# IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE

NE side of Windsor Mill Road, 900 feet +/SE from the c/l of Windsor Mill Road

2<sup>nd</sup> Election District
4<sup>th</sup> Councilmanic District

(7710 Windsor Mill Road)

The Redeemed Christian Church of God/Jesus House

Legal Owner

\* BEFORE THE

\* DEPUTY ZONING

\* COMMISSIONER

\* FOR BALTIMORE COUNTY

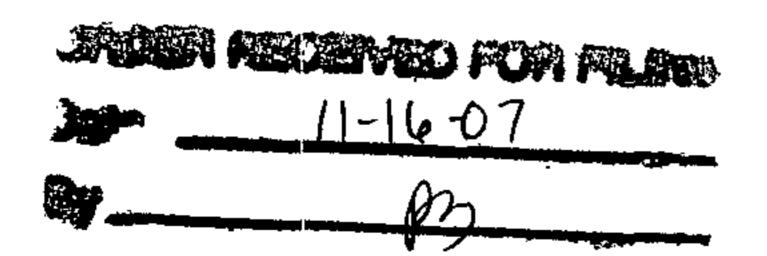
\* Case No. 08-080-XA

# FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by The Redeemed Christian Church of God/Jesus House for property located at 7710 Windsor Mill Road. The Special Exception is pursuant to Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a Class B Group Child Care Center. The Variance requests are as follows:

- From Section 1B01.1B1(e)(3) of the B.C.Z.R. to permit an RTA buffer of 19 feet in lieu of the required 50 feet; and
- From Section 1B01.1B1(e)(5) of the B.C.Z.R. to permit a structure to be erected at a distance of 19 feet from the property line in lieu of the required 75 feet; and
- From Section 1B01.1B1(e)(5) of the B.C.Z.R. to permit a parking lot to be constructed at a distance of 16 feet from the property in lieu of the required 75 feet; and
- From Section 1B01.1B1(e)(3) to permit an RTA buffer of 10 feet in lieu of the required 50 feet; and
- From Section 1B1.1B1(e)(5) of the B.C.Z.R. to permit a structure to be erected at a distance of 20 feet from the property line in lieu of the required 75 feet.

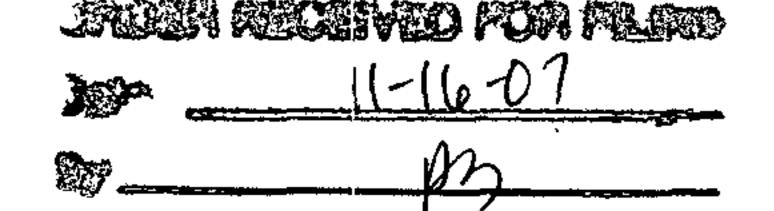
The subject property and the requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.



Appearing at the requisite public hearing in support of the Special Exception and Variance requests was Petitioner Kofu Odutola, Pastor for The Redeemed Christian Church of God/Jesus House, and Joyce Adeyinka and Sesan Kuforiji, also on behalf of the Church. Also appearing was C. William Clark, Esquire, the attorney representing Petitioner, and Rick Richardson with Richardson Engineering, LLC, the consultant who prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence offered revealed that the subject property is irregular-shaped, containing 8.966 net acres, more or less, and is zoned D.R.5.5. As shown on Petitioner's Exhibit 1, the site consists of two parcels, one known as 7710 Windsor Mill Road and the other known as 7704 Windsor Mill Road. The 7710 parcel is improved with an existing one-story church containing 17,662 square feet of space. The 7704 parcel contains a one-story dwelling of approximately 2,218 square feet which is presently used for church activities. In addition to operating the church, Petitioner also operates a group childcare center within the church building. This daycare center operates under the name of "Tender Feet Child Care Center" and is licensed by the State of Maryland. The State has authorized the center to receive and care for 52 children within the church space.

Presently, the childcare center cares for 35 children and has a waiting list of other families who wish to utilize the daycare services. The church accepts children from its congregation and also from families who are not in the congregation, but who live in the surrounding community. The day care center operates Monday through Friday, 6:30 AM to 6:00 PM, and cares for children from ages two through five. The center plans to continue to operate on the same schedule in the future. Currently, the Tender Feet Child Care Center operates as a matter of right under the zoning regulations and within the church building. At this juncture, the church desires to expand the permitted child care operation and in order to do so, plans to raze



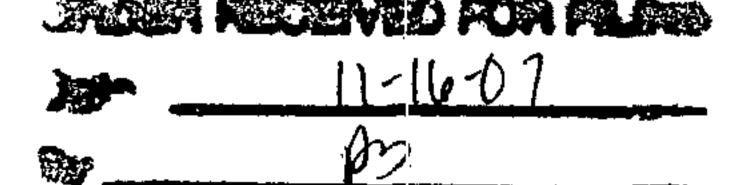
the small, existing one-story dwelling on the 7704 parcel. In its place is planned a new proposed one-story building consisting of 8,634 square feet and located on the southeast portion of the combined parcels of 7710 and 7704 Windsor Mill Road. As shown on the site plan, the proposed new building and its proposed fenced-in play area, as well as part of the parking lot, will lie on both the 7710 and 7704 parcels. Because the new building and the new day care operation are close to the tract boundary with the adjacent property owner, and are within the 100-foot area extending into the site to be developed, known as the Residential Transition Area (RTA), Section 1B01.1.C.6. of the B.C.Z.R. requires that a special exception be obtained in order to operate the Class B Group Child Care Center for more than 40 children. Furthermore, since the proposed building for the new daycare operation, its fenced-in play area, and part of the parking lot adjacent to that site are all within the RTA, Petitioner is in need of variances from certain distance requirements established by the RTA regulations.

In order to clearly delineate the location of the variance requests, and with Petitioner's permission, I marked on the site plan, 1 through 4, the variances necessary in order to construct the one-story building for the daycare, the play area, and the parking lot associated with it, as shown on Petitioner's Exhibit 1. Variance number one is to permit an RTA buffer of 19 feet in lieu of the required 50 feet of the required unclear, ungraded buffer. The corner of the proposed one-story building for daycare comes to a distance of 19 feet from the property line. Variance number two is to permit a structure to be erected at a distance from 19 feet from the property line in lieu of the required 75 feet, and again this relates to the corner of the proposed one-story building. Variance number three is to permit a parking lot to be constructed at a distance of 16 feet from the property line in lieu of the required 75 feet. This variance becomes necessary since part of the parking lot on the side of the property next to the proposed one-story daycare building is less than 75 feet from the property line. Variance number four is to permit an RTA buffer of

11-16-07 2000 - 11-16-07 10 feet in lieu of the required 50 feet. This variance becomes necessary because part of the fenced-in play area for the proposed daycare operation comes from that distance to the property line and thus requires a reduction of the ungraded, uncleared buffer from 50 feet down to a distance of 10 feet.

Petitioners also intend, at some future date, to construct on the site a proposed 10,000 square foot building on the northwest side of the property which they plan to use as an educational building and for youth activities in connection with the church. That proposed building is shown on the upper portion of the site plan. That proposed building will likewise be within the Residential Transition Area (RTA) and will necessitate variance number five to permit that structure to be erected at a distance of 20 feet from the property line in lieu of the required 75 feet. Variance number one will also apply here in that an RTA buffer of 19 feet in lieu of the required 50 feet will suffice under the circumstances.

A review of the site plan and several photographs which were marked and accepted into evidence as Petitioner's Exhibits 2A through 2G show that Petitioner's property is a long, relatively narrow lot which at its rear is traversed by a stream and contains existing wetlands. A significant portion of the property is within the 100-year flood plain. Furthermore, a forest buffer easement and a forest conservation easement exist on the site, as well as mature vegetation and trees. Between the parking lot and the forest area containing the wetlands and the stream lies the existing storm water management facility constructed at the time of the erection of the church building. The property does not have public sewer and water. A further examination of the site plan shows the location of the existing well and two existing septic reserve areas. While the 8.966 acre site would permit additional density and development, the effect of these various site constraints forces the additional building space closer to Windsor Mill Road toward the front of the property, and to the sides of the lot. Adjacent to the subject property on both sides are new



single-family dwelling communities, which are currently under construction. Across Windsor Mill Road from the site is undeveloped land, some of which appears to be in passive agricultural uses.

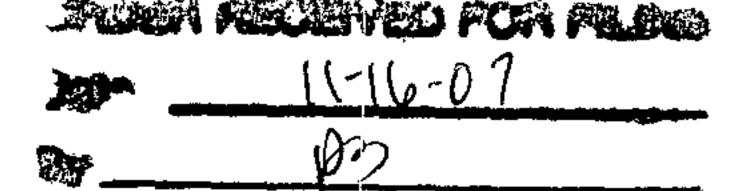
Rick Richardson, Petitioner's consultant and a professional engineer registered in the State of Maryland, visited the property and is familiar with the present and proposed uses of the property. Mr. Richardson has been qualified before this Commission on a number of occasions as an expert witness with regard to the Baltimore County Zoning Regulations, development regulations and policies, and was offered and accepted as such in this case. As to the variance requests, in Mr. Richardson's opinion, the site constraints described above constitute special circumstances and conditions exist that are peculiar to the land, thus meeting the test of "uniqueness" under Section 307.1 of the B.C.Z.R. and the cases interpreting variance criteria. Furthermore, in his opinion, compliance with the requirements of the Baltimore County Zoning Regulations with respect to the Residential Transition Area as described herein would result in practical difficulty or unreasonable hardship. Mr. Richardson also opined that the proposed special exception use would meet all the criteria of Section 502.1, and that the requests for relief were within the spirit and intent of the zoning regulations, and in particular, were consistent with the D.R.5.5 zone.

The Zoning Advisory Committee (ZAC) comments were received and are contained within the case file. The comment received from the Department of Environmental Protection and Resource Management (DEPRM) dated October 2, 2007 indicates that the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains, and with the Forest Conservation Regulations. In addition, a usage letter must be submitted for the two proposed buildings prior to permit approval. The County Fire Marshal's Office comment states that the site shall be made to comply with all applicable parts of the

Baltimore County Fire Prevention Code prior to occupancy or beginning of operation. There were no other comments from ZAC agencies concerning Petitioner's requests for relief.

A Class B Group Child Care Center is defined in Section 101 of the Zoning Regulations as a center wherein group childcare is provided for more than 12 children. In a D.R.5.5 zone such a childcare center is permitted as a matter of right for up to 40 children, if not located in a Residential Transition Area. Moreover, if located in a Residential Transition Area, Section 1B01.1.C.6. of the B.C.Z.R. requires that a special exception be obtained in order to operate the group childcare center for more than 40 children. Based on the testimony and evidence offered by Petitioner in regard to the request for special exception use to allow a Class B Group Child Care Center, I am persuaded to grant the relief. The zoning regulations specifically permit such a use by special exception and I find that the use in this case, and the proposed expansion of that use as shown on the site plan and as stated by Petitioner, is in compliance with the Section 502.1 criteria. With the increase in the number of new homes in the area and the likely increase in the number of small children attendant thereto, I am convinced that the expansion of the current daycare operation will fill a need for the community, but will do so in a manner that is beneficial to the area. It has also been mentioned that the proposed new building and its proposed fencedin play area, as well as part of the parking lot will straddle the line between the 7710 and 7704 parcels. The effect of its proposed use is to consolidate or merge the two parcels for zoning purposes. See, Remes v. Montgomery County, 187 Md. 52 (2005) and Friends of the Ridge v. BGE 352 Md. 645(1999).

In regard the request for variances, based on the testimony and evidence and the opinion of Mr. Richardson, I find that because of the long, relatively narrow lot which at its rear is traversed by a stream and contains existing wetlands; because a significant portion of the property is within the 100-year flood plain; because a forest buffer easement and a forest



conservation easement exist on the site, as well as mature vegetation and trees; and because the existing storm water management facility lies between the parking lot and the forest area containing the wetlands and the stream, the site has a number of constraints which render the property unique in a zoning sense. I further find that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. Finally, I find these variance can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

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

IT IS FURTHER ORDERED that Petitioner's Variance requests as follows:

- From Section 1B01.1B1(e)(3) of the B.C.Z.R. to permit an RTA buffer of 19 feet in lieu of the required 50 feet; and
- From Section 1B01.1B1(e)(5) of the B.C.Z.R. to permit a structure to be erected at a distance of 19 feet from the property line in lieu of the required 75 feet; and
- From Section 1B01.1B1(e)(5) of the B.C.Z.R. to permit a parking lot to be constructed at a distance of 16 feet from the property in lieu of the required 75 feet; and
- From Section 1B01.1B1(e)(3) to permit an RTA buffer of 10 feet in lieu of the required 50 feet; and
- From Section 1B1.1B1(e)(5) of the B.C.Z.R. to permit a structure to be erected at a distance of 20 feet from the property line in lieu of the required 75 feet.

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be and are hereby GRANTED.

The granting of the above relief shall be subject, however, to the following conditions:

- 1. Petitioner may apply for any permits required and be granted same upon receipt this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. The property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains, and with the Forest Conservation Regulations. In addition, a usage letter must be submitted for the two proposed buildings prior to permit approval.
- 3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.
- 4. The hours of operation shall be five (5) days a week, Monday through Friday; from 6:30 AM to 6:00 PM. Petitioner may use the any signage as permitted by the B.C.Z.R.
- 5. Petitioner's group child care use must continue to be registered, licensed or certified as required by any applicable state and local agency, and the additional use granted herein shall also meet any and all applicable state and local registration, licensing, and certification requirements.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz



JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

November 16, 2007

C. WILLIAM CLARK, ESQUARE NOLAM PLUMHOFF & WILLIAMS 502 WASHINGTON AVENUE TOWSON MD 21204

Re: Petitions for Special Exception and Variance

Case No. 08-080-XA

Property: 7710 Windsor Mill Road

Dear Mr. Clark:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

THOMAS H. BOSTWICK

Deputy Zoning Commissioner

for Baltimore County

THB:pz

Enclosure

c: Kofo Odutola, Joyce Adeyinka, and Sesan Kuforiji, 7710 Windsor Mill Road, Baltimore MD 21244 Rick Richardson, Richardson Engineering, Inc., 30 East Padonia Road #500, Timonium MD 21030



# Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 1710 WINDSOR MILL POAD which is presently zoned DR 5.5

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

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for a Class B. Group Child Care Center.

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

I, or we, agree to pay expenses of above Special Exception, 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):<br>The Redcemed Christian Church Tesus House |
| Name - Type or Print  | Name - Type or Print  AP CTOLA  MINTOLA                      |
| Signature   | Signature  |
| Address Telephone No.   | Name - Type or Print   |
| City State Zip Code   | Signature  |
| Attorney For Petitioner: C. William CLARK                       | Address Telephone No.  |
| Name Type or Print Class  | City State Zip Code  Representative to be Contacted:         |
| Signature  NOLAN, PLUMHOFF & WILLIAMS  Company  A Marie Company | Name   |
| 507 WASHINGTON AND 40-823-7800 Address Telephone No. 7 212-04   | Address Telephone No.  |
| City State Zip Code   | City State Zip Code  OFFICE USE ONLY                         |
| Case No. 08-080-AX  | ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING          |
| 280 09 15 98 Standard March 100 PON FILMS                       | Reviewed By Date S/10/07                                     |
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# Petition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 7710 Windsor Mill Road which is presently zoned D.R. 5.5

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)

See attached information

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

Location of existing improvements on the lot and other information that will be presented at the hearing

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

09-020-XX

REV 9/15/98

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

### Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Name - Type or Print Signature Signature AND ETO KA Address Telephone No. Name - Type or Print City State Zip Code Signature <u> Attomev For Petitioner:</u> Address Telephone No. C. William Clark Baltimore 21207 MD Name Type or Print City State Zip Code -Representative to be Contacted: Signature Nolan Plumhoff & Williams Company Name 502 Washington Ave., Suite 700 **Address** Telephone No. **Address** Telephone No. <u>Towson</u> MD\_ 21204 City City Zip Code Zip Code State OFFICE USE ONLY ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Attachment to Petition for Variance 7710 Windsor Mill Road

### Variances from:

- (1) 1B01.1B1(e)(3) to permit an RTA buffer of 19' in lieu of the required 50'
- (2) 1B01.1B1(e)(5) to permit a structure to be erected at a distance of 19' from the property line in lieu of the required 75'
- (3) 1B01.1B1(e)(5) to permit a parking lot to be constructed at a distance of 16' from the property line in lieu of the required 75'
  - (4) 1B01.1B1(e)(3) to permit an RTA buffer of 10' in lieu of the required 50'
- (5) 1B01.1B1(e)(5) to permit a structure to be erected at a distance of 20' from the property line in lieu of the required 75'

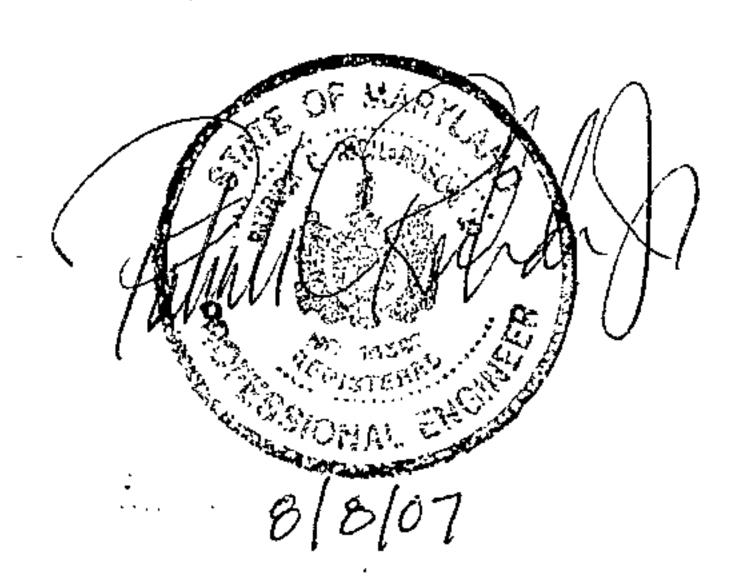
30 East Padonia Road, Suite 500 Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

# ZONING DESCRIPTION 7710 WINDSOR MILL ROAD 2ND ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning at a point on the northeast side of Windsor Mill Road, 60 feet wide; at a distance of 900 feet more or less, from the centerline intersection of Windsor Mill Road and Mayfield Avenue, 50 feet wide; and running thence from said place of beginning, binding on the said Northeast side of Windsor Mill Road, (1) North 58 degrees 35 minutes 58 seconds West 87.74 feet, (2) North 58 degrees 02 minutes 36 seconds West 329.86 feet; thence leaving the said northeast side of Windsor Mill Road and running (3) North 31 degrees 33 minutes 42 seconds East 1022.93 feet, (4) South 85 degrees 15 minutes 58 seconds East 268.20 feet, (5) South 11 degrees 59 minutes 02 seconds West 260.18 feet, (6) South 25 degrees 51 minutes 02 seconds East 921.32 feet to the point of beginning.

Containing a net area of 8.966± acres or 390,542 square feet and a gross area of 9.254± acres or 403,115 square feet of land, more or less.



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# NOTICE OF ZONING HEARING

The Zoning Commissioner of Baitimore County, by authority of the Zoning Act and Regulations of Baitimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #08-080-XA

7710 Windsor Mill Road

N'side of Windsor Mill Road at a distance of 900 ft +/s/east from c/line of Windsor Mill Road

2nd Election District - 4th Councilmanic District
Legai Owner(s): The Redeemed Christian Church/Jesus
House

Special Exception: to allow a Class B Group Child Care
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lieu of the required 50 feet and to permit a structure to be
erected at a distance of 19 feet from the property line in
lieu of the required 75 feet and to permit a parking lot to
be constructed at a distance of 16 feet from the property
line in lieu of the required 75 feet and to permit
a structure to be erected at a distance of 20 feet and to permit a structure to be erected at a distance of 50 feet and to permit a structure to be erected at a distance of 50 feet mon the
Room 407, County Courts Building, 401 Bosley 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) 887-4386.
(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT/9/734 Sept. 18

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

The Jeffersonian

Arbutus Times

Times Towson Times

Catonsville

Owings Mills Times

NE Booster/Reporter

North County News

1 Julias

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

RE: Case No.: 00-080 Date of Hearing/Closing: 10-17-07 Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue ATTN: Kristen Matthews ((410) 887-3394) 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: (Month, Day, Year) Sincerely, (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)

The sign(s) were posted on CASE 108080XA A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD Room 407 County Chars Buston HOT BOSLEY ME TOWARD 21704 PLACE:\_\_\_ DATE AND TIME WITHIT THE CHICKER IT ZON # 900 REQUEST OFFICE PATPINE TO BITCH A CLASS PLEASE THE RESIDENCE OF THE LIEU OF THE RESIDENCE OF THE PROPERTY OF THE PROPERTY LIEU OF THE RESIDENCE OF THE PROPERTY LIEU OF THE PROPERTY OF THE PR the impact of the factors that the fact of the factors of the fact HARMONIAPPED ACCESSIOLS

Towson, Maryland 21204

Ladies and Gentlemen:

RE: PETITION FOR SPECIAL EXCEPTION

AND VARIANCE

7710 Windsor Mill Rd; NE/S Windsor Mill Rd\*

900' SE from the c/line Windsor Mill Rd 2<sup>nd</sup> Election & 4<sup>th</sup> Councilmanic Districts

Legal Owner(s): Redeemed Christian Church

of God/Jesus House

· Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

**BALTIMORE COUNTY** 

08-080-XA

**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.

ER 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 22<sup>nd</sup> day of August, 2007, a copy of the foregoing Entry of Appearance was mailed C. William Clark, Esquire, Nolan, Plumhoff & Williams, Chtd., 502 Washington Avenue, Suite 700, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVEO

AUG 2 2 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



JAMES T. SMITH, JR. County Executive

TINGEPIEINDED 6R 200,7Director

Department of Permits and

Development Management

# **NOTICE OF ZONING HEARING**

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CASE NUMBER: 08-080-XA

7710 Windsor Mill Road

N/side of Windsor Mill Road at a distance of 900 ft. +/- s/east from c/line of Windsor Mill Road 2<sup>nd</sup> Election District – 4<sup>th</sup> Councilmanic District

Legal Owners: The Redeemed Christian Church/Jesus House

Special Exception to allow a Class B Group Child Care Center. <u>Variance</u> to permit an RTA buffer of 19 feet in lieu of the required 50 feet and to permit a structure to be erected at a distance of 19 feet from the property line in lieu of the required 75 feet and to permit a parking lot to be constructed at a distance of 16 feet from the property line in lieu of the required 75 feet and to permit an RTA buffer of 10 feet in lieu of the required 50 feet and to permit a structure to be erected at a distance of 20 feet from the property line in lieu of the required 75 feet.

Hearing: Wednesday, October 17, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: C. William Clark, 502 Washington Avenue, Towson 21204 Redeemed Christian Church, 7710 Windsor Mill Road, Baltimore 21244

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, OCTOBER 2, 2007.

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

TO: PATUXENT PUBLISHING COMPANY

Tuesday, October 2, 2007 Issue - Jeffersonian

Please forward billing to:

C. William Clark Nolan, Plumhoff & Williams 502 Washington Avenue Towson, MD 21204 410-823-7800

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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.

# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

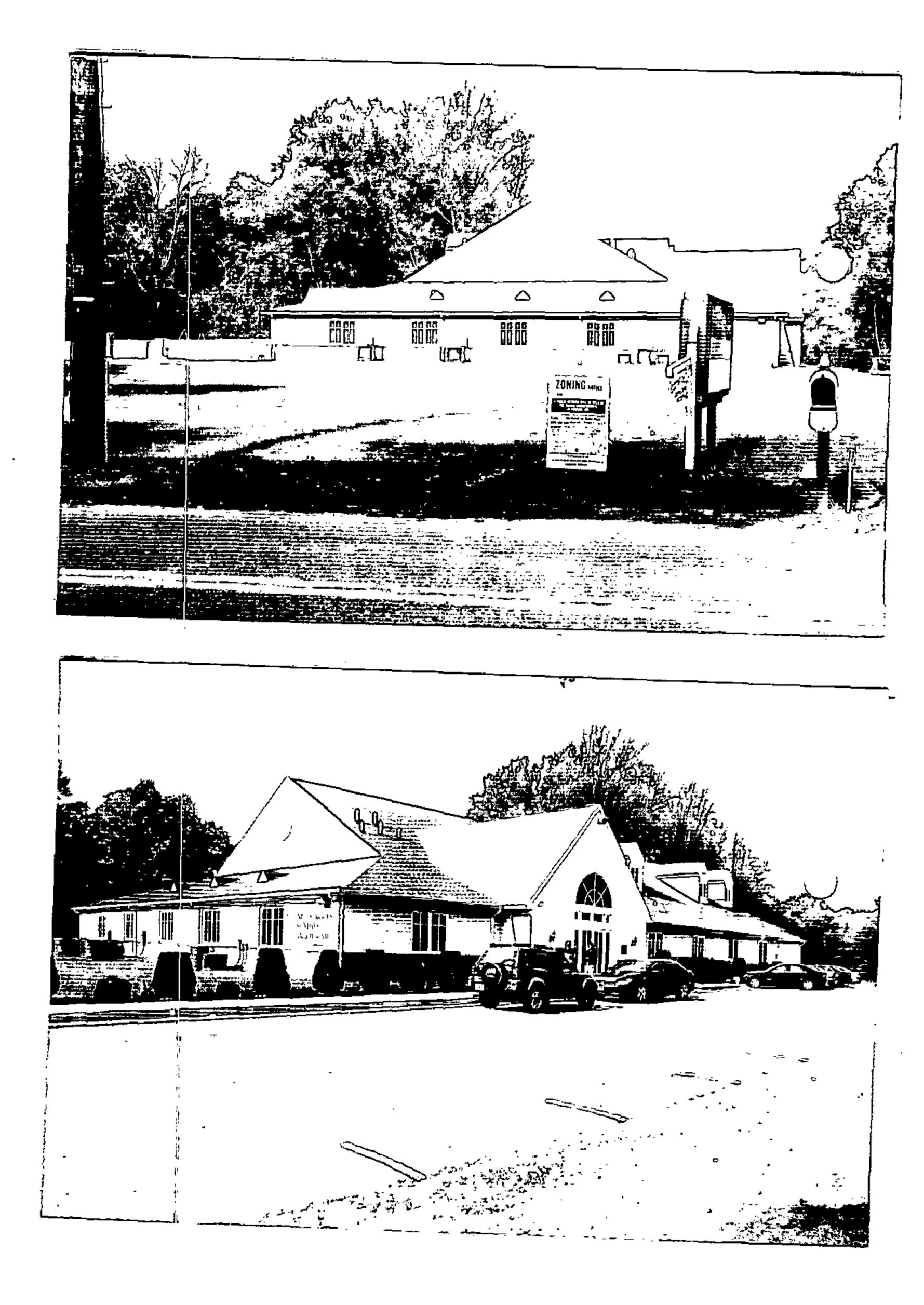
# ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

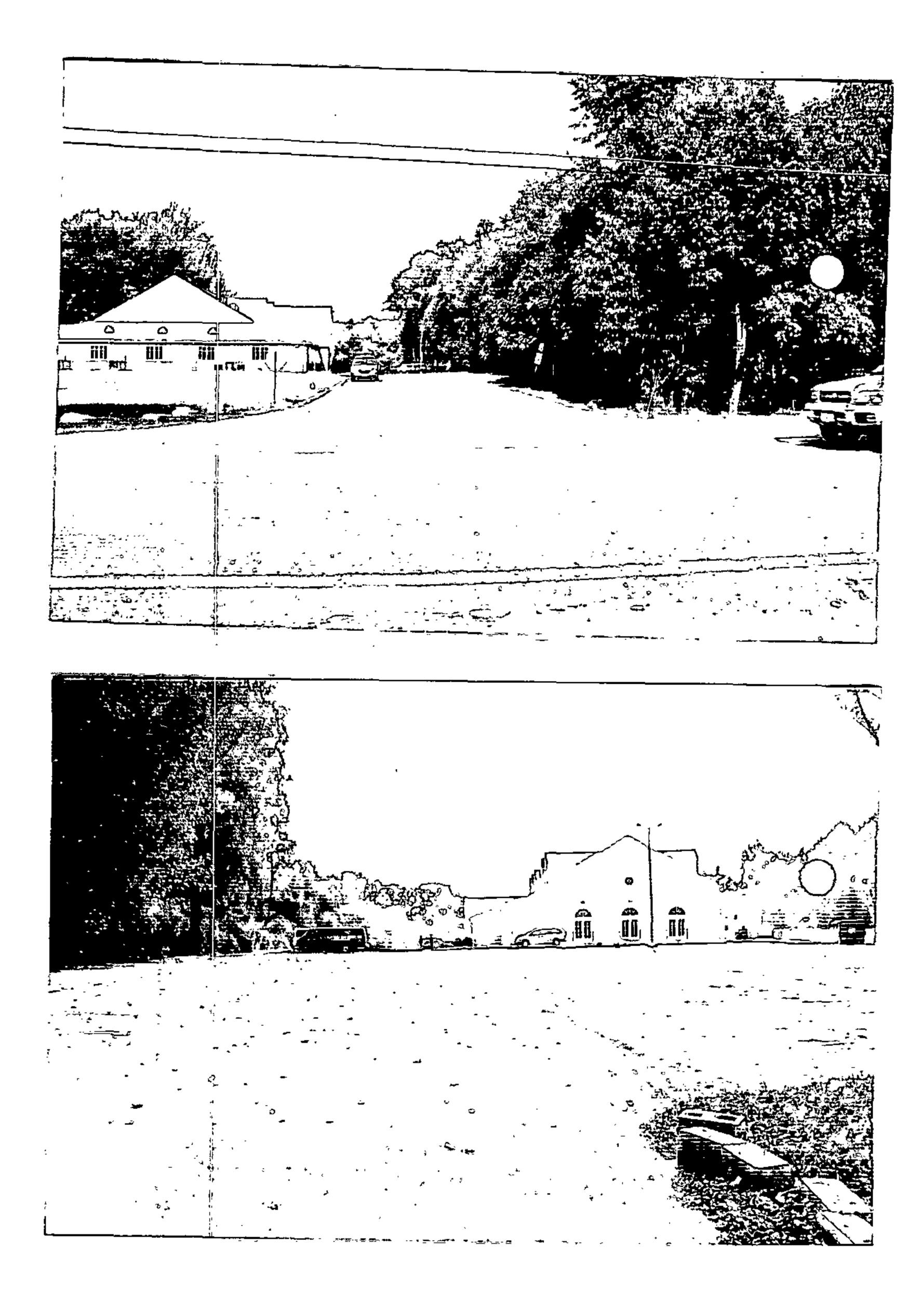
The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign 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.

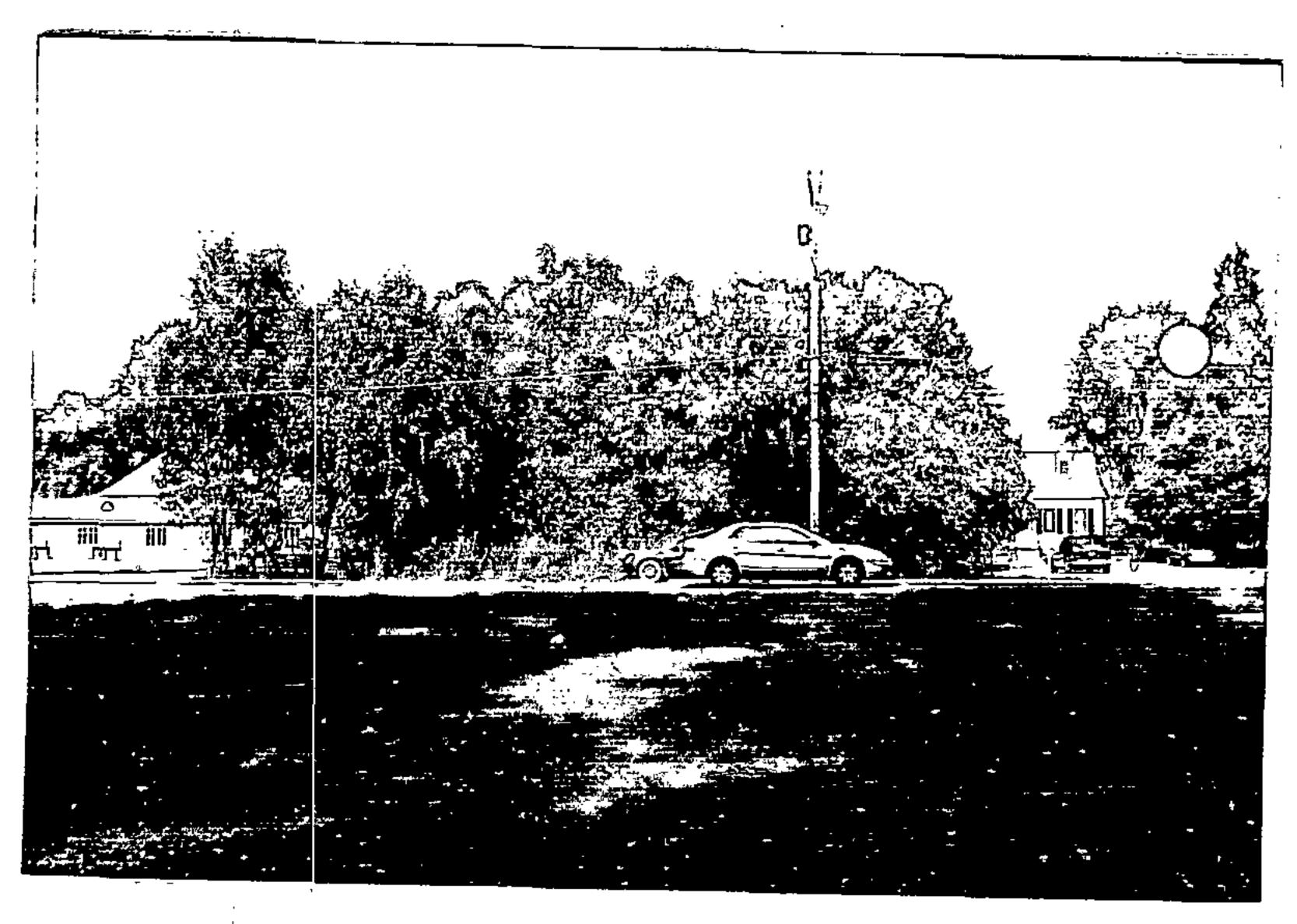
Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted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

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

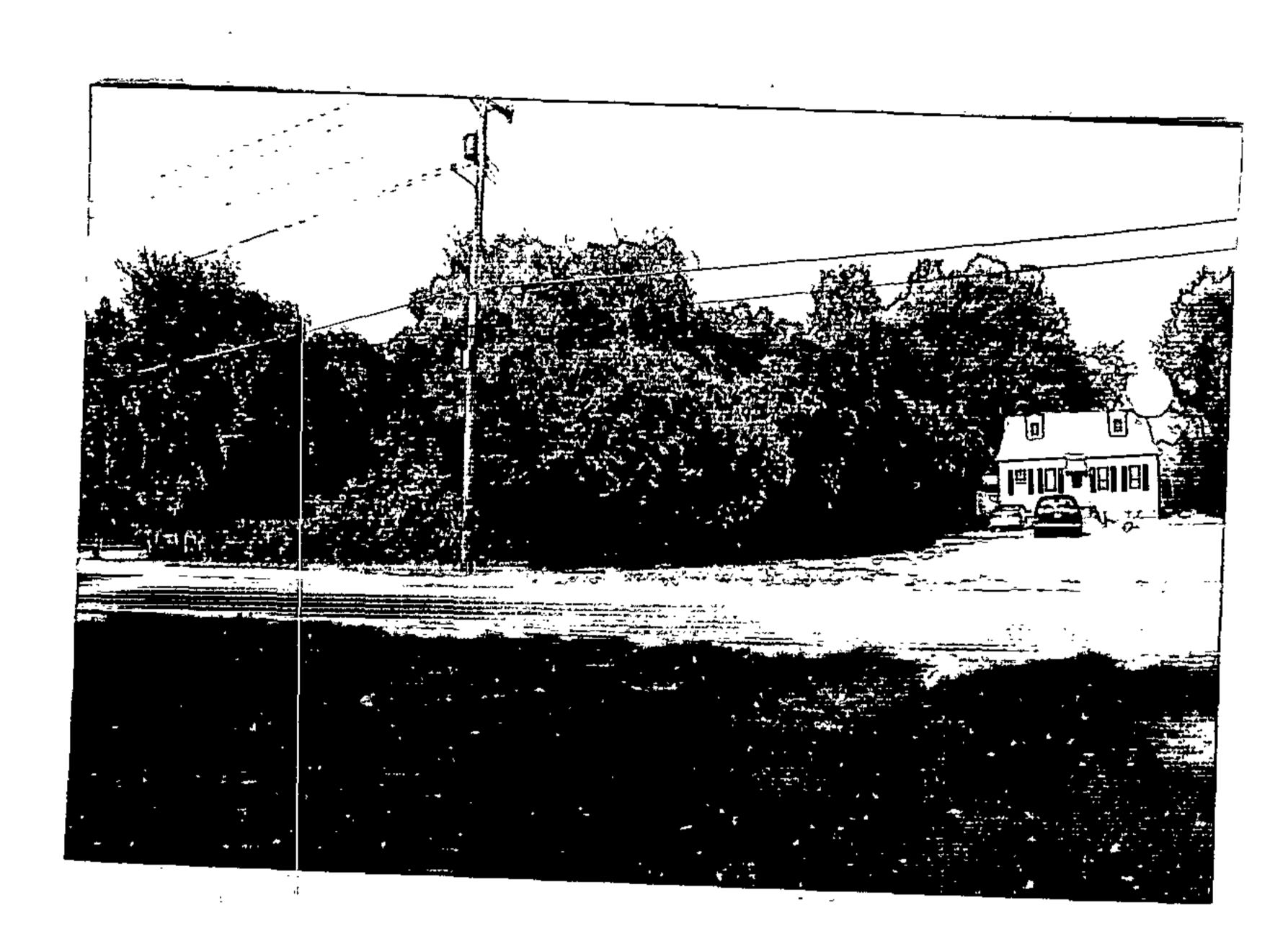
| For Newspaper Advertising:                                   |
|--|
| Item Number or Case Number: <u> のチーのチの - メ</u> A             |
| Petitioner: The Redeemed Christian Church OF GOD/TESUS HOUSE |
| Address or Location: 7710 WINDSOR MILL ROAD.                 |
| PLEASE FORWARD ADVERTISING BILL TO:  Name:                   |
| Telephone Number: 410-823-7800                               |











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JAMES T. SMITH, JR. County Executive

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

October 10, 2007

C. William Clark Nolan, Plumhoff & Williams 502 Washington Avenue Towson, MD 21204

Dear Mr. Clark:

RE: Case Number: 08-080-XA, 7710 Windsor Mill Road

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 10, 2007. This letter is not an approval, but only a NOTIFICATION.

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,
U. Calliell Shall

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR:amf

Enclosures

People's Counsel

The Redeemed Church Christian Church 7710 Windsor Mill Road Baltimore 21244



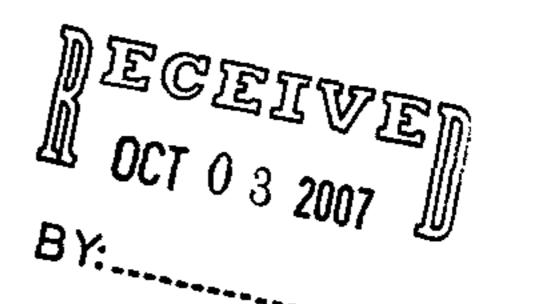


TB 1917

# BALTIMORE COUNTY, MARYLAND

# Inter-Office Correspondence





TO:

Timothy M. Kotroco

FROM:

Dave Lykens, DEPRM - Development Coordination

DATE:

October 2, 2007

SUBJECT:

Zoning Item

# 08-80-XA

Address

7710 Windsor Mill Road

(The Redeemed Christian Church of God Property)

Zoning Advisory Committee Meeting of August 27, 2007

\_\_\_\_ 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:

Note the 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).

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

### Additional Comments:

Prior to permit approval, a usage letter must be submitted for the 2 proposed buildings. – S. Farinetti; Ground Water Management

Reviewer:

Michael S. Kulis

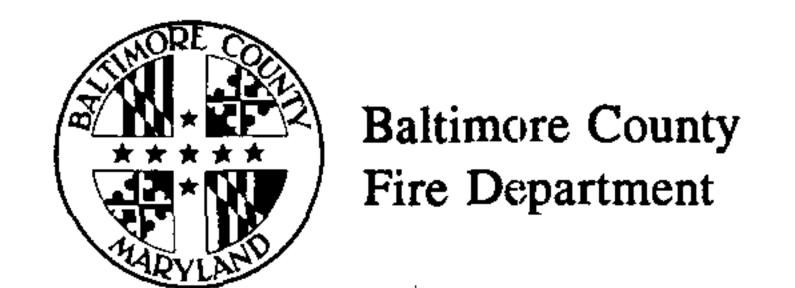
Date: 9/25/07

# PLEASE PRINT CLEARLY

CASE NAME Pre Redeemed Unistan Chur CASE NUMBER US-080-XA 65 DATE (0/17/07

# PETITIONER'S SIGN-IN SHEET

| NAME             | ADDRESS               | CITY, STATE, ZIP   | E- MAIL                             |
|------------------|-----------------------|--------------------|-------------------------------------|
| C. William Ceark | with the a            | My 21              | cucharka noton plum hoff. com       |
| Koto Odurola     | TIO WINDSOY MULIKA    | mo 2               | Kodulola@Comrastingt                |
| Joyce Adeulnks   | 7710 Windsor Mull Rd  | (3)                | Talceade @ hotmassing               |
| CAN TAMESON      | 30 E PRODUK SUITE SOO | MD 2               | RICKER HARDSON TAIS INVESTOR 1. 187 |
| Sesan Kuforii    | 7710 Windsor Mill Rd  | Baltimore mo 21244 | omo Kuforiji @ hotmail.             |
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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 August 23, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 20, 2007

Item Number: Item Number 80

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.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

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

cc: File



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

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

Maryland Department of Transportation

Date: AMCINST 20, 2007

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

RE: **Baltimore County** Item No. 8-80-XA 7710 WINDSOR MILL RD THE REDEEMED CHRISTIAN CHURCH OF GOD VARIANCE - SPECIAL EXCEPTION

Dear Ms. Matthews:

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. 8-80-XA.

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,

Steven D. Foster, Chief
FOR Engineering Access Permits

Division

SDF/MB

Street Address: 707 North Calvert Street + Baltimore, Maryland 21202 + Phone: 410.545.0300 + www.marylandroads.com

# BALTIMORE COUNTY, MARYLAND

# INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** October 29, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For August 27, 2007 Item No. 08-080

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

We have no objection to granting the setback variance request or to the special exceptions. However the petitioner is reminded that public water and sewer is, or will soon be, available to the site and should be used. A water main extension may be required.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 08-080-10292007.doc

# Patricia Zook - 08-080-XA - hearing Wed Oct 17 - need Planning comments for TOM

From:

Patricia Zook

To:

Murray, Curtis

Date:

10/12/2007 9:40 AM

Subject:

08-080-XA - hearing Wed Oct 17 - need Planning comments for TOM

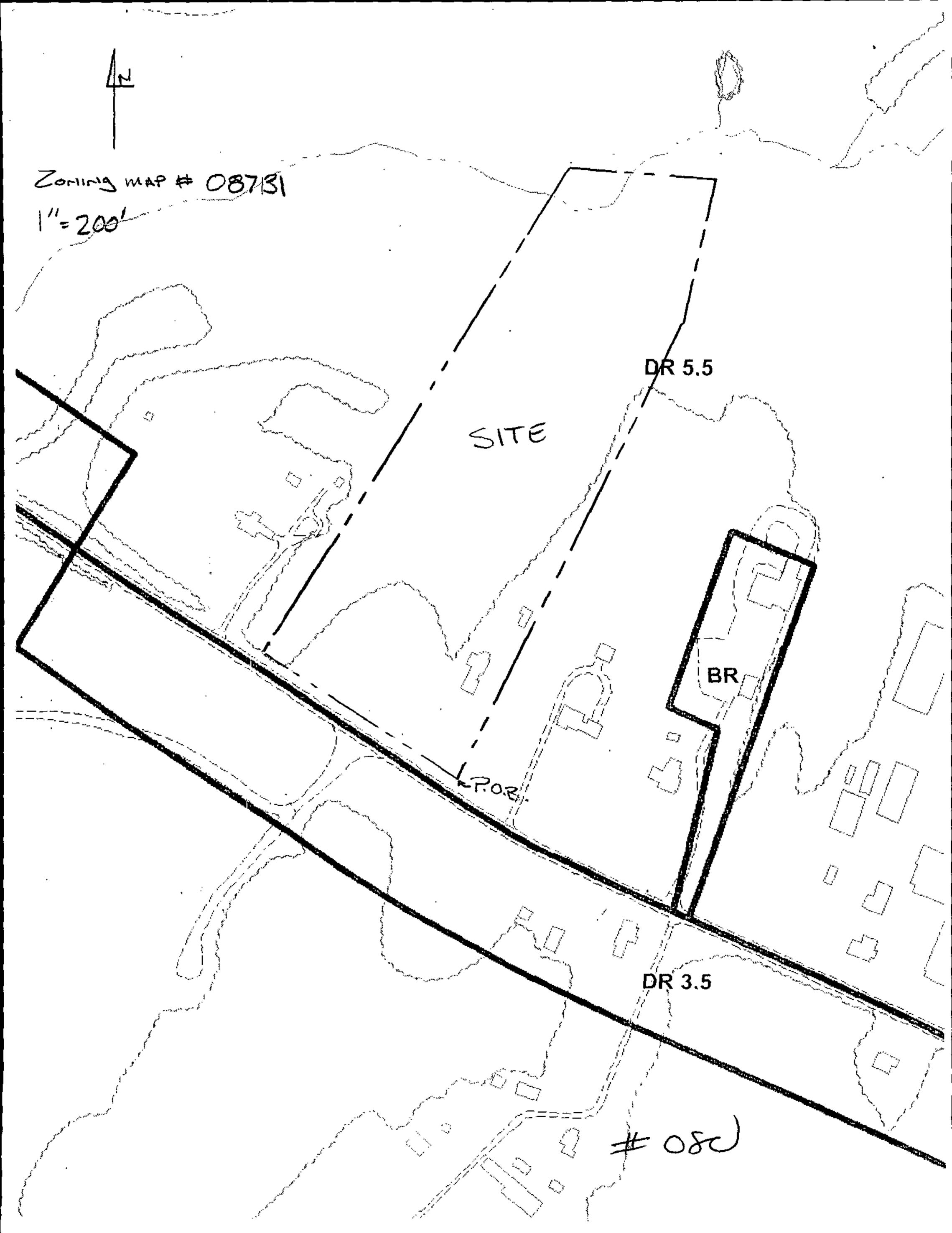
CC:


Bostwick, Thomas


### Curtis -

I just received the case file for 08-080-XA and it is missing Planning comments. The hearing is Wednesday, October 17.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
410-887-3868
pzook@baltimorecountymd.gov







08-080-XA