IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE	*	BEFORE THE
N/S Brandt Avenue, 347' W of Wampler Road	*	ZONING COMMISSIONER
15th Election District	*	OF BALTIMORE COUNTY
6th Councilmanic District (2004 Brandt Avenue)	*	CASE NO. 03-463-SPHA
Harmony Free Will Baptist Church *Petitioners*	*	

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner on a Petition for Special Hearing and Petition for Variance for the property located at 2004 Brandt Avenue in the Middle River community in eastern Baltimore County. The Petition was filed by Harmony Free Will Baptist Church, Petitioners/Property Owner. Special Hearing relief is requested pursuant to Section 1B01.1.B.1.g(6) of the Baltimore County Zoning Regulations (B.C.Z.R.), to determine that the proposed baptistry building is planned in such a way that compliance, to the extent possible, with RTA use requirements, will be maintained and can be erected to be compatible with the character and general welfare of the surrounding residential premises. Variance relief is requested as follows: (1) from Section 1B02.3.C.1 of the B.C.Z.R., to permit a front yard of 36 ft. in lieu of the required 40 ft.; (2) from Section 1B01.2.C.1.a of the B.C.Z.R., to permit a building to building separation of 20 ft. in lieu of the required 60 ft.; and a side yard of 22 ft. in lieu of the required 30 ft.; and (3) from Section 1B01.1.B.1.a(1) of the B.C.Z.R., to permit a residential transition area of 58 ft. in lieu of the required 100 ft. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Special Hearing and Variance.

6/25/03

Appearing at the requisite public hearing held for this case was Charles Martin, Treasurer of the Harmony Free Will Baptist Church, Petitioners/Property Owner. Also present in support of the request was Vincent R. Coleianne. Appearing and testifying at the hearing was Scott A. Lindgren, a surveyor with Gerhold, Cross & Etzel, Ltd., who prepared the site plan. The Petitioners were represented by Deborah C. Dopkin, Esquire. There were no protestants or other interested persons present.

Testimony and evidence presented was that the subject property is an irregularly shaped lot, approximately 2.3 acres in area, zoned D.R.2. The property is located at the terminus of Brandt Road, near Wampler Road in Middle River. The property is owned by the Harmony Free Will Baptist Church. The property contains a one-story, block church building containing a sanctuary. The church has been located at this property for many years. Additionally, the site contains an existing single-family dwelling and a small shed.

It is indicated that the church has approximately 50-60 members and the church building is used for Sunday services. Also, there are services on Wednesdays and occasional meetings. The request was filed because of the Petitioners' desire to construct a free-standing building near the church. The building, shown on the plan as the baptistry, will be approximately 30 ft. deep and 70 ft. wide. Due to the tenets of this religion, the baptistry building cannot be connected to the church structure. Specifically, the baptistry building will be used as a fellowship hall and for social events and meetings. It is not anticipated that the baptistry building will be leased to outside groups or as a catering hall. Rather, it will be used by members of the church only for social functions, meetings and the like.

A series of photographs were submitted at the hearing which were collectively marked as Petitioners' Exhibit No. 2. These photographs show that the property is located within a

residential area. Under the D.R. zoning regulations, the church use is permitted by right. Additionally, the lot is relatively large and features mature landscaping along the perimeter. Based on these factors, it is clear that the proposed construction will not be detrimental to adjacent properties.

A series of variances are requested. One variance is for the existing single-family dwelling which has existed on the property for many years and is more particularly shown on the site plan. That building is set back 36 ft. from the right-of-way to Brandt Avenue in lieu of the required 40 ft. This is an existing condition. The second variance is to permit a building separation of 20 ft. in lieu of the required 60 ft. As noted above, the Baptist religion requires the separation of the buildings. Nonetheless, the Petitioners desire that the structures be close to one another for ease of access by members of the church. The 20 ft. building separation is proposed in lieu of the required 60 ft. Third, a 22 ft. side yard setback is requested from approval of the 22 ft. side yard setback that is requested for the existing church building to the property line. This variance is also requested to legitimize an existing condition. Finally, variance relief is requested from the RTA requirements as may be applicable. The rear of the baptistry building will be approximately 58 ft. from the rear property line.

Based upon the testimony and evidence presented, I am persuaded that special hearing and variance relief should be granted. The uniqueness of this property is its unusual shape, as well as the constraints associated with the Baptist religion. Moreover, it is clear that the proposed construction will not be detrimental to adjacent properties. In sum, I am persuaded that the Petitioners have satisfied the requirements of Section 307 of the B.C.Z.R. However, in granting the relief, two restrictions shall be imposed. First, the Petitioners shall comply with the comment from the Office of Planning. That comment requests that final building elevation

6/25/03 R. Jameson

drawings of all sides of the proposed structure and a landscape plan be submitted to that office for review and approval prior to the issuance of building permits. Additional landscaping may not be warranted in view of the mature existing vegetation.

Secondly, the use of the building shall be exclusively for members of the church. The building should not be leased as a catering hall. The Petitioners indicated that there was no intention for individuals other than members to use the building. However, this restriction shall nonetheless be incorporated.

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, by the Zoning Commissioner for Baltimore County, this 25th day of June, 2003, that the Petitioners' request for special hearing from Section 1B01.1.B.1.g(6) of the Baltimore County Zoning Regulations (B.C.Z.R.), to determine that the proposed baptistry building is planned in such a way that compliance, to the extent possible, with RTA use requirements, will be maintained and can be erected to be compatible with the character and general welfare of the surrounding residential premises, be and is hereby GRANTED

IT IS FURTHER ORDERED, that variance relief as follows: (1) from Section 1B02.3.C.1 of the B.C.Z.R., to permit a front yard of 36 ft. in lieu of the required 40 ft.; (2) from Section 1B01.2.C.1.a of the B.C.Z.R., to permit a building to building separation of 20 ft. in lieu of the required 60 ft.; and a side yard of 22 ft. in lieu of the required 30 ft.; and (3) from Section 1B01.1.B.1.a(1) of the B.C.Z.R., to permit a residential transition area of 58 ft. in lieu of the required 100 ft., be and is hereby GRANTED, subject, however, to the following conditions and restrictions:

6/25/03 J. Jameson

1. The Petitioners may apply for their 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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall comply with the Zoning Advisory Committee (ZAC) comment from the Office of Planning. That comment requests that final building elevation drawings of all sides of the proposed structure and a landscape plan be submitted to that office for review and approval prior to the issuance of building permits.

3. The Petitioners are advised that the use of the building shall be exclusively for members of the church. The building should not be leased as a catering hall.

4. When applying for a building permit, 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:raj

6/25/03
R. Jameson

Baltimore County
Zoning Commissioner

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

June 25, 2003

Deborah C. Dopkin, Esquire
409 Washington Avenue
Towson, Maryland 21204

Re: Petitions for Special Hearing & Variance
Case No. 03-463-SPHA
Property: 2004 Brandt Avenue

Dear Ms. Dopkin:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing and variance have 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,

Lawrence E. Schmidt
Zoning Commissioner

LES:raj
Enclosure

Copies to:

Scott A. Lindgren
Gerhold, Cross & Etzel, Ltd.
320 E. Towsontown Boulevard
Towson, Maryland 21286

Charles Martin
208 Brandt Avenue
Baltimore, Maryland 21220

Vincent R. Coleianne
815 Wind River Drive
Sykesville, Maryland 21784

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2004 Brandt Avenue
which is presently zoned D.R. 2

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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve pursuant to Section 1B01.1.B.1.g(6) that the proposed baptistry is planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises.

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

Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Legal Owner(s):

Harmony Free Will Baptist Church
Name - Type or Print

By: Charles E. Martin
Signature

Charles E. Martin, Treasurer
Name - Type or Print

Signature

Address — Telephone No.

City — State — Zip Code

Attorney For Petitioner:

Deborah C. Dopkin
Name - Type or Print

Deborah C. Dopkin
Signature

Deborah C. Dopkin, P.A.
Company

409 Washington Ave. 410-821-0200
Address — Telephone No.

Towson MD 21204
City — State — Zip Code

Representative to be Contacted:

Deborah C. Dopkin, Esquire
Name

409 Washington Ave. 410-821-0200
Address — Telephone No.

Towson MD 21204
City — State — Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D. THOMPSON Date 4/7/03

Case No. 03-463-SPHA

REV 9/15/98

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2004 Brandt Avenue

which is presently zoned D.R. 2

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)

See attached.

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 presented at 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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Deborah C. Dopkin
Name - Type or Print

Deborah C. Dopkin
Signature

Deborah C. Dopkin, P.A.
Company

409 Washington Ave. 410-821-0200
Address Telephone No.

Towson MD 21204
City State Zip Code

Legal Owner(s):

Harmony Free Will Baptist Church
Name - Type or Print

By: Charles E. Martin
Signature

Charles E. Martin, Treasurer
Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

Deborah C. Dopkin, Edquire
Name

409 Washington Ave. 410-821-0200
Address Telephone No.

Towson MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D. THOMPSON Date 4/7/03

Case No. 03-463-SPHA

REV 9/15/98

1. From Section 1B02.3.C.1 to permit a front yard of thirty-six feet (36') in lieu of the required forty feet (40');

2. From Section1B01.2.C.1.a, to permit a building to building separation of twenty feet (20') in lieu of the required sixty feet (60'); and a side yard of twenty-two feet (22') in lieu of the required thirty feet (30');

and

3. From Section 1B01.1.B.1.a(1) To permit a residential transition area of fifty-eight feet (58') in lieu of the required one hundred feet (100');

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone. (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

April 2, 2003

FREEWILL BAPTIST CHURCH
BALTIMORE COUNTY, MARYLAND

All that piece or parcel of land situate, lying and being in the Fifteenth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point in the center of Brandt Avenue being distant 347 feet, more or less, northwesterly from the intersection of Brandt Avenue and Wampler Road, thence running and binding on the center of Brandt Avenue, the following three courses and distances, viz: (1) North 53 degrees 34 minutes 22 seconds West 243.00 feet, (2) North 47 degrees 26 minutes West 40 feet, and (3) North 61 degrees 42 minutes West 61.42 feet, thence leaving the center of Brandt Avenue and running and binding, the following seven courses and distances, viz: (4) North 50 degrees 38 minutes East 71.75 feet, (5) North 38 degrees 47 minutes West 50 feet, (6) North 50 degrees 38 minutes East 302 feet, (7) South 16 degrees 23 minutes East 71.15 feet, (8) South 16 degrees 23 minutes East 60 feet, (9) South 22 degrees 31 minutes 26 seconds East 267.00 feet, and (10) South 36 degrees 21 minutes 56 seconds West 171.02 feet to the zoning point of beginning.

Containing 2.29 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.

STATE OF MARYLAND
BRUCE EDWIN DORR
No. 531
REGISTERED
PROPERTY LINE SURVEYOR

4/2/03

X:\FREEWILL\zoningdescrip..doc

03-463-SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 23665

DATE 4/17/03

ACCOUNT 001006150

AMOUNT $ 650.00

RECEIVED FROM: DEBORAH DOPKIN

FOR: ITEM # 403 03-403-SPHA

2004 BRANDT AVE. BY D. THOMPSON

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

DATE OFFICIOT
FILD RECEIPT
[illegible]
Rec'd From: [illegible]
[illegible] 2.2570 [illegible]
Dept: 1 SPB ZONING VERIFICATION
[illegible] 02568
Recpt Tot $650.00
[illegible] .00 CH
Baltimore County, Maryland

CASHIER'S VALIDATION

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: #03-463-SPHA
2004 Brandt Avenue
N/side of Brandt Avenue, 347 feet west of Wampler Road
15th Election District - 6th Councilmanic District
Legal Owner(s): Harmony Free Will Baptist Church, Charles E. Martin, Treasurer

Special Hearing: to approve the proposed baptistery is planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises.
Variance: to permit a front yard setback of 36 feet in lieu of the required 40 feet and to permit a building separation of 20 feet in lieu of the required 30 feet. To permit a residential transition area of 58 feet in lieu of the required 100 feet.

Hearing: Tuesday, June 17, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/6/620 June 3 C607473

CERTIFICATE OF PUBLICATION

6/5/, 2003

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 6/3/, 2003.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

Gerhold, Cross & Etzel, Ltd.
Registered Professional Land Surveyors • Established 1906
Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE # 03-463-SPHA
PETITIONER/DEVELOPER:
Harmony Free Will Baptist Church,
Charles E. Martin, Treasurer
DATE OF HEARING:
June 17 , 2003

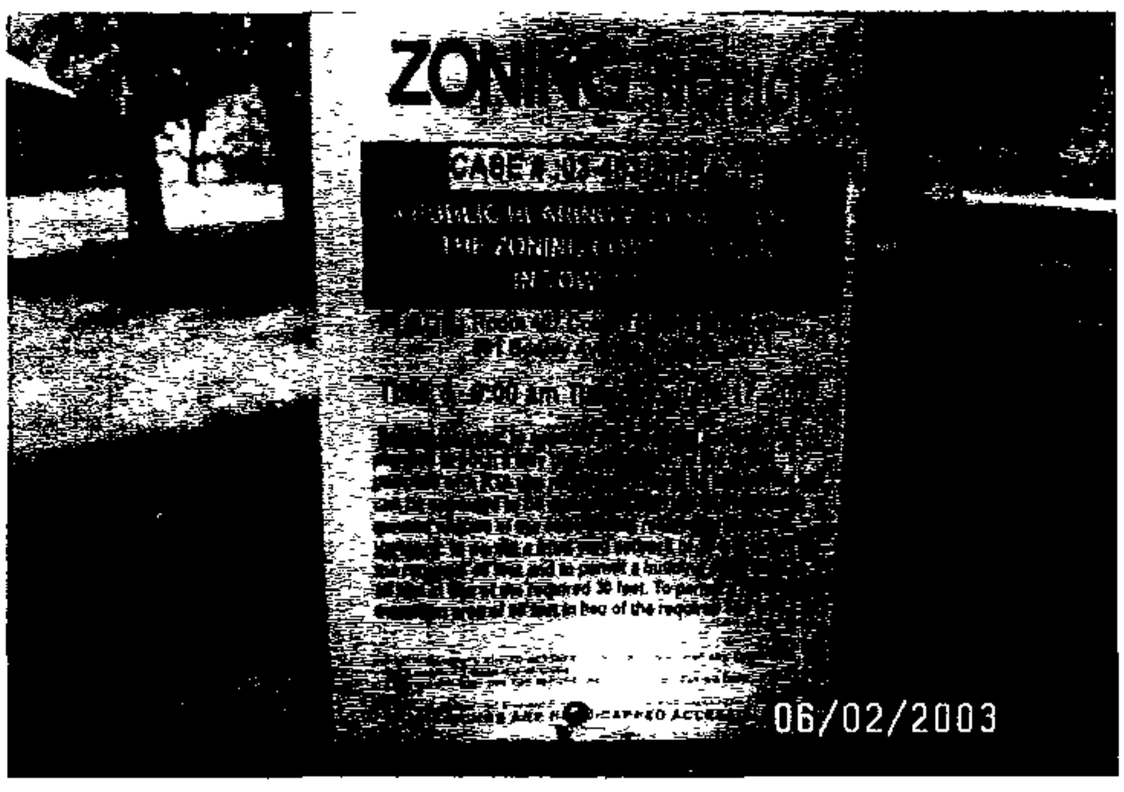
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: REBECCA HART

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

LOCATION:
N/side of Brandt Avenue
347 feet west of Wampler Road



POSTED ON : June 2, 2003

DATE:
June 3, 2003

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

RE: PETITION FOR SPECIAL HEARING AND VARIANCE 2004 Brandt Avenue, N/side Brandt Avenue, 347' W of Wampler Road 15th Election & 6th Councilmanic Districts Legal Owner(s): Charles E Martin, Treasurer Harmony Free Will Baptist Church Petitioner(s)	*	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 03-463-SPHA

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
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 16th day of April, 2003, a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esquire, 409 Washington Avenue, Suite 1000, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED
APR 16 2003
Per.....

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 29, 2003 Issue - Jeffersonian

Please forward billing to:
Deborah C. Dopkin, Esq. 410-821-0200
409 Washington Avenue
Towson, MD 21204

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: 03-463-SPHA
2004 Brandt Avenue
N/side of Brandt Avenue, 347 feet west of Wampler Road
15th Election District – 6th Councilmanic District
Legal Owner: Harmony Free Will Baptist Church, Charles E. Martin, Treasurer

Special Hearing to approve the proposed baptistery is planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises. Variance to permit a front yard setback of 36 feet in lieu of the required 40 feet and to permit a building separation of 20 feet in lieu of the required 30 feet. To permit a residential transition area of 58 feet in lieu of the required 100 feet.

Hearings: Friday, June 13, 2003 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 3, 2003 Issue - Jeffersonian

Please forward billing to:
Deborah C. Dopkin, Esq. 410-821-0200
409 Washington Avenue
Towson, MD 21204

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: 03-463-SPHA
2004 Brandt Avenue
N/side of Brandt Avenue, 347 feet west of Wampler Road
15th Election District – 6th Councilmanic District
Legal Owner: Harmony Free Will Baptist Church, Charles E. Martin, Treasurer

Special Hearing to approve the proposed baptistery is planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises. Variance to permit a front yard setback of 36 feet in lieu of the required 40 feet and to permit a building separation of 20 feet in lieu of the required 30 feet. To permit a residential transition area of 58 feet in lieu of the required 100 feet.

Hearings: Tuesday, June 17, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

Baltimore County
Department of Permits and
Development Management

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

April 15, 2003

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: 03-463-SPHA
2004 Brandt Avenue
N/side of Brandt Avenue, 347 feet west of Wampler Road
15th Election District – 6th Councilmanic District
Legal Owner: Harmony Free Will Baptist Church, Charles E. Martin, Treasurer

Special Hearing to approve the proposed baptistery is planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises. Variance to permit a front yard setback of 36 feet in lieu of the required 40 feet and to permit a building separation of 20 feet in lieu of the required 30 feet. To permit a residential transition area of 58 feet in lieu of the required 100 feet.

Hearings: Friday, June 13, 2003 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

AJ:klm

C: Deborah C. Dopkin, Deborah C. Dopkin, P.A., 409 Washington Avenue, Towson 21204
Harmony Free Will Baptist Church, Charles Martin, Treasurer, 2004 Brandt Avenue, Baltimore 21204

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 29, 2003.**
(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.

Printed with Soybean Ink
on Recycled Paper

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

April 24, 2003

CORRECTED 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: 03-463-SPHA
2004 Brandt Avenue
N/side of Brandt Avenue, 347 feet west of Wampler Road
15th Election District – 6th Councilmanic District
Legal Owner: Harmony Free Will Baptist Church, Charles E. Martin, Treasurer

Special Hearing to approve the proposed baptistery is planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises. Variance to permit a front yard setback of 36 feet in lieu of the required 40 feet and to permit a building separation of 20 feet in lieu of the required 30 feet. To permit a residential transition area of 58 feet in lieu of the required 100 feet.

Hearings: Tuesday, June 17, 2003 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

AJ:rlh

C: Deborah C. Dopkin, Deborah C. Dopkin, P.A., 409 Washington Avenue, Towson 21204
Harmony Free Will Baptist Church, Charles Martin, Treasurer, 2004 Brandt Avenue, Baltimore 21220

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JUNE 2, 2003.**
(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.

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on Recycled Paper

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: 03-463-SPHA

Petitioner: HARMONY FREE WILL BAPTIST CHURCH

Address or Location: 2004 BRANDT AVE.,

PLEASE FORWARD ADVERTISING BILL TO:

Name: DEBORAH C. DOPKIN, ESQUIRE

Address: 409 WASHINGTON AVE.
TOWSON, MD 21204

Telephone Number: 410-821-0200

Revised 2/20/98 - SCJ

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

June 13, 2003

Deborah C. Dopkin
Deborah Dopkin, P.A.
409 Washington Avenue
Towson, MD 21204

Dear Ms. Dopkin:

RE: Case Number: 03-463-SPHA, 2004 Brandt Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 7, 2003.

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.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:klm

Enclosures

c: People's Counsel
Harmony Free Will Baptist Church, Charles Martin, Treasurer, 2004 Brandt Ave., Baltimore 21220

Printed with Soybean Ink
on Recycled Paper

Baltimore County
Fire Department

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

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

April 17, 2002

ATTENTION: Rebecca Hart

Distribution Meeting of: April 14, 2003

Item No.: 456 - 464 463

Dear Ms. Hart:

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.

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

cc: File

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: April 29, 2003

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

SUBJECT: Zoning Advisory Committee Meeting
For April 21, 2003
Item Nos. 456, 458, 460, 461, 462,
463, and 464

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy Kotroco, Director
Department of Permits and
Development Management

DATE: August 4, 2003

FROM: Lynn Lanham
Development Review Section
Office of Planning

SUBJECT: Harmony Free Will Baptist Church
2004 Brand Avenue

PROJECT REQUEST:
ZAC # 03-463
Building Permit # B523507

The Office of Planning has reviewed the revised plan and final architectural elevations. The Office of Planning has determined after consultation with Avery Harden that additional landscaping is not required due to the extent of existing vegetation to remain. Therefore, the Office of Planning finds that the plan is in compliance with the zoning commissioner's order and the permit can be released.

Lynn Lanham

LL:

Post-it® Fax Note 7671

To T. Kotroco	Date 8/4/03 # of pages ▶ 1
Co./Dept.	From Lynn Lanham
Phone #	Co.
Fax # 2624	Phone #
	Fax #

W:\DEVREV\ZAC\03-463letter.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 7, 2003

RECEIVED
MAY - 9 2003
ZONING COMMISSIONER

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

SUBJECT: 2004 Brandt Avenue

INFORMATION:

Item Number: 03-463

Petitioner: Harmony Free Will Baptist Church

Zoning: DR 2

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has received a conceptual front elevation of the proposed structure that appears to be compatible in scale and character (70' x 36' brick with asphalt shingles) of the residential neighborhood.

This office does not oppose the petitioner's request provided final elevations of all sides of the proposed structure and a landscape plan are submitted to this office for review and approval prior to issuing any building permits. In addition, the plan should show the location and extent of all impervious surfaces including sidewalks.

For further information concerning the matters stated herein, please contact David Pinning, 6th District Planner, at 410-887-3480.

Prepared by: Mark A Cump

Section Chief: Lynn Lanham
AFK/LL:MAC:

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

State Highway Administration
Driven to Excel

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4.11.03

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

RE: Baltimore County
Item No. 463 DT

Dear. Ms. Hart:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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

Very truly yours,

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

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

April 24, 2003

Ms. Deborah Dopkin
409 Washington Avenue
Towson, MD 21204

Dear Ms. Dopkin:

RE: Case Number: 03-463-SPHA

The above matter, previously scheduled for Friday, June 13, 2003 has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

Arnold Jablon
Director

AJ:rlh

C: Harmony Free Will Baptist Church, Charles Martin, Treasurer, 2004 Brandt Avenue, Baltimore 21220

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on Recycled Paper

4/23/03
8
DK

DEBORAH C. DOPKIN, P.A.
ATTORNEY AT LAW
409 WASHINGTON AVENUE, SUITE 1000
TOWSON, MARYLAND 21204

TELEPHONE 410-821-0200
FACSIMILE 410-823-8509
e-mail ddopkin@dopkinlaw.com

DEBORAH C DOPKIN

April 22, 2003

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

RE: Harmony Free Will Baptist Church
Case No. 03-463-SPHA

Dear Mr. Jablon:

I represent the Petitioner, Harmony Free Will Baptist Church in connection with the above captioned zoning case. The hearing has been scheduled for June 13, 2003 at 11:00 a.m. This date conflicts with the Maryland State Bar Association, where I have committed to be in attendance. I would appreciate your rescheduling the hearing either for the week prior to June 13th or as soon after June 13th as is possible. I apologize for any inconvenience and thank you in advance for your assistance.

Thank you for your prompt attention to this matter.

Very truly yours,

Deborah C. Dopkin

DCD/kmc

cc: Harmony Free Will Baptist Church
Mr. Bruce Doak
Becky Hart - Zoning Office

C:\docs\KMC\DCD\LETTERS 2003\Jablon Arnold-harmony.wpd

RECEIVED
APR 23 2003
03-1154
DEPT OF PERMITS AND
DEVELOPMENT MANAGEMENT

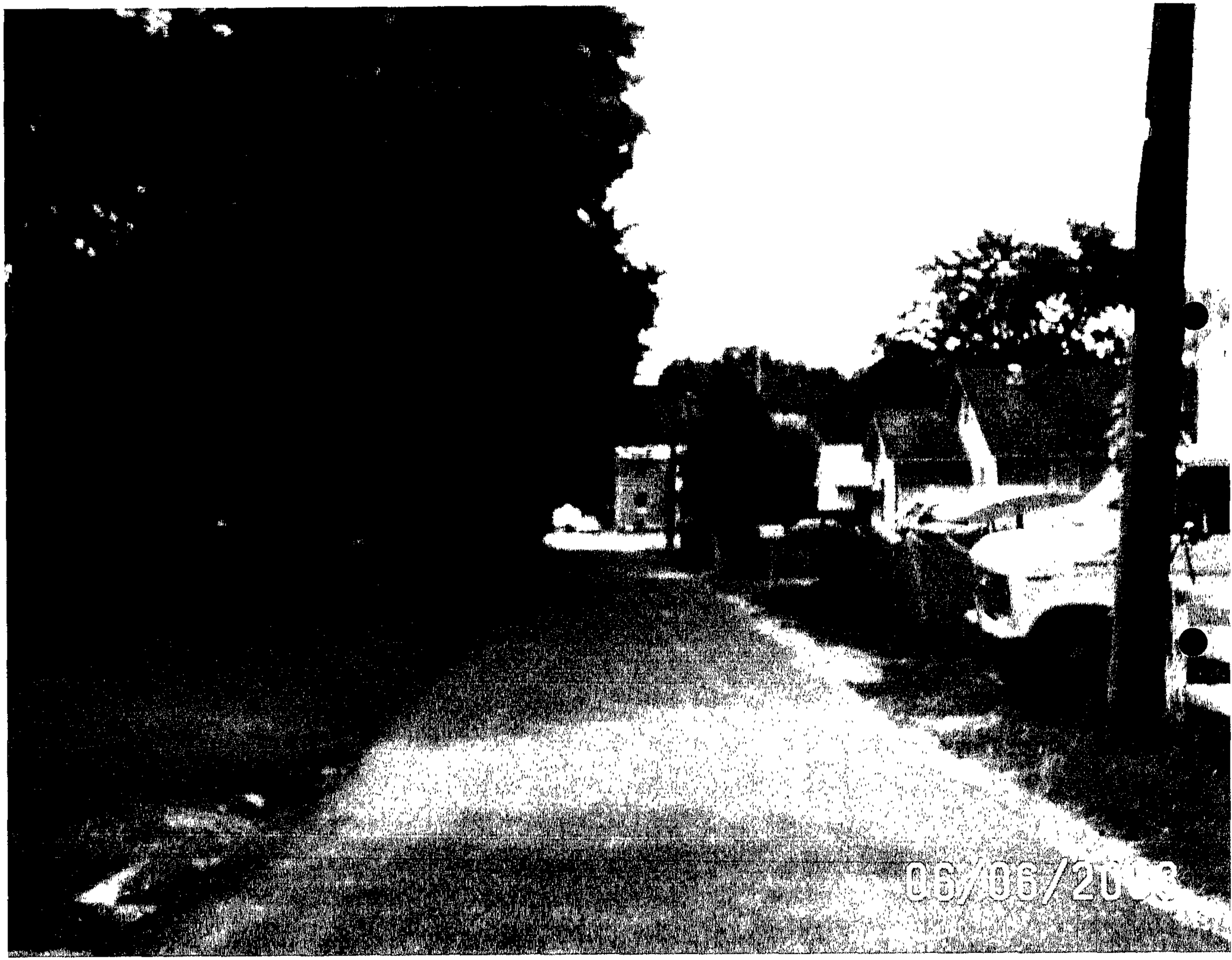
PLEASE PRINT CLEARLY

CASE NAME HARMONY FREE WILL BAPTIST CHURCH
CASE NUMBER 03-463-SPHA
DATE JUNE 17, 2003

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
SCOTT A. LINDGREN GERHOLD, CROSS & ETZEL, LTD	SUITE 100 320 E. TOWSONTOWN BLVD	TOWSON, MARYLAND 21286	
DEBORAH C. DOPKIN	1000 MERCANTILE-TOWSON BUILDING 409 WASHINGTON AVENUE	TOWSON, MARYLAND 21204	
CHARLES MARTIN	208 BRANDT AVE.	BALTO. MD. 21220	
VINCE R. COLEMANE	815 WINDRIVER DRIVE	SYKESVILLE MD 21784	

06/06/2003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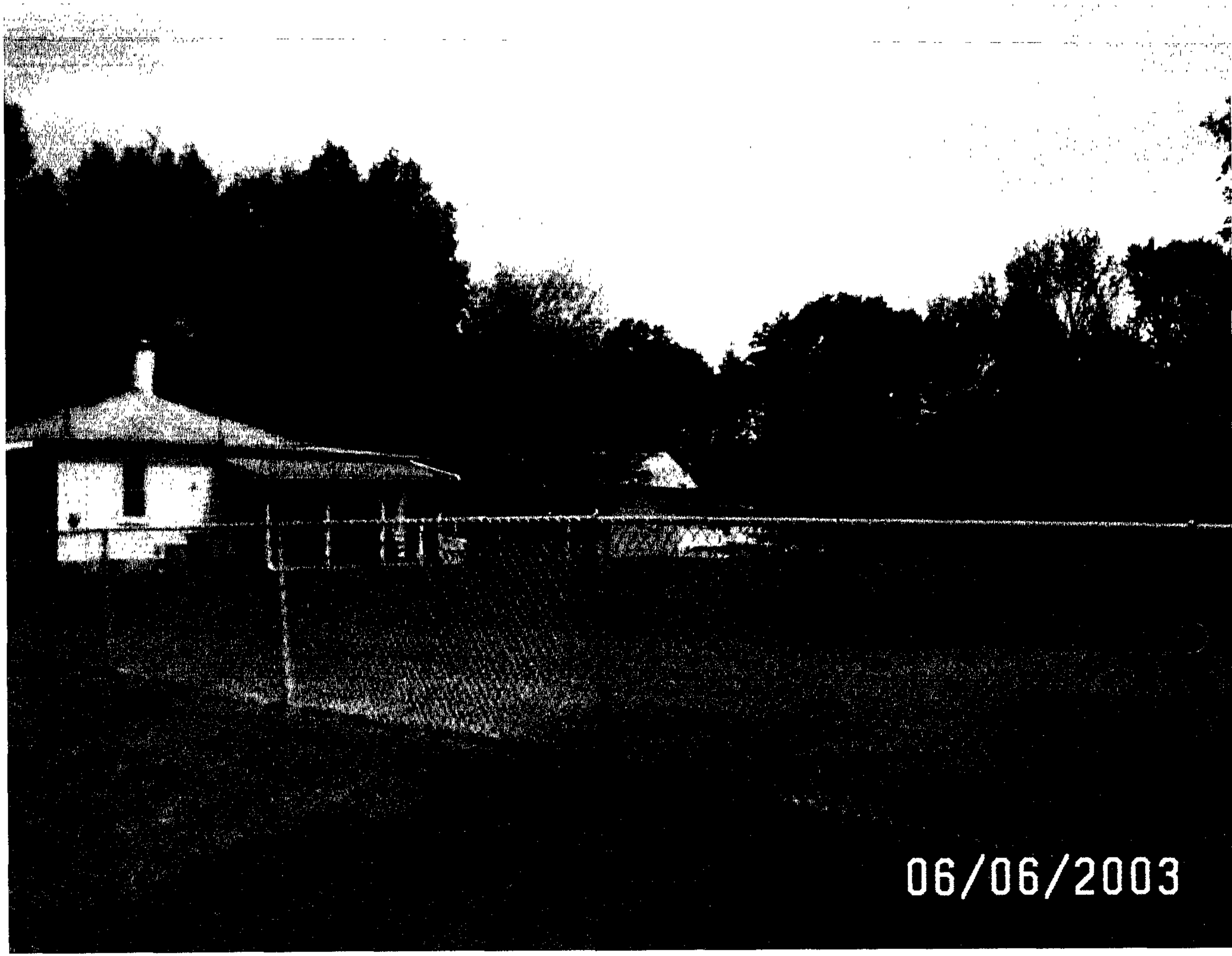

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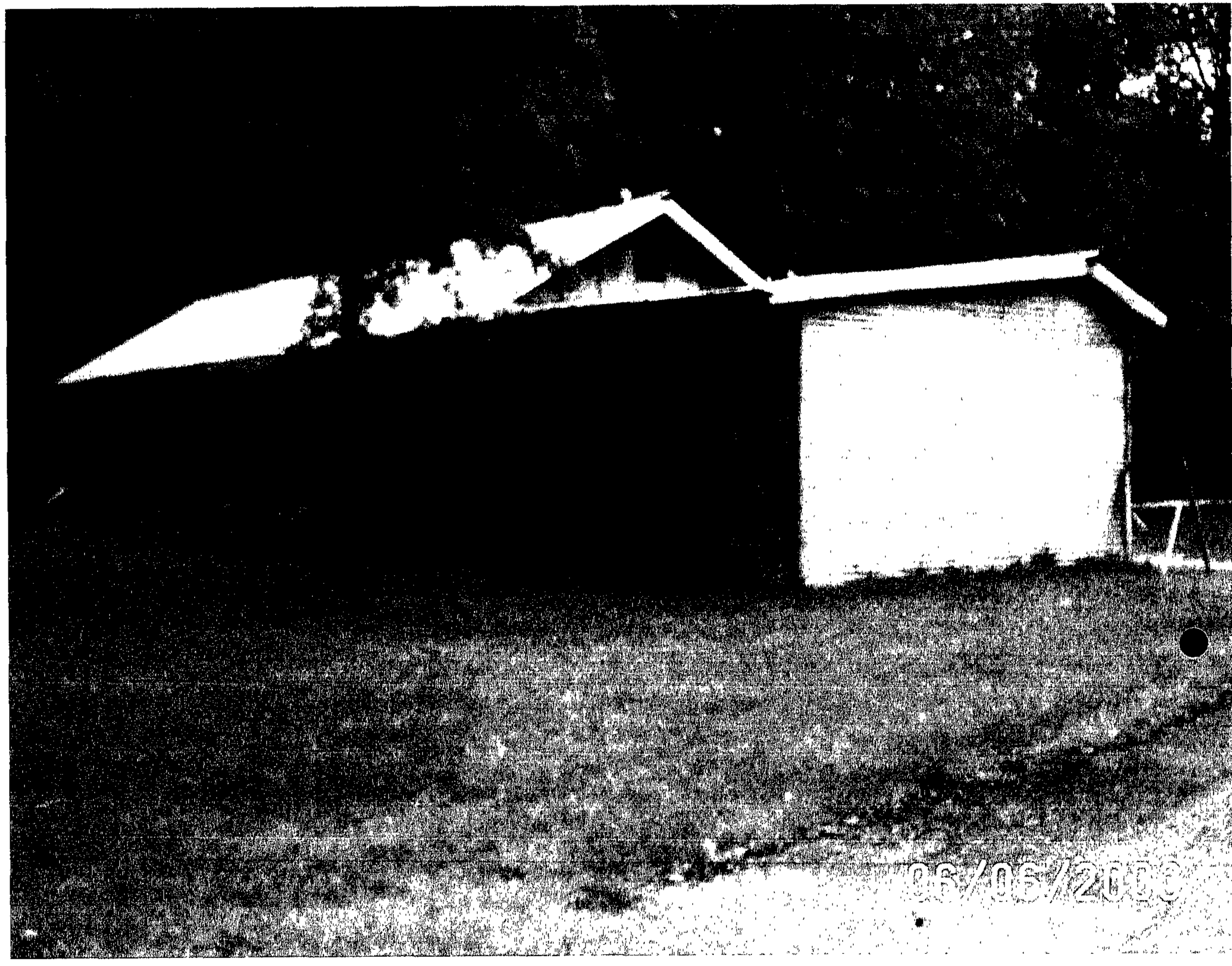

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06/06/2003

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05/03/2003

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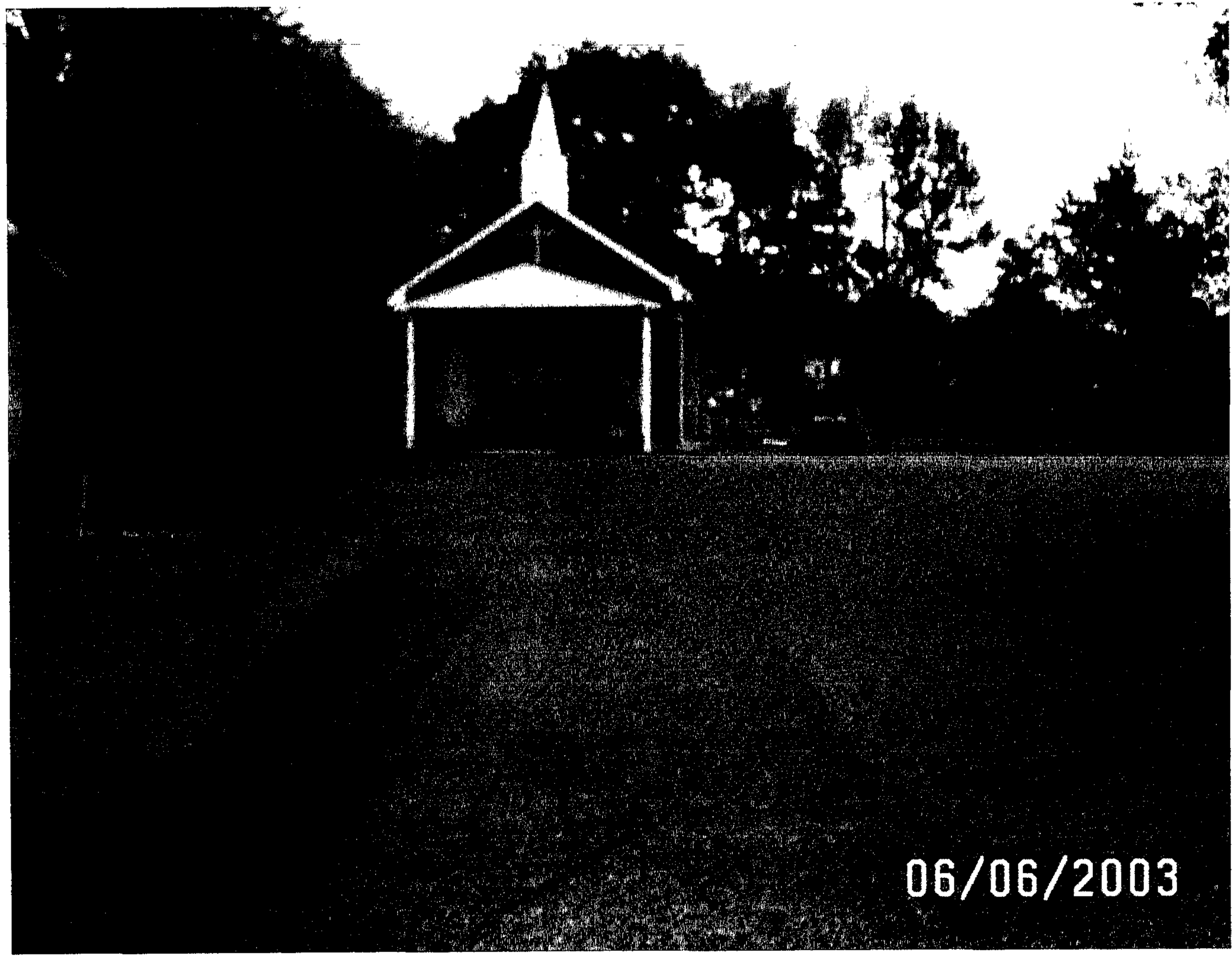

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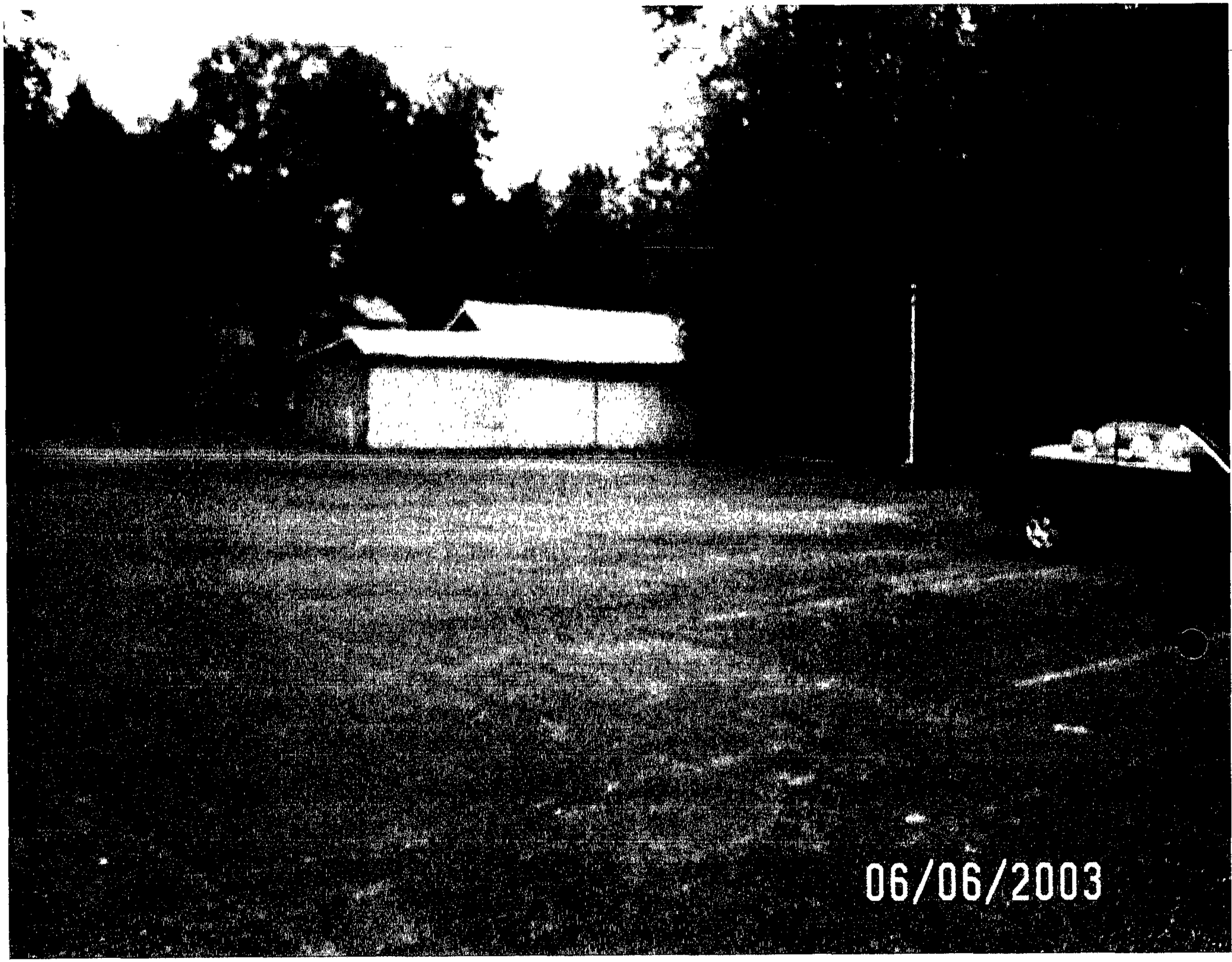

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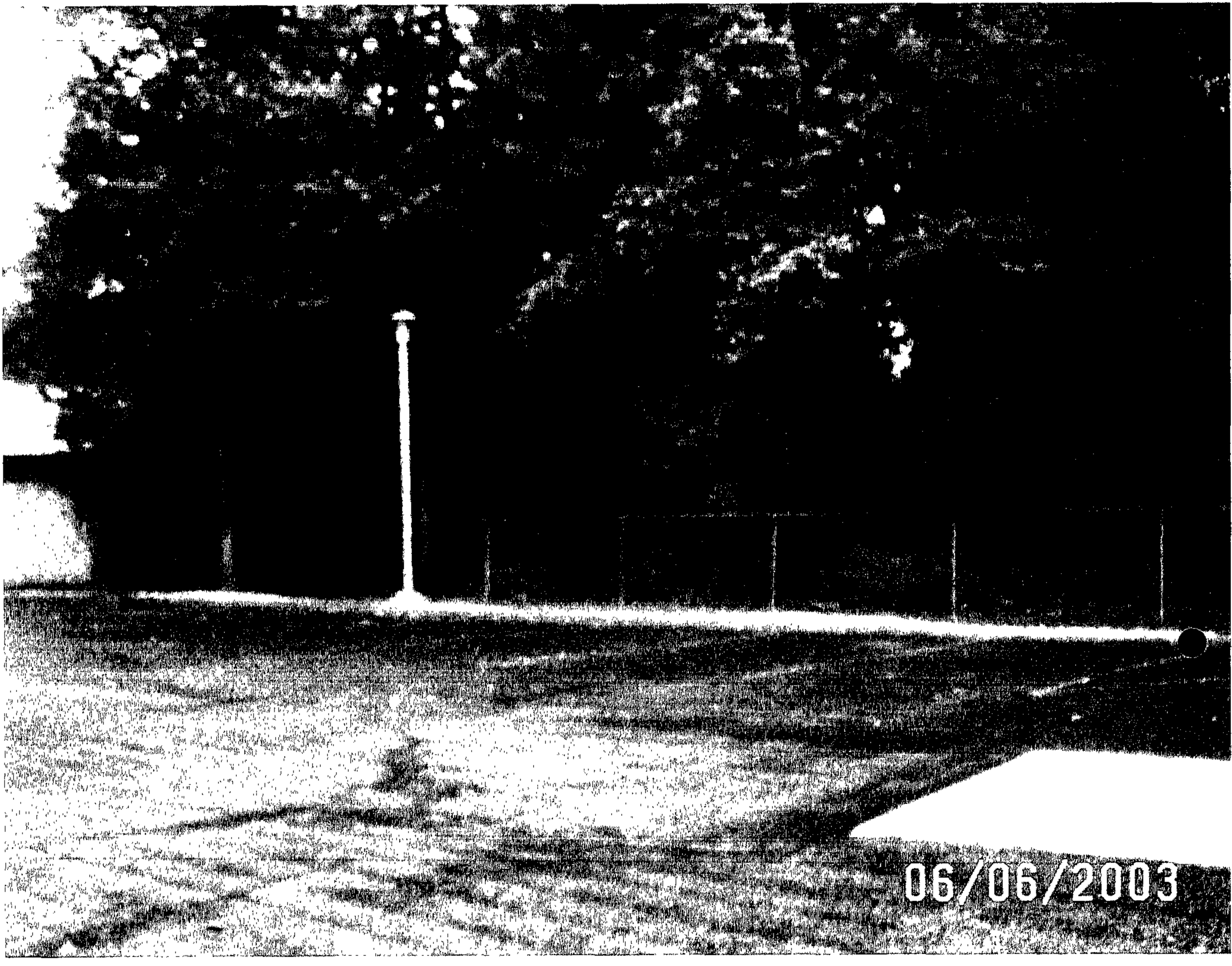

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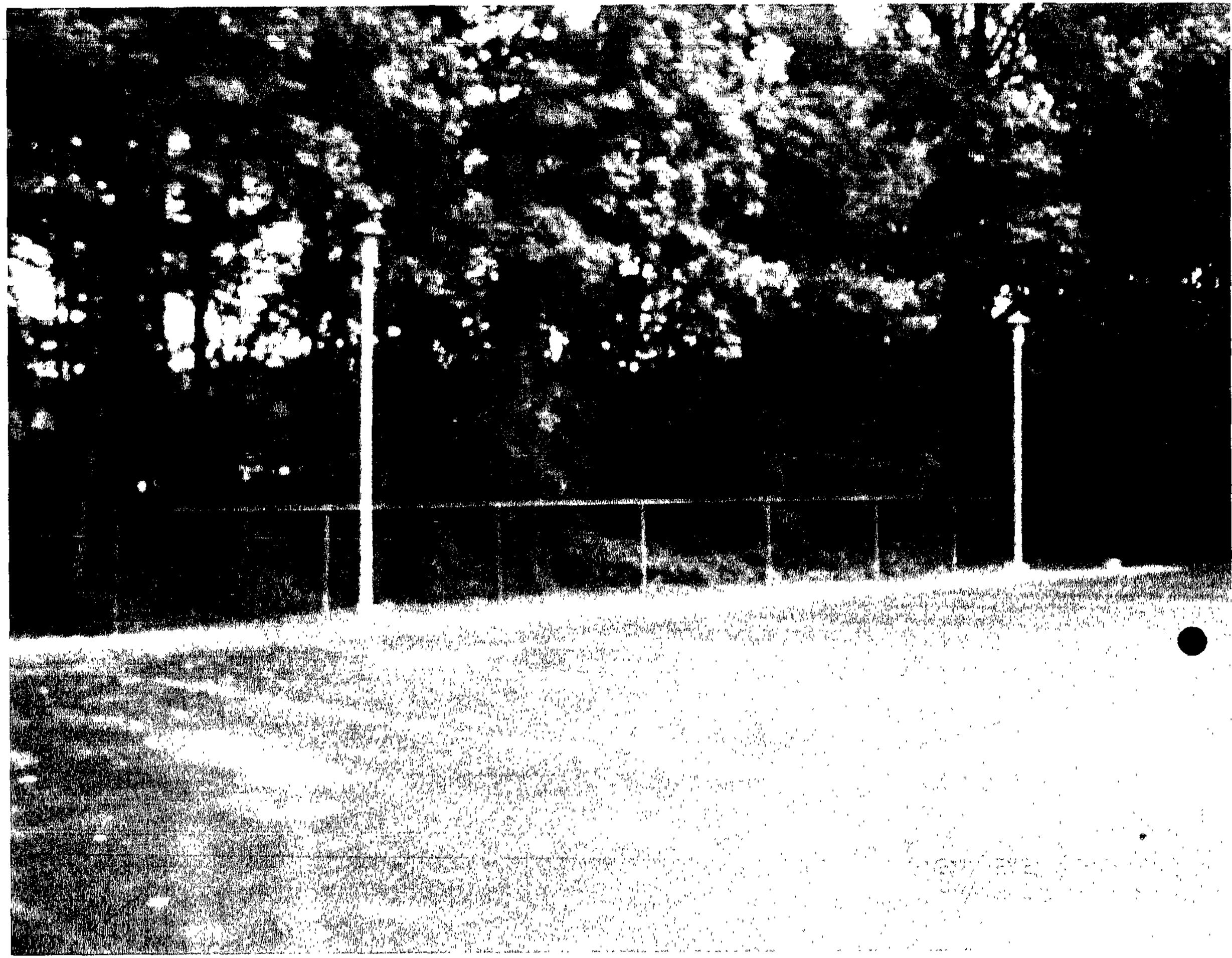

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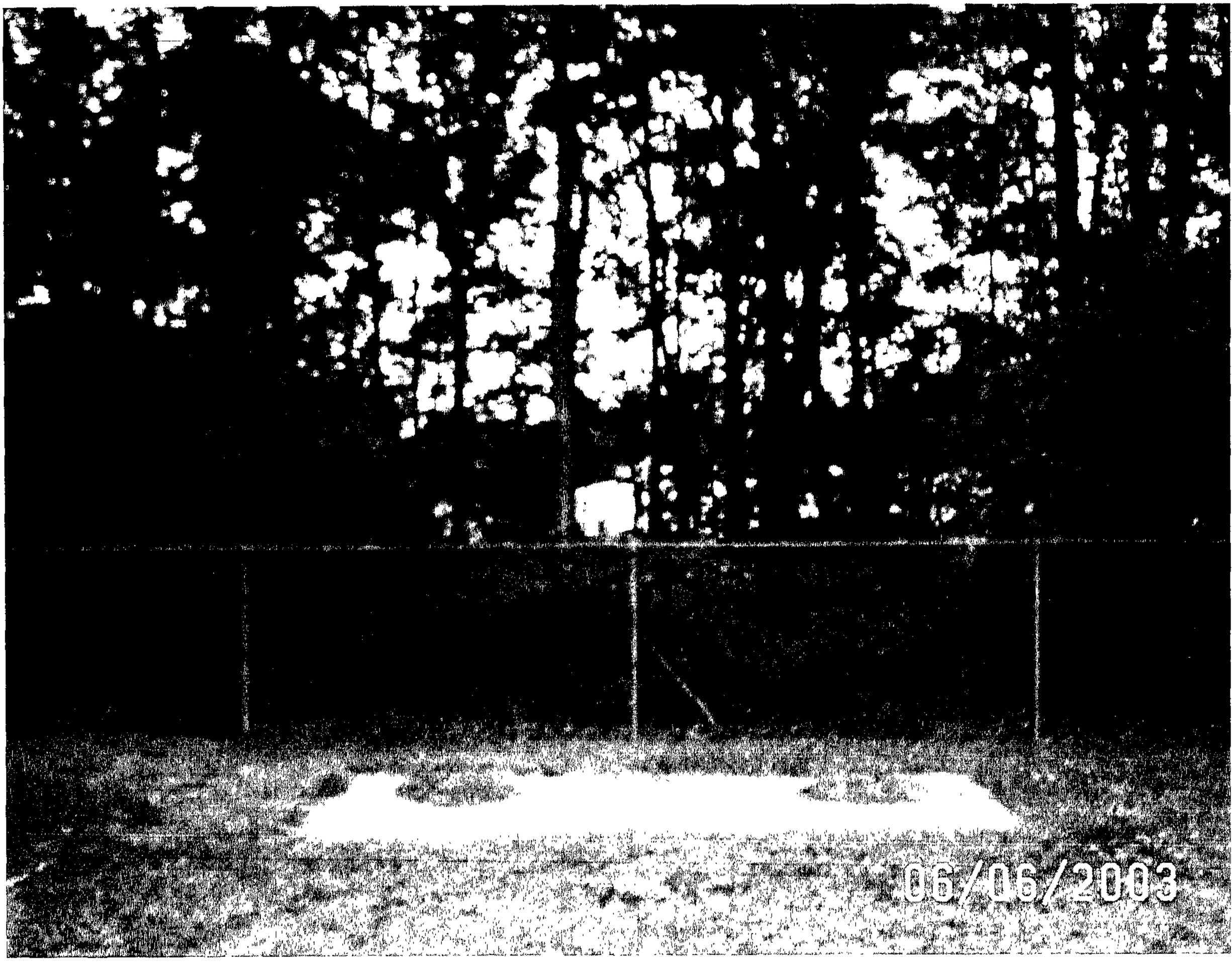

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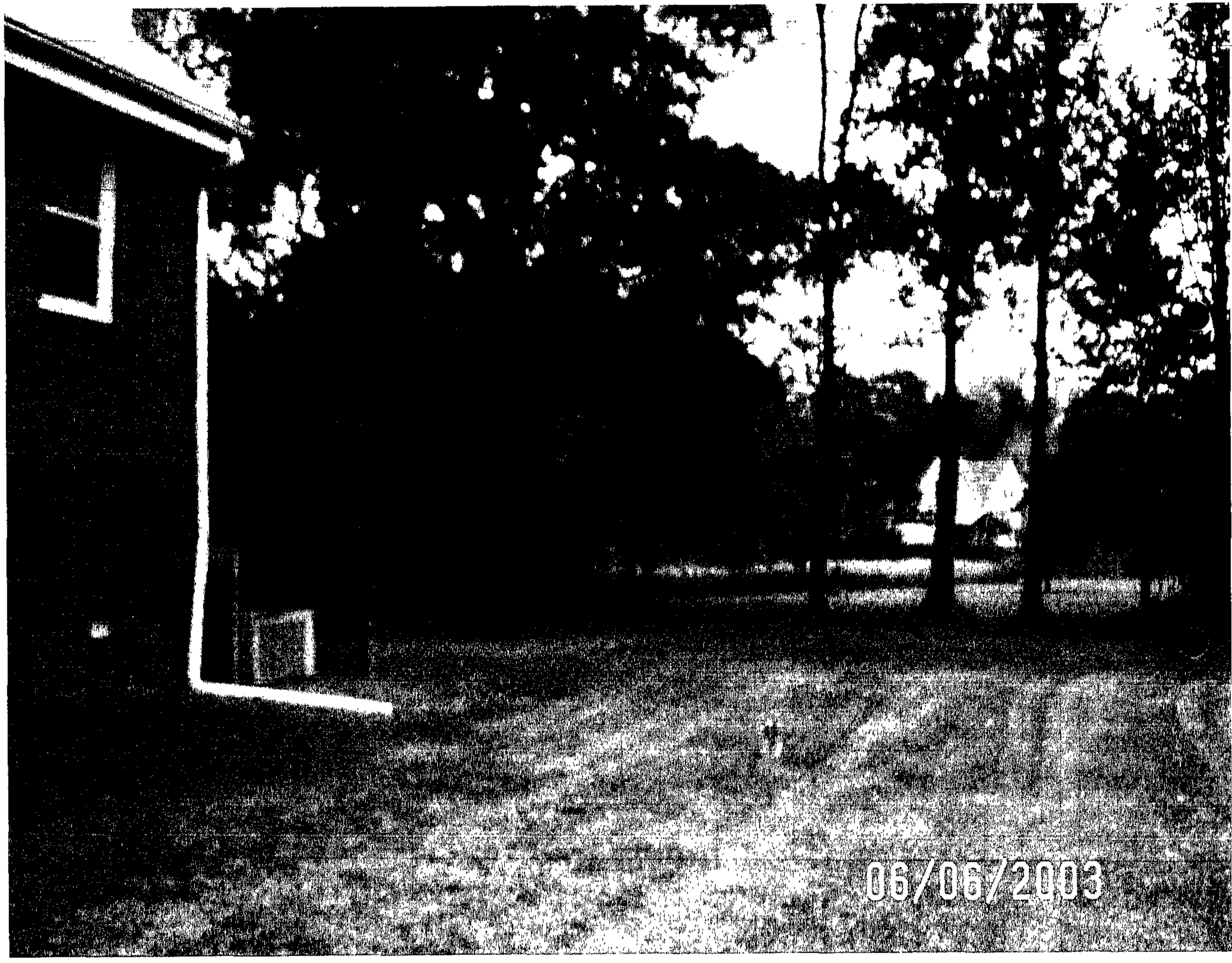

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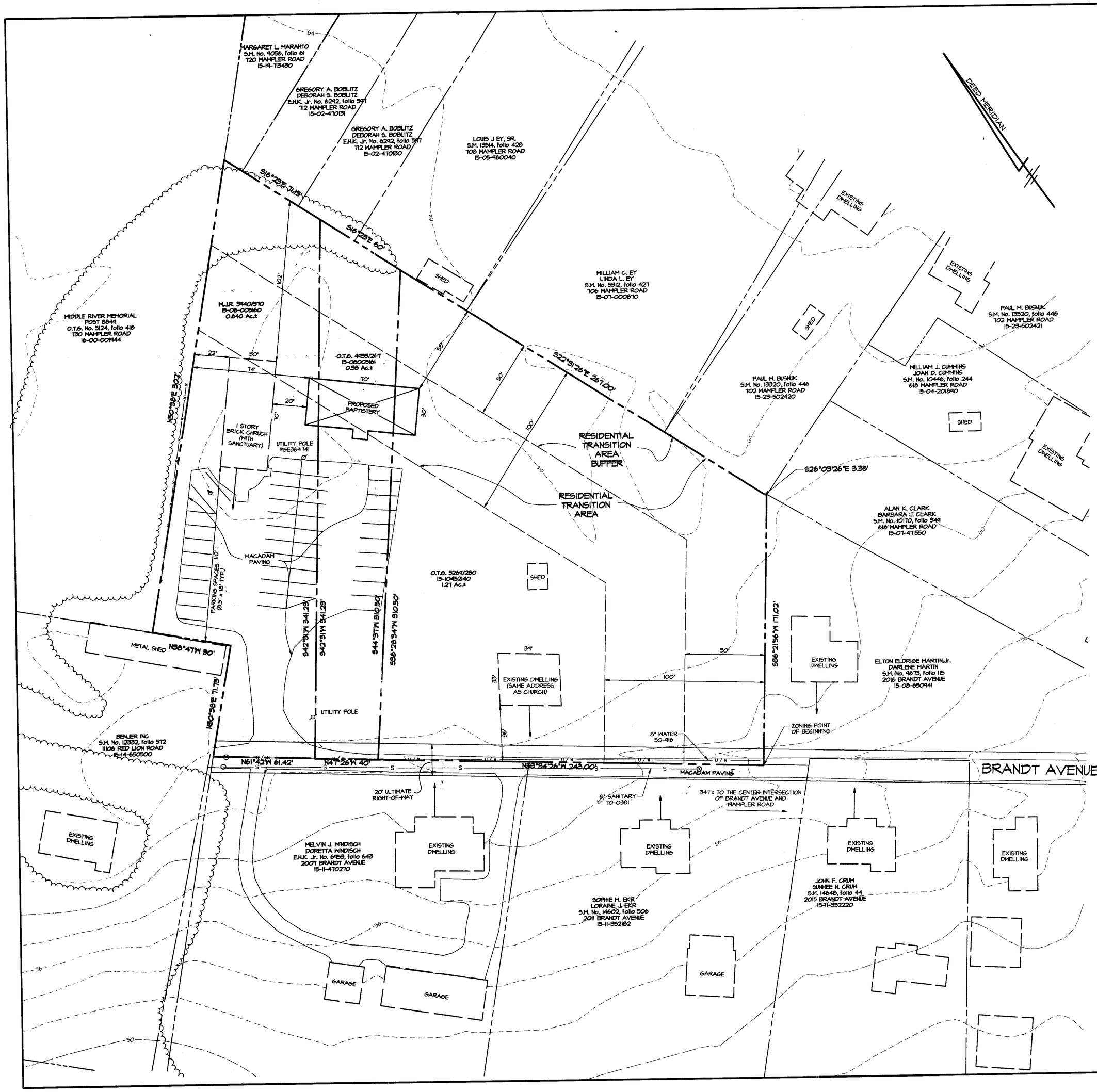
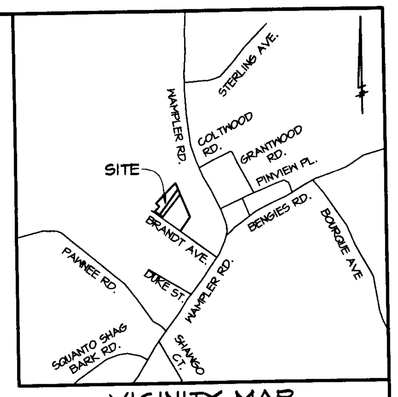




VICINITY MAP
1" = 1000'

GENERAL NOTES

1. THE BOUNDARY SHOWN HEREON IS FROM THE TITLE DEED
2. THE TOPOGRAPHY SHOWN HEREON HAS TAKEN FROM BALTIMORE COUNTY GIS TILE 90G1
3. CENSUS TRACT 4514 A.D.C. MAP & GRID 37 H3
   WATERSHED MIDDLE RIVER SUBSENERSHED 7
   SCHOOL DISTRICT 88 REGIONAL PLANNING DISTRICT 327
4. THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
5. THE SUBJECT PROPERTY IS NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
6. THERE ARE NO ZONING LINES WITHIN 200' OF THE SUBJECT PROPERTY.
7. THE BAPTISTERY WILL NOT BE USED AS A SANCTUARY.
8. MAXIMUM HEIGHT OF THE EXISTING OR PROPOSED BUILDING WILL NOT EXCEED 30'.
9. THE CHURCH HAS NO EMPLOYEES.
10. PARKING CALCULATIONS: SEATS IN SANCTUARY (100)/4= 25 REQUIRED PARKING SPACES
    PARKING SPACES AS STRIPED: 40 (INCLUDING ONE HANDICAP)

SPECIAL HEARING

TO DETERMINE PURSUANT TO SECTION 1B01.1.B.1.g(6) THAT THE PROPOSED BAPTISTERY IS PLANNED IN SUCH A MAY COMPLIANCE, TO THE EXTENT POSSIBLE WITH RTA USE REQUIREMENTS, WILL BE MAINTAINED AND CAN BE EXPECTED TO BE COMPATIABLE WITH THE CHARACTER AND GENERAL WELFARE OF THE SURROUNDING RESIDENTAIL PREMISES.

VARIANCES REQUESTED

SECTION 1B02.3.C.1.CHART
TO PERMIT A FRONT YARD SETBACK OF 36' IN LIEU OF THE REQUIRED 40' FOR THE EXISTING DWELLING.

SECTION 1B01.2.C.1.a TO PERMIT A BUILDING TO BUILDING SEPERATION OF 20' IN LIEU OF THE REQUIRED 60'; AND A SIDE YARD OF 22' IN LIEU OF THE REQUIRED 30'.

SECTION 1B01.1.B.d(1) TO PERMIT A RESIDENTIAL TRANSITION AREA OF 58' IN LIEU OF THE REQUIRED 100'

OWNER\DEVELOPER

HARMONY FREE WILL BAPTIST CHURCH
C/O VIKING DEVELOPMENT CORPORATION
815 WINDRIVER DRIVE
SYKESVILLE, MARYLAND 21784
(410) 442-2697

LEGEND

- PROPOSED BUILDING
- EXISTING DWELLING
- WOODS LINE
- EXISTING PAVING
- UNDERGROUND SANITARY — S —
- UNDERGROUND WATER — U/W —
- PROPERTY LINE
- CONTOURS

Pet No 1

PLAT TO ACCOMPANY A PETITION FOR VARIANCES AND A SPECIAL HEARING

OF THE

HARMONY FREE WILL BAPTIST CHURCH

2004 BRANDT AVENUE
Deed Ref: W.J.R. 3440, folio 570
O.T.G. 4953, folio 267
O.T.G. 5269, folio 280
Tax Account No.: 15-08-005160
15-05-005161
15-10-452140
Zoned D.R. 2; Map NE 51
Tax Map 90; Grid 6; Parcel 392, 1015, & 393
15th ELECTION DISTRICT
5th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Scale: 1"=30' Date: FEBRUARY 21, 2003

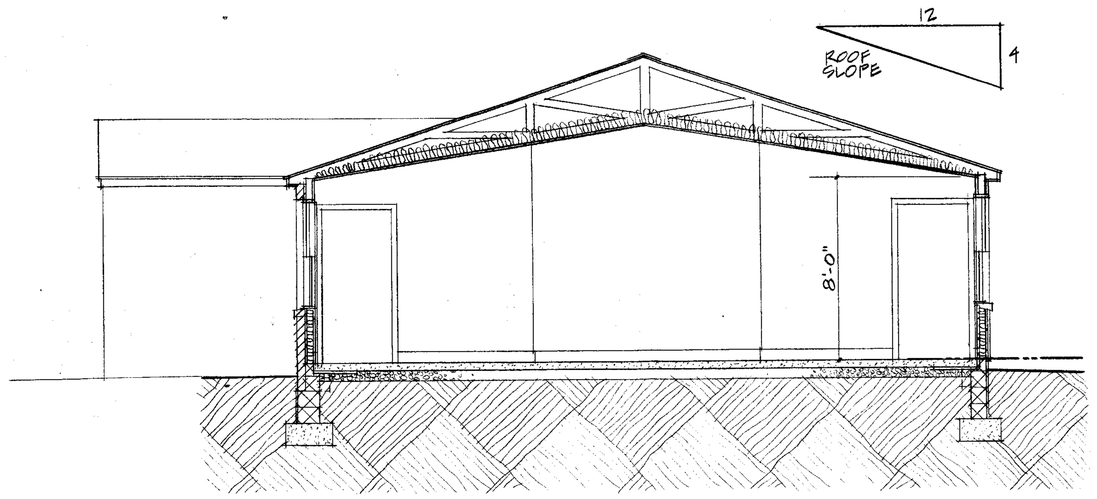
REVISION	DATE
PARKING LAYOUT REVISED PER FIELD VISIT	6/6/03
REVISIONS TO THE REQUESTED VARIANCES	4/7/03

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

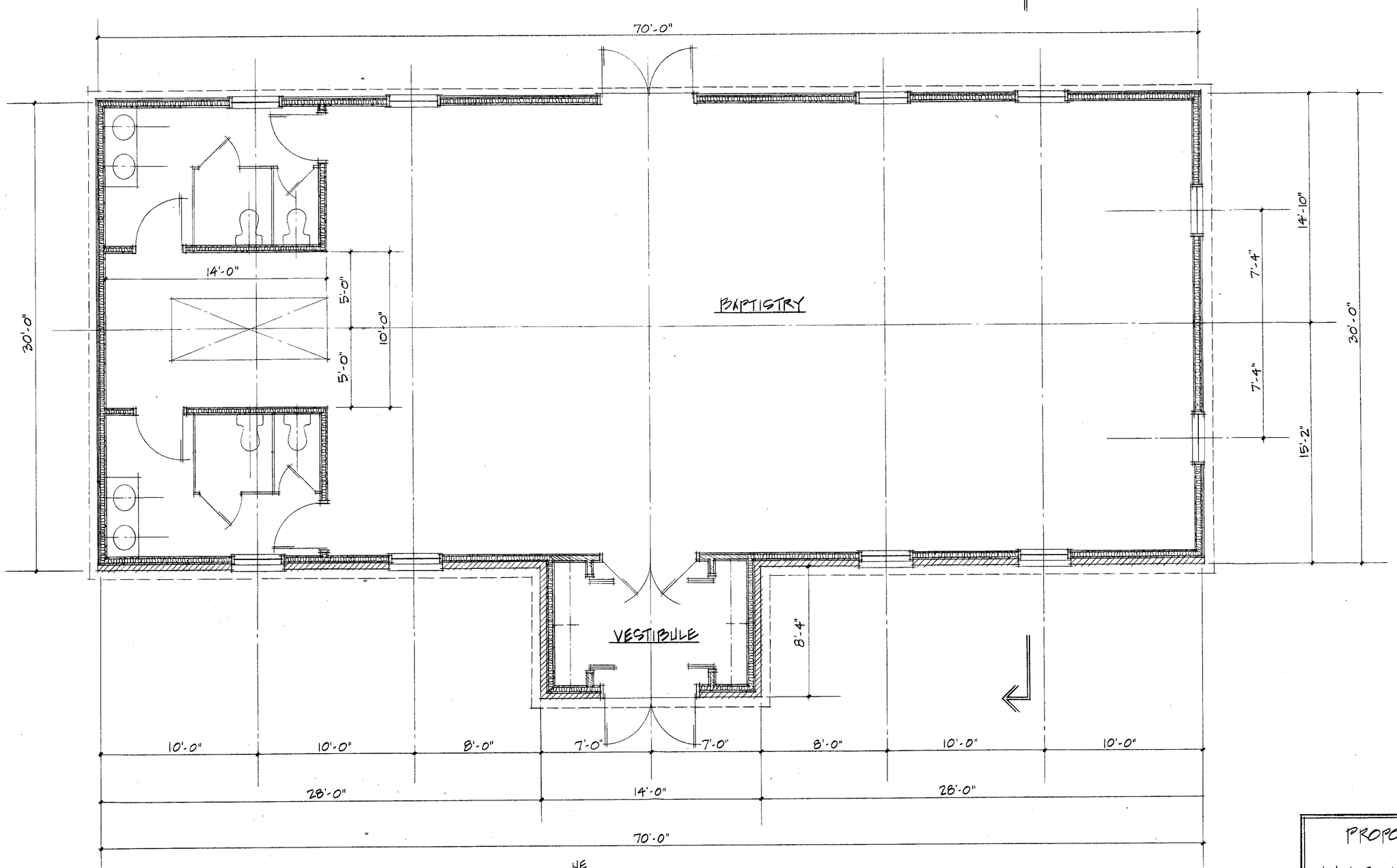
COMPUTED: S.A.L. | DRAWN: S.A.L. | CHECKED: B.E.D. | FILE:X:\FREEWILL\ZONING.pro

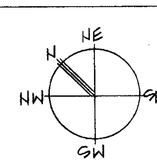
Jan 9, 2003

Pet. Ex. #1



SECTION 1/4" = 1'



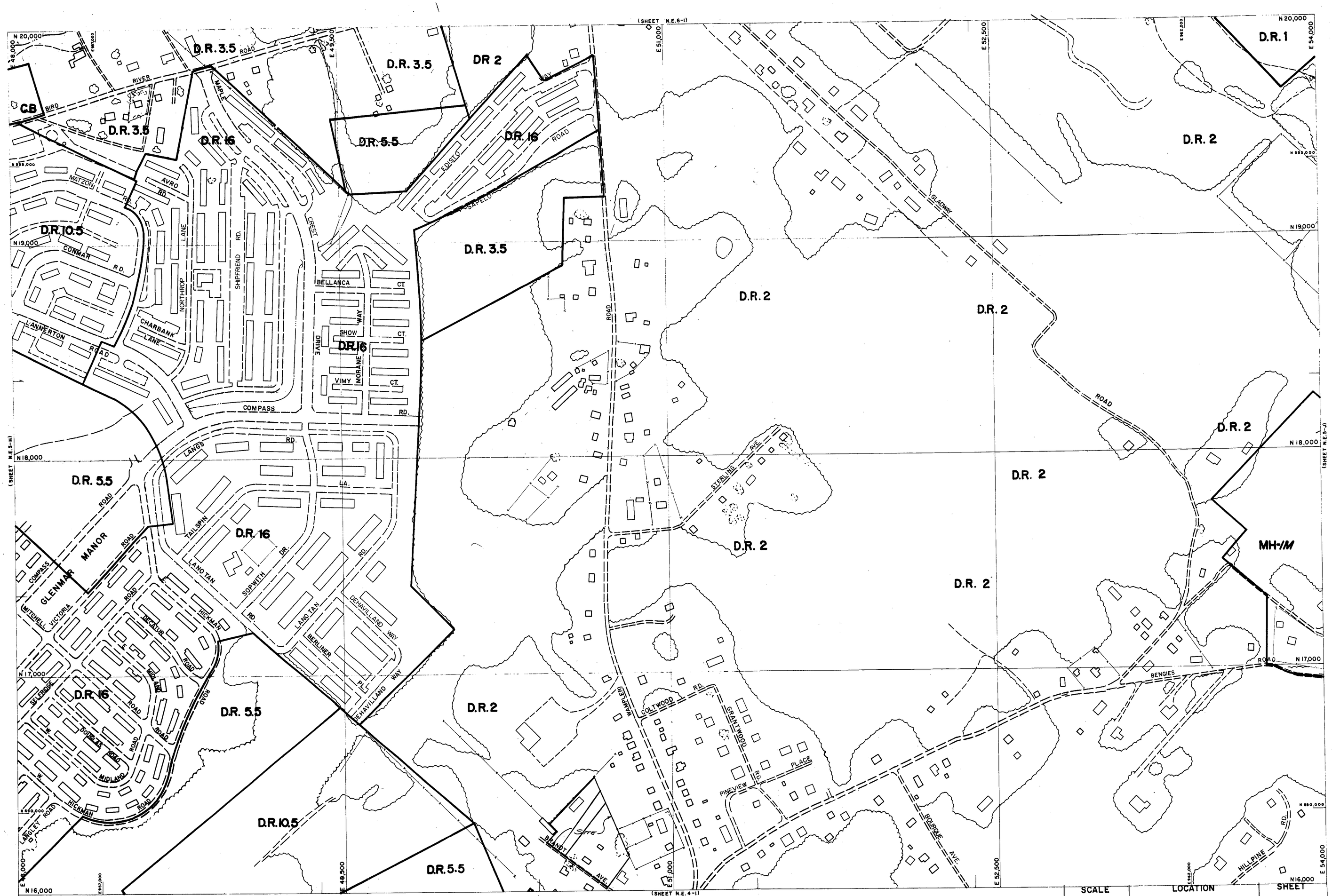


PLAN 1/4" = 1'

APOLLO
623 EAST BALTIMORE STREET
BALTIMORE, MARYLAND 21202

PROPOSED BAPTISTRY
FOR
HARMONY FREE WILL
BAPTIST CHURCH
2004 BRAND AVE.
BALTIMORE CO. MD.

2



I - NE
M - SE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00

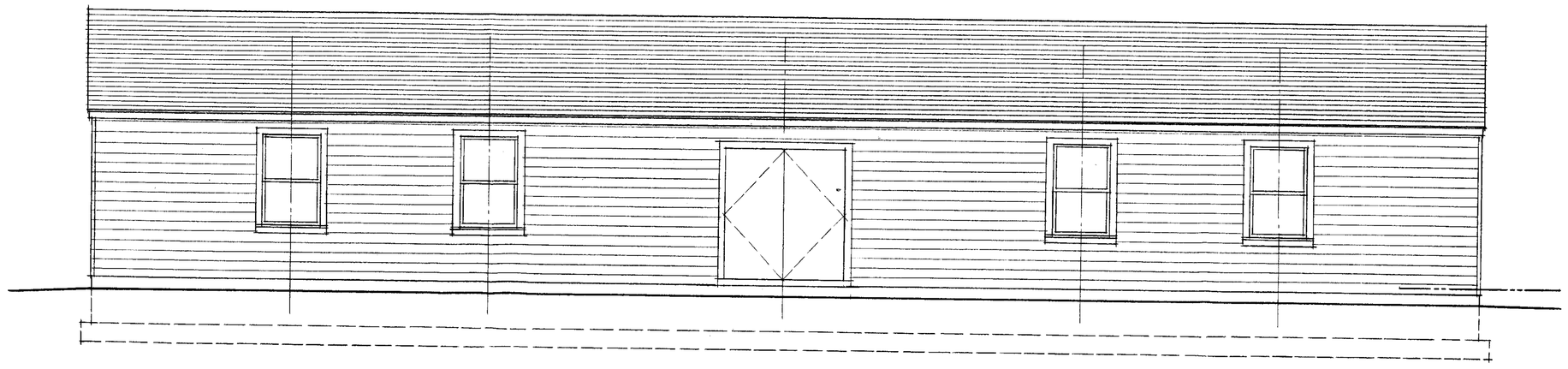
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

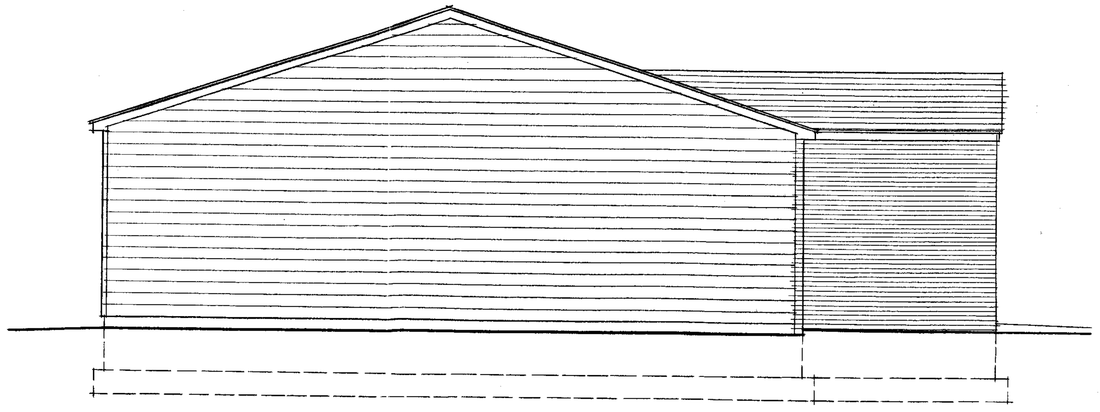
SCALE	LOCATION	SHEET
1" = 200'±	BENGIES VICINITY	N.E. 5-I
DATE OF PHOTOGRAPHY JANUARY 1986		

NE 5 I

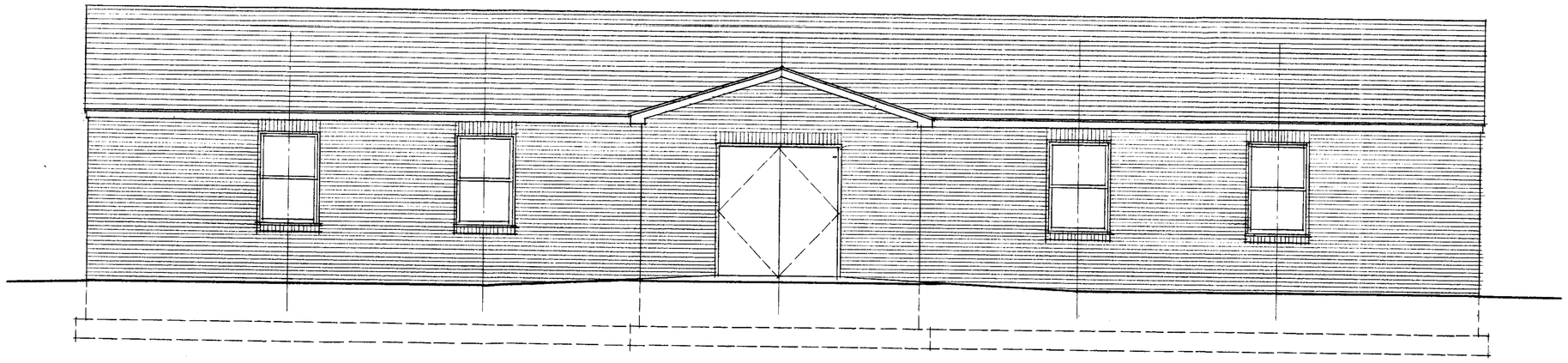
03-463-SPHA



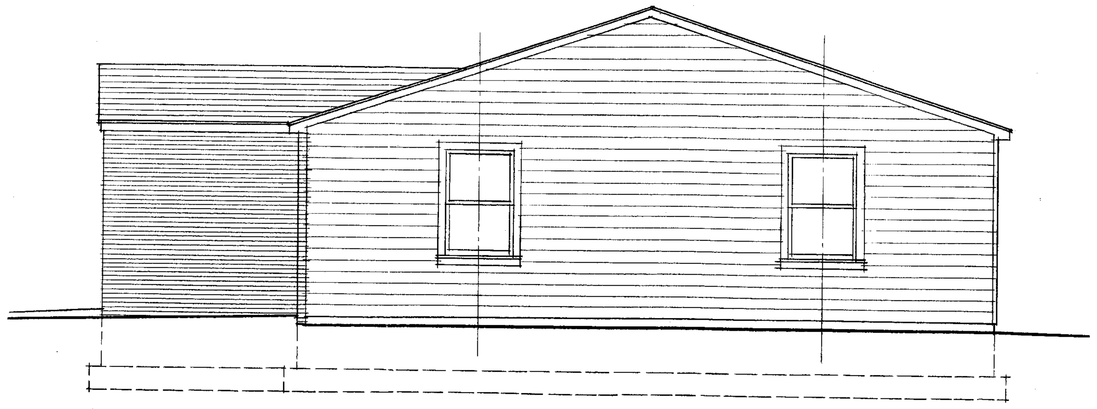
NORTHEAST ELEVATION 1/4" = 1'



NORTHWEST ELEVATION 1/4" = 1'



SOUTHWEST ELEVATION 1/4" = 1'



SOUTHEAST ELEVATION 1/4" = 1'

Bd No 3

APOLLO
823 EAST BALTIMORE STREET
BALTIMORE, MARYLAND 21202

PROPOSED BAPTISTRY
FOR
HARMONY FREE WILL
BAPTIST CHURCH
2004 BRANDAVE
BALTIMORE CO. MD.

1