

IN THE MATTER OF
THE APPLICATION OF
FAITH FELLOWSHIP CHURCH
OF BALTIMORE - LEGAL OWNERS
SW/s EBENEZER ROAD, 498' NW
OF YVONNE AVENUE
4375 EBENEZER ROAD
11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 09-164-X

* * * * *

ORDER OF DISMISSAL

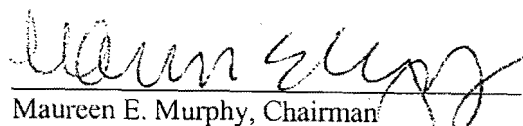
This matter comes to the Board of Appeals by way of an appeal filed by Michael Gisriel, Esquire on behalf of Tom Holland and Damian Schultz, Protestants, from a decision of the Zoning Commissioner dated January 23, 2009 in which the requested zoning relief was granted with restrictions.

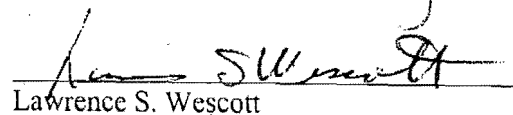
WHEREAS, the Board is in receipt of facsimile notice and request to withdraw and dismiss the appeal filed on February 18, 2009, by Michael Gisriel, Esquire, on behalf of the Protestants/Appellants, Tom Holland and Damian Schultz (a copy of which is attached hereto and made a part hereof); and

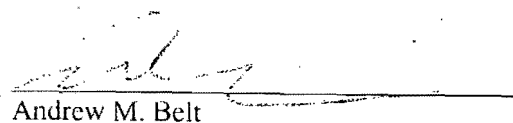
WHEREAS, said Appellant requests that the appeal taken in this matter be withdrawn and dismissed as of May 4, 2009,

IT IS THEREFORE ORDERED this 7th day of May, 2009 by the Board of Appeals of Baltimore County that the appeal taken in Case No. 09-164-X be and the same is hereby **DISMISSED**.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Chairman


Lawrence S. Wescott


Andrew M. Belt



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

May 7, 2009

Michael Gisriel, Esquire
29 W. Susquehanna Ave, Ste 302
Towson, MD 21204

John B. Gontrum, Esquire
Whiteford, Taylor & Preston, LLP
1 W. Pennsylvania Ave, Ste 300
Towson, MD 21204

RE: *In the Matter of: Faith Fellowship Church of Baltimore*
Case No.: 09-164-X

Dear Counsel:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Theresa Shelton/kc

Theresa R. Shelton
Administrator

Duplicate Original Cover Letter

TRS/klc
Enclosure

c: Faith Fellowship Church of Baltimore
Robert J. Bosmer
Fran Anderson
Tom Holland
Damian Schultz
Office of People's Counsel
Arnold F "Pat" Keller, Planning Director
John E. Beverungen, County Attorney

William J. Wiseman III /Zoning Commissioner
Timothy M. Kotroco, Director /PDM

IN RE: **PETITION FOR SPECIAL EXCEPTION** *

SW/Side of Ebenezer Road, 498' NW of

Yvonne Avenue *

(4375 Ebenezer Road)

11th Election District *

5th Council District *

Faith Fellowship Church of Baltimore, Inc.,

Legal Owner *

Robert J. Brosmer of Central Md.,

Lessee *

Petitioners

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2009-0164-X

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the owner of the property, Faith Fellowship Church of Baltimore, Inc., and the YMCA of Central Maryland Inc., the contract lessee, through their attorneys, Whiteford, Taylor & Preston, LLC, for the use of approximately 15,000 square feet of an existing 64,000 square foot building. Specifically, the Petitioners request a special exception to permit a community building for civic, social, recreational and educational activities, pursuant to Section 230.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), on the subject property. The property, existing improvements and the requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were Robert J. Brosmer, Chief Operating Officer of the YMCA of Central Maryland; Francis D. Anderson, Construction Consultant to the YMCA; Larry Stewart on behalf of the Faith Fellowship Church of Baltimore, Inc., owner of the subject property; Adam D. Baker, Esquire and John B. Gontrum Esquire, both of Whiteford, Taylor & Preston, L.L.P., attorneys for the Petitioners. There were no Protestants or other interested persons present.

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Date 1-23-09
By [Signature]

Testimony and evidence offered revealed that the subject property is an irregularly shaped rectangular parcel located approximately 400 feet to the east of the intersection of Ebenezer Road and Belair Road in Perry Hall. The property contains a gross area of 5.9 acres, zoned B.L.-C.C.C. (Business, Local) - (Commercial, Community Core), and is improved with a 64,000 square foot church building owned by Faith Fellowship Church of Baltimore, Inc. The property and large accessory parking field are accessed from Ebenezer Road. Prior to the church's acquisition of the property, the building was occupied by a Metro Food Market grocery store. Testimony indicated that the Petitioners intend to lease approximately 15,000 square feet within the church building in order to operate the proposed community building for civic, social, recreational and educational activities as shown on the site plan (Petitioners' Exhibit 1). Given the property's zoning classification, a special exception is necessary in order to proceed.

On behalf of the Petitioners, Mr. Baker proffered that the property is currently served by public water and sewer and there is adequate parking capacity for the proposed use. All of the improvements will be located within the existing building so there will be no impact on the permeable surface of the site or on its retention of vegetation. In addition, given the nature of the heavy impact use of the current church and the previous grocery store, the proposed community center use will not impact traffic.

Mr. Baker further proffered that the YMCA is a non-profit charitable organization dedicated to providing programs and services that promote the health and well being of the community. It has been a community resource in Maryland since 1853 committed to providing high quality, family-oriented, affordable programs. In addition to the variety of programs the YMCA offers in Baltimore County, it also currently operates two (2) health and wellness centers in the County, one in Towson and the other in Catonsville. These health and wellness centers

RECEIVED FOR FILING
Date 1-23-09
By [Signature]

provide a location for Perry Hall and neighboring residents to exercise and engage in various family programs and activities which promote a healthy, balanced lifestyle. The proposed community center on the subject property would offer an additional location where the YMCA could serve these County residents.

After due consideration of the evidence presented, I am persuaded to grant the requested relief. I find that the proposed use meets the special exception requirements set forth in Section 502.1 of the B.C.Z.R. and will not adversely impact the surrounding locale. The facts and circumstances show that the proposed use at this particular location is appropriate and will not have any adverse impacts above and beyond those inherently associated with such a special exception use, irrespective of its location within the zone. *Schultz v. Pritts*, 291 Md. 1, 432 A.2d 1319 (1981); *People's Counsel for Baltimore Co. v. Loyola College*, 406 Md. 54 (2008). In fact, the Petitioners have shown that the proposed community building will provide a benefit to the community. There were no adverse Zoning Advisory Committee (ZAC) comments submitted by any County reviewing agency. However, subsequent to the close of the hearing, the Office of Planning submitted a ZAC comment outlining areas of concern. The first request was to submit building elevations showing the front façade of the YMCA building, *if any exterior changes are planned to the existing building*. As previously discussed, no exterior changes are contemplated. Secondly, sidewalk connections were requested leading from the existing sidewalk on Ebenezer Road to the walkway at the northern end of the existing building. This request is appropriate and Petitioners shall provide safe pedestrian access from the public walkway to its building. Similarly, any proposed signage for the YMCA building shall be submitted to Donnell Zeigler with the Office of Planning for his review and approval. In light of these comments and the

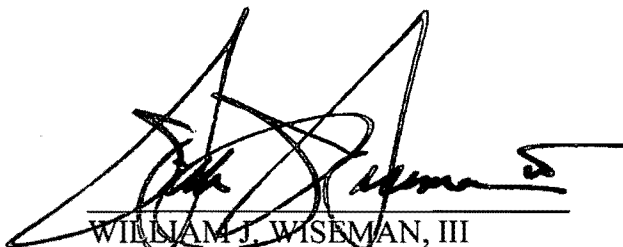
testimony and evidence presented, it appears that the relief can be granted without detrimental impact to the adjacent properties or the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of January 2009 that the Petition for Special Exception, to approve the use of a building on the subject property for a community building (YMCA) devoted to civic, social, recreational and educational activities, pursuant to Section 230.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building/use 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.
- 2) When applying for any permits, 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 entered within thirty (30) days of the date hereof.


WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County

ORIGINAL RECEIVED FOR FILING
Date 1-23-09
By [signature]



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

January 23, 2009

WILLIAM J. WISEMAN III
Zoning Commissioner

John B. Gontrum, Esquire
Adam D. Baker, Esquire
Whiteford, Taylor & Preston, L.L.P.
Towson Commons, Suite 300
One West Pennsylvania Avenue
Towson, MD 21204

RE: **PETITION FOR SPECIAL EXCEPTION**
SW/Side of Ebenezer Road, 498' NW of Yvonne Avenue
(4375 Ebenezer Road)
11th Election District - 5th Council District
Faith Fellowship Church of Baltimore, Inc., *Legal Owner*;
Robert J. Brosmer of Central Md., *Lessee* - Petitioners
Case No. 2009-0164-X

Dear Counsel:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Exception has 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 truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", written over a circular stamp.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Robert J. Brosmer, Chief Operating Officer, YMCA of Central Maryland,
20 South Charles Street, Baltimore, MD 21201
Fran Anderson, Construction Consultant to the YMCA of Central Maryland,
7912 Springway Road, Ruxton, MD 21204
Larry Stewart, Faith Fellowship Church of Baltimore, Inc., 4375 Ebenezer Road,
Baltimore, MD 21236
People's Counsel; Donnell Zeigler, Office of Planning; File



Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property
located at 4375 Ebenezer Road, Perry Hall, Maryland 21236

which is presently zoned BL-CCC 2300008919

Deed Reference: 20334 / 680 Tax Account # 2300008920

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 community building (YMCA) devoted to civic, social, recreational and educational activities.

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.

Contract Purchaser/Lessee: YMCA

Robert J. Brosmer of Central Md.

Name - Type or Print

Signature

20 S. Charles Street, St. 600 410-837-9622

Address

Telephone No.

Baltimore, Maryland 21201

City

State

Zip Code

Attorney For Petitioner:

John B. Gontrum

Name - Type or Print

Signature

Whiteford, Taylor & Preston, LLP

Company

1 W. Pennsylvania Ave., St. 300 410-832-2055

Address

Telephone No.

Towson, Maryland 21204

City

State

Zip Code

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.

Legal Owner(s):

Faith Fellowship Church of Baltimore, Inc.

Name - Type or Print

Signature

Larry Stewart, Trustee

Name - Type or Print

Signature

4375 Ebenezer Rd.

410-256-3900

Address

Telephone No.

Perry Hall, Maryland 21236

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Case No.

2009-0164-X

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

JNP

Date

12/8/08

FILED FOR FILING

Date

1-23-09

By

[Signature]

Property Description

Legal Owner: Faith Fellowship Church of Baltimore, Inc.

Address: 4375 Ebenezer Road
11th Election District
5th Councilmanic District
Nottingham, MD 21236-2143

The proposed Special Exception use is limited to a 15,000 square foot area contained within existing unit 1 which is approximately 75 feet by 200 feet included within the following property description.

Containing 5.9883 acres, more or less, of ground known as, "Perry Hall Shopping Center Condominium".

Located in the Southwest quadrant of the intersection of Ebenezer Road and Yvonne Avenue.

Beginning for the same at a point on the south side of Ebenezer Road (formerly known as Joppa Road), 70 feet wide, said point being the same point of beginning as described in a deed from Williams J. Shafer, et ux to Perry Hall Center, Inc., dated August 1, 1967, and recorded among the Land Records of Baltimore County, Maryland in Liber O.T.G. 4788, folio 135, said point being North 04°01'52" West 0.20 Feet from a STV Lyon standard marker found, as now surveyed by Morris & Ritchie Associates, Inc., thence from the POINT OF BEGINNING, so fixed, with bearings and distances referred to the Maryland Coordinate System NAD '83-91, binding on Ebenezer Road, the following course and distance;

1. South 70°00' 21" East, 60.41 feet, thence leaving Ebenezer Road and binding on the Common Element shown on a plat entitled "condominium Plat- Perry Hall shopping Center Condominium", dated April 13, 2000 and intended to be recorded among the Land Records of Baltimore County, Maryland, the following three courses and distances, viz:
2. South 19°59'39" West, 25.00 feet,

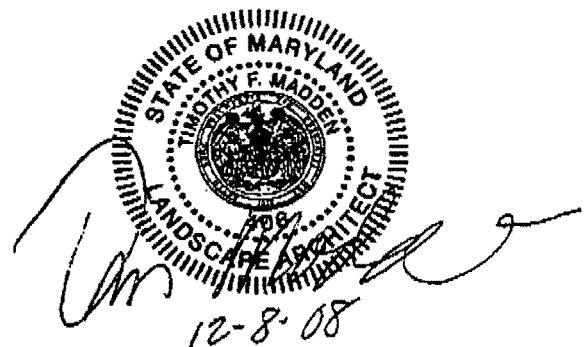
2009-0164-X

3. South 70°00'21" East, 10.00 feet,
4. North 19°59'39" East, 25.00 feet, to intersect the aforementioned road, thence binding thereon,
5. South 70°00'21" East, 390.15 feet to a point, said point being North 33°12'14" West, 0.47 feet from a standard marker found,
6. 30.10 feet along the arc of tangential curve to right having a radius of 25.00 feet, said curve being subtended by a chord of South 35°31'03" East, 28.31 feet to a point on the west side of Yvonne Road, 50 feet wide, said point being North 61°51'15" West, 0.55 feet from STV Lyon standard market found, thence binding on said Road, the following course and distance.
7. South 01°01'44" East 482.31 feet, to a point South 88°59' 29" West 0.19 feet from a STV Lyon concrete monument found, thence leaving Yvonne Road,
8. South 88°59'29" West 445.91, to a STV Lyon standard market in concrete found,
9. North 01°01'52" West, 670.61 feet, passing through the first mentioned standard marker, to the POINT OF BEGINNING>

SAVING AND EXCEPTING 14, 490 square feet or 0.3326 Acres known as Unit II as shown on a plat entitled "Condominium Plat- Perry Hall Shopping Center Condominium", dated April 13, 20000 and intended to recorded among the land Records of Baltimore County, Maryland.

Containing 249.11112 square feet or 5.6500 Acres more or less.

BEING ALL of Unit 1 as shown on a plat entitled "Condominium Plat- Perry Hall shopping Center Condominium dated April 13, 2000 and intended to be recorded among the Land Records of Baltimore County, Maryland." BEING PART of the land conveyed and described in a deed from Perry Hall Center, Inc. to Second Perry hall Center, Inc. July 29, 1982 and recorded in the Land Records of Baltimore County, Maryland in Liber 6418, folio 732



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 33012

Date:

12/2/02

PAID RECEIPT

INFO: 05 06/07/00 12/02/02 10:37:06 2
 00000000 0000 0000 0000
 00000000 0000 0000 0000

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Obj	Sub Obj	Dept Obj	BS Acct	Amount
000	805	0000		1450						300.00

Total: 300.00

Rec From:

Willet-Land, Taylor, Preston, LLP

For:

Serial Exemption - 437 F Eberwein Road

2009-0164-LX (2009 F Eberwein Road, Taylor, Preston, LLP)

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**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:

Casa: # 2009-0164-X
4375 Ebenezer Road
S/west side of Ebenezer Road,
498 feet n/west of Yvonne Avenue
11th Election District
5th Councilmanic District.
Legal Owner(s): Faith Fellowship Church of Baltimore, Inc.
Special Exception: for a community building (YMCA) devoted to civic, social, recreational and educational activities.
Hearing: Tuesday, January 23, 2009 at 2:00 p.m. in Room 104, Jefferson Building, 105 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) 887-4386.

(2) For Information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
12/8/30 Dec. 30 191410

CERTIFICATE OF PUBLICATION

1/21, 2009

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/30/2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: 2009-0164-X

Petitioner/Developer: _____

Faith Fellowship Church of Baltimore

Date of Hearing/Closing: Jan 13 09

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

Attn : Kristin Matthews

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: _____

4375 Ebenezer Road

The sign(s) were posted on _____ Dec 29 08
(Month, Day, Year)

Sincerely,

Robert Black Dec 30 08

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2009-0164-X

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

Room 104 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE
TOWSON 21204

PLACE:

DATE AND TIME: TUESDAY, JANUARY 13, 2009 AT 2:00 P.M.

REQUEST: SPECIAL EXCEPTION FOR A COMMUNITY BUILDING
(YMCA) DEVOTED TO CIVIL, SOCIAL, RECREATIONAL AND EDUCATIONAL
ACTIVITIES.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 88-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

RECEIVED

APR 14 2009

BALTIMORE COUNTY
BOARD OF APPEALS

Requested: March 31, 2009

APPEAL SIGN POSTING REQUEST

CASE NO.: 09-164-X

4375 Ebenezer Road

11th ELECTION DISTRICT

APPEALED: 2/18/09

ATTACHMENT – (Plan to accompany Petition – Petitioner's Exhibit No. 1)

*****COMPLETE AND RETURN BELOW INFORMATION*****

CERTIFICATE OF POSTING

TO: Baltimore County Board of Appeals
The Jefferson Building, Suite 203
102 W. Chesapeake Avenue
Towson, MD 21204

Attention: Theresa Shelton
Administrator

CASE NO.: 09-164-X

LEGAL OWNER: Faith Fellowship Church of Baltimore

This is to certify that the necessary appeal sign was posted conspicuously on the property located at:

4375 EBENEZER ROAD
SW/S EBENEZER ROAD, 498' NW OF YVONNE AVENUE

The sign was posted on 4-14-09, 2009.

By:

M Stuart Kelly
(Signature of Sign Poster)

M Stuart Kelly
(Print Name)

PHOTOGRAPHIC RECORD

Citation/Case No.:

09-164-X 4375 EBENEZER RD

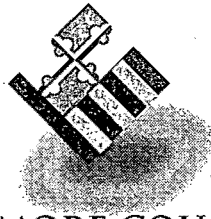
Date of Photographs:

4-14-09



I HEREBY CERTIFY that I took the 2 photographs set out above, and that these photographs
(number of photos)
fairly and accurately depict the condition of the property that is the subject of the above-referenced
citation/case number on the date set out above.

M. Stuart Kelly
Enforcement Officer



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

December 17, 2008
TIMOTHY M. KOTROCO, *Director*
*Department of Permits and
Development Management*

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: 2009-0164-X

4375 Ebenezer Road

S/west side of Ebenezer Road, 498 feet n/west of Yvonne Avenue

11th Election District – 5th Councilmanic District

Legal Owners: Faith Fellowship Church of Baltimore, Inc.

Special Exception for a community building (YMCA) devoted to civic, social, recreational and educational activities.

Hearing: Tuesday, January 13, 2009 at 2:00 p.m. in Room 104, Jefferson Building,
105 West. Chesapeake Avenue, Towson 21204

A handwritten signature in cursive script that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: John Gontrum, 1 W. Pennsylvania Avenue, Ste. 300, Towson 21204

Robert Brosmer, YMCA, 2 S. Charles Street, Ste. 600, Baltimore 21201

Larry Stewart, Faith Fellowship Church of Baltimore, 4375 Ebenezer Road, Perry Hall 21236

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, DECEMBER 29, 2008.**
- (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, December 30, 2008 Issue - Jeffersonian

Please forward billing to:

Robert Brosmer
YMCA Central Maryland
20 S. Charles Street, Ste. 600
Baltimore, MD 21201

410-837-9622

NOTICE OF ZONING HEARING

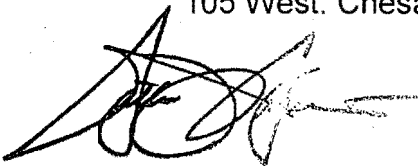
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2009-0164-X

4375 Ebenezer Road
S/west side of Ebenezer Road, 498 feet n/west of Yvonne Avenue
11th Election District – 5th Councilmanic District
Legal Owners: Faith Fellowship Church of Baltimore, Inc.

Special Exception for a community building (YMCA) devoted to civic, social, recreational and educational activities.

Hearing: Tuesday, January 13, 2009 at 2:00 p.m. in Room 104, Jefferson Building,
105 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.

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

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

For Newspaper Advertising:

Item Number or Case Number: 2009-0164-X

Petitioner: Faith Fellowship Church of Baltimore, Inc.

Address or Location: 4275 Ebenezer Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: YMCA OF CENTRAL MARYLAND c/o Robert Brosman

Address: 20 S. Charles ST., Suite 600
BALTIMORE, MARYLAND 21201

Telephone Number: 410-837-9628

Revised 7/11/05 - SCJ

Law Offices
MICHAEL GISRIEL, P.A.
29 West Susquehanna Avenue, Suite 302
Towson, Maryland 21204

Michael Gisriel, Attorney
mgisriel@fgow.com


Fax 410-823-7037
410-296-1440

W. Thomas Gisriel
(1925-2007)

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

NAME: Theresa R. Shelton, Administrator
County Board of Appeals of Baltimore County

FROM: Michael Gisriel, Esquire

TOTAL NUMBER OF PAGES, INCLUDING THIS PAGE: 2

DATE: March 27, 2009

(Fri)

OUR TELECOPIER TELEPHONE NUMBER IS 410-823-7037

TELECOPY SENT TO TELEPHONE NUMBER: 410-887-3182

IF YOU DO NOT RECEIVE ALL PAGES OR HAVE ANY PROBLEM WITH RECEIVING,
PLEASE CALL ME AT 410-296-1440.

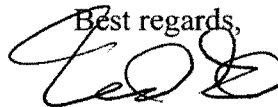
RE: In the Matter of: Faith Fellowship Church of Baltimore
Case No. 09-0164-X

- Request for
"NEW" Hearing Date

Theresa:

Just today received Notice of Assignment in the above captioned matter for April 30, 2009. Unfortunately I already have a pre-existing court conflict on that day and will be unavailable. In fact, I thought I spoke with your assistant and explained I would not be available because of conflicts and children's graduations through June of 2009.

Kindly re-schedule this Hearing. I am available anytime the weeks of July 20, July 27, August 3 or anytime after September 14. Thank you for your kind attention to this matter.

Best regards,

Michael Gisriel

HARD COPY TO FOLLOW:

~~NO~~ YES

RECEIVED
MAR 30 2009
BALTIMORE COUNTY
BOARD OF APPEALS

cc: John B. Gottman, Esq. - via fax
410-338-4098

cc fax to - John Gontrum, Esq.

Law Offices

MICHAEL GISRIEL, P.A.

29 West Susquehanna Avenue, Suite 302

Towson, Maryland 21204

Michael Gisriel, Attorney
mgisriel@fgow.com

Fax 410-823-7037
410-296-1440

W. Thomas Gisriel
(1925-2007)

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

NAME: Theresa R. Shelton, Administrator
County Board of Appeals of Baltimore County

FROM: Michael Gisriel, Esquire

TOTAL NUMBER OF PAGES, INCLUDING THIS PAGE: 2

DATE: March 30, 2009 (Roo)

OUR TELECOPIER TELEPHONE NUMBER IS 410-823-7037

TELECOPY SENT TO TELEPHONE NUMBER: 410-887-3182

IF YOU DO NOT RECEIVE ALL PAGES OR HAVE ANY PROBLEM WITH RECEIVING,
PLEASE CALL ME AT 410-296-1440.

RE: In the Matter of: Faith Fellowship Church of Baltimore
Case No. 09-0164-X
Request for "New" Hearing Date

Theresa:

Pursuant to our telephone conversation today and in response to John Gontrum's recent fax, let me state the following:

1. I have a pre-existing court conflict on April 30, 2009 all day before the Maryland Court of Appeals. Unfortunately this involves a confidential matter and I cannot state anything further other than to say that I swear under the penalty of perjury that I have an existing conflict on that date before the Maryland Court of Appeals in Annapolis and therefore am unavailable on that day.

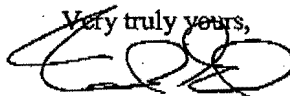
2. As we discussed previously and I stated in my earlier fax, I have two children graduating from high school and college in two separate states and therefore am unavailable during the months of May and June. In the later part of June, we have our last family vacation scheduled which should run from June 21 through July 13. Consequently, I am unavailable for hearing dates during that period.

However, I understand that you have a date available on Tuesday, July 21st. I am available on that day and hereby ask that you schedule the hearing at that time. I am involved in the last two

weeks of the Maryland General Assembly Session and expect to be able to discuss this matter further with John Gontrum sometime toward the end of April. Please feel free to schedule the hearing date on July 21 as we discussed.

Thank you for your kind attention to this matter. I am

Very truly yours,



Michael Gisriel

HARD COPY TO FOLLOW: No

cc: John Gontrum, Esquire via facsimile 410-339-4058

CONFIDENTIALITY NOTICE

The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you have received this information in error, please notify us immediately and send the original transmission to us by mail. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited.



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

Hearing Room #2, Second Floor
Jefferson Building, 105 W. Chesapeake Avenue

March 24, 2009

NOTICE OF ASSIGNMENT

CASE #: 09-01649-X **MATTER OF:** Faith Fellowship Church of Baltimore – Legal Owners /
Robert J. Brosmer of YMCA Central MD - Petitioner
4375 Ebenezer Road
11th Election District; 5th Councilmanic District

RE: To allow the use of a community building (YMCA) devoted to civic, social, recreational and educational activities
1/23/2009 – ZC decision that Petition for Special Exception – GRANTED with restrictions.

ASSIGNED FOR: **THURSDAY, APRIL 30, 2009, AT 10:00 A.M.**

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Theresa R. Shelton, Administrator

c: Counsel for Petitioners/Legal Owners	: John B. Gontrum, Esquire
Petitioners/Legal Owners	: Faith Fellowship Church of Baltimore
	Larry Stewar, Trustee
Petitioners/Lessee	: Robert J. Bosmer of YMCA Central MD
Counsel for Protestants/Appellants	: Michael Gisriel, Esquire
Protestants/Appellants	: Tom Holland
	: Damian R. Schultz

Peter Max Zimmerman
People's Counsel for Baltimore County
William Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Nancy West, Assistant County Attorney
John Beverungen, County Attorney



County Board of Appeals of Baltimore County

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TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

*and PP
to be assigned
5/6/09*

Hearing Room #2, Second Floor
Jefferson Building, 105 W. Chesapeake Avenue

March 24, 2009

NOTICE OF ASSIGNMENT

CASE #: 09-01649-X

MATTER OF: Faith Fellowship Church of Baltimore –Legal Owners /
Robert J. Brosmer of YMCA Central MD - Petitioner
4375 Ebenezer Road
11th Election District; 5th Councilmanic District

RE: To allow the use of a community building (YMCA) devoted to civic, social, recreational and educational activities
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Counsel for Protestants/Appellants	: Michael Gisriel, Esquire
Protestants/Appellants	: Tom Holland
	: Damian R. Schultz

Peter Max Zimmerman

People's Counsel for Baltimore County
William Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Nancy West, Assistant County Attorney
John Beverungen, County Attorney



County Board of Appeals of Baltimore County

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TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

Hearing Room #2, Second Floor
Jefferson Building, 105 W. Chesapeake Avenue

March 31, 2009

NOTICE OF POSTPONEMENT AND RE-ASSIGNMENT

CASE #: 09-0164-X

MATTER OF: Faith Fellowship Church of Baltimore –Legal Owners /
Robert J. Brosmer of YMCA Central MD - Petitioner
4375 Ebenezer Road
11th Election District; 5th Councilmanic District

RE: To allow the use of a community building (YMCA) devoted to civic, social, recreational and educational activities
1/23/2009 – ZC decision that Petition for Special Exception – GRANTED with restrictions.

This matter was scheduled for a hearing on April 30, 2009 and has been postponed due to a previously scheduled hearing before the Maryland Court of Appeals and has been re-assigned as follows:

RE-ASSIGNED FOR: WEDNESDAY, MAY 6, 2009, AT 10:00 A.M.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

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Theresa R. Shelton, Administrator

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William Wiseman, III, Zoning Commissioner
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Arnold F. "Pat" Keller, Director/Planning
Nancy West, Assistant County Attorney
John Beverungen, County Attorney



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

h/s
dismissed

Hearing Room #2, Second Floor
Jefferson Building, 105 W. Chesapeake Avenue

March 31, 2009

NOTICE OF POSTPONEMENT AND RE-ASSIGNMENT

CASE #: 09-0164-X

MATTER OF: Faith Fellowship Church of Baltimore –Legal Owners /
Robert J. Brosmer of YMCA Central MD - Petitioner
4375 Ebenezer Road
11th Election District; 5th Councilmanic District

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Theresa R. Shelton, Administrator

c: Counsel for Petitioners/Legal Owners
Petitioners/Legal Owners

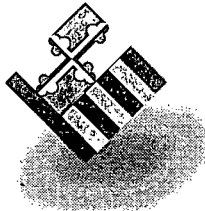
: John B. Gontrum, Esquire
: Faith Fellowship Church of Baltimore
: Larry Stewar, Trustee
: Robert J. Bosmer of YMCA Central MD

Petitioners/Lessee

Counsel for Protestants/Appellants
Protestants/Appellants

: Michael Gisriel, Esquire
: Tom Holland
: Damian R. Schultz

Peter Max Zimmerman
People's Counsel for Baltimore County
William Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Nancy West, Assistant County Attorney
John Beverungen, County Attorney



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
January 7, 2009

John B. Gontrum
Whiteford, Taylor & Preston, LLP
1 W. Pennsylvania Ave. St.300

Dear: John B. Gontrum

RE: Case Number 2009-0164-X, 4375 Ebenezer Road.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 08, 2008. 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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Larry Stewart; 4375 Ebenezer Rd.; Perry Hall, MD 21236
Robert J. Brosmer of Central MD; 20 S. Charles St.; Baltimore, MD 21201

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: December 18, 2008

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For December 22, 2008
Item Nos. 2009-0153, 0158, 0159, 0160,
0161, 0162, 0163, 0164, 0165, and 0166

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

DAK:CEN:lrk
cc: File
ZAC-122208 -NO COMMENTS



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

State Highway
Administration

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

Maryland Department of Transportation

Date: 12/16/2008

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

RE: Baltimore County
Item No 2009-0164-X
4375 EBENEZER ROAD
FAITH FELLOWSHIP CHURCH
OF BALTIMORE, INC.
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. 2009-0164-X.

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,

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



BW 1/13
2pm

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JAN 21 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: 1/21/09

SUBJECT: Zoning Item # 09-164-X
Address 4375 Ebenezer Road
(Faith Fellowship Church of Baltimore, Inc.)

Zoning Advisory Committee Meeting of December 15, 2008.

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

_____ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Additional Comments:

Reviewer: JWL

Date: 1/21/09

BW 1/13
2pm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 12, 2009

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

SUBJECT: 4375 Ebenezer Road

INFORMATION:

Item Number: 9-164

Petitioner: Faith Fellowship Church of Baltimore Inc.

Zoning: BL CCC

Requested Action: Special Exception

RECEIVED

JAN 22 2009

ZONING COMMISSIONER

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. Before a recommendation can be made the following needs to be addressed:

1. Submit building elevations showing the front facades of the YMCA building, if any exterior changes are planned to the existing building.
2. Provide crosswalk and sidewalk connections from the existing sidewalk on Ebenezer Road to the pavement walk at the northern end of the existing building. Also show existing sidewalk on Ebenezer Road.
3. Submit any sign elevations.
4. Provide landscaping in the islands in the parking lot.

For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Prepared by:

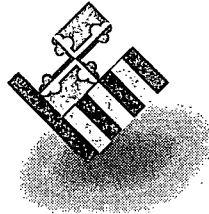
Division Chief:

AFK/LL: CM

W:DEVRE

2009-164-X

Post-it® Fax Note 7671		Date 1-23	# of pages 1
To John Dontrun	From Bill Wiseman		
Co. Dept. Adam Baker	Co.		
Phone #	Per	Phone #	
Fax #	mail this	Fax #	
morning from Deb Wiley			



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

December 10, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: December 6th 2009

Item Numbers: 0152, 0156, 0157, 0158, 0160, 0161, 0162, 0163, 0164, 0165

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



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

December 16, 2008

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

ATTENTION: Zoning Review planners

Distribution Meeting of: December 15, 2008

Item No.: 2009-0164-X

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.

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.

Don W. Muddiman, Acting Lieutenant
Fire Marshal's Office
(Office) 410-887-4880
MS-1102F

cc: File

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
4375 Ebenezer Road; SW/S Ebenezer Road, * ZONING COMMISSIONER
498' NE of Yvonne Avenue *
11th Election & 5th Councilmanic Districts *
Legal Owner(s): Faith Fellowship Church * FOR
of Baltimore Inc *
Contract Purchaser(s): Robert Brosmer of * BALTIMORE COUNTY
Central Maryland *
Petitioner(s)* 09-164-X

* * * * *

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 and documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

DEC 30 2008

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of December, 2008, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, One W Pennsylvania Avenue, Suite 300, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Law Offices
MICHAEL GISRIEL, P.A.
29 West Susquehanna Avenue, Suite 302
Towson, Maryland 21204

Michael Gisriel, Attorney
mgisriel@fgow.com

Fax 410-823-7037
410-296-1440

W. Thomas Gisriel
(1925-2007)

February 18, 2009

HAND DELIVERED

Timothy Kotroco, Director
Dept. of Permits & Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

RECEIVED

FEB 18 2009

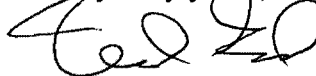
RE: Petition for Special Exception
SW/Side of Ebenezer Road, 498'NW of
Yvonne Avenue (4375 Ebenezer Road)
11th Election District; 5th Council District
Faith Fellowship Church of Baltimore, Inc.
Robert J. Brosmer of Central MD
Petitioners
Case No. 2009-0164-X

Dear Mr. Kotroco:

Please enter an Appeal on behalf of Tom Holland of Green Acre Road and Damian R. Schultz of Belair Road, both of Baltimore County, Maryland, by and through Michael Gisriel, Esquire, their attorney, to the Baltimore County Board of Appeals from the Findings of Fact and Conclusions of Law dated January 23, 2009, and filed by the Baltimore County Zoning Commissioner, William J. Wiseman, III, in the above entitled case.

Please forward copies to me of any papers pertinent to the appeal as necessary and appropriate. Should you have any questions or need to contact me for any reason regarding this matter, I can be reached at 410-29601440 x 3 or by e-mail at mgisriel@fgow.com

Very truly yours,



Michael Gisriel
Attorney for Tom Holland and Damian Schultz
Protestants and Appellants

MG/bls

cc: Baltimore County Board of Appeals
Tom Holland
Damian Schultz
John B. Gontrum, Esq.
People's Counsel, Peter Zimmerman



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

March 31, 2009

VIA FACSIMILE TO: 410-823-7037

Michael Gisriel, Esquire
29 W. Susquehanna Ave, Ste 302
Towson, MD 21204

RE: *In the Matter of: Faith Fellowship Church of Baltimore*
Case No. 09-0164-X

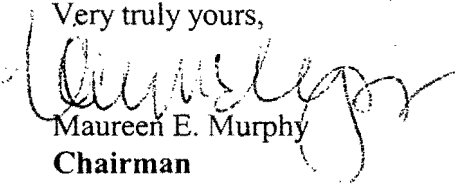
Dear Mr. Gisriel:

I am in receipt of your correspondence dated March 27, 2009 and March 30, 2009 addressed to Mrs. Theresa R. Shelton, Administrator, in which you request a postponement and rescheduling of the above captioned matter from the April 30, 2009 scheduled date. I am also in receipt of Mr. Gontrum's letter dated March 30, 2009.

After review of the contents of the above mentioned correspondence and in light of the request for an expedited hearing by the Petitioner's Counsel, this Board has determined that the hearing should go forward at a time that should not conflict with any college or high school graduation or the cited vacation schedule. The Board will postpone this matter from the April 30, 2009 scheduled date, due to your prior court commitment and the case will be re-assignment to the first week in May, specifically, Wednesday, May 6, 2009 to commence at 10:00 a.m.

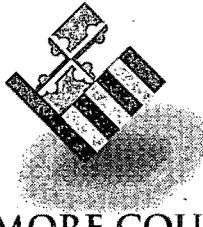
Enclosed is a copy of the Notice of Postponement and Reassignment. This matter will convene for the scheduled hearing on May 6, 2009. Please note that no further postponements will be granted in this matter except under extraordinary circumstances and upon review by the Board.

Very truly yours,


Maureen E. Murphy
Chairman

Encl.: Notice of Postponement and Reassignment

c (w/Encl.): John B. Gontrum, Esquire (via facsimile)
Nancy West, Assistant County Attorney
John Beverungen, County Attorney
Peter Max Zimmerman
People's Counsel for Baltimore County



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
March 16, 2009 *Department of Permits and
Development Management*

John Gontrum, Esq.
Whiteford, Taylor & Preston
1 West Pennsylvania Avenue, Ste. 300
Towson, MD 21204

Dear Mr. Gontrum:

RE: Case: 2009-0164-X, 4375 Ebenezer Road

Please be advised that an appeal of the above-referenced case was filed in this office on February 18, 2009 by Michael Gisriel. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Robert Brosmer, COO, YMCA, 20 South Charles Street, Baltimore 21201
Fran Anderson, Construction Consultant, 7912 Springway Road, Ruxton 21204
Larry Stewart, 4375 Ebenezer Road, Baltimore 21236

MICHAEL
29 West Susquehanna Ave.
Towson, MD 21204

Michael Gisriel, Attorney
mgisriel@fgow.com

HAND DELIVERED

Timothy Kotroco, Director
Dept. of Permits & Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

RE: Petition for Special Exception
SW/Side of Ebenezer Road, 49
Yvonne Avenue (4375 Ebenezer
11th Election District; 5th Court
Faith Fellowship Church
Robert J. Brosmer of C
Petitioners
Case No. 2009-0164-X

message

For Theresa
From Adam Baker
Time _____ Date 3/13
Phone 410-832-2052

☐ URGENT!

09-164-X

410-832-2000

John Gontrum's
case can call
either

Want expedited
hearing

Please call



John's Direct line
410-832-2055

Dear Mr. Kotroco:

Please enter an Appeal on behalf of Tom Holland of Green Acre Road and Damian R. Schultz of Belair Road, both of Baltimore County, Maryland, by and through Michael Gisriel, Esquire, their attorney, to the Baltimore County Board of Appeals from the Findings of Fact and Conclusions of Law dated January 23, 2009, and filed by the Baltimore County Zoning Commissioner, William J. Wiseman, III, in the above entitled case.

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Very truly yours,

Michael Gisriel
Attorney for Tom Holland and Damian Schultz
Protestants and Appellants

MG/bls

cc: Baltimore County Board of Appeals
Tom Holland
Damian Schultz
John B. Gontrum, Esq.
People's Counsel, Peter Zimmerman

RECEIVED

FEB 18 2009

BALTIMORE COUNTY
BOARD OF APPEALS

MICHAEL GISRIEL, P.A.
Attorney At Law

29 W. Susquehanna Ave.
Suite 302
Towson, Maryland 21204
Ph: (410) 296-1440 ext. 3
Fax: (410) 823-7037
Email: mgisriel@fgow.com

WHITEFORD, TAYLOR & PRESTON L.L.P.

JOHN B. GONTRUM
DIRECT LINE (410) 832-2055
DIRECT FAX (410) 339-4058
JGontrum@wtplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

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WASHINGTON, DC
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WWW.WTPLAW.COM
(800) 987-8705

March 16, 2009

Mrs. Theresa R. Shelton
Baltimore County Board of Appeals
Jefferson Building, Suite 203
105 W. Chesapeake Ave.
Towson, Maryland 21203

Re: Case No. 2009-0164-X

Dear Mrs. Shelton:

On behalf of our client, YMCA of Central Maryland, we respectfully request an expedited hearing in the above referenced appeal.

Thank you for your kind consideration in this matter. Should you have any questions, please feel free to contact me.

Sincerely,


John B. Gontrum

JBG:ab

Cc: Michael Gisriel, Esq.
Robert J. Brosmer

408638

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MAR 17 2009

**BALTIMORE COUNTY
BOARD OF APPEALS**



County Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

March 24, 2009

John B. Gontrum, Esquire
WHITEFORD TAYLOR & PRESTON LLP
Towson Commons, Suite 300
One West Pennsylvania Avenue
Towson, MD 21204

RE: *In the Matter of: Faith Fellowship Church of Baltimore*
Case No. 09-0164-X

Dear Mr. Gontrum:

I am in receipt of your letter dated March 16, 2009 requesting an expedited hearing before the Board on the above referenced matter, on behalf of your client, YMCA of Central Maryland.

Also, on March 18, 2009, this office received a telephone call from Michael Gisriel, Esquire, Counsel for the Protestants; stating that he would not be available to attend a hearing during the months of May or June 2009; and in that telephone conversation, he requested that the hearing not be scheduled in that time period.

The first available date on the Board's docket, that will accommodate the requests of counsel, is Thursday, April 30, 2009. I have enclosed the Assignment Notice scheduling this matter for April 30, 2009 at 10:00 a.m.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

A handwritten signature in cursive script that reads "Theresa R. Shelton".

Theresa R. Shelton
Administrator

Encl.: Assignment Notice

c: Michael Gisriel, Esquire
Nancy West, Assistant County Attorney
John Beverungen, County Attorney
Peter Max Zimmerman
People's Counsel for Baltimore County

APPEAL

Petition for Special Exception
4375 Ebenezer Road
SW/s Ebenezer Rd., 498' NW of Yvonne Ave.
11th Election District – 5th Councilmanic District
Legal Owners: Faith Fellowship Church of Baltimore
Lessee: Robert Brosmer

Case No.: 2009-0164-X

Petition for Special Exception (December 8, 2008)

Zoning Description of Property

Notice of Zoning Hearing (December 17, 2008)

Certification of Publication (The Jeffersonian – December 30, 2008)

Certificate of Posting (December 29, 2008) by Robert Black

Entry of Appearance by People's Counsel (None in File)

Petitioner(s) Sign-In Sheet – One Sheet

Protestant(s) Sign-In Sheet - None

Citizen(s) Sign-In Sheet - None

Zoning Advisory Committee Comments

Petitioners' Exhibit

1. Site Plan

Protestants' Exhibits - None

Miscellaneous (Not Marked as Exhibit)

Zoning Commissioner's Order (GRANTED – January 23, 2009)

Notice of Appeal received on February 18, 2008 from Michael Gisriel

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner
Timothy Kotroco, Director of PDM
John Gontrum
Robert Brosmer
Fran Anderson
Larry Stewart

date sent March 17, 2009, klm

APPEAL

Petition for Special Exception
4375 Ebenezer Road
SW/s Ebenezer Rd., 498' NW of Yvonne Ave.
11th Election District – 5th Councilmanic District
Legal Owners: Faith Fellowship Church of Baltimore
Lessee: Robert Brosmer

Case No.: 2009-0164-X

- ✓ Petition for Special Exception (December 8, 2008)
- ✓ Zoning Description of Property
- ✓ Notice of Zoning Hearing (December 17, 2008)
- ✓ Certification of Publication (The Jeffersonian – December 30, 2008)
- ✓ Certificate of Posting (December 29, 2008) by Robert Black
- ✓ Entry of Appearance by People's Counsel (None in File)
- ✓ Petitioner(s) Sign-In Sheet – One Sheet
- ✓ Protestant(s) Sign-In Sheet (None)
- ✓ Citizen(s) Sign-In Sheet (None)
- ✓ Zoning Advisory Committee Comments
- ✓ Petitioners' Exhibit
 - ✓ 1. Site Plan
- Protestants' Exhibits (None)
- Miscellaneous (Not Marked as Exhibit) (NONE)
- ✓ Zoning Commissioner's Order (GRANTED – January 23, 2009)
- ✓ Notice of Appeal received on February 18, 2008 from Michael Gisriel

RECEIVED
MAR 17 2009
BALTIMORE COUNTY
BOARD OF APPEALS

FAITH FELLOWSHIP CHURCH OF BALTIMORE

09-164-X

ADDRESS LIST

Petitioners:

Faith Fellowship Church of Baltimore
Larry Stewar, Trustee
4375 Ebenezer Road
Perry Hall, MD 21236
(Legal Owner)

Robert J. Bosmer
20 S. Charles Street, Ste 600
Baltimore, MD 21201
(Lessee)

John B. Gontrum, Esquire
Whiteford, Taylor & Preston, LLP
1 W. Pennsylvania Avenue, Ste 300
Towson, MD 21204
(Attorney for Legal Owner/Lessee)

Fran Anderson
7912 Springway Road
Towson, MD 21204
(Construction Consultant)

Protestants/Appellants:

Tom Holland
1128 Green Acre Road
Towson, MD 21286

Damian Schultz
9601 Belair Rd
Baltimore, MD 21236

Michael Gisriel, Esquire
29 W. Susquehanna Ave, Ste 302
Towson, MD 21204
(Attorney for Protestants)

Interoffice:

Office of People's Counsel
William J. Wiseman, III, Zoning
Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
John Beverungen, County Attorney

WHITEFORD, TAYLOR & PRESTON L.L.P.

JOHN B. GONTRUM
DIRECT LINE (410) 832-2055
DIRECT FAX (410) 339-4058

TOWSON COMMONS, SUITE 300
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TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

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COLUMBIA, MD
FALLS CHURCH, VA
TOWSON, MD
WASHINGTON, DC
WILMINGTON, DE

WWW.WTFLAW.COM
(800) 987-8709

March 30, 2009

Via Facsimile

Theresa R. Shelton, Administrator
County Board of Appeals of Baltimore County
Jefferson Building, Suite 203
105 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Faith Fellowship Church
Case No. 09-01649-X

Dear Ms. Shelton:

Friday Afternoon I received a fax from Mr. Michael Gisriel seeking a postponement of the hearing date assigned for the above referenced matter due to an unspecified "pre-existing court conflict". I have no idea what the nature of the conflict may be, the probability of its going forward, or the time allotted for its disposition.

What I find most disheartening about the postponement request is Mr. Gisriel's statement that he is unavailable for the following two months because of children's graduations. Mr. Gisriel has not discussed this with me, and in fact has failed to respond to my correspondence about the nature and resolution of his clients' issues with the special exception. Neither he nor his clients were present at the hearing or sent correspondence to the Zoning Commissioner prior to the hearing or Order in this case so I have no idea of their interest, if any, in this matter.

There may well be a reasonable and justifiable explanation why graduations will take up all of two months plus 3 weeks in July, but surely there is some time that could be allotted to what on its face appears a fairly simple matter. The postponement of this matter would pose a real hardship on my client, and this hardship has not been justified at this time.

RECEIVED

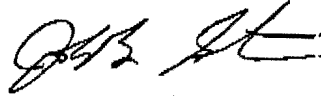
MAR 30 2009

BALTIMORE COUNTY
BOARD OF APPEALS

Theresa R. Shelton, Administrator
March 30, 2009
Page 2

Consequently, I would request the Board to maintain the assigned hearing date pending some further understanding of the nature of the court conflict and its likelihood of resolution so as to allow some time to go forward on the case. Upon review Mr. Gisriel also might have some time in May or June when conflicts and commencement exercises might allow this matter to proceed.

Sincerely,



John B. Gontrum

JBG:jbg

cc. Michael Gisriel, Esq. by fax

Draft
✓
OK

March 31, 2009

VIA FACSIMILE TO: 410-823-7037

Michael Gisriel, Esquire
29 W. Susquehanna Ave, Ste 302
Towson, MD 21204

RE: *In the Matter of: Faith Fellowship Church of Baltimore*
Case No. 09-0164-X

Dear Mr. Gisriel:

I am in receipt of your correspondence dated March 27, 2009 and March 30, 2009 addressed to Mrs. Theresa R. Shelton, Administrator, in which you request a postponement and rescheduling of the above captioned matter from the April 30, 2009 scheduled date. I am also in receipt of Mr. Gontrum's letter dated March 30, 2009.

After review of the contents of the above mentioned correspondence and in light of the request for an expedited hearing by the Petitioner's Counsel, this Board has determined that the hearing should go forward at a time that should not conflict with any college or high school graduation or the cited vacation schedule. The Board will postpone this matter from the April 30, 2009 scheduled date, due to your prior court commitment and the case will be re-assignment to the first week in May, specifically, Wednesday, May 6, 2009 to commence at 10:00 a.m.

Enclosed is a copy of the Notice of Postponement and Reassignment. This matter will convene for the scheduled hearing on May 6, 2009. Please note that no further postponements will be granted in this matter except under extraordinary circumstances and upon review by the Board.

Very truly yours,

Maureen E. Murphy
Chairman

Encl.: Notice of Postponement and Reassignment

c (w/Encl.): John B. Gontrum, Esquire
Nancy West, Assistant County Attorney
John Beverungen, County Attorney
Peter Max Zimmerman / People's Counsel for Baltimore County

Law Offices

MICHAEL GISRIEL, P.A.

29 West Susquehanna Avenue, Suite 302

Towson, Maryland 21204

Michael Gisriel, Attorney
mgisriel@fgow.com

Fax 410-823-7037
410-296-1440

W. Thomas Gisriel
(1925-2007)

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

NAME: Theresa R. Shelton, Administrator
County Board of Appeals of Baltimore County

FROM: Michael Gisriel, Esquire

TOTAL NUMBER OF PAGES, INCLUDING THIS PAGE:

DATE: May 4, 2009

OUR TELECOPIER TELEPHONE NUMBER IS 410-823-7037

TELECOPY SENT TO TELEPHONE NUMBER: 410-887-3182

IF YOU DO NOT RECEIVE ALL PAGES OR HAVE ANY PROBLEM WITH RECEIVING,
PLEASE CALL ME AT 410-296-1440.

RE: In the Matter of: Faith Fellowship Church of Baltimore
Case No. 09-0164-X

Theresa:

This is to inform you that the Protestants/Appellants, Tom Holland and Damian Schultz, by and through their attorney, Michael Gisriel, hereby withdraw and dismiss their appeal which is scheduled for Wednesday, May 6th, 2009. (See attached Notice.)

Thank you for your courtesy and kind attention to this matter. I am

Very truly yours,

Michael Gisriel
Michael Gisriel

HARD COPY TO FOLLOW: No

cc: John Conrath, Esquire via facsimile 410-339-4058

CONFIDENTIALITY NOTICE

The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you have received this information in error, please notify us immediately and send the original transmission to us by mail. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited.

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MAY - 4 2009

BALTIMORE COUNTY
BOARD OF APPEALS

Law Offices

MICHAEL GISRIEL, P.A.

29 West Susquehanna Avenue, Suite 302
Towson, Maryland 21204

Michael Gisriel, Attorney
mgisriel@fgow.com

Fax 410-823-7037
410-296-1440

W. Thomas Gisriel
(1925-2007)

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

NAME: Theresa R. Shelton, Administrator
County Board of Appeals of Baltimore County

FROM: Michael Gisriel, Esquire

TOTAL NUMBER OF PAGES, INCLUDING THIS PAGE: 2

DATE: March 27, 2009

(Fri)

OUR TELECOPIER TELEPHONE NUMBER IS 410-823-7037

TELECOPY SENT TO TELEPHONE NUMBER: 410-887-3182

IF YOU DO NOT RECEIVE ALL PAGES OR HAVE ANY PROBLEM WITH RECEIVING,
PLEASE CALL ME AT 410-296-1440.

RE: In the Matter of: Faith Fellowship Church of Baltimore
Case No. 09-0164-X

- Request for
"New" Hearing Date

Theresa:

Just today received Notice of Assignment in the above captioned matter for April 30, 2009. Unfortunately I already have a pre-existing court conflict on that day and will be unavailable. In fact, I thought I spoke with your assistant and explained I would not be available because of conflicts and children's graduations through June of 2009.

Kindly re-schedule this Hearing. I am available anytime the weeks of July 20, July 27, August 3 or anytime after September 14. Thank you for your kind attention to this matter.

Best regards,



Michael Gisriel

HARD COPY TO FOLLOW: No

cc: John B. Gattner, Esq. - via fax
410-338-4048

RECEIVED

MAR 27 2009

BALTIMORE COUNTY
BOARD OF APPEALS

3/18/09

Theresa,

Mr. Gisriel called, per my message, to provide me with the addresses for his clients. While on the phone, he asked when the hearing would be scheduled. I told him I wasn't sure due to the fact that a request has been made for an expedited hearing. He asked again "generally". I told him that generally, at the moment we're scheduling into the beginning of May but since there is an expedited hearing request it may be sooner. He said he can't do May or June because his kids are graduating so the earliest he can do is July. I reiterated that there was a request for an expedited hearing and that it would probably be before May. He said, I understand but if you could please make a note that I am unavailable in May and June. I said ok, and this is the result.

Sunny.

From: Curtis Murray
To: Wiley, Debra
Date: 01/09/09 3:52:17 PM
Subject: Re: Comment Needed - 1/13 @ 2 PM

Thanks Debbie. I am waiting on Donnell to finish his portion of the comment. Once that is done I will get them to you.

Curtis J. Murray
Development Planner
Baltimore County Office of Planning
105 W. Chesapeake Avenue, Suite 101
Towson, MD 21204
Phone (410) 887-3480
Fax (410) 887-5862
cjmurray@baltimorecountymd.gov

>>> Debra Wiley 01/09/09 3:48 PM >>>
Hi Curtis,

Per our conversation, Bill has a hearing scheduled on Tuesday, 1/13 at 2 PM and would like a comment from your office. I have provided a case description for your convenience.

CASE NUMBER: 2009-0164-X

4375 Ebenezer Road
Location: SW side of Ebenezer Road, 498 feet NW of Yvonne Avenue.
11th Election District, 5th Councilmanic District
Legal Owners: Faith Fellowship Church of Baltimore, Inc.
Contract Purchaser: Robert J. Brosmer of Central Md.

SPECIAL EXCEPTION for a community building (YMCA) devoted to civic, social, recreational and educational activities.

Hearing: Tuesday, 1/13/2009 at 2:00 PM, Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

Thanks again and have a wonderful weekend !

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

Microsoft Access - [GenInputForm View Form]

File Edit View Insert Format Records Tools Window Help

ZONING CASE HISTORY DATABASE (1939 - PRESENT)

GIS Attribute Table ID
[SEARCH ON THIS FIELD]: 20090164 Case Type Prefix: Case Year: 2009 Case Number: 0164 Case Type Suffix: X Existing Use: Commercial

Legal Owners/Petitioner
[SEARCH ON THIS FIELD]: Faith Fellowship Church of Baltimore, INC.

House/St. Number: 4375 House/Street Number Range: House/St. No. Suffix: Prefix: Pre. Type: Street Name [SEARCH ON THIS FIELD]: Ebenezer Suffix: Suite/Apt./Unit Number: Rd

Property Description [SEARCH ON THIS FIELD]:
South West side of Ebenezer Road; 498 feet North West of Yvonne Avenue.

Existing Zoning Classification: BL-CCC Area: 15,000 Square Feet Election District: 11th Councilmanic District: 5th

Critical Area: NO Floodplain: NO Historic Area: NO Prior Zoning Cases:

Violation Cases: Concurrent Cases: Related Case # 1: Related Case # 2:

Tax Account ID: Deed Liber. #: Deed Folio #: Miscellaneous Notes:
1) 2300008919 1) 20334 680
2) 2300008920 2)
3) 3)
Contract Purchaser: Robert J. Brosmer of Central Md

Attorney: John B. Gontum

Petition Reviewer: JNP Petition Reviewer 2: Petition Filing Date: 12/08/2008

Day of Week: Tuesday Hearing Date: 01/02/2009 Hearing Time: 2:00 PM Hearing Location: Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

Board Date: Commissioner Hearing Continued From: Commissioner Hearing Rescheduled From: Formal Request For Hearing

Find Record Next Record Previous Record Preview ZAC Agenda Report Open MS Word Exit Access Scanned Image

Record: 14 of 20175

Form View

Start Novell GroupWise - Mail Document2 - Microsoft 09-113-A and 09-114-A Microsoft Access 3:00 PM

Not on website
w. website
for correct
date of
1-13 @ 2 PM.

1-9-09

Debra Wiley - Out of Office AutoReply: Case No. 2009-0164-X - 1/13 @ 2 PM - Faith Fellowship Church of Balto., 4375 Ebenezer Rd.

From: "Gontrum, John" <JGontrum@wtplaw.com>
To: "Debra Wiley" <dwiley@baltimorecountymd.gov>
Date: 01/09/09 3:47 PM
Subject: Out of Office AutoReply: Case No. 2009-0164-X - 1/13 @ 2 PM - Faith Fellowship Church of Balto., 4375 Ebenezer Rd.

I will be out of the office beginning December 24, 2008 through January 9, 2009. Until then, please contact my assistant, Lynne Straw-Pindell at (410) 832-2135 (lstraw-pindell@wtplaw.com) or email me at jgontrum@wtplaw.com. I will return to the office on Monday, January 12, 2009. During my absence, I will have access to check my emails. Please note that you will only receive this "out of office" notification once during my absence. Happy Holidays.

This transmission contains information from the law firm of Whiteford, Taylor & Preston LLP which may be confidential and/or privileged. The information is intended to be for the exclusive use of the planned recipient. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately and delete this communication and any attachments without making any copies thereof.

Circular 230 Disclosure:

To ensure compliance with requirements imposed by Treasury and the IRS, we inform you that any federal tax advice contained in this communication (including attachments) is not intended or written to be used and cannot be used for the purpose of (i) avoiding tax penalties that may be imposed under the Internal Revenue Code, or (ii) promoting, marketing, or recommending to another person any transaction or matter addressed herein.

From: Debra Wiley
To: JGontrum@wtplaw.com
Date: 01/09/09 3:46:44 PM
Subject: Case No. 2009-0164-X - 1/13 @ 2 PM - Faith Fellowship Church of Balto., 4375 Ebenezer Rd.

Hi John,

In reviewing the case file for the above-referenced, I've noticed that the advertisement for the Jeffersonian indicates a hearing date of Tuesday, January 23rd (even though the 23rd is on a Friday). The sign posting is, in fact, correct. In any event, it is our understanding that this case is to be held Tuesday, January 13th. Perhaps, this is just a typographical error.

Please give Bill a call as he would like to discuss this with you before the actual hearing.

Thanks and have a wonderful weekend.

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw2.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 11 Account Number - 2300008919

Owner Information

Owner Name:	FAITH FELLOWSHIP CHURCH OF BALTIMORE INC	Use:	EXEMPT COMMERCIAL
Mailing Address:	4375 EBENEZER RD NOTTINGHAM MD 21236-2143	Principal Residence:	NO
		Deed Reference:	1) /20334/ 680 2)

Location & Structure Information

Premises Address	Legal Description
4375 EBENEZER RD	UNIT 1 5.65 AC
BALTIMORE MD 21236	4375 EBENEZER RD SS
	PRY HL SHPNG CNTR CNDO

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
72	14	28						3	Plat Ref: 23/ 82

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		5.65 AC	01

Stories	Basement	Type	Exterior
----------------	-----------------	-------------	-----------------

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2008	07/01/2009
Land	873,200	873,200		
Improvements:	3,013,800	3,013,800		
Total:	3,887,000	3,887,000	3,887,000	3,887,000
Preferential Land:	0	0	0	0

Transfer Information

Seller:	G H PERRY HALL ASSOCIATES	Date:	06/29/2004	Price:	\$5,450,000
Type:	MULT ACCTS ARMS-LENGTH	Deed1:	/20334/ 680	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

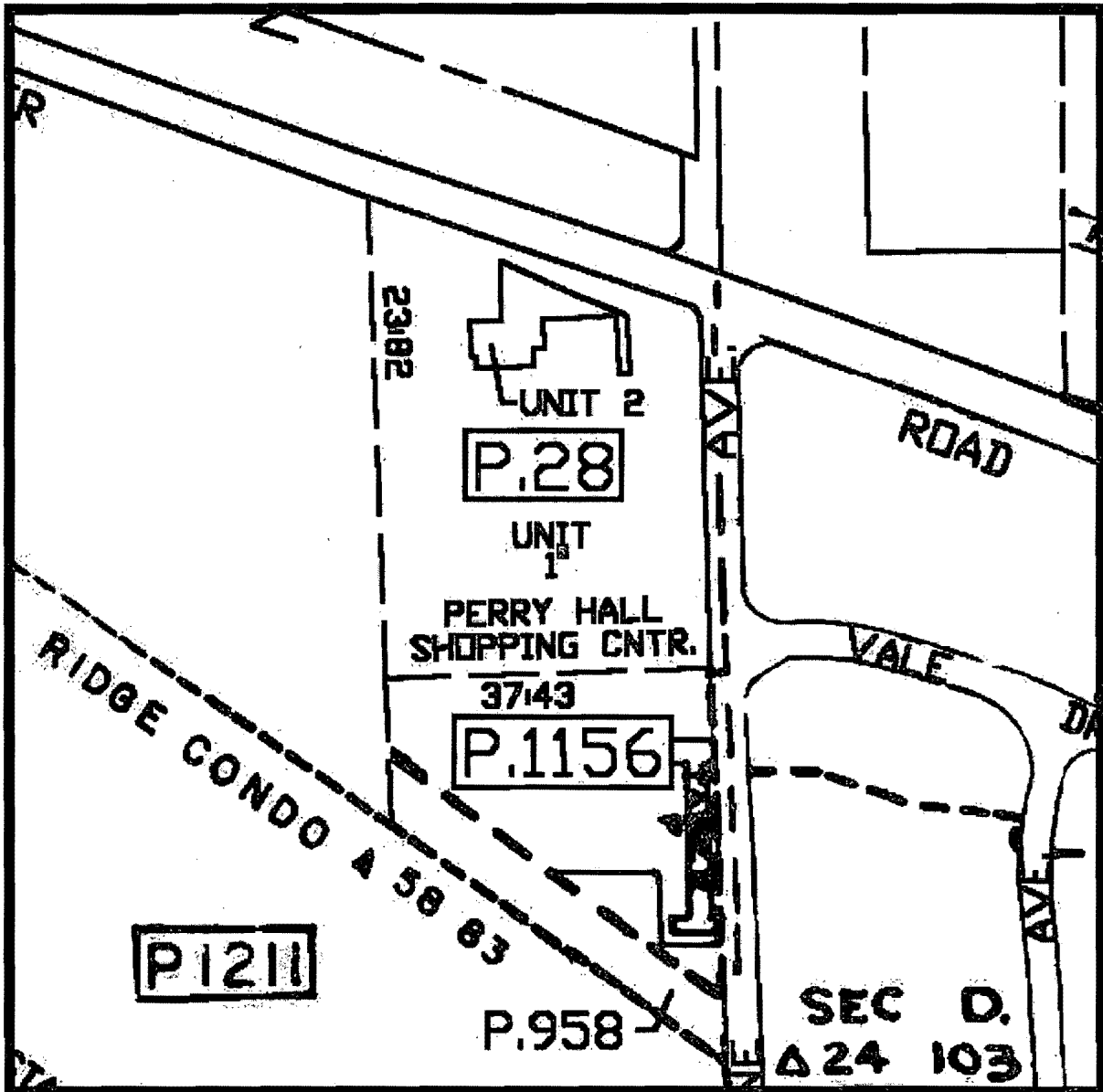
Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: COUNTY AND STATE
Exempt Class: CHURCHES, SYNAGOGUES, & PARSONAGES

Special Tax Recapture:
 * NONE *

	Maryland Department of Assessments and Taxation	Go Back
	BALTIMORE COUNTY	View Map
	Real Property Data Search	New
		Search

District - 11 Account Number - 2300008919



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For more information on electronic mapping applications, visit the Maryland Department
of Planning web site at www.mdp.state.md.us/webcom/index.html



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw2.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 11 Account Number - 2300008920

Owner Information

Owner Name:	FAITH FELLOWSHIP CHURCH OF BALTIMORE INC	Use:	EXEMPT COMMERCIAL
Mailing Address:	4375 EBENEZER RD NOTTINGHAM MD 21236-2143	Principal Residence:	NO
		Deed Reference:	1) /20334/ 680 2)

Location & Structure Information

Premises Address
 4375 EBENEZER RD

Legal Description
 UNIT II, B326AC CH E
 4375 EBENEZER RD SS
 PRY HL SHPNG CNTR CNDO

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
72	14	28						3	Plat Ref: 23/ 82

Special Tax Areas

Town	
Ad Valorem	
Tax Class	

Primary Structure Built
 0000

Enclosed Area

Property Land Area
 14,490.00 SF

County Use
 01

Stories

Basement

Type

Exterior

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2008	07/01/2009
Land	192,900	192,900		
Improvements:	430,700	430,700		
Total:	623,600	623,600	623,600	623,600
Preferential Land:	0	0	0	0

Transfer Information

Seller:	G H PERRY HALL ASSOCIATES	Date:	06/29/2004	Price:	\$5,450,000
Type:	MULT ACCTS ARMS-LENGTH	Deed1:	/20334/ 680	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

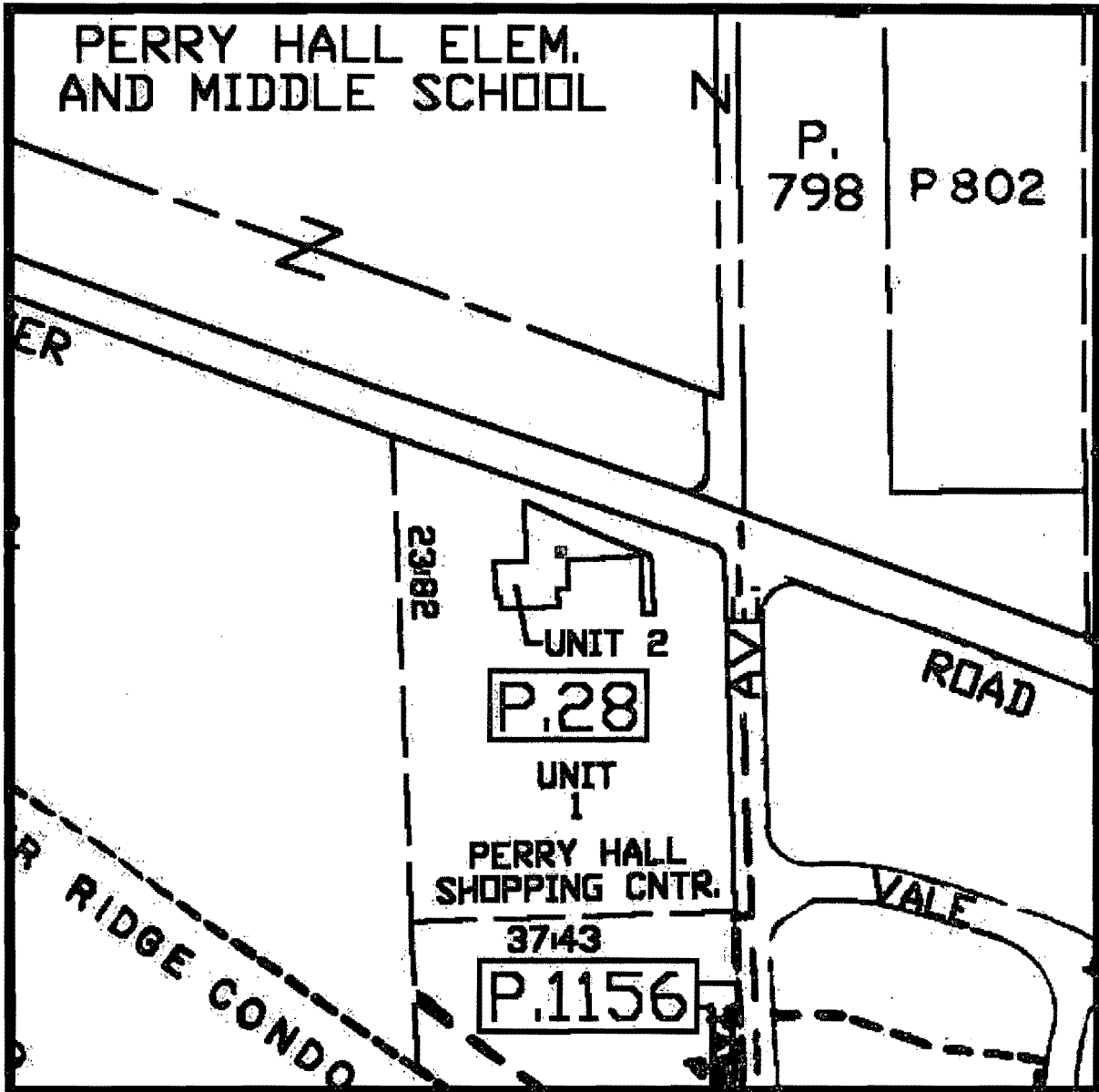
Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: COUNTY AND STATE
Exempt Class: CHURCHES, SYNAGOGUES, & PARSONAGES

Special Tax Recapture:
 * NONE *

	Maryland Department of Assessments and Taxation	Go Back
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	Real Property Data Search	New
		Search

District - 11 Account Number - 2300008920



Property maps provided courtesy of the Maryland Department of Planning ©2004.
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of Planning web site at www.mdp.state.md.us/webcom/index.html

MODE = MEMORY TRANSMISSION

START=JAN-23 08:47

END=JAN-23 08:47

FILE NO.=259

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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-ZONING COMMISSIONER OFF M-

***** -***** 410 887 3468-*****

2 PM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 12, 2009

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

RECEIVED

SUBJECT: 4375 Ebenezer Road

JAN 22 2009

INFORMATION:

ZONING COMMISSIONER

Item Number: 9-164

Petitioner: Faith Fellowship Church of Baltimore Inc.

Zoning: BL CCC

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. Before a recommendation can be made the following needs to be addressed:

1. Submit building elevations showing the front facades of the YMCA building, if any exterior changes are planned to the existing building.
2. Provide crosswalk and sidewalk connections from the existing sidewalk on Ebenezer Road to the pavement walk at the northern end of the existing building. Also show existing sidewalk on Ebenezer Road.
3. Submit any sign elevations.
4. Provide landscaping in the islands in the parking lot.

For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Prepared by: *Curtis L. Lumber*

Division Chief: *Pat Keller*
AFK/LL: CM

2009-164-X

Post-it* Fax Note	7671	Date	1-23	# of pages	1
To	John Dostum	From	Bill Winters		
Co. Dept.	Adam Baker	Co.			
Phone #	Per	Phone #	e-mail this		
Fax #		Fax #	coming from Deb Wiley		

CASE #: 09-0164-X

**MATTER OF: Faith Fellowship Church of Baltimore –Legal Owners /
Robert J. Brosmer of YMCA Central MD - Petitioner
4375 Ebenezer Road
11th Election District; 5th Councilmanic District**

RE: To allow the use of a community building (YMCA) devoted to civic, social, recreational and educational activities

1/23/2009 – ZC decision that Petition for Special Exception – GRANTED with restrictions.

3/17/09 – Received letter from Mr. Gontrum, Attorney for Petitioners, requesting an expedited hearing.

Date	Action
3/17/09	Received letter from Mr. Gontrum, Attorney for Petitioners, requesting an expedited hearing.
3/18/09	Received telephone call from Mr. Gisriel that he would be unavailable in May and June due to graduations. See note in file.
3/24/09	Letter to Mr. Gontrum indicating that we have his request and also the call from Mr. Gisriel and that the matter has been set to accommodate both parties on April 30, 2009. Case scheduled for April 30, 2009 at 10:00. Notice of Assignment sent to the following:

c: Counsel for Petitioners/Legal Owners
Petitioners/Legal Owners
Petitioners/Lessee

: John B. Gontrum, Esquire
: Faith Fellowship Church of Baltimore
Larry Stewar, Trustee
: Robert J. Bosmer of YMCA Central MD

Counsel for Protestants/Appellants
Protestants/Appellants

: Michael Gisriel, Esquire
: Tom Holland
: Damian R. Schultz

Peter Max Zimmerman
People's Counsel for Baltimore County
William Wiseman, III, Zoning Commissioner
Timothy Kotroco, Director/PDM
Arnold F. "Pat" Keller, Director/Planning
Nancy West, Assistant County Attorney
John Beverungen, County Attorney

PAGE 2

CASE #: 09-164-X

**MATTER OF: Faith Fellowship Church of Baltimore –Legal Owners /
Robert J. Brosmer of YMCA Central MD - Petitioner
4375 Ebenezer Road
11th Election District; 5th Councilmanic District**

RE: To allow the use of a community building (YMCA) devoted to civic, social, recreational and educational activities

1/23/2009 – ZC decision that Petition for Special Exception – GRANTED with restrictions.

3/27/09 Email from Mike Gisreal that he can not attend 4/30/09 hearing due to previously scheduled matter and can not attend in May or June due to graduations.

3/30/09 Received fax from Mr. Gontrum in response to request for PP. He is opposed.
Sent letter to Chairman via email for decision on PP request.

3/30/09 Response from Mr. Gisreal with respect to Court hearing and vacation schedule.
Document sent via email to Chairman.

Chairman reviewed documents; schedule and letter drafted to Mr. Gisreal to grant PP; however scheduled 1st week in May as to not conflict with his schedule as noted in his fax./ Available date in May is Wednesday, May 6, 2009.
Mr. Gontrum is available on that date.

3/31/09 Letter signed by Chairman and Notice of Postponement and Reassignment faxed and mailed Counsel.
Case postponed from April 30, 2009 and Re-Assigned for Wednesday, May 6, 2009. No Board Members copied.

4/4/09 Received facsimile requesting Withdrawal of appeal. Called Ed and let him know.
Mr. Gontrum called and I informed him that he had to do nothing and not to appear.
Prepared Dismissal Order for signature. Notified Larry W. and Maureen.

5/7/09 Order of Dismissal issued and sent to all parties and interested persons.

Faith Fellowship Church
 of Balto. / Ymca
 CASE NAME _____
 CASE NUMBER 2009-0164-X
 DATE 1-13-09

Faith Fellowship Church
 of Balto. / Ymca
 CASE NAME _____
 CASE NUMBER 2009-0164-X
 DATE 1-13-09

[illegible]

Baltimore County - My Neighborhood



2009-0164-X

Case No.: 2009-0164-X 4375 EBENEZER ROAD

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	SITE PLAN	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

BCO #449
N 630994.473
E 1459810.433
ELEV. 226.036

Zoning Line

DR 5.5

BOARD OF EDUCATION
OF
BALTIMORE COUNTY
3788/538

BCO #450
N 630754.437
E 1460463.221
ELEV. 199.081

"PERRY HALL SQUARE" SIGH APPROX.
0.85" OUTSIDE OF PROPERTY
(NO MENTION OF METERS)

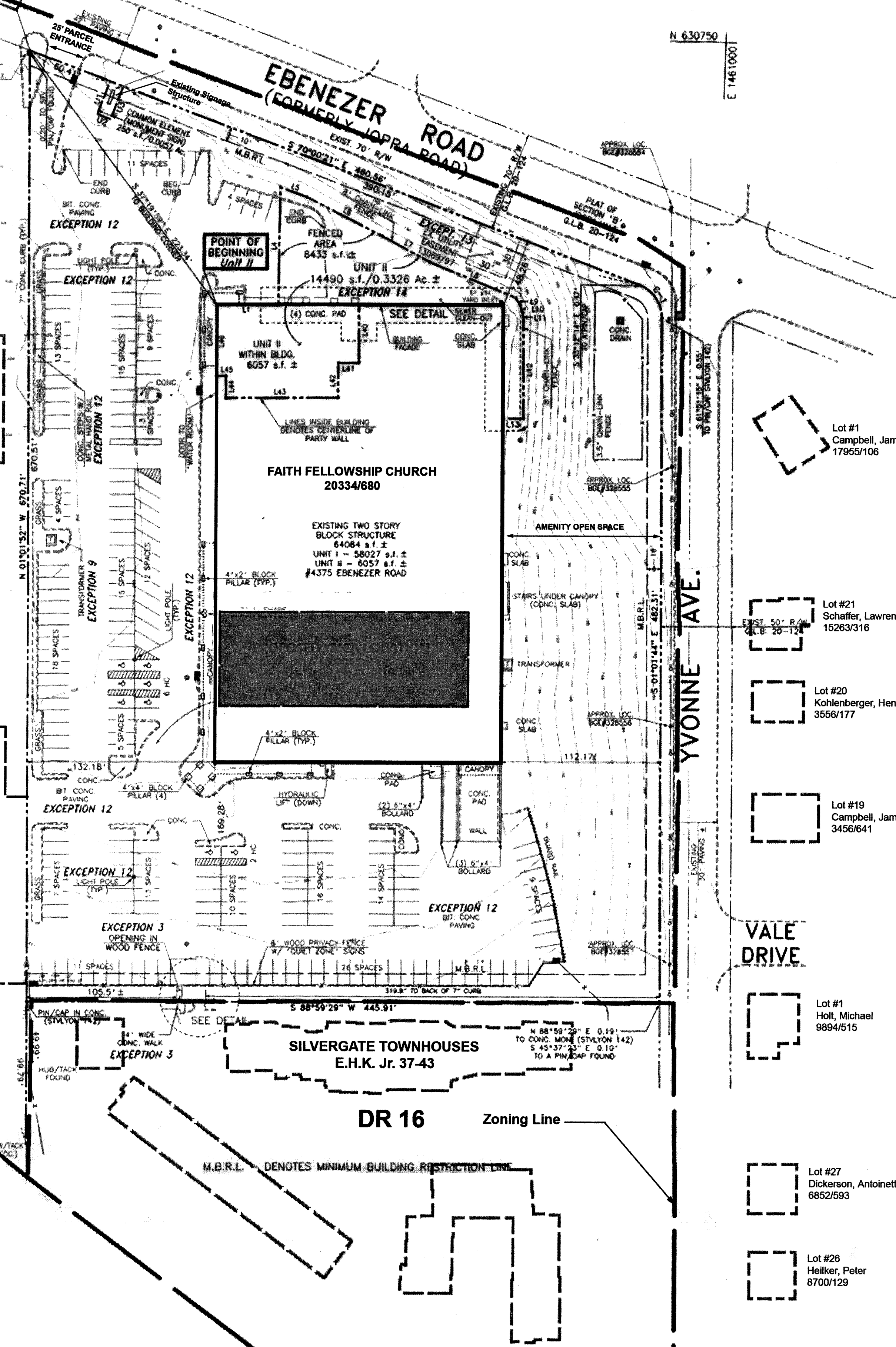
BL CCC

PERRY HALL SQUARE LLC
c/o KIMCO REALTY
SHOPPING CENTER
12263/251

RAE 1

110 Parking Spaces

Parking area subject to cross-deeded agreement
as per Deed Liber 6419, dated April 30, 1984.



GENERAL NOTES:

A special exception request has been made to construct approximately 15,000 sq. ft. of fitness tenant space in an existing shell building for the Y of Central Maryland

1. Owner:

Faith Fellowship Church
c/o Larry Stewart
4375 Ebenezer Road
Nottingham, MD. 21236
410-256-3900

2. Contract Lessee:

YMCA of Central Maryland, Inc.
20 S. Charles St. Ste 600
Baltimore City, MD. 21201
Attn: Mr. Francis D. Anderson
410-837-9622

3. Site Area: 5.99 AC +/- (260,924.40 +/- SF)

4. F.A.R.: 0.24

Total Land Area = 5.99 AC (260,924.40 S.F.)
Total Developed Area = 1.47 AC (64,084 S.F.)

5. Site Address:

4375 Ebenezer Rd
Nottingham, MD. 21236

6. Existing Uses:

Church, Daycare Facility, Medical Supply Store

7. Site Data:

Deed Reference: 20334/680

Tax Account Number: 2300008929

Legislative District: 07

Zoned: B.L. - C.C.C. (map #1)

Tax Map: 72 Grid: 14 Parcel: 28

Council Manic District: 5 Election District: 11

8. The subject property falls within FLOOD ZONE C of FEMA MAP #240010 0920 B dated March, 2 1981.

9. This property is serviced by public water and sewer. There are no known wells or septic systems.

10. This property is not historic.

11. Zoning History: To be provided in a follow up report

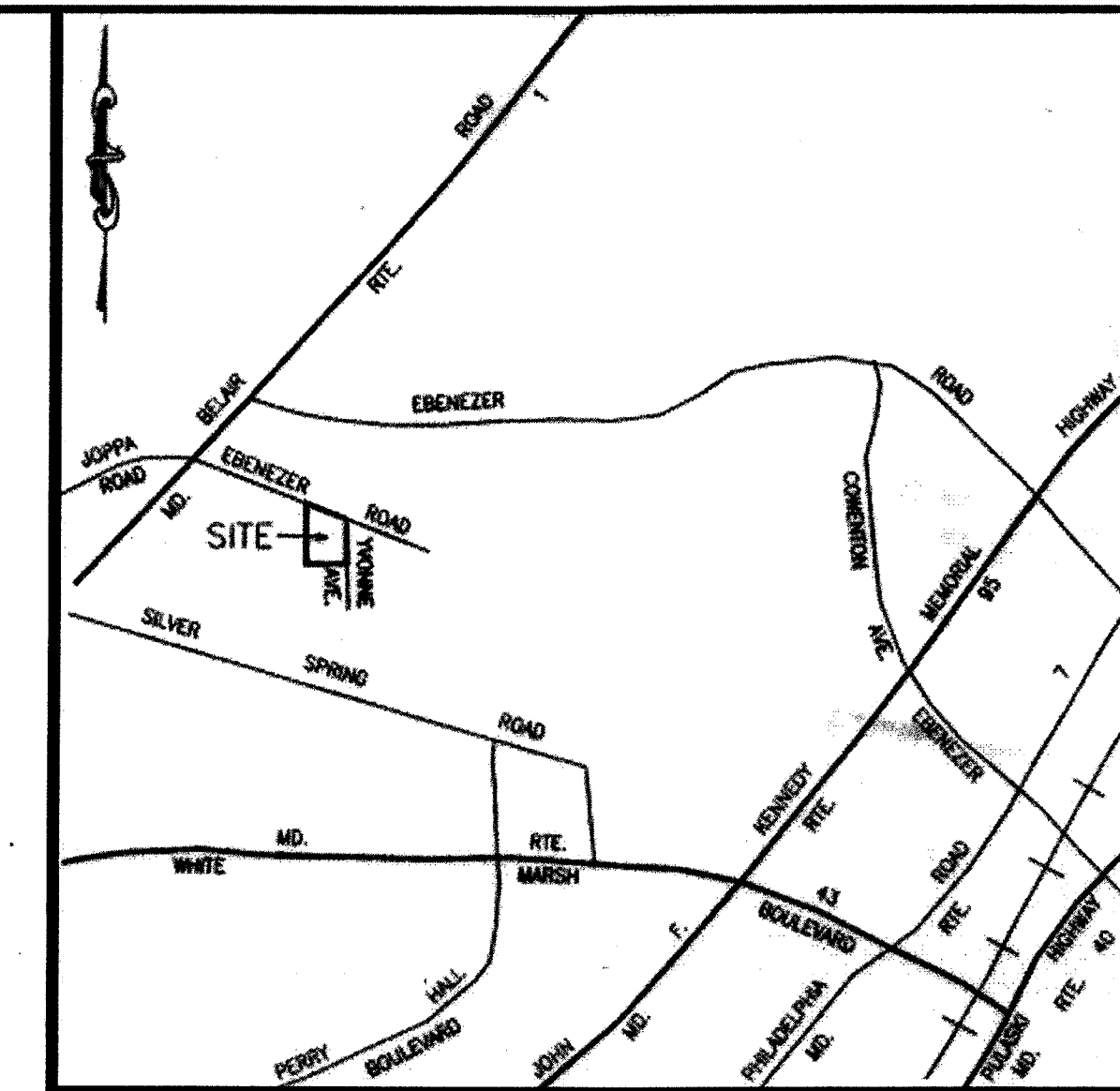
12. Signage: Signage Structure exists onsite, as noted. No text or sign face exists.

PARKING SUMMARY:

Use	Calculations	Required Spaces
Church - Assembly Area	400 Seats / 4 = 100	100 Spaces
Church - Child Daycare	23 Employees (largest shift)	023 Spaces
Medical Supply	12 Employees (largest shift)	012 Spaces
Wholesale/Warehouse		
YMCA -	15,000 S.F. @ 10/1,000 S.F.	150 Spaces
Athletic Club or Health spa		

Total Required Parking 285 Spaces

Total Provided Parking 235 + 110 (as per cross deeded agreement) 345 Spaces



VICINITY MAP
1"=2000'

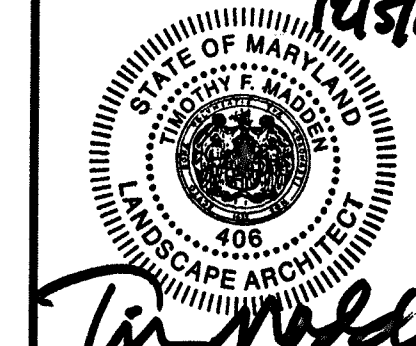
PERMIT HISTORY:

4375 Ebenezer Road:

Permit #	Control #
B508029	SI-1
B344414	C
B348157	SI-2
B478357	TAC
B563120	COC
B583568	FD-05
B601434	SI-1
E347308	
E572279	
E577963	
P348702	
P567678	
B649588	SI-1
B649589	SI-1
B650552	SI-1
B697157	COC
B704221	C
B704546	MR



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
14280 PARK CENTER DRIVE
LAUREL, MD 20707
(410) 782-0782 / (301) 778-1890
FAX: (410) 782-7385
MRAGTA.COM



PLAN TO ACCOMPANY SPECIAL EXCEPTION HEARING

**PERRY HALL SHOPPING CENTER
CONDOMINIUM**

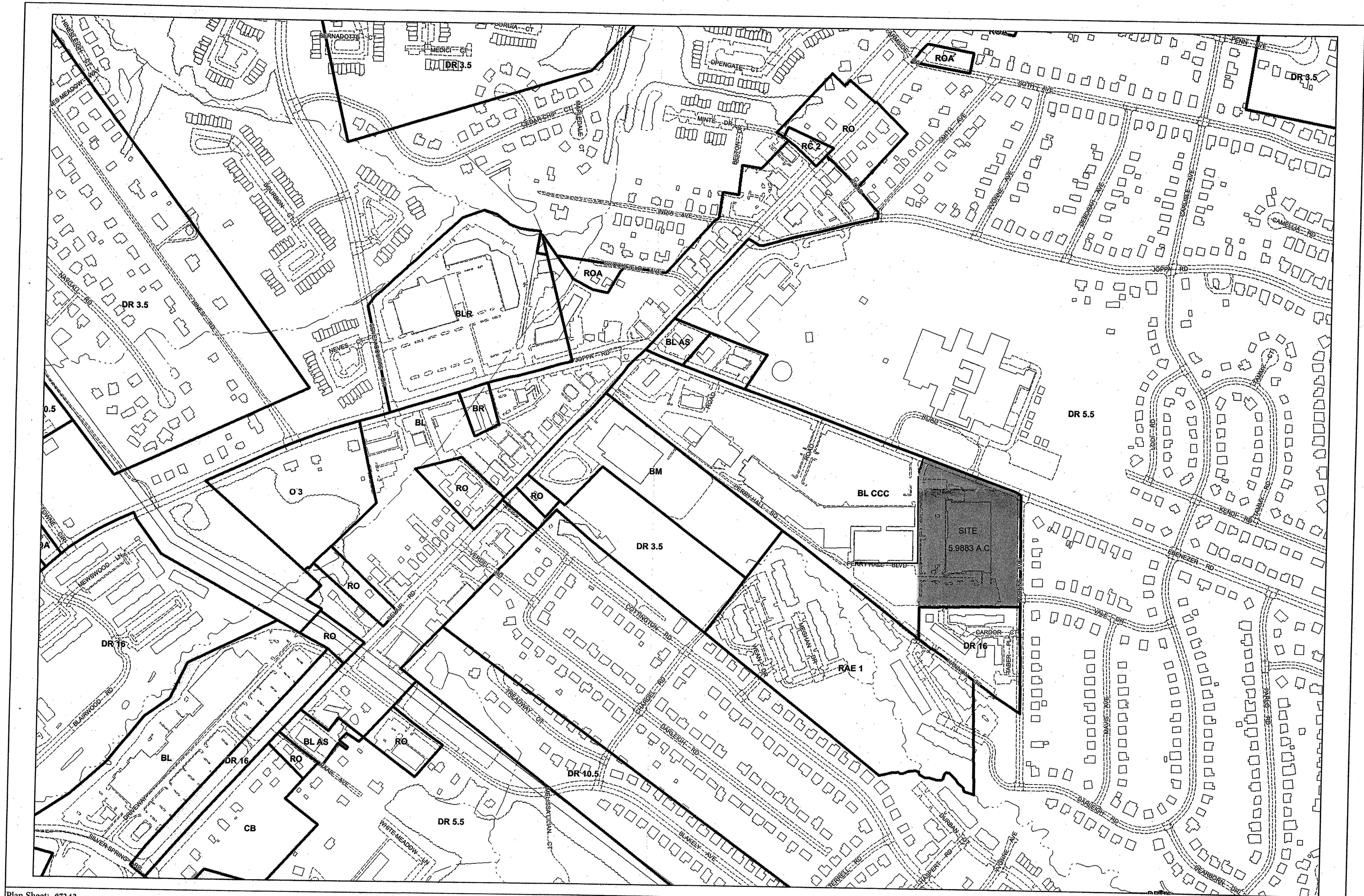
#4375 EBENEZER ROAD
ELEVENTH ELECTION DISTRICT
FIFTH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS	JOB NO.:
		SCALE: 1" = 50'
		DATE: 12/05/08
		DRAWN BY: TDE
		DESIGN BY: TDE
		REVIEW BY: TFM
		SHEET: 1 OF 1

PETITIONER'S

EXHIBIT NO. 1

2009-0164-X



Plan Sheet: 072.42

Note:
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

Legend

- Zoning
- Buildings
- Streams
- Roads
- Vegetation
- Rail Lines

Baltimore County Office of Planning and Zoning Official Zoning Map

071B1	071C1	072A1	072B1	072C1
071B2	071C2	072A2	072B2	072C2
071B3	071C3	072A3	072B3	072C3

Scale

1" = 200'

0 100 200 400
Feet

1

Data Sources:
Planimetric Data - Baltimore County
GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

2009-0164-x