IN RE: PETITIONS FOR SPECIAL HEARING *

BEFORE THE

AND VARIANCE

E/S Manor Road, 606.38 feet SW

ZONING COMMISSIONER

Long Green Road

(4507 Long Green Road)

OF

11th Election District

BALTIMORE COUNTY

3rd Council District

Wilson United Methodist Church John Haas, Trustee, Owner

Case No. 07-324-SPHA

Petitioner

* * * * * *

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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 property owner, the Wilson United Methodist Church, through John C. Hass, Trustee, by and through their attorney, Sebastian A. Cross, Esquire. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve a reconfiguration of lot lines within the tract from six existing parcels to three density parcels and one non-density parcel; and to confirm that the aforesaid reconfiguration qualifies as a minor subdivision. Variance relief is requested from Section 1A04.3.B.2.b of the BCZR to permit a zero foot setback for an existing church building, in lieu of the required 50 feet. The subject property and requested relief are more particularly described on the amended site plan submitted which were accepted into evidence and marked as Petitioner's Exhibits 1 and 2.

Appearing at the requisite public hearing in support of the requests was John Hass, trustee of the Wilson United Methodist Church, property owner. Also present was Kevin Wight, the surveyor/engineer with Wilson Deegan and Associates, Inc., who prepared the site plan. The Petitioner was represented by Sebastian A. Cross, of Gildea & Schmidt, LLC. Appearing as interested persons were Amber Butcher and Francis Butler, nearby property owners.

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Testimony and evidence presented revealed that the subject property is an irregularly shaped rectangular tract comprised of six parcels of approximately 5.084 acres in area, zoned R.C.5. The property is located at the intersection of Manor Road and Long Green Road in the Long Green community of northern Baltimore County. The property has been under the ownership of the Wilson United Methodist Church for many years. The property is improved with three existing structures, the most predominant of which is an existing church, bearing an address of 4507 Long Green Road. Although not offering weekly services, the church is used periodically, particularly during the Christian holidays. In addition to the church building, the overall tract contains two single-family detached dwellings. The first is located immediately adjacent to the intersection of Long Green and Manor Roads and bears the address 12653 Manor Road. The second is on the southern portion of the site and is known as 12635 Manor Road. Both buildings may have at one time been occupied by pastors of the church and are presently occupied or have been residentially occupied (rented) in recent years.

Although the entire tract is owned by the Wilson United Methodist Church, testimony and evidence indicated the subject property is comprised of six separate lots of record, as that term is defined in Section 101 of the BCZR. This fact has generated the requested relief under the Special Hearing Petition. As presented at the hearing and shown on the site plan, the parcels are separately described within the deeds for the tract recorded in the Land Records of Baltimore County and have separate tax account numbers with the Maryland State Department of Assessments and Taxation.

Petitioner's Exhibit 1 demonstrates existing conditions and the overall tract and the six separate parcels. The first parcel is shown on the southern portion of the site and includes the aforementioned dwelling known as 12635 Manor Road. That parcel is 0.836 acres in area. The second parcel as shown on Exhibit 2 is unimproved except that it contains the septic system and

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reserve disposal field for the dwelling known as 12635 Manor Road. The second parcel is 1.268 acres in area. The third parcel is the largest individual parcel within the overall tract and contains that land which immediately abuts the Manor Road and Long Green Road intersection. This parcel is 2.14 acres in area and contains the dwelling known as 12653 Manor Road. The fourth parcel is located towards the western boundary of the overall tract and contains the existing cemetery grounds. This "L-shaped" parcel is 0.38 acres in size. The fifth parcel as shown contains the existing church building and is 0.38 acres in area. Finally, the sixth parcel is located at the extreme northwest corner of the site, abutting Long Green Road. This triangularly-shaped parcel is unimproved and is 0.08 acres in area.

The small congregation which constitutes the membership of the Wilson United Methodist Church desires to reconfigure the lot lines which separate the six separate parcels as described. The Petition for Special Hearing is requested to permit a lot line adjustment/reconfiguration so that four parcels will result, as more particularly shown on Petitioner's Exhibit 2. This lot line adjustment/reconfiguration is intended to respect the existing uses on the subject property and bring those uses and the lots upon which they are located into compliance with the applicable provisions of the BCZR to the extent possible.

New Lot 1 as proposed will contain the dwelling at 12635 Manor Road. That lot will be enlarged from the parcel described above (0.83 acres) so that it will contain 1.66 acres of land. This acreage meets the minimum lot size requirement for a residential lot in the R.C.5 zone pursuant to Section 1A04.3B.1.a of the BCZR. Additionally, reconfiguring the lot line will allow a proposed new well and septic reserve area to be located entirely within the four corners of new Lot 1.

New Lot 2 will contain the existing dwelling known as 12653 Manor Road. This new lot will be 1.76 acres in area and will contain that portion of the tract immediately adjacent to the

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intersection of Manor Road and Long green Road. As with new Lot 1, Lot 2 will be used residentially and will comply with the minimum area requirements in the BCZR for an R.C. 5 zoned lot.

New Lot 3 is designated as the cemetery lot and is proposed to be 1.02 acres in area. This lot will continue to be used for that purpose and it is not envisioned according to Mr. Hass, speaking for the Church, that Lot 3 will be developed in any fashion. The existing cemetery has occupied this portion of the property for many years and the property owner desires that the cemetery grounds be designated as a separate and independent lot for maintenance and use purposes and accordingly will be a non-density parcel.

The final lot is designated on the plan as the "Church lot" and will contain the existing church building. Additionally, the church lot will contain an existing macadam parking lot, which serves the church. The church lot as designated is 0.64 acres in area.

Upon review of the Petitioner's plans and consideration of the testimony and evidence presented, I am persuaded that the Petition for Special Hearing should be granted. In my judgment, the petitioner's proposal is a thoughtful and appropriate approach to remedy the historic configuration of the numerous lots of record that comprise this property; which are currently inconsistent with the area requirements of the BCZR. It is also to be emphasized that the reconfiguration does not increase the intensity or density of the uses on this property. Moreover, the uses (i.e. residential and institutional) will not change. There will continue to be two existing single-family detached dwellings, a church building and a cemetery. Moreover, through a grant of the Petition for Special Hearing, the congregation of the Church will be able to sell the two residential lots to perspective homeowners, while ensuring that those lots are adequately sized in accordance with the zoning classification.

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Further, and as pointed out above, the property is not served by public utilities and the reconfiguration of lot lines as proposed will ensure that private well and septic systems serving each of the dwellings and the church building will be located on the respective lot of each structure.

In this regard, it was noted that the building located at 12635 has been rented to its present tenants for many years. These tenants have expressed a desire to purchase that dwelling from the church and in order to raise capital to ensure the continued viability of the small congregation, the church desires to enter into such an arrangement. The configuration of new Lot 1 will provide an adequately sized lot for that existing building with a new well and septic system thereon. As to the existing dwelling on Lot 2, it has recently become unoccupied. It was indicated that the structure is not in good condition and the church may consider razing that structure. However, a new dwelling would be built on that lot to replace the existing building. Finally, the existing church building will remain, as will the non-density cemetery grounds.

Turning next to the petition for variance relief, a single variance is sought for the existing church building. Presently, the church building is located on the fifth parcel as described hereinabove and variance relief from the internal lot line is required to legitimize existing conditions. Variance relief will continue to be necessary under the proposed reconfiguration and the petition seeks approval to permit as little as a zero-foot setback for the building in lieu of the required 50 feet. As this setback is measured to the reconfigured lot line between the church and cemetery grounds, it is clear that there will be no detrimental impact on either lot. Clearly, in my judgment, the granting of this variance is appropriate and there is no new construction proposed. I find that the petitioner's request for variance relief is warranted and meets the requirements of Section 307 of the BCZR.

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Finally, Zoning Advisory Committee comments were received from a number of reviewing County agencies. A somewhat standard comment was received from the Department of Environmental Protection and Resource Management (DEPRM) advising that the development of the property must comply with the regulations for the protection of water quality, streams, wetlands, and floodplains, as well as the forest conservation regulations. I appreciate that this comment is advisory in nature and that there is no "redevelopment" of the property, per se. It is to be emphasized that the applicant seeks approval of a lot line reconfiguration in order to bring the property into compliance to the extent possible for the two dwellings, a cemetery, and church building. These are, in fact, the uses present today. A further comment issued by DEPRM indicates that the lot line should be reconfigured so as to ensure that sufficient area exists for proposed and existing facilities. In this regard, the plan (Exhibit 2) addresses this concern. Whereas, under the old plan, the septic system for building 12635 was on a separate parcel, the new plan shows that the well and septic for that house will be within the boundaries of the new lot, a similar situation exists for the lot on which the building of 12653 will be located. Finally, it is to be noted that as the "cemetery lot" is a non-density parcel, Petitioner's proposal should be considered a "minor subdivision" for the purpose of the subdivision review by the Development Review Committee. This is, in my judgment, a zoning issue, as the question is presented as a lot line adjustment and the number of parcels/lots within the overall tract is being decreased from six to four.

A ZAC comment was also received from the Office of Planning. That comment advised that the dwelling at 12653 (a.k.a Slade house) is included on the County Register (MHT #BA-2111). The Petitioner contemplates that this building will be razed and a new structure built in its place. Such proposed demolition must be approved by the Baltimore County Landmarks

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Preservation Commission, following a public hearing. That hearing has been scheduled before the Landmarks Preservation Commission on May 10, 2007.

The Office of Planning comment also points out that the proposal is subject to the R.C. 5 performance standards if any new dwellings are proposed. In order to prepare a statement of finding, the architectural elevation drawings must be submitted for review and approval by that agency prior to applying for any building permits. As noted above, it is contemplated that the existing dwelling at 12635 will be retained and sold to the tenant and any razing of the building at 12653 will be subject to approval by the LPC and any replacement thereof should be approved by the Office of Planning. Any proposed dwellings shall meet the R.C.5 performance standards.

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 should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of April, 2007, that the Petition for Special Hearing to approve a reconfiguration of lot lines within a tract from six existing parcels to three density parcels and one non-density parcel; and to confirm that the aforesaid reconfiguration qualifies as a minor subdivision in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition or Variance seeking relief from Section 1A04.3.B.2.b of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a zero foot setback from existing Church building to an internal property line, be and is hereby GRANTED, all subject to the following restrictions:

- 1. ADVISORY: This Order approves the requested zoning relief, but does not address the proposed subdivision. The Petitioner's subdivision proposal must be submitted to the Development Review Committee for consideration and processing.
- 2. The Petitioner shall comply with the recommendations of the Office of Planning as contained within their Zoning Advisory Committee comment dated December 12, 2006, regarding the application of the R.C.5 performance standards and bulk regulations. Specifically, the Petitioner shall submit to the Office of Planning prior to the issuance of

any building permits the following: photographs of existing adjacent dwellings; building elevation drawings of proposed dwellings; design details for decks, balconies, windows, etc.; design details for any proposed accessory structures; and proposed landscaping along public roads, if applicable.

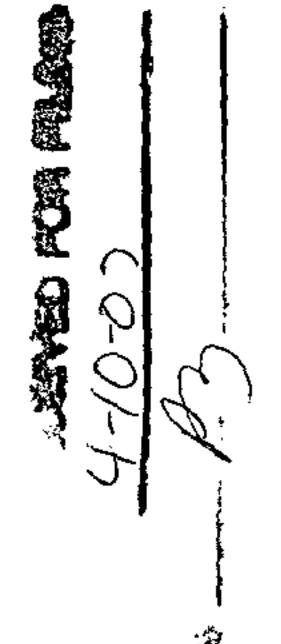
- 3. The Petitioner shall comply with any requirements mandated by the Baltimore County Landmarks Preservation Commission, pursuant to their review of the Slade house, presently scheduled for hearing on May 10, 2007.
- 4. When applying for any building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this Decision must be made within 30 days of the date of this Order.

WILLIAM JAMSEMAN III

Zoning Commissioner for Baltimore County

WJW:pz





JAMES T. SMITH, JR. County Executive

April 10, 2007

WILLIAM J. WISEMAN III

Zoning Commissioner

Sebastian A. Cross, Esquire Gildea & Schmidt, LLC 600 Washington Avenue, Ste. 200 Towson, MD 21204

RE: Petitions for Special Hearing and Variance
E/S Manor Road, 606.38 feet SW Long Green Road
(4507 Long Green Road)
Wilson United Methodist Church, John Haas, Trustee, Owner/Petitioner
Case No. 07-324-SPHA

Dear Mr. Cross:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted with restrictions 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 ruly yours,

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

WJW:pz Enclosure

c: Wilson United Methodist Church, John Hass, Trustee, 4507 Long Green Road, Long Green MD 21092

Amber Butler, 12635 Manor Road, Glen Arm MD 21057 Frances Butcher, 4511 Long Green Road, Glen Arm MD 21057 People's Counsel; Case File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 4507 Long sam Road	
which is presently zoned <u>RC-5</u>	

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

a reconfiguration of lot lines from six parcels to three density parcels and one non-density parcel and confirmation the reconfiguration qualifies as a minor subdivision.

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: Legal Owner(s): Wilson United Methodist Church Name - Type or Print Name - Type or Print Signature Signature John Hass, Trustee Address Telephone No. Name - Type or Print City State Zip Code Signature Attorney For Petitioner: 4507 Long Green Road 410-882-5522 Address Telephone No. Sebastian A. Cross, Esq. Long Green MD 21092 Name - Type or Print City State Zip Code Representative to be Contacted: Signature Gildea & Schmidt, LLC Sebastian A. Cross, Esq., Gildea & Schmidt, LLC Company Name 300 East Lombard Street, Suite 1440 (410) 234-0070 300 East Lombard Street, Suite 1440 (410) 234-0070 Address Telephone No. Address Telephone No. Baltimore MD 21202 **Baltimore** MD 21202 City State Zip Code City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. 07-324-594A UNAVAILABLE FOR HEARING



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at: 4507 Long Road which is presently zoned: RC-5

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

1A04.3.B.2.b to permit a 0 foot setback for existing church building in lieu of the required 50 feet.

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.

Reviewed By

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

Sebastian A. Cross, Esq.

Gildea & Schmidt, LLC

Name - Type or Ppint

Signature

Address

Signature:

Company

Address

City

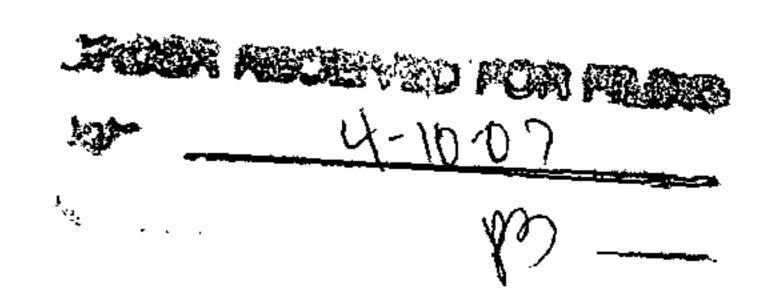
Baltimore

REV 9/15/98

City

Wilson United Methodist Church Name - Type or Print Signature John Hass, Trustee Telephone No. Name - Type or Print State Zip Code Signature **Attorney For Petitioner:** 4507 Long Green Road Address Telephone No. Long Green MD 21092 City State Zip Code Representative to be Contacted: Sebastian A. Cross, Esq., Gildea & Schmidt, LLC Name 300 East Lombard Street, Suite 1440 (410) 234-0070 300 East Lombard Street, Suite 1440 (410) 234-0070 Telephone No. Address Telephone No. MD 21202 Baltimore MD 21202 State Zip Code City State Zip Code OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING

Legal Owner(s):



ZONING DESCRIPTION TO ACCOMPANY PETITION FOR ZONING SPECIAL HEARING AND VARIANCE FOR

WILSON UNITED METHODIST CHURCH PROPERTY LOCATED AT THE SOUTHEAST CORNER OF MANOR ROAD AND LONG GREEN ROAD IN THE ELEVENTH ELECTION DISTRICT OF BALTIMORE COUNTY

BEGINNING FOR THE SAME IN THE CENTER OF MANOR ROAD AT THE DISTANCE OF 606.38 FEET, MORE OR LESS, SOUTHWESTERLY FROM THE CENTERLINE OF LONG GREEN ROAD, THENCE WITH THE CENTER OF MANOR ROAD, MORE OR LESS, THE FOLLOWING SIX (6) COURSES AND DISTANCES:

- 1) NORTH 29 DEGREES 55 MINUTES 18 SECONDS EAST, 100.55 FEET,
- 2) NORTH 26 DEGREES 50 MINUTES 15 SECONDS EAST, 113.28 FEET,
- 3) NORTH 22 DEGREES 25 MINUTES 46 SECONDS EAST, 116.21 FEET,
- 4) NORTH 14 DEGREES 37 MINUTES 39 SECONDS EAST, 103.80 FEET,
- 5) NORTH 12 DEGREES 26 MINUTES 12 SECONDS EAST, 106.57 FEET, AND
- 6) NORTH 12 DEGREES 07 MINUTES 55 SECONDS EAST, 65.97 FEET,
- TO OR NEAR THE CENTERLINE INTERSECTION OF MANOR ROAD AND LONG GREEN ROAD, THENCE WITH THE CENTER OF LONG GREEN ROAD, MORE OR LESS, THE FOLLOWING TWO (2) COURSES AND DISTANCES:
- 7) SOUTH 57 DEGREES 18 MINUTES 59 SECONDS EAST, 335.20 FEET, AND
- 8) SOUTH 88 DEGREES 09 MINUTES 21 SECONDS EAST, 84.15 FEET,
- THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES:
- 9) SOUTH 24 DEGREES 50 MINUTES 39 SECONDS WEST, 654.08 FEET, AND
- 10) NORTH 54 DEGREES 40 MINUTES 51 SECONDS WEST, 367.78 FEET TO THE PLACE OF BEGINNING.

CONTAINING 5.08 ACRES OF LAND, MORE OR LESS.

BEING A COMPILATION OF THOSE PROPERTIES RECORDED IN THE FOLLOWING FOUR (4) DEEDS:

LIBER 4674, FOLIO 573, LIBER 3124, FOLIO 3 (FIRST, SECOND AND THIRD PARCELS ONLY), LIBER L.M.B. 200, FOLIO 498, AND LIBER J.B. 97, FOLIO 305



FICE OF BUDGET & FINANCE ISCELLANEOUS RECEIPT ENVED (5 1 de a & Shinid + UC S DH A USS 1 AMOUNT \$ 650, (FAID ACCEPT BUSINESS ACTUAL THAT 1/22/2007 1/19 100/11/50/27 REG MODE MALKING THAN THE 2/RELETPY MODELING THAN THE 2/RELETPY MODELING THAN THE 3/RECT THAN THAN THE MALKING THAN RECT THAT THAN THE ASSESSMENT THAN 4.650.00 1/8 4.650.
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FOR: 5 PH.A - 4507 Loing Arm Road	e Jan.
07-324-SPHA(Wilson United Moth (und)	
WHITE - CASHIER PINK - AGENCY	

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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: #07-324-8PHA

4507 Long Green Road

E/side of Manor Road, 606.38 feet s/west of Long . •

Green Road

11th Election District - 3rd Councilmanic District Legal Owner(s): Wilson United Methodist Church,

John Haas, Trustee

Special Hearing: to approve a reconfiguration of lot lines . from six parcels to three density parcels and one non-density parcel and confirmation the reconfiguration qualiffies as a minor subdivision. Variance: to permit a 0 foot setback for existing church building, in lieu of the required 50 feet.

Hearing: Friday, March 9, 2007 at 11:00 a.m. in Room 106, County Office Building, 111 West Chesapeake

Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for ... special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at: (410) 887-3391. 2/337 February 22

CERTIFICATE OF PUBLICATION

222,2007
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 <u>22</u> ,20 <u>07</u>
The Jeffersonian
·
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 07-324-SPHA Petitioner/Developer: WILSON

UNITED METHODIST CHURCH Date of Hearing/Closing: 3-9-07

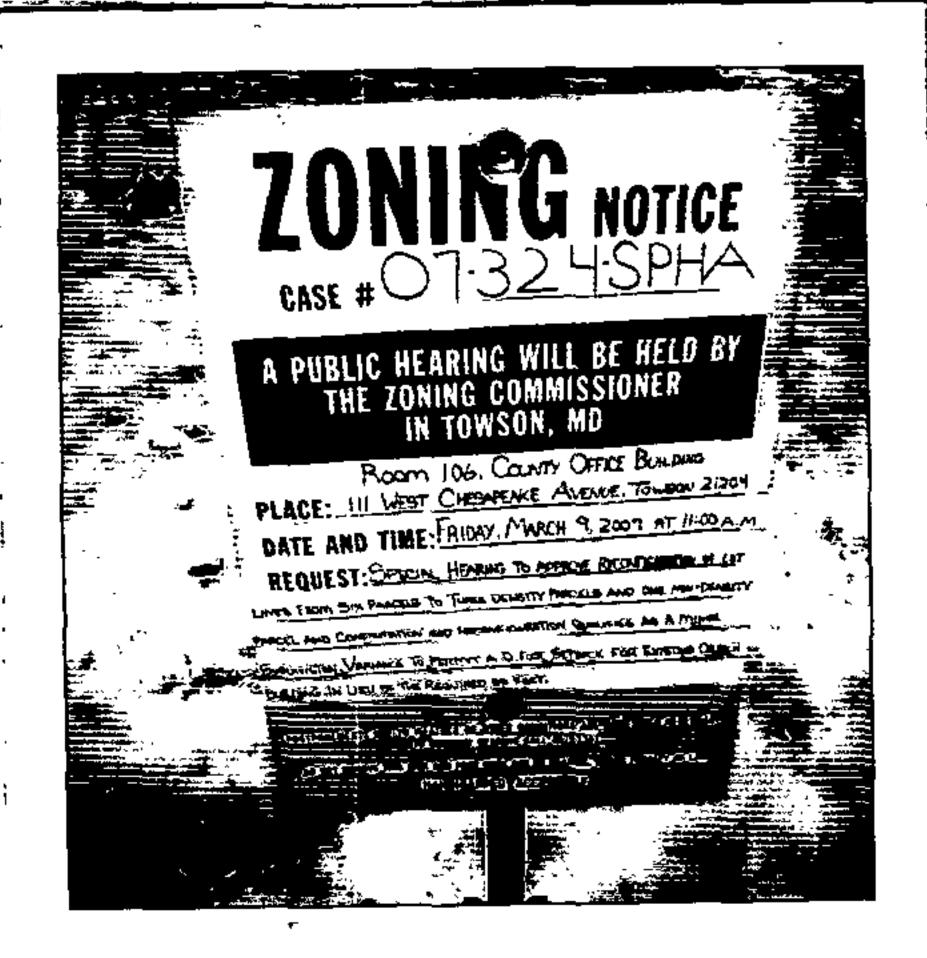
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204

ATTN: Kristen Matthews {(410) 887-3394}

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:

4507 LONG GREEN ROAD



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nth, l		-

incerely,

Z-23-07 (Date) (Signature of Sign Poster)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

RE: PETITION FOR SPECIAL HEARING

AND VARIANCE

4507 Long Green Road; E/S Manor Road,

606.38' SW Long Green Road

11th Election & 3rd Councilmanic Districts

Legal Owner(s): Wilson United Methodist Church

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

07-324-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

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of February, 2007, a copy of the foregoing Entry of Appearance was mailed Sebastian A. Cross, Esquire, Gildea & Schmidt LLC, 300 E. Lombard Street, Suite 1440, Baltimore, MD 21202, Attorney for Petitioner(s).

RECEIVED

FEB 0 2 2007

Per....

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 22, 2007 Issue - Jeffersonian

Please forward billing to:
Gildea & Schmidt, LLC
300 E. Lombard Street, Ste. 1440
Baltimore, MD 21202

410-234-0070

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: 07-324-SPHA

4507 Long Green Road E/side of Manor Road, 606.38 feet s/west of Long Green Road 11th Election District – 3rd Councilmanic District Legal Owners: Wilson United Methodist Church, John Haas, Trustee

Special Hearing to approve a reconfiguration of lot lines from six parcels to three density parcels and one non-density parcel and confirmation the reconfiguration qualifies as a minor subdivision. Variance to permit a 0 foot setback for existing church building, in lieu of the required 50 feet.

Hearing: Friday, March 9, 2007 at 11:00 p.m. in Room 106, County Office Building,

111 West Chesapeake Avenue, Towson 21204

WILLIAM J. WISEMAN III

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.



JAMES T. SMITH, JR. County Executive

February 8, 2007 TIMOTHY M. KOTROCO, Director Department of Permits and Development Management

NOTICE OF ZONING HEARING

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CASE NUMBER: 07-324-SPHA

4507 Long Green Road

E/side of Manor Road, 606.38 feet s/west of Long Green Road

11th Election District – 3rd Councilmanic District

egal Owners: Wilson United Methodist Church, John Haas, Trustee

Special Hearing to approve a reconfiguration of lot lines from six parcels to three density parcels and one non-density parcel and confirmation the reconfiguration qualifies as a minor subdivision. Variance to permit a 0 foot setback for existing church building, in lieu of the required 50 feet.

Hearing: Friday, March 9, 2007 at 11:00 p.m. in Room 106, County Office Building,

111 West Chesapeake Avenue, Towson 21204

Timothy Kotroco Director

TK:kim

C: Sebastian Cross, 300 E. Lombard Street, Ste. 1440, Baltimore 21202 John Haas, 4507 Long Green Road, Long Green 21092 -

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, FEBRUARY 22, **2007**. ⁻

(2) HÉARINGS ARE HANDICAPPED ACCESSIBLE, FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE ¹ AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <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 PAD.

Item Numbe	er or Case Number:
Petitioner:	
Address or	Location: 4507 Long Breen Rd
PLEASE FO	DRWARD ADVERTISING BILL TO:
Name: Address: _	Gilden & Schmidt LLC 300 E. Lamburd St. Soite 1990
Name:	Gilden & Schnidt LLC



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

February 28, 2007

Sebastian A. Cross Gildea & Schmidt, LLC 600 Washington Avenue, Ste 200 Towson, MD 21204

Dear Mr. Cross:

RE: Case Number: 07-324-SPHA, 4507 Long Green Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 18, 2007.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel Wilson United Methodist Church John Hass, Trustee 4507 Long Green Road Long Green 21092

Fire Department

*

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



Baltimore County

James T. Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 Febuary 5, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: January 29, 2007

324

Item Number: 314 and 322 through 333

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4881 (C)443-829-2946 MS-1102F

cc: File



BALTIMÓRE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: February 8, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For February 5, 2007 Item No. 07-324

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

We have no objection to the proposed reconfiguration of lot lines, provided that the subdivision is then subjected to the development regulations. Under County Code 32-4-106, the combination of lots/parcels can be a limited exemption but not a minor subdivision and such decisions are made by the Development Review Committee. Show and dimension the future 60-foot right-of-way for Long Green Road centered on existing 23-foot paving.

DAK:CEN:clw cc: File

ZAC-ITEM NO 07-324-02052007.doc

βω 3-9-07 11:00

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

MAR - 6 2007

TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

March 6, 2007

SUBJECT:

Zoning Item # 07-324

Address

4507 Long Green Road

The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

- <u>X</u> The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
 - <u>X</u> Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
 - <u>X</u> Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments: There are major well and septic system considerations that should be addressed before any subdivision or reconfiguration are considered. Perc tests should be conducted to ensure that each lot or parcel contains sufficient area to support the existing or proposed facilities. It would be premature to change any property line without approved well and septic locations. The Development Coordination Section recommends that the setback issue be decided by the Zoning Commissioner, but that the subdivision processing question should be decided by the Development Review Committee (DRC).

Reviewer:

David Lykens, Manager

Development Coordination

Date: March 6, 2007

43W 3/9

DATE: December 12, 2006

F. 3 26 2007

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

4507 Long Green Road

INFORMATION:

Item Number:

7-324

Petitioner:

Wilson United Methodist Church

Zoning:

RC 5

Requested Action:

Special Hearing

The petitioner requests a special hearing to consider the reconfiguration of lot lines. The request involves the proposed demolition of the "Slade" house, a property that is included on the County Register (MHT) #BA-2111. Demolition requests for County Register properties must be approved by the Baltimore Landmarks Preservation Commission (LPC) and may be subject to a special administrative hearing.

The LPC meets on every second Thursday of the month (except for August and December). Should the petitioner wish to be scheduled for a LPC hearing, Preservation Services staff must be notified and all requested materials must be submitted at least two weeks prior to the meeting. The petitioner must submit 20 copies of photographs showing the following:

All sides of the dwelling to be demolished, including the interior condition;

The dwellings abutting the property;

The dwellings across the street from the property as viewed from Long Green Road and Manor Road;

In preparation for the LPC meeting, a Technical Committee composed of LPC members and staff will conduct a site visit. Access to the interior of the dwelling to be demolished is requested. The petitioner is asked to notify Ms. Vicky Nevy at 410-887-3495, when such a site visit would be convenient.

The Office of Planning respectfully requests that the Zoning Commissioner hold any action on the subject matter until after the LPC meeting has been held and a decision is reached.

Furthermore this office is concerned about the size of the proposed lots. The Office of Planning has determined that this proposal is subject to the current RC 5 performance standards and bulk regulations therefore the applicant should show how this proposal meets the said standards. To prepare the statement of finding, the following information must be submitted to this office:

- 1. Photographs of existing adjacent dwellings.
- 2. Submit building elevations (all sides) of the proposed dwelling to this office for review and approval prior to the hearing. The proposed dwelling shall be compatible in size and architectural detail as that of the existing dwellings in the area. Ensure that the exterior of the proposed building(s) uses the same finish materials and architectural details on the front, side, and rear elevations. Use of quality material such as brick, stone, or cedar is encouraged.
- 3. Design all decks, balconies, windows, dormers, chimneys, and porches as a component of the building following dominant building lines. Decks shall be screened to minimize visibility from a public street.
- 4. Design all accessory structures at a scale appropriate to the dwelling and design garages with the same architectural theme as the principal building on the site, providing consistency in materials, colors, roof pitch, and style.
- 5. Provide landscaping along the public road, if applicable.

For further information concerning the matters stated here in, please contact Bill Hughey or Karin Brown at 410-887-3480.

Reviewed by

Division Chief: AFK/LL: CM



Martin O'Malley, Governor Anthony Brown, Lt. Governor

Maryland Department of Transportation

John D. Porcari, Secretary Designate Neil J. Pedersen, Administrator

Date: FEBRUARY 1, 2007

Ms. Kristen Matthews
Baltimore County Office Of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Matthews:

RE: Baltimore County

Item No. 7-324-5PHA

4507 LONG GREEN ROAD

WILSON LINITED METHODIST

CHURCH, JOHN HASS TRUSTEE

SPECIAL HEARING

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No.7-324-5PHA.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

A Steven D. Foster, Chief

R Engineering Access Permits

Division

SDF/MB

From:

Debra Wiley

To:

Matthews, Kristen

Date:

3/9/2007 9:33:32 AM

Subject:

Message for Bill for 11:00 Hearing Today

Hi Kristen,

Can you give this message to Bill for his 11:00 hearing.

Stade House - MHT - BA 2111 will go before the LPC the 2nd Thursday of May (May 10th) per Vicky Levy

Thank you.

	Good Morning – My name is Bill Wiseman, I am the Zoning Commissioner for Baltimore County and I've been assigned to hear your case pursuant to Art. 32 of the Baltimore County Code. THESE PROCEEDINGS ARE BEING RECORDED
	FOR THE RECORD, THIS IS A PUBLIC HEARING ON case number 07-324 SPITA
	This is a Petition for Variance on behalf of METHODST Special Hearing the Special Exception Wilson United After the for property located at and zoned
	"Read language from file" SUBDIVISION? Lot Line adjustment(s) We a function of the DEV. Lev. Committee The Code requires that notice of today's hearings be provided to neighbors and interested parties by the posting of a sign on the property for at least 15 days prior to the hearing. The sign was posted V-22-07 by Sylvania Roll 2/26/07???? The Communit date 12/06 Recid 2/26/07???? We a function of the Dev. Committee The Code requires that notice of today's hearings be provided to neighbors and interested parties by the posting of a sign on the property for at least 15 days prior to the hearing. The sign was posted Y-22-07 by Sylvania Roll 2/26/07????
	an approved sign poster and shows the time, date, place and subject matter of the hearing. The Code further requires that notice be placed in a newspaper of general circulation, in this case the Jeffersonian, and the file contains the requisite certification of publication. I THEREFORE FIND THAT THE POSTING AND NOTICE REQUIREMENTS HAVE
prece	BEEN SATISFIED
7-1418	IF ATTORNEYS PRESENT, HAVE THEM IDENTIFY THEMSELVES; ASK IF THERE ARE ANY PRELIMINARY MATTERS
J-10	LOOK AROUND ROOM – AND ASK – IS ANYONE HERE APPEARING IN OPPOSITION TO THE REQUEST?
2-013	NO PROTESTANTS: For the record, no one is here in opposition to the request. Mr./Ms. SEBASHAN COSS, since there is no opposition, if you want to make AN INFORMAL PROFFER of the testimony and evidence, you're welcome to do so.
noral Note	IF PROTESTANTS: This is your opportunity to come forward and have a seat at the table. You will be able to see and hear better, so come forward and I have a sign-in sheet here for you to sign so that we can mail you a copy of the decision in this case.
B	Proposed Damo of the "SLADE" house MIFT BA 2111 (Landmarks Properlation)
	Proposed Damo of the "SLADE" house MHT BA 2111 (Landmarks ProsevRation) DSPRM - Condition Go Slow - 1+AS LPC approved -??

(SIGN IN SHEETS - OPPORTUNITY TO SIGN) - (RECORDER) SITE PLAN
NOT STALED?

EXPLAIN PROCESS:

First the owner of the property will have an opportunity to present testimony and evidence regarding therequest for the property at
Listen carefully, if you have any questions that you want to ask of any witness who testifies, I'l give you an opportunity to do so.
Once Petitioner is finished putting forward their testimony, and you've had an opportunity to ask questions, you will be given an opportunity to present testimony and evidence for me to consider in this request. I'll tell you when it's appropriate to ask questions and when it's appropriate to testify – help you along as we proceed.
PRESENT CASE
SWEAR WITNESS - NAME AND ADDRESS - HAVE A SEAT
All right Mr./Ms, please proceed with your case:
TO PROTESTANTS: Do you have any questions about the testimony that Mr./Ms. just gave? I don't want to hear any testimony from you at this point, but if you would like to ask him/her any questions go ahead.
CLOSE OF PETIONERS CASE: This is your opportunity to tell me why you might be opposed to this Where do you live? How long have you lived there? What is it about the that bothers you/or what would you like tell me about this case.
CONCLUSION: ALRIGHT – THANK YOU. THIS WILL CONCLUDE THE MATTER. THANK YOU FOR ATTENDING
I'm not prepared to make a decision here and now.
I want some time to think about the evidence presented – might want to look at the property
Hopefully, within a few weeks, I'll issue a written decision in the case
If you do not like my decision, YOU HAVE A RIGHT TO APPEAL TO THE Board of Appeals. This must be done within 30 days from date of my Order.

Case No.: 07-324 SPHA 4507 Long Green Rd

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Sitz PLAN-EXISTING Page 10 CAN PROPERSED	
No. 2	Site Pan - PROPOSAD	
No. 3	ZCPM - SECT 101 Pege 1-4 1/2 Huy with machided in (2
No. 4		aug .
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		
1		

ZONING COMMISSIONER'S POLICY MANUAL

SECTION 101

PETITIONER'S

EXHIBIT NO.

PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

ETITIONER'S SIGN-IN SHEET

E- MAIL		kevin. Wighto comastinet	Joshassie commetinet									
CITY, STATE, ZIP			Glen Arm 1110 2838									
ADDRESS 2,200	Ave	2309 Belair Kond, Fallston										
NAME	Sehastian Cross	Kevin Wight	-									

PLEASE PRINT CLEARLY

CASE NAME	CASE NUMBER	DATE

CITIZEN'S SIGN-IN SHEET

J//L	BATHROKES	Concas										
CITY, STATE, ZIP	2 HRM M	6100 How, MD 21057									-	
ADDRESS	12635 FANOR ROAD	2										
NAME	Bitch	BUTOR										

