ORDER RECEIVED FOR FILING
Date 6/2/6/
By J. Amagen

IN RE: PETITION FOR SPECIAL HEARING

W/S South Marlyn Avenue, 90' +/-centerline of Homberg Avenue

15th Election District

7th Councilmanic District

(610 S. Marlyn Avenue)

Essex Church of God, Inc. Petitioners

BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 01-403-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, Essex Church of God, Inc., requesting a special hearing for property they own at 610 S. Marlyn Avenue. The special hearing request is to approve a proposed church building as complying to the extent possible with the residential transition area requirements of Section 1B01.1 and Section 1B01.1.G.8 of the Baltimore County Zoning Regulations (B.C.Z.R.).

Appearing at the hearing on behalf of the special hearing request were Larry Miller, Pastor of the Essex Church of God, Scott Dallas, property line surveyor who prepared the site plan of the property and John Gontrum, attorney at law, representing the Petitioners. Other members of the church also attended the hearing in support of the request. Appearing in opposition to the Petitioners' request were several residents of the surrounding community, namely, Barbara Henry, Mary Roth, Gilbert Schwanebeck, Klaus Wenk and Robert Limber.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 10 acres, more or less, zoned DR 5.5. The subject property is improved at this time with a single-family residential dwelling which is used as an office for the Essex Church of God. The church is desirous of constructing a 100 ft. x 200 ft. church sanctuary sufficient in size to accommodate 420 parishioners. Also contained within the church building

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will be offices and meeting rooms for the church congregation. The specifics of the design of the property are more particularly shown on Petitioners' Exhibit Nos. 3A and 3B, the site plans submitted into evidence.

Pastor Miller testified that his congregation is desirous of constructing their new church on the subject property. They currently operate on Wiltshire Road in Essex. They have outgrown their facility at that location and are in need of a larger sanctuary building and property upon which to operate their church.

In response to concerns raised by the Office of Planning, the original site plan has been modified to relocate parking spaces from the north side of the property to the south. This provides a better balance for the project and provides a larger 32 ft. buffer area behind the rear of the residents who live along S. Woodlynn Road.

It should be noted that the proposed church building and parking meets all Baltimore County Zoning Regulations except for the residential transition area setbacks required for this property. Those setbacks were shown on the site plan and are at 100 ft. At this time, a portion of the church building itself and associated parking infringes upon this 100 ft. setback requirement. Therefore, in order to proceed with this project it is necessary for a special hearing to find that the Petitioners are complying with the residential transition area to the extent possible.

Appearing in opposition to the Petitioners' request were several residents from the surrounding community. The residents were concerned over the proposed use of the property by the church, the setback of the church and parking lot from their homes, as well as runoff from the proposed improvements to the site. The residents were also concerned over traffic coming and going to the church facility, lighting emanating from the property and any outside uses planned for the property, as well as the open area located to the rear of the site.

The public hearing held on this matter gave the parties an opportunity to engage in dialog regarding the church's proposed use of the property. Prior to this public hearing, the parties did not have an opportunity to meet and discuss the proposed use of the property. Representatives of the church agreed to many conditions and restrictions which alleviated the residents' concerns. In addition, the Petitioners indicated that they would meet after the hearing, in an effort to continue to gather information regarding the use of the property.

After considering the testimony and evidence offered at the hearing, I find that the special hearing to approve the proposed improvements have complied to the extent possible with the residential transition area and shall be granted. However, I believe some additional modifications to the site plan need to be made in order to center the proposed church building on the subject property. By moving the proposed building in a southerly direction, in conjunction with already relocating parking spaces to the south side of the building, will provide a greater buffer between the rear of the homes of the people living along S. Woodlynn Road and the improvements to be made to this site. In my opinion, a better design of the property can be achieved by centering the proposed church sanctuary building on the property. Therefore, I find that the north façade of the building shall be situated at a minimum 100 ft. from the side property line of the property which is the common property line to the rear yards of those homes along S. Woodlynn Road. The plan submitted at the hearing before me showed a setback of 78 ft. Therefore, the Petitioners shall be required to move the building southerly an additional 22 ft., thereby meeting this minimum setback of 100 ft. In addition, only one row of parking spaces shall be provided on the north side of the building with the double row of parking situated on the south side of the church building, as is consistent with Petitioners' Exhibit No. 3B. By moving the church building and parking spaces an additional 22 ft. to the south, the buffer between the

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parking lot and the rear of the homes of the residents on S. Woodlynn Road will be increased an additional 22 ft. for a total setback of 54 ft. This leaves ample room behind the rear of those homes along S. Woodlynn Road for a buffer which will help to mitigate the effects of the use of the property by the church. In addition, a landscape plan shall be submitted to Mr. Avery Harden, Landscape Architect for Baltimore County, which shall include plantings and screenings in this area of the property. As to the special hearing request, it shall be granted as modified by this Order.

Pursuant to the advertisement, posting of the property and public hearing held on the Petition and for the reasons given above, I believe that the special hearing request should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this Aday of June, 2001, that the Petitioners' Request for Special Hearing, to approve a proposed church building as complying to the extent possible with the residential transition area requirements of Section 1B01.1 and Section 1B01.1.G.8 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioners shall be required to notify those residents, who appeared at the hearing and signed in on the sign-in sheet, of an open public meeting to be held at a location to be chosen by the Petitioners, thereby providing an opportunity for the church to share with all concerned residents the specifics of the design, architecture and building materials for the church, as well as a more detailed explanation of the uses planned by the church on this property. This meeting shall be scheduled within twenty (20) days from the date of this Order, thereby affording an additional ten (10) days after the meeting within which the citizens will be able to file an appeal in the event it is necessary for them to do so.
- 2. The Petitioners shall be required to install a gated entrance along the entrance driveway so as to prevent individuals from the surrounding community from using the church property for undesirable purposes. This gate shall prohibit motor vehicles from accessing the property after hours.

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- 3. Any and all lighting associated with the church property shall be installed so as not to reflect into any adjacent residential property. Furthermore, a lighting plan shall be submitted to Avery Harden, Landscape Architect for Baltimore County, for his review and approval as to the appropriate type and location of lighting proposed to be installed on this property.
- 4. The subject property shall be graded and improved in such a fashion so as to prevent any stormwater runoff generated from the development of this church and parking lot to be conveyed onto any adjacent property owner's land.
- 5. There shall be no other permanent buildings or structures built on the subject property other than the existing church office and the proposed church sanctuary.
- 6. The church shall be permitted to utilize the open area to the rear of the church parking lot for the purpose of scheduling church picnics. The use of that area as a picnic grove shall be during reasonable times of the day and shall not be so frequently held so as to cause an adverse impact on the neighboring property owners. In the event the use of the rear of the property for picnic purposes, which shall include recreational activities such as ball playing, volleyball, horseshoes, etc., poses an adverse impact on the surrounding residents, then a special hearing shall be held in order to determine further restrictions on the use of the rear of the property.
- 7. Church activities shall be held on the property at appropriate times during the week so as not to conflict the peak demands of traffic utilizing S. Marlyn Avenue. Testimony presented at the hearing demonstrated that the church functions are proposed to be held at non-rush hour times and, therefore, were found to be appropriately scheduled.
- 8. The Petitioners shall be required to submit to the Office of Planning architectural elevations of the building to be constructed on the property. The Office of Planning shall review the design of the church building to insure that it is aesthetically appropriate and compatible with other uses in the surrounding community. This review and approval of elevation drawings shall occur prior to the issuance of permits for the construction of the building itself.

IT IS FURTHER ORDERED, that the Petitioners shall be required to move the proposed improvements an additional 22 ft., in a southerly direction, so as to cause the northern façade of the church building to be situated at least 100 ft. from the rear property lines of the residents along S. Woodlynn Road. In essence, this will produce a landscape buffer strip area behind the rear of those homes of 54 ft.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.

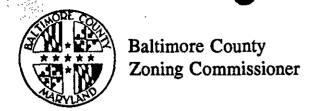
TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

OPDER PECENTED FOR FILING
Date 6/12/b/
By The famous 20



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

Fax: 410-887-3468

June 11, 2001

John B. Gontrum, Esquire Romadka, Gontrum & McLaughlin 814 Eastern Boulevard Baltimore, Maryland 21221

Re: Petition for Special Hearing

Case No. 01-403-SPH

Property: 610 S. Marlyn Avenue

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above-captioned case. The petition for 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 Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

lunthy lotroco

Timothy M. Kotroco

Deputy Zoning Commissioner

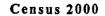
TMK:raj Enclosure













Copies to:

Pastor & Mrs. Larry Miller 155 Riverside Road Baltimore, MD 21221

Mr. Gordon A. Dunn 418 Nollmeyer Road Baltimore, MD 21220

Mr. Carroll L. Reid, Jr. 107 Bennett Road Baltimore, MD 21221

Ms. Barbara Henry 817 Woodlynn Road Baltimore, MD 21221

Ms. Mary Roth 814 S. Woodlynn Road Baltimore, MD 21221

Mr. Gilbert Schwanebeck 807 S. Woodlynn Road Baltimore, MD 21221

Mr. Klaus J. Wenk 805 S. Woodlynn Road Baltimore, MD 21221

Mr. Robert Limber 616 S. Marlyn Avenue Baltimore, MD 21221



Petition for Special Hearing

for the property located at 670 5.

to the Zoning Commissioner of Baltimore County

	which is presently zoned D. a. 5.5
This Petition shall be filed with the Department of Permits owner(s) of the property situate in Baltimore County and which made a part hereof, hereby petition for a Special Hearing un County, to determine whether or not the Zoning Commissioner extent Possible, with the area extent Possible, with the area of Section 180/.1.5.8;	is described in the description and plat attached hereto and order Section 500.7 of the Zoning Regulations of Baltimore should approve The PROPOSED Amplying, to the Residential Enacy, Tronal ection 1801.1 9 evenuly,
Property is to be posted and advertised as prescribed by the zo I, or we, agree to pay expenses of above Special Hearing, advertising zoning regulations and restrictions of Baltimore County adopted pursu	g, posting, etc. and further agree to and are to be bounded by the lant to the zoning law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of
Contract Purchaser/Lessee:	perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s):
Name - Type or Print Signature Address Telephone No.	Name - Type or Print Name - Type or Print
City State Zip Code Attorney For Petitioner:	Signature
Name - Type or Print A3 A43	Address Telephone No. Balt., ad. 2122/ City State Zip Code Representative to be Contacted:
Signature Remadica, ConTown, Melanghin Company Sty Bos Tean Block 410-686-8274	Name ATTY .
Address Telephone No.	Address Telephone No.
State Zip Code	City State Zip Code OFFICE USE ONLY
	ESTIMATED LENGTH OF HEARING
Case No. 0(-40357)+	UNAVAILABLE FOR HEARING
	100 Data 4.4.01

Note to Hearing Officer:

Applicant was advised that a portion of the parking lot and the dumpster appear to be located in flood zone A. This may become an issue at building permit. 4/4/01 JCM

J. S. DALLAS, RC.

SURVEYING & ENGINEERING

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

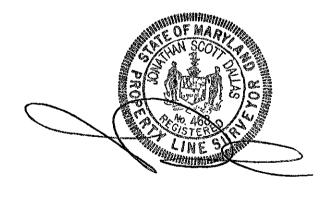
ZONING DESCRIPTION OF #610 SOUTH MARLYN AVENUE

BEGINNING at a point in the centerline of Marlyn Avenue, 60 feet wide, at the distance of 90 feet, more or less north from the extension of the centerline of Homberg Avenue which is 60 feet wide thence leaving said Marlyn Avenue and running (1) South 77 degrees 18 minutes 30 seconds West 15.00 feet and (2) South 77 degrees 18 minutes 30 seconds West 1427.64 feet thence (3) South 33 degrees 41 minutes 30 seconds East 337.62 feet thence (4) North 77 degrees 18 minutes 30 seconds East 1321.64 feet to said centerline of Marlyn Avenue thence running with and binding on said centerline of Marlyn Avenue (5) North 12 degrees 34 minutes 30 seconds West 315.20 feet to the place of beginning.

CONTAINING 10 of land, more or less (gross) and 9.92 acres of land, more or less (net).

ALSO known as #610 South Marlyn Avenue and located in the 15th Election District, 7th Councilmanic District.

Note: above description is based on existing deed and construction and is for zoning purposes only.



403

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	ANEOUS RECEI	ACCOUNT	ANEOUS RECEIPT # 1-01 ACCOUNT 001-006-015	ANEOUS RECEIPT + + 01	ANEOUS RECEIPT # 4.01 ACCOUNT 001-006-0150 MED WE AMOUNT \$ 250.00 CR 10.	ANEOUS RECEIPT # 1-01

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NOTICE OF ZONING HEARING CHANGE OF DATE

The Zoning Commissioner of Baltimore County, by authority of ithe Zoning Act and Regulations of Baltimore County will hold a public hearing in <u>Towson</u>. Maryland on the property identified herein as follows:

Case: #01-403-SPH
610 S. Marlyn Avenue
W/S South Marlyn Avenue, 90' +/- of centerline Homberg Avenue
15th Election District - 7th Councilmanic District
Legal Owner(s): Essex Church of God
Special Hearing: to approve the proposed improvement as complying to the extent possible with the Residential Transitional area requirements of Section 1801.1 generally, and Section 1801.1, 9.6 of the BCZR.
Hearing: Tuesday, May 29, 2001 at 11:00 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.

JT/5/702 May 15

CERTIFICATE OF PUBLICATION

 _
5 17, 2001
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of successive weeks, the first publication appearing
on 5 15 ,2001.
☑ The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
☐ NE Booster/Reporter
☐ North County News
S. Wilkings

LEGAL ADVERTISING

DEPARTMEN F PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

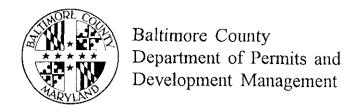
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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.

For Newspaper Advertising:
Item Number or Case Number: 463
Petitioner: Essex Church of God
Address or Location: 610 S Marlyn AV ESSEX MD
PLEASE FORWARD ADVERTISING BILL TO: Name: Essex Church of God (Paster Miller)
Address: 610 S Marlyn AU
Essex, MD 21221
Telephone Number: <u>970 -687-31</u> 44



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

April 17, 2001

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: 01-403-SPH

610 S Marlyn Avenue

W/S South Marlyn Avenue, 90' +/- of centerline Homberg Avenue

15th Election District - 7th Councilmanic District

Legal Owner: Essex Church of God

<u>Special Hearing</u> to approve the proposed improvement as complying to the extent possible with the Residential Transitional area requirements of Section 1B01.1 generally, and Section 1B01.1.g.6 of the BCZR.

HEARING: Tuesday, May 22, 2001 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon らりて

Director

C: John B Gontrum, 814 Eastern Boulevard, Baltimore 21221 Essex Church of God, Pastor Larry Miller, 171 Wiltshire Rd, Baltimore 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MAY 7, 2001.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, May 8, 2001 Issue - Jeffersonian

Please forward billing to:

Pastor Larry Miller Essex Church of God 610 S Marlyn Avenue Essex MD 21221

410 687-3144

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: 01-403-SPH

610 S Marlyn Avenue

W/S South Marlyn Avenue, 90' +/- of centerline Homberg Avenue

15th Election District – 7th Councilmanic District

Legal Owner: Essex Church of God

<u>Special Hearing</u> to approve the proposed improvement as complying to the extent possible with the Residential Transitional area requirements of Section 1B01.1 generally, and Section 1B01.1.g.6 of the BCZR.

HEARING:

Tuesday, May 22, 2001 at 11:00 a.m. in Room 407, County Courts

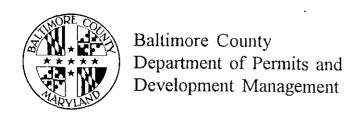
Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ 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.



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

Fax: 410-887-5708

April 25, 2001

NOTICE OF ZONING HEARING CHANGE OF DATE

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: 01-403-SPH

610 S Marlyn Avenue

W/S South Marlyn Avenue, 90' +/- of centerline Homberg Avenue

15th Election District – 7th Councilmanic District

Legal Owner: Essex Church of God

<u>Special Hearing</u> to approve the proposed improvement as complying to the extent possible with the Residential Transitional area requirements of Section 1B01.1 generally, and Section 1B01.1.g.6 of the BCZR.

HEARING: Tuesday, May 29, 2001 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon

C: John B Gontrum, 814 Eastern Boulevard, Baltimore 21221 Essex Church of God, Pastor Larry Miller, 171 Wiltshire Rd, Baltimore 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MAY 14, 2001.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, May 15, 2001 Issue - Jeffersonian

TAS MAY 8

Please forward billing to:

Pastor Larry Miller

Essex Church of God 610 S Marlyn Avenue

Essex MD 21221

410 687-3144

NOTICE OF ZONING HEARING CHANGE OF DATE

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: 01-403-SPH

610 S Marlyn Avenue

W/S South Marlyn Avenue, 90' +/- of centerline Homberg Avenue

15th Election District - 7th Councilmanic District

Legal Owner: Essex Church of God

Special Hearing to approve the proposed improvement as complying to the extent possible with the Residential Transitional area requirements of Section 1B01.1 generally, and Section 1B01.1.g.6 of the BCZR.

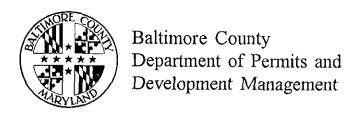
WAS MAY 22 HEARING: Tuesday, May 29, 2001 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.



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

May 25, 2001

Larry Miller Essex Church of God 171 Wiltshire Road Baltimore MD 21221

Dear Mr. Miller:

RE: Case Number: 01-403-SPH, 610 S Marlyn Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 4, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

W. Carl Richards, Jr. Gシン Supervisor, Zoning Review

W. Carl Richards, Jr.

WCR: gdz

Enclosures

c: John B Gontrum, 814 Eastern Boulevard, Baltimore 21221 People's Counsel

Jim 5/29

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: May 29, 2001

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

610 S. Marylyn Avenue

INFORMATION:

MAY 3 O

Item Number:

01-403

Petitioner:

Essex Church of God, Inc.

Zoning:

DR 5.5

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request providing the proposed development is in accordance with the revised layout.

Prepared by:

Section Chief:

AFK:MAC:



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

April 17, 2001

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: Rolling Height Lot A LTD Partn. - 408 Frederick J. Beste - 410 Essex Church of God - 403

Marye D. Kellerman - 401

Location: DISTRIBUTION MEETING OF April 16, 2001

Item No.: 401, 403, 408, and 410

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.

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

cc: File

3 / t



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 4 . 12 . 61

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

RE: **Baltimore County**

Item No. 403

Dear, Ms. Jackson:

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,

1. J. Gredl.

No Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

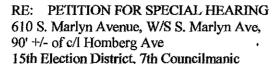
BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

ГО:	Arnold Jablon
FROM:	R. Bruce Seeley (Mh)
DATE:	April 19, 2001
SUBJECT:	Zoning Item #403 610 Marlyn Avenue Essex Church of God
Zoni	ng Advisory Committee Meeting of April 16, 2001
	Department of Environmental Protection and Resource Management has no ments on the above-referenced zoning item.
an ex	Department of Environmental Protection and Resource Management requests stension for the review of the above-referenced zoning item to determine the nt to which environmental regulations apply to the site.
	Department of Environmental Protection and Resource Management offers ollowing 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).
X	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).
	Section 19

Reviewer: Keith Kelley Date: April 18, 2001







Legal Owner: Essex Church of God Petitioner(s) * BEFORE THE

* ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

Case No. 01-403-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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Marchine

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 26th day of April, 2001 a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioner(s).

PETER MAX ZIMMERMAN

ter Map Cimi

J. S. DALLAS, INC.

SURVEYING & ENGINEERING 13523 LONG GREEN PIKE BALDWIN, MARYLAND, 21013 (410) 817-4600 PHONE

FAX:

(410) 817-4602

	() Cu	The Free
Date:	January 7, 2002	19102
RE:	Special Hearing	1
 	01-403-SPH	1
	601 S. Marlyn Avenue	

Baltimore County TO:

Zoning Office

HAND DELIVER

X	We	are	submitting
			forwarding

M Herewith

☐ Under separate cover

No.	Description	
2	Copies of Plan as revised per Zoning hearing comments.	

Remarks:

☐ In accordance with your requ	ເesາ	ues	(e:
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☐ For your use

For your review

☐ For processing

Approval requested

For further information, please contact the writer at this office.

Very truly yours

J. Scott Dallas, P.L.S.

President

cc:

Pastor Miller John Gontrum

Terry Taylor

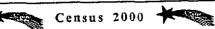


#01-403-50H Hearing: 5/29/51

FAX COVER SHEET

For You, For Baltimore County	Date: 6/25/01
Census 2000 Coult Yourself in Maryland's Future!	Number of Pages including cover sheet: 2
Phone: Fax # 410-391-7803	Phone: 410-887-3868
Fax # 410 371- 1003	Fax #
REMARKS: Urgent For your review Essent Church of	/2
meeting notice	







Ø 002/002 PAGE 02

Date: 07/02/2001

Time: 7:00 PM



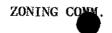
INFORMATION MEETING ON NEW CHURCH FOR THE PEOPLE IN THE AREA OF 610 S MARLYN AVE

Meeting Location: Essex Church of God 171 Wiltshire Rd Essex, MD 21221 Tel# 410-687-3144

We hope we can help you with any questions you may have.

Pastor Larry Miller





TRANSMISSION OK

TX/RX NO. 0823

CONNECTION TEL 94103917803

CONNECTION ID

START TIME 06/25 09:07

USAGE TIME 01'39 PAGES 2

RESULT OK

Rubin Please File
TMK
1/25/01

ROMADKA, GONTRUM & McLAUGHLIN

814 Eastern Boulevard Baltimore, MD 21221 (410) 686-8274 (410) 686-0118 FAX

FACSIMILE TRANSMITTAL COVER SHEET

DATE:

SEPTEMBER 29, 2000

SEND TO:

TIM KOTROCO 410-887-3468

JOHNNY OLSZEWESKI 410-285-7838

FROM:

JOHN GONTRUM

DOCUMENT(S) BEING SENT:

MEETING NOTICE

CLIENT/FILE NO.:

ESSEX CHURCH OF GOD 21.3010

OF PAGES, INC. COVER:

2

Hard copy of transmitted document(s) will NOT follow in the mail.

MESSAGE

FOR YOUR INFORMATION.

CONFIDENTIALITY NOTICE

WARNING: UNAUTHORIZED USE OR DISSEMINATION OF THIS TRANSMISSION MAY VIOLATE STATE AND/OR FEDERAL LAW.

This facsimile transmittal cover sheet, and any documents which may accompany it, contain information from the law firm of Romadka, Gontrum & McLaughlin, and is intended only for the use of the individual or entity to which it is addressed, and which may contain information that is privileged, confidential, and/or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering this transmission to the intended recipient, any disclosure, dissemination, distribution, copying, or other use of this communication or its substance is prohibited. If you have received this communication in error, please call us to arrange for the destruction of this communication or its return to us at our expense. Thank you.



FAX COVER SHEET

For You, For Baltimore County	Date: 6/18/01
Census 2000 Could Yourself in Maryland's Future!	Number of Pages including cover sheet:
	19-20 19-19-19-19-19-19-19-19-19-19-19-19-19-1
Phone: Fax # 410-391-9803	Phone: 410-887-3868 Fax #
REMARKS: Urgent For your review	Reply ASAP Please comment
Essex Church of & copy of order Julea	Tool.
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TRANSMISSION OK

TX/RX NO.

0809

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94103917803

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START TIME

06/18 14:16

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05'55

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7

RESULT

OK

Copy

Mr. & Mrs. Carl M. Henry 817 South Woodlynn Rd. Baltimore, MD 21221

May 28, 2001
Zoning Hearing
Case # 01-403-SPH
rm. 407, County Court Building
401 Bosley Ave.

Dear Zoning,

This is in reference to the proposed zoning request of Essex-Church of God, 610 South Marlyn Ave., Baltimore,Md. 21221. My wife and I live on South Woodlynn Road and our back yard will face this building. We do not wish to have this building any closer then zoning allows, 100 feet from the buffer. The people from the church never considered our neighborhoods feelings. I called the church office and asked about a community meeting, and the woman I spoke to said they had no plans to have a community meeting! That tells us, they don't want to hear our concerns or answer our questions. So, YES, WE ARE OPPOSED TO THE SPECIAL ZONING REQUEST TO BRING THE PROPOSED BUILDING ON 610 South Marlyn Ave. 10 FEET INTO THE REQUIRED 100 FEET FROM THE BUFFER!

***We did some measuring ourselves and the marker B1 measures only 82 1/2 feet from our property, and 72 1/2 feet from the 10 foot buffer.

Thank You, Carl M. Henry To whom is may concern.

This is in reference to the proposed / revised layout for the church building about the goup behind my house. The Essex Church of God is planning this building without any meetings with anyone in this neighborhood-We have heard various stories going around, but the one that came directly from the Essex Church of Lod

is the one I am worked about:

Sam protesting the fact that they want to build this structure only 90 fut away from owe property. If this building has to go up I want it the 100 feet that it should be according to the zoning laws, and additional 10 feet towards my property would be more of an eye sove there it already is. also I have a huge there in my back youd + fewe root damage to this tree. I already have to deal with the lights & noise from the gas station, more lights & noise from this proposed youth Center only further depreciates the value of my home. Behind our homes we are required to maintain the grassy area known as a alleyway. By law we cannot build or plant anything there I feel by law they should plant a natural buffer some of trees or should so protect our yards from hoise, lights & people. Ive been here 2/ years & was always told

that nothing could be built on this proposed property due to the soning-laws. I see that money talks as susual.

Basically I want to protest the 90 foot building request from this church. If it has to go up it has to go up. But make it 100 ft.

Coller Layers 829 & Woodlynn Rel Bellimore Med 21221

May 26,2001

We are writing this fetter in regard to proposed spring of 610 J. Marlyn ave. in Essex. It is our understanding that a church / community center is being built on this property and by law they must be at least 100 feet from our homes. They want to come in to only 90 feet away from us. While 10 feet may not seem like much, it is if you consider the fact that moise, Each of privacy, access to fire or emergency vehicles will be that much closer

To our homes. Here homes were originally built in 1950 (as the original hartindale development) and all these years we have enjoyed the peace and quiet and gastoral view. Estually, we don't want anything built back there at all and were theraps fold this find did not pass the perk test and would remained untouched. Die was a major foctor when we pur chased out homes. Jo, 10 feet may not seem fike much 40 aryone else, but it is to those who live here. We are unable to attend this meeting because we all have you work, but hopefully you will industand how important this is industrial the surface of us.

4 us.

BALT. MD. 21221

Copy

To whom it may contern, . I am opposed to the Church building being any closer to my property, than necessary. I do not want this development there at all. it is interfering with my "sught of Privacy. and it will cause house, exhaust, incrused traffic, damage to the environment, and I am especially epoposed to the commercial lights which will where into any tedroom under, and invade my tackyard privacy. We have always been told that this land wild not be developed, and new it suddenly can. We are also very concerned about the flooding stretten thes - will cause for our property. We pay takes, they won't, this has completely changed our privacy, this will lower our property value, the have not been considered at all. - We have always enjoyed a beautiful new from our backyinds

which included many tall old trees, unfortunately now they have already been destroyed because of this development. For no reason these trees were destroyed, they were not in the way of the buildings - with all of the talk about saving the environment, why is this development allowed to happen to clase to our tackyands and homes. Und last but not least, I would like to ask the zoning board, if you would like this development, These commercial lights, the noise, exhaust, and actually in your tackyard. Your home is supposed to be a place of refuge and privacy. We hope that you will consider the neighbo hoods position, and we hope that the zoning-board will help us, and deny this Permit for development. Thank your sedinger. 821 S. Woodlynn Road

Balto. Md. 21221

May 29,2001

We oppose the improvement at 610 S. Marlyn Avenue. Case-01-403-SPH. What happened? We were told <u>nothing</u> could be built on this property because of the water table.

Why were they allowed to cut down so many trees? We cut down a rotten apple tree and we were notified by the County. We had to plant two trees in its place. They have plans to plant three trees in the strip facing our propertys. We want many trees planted for a property buffer becouse of noise from inside Basketball court, noise from cars parking, and other activities. This is going to create a huge parking problem for the entire surrounding area. We are also concerned about the drainage from the parking lot. Are we going to have water problems in our home? Is this building going to fit in with the small homes in our neighborhood? We would like to have some of these questions answered before the building begins to be built.

Sincerely,

,

Building Permit for: 610 South Marlyn Ave., case #01-403-SPH Date: Tuesday, May 29, at 1:30 rm.407 County Court Building 401 Bosley Ave.

Several neighbors, from the area, have called zoning about the plans for 610 South Marlyn Ave.

Zoning- A Permit for a building (Church), parking lot with a 10ft. buffer with trees along the right side that borders the back yards of houses from South Woodlyn Road.

Several neighbors have called Essex-Church of God about plans for the property.

Got several different answers

- !. Church, Community Youth Center with Baseball field.
- 2. Church, Youth center, with indoor and outdoor basketball courts.
- 3. Church, Youth center, basketball, can't afford plumbing and drywall at this time.(does this mean spot a pots)
 - 4. No plans to have a community meeting.
- 5. No plans for fence or trees to keep noise and privacy for existing neighbors.

Because of the date set for this hearing, most neighbors can not attend because of work, or children.

I have a list of names with concerns of what these plans will mean for our future.

Our Concerns:

1. Privacy Issues-

Our backyards are peaceful retreats we enjoy with our families and neighbors.

- a. Basketball courts would disrupt this, and create a spot for kids hanging there at all hours.
- b. Parking lot lights- if left on all night will light up our backyards and affect our sleeping privacy, since our bedrooms are in the back.

2. Flooding-

- a. Drainage from parking lot. If not properly installed, may flood our properties.
- b. When we get heavy rains, the back half of the field is very swampy, how can they build on that.

3. Environment-

- a. I was told we're in the Chesapeake critical area, and zoning told me that building could only be near the road (South Marlyn Ave,)
- b. At least 30 huge trees were taken off this property. How is this good for our environment.
- 4. Responsibility- Church activities are usually held on weekends, who will be responsible for what goes on week days and nights. With basketball courts attracting kids who are not from this neighborhood sometimes brings trouble.

5. Traffic-

a. On May 19, the Essex-Church of God had a Flea Market. Cars were parked along South Marlyn Ave., making it dangerous for cars making a left from South Woodlyn Rd. onto South Marlyn Ave. Also, people were parking cars on South Woodlyn Rd., taking parking from the people who live here.

This church is coming into our community, not us into there's. We pay taxes, the church won't. We feel they should consider our feelings and how it will affect the private lives of the people who live here.

They spent the time writing the flyers for us to attend their flea market, why can't they spend sometime listening to our concerns.

Names

1. John 15 Lidgman n.
2. Buban O. Henry - 877 South Woodlyn food
3. Clerce Lames 815 South Troubly med
4 Marger Joke Wightson 810 South Worklynn Rd.
5. Christ hypotan 80 S. Woodlyn 1/2 RD
6 Austy Seece 80 S Wordlynn 19 RD
7. Jaglyis m Withus
8 athler Selinge
9 Sana Perlinger
10 Jusan marine 827 S. Woodleger La
11 Dous Moh 547 Woodlyn Ser.
12. Lail aglison 540 W. Woodlyn Gd.
13. Jank Joelle
4. Denthal 544 LOGDLYNN TERRICE
15. Jose Lesho 546 Woodlyn Jen
16. Berne Lako 546 Wordham Sur,
17. Mary Roth 814 S. Woodlynn Kd. #21221
18. Coples M. Henry 8/8. 5. Worldyn pel 2/22/
20. John Me Hock 813 S. Woodlyn Rd. 21221
21. Clay Fat 809 S WORDLYNN Rd 21221
23. Ment. Went. 805. S. Woodlynn R.D.
23 Colleen Kappes 829 S Woodynn Ro 21221
24 Jelbert Seftermeleck 807.5. Woodlynn Rd 21225
1 1 V 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
26 Mary 4. Rober 518 5. Woodlynn Rd. 21221
27. J. W. Rolein J. 818 S. Fordlynn Rd 21221

Names

28. Carl Holston St. 808 S. woodly, mm FD 21225
29. Veryman Hopp 8015 Woodlynn R.D. 21221
30. Ctally Hope, 801 5. WOON (O.O. R). LILLI
31 Carl Hallack 554 W WOODLYN RD 21221
32. Mary Keld 548 W. Woodlynke 21221
33. Nancy Gelpin 560W. Woodlynn Re 21021
34. Sim Marriage 827 5. WOODLYNN RD. 21221
35. Rose Kell 8255 Woodly No Red 2/22/
36 JAANN COOK 541 Woodlynn Rd 21721
37. Nala Helchion 820 S. Modlymukal 21221
38. Terry Husehinson 820 S. Woodlynn (6. 21221
39. 120 S. woodlynn PD 2.1221
40. Par Perkins 540 Woodlynn Rd 21221
41. Jour Summelon 918 Wandly Rd 21221
42. Kar Kramin 819 SWCED JANN 21221
43 Joyce Hayer 550 5 Marly Ove: 2/201
Ance Etayer S. 550 5. Marylan aver 2/22/
45 set (Titul 809 N. Woodlyn 21221
46 Jeannette Bush 816 N. Woodlynn Kly 21221
47 GELEN PITTMAN 804 N. WOODLYAN BD 21221
48 DONALD PITTMAN 804 N. WOODLY ON RD 21221
49 Tina Meadows 536 N. Woodlynn RD 21321
SO. DANNY MEADOWS 536 W. WOODLYNN RD. 21221
51. Kenneth O. alling 540 W. wordlynn Rd. 21221
5). Coller Sword 552Wwodynn Fd 2172/
53 Tourence R. Bode 543 H. Hoodlynn Rel. 21221
54 Janice Newbon 801 M. Woodlynn ReD 21221

Names
55.m & mis John & Fish
802 5 Woodligny Rd.
Battering and 21221
56 ma + ma Robert W. Coultr
8.806 S Woodlynn Rd 21221

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PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

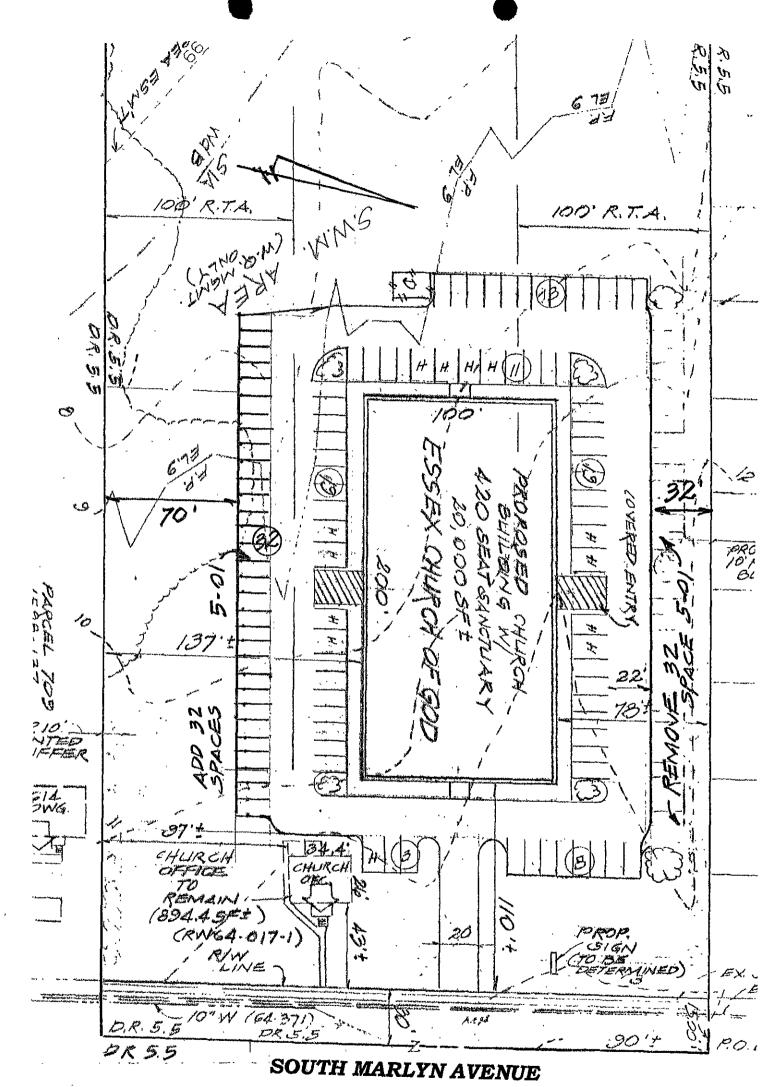
NAME	ADDRESS		
Jany Mell	155 Riverside Ro		
Gordon A. Dunn	418 Nollmeyer Rd. 21220		
CARROLLWRFIDIN	IO BENNETT Rd 21221		
Naomi Miller	155 Riverside Rd 21221		
Bill CASKEY	10/ Highland Fores 7 2827		
LIII ME	[0][][[0][[0][][[0][][[0][][[0][][[0][][[0][][[0][][[0][][[0][][[0][][[0][[0][][[0][][[0][][[0][][[0][][[0][][[0][][[0][][[0][][[0][][[0][[0][][[0][][[0][][[0][][[0][][[0][][[0][][[0][][[0][][[0][][[0][[0][][[0][][[0][][[0][][[0][[0][[0][[0][][[0][][[0][[i][[i		
John Contrum			
Our Con from			
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Case Number	01-403-SPH
+ +	

PLEASE <u>PRINT</u> LEGIBLY

PROTESTANT'S SIGN-IN SHEET

Name	Address	City, State	Zip Code
Barbara Henry	817 5 Woodlym Rd	Bito MD	21221
Mary Roth	814 S. Woodlyan Rd.		21221
GILBERT SCHWANEBECK	807 SWOODLYNN RD	BALTO MD	2/221
KLANJ. WENK.	805.5. Woodlym. RD	Balt. M.D	21221
ROBERTLIMBER	GIG S, MARLYN AVE		21221
			
			
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
		Revised 4	4/17/00



Pet Ex 3B

REVISED LAYOUT PER PRELIMINARY PLANNING COMMENTS

610 SOUTH MARLYN AVENUE

ESSEX CHURCH OF SCALE: 1"= 50' CASE # 01-403-SPH

GODMAY, 2001

