

IN RE: PETITION FOR VARIANCE
S/S Dogwood Road, 600' E of
Woodlawn Avenue
(6515 Dogwood Road)
1st Election District
2nd Council District

KC Dogwood L.P., Owners;
Redemption Christian Fellowship, Inc.
Contract Lessees

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-234-A

* * * * *

ORDER ON THE MOTION FOR RECONSIDERATION

WHEREAS, this matter came before this Zoning Commissioner on January 14, 2000 for consideration of a Petition for Variance filed by the owners of the subject property, KC Dogwood L.P., and the Contract Lessees, Redemption Christian Fellowship, Inc., through their attorney Charles M. Bell, Esquire. Originally, variance relief was requested from Sections 409.8.A.4 and 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 0 foot setback to a street right-of-way in lieu of the required 10 feet and to permit 66 parking spaces in lieu of the required 100 spaces. However, at the hearing, the Petitioners amended their Petition to delete the requested relief from Section 409.8.A.4, which requires a 10-foot setback to a street right-of-way. It was indicated that the required 10-foot setback would be maintained; however, 5 parking spaces would be lost. Thus, the Petition was amended to delete the variance from setback requirements and to amend the parking variance to permit 61 parking spaces in lieu of the required 100 spaces, pursuant to the revised site plan submitted into evidence as Petitioner's Exhibit 3.

By Order dated January 24, 2000, the relief requested was granted, subject to certain conditions and restrictions. Subsequent to the issuance of said Order, a Motion to Modify or Revise my Findings of Facts and Conclusions of Law was received from Charles M. Bell, Esquire, attorney for the Petitioners, on February 23, 2000. Within their Motion, the Petitioners indicated that the site plan submitted into evidence at the hearing as Petitioner's Exhibit 3 inadvertently showed a 6-foot setback to the street right-of-way and provided for 61 parking spaces. The

ORDER RECEIVED FOR FILING
Date 1/25/00
By [Signature]

Petitioners submitted an amended "parking plan", identified as Petitioner's Exhibit 4, showing 45 parking spaces in lieu of the allowed 61 spaces. In addition, the Petitioners noted that while Petitioner's Exhibit 3 reflected a 6-foot setback to the street right-of-way, a 10-foot setback would be maintained and is shown on the amended parking plan (Petitioner's Exhibit 4). Thus, no variance is necessary from street setback requirements.

In view of the discrepancies in the proposed amendments to what was initially proposed, I deemed it appropriate that a public hearing be held at which time all parties to the case could be present and the relief requested could be clarified. Thus, a hearing on the Motion was held on April 11, 2000. Appearing at that hearing were Pastor Gerald Griffith, Senior Pastor and Chief Executive Officer of the Redemption Christian Fellowship, Contract Lessees of the subject property, Aldo Rojzman, the engineer who prepared the site plan/parking plan for this property, and Charles M. Bell, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present, although notice of the hearing on the Motion was sent to members of the community who appeared at the initial hearing.

At the hearing, the Petitioners submitted an amended site plan/parking plan (Petitioner's Exhibit 4) which shows the configuration of the proposed parking area and that 45 parking spaces will be provided. The plan also shows that the existing buffer area between the parking lot and Dogwood Road will continue to be maintained. That buffer is actually 25 feet wide and encompasses 10 feet of unimproved County right-of-way for Dogwood Road, 10 feet of the actual buffer, and an additional 5 feet adjacent to the end of the paved parking lot. While the 10 feet located in the right-of-way cannot be utilized by the Petitioners to meet setback requirements, it is clear the remaining 15 feet exceeds the minimum setback required. Thus, there will be no alteration of the 25 feet of area between the parking lot and Dogwood Road.

Testimony indicated that the Church has begun holding services on the property and during such services, a stadium parking arrangement is utilized to maximize parking on the

ORDER RECEIVED FOR FILING

Date

By

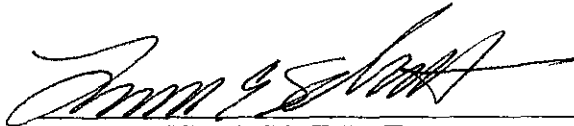
property. Moreover, as required by Restriction No. 5 of my prior Order, the Petitioners also presented copies of a lease agreement between the Church and the property owner. Said agreement indicates that nearby property located at 1727 Whitehead Road can be utilized for parking by the Church after 6:00 PM on week nights, and all day on Sunday for services.

Based upon the testimony and evidence presented, the revised parking plan submitted into evidence as Petitioner's Exhibit 4, and the lease agreement between the property owner and the Church, I am persuaded to grant the amended/modified relief requested in the Motion.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of April, 2000, that the Motion to Modify or Revise the Order issued in the above-captioned matter on January 24, 2000, be and the same is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 45 parking spaces in lieu of the previously allowed 61 spaces, or 100 spaces as required, in accordance with the revised parking plan submitted into evidence as Petitioner's Exhibit 4, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that except as modified herein, all other terms, conditions and restrictions of the Order issued January 24, 2000 shall remain in full force and effect.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Charles M. Bell, Esquire, 3300 North Ridge Road, Suite 215, Ellicott City, Md. 21043
Messrs. Anthony G. Ciliberti & Irwin Klein
KC Dogwood L.P., 1727 Whitehead Road, Woodlawn, Md. 21207
Pastor Gerald Griffith, 7011 Lancaster Road, Baltimore, Md. 21207
Mr. Aldo Rojtman, AMR Engineering, 1016 Parkvalley Road, Baltimore, Md. 21208
Mr. Dallas Griffin, 1907 Woodlawn Drive, Baltimore, Md. 21207
DEPRM; Mr. Avery Harden, DPDM; People's Counsel; Case File
Mr. Wm. Obriecht, 2415 Poplar Dr., Balto., Md 21207

ORDER RECEIVED FOR FILING
Date 4/18/00
By [Signature]

IN RE: PETITION FOR VARIANCE
S/S Dogwood Road, 600' E of
Woodlawn Avenue
(6515 Dogwood Road)
1st Election District
2nd Council District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-234-A

KC Dogwood L.P., Owners;
Redemption Christian Fellowship, Inc.
Contract Lessees

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, KC Dogwood L.P., and the Contract Lessees, Redemption Christian Fellowship, Inc., through their attorney Charles M. Bell, Esquire. Originally, variance relief was requested from Sections 409.8.A.4 and 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 0 foot setback to a street right-of-way in lieu of the required 10 feet and to permit 66 parking spaces in lieu of the required 100 spaces. However, at the hearing, the Petitioners amended their Petition to delete the requested relief from Section 409.8.A.4, which requires a 10-foot setback to a street right-of-way. It was indicated that the required 10-foot setback would be maintained; however, 5 parking spaces would be lost. Thus, the Petition was amended to delete the setback variance request and to amend the parking variance to permit 61 parking spaces in lieu of the required 100 spaces. The subject property and requested relief, as amended, are more particularly described on the revised site plan which was submitted at the hearing and marked into evidence as Petitioner's Exhibit 3.

Appearing at the requisite public hearing held in support of this request were Irwin Klein and Anthony G. Ciliberti, principals of KC Dogwood L.P., property owners; Pastor Gerald Griffith, Senior Pastor and Chief Executive Officer for Redemption Christian Fellowship, Inc.,

ORDER RECEIVED FOR FILING
Date 1/24/16
By [Signature]

Lessees of the subject property; and Aldo M. Rojzman, Professional Engineer who prepared the site plan for this property. Numerous other representatives and members of Redemption Christian Fellowship, Inc. appeared in support of the request. Dave Green, a representative of the Office of Planning, also appeared and testified. Appearing as interested persons were William Obrieht and Dallas Griffin, residents from the surrounding neighborhood.

Testimony and evidence offered revealed that the subject property is an irregularly shaped parcel containing 1.4138 acres, more or less, zoned M.L. The property is located in Woodlawn, with frontage on the south side of Dogwood Road, between Summit and Proctor Avenues. At the present time, the property is improved with a building which was previously used as a warehouse. In fact, relief for development of the subject property in that fashion was granted in prior Case No. 89-366-A. In that case, the then property owner sought variance relief to permit a front yard setback of 50 feet in lieu of the required 75 feet for a proposed warehouse/office building. Following a public hearing, relief was granted on October 17, 1989 by then Deputy Zoning Commissioner Ann M. Nastarowicz. In granting the relief, however, Deputy Commissioner Nastarowicz imposed a number of restrictions relating to landscaping, lighting, and use of the property.

Apparently, the building has been used for warehouse/office purposes since that time. However, the current property owners recently entered into a tenant lease with the Redemption Christian Fellowship, Inc. to use the building as a Church, contingent upon approval of the requested zoning relief.

Reverend Griffith, Senior Pastor at the Church, appeared and testified. He indicated that the Church was founded approximately 5 years ago and is presently in search of a new home in which to conduct worship services. At the present time, services are being conducted at the

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Date 1/24/00
By [Signature]

Comfort Inn in Pikesville and before that, they were held at Old Court Middle School. The Church has a membership of approximately 250 people. Typically, approximately 160 adults and 60 children attend Sunday worship. In addition to the Sunday worship service, which is held from 10:30 AM to 2:00 PM, there are two other services; one on Tuesday, and one on Friday, both at 7:30 PM. The Church has a full-time staff of approximately 10 people.

The Church proposes leasing the subject property for a period of 5 years. During that time, the Church hopes to locate another property on which a church building can be constructed and which will be suitable for expansion. However, the subject site is proposed as an interim use during that 5-year period. Reverend Griffith also testified extensively about the services of the Church. He indicated that the Church wants to be a good neighbor to the residential community that abuts this property. Indeed, there are a number of residences immediately across Dogwood Road from the subject site and the neighborhood at large is residential in character. Reverend Griffith described the community outreach services the Church offers for youths and adults.

Testimony was also received from Irwin Klein, property owner and partner in KC Dogwood L.P. Mr. Klein described the present use of the property (warehouse/office) and his negotiations for lease of the site to Redemption Christian Fellowship, Inc. Mr. Klein believes that the Church will be an appropriate use and will not be detrimental to the community. He also indicated that he is contributing \$5,000 to the Church for an upgrade of the site insofar as landscaping is concerned. Finally, Mr. Klein indicated that he and his partner own another property within approximately ½ mile of the subject site and that he has offered to allow the Church to use that property for overflow parking, if necessary.

Testimony was also received from Mr. Rojtman, the engineer who prepared the site plan. He described the existing layout of the property and the proposed parking configuration. He testified that the proposed use of the property is appropriate.

ORDER RECEIVED FOR FILING
Date 12/11/10
By [Signature]

Testimony was also received from Messrs. Obrieht and Griffin. Although they welcome the Church use, they expressed certain reservations over the parking arrangement. They noted that the site lacks sufficient space for parking and they fear an overflow of parking into the public streets in the area. Testimony was also received from Dave Green, a representative of the Office of Planning. Mr. Green shared some of the neighbors' concerns, but generally supports the project with appropriate restrictions.

Churches and houses of worship are permitted in a manufacturing zone by Section 407 of the B.C.Z.R. That Section sets out special regulations regarding Churches in the manufacturing zones. Testimony indicated that the Petitioner would abide by and comply with all the requirements of that Section.

In my judgment, the proposed use is appropriate here. Although the property is zoned Manufacturing (M.L.), it is indeed located within a residential community. Thus, the Church is an appropriate land use for this neighborhood. Nonetheless, I recognize the validity of the neighbors' concerns. Concern over parking is warranted in view of the potential detrimental impact created by over-flow parking in the neighborhood.

Based upon the testimony and evidence presented, I am persuaded to grant the variance. I believe that the Petitioner has demonstrated compliance with the requirements of Section 307 of the B.C.Z.R. as they relate to variance relief, as construed by the case law (see Cromwell v. Ward, 102 Md. App. 691 (1995)). The Petitioner need show that the property is unique, that a practical difficulty would result if variance relief were denied, and that relief can be granted without detrimental impact to the surrounding locale. I believe that the Petitioner has met these burdens. However, certain restrictions shall be imposed as more fully set forth below. These restrictions shall be imposed to insure that the proposed use will not be detrimental to the welfare of the surrounding locale.

ORDER RECEIVED FOR FILING
Date: 1/24/00
By: [Signature]

It should also be noted that although the configuration of the existing parking lot may not meet all applicable regulations (e.g., driveway width, etc.) Zoning Advisory Committee (ZAC) comments from the Department of Environmental Protection and Resource Management (DEPRM), dated December 21, 1999, disclosed the existence of wetlands on and adjacent to the subject site. The existence of these wetlands is persuasive to a conclusion that there should be no additional impervious surface on the property. Therefore, as a condition of approval, the Petitioner shall be required to comply with DEPRM's recommendations and there shall be no expansion of existing impervious surfaces or disturbance to existing landscaping. Moreover, the Petitioner shall be required to submit a landscape plan for review and approval by Mr. Avery Harden, Landscape Architect for Baltimore County. Said plan shall be designed to buffer the use of the property and the parking lot from adjacent communities.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of January, 2000, that the Petition for Variance (as amended) seeking relief from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 61 parking spaces in lieu of the required 100 spaces, in accordance with Petitioner's Exhibit 3, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their use 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 use permits, the Petitioner shall submit a landscape plan for review and approval by Mr. Avery Harden, Landscape Architect for Baltimore County. Said plan shall be designed to buffer the use of the property and the parking lot from surrounding communities.

ORDER RECEIVED FOR FILING

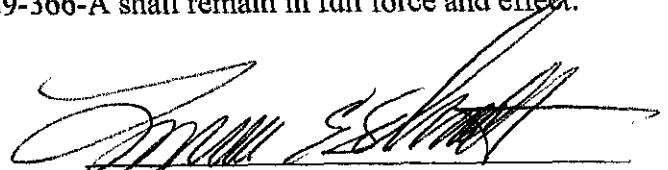
Date 1/24/00

By [Signature]

- 3) Compliance with the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated December 21, 1999, a copy of which is attached hereto and made a part hereof. The Petitioner shall not expand the existing impervious areas (macadam parking lot) on the subject site and there shall be no disturbance of existing landscaping.
- 4) The elders of the Church should discourage its members from parking on neighborhood streets. It shall manage the use of the parking lot, including providing stadium-type parking when necessary, to insure that all members of the congregation and visitors park on the subject lot and not on public streets.
- 5) The Church will obtain written permission from KC Dogwood L.P. to use their off-site property located on Whitehead Road for overflow parking during the period of its lease of the property. In this regard, the Church should arrange for a shuttle service from that lot to the subject property during periods of high attendance.
- 6) The Church shall conduct two services on Sunday, if necessary, to prevent parking spillage into the neighborhood due to high attendance at a single service.
- 7) The signage for the Church shall be limited to a single sign mounted on the building as shown on the site plan. That sign shall not be lit after 11:00 PM on any given evening.
- 8) The property shall be kept clean and free of debris.
- 9) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.8.A.4 to allow a 0-foot setback to a street right-of-way in lieu of the required 10 feet, be and is hereby DISMISSED without prejudice.

IT IS FURTHER ORDERED that except as expressly amended herein, the terms and conditions of the Order issued in prior Case No. 89-366-A shall remain in full force and effect.



LAWRENCE E. SCHMIDT
 Zoning Commissioner
 for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
 Date 1/24/00
 By [Signature]



Baltimore County
Zoning Commissioner

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

January 20, 2000

Charles M. Bell, Esquire
3300 N. Ridge Road, Suite 215
Ellicott City, Maryland 21043

RE: PETITION FOR VARIANCE
S/S Dogwood Road, 600' E of Woodlawn Avenue
(6515 Dogwood Road)
1st Election District – 2nd Council District
KC Dogwood L.P., Owners; Redemption Christian Fellowship, Inc., Lessees - Petitioners
Case No. 00-234-A

Dear Mr. Bell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Messrs. Anthony G. Ciliberti and Irwin Klein
KC Dogwood L.P., 1727 Whitehead Road, Woodlawn, Md. 21207
Pastor Gerald Griffith, 7011 Lancaster Road, Baltimore, Md. 21207
Mr. William Obrieht, 2415 Poplar Drive, Baltimore, Md. 21207
Mr. Dallas Griffin, 1907 Woodlawn Drive, Baltimore, Md. 21207
DEPRM; Mr. Avery Harden, DPDM; People's Counsel; Case/File

Come visit the County's Website at www.co.ba.md.us





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6515 Dogwood Road

which is presently zoned Manufacturing ML

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 Variance from Section(s) ~~409.7, 409.8, 409.6 and 409.7~~ Section(s) 409.8.A.4 and 409.6 to permit a 0' feet setback to street right of way in lieu of required 10.0' feet, and 66 parking spaces in lieu of the required 100 parking spaces.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Petitioners seek to convert an existing warehouse and office facility to a church which will include youth outreach ministry and meeting rooms for community use, not inconsistent with church use. Anticipated usage, for normal church services on Sunday a.m. and Tuesday and Friday evenings only, exceeds number of parking spaces required by zoning regulations. Strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose. Spaces need-100; existing spaces-66; variance request-34 spaces.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, 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.

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:

REDEMPTION CHRISTIAN FELLOWSHIP, INC.

a Maryland Religious Corporation

Name - Type or Print

Signature

7411 Allmont Rd.

410-655-2833

Address

Telephone No.

Baltimore, MD 21244

City

State

Zip Code

Attorney For Petitioner:

Charles M. Bell

Name - Type or Print

Signature

Charles M. Bell, A Professional Assoc.

Company

Suite 215, 3300 N. Ridge Rd

410-465-0445

Address

Telephone No.

Ellicott City, MD 21043

City

State

Zip Code

Case No. 00-234-A

Legal Owner(s):

KC DOGWOOD LP, A Maryland Limited

Name - Type or Print

Partnership

Signature

Name / Type or Print

Signature

1727 Whitehead RD

410-944-4420

Address

Telephone No.

Woodlawn, MD 21207

City

State

Zip Code

Representative to be Contacted:

Charles Cahn, II, Esquire

Name

100 S. Charles St. 410-332-8600

Address

Telephone No.

Baltimore, MD 21201

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 1/2 hrs

UNAVAILABLE FOR HEARING

Reviewed By [Signature]

Date 12-3-99

ORDER RECEIVED FOR FILING

Date REV 9/15/98
By [Signature]

ZONING DESCRIPTION

Beginning for the same in or near the center of Dogwood Road running and biding in or near said center of said road S 69 30' 34" E. 280 feet, thence leaving said center line and running S 20 29' 26" W. 44.06 feet, to a pipe heretofore set at the North as the most corner of Lot 26, running with and biding on the outline of said Lot 26 the following courses and distances ;

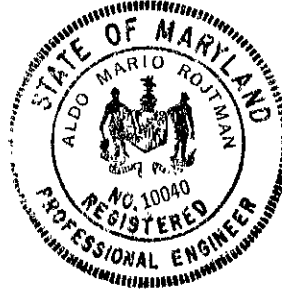
1. S 20 29; 16" W 105.94 feet
2. S 74 14' 24" W 112,75 feet
3. N 60 45' 16" W 261,97 feet
4. N 41 28' 00" E 149,48 feet

at the North as the most corner of said Lot 26 thence binding on the outline of said Lot 26 the following distance N 41 28' 00" E 3,60 feet and N 44 28' 51" E 36,68 fee to the place of beginning.

CONTAINING; 1,4138 `Acres of land more or less (Lot 26 = 1,1454 more or less Acres , The Bed of Dogwood Road 0,2684 more or less Acres)

Being Lot # 26 ;Zone "M L" Residential,, in the Subdivision "Meadow Industrial Park" as recorded in Baltimore County Plat Book # 45, Folio #137 Also known as 6515 Dogwood and located in the 1 Election District.

Mario Rojman



234

CERTIFICATE OF PUBLICATION

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: #00-234-A
6515 Dogwood Road
SW/S Dogwood Road, 600'
W of Woodlawn Avenue
1st Election District
2nd Councilmanic District
Legal Owner(s): KC Dogwood LP

Lessee: Redemption Christian Fellowship, Inc.

Variance: to permit a zero foot setback to street right of way in lieu of required 10 feet and 66 parking spaces in lieu of the required 100 parking spaces.

Hearing: Friday, January 14, 2000 at 9:00 a.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 accommodations 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.

12/304 Dec 30 C361362

TOWSON, MD, 12-30 1999 ~~20~~

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 12-30, ~~20~~ 1999

THE JEFFERSONIAN,

J. J. [Signature]
Publisher

LEGAL ADVERTISING

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

00-234-17

Paid

No. **075778**

DATE 12-3-74 ACCOUNT R 001-61512

AMOUNT \$ 250.00

RECEIVED FROM: Washington State University

FOR: Contract of Services for 1974
6515 20th Ave S. Ed. (2000)

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROF. DEPT. OF
12/03/74 12/03/74 DEPT
DEPT 5 5000000000000000
12/03/74 12/03/74
CR NO. 0000000000000000
REPT FOR 250.00
250.00 DE 0000000000000000
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE #00-234-A
PETITIONER/DEVELOPER
(Redemption Christ. Fell.)
DATE OF Hearing
(Jan 14, 2000)

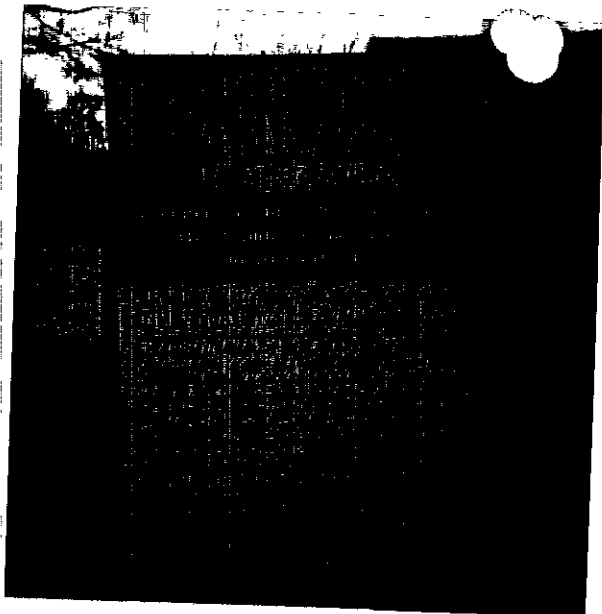
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

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
6515 Dogwood Road Baltimore, Maryland 21207

The sign(s) were posted on 12-29-99
(Month, Day, Year)



Sincerely,

Thomas P. Ogle, Sr.
(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. ____

____ 325 Nicholson Road ____

____ Baltimore, Maryland 21221 ____

____ (410)-687-8405 ____
(Telephone Number)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (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.

For Newspaper Advertising:

Item Number or Case Number: DD-234-A
Petitioner: REDEMPTION CHRISTIAN FELLOWSHIP INC
Address or Location: 7011 LANCASTER RD BALT 21207

PLEASE FORWARD ADVERTISING BILL TO:

Name: REDEMPTION CHRISTIAN FELLOWSHIP INC.
Address: 7011 LANCASTER RD
BALT M. D 21207
Telephone Number: 410-415-0451



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

December 16, 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: 00-234-A
6515 Dogwood Road
SW/S Dogwood road, 600' W of Woodlawn Avenue
1st Election District – 2nd Councilmanic District
Legal Owner: KC Dogwood LP
Lessee: Redemption Christian Fellowship, Inc.

Variance to permit a zero foot setback to street right of way in lieu of required 10 feet and 66 parking spaces in lieu of the required 100 parking spaces.

HEARING: Friday, January 14, 2000 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

c: Charles Bell, Esquire, Suite 214, 3300 N. Ridge Road, Ellicott City 21043
KC Dogwood LP, 1727 Whitehead Road, Woodlawn 21207
Redemption Christian Fellowship, Inc., 7411 Allmont Road, Baltimore 21244
Charles Chan, II, Esquire, 100 S. Charles Street, Baltimore 21201

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY DECEMBER 30, 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
Thursday, December 30, 1999 Issue – Jeffersonian

Please forward billing to:

Redemption Christian Fellowship, Inc. 410-415-0451
7011 Lancaster Road
Baltimore, MD 21207


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:

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6515 Dogwood Road
SW/S Dogwood road, 600' W of Woodlawn Avenue
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Legal Owner: KC Dogwood LP
Lessee: Redemption Christian Fellowship, Inc.

Variance to permit a zero foot setback to street right of way in lieu of required 10 feet and 66 parking spaces in lieu of the required 100 parking spaces.

HEARING: Friday, January 14, 2000 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 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.



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

January 7, 2000

Mr. Charles M. Bell
Charles M. Bell, P.A.
Suite 215, 3300 N. Ridge Rd.
Ellicott City MD 21043

Dear Mr. Bell:

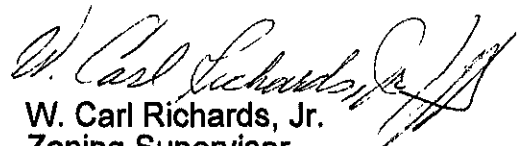
RE: Case Number 00-234-A , 6515 Dogwood Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 3, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj

Enclosures

c: Charles Cahn, II, Esq.

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For You, For Baltimore County

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Baltimore County
Fire Department

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

December 30, 1999

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: KC DOGWOOD LP

Location: DISTRIBUTION MEETING OF December 13, 1999

Item No.: 234

Dear Ms. Stephens:

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.
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", 1994 edition prior to occupancy.
9. ACCESS FOR FIRE DEPARTMENT EMERGENCY APPARATUS IS NEEDED AT THE FOLLOWING PORTION(S) OF THE BUILDING _____. THE ACCESS ROAD SHALL BE A MINIMUM OF 18 FEET IN WIDTH.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RMB*
DATE: December 21, 1999
SUBJECT: Zoning Item #234
6515 Dogwood Road

Zoning Advisory Committee Meeting of December 13, 1999

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
 - Development of this property must comply with the Forest Conservation Regulations (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).
 - Extensive floodplain land is contained on the property.
 - Expansion of existing impervious surfaces will not be permitted.

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

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: December 21, 1999

FROM: Robert W. Bowling, Supervisor
 Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for December 20, 1999
 Item No. 234

The Bureau of Development Plans Review has reviewed the subject zoning item. Dogwood Road is an existing road which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way.

The direction of traffic flow must be reserved.

The extent of improvements along Dogwood is not correctly shown and the width of the right-of-way is not accurate either - they have to be properly shown.

RWB:HJO:jrb

cc: File

AS
1/14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: December 29, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 6515 Dogwood Road

INFORMATION:

Item Number: 234

Petitioner: Redemption Christian Fellowship, Inc.

Zoning: ML

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

An inspection of the above referenced site revealed it is located opposite a residential community. Allowing a 0' foot setback in lieu of the required 10-foot setback could have a negative impact on the adjacent community; therefore, this office recommends that evergreen screening be placed on the property to screen parking areas from the adjacent residential properties.

Off-street parking is not available on Dogwood Road. Overflow parking on neighborhood streets could be detrimental to the surrounding community.

The petitioner has indicated that proposed church is an interim use of the property, and that representatives of the church do not intend to maintain such a use at this location for more than five years. Therefore, the Office of Planning recommends that the request for variance be granted provided that the relief is for a period of time not to exceed five years. In addition, relief should pertain only to the use of the property as a place of worship. It is anticipated that a use more consistent with the intent of the ML zoning classification will ultimately occupy the site on a permanent basis.

Section Chief: 

AFK/JL



**Maryland Department of Transportation
State Highway Administration**

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

Date: 12.17.99

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

RE: Baltimore County
Item No. 234

JJS

Dear Ms Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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 VARIANCE
6515 Dogwood Road
1st Election District, 2nd Councilmanic

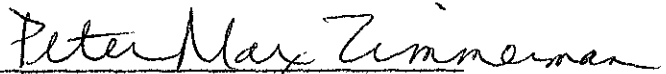
Legal Owner: KC Dogwood L.P.
Lessee: Redemption Christian Fellowship
Petitioner(s)

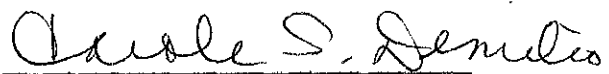
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-234-A

* * * * *

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 28th day of December, 1999 a copy of the foregoing Entry of Appearance was mailed to Charles M. Bell, Esq., 3300 N. Ridge Road, Suite 215, Ellicott City, MD 21043, attorney for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Zoning Commissioner

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

December 9, 1999

Charles M. Bell, Esquire
3300 North Ridge Road, suite 215
Ellicott City, Maryland 21043

RE: PETITION FOR VARIANCE
(6515 Dogwood Road)
K C Dogwood LP, Owners; Redemption Christian Fellowship, Inc., Lessee - Petitioners
Case No. 00-234-A

Dear Mr. Bell:

In response to your letter dated December 7, 1999 concerning the above-captioned matter, the following comments are offered.

Please be advised that the Department of Permits and Development Management (DPDM) office is responsible for scheduling public hearings before the Zoning Commissioner/Deputy Zoning Commissioner. Moreover, pursuant to the zoning and development regulations, as codified in Section 26-127 of the Baltimore County Code, public notice of the hearing must be provided by the posting and advertising of the property no less than 15 days prior to the scheduled hearing date. Therefore, the scheduling of your hearing is dependent on current docket constraints.

Nevertheless, I am herewith forwarding your correspondence to Mr. Arnold Jablon, Director of DPDM, in the hope that your hearing can be scheduled as expeditiously as possible.

Meanwhile, should you have any further questions concerning the scheduling of this matter, it is suggested that you contact Ms. Sophia Jennings, the Docket Clerk in Mr. Jablon's office, at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Arnold Jablon, DPDM
Ms. Sophia Jennings, DPDM
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us





Baltimore County
Zoning Commissioner

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

March 15, 2000

Charles M. Bell, Esquire
3300 North Ridge Road, suite 215
Ellicott City, Maryland 21043

RE: PETITION FOR VARIANCE
(6515 Dogwood Road)
K C Dogwood LP, Owners; Redemption Christian Fellowship, Inc., Lessee - Petitioners
Case No. 00-234-A

Dear Mr. Bell:

In response to the Motion to Modify or Revise the Findings of Facts and Conclusions of Law and Order dated in the above-captioned matter, dated January 24, 2000, the following comments are offered. Your Motion, received February 23, 2000, indicates that the Petitioners wish to further revise their plans so as to permit 45 parking spaces with a 6-foot street right-of-way setback, in lieu of the 61 spaces with a 10-foot setback granted in my original Order.

In view of the fact that there was concern raised at the initial hearing as to the then proposed parking arrangement, I believe it appropriate to set this matter in for a hearing on the merits of the Motion. Pursuant to my secretary's telephone conversation with you this date, this is to confirm that the hearing on the Motion has been scheduled for Tuesday, April 11, 2000, at 9:00 AM in Room 407 of the County Courts Building. By copy of this letter, all parties to this case have been notified of the hearing date, time and location.

In the meantime, should there be any further questions regarding this matter, please do not hesitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Messrs. Anthony G. Ciliberti and Irwin Klein
KC Dogwood L.P., 1727 Whitehead Road, Woodlawn, Md. 21207
Pastor Gerald Griffith, 7011 Lancaster Road, Baltimore, Md. 21207
Mr. Aldo Rojzman, AMR Engineering, 1016 Parkvalley Road, Baltimore, Md. 21208
Mr. William Obrieht, 2415 Poplar Drive, Baltimore, Md. 21207
Mr. Dallas Griffin, 1907 Woodlawn Drive, Baltimore, Md. 21207
DEPRM; Mr. Avery Harden, DPDM; People's Counsel; Case File

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Baltimore County
Zoning Commissioner

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

March 31, 2000

Charles M. Bell, Esquire
3300 North Ridge Road, Suite 215
Ellicott City, Maryland 21043

Mr. William Obriecht
2415 Poplar Drive
Baltimore, Maryland 21207

RE: PETITION FOR VARIANCE
(6515 Dogwood Road)
K C Dogwood LP, Owners; Redemption Christian Fellowship, Inc., Lessee - Petitioners
Case No. 00-234-A

Dear Messrs. Bell and Obriecht:

In response to your letters dated March 21, 2000 and March 25, 2000, respectively, and as a follow-up to my letter of March 15, 2000 concerning the above-captioned matter, the following comments are offered.

As you both have been made aware, a hearing on the "Motion to Modify or Revise" the Order issued by me in the above-captioned matter has been scheduled for Tuesday, April 11, 2000. Inasmuch as there appears to be some discrepancy as to the modified relief being requested, I believe it appropriate that a public hearing be held at which time all parties to the case can be present and the relief requested can be clarified. Therefore, in lieu of a pre-hearing meeting or telephone conference, I shall withhold further deliberation on the subject until after the hearing on the Motion.

Thank you for your consideration in this matter and I look forward to seeing you on April 11th.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Messrs. Anthony G. Ciliberti and Irwin Klein
KC Dogwood L.P., 1727 Whitehead Road, Woodlawn, Md. 21207
Pastor Gerald Griffith, 7011 Lancaster Road, Baltimore, Md. 21207
Mr. Aldo Rojzman, AMR Engineering, 1016 Parkvalley Road, Baltimore, Md. 21208
Mr. Dallas Griffin, 1907 Woodlawn Drive, Baltimore, Md. 21207
DEPRM; Mr. Avery Harden, DPDM; People's Counsel; Case File

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CHARLES M. BELL
ATTORNEY AT LAW
A PROFESSIONAL ASSOCIATION
SUITE 215
3300 NORTH RIDGE ROAD
ELLCOTT CITY, MARYLAND 21043

(410) 465-0445

FAX: (410) 465-2183
E-MAIL: BELLAW1@AOL.COM

ALSO ADMITTED IN
ILLINOIS

December 7, 1999

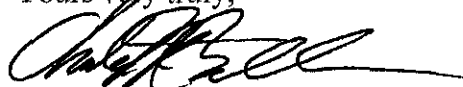
Mr. Lawrence E. Schmidt
Baltimore County Zoning Commissioner
New Court Building
Room 407
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 00-234A

Dear Mr. Schmidt:

I represent Redemption Christian Fellowship, Inc. in its Petition for Variance. A preliminary examination and evaluation of our Petition was held at 10:00 a.m. on Friday, December 3, 1999. Please accept this as a request from the Petitioner for an expedited hearing for final approval. I enclose a copy of the Petition for your reference.

Yours very truly,



Charles M. Bell

CMB:kb
Enclosure
cc: Mr. Hollis Thompson

CHARLES M. BELL
ATTORNEY AT LAW
A PROFESSIONAL ASSOCIATION
SUITE 215
3300 NORTH RIDGE ROAD
ELLCOTT CITY, MARYLAND 21043

11/14/00
MAR 22

ALSO ADMITTED IN
ILLINOIS

(410) 465-0445

FAX: (410) 465-2183
E-MAIL: BELLAW1@AOL.COM

March 21, 2000

Honorable Lawrence E. Schmidt
Zoning Commissioner for
Baltimore County
Suite 405, County Courts Bldg
401 Bosley Avenue
Towson, Maryland 21204

RE: Petition for Variance
Case No. 00-234-A

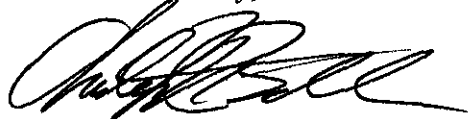
Dear Mr. Schmidt:

Thank you for your letter of March 15th, the context of which indicates that I failed to make the Petitioner's position clear in our Motion to Revise.

The Petitioner merely seeks permission for **Forty-five (45) parking spaces with a 10-foot street right of way set-back** instead of the 61 spaces. The existing 10-foot buffer and trees will not be invaded.

Maybe this issue can be resolved during a telephone or personal pre-hearing conference. I look forward to your response.

Yours very truly,



Charles M. Bell

CMB:mm

cc: Messrs. Anthony G. Ciliberti and Irwin Klein
Pastor Gerald Griffith
Mr. Aldo Rojtman
Mr. William Obrieht
Mr. Dallas Griffin
DEPRM; Mr. Avery Harden

William Obrecht
2415 Poplar Drive
Baltimore, Md. 21207

March 23, 2000

Honorable Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Suite 405, County Courts Building
401 Beale Avenue
Towson, Maryland 21284

Re: Petition for Variance - Case No. 00-234-A

Dear Mr. Schmidt,

I support your initial decision in this case.

It addresses the concern of community residents regarding parking by requiring the management of parking by Church members to insure that all members of the congregation and visitors park on the subject lot and not on public streets.

It preserves the existing landscaping.

Charles M. Bell in his March 21, 2000 letter regarding his Motion to Revise says that "The existing 10-foot buffer and trees will not be invaded." I do not understand this reference to a 10 foot buffer. The buffer between Dogwood Road and the current parking lot is approximately 25 feet by 225 feet.

I am writing to be sure that there is no confusion about the current buffer.

Sincerely,



William Obrecht

cc: Mr. Charles M. Bell

FAX

Date: 4-13-00

Number of pages including cover 2

To: Honorable Lawrence
E. Schmidt

Phone:

Fax Phone: 410-867-3468

From:

William Obricht

The Calico Cat Inc

2137 Gwynn Oak Ave

Baltimore MD

21207

Phone: +1(410)944-2450

Fax Phone: +1(410)944-2453

REMARKS:

William Obricht
2415 Poplar Drive
Baltimore, Md. 21207

April 13, 2000

Honorable Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: Petition for Variance - Case No. 00-234-A

Dear Mr. Schmidt,

Due to an oversight on my part, I didn't come to the Hearing on April 11, 2000.

I apologize for any inconvenience.

My views are the same. I am sorry that I did not make the hearing to present them in person.

Sincerely,



William Obricht

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Paulette S. Quickley

ADDRESS

16 Chinook Ct. Randallstown, MD
21133



PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

William Obriecht

2415 Poplar Dr.

Baltimore, Md. 21207

DALLAS GRIFFIN

1907 WOODLAWN DR

BALTIMORE, MD 21207



IN RE: PETITION FOR ZONING VARIANCE
S/S Dogwood Road, 460' E of
the c/l of Woodlawn Drive
(6515 Dogwood Road)
1st Election District
2nd Councilmanic District

The Colonial Company
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-366-A

* * * * *
FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners initially requested a variance to permit a rear yard setback of 20 feet in lieu of the required 50 feet for a proposed warehouse/office building on the subject property in accordance with Petitioner's Exhibit 1. Subsequent to the original hearing held on March 15, 1989, Petitioners filed an amended/alternate Petition with revised site plans requesting a variance to permit a front yard setback of 50 feet in lieu of the required 75 feet for the proposed warehouse/office building in accordance with Petitioner's Exhibit A.

At the hearing held on March 15, 1989, the Petitioners, by Julius Lichter, Esquire, appeared and testified. Also appearing on behalf of the Petition was Douglas Kennedy, Professional Engineer. Appearing as Protestants at that hearing were Gerald Canfield, Vivian Ryan and David Heuther, all residents of the area. At the hearing held on September 26, 1989, the Petitioners, by Charles A. Knott, Sr., President of The Colonial Company, and Alex Roth, on behalf of Anthony G. Ciliberti, Contract Purchaser of the subject property, appeared, testified, and were represented by Robert W. Cannon, Esquire. Also appearing on behalf of the Petition were Verna Willes with David S. Brown Enterprises, Karen M. Singer, and Paul Lee, Professional Engineer. Appearing as interested parties were Robert L. and Connie Workman, adjoining property owners.

ORDER RECEIVED FOR FILING

Date

By

10/17/89
Bette Schulman

Petitioners originally requested only a variance to permit a rear yard setback of 20 feet in lieu of the required 50 feet for a proposed warehouse/office building on the subject property. A hearing was held regarding said request on March 15, 1989. Testimony at that hearing indicated that the subject property, known as 6515 Dogwood Road, consists of 1.41 acres more or less zoned M.L. and currently vacant. Further testimony indicated that said property is located between an existing residential community and Woodlawn Senior High and that the area to the west of the subject site is developed with single family homes and the Meadow Industrial Park. At that hearing, Petitioners submitted a plan which provided a building envelope for a one story building on the subject property and indicated the necessity for a rear yard setback of 20 feet in lieu of the required 50 feet as depicted on Petitioner's Exhibit 1. Testimony presented at that time indicated that the proposed use could not be definitively determined until a contract purchaser had been procured. However, the intended use of the property was for a mixed use as office and warehouse space. Further, Petitioners argued that a one story building as proposed could not be developed due to the shape of the lot if strict compliance with both the 75-foot front and 50-foot rear yard setbacks were required. Petitioners testified an alternative was to construct a three-story building which Petitioner's Engineer suggested would be less compatible with adjoining residential properties.

At the time of the March 15, 1989 hearing, the Office of Planning and Zoning submitted comments indicating the staff could make no recommendations on Petitioners' plan at that time due to the inadequate information provided. The Office of Planning did, however, indicate that the mixed use proposed as office and warehouse space is appropriate for this

ORDER RECEIVED FOR FILING

Date

By

10/17/89
Peter J. Schumann

location. Further, said comments suggested that the loading and unloading of materials associated with the warehouse use on the property would be more appropriate in the rear of the property than in the front due to the residential uses across from the site.

Appearing as Protestants at the hearing in March, 1989 were Gerald Canfield, Vivian Ryan and David Heather, all residents of the area. Ms. Ryan testified that she strongly believed there is no need for any additional commercial uses in the area and in her opinion, the area is over-developed. Mr. Heather testified in opposition to the request, however, he indicated his preference for a single story building rather than a multi-story building. All of the Protestants stated their concerns relative to security problems which may result from the use of the property, for which definitive plans were unknown at this time. Following discussions at the hearing, it was suggested that Petitioners come up with a definitive plan and meet with the Protestants to address and resolve their concerns since development of the property for commercial purposes was clearly permitted.

Petitioners subsequently filed the instant amended/alternate Petition for which a hearing was scheduled on September 26, 1989. Mr. Canfield, Ms. Ryan and Mr. Heather were notified of the new hearing date but did not appear; however, Robert and Connie Workman, adjoining property owners who reside at 6517 Dogwood Road, appeared as interested parties. Testimony presented at the September 26th hearing indicated that the Petitioners have submitted a revised plan which requires a front yard variance of 50 feet in lieu of the required 75 feet and no rear yard setback as originally requested. Mr. Roth testified the Contract Purchaser proposes the construction of a one story building consisting of 9,680 sq.ft. of

ORDER RECEIVED FOR FILING

Date

By

10/17/89
Beth J. Schuler

warehouse space, and 1,564 sq.ft. of office space. Said building will provide storage space for Lazy Boy Outlets which has four stores in the Baltimore region. Mr. Roth testified the warehouse operation would have two employees and that there would be three to five employees in the office space. Further testimony indicated that loading and unloading of furniture would take place in the rear of the property in order to meet the objections raised by the Protestants in the prior hearing. Mr. Roth testified there would be a 10-foot wide buffer area in the front to provide landscaping in a manner to insure compatibility with the adjoining residential area. He further indicated there would be limited traffic to and from the subject site. Testimony presented indicated that the subject property is part of a plat recorded in the 1950s and that the proposed use of the property is a permitted use under the zoning regulations. Petitioners requested that the practical difficulty and unreasonable hardship presented at the original hearing regarding the size and shape of the lot and location of easements and flood plain on the property be taken into consideration regarding the modified request. Petitioners noted that the deed of a 40-foot strip in the front of the property for expansion of the proposed highway widening further necessitated the need for a variance. Testimony presented by Petitioners' Counsel indicated that each of the Protestants had been contacted to advise them of the amended site plan and Petition and to provide the individuals with the opportunity to meet with the Contract Purchaser to discuss the proposed plan. Mr. & Mrs. Workman asked for and obtained specific answers to questions they had regarding the impact the proposed use would have on their property.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

OFFICE OF THE CLERK
DATE 10/17/89
BY *Bette J. Johnson*

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 the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial 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).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of October, 1989 that the Petition for Zoning Variance to permit a front yard setback of 50 feet in lieu of the required 75 feet for a proposed office and warehouse in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 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 pro-

ORDER RECEIVED FOR FILING

2:10

By - *Robert J. Johnson*

ceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

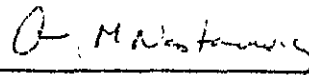
2) CRG approval and/or a waiver are required prior to the issuance of any permits.

3) Within sixty (60) days of the date of this Order, Petitioners shall submit for approval by the Baltimore County Landscape Planner a landscaping plan which provides a complete buffer along Dogwood Road between the proposed development and the residential uses across the street from the site. Furthermore, Petitioners' plan shall include landscaping to buffer the subject property from the residents of the adjoining property at 6517 Dogwood Road.

4) All landscaping as required by the approved plan shall be installed prior to the issuance of any occupancy permits. Said landscaping shall be maintained by the Petitioners and/or future property owners.

5) All deliveries to the warehouse shall be limited to between the hours of 8:00 AM to 6:00 PM, Monday through Saturday, except for occasional deliveries at other times which shall not exceed more than three per month. Further, all deliveries shall be made to the rear of the subject site. Petitioners shall keep records of the dates and times of all deliveries and shall permit access for review of same by Baltimore County Zoning Enforcement Inspectors upon reasonable notice.

6) Lighting for the proposed development shall be placed on the premises in such a manner that at no time shall it reflect onto adjoining residential uses.


ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING

2010

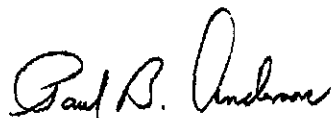
By: 

STATE OF MARYLAND
Department of Assessments and Taxation

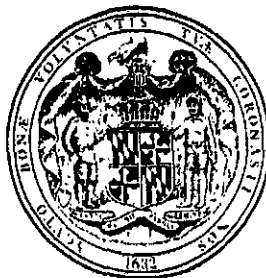
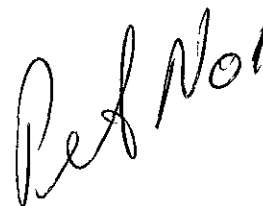
I, PAUL ANDERSON OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE DEPARTMENT, BY LAWS OF THE STATE, IS THE CUSTODIAN OF THE RECORDS OF THIS STATE RELATING TO THE FORFEITURE OR SUSPENSION OF CORPORATIONS, OR OF CORPORATIONS TO TRANSACT BUSINESS IN THIS STATE, AND THAT I AM THE PROPER OFFICER TO EXECUTE THIS CERTIFICATE.

I FURTHER CERTIFY THAT REDEMPTION CHRISTIAN FELLOWSHIP, INC. IS A CORPORATION DULY INCORPORATED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF MARYLAND AND THE CORPORATION HAS FILED ALL ANNUAL REPORTS REQUIRED, HAS NO OUTSTANDING LATE FILING PENALTIES ON THOSE REPORTS, AND HAS A RESIDENT AGENT. THEREFORE, THE CORPORATION IS AT THE TIME OF THIS CERTIFICATE IN GOOD STANDING WITH THIS DEPARTMENT AND DULY AUTHORIZED TO EXERCISE ALL THE POWERS RECITED IN ITS CHARTER OR CERTIFICATE OF INCORPORATION, AND TO TRANSACT BUSINESS IN MARYLAND.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY SIGNATURE AND AFFIXED THE SEAL OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF MARYLAND AT BALTIMORE ON THIS DECEMBER 02, 1999.



Paul B. Anderson
Charter Division



301 West Preston Street, Baltimore, Maryland 21201
Telephone Balto. Metro (410) 767-1340 / Outside Balto. Metro (888) 246-5941 0000454327
MRS (Maryland Relay Service) (800) 735-2258 TT/Voice
Fax (410) 333-7097

Red No 4

20' 0"

REDEPTION CHRISTIAN
FELLOWSHIP INC.

45'

EXTERIOR SIGN ON TOP OF THE EXTERIOR
WALL OF THE BUILDING

Prot No 1

William Obrieht
2415 Poplar Drive
Baltimore, Maryland 21207

Zoning Commissioner, Baltimore County
401 Bosley Avenue
Towson, Md. 21204

Re: Case Number 00-234-A

I have no objection to Redemption Christian Fellowship, Inc. moving into 6515 Dogwood Road so long as there is sufficient space for their activities without effecting the health, safety and welfare of the community; they do not contribute to storm water runoff or stream debasement; and the there is no reduction in the residential character and beauty of the area.

I do object to the Petition for Variance which requests a 0 foot setback to street right of way in lieu of the required 10 feet and 66 parking spaces in lieu of the required 100 parking spaces.

My concerns about parking are:

To ensure the safety and welfare of the community there should be no overflow parking into the community streets or the shoulder of Dogwood Rd. (except on Christmas, Easter and 1 or 2 other special days).

Cars overflowing onto community streets increases the probability of accidents and injuries to residents and others. Cars parking on the shoulder of Dogwood Rd. in front of homes (some are paved or graveled) will be detrimental to the welfare of the residents. Cars parked on the shoulder of Dogwood Rd. will increase the risk of accidents because they are not normally found on the shoulder and drivers are more apt to hit cars that pull out unexpectly from the shoulder.

In addition, cars parking on the shoulder of Dogwood Road will kill the vegetation on the shoulder (except for the paving in front of homes) and cause greater runoff into Dead Run Stream which runs parallel to Dogwood Rd.

My concerns about the setback are:

The 25 foot by 220 foot (approximate measurements) grass strip with 22 good sized trees which runs parallel to Dogwood Road was created when the building was built to provide screening of the building from the residential uses across the street and to screen the building from the traffic which travels on the essentially noncommercial Dogwood Road. It is noted that 90 % of the building is a metal structure with no windows while the east end of the building is slightly decorative but still has no windows. To expose this big metal shed would be very detrimental to the welfare of the community.

To remove the screening provided for the building would raise serious questions about the value of landscape plans for communities. If they can simply be removed, communities have no reason to request buffer zones and landscape screening if they can be removed 10 or 12 years later while the original reason for the zones and screening still exist. The only protection the communities would have is to do everything possible to insure that "ugly nonresidential" buildings are never built near residential areas.

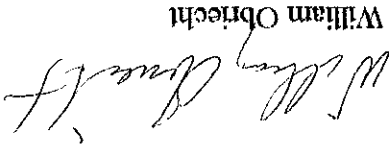
The elimination of the grass and trees would also be directly contrary to revitalization and conservation efforts currently being undertaken by government, business and communities. The Security Woodlawn Village Business Assn. planted trees, shrubs, and flowers on the median strip on Security Blvd. less than 1/2 mile north of 6515 Dogwood Road. This was done with government help and permission and costs the Association over \$8,000 a year to maintain. The local communities are picking up trash on this stretch of Dogwood Road to try to make the area more beautiful. To remove 22 trees and expose an unattractive building would undercut the community efforts.

The elimination of the grass and trees and replacing them with asphalt would eliminate the natural holding area for rainwater and send the water rushing to Dead Run Stream located directly south of the property. This rapid runoff will adversely affect the health of the stream and the poor health of the stream could affect the health of the community. There was recent flooding downstream from this property and the paving of the grass will only increase the flooding problems in future rains.

It is noted that all these adverse effects on the health, safety and welfare of the community are being done for a temporary 5 year use of the building.

Smart Growth is to fill vacant spots in communities that have infrastructure in order to save our open spaces for all of us to enjoy. Smart Growth is filling vacant land zoned 5.5 homes to the acre with 5.5 homes - not squeezing in 7, 8, or more homes into the acre.

Smart Growth is utilizing commercial property for commercial or other purposes when the property has enough space for the use. Smart Growth is not squeezing a use into a property that is not big enough for the use. Squeezing uses into spaces that are too small means that the neighbors must put up with the overflow and other objectionable aspects with the resulting detrimental affect on the health, safety and general welfare of the community.



William Obrecht

Prob No 2

Barry and Priscilla Downing

6508 Dogwood Rd. Baltimore, Md. 21207
410 2982382

January 13, 2000

Zoning Commissioner for Baltimore County
Towson, MD . 21204

RE. Case no. 00-234-A
Property address 6515 Dogwood Rd

MR Commissioner,

In regards to the property , which is located directed across the street from our home in my opinion is not adquate space to support a large congregation in a residential neighborhood

First of all my husband and I brought the house in 1986 with the promise that no building would accrue on the existing property due to flood property. Second our block does not have off street curve parking. At this point the only area for over flow parking would be on my front lawn at my rual mailbox which we are against , I understand that the church is requesting to remove the trees and grass area that the original plan was approved under

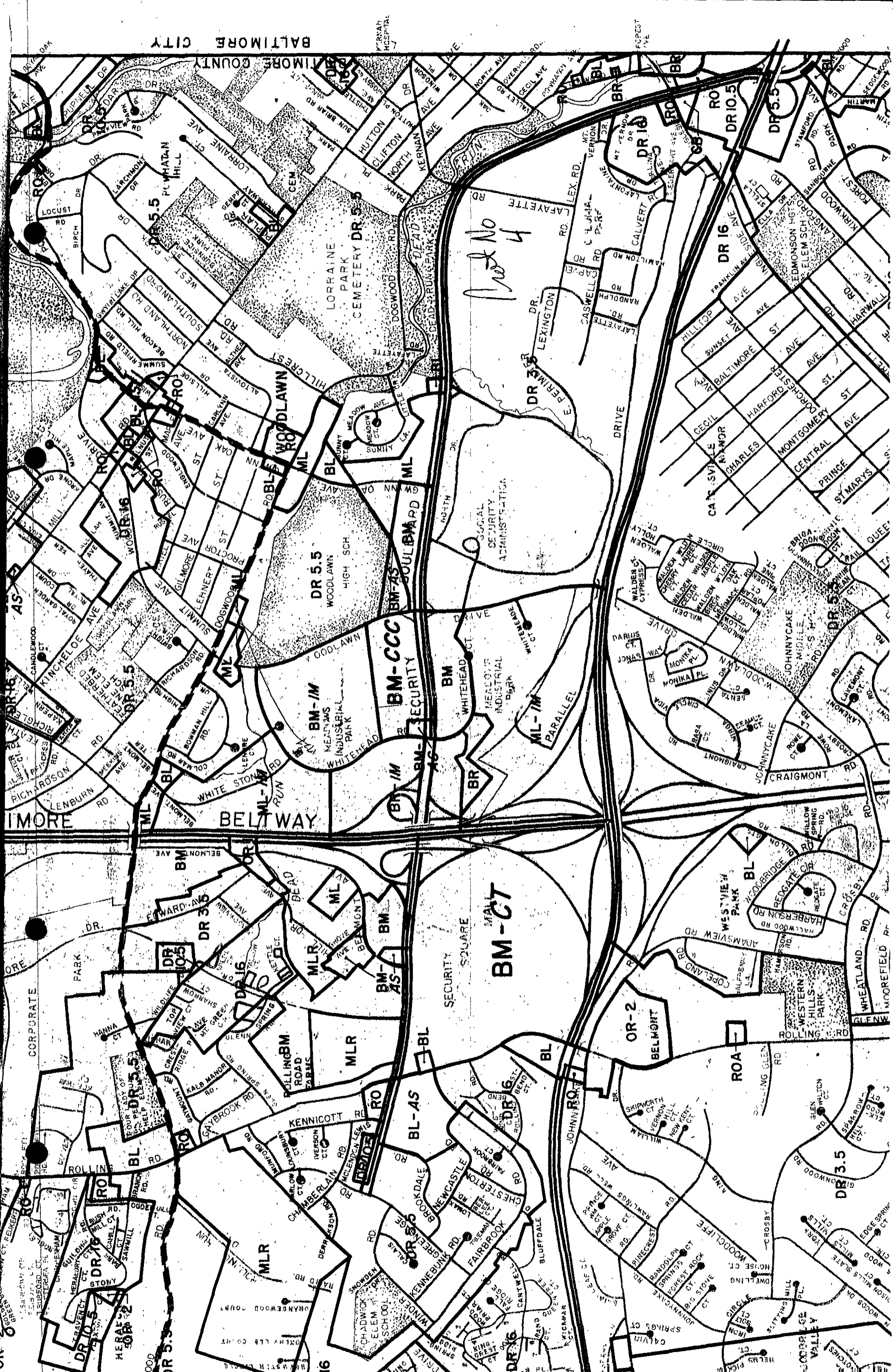
My husband and I feel this is not a large enough space to accommodate the growth of the five year plan of the church we feel they should research other properties with larger parking lots.

We feel this is taking away the private home owner neighborhood we moved into. We hope you will understand our position as home owners.

Sincerely

Barry & Priscilla Downing

Barry S Downing
Priscilla A. Downing



No 4

LORRAINE PARK
CEMETERY DR 55

DR 5.5
WOODLAWN HIGH SCH

BM-CCC
SECURITY BOULEVARD

BM-CT
SECURITY SQUARE

BM-AS

MLR

BL-AS

OR-2
BELMONT

ROA

DR 3.5

AS-E

BALTIMORE

BELTWAY

ON 0

COMPLIANCE CERTIFICATION

REDEMPTION CHRISTIAN FELLOWSHIP

This Church as of the date of the issuance of the Compliance Certification operates in compliance with applicable nonprofit law and IRS Code §501(c)(3) requirements.

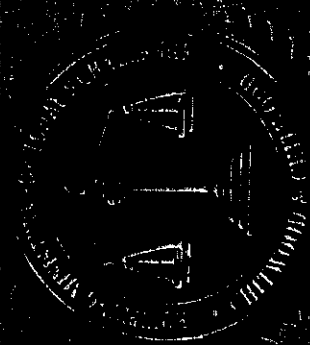
The books, records, business documents and financial/transactional activities of the Church have been examined and tested by Chitwood & Chitwood under compliance audit standards. In connection with such evaluation, Chitwood & Chitwood has issued an Audit Report, reaching certain compliance conclusions, and making recommendations. The management of the Church has agreed to honor the requirements of the Audit Report in order to ensure compliance with state nonprofit law and IRS church regulations and in order to operate at the highest levels of financial accountability and integrity.

As of the date of this Compliance Certification, assuming strict adherence with the Audit Report, the Church is declared to be in compliance with the accounting practices, legal and IRS requirements of a church and is declared to have the highest standards of credibility, integrity and financial accountability. This certification is prospective only, effective as of the date reflected below. The compliance standards evidenced by the issuance of this Certificate will be deemed certified only for a one (1) year period so long as the Church's financial and compliance activities are reviewed by Chitwood & Chitwood, and only so long as the Church's covenant to adhere strictly to the terms and conditions of the Audit Report is honored.

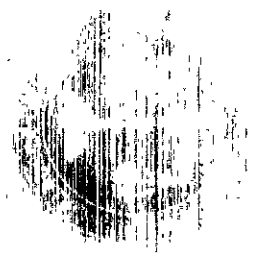
Compliance Certification issued this 1st day of March, 199 9
pursuant to the compliance audit review and authority of Chitwood & Chitwood, Chattanooga, Tennessee
by and through its properly qualified compliance delegate.

4671
Certificate Number

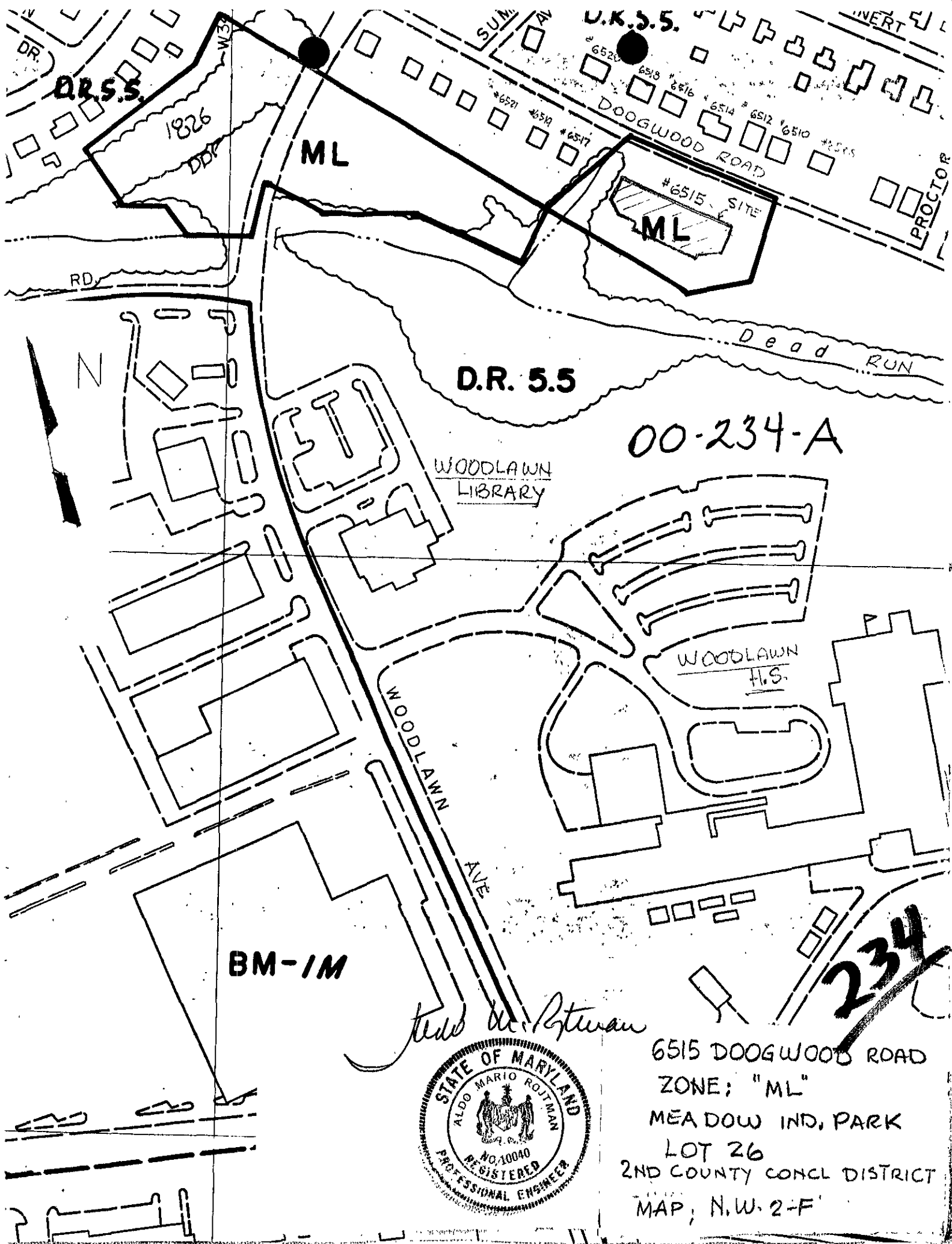
By: Michael Chitwood
H. Michael Chitwood, President
Chitwood & Chitwood, P. C.



**CHITWOOD
&
CHITWOOD, P.C.**



1950



00-234-A

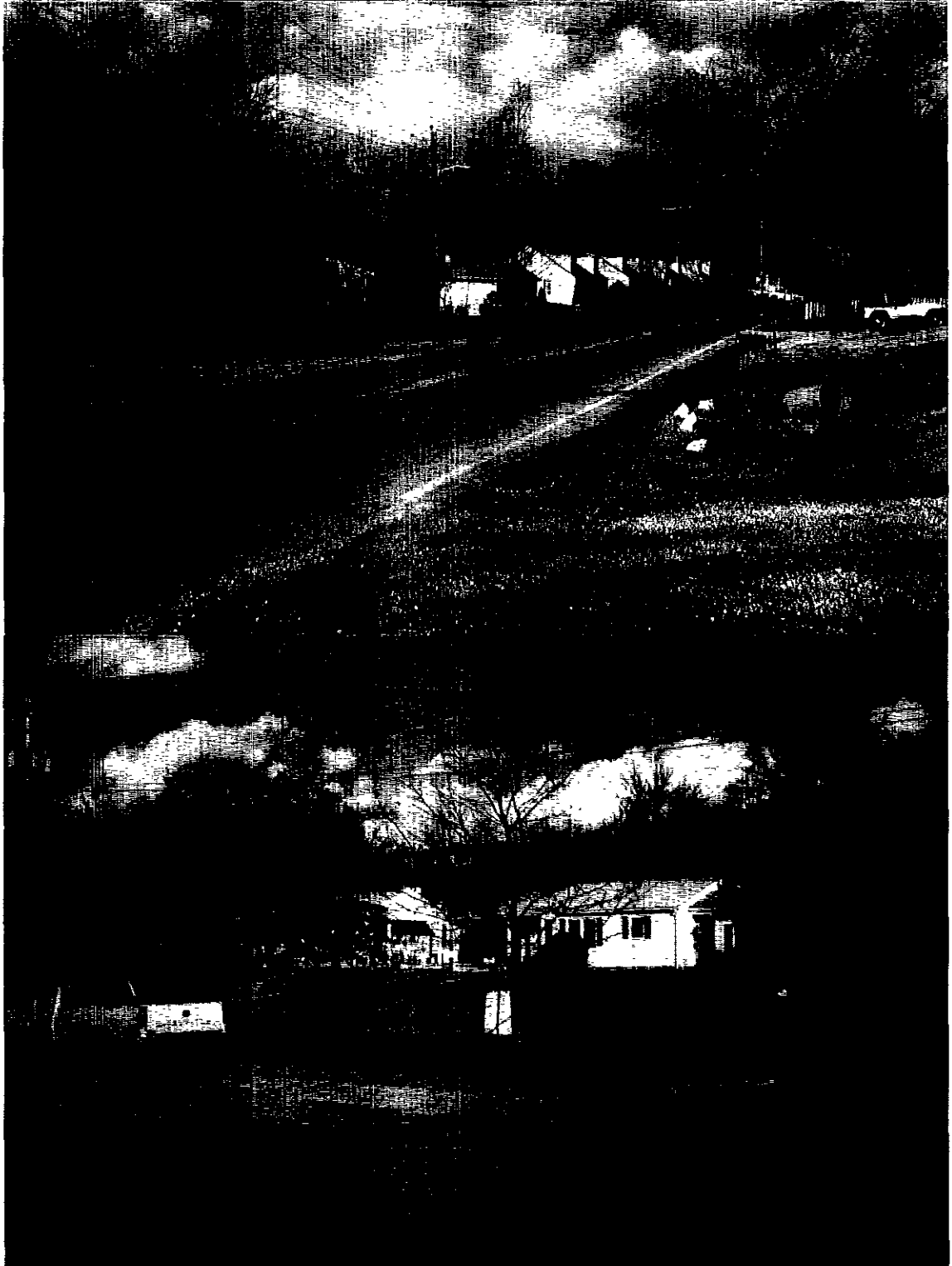
~~234~~

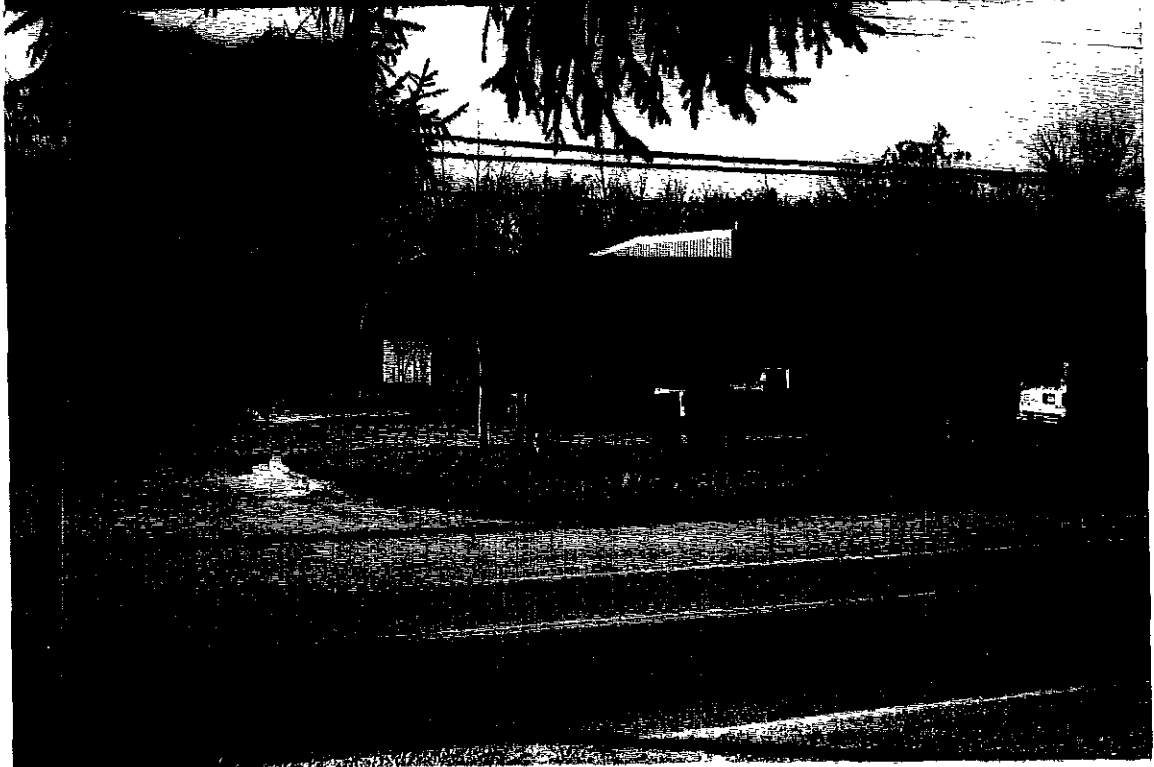
John A. Peterson

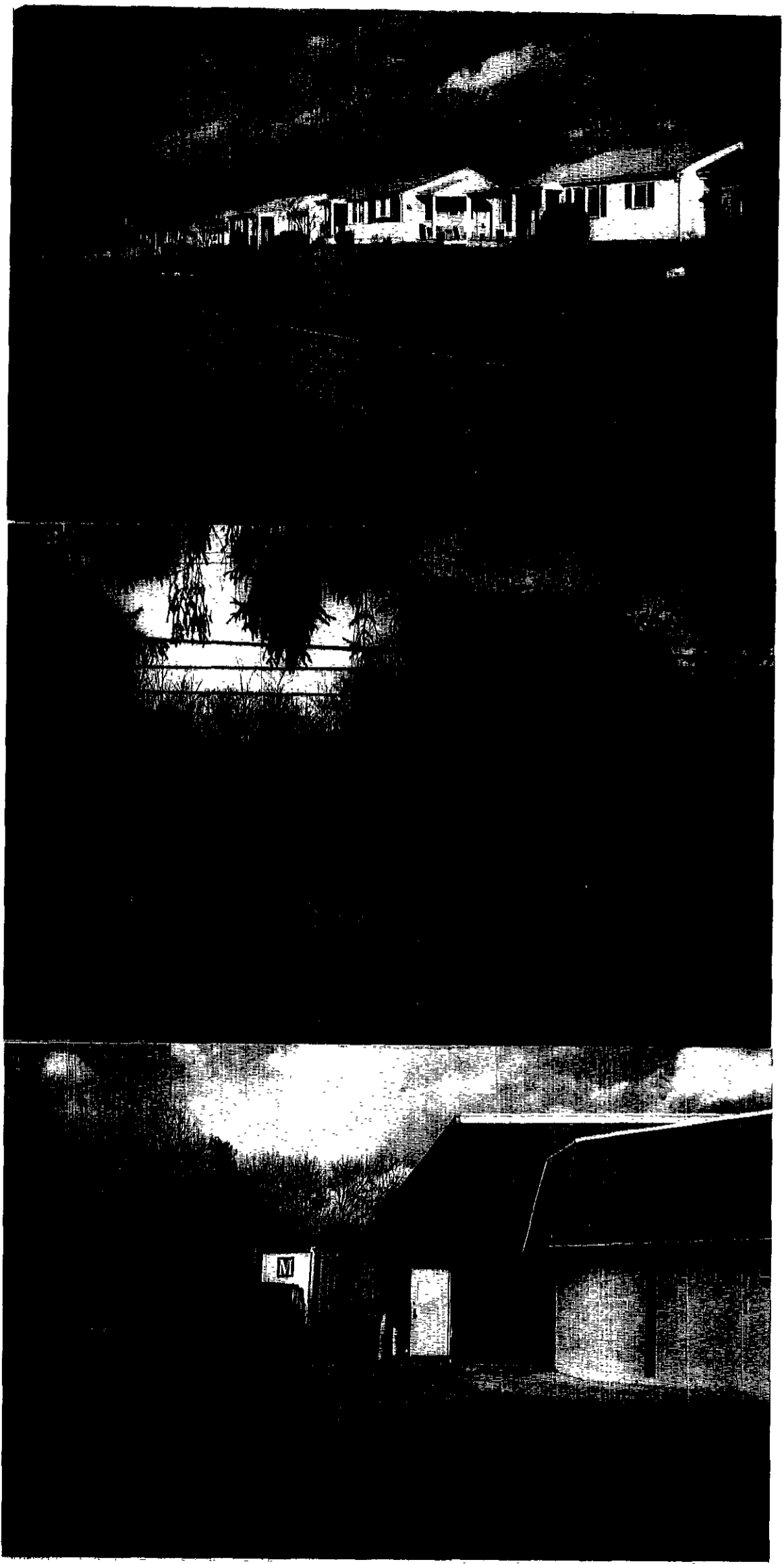


6515 DOOGWOOD ROAD
 ZONE: "ML"
 MEADOW IND. PARK
 LOT 26
 2ND COUNTY CONCL DISTRICT
 MAP, N.W. 2-F

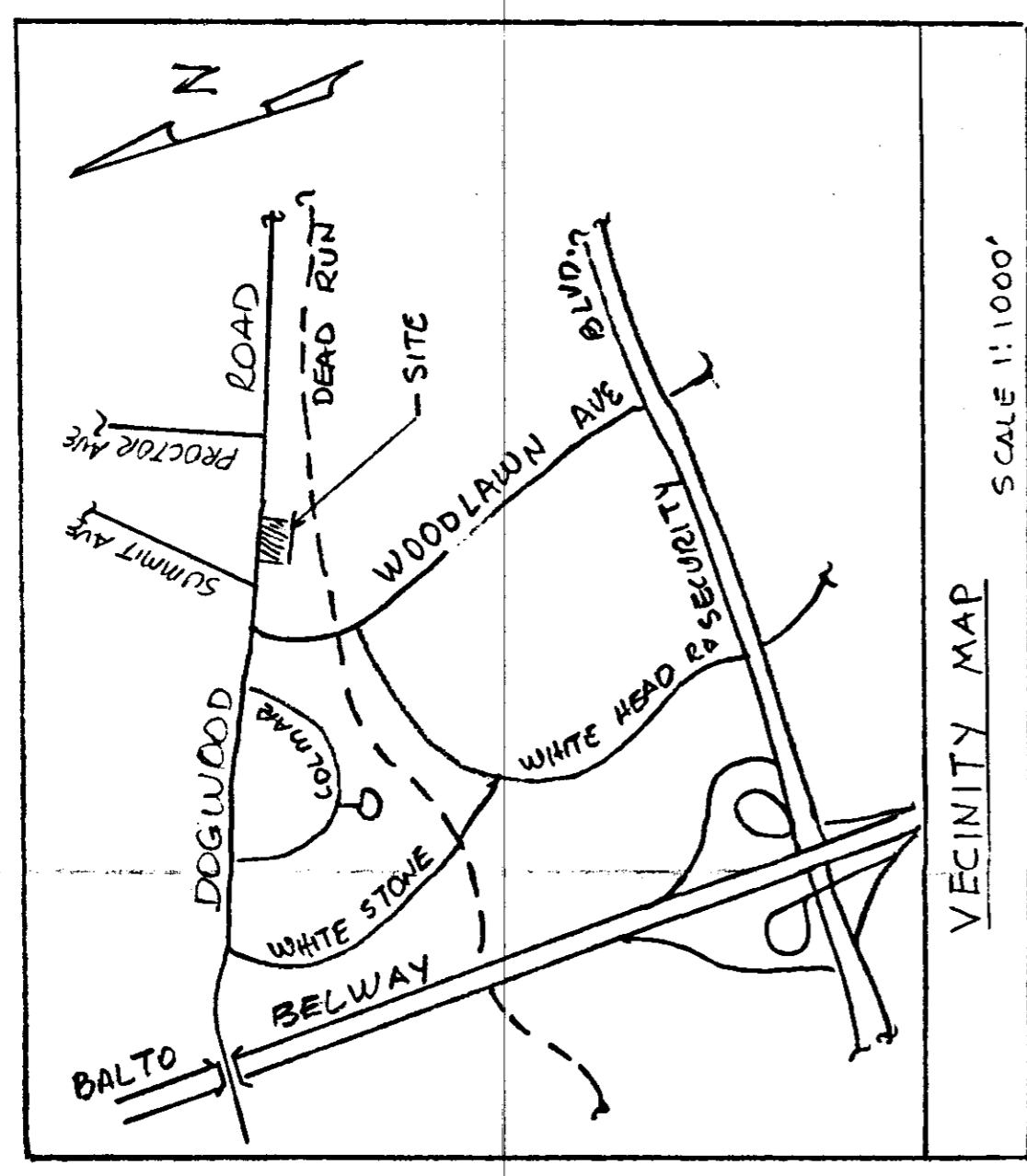
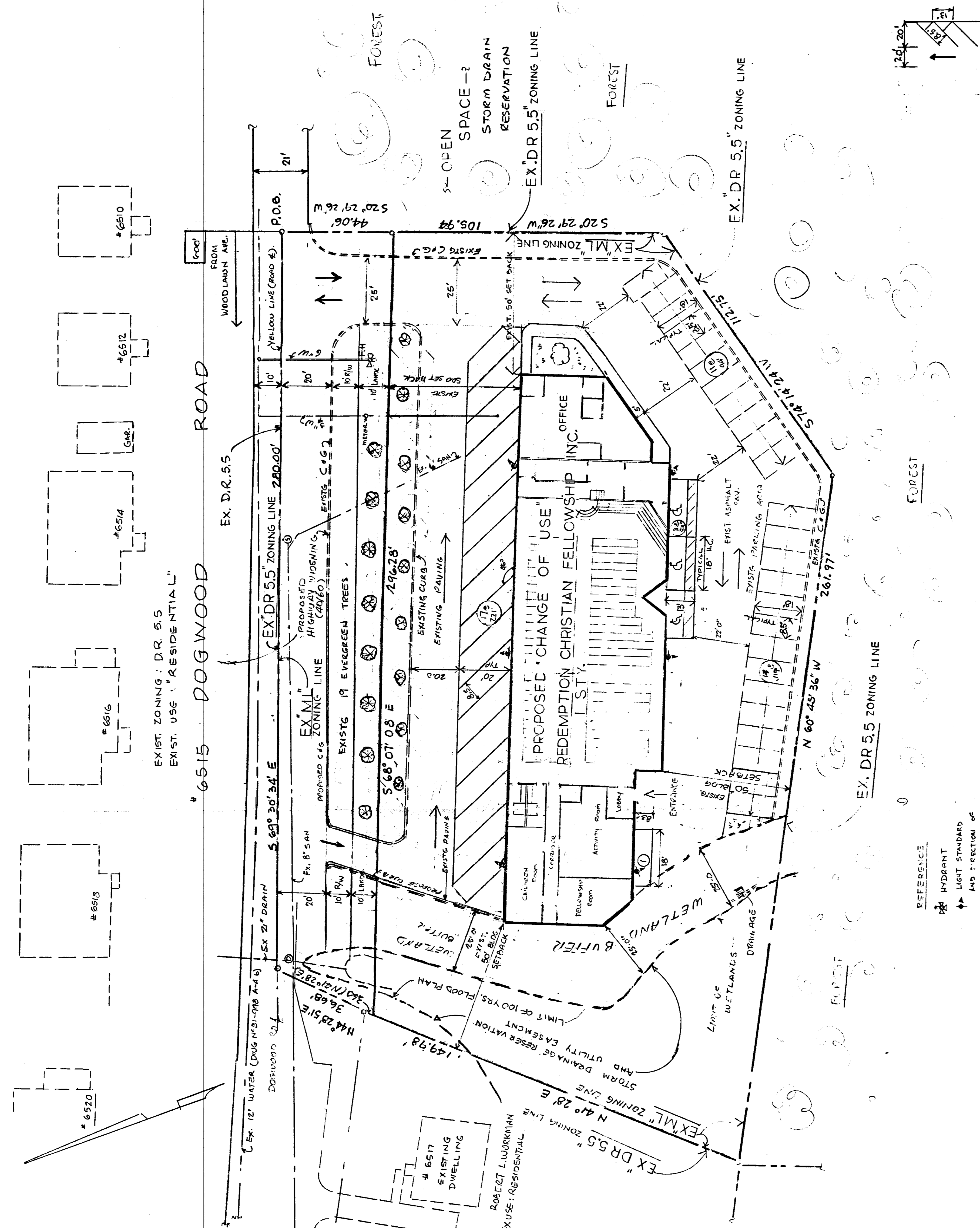
Protestants
Exhibit
3A-3K











PROPOSED "CHANGE OF USE" FOR CHURCH RELIGIOUS ASSEMBLY

RESIDENT AGENT: REV. GERALD F. GRIFFITH
 ADDRESS: 7011 LANCASTER ROAD BALTIMORE MD. 21207
 OWNER OF PARCEL: K.C. DOGWOOD, L.P. MARYLAND LIMITED CORPORATION
 DEED: LIBER # 45; FOLIO 137, DATE: 10-31-89

ZONING: "ML" MEADOW INDUSTRIAL PARK - LOT 26
 ELECTION DISTRICT # 1
 2ND COUNTY COUNCIL DISTRICT

RESTRICTIONS: RESERVATION UTILITY EASEMENT EHK JR. 45-137
 VARIANCE FOR 30 FEET FRONT YARD, BLDG SET BACK 89'-366"

PART OF SITE IN "100 YEARS RIVERINE FLOOD PLAIN" AS SHOWN. NO CONSTRUCTION, GRADING OR DEVELOPMENT IS PROPOSED IN THE 100 YEARS FLOOD PLAN

PARCEL GROSS AREA 1,4138 ACRES
 PARCEL NET AREA 1,1454 ACRES
 BUILDING AREA 11,700 SQ FT - 0.2686 ACRES

PARKING DATA
 1 PARKING SPACE PER 4 SEATS
 400: 4 = 100 SPACES REQUIRED
 66 SPACES SHOWN
 TYPICAL SPACE SIZE 8.5' x 18'; 13' x 18' (@ 45°); 13' x 18' (handicap)

PAVING TYPE ASPHALT PAVING, TO BE PERMANENT STRIPPED BUILDING APPROXIMATED: 10 YEARS OLD
 PREVIOUS PERMIT: UNABLE TO LOCATED

ALL STRUCTURES AND USES WITHIN 200' ARE SHOWN
 THE ONLY CHANGES PROPOSED ON SITE ARE CHANGE IN USE FROM EXISTING BUILDING TO BUILDING FOR RELIGIOUS PURPOSES (USE PERMIT REQUIRED PER 407.F.2)

PARKING SHOWN:

14 SPACES	8.5' x 18'	REAR
11 "	8.5' x 18'	PARKING
1 "	8.5' x 13'	AREA
3	H.C. SPAC	13' x 18'
29	SPACES @ REAR PARKING	
16	SPACES @ FRONT PARKING (45° (8.5' x 20'))	FRONT PARKING AREA
45	TOTAL PARKING SPACES	

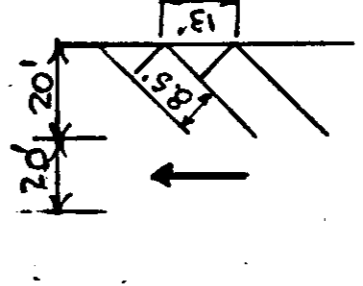
EXHIBIT #4

REVISIONS FEB 7, 2000

A.M.R. ENGINEERING
 STRUCTURAL ENG.
 1016 PARKVALLEY ROAD
 410 484 8284

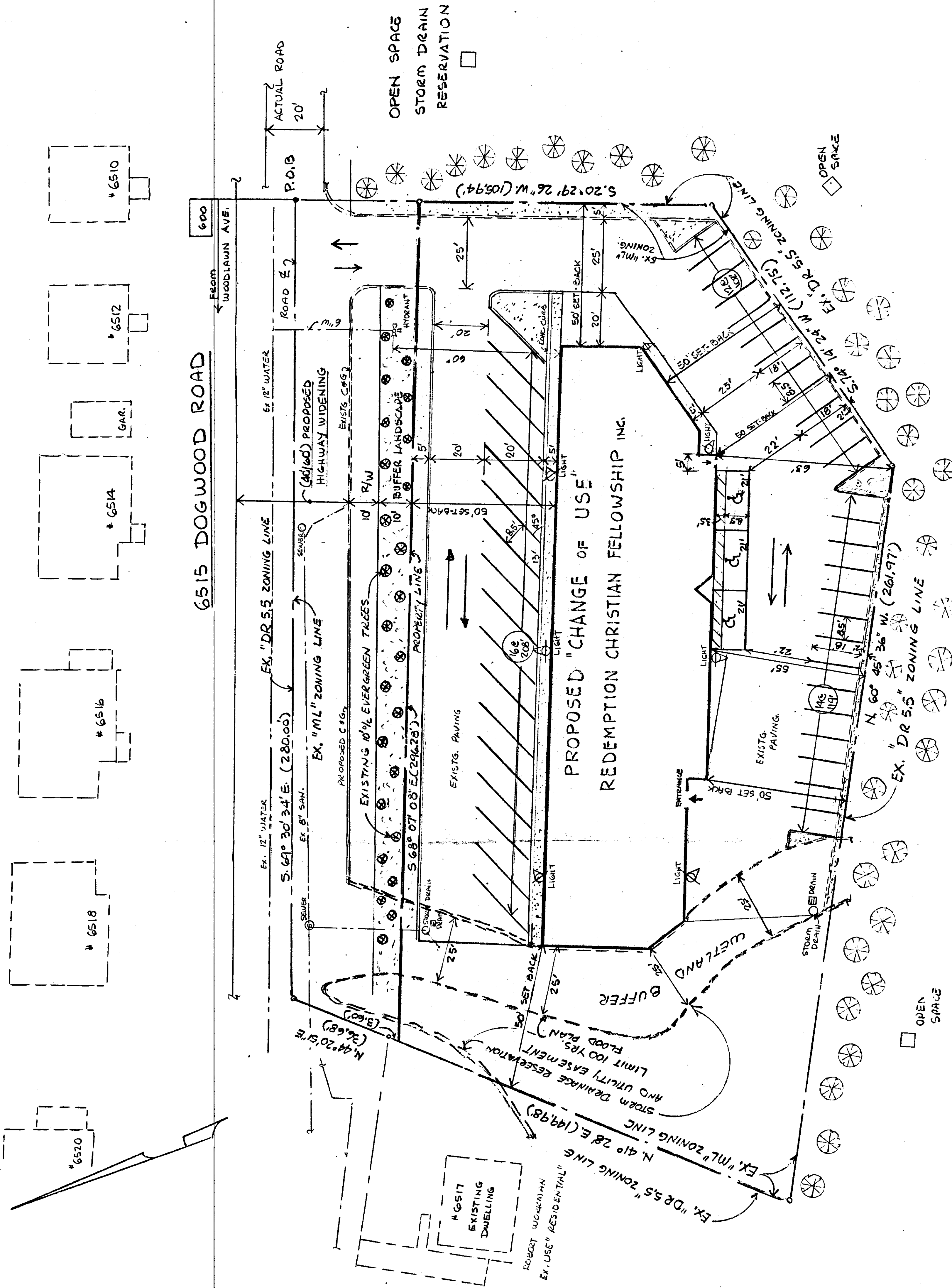
REDEMPTION CHRISTIAN FELLOWSHIP INC
 PLAN TO ACCOMPANY HEARING
 6515 DOGWOOD ROAD
 DRAWING NUMBER: RSK-1

APPROVED BY: [Signature]
 DATE: 10-12-99
 SCALE: 1/20
 DRAWN BY: [Signature]



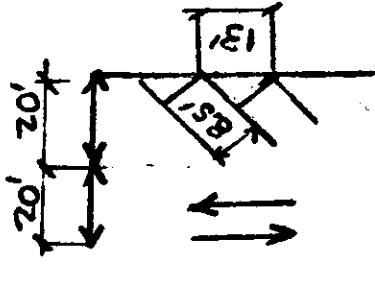
- REFERENCE
- HYDRANT
 - LIGHT STANDARD AND DIRECTION OF LIGHT IT HIGH
 - OPEN SPACE
 - EVERGREEN TREE

EXISTG. ZONING: DR 55
EXISTG. USE: "RESIDENTIAL"

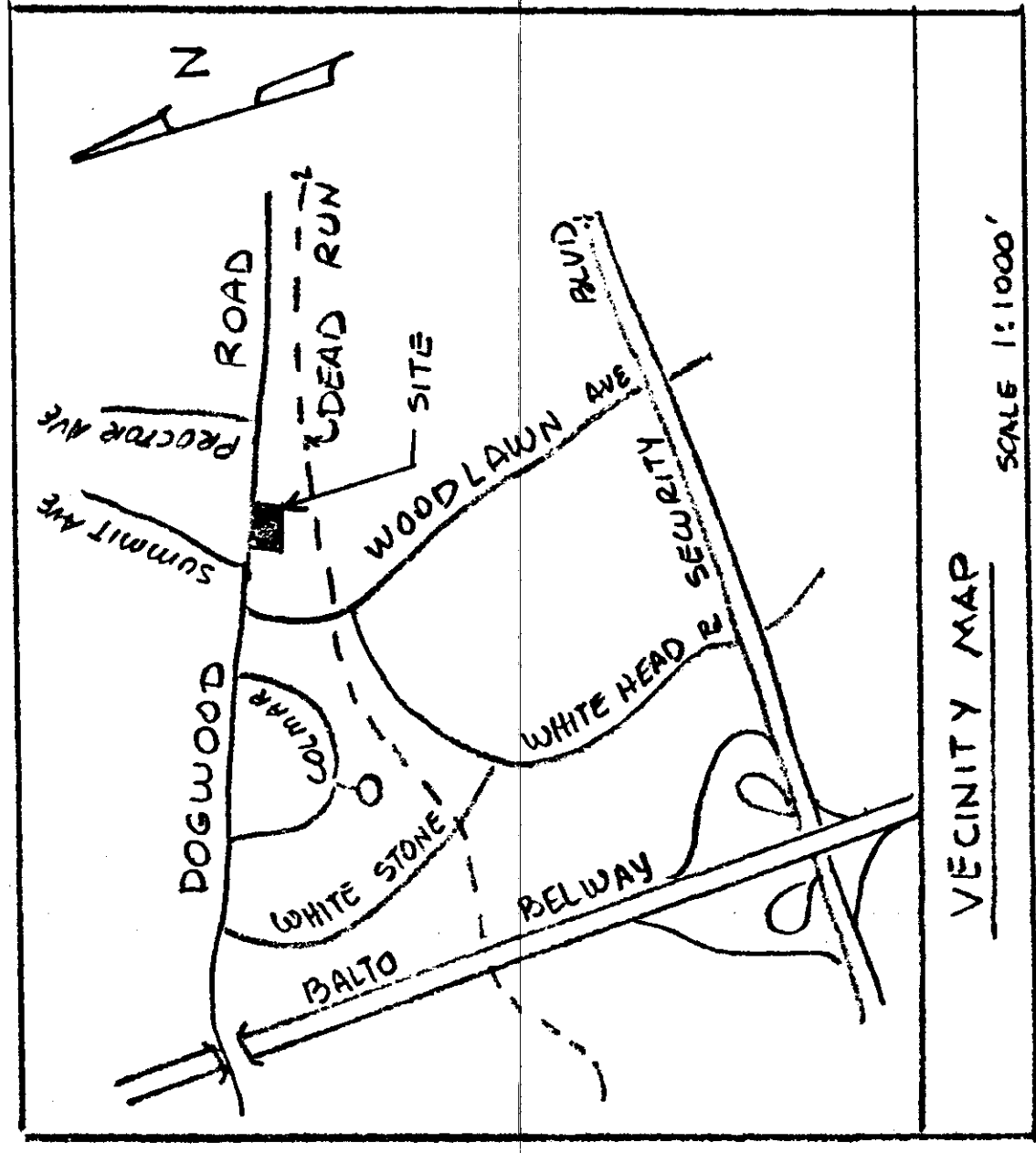


- REFERENCE
- HYDRANT
 - LIGHTS STANDARD AND DIRECTION OF LIGHT, 17' HIGH
 - OPEN SPACE
 - EXISTG. TREES

OPEN SPACE



PARKING LAYOUT 45



PROPOSED "CHANGE OF USE" FOR CHURCH RELIGIOUS ASSEMBLY

RESIDENT AGENT: REV. GERALD F. GRIFFITH
ADDRESS: 7011 LANCASTER ROAD BALTIMORE MD 21207
OWNER OF PARCEL: K.C. DOGWOOD, L.P. MARYLAND LIMITED CORPORATION
DEED: LIBER # 45; FOLIO 137, DATE: 10-31-89

ZONING: "ML" MEADOW INDUSTRIAL PARK - LOT 26
ELECTION DISTRICT # 1
2ND COUNTY COUNCIL DISTRICT

RESTRICTIONS: RESERVATION UTILITY EASEMENT EIK JR 45-137
VARIANCE FOR 50 FEET FRONT YARD, BLDG SET BACK 89'-366A

PART OF SITE IN "100 YEARS RIVERINE FLOOD PLAIN" AS SHOWN
NO CONSTRUCTION, GRADING OR DEVELOPMENT IS PROPOSED IN THE 100 YEARS FLOOD PLAIN

PARCEL GROSS AREA 1,4138 ACRES
PARCEL NET AREA 1,1454 ACRES
BUILDING AREA 11,700 SQ FT = 0,2686 ACRES

PARKING DATA
1 PARKING SPACE PER 4 SEATS
162.4 = 45 SPACES REQUIRED
45 SPACES SHOWN
TYPICAL SPACE SIZE 8.5' x 18'; 13' x 18' @ 45°; 13' x 18' (handicap)

PAVING TYPE ASPHALT PAVING TO BE PERMANENT STRIPED
BUILDING APPROXIMATED: 10 YEARS OLD
PREVIOUS PERMIT: UNABLE TO LOCATED

ALL STRUCTURES AND USES WITHIN 200' ARE SHOWN
THE ONLY CHANGES PROPOSED ON SITE ARE CHANGE IN USE FROM STORAGE BUILDING TO BUILDING FOR RELIGIOUS PURPOSES (USE PERMIT REQUIRED PER 407.F.2)

- PARKING SHOWN
- 14 SPACES 8.5' x 18'
 - 12 " 8.5' x 18'
 - 3 H.C. SPAC. 12' x 18'
 - 29 SPACES @ REAR PARKING
 - 16 SPACES @ FRONT PARKING
 - 45 TOTAL PARKING SPACES

EXHIBIT # 4

REVISED 4-7-1000

REDEMPTION CHRISTIAN FELLOWSHIP INC

APPROVED BY: [Signature]

DATE: [Date]

REVISED: FEB. 2000

REVISIONS: [List]

PLAN TO ACCOMPANY HEARING

6515 DOGWOOD ROAD

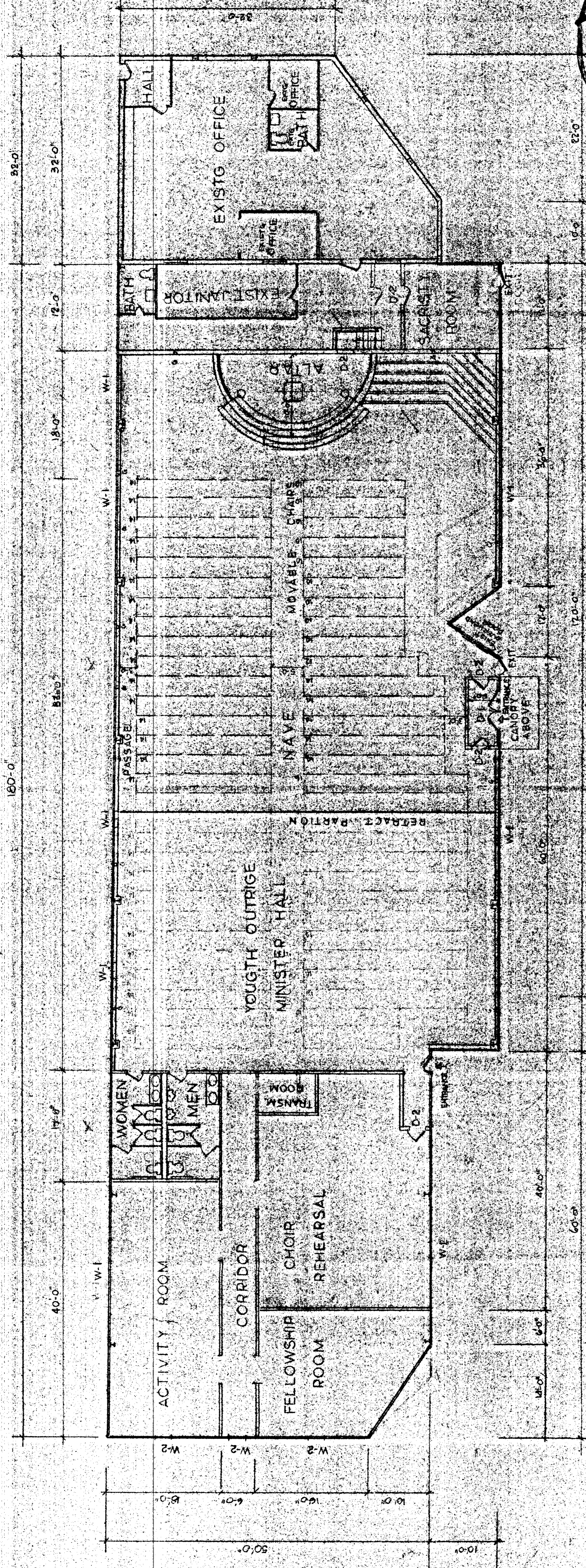
410 484 8284

DRAWING NUMBER SK-1

A.M.R. ENGINEERING
STRUCTURAL ENG.
1016 PARKVALLEY ROAD
410 484 8284

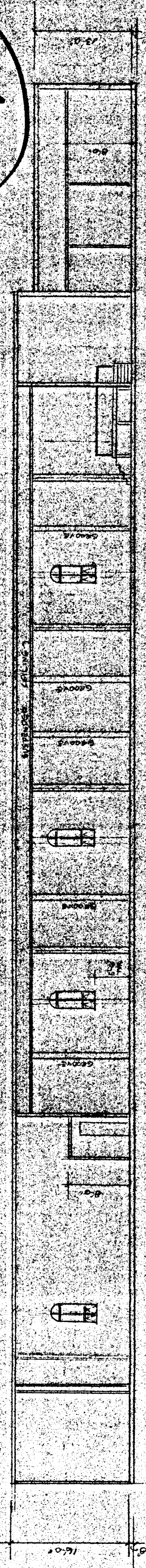
for file
for file
for file

TOTAL SEATING CAPACITY 400 PERSONS PLUS



NOTES: CONTRACTOR VERIFY ALL DIMENSIONS
FOR EXISTING CONDITIONS
FLOOR PLAN 11/5

for file
for file
for file



SECTION THRU BUILDING

00-234-A



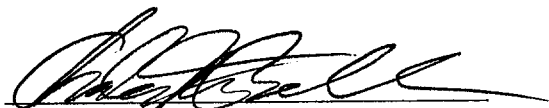
AMR ENGINEERING
STRUCTURAL ENGINEERS
1016 PARVALEE
BO 464 8284

REDEMPTION CHRISTIAN
FELLOWSHIP INCORPORATED
FLOOR LAYOUT

SDT

his ruling entered on the 24th day of January, 2000 and permit 45 parking spaces in lieu of the required 100 spaces in accordance with Petitioner's Exhibit 4.

Respectfully submitted,



Charles M. Bell
A Professional Association
Suite 215, 3300 North Ridge Road
Ellicott City, Maryland 21043
Phone: 410-465-0445
Attorney for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was mailed, postage prepaid, to the following on the 23rd day of February, 2000:

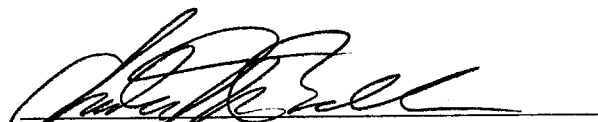
Mr. William Obriecht
2415 Poplar Drive
Baltimore, Maryland 21207

Mr. Dallas Griffin
1907 Woodlawn Drive
Baltimore, Maryland 21207

Mr. David Green
Baltimore County Office of Planning
County Courts Building, Suite 406
401 Bosley Avenue
Towson, Maryland 21204

Charles Cahn II, Esquire
100 South Charles Street
Baltimore, Maryland 21201
Attorney for Owners

Peter Max Zimmerman
People's Counsel for Baltimore County
Old Courthouse, Room 47
400 Washington Avenue
Towson, Maryland 21204



Charles M. Bell, Esquire

IN RE: PETITION FOR VARIANCE
S/S Dogwood Road, 600' E of
Woodlawn Avenue
(6515 Dogwood Road)
1st Election District
2nd Council District

KC Dogwood L.P., Owners;
Redemption Christian Fellowship, Inc.
Contract Lessees

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-234-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, KC Dogwood L.P., and the Contract Lessees, Redemption Christian Fellowship, Inc., through their attorney Charles M. Bell, Esquire. Originally, variance relief was requested from Sections 409.8.A.4 and 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 0 foot setback to a street right-of-way in lieu of the required 10 feet and to permit 66 parking spaces in lieu of the required 100 spaces. However, at the hearing, the Petitioners amended their Petition to delete the requested relief from Section 409.8.A.4, which requires a 10-foot setback to a street right-of-way. It was indicated that the required 10-foot setback would be maintained; however, 5 parking spaces would be lost. Thus, the Petition was amended to delete the setback variance request and to amend the parking variance to permit 61 parking spaces in lieu of the required 100 spaces. The subject property and requested relief, as amended, are more particularly described on the revised site plan which was submitted at the hearing and marked into evidence as Petitioner's Exhibit 3.

Appearing at the requisite public hearing held in support of this request were Irwin Klein and Anthony G. Ciliberti, principals of KC Dogwood L.P., property owners; Pastor Gerald Griffith, Senior Pastor and Chief Executive Officer for Redemption Christian Fellowship, Inc.,

ORDER RECEIVED FOR FILING
Date 1/24/00
By [Signature]

RIGHT OF FIRST REFUSAL

39. If at any time during the Term (including any renewal term) Landlord wishes to sell the Premises, Landlord shall notify Tenant in writing of the price which Landlord is willing to accept ("Minimum Price") by attaching to the notice, four copies of a contract of sale signed by Landlord in a standard form then being used by The Board of Realtors of Greater Baltimore. If Tenant does not accept Landlord's offer by signing without any change and returning to Landlord two copies of the proposed contract of sale, Tenant's right of first refusal shall expire and Landlord shall be free for 180 days thereafter to enter into a contract to sell the Leased Premises to anyone it wishes for at least the Minimum Price. If Landlord has not entered into a contract to sell the Leased Premises for at least the Minimum Price within 180 days after Tenant's right first refusal expires, or has not settled for the sale of the Leased Premises for at least the Minimum Price within 365 days after Tenant's right of first refusal expires, then the Leased Premises shall again become subject to the provisions of this paragraph.

- CAPTIONS

40. The captions of the various sections of this lease are convenience only and are not a part of this Lease.

QUIET ENJOYMENT

41. As long as Tenant is not in default, is faithfully performing all the covenants and conditions of the Lease, and is current in all its rental payments to Landlord, Tenant shall and may peaceably and quietly have, hold and enjoy the Premises for the Term without hindrance or molestation by Landlord.

FINAL AND ENTIRE AGREEMENT

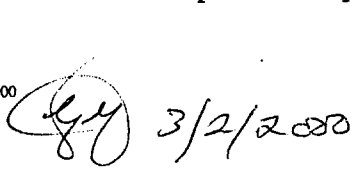
42. This Lease contains the final and entire agreement between the parties hereto, and neither they nor their agents shall be bound by any terms, conditions or representations not herein written.

TENANT REPRESENTATIVE

43. Name address and telephone number of Tenant's representative to be contacted in event of emergency: Hollis Thompson, 7411 Allmont Road, Baltimore, Maryland 21244, phone number 410-655-2833.

OVERFLOW PARKING

44. Landlord has obtained permission from Maryland Chair Corporation, (a corporation owned by the same people who own Landlord), the tenant at 1727 Whitehead Road under a lease which expires on September 20, 2006, and hereby assigns to Tenant the right to

 3/2/2000



ALL DAY
96
use the parking lot at 1727 Whitehead Road for overflow parking after 6:00 p.m. on weeknights and on Sundays during the term as long as Maryland Chair Corporation continues to be the Tenant at 1727 Whitehead Road.

OPTION TO RENEW

45. If Tenant is not then in default under this Lease or any of the provisions hereof, Tenant may extend the term of this Lease for One (1) additional period of two (2) years by notifying Landlord in writing of its intention to do so at least one (1) year prior to the expiration of the original term. The renewal term shall be under the same terms and conditions as are herein set forth except that the annual rental for the renewal term shall be adjusted as follows:


(a) If at the end of the original term of the Lease the official Consumers price Index, U.S. Average, All Items, published by the Bureau of Labor Statistics, U.S. Department of Labor (1982-1984 = 100) is in excess of the Consumers Price Index at the date of the commencement of the original term of this Lease, the annual rental for the option Lease term shall be determined by multiplying Sixty-Nine Thousand and 00/100 Dollars (\$69,000.00) by a fraction, the numerator of which is said Consumers Price Index which shall most recently have been published prior tot he end of the original Lease term, and the denominator of which is the Consumers Price Index which shall most recently have been published prior tot the commencement of the original term of this Lease; or Eighty-Six Thousand Two Hundred Fifty Dollars per annum, whichever is greater. All said rental shall be payable in advance in equal monthly installments on the 1st day of each month during said renewal term, without setoff or deduction whatsoever.

(b) In the event the Bureau of Labor Statistics should cease to publish the aforesaid Index in its present form and calculated on the present basis, a similar index or an index reflecting similar changes in the cost of living shall be chosen by agreement of the parties. In the event the parties are unable to agree upon the selection of such an index such dispute shall be submitted to arbitration pursuant to the Rules then obtaining of the American Arbitration Association.

There shall be no additional right to renew or extend this Lease except as provided herein.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

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