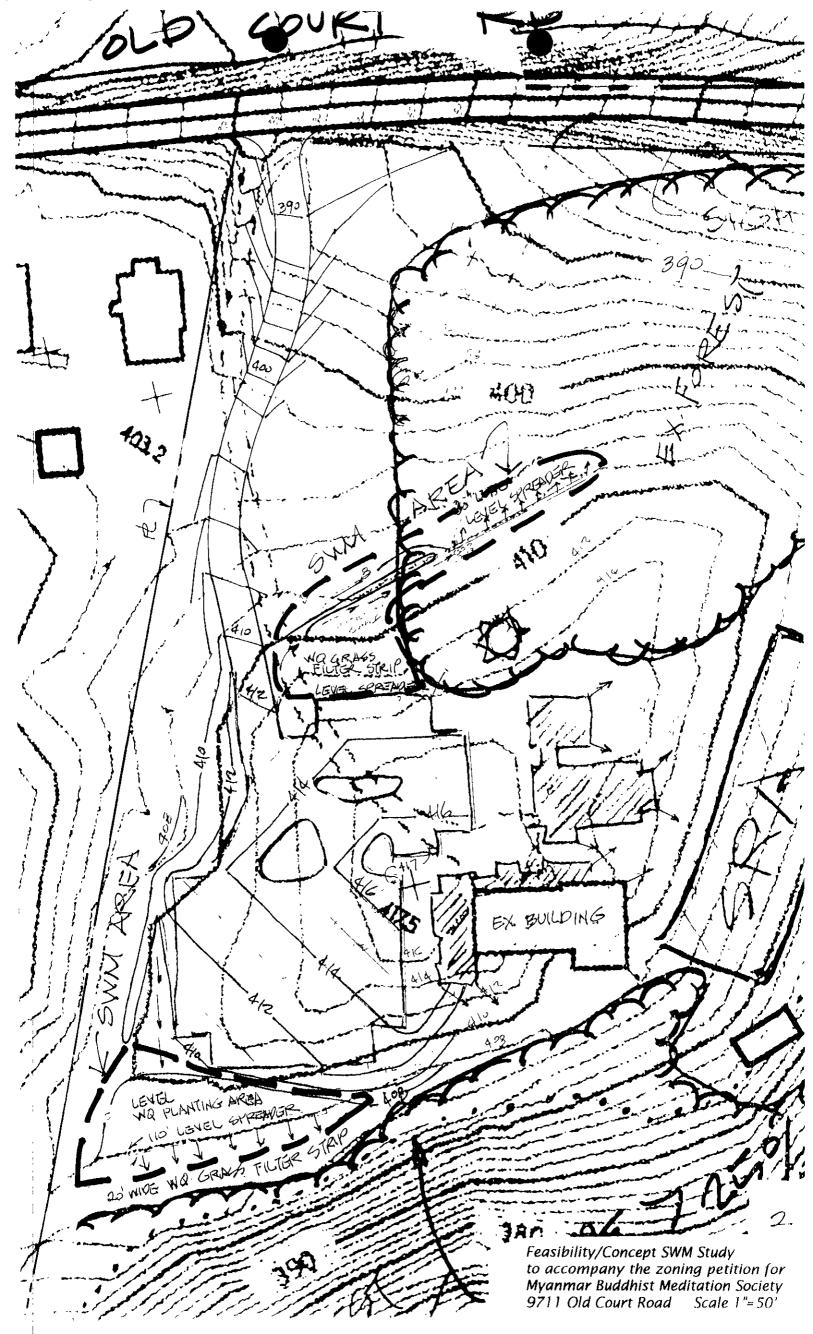
In conclusion, we believe that this concept study demonstrates that stormwater management can and will be provided in accordance with the Baltimore County development regulations. Final SWM plans are subject to review and approval by DEPRM.

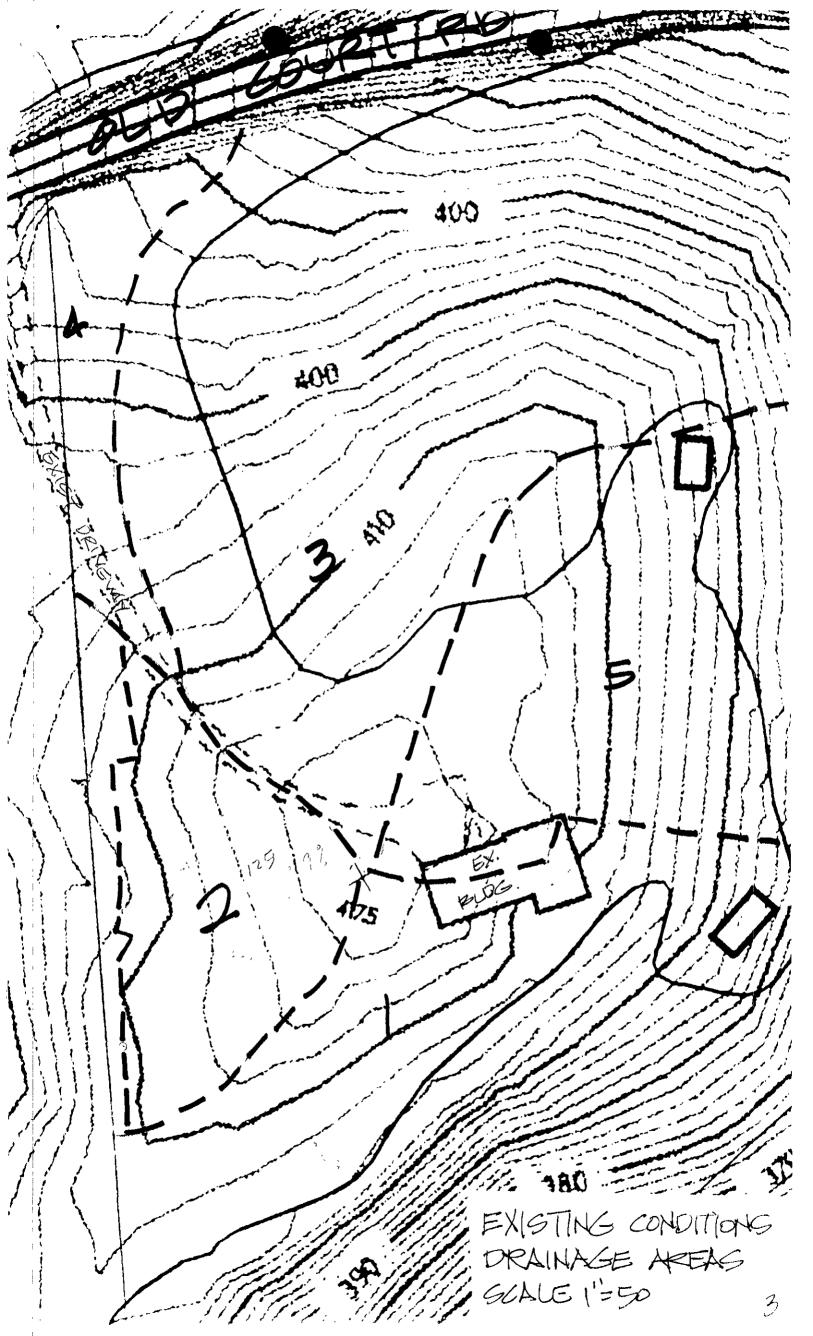
Sincerely,

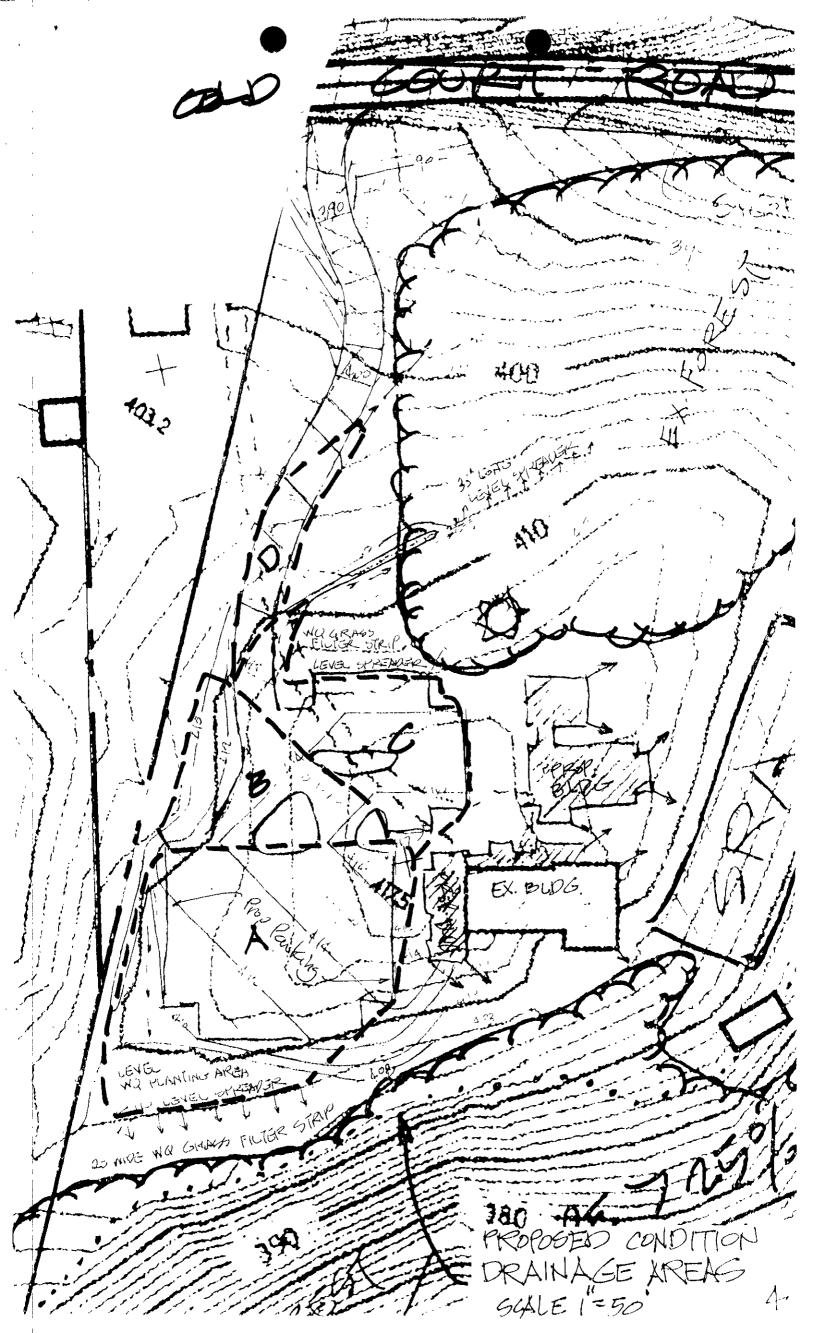
R. A. Childress & Associates, Inc.

Alonzo, Childress, P.E.





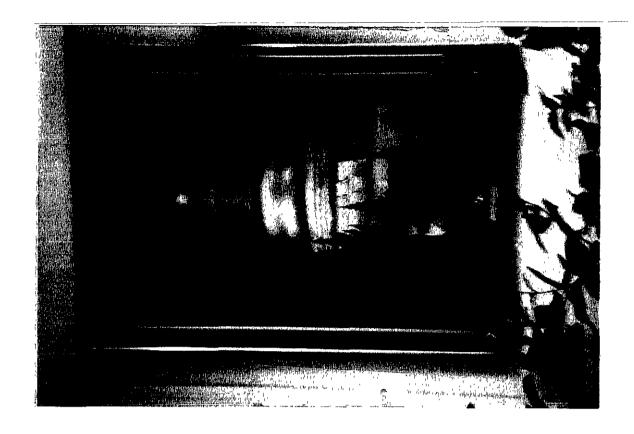




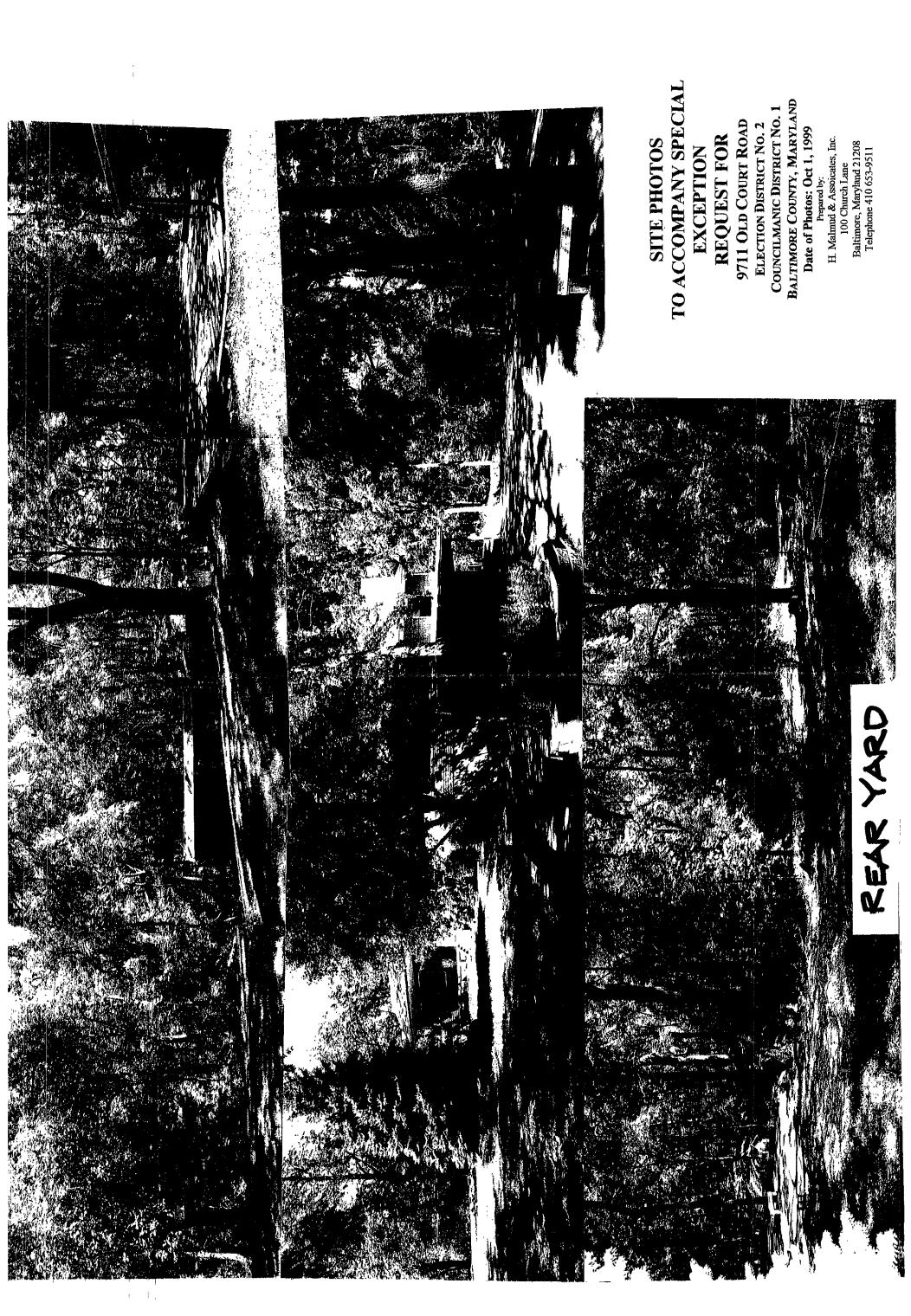
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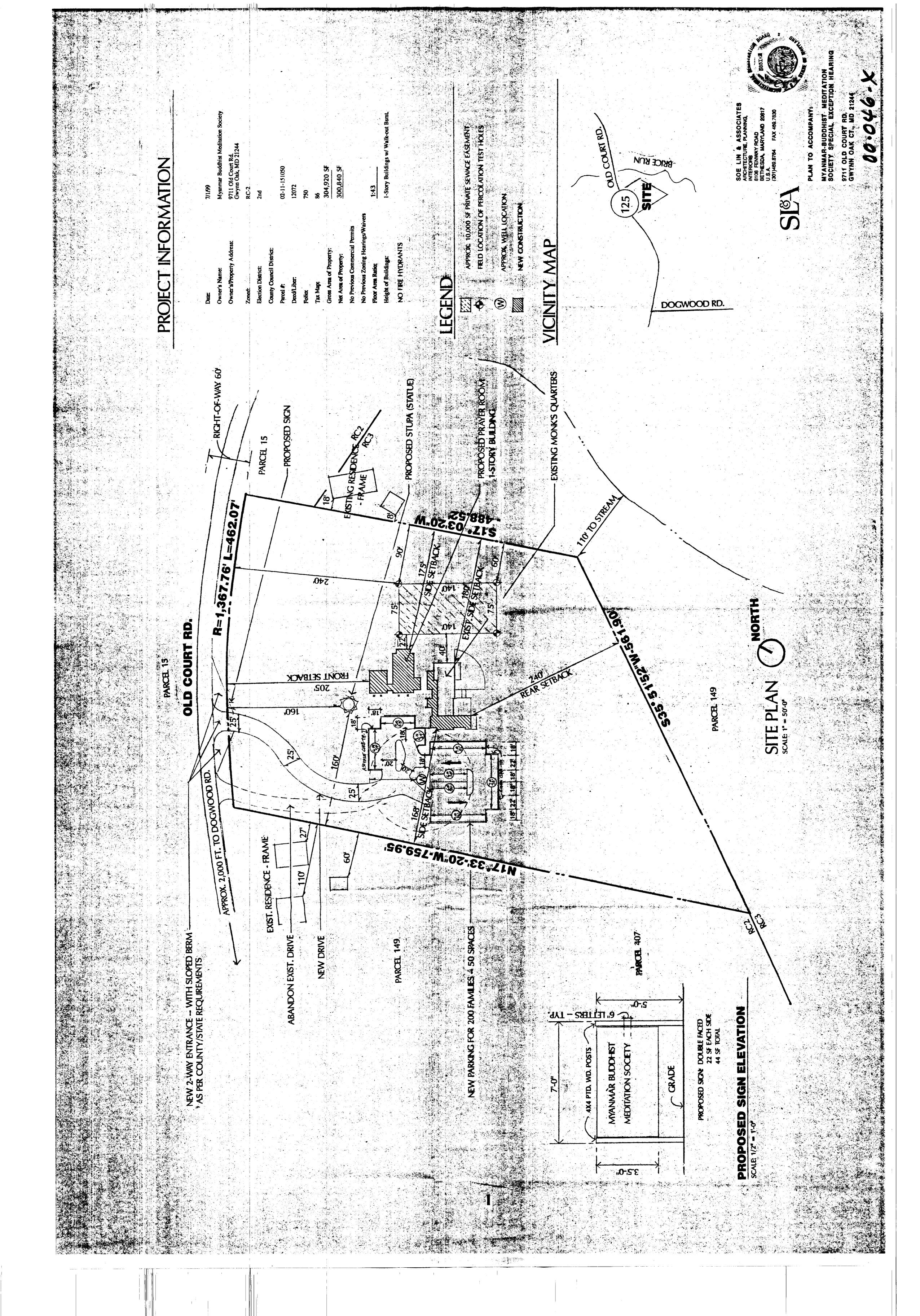
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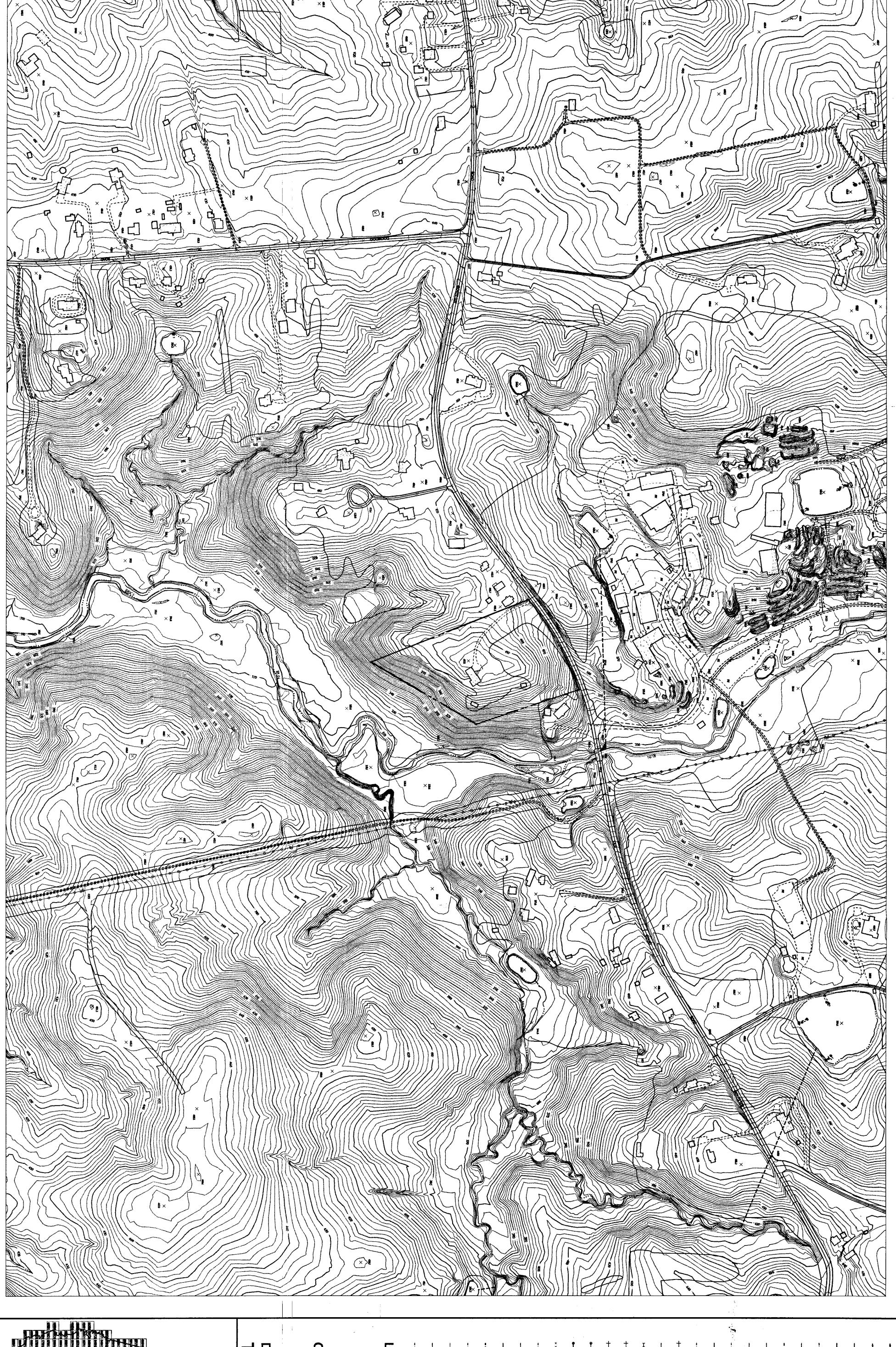


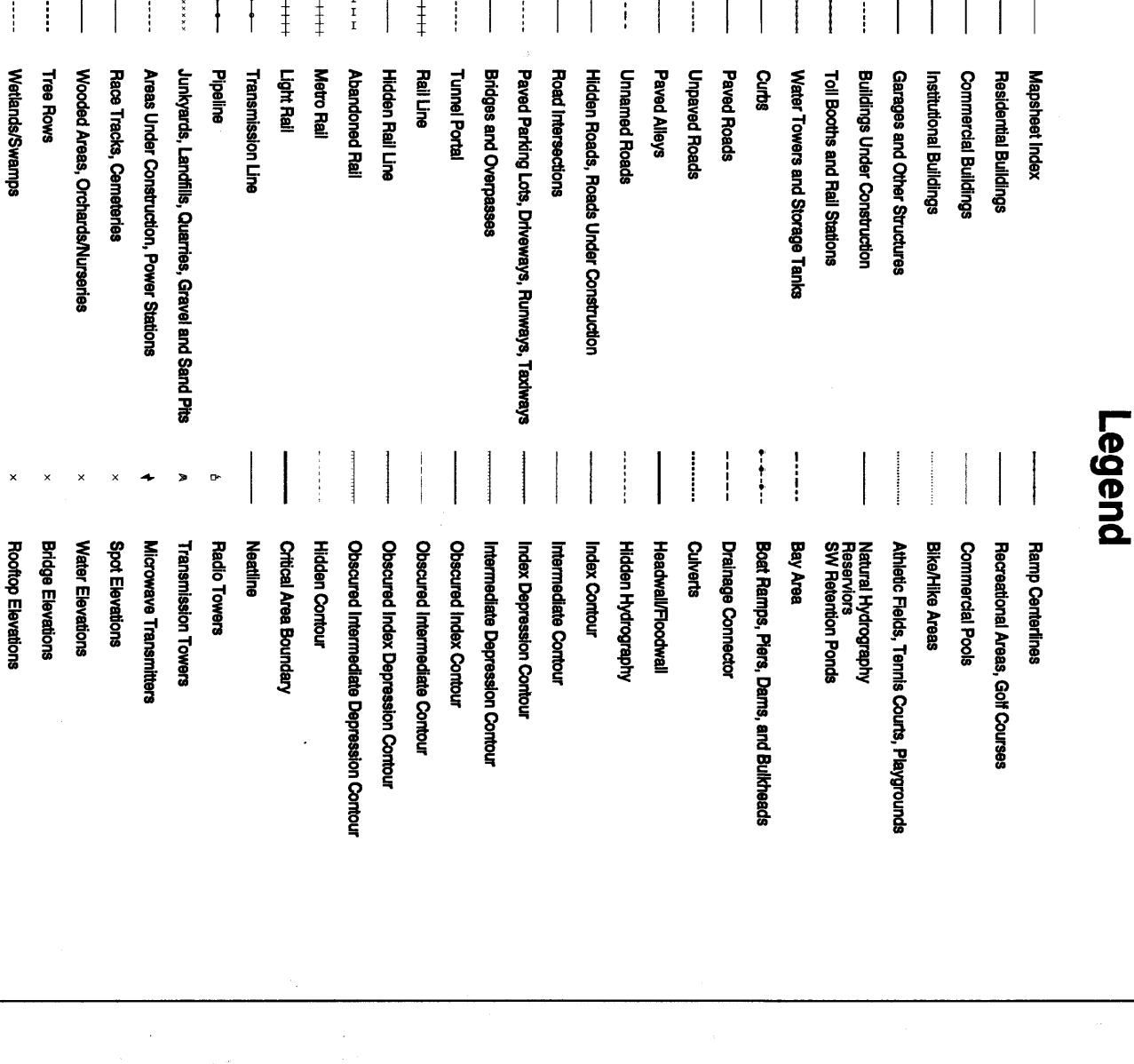












CULT, Maryland State Plane: NAD83/91 Horiz. Datum INDEX, BLDG, ROADS, CLINE, , HYDROF , TRANS YDROP, SPGRID

Spot Elevations

Microwave Transmitters

Bridge Elevations

Water Elevations

Rooftop Elevations

Note: This data is released with the understanding that the data has not completed the entire QA/QC process, but is undergoing it at present. This map is for internal purposes only!

1:2400

Verticle Datum

Baltimore County - OIT GIS Services Unit

Annotation Symbology

Bridges
Parking Lots
RR, Transmission, Pipelines Index Contours Street Names Metro Rails Abandoned Railroads ABCD Golf Courses

ABCD Athletic Fields

ABCD Bike/Hike Trail F

ABCD Lakes ABCD Bike/Hike Trail Fe Lakes Rivers/Canals

Cemeteries, Landfills
Miscellaneous Cultural
Pools

Spot Elevations
Rooftop Elevations
Institutional Buildings

ABCD ABCD ABCD

