IN RE: PETITION FOR VARIANCE

SE/Corner Mace Avenue and

evidence and marked as Petitioner's Exhibit 1.

Hutchinson Street (911 Mace Avenue) 15th Election District 5th Council District

The First Baptist Church of Essex, Inc. Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 02-081-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, The First Baptist Church of Essex, Inc., by Robert L. Lilly, Pastor, through their attorney, Alan H. Stocksdale, Esquire. The Petitioners seek relief from Sections 450.4.E and 450.4.G of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a freestanding, changeable copy sign with a total face area of 32 sq.ft., in lieu of the maximum allowed 25 sq.ft., and a height of 8 feet in lieu of the maximum allowed 6 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into

Appearing at the requisite public hearing in support of the request were Robert L. Lilly, Pastor of the First Baptist Church of Essex, Inc., owners of the subject property, Richard C. Kotzum, a nearby resident of the area, and Alan H. Stocksdale, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the southeast corner of Mace Avenue and Hutchinson Street in Essex. The property contains a gross area of 4.75 acres, more or less, zoned D.R.5.5, and is the home of The First Baptist Church of Essex. The front portion of the site is improved with a two-story masonry church building, which features an attached one-story wing, and a detached parsonage. The Petitioners are desirous of installing a dual-faced identification sign near the northwest corner of its property, perpendicular to Mace Avenue so as to be visible to both north- and southbound traffic on that road. The proposed sign

ORDER RECEIVED FOR FILING
Date 1094/0/
By

will be ground-mounted with landscaping around the base, and internally lit. Testimony indicated that the sign will be illuminated from approximately dusk to midnight. It is to be noted that the steeple of the church is already lit, and there is security lighting on the property. Thus, the illumination of the sign will not be inconsistent with existing conditions on the property.

Further testimony indicated that the sign needed a larger changeable copy area to accommodate the Church's announcements. The proposed sign will announce church service times, special events, and offer quotations from scripture. Additionally, a greater height is necessary to accommodate the architectural detail and insure visibility along Mace Avenue. Based upon the testimony and evidence presented, I am persuaded to grant the request. There were no Protestants present at the hearing, and a favorable comment endorsing the proposal was received from the Office of Planning. Moreover, I find that the Petitioner has satisfied the requirements of Section 307 of the B.C.Z.R. and that the relief requested will not be detrimental to 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 day of October, 2001 that the Petition for Variance seeking relief from Sections 450.4.E and 450.4.G of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a freestanding, changeable copy sign with a total face area of 32 sq.ft. in lieu of the maximum allowed 25 sq.ft., and a height of 8 feet in lieu of the maximum allowed 6 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their sign 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.

LAWRENĆE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bis



October 24, 2001

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

Fax: 410-887-3468

Alan H. Stocksdale, Esquire One Willow Avenue Towson, Maryland 21204

RE: PETITION FOR VARIANCE

SE/Corner Mace Avenue and Hutchinson Street

(911 Mace Avenue)

15th Election District – 5th Council District

The First Baptist Church of Essex, Inc. - Petitioners

Case No. 02-081-A

Dear Mr. Stocksdale:

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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

Pastor Robert L. Lilly, First Baptist Church of Essex
 911 Mace Avenue, Baltimore, Md. 21221
 Mr. Richard C. Kotzum, 228 Oberle Avenue, Baltimore, Md. 21221
 Mr. David Sofsky, 4401 Philadelphia Road, Bel Air, Md. 21015
 People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 911 MACE AVE ESSEX MD 21221
which is presently zoned DR S. S

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) 450.4. E, 450.4. G (BCZR) TO PERMIT A PROPOSED FREESTANDING CHANGEABLE COPY SIGH TO HAVE AS FACE AREA OF 32 SQ.FT. AND A TOTAL HEIGHT OF STEET IN LIEU OF THE REQUIRED 25 SQ.FT. AND G FEET RESPECTIVELY

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

TO BE DISCUSSED AT VARIANCE HEADING

Property is to be posted and advertised as prescribed by the zoning regulations.

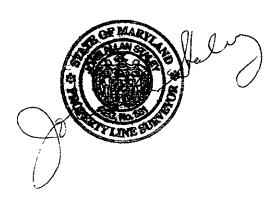
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

		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:	Legal Owner(s):				
	Name - Type or Print	The First Baptist Church of Essex, In Name - Type or Print				
	Signature	Signature ROBERT C. LICLY				
	Address Telephone No.	Name - Type or Print (PASTER)				
	City State Zip Code	Signature				
	Attorney For Petitioner:	911 Mace Avenue				
		Address Telephone No.				
	Alan H. Stocksdale Name - Type or Print	Baltimore Maryland 21221 City State Zip Code				
9	Signature	Representative to be Contacted:				
	Sylvation	David Sofsky P.E.				
	Company	Name				
FOR FILING	One Willow Avenue 410-821-1530	4401 Philadelphia Road 410-893-5110 Address Telephone No				
Ö	Address Telephone No.	•				
元/	Towson, Maryland 21286 City State Zip Code	Bel Air Maryland 21015 City State Zip Code				
CÉIVE!	12	OFFICE USE ONLY				
	N 07-081-X	ESTIMATED LENGTH OF HEARING				
ORDER RE	Case No. 07-081-A	UNAVAILABLE FOR HEARING Reviewed By 6700 Date 8/23/01				
9	1 RET 9/15/98					
C S						

ZONING DESCRIPTION

Beginning at a point on the north side of Hutchinson Street, which is 50 feet wide and on the east side of Mace Avenue, which is 50 feet wide, thence the following courses and distances:

North 25 degrees 27 minutes 00 seconds East 689.70 feet, South 64 degrees 33 minutes 00 seconds East 300.00 feet, South 25 degrees 27 minutes 00 seconds West 689.70, and North 64 degrees 33 minutes 00 seconds West 300.00 feet to the place of beginning as recorded in Deed Liber 3536, Folio 108.



	BALTIMORE COUNTY, MARYLA		R The		2011			
	OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No).	5711	1 1144	RECEIPT	True	
	DATE 8/23/01 ACCOUNT	R00100	661	50	PAYMENT 3/25/2001 1 MS02 CA	HIER SHAT	TIME 11:29:42 M. DRAMER	
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NOTICE OF ZONING HEADING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Batimore County will hold a public hearing in Towson. Maryland on the property identified herein as follows: Case: #02-081-A 911 Mace Avenue N/S of Hutchinson Street centerline E/S Mace Street 15th Election District 5th Councimanic District Legal Owner(s): Robert C. Lilly. The First Bantist Church of Essex Inc. Variance: to permit a proposed freestanding changeable copy sign to have a face area of 32 square feet and a total height of B feet in lieu of the required 25 square feet and 6 feet respectively. Hearing: Tuesday, October 16. 2001 at 19:00 a.m. lo Room 407, County Courts Building, 481 Bosley Aveпие. LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County and an NOTES: (1) Hearings are Handicapped Accessible: for special accommodations Please Contact the Zoning

(410) 887-4386.
(2) For information concerning the File: ancion rearing, Contact the Zoning Review Office at (419) 887-3391.

Commissioner's Office at

JT/10/613 Oct2 C497365

CERTIFICATE OF PUBLICATION

RTIFICATE OF POSTING

RE Case No

02-081-A

Petitioner/Developer BAPTIST CHURCH, E.

KLS

Date of Hearing/Closing: 10/16/0/

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

9

Attention, Ms. Gwendolyn Stephens

Ladies and Gentlemen

rt" brand fax transmittal memo 7671

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 #911 MACE AVE

The sign(s) were posted on

(Month, Day, Year)

Sincerely,

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

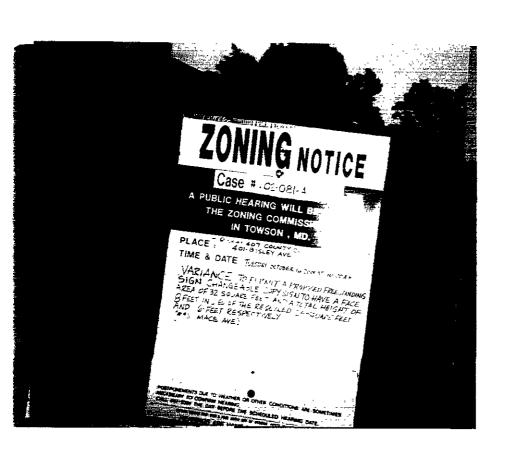
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666:5366 ; CELL-410-905-8571

(Telephone Number)



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:					
Item Number or Case Number: 02 081 🖈 🗚					
Petitioner: FIRST BAPTIST CHURCH - ESSEX, INC.					
Address or Location: 911 MACE AVE					
PLEASE FORWARD ADVERTISING BILL TO: Name: First Baptist Church - Essex, Inc.					
Address: 911 MACE AUF. BALTIMORE, MD 21221					
Telephone Number: 410 686 8499					

Revised 2/20/98 - SCJ

31

TO: PATUXENT PUBLISHING COMPANY

Tuesday, October 2, 2001 Issue - Jeffersonian

Please forward billing to:

Robert C Lilly
The First Baptist Church Essex Inc

911 Mace Avenue Baltimore MD 21221 410 686-8499

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: 02-081-A

911 Mace Avenue

N/S of Hutchinson Street centerline E/S Mace Street

15th Election District – 5th Councilmanic District

Legal Owner: Robert C Lilly, The First Baptist Church of Essex Inc

<u>Variance</u> to permit a proposed freestanding changeable copy sign to have a face area of 32 square feet and a total height of 8 feet in lieu of the required 25 square feet and 6 feet respectively.

HEARING:

Tuesday, October 16, 2001 at 10:00 a.m. in Room 407, County Courts

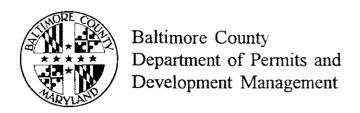
Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GOZ 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

September 18, 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: 02-081-A

911 Mace Avenue

N/S of Hutchinson Street centerline E/S Mace Street

15th Election District – 5th Councilmanic District

Legal Owner: Robert C Lilly, The First Baptist Church of Essex Inc

<u>Variance</u> to permit a proposed freestanding changeable copy sign to have a face area of 32 square feet and a total height of 8 feet in lieu of the required 25 square feet and 6 feet respectively.

HEARING: Tuesday, October 16, 2001 at 10:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon Gラマ

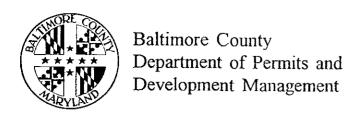
Director

C: Alan H. Stocksdale, One Willow Avenue, Towson 21286 Robert C Lilly, The First Baptist Church of Essex Inc, 911 Mace Avenue, Baltimore 21221

David Sofsky PE, 4401 Philadelphia Road, Bel Air 21015

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



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

October 12, 2001

Alan H Stocksdale One Willow Avenue Towson MD 21204

Dear Mr. Stocksdale:

RE: Case Number: 02-081-A, 911 Mace Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 23, 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. Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Robert L Lilly, 911 Mace Avenue, Baltimore 21221 David Sofsky PE, 4401 Philadelphia Road, Bel Air 21015 People's Counsel



Census 2000



For You, For Baltimore County







BALTIMORE COUNTY, MARY AND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

085

Department of Permits & Development Mgmt.

DATE: October 16, 2001

FROM-

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting For September 24, 2001 Item Nos. 071, 072,073, 074, 075, 076, 077, 078, 079, 081, 082, 083, 084, and

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

RWB:HJO:jrb

cc: File



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

September 19, 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 September 17, 2001

Item No.: See Below

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.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

071, 072, 075, 076, 077, 079, 080, 081, 082, 083, and 084

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

cc: File

10/16

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: September 20, 2001

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SED 2 1

SUBJECT:

911 Mace Avenue

INFORMATION:

Item Number:

02-081

Petitioner:

First Baptist Church of Essex. Inc.

Zoning:

DR 5.5

Requested Action:

Variance

Market Cumper Jeffry W. Long

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to permit a freestanding changeable sign with a signage area of 32.5 square feet and a total height of 8 feet in lieu of the maximum permitted 25 square feet and 6 feet respectively.

Prepared by:

Section Chief:

AFK:MAC:



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

Date: 9.19.01

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

RE:

Baltimore County

Item No. 083#

JIM

Dear Ms. Jackson:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 145, are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

Kenneth A. McDonald Jr., Chief

Engineering Access Permits Division

1.1. Bull

RE: PETITION FOR VARIANCE
911 Mace Avenue, N/S Hutchinson Street
c/l E/S Mace Street
15th Election District, 5th Councilmanic

Legal Owner: First Baptist Church of Essex, Inc. Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 02-81-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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter May Zimmerman 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

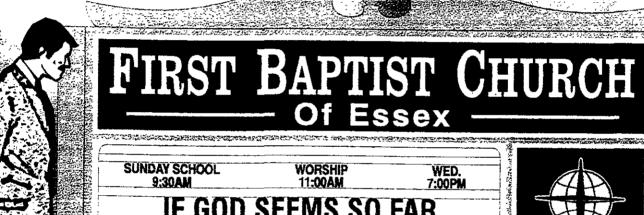
I HEREBY CERTIFY that on this 2nd day of October, 2001 a copy of the foregoing Entry of Appearance was mailed to Alan H. Stocksdale, Esq., 1 Willow Avenue, Towson, MD 21286, attorney for Petitioner(s).

Peter Max Zimmerman

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
ALAN H. STOCKSONER	ONE Willow Ave - 21286
RICHARD C KOTZUM	228 OBERTE AVE 21221
FOTSERT C. LILLY	404 HUTCHINSON ST ZIZZI

Zoning Office USE ONLY! LOCATION INFORMATION CASE#: 02-Vicinity Map scale: $1^{\circ} = 2000^{\circ}$ square feet 1" = 200' scale map#: NE2G & NE3G Cheapeake Bay Critical Area: 🏋 🛣 206910 see pages 5 & 6 of the CHECKLIST for additional required information 同業 $\bar{\omega}$ エットの Counclimanic District: Prior Zoning Hearings: Election District: 15 acreage Zoning: D.R. 5.5 Lot size: 4.75 reviewed by: CTZ Special Exception POINT OF BEGINNING (20, K/M) HUTCHINSON STREET PROPOSED SIGN (4'x8') SEE DETAIL BELOW FIRST BAPTIST CHURCH OF ESSEX (VARIABLE MESSAGE BOARD) 300.00Σ W"00'52'48N 2,10 SIGN ELEVATION SCALE 1'=4' -8,-0, \$24 TWO STORY MASONRY Petition For Zoning X Variance GEORGE AVENUE (50' R/W) MACE AVENUE (50' R/W) 4'-0" 689.70 689.70 TOTAL HT=8'-0" Scale of Drawing: 1"=100' Ave. Essex, MD 21221 N25'27'00"E Essex Subdivision name: N/A plat book# 3536 ,folio# 108 ,lot# N/A , section# N/A Plat to accompany OWNER: First Baptist Church of 264.33.00"E 300,005 Campbell PROPERTY ADDRESS: 911 Æ. CHARLES R. MROZINSKI, LAND OF MAP 90 P. 1181 D.R.# 13319/ prepared by: date:8/1/01



IF GOD SEEMS SO FAR **AWAY...WHO MOVED?**



Dear Fellow Church Members

For almost three years now you have been informed about a new Church sign to replace our current antiquated and unreadable sign In the past, you have been asked to contribute to this project and you all have responded some with dollars, some with spare change, and some with pennies. I pray that God will bless each one of you a thousand fold for your kindness and generosity

As we near our goal, I fear that many have never seen a picture of the sign we have all been saving for I am ashamed that it has taken me so long for this error to be recognized, so please accept my sincere apology.

On the inside sheet you will find what we have been saving and fighting for these past three years We believe it will be a vast improvement over our present sign, knowing it will serve a beacon to others, inviting all to come and join us in the worship of our Lord and Savior, Jesus Christ

At this time we are currently involved with Baltimore County trying to obtain a variance to their current zoning laws applicable to the size of the sign. We have employed the service of an engineer, also because we are incorporated we are required to have an attorney represent us at the hearing. This attorney was recommended by the Baltimore Baptist. Association and it appears he will do it without a fee

If you have any questions, please feel free to contact me or Pastor Lilly

Dick Kotzum

