

1/12/11
IN THE MATTER OF

* BEFORE THE

RESTORING LIFE INTERNATIONAL CHURCH
- LEGAL OWNERS /PETITIONER FOR
SPECIAL HEARING AND SPECIAL EXCEPTION;
SW/S OF WINDSOR, W OF ROLLING ROAD

* BOARD OF APPEALS

* OF

* BALTIMORE COUNTY

2ND ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT

* CASE NO.: 09-234-SPHX

* * * * *

AMENDED ORDER OF DISMISSAL

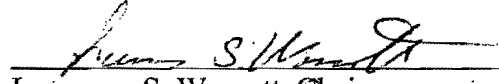
This matter comes to the Board of Appeals on appeals filed by Cathy Wolfson, President of Greater Patapsco Community Association, et al. of the Petition for Special Exception and an appeal filed by People's Counsel for Baltimore County, Peter Max Zimmerman, of the Petition for Special Exception and the Petition for Special Hearing relating to the decision of the Deputy Zoning Commissioner dated December 29, 2009 which granted this requested relief.. The Commissioner also approved Petitioner's development plan, and this was not appealed.

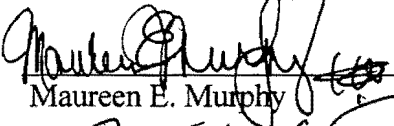
WHEREAS, the Board is in receipt of the attached December 16, 2010 joint letter of Petitioners and People's Counsel for Baltimore County, which combines Petitioner's voluntary withdrawal of its Petition for Special Exception and People's Counsel's voluntary withdrawal of its appeal of the Deputy Zoning Commissioner's approval of the Petition for Special Hearing, filed December 20, 2010 and signed by David H., Karceski, Counsel for Petitioners and Peter Max Zimmerman, People's Counsel for Baltimore County, and

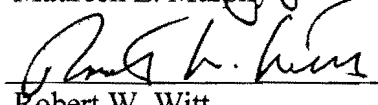
WHEREAS, as a result, the Petition for Special Exception and the only appeal of the Petition for Special Hearing are thus both voluntarily withdrawn as of December 20, 2010,

IT IS THEREFORE ORDERED this 19th day of January, 20 11 by the Board of Appeals of Baltimore County that the Petition for Special Exception and the appeal of the Petition for Special Hearing in Case No. 09-234-SPHX be and the same are hereby both **WITHDRAWN** and **DISMISSED**, thus concluding this case at the County Board of Appeals.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence S. Wescott, Chairman


Maureen E. Murphy


Robert W. Witt



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

January 19, 2011

David Karceski, Esquire
Venable, LLP
210 W. Pennsylvania Ave, Ste 500
Towson, MD 21204

Peter M. Zimmerman, Esquire
Carole S. Demilio, Esquire
Office of Peoples Counsel
The Jefferson Building, Ste 204
105 W. Chesapeake Avenue
Towson, MD 21286

RE: *In the Matter of: Restoring Life International Church - Legal Owner/Petitioner*
Case No.: 09-234-SPHX

Dear Counsel:

Enclosed please find a copy of the Amended 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

TRS/klc
Enclosure
Duplicate Original Cover Letter

c: Lawrence M. Stahl, Chief Administrative Law Judge
Director of Permits and Development Management
Jeff Mayhew, Deputy Director of Office of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney
Restoring Life International Church/Kenneth Robinson
Cathy Wolfson

1/7/11
IN THE MATTER OF

* BEFORE THE

RESTORING LIFE INTERNATIONAL CHURCH

* BOARD OF APPEALS

- LEGAL OWNERS /PETITIONER FOR
SPECIAL HEARING AND SPECIAL EXCEPTION;
SW/S OF WINDSOR, W OF ROLLING ROAD

* OF

* BALTIMORE COUNTY

2ND ELECTION DISTRICT

4TH COUNCILMANIC DISTRICT

* CASE NO.: 09-234-SPHX

* * * * *

ORDER OF DISMISSAL

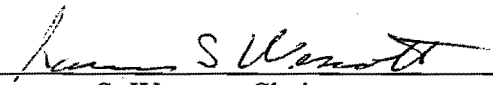
This matter comes to the Board of Appeals by way of an appeal filed by Cathy Wolfson, President for Greater Patapsco Community Association with regards to the Petition for Special Exception; and an appeal filed the Peter Max Zimmerman, People's Counsel for Baltimore County, with regards to the Petition for Special Exception and the Petition for Special Hearing, from a decision of the Deputy Zoning Commissioner dated December 29, 2009 in which the requested relief was granted.

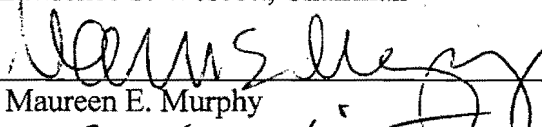
WHEREAS, the Board is in receipt of a voluntary joint letter of withdrawal of the Petition for Special Exception and appeal by People's Counsel of the Petition for Special Hearing, filed December 20, 2010 and signed by David H., Karceski, Counsel for Petitioners and Peter Max Zimmerman, People's Counsel for Baltimore County, (a copy of which is attached hereto and made a part hereof); and

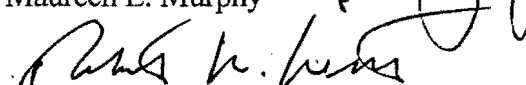
WHEREAS, said Counsel jointly request that the appeals taken in this matters be withdrawn and dismissed as of December 20, 2010,

IT IS THEREFORE ORDERED this 7th day of January, 20 11 by the Board of Appeals of Baltimore County that the appeals taken in Case No. 09-234-SPHX be and the same are hereby **DISMISSED**, thereby rendering the December 29, 2009 Order of the Deputy Zoning Commissioner the final decision in this matter.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence S. Wescott, Chairman


Maureen E. Murphy


Robert W. Witt



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

January 7, 2011

David Karceski, Esquire
Venable, LLP
210 W. Pennsylvania Ave, Ste 500
Towson, MD 21204

Peter M. Zimmerman, Esquire
Carole S. Demilio, Esquire
Office of Peoples Counsel
The Jefferson Building, Ste 204
105 W. Chesapeake Avenue
Towson, MD 21286

RE: *In the Matter of: Restoring Life International Church - Legal Owner/Petitioner*
Case No.: 09-234-SPHX

Dear Counsel:

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Very truly yours,

Theresa Shelton/kc

Theresa R. Shelton
Administrator

TRS/klc
Enclosure
Duplicate Original Cover Letter

c: William J. Wiseman, III, Zoning Commissioner
Director of Permits and Development Management
Director of Office of Planning
Nancy West, Assistant County Attorney
Michael Field, County Attorney
See attached Distribution list

Letter with Order of Dismissal
Distribution List
Page 2

cc: Restoring Life International Church
Kenneth Robinson
Lamont Jackson
Thomas Wolf/Morris & Ritchie
Mickey Cornelius/Traffic Group
John Canoles/Eco-Science Professionals, Inc.
Office of People's Counsel
Greater Patapsco Community Association
Cathy Wolfson
Dona Espey
Margaret Greninger
Kathleen Plocinik
Lenora Hoffman
Gary and Fran Hensen
Desra Dickerson
Betty and Charles Farley
Deborah Stafford
Jeffrey Bruswell and Abigail Carter
William Saunders
Marjorie Hartman
Denise Maranto
Robert Fernholz
Donald and June Veit
Wayne Eckert
Barry Robinson
Dawn Dressler
Charles Dressler
Gloe Gnagey
Katharine Hickok
Tammi Vito-Bell
Kenneth Bell
Mavis Taylor
Holly Vito
Julia Vito
Bob Clark
Kevin Brittingham
Dennis Hobcul
Rona and Irwin Desser
Robert Johnson
Mary Sue and Rudolph Hertsch
Helen Ehrhardt
Hilda and Leroy Ely
Kari Weidner and Bruce Mezger
Sang Kol Choi and Julie Choi
Carol Vito
Darlene and Wayne Carter
R. W. and Brenda Wright
Ellington Churchill
Ernest and Dorothy Farmer
Robert Geppi
Lisa and Ken Feidler
Louis and Lin Weiner

Ernest Habtig
Edward Hill
Denise Litzau
Bernice and John Blakeney and Silas Cooper
Sharon Ballcom
James and Ruth Holmes
Lee Franis
David Ball
Pam Runk

David H. Karceski
T 410.494.6285
F 410.821.0147
dhkarceski@venable.com

December 16, 2010

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

RECEIVED

DEC 20 2010

BALTIMORE COUNTY
BOARD OF APPEALS

Re: Restoring Life International Church
Case No.: 09-234-SPHX
2nd Election District, 4th Councilmanic District

Dear Ms. Shelton:

Please be advised that this firm represents the Appellee in this matter. I now write the Board with a joint request by my client, Restoring Life International Church, and the Office of People's Counsel regarding the above-referenced case.

This firm last wrote to you on September 28, 2010, to advise the Board that my client was in discussions with the Revenue Authority for Baltimore County to enter into a lease agreement that would allow my client to dismiss its Petition for Special Exception. The appeal was postponed by the Board for a possible resolution of the matter and not rescheduled for a future date.

My client has finalized its discussions with the Revenue Authority and a lease has been executed, the effect of which is an increase of the total acreage that supports the proposed church use. In the RC6 zone, a special exception is required for a church, if the total amount of impervious surface, including structures, buildings, and required parking, is more than 10% of the site's acreage. With the additional acreage provided by the lease, a special exception for the proposed church is no longer necessary as the total amount of impervious surface is less than 10%. Therefore, please accept this letter of my client's intent to withdraw its Petition for Special Exception as it is now moot. This request is made without prejudice to the right of my client to seek approvals in the future.

As a companion request to my client's withdrawal of special exception, Mr. Zimmerman is agreeable to withdrawal of the Office of People's Counsel's appeal to the Hearing Officer's grant of the Petition for Special Hearing. By his signature below, Mr. Zimmerman confirms his request to withdraw the appeal of the special hearing granted by the Zoning Commissioner below. As a result of our joint action, the relief granted by the request for special hearing becomes final.

Theresa R. Shelton
December 16, 2010
Page 2

With my client's withdrawal of the Petition for Special Exception and People's Counsel's withdraw of its appeal to the Petition for Special Hearing, we jointly request that Case No. 09-234-SPHX be dismissed by the Board.

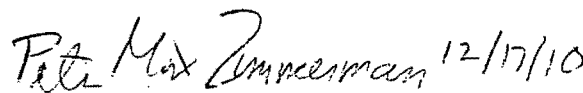
Thank you for your consideration of this request.

Very truly yours,



David H. Karceski

DHK/rb



Peter Max Zimmerman, Esq.
People's Counsel for Baltimore County

cc: Cathy Wolfson, President for Greater Patapsco
Community Association

APPEAL

Petition for Special Hearing & Special Exception
SW side of Windsor Road, W/of Rolling Road
2nd Election District – 4th Councilmanic District
Petitioners: Restoring Life International Church

Case No.: 2009-0234-SPHX

- ✓ Petition for Special Hearing & Special Exception (3/9/09 / amended 4/29/09)
- ✓ Zoning Description of Property
- ✓ Notice of Zoning Hearing (May 7, 2009)
- ✓ Certification of Publication (The Jeffersonian – May 12, 2009)
- ✓ Certificate of Posting (April 29, 2009) by Thomas Wolfe
- ✓ Entry of Appearance by People's Counsel (April 6, 2009)
- Petitioner(s) Sign-In Sheet – None in file
- Protestant(s) Sign-In Sheet – None in file
- Citizen(s) Sign-In Sheet – None in file
- ✓ Zoning Advisory Committee Comments
- Petitioners' Exhibit
 - ✓ 1. Site Plan
- Protestants' Exhibits – None
- Miscellaneous (Not Marked as Exhibit) – None
- ✓ Deputy Zoning Commissioner's Order (GRANTED – December 29, 2009)
- ✓ 1st Notice of Appeal received on January 25, 2010 from Cathy Wolfson (GPCA)
- ✓ 2nd Notice of Appeal received on January 26, 2010 from People's Counsel

c: People's Counsel of Baltimore County, MS #2010
Zoning Commissioner/Deputy Zoning Commissioner
Timothy Kotroco, Director of PDM
See attached

date sent March 25, 2010, klm

RECEIVED

MAR 25 2010

**BALTIMORE COUNTY
BOARD OF APPEALS**

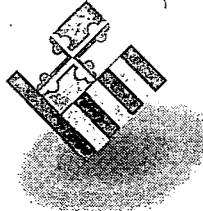
Petitioners:

Restoring Life International Church
Kenneth Robinson
Lamont Jackson
Thomas Wolf/Morris & Ritchie
Mickey Cornelius/Traffic Group
John Canoles/Eco-Science Professionals, Inc.

Appellants:

Office of People's Counsel
Greater Patapsco Community Association
Cathy Wolfson
Dona Espey
Margaret Greninger
Kathleen Plocinik
Lenora Hoffman
Gary and Fran Hensen
Desra Dickerson
Betty and Charles Farley
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Katharine Hickok
Tammi Vito-Bell
Kenneth Bell
Mavis Taylor
Holly Vito
Julia Vito

Bob Clark
Kevin Brittingham
Dennis Hobcul
Rona and Irwin Desser
Robert Johnson
Mary Sue and Rudolph Hertsch
Helen Ehrhardt
Hilda and Leroy Ely
Kari Weidner and Bruce Mezger
Sang Kol Choi and Julie Choi
Ernest Habtig
Carol Vito
Edward Hill
Darlene and Wayne Carter
Denise Litzau
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Bernice and John Blakeney and Silas
Cooper
Ellington Churchill
Sharon Ballcom
Ernest and Dorothy Farmer
James and Ruth Holmes
Robert Geppi
Lee Franis
Lisa and Ken Feidler
David Ball
Louis and Lin Weiner
Pam Runk



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

RECEIVED March 25, 2010
MAR 25 2010

Arnold Jablon
Venable, LLP
210 West Pennsylvania Avenue, Ste. 500
Towson, MD 21204

**BALTIMORE COUNTY
BOARD OF APPEALS**

Dear Mr. Jablon:

RE: Case: 2009-0234-SPHX, Restoring Life International Church

Please be advised that appeals of the above-referenced case was filed in this office on . 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,

Handwritten signature of Timothy Kotroco.
Timothy Kotroco
Director

TK:klm

c: William J. Wiseman III, Zoning Commissioner
Timothy Kotroco, Director of PDM
People's Counsel
Kenneth Robinson & Lamont Jackson, 401 Reisterstown Road, Pikesville 21208
Thomas Wolf, Morris & Ritchie, 1220 East Joppa Rd., Towson 21286
Mickey Cornelius, Traffic Group, 9900 Franklin Square Dr., Ste. H., Baltimore 21236
See attached list



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

January 26, 2010

Hand-delivered

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

Re: DEVELOPMENT PLAN HEARING AND PETITIONS FOR SPECIAL
HEARING & SPECIAL EXCEPTION
SW/S Windsor Mill Road, 1,065' West of Rolling Road
2nd Election District; 4th Council District
Restoring Life International Church- Petitioner
Case No.: II-745- and 09-234-SPHX

Dear Mr. Kotroco:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law and Hearing Officer's Opinion and Development Plan Order dated December 29, 2009 by the Baltimore County Deputy Zoning Commissioner. This zoning appeal pertains to and challenges the Deputy Zoning Commissioner's Order granting the Petitioner's special exception petition to allow a church in the R.C. 6 Zone with more than 10% of the lot covered by impervious surfaces, and to his Order granting the special hearing to confirm that a church and other buildings for religious worship are permitted by right within the primary conservancy area and to confirm that no secondary conservancy area is required.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

RECEIVED

JAN 26 2010

[Signature]

Very truly yours,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

PMZ/rmw

cc: Arnold Jablon, Esquire
David Karceski, Esquire



Greater Patapsco Community Association

PO Box 31, Woodstock, MD 21163

GPCA

January 25, 2010

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

Re: Petition for Special Exception to allow a church in the RC 6 zone to exceed 10%
of the lot covered by impervious surface
SW Side of Windsor Mill Road, West of Rolling Road
2nd Election District 4th Councilmanic District
Restoring Life International Church
Zoning Case No. 2009-0234-SPHX

Dear Mr. Kotroco:

Please enter an appeal of the Greater Patapsco Community Association and Cathy Wolfson, Dona Espey, et al., whose signatures, printed names, addresses and phone numbers are attached, to the County Board of Appeals from the Findings of Fact and Conclusions of Law of the Baltimore County Deputy Zoning Commissioner dated December 29, 2009 in the above referenced case. This appeal relates to the Commissioner's Order granting the petition for special exception.

Enclosed is our check in the amount of \$400.00 for the filing fee for the appeal of the special exception. Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

RECEIVED

JAN 25 2010

.....

Very truly yours,

Cathy Wolfson, President
834 Dogwood Road
Baltimore, MD 21244
410-245-8708

cc: Mr. Arnold Jablon, Venable, LLP, attorney for Petitioner
People's Counsel for Baltimore County

Appeal Zoning Case No. 2009-0234-SPHX

Page 1 of 6

12/29/09

IN RE: DEVELOPMENT PLAN HEARING	*	BEFORE THE
AND PETITIONS FOR SPECIAL		
HEARING AND SPECIAL	*	HEARING OFFICER
EXCEPTION		
SW side of Windsor Road, West of	*	FOR
Rolling Road		
	*	BALTIMORE COUNTY
2 nd Election District		
4 th Councilmanic District	*	
Restoring Life International Church	*	HOH Case No. II-745 and
Developer/Petitioner		Zoning Case No. 2009-0234-SPHX

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW AND
HEARINGS OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Deputy Zoning Commissioner/Hearing Officer for Baltimore County for a public hearing in order to consider a Development Plan proposal submitted in accordance with the development review and approval process contained in Article 32, Title 4, of the Baltimore County Code ("B.C.C."), and to consider the related Petitions for Special Hearing and Special Exception filed pursuant to the Baltimore County Zoning Regulations ("B.C.Z.R."). The Developer of the property, Restoring Life International Church, (the "Developer" or "Church") submitted for approval a Development Plan prepared by Morris & Ritchie Associates, Inc., known as the "Restoring Life International Church" for the property located on the southwest side of Windsor Mill Road and west of Rolling Road in the Windsor Mill area of Baltimore County. The Developer is proposing a 2,185 seat church building and 547 parking spaces on approximately 30.81 acres of land, more or less, zoned R.C.6 and D.R.3.5.

In addition to the Development Plan proposal, the Developer is also requesting certain zoning relief as follows:

- A request for Special Hearing in accordance with Section 500.7 of the B.C.Z.R. and pursuant to Section 1A07.7 of the B.C.Z.R. to confirm that a church and other buildings

12-29-09

12-29-09

for religious worship are permitted by right within the primary conservancy area and to confirm that no secondary conservancy area is required; and

- A request for Special Exception use pursuant to Section 1A07.3.B.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a church (buildings, structures and parking) in the R.C.6 Zone with more than 10% of the lot covered by impervious surfaces.

The proposed development and the requested special hearing and special exception relief were more particularly described on the redlined Development Plan and the redlined Plan to Accompany Special Exception and Special Hearing ("site plan") that were marked and accepted into evidence at the initial hearing on these matters on May 28, 2009 as Developer's Exhibits 1A through 1E and Developer's Exhibit 2, respectively. A revised pattern book dated May 27, 2009 was also submitted and marked and accepted into evidence as Developer's Exhibit 3.

As to the history of the project, a concept plan of the proposed development was prepared and a Concept Plan Conference (CPC) was held on July 21, 2008 at 9:00 AM in the County Office Building. As the name suggests, the concept plan is a schematic representation of the proposed development and is initially reviewed by and between representatives of the Developer and the reviewing County Agencies at the CPC. Thereafter, as is also required in the development review process, notice of a Community Input Meeting (CIM) is posted and scheduled during evening hours at a location near the proposed development to provide residents of the area an opportunity to review and comment firsthand on the plan. In this case, the CIM was held on August 27, 2008 at 7:00 PM at the Randallstown Library located at 8604 Liberty Road, where representatives of the Developer and the County attended, as well as a number of interested persons from the community. A second CIM was held on October 2, 2008 at the

Randallstown Library. Subsequently, a development plan is prepared, based upon the comments received at the CPC and the CIM, and the development plan is submitted for further review at a Development Plan Conference (DPC), which, again, is held between the Developer's consultants and County agency representatives to further review and scrutinize the plan. The Development Plan Conference occurred on April 15, 2009 at 9:00 AM.

It should be noted at this juncture that the role of each reviewing County agency in the development review and approval process is to independently and thoroughly review the development plan as it pertains to their specific area of concern and expertise. These agencies provide comments to the plan and make determinations where necessary as to whether the plan complies with applicable Federal, State, and/or County laws and regulations pertaining to development and related issues. In addition, these agencies carry out this role throughout the entire development plan review and approval process.

In the instant matter, both the Hearing Officer's Hearing for this proposed development and the related zoning hearing were held simultaneously. Section 32-4-230 of the B.C.C. allows the Developer to proceed with the hearings on the proposed development and the zoning matters in one combined Hearing Officer's Hearing. The Hearing Officer's Hearing for this proposed development and the related zoning hearing were held on four different dates beginning on May 28, 2009, and continuing through November 17, 2009 and November 19, 2009 in Room 106 of the County Office Building located at 111 West Chesapeake Avenue in Towson. The hearings were then concluded on December 14, 2009 in Room 104 of the Jefferson Building located at 105 West Chesapeake Avenue in Towson.

The property was posted with Notice of Hearing Officer's Hearing on April 29, 2009 for 20 working days prior to the May 28, 2009 hearing, in order to notify all interested citizens of the

date and location of the hearing. In addition, notice of the zoning hearing was timely posted on the property on April 29, 2009 and was timely published in *The Jeffersonian* newspaper in accordance with the County Code on May 12, 2009. The property was also timely posted with notice of the continuation of the hearing on the November 17, 2009 and November 19, 2009 hearing dates. During the November 19, 2009 hearing, notification of the December 14, 2009 hearing date was conveyed on the record in open hearing by the undersigned to the individuals in attendance.

Appearing at the requisite public hearings in support of the Development Plan approval request and the Special Hearing and Special Exception requests were Dr. Kenneth Robinson, Senior Pastor, on behalf of the Developer and property owner, Restoring Life International Church, and Lamont Jackson, Project Coordinator and consultant on behalf of the Church. Appearing as attorneys for the Church were Arnold Jablon, Esquire and David Karceski, Esquire with Venable, LLP. Also appearing was Leland A Gray, licensed architect with LPDJ Architects, LLC, Thomas E. Wolf, senior landscape architect with Morris & Ritchie Associates, Inc. who prepared and sealed the Development Plan and site plan, Mickey A. Cornelius, senior vice president with The Traffic Group, and John Canoles with Eco-Science Professionals, Inc.

The case garnered significant interest throughout the community, including individuals and organizations that were in support of and in opposition to the Development Plan and zoning relief. Though too numerous to list in their entirety, their names and addresses are listed on the "Petitioner's Sign-In Sheets" and "Citizen Sign-In Sheets" that were circulated at each of the aforementioned hearing dates, and included Ralph W. Wright, Sr. and Cathy Wolfson, who appeared on behalf of the Greater Patapsco Community Association. Also entering his appearance in the case and participating in the hearings was Peter Max Zimmerman, Esquire,

People's Counsel for Baltimore County.¹

Also in attendance were representatives of the various Baltimore County reviewing agencies, including the following individuals from the Department of Permits and Development Management: Colleen Kelly (Project Manager), Dennis Kennedy (Development Plans Review), Len Wasilewski (Zoning Review Office), and William Minor (Bureau of Land Acquisition). Also appearing on behalf of the County were David Lykens from the Department of Environmental Protection and Resource Management ("DEPRM"); and Curtis Murray from the Office of Planning. As there was no Open Space requirement for this proposal, there were no appearances from the Department of Recreation and Parks. In addition, written comments were received from Lt. Roland Bosley, Jr. of the Baltimore County Fire Marshal's Office and Steven D. Foster on behalf of the Maryland State Highway Administration. These and other agency remarks are contained within the case file.

Pursuant to B.C.C. Sections 32-4-227 and 32-4-228, which regulates the conduct of the Hearing Officer's Hearing, I am required first to identify any unresolved comments or issues as of the date of the hearing. During the first hearing date on May 28, 2009, the undersigned made inquiry to counsel for the Developer as to any unresolved issues. Mr. Jablon indicated there were several issues in need of resolution. Although most County agencies could recommend approval of the redlined Development Plan, he pointed out that DEPRM and the Bureau of Development Plans Review ("DPR") had not yet had the opportunity to comprehensively review the redlined Development Plan and related submittals. He also indicated that, since the redlined Development Plan was likely to undergo some changes and revisions as a result of DEPRM's

¹ Though not representing any particular individual or organization, Mr. Zimmerman's office is empowered by Section 524.1 of the Baltimore County Charter to represent the interests of the public in general in zoning and other administrative matters, and to defend any duly enacted master plan and/or comprehensive zoning maps as adopted by the County Council.

and DPR's review, rather than proceeding with the hearing in a piecemeal fashion, Mr. Jablon requested that the hearing be continued.

In response, Mr. Zimmerman, People's Counsel for Baltimore County, referenced his letter dated May 22, 2009 concerning this matter. In his letter and in his opening remarks at the May 28, 2009 hearing, Mr. Zimmerman indicated he had corrected the Developer's calculation of proposed impermeable surfaces in the R.C.6 zoned portion of the property and also expressed very serious reservations about the Developer's proposal to have "almost three times the number allowed by right" (28.7% versus the permitted 10%) of impermeable surface. He also expressed concerns about the appropriateness of the size and scale of the proposed church use, and its impact on environmental considerations and the relevant conservancy area standards. Finally, Mr. Zimmerman indicated he believes the zoning history of the property, including the Church's request for a change in zoning from R.C.6 during the 2008 Comprehensive Zoning Map Process ("CZMP") that was denied, is ultimately relevant in determining whether approval of the Development Plan and related zoning Petitions should be granted. Mr. Zimmerman views the decision to retain the R.C.6 zoning of this priority forest area as the Council's intent to limit the size and scale of any institutional development to a "modest" level.

After considering Mr. Jablon's request to continue the hearing, the undersigned granted the request; however, given the number of interested citizens that attended the May 28, 2009 hearing, the undersigned offered individuals, especially those that would not be able to attend subsequent hearings, the opportunity to express what they believe are unresolved issues with the Developer's plans or to convey their concerns with regard to the project. Several individuals testified in support and in opposition to the project. Those in support indicated that the Church would be a positive influence in the community and the proposed location on Windsor Mill

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Road, near Rolling Road, would be an ideal location for the church and would be tucked back far enough to have very little impact on the area. Those in opposition generally expressed concerns over the magnitude of the proposal and the potential impact of a 2,000-plus seat church with almost 550 parking spaces located mostly in a resource conservation (R.C.) zone. Some individuals also indicated that they moved into the area because of its privacy and open spaces, and believe that such a large church would be the first of other "mega-churches" in the area if the Church's proposal were approved. Finally, they indicated that the Church should not be entitled to "change the rules" through "special hearings" and "exceptions" to the rules, and that granting the requested relief would be detrimental to the area.

Having identified a number of issues related to the Development Plan and zoning Petitions at the initial May 28, 2009 hearing, the undersigned then reconvened the hearing on November 17, 2009 and inquired as to the particular County agencies and asked that they state whether there were any outstanding issues applicable to their particular agency. Also on this date, the Developer's revised redlined/bluelined Development Plan and site plan were introduced and posted on a display board for review. The five page redlined/bluelined Development Plan and revised site plan were marked and accepted into evidence as Developer's Exhibits 4A through 4E and Developer's Exhibit 9, respectively.² After reviewing these plans, the responses of the County agency representatives are summarized below:

Recreation and Parks: Colleen Kelly appeared on behalf of Bruce Gill from the Department of Recreation and Parks and indicated that the project is not subject to the Adequate Public Facilities Act, Bill No. 110-99, hence no required Open Space areas were delineated on the plan. Therefore, Recreation and Parks offered no recommendations or comments concerning

² The Development Plan and the site plan related to the zoning Petitions were first revised with redlines dated May 28, 2009 and then with bluelines dated October 6, 2009 and November 17, 2009, respectively.

the redlined/bluelined Development Plan and zoning Petitions:

Land Acquisition: William Minor appeared on behalf of the Bureau of Land Acquisition. Mr. Minor indicated that the all issues had been satisfied from his agency's perspective, and recommended approval of the redlined/bluelined Development Plan.

Office of Zoning Review: Len Wasilewski appeared on behalf of the Zoning Review Office. Mr. Wasilewski indicated that he had reviewed the plans and that they fulfill his office's technical requirements, but his office would not take a position particularly on the merits of the special hearing and special exception petitions or the redlined/bluelined Development Plan.

Department of Environmental Protection and Resource Management (DEPRM): David Lykens appeared on behalf of DEPRM. Mr. Lykens confirmed that the Ground Water Management ("GWM") Section of DEPRM had reviewed the plans and recommended approval, subject to conditions that were stated in their comments dated November 17, 2009 and marked and accepted into evidence as Baltimore County Exhibit 3. He also indicated that the Environmental Impact Review ("EIR") Section of DEPRM had reviewed the plans and found them in compliance and recommended approval. On cross-examination by Mr. Zimmerman, Mr. Lykens indicated that Glenn Shaffer, a supervisor with EIR, could more particularly and specifically address the EIR review. Finally, Mr. Lykens confirmed that the Developer's submittal to the Storm Water Management ("SWM") Section of DEPRM had only been received the week before the hearing and had not yet been reviewed. He did not oppose the record being kept open in order to give SWM the opportunity to review and evaluate the submittals.

Development Plans Review (Public Works): Dennis Kennedy appeared on behalf of the Bureau of Development Plans Review. Mr. Kennedy confirmed that the Developer's redlined/bluelined Development Plan meets all of his department's requirements and comments. In

particular, Mr. Kennedy indicated that the Developer's traffic consultant, The Traffic Group, submitted a Traffic Impact Analysis report that was forwarded to the Division of Traffic Engineering. The report was reviewed and approved by Traffic Engineering. The string of emails that referenced the initial traffic report and a revised report dated September 23, 2009 submitted by The Traffic Group were collectively marked and accepted into evidence as Baltimore County Exhibit 4.

Planning Office: Curtis Murray appeared on behalf of the Office of Planning. Mr. Murray indicated that the Office of Planning reviewed and discussed the Developer's proposal and Development Plan, the site plan, and narratives and conducted meetings in reference to the Church's proposal. At the May 28, 2009 hearing, Mr. Murray submitted his office's comments of the same date, which were marked and accepted into evidence as Baltimore County Exhibit 1. The comments indicate that the proposed site is located along the Master Plan Designated Rural Edge, and that the Developer is mitigating the amount of impervious surface originally requested by providing environmentally sensitive alternatives, including: reducing the amount of parking spaces from 831 to 547 spaces and installing permeable parking surfaces for the parking lot and pedestrian walkways; using the maximum number of tree and landscape islands in the proposed parking lot; and maximizing the use of gray-water technology for building operations (i.e. toilet flushing, irrigation, etc.). As such, Mr. Murray's office recommended approval of the requested special exception to exceed the permitted 10% impervious surface. In particular, the office is of the position that the Developer's proposal would not be detrimental to the health, safety or general welfare of the locality involved, and would not be detrimental to the other special exception criteria set forth in Section 502.1 of the B.C.Z.R.

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In addition, Mr. Murray's comments and testimony indicated that the Developer's proposal is consistent with the spirit and intent of the R.C.6 regulations in accordance with the requirements of Section 1A07.4 of the B.C.Z.R. and the Comprehensive Manual of Development Policies ("C.M.D.P."), and finds that the project is consistent with the applicable Performance Standards set forth in Section 1A07.8 of the B.C.Z.R. This includes approval of the revised pattern book dated October 7, 2009 that was marked and accepted into evidence as Developer's Exhibit 5. Hence, Mr. Murray indicated that the Office of Planning recommends approval of the redlined Development Plan. He also submitted a revised comment dated November 17, 2009 that recommended approval of the Development Plan based on the redlined/bluelined changes. These changes included relocating parking from the R.C.6 Zone to the D.R. zoned portion of the site and changing the number of parking spaces from 547 to 556, revised changes to the pattern book, and changes to the plan that reduced the amount of impervious surfaces from approximately 28% to just over 20%. This revised comment was marked and accepted into evidence as Baltimore County Exhibit 2.

On cross-examination from Mr. Zimmerman, Mr. Murray acknowledged that one of the main purposes of the R.C.6 Zone is to preserve natural resources and particularly forest areas. He also indicated that 100% of the subject site was located in a primary conservancy area according to the definition contained in Section 1A07.2 of the B.C.Z.R. He also indicated that the area surrounding the property had a mix of uses to the north, west, and south that included farming, residential development, churches, a school (Windsor Mill Elementary), and a golf course (The Woodlands and Diamond Ridge golf courses). To the east, there is more intense residential and commercial development along Windsor Mill Road, especially near the intersection of Rolling Road headed east. In addition, the subject site is located approximately

two miles from the Baltimore Beltway (Interstate 695). In concluding his testimony, Mr. Murray indicated that in recommending approval of the redlined/bluelined Development Plan and the related zoning requests, the Office of Planning carefully reviewed the Developer's proposal and submittals and considered the Master Plan, the R.C.6 regulations, and the potential impact of the proposed church on the surrounding community.

Following Mr. Murray's testimony, Mr. Zimmerman called as a witness Glenn Shaffer from DEPRM. Mr. Zimmerman previously subpoenaed Mr. Shaffer to appear. Mr. Shaffer is a Natural Resources Specialist and is a supervisor with the Environmental Impact Review ("EIR") Section of DEPRM. He reviewed and evaluated the Developer's submittals in terms of environmental impacts. He has been employed with the County for approximately 24 years and previously obtained a Bachelor of Science degree in Environmental Health from East Tennessee State University. During Mr. Zimmerman's examination, he sought to revisit the environmental impacts of the proposed development and, in particular, the location of the property in a primary conservancy area, the property's location in a priority one forest area and at the edge of a forest patch, and the effect of clearing trees in the R.C.6 Zone.

Testimony from Mr. Shaffer and documents that were accepted into evidence as People's Counsel Exhibits revealed that the EIR staff received the Developer's Forest Retention Investigation Report ("FRIR") and Forest Conservation Plan ("FCP") on March 9, 2009. Following their evaluation, EIR determined that the FRIR had not justified the extent of the proposed clearing of over 20 acres of priority forest nor the protected patch map forest from development. In addition, there was inadequate information in the FRIR and the FCP and Forest Conservation Worksheet (FCW) to justify the degree of clearing of priority forest on site. Moreover, there were no alternate development layouts submitted to demonstrate that if priority

retention areas could not be left undisturbed, how reasonable efforts were made to protect them and/or to minimize the impact to priority forest. An aerial photograph of the subject property showing the visual extent of forested area was submitted by Mr. Zimmerman and marked and accepted into evidence as People's Counsel Exhibit 4.

Further evidence revealed that, following additional submittals and meetings between DEPRM and the Developer's consulting ecologist, Eco-Science Professionals, Inc., the Developer submitted additional site plans (identified as Conceptual Layouts A through F) in order to show a sequence of site layouts that demonstrated the Developer's minimization of impact to priority forest. Conceptual Layout A represented the Developer's preferred layout with a reduction in the number of parking spaces to 665 and retaining the D.R. zoned portion of the property for future development, and a forest conservation plan that indicated 20.5 acres of clearing. This was rejected by the County and eventually led to Conceptual Layout F. As was summarized in a portion of the letter dated August 25, 2009 from John Canoles of Eco-Science Professionals to John Russo of EIR, which was marked and accepted into evidence as People's Counsel Exhibit 5A:

Layout F respects the RTA [Residential Transition Area] requirements, provides parking on the DR zoned portion of the site and minimizes forest clearing and forest interior habitat impacts. This layout best meets the understood concerns of DEPRM without creating conflict with other County requirements. While this layout does not allow the property owner the flexibility for future development, it does meet the primary goals of the project and is being proposed as the Development Plan for this site.

In response, in a letter dated September 21, 2009 from John Russo to John Canoles, a copy of which was marked and accepted into evidence as People's Counsel Exhibit 6C, EIR notified the Developer that it had received a revised FCW, revised preliminary FCP, revised FRIR, and a request to purchase 5.7 acres of credit in a Baltimore County approved planting

bank. Based on EIR review, the FCW and preliminary FCP for Conceptual Layout F were approved with conditions. In addition, in a letter also dated September 21, 2009 from Patricia M. Farr, Manager of EIR, to John Canoles, a copy of which was marked and accepted into evidence as Developer's Exhibit 6B, Ms. Farr states that 29.9 acres of the 30.8 acre site is priority forest and the current development layout proposes 16.3 acres of clearing, with no forest buffer impacts and the remaining 13.6 acres of existing forest to be retained in perpetual easement. Ms. Farr then concludes by stating:

In summary, we have determined that your revised FRIR demonstrates that clearing of priority forest is unavoidable, and that reasonable efforts have been made to minimize impacts associated with this forest clearing. Therefore, this FRIR is approved in accordance with Section 33-6-108 of the Baltimore County Code.

In response to Mr. Zimmerman's inquiry as to how the Developer's previous proposal to clear approximately 20.5 acres of priority forest was not acceptable, but the subsequent proposal to clear 16.3 acres was acceptable, Mr. Shaffer indicated that their determination involved balancing a permitted use of the property (for a church) with the environmental impacts, looking at the project and the surrounding areas on the whole and whether the proposed development was consistent with the goals of the R.C.6 Zone for each of the three functional areas of a tract (primary conservancy, secondary conservancy, and development areas). It also involved taking into consideration the mitigation and minimization efforts of the Developer. In this case, and considering those factors, the Developer's redlined/bluelined proposal met those criteria for approval.

Following Mr. Shaffer's testimony, the Developer presented its case in support of Development Plan approval and the special hearing and special exception requests. The Developer first called Leland A Gray, licensed architect with LPDJ Architects, LLC. Mr. Gray

indicated that he obtained a Bachelor of Architecture degree from the University of Idaho and his practice of architecture has spanned over 40 years in all 50 states and over 100 countries. For almost 25 years, Mr. Gray was a Senior Design Architect for The Church of Jesus Christ of Latter-day Saints in Salt Lake City, Utah until opening his own firm in 2002. Most of his career has been centered on performing arts and assembly style facilities and churches, and has also included educational, retail, and commercial facilities. A copy of Mr. Gray's resume was marked and accepted into evidence as Developer's Exhibit 7. Mr. Gray also indicated that he is familiar with the B.C.Z.R. and in particular the regulations pertaining to the R.C.6 Zone and the special exception criteria. He was offered and accepted as an expert in architecture and the applicability of the B.C.Z.R.

Mr. Gray indicated he was contacted by Pastor Kenneth Robinson almost 4 years ago to explore a church project for his congregation. He conducted an evaluation of the Church's needs and requirements in a facility and visited the property at least 10 times over the last few years, familiarizing himself with the site and area. Essentially, the Church desired a 2,000-plus seat facility with sufficient parking, which would also have some interior common areas and office areas. The Church also desired a building that would have a relatively low profile and would fit in aesthetically with the surrounding area, with a minimal visual impact.

As depicted in the revised pattern book that was accepted into evidence as Developer's Exhibit 5, Mr. Gray's firm drew on its experience in designing church buildings in similar surroundings throughout the country and developed a dome style design. His firm prepared the architectural pages of the pattern book, including the cover page, the building elevations on pages 14 and 15, a computer generated rendering of the building on page 16 with proposed building materials labeled, details of the proposed building materials on page 17, cross sections

of the building and its interior on page 18, and a proposed floor plan on page 19.

In discussing his design and the layout contained in the pattern book, Mr. Gray pointed out a number of features of the proposed Church building. These include the use of a stone tile veneer on the exterior walls, cast cornice at the parapet where the walls meet the roofline, contrasting stone window surrounds, and ashlar stone set in mortar for the lower walls. The roof would be tile and all aspects of the exterior would be set in earth tones in order to fit in with the surrounding area. The smaller lobby building would be approximately 10 feet tall to the parapet and 28 feet to the top of the roofline. There would also be a steeple on the lobby roof. As shown on the floor plan on page 19 of the pattern book, the lobby building would have a main lobby area as well as hospitality rooms, a church bookstore, and a coffee room. The main sanctuary building would be larger than the lobby building, with assembly or auditorium style seating and a stage. There would also be restrooms as well as offices on each side of the main seating areas. Because of its larger size, the sanctuary would have 14 foot walls to the parapet with a dome roofline approximately 50 feet high.

Based on his expertise in structures design and his familiarity with the B.C.Z.R., Mr. Gray offered his expert opinion concerning the church facility's potential impact on the relevant special exception criteria set forth in Section 502.1 of the B.C.Z.R. Mr. Gray indicated that the facility would not be detrimental to the health, safety or general welfare of the locality involved. In his view, as previously discussed and shown in the pattern book, the Church building would be designed in such a manner has to have minor visual and aesthetic impact on the area. In addition, the building would be set back far enough from Windsor Mill Road to buffer the visual impact from the road, yet also be sufficiently distant from the sensitive forest areas to the rear of the property. Mr. Gray indicated that the proposed development would not tend to create

congestion in roads, streets or alleys, would not create a potential hazard from fire, panic or other danger, would not tend to overcrowd land and cause undue concentration of population, would not interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements, would not interfere with adequate light and air, would not be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of the B.C.Z.R., and would not be inconsistent with the impermeable surface and vegetative retention provisions of the Regulations. Mr. Gray also indicated that he is familiar with the R.C.6 Performance Standards contained in Section 1A07.8.C of the B.C.Z.R. Based on his preparation of the pattern book, his familiarity with the site, and his design of the building, he offered his expert opinion that the proposed church facility meets the Performance Standards of the R.C.6 Zone.

Next to testify in support of the development plan proposal was Thomas E. Wolf who prepared and sealed the redlined/bluelined Development Plan and site plan. Mr. Wolf indicated that he is Senior Landscape Architect with Morris & Ritchie Associates, Inc. and licensed in the State of Maryland. He has been with Morris & Ritchie for approximately 11 years and has a background in forest conservation in the context of land development. He is familiar with the Baltimore County Zoning Regulations and the development regulations contained within the County Code, as well as the Zoning Commissioner's Policy Manual. He has been admitted and testified as an expert numerous times before this Commission and was offered and accepted as an expert in landscape architecture with a detailed knowledge of the B.C.Z.R. and the development regulations.

Mr. Wolf testified that he became involved in the project in March 2008. He initially visited the site and reviewed the zoning maps for the property and aerial photographs in order to

develop a baseline view of the property. Since his initial involvement, he has visited the site at least 15 times. Thereafter, he was directly involved in developing and preparing the instant redlined/bluelined Development Plan, and the related site plan depicting the requested zoning relief.

He described the subject property as located in the 7500 block of Windsor Mill Road on the south side of the road, situated between Rolling Road to the east and Old Court Road to the west. Just north of the subject property across Windsor Mill Road is the Rolling Oaks and Nolanbrook residential developments that have been built out and are also still under construction. These developments feature single-family detached homes on primarily zoned D.R.5.5 land.³ Adjacent to these developments to the northeast is the Deer Run at Mayfield subdivision consisting of approximately 50 homes built from 2000 to 2003.

Referencing the redlined/bluelined Development Plan, Mr. Wolf testified that the property is split zoned, consisting primarily of land zoned R.C.6 (26.05± acres) as well as a smaller portion near the property's frontage on Windsor Mill Road zoned D.R.3.5 (4.76± acres). As planned, the Church facility would consist of the lobby and sanctuary buildings. Most of the D.R.3.5 zoned area would contain the parking (119± spaces) and entrance areas. The remaining

³ The developments just north of the subject property on Windsor Mill Road consist of over 150 single-family homes. The properties that comprise the developments were the subject of Hearing Officer's Hearings and Zoning Hearings in each instance. The first requested development was known as "Rolling Oaks." The developer, Marenberg Enterprises, Inc., proposed development of the property with 33 single-family residential lots. This Development Plan was approved in Case Nos. II-644 and 03-514-A. The second requested development was known as "Rolling Oaks II." The developer, Rolling Oaks Development II, LLC, proposed development of approximately 21 acres that was previously used as a farm and lumberyard with 80 single-family residential lots. This Development Plan was approved in Case Nos. II-681 and 05-221-A. The third requested development was known as "Nolanbrook." The developer, Nolanbrook, LLC, proposed development of almost 9 acres located adjacent to Rolling Oaks and Rolling Oaks II with 29 single-family residential lots. This Development Plan was approved in Case Nos. II-693 and 06-165-A. All three subdivisions were designed for development in a common scheme, with similar facades and lot sizes, as well as interlocking internal roads.

parking (400-plus spaces) would be located to the northwest side and rear of the property, surrounding the buildings. Storm water management and septic reserve areas would be located at the south and southeast portions of the property, respectively. As shown on the redlined/bluelined Schematic Landscape Plan that was accepted into evidence as Developer's Exhibit 4E and pages 22 and 23 of the pattern book, landscaping will attempt to mirror the existing and planned frontage for the Rolling Oaks and Nolanbrook subdivisions. The plan will also attempt to keep as much exiting vegetation and foliage as possible, while providing additional shrubbery and evergreen screening. The Developer will also retain the remaining forested areas to the rear of the site and place them in a perpetual forest conservation easement.

As to the zoning request for special hearing relief, the Developer has requested confirmation that a church and other buildings for religious worship are permitted by right within the primary conservancy area and that no secondary conservancy area is required. As to this issue, Mr. Wolf first referenced the letter dated November 14, 2007 that was reproduced on the redlined/bluelined Development Plan cover sheet, from the Developer's attorney, Robert A. Hoffman, Esquire to the Deputy Director of the Office of Planning, Jeffrey W. Long. In this letter, Mr. Hoffman indicated that under the R.C.6 Regulations, "primary conservancy area" is ordinarily protected from disturbance from development; however, Section 1A07.7.C of the B.C.Z.R. contains exceptions from this prohibition against disturbance, including an exception that permits "churches and other buildings for religious worship" to be located in the primary and secondary conservancy area. As such, Mr. Hoffman sought and obtained confirmation via Mr. Long's counter-signature that the Church would be permitted to utilize this exception to construct the Church facility.

Mr. Wolfe then explained that the entire R.C.6 zoned portion of the site is included on the Baltimore County Forest Patch Map and is considered "primary conservancy area." As a result, a "secondary conservancy area" is not applicable to this site. Section 1A07.2 of the B.C.Z.R. defines a "primary conservancy area" as an area comprised of natural resources protected from disturbance by development. It also consists of: (A) forest buffer, which includes streams, wetlands, floodplains and steep slopes; (B) forest patch areas; (C) priority one forests; and (D) habitats of endangered species. The subject property does indeed possess the characteristics of a "primary conservancy area," hence, the Developer believes that it is unnecessary to delineate a "secondary conservancy area."

As to the requested special exception, Mr. Wolf explained that Section 1A07.3.A.9 of the B.C.Z.R. states that churches and other buildings for religious worship are permitted by right in the R.C.6 Zone, provided that no more than 10% of any lot may be covered by impervious surfaces which include buildings, structures or required parking. He then referenced the "Impervious Surface Table for R.C.6 Area Only" depicted on the cover sheet of the redlined/bluelined Development Plan, which indicates that the proposed impervious surface area for the planned Church development is 19.21%± of the total site area zoned R.C.6. Section 1A07.3.B.5 states that churches and other buildings for religious worship that exceed the 10% impervious surface limitation may be permitted in the R.C.6 Zone by Special Exception only; hence the requested special exception relief.

In support of this relief, Mr. Wolf offered his expert testimony concerning the impact of the proposed development, and in particular the potential impact of the 19.21%± impervious surface area, on the special exception criteria set forth in Section 502.1 of the B.C.Z.R. Mr. Wolf testified that the proposed use as depicted on the redlined/bluelined Development Plan

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would not be detrimental to the health, safety, or general welfare of the locale. The proposed facility would meet all building codes, the location is isolated from adjoining properties, and would have a limited use -- mainly Sunday services and some Wednesday evening activities. It would not tend to create congestion in roads, streets or alleys therein. Based on the Traffic Impact Analysis prepared by The Traffic Group, the use would have a very limited impact on traffic and would not create congestion, again based on the limited use. It would not create a potential hazard from fire, panic or other danger. The facility would meet all fire codes, including a suppression tank and sprinkler system, and wide enough drive aisles for emergency vehicles. It would not tend to overcrowd land and cause undue concentration of population. The RTA buffer and setback would be respected and the facility would be set back from the road and utilize existing trees and foliage and proposed landscaping to ensure adequate screening and buffering from nearby properties. It would not interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements. It is expected that the facility would have very little impact on public services since the facility would be served by a private well and septic system, as well as self contained storm water management. It would not interfere with adequate light and air. The scale and height of the buildings, their location and placement on the property, as well as the limitations on the height of light standards in the parking areas would limit this impact.

Further, it would not be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of the Zoning Regulations, nor would it be inconsistent with the impermeable surface and vegetative retention provisions of the Zoning Regulations. Mr. Wolf emphasized that no zoning variances are anticipated or requested and the redlined/bluelined Development Plan meets with the approval of

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County agencies. He also indicated that the proposed development includes storm water management, water retention, preserving the forested area to the rear of the property -- including approximately 13 acres in the R.C.6 Zone that would remain undisturbed -- and provides extensive evergreen landscaping. On cross-examination from Mr. Zimmerman, Mr. Wolf acknowledged that the proposed development includes clearing approximately 16 acres of forest on the 30 acre site, but indicated that the Developer is trying to mitigate the clearing by providing storm water management and a conservancy area. In addition, the property is located at the edge of the forest patch area and the proposed development would encroach on the periphery, while keeping the integrity of the forest patch protected and contiguous.

At the conclusion of Mr. Wolf's testimony, he indicated that the redlined/bluelined Development Plan that was presented to County agency representatives had addressed all of those agencies' comments. He also offered his opinion that granting of the special hearing and special exception Petitions is appropriate pursuant to the site plan accepted into evidence as Developer's Exhibit 9, and based on his professional knowledge and experience, the redlined/bluelined Development Plan accepted into evidence as Developer's Exhibits 4A through 4E fully comply with the development regulations, rules and policies contained in the Baltimore County Zoning Regulations (B.C.Z.R.) and the Baltimore County Code (B.C.C.).

Testifying in support of the proposed development particularly as to potential traffic impacts was Mickey A. Cornelius, Senior Vice President with The Traffic Group. Mr. Cornelius is a registered professional engineer in the State of Maryland and is also certified as a Professional Traffic Operations Engineer. He has over 23 years of experience in transportation planning and the traffic engineering profession, including traffic analysis and forecasting, traffic signal systems evaluation and design, parking and circulation, traffic calming, and traffic

systems management. Mr. Cornelius was offered and accepted as an expert in traffic engineering. A copy of his resume was marked and accepted into evidence as Developer's Exhibit 11.

Mr. Cornelius indicated that he is familiar with the site and visited the property three different times and drove by the property a number of other times. He also gathered traffic data related to the site and the nearby intersections at Old Court Road and Rolling Road from Baltimore County. A copy of the revised Traffic Impact Analysis dated September 23, 2009 was marked and accepted into evidence as Developer's Exhibit 12. This study, combined with Mr. Cornelius's testimony, revealed that the focus of the analysis was the area on Windsor Mill Road between and including the intersections at Old Court Road and Rolling Road. It also includes information obtained from the Baltimore County Basic Service Transportation Map to determine the operating efficiency level of the signalized intersection at Rolling Road. Using this information and traffic counts and trip generation figures, the study identified the impact of the proposed development on the site on future traffic conditions.

The existing conditions at the intersection of Windsor Mill Road and Rolling Road show the intersection operating at a "D" level of service (32%) for the weekly morning peak hour on Rolling Road headed south across Windsor Mill Road, and show a "D" level of service (33%) for the weekly evening peak hour on Windsor Mill Road heading east across Rolling Road. According to Mr. Cornelius, the study collected traffic counts for the period between 9:00 AM and 1:00 PM on Sundays, with a peak hour from 9:00 AM to 10:00 AM to coincide with the conclusion of 8:00 AM services and the start of 10:00 AM services. Presently, the surrounding area intersections are operating at an optimum "A" level of service during the Sunday morning peak period. With the proposed development of the Church, the surrounding area intersections

are projected to maintain a good "B" level of service or better during the Sunday peak hours. Moreover, the key road segment of Windsor Mill Road that is currently operating at a moderate "C" level of service is projected to maintain a "C" level of service or better based upon projected future traffic volumes. Mr. Cornelius also testified that based on projected traffic volumes at the intersection of Rolling Road and Windsor Mill Road, the future Sunday peak hour volumes following build out of the Church would still be lower than those which exist today during the weekday morning and evening peak hour.

Finally, Mr. Cornelius offered his expert opinion as to the special exception criteria set forth in Section 502.1 of the B.C.Z.R., particularly as to whether the development would tend to create congestion in roads, streets or alleys therein. In his opinion, the development of the property for the Church as planned and the resultant traffic can be adequately accommodated by the existing road system with very little impact, and that acceptable levels of service would remain. Part of this is due to the fact that during the peak hours for the main intersection at Windsor Mill Road and Rolling Road, which is weekday mornings and evenings, the Church would have no or very limited operations and, therefore, almost no impact on traffic during those times. Moreover, even during the Church's peak hour, the above intersection and the key area of Windsor Mill Road would operate at a moderate to good level of service. Another reason for this opinion is the planned widening of Windsor Mill Road to 40 feet wide along the frontage of the property, which would allow traveling motorists to bypass vehicles slowing to turn left or right into the Church.

Following the presentation of expert testimony, the Developer called Dr. Kenneth Robinson as a witness. Dr. Robinson has been the Senior Pastor of Restoring Life International Church for the past 18 years. He is essentially the "CEO" of the Church, providing spiritual

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leadership and guidance through preaching, teaching the Bible, and developing ministries. He also leads the business side of the Church, in terms of its financial wellbeing and the adequacy of its facilities. According to Pastor Robinson, the Church's mission is to spread the Gospel and empower families in all aspects of their lives, including their faith, finances, and becoming better people at home and in the community.

The Church was founded in January, 1991 with only a handful (approximately 10 to 12) of members. Services were originally held at the Quality Inn in Catonsville. As the congregation grew, they moved to a building at 9010 Liberty Road and were there for about seven years. In 1999, the Church moved to its present location at 401 Reisterstown Road in Pikesville. Over the years, the Church has grown to approximately 1,100 members. The current facility is a converted catering building in which the interior was renovated to resemble a church facility. The Church is hopeful of continued growth and anticipates expanding to approximately 2,000 members. At present, it is difficult to provide all the religious and missionary services to the congregation -- in short, they have outgrown the current facility. They have owned the subject property for the last 8 years and believe it is an ideal location for a new Church facility, especially given its location close to the Randallstown area that is home to a number of parishioners. Pastor Robinson also emphasized that the Church has been a positive influence on the community and has been a good neighbor wherever it has been in the past, and would continue to do so at the subject location.

According to Pastor Robinson, services would typically occur on Sunday mornings at 8:00 AM and 10:00 AM, with about 900 to 1,100 persons attending the two services combined. There would also be a Monday night prayer service at 7:00 PM with about 70 persons and a Wednesday night Bible Study at 7:00 PM with about 200 to 300 persons in attendance.

In testifying regarding the current development proposal, Pastor Robinson stressed that a number of changes and revisions have been made to the plan in an effort to meet County laws and development policies and regulations and community concerns, while still maintaining a Church facility that would adequately meet the needs of the congregation now and in the future. He indicated that originally, the building was placed further toward the rear of the property and parking was entirely in the R.C.6 Zone, along with over 800 planned parking spaces also in the R.C.6 Zone; however, the plan has evolved so that the building is now closer to the road, parking is now proposed in the D.R. Zone, and parking has been reduced to 556 spaces. Pastor Robinson acknowledged that in any case, the proposed development does involve clearing trees and he is sensitive to the environmental concerns; however, the current plan mitigates those concerns to the greatest extent.

Further, he does not expect an adverse impact on the community. In fact, in his view, permitting churches in the R.C.6 Zone by right and, in this case, by special exception, demonstrates that the development of churches is looked at differently because of the limitations inherent in their use and the positive influence a church has in the community. In addition, Pastor Robinson pointed out that a church of the size proposed here is not unusual for the area, and mentioned several other large churches, including Rock City Church in Towson (3,000 seats), Trinity Assembly of God (2,300 seats) in Lutherville, and New Psalmist Baptist Church (5,000 seats) in Lochearn. On cross-examination from Mr. Zimmerman, Pastor Robinson acknowledged that the Church was aware of the R.C.6 zoning when the property was purchased. He was told that a church could be built on the site, but could not utilize the entire site. He also indicated that the Church did attempt to have the zoning changed during the 2008 CZMP but was unsuccessful.

At the conclusion of the Developer's case, Mr. Zimmerman called as witnesses a number of interested citizens who testified in opposition to the proposed church facility. In summary, their testimony indicated opposition to the project primarily based on concerns over increased traffic, the overall magnitude and size of the proposed church facility, and the precedent that could be set if the church facility were permitted. Opposition testimony also centered on the potential environmental impacts of the proposed development and a desire for strict enforcement of the Zoning Regulations.

In addition, Mr. Zimmerman called several civic leaders in the community, including Ralph W. Wright, Sr. and Cathy Wolfson, both with the Greater Patapsco Community Association ("GPCA"). According to the GPCA Website, the front page of which was marked and accepted into evidence as Protestant's Exhibit 3, the mission of the GPCA includes the preservation of the beauty, tranquility, and rural nature of the community and encouraging orderly and positive growth. As shown on the map of the GPCA area, which is part of a packet of photographs and documents submitted by Ms. Wolfson that was collectively marked and accepted into evidence as Protestant's Exhibit 4, the GPCA includes the Granite area of western Baltimore County and is geographically comprised of the large area south and west of Windsor Mill Road to the Patapsco River and the Howard County line.

Mr. Wright testified individually and in his capacity as President of the GPCA. He referenced two letters he wrote to the undersigned dated May 21, 2009 and November 6, 2009, which were marked and accepted into evidence as Protestant's Exhibits 1 and 2, respectively. These letters and his testimony indicated that he has lived in the community since 2001. He is concerned with overdevelopment and the increases in traffic development would have on the rural character of the community. The R.C.6 Zone, which includes most of the subject site, was

codified in 2000 to protect natural resources, preserve the ecosystem, and maintain the traditional character of rural communities by limiting the scale and intensity of development. In this case, the GPCA is not against churches per se, but believes a large church facility would be contrary to the goals of the R.C.6 Zone, especially where the Church seeks to double the percentage of impervious surface area permitted by right. Mr. Wright also expressed his concern that if this Development Plan and zoning requests are approved, this would be the first domino to fall and would result in a further deterioration of the rural character of the area, and other large churches would likely follow in the footsteps of Restoring Life International Church.

Ms. Wolfson also testified in opposition to the proposed church development. She is a member of the GPCA and is on the Association's Zoning Committee. She submitted the aforementioned packet that was accepted into evidence as Protestant's Exhibit 4. Ms. Wolfson's testimony echoed Mr. Wright's and also pointed out that the uniqueness of the R.C.6 Zone is the primary conservancy element, and the intent of the County Council in creating the R.C.6 Zone to protect forests, streams and wetlands and ecosystems, and to prevent forest fragmentation. In her view, singling out the subject property for development and what she believes is preferential treatment is unfair and contrary to the R.C.6 Regulations.

She also emphasized the importance of forest conservation and the vulnerability of the existing forests and forest patch areas. By definition, a forest patch area is an area of land comprised of at least 200 contiguous acres of forest overlaying a stream system, and a primary conservancy area is an area comprised of natural resources protected from disturbance by development. In the instant matter, the Developer proposes to clear 16 acres of priority forest that is part of the forest patch area. Although the Developer has indicated that the clearing will involve only a small tip of the priority forest, Ms. Wolfson stressed that taking out this first area

of forest will only lead to other areas of the forest patch being taken out bit by bit until the forest is eroded and deteriorated, thereby affecting nearby wildlife, natural resources, and ecosystems.

Finally, David Lykens again appeared on behalf of DEPRM at the last hearing date on December 14, 2009. Mr. Lykens indicated that at the time of the prior hearings, in particular on May 28, 2009 and November 17, 2009, DEPRM had not yet had the opportunity to fully evaluate the Developer's submittals. In particular, the Environmental Impact Review Section had completed its review and had no outstanding issues and recommended approval, and the Ground Water Management Section had also completed its review with no outstanding issues and a recommendation of approval; however, the Storm Water Management Section had not yet completed its review as of the hearing date on November 19, 2009 and the record was kept open in light of the continuation of the hearings. Mr. Lykens then reported on December 14, 2009 that the Storm Water Management Section has completed its evaluation with no outstanding issues and recommends approval of the redlined/bluelined Development Plan. He also indicated that DEPRM has no objection to the special exception request to exceed the 10% threshold for impervious surface area.

In deciding this development proposal, I am compelled to do so within the statutory authority set forth in Sections 32-4-227, 32-4-228, and 32-4-229 of the B.C.C. In particular, Section 32-4-227(e)(1) states that "[t]he Hearing Officer shall consider any comments and conditions submitted by a county agency under § 32-4-226 of this subtitle and make the comments and conditions part of the permanent Development Plan file. Section 32-4-228 states that "[t]he Hearing Officer shall take testimony and receive evidence regarding any unresolved comment or condition that is relevant to the proposed Development Plan, including testimony or evidence regarding any potential impact of any approved development upon the proposed plan."

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Section 32-4-229(b)(1) also provides that "[t]he Hearing Officer shall grant approval of a Development Plan that complies with these development regulations and applicable policies, rules and regulations...provided that the final approval of a plan shall be subject to all appropriate standards, rules, regulations, conditions, and safeguards set forth therein." Finally, Section 32-4-229(d)(2) states that "[i]n approving a Development Plan, the Hearing Officer may impose any conditions if a condition: (i) protects the surrounding and neighboring properties; (ii) is based upon a comment that was raised or a condition that was proposed or requested by a participant; (iii) is necessary to alleviate an adverse impact on the health, safety, or welfare of the community that would be present without the condition; and (iv) does not reduce by more than 20%: 1. The number of dwelling units proposed by a residential Development Plan in a D.R.5.5, D.R.10.5, or D.R.16 Zone; or 2. The square footage proposed by a non-residential Development Plan." Pursuant to Section 32-4-229(d)(3), "[t]he Hearing Officer shall base the decision to impose a condition on factual findings that are supported by evidence."

In the instant matter, there is very little dispute as to the relevant facts of the case. The property is primarily zoned R.C.6 and this Zone carries with it certain restrictions on development. One of the enumerated exceptions to the general prohibitions on development is the allowance of churches or other buildings for religious worship. Churches are permitted by right if proposed with 10% or less impervious surface area and are permitted by special exception if in excess of 10%. There is no dispute here that the proposed Church facility would approach 20% impervious surface area. There is also no dispute that the subject property lies in a 100% primary conservancy area and is located in a priority one forest and delineated forest patch area. Boiled down simply, a primary issue in this case is whether the Developer's plan to have almost 20% impervious surface area is too excessive, such that the special exception

request should not be granted, and the related, more general issue is whether the environmental impacts of the proposed church facility, and in particular the impact of clearing 16 acres of priority one forest located within a forest patch area, is also too excessive, such that the redlined/bluelined Development Plan should not be approved.

In considering the special exception, I am governed by the criteria set forth in Section 502.1 of the B.C.Z.R. and the relevant case law. It is also important to understand the concept of the term "special exception." Recently, the Maryland Court of Appeals discussed the evolution of special exceptions in zoning law in *People's Counsel for Baltimore County v. Loyola College in Maryland*, 406 Md. 54 (2008). In that case, the Court went all the way back to the seminal U.S. Supreme Court case of *Village of Euclid, Ohio v. Amber Realty Co.*, 272 U.S. 365, 47 S.Ct. 114 (1926), which upheld the Village of Euclid's comprehensive zoning ordinance against a challenge brought by a local landowner. The type of zoning regulations enacted by Euclid represented a 'fairly static and rigid' form of zoning that came to be known as "Euclidian zoning."

However, the "special exception" introduced some flexibility into the 'fairly static and rigid' Euclidian zoning scheme. As set forth by Judge Harrell in *People's Counsel v. Loyola*, *supra*:

The special exception adds flexibility to a comprehensive legislative zoning scheme by serving as a "middle ground" between permitted uses and prohibited uses in a particular zone. Permitted and prohibited uses serve as binary, polar opposites in a zoning scheme. A permitted use in a given zone is permitted as of right within the zone, without regard to any potential or actual adverse effect that the use will have on neighboring properties. A special exception, by contrast, is merely deemed *prima facie* compatible in a given zone. The special exception requires a case-by-case evaluation by an administrative zoning body or officer according to legislatively-defined standards. That case-by-case evaluation is what enables special exception uses to achieve some flexibility in an otherwise semi-rigid comprehensive legislative zoning scheme.

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Id. at 72-73.

Loyola also quoted the holding in the often cited *Schultz v. Pritts*, 291 Md. 1 (1981) that “the appropriate standard to be used in determining whether a requested special exception use would have an adverse effect and, therefore, should be denied is whether there are facts and circumstances that show that the particular use proposed at the particular location proposed would have any adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone.” *Id.* at 102.

In this case, I have considered the testimony and evidence presented by the parties, including the expert testimony presented by the Developer’s building architect, landscape architect, and traffic engineer, and the County witnesses including Mr. Murray with the Office of Planning and Mr. Shaffer with DEPRM, as well as the cross-examination of those experts by Mr. Zimmerman and the testimony put forth by the Protestants. I have also reviewed the R.C.6 Regulations and in particular County Council Bill No. 73-00, which created the R.C.6 Zone and established the uses permitted therein.

It is noteworthy that when Bill No. 73-00 was originally filed, “churches and other buildings of religious worship” were permitted only by special exception. The Council then amended the Bill so that churches and other buildings of religious worship were permitted by right if no more than 10% impervious surface area, and by special exception if the 10% impervious area were exceeded. Clearly, the plain wording of the statute, along with its legislative history, indicates that the Council understood the inherent impacts that a church would have and favored such a use in the R.C.6 Zone irrespective of the impacts, but required that a church with more than 10% impervious surface area be looked at more closely and on a case-by-case basis as a special exception. Obviously, there is no doubt that the proposed 2,185

seat church with 556 parking spaces, and the associated 19.6% of impervious surface area, would have an impact on the area. The question is whether the church facility at this location would have any adverse effects above and beyond those inherently associated with a church facility regardless of its location within the zone. In my judgment, the church's potential adverse impacts at the subject location are not beyond those inherently associated with a church use anywhere else in the zone. One could argue that the clearing of 16 acres of forest presents an adverse effect "above and beyond;" however, as with virtually any development, clearing would be necessary in any wooded area where development is proposed. In my view, the Council considered this in enacting the R.C.6 legislation. They allowed up to 10% impervious area by right, which would necessarily require forest clearing under the same circumstances, though not the degree contemplated here. They also decided to require a special exception for a church with more than 10% impervious surface area, forcing closer scrutiny on such a proposal. It is also interesting to note that the Council did not establish a rigid "cap" on the percentage of impervious surface area that could be permitted, even by special exception. Rather, it sought to permit the Zoning Commissioner to review each case on its own merits.

In the instant matter, the Developer has presented testimony from a number of recognized experts that the proposed Church facility meets the criteria set forth in Section 502.1 of the B.C.Z.R. Obviously, as pointed out by Mr. Zimmerman, these experts were retained and called as witnesses by the Developer, but nonetheless, their uncontroverted testimony is persuasive. Even more importantly, I was impressed by the testimony of the County agency representatives, all of whom indicated that the development proposal, even with 19.6% impervious surfaces, meets County development regulations and applicable policies, rules and regulations, including the testimony of Curtis Murray with Office of Planning and Glenn Shaffer with Environmental

Impact Review Section of DEPRM. These agencies -- Planning and DEPRM -- had primary involvement in reviewing, evaluating, and scrutinizing the development proposal and assessing the project's impact. Both agencies expressed support for the requested special exception. In my judgment, the Developer has met its burden and is entitled to the requested special exception.

Moving now to the Development Plan itself, on a broader scale, the issue is whether this redlined/bluelined Development Plan should be approved, or if so approved, whether conditions should be imposed. The crux of the matter involves issues of traffic and environmental impacts. The Protestants presented testimony and evidence that the areas of Windsor Mill Road, particularly at the intersections with Old Court Road and Rolling Road, would be significantly impacted with the addition of a large Church facility. They believe that traffic is already a concern in this area, and that a church would only make matters worse. The Protestants also point to the rural character of the area, which would be negatively impacted by increased traffic from the proposed Church.

Testifying in support of the proposed development was Mickey A. Cornelius with The Traffic Group. Mr. Cornelius performed a detailed analysis of the potential traffic impact of the Church facility. In short, due to the differences in peak hour uses of the road and intersections and the rather limited use of the Church facility in general, Mr. Cornelius determined that the proposed development would have a very limited impact on overall traffic in the area. I am persuaded by his testimony and the Traffic Impact Analysis on this issue.

The more thorny issue from the Protestants' and People's Counsel's perspective is the issue of environmental impact, and specifically the proposed development's intrusion into the forest patch area and the removal of areas of priority one forest. The Protestants and People's Counsel raise legitimate concerns over just what constitutes too much clearing. Is 10 acres to

much ... 15 acres ... 20 acres? Obviously, making this determination is not an exact science. Under the current development process, County agencies look at what the permitted use is and then review the Developer's submittals to determine if the permitted use would fit within the constraints of the site. More specifically, DEPRM looks at what the environmental impacts would be for the permitted use -- in this case a Church facility -- and determines if those impacts are acceptable. This is an oversimplification, but is essentially what they do. DEPRM also looks at whether there are alternatives or whether these impacts can be minimized or mitigated. In the instant matter, DEPRM did compel the Developer to re-evaluate and revamp its entire plan in order to lessen the environmental impact of the development to an acceptable level. Indeed, as indicated previously, the Developer went through a number of "Conceptual Layouts" before it was able to finally satisfy DEPRM.

The Developer has presented a redlined/bluelined Development Plan that meets all development regulations and applicable policies, rules and regulations, and has been recommended for approved by all County agencies. The Developer has also presented expert testimony as to the particulars of the proposed development, including the building design and site development. This testimony is weighed against the testimony and evidence presented by the Protestants and People's Counsel recommending against approval. The question is, does the testimony and evidence presented by the Protestants and People's Counsel rise to such a level that the Development Plan should not be approved or that conditions should be imposed as part of approval?

In my judgment, the redlined/bluelined Development Plan should be approved without conditions. Although I was impressed by the testimony of the Protestants, particularly Mr. Wright and Ms. Wolfson with the Greater Patapsco Community Association and their discussion

of the potential environmental impacts of the proposed development, I was equally impressed with the Developer's witnesses and specifically the expert testimony that refuted the breadth of the environmental and other impacts associated with this project. I am also compelled by statute to consider the comments and approvals of the County agencies, all of whom have recommended approval. After considering all the testimony and evidence produced by the parties, the redlined/bluelined Development Plan shall be approved.

Lastly, it should be noted that my decisions with regard to the Petitions for Special Hearing and Special Exception and the Hearing Officer's Hearing considering the Development Plan proposal are treated differently for appeal purposes. The decisions as to the Petitions are made by me sitting as Deputy Zoning Commissioner. An appeal from those decisions is a *de novo* appeal to the Board of Appeals of Baltimore County. The decision as to approval of the redlined/bluelined Development Plan is made by me sitting as Hearing Officer for Baltimore County. An appeal from that decision is on the record to the Board of Appeals pursuant to Section 32-4-281 of the B.C.C.

In conclusion, pursuant to the advertisement, posting of the property, and public hearing held thereon, the requirements of which are contained in Article 32, Title 4, of the Baltimore County Code, and after considering the testimony and evidence offered at the hearings, the request for special hearing relief and special exception relief shall be granted. In addition, the redlined/bluelined Development Plan shall be approved.

THEREFORE, IT IS ORDERED by this Deputy Zoning Commissioner/Hearing Officer for Baltimore County, this 29th day of December, 2009, that the request for Special Hearing pursuant to Section 1A07.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to confirm that a church and other buildings for religious worship are permitted by right within the

primary conservancy area and to confirm that no secondary conservancy area is required, be and is hereby **GRANTED**, and

IT IS FURTHER ORDERED that the request for Special Exception pursuant to Section 1A07.3.B.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a church (buildings, structures and parking) in the R.C.6 Zone with more than 10% of the lot covered by impervious surfaces be and is hereby **GRANTED** in accordance with the redlined/bluelined Development Plan accepted into evidence as Developer's Exhibits 4A through 4E and the revised site plan accepted into evidence as Developer's Exhibit 9; and

IT IS FURTHER ORDERED that the Special Exception use shall be valid for a period not to exceed five years from the date of the final Order granting same, pursuant to Section 502.3 of the B.C.Z.R.; and

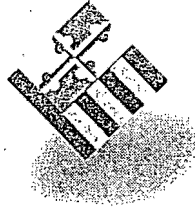
IT IS FURTHER ORDERED that the redlined/bluelined Development Plan accepted into evidence as Developer's Exhibits 4A through 4E for the property known as the "Restoring Life International Church," be and is hereby **APPROVED**, consistent with the foregoing Opinion.

Any appeal of this decision must be taken within thirty (30) days from the date of this Order. If an appeal of this decision is not taken within the time prescribed, then this decision shall constitute a final Order as to the Zoning relief requested, and a final Development Plan Order as to the Hearing Officer's Hearing, and shall be subject to the appeal provisions contained in Section 32-4-281 of the Baltimore County Code.



THOMAS H. BOSTWICK
Deputy Zoning Commissioner/Hearing Officer
for Baltimore County

THB:pz



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

December 29, 2009

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

ARNOLD JABLON, ESQUIRE
DAVID KARCESKI, ESQUIRE
VENABLE, LLP
210 WEST PENNSYLVANIA AVENUE
SUITE 500
TOWSON, MD 21204

RE: Development Plan Hearing
(Restoring Life International Church)
HOH Case No. II-745 and Zoning Case No. 2009-0234-SPHX

Dear Messrs. Jablon and Karceski:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The development plan has been approved, 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 410-887-3391.

Sincerely,

A handwritten signature in dark ink, appearing to read "Th. H. Bostwick", written over a horizontal line.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

Enclosure

- c: Dr. Kenneth Robinson, Senior Pastor, Restoring Life International Church, 401 Reisterstown Road, Pikesville MD 21208
Lamont Jackson, Project Coordinator, Restoring Life Church, 401 Reisterstown Road, Pikesville MD 21208
Leland A Gray, LPDJ Architects, LLC, 2830 South Beverly, Salt Lake City UT 84106
Thomas E. Wolf, Morris & Ritchie Associates, Inc., 1220 East Joppa Road, Towson MD 21286
Mickey A. Cornelius, The Traffic Group, 9900 Franklin Square Drive, Suite H, Baltimore MD 21236
John Canoles, Eco-Science Professionals, Inc., PO Box 5006, Glen Arm MD 21057
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3218 WESTWOOD AVE
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TOWSON MD 21204

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RANDALLSTOWN MD 21135

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WINDSOR MILL MD 21244

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3313 PEDDICOAT CT
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N SCOTT PHILLIPS
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RANDALLSTOWN MD 21133

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REISTERSTOWN MD 21136

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BALTIMORE MD 21207

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OWINGS MILLS MD 21117

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DEBRA and WILLIAM CHAPLIN
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HUNT VALLEY MD 21030

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MARLON BRADSHAW
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EDGEWOOD MD 21040

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OWINGS MILLS MD 21117

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RANDALLSTOWN MD 21133

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JOPPA MD 21085

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DERRICK BULLOCK
3909 SETONHURST RD
PIKESVILLE MD 21208

KEITH COTTER
2219 RIDGE RD
WINDSOR MILL MD 21244

ARTHUR JACKSON
9420 DOGWOOD RD
WINDSOR MILL MD 21224

EMILY WOLFSON
8506 CHURCH LANE
RANDALLSTOWN MD 21133

CATHY WOLFSON
8434 DOGWOOD RD
BALTIMORE MD 21244

ANNE M. LIBIS
8708 WINDSOR MILL RD
WINDSOR MILL MD 21244

CURTIS COLLINS SR
9221 OLD COURT RD
WINDSOR MILL MD 21224

BRUCE MEZGER
8619 WINDSOR MILL RD
WINDSOR MILL MD 21244

WILLIAM OBRIECHT
2415 POPLAR DR
BALTIMORE MD 21207

DANA L ESPEY
7615 WINDSOR MILL RD
WINDSOR MILL MD 21244

WILLIAM MASEMORE
3108 RICES LANE
BALTIMORE MD 21244

WILLIAM AND JOAN HEIT
2604 AMANDA CT
WOODSTOCK MD 21163

JOSEPH TATAREWICZ
10218 DAVIS AVE
WOODSTOCK MD 21163

ANNE M. LIBIS
GLEN MEADOWS RETIREMENT
COMMUNITY
11630 GLEN ARM RD
GLEN ARM MD 21057

CASSANDRA WASHINGTON
1047 COOKS LANE
BALTIMORE MD 21229

PRECIOUS HALE
12 WALDEN MAPLE CT
GWYN OAK MD 21207

TERESA MOORE, EXEC DIRECTOR
VALLEYS PLANNING COUNCIL INC
118 WEST PENNSYLVANIA AVE
TOWSON MD 21285

EARL R CRUZ SR AND
EARL CRUZ JR
7002 ALDEN RD
PIKESVILLE MD 21208

MONTE AND JOAN TORRY
396 WHITE FENCE DR
WESTMINSTER MD 21157

ANITA HINES
9017 1ST STREET
LANHAM MD 20706

PRISCILLA BERRYMAN
16 BREEZY TREE COUT APT I
TIMONIUM MD 21093

CARL AND DONNA ROSS
1805 QUEEN ANN SQUARE
BEL AIR MD 21015

YOLANDE HINTON
3713 FORDS LANE APT C
BALTIMORE MD 21215

GEORGE DAVIS
5 MILL CREEK CT
OWINGS MILLS MD 21117

ANDRE HINTON
3712 FORDS LANE
BALTIMORE MD 21215

ANTHONY JEFFERSON
3712 FORDS LANE
BALTIMORE MD 21215

NELSON GAMBOA
1055 TAYLOR AVENUE #210
TOWSON MD 21256

JERRY MCPHERSON
4220 SPRING AVE
BALTIMORE MD 21227

COREEN CAMPBELL
8819 WINANDS RD
RANDALLSTOWN MD 21133

RIELAND GEEKLER & TODD HENRY
8821 WINANDS RD
RANDALLSTOWN MD 21133

KATHLEEN AND KEITH NICHOLAS
8823 WINANDS RD
RANDALLSTOWN MD 21138



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at SW/S Windsor Mill Road; W. of Rolling Road
which is presently zoned RC 6/DR 3.5

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

(This box to be completed by planner)

SEE ATTACHED SHEET 1

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

David H. Karceski

Name - Type or Print

Signature

Venable LLP

Company

210 Allegheny Avenue (410)494-6285

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

SEE ATTACHED SHEET 2

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

David H. Karceski

Name

210 Allegheny Avenue (410)494-6285

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Case No.

2009-0234-SPHX

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By

A. Tani

Date

4/29/09

12-29-09

**PETITION FOR SPECIAL HEARING
ATTACHED SHEET 1**

Special Hearing, pursuant to Section 1A07.7 of the Baltimore County Zoning Regulations, to confirm that a church and other buildings for religious worship are permitted by right within the primary conservancy area and to confirm that no secondary conservancy area is required.

**PETITION FOR SPECIAL HEARING
ATTACHED SHEET 2**

Owner:

Restoring Life International Church

By: Kenneth O. Robinson
Kenneth O. Robinson, Pastor

Address: 401 Reisterstown Road
Baltimore, MD 21208

Phone: (410) 415-6400



Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property located at SW/S Windsor Mill Road; W. of Rolling Road

which is presently zoned RC 6/DR 3.5

Deed Reference: 16583 / 535 Tax Account # SEE ATTACHED SHEET 3

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

SEE ATTACHED SHEET 1

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.

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

Contract Purchaser/Lessee:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

David H. Karceski
Name - Type or Print _____

Signature _____

Venable LLP
Company _____

210 Allegheny Avenue 410-494-6285
Address _____ Telephone No. _____

Towson, MD 21204
City _____ State _____ Zip Code _____

Case No. 2009-0234-SPHX

REV 07/27/2007

RECEIVED FOR FILE

12.29.09

Legal Owner(s):

SEE ATTACHED SHEET 2

Name - Type or Print _____

Signature _____

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Representative to be Contacted:

David H. Karceski
Name _____

210 Allegheny Avenue 410-494-6285
Address _____ Telephone No. _____

Towson, MD 21204
City _____ State _____ Zip Code _____

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By A-Tsu Date 03/09/09

04/29/09
Amended - A-Tsu

**PETITION FOR SPECIAL EXCEPTION
ATTACHED SHEET 1**

Special Exception, pursuant to Section 1A07.3.B.5 of the Baltimore County Zoning Regulations, to allow a church (buildings, structures, and parking) in the RC 6 zone with more than 10% of the lot covered by impervious surfaces.

**PETITION FOR SPECIAL EXCEPTION
ATTACHED SHEET 2**

Owner:

Restoring Life International Church

By: Kenneth O. Robinson
Kenneth O. Robinson, Pastor

Address: 401 Reisterstown Road
Baltimore, MD 21208

Phone: (410) 415-6400

**PETITION FOR SPECIAL EXCEPTION
ATTACHED SHEET 3**

Tax Account Nos. 2200017049, 2200017050, 2200017051, 2200017052, 2200017053,
2200017054, 2200017055, 2200017056, 2200017057, 2200017058, 2200017059 and
2300001832

MORRIS & RITCHIE ASSOCIATES, INC.



ARCHITECTS, ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS

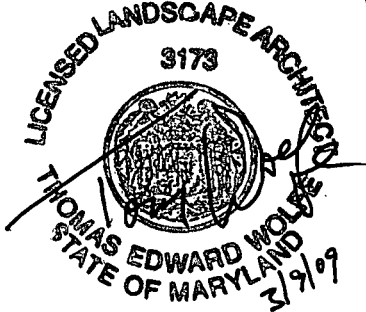
March 9, 2009

ZONING DESCRIPTION

BEGINNING at a point on the southwesterly right of way line of Windsor Mill Road, a variable width right of way; 219.38 feet from the center of said road, approximately 1,065 feet northwest from the center of Rolling Road, running thence the following courses and distances; viz:

South 10° 27' 28" West 324.13 feet; South 70° 56' 39" West 1691.25 feet; North 40° 10' 36" W 229.09 feet; North 41° 50' 01" East 758.29 feet; North 24° 44' 03" East 644.09 feet; South 66° 12' 29" East 250.05 feet; South 24° 13' 43" West 2.12 feet; South 65° 44' 07" East 100.08 feet; North 24° 13' 43" East 2.94 feet; South 66° 12' 29" East 769.64; South 65° 58' 03" East 5.77 feet; to the point of beginning and laying on the southwesterly side of Windsor Mill Road.

Containing an area of 1,134,738 square feet or 26.05 acres of land, more or less, and being located in the Second Election District, Fourth Councilmanic District, of Baltimore County, Maryland.



Tom Wolfe, RLA
Senior Landscape Architect

2009-0234-SPHX

1220-C East Joppa Road, Suite 505, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD
(410) 515-9000

Laurel, MD
(410) 792-9792

Towson, MD
(410) 821-1690

Georgetown, DE
(302) 855-5734

Wilmington, DE
(302) 326-2200

York, PA
(717) 751-6073

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

No. 39901
Date: 04/29/09

PAID RECEIPT

BUSINESS ACTUAL TIME BUD
4/29/2009 4/29/2009 11:20:30 2
GROSS BALANCE 1000.00
RECEIPT # 487339 4/29/2009 (CLIP)
Dpt 5 200 ZONING VERIFICATION
NO. 039901

Receipt Tot \$525.00
\$525.00 OK \$4.00 CR
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				325 --
								200 --

Total: \$ 525 --

Rec From:

VENABLE LLP

For:

2.009-0234 SPH X

ADD SPH & AMEND PLAN

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

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

No. **50202**

Date: Jun 25, 2010

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 /04/2010 2/04/2010 09:51:40 2

REG #505 WALKIN DDOL IND
 RECEIPT # 521808 2/04/2010 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount	Dept
001	806	0000		6150				400.00	

5 528 ZONING VERIFICATION
 050202

Recpt Tot \$400.00
 \$400.00 CK \$0.00 CA
 Baltimore County, Maryland

Total: 400.00

Rec From: Cathy Wolfson

For: Appeal 2009-0234-SPHX

Greater Patapsco Community
P.O. Box 31
Woodstock, MD 21163-0031

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:

Case: #2009-0234-X

SW/s of Windsor, W of Rolling Road

2nd Election District— 4th Councilmanic District

Legal Owner(s): Restoring Life International Church, Kenneth Robinson, Pastor

Special Exception: to allow a church (buildings, structures and parking) in the RC-6 zone with more than 10% of the lot covered by impervious surfaces. **Special Hearing:** to confirm that a church and other buildings for religious worship are permitted by right within the primary conservancy area and to confirm that no secondary conservancy area is required.

Hearing: Thursday, May 28, 2009 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

JT 5/21 May 12

200956

CERTIFICATE OF PUBLICATION

5/14/, 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 5/12/, 2009.

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



LEGAL ADVERTISING

CERTIFICATE OF POSTING

Baltimore County Dept. of Permits &
Development Management
111 W. Chesapeake Avenue, Rm. 111
Towson, MD 21204

Date: MAY 8, 2009

Attention Walt Smith

RE: Case Number 2009-0234-X

Petitioner/Developer: RESTORING LIFE INTERNATIONAL CHURCH

Date of Hearing/Closing: MAY 28, 2009

This is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at WINDSOR MILL ROAD
SW/5 WINDSOR MILL ROAD, W. OF ROLLING ROAD

The sign(s) were posted on APRIL 29, 2009

(Month, Day, Year)

Tom Wake

(Signature of Sign Poster)

Thomas Wake

(Printed Name of Sign Poster)

8115 LAKEWOOD AVE

(Street Address of Sign Poster)

BALTIMORE, MD 21204

(City, State, Zip Code of Sign Poster)

443-631-7654

(Telephone Number of Sign Poster)

ATTACH PHOTOGRAPH OF
SIGN POSTED ON PROPERTY
HERE

ZONING NOTICE

CASE NO. 2009-0234-X

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

PLACE: County Office Building
111 West Chesapeake Avenue, Room 108
Towson, MD 21204

DATE AND TIME: Thursday, May 28, 2009 at 9:00 am

REQUEST: SPECIAL HEARING to confirm a church and other
buildings for religious worship are permitted by right
within the Primary Conservancy Area and to confirm
no Secondary Conservancy Area is required
and

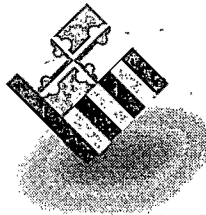
SPECIAL EXCEPTION to allow a church (buildings,
structures and parking) in the RC 8 zone with more
than 10% lot cover.

POSTPONEMENTS DUE TO WEATHER OR
OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM HEARING CALL
410-887-3391

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

HANDICAPPED ACCESSIBLE





BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

April 7, 2009
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: 2009-0234-X

SW/s of Windsor, W of Rolling Road

2nd Election District – 4th Councilmanic District

Legal Owners: Restoring Life International Church, Kenneth Robinson, Pastor

Special Exception to allow a church (buildings, structures and parking) in the RC-6 zone with more than 10% of the lot covered by impervious surfaces.

Hearing: Thursday, May 28, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Timothy M. Kotroco".

Timothy Kotroco
Director

TK:klm

C: David Karceski, 210 Allegheny Avenue, Towson 21204
Kenneth Robinson, Restoring Life Church, 401 Reisterstown 21208

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 13, 2009.**
- (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, May 12, 2009 Issue - Jeffersonian

Please forward billing to:
Kedrick Whitmore
Venable, LLP
210 Allegheny Avenue
Towson, MD 21204

410-494-6200

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: 2009-0234-X

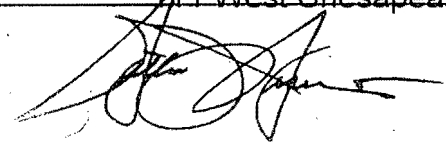
SW/s of Windsor, W of Rolling Road

2nd Election District – 4th Councilmanic District

Legal Owners: Restoring Life International Church, Kenneth Robinson, Pastor

Special Exception to allow a church (buildings, structures and parking) in the RC-6 zone with more than 10% of the lot covered by impervious surfaces.

Hearing: Thursday, May 28, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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:

2009-0234-SPHX

Petitioner:

Restoring Life International Church

Address or Location:

SW/S Windsor Mill Rd; W. Rolling Rd.

PLEASE FORWARD ADVERTISING BILL TO:

Name:

Kedrick Whitmore

Address:

Venable LLP

210 Arleghem Avenue

Powder Mill MD ~~21204~~ 21204

Telephone Number:

(410) 494 6200

TO: PATUXENT PUBLISHING COMPANY
Tuesday, May 12, 2009 Issue - Jeffersonian

Please forward billing to:
Kedrick Whitmore
Venable, LLP
210 Allegheny Avenue
Towson, MD 21204

410-494-6200

CORRECTED NOTICE OF ZONING HEARING

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

CASE NUMBER: 2009-0234-X

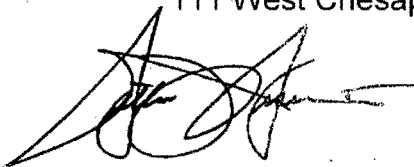
SW/s of Windsor, W of Rolling Road

2nd Election District – 4th Councilmanic District

Legal Owners: Restoring Life International Church, Kenneth Robinson, Pastor

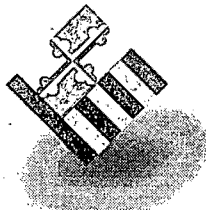
Special Exception to allow a church (buildings, structures and parking) in the RC-6 zone with more than 10% of the lot covered by impervious surfaces. Special Hearing to confirm that a church and other buildings for religious worship are permitted by right within the primary conservancy area and to confirm that no secondary conservancy area is required.

Hearing: Thursday, May 28, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

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

CORRECTED NOTICE OF ZONING HEARING

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

CASE NUMBER: 2009-0234-X

SW/s of Windsor, W of Rolling Road

2nd Election District – 4th Councilmanic District

Legal Owners: Restoring Life International Church, Kenneth Robinson, Pastor

Special Exception to allow a church (buildings, structures and parking) in the RC-6 zone with more than 10% of the lot covered by impervious surfaces. Special Hearing to confirm that a church and other buildings for religious worship are permitted by right within the primary conservancy area and to confirm that no secondary conservancy area is required.

Hearing: Thursday, May 28, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: David Karceski, 210 Allegheny Avenue, Towson 21204
Kenneth Robinson, Restoring Life Church, 401 Reisterstown 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MAY 13, 2009.**
- (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.



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

April 5, 2010

Peter Max Zimmerman
People's Counsel for
Baltimore County
Suite 204, Jefferson Building
105 W. Chesapeake Avenue
Towson, MD 21204

Arnold Jablon, Esquire
David Karceski, Esquire
VENABLE, LLP
210 W. Pennsylvania Avenue, S. 500
Towson, MD 21204

RE: *In the Matter of: Restoring Life International Church*
Case No. 09-234-SPHX / SW/s of Windsor, W of Rolling Road

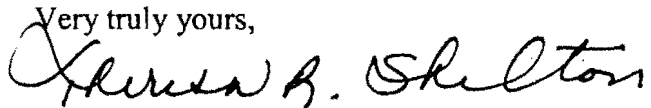
Dear Counsel:

This office is requesting that Counsel agree on a date and time for a hearing on the above captioned matter in light of the lengthy notification list, in order to avoid multiple mailings, due to postponements, etc.

If you have no objection, the following dates and time are open on the Board's docket. Please contact this office upon clarification of availability, and the above referenced matter will be assigned in accordance with the agreement of Counsel

Wednesday, June 30, 2010 at 10:00 a.m.;
Thursday, July 1, 2010 at 10:00 a.m.;
Thursday, July 22, 2010 at 10:00 a.m.; and
Tuesday, July 27, 2010 @ 10:00 a.m.

Thanking you in advance for your time and cooperation in this matter. Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Theresa R. Shelton
Administrator

Duplicate Original

c: Restoring Life International Church
Kenneth and June Robinson
Cathy Wolfson, President
GPCA



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

April 5, 2010

4/22
4m
Darius

494-6200

Peter Max Zimmerman
People's Counsel for
Baltimore County
Suite 204, Jefferson Building
105 W. Chesapeake Avenue
Towson, MD 21204

Arnold Jablon, Esquire
David Karceski, Esquire
VENABLE, LLP
210 W. Pennsylvania Avenue, S. 500
Towson, MD 21204

RE: In the Matter of: Restoring Life International Church
Case No. 09-234-SPHX / SW/s of Windsor, W of Rolling Road

Dear Counsel:

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If you have no objection, the following dates and time are open on the Board's docket. Please contact this office upon clarification of availability, and the above referenced matter will be assigned in accordance with the agreement of Counsel

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Very truly yours,

Theresa R. Shelton

Theresa R. Shelton
Administrator

Duplicate Original

c: Restoring Life International Church
Kenneth and June Robinson
Cathy Wolfson, President
GPCA

10-5
10-6
10-7
10-12
10-13
10-14
4 days



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

April 26, 2010

NOTICE OF ASSIGNMENT

CASE 09-234-SPHX IN THE MATTER OF: RESTORING LIFE INTERNATIONAL CHURCH
SW SIDE OF WINDSOR ROAD, W OF ROLLING ROAD
2ND E; 4TH C

Re: Petition for Special Hearing to confirm that a church and other buildings for religious worship are permitted by right within the primary conservancy and to confirm that no secondary conservancy is required.
Petition for Special Exception to allow a church (buildings, structures and parking) in the RC6 zone with more than 10% of the lot covered by impervious surfaces.

12/29/09 Findings of fact and conclusion of law issued by Deputy Zoning Commissioner GRANTING the requested relief.

This matter has been assigned by agreement of Counsel for the following dates:

ASSIGNED FOR: WEDNESDAY, OCTOBER 6, 2010 AT 10:00 A.M./DAY #1
THURSDAY, OCTOBER 7, 2010 AT 10:00 A.M./DAY #2
TUESDAY, OCTOBER 12, 2010 AT 10:00 A.M./DAY #3
WEDNESDAY, OCTOBER 13, 2010 AT 10:00 A.M./DAY #4
THURSDAY, OCTOBER 14, 2010 AT 10:00 A.M./DAY #5
(IF NEEDED)

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

CASE 09-234-SPHX IN THE MATTER OF: RESTORING LIFE INTERNATIONAL CHURCH
SW SIDE OF WINDSOR ROAD, W OF ROLLING ROAD
2ND E; 4TH C

12/29/09 Findings of fact and conclusion of law issued by Deputy Zoning Commissioner GRANTING the requested relief.

Lamont Jackson Thomas Wolf/Morris & Ritchie Mickey Cornelius/Traffic Group
John Canoles/Eco-Science Professionals, Inc.

Dona Espey	Margaret Greninger	Kathleen Plocinik	Lenora Hoffman
Gary and Fran Hensen	Desra Dickerson	Betty and Charles Farley	Deborah Stafford
Jeffrey Bruswell and Abigail Carter	William Saunders	Marjorie Hartman	Denise Maranto
Robert Fernholz	Donald and June Veit	Wayne Eckert	Barry Robinson
Dawn Dressler	Charles Dressler	Gloe Gnagey	Tammi Vito-Bell
Kenneth Bell	Mavis Taylor	Katharine Hickok	Julia Vito
Bob Clark	Kevin Brittingham	Holly Vito	Rona and Irwin Desser
Robert Johnson	Mary Sue and Rudolph Hertsch	Dennis Hobcul	Helen Ehrhardt
Hilda and Leroy Ely	Kari Weidner and Bruce Mezger	Sang Kol Choi and Julie Choi	
Ernest Habtig	Carol Vito	Edward Hill	Darlene and Wayne Carter
Denise Litzau	R. W. and Brenda Wright	Bernice and John Blakeney and Silas Cooper	
Ellington Churchill	Sharon Ballcom	Ernest and Dorothy Farmer	
James and Ruth Holmes	Robert Geppi		
Lee Franis	Lisa and Ken Feidler		
David Ball	Louis and Lin Weiner	Pam Runk	

WILLIAM J. WISEMAN, III
TIMOTHY KOTROCO, DIRECTOR, PDM
ARNOLD F. "PAT" KELLER, DIRECTOR, OFFICE OF PLANNING

29 September 2010

Arnold Jablon

T 410.494.6298
F 410.821.0147
AEJablon@Venable.com

Ms. Theresa Shelton
Administrator
County Board of Appeals of Baltimore County
Jefferson Bldg
2nd Floor, Suite 203
105 West Chesapeake Ave
Towson, Maryland 21204

Re: Case No. 09-234SPHX
In Re: Restoring Life International Church
D/H: 10/6, 7, 12, 13, 14

Dear Ms. Shelton:

The purpose of my letter is to request the Board to grant a postponement of the scheduled hearing dates for the above captioned matter.

My client is presently in discussions with the Revenue Authority of Baltimore County to enter into a lease agreement that would allow my client to dismiss its petition for special exception. Unfortunately, the discussions have not yet been finalized.

I have talked with Mr. Zimmerman and Ms. Wolfson, who are familiar with the situation. Mr. Zimmerman does not oppose this request.

Thank you.

Sincerely,



Arnold Jablon

c: Peter Max Zimmerman, Esq.
Cathy Wolfson

Theresa Shelton - letter of postponement

From: "Jablon, Arnold E." <AEJablon@Venable.com>
To: <tshelton@baltimorecountymd.gov>
Date: 9/28/2010 5:48 PM
Subject: letter of postponement
CC: "People's Counsel" <peoplescounsel@baltimorecountymd.gov>, <cwolfson@gpca.net>
Attachments: Appeal continuation Restoring Life Church.doc

On behalf of my client, Restoring Life International Church, I attach my letter requesting the Board of Appeal grant a postponement of the scheduled hearing dates. As indicated in the letter, we are finalizing a lease agreement with the Revenue Authority that would allow my client to dismiss its petition for special exception. Thank you.

 U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding penalties that may be imposed under the Internal Revenue Code or by any other applicable tax authority; or (b) promoting, marketing or recommending to another party any tax-related matter addressed herein. We provide this disclosure on all outbound e-mails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirements as to form and substance.

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.



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

September 29, 2010

HAND DELIVERED

Peter Max Zimmerman
People's Counsel for
Baltimore County
Suite 204, Jefferson Building
105 W. Chesapeake Avenue
Towson, MD 21204

VIA FACSIMILE/E-MAIL

Arnold Jablon, Esquire
David Karceski, Esquire
VENABLE, LLP
210 W. Pennsylvania Avenue, S. 500
Towson, MD 21204

RE: *In the Matter of: Restoring Life International Church*
Case No. 09-234-SPHX / SW/s of Windsor, W of Rolling Road

Dear Counsel:

I am in receipt of the request for postponement received this date. This letter is to advise you that the request for a postponement of the hearing dates scheduled for October 6, 7, 12, 13 and 14, 2010 has been granted.

Please notify this office upon the conclusion of the negotiations at hand with regards to the appeal filed in this matter.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in black ink, reading "Theresa R. Shelton". The signature is written in a cursive style with a large, stylized "S" at the end.

Theresa R. Shelton
Administrator

Duplicate Original

Enclosure: Postponement Notice

c(w/Encl.): Restoring Life International Church
Kenneth and June Robinson
Cathy Wolfson, President
GPCA



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

September 29, 2010

NOTICE OF POSTPONEMENT – SENT VIA FACSIMILE/E-MAIL

CASE 09-234-SPHX IN THE MATTER OF: RESTORING LIFE INTERNATIONAL CHURCH
SW SIDE OF WINDSOR ROAD, W OF ROLLING ROAD
2ND E; 4TH C

Re: Petition for Special Hearing to confirm that confirm that a church and other buildings for religious worship are permitted by right within the primary conservancy and to confirm that no secondary conservancy is required. Petition for Special Exception to allow a church (buildings, structures and parking) in the RC6 zone with more than 10% of the lot covered by impervious surfaces.

12/29/09 Findings of fact and conclusion of law issued by Deputy Zoning Commissioner GRANTING the requested relief.

This matter was assigned by agreement of Counsel for the following dates:

ASSIGNED FOR: WEDNESDAY, OCTOBER 6, 2010 AT 10:00 A.M./DAY #1
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WEDNESDAY, OCTOBER 13, 2010 AT 10:00 A.M./DAY #4
THURSDAY, OCTOBER 14, 2010 AT 10:00 A.M./DAY #5

and has been postponed, without objection, for a possible conclusion/resolution of this matter.

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 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

Continued - Distribution

NOTICE OF POSTPONEMENT

CASE 09-234-SPHX IN THE MATTER OF: RESTORING LIFE INTERNATIONAL CHURCH
SW SIDE OF WINDSOR ROAD, W OF ROLLING ROAD
2ND E; 4TH C

Re: Petition for Special Hearing to confirm that confirm that a church and other buildings for religious worship are permitted by right within the primary conservancy and to confirm that no secondary conservancy is required.
Petition for Special Exception to allow a church (buildings, structures and parking) in the RC6 zone with more than 10% of the lot covered by impervious surfaces.

12/29/09 Findings of fact and conclusion of law issued by Deputy Zoning Commissioner GRANTING the requested relief.

c:	Appellants	: Peter Max Zimmerman/ <i>Hand Delivered</i> Carole S. Demilio People's Counsel for Baltimore County : Greater Patapsco Community Association, et. al Cathy Wolfson, President
	Counsel for Petitioner/Legal Owner	: Arnold Jablon, Esquire/ <i>via facsimile/e-mail</i> : David Karceski, Esquire/ <i>via facsimile</i> : Restoring Life International Church Dr. Kenneth Robinson
	Petitioner/Legal Owner	

Lamont Jackson Thomas Wolf/Morris & Ritchie Mickey Cornelius/Traffic Group
John Canoles/Eco-Science Professionals, Inc.

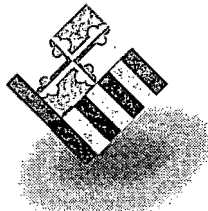
List of Appellants (continued):

Dona Espey	Margaret Greninger	Kathleen Plocinik	Lenora Hoffman
Gary and Fran Hensen	Desra Dickerson	Betty and Charles Farley	Deborah Stafford
Jeffrey Bruswell and Abigail Carter	William Saunders	Marjorie Hartman	Denise Maranto
Robert Fernholz	Donald and June Veit	Wayne Eckert	Barry Robinson
Dawn Dressler	Charles Dressler	Gloe Gnagey	Tammi Vito-Bell
Kenneth Bell	Mavis Taylor	Katharine Hickok	Julia Vito
Bob Clark	Kevin Brittingham	Holly Vito	Rona and Irwin Desser
Robert Johnson	Mary Sue and Rudolph Hertsch	Dennis Hobcul	Helen Ehrhardt
Hilda and Leroy Ely	Kari Weidner and Bruce Mezger	Sang Kol Choi and Julie Choi	
Ernest Habtig	Carol Vito	Edward Hill	Darlene and Wayne Carter
Denise Litzau	R. W. and Brenda Wright	Bernice and John Blakeney and Silas Cooper	
Ellington Churchill	Sharon Ballcom	Ernest and Dorothy Farmer	
James and Ruth Holmes	Robert Geppi		
Lee Francis	Lisa and Ken Feidler		
David Ball	Louis and Lin Weiner	Pam Runk	

JOHN E. BEVERUNGEN
COUNTY ATTORNEY

NANCY C. WEST
ASSISTANT COUNTY ATTORNEY

WILLIAM J. WISEMAN, III
TIMOTHY KOTROCO, DIRECTOR, PDM
ARNOLD F. "PAT" KELLER, DIRECTOR, OFFICE OF PLANNING



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
May 20, 2009

David Karceski
Venable, LLP
210 Allegheny Ave.
Towson, MD 21204

Dear: David Karceski

RE: Case Number 2009-0234-SPHX, S/W Windsor Mill Rd.; W. of Rolling Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 29, 2009. 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.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Kenneth Robinson: Restoring Life International Church; 401 Reisterstown Rd.; Baltimore, MD
21208



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: MAY 14, 2009

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

RE: Baltimore County
Item No. 2009-0234-SPHX
SW OF WINDSOR; W OF
ROLLING RD
RESTORING LIFE INTERNATIONAL
CHURCH
SPECIAL EXCEPTION
SPECIAL HEARING

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. 2009-0234-SPHX.

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



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

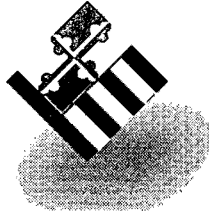
SUBJECT: Zoning Advisory Committee Meeting
For May 18, 2009
Items Nos. 2009-234, 284, 290, 291
and 292

DATE: May 15, 2009

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

DAK:CEN:cab

cc: File



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

April 9, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 11, 2009

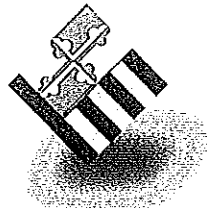
Item Numbers **0234,** 0289,

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



BALTIMORE COUNTY
M A R Y L A N D

2009-0234-SPHX

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

April 9, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: May 4, 2009

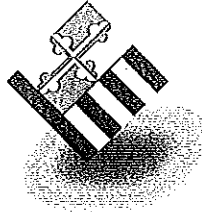
Item Numbers ~~0234~~, 0254, 0281, 0283, 0285, 0286 and 0287

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
M A R Y L A N D

JAMEST. 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

March 26, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 23, 2009

Item Numbers ~~0234~~ 0237, 0240, 0241, 0242, 0243, 0245 and 0246

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
INTEROFFICE CORRESPONDENCE

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

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For May 11, 2009
Items Nos. 09-0234, 254, 281, 283, 285
and 287

DATE: May 13, 2009

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

DAK:CEN:cab

cc: File

ZAC-05112009-NO COMMENTS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director DATE: March 25, 2009
Department of Permits &
Development Management

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

SUBJECT: Zoning Advisory Committee Meeting
For March 30, 2009
Item Nos. 2009-0232, 0233, ~~0234~~ 0237,
0240, 0241, 0242, 0243, 0245, and 0246

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

DAK:CEN:lrk
cc: File
ZAC-03302009 -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: 3/23/2009

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

RE: Baltimore County
Item No 2009-0234-X
WINDSOR MILLS/ROLLING RDG
RESTORING LIFE INTERNATIONAL
CHURCH
SPECIALTIZING

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. 2009-0234-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,


Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

MAY 13 2009

ZONING COMMISSIONER



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *DrL*

DATE: May 13, 2009

SUBJECT: Zoning Item # 09-234-X + SP4X
Address SW of Windsor Mill Rd; 1,065 ft W of Rolling Rd
Restoring Life International Church

Zoning Advisory Committee Meeting of March 23, 2009

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

- X 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).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

The proposed development is subject to Baltimore County Code Article 33. Environmental Protection and Resource Management, Title 6 Forest Conservation. A Forest Conservation Plan, Forest Conservation Worksheet, and Forest Retention Investigation Report have been disapproved by DEPRM due to the extent of proposed forest clearing for the church. It should be noted that the entire RC-6 portion of the site consists of patch forest and Primary Conservancy Area, and almost the entire property including both the RC-6 and DR-3.5 zones consists of priority forest. This raises concerns over the proposed clearing of 20.5 acres of the 29.9 acres of priority forest, which the applicant has not justified. Alternate designs must be investigated and additional information provided to demonstrate that clearing of priority forest will be minimized. In summary, Environmental Impact Review opposes the requested special exception, as it is inconsistent with Baltimore County Code Article 33. Environmental Protection and Resource Management, Title 6 Forest Conservation – *J. Russo; Environmental Impact Review*

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Restoring Life International Church – Zoning Petition 09-234-X (Cont.)

2. Prior to project approval, additional information must be submitted to DEPRM's Groundwater Management section. Refer to the attached letter dated 3/17/2009. – *S. Farinetti; Groundwater Management* *see attached Development Plan comments*
3. Oppose. The impervious surface requirements are an important protection of water resources and land cover in the rural parts of the County. – *W.S. Lippincott; Agricultural Preservation*

BALTIMORE COUNTY, MARYLAND**Inter-Office Memorandum**

DATE: April 13, 2009

TO: Dave Lykens, Project Manager, Development Coordination
Department of Environmental Protection & Resource Management

FROM: Clare M. Brunner, R.S., Ground Water Management
Department of Environmental Protection & Resource Management

SUBJECT: Project Name: Restoring Life International Church
Plan Type: Development Plan
Plan Date: 2/26/2009

Ground Water Management has the following comments on the above referenced plan:

Comments	Date Resolved	Reviewer
1. Initial tests have been conducted. Additional tests may be required dependent upon the usage and design of the system		
2. As per the letter sent to Mr. Patrick Dunnigan on 3/17/2009, a revised plan showing all approved tests and revised setbacks and the three layouts for this system is required for our review. To date we have not received this information.(copy of letter attached)		
3. After the revised plan is received, this office will proceed with a meeting with the Maryland Department of the Environment, to jointly review and approve the plan.		
4. A Ground Water Discharge Permit may be required by the Maryland Department of the Environment		

The Ground Water Management Section does not recommend that this project be approved at this time

Note: Please include a revision date on all revised plans submitted.

Restoring Life International Church, Windsor Mill Rd, DPC,GWM,4-13-2009

TB 5/28 9am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

APR 15 2009

ZONING COMMISSIONER



TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: April 13, 2009

SUBJECT: Zoning Item # 09-234-X
Address SW of Windsor Mill Rd; 1,065 ft W of Rolling Rd
Restoring Life International Church

Zoning Advisory Committee Meeting of March 23, 2009

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

X 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).

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

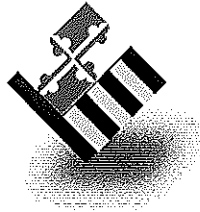
1. The proposed plan is subject to Baltimore County Code Article 33. Environmental Protection and Resource Management, Title 6 Forest Conservation. A Forest Conservation Worksheet, Forest Conservation Plan and Forest Retention Investigation Report are currently under review. However, we note that the entire RC-6 portion of the site consists of patch forest and Primary Conservancy Area and almost the entire property including both the RC-6 and DR-3.5 Zone consists of priority forest thus raising concerns over the proposed clearing of priority forest. In addition, the applicant has not justified the proposed clearing of 20.5 acres of the 29.9 acres of priority forest onsite. Alternate designs need to be investigated and additional information provided to justify that the clearing of priority forest will be minimized. – J. Russo; *Environmental Impact Review*

((

Restoring Life International Church – Zoning Petition 09-234-X (Cont.)

2. Prior to project approval, additional information must be submitted to DEPRM's Groundwater Management section. Refer to the attached letter dated 3/17/2009. – *S. Farinetti; Groundwater Management*

3. Oppose. The impervious surface requirements are an important protection of water resources and land cover in the rural parts of the County. – *W.S. Lippincott; Agricultural Preservation*



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JONAS A. JACOBSON, *Director*
Department of Environmental Protection
and Resource Management

March 17, 2009

Mr. Patrick Dunnigan
Morris and Ritchie Associated
1220-C East Joppa Rd. suite 505
Towson, Md 21286

RE: Restoring Life Church

Dear Mr. Dunnigan,

An initial review of the site plan and percolation tests, have been completed by me. In order for this project to continue, a revised site plan must be submitted to this office with the following information:

All approved tests must be shown on plan including 15B, 15C and 15E

Revise the setback distances from failed tests to 20'

Show the layout of the initial installation, based on the average daily flow of 3,360 gallons per day

Ghost in the second and third layout for installation based on the average daily flow

When this plan is received, I will proceed with a meeting with Craig Williams, our MDE representative. As stated in the February 26, 2009 memo, the Maryland State Water Management Administration must jointly approve your plans

If you have any questions regarding this matter, please contact this office at 410-887-2762.

Mr Dunnigan
March 17, 2009
Page 2

Sincerely,

Clare M. Brunner, R.S.

Attachments
CC: Craig Williams

Restoring Life Church,



1997 Gold Award Recipient

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
SW/S Windsor Mill Road, 1,065' Rolling Road *
2nd Election & 4th Councilmanic Districts * ZONING COMMISSIONER
Legal Owner(s): Restoring Life *
International Church * FOR
Petitioner(s) *
BALTIMORE COUNTY
*
09-234-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
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APR 06 2009

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of April, 2009, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

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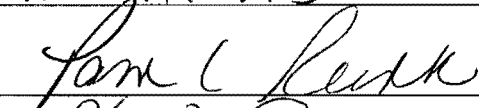
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Debra Wiley - HOH-Restoring Life Int'l Church

TB 5/28
9am
2009-0238-X

From: Colleen Kelly
To: Wiley, Debra
Date: 04/06/09 1:03 PM
Subject: HOH-Restoring Life Int'l Church

HOH Date: Thursday, Thursday, May 28, 2009 - Restoring Life International Church

Owners/Developer: Lamont Jackson,

Location: SW/S Windsor Mill Road, W of Rolling Road

Proposal: A 43,500 sq. ft. church on 30.87 acres zoned RC6

Engineer: Morris & Ritchie-Tom Wolfe

Attorney: David Karceski, Venable LLC

Issues: Traffic, too many churches in the area; well and septic use for church.

See attached minutes from meetings. The wrong property was posted originally, so we had to have a second CIM.

Project Manager: Colleen Kelly

Colleen M. Kelly, Project Manager
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Baltimore County Government
Department of Permits and Development Management



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410-887-3321
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***COMMUNITY INPUT MEETING MINUTES**

Project Name: Restoring Life International Church
Meeting Location: Randallstown Library
Engineering Firm: Morris & Ritchie Associates, Inc.
Attendees: Ten citizens from the community,

Date: 08/27/08
PDM File No. 02-745
District: 2C4

County Project Manager: Colleen Kelly-Dept. of Permits and Development Management,
Developer's Representatives: Thomas Wolf and Matthew Puerkel, MRA;
Robert Hoffman, David Karceski, and Chris Mudd, Venable, LLC.

The developer's color-coded concept site proposal plan and the site analysis plan were displayed front and center on a large board for all attendees to view.

On behalf of Baltimore County (BC), I opened the Community Input Meeting (CIM) for the proposed development project known as "RESTORING LIFE INTERNATIONAL CHURCH (Church)." I welcomed those in attendance, presented an overview of the development process in BC, and described the purpose of the meeting. I stated that this property was an item of the 2008 Comprehensive Zoning Map Process (CZMP), whereby a request was made to change the zoning of the property. I explained that the County Councilmen voted on August 26, 2008 not to change the zoning of this property. I stated that another item of interest regarding this property is that a request has been made to change the designation of the water and sewerage plan to public water and sewer. I explained the process of this request and stated that it could be Spring 2009 or later before the developer has an answer regarding approval or disapproval of this request. I explained that the design and testing pertaining to this project are not complete. I explained that I would be taking minutes of the meeting and then introduced Mr. Tom Wolfe.

Mr. Wolfe described the subject property as follows: The subject property is located along the 7500 block of Windsor Mill Road, west of Rolling Road and north of Old Court Road. The property contains approximately 31.87 acres and has split zoning. The front portion is zoned DR3.5 (Density Residential) and the rear portion is zoned RC6 (Resource Conservation and Residential). Mr. Wolfe explained that the Church desires to relocate from their existing church location in Baltimore City. The improvements for this site include the church along with a lobby, coffee shop, and library. There are two access points, both from Windsor Mill Road. There is a main access in the middle of the property and another 2-way access onto the property. The original concept plan showed 631 parking spaces but our traffic representative told us we needed to provide more parking spaces after we met with County representatives. We are now proposing approximately 824 parking spaces for this site. The property slopes from front to rear. The developer is considering a monolith dome-type structure because of its

energy efficiency and low profile. The building will be built about 240 feet from Windsor Mill Road. The plan is to build the church on the lower section of the lot, in an effort to make the building less visible from the street.

We are proposing well and septic and one stormwater management (SWM) facility. There is an existing forest buffer easement that was conveyed to BC in 1993 as required by a former approved development that was on this site. This forest buffer easement will remain. We are required to preserve 10.9 acres of forest and we are preserving 11.75 acres of forest instead.

At this time, Mr. Wolfe continued the meeting taking questions and listening to concerns and discussion as follows: (Questions and comments from citizens are identified in bold text and the responses from developer's representatives are in plain text. This writer response is *italic text*.)

I am acting president of Stevenswood Improvement Association. Our residents have concerns about the traffic. We have a tremendous amount of traffic congestion in this area. We understand the traffic concerns of your community. We have hired a traffic consultant to complete a traffic study.

The intersection of Windsor Mill Road and Old Court Road seems to have a higher amount of accidents. Is this a failing intersection? No, not according to Baltimore County. **Well it's failing according to our community.** Understandably, however the federal guidelines for determining if an intersection is failing are from the 1970's. **I noticed that camera's were recently installed at this intersection. Are the cameras the result of this development proposal?** No. **Is Rolling Road and Windsor Mill Road a failing intersection?** No. **I would like to know how we are going to get out of Salem Road onto Windsor Mill Road with all this traffic. So, BC only rates signalized intersection?** Yes, that is correct. *If anyone would like additional information regarding traffic issue, contact BC traffic engineering at 410-887-3554.*

I would like to recommend a traffic circle at Windsor Mill Road and Old Court Road as a traffic-calming device. The traffic circle would also assist with the traffic coming and going to the school. The construction of this church is a huge undertaking for this developer. I believe that the developer should take a close look at other churches in the area to determine what works and what doesn't work.

There is a church on the other side of the street and I have concerns with people parking on other people's property and in residential neighborhoods. That's why we increased our parking to provide more spaces than required.

There are about five churches along Windsor Mill Road, either existing or proposed. Will your traffic study include all existing and proposed development? Yes and no. Most likely, the study will include what exists. It's very difficult to calculate something that doesn't exist. **We already have the Jesus House and Salem United. Now, Christian Life and Restoring Life are planned. Is someone in BC paying attention to the development of these churches and the impact they will have on the roads and utilities in this area?** Mr. Hoffman responded that each development project is looked at on its own merits. The traffic study will research current traffic situations to determine if the roads can handle this Church development. Current and proposed developments are two different things. The traffic team researches plans of record and said plans will be taken into consideration.

With regards to the widening of Windsor Mill Road, there is a gap between the widening and I have concerns about that. Yes, BC has asked us to acquire that piece of property if possible. If we can't acquire the property, then BC may try to acquire it.

So, how do you plan to purchase that property? We will try to purchase the right-of-way and not the entire parcel. If we don't have success, then BC may attempt to acquire it. Will BC take the right-of-way for this developer? No, BC may take the right-of-way if BC determines that the widening is necessary for public benefit and traffic safety.

What are the average daily trips (ADT's) for this development? 578 ADT's.

What if this Church gets built and the next church pushes the current roads to failing, will they get denied? Mr. Hoffman explained that there is a process. For example, the intersections of Falls Road and Joppa Road are failing. Until these intersections are corrected, a developer cannot get building permits.

Doesn't zoning require so many parking spaces for a commercial development or churches? Yes. For this church, the requirement is 1 space for every 4 seats. We are proposing 1 parking space for every 3 seats. It seems like BC never enforces the parking situation once the churches are functioning. The church down the street has parking spaces for 100 cars and they have about 500 cars that park everywhere.

You mentioned coffee shop, library, etc. Please explain. The library and coffee shop will be available for patrons of the church only.

The lady that lives adjacent to this property, Ms. Espey, is concerned about the SWM pond because of mosquitoes, etc. Yes, I have children and animals, and I have concerns. The design of our SWM is going to be about one-third to two-thirds less than what is shown on the plan. Along the side of my property are springheads. We've hit water at 18 inches. I'm afraid that the springheads are going to keep the SWM constantly full. When the engineer designs the SWM, he has to look at the drainage areas and he will map an entire area to determine how much water will drain into the SWM area. Will this SWM ultimately drain in the Bens Run? Yes.

I am Bruce Kopp and I'm here with my father-in-law, Ed Chesley. We live on the south side of the property and our concerns are the sewage system and how the system will be installed. We have lived here for many years and no one was able to get this property to perk. We found it amazing when we heard it perked. Please explain. We will have three separate sewer systems in place. There will be a main system, plus two other systems that will have automatic switches in the event one of the systems fail. There is no design as to the depth of the systems at this time. BC is very strict about perk test. They send a County representative that must witness the perk testing. Some of our perk test failed but we had some that passed within this same area, so BC wants us to perform additional perk tests, and possibly re-delineate new areas.

You mentioned public water and sewer but the sewer area is failing across the street. This

development proposal in front of us tonight is for well and septic.

You will need a special exemption since your impervious surface is over 10%. You now are adding 200 more parking spaces. What's to stop you from adding 800 more? Will the proposed road widening on Windsor Mill Road and Salem Road count as part of the impervious surface count. No, none of the impervious surface in the areas zoned DR-(Density Residential) is counted as impervious surface. We are not building or improving Salem Road. As part of this development, we are required by BC to convey the land for possible future widening. The only area subject to impervious surface is the property within the RC-(Resource Conservation) area. We are also considering alternative types of paving. For porous surfaces, does the county require herbicides and weed killers that will runoff? No, this area is not conducive for grasses to grow. Will there be any access to your site at Salem Road? No.

Despite the fact that most of this property is in a RC zoned area, don't you have to honor the primary and secondary conservancy areas? Can you calculate how much septic and water will be used by this congregation by testing how much they are using at their current property? Yes. Can you review the current water bills to estimate the demand on the well? We estimate a 2200-gallon wastewater flow. There is a formula DEPRM uses to determine the capacity needed. I have a major concern that so many churches are being built or proposed along the Windsor Mill corridor. This developer has requested water and sewer and there have been other requests for the same. I have concerns of what precedent this is going to set for future development if BC allows this development on RC6 zoned property to proceed. The RC6 zoning was created to protect forests and prevent forest fragmentation. I'm afraid the approval of this proposal will have a snowball effect and more churches will be granted the same. Mr. Karceski explained that each development proposal stands on its own merits. The Commissioner looks at each proposal separately. We are living with too much traffic already, along with lots of excess runoff. Is the church building located in the RC6 area? Yes, and because of this the church will be subject to architectural review and performance standards. What is the maximum height of the building? Mr. Wolfe stated, 50 feet. We have designed the building in an area that is 10 feet lower than the area closest to Windsor Mill Road. The front building may be smaller than the sanctuary; the sanctuary will be the taller of the two buildings. We are pulling the building back about 240 feet from the front and sides of the property lines.

Is the parking area located adjacent to Ms. Espey's property for additional parking? Yes. I suggest, if possible, that you eliminate those parking spaces. Do you mean the entire row of parking spaces? Yes. OK we will consider your request. This would eliminate about 49 parking spaces. I feel this will give Ms. Espey privacy.

Where is this congregation located now? Their existing church is located in the 400 block of Reisterstown Road in the city. I visited their church, which currently sits on about 1 to 1 ½ acres.

I am curious about the scope of services provided by this church. Will this church provide a valuable impact and valuable services to the families in the area? If they have outreach programs and offer other programs to citizens, this request by the developer could be a nice exchange. Mr. Lamont Jackson, a member of the church, expressed that his church

has programs for youth and the elderly and hopes to create better outreach programs once they move to this location. Mr. Jackson stated that the church provides a Sunday service for the youth with certain music and worship. Do you think the people from your current location will travel from Reisterstown Road in the city to this location? Mr. Jackson responded that many of the members live in the Windsor Mill area. Most of the youth don't drive. Yes, but someone drives the youth! Mr. Jackson said that he lives within walking distance of this new location. The main use of the facility will be on the weekends. Yes, but you are tripling your seating capacity. We currently have an 8:00 AM and a 10:00 AM Sunday service and no Saturday service. We also have a Wednesday night service between 7:00 PM and 9:00PM, where about 25% of the members attend. Is your church planning revivals, conventions, conferences, etc? In other words, does your church participate with other congregations? No, we are independent of other congregations.

****NOTE: It has come to my attention that the sign posting for this Community Input Meeting (CIM) was placed on a property other than the subject property. Therefore, another CIM has been scheduled for Thursday, October 2, 2008 at the Randallstown Library at 7:00 PM. These Meeting Minutes will remain a record to the permanent file.***

Copies of these minutes are being provided to all who signed in at the community input meeting as well as the county reviewing agencies. If anyone has any questions, please call Colleen Kelly, Project Manager at 410-887-3321 or email me at ckelly@baltimorecountymd.gov.

Respectfully submitted,

Colleen M. Kelly
Project Manager

cc: Hon. Kenneth N. Oliver;
Tom Wolfe and Matthew Puerkel, MRA
David Karceski, Robert Hoffman, Chris Mudd, Venable LLC
Reviewing Agencies: OP, PDM, R&P, DEPRM, EDC, CDC, BD OF ED, FIRE,

Visit the County's Website at www.baltimorecountymd.gov

Baltimore County Government
Department of Permits and Development Management



111 West Chesapeake Ave.
Towson, Md. 21204

410-887-3321
410-887-2877 (fax)

2nd COMMUNITY INPUT MEETING MINUTES

Project Name: Restoring Life International Church

Date: 10/02/08

Meeting Location: Randallstown Library

PDM File No. 02-745

Engineering Firm: Morris & Ritchie Associates, Inc.

District: 2C4

Attendees: Eight citizens from the community,

County Project Manager: Colleen Kelly-Dept. of Permits and Development Management,
Developer's Representatives: Thomas Wolf and Matthew Puerkel, MRA; Lamont Jackson,
Restoring Life International Church; Robert Hoffman, Venable, LLC.

The developer's color-coded concept site proposal and site analysis plan were displayed front and center on a large board for all attendees to view.

On behalf of Baltimore County (BC), I opened the Community Input Meeting (CIM) for the proposed development project known as "RESTORING LIFE INTERNATIONAL CHURCH (Church)." I welcomed those in attendance, explained the reason for a second CIM, and presented an overview of the development process in BC. I explained that I would be taking minutes of the meeting and then turned the floor over to Mr. Tom Wolfe and Mr. Matthew Puerkel.

Mr. Puerkel described the subject property as follows: The subject property is located along the 7500 block of Windsor Mill Road, west of Rolling Road. The developer is considering a monolith dome-type structure because of its energy efficiency and low profile. There are two access points, both from Windsor Mill Road. There is a main access in the middle of the property and another 2-way access onto the property. We are now proposing approximately 824 parking spaces for this site in an effort to avoid overflow parking on surrounding neighborhoods. The original concept plan showed 631 parking spaces but our traffic representative told us we needed to provide more parking spaces after we met with County representatives. The property contains approximately 31.87 acres and has split zoning. The front portion is zoned DR3.5 (Density Residential) and the rear portion is zoned RC6 (Resource Conservation and Residential), which is outside the Urban Rural Demarcation Line (URDL). The building will be built about 240 feet from Windsor Mill Road. The plan is to build the church on the lower section of the lot, in an effort to make the building less visible from the street. The maximum height of the building is 50 feet. We are proposing well and septic and one stormwater management (SWM) facility.

At this time, Mr. Puerkel continued the meeting taking questions and listening to concerns and discussion as follows: (Questions and comments from citizens are identified in bold text and the responses from developer's representatives are in plain text. This writer response is *italic text*.)

Ms. Kelly, will we receive a copy of the next plan (the development plan)? *Yes, whoever*

signed- in at this CIM or the last CIM will receive a copy of the development plan and a letter explaining the date, time and place of the Hearing Officer's Hearing.

What about lighting? How much light pollution will come from this site? Mr. Wolfe responded that the light poles are limited to 16 feet in height, but stated that the Office of Planning will limit the poles to 14 feet in height, so there should not be any spillover of light to other properties. **Are there any lights going to be placed on top of the dome?** No, there is a steeple structure atop the dome but there will not be a light. Mr. Jackson stated that 15 feet is the highest point of any window on the structure. **Will the parking lot be lit for services only?** No, I believe BC will require that we keep the parking lot lit at all times at night, for security purposes. **Are there any regulations for lighting in the RC6 or DR 3.5 zone? Ms. Kelly, will you check and let us know?** Yes. Mr. Wolfe responded that BC Office of Planning as well as the BC Landscape Architect will review and inspect the type of lighting fixtures and will require that we avoid light spillage from this site. *With regards to RC zones, under Section 1A07C3f of the BC Zoning Regulations, I found the following: "Street lights, if permitted on interior streets, must be no higher than 14 feet and illuminated by no more than one one-hundred watt sodium vapor lamp. Fluorescent and incandescent lights are not permitted. The light fixtures may employ "house panels" in order to diffuse light downward.*

Do you guys know who Robert Moses is? Yes. Yes, he is the father of Civic Planning. He recognized that people come to events at various times, but they all leave at the same time. 2500 people in 824 vehicles leaving at one time on one road is going to cause major congestion on Windsor Mill Road, not to mention the emissions coming from vehicles as they sit on the parking lot waiting to get out onto Windsor Mill Road. There was an exception written in the BC code a long time ago dealing with development in or bordering rural areas such as those areas zoned RC6. The intention of that exception was never to allow something as massive as this. How can BC allow something as this on a rural zoned property? By proxy, Ms. Emily Wolfson has this to say: If the Church would have purchased land with a DR (Density Residential) zoning, the Church would be under roof by now and would not have spent so much money on attorney fees and engineering fees. Mr. Jackson responded that we have about 500 members now, not 2500. Yes, but you are building to accommodate 2500 people and as citizens living in this area we have to base this proposal on the worst-case scenario.

How many services does the Church provide? Mr. Jackson responded that the Church currently has Sunday services at 8:00 AM and 10:00 AM and no Saturday service. We also have a Wednesday night service between 7:00 PM and 9:00 PM, where about 25% of our members attend. For example, last night we had a service and about 105 persons attended the service with no more than 50 vehicles. **Is your church planning revivals, conventions, conferences, etc?** No. **How old is your congregation?** We are celebrating 17 years.

With regards to the wells, how many are you going to dig? Could the drilling of wells interfere with other wells in the area? Mr. Wolfe responded that "wells" is not his area of expertise, and expressed that the well situation is strictly regulated by BC. The Church will drill until they hit water, he stated. **How many gallons per day do you think this church will need?** We don't have those calculations yet. There should be some formula. I will find a formula and send it to you. **What is the possibility of your hooking into public water and**

public sewer? Aren't public utilities across the street? Yes, it's like a carrot dangling in front of us! The zoning for this property did not change as requested, and most of the property is zoned RC-6. Plus, there is this invisible line BC has created called the Urban Rural Demarcation Line (URDL). The DR3.5 property is located within the URDL, but the RC6 portion is outside the URDL, which makes it difficult to change the water and sewer designation.

We are still concerned about traffic on Sundays. Your congregation could decide to consolidate both services on Sunday into one service with this new building. Have you addressed the traffic situation in your planning process? Yes, we have addressed the traffic situation. We have ushers and security personnel who handle traffic control and direct traffic when necessary. **Are they accredited to direct traffic?** I don't know, but we've been doing this for a while, and if they need to be accredited or certified, we have two years to get them certified. We are prepared for it. **Also, BC Police can assist also; they helped our congregation with traffic.**

How far will the building be from Windsor Mill Road? 240 feet.

Do you plan on saving any of the vegetation? There are a lot of trees on this property now. We have an approved forest buffer on this site that will remain untouched. On the front portion of the property, no development is proposed at this time. Most of the tree removal will be in the area of the building. We will provide landscaping on the site.

What about signage? Yes, there will be a sign provided in the DR3.5 area of the property, which we will have to comply with code regulations for the sign, whatever they may be in the DR3.5 area.

The meeting was concluded and afterwards, some residents voiced concerns about so many churches in this area of Baltimore County. Residents complained that there are about five churches along Windsor Mill Road, either existing or proposed. We already have the Jesus House and Salem United. Now, Christian Life and Restoring Life churches are planned. Is someone in BC paying attention to the development of these churches and the impact they will have on the roads and utilities in this area? Residents who live in this area have to avoid Windsor Mill Road on Sundays because of all the traffic. I don't know what we can do about it, but someone needs to limit the number of churches within a certain distance or proximity.

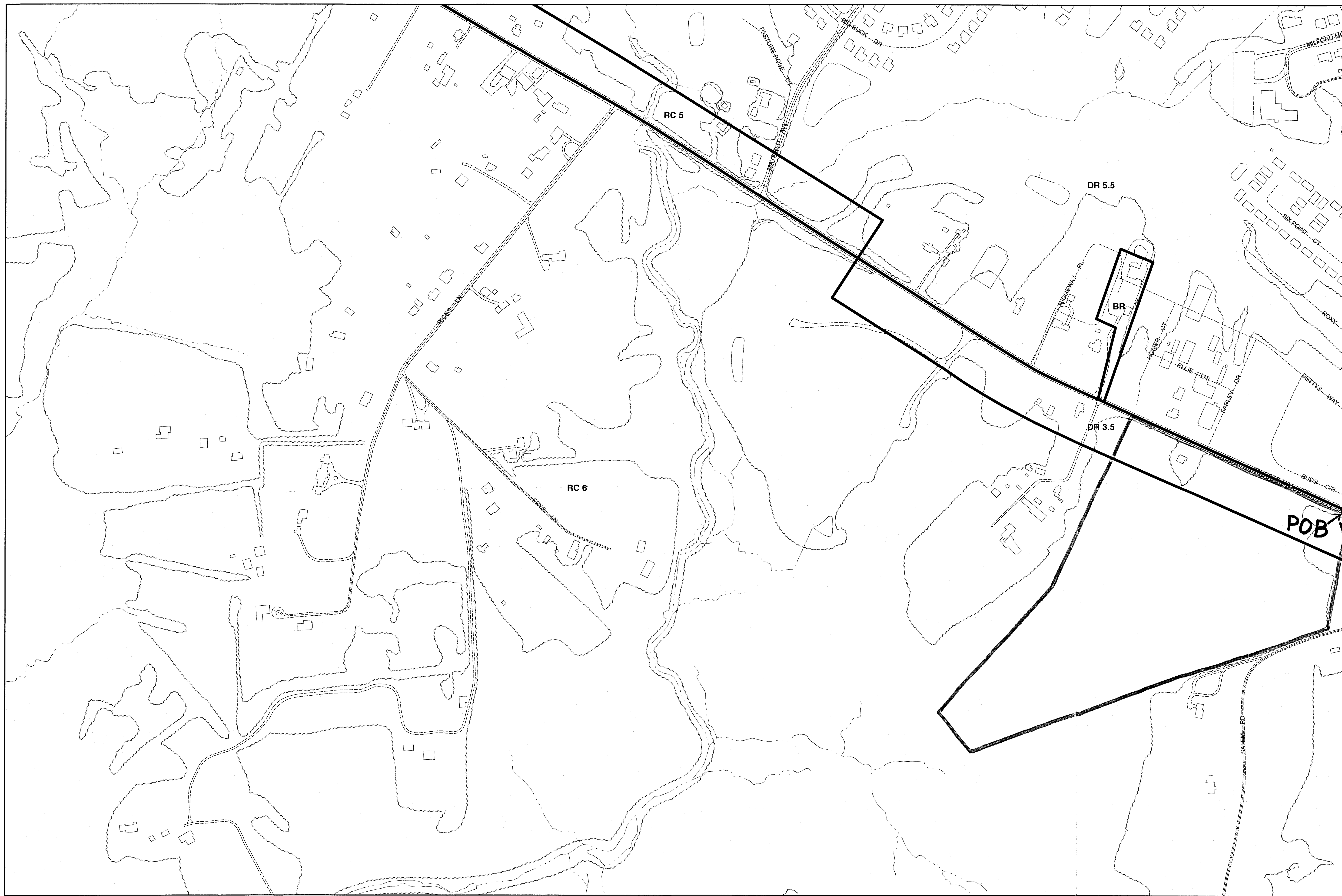
Copies of these minutes are being provided to all who signed in at the community input meeting as well as the county reviewing agencies. If anyone has any questions, please call Colleen Kelly, Project Manager at 410-887-3321 or email me at ckelly@baltimorecountymd.gov.

Respectfully submitted,

Colleen M. Kelly
Project Manager

cc: Hon. Kenneth N. Oliver;
Tom Wolfe and Matthew Puerkel, MRA
Robert Hoffman, Venable LLC

Reviewing Agencies: OP, PDM, R&P, DEPRM, EDC, CDC, BD OF ED, FIRE
Visit the County's Website at www.baltimorecountymd.gov



1065.52 to
Rolling Road &

Plan Sheet: 087B1

Note:
The zoning depicted in this application incorporates the actions associated with 2008 Comprehensive Zoning Map Process, zoning changes associated with an adopted Community Plan and Baltimore County Board of Appeals actions through December 31, 2008.

Legend

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

Baltimore County Office of Planning and Zoning Official Zoning Map

076C3	077A3	077B3	077C3	078A3
086C1	087A1	087B1	087C1	088A1
086C2	087A2	087B2	087C2	088A2

Scale

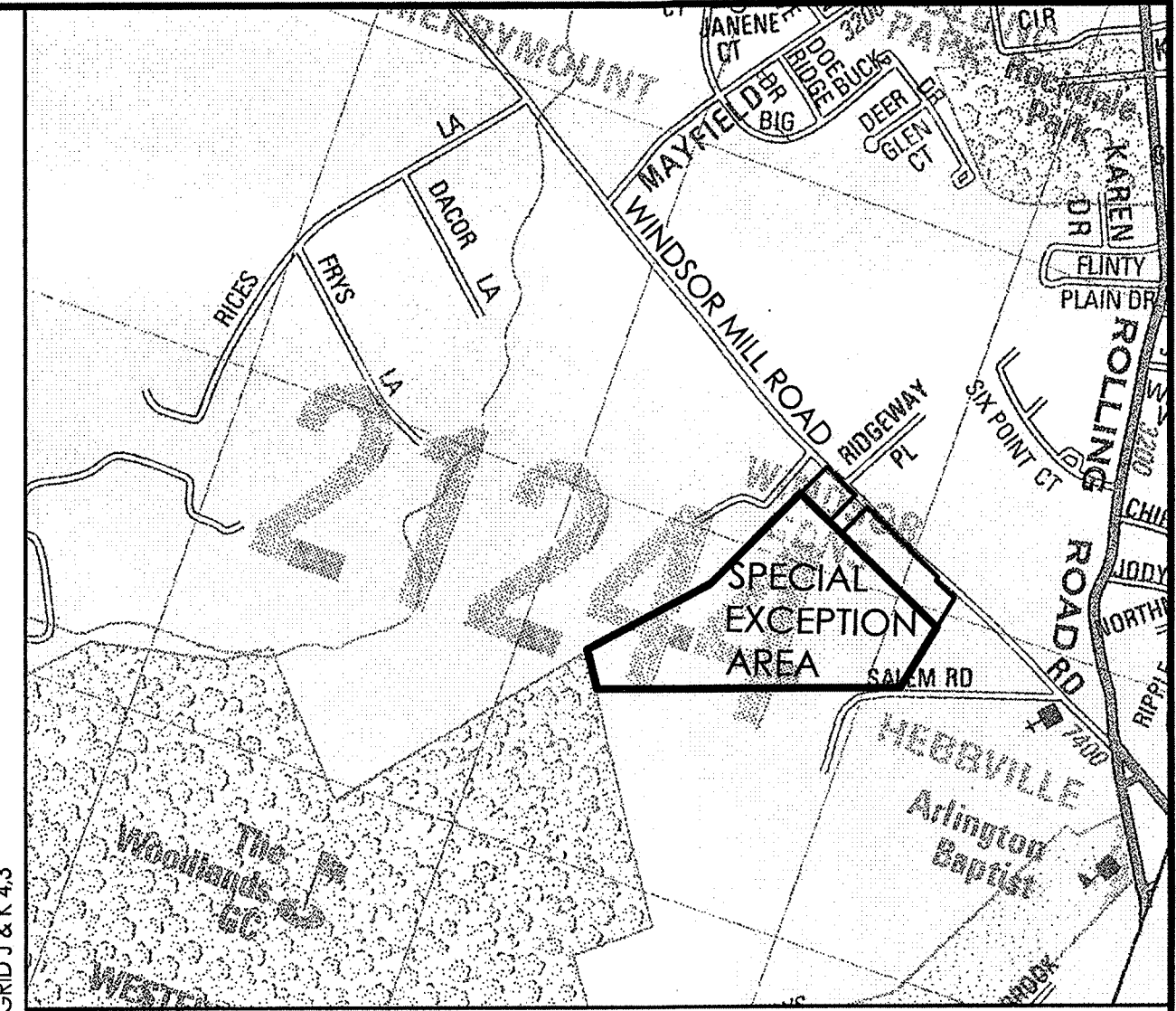
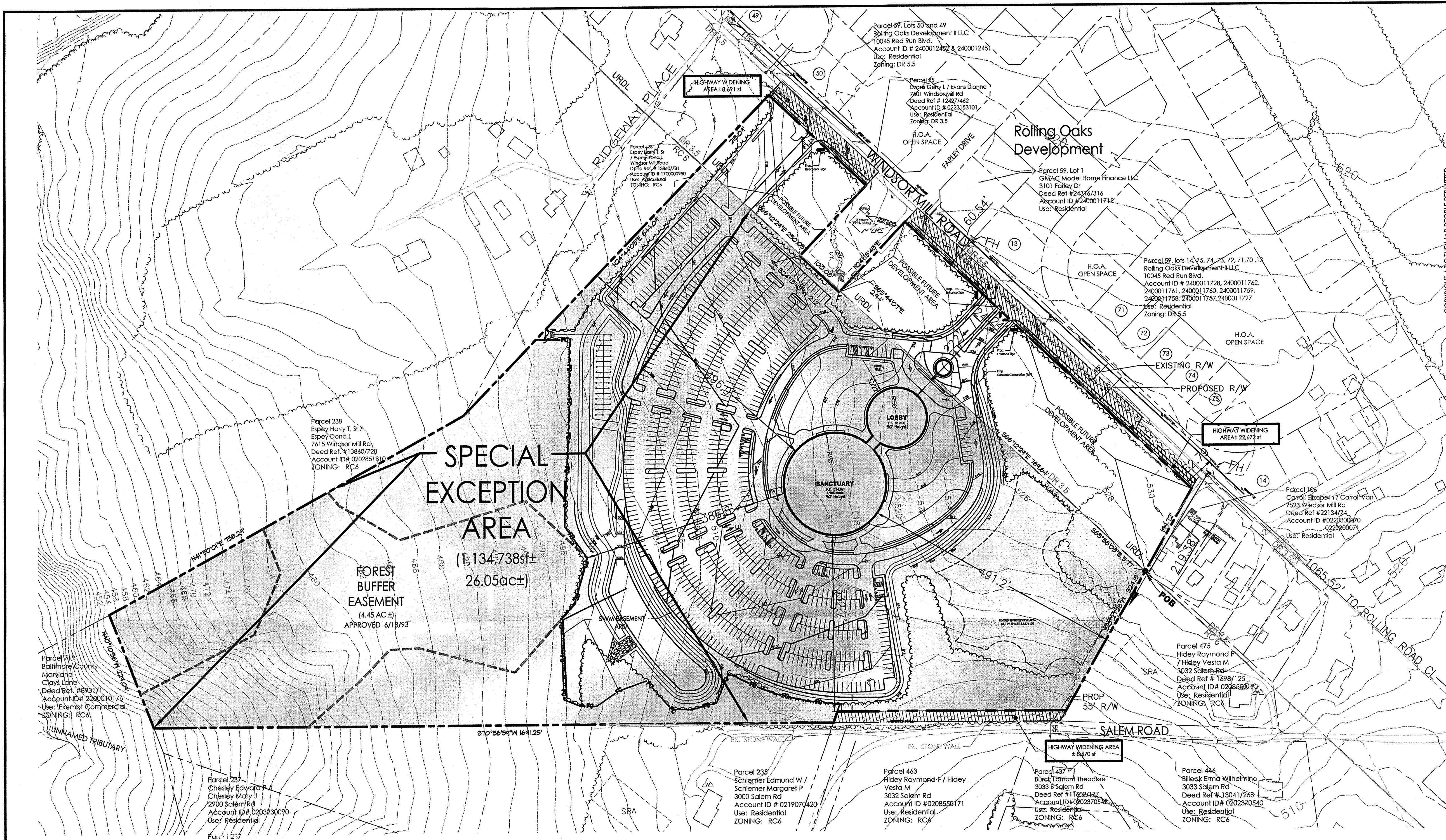
1" = 200'
0 100 200 400 Feet



Data Sources:
Planimetric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2008

Amended

2009-0234 SPHX



VICINITY MAP

SCALE 1"=100'



DESIGN AND DRAWING BASED ON
MARIETTA COORDINATE SYSTEM
HORIZONTAL - NAD 83
VERTICAL - NAVD 83

LEGEND

- EXISTING TRACT BOUNDARY
- EXISTING RIGHT OF WAY
- EXISTING BUILDING
- URBAN RURAL DEMARCATION LINE
- EXISTING ZONING
- EXISTING PAVEMENT
- EXISTING TREELINE
- EXISTING EASEMENT
- EXISTING 2' CONTOUR
- EXISTING 10' CONTOUR
- EXISTING STREAM
- EXISTING SRA
- EXISTING FOREST BUFFER
- EXISTING URDL
- EXISTING WELL
- PROPOSED SPECIAL EXCEPTION AREA
- PROPOSED SEPTIC RESERVE AREA
- PROPOSED TREE LINE
- PROPOSED PAVEMENT
- PROPOSED RIGHT-OF-WAY LINE
- PROPOSED LOT LINE
- PROPOSED FOREST CONSERVATION AREA

SITE DATA

- EXISTING ZONING: RC 6 & DR 3.5
- ACREAGE:
 - GROSS ACREAGE: 26.05 AC± RC 6
 - 4.82 AC± DR 3.5
 - TOTAL GROSS ACREAGE: 30.87 AC±
 - NET ACREAGE: 26.05 AC± RC 6
 - 4.76 AC± DR 3.5
 - TOTAL NET ACREAGE: 30.81 AC±

- EXISTING LAND USE: VACANT
- TAX ACCOUNT NUMBER:
 - 2200017049
 - 2200017050
 - 2200017051
 - 2200017052
 - 2200014053
 - 2200017054
 - 16583/535
- DEED REFERENCE: 4
- COUNCILMANIC DISTRICT: 2
- ELECTION DISTRICT: MAP 32, GRID J & K 4.3
- ADC MAP LOCATION: 08781
- ZONING MAP REFERENCES: 87
- TAX MAP: 56
- PARCEL: 4024.01
- CENSUS TRACT: PATAPSCO
- WATERSHED: 79N & 63
- SUBSEWERED: 319
- REGIONAL PLANNING DISTRICT:

ZONING HISTORY:

- THIS PROPERTY WAS THE SUBJECT OF A 2008 CZMP ISSUE (04-041). THE REQUESTED ZONING CHANGE WAS DENIED.

IMPERVIOUS SURFACE TABLE

EXISTING IMPERVIOUS	0 sft±
PROPOSED IMPERVIOUS	325,597 sft±
TOTAL SITE AREA	1,342,083 sft±
IMPERVIOUS AREA AS A % OF TOTAL SITE AREA	24.26%



SITE PLAN

SCALE: 1"=100'

DESIGN AND DRAWING BASED ON
MARIETTA COORDINATE SYSTEM
HORIZONTAL - NAD 83
VERTICAL - NAVD 83

NOTES:

- EXISTING ZONING IS RC 6 AND DR 3.5
- THIS DEVELOPMENT PROPOSES A 2,185 SEAT CHURCH.
- ANY SIGNS IN THE RC 6 WILL CONFORM TO BALTIMORE COUNTY ZONING CODE, SECTIONS 450 AND THE RURAL CONSERVATION AND RESIDENTIAL ZONE (RC 6 REGULATIONS).
- MAXIMUM BUILDING HEIGHT IN THE RC 6 ZONE IS 50' EXCLUDING STEEPLES (SECTIONS 1A07.8.A AND 300.2)
- THIS PROJECT CONTAINS 4.69 AC± WITHIN THE URBAN RURAL DEMARCATION LINE AND 26.12AC± OUTSIDE THE URBAN RURAL DEMARCATION LINE
- PER BALTIMORE COUNTY PUBLIC WORKS, THE PROPERTY HAS A SEWER DESIGNATION OF S-6 & 7 AND A WATER DESIGNATION OF W-6 & 7. THIS DEVELOPMENT PROPOSES PRIVATE SEWER AND WATER SERVICE.
- BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THIS SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
- THERE ARE NO DESIGNATED HISTORIC SITES AS PER LANDMARKS PRESERVATION COMMISSION OR THE MARYLAND HISTORIC TRUST INVENTORY.
- FLOOR TO AREA (FAR) DOES NOT APPLY IN RC 6 ZONE.
- NO COMMERCIAL PERMITS FOR THIS PROPERTY.

OWNER / APPLICANT / DESIGN CONSULTANT:

- PROPERTY OWNER / APPLICANT:
RESTORING LIFE INTERNATIONAL CHURCH
401 REISTERSTOWN ROAD
BALTIMORE, MARYLAND 21208
ATTN: LAMONT JACKSON
- PLAN PREPARED BY:
MORRIS & RITCHIE ASSOCIATES, INC. (MRA)
1220-C EAST JOPPA ROAD SUITE 505
TOWSON, MD 21286
ATTN: TOM WOLFE, RLA
TEL.: 410-821-1690

PARKING REQUIREMENTS:

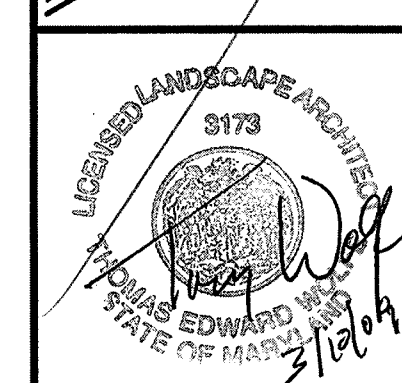
USAGE	PROPOSED	PARKING REQUIRED*	PARKING PROVIDED
ASSEMBLY (CHURCH)	2,185 SEATS	547 PS	797 PS
TOTAL		547 PS	797 PS

*1 SPACE/4 SEATS PER BCTR SECTION 409.6.A.4

PDM #: 02-745



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
PHONE: (410) 821-1690
FAX: (410) 821-1748
MRAGTA.COM



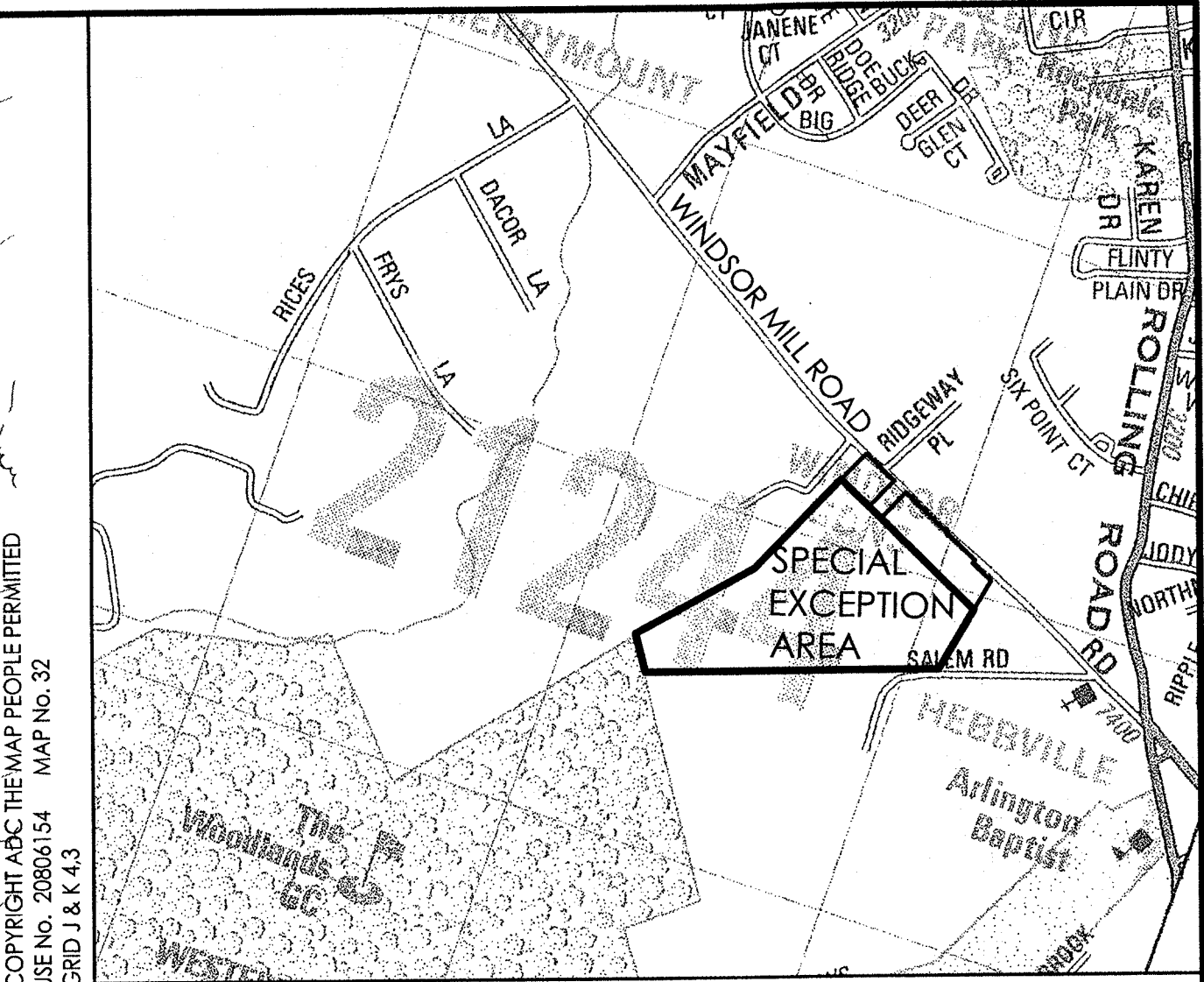
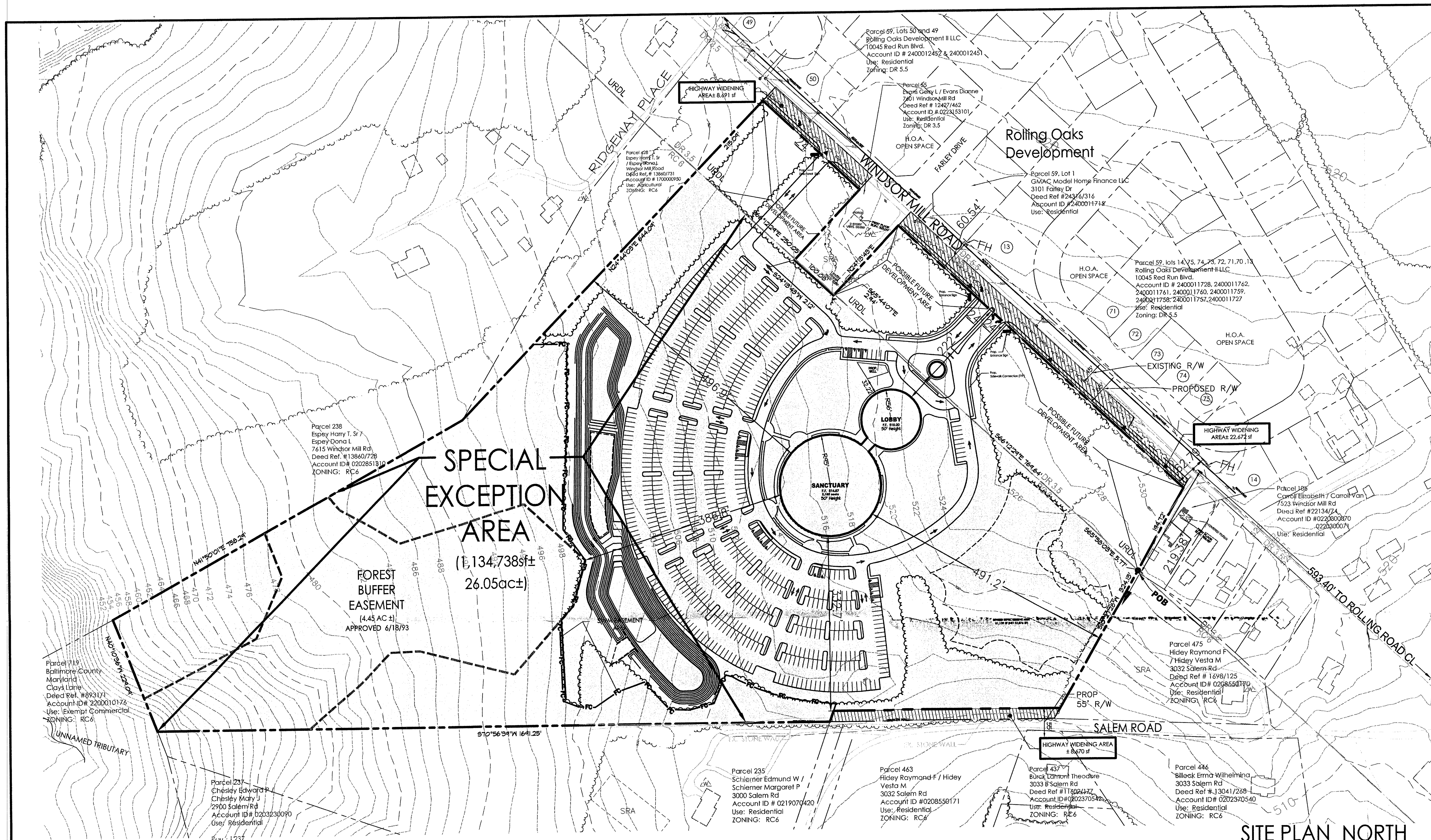
Plan to Accompany Special Exception
Hearing

**RESTORING LIFE
INTERNATIONAL CHURCH**

ELECTION DISTRICT - 2

COUNCILMANIC DISTRICT 4

DATE	REVISIONS	JOB NO.:	16047
		SCALE:	1"=100'
		DATE:	3/10/2009
		DRAWN BY:	TH
		DESIGN BY:	TH/TEW
		REVIEW BY:	TEW
		SHEET:	1 OF 1



VICINITY MAP

SCALE 1"=1000'



DESIGN AND DRAWING BASED ON
MARYLAND COORDINATE SYSTEM
HORIZONTAL - NAD 83/91
VERTICAL - NAVD 88

LEGEND

- EXISTING TRACT BOUNDARY
- EXISTING RIGHT OF WAY
- EXISTING BUILDING
- URBAN RURAL DEMARCATION LINE
- EXISTING ZONING
- EXISTING PAVEMENT
- EXISTING TREELINE
- EXISTING EASEMENT
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- PROPOSED SPECIAL EXCEPTION AREA
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- COUNCILMANIC DISTRICT: PATAPSCO
- ELECTION DISTRICT: 79N & 63
- ADC MAP LOCATION: 319
- ZONING MAP REFERENCES: 087B1
- TAX MAP: 87
- PARCEL: 56
- CENSUS TRACT: 4024.01
- WATERSHED: PATAPSCO
- SUBSEWERHED: 79N & 63
- REGIONAL PLANNING DISTRICT: 319

ZONING HISTORY:

- THIS PROPERTY WAS THE SUBJECT OF A 2008 CZMP ISSUE (04-041). THE REQUESTED ZONING CHANGE WAS DENIED.

OWNER / APPLICANT / DESIGN CONSULTANT:

- PROPERTY OWNER / APPLICANT:
 - RESTORING LIFE INTERNATIONAL CHURCH
 - 401 REISTERSTOWN ROAD
 - BALTIMORE, MARYLAND 21208
 - ATTN: LAMONT JACKSON
- PLAN PREPARED BY:
 - MORRIS & RITCHIE ASSOCIATES, INC. (MRA)
 - 1220-C EAST JOPPA ROAD SUITE 505
 - TOWSON, MD 21286
 - ATTN: TOM WOLFE, RLA
 - TEL: 410-821-1690

NOTES:

- EXISTING ZONING IS RC 6 AND DR 3.5
- THIS DEVELOPMENT PROPOSES A 2,185 SEAT CHURCH.
- ANY SIGNS IN THE RC 6 WILL CONFORM TO BALTIMORE COUNTY ZONING CODE, SECTIONS 450 AND THE RURAL CONSERVATION AND RESIDENTIAL ZONE (RC 6 REGULATIONS).
- MAXIMUM BUILDING HEIGHT IN THE RC 6 ZONE IS 50' EXCLUDING STEEPLES (SECTIONS 1A07.8.A AND 300.2)
- THIS PROJECT CONTAINS 4.69 AC± WITHIN THE URBAN RURAL DEMARCATION LINE AND 26.12AC± OUTSIDE THE URBAN RURAL DEMARCATION LINE.
- PER BALTIMORE COUNTY PUBLIC WORKS, THE PROPERTY HAS A SEWER DESIGNATION OF S- 6 & 7 AND A WATER DESIGNATION OF W-6 & 7. THIS DEVELOPMENT PROPOSES PRIVATE SEWER AND WATER SERVICE.
- BUREAU OF TRAFFIC ENGINEERING AND TRANSPORTATION PLANNING HAS CONFIRMED THIS SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA.
- THERE ARE NO DESIGNATED HISTORIC SITES AS PER LANDMARKS PRESERVATION COMMISSION OR THE MARYLAND HISTORIC TRUST INVENTORY.
- FLOOR TO AREA (FAR) DOES NOT APPLY IN RC 6 ZONE.
- NO COMMERCIAL PERMITS FOR THIS PROPERTY.

IMPERVIOUS SURFACE TABLE

EXISTING IMPERVIOUS	0 sft±
PROPOSED IMPERVIOUS	298,560 sft±
TOTAL SITE AREA	1,342,083 sft±
IMPERVIOUS AREA AS A % OF TOTAL SITE AREA	22.25%

PARKING REQUIREMENTS:

USAGE	PROPOSED	PARKING REQUIRED*	PARKING PROVIDED
ASSEMBLY (CHURCH)	2,185 SEATS	547 PS	720 PS
TOTAL		547 PS	720 PS

*1 SPACE/4 SEATS PER BC2R SECTION 409.6.A.4

SITE PLAN NORTH

SCALE: 1"=100'



DESIGN AND DRAWING BASED ON
MARYLAND COORDINATE SYSTEM
HORIZONTAL - NAD 83/91
VERTICAL - NAVD 88

2009-0234-SPHX

Z-1

PDM #: 02-745



MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
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PHONE: (410) 821-1690
FAX: (410) 821-1748
MRAGTA.COM

Plan to Accompany Special Exception and
Special Hearing

RESTORING LIFE INTERNATIONAL CHURCH

ELECTION DISTRICT 2 COUNCILMANIC DISTRICT 4

DATE	REVISIONS	JOB NO.:
		16047
		SCALE: 1"=100'
		DATE: 4/28/2009
		DRAWN BY: TH
		DESIGN BY: TH/TW
		REVIEW BY: TEW
		SHEET: 1 OF 1