

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 NW/Corner Fullerton Avenue and
 Kenwood Avenue * ZONING COMMISSIONER
 (4701 Fullerton Avenue)
 14th Election District * OF BALTIMORE COUNTY
 6th Council District * Case No. 01-475-X
 Kenwood Presbyterian Church, Owners;
 Wilbur Roese, M.D., Contract Purchaser *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the owner of the subject property, Kenwood Presbyterian Church, and the Contract Lessee, Wilbur Roese, M.D., through their attorney, J. Neil Lanzi, Esquire. The Petitioners request a special exception to permit a physician's office on D.R.5.5 zoned property, pursuant to Section 1B01.1.C(12) of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were John Kazanjian, Pastor, and John M. Rowe, member, on behalf of the Kenwood Presbyterian Church, property owners; Dr. Wilbur R. Roese, Contract Lessee; Richard Beall, an Architect retained by the Petitioners; and, J. Neil Lanzi, Esquire, attorney for the Petitioners. Appearing as a Protestant in the matter was Eric O. Benkert, a nearby resident.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel, located adjacent to the Kenwood Presbyterian Church on the northwest corner of the intersection of Kenwood Avenue and Fullerton Avenue in Overlea. The property consists of a gross area 0.474 acres, more or less, zoned D.R.5.5, and is improved with a two-story single family dwelling and detached two-car garage. The property is part of an overall tract owned by the Church and the dwelling was at one time used as the home of the minister. In addition to the

ORDER RECEIVED FOR FILING

Date

By

7/30/01

160

dwelling and garage, the site is also improved with a one-way paved driveway which leads from Fullerton Avenue and runs along the side of the property to the rear of the lot and continues on to the Church parking lot.

The Petitioners propose to subdivide the property so as to create a separate lot for the dwelling and garage. Dr. Roese, who is a long-time member of the Church, specializes in internal medicine and presently practices in Aberdeen; however, proposes moving to the subject site and establishing a small, part-time practice therein. A floor plan of the dwelling was submitted into evidence and marked as Page 2 of Petitioner's Exhibit 1. That plan shows that part of the first floor of the dwelling will be converted to provide medical office space, including a small waiting area, medical office and examining room. The plan also shows that the medical office will not exceed the 25% limitation established in Section 1B01.1.C(12) of the B.C.Z.R. Dr. Roese indicated that he would continue to operate his medical practice in Aberdeen; however, anticipates initially seeing three to four patients a night at the subject location from approximately 7:00 PM to 9:00 PM weekdays, and Saturdays, only. Ultimately, the practice might be expanded; however will not exceed the limitations established under law in Section 1B01.1.C(12) as to the size of the medical office space and number of employees, etc. Further testimony indicated that in addition to the Church membership, the Linover Community Association supports the Petitioners' request. Moreover, Dr. Roese submitted a survey which had been signed by various Church members and some area residents indicating their support of a physician's office on the subject property. However, the requested special exception relief is necessary in order to proceed.

Mr. Benkert appeared and testified in opposition to the request. He raised certain objections to the proposal which were addressed by Dr. Roese and Mr. Beall, the architect. In sum, I find that those objections do not have merit. One concern related to parking. In this regard, the subject site will be improved by the construction of two parking spaces. Additionally, parking is available within the garage, and immediately outside of that building along an existing paved driveway. Finally, as noted above, the property immediately abuts and has vehicular access to the Church parking lot. Apparently, under the proposed lease, the Church will allow parking on its lot

ORDER RECEIVED FOR FILING

Date

By

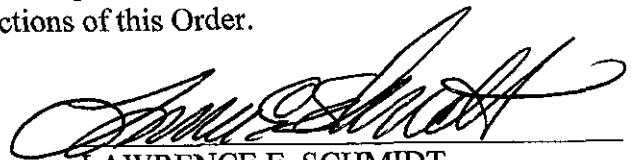
in the event of any parking deficiency on the subject site. Indeed, this appears to be a case where more than adequate parking exists, by virtue of the fact that the Church is located immediately adjacent to the subject lot and has been made available to Dr. Roese.

Based upon the testimony and evidence presented, I easily find that the Petition for Special Exception should be granted. The subject property appears to be an appropriate location for a physician's office within a residence, given its location next to a large, institutional use. Moreover, there were no adverse comments submitted by any Baltimore County reviewing agency, and nearby residents of the area support the use. Thus, it appears that the relief requested can be granted without detriment to the health, safety and general welfare of the surrounding locale.

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 30th day of July, 2001 that the Petition for Special Exception to permit a physician's office in D.R.5.5 zoned property, pursuant to Section 1B01.1.C(12) of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building and/or 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) Compliance with the underlying requirements of Section 1B01.1.C, which limits the area of the medical office as well as the number of individuals employed on the subject site.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs



Baltimore County
Zoning Commissioner

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

July 31, 2001

J. Neil Lanzi, Esquire
409 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
NW/Corner Fullerton Avenue and Kenwood Avenue
(4701 Fullerton Avenue)
14th Election District – 6th Council District
Kenwood Presbyterian Church, Owner; Wilbur Roesse, M.D., Contract Lessee - Petitioners
Case No. 01-475-X

Dear Mr. Lanzi:

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Pastor John Kazanjian, Kenwood Presbyterian Church
4601 Fullerton Avenue, Baltimore, Md. 21206
Mr. John M. Rowe, 5905 Trumps Mill Road, Baltimore, Md. 21206
Dr. Wilbur Roesse, 5609 East Avenue, Baltimore, Md. 21206
Mr. Richard Beall, 360 Jones Station Road, Arnold, Md. 21012
Mr. Eric O. Benkert, 1 Leslie Avenue, Baltimore, Md. 21236
People's Counsel; Case File

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Printed with Soybean Ink
on Recycled Paper



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 4701 Fullerton Avenue
which is presently zoned DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A physician's office in DR 5.5 zoned property pursuant to BCZR Section 1B01.1C(12)

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

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:

Wilbur Roese, M.D.
Name - Type or Print
Signature Wil Roese, MD
Address 4701 Fullerton Avenue 410-661-5942
Baltimore, MD 21206 Telephone No.
City State Zip Code

Attorney For Petitioner:

J. Neil Lanzi
Name - Type or Print
Signature J. Neil Lanzi
J. Neil Lanzi, P.A.
Company
409 Washington Avenue, Ste 617 410-296-0686
Address Telephone No.
Towson, MD 21204
City State Zip Code

Legal Owner(s):

Kenwood Presbyterian Church
Name - Type or Print
Signature William Toathe
William Toathe
Name - Type or Print
Signature
4601 Fullerton Avenue
Address Telephone No.
Baltimore, MD 21206
City State Zip Code

Representative to be Contacted:

J. Neil Lanzi
Name
409 Washington Ave, Ste 617 410-296-0686
Address Telephone No.
Towson, MD 21204
City State Zip Code

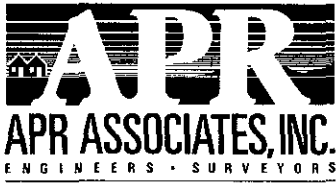
OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By JM Date 5-9-01

ORDER RECEIVED FOR FILING

Date 5/9/01
By [Signature]
Case No. 01-475X
REV 09/15/98



ZONING DESCRIPTION FOR 4701 FULLERTON AVENUE

BEGINNING AT A POINT on the Westerly side of Fullerton Avenue which is of variable width and is proposed to be widened to 50 feet and on the Northerly side of Kenwood Avenue also of variable width.

BEING LOT NO. 1 in the Minor Subdivision, Property of Kenwood Presbyterian Church as recorded in the Baltimore County Plat Book for Minor Subdivisions No. 1, Folio 215;

Containing 13,657 square feet.

ALSO known as 4701 Fullerton Avenue and located in the 14th Election District and 6th Councilmanic District.

02/28/01



475

NOTICE OF ZONING HEARING
Change of Date and Time

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: #01-475-X

4701 Fullerton Avenue

NE/S Fullerton Avenue, opposite Kenwood Avenue

14th Election District - 6th Councilmanic District

Legal Owner(s): William Toothe, Kenwood Presbyterian Church

Contract Purchaser: Wilbur Reese, MD

Special Exception: to permit a physician's office in D.R. 5.5 zoned property pursuant to BCZR Section 1B01, 1.C.12.

Hearing: Monday, July 23, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Ave.

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.

7/016 July 5

C479308

CERTIFICATE OF PUBLICATION

7/5/, 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 1 successive weeks, the first publication appearing on 7/5/, 2001.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

475

No.

92880

DATE 5.9.01 ACCOUNT 001-006-6150

AMOUNT \$ 300.⁰⁰

RECEIVED
FROM:

Kenwood Presbyterian Church 4707
Fullerton Ave.

FOR:

300.00 spec. X.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

JCM

PAID RECEIPT

PAYMENT ACTUAL TIME
5/09/2001 5/09/2001 11:38:36

MSO: CASHIER DDL AND DRAWER

RECEIPT # 140856

DEPT 5 528 ZONING VERIFICATION

CR NO. 992880

Receipt Tot 300.00

300.00 PK .00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 07-475-X

Petitioner/Developer: WILBUR

ROESE, MD

Date of Hearing/Closing: JULY 23, 2001

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 4701 FULLERTON AVE

The sign(s) were posted on JULY 7, 2001
(Month, Day, Year)

Sincerely,

[Signature] 7/7/01
(Signature of Sign Poster and Date)

SSG ROBERT BLACK

(Printed Name)

1508 Leslie Rd

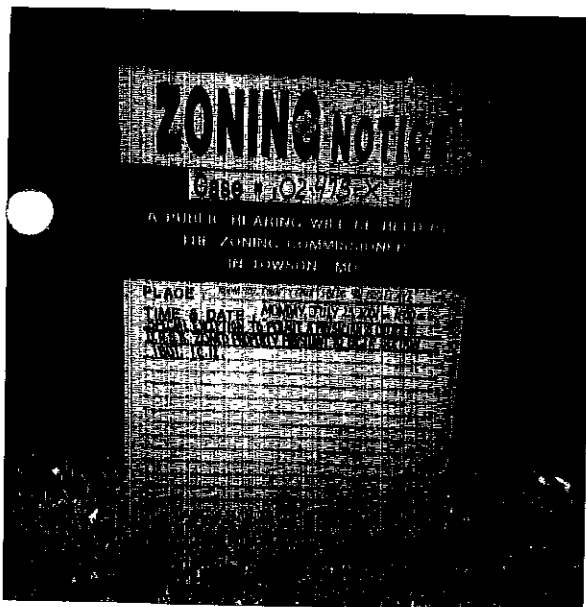
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



RE: PETITION FOR SPECIAL EXCEPTION
4701 Fullerton Avenue, NE/S Fullerton Ave,
opp Kenwood Ave
14th Election District, 6th Councilmanic

Legal Owner: Kenwood Presbyterian Church
Contract Purchaser: Wilbur Roese, M.D.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-475-X

* * * * *

ENTRY OF APPEARANCE

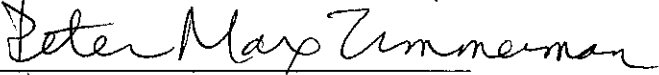
Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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 4th day of June, 2001 a copy of the foregoing Entry of Appearance was mailed to J. Neil Lanzi, Esq., 409 Washington Avenue, Suite 617, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



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

June 13, 2001

NOTICE OF ZONING HEARING
Change of Date and Time

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: 01-475-X
4701 Fullerton Avenue
NE/S Fullerton Avenue, opposite Kenwood Avenue
14th Election District – 6th Councilmanic District
Legal Owner: William Toothe, Kenwood Presbyterian Church
Contract Purchaser: Wilbur Rouse, MD

Special Exception to permit a physician's office in D.R.5.5 zoned property pursuant to BCZR Section 1B01, 1.C.12.

HEARING: Monday, July 23, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

C: J. Neil Lanzi, 409 Washington Avenue, Towson 21204
William Toothe, Kenwood Presbyterian Church, 4601 Fullerton Avenue,
Baltimore 21206
Wilbur Rouse, MD 4701 Fullerton Avenue, Baltimore 21206

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 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
Thursday, July 5, 2001 Issue – Jeffersonian

Please forward billing to:

J. Neil Lanzi
409 Washington Avenue # 617
Towson MD 21204

410 296-0686

NOTICE OF ZONING HEARING
Change of Date and Time

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: 01-475-X

4701 Fullerton Avenue

NE/S Fullerton Avenue, opposite Kenwood Avenue

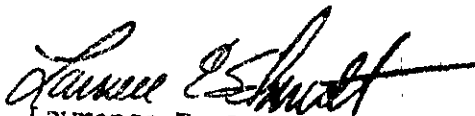
14th Election District – 6th Councilmanic District

Legal Owner: William Toothe, Kenwood Presbyterian Church

Contract Purchaser: Wilbur Roese, MD

Special Exception to permit a physician's office in D.R.5.5 zoned property pursuant to BCZR Section 1B01, 1.C.12.

HEARING: Monday, July 23, 2001 at 11:00 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

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

June 6, 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: 01-475-X
4701 Fullerton Avenue
NE/S Fullerton Avenue, opposite Kenwood Avenue
14th Election District – 6th Councilmanic District
Legal Owner: William Toothe, Kenwood Presbyterian Church
Contract Purchaser: Wilbur Roesse, MD

Special Exception to permit a physician's office in D.R.5.5 zoned property pursuant to BCZR Section 1B01, 1.C.12.

HEARING: Thursday, July 12, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon GDR
Director

C: J. Neil Lanzi, 409 Washington Avenue, Towson 21204
William Toothe, Kenwood Presbyterian Church, 4601 Fullerton Avenue,
Baltimore 21206
Wilbur Roesse, MD, 4701 Fullerton Avenue, Baltimore 21206

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 27, 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, June 26, 2001 Issue – Jeffersonian

Please forward billing to:

J. Neil Lanzi
409 Washington Avenue #617
Towson MD 21204

410 296-0686

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: 01-475-X

4701 Fullerton Avenue

NE/S Fullerton Avenue, opposite Kenwood Avenue

14th Election District – 6th Councilmanic District

Legal Owner: William Toothe, Kenwood Presbyterian Church

Contract Purchaser: Wilbur Roesse, MD

Special Exception to permit a physician's office in D.R.5.5 zoned property pursuant to BCZR Section 1B01, 1.C.12.

HEARING: Thursday, July 12, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT 607
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.

**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: 475

Petitioner: Wilbur Reese, m.d.

Address or Location: 4701 Fullerton Avenue
Balto MD 21206

PLEASE FORWARD ADVERTISING BILL TO:

Name: J. NEIL LANZI

Address: 409 WASHINGTON AVENUE # 617
TOWSON MD 21204

Telephone Number: 410 - 296-0686



Baltimore County
Department of Permits and
Development Management

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

July 20, 2001

J. Neil Lanzi
409 Washington Avenue
Towson MD 21204

Dear Mr. Lanzi:

RE: Case Number: 01-475-X, 4701 Fullerton Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 9, 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,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: William Toothe, Kenwood Presbyterian Church, 4601 Fullerton Avenue,
Baltimore 21206
Wilbur Roese MD, 4701 Fullerton Avenue, Baltimore 21206
People's Counsel



Jim
7/23

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: June 5, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For May 29, 2001
Item Nos. 461, 463, 464, 465, 466, 467,
469, 470, 472, 473, 474, 475, 478, 480,
483, and 006

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

June 5, 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: SEE BELOW

Location: DISTRIBUTION MEETING OF May 21, 2001

Item No.: 462, 475, 476, 480, 481, 006

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

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



Ho
7/23

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 6, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-475

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

JUL 30

Section Chief:

Jeffrey M. Lutz

AFK/JL:MAC

*6/11/01
Roese took
call & set
conclusion date*

J. NEIL LANZI, P.A.
ATTORNEY AT LAW
MERCANTILE BUILDING, SUITE 617
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

(410) 296-0686

FAX: (410) 296-0689

E-Mail: lanzilaw@cs.com

June 8, 2001

RECEIVED
01-1927
JUN 11 2001
DEPT. OF PERMITTING AND
COLUMBIA
Suite 1200, Merrill Lynch Bldg
10320 Little Patuxent Parkway
Columbia, Maryland 21044

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia

Reply to Towson

Hand-Delivered

Arnold Jablon, Director
Baltimore County Department of Permits
And Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Item No. 475, Case No. 01-475-X
4701 Fullerton Avenue
Petitioner: Kenwood Presbyterian Church/Wilbur Roese, M.D.

Dear Mr. Jablon:

Please be advised that I represent Dr. Wilbur Roese, Contract Purchaser and Petitioner for a Petition for Special Exception recently filed with your office. The hearing has been scheduled for Thursday, July 12, 2001 at 9:00 a.m. in Room 407 of the County Courts Building. I have a long planned out of state family vacation the week of July 7-14, 2001 and would respectfully request this case be postponed to the next earliest date.

Thank you very much for your cooperation.

Very truly yours,



J. Neil Lanzi

JNL\mal

cc: Wilbur Roese, M.D.
Richard L. Beall

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Wilbur R. Roes

5509 East Ave Belts MD 21206

John M. Rowe

5905 Trump Mill Rd. 21206

JOHN KAZANJIAN

4701 FULLERTON AVE 21236

Richard Beall

3200 Jones Station Rd
Arnold MD 21012



Case Number _____

PLEASE PRINT LEGIBLY

PROTESTANT'S SIGN-IN SHEET

[illegible]



Kenwood Presbyterian Church

John H. Kazanjian, Pastor

4601 Fullerton Avenue

Baltimore, MD 21236

410-668-4664

Email: kenwoodpc@gfme.com

July 19, 2001

To All Concerned:

The Session of the Kenwood Presbyterian Church, representing the congregation, fully supports the use of the church's manse as a physician's office. The Elders of the church have worked diligently with Dr. Wilbur Roese to prepare a lease agreement that is suitable to his needs and ours. We are aware of the requirement for a special exception to use the residence adjacent to the church's school building as a medical office. Dr. Roese has kept us fully informed of the zoning issues and we have authorized him to pursue the minor subdivision necessary to open his medical office.

The session and members of Kenwood Presbyterian Church, some of whom are neighbors of the church, look forward to Dr. Roese's occupancy of the manse and the opening of his medical practice.

Sincerely,

A handwritten signature in cursive script that reads "Ann Carlson".

Ann Carlson
Clerk of Session
Kenwood Presbyterian Church

A handwritten note in cursive script that reads "Pet No 3" with a horizontal line underneath.

Survey

I am a current resident residing within the jurisdiction of the Linover Improvement Association. I have been advised regarding the proposal of Dr. Will Roesse to establish a physician's office in the residence located at 4701 Fullerton Avenue adjacent to the Kenwood Presbyterian Church. By signing this survey, I acknowledge that I am in support of the Special Exception Petition necessary for Baltimore County approval of the physician office to be operated within the residence known as 4701 Fullerton Avenue.

Name	Address	Date
Rephal Mc Cleary	7163 Greenwood	7/18/01
Sean Totha	7215 Willowdale Ave.	7/18/01
Renea Hallbrecher	7165 Greenwood Ave	7/20/01
Anta Hoard	7167 Greenwood Av.	7-20-01
Harry E Mc Cleary	7155 Greenwood a	7-21-01
Audrey Howard	7153 Greenwood Ave.	7/23/01
Dorothy Bowen	7147 Greenwood Ave.	7/24/01
Mark Rowland	7161 Greenwood Ave	7-21-01
David Munk	7169 Greenwood Ave.	7/21/01
Dee Reiss	7211 Willowdale Ave	7/21/01
Lon Talbot	7213 Willowdale Ave	7-21-01
J. J.	7157 GREENWOOD AVE	7/21/01
Richard J. Prebanski	7137 WILLOWDALE AVE	7/21/01
Raymond A. Martin	7143 Greenwood Ave.	7.21.01
James H. Hines	7159 Greenwood Ave	7/21/01
One Pomeroy	4517 Fullerton Ave	7/21/01

Let No 4

Survey

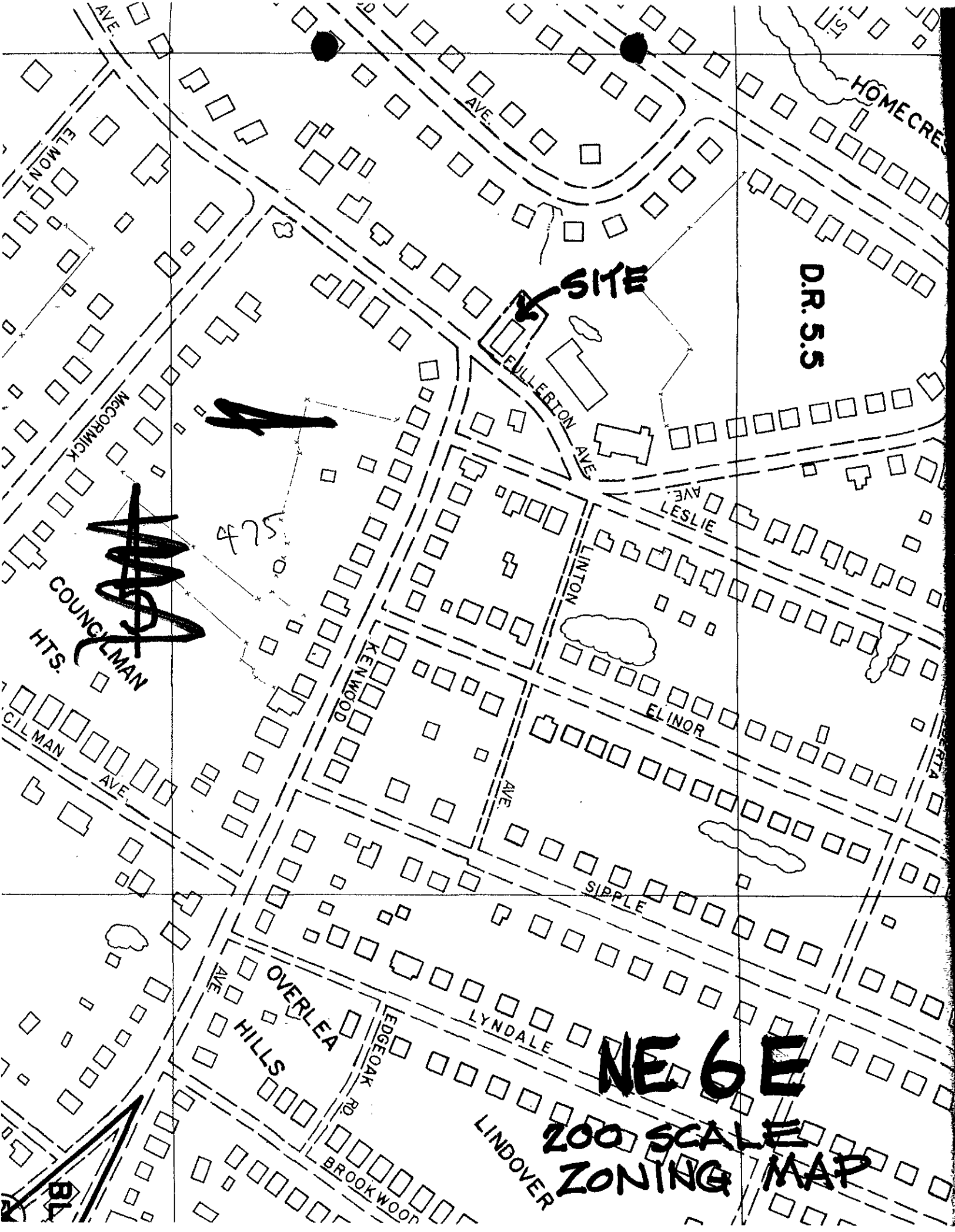
I am a current resident residing within the jurisdiction of the Linover Improvement Association. I have been advised regarding the proposal of Dr. Will Roesse to establish a physician's office in the residence located at 4701 Fullerton Avenue adjacent to the Kenwood Presbyterian Church. By signing this survey, I acknowledge that I am in support of the Special Exception Petition necessary for Baltimore County approval of the physician office to be operated within the residence known as 4701 Fullerton Avenue.

Name	Address	Date
Dawn Bauer	50 Lyndale Ave	7-22-01
Robert J Kresak	622 Dale ave.	7-22-01
Thomas Martin	⁷¹⁴³ Greenwood ave	7-22-01
Lunilee Jones	Ridge Rd.	7-22-01
John W. Murphy	17 Leslie N.W.	7-22-01
Dawn Fechter	7135 Greenwood	7/22/01
Stephen Shum	606 Old Home	7-22-01
Bernad Buch	834 Flintlock	7/22/01
A Irene Haeey	8309 Analee Ave	7-22-01
Bonarda Haeey	" "	
Joseph A. Sprue	4814 Kenwood	7-22-01
Lara Sprue	4814 Kenwood	7-22-01
Casale Bentz	338 Elvior Ave	7-22-01
Marsha Dean	4500 Fullerton Ave.	7-22-01
John Dina	" " "	7-22-01
Susan M. Augustyniak	6002 Kenwood Avenue	212 7/22/01
WM. & Mildred Buch	4701 Ridgeway ave	7/22/01

Survey

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Name	Address	Date
Ernie Hendy	4503 Withersburg Ave	7/22/01
Gloria V. Chittam	108 Elmwood Ave	7/22/01
Robert W. Gullett	108 Elmwood Ave	7/22/01
Dan C. Canda Sr	401 Elmwood Rd	7/22/01
Linda Szygler Kay	610 Old Home Rd	7/22/01



D.R. 5.5

SITE

425

J. J. COUNCILMAN
HTS.

NE 6 E

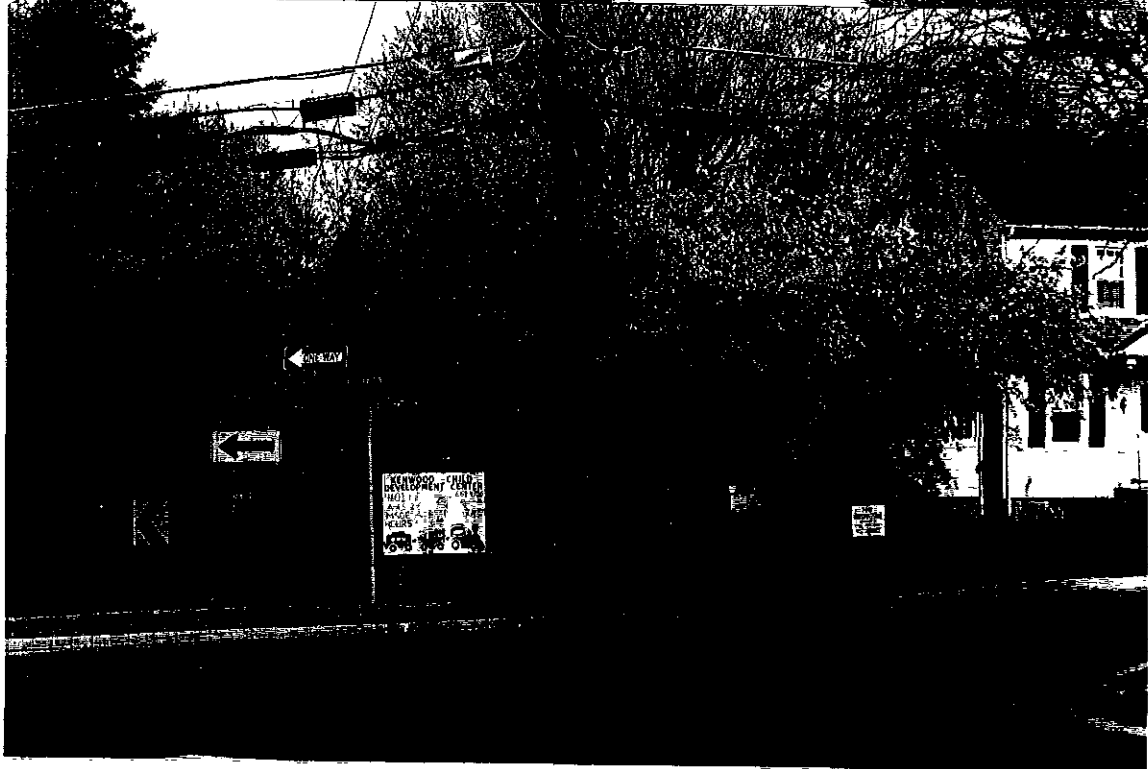
200 SCALE
ZONING MAP

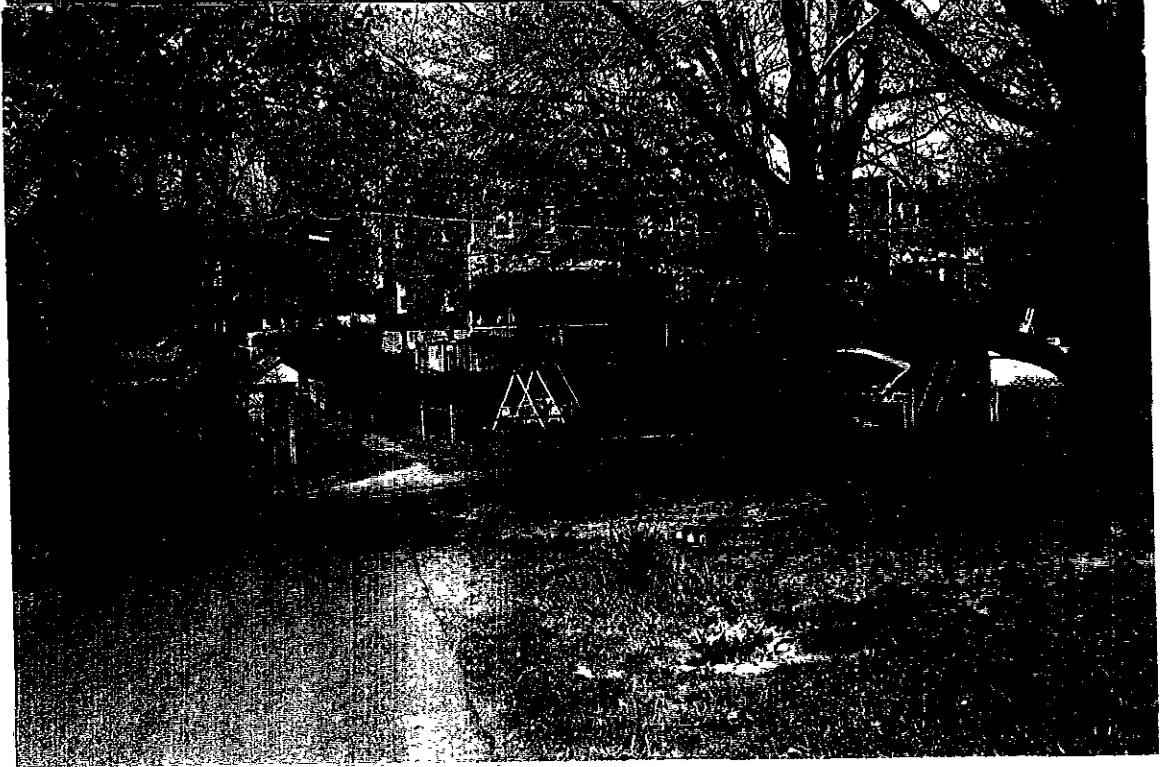
81

Petitioner's
Exhibits 2A -
2L
(photographs)

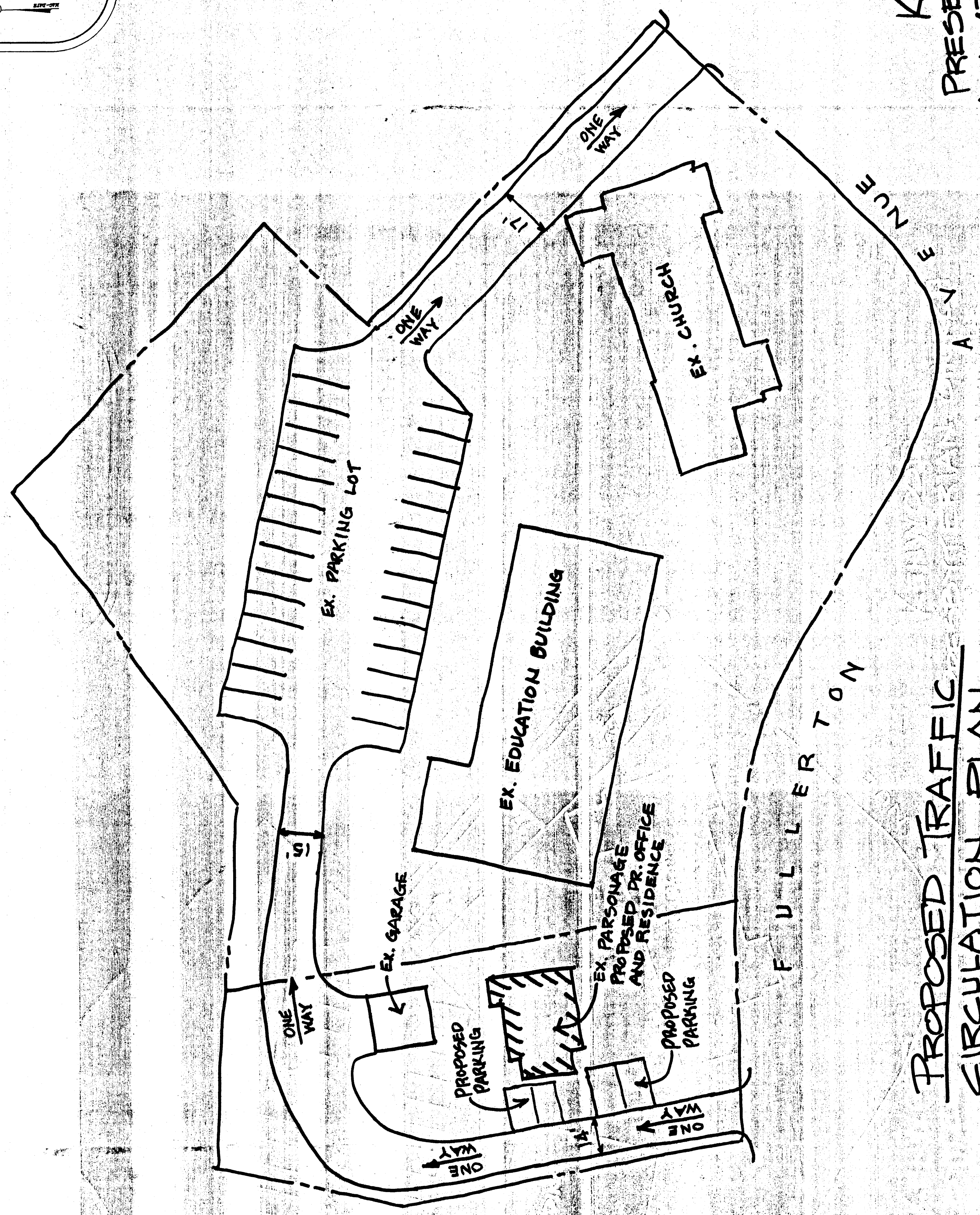
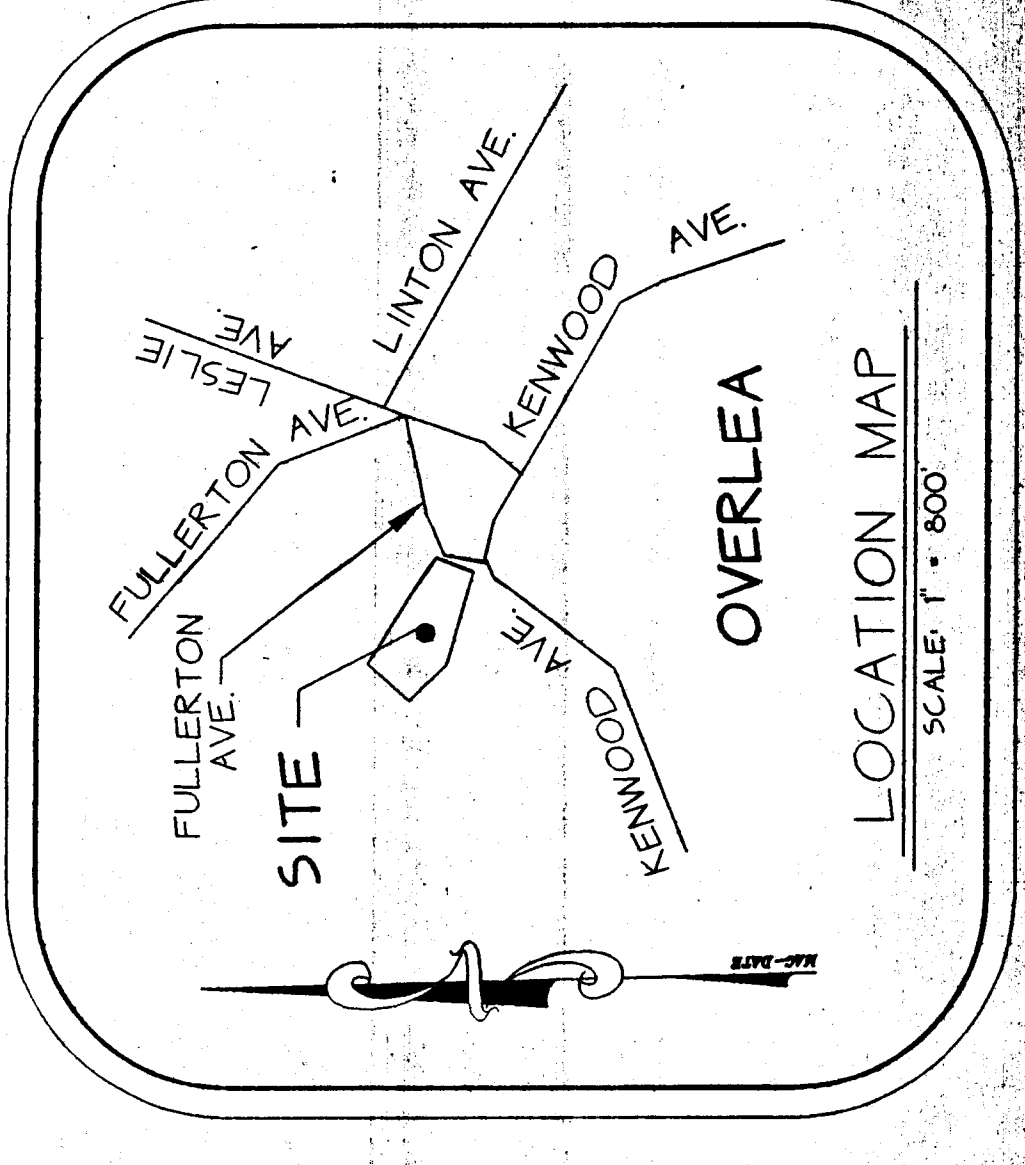
Case # 01-475-X









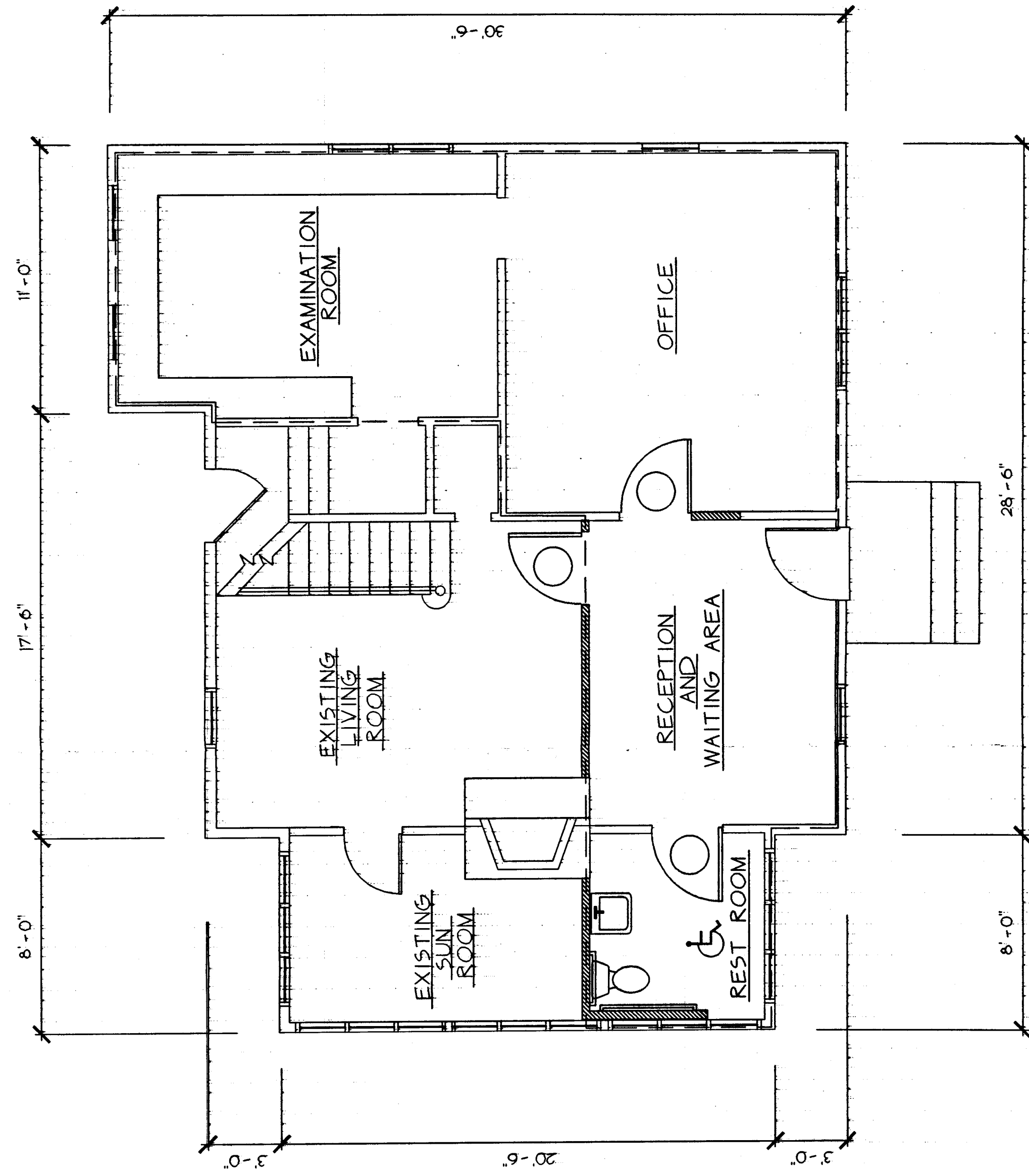


PREPARED BY:
 Richard L. Beall A.I.A.
 Architect & Planner
 360 Jones Station Road
 Annapolis MD 21012

PROPOSED TRAFFIC
CIRCULATION PLAN
 1" = 20'

KENWOOD
 PRESBYTERIAN CHURCH
 4601 - 4701 FULLERTON AVENUE
 BALTIMORE CO. MD.

Oct 11/05



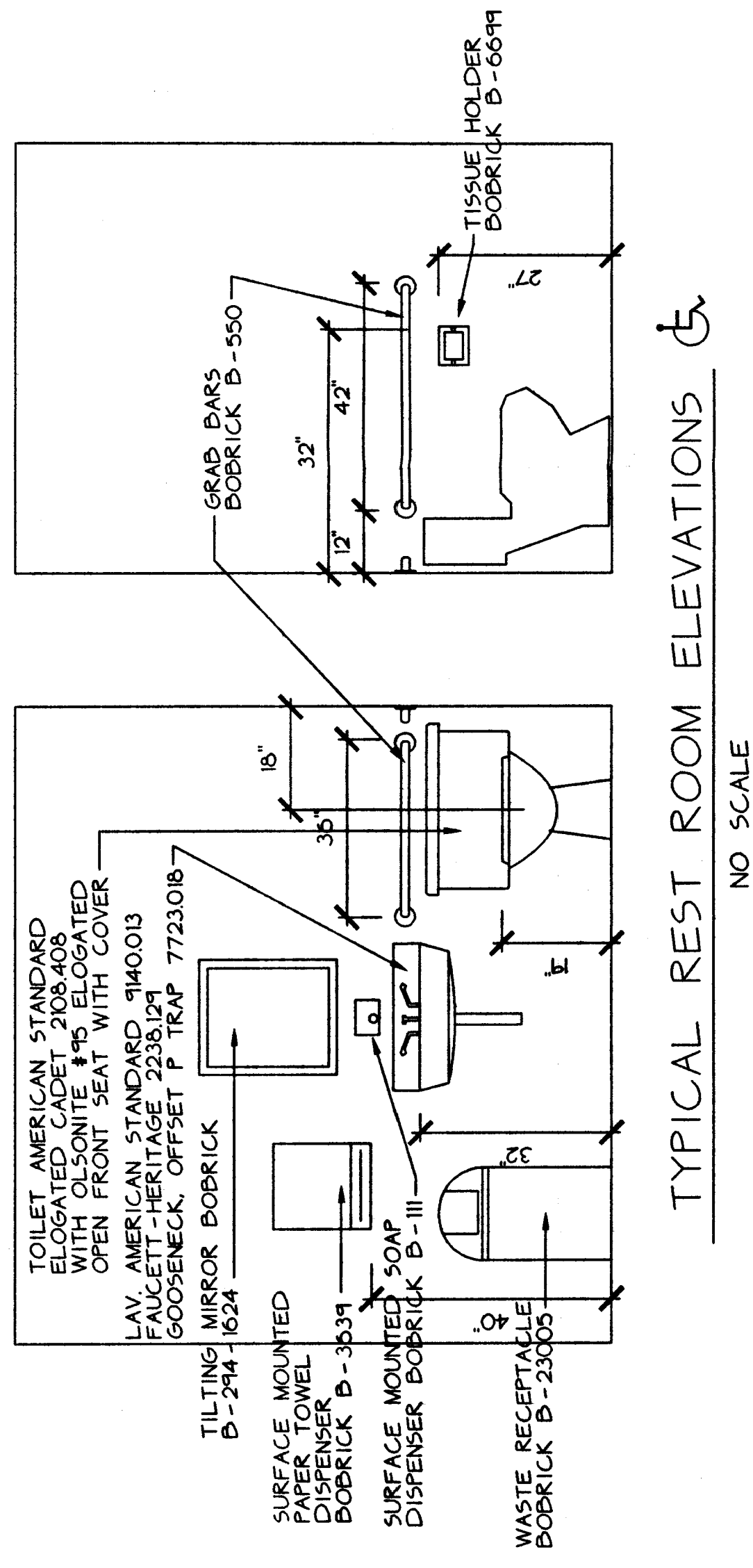
FIRST FLOOR PLAN

AREA OF THE FIRST FLOOR PLAN TO BE USED AS DOCTORS OFFICE - 567 S.F. AND IS OULINED WITH A RED DASHED LINE.

ALL NEW IMPROVEMENTS ARE SHOWN IN RED.

BUILDING AREA:	FIRST FLOOR • 1,011 SQ. FT.
	SECOND FLOOR • 753 SQ. FT.
	BASEMENT AREA • 502 SQ. FT.
	GROSS USEABLE AREA • 2,266

ALLOWABLE AREA FOR DOCTORS OFFICE = 2,268 X .25 = 567 SQ.FT.



RICHARD L. BEALL, INC., A.I.A.
ARCHITECT AND PLANNER
 360 JONES STATION ROAD, ARNOLD, MARYLAND 21012-1869
 PHONE: 410-544-2010 • FAX: 410-647-1960

"I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 7975A, EXPIRATION DATE 1-15-02."

PROPOSED RESIDENTIAL OFFICE
DOCTOR WILBUR ROESE
FAMILY MEDICINE
4701 FULLERTON AVENUE, 14TH ELEC. DIST.
BALTIMORE COUNTY, MARYLAND

NO.	REVISIONS	BY	APP	DATE	PERMIT NO.	DRAWING NO.
					DATE:	A1
					2-9-01	
					SHEET 1 OF 1	

[illegible]