

IN RE: PETITION FOR VARIANCE	*	BEFORE THE
NW/Corner Maryland Avenue	*	DEPUTY ZONING COMMISSIONER
and Woodward Drive	*	OF BALTIMORE COUNTY
15th Election District	*	CASE NO. 02-206-A
5th Councilmanic District	*	
(524 Maryland Avenue)	*	
Essex United Methodist Church, Inc.	*	
Petitioners	*	
* * * * *		

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance filed by the Essex United Methodist Church, Inc., for property they own at 524 Maryland Avenue, located in the Essex area of Baltimore County. The variance request is to permit a freestanding changeable copy sign with 32 sq. ft. and 8 ft. in height in lieu of the permitted 25 sq. ft. and 6 ft. in height.

Appearing at the hearing on behalf of the variance request were Reverend Jim Chambly, the pastor of the Essex United Methodist Church and L. Paul Snyder, Jr., the attorney who represented the church. Mr. Pugh and Mr. Hoch also appeared on behalf of the church. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.66 acres, more or less, split-zoned D.R.5.5 and BL/CCC. The property is located at the intersection of Maryland Avenue and Woodward Drive. It is the home of the Essex United Methodist Church which has existed at this location for the past 60 years. The church is interested in replacing the old identification sign, which has been on the property since the time the church was created. Submitted into evidence as Petitioners' Exhibit No. 2 was a rendering of the new sign to be installed on the property. In order to proceed with the installation of this new sign the variance request is necessary.

12/23/02
J.R. [Signature]

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to Petitioners and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioners must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

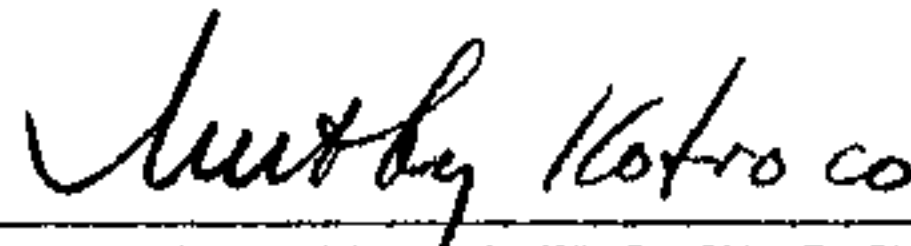
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioners I find that the Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED this 23rd day of December, 2002, by this Deputy Zoning Commissioner, that the variance requested by Petitioners from Section 450.4.I.1 (Chart) of the Baltimore County Zoning Regulations, to permit a freestanding changeable copy sign with

12/23/02
J.R. Jamison

32 sq. ft. and 8 ft. in height in lieu of the permitted 25 sq. ft. and 6 ft. in height, be and is hereby GRANTED.

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

12/23/02
R. Ganeson



Baltimore County
Zoning Commissioner

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

December 23, 2002

L. Paul Snyder, Jr., Esquire
2112 East Pratt Street
Baltimore, Maryland 21231

Re: Petition for Variance
Case No. 03-206-A
Property: 524 Maryland Avenue

Dear Mr. Snyder:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance 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,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Essex United Methodist Church
c/o Rev. James Chambly
524 Maryland Avenue
Essex, Maryland 21221

David Sofsky
4401 Old Philadelphia Road
Bel Air, Maryland 21015

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



Printed with Soybean Ink
on Recycled Paper



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 524 Maryland Avenue, Essex, MD 21221

which is presently zoned _____

This Petition shall be filed with the Department of Permits and Development Management. The undersigned owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto made a part hereof, hereby petition for a Variance from Section(s) 450.4 I.I. TO Permit

A CHANGEABLE COPY SIGN (FREE-STANDING) TO BE 32 SQ FT. AREA 9' 8" SQUARE FT. WITH VIEW OF 25 FT AREA 6 FT. HT.

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

WILL BE DISCUSSED AT ZONING HEARING

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:

NOT APPLICABLE

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

L. Paul Snyder, Jr

Name - Type or Print

Signature

Company

2112 East Pratt Street

410.563.7501

Address

Telephone No.

BALTIMORE

MD

21231

City

State

Zip Code

Legal Owner(s):

Essex United Methodist Church, Inc.

Name - Type or Print

Signature

James Chambly - Pastor

Name - Type or Print

Signature

524 Maryland Avenue

410.686.8933

Address

Telephone No.

Essex

MD

21221

City

State

Zip Code

Representative to be Contacted:

David Sofsky

Name

4401 OLD PHILADELPHIA RD.

410.893.5110

Address

Telephone No.

BEL AIR

MD

21015

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By

8007

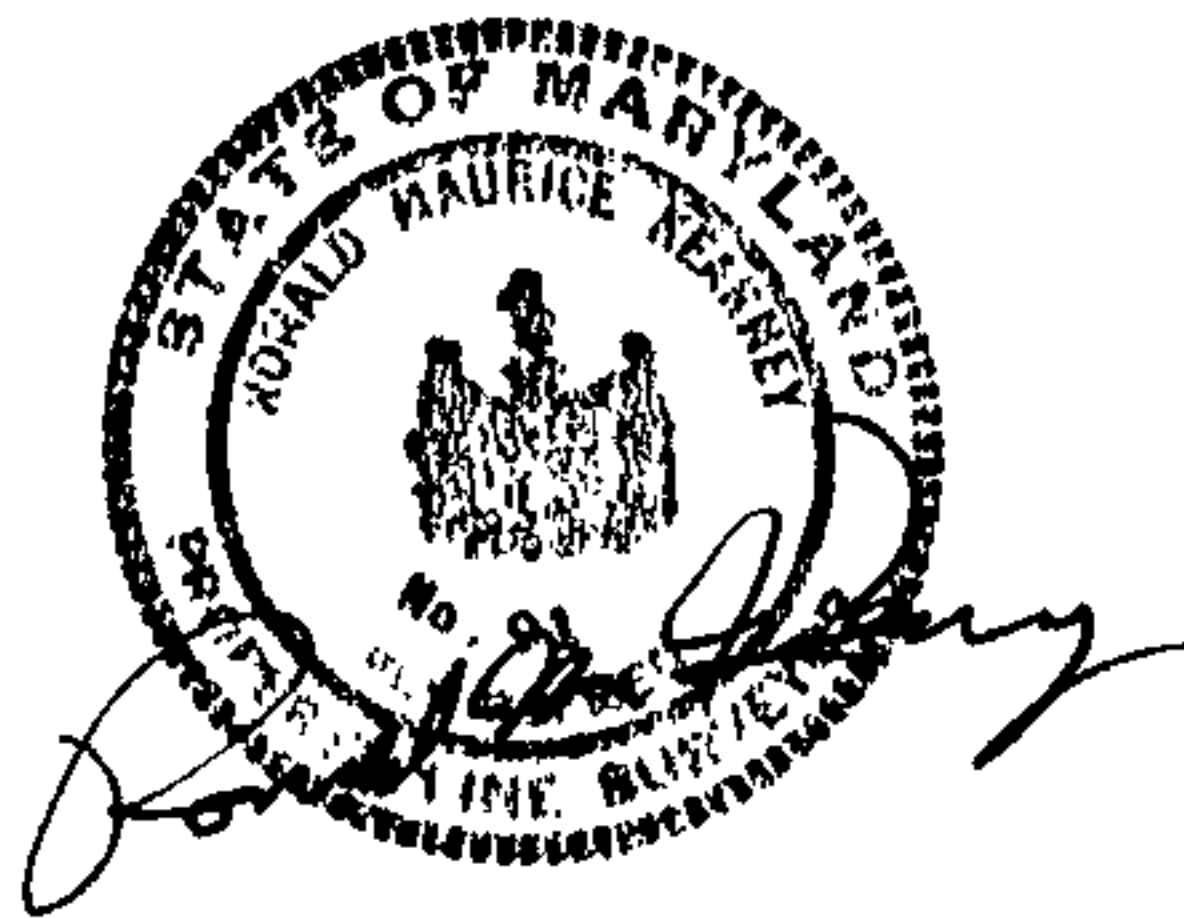
Date

10-29-02

Case No. 03-206-A

**ZONING DESCRIPTION FOR
524 MARYLAND AVENUE**

Beginning at a point on the north side of Maryland Avenue, which is 50 feet wide at the corner of Maryland Avenue and Woodward drive, 50 feet wide. Being Lots # 13, 14, 15 & 16, Plat G. Essex Subdivision as recorded in Baltimore county Plat Book #5 Folio #76 containing 0.66 acres, (29,000 sq. Ft.) Also known as 524 Maryland Avenue and located in the 15th Election District, 5th Councilmanic District.



03-206-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 18950

DATE 10 24 02

ACCOUNT

700 000 000

AMOUNT

\$

250.00

RECEIVED

FROM: General Fund - 10/24/02

FOR:

General Fund - 10/24/02

DISTRIBUTION
 WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

02 - 200 000

0010 RECEIPT
1110 RECEIPT
BUSINESS ACTUAL

190

10/29/2002 10/29/2002 09:40:25

REC 1005 WELKIN 000 100 000000

RECEIPT 3 30427 10/23/2002 0000

DEPT. 5 520 ZONING DEPARTMENT

CR 10. 010050

Receipt Tot

\$250.00

250.00 CR

.00 CR

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE Case No. 03-206-APetitioner/Developer: ESSEX, U.M.Date of Hearing/Closing: 12/20/02

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

Attention

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 #524-MARYLAND AVE

The sign(s) were posted on

12/8/02
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 12/8/02
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE

(Address)

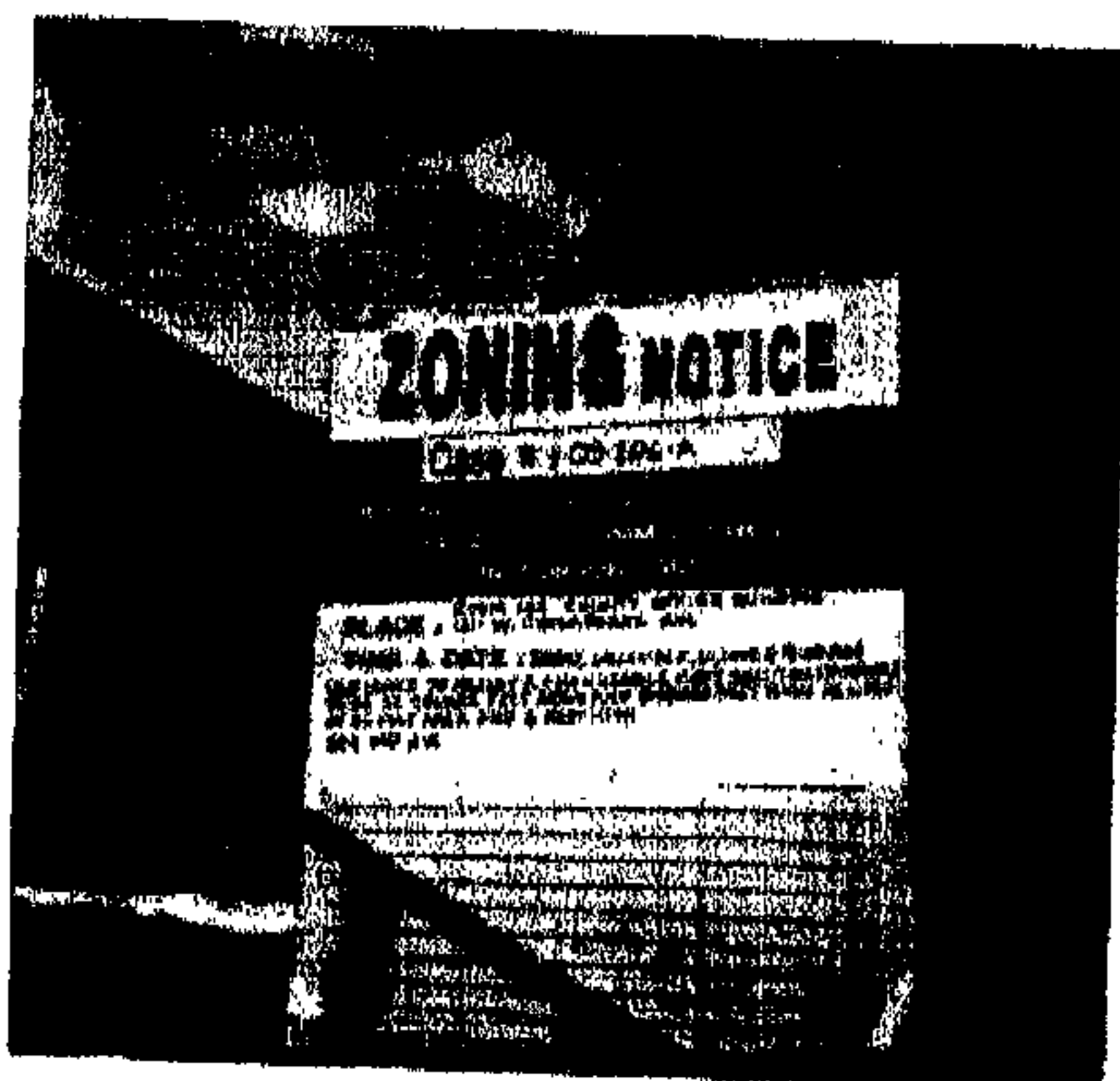
HUNT VALLEY, MD. 21030

(City, State, Zip Code)

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

(Telephone Number)

Post-It Fax Note	7671	Date	12/8/02	# of Pages	1
To	BETTY / RUBIN	From	O'KEEFE		
Subject	ZONING C.	Co.			
Phone #	887-3468	Phone #			
Fax #	666-0929	Fax #			



03-206-A
524-MD. AVE
ESSEX U.M. CHURCH
ESSEX -

12/20

**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/neighbors 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: _____

Petitioner: ESSEX UNITED METHODIST CHURCH, INC.

Address or Location: 524 Maryland Avenue; Essex, MD. 21221

PLEASE FORWARD ADVERTISING BILL TO:

Name: James Chambly; Essex United Methodist Church, Inc.

Address: 524 Maryland Avenue
Essex, MD. 21221

Telephone Number: 410.686.8933

Revised 2/20/98 - SCJ

03-206-A

REVIEW AGENCIES:

Prior to preparing the required plat, the petitioner or his engineer should contact the following agencies for pertinent data that may be required by that particular agency.

- | | | |
|-----|---|--------------|
| 1. | Assessments | 410-512-4906 |
| 2. | Bureau of Capital Projects (traffic issues) | 410-887-3751 |
| 3. | Fire Department | 410-887-3998 |
| 4. | State Highway Administration | 410-545-5600 |
| 5. | County Roads | 410-887-3739 |
| 6. | Planning (design, screening, landscaping) | 410-887-3211 |
| 7. | Building Engineer (plans) | 410-887-3987 |
| 8. | Department of Environmental Protection
and Resource Management (DEPRM) | 410-887-3980 |
| 9. | <i>If floodplain</i> , Dept. of Natural Resources | 410-631-3902 |
| 10. | <i>If critical area</i> , Maryland Office of Planning | 410-767-4485 |

NOTE: The petitioner has the responsibility to verify the location of the subject site in regards to the Chesapeake Bay Critical Area (CBCA). A critical area map is available for reference in PDM. Should the site be located in this area, the petitioner is required to meet DEPRM critical area requirements regarding the site. PDM must have the DEPRM comments on the petitioner's request prior to the public hearing.

Also, floodplains and historic buildings should be identified. (See pages 16 and 17.)



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

November 19, 2002

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: 03-206-A

524 Maryland Avenue
NW/corner Maryland Avenue and Woodward Drive
15th Election District – 5th Councilmanic District
Legal Owner: Essex United Methodist Church, Inc., James Chambly, Pastor

Variance to permit a changeable copy sign (freestanding) to be 32 square feet area and 8 square feet high in lieu of 25 feet area and feet high.

Hearings: Friday, December 20, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W. Chesapeake Avenue

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

Arnold Jablon
Director

AJ:rlh

C: L. Paul Snyder, Jr., 2112 East Pratt Street, Baltimore 21231
Essex United Methodist Church, Inc., Pastor James Chambly, 524 Maryland Avenue,
Essex 21221
David Sofsky, 4401 Old Philadelphia Road, Bel Air 21015

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, DECEMBER 5, 2002.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Thursday, December 5, 2002 - Issue - Jeffersonian

Please forward billing to:

James Chambly, Pastor
524 Maryland Avenue
Essex, MD 21221

410-686-8933

NOTICE OF ZONING HEARING

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524 Maryland Avenue

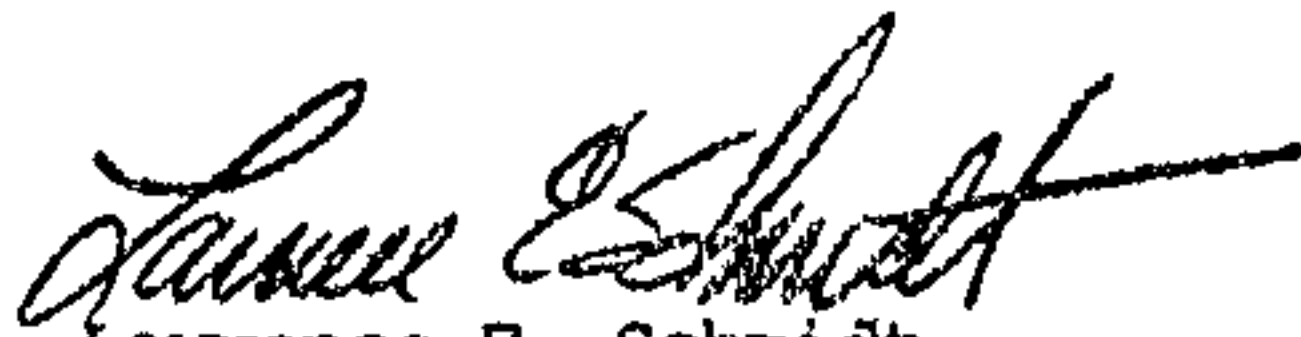
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Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

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

December 13, 2002

L. Paul Snyder, Jr.
2112 East Pratt Street
Baltimore, MD 21231

Dear Mr. Snyder:

RE: Case Number: 03-206-A, 524 Maryland Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 29, 2002.

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 black ink, reading "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:rlh

Enclosures

c: People's Counsel
Essex United Methodist Church, Inc., James Chambly, Pastor, 524 Maryland Avenue,
Essex 21221
David Sofsky, 4401 Old Philadelphia Road, Bel Air 21015

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





**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 11.20.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 206 JZA

Dear Mr. Zahner:

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,

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

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Fire Department

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

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

November 20, 2002

ATTENTION: George Zahner

Property Owner:

Location:

Item No.: ZAC Dist. Meeting of 11/18/2002

Dear Mr. Zahner:

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.

7. The Fire Marshal's Office has no comments at this time, in reference to the following items:

203-209, 211-227

206

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

cc: File



See
12/20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 25, 2002

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

25

SUBJECT: Zoning Advisory Petition(s): **Case(s) 03-206**

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

Section Chief: [Signature]

AFK/LL:MAC

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: December 9, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
For November 25, 2002
Item Nos 203, 204, 205, 206, 207,
208, 209, 210, 211, 212, and 227

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

RWB:CEN:jrb

cc: File

ZAC-11-25-2002-NO COMMENT ITEMS-1292002

By *ph*



Maryland Department of Planning

Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Roy W. Kienitz
Secretary

Mary Abrams
Deputy Secretary

November 21, 2002

Mr. George Zahner
Baltimore County Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue, Mail Stop #1105
Towson MD 21204

Re: Zoning Advisory Committee Agenda, November 25, 2002 re: case numbers 03-2103-A, 03-204-SPHXA, 03-205-A, 03-206-A, 03-207-SPH, 03-208-A, 03-209-A, 03-210-SPHA, 03-211-A, 03-212-A, 03-213-A, 03-227-XA

Dear Mr. Zahner:

The Maryland Department of Planning has received the above-referenced information on 11/20/02. The information has been submitted to Mike Nortrup.

Thank you for your cooperation in this process. Please contact me at 410.767.4550 or the above noted reviewer if you have any questions.

Sincerely,

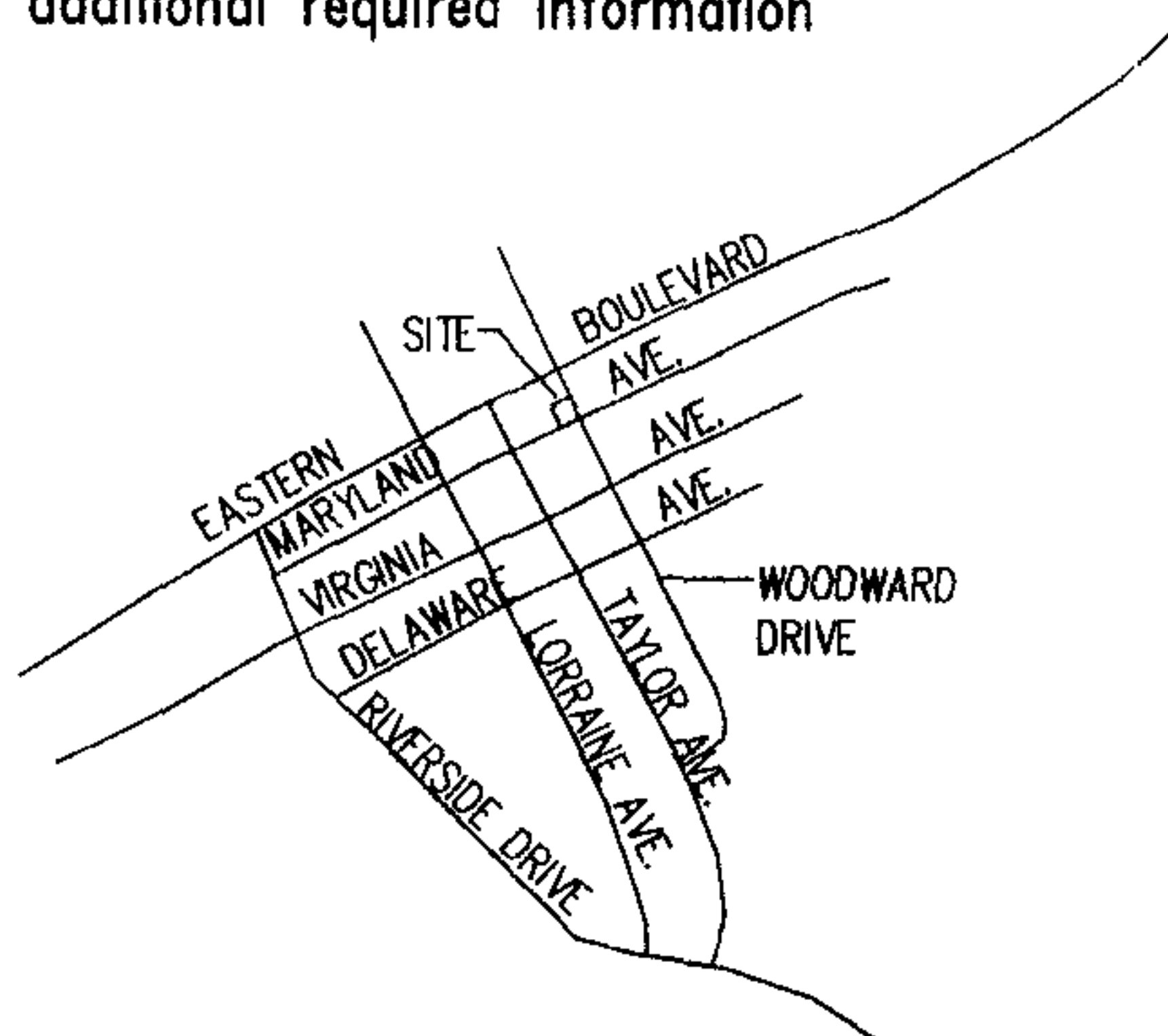
James R. Gatto
Manager
Metropolitan Planning
Local Planning Assistance Unit

cc: Mike Nortrup

ance ☐ Special Exception

see pages 5 & 6 of the CHECKLIST for additional required information

BL-AS
(AUTO REPAIR)



Vicinity Map
scale: 1" = 2000'

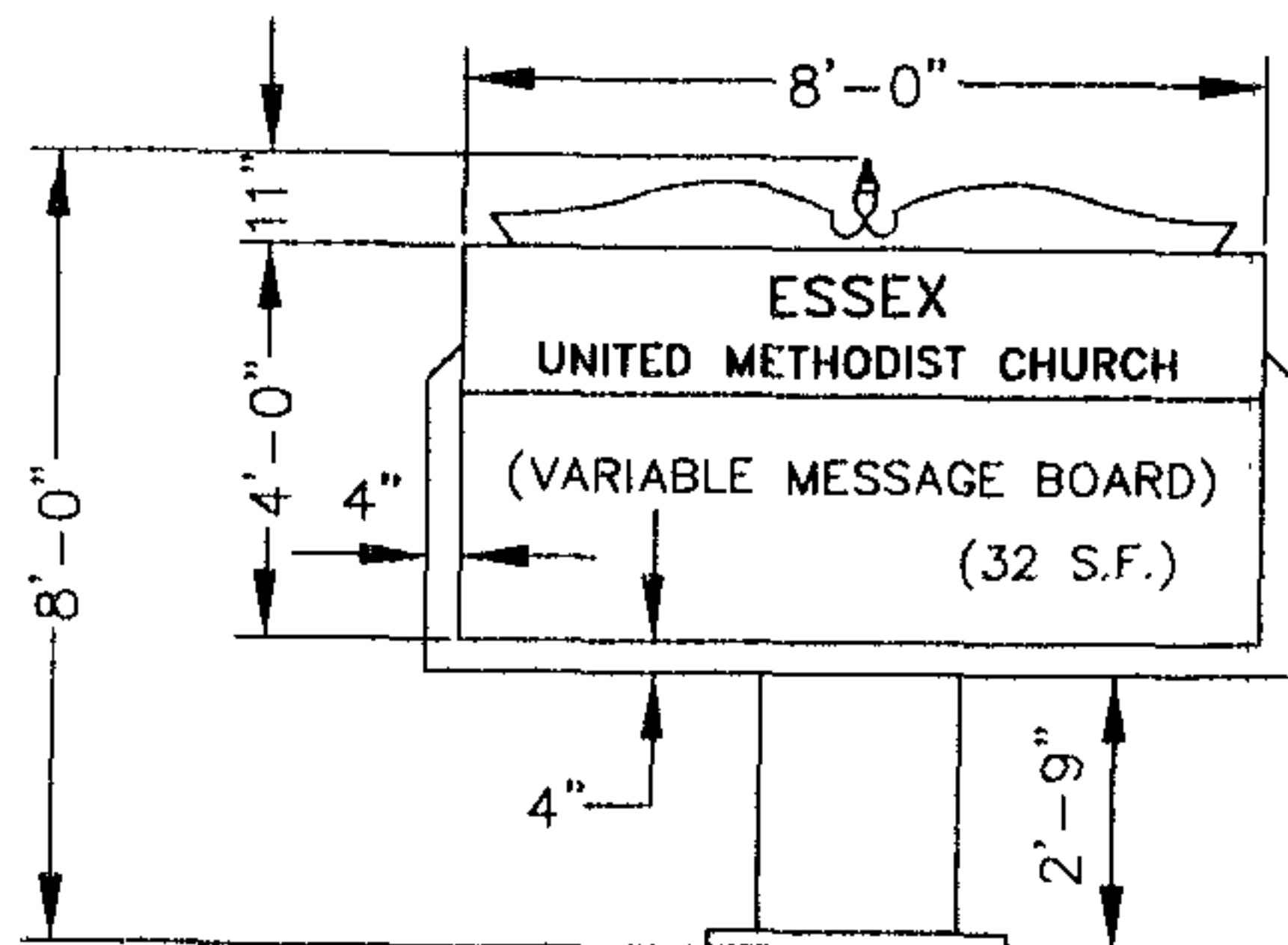
S21°10'30"E 145.00'

WOODWARD DRIVE
(50' R/W)

PARSONAGE
&
GARAGE

REG.
POINT

TOTAL HEIGHT



SIGN ELEVATION
SCALE: 1"=4'

LOCATION INFORMATION

Councilmanic District: 5

Election District: 15

1" = 200' scale map#: NE1G & NE2G

Zoning: DR5.5 & BL-CCC

Lot size: 0.66 29,000
acreage square feet

	Public	Private
Sewer	☒	☐
Water	☒	☐

Cheapeake Bay Critical Area: ☐ yes ☒ no

100 Year Floodplain: ☐ yes ☒ no

Historic Property/
Building: ☐ yes ☒ no

Prior Zoning Hearings: None

Zoning Office USE ONLY!

reviewed by:

ITEM #:

CASE#:

8007

03-206.A

Pet Ex #1

Plat to accompany Petition for Zoning ☒ Vari

PROPERTY ADDRESS: 524 Maryland Ave.

Subdivision name. Essex Subdivision
plat book# 5, folio# 76, lot# 13,14,15,16, section#

OWNER: Essex United Methodist Church

Deed Reference: 208/119 & 3674/637

COMMERCIAL BL-CCC

(OPEN
PARKING
LOT)

(MAC'S BAR
& GRILL)

(AUTO
DEALER
SHOP)

(AUTO DETAILING
SHOP)

ALLEY
(10' WIDE)

N68°49'30"E

200.00'

(BAR &
GRILL)

COMMERCIAL BL-CCC

(DENTIST
OFFICE)

VACANT LOT

N21°10'30"W 145.00'

EXISTING
BUILDING

EXISTING
BUILDING

BL-CCC
D.R.5.5

PROPOSED
4'X8' SIGN

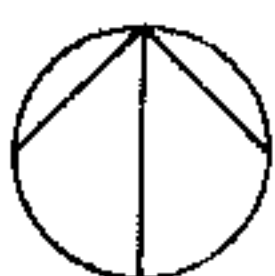
27'

S68°49'30"W

200.00'

MARYLAND AVENUE
(50' R/W)

RESIDENTIAL



North

date: 9/23/02 10/28/02

prepared by: J. Campbell

Scale of Drawing: 1"=40'



stewart signs.com

Endorsed Supplier for
THE UNITED METHODIST CHURCH



MEMORIAL PLAQUE
ENLARGEMENT



ORIGINAL DESIGN
DO NOT DUPLICATE
364625 6-28-02 L/Howard
1446958 PROPOSAL

DUE TO THE PHYSICAL LIMITATIONS OF THE PAPER AND INK-BASED
PRINTING PROCESS, THIS CUSTOM ARTWORK IS NOT INTENDED TO
PROVIDE AN EXACT MATCH BETWEEN INK, VINYL OR PAINT.
ARTIST'S RENDITION OF BRICKWORK, MASONRY, AND LANDSCAPING
IS NOT INCLUDED IN THE PROPOSAL.

The
J.M. Stewart
Corporation
1-800-237-3928