

Union Bethel African Methodist Episcopal Church CAUSO 11/25/8

Randallstown, Maryland 21133
Rev. Charles T. Sembly, Pastor

"We Are Family"

Serving the World Parish Since 1826

PASTER OF DAVIS

FORSTOR MR DAVIS

FORSTOR MR DAVIS

ADVISED WEDD HEND

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FLANS CHAMES

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November 12, 2008

Mr. William J. Wiseman III
Zoning Commissioner- Baltimore County Maryland
County Courts Building
401 Bosley Avenue Suite 405
Towson, Maryland 21204

Re: Zoning Case: 04-155-SPHA

NO FULL OF LETTER NO FULL ME IF CHLL ME IF C

Dear Mr. Wiseman:

Union Bethel AME Church, Inc. was granted, by decision of then Zoning Commissioner Lawrence Schmidt on December 30, 2003, approval of variances and Special Hearing Relief which became a Final Order. The variances dealt with an addition to the property of a free-standing Community Resource Center, which was located across the existing driveway from the Church. The variances requested had to do solely with that proposed new construction in the existing setback lines from the property line.

A stipulation of that Final Order was that, the petitioner (Union Bethel AME Church, Inc.), was given five (5) years from the date of the Order to commence construction of the proposed building. As evidenced by the several follow-up letters sent to your office in the past year, the church is fully intent on constructing this Resource Center. Just as with the national economy has suffered, the Church has encountered difficulty in raising the needed funds. It is requested that the start construction date be extended eighteen (18) to twenty-four (24) months to allow the Church to raise the necessary resources to complete the construction without interruption.

It requested that after review your office advise whether this extension change is acceptable. If you have any questions of me, please don not hesitate to call.

Very truly yours,

Rev. Charles T. Sembly, Pastor

ce. K. Oliver - Baltimore County Council

J. Madden - UBAMEC W. Davis - UBAMEC

Church Phone: (410) 922-3286

Fax: (410) 922-3299

Web Page: UnionBethelamec.org

PRDER RECEIVED FOR FILING

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE – S/S Church Lane,

620' NW of the c/l Old Court Road

(8615 Church Lane)

2nd Election District

2nd Council District

Union Bethel AME Church, Inc. Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 04-155-SPHA

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Union Bethel AME Church, Inc., by Charles T. Sembly, Pastor, and John Madden, Member, through their attorney, Michael P. Tanczyn, Esquire. The Petitioners request a special hearing to adjust the Residential Transition Area (RTA) for this property, pursuant to Section 1B01.1.B.1.C(1)&(2) of the Baltimore County Zoning Regulations (B.C.Z.R.); to determine whether the proposed uses are exempt from RTA requirements, pursuant to Section 1B01.1.B.1.G(6) or (10); to determine whether the maximum height of the proposed building is compatible, pursuant to Section 206.4.D of the B.C.Z.R. and Section 26-282 of the Baltimore County Code; and, to approve a shared parking arrangement, pursuant to Section 409.6.B.3 of the B.C.Z.R. Variance relief, if necessary, is requested as follows: 1) from Section 206.4.C.1 to permit a side lot line setback of 25 feet in lieu of the minimum required 35 feet, and a front lot line setback of 13 feet in lieu of the minimum required 70 feet; 2) from Section 206.4.C.3 to allow amenity open space of 23% in lieu of the minimum required 25% of the net lot area (if the amenity open space on the D.R.5.5 zoned land is included, then the 25% minimum required would be met); and 3), from Section 409.8.A.1 of the B.C.Z.R. to permit landscaping as required pursuant to that Section, except for four (4) parking spaces on the northeast side lot line. The subject property and requested relief are more

particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests were Charles T. Sembly, Pastor, and John Madden, representatives of the Union Bethel AME Church, Inc., Petitioners/property owners. Also appearing were Andrea Johnson and William Davis, members of the Church, Herbert Malmud, the Surveyor who prepared the site plan, and Michael P. Tanczyn, Esquire, attorney for the Petitioners. Mike DiGrazia, adjacent property owner, appeared as an interested citizen.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the south side of Church Lane, across from Elmcroft Road and west of Old Court Road in Randallstown. The property contains a gross area of 3.11 acres, more or less, split zoned O.R.2 and D.R.5.5, and is improved with a rectangular shaped building, which is used as a combination church and school. Apparently, the property was originally developed with a synagogue; however, the current owners acquired the site in 1992 and it has served as the home of the Union Bethel AME Church since that time. In addition to the existing church/school building, the site also features a macadam parking area that currently provides approximately 100 spaces.

The instant Petitions were filed to enable construction of a proposed two-story community resource center on the site. Due to the location of existing improvements, the requested special hearing and variance relief is necessary. The site plan shows the proposed location of the building on the site, and a schematic representation of the structure, which indicates that the proposed building will be 96' wide and 90' deep.

Testimony was offered regarding the ministry of the Union Bethel AME Church. Apparently, there are approximately 650 members. In addition to religious services, the Church has an active outreach ministry, including the existing school. Church services are held three times on Sunday mornings; 8:00 AM, 9:30 AM, and 11:00 AM.

The purpose of the proposed building is to provide additional space for the Church and its ministries. Pastor Sembly indicated that meetings are routinely held at the Church and that the

proposed building will provide additional space/meeting facilities for its members. It need be emphasized that the proposed use of the building will not conflict with the existing activities on the property. That is, the days and times when the building will be most utilized are those when there are no Church services. Moreover, in addressing a concern expressed by Mr. DiGrazia, it appears unlikely that there would be an occasion when both the Church building and proposed community resource center would be in full use and occupancy.

In addition to the proposed construction of the building, an expansion of the existing parking lot is proposed. The additional areas of parking will bring the total capacity of the new lot to approximately 170 spaces. It is also to be noted that traffic is directed to the interior of the site through a one-way entrance/one-way exit from Church Lane. There is also an additional means to exit the property from the rear of the site through a driveway leading to Old Court Road. These multiple means of ingress/egress will help move heavy volumes of traffic on and off the site during busy times, such as holidays when the sanctuary can be filled to capacity (460 seats).

Special hearing relief is requested as set forth above. In this regard, the property is split zoned O.R.2 and D.R.5.5 and there are adjacent residential properties with that same residential zoning classification. Thus, a residential transition area is generated pursuant to Section 1B01.1.B.1 of the B.C.Z.R. Section 1B01.1.B.1.g(6) provides for an exception to the RTA requirements for a new church or other building for religious worship. Similar relief is provided in Section 1B01.1.B.1.g(10), which allows an exemption for a new community building or other structures devoted to civic, social, recreational, fraternal or educational activities. In my judgment, the proposed building is exempt from the RTA requirements, pursuant to Section 1B01.1.B.1.g(6). Although religious services per se will not be conducted in the new building, the proposed structure is clearly part of the Church campus and will be utilized for the outreach ministries associated with the Union Bethel AME Church. Moreover, I find that the proposed improvements are planned in such a way that compliance to the extent possible with the RTA use requirements will be maintained and that the plan and improvements as proposed will be compatible with the character and general welfare of the surrounding residential area. I further

find that the request is consistent and meets the spirit and intent of the RTA requirements. Thus, special hearing relief shall be granted for Requests 1 and 2 of the attachment to the Petition for Special Hearing.

Special hearing relief is also requested to determine if the height of the proposed building is compatible, pursuant to Section 206.4.D of the B.C.Z.R. and Section 26-282 of the Baltimore County Code. As noted above, a schematic representation of the proposed building is shown on Petitioner's Exhibit 1. Although a two-story structure, the height of the new building will be no greater than 35 feet. In my judgment, the proposed height of the building is consistent with existing improvements on the property and uses in the surrounding locale. Thus, special hearing relief shall be granted as is required to permit the proposed height.

Finally, special hearing relief is requested to approve a shared parking arrangement, pursuant to Section 409.6.B.3 of the B.C.Z.R. As noted above, the existing parking area will be expanded to accommodate both the Church building and the proposed community resource center. As noted above, it is clear that these buildings will not be used at times so as to conflict with one another. I am persuaded that the shared parking arrangement as proposed is practical and appropriate. Indeed, it appears that the increase in the number of parking spaces proposed from the current situation will be beneficial to adjacent properties and provide additional parking on-site and off the adjacent public roads.

A Petition for Variance was also filed seeking relief relative to the location of the proposed building. As shown on the site plan, the shape of the property is unique in that it has relatively narrow frontage on Church Lane; however, significantly widens towards the rear of the site. Relief is requested to approve a side yard setback of 25 feet towards the western property line and a front property line setback of 13 feet for the proposed building. It is to be noted that the adjacent property to the west is a wooded lot located to the rear of an existing commercial use, known as the Liberty Court Shopping Center. It is clear that the location of the proposed building will not detrimentally impact adjacent properties, given their land use. Moreover, the variance

request is necessary due to the unusual configuration of the property and the location of existing improvements thereon.

The second variance request seeks relief from Section 206.4.C.3 of the B.C.Z.R. to allow amenity open space of 23% in lieu of the required 25%. The relief requested here is unusual in that Section 206.4.C of the B.C.Z.R. governs uses in the O.R.2 zone. In this regard, the amenity open space provided is greater than 25% when the overall tract is considered. However, given that the parking lot is clustered in the O.R.2 zone and Section 206.4.C. is applicable only to that portion of the lot zoned O.R.2, variance relief is necessary. I find that the split zoning of the property creates this anomaly and that the application of the regulation to only a portion thereof justifies the need for the variance.

Finally, relief is requested from the provisions of Section 409.8.A.1 of the B.C.Z.R. to approve a modification of the required landscaping as it impacts four parking spaces. In this regard, the layout of the property and parking lot appears appropriate, given adjacent land uses and existing buffers. Thus, variance relief will be granted.

Based upon the testimony and evidence presented, I am persuaded that special hearing and variance relief should be granted to allow the Church to proceed with its plans. I do not believe that the proposed improvements will be detrimental to the health, safety and general welfare of the locale. Moreover, although special exception relief is not required per se, the Petitioners requested language within the body of this Order permitting the Church up to five years from the date of the final decision approving this plan to commence construction of the new building. Obviously, that construction is contingent upon the Church raising adequate funds to cover the cost. In accordance with the Church's desire, such an extension, if necessary, is hereby approved.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of December, 2003 that the Petition for Special Hearing to adjust the Residential

Date MEGENVED FOR FILING

Transition Area (RTA) for this property, pursuant to Section 1B01.1.B.1.C(1)&(2) of the Baltimore County Zoning Regulations (B.C.Z.R.); to determine whether the proposed uses are exempt from RTA requirements, pursuant to Section 1B01.1.B.1.G(6) or (10); to determine whether the maximum height of the proposed building is compatible, pursuant to Section 206.4.D of the B.C.Z.R. and Section 26-282 of the Baltimore County Code; and, to approve a shared parking arrangement, pursuant to Section 409.6.B.3 of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief as follows:

1) from Section 206.4.C.1 to permit a side lot line setback of 25 feet in lieu of the minimum required 35 feet, and a front lot line setback of 13 feet in lieu of the minimum required 70 feet; 2) from Section 206.4.C.3 to allow amenity open space of 23% in lieu of the minimum required 25% of the net lot area (if the amenity open space on the D.R.5.5 zoned land is included, then the 25% minimum required would be met); and 3), from Section 409.8.A.1 of the B.C.Z.R. to permit landscaping as required pursuant to that Section, except for four (4) parking spaces on the northeast side lot line of the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the 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.

IT IS FURTHER ORDERED that the Petitioners shall have up to five (5) years from

the date of this Order to commence construction of the proposed building.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

December 30, 2003

Michael P. Tanczyn, Esquire 606 Baltimore Avenue, Suite 106 Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE S/S Church Lane, 620' NW of the c/l Old Court Road (8615 Church Lane)

2nd Election District – 2nd Council District Union Bethel AME Church, Inc. - Petitioners Case No. 04-155-SPHA

Dear Mr. Tanczyn:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have 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

cc: Pastor Charles T. Sembly, Union Bethel AME Church 8615 Church Lane, Randallstown, Md. 21133 Mr. Herbert Malmud, 100/Church Lane, Reisterstown, Md. 21208 Mr. Mike DiGrazia, 8617 Church Lane, Randallstown, Md. 21133 People's Counsel; Case/File



Visit the County's Website at www.baltimorecountyonline.info

LES:bjs



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at _	8615	Church	Lane	
which is	present	ly zoned _	DR	5.5 /OR2

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

See attached

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/L	essee:		Legal Owner(s): Union Bethel AME Churc	;h
			Charles T. Sembly - Pastor	. 4 4
Name - Type or Print	,	·- <u>·</u>	Name - Type or Print	
Signature		, , 	Signature John Madden	_
Address	· · · · · · · · · · · · · · · · · · ·	Telephone No.	Name - Type or Print	i
City	State	Zip Code	Signature	
Attorney For Petitions	er:		8615 Church Lane (410) 922-32	8
Michael P. Tanc			Address Telephone No	Ο.
		 	Randallstown, Maryland 21133	
Name - Type or Print			City State Zip Code Representative to be Contacted:	8
Signature Michael P. Tanc	zvn. P.A.		Herbert Malmud	
Company 6)6 Balto. Ave.	<u> </u>	(410) 296-8823	Name 100 Church Lane (410) 382-2959	
Add ess	· · · · · · · · · · · · · · · · · · ·	Telephone No.	Address Telephone No.	
Towson, Marylan		21204	Baltimore, Maryland 21208	
SÚR	State	Zip Code	City State Zip Code	;
A.A.			OFFICE USE ONLY	
	21/1		ESTIMATED LENGTH OF HEARING	-
Case No.	NIT		UNAVAILABLE FOR HEARING	
DESE DISION		Revi	iewed By JUM Date	
A LONG TO A CO.				

ATTACHMENT

- For the Zoning Commissioner to adjust the RTA for this property, pursuant to 1B01.1B1C(1)(2).
- 2. For the Zoning Commissioner to determine if the proposed uses are exempt from RTA, under 1B01.1B1G6 or 10.
- For the Zoning Commissioner to determine if the property maximum height of proposed buildings is compatible, per Section BCZR 206.4D and Baltimore County Code, Section 26-282.
- 4. To approve a shared parking adjustment, per Section 409.6B3, as proposed for the church and community resource center.

ORDER RECEIVED FOR FILING
Date
By



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at	8615	Church	Lane	
which is		ly zoned	DR	5.5/OR2

I/We do solemnly declare and affirm, under the penalties of

perjury, that I/we are the legal owner(s) of the property which

Inc.

410)922-3280

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)

Unreasonable hardship; Practical difficulty; Shape of the lot; Existence of three separate zoning classifications; Topography of the lot; Storm water management limitations.

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.

	is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s): Union Bethel AME Church Inc
	Charles T. Sembly-Pastor
Name - Type or Print	Name-Type or Print July
Signature	Signature
Address Telephone No.	John Madden Name - Type or Print
Address Telephone No.	C O mad D.
City State Zip Code	Signature
Attorney For Petitioner:	8615 Church Lane (410)922-32
	Address Telephone No
Michael P. Tanczyn	Randallstown, Maryland 21133
Name - Type or Print	City State Zip.Coce
O I MILLIAN I	Representative to be Contacted:
Signature	
Michael P. Tanczyn, P.A.	Herbert Malmud
Company (410) 206 9923	Name
606 Baltimore Avenue (410) 296-8823	100 Church Lane (410) 382-2959 Address Telephone No.
$-$ " $\sqrt{100000000}$ $C1111EQ 106$	Addiess
Towson, Maryland 21204 State Zip Code	Baltimore, Maryland 21208 City State Zip Code
	OFFICE USE ONLY
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$\mathbb{E}[X] = \mathbb{E}[X]$	ESTIMATED LENGTH OF HEARING
Case No	UNAVAILABLE FOR HEARING
	Reviewed By Date
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ADDITIONAL VARIANCE REQUESTED

- 1. Variance from BCZR Section 206.4C1, to provide a side lot line of 25', in lieu of the required minimum of 35' and a set back from the front lot line of 13', in lieu of the minimum 70' requirement.
- 2. Variance from BCZR Section 206.4C3, to provide 23% amenity open space, in lieu of the required minimum of 25% of the net lot area as amenity open space. * If the amenity open space on site on DR 5.5 zoned land is included, then the 25% minimum would be met.
- 3. Variance from BCZR 409.8A1, to provide landscaping as required by that section, except for 4 parking spaces on the northeast side lot line.

ORDER RECEIVED/FOR FILING
Date
By

H. MALMUD & ASSOCIATES, INC. 100 CHURCH LANE BALTIMORE, MARYLAND 21208

TELEPHONE 410 653-9511

ZONING DESCRIPTION FOR
UNION BETHEL A.M.E. CHURCH
8615 CHURCH LANE - RANDALLSTOWN
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME IN THE CENTER OF CHURCH LANE, 620 FEET NORTHWESTERLY FROM THE CENTER OF OLD COURT ROAD, THENCE BINDING ON SAID LANE:

- (1) NORTH 54 DEGREES 42' 15" WEST 129.62 FEET, THENCE LEAVING SAID LANE AND RUNNING THE FIVE (5) FOLLOWING AND DISTANCES:
 - (2) SOUTH 13 DEGREES 32' 48" WEST 260.40 FEET,
 - (3) NORTH 59 DEGREES 03' 15" WEST 135.46 FEET,
 - (4) SOUTH 13 DEGREES 32' 48" WEST 363.64 FEET
 - (5) SOUTH 39 DEGREES 20' 13" EAST 314.02 FEET AND
- (6) NORTH 13 DEGREES 29' 15" EAST 724.99 FEET TO THE PLACE OF BEGINNING.

CONTAINING 3.110 ACRES OF LAND, MORE OR LESS.

THIS DESCRIPTION IS FOR ZONING PURSPOSES ONLY AND NOT FOR THE CONVEYANCE OF TITLE.

THIS PROPERTY IS SUBJECT TO ANY AND ALL AGREEMENTS, EASEMENTS, RIGHTS OF WAY, AND/OR COVENANTS OF RECORD AND LAW.

HERBERT MALMUD REGISTERED LAND SURVEYOR MARYLAND # 7558 MAY 28, 2003

file: Zoning Petition Union Bethel A.M.E. Church



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BALTIMORE COUNTY, MAP" AND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE 9/26/03 ACCOUNT 00/ AMOUNT \$ 6 RECEIVED AME CHURCH	No. 2550 - 006 - 6150 50. 29	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER		CASHIER'S VALIDATION
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: #04-155-SPHA 8615 Church Lane S/w side of Church Lane, opposite of Elmcroft Road 2nd Election District - 2nd Councilmanic District Legal Owner(s): Charles Sembly and John Madden Special Hearing: to adjust the RTA for this property. To determine if the proposed uses are exempt from RTA. To determine if the property maximum fielght of proposed buildings is compatible. To approve a shared parking adjustment, as proposed for the church and community resource center. Variance: to permit a setback from the setback from the front lot line of 13 feet in lieu of the minimum 70 feet requirement. To provide 23% amenity open space, in lieu of the required minimum 25% of the net lot area as amenity open space. To provide landscaping as required, except for 4 parking spaces on the northeast side to line: Thursday, November 20, 2003 at 11:00 a.m. in Room.407, County Couris Building, 401, Bosley Avenue.	THIS IS TO CERTIFY, to in the following weekly new	E OF PUBLICATION 1 5 , 20 03 hat the annexed advertisement was published spaper published in Baltimore County, Md., cessive weeks, the first publication appearing

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/11/614 Nov. 4

C635219

115,2003
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 114,20 <u>03</u>
The Jeffersonian
☐ Arbutus Times
☐ Catonsville Times☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

The Zolving Commissioner in Bellinore. County, by authority of the Zolving Act and Regulations of Baltimore County will hold a public hearing in Iowson. Maryland on the property identified herein as follows:

Case. #04-155-SPH4

8615-Church Lane, opposite of Emcroff Road Swistle of Church Lane, opposite of Emcroff Road Swistle of Church Lane, opposite of Emcroff Road Swistle of Church Lane, special Hearing: to adjust the RTA for this property. To determine if the proposed uses are exempt from RTA. To determine if the proposed uses are exempt from RTA. To determine if the proposed uses are exempt from RTA. To determine if the proposed uses are exempt from RTA. To determine if the proposed uses are exempt from RTA. To determine if the proposed uses are exempt from the set source center. Variance: to peint a setback from the set source center. Variance: to peint a setback from the set source center. Variance: to peint a setback from the set sace in lieu of the required minimum 25% of the ret to space, in lieu of the required minimum 25% amenity open space. To provide Landscaping as required, except for 4 parking spaces on the northeast side tot line

Hearing(s): Mountay, Berember 1, 2003 at 9:00 a.m. in Hearing(s): Mounts Source County

Zoning Commissioner for Baltimore County

Zoning Commissioner for Baltimore County

Coning Commissioner for Baltimore County

Coning Commissioner for Baltimore Gounty

(2): Fee information concerning the File and/or Hearing. (2): Fee in information concerning the File and/or Hearing. (2): Fee information concerning the File and/or Hearing. J 11/126: Nov. 13

THIS IS TO CERTIFY, that the annexed advertisement was published _successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., once in each of

Arbutus Times

X The Jeffersonian

Catonsville Times

Owings Mills Times Towson Times

NE Booster/Reporter

☐ North County News

Mulus.

TELL A DVERTISMS

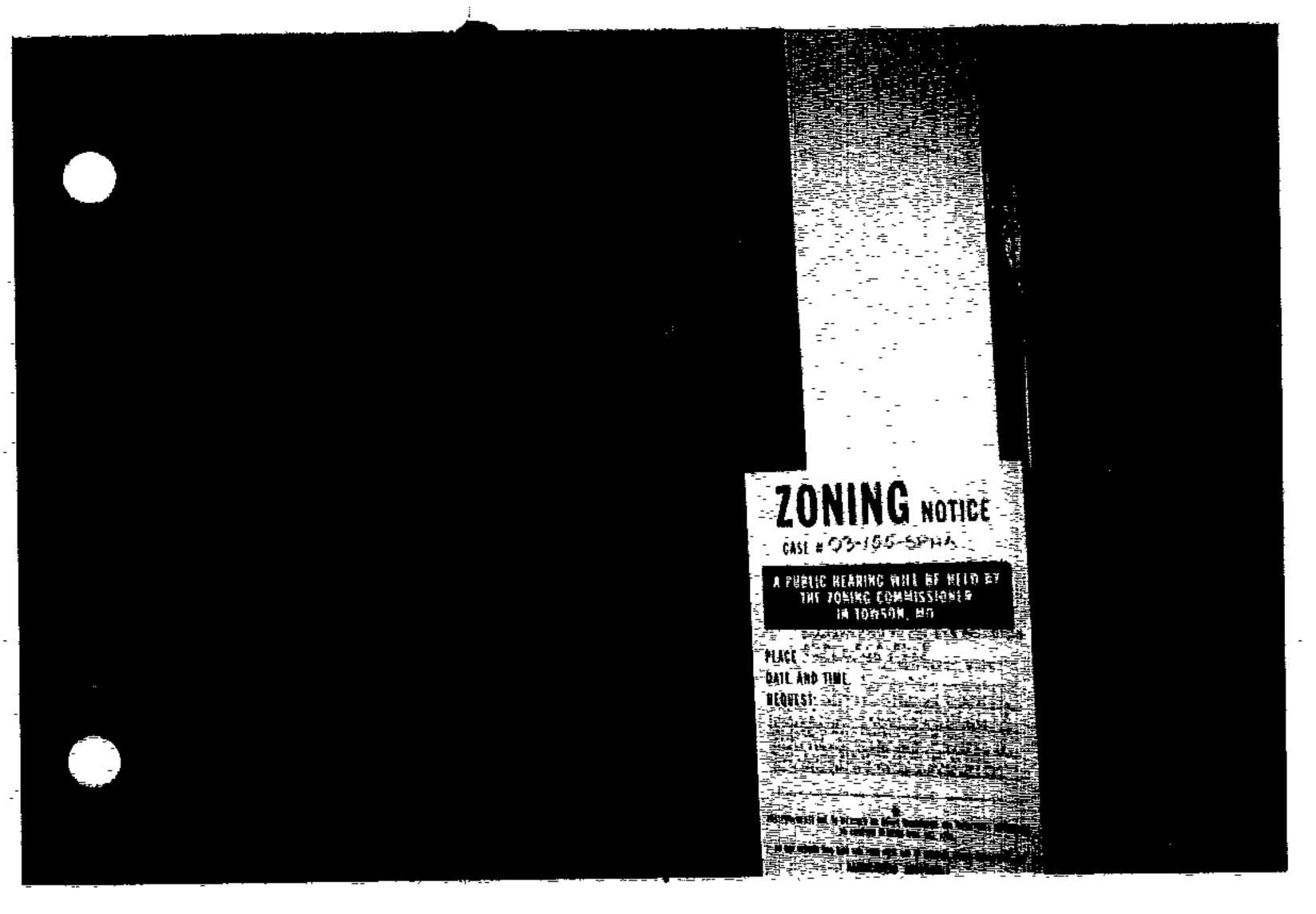
CERTIFICATE OF POSTING

	Date of Hearing/Closing: A.J.J.
altimore County Department of crmits and Development Management ounty Office Building, Room 111 11 West Chesapeake Avenue owson, MD 21204	Dec.1; 2003
Itention: BECKY HART	•
adies and Gentlemen: This letter is to	certify under the penalties of perjury that the necessary sign(s) required by
w were posted conspicuously on the p	property located at # 8615 CHONCH LAND
 	· · · · · · · · · · · · · · · · · · ·
	· · · · · · · · · · · · · · · · · · ·
he sign(s) were posted on 100	1.13, 2003 (Month, Day, Year)
	Sincerely, Barland D. Moore (Signature of Sign Poster and Date) GARLAND E. MOORE (Printed Name) 3225 RYERSON CIRCLES (Address) DAUTIMORE, MD. 21227
•	(City, State, Zip Code) (C410) 242-4263 (Telephone Number)

RE: Case No.: 04-155-SPHA

CHAPLES SEMBLY ARED

Petitioner/Developer: JOHK MADDEN



CASE # 03-155-5PHA THE LORING COMMISSIONER in tonson, hip PLACE: TOWDON MD 21204 MONDAY, DECEMBER 1, 2003 AT 9 00 A M PARTING TO ADJUST THE RETAINED THE PROPOSED AND EXCEPT FROM REAL TO DETER MINE TY MAXIMUM HEIGHT OF PROPOSED BUILDING IS O APPROVE A SHARED MARING ADJUSTMENT AS THE CHURCH AND COMMUNITY RESOURCE CONTENT THE A PLANTAGE OF THE LIFT AND AREA AS AMENITY

PETITION FOR SPECIAL HEARING RE:

AND VARIANCE

*

8615 Church Lane; SW/side of Church Lane,*

opposite Elmcroft Road

2nd Election & 2nd Councilmanic Districts

Legal Owner(s): Charles T Sembly, Pastor,

Union Bethel AME Church, Inc, John Madden*

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

04-155-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

People's Counsel for Baltimore County

RECEIVED
OCT 2 1 2003

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 $(2)^3$ day of October, 2003, a copy of the foregoing Entry of Appearance was mailed to Herbert Malmud, 100 Church Lane, Baltimore, MD 21208, & Michael P Tanczyn, Esquire, 606 Baltimore Avenue, Suite 106, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY

Tuesday, November 4, 2003 Issue - Jeffersonian

Please forward billing to:

Union Bethel AME Church, Inc. 8615 Church Lane Randallstown, MD 21133

410-922-3286

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: 04-155-SPHA

8615 Church Lane
S/w side of Church Lane, opposite of Elmcroft Road
2nd Election District – 2nd Councilmanic District
Legal Owners: Charles Sembly and John Madden

Special Hearing to adjust the RTA for this property. To determine if the proposed uses are exempt from RTA. To determine if the property maximum height of proposed buildings is compatible. To approve a shared parking adjustment, as proposed for the church and community resource center. Variance to permit a setback from the setback from the front lot line of 13 feet in lieu of the minimum 70 feet requirement. To provide 23% amenity open space, in lieu of the required minimum 25% of the net lot area as amenity open space. To provide landscaping as required, except for 4 parking spaces on the northeast side lot line.

Hearings:

Thursday, November 20, 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

Thursday, November 13, 2003 Issue - Jeffersonian

Please forward billing to:

Union Bethel AME Church 8615 Church Lane Randallstown, MD 21133

410-922-3286

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Hearings: Monday, December 1, 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 ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

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Department of Permits and Development Management

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



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

October 16, 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: 04-155-SPHA

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Hearings:

Thursday, November 20, 2003, at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Timothy Kotroco

Director

TK:klm

C: Michael Tanczyn, 606 Baltimore Avenue, Ste. 106, Towson 21204 Herbert Malmud, 100 Church Lane, Baltimore 21208

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESAY, NOVEMBER 5, 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.



Visit the County's Website at www.baltimorecountyonline.info

Department of Permits and Development Management

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



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

October 31, 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: 04-155-SPHA

8615 Church Lane
S/w side of Church Lane, opposite of Elmcroft Road
2nd Election District — 2nd Councilmanic District
Legal Owners: Charles Sembly and John Madden

Special Hearing to adjust the RTA for this property. To determine if the proposed uses are exempt from RTA. To determine if the property maximum height of proposed buildings is compatible. To approve a shared parking adjustment, as proposed for the church and community resource center. Variance to permit a setback from the setback from the front lot line of 13 feet in lieu of the minimum 70 feet requirement. To provide 23% amenity open space, in lieu of the required minimum 25% of the net lot area as amenity open space. To provide landscaping as required, except for 4 parking spaces on the northeast side lot line.

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Timothy Kotroco

Director

TK:klm

C: Michael Tanczyn, 606 Baltimore Ave., Ste. 106, Towson 21204 Charles Sembly, 8615 Church Lane, Randallstown 21133 Herbert Malmud, 100 Church Lane, Randallstown 21133

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, NOVEMBER 15, 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.



Visit the County's Website at www.baltimorecountyonline.info

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

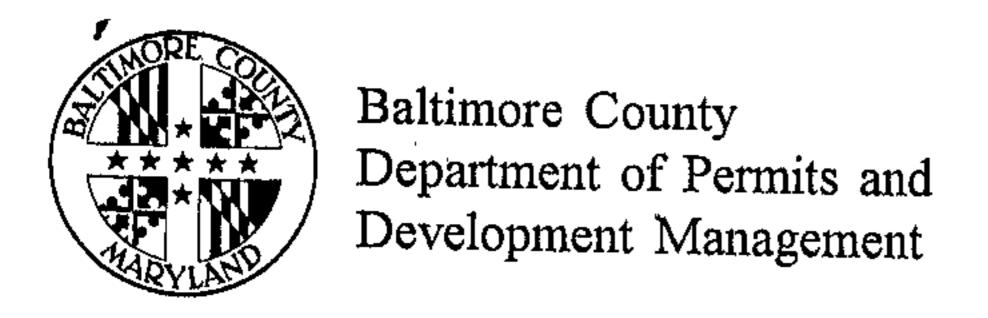
ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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:	
Petitioner: UNION BETHEL AME CHURCH, INC.	
Address or Location: 86/5 CHUZL LN., RANDAIISTOWN MI.	21133
	1
PLEASE FORWARD ADVERTISING BILL TO:	-
Name:	
Address:	
	•
Telephone Number: 4/0 - 922 - 328 6	



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

November 26, 2003

Michael Tanczyn 606 Baltimore Avenue, Ste. 106 Towson, MD 21204

Dear Mr. Tanczyn:

RE: Case Number: 04-155-SPHA, 8615 Church Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 18, 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. Supervisor, Zoning Review

u. Calliball)

WCR:klm

Enclosures

c: People's Counsel Charles Sembly, John Madden, 8615 Church Lane, Randalistown 21133 Herbert Malmud, 100 Church Lane, Baltimore MD 21208



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

October 16, 2003

ATTENTION: Rebecca Hart

Distribution Meeting, øf: October 14, 2003

Item No.:

151-169

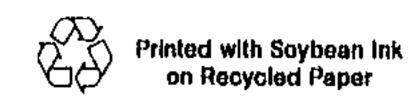
Dear Ms. Hart:

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



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits &

Development Management

DATE: November 12, 2003

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 20, 2003

Item No. 155

The Bureau of Development Plans Review has reviewed the subject-zoning item.

Parking along travel lanes should be eliminated or a variance must be requested.

RWB:CEN:jrb

cc: File

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date:

10.14.03

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

RE:

Baltimore County

Item No.

JOM

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,

L

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

Department of Permits and Development Management

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



Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

October 31, 2003

Michael Tanczyn 606 Baltimore Avenue, Ste. 106 Towson, MD 21204

Dear Mr. Tanczyn:

RE: Case Number: 04-155-SPHA, 8615 Church Lane

The above matter, previously scheduled for November 20, 2003, has been postponed. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that the responsibility of the appropriate posting of the property is with the Petitioners. 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 the notice of the original hearing date, as quickly as possible after you have been notified, the new hearing date should be affixed to the sign(s).

Very truly yours

Timothy Kotroco

Director

TK:klm

C: Charles Sembly, John Madden, 8615 Church Lane, Randallstown 21133 Herbert Malmud, 100 Church Lane, Baltimore 21208



Visit the County's Website at www.baltimorecountyonline.info

LAW OFFICES

MICHAEL P. TANCZYN, P.A.

Suite 106, 606 Baltimore Avenue Towson, Maryland 21204

(410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

September 18, 2003

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

Re: 8615 Church Lane -Drop Off

Dear Mr. Kotroco:

Enclosed herewith for filing, you will find:

- Petition for Special Hearing; Α.
- Petition for Variance; В.
- Twelve (12) copies of the plat of Herbert Malmud;
- Three (3) sealed surveyor's descriptions from Herbert Malmud; and D.
- Zoning excerpt 200 scale map, showing the site of the Petition. E.

We ask that this matter be set in for hearing, and that Notice of the hearing be sent to us, so that we can have it posted in accordance with the legal requirements.

Please feel free to contact me should you have any questions.

Very truly yours,

Michael P. Tanczyn, Esquire
How the proviously remarks

MPT/cbl Enclosure

cc:

Union Bethel AME Church, Inc.

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LAW OFFICES

MICHAEL P. TANCZYN, P.A.

Suite 106, 606 Baltimore Avenue Towson, Maryland 21204

(410) 296-8823 • (410) 296-8824 • Fax: (410) 296-8827

To', Beck

Preset the reset to the reset t

October 22, 2003

VIA HAND-DELIVERY

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

Re:

8615 Church Lane

Zoning Case - 04-155-SPHA

Dear Mr. Kotroco:

I am writing to request a postponement in the hearing of the above-captioned matter, which is scheduled for Thursday, November 20, 2003 at 11:00 a.m. A postponement is needed, as our engineer will be out of the country on that date. We could be available on the following dates: November 25, November 26, in the afternoon, December 1, December 2, and December 3.

Kindly advise our office whether the postponement will be granted, and of the new hearing date. Thank you for your kind consideration in this matter.

Very truly yours,

Michael P. Tanczyn, Esquire

cc: Union Bethel AME Church, Inc.

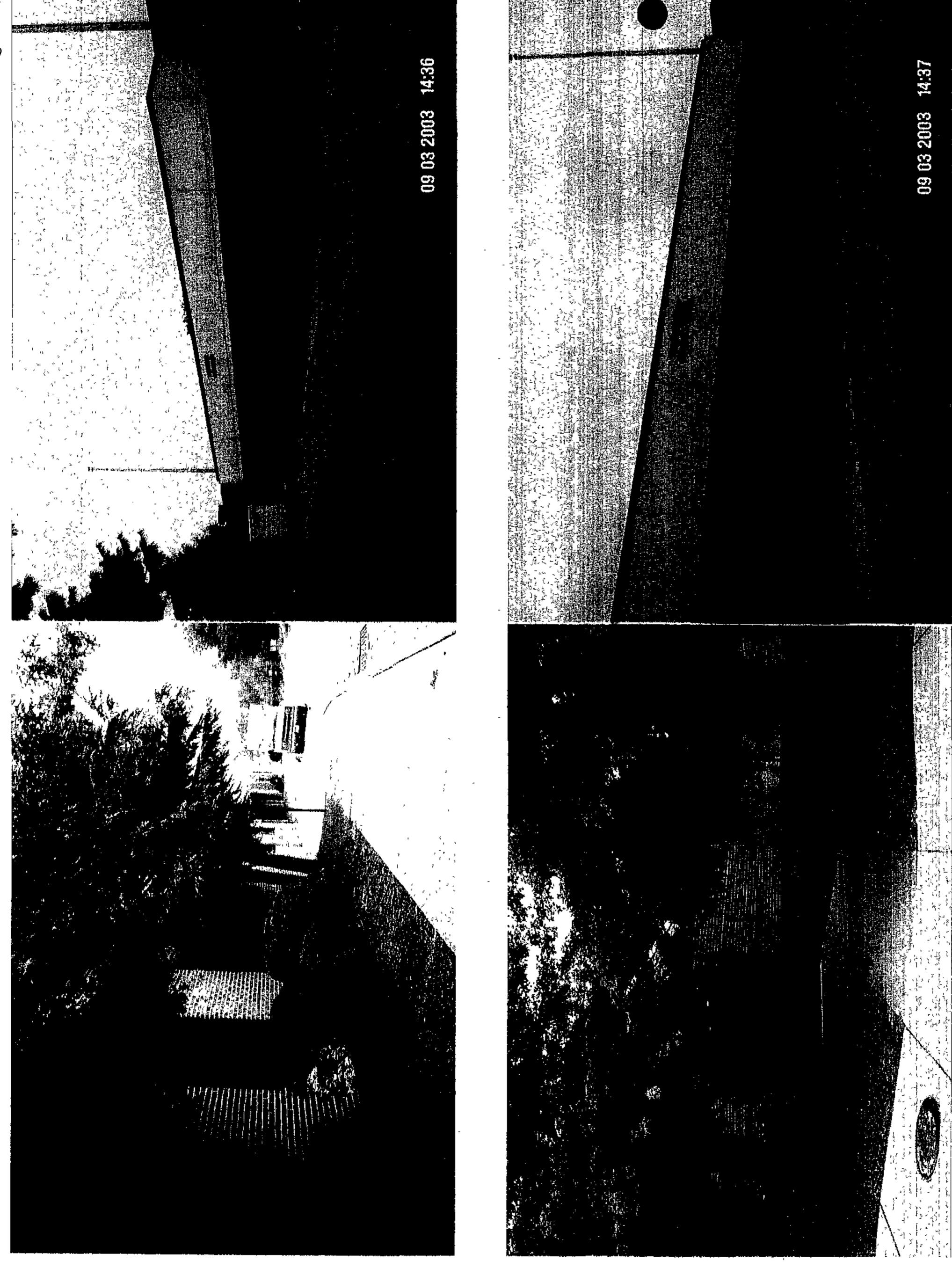
Herb Malmud

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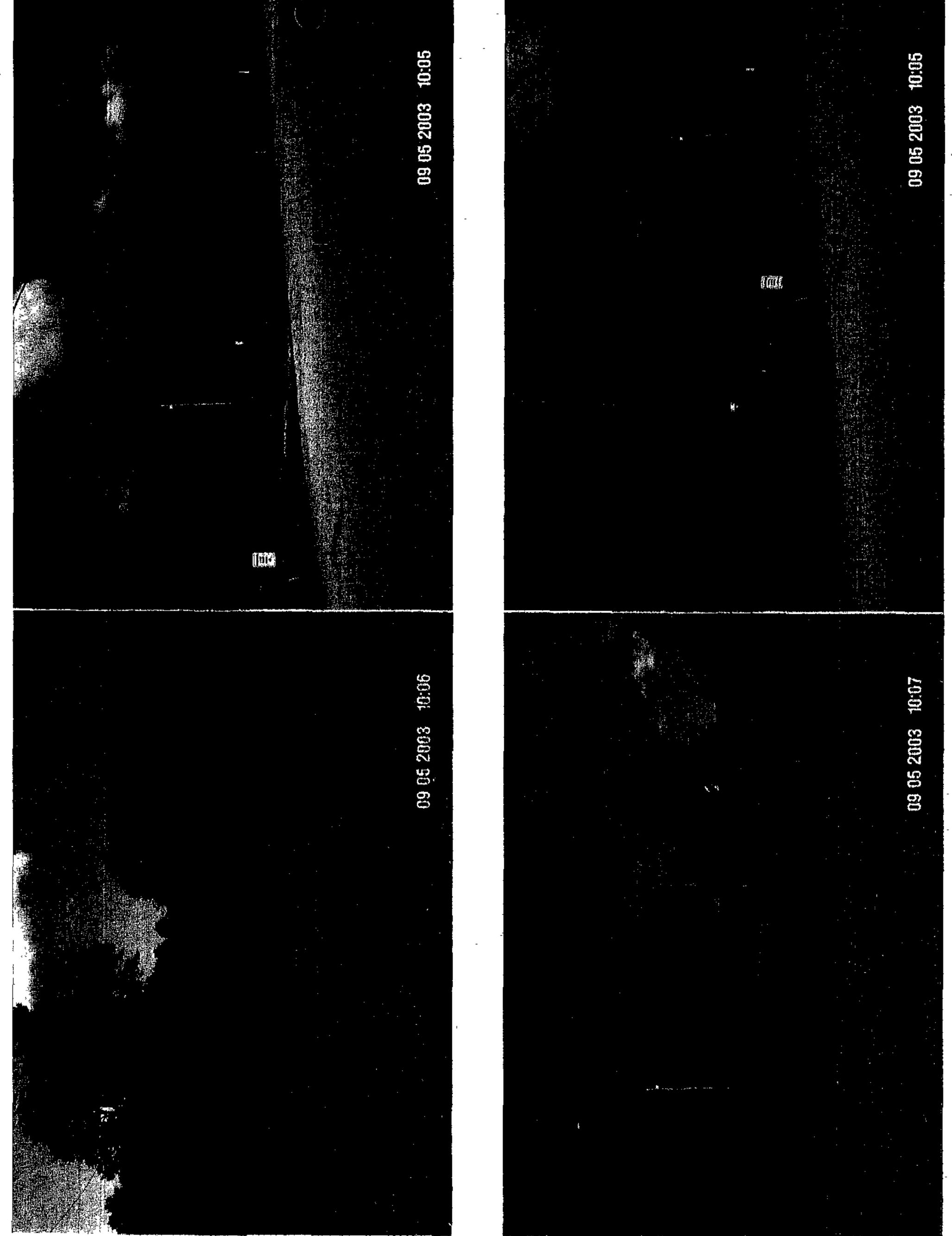
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O3-5567

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT



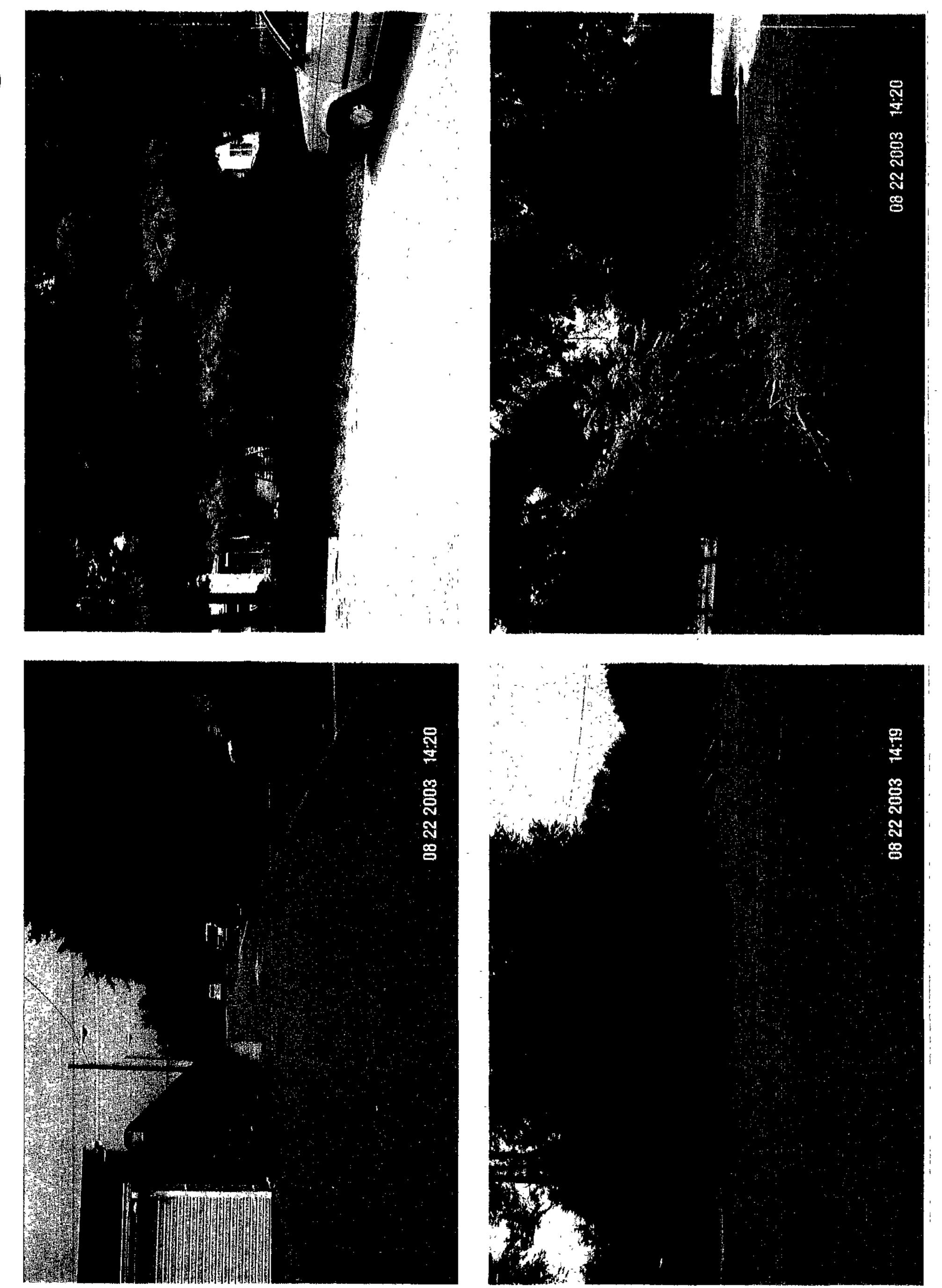




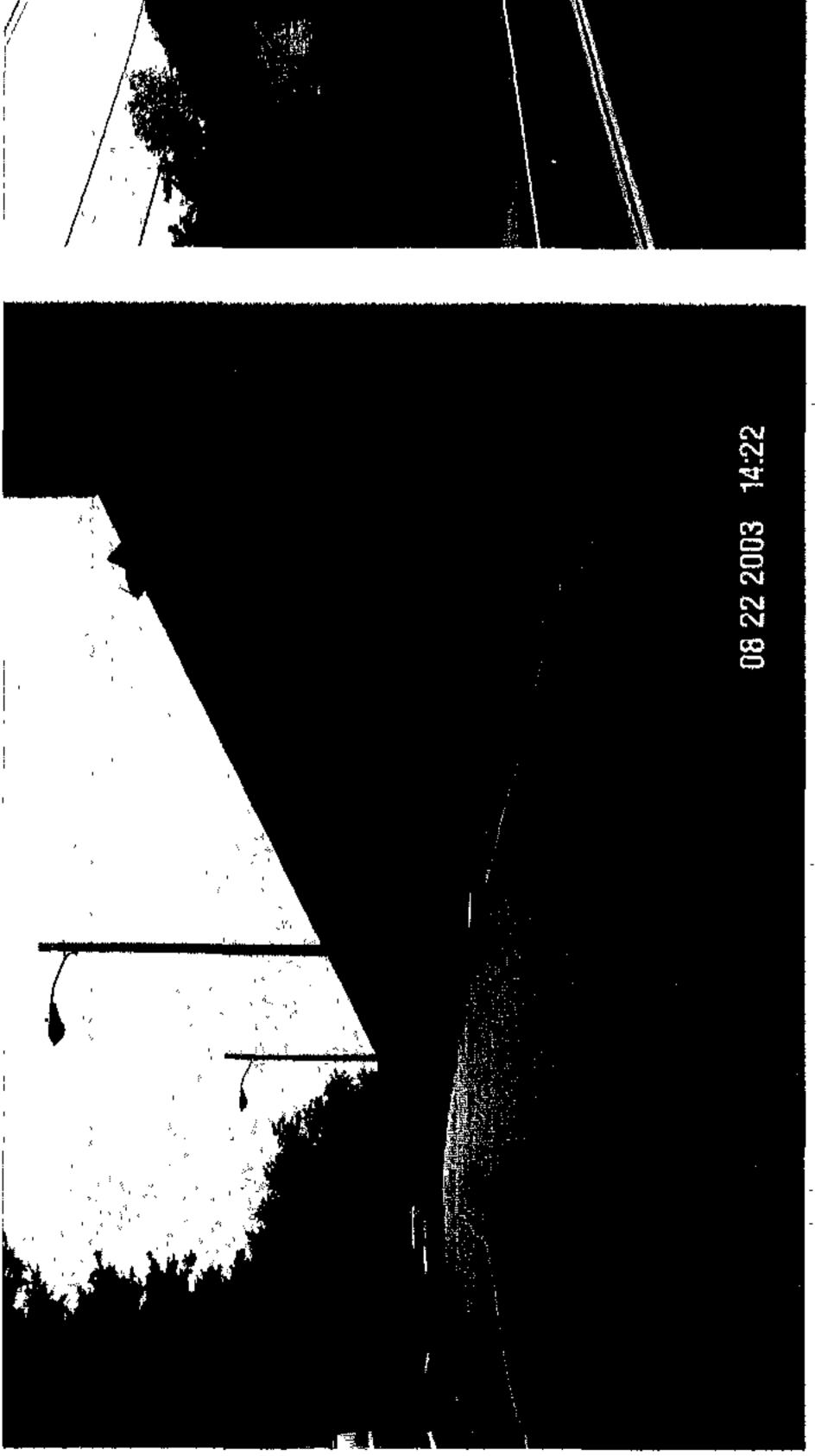


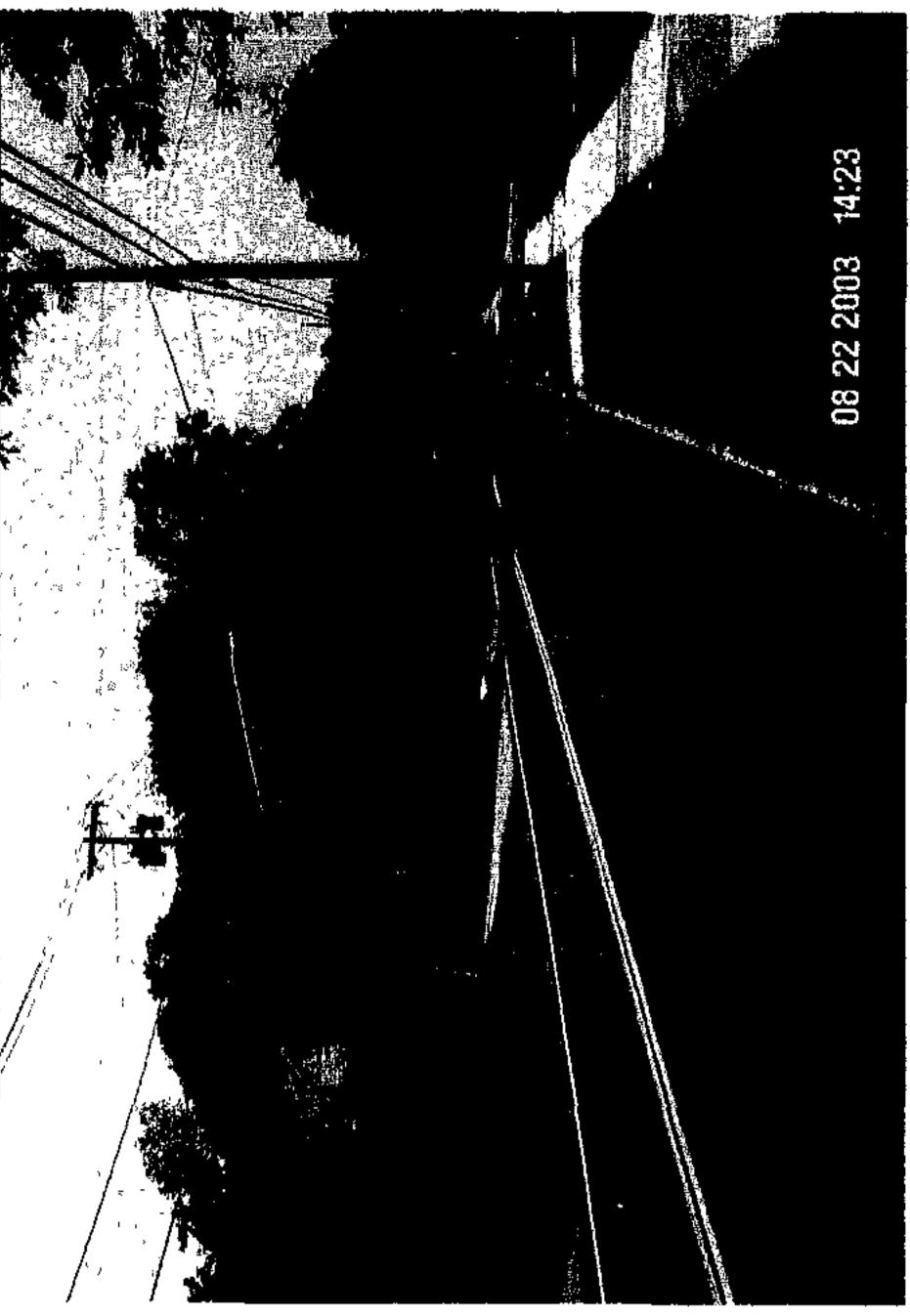
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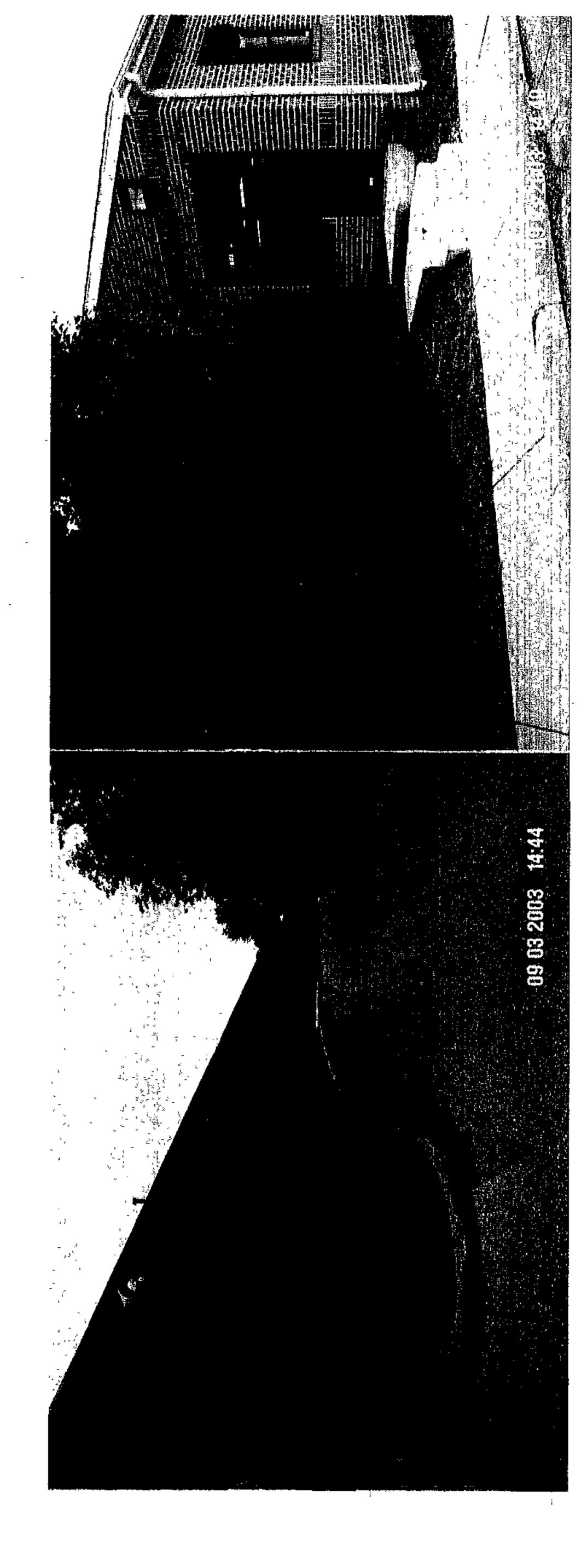


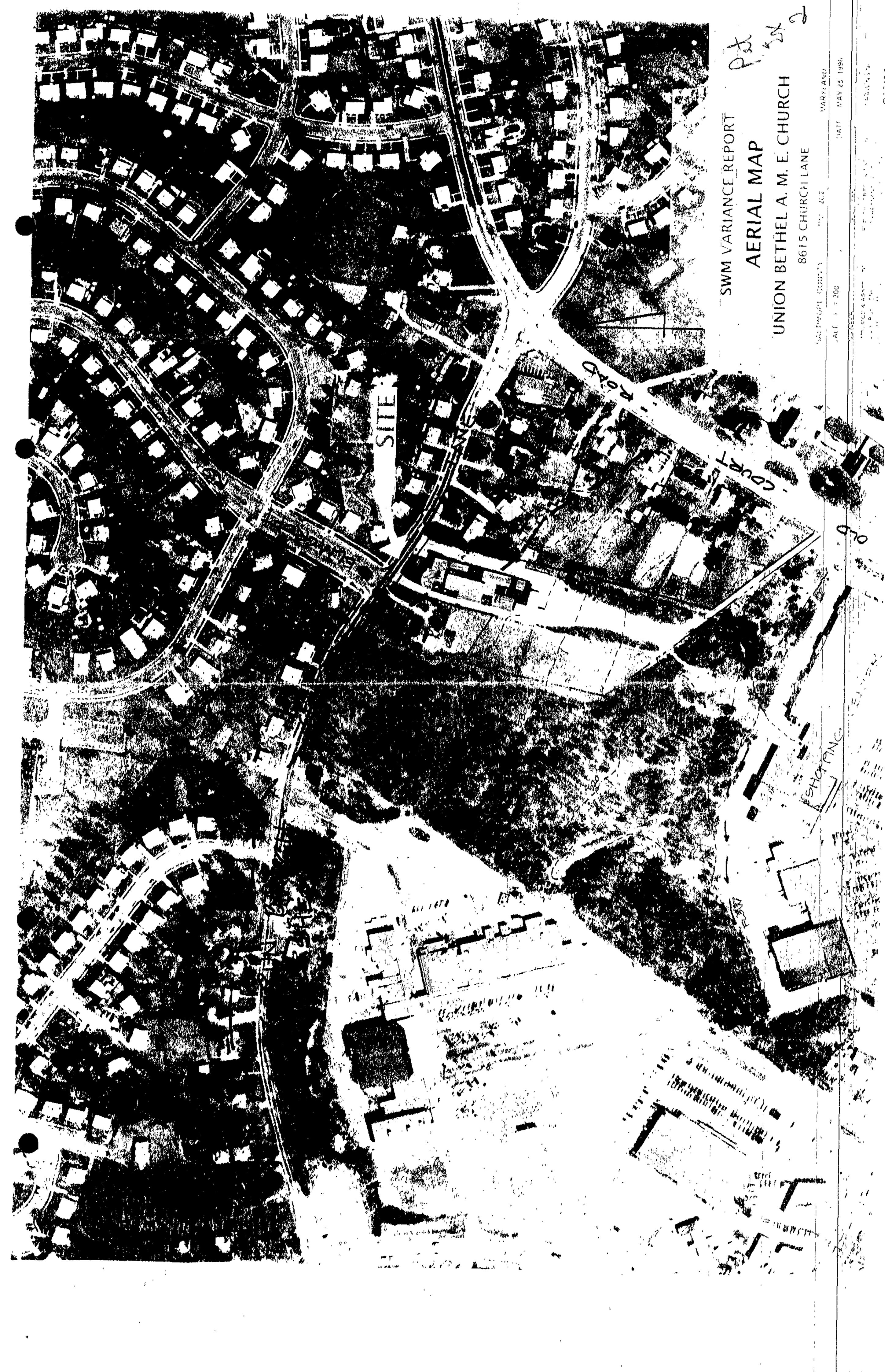


CHURC









PETITIONER'S SIGN-IN SHEET

							MALLIAM DAVIS HERBERT MALMUS
							ADDRESS ARENOG GOG BAIT IMOSEN LE ARENOG CHICOLY HILL KODE ARENOGE LINE OCAL POR THOSE CAMPENTED TO TOP TROTTE RIDGE VALLEY DE
							CITY, STATE, ZIP TOWSON MID 2130A Pilesville MD 2130A Randallstown, md 2133 Randallstown, md 2133 Randallstown MD 2133 Randallstown MD 2133
							F-MAIL Nichael TANCZYN PHATMAIL, COM I JOHN MADREN 13 @ COMORD, WIT CTSEMBY CONICNBETHELOMECAS, BJANCSG @ ab J. Com PAPA JARS @ AOL. COM PAPA JARS @ AOL. COM

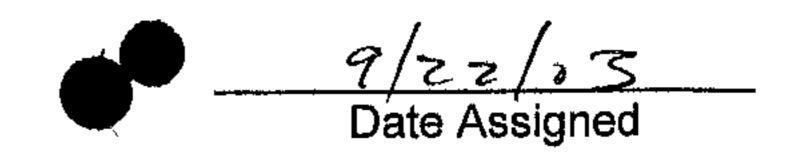
Case Number

PLEASE <u>PRINT</u> LEGIBLY

PROTESTANT'S SIGN-IN SHEET

Name	Address	City, State	Zip Code							
Mire D. GRAZIA	8613 CHUDUR LANE	PANIACISTONN	21133							
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Joun	
Intake Planner	



DROP-OFF PETITIONS PROCESSING CHECK-OFF

	Two Questions Answered on Cover Sheet:
	Any previous reviews in the zoning office?
	Any current building or zoning violations on site?
	Petition Form Matches Plat in these areas:
	Address
	Zoning
	Legal Owner(s)
	Contract Purchaser(s)
	Request (if listed on plat)
	Petition Form (must be current PDM form) is Complete:
	Request:
	Section Numbers
	Correct Wording (must relate to the code, especially floodplain and historical standard
	wording. Variances must include the <u>request</u> in lieu of the <u>required</u> code quantities.
	Hardship/Practical Difficulty Reasons
	Legal Owner/Contract Purchaser:
	Signatures (originals) Printed/Typed Name and Title (if company)
	Attorney (if incorporated)
	Signature/Address/Telephone Number of Attorney
	orginataron tatrocon totophone rambor of nationaly
	Correct Number of Petition Forms, Descriptions and Plats
	200 Scale Zoning Map
· 	Check: Amount Correct? Signed?
	Check. Amount Conect: Signed:
	ZAC Plat Information: (-0)
	Location (by Carl) Sw/s Chunch Laue opposite Elucroft Ref
	Zoning: Acreage: Previous Hearing Listed With Decision
	Check to See if the Subject Site or Request is:
	CBCA Floodplain
	Elderly
	Historical
	Pawn Shop
	Helicopter
	*If Yes, Print Special Handling Category Here
	*If No, Print No
	15/2/
	$\frac{9/26/03}{2}$
em l	Number Assigned Date Accepted for Filing

