DOWN PROCENTED FOR PHING

IN RE: PETITION FOR ADMINISTRATIVE
SPECIAL HEARING
S/S Monkton Road,
280' E of Garfield Road
10th Election District
3rd Councilmanic District
(1931 Monkton Road)

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 00-055-A

Isaiah Baptist Church of Monkton Petitioner

* * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Special Hearing filed by John Carter, Jr. on behalf of Isaiah Baptist Church of Monkton, the property owner, for that property known as 1931 Monkton Road in the Monkton area of Baltimore County. The Petitioner herein seeks a Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278 to construct an addition to a structure on the Maryland Historic Trust List of Potential Historic Structures. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Special Hearing.

Section 26-172(b) of the Baltimore County Code (B.C.C.) provides that waivers from the requirements of Section 26-203 of the Code (i.e., the development plan) can be granted by the Director of the Department of Permits and Development Management (DPDM). Such requirements can be waived upon a finding that the size, scope and nature of the proposed development does not justify strict compliance, that a waiver would be within the scope purpose, and intent of the development regulations, and that the proposed development complies with all other County laws, ordinances, and regulations. In order to afford due process, the Director has designated the Deputy Zoning Commissioner (Hearing Officer) to consider the waiver request filed in this instance. Moreover, in order to provide public notice, the property was posted with a sign describing the

request on August 13, 1999. There was no request by the public for a hearing nor any public input for the requisite period of fifteen (15) days after posting the property. Thus, the matter is eligible for review and resolution by this Hearing Officer.

The Petitioner has filed the supporting affidavits as required by Section 26-127(b)(1) of the Baltimore County Code. A description of the property contained within the case file indicates that the property consists of 0.9348 acres, zoned R.C.4. The information submitted is persuasive to a finding that the proposed addition is consistent with the character and historic features of the existing building and will not be inappropriate. Furthermore, the Landmarks Preservation Commission reviewed the Petitioner's proposal and recommended a finding that the project is consistent with Section 26-278 of the Baltimore County Code on September 9, 1999. There is no evidence in the file to indicate that the requested waiver would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. Moreover, the relief requested complies with the requirements of the Baltimore County Zoning Regulations and should therefore be approved.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this /4# day of September, 1999 that the request for Administrative Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278 to construct an addition to a structure on the Maryland Historic Trust List of Potential Historic Structures, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

Date PRECEIVED FOR FILING
Date

9/4/99

By

12. Annuary

1) The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

Musty Kotroco

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



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

Fax: 410-887-3468

September 14, 1999

Mr. John Carter, Jr. 607B Dembytown Road Joppa, Maryland 21085

Re: Petition for Administrative Special Hearing

Case No. 00-055-SPH

Property: 1931 Monkton Road

Dear Mr. Carter:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Special Hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

Mustby Hotroco

TMK:raj Enclosure

c: Thomas N. Woolfolk, L.A. George W. Stephens, Jr. & Associates, Inc. 1020 Cromwell Bridge Road Towson, Maryland 21286-3396

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County

which is presently zoned

for the property located at 1931 MONWOH

This Petition shall be filed with the	Department of Permits and Development Management. The
attached hereto and made a part hereof hereby petitic	Baltimore County and which is described in the description and plat on for a Special Hearing to approve a waiver pursuant to Sections
26-171, 26-172(b), Baltimore County Code of Sections	26-203(C)(8) and Section 26-278 to
AN ADDITION TO A STRUCTU	
TRUST UST OF POTENTIAN	HISTORIC STRUCTURES PURSUANT
of the zoning regulations of Baltimore County, to the zon	ning law of Baltimore County.
Property is to be posted and advertised as prescribed b I, or we, agree to pay expenses of above Special Hearing, ac zoning regulations and restrictions of Baltimore County adopt	vertising, posting, etc. and further agree to and are to be bounded by the
	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:	Legal Owner(s):
	1921AH BAPTIST CHILLECH OF LAWTEN
Name - Type or Print	Name - Type or Print
Signature	Signature Courty Jr
Address Telephone No.	. Name - Type or Print
City State Zip Code	Signature 410-619-
Attorney For Petitioner:	Address Telephone No.
	JOPPA MD 21085
Name - Type or Print	City State Zip Code
8	Representative to be Contacted:
Signature	THOMAS H. WOOLFOLK, LA
Company	Name 6 11 10-14 DIFFE 410, 825, 8120
	Name W. GTEPHENES 410,875,8120
Address Telephone No.	Address Telephone No.
1/2/	TOWSON MD 21286-3396
CityC State Zip Code	City V State Zip Code
	to be required, it is ordered by the Zoning Commissioner of Baltimore County,
whis day of that the subject mate regulations of Baltimore County and that the property be reposted.	er of this petition be set for a public hearing, advertised, as required by the zoning
i 6	
•	70 - Commissioner of Politimers County
	Zoning Commissioner of Baltimore County
Case No. 00-55-5P4	Reviewed By 500 Date 08 - 06 - 99.
RSV 9[18]98	Estimated Posting Date 8-15-99

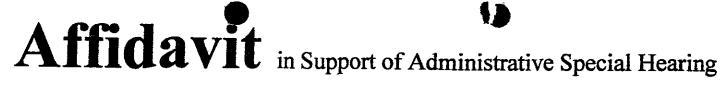
CACER RECEIVED FOR FILING

RED 9118198

ffidavit in Support of Administrative Special Hearing

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	601B Address	DEMOS TOWN	KOAD
	JOPPA	MD	21065
	City	State	Zip Code
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide	ormal demand is additional information	filed, Affiant(s) will be required	uired to pay a reposting and
Signatury Carter JR	, <u>.</u>	Signature	
Signature Carter Carter Name - Type or Print	JR	Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIN			
		1000	,
I HEREBY CERTIFY, this day of	rough_	, <u>\999</u> , before me,	a Notary Public of the State
of Maryland, in and for the County aforesaid, per	rsonally appeared	i	
John Carter Ir.			19999999
the Affiant(s) herein, personally known or satisfac	ctorily identified t	o me as such Affiant(s) and	made path in due form of
law that the matters and facts hereinabove set for			·
AS WITNESS my hand and Notarial Seal	/	γ	
Date 0,1999	Notary F	rella a Wa	ar
·	•	mission Expires $\underline{\mathcal{M}_{au}}$	1,8003



REU 9/18/98



The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

, , , , , , , , , , , , , , , , , , , ,			ogaid aicicio.
That the Affiant(s) does/do presently reside at	Address	DEMBYTONI	POXU
	VO PPA	//// State	71085 Zip Code
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is t additional informati	filed, Affiant(s) will be requion.	uired to pay a reposting and
Signature John Carter Ja		signature	
Signature John Carter JR Name - Type or Print		lame - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIM I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per	tayor	, <u>\ 999</u> _, before me, a	a Notary Public of the State
John Carter Ir.	•		
the Affiant(s) herein, personally known or satisfac	ctorily identified to	me as such Affiant(s), and	made oath in due form of
law that the matters and facts hereinabove set for	rth are true and co	rrect to the best of his/her/	their knowledge and belief.
AS WITNESS my hand and Notarial Seal	\wedge		
Date (1999)	Notary Pu	tto () ()	m
	My Comm	iission Expires <u>Maa</u>	11,0003
D97) 0119169			\mathcal{O}

Petition for Administrative Special Hearing

to the Zoning Commissioner of Baltimore County

to the	ne Zoning Commissioner of Baltimore County
for the proper	which is presently zoned RC.4
undersigned, legal owner(s) of the property situate in Baltimora attached hereto and made a part hereof, hereby petition for 26-171, 26-172(b). Baltimora County Code of Sections 26-20.	zoning regulations.
zoning regulations and restrictions of Baltimore County adopted pur	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:	Legal Owner(s):
Name - Type or Print	Name - Type or Print Ohn Carter of
Address Telephone No.	Signature John CAVIER VI Name - Type or Print
City State Zip Code Attorney For Petitioner:	Signature 60 B DEMB TOWN RD. 6939 Address Telephone No. 1085 City State Zip Code
Name - Type or Print Signature	Representative to be Contacted:
Company Address Telephone No.	Name 6. W. UTEHERE 410, 815, 1000 CROMWEN BUNDER PD 8/20 Address Telephone No. TO WIGON: MB 1206-3396
City State Zip Code A Public Hearing having been formally demanded and/or found to be this day of that the subject matter of the regulations of Baltimore County and that the property be reposted.	City State Zip Code required, it is ordered by the Zoning Commissioner of Baltimore County, is petition be set for a public hearing, advertised, as required by the zoning
	Zoning Commissioner of Bakimore County ewed By 500 Date 8-06-99 mated Posting Date 8-15-99

FROM THE OFFICE OF

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

CONSULTING ENGINEERS • LAND PLANNERS • LAND SURVEYORS
1020 CROMWELL BRIDGE ROAD • TOWSON, MARYLAND 21286-3396

Isaiah Baptist Church

1931 Monkton Road 10TH Election District 3rd Council District

Description to Accompany Zoning Petition

August 6, 1999

DESCRIPTION OF PROPERTY ON MONKTON ROAD TO ACCOMPANY ADMINISTRATIVE ZONING PETITION

BEGINNING AT A POINT ON THE SOUTH SIDE OF MONKTON ROAD, AS SHOWN HEREON. THENCE LEAVING SAID POINT OF BEGINNING, AND RUNNING THE FOLLOWING COURSES:

1.	S 58° 19' 19" E	264.00'; THENCE LEAVING MONKTON ROAD AND
	RUNNING	,
2.	S 46° 10' 40" W	150.94'
3.	N 69° 34' 00" W	231.82'
4.	N 32° 01' 30" E	41.25'
5.	S 57° 58' 30" E	9.9'
6.	N 32° 01' 30" E	29.7'
7.	N 57° 58' 30" W	9.9'
8.	N 32° 01' 30" E	120.39' TO THE SOUTH SIDE OF MONKTON ROAD; TO
	THE PLACE OF BEGINNING	,

Area = 0.935 ACRES

NOTE: The above description is for zoning purposes only and is not to be used for any conveyances or agreements.

E:\data\towson\8619\docs\080599desczoning.doc

JM 0055- SP61

BALTIMORE COUNTY, MARYLAND	CL-55-6PH	
OFFICE OF BUDGET & FINAN(MISCELLANEOUS RECEIPT	No. 069823	PATA OPPOTET FULLIFI CRUESS ACTUAL THE
DATE 2 - 6 - 99 ACCOUNT_	7-CC1-65	**************************************
AMOUNT \$	250°0.	Dept of 528 Junios Papification Recalled H 1877 95 ER HO. 069829
RECEIVED G.C. S.C.	PHERS.	Pacet Tot 250.00 250.00 CK .00 Ck Baltimore County, Maryland
FOR: Drum, Spece	- HEADLIN Falls, F	
	7. C. GA	c .
<u>DISTRIBUTION</u> WHITE - CASHIER PINK - AGENCY YELLOW - CUS	TOMER	CASHIER'S VALIDATION

ŗ,

CERTIFICATE OF POSTING

RE: CASE #00-055-SPH
PETITIONER/DEVELOPER:
(Isaiah Baptist Church)
DATE OF Closing
(Aug 30, 1999)

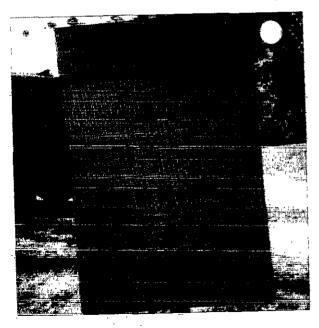
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

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 1931 Monkton Road Baltimore, Maryland 21111_____

The sign(s) were posted on______ 8-13-99 ______ (Month, Day, Year)



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



RE: PETITION FOR SPECIAL HEARING 1931 Monkton Road, S/S Monkton Rd, 280 E of Garfield Rd 10th Election District, 3rd Councilmanic

Legal Owner: Isaiah Baptist Church of Monkton Petitioner(s)

- BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 00-55-SPH

* * * * * * * * * * * *

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

diole S. Demilio

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 24 day of August, 1999 a copy of the foregoing Entry of Appearance was mailed to Tom Woolfolk, G.W. Stevens, 1020 Cromwell Bridge Road, Towson, MD 21286, representative for Petitioners.

PETER MAX ZIMMERMAN

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE SPECIAL HEARING INFORMATION SHEET AND DATES

Case Number 00- 55 -SPH Address 1931 Marktalls.
Contact Person: Planner, Please Print Your Name Phone Number: 410-887-3391
Filing Date: 8-6-99 Posting Date: 8-15-99 Closing Date: 8-30-99
Any contact made with this office regarding the status of the administrative special hearing should be through the contact person (planner) using the case number.
1. <u>POSTING/COST:</u> The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE SPECIAL HEARING SIGN FORMAT
Case Number 00-55 -SPH Address 931 Monkrow To.
Petitioner's Name IS A IAHBASTIST CHURCH Telephone 410-825-8120.
Posting Date: 8-15-99 Closing Date: 8-30-99.
Wording for Sign: <u>Administrative Special Hearing to approve</u> Con S ないとているで
AN ADDITION TO A STRUCTURE ON THE MARYLAND HISTORIC
TRUST LIST OF POTENTIAL HISTORIC STRUCTURES.

00-55 SPUT -7/28/99

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

	Case Number 0055 A.
Item Number 6	
Petitioner:	REV. JOHN CANTER, JR.
Address or Loc	ation: 1931 MOHETOH ROAD.
PLEASE FORV	VARD ADVERTISING BILL TO: ATTO: TORI WOOLFOLK
PLEASE FORV	VARD ADVERTISING BILL TO: ATTO: FOR WOOLFOLK
PLEASE FORV	VARD ADVERTISING BILL TO: ATTO: FOR WOOLFOLK
PLEASE FORV Name: Address:	VARD ADVERTISING BILL TO: ATTO: TORI WOOLFOLK

Revised 2/20/98 - SCJ

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 13, 1999

Dept. of Permits & Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: No. 1931 Monkton Road

INFORMATION

Item Number:

00-55-SPH

Petitioner:

Thomas Woolfolk (representative)

Zoning:

RC - 4

Requested Action:

Special Hearing

RECOMMENDATIONS ON THE PROPOSAL

On September 9, 1999, the Landmarks Preservation Commission reviewed Mr. Woolfolk's proposal for an addition to "Isaiah Baptist Church of Monkton," MHT BA # 2102. The LPC unanimously agreed to recommend to the hearing officer that the proposed addition for the historic structure be found to be consistent with the requirement that the structure be preserved.

Section Chief:

KA:kra



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

February 18, 1999

Mr. Thomas N. Woolfolk, L. A. George William Stephens, Jr. and Associates, Inc. 658 Kenilworth Drive Suite 100 Towson, Maryland 21204

Dear Mr. Woolfolk:

RE: Isaiah Baptist Church, Monkton Road, Zoning case #91-372-XA, 10th Election District

I have reviewed your letter of February 10, 1999 regarding an addition to the above referenced church. The proposed addition, as depicted on the submitted site plan, will be well within the 30 foot setbacks granted in Case #91-372-XA at 4 feet, plus or minus. As such, the proposal will be approved by this office as being within the spirit & intent of zoning case #91-372-XA.

This letter should appear on all future plans submitted to this office for review pertaining to this property.

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.

Sincerely,

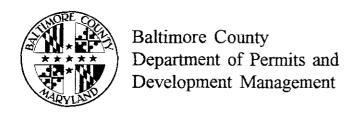
Joseph C) Merrey

Planner

Zoning Review

JCM:cjs

00-55.5PH



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

RECEIVED

AUG - 2 1999

GEORGE WILLIAM STEPHENS JR & ASSOCIATES, INC.

July 26, 1999

Thomas N. Woolfolk, L.A.
George William Stephens, Jr. & Associates, Inc.
658 Kenilworth Drive, Suite 100
Towson, MD 21204

____, _____

Dear Mr. Woolfolk:

RE: Spirit and Intent, Isaiah Baptist Church, Case No. 91-372-XA
7th Election District

I have discussed your letter of June 23, 1999 with my supervisor, Carl Richards, who has advised that the administrative special hearing would be required to review this matter. This procedure requires the property to be posted, with no hearing required absent a request for one. I have enclosed the booklet and forms for this filing.

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.

Sincerely,

Joseph\C. Merrey

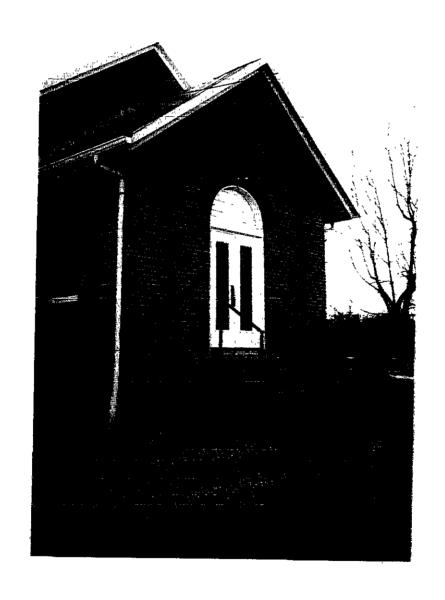
Planner II Zoning Review

JCM:ggs

c: File #91-372-XA

Enclosure

00-55. SPH









Frontage along Monkton Road Looking east Existing church in middle ground



Existing church Looking southeast, Monkton Road in foreground.

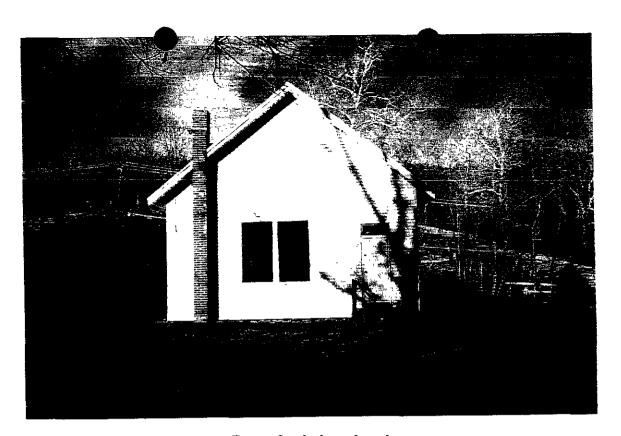
00-55-\$PH



Southwest side of existing church Looking southeast



Rear of existing church Looking northwest, existing addition in foreground



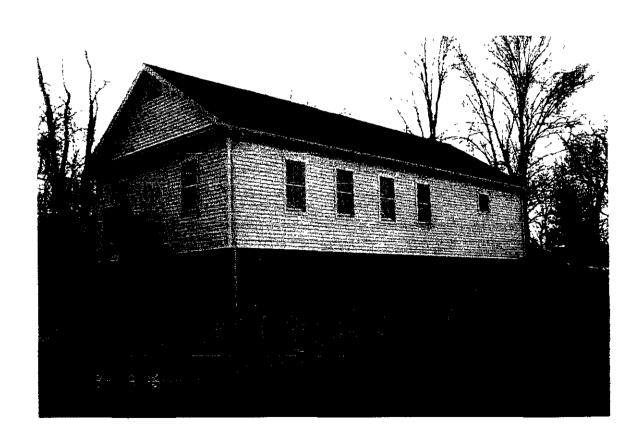
Rear of existing church Looking north, existing addition in foreground



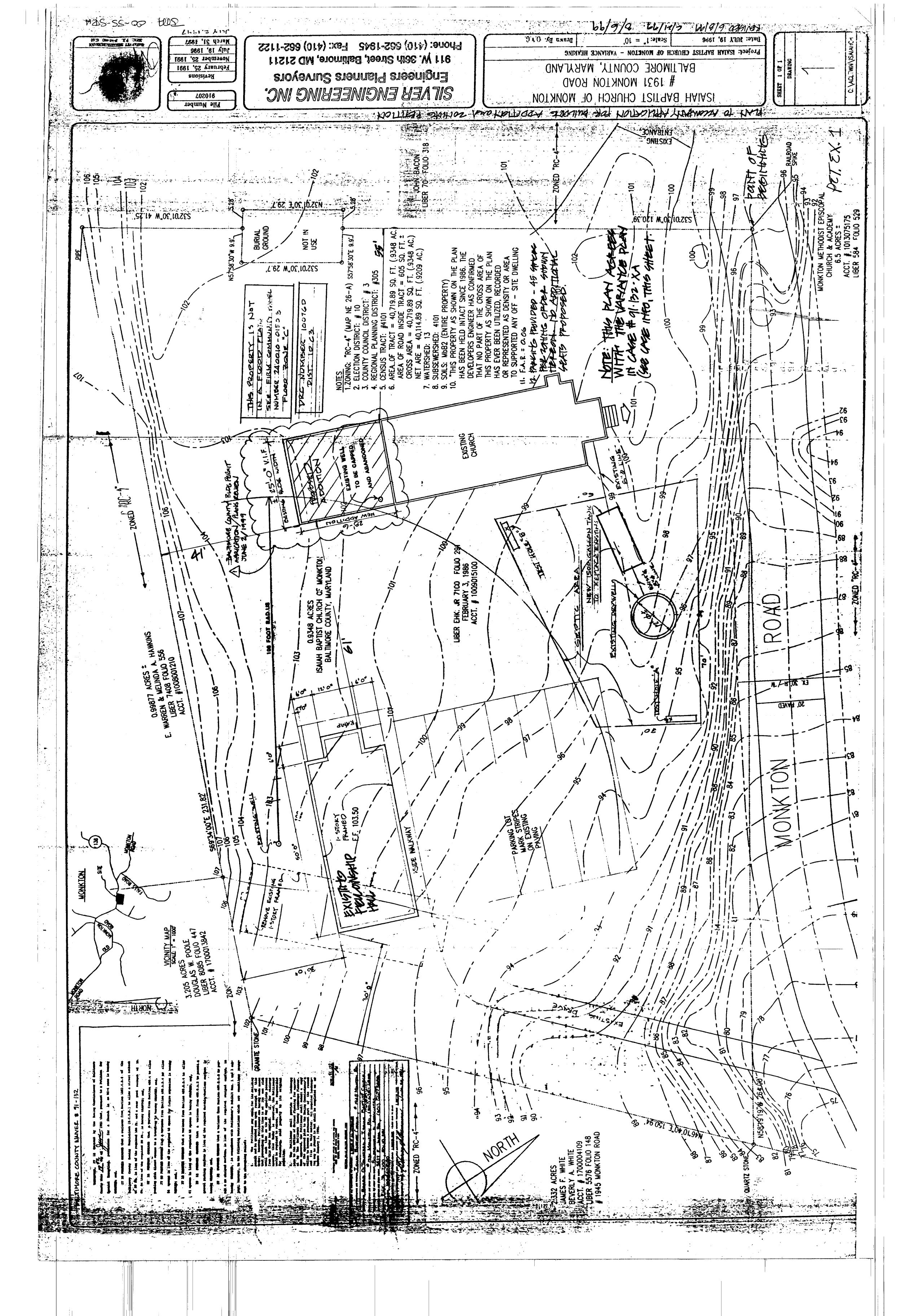
East side of existing church Looking west, existing Fellowship Hall in left foreground

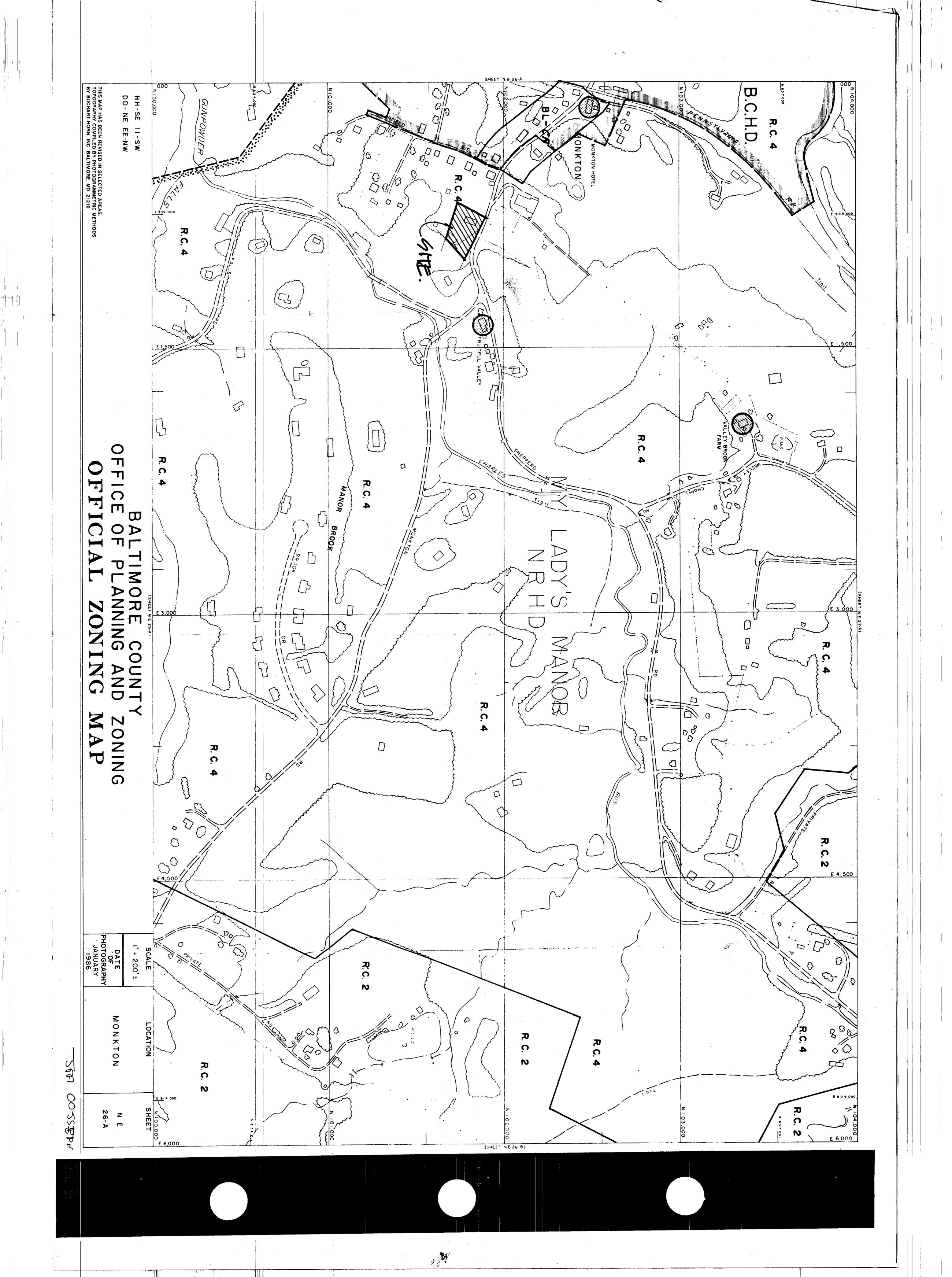


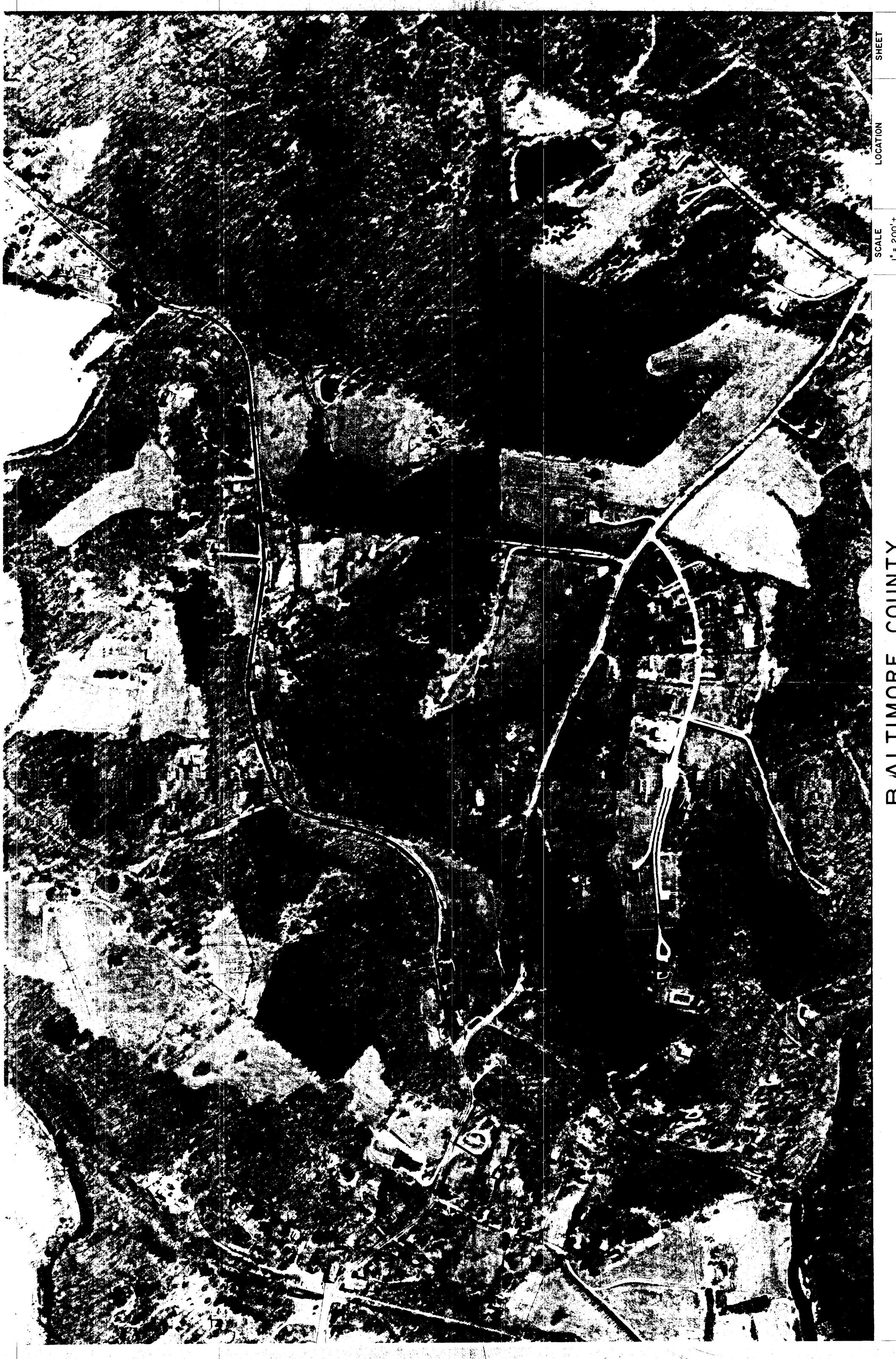
Existing Fellowship Hall Looking east, existing church in foreground



North side of existing Fellowship Hall Looking west







BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

MONKTOR

Sont

PHOTOGR

PREPARED BY AIR PHOTOGRAPHICS, INC MARTINSBURG, W.V. 25401