

8/1/11

IN RE: PETITIONS FOR VARIANCE

S side of Liberty Road at corner of
E side of Live Oak Road
2nd Election District
4th Councilmanic District
(9601 Liberty Road)

Abiodun and Omobolarinwa Somide
Petitioners

* BEFORE THE

* OFFICE OF

* ADMINISTRATIVE HEARINGS

* FOR BALTIMORE COUNTY

* CASE NO. 2011-0138-A

* * * * *

ORDER ON REMAND FROM THE BOARD OF APPEALS
OF BALTIMORE COUNTY

This matter comes before the Office of Administrative Hearings on a Remand Order to the undersigned Administrative Law Judge (hereinafter "Remand Order") from the Board of Appeals of Baltimore County (hereinafter "the Board") dated May 11, 2011. In its Remand Order, the Board agreed to Remand the case to the Office of Administrative Hearings for further proceedings.

This case was originally filed as a Petition for Variance, wherein Petitioners requested relief as follows:

- From Section 1B01.1.B.1(e)(3) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an RTA buffer of 10 feet in lieu of the required 50 feet buffer; and
- From Section 1B01.1.B.1(e)(5) of the B.C.Z.R. to permit a parking lot to be constructed at a distance of 10 feet from the property line in lieu of the required 75 feet; and
- From Section 1B01.1.B.1(e)(5) of the B.C.Z.R. to permit a structure to be constructed at a distance of 19 feet from the property line in lieu of the required 75 feet; and
- From Section 1B01.2.C.1.a of the B.C.Z.R. to permit a front yard setback of 48 feet in lieu of the required 50 feet; and
- From Section 1B01.2.C.1.a of the B.C.Z.R. to permit a side street setback of 19 feet in lieu of the required 35 feet; and
- From Section 450.4.1(a) of the B.C.Z.R. to permit a changeable copy sign (for a church) with an area/face of 32 square feet in lieu of the maximum permitted 25 feet, and a height of 7.5 feet in lieu of the maximum permitted 6 feet.

ORDER RECEIVED FOR FILING

Date

8-1-11

P3

In an Order dated December 10, 2010, then Deputy Zoning Thomas H. Bostwick denied the Variance. Thereafter on or about January 4, 2011, Petitioner Abiodun Somide filed an appeal to the Board.

In accordance with the Board's Remand Order, the undersigned convened a hearing on July 26, 2011 at 10:00 AM in Room 205 of the Jefferson Building located at 105 West Chesapeake Avenue in Towson, MD. Attending the hearing were Petitioner Abiodun Somide and Rick Richardson of Richardson Engineering, LLC, the professional engineer who prepared the site plan. Attorney C. William Clark presented the case on behalf of the Petitioners. Several members of the Petitioners' church attended the hearing, and there were no Protestants or other citizens in attendance.

When this case was before Deputy Zoning Commissioner Bostwick, the Petitioners were seeking a number of variances to accommodate construction of an 8,684 square feet church building, and a nearby neighbor voiced strong opposition to the request. At present, Petitioners are seeking variance relief only for the sign to be located on the premises, and the proposed church has been reduced in size by over 30%, to 5,781 square feet as shown on the site plan. See Exhibit 1.

Church Sign

Petitioners propose to erect a freestanding sign on the premises, the appearance of which is shown on the "sign detail" portion of the site plan. Under the Table of Sign Regulations at B.C.Z.R. § 450, the maximum area/face for such a sign is 25 square feet and the maximum height is 6 feet. Petitioners propose a sign 7'6" in height and just over 32 square feet, and seek variance relief under B.C.Z.R. § 307 to do so.

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Date 8-1-11 2

By [Signature]

To obtain a variance, Petitioners must show the property is unique in some respect, and that to require strict compliance with the regulations would cause him to experience a practical difficulty. *Cromwell v Ward*, 102 Md App 691, 651 A 2d 424 (1995). The Petitioners in this case have satisfied that test. Engineer Rick Richardson testified (via proffer) that the property is irregularly shaped (like a trapezoid) while neighboring lots have more regular and uniform dimensions. Also, Petitioners' property was constructed in 1940 (See Exhibit 4), long before the current B.C.Z.R. regulations, and through it sits adjacent to homes located within the subdivision, the Petitioners' property is not in fact part of the Kings Park Estates subdivision. See Exhibit 4B.

Thus, the property has unique characteristics not shared by adjoining parcels, and the Petitioners would experience a practical difficulty if relief were not granted. Mr. Richardson testified that due to the volume and speed of traffic on Liberty Road, the proposed sign would be required to draw any attention to the church from passing motorists.

RTA

Mr. Richardson testified that an RTA is generated in this case, and he explained that the boundaries are depicted by the black dotted lines shown on Exhibit 1. Under the RTA regulations, a parking lot must be located 75 feet from the tract boundary and a 50 foot RTA buffer must also be provided. B.C.Z.R. § 1B01.1.B.(e)(2). Also, under the same regulations, a building must satisfy the same 75 foot setback, and the regulations also required the 50 foot RTA buffer to be undisturbed and remain as a landscaped buffer. B.C.Z.R. § 1B01.1.B.(e)(3). The church building and parking lot proposed by Petitioners do not satisfy these regulations, as revealed by the red-lined plans. See Exhibit 1. Even so, Petitioners seek Special Hearing relief and contend they are entitled to an exception from the RTA requirements. I agree.

ORDER RECEIVED FOR FILING

Date 8-1-11

By [Signature]

At present, the property at 9601 Liberty is used as a church, but Dr. Somide testified (via proffer) that a use permit was never granted for the premises to operate as a church. Petitioner now proposes constructing a 5,781 square feet church and sanctuary on the premises, and as shown on the elevation drawings (See Exhibit 7) the attractive structure will bear no resemblance to the present home.

As such, this is indeed the construction of a "new church or other building for religious worship," per B.C.Z.R. § 1B01.1.B.1.g.(6). Mr. Richardson testified that improvements on the site plan, to the extent possible with RTA use requirements, will be compatible with the welfare of the surrounding residential community. Evidence revealed that a large church borders the property (See photos at Exhibits 5C-E) and the adjoining dwelling at 3721 Live Oak Court, which will abut the proposed parking lot, is used as a commercial office by a developer. See Exhibits 4G and H. In addition, the residence at 9600 Liberty Road, across the street from the subject property, is also used as a church. See Exhibit 3.

Also, the landscape plan (Exhibit 11) reveals that the proposed building will be screened by vegetation. Finally, the Petitioners gathered letters of support from neighboring property owners (See Exhibits 8 and 9) and the file does not contain any letters of opposition or protest. In these circumstances, Petitioners have satisfied the requirements for an RTA exception set forth in B.C.Z.R. § 1B01.1.g(6), and I find the church will be a compatible use in this setting and will not have a deleterious effect on the surrounding community.

THEREFORE, IT IS ORDERED this 1 day of August, 2011, by the Administrative Law Judge that Variance relief to permit a freestanding sign measuring 8'-1/8" x 7'6" under B.C.Z.R. § 307 and § 450 be and is hereby GRANTED; and

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Date 8-1-11

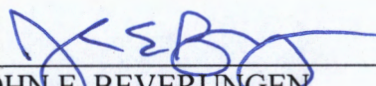
By [Signature] 4

Request for Special Hearing relief under B.C.Z.R. § 500.7 be and is hereby GRANTED, upon finding that the site plan for the new church, which is hereby APPROVED, reveals that the proposed improvements, to the extent possible, satisfy RTA use requirements, and the plan will be compatible with the character and welfare of the surrounding residential premises, per B.C.Z.R. § 1B01.1.B.g(6).

The relief granted herein shall be subject to the following:

1. The Petitioners may apply for their building permit and may be granted same upon receipt of this Order, however the Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioners will be required to return and be responsible for returning said property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

ORDER RECEIVED FOR FILING

Date 8-1-11

By JZ



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

August 1, 2011

C. WILLIAM CLARK, ESQUIRE
NOLAN, PLUMHOFF & WILLIAMS CHTD
502 WASHINGTON AVENUE, SUITE 700
TOWSON, MD 21204

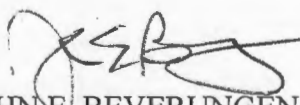
Re: Petition for Variance
Case No. 2011-0138-A
Property: 9601 Liberty Road

Dear Mr. Clark:

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

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

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

Enclosure

8/11/11

RE: PETITION FOR VARIANCE * BEFORE THE
S/s Liberty Road at cor of E/s of Live Oak *
Road (9601 Liberty Road) * BOARD OF APPEALS
2nd Election & 4th Councilmanic Districts * OF
Legal Owners/Petitioners: *
Abiodun & Omobolarinwa Somide * BALTIMORE COUNTY
* 11-138-A

* * * * *

REMAND ORDER TO THE ADMINISTRATIVE LAW JUDGE

This matter comes before this Board on appeal filed by Abiodun and Omobolarinwa Somide from a decision of the Deputy Zoning Commissioner dated December 10, 2010, in which the Deputy Zoning Commissioner denied the Petition for Variance relief requested.

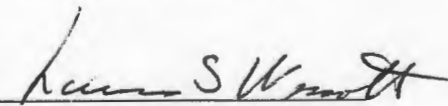
WHEREAS, The Board convened for a de novo hearing on May 5, 2011. C. William Clark, entered his appearance on behalf of the Petitioners. The Office of People's Counsel was represented by Carole S. Demilio, Esquire, Deputy People's Counsel.

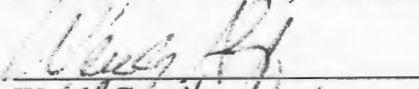
WHEREAS, Counsel jointly made a Motion for Remand on the record.

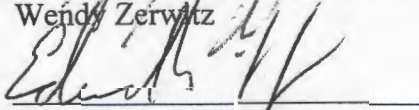
IT IS THEREFORE, this 11th day of May, 2011, by the Board of Appeals of Baltimore County,

ORDERED that upon agreement of the parties, the above captioned case number 11-138-A is hereby REMANDED to the Administrative Law Judge for Baltimore County for further proceedings.

**BOARD OF APPEALS OF
BALTIMORE COUNTY**


Lawrence S. Wescott, Chairman


Wendy Zerwitz


Edward W. Crizer, Jr.



Board of Appeals of Baltimore County

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

May 11, 2011

C. William Clark, Esquire
Nolan, Plumhoff & Williams, Chtd
502 Washington Ave, Ste 700
Towson, MD 21204

Peter M. Zimmerman, Esquire
Carole S. Demilio, Esquire
Office of People's Counsel
The Jefferson Building, Ste 204
105 W. Chesapeake Avenue
Towson, MD 21204

RE: *In the Matter of: Abiodun & Omobolarinwa Somide – Legal Owners/Petitioner*
Case No.: 11-138-A

Dear Counsel:

Enclosed please find a copy of the Remand Order to the Administrative Law Judge 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: Abiodun & Omobolarinwa Somide
Rick Richardson/Richardson Engineering, LLC
Linda Forsyth
Lawrence M. Stahl, Administrative Law Judge
Arnold Jablon, Director/PAI
Jeff Mayhew, Acting Director/Office of Planning
Nancy C. West, Assistant County Attorney
Michael Field, County Attorney

12/10/10

IN RE: PETITION FOR VARIANCE

South side of Liberty Road at corner of
east side of Live Oak Road
2nd Election District
4th Councilmanic District
(9601 Liberty Road)

Abiodun and Omobolarinwa Somide
Petitioners

* BEFORE THE
* DEPUTY ZONING
* COMMISSIONER
* FOR BALTIMORE COUNTY
* CASE NO. 2011-0138-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the legal owners of the subject property, Abiodun and Omobolarinwa Somide. Petitioners are requesting Variance relief as follows:

- From Section 1B01.1.B.1(e)(3) of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit an RTA buffer of 10 feet in lieu of the required 50 feet buffer; and
- From Section 1B01.1.B.1(e)(5) of the B.C.Z.R. to permit a parking lot to be constructed at a distance of 10 feet from the property line in lieu of the required 75 feet; and
- From Section 1B01.1.B.1(e)(5) of the B.C.Z.R. to permit a structure to be constructed at a distance of 19 feet from the property line in lieu of the required 75 feet; and
- From Section 1B01.2.C.1.a of the B.C.Z.R. to permit a front yard setback of 48 feet in lieu of the required 50 feet; and
- From Section 1B01.2.C.1.a of the B.C.Z.R. to permit a side street setback of 19 feet in lieu of the required 35 feet; and
- From Section 450.4.1(a) of the B.C.Z.R. to permit a changeable copy sign (for a church) with an area/face of 32 square feet in lieu of the maximum permitted 25 feet, and a height of 7.5 feet in lieu of the maximum permitted 6 feet.

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

Appearing at the requisite public hearing in support of the variance requests were Petitioner Abiodun Somide and Rick Richardson of Richardson Engineering, LLC, the

ORDER RECEIVED FOR FILING

Date 12-10-10

By RS

professional engineer who prepared the site plan. Also appearing as an interest citizen from the community was Linda Forsyth of 3522 Sea Pines Circle.

Testimony and evidence offered revealed that the subject property is irregular shaped and contains approximately 1 acre, more or less, zoned D.R.3.5. The property is located at the southern corner of the intersection of Liberty Road and Live Oak Road, west of Offutt Road and east of Marriottsville Road, in the Randallstown area of Baltimore County. It is improved with an existing 2½-story single-family dwelling with a footprint of 1,667 square feet built in 1939. As shown on the record plat that was marked and accepted into evidence as Petitioner's Exhibit 2, the adjacent subdivision "Drew Homes" was recorded in 1964 and consists of 12 properties with single-family homes on Live Oak Road. An aerial photograph that was marked and accepted into evidence as Petitioner's Exhibit 3 delineates the various zoning classifications and uses along Liberty Road, including apartments, offices, warehouses, and residential neighborhoods. There are also, as indicated by Mr. Richardson, several other churches including the Colonial Baptist Church next door to the east and a Catholic Church less than a mile further east on Liberty Road.

Petitioners have owned the property for approximately three years and currently utilize the building for church services. The church is the Redeemed Christian Church of God and it is a worldwide church that was founded in 1952 in Nigeria. This local congregation is known as the "Chapel of Blessings." The congregation consists of approximately 40-50 people, with activities on Sunday morning starting with a workers' meeting at 9:30 AM, Sunday School at 10:00 AM, and services from 11:00 AM to 1:00 PM. There is also a "Digging Deep" Bible Study class on Tuesday nights from 7:00 PM to 9:00 PM. According to Petitioner, the church continues to grow and is expanding beyond the size of the dwelling on the subject property. As such, Petitioners desire to construct a large 6,105 square foot one-story addition to the dwelling. As depicted on the

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Date 12-10-10

By [Signature]

After considering all of the testimony and evidence presented at the hearing, I am not persuaded that Petitioner has met this burden and must deny the variance requests. Although there are some unique features to the property that were indicated by Mr. Richardson, Petitioners' engineering expert, including that property basically "stands alone" and is not part of the adjacent subdivision, and that it is relatively larger than the residential properties nearby, in my judgment, these factors do not weigh in favor of granting the considerable relief sought by Petitioners. Specifically as to the Residential Transition Area, the RTA is a one-hundred-foot area, including any public road or public right-of-way, extending from a D.R. zoned tract boundary into the site to be developed. As set forth in Section 1B01.1.B.1.b of the B.C.Z.R., an RTA is generated if the property to be developed is zoned D.R. and lies adjacent to land zoned D.R.1, D.R.2, D.R.3.5, D.R.5.5 or R.C. which (1) contains a single-family detached, semi-detached or duplex dwelling within 150 feet of the tract boundary; or (2) is vacant, less than two acres in size, and contains a buildable area at least 20 feet by 30 feet on which a dwelling meeting all required setbacks can be erected. As shown on the site plan with black dotted lines, most of the site is affected by the RTA. Indeed, it appears that no improvements of the sort proposed by Petitioners could be accomplished without variance relief. That section also states that the purpose of an RTA is to assure that similar housing types are built adjacent to one another or that *adequate buffers and screening are provided between dissimilar housing types*. (emphasis added).

Although I am understanding of Petitioners' desire to expand and enlarge the church on the property and was impressed by Mr. Richardson's efforts in the case, in my judgment, the failure to address the RTA requirements in any appreciable way, as well as the location of the parking in such proximity to residences, are fatal to Petitioners' plans for the property and places the proposal at odds with spirit and intent of the Zoning Regulations. I also find the proposal and the variances

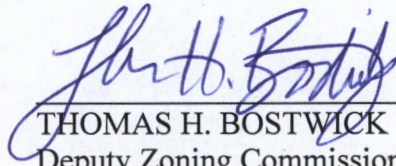
ORDER RECEIVED FOR FILING

Date 12-10-10

By [Signature]

be and are hereby **DENIED**, subject to the following:

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 12-10-10

By ms



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

December 10, 2010

ABIODUN AND OMOBOLARINWA SOMIDE
3903 ALGIERS ROAD
RANDALLSTOWN MD 21133

Re: Petition for Special Hearing and Variance
Case No. 2011-0138-A
Property: 9601 Liberty Road

Dear Abiodun and Omobolarinwa Somide:

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

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Rick Richardson, Richardson Engineering LLC, 30 East Padonia Road, Suite 500, Timonium
MD 21093
Linda Forsyth, 3522 Sea Pines Circle, Randallstown MD 21133



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 9601 Liberty Road

which is presently zoned 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)

The construction of an addition to an existing church that meets Section 1B01.B.1(e)(4), or in the alternative per Section 1B01.B.1(e)(6) where a new church or other building for religious worship meets the Residential Transition Area requirements to the extent possible while being compatible with the character and general welfare of the surrounding residential premises.

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:

C. William Clark

Name - Type or Print C. William Clark
Signature _____
Nolan Plumhoff and Williams
Company _____
502 Washington Avenue 410-823-7800
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Abiodun Somide

Name - Type or Print Abiodun Somide
Signature _____
Omobolarinwa Somide
Name - Type or Print _____
Signature _____

9601 Liberty Road 443-717-1947
Address _____ Telephone No. _____
Randallstown, MD 21133-2417
City _____ State _____ Zip Code _____

Representative to be Contacted:

Richardson Engineering, LLC

Name _____
30 E. Padonia Road, Suite 500 410-560-1502
Address _____ Telephone No. _____
Timonium MD 21093
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Case No. 2011-0138-SPHA

REV 9/15/98

Reviewed By JNP Date 6/14/2011

(Special Hearing & Remanded Variance)



REMANDED

Petition for Variance

to the Zoning Commissioner of Baltimore County for the property

located at 9601 Liberty Road

which is presently zoned DR-3.5

Deed Reference: 26220 / 001 Tax Account # 0213065500

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

See Attached

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

Size and location of the existing property and other information that will be presented at the hearing.

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

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

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:

C. William Clark

Name - Type or Print

Signature

Nolan Plumbhoff and Williams

Company

502 Washington Avenue

410-823-7800

Address

Telephone No.

Towson,

MD

21204

City

State

Zip Code

Legal Owner(s):

Abiodun Somide

Name - Type or Print

Signature

Omobolarinwa Somide

Name - Type or Print

Signature

9601 Liberty Road

443-717-1947

Address

Telephone No.

Baltimore,

MD

21133

City

State

Zip Code

Representative to be Contacted:

Richardson Engineering, LLC

Name

30 E. Padonia Road, Suite 500 410-560-1502

Address

Telephone No.

Timonium,

Maryland

21093

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING 6/12-6/17/11

Reviewed By JNP Date 6/14/2011

Case No.

2011-0138-SPHA

(Special Hearing & Remanded Variance)

REV 8/20/07

1B01.1B1(e)(3) to permit an RTA buffer of 10' in lieu of the required 50' buffer

1B01.1B1(e)(5) to permit a parking lot to be constructed at a distance of 10' from the property line in lieu of the required 75'

1B01.1B1(e)(5) to permit a structure to be constructed a distance of 50' from the property line in lieu of the required 75'

450.4.1.(a) to permit a changeable copy sign (for a church) with a area/face of 32 square feet in lieu of the maximum permitted 25 feet and a height of 7.5 feet in lieu of the maximum permitted 6 feet



Petition for Variance

to the **Zoning Commissioner of Baltimore County** for the property
located at 9601 Liberty Road
which is presently zoned DR 3.5

Deed Reference: 26220 / 001 Tax Account # 0213065500

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

1B01.1B1(e)(3) to permit an RTA buffer of 10' in lieu of the required 50' buffer

1B01.1B1(e)(5) to permit a parking lot to be constructed at a distance of 10' from the property line in lieu of the required 75'

1B01.1B1(e)(5) to permit a structure to be constructed at a distance of 19' from the property line in lieu of the required 75'

FOR ADDITIONAL VARIANCES - SEE ATTACHED

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

Size and location of the existing property and other information that will be presented at the hearing.

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

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

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:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Abiodun Somide

Name - Type or Print

Signature

Omobolarinwa Somide

Name - Type or Print

Signature

9601 Liberty Road

Address

Telephone No.

Randallstown,

MD

21133-2417

City

State

Zip Code

Representative to be Contacted:

Richardson Engineering, LLC

Name

30 E. Padonia Road, Suite 500 410-560-1502

Address

Telephone No.

Timonium,

MD

21093

City

State

Zip Code

Case No.

2011-0138-A

ORDER RECEIVED FOR FILING

REV 8/20/07

Date

12-10-10

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by

JNP

Date

10/14/2010

By

[Signature]

1B01.2.C.1.a to permit a front yard setback of 48 feet in lieu of the required 50 feet

1B01.2.C.1.a to permit a side street setback of 19 feet in lieu of the required 35 feet

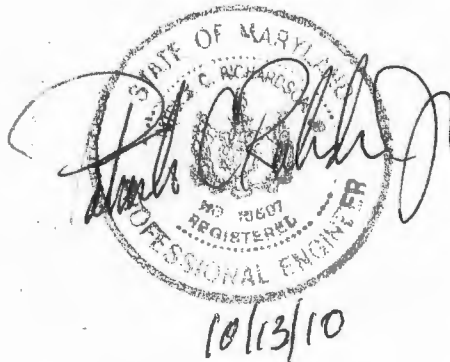
450.4.1.(a) to permit a changeable copy sign (for a church) with an area/face of 32 square feet in lieu of the maximum permitted 25 feet and a height of 7.5 feet in lieu of the maximum permitted 6 feet.

2016-0138-A

**ZONING DESCRIPTION
9601 LIBERTY ROAD
2ND ELECTION DISTRICT
4th Councilmanic District
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point where the South side of Liberty Road (variable with right-of-way) meets the east side of Live Oak Road (variable width right-of-way), thence running and binding on the east side of Live Oak Road right-of-way (1) South 48 degrees 19 minutes 44 seconds West 204.05 feet, thence leaving the right of way of Live Oak Road the following courses and distances (2) South 41 degrees 40 minutes 16 seconds East 208.30 feet, (3) North 30 degrees 54 minutes 44 seconds East 217.29 feet, to a point on the southern side of Liberty Road, thence binding on the south side of said road, (4) North 46 degrees 59 minutes 39 seconds West 25.16 feet, (5) North 03 degrees 05 minutes 32 seconds West 5.83 feet, (6) North 45 degrees 31 minutes 24 seconds West 35.70 feet, (7) North 44 degrees 08 minutes 19 seconds West 38.12 feet, (8) North 42 degrees 26 minutes 52 seconds West 39.95 feet, to the point of beginning;

Containing a net area of 0.83262 acres of land, more or less.



2011-0138-A

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

No. **60089**

Date: **10/14/2010**

PAID RECEIPT

BUSINESS ACTUAL TIME
 10/14/2010 10/14/2010 09:52:50

REC: MSD1 WALKIN JRIC JMR
 >>RECEIPT N 475347 10/14/2010 OFLN

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount
001	006	0000		6150				325.00

Dept 5 528 ZONING VERIFICATION

CR NO. 060089

Recpt Tot \$325.00
 \$325.00 CK \$1.00 CA
 Baltimore County, Maryland

Total: **325.00**

Rec From: **RECG - Chapel of Blessings Investments**

For: **Variance - 9601 Liberty Road**
2011-0138-A (SOMIDE)

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: # 2011-0138-A

9601 Liberty Road

S/side of Liberty Road at corner of east side of Live Oak Road

2nd Election District — 4th Councilmanic District

Legal Owner(s): Abiodun & Omobolarinwa Somide

Variance: to permit an RTA buffer of 10 feet in lieu of the required 50 feet buffer; to permit a parking lot to be constructed at a distance of 10 feet from the property line in lieu of the required 75 feet; to permit a structure to be constructed at a distance of 19 feet from the property line in lieu of the required 75 feet; to permit a front yard setback of 48 feet in lieu of the required 50 feet; to permit a side street setback of 19 feet in lieu of the required 35 feet; to permit a changeable copy sign (for a church) with an area/face of 32 square feet in lieu of the maximum permitted 25 feet and a height of 7.5 feet in lieu of the maximum permitted 6 feet.

Hearing: Wednesday, December 1, 2010 at 2:00 p.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

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

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

JT 11/6/79 November 16

260867

CERTIFICATE OF PUBLICATION

11/18/2010

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 11/16/2010.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0138-A

RE: Case No.: _____

Petitioner/Developer: _____

Abiodun & Omobolarinwa Somide.

Dec.1, 2010

Date of Hearing/Closing: _____

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

Attn: Kristin Matthews:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously
9601 Liberty Road

November 16 2010

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

Robert Black

(Signature of Sign Poster)

November 19 2010

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

RECEIVED

NOV 29

ZONING COMMISSIONER

ZONING NOTICE

CASE # 2011-0138-A

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

PLACE: Room 104, Jefferson Building
105 West Chesapeake Ave. Towson 21204

DATE AND TIME: WEDNESDAY, DECEMBER 1, 2010 AT 2:00 PM

REQUEST: Use of the Required 50 Feet Buffer, to Permit a Paving Lot To Be Constructed at a Distance of 10 feet from the Property Line in Lieu of the Required 75 Feet Buffer, to Be Constructed at a Distance of 14 Feet from the Property Line, to the Required 75 Feet to Permit a Front Yard Setback of 44 Feet within of the Required 50 Feet, to Permit a Side Street Setback of 44 Feet in Lieu of the Required 50 Feet, to Permit a Cornerwise City Sign Placement within the Required 50 Feet, to Permit a Cornerwise City Sign Placement within the Required 50 Feet, and a Height of 7.5 Feet in Lieu of the Maximum Permitted 8 Feet.

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 897-1391**

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

HANDICAPPED ACCESSIBLE

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: # 2011-0138-SPHA

9601 Liberty Road

S/side of Liberty Road at the corner of east side of Live Oak Road

2nd Election District — 4th Councilmanic District

Legal Owner(s): Abiodun & Omobolarinwa Somide

Variance to permit an RTA buffer of 10' in lieu of the required 50' buffer; to permit a parking lot to be constructed at a distance of 10' from the property line of the required 75'; to permit a structure be constructed at a distance of 19' from the property line in lieu of the required 75' to permit a front yard setback in lieu of the required 50'; to permit a side street setback of 19' in lieu of the required 35'; to permit a changeable copy sign (for a church) with an area/face of 32 sq. ft. in lieu of the maximum permitted 25' and a height of 7.5' in lieu of the maximum permitted 6'. **Special**

Hearing to approve the construction of an addition to an existing church that meets Section 1801.B.1(e)(4), or in the alternative per Section 1801.B.1(e)(6) where a new church or other building for religious worship meets the Residential Transition Area (RTA) requirements to the extent possible while being compatible with the character and general welfare of the surrounding residential premises.

Hearing: Tuesday, July 26, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

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

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3331.

IT 07/620 July 12

280762

CERTIFICATE OF PUBLICATION

7/14/2011

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 7/12/ 2011.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0138-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Abiodun & Omobolarinwa Somide

July 26, 2011

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

9601 Liberty Road

July 10, 2011

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

Sincerely,



July 11, 2011

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2011-0138-SPHA

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

Room 205, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE. TOWSON 21204

PLACE:

DATE AND TIME: Tuesday, July 26, 2011 at 10:00 A.M.

REQUEST: VARIANCE TO PERMIT AN RTA BUFFER OF 10' IN
LIEU OF THE REQUIRED 50' BUFFER, TO PERMIT A
PARKING LOT TO BE CONSTRUCTED AT A DISTANCE OF 10' FROM THE
PROPERTY LINE OF THE REQUIRED 75' TO PERMIT A STRUCTURE BE
CONSTRUCTED AT A DISTANCE OF 19' FROM THE PROPERTY LINE IN
LIEU OF THE REQUIRED 75' TO PERMIT A FRONT YARD SETBACK OF 19'
IN LIEU OF THE REQUIRED 50' TO PERMIT A SIDE STREET SETBACK OF 19'
(FOR A CHURCH) WITH AN AREA/FACE OF 32 SQ. FT. IN LIEU OF THE
MINIMUM PERMITTED 25' AND A HEIGHT OF 7.5' IN LIEU OF THE
MINIMUM PERMITTED 6' SPECIAL HEARING TO APPROVE THE
CONSTRUCTION OF AN ADDITION TO AN EXISTING CHURCH THAT MEETS

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

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

HAND CAPPED ACCESSIBLE

1
ICE
PHA

HELD BY
NER

ZONING
TOWSON 21204

2011 AT 10:00 A.M.

FA BUFFER OF 10' IN
LIEU OF THE REQUIRED 50' BUFFER, TO PERMIT A
PARKING LOT TO BE CONSTRUCTED AT A DISTANCE OF 10' FROM THE
PROPERTY LINE OF THE REQUIRED 75' TO PERMIT A STRUCTURE BE
CONSTRUCTED AT A DISTANCE OF 19' FROM THE PROPERTY LINE IN
LIEU OF THE REQUIRED 75' TO PERMIT A FRONT YARD SETBACK OF 19'
IN LIEU OF THE REQUIRED 50' TO PERMIT A SIDE STREET SETBACK OF 19'
(FOR A CHURCH) WITH AN AREA/FACE OF 32 SQ. FT. IN LIEU OF THE
MINIMUM PERMITTED 25' AND A HEIGHT OF 7.5' IN LIEU OF THE
MINIMUM PERMITTED 6' SPECIAL HEARING TO APPROVE THE
CONSTRUCTION OF AN ADDITION TO AN EXISTING CHURCH THAT MEETS

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

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

SUBLE

ZONING NOTICE

CASE # 2011-0138-SPHA

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

Room 205, JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE. TOWSON 21204

PLACE:

DATE AND TIME: Tuesday, July 26, 2011 at 10:00 A.M.

REQUEST Continued .. SECTION 1801.B.1(c)(4), OR IN THE
ALTERNATIVE PER SECTION 1801.B.1(c)(6) WHERE A NEW CHURCH
OR OTHER BUILDING FOR RELIGIOUS WORSHIP MEETS THE RESIDENTIAL
TRANSITION AREA (RTA) REQUIREMENTS TO THE EXTENT POSSIBLE
WHILE BEING COMPATIBLE WITH THE CHARACTER AND GENERAL
WELFARE OF THE SURROUNDING RESIDENTIAL PREMISES.

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

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

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 12, 2011 Issue - Jeffersonian

Please forward billing to:
Abiodun Somide
9601 Liberty Road
Randallstown, MD 21133

443-717-1947

NOTICE OF ZONING HEARING

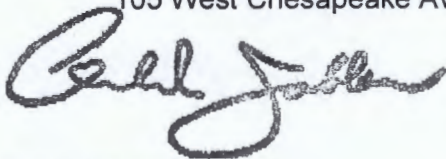
The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2011-0138-SPHA

9601 Liberty Road
S/side of Liberty Road at the corner of east side of Live Oak Road
2nd Election District – 4th Councilmanic District
Legal Owners: Abiodun & Omobolarinwa Somide

Variance to permit an RTA buffer of 10' in lieu of the required 50' buffer; to permit a parking lot to be constructed at a distance of 10' from the property line in lieu of the required 75'; to permit a structure be constructed at a distance of 19' from the property line in lieu of the required 75'; to permit a front yard setback in lieu of the required 50'; to permit a side street setback of 19' in lieu of the required 35'; to permit a changeable copy sign (for a church) with an area/face of 32 sq. ft. in lieu of the maximum permitted 25' and a height of 7.5' in lieu of the maximum permitted 6'. Special Hearing to approve the construction of an addition to an existing church that meets Section 1B01.B.1(e)(4), or in the alternative per Section 1B01.B.1(e)(6) where a new church or other building for religious worship meets the Residential Transition Area (RTA) requirements to the extent possible while being compatible with the character and general welfare of the surrounding residential premises.

Hearing: Tuesday, July 26, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

June 28, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0138-SPHA

9601 Liberty Road

S/side of Liberty Road at the corner of east side of Live Oak Road

2nd Election District – 4th Councilmanic District

Legal Owners: Abiodun & Omobolarinwa Somide

Variance to permit an RTA buffer of 10' in lieu of the required 50' buffer; to permit a parking lot to be constructed at a distance of 10' from the property line of the required 75'; to permit a structure be constructed at a distance of 19' from the property line in lieu of the required 75'; to permit a front yard setback in lieu of the required 50'; to permit a side street setback of 19' in lieu of the required 35'; to permit a changeable copy sign (for a church) with an area/face of 32 sq. ft. in lieu of the maximum permitted 25' and a height of 7.5' in lieu of the maximum permitted 6'. Special Hearing to approve the construction of an addition to an existing church that meets Section 1B01.B.1(e)(4), or in the alternative per Section 1B01.B.1(e)(6) where a new church or other building for religious worship meets the Residential Transition Area (RTA) requirements to the extent possible while being compatible with the character and general welfare of the surrounding residential premises.

Hearing: Tuesday, July 26, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Mr. C. William Clark, 502 Washington Avenue, Towson 21204
Mr. & Mrs. Somide, 9601 Liberty Road, Baltimore 21133
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 11, 2011.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
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: 2011-0138-SPHA *(Special Hearing & Remanded Variance)* ~~SP-111~~

Petitioner: Somide

Address or Location: 9601 Liberty Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: ABI SOMIDE

Address: 9601 LIBERTY RD

RANDALLSTOWN MD 21133

Telephone Number: 443-717-1947

Revised 2/17/11 DT

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 16, 2010 Issue - Jeffersonian

Please forward billing to:

Abiodun Somide
9601 Liberty Road
Randallstown, MD 21133-2417

410-496-0755

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: 2011-0138-A

9601 Liberty Road

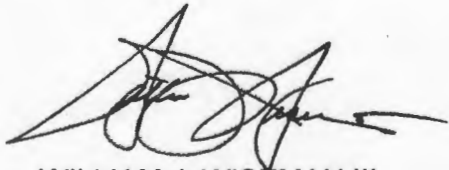
S/side of Liberty Road at corner of east side of Live Oak Road

2nd Election District – 4th Councilmanic District

Legal Owners: Abiodun & Omobolarinwa Somide

Variance to permit and RTA buffer of 10 feet in lieu of the required 50 feet buffer; to permit a parking lot to be constructed at a distance of 10 feet from the property line in lieu of the required 75 feet; to permit a structure to be constructed at a distance of 19 feet from the property line in lieu of the required 75 feet; to permit a front yard setback of 48 feet in lieu of the required 50 feet; to permit a side street setback of 19 feet in lieu of the required 35 feet; to permit a changeable copy sign (for a church) with an area/face of 32 square feet in lieu of the maximum permitted 25 feet and a height of 7.5 feet in lieu of the maximum permitted 6 feet.

Hearing: Wednesday, December, 1, 2010 at 2:00 p.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management
October 29, 2010

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: 2011-0138-A

9601 Liberty Road

S/side of Liberty Road at corner of east side of Live Oak Road

2nd Election District – 4th Councilmanic District

Legal Owners: Abiodun & Omobolarinwa Somide

Variance to permit and RTA buffer of 10 feet in lieu of the required 50 feet buffer; to permit a parking lot to be constructed at a distance of 10 feet from the property line in lieu of the required 75 feet; to permit a structure to be constructed at a distance of 19 feet from the property line in lieu of the required 75 feet; to permit a front yard setback of 48 feet in lieu of the required 50 feet; to permit a side street setback of 19 feet in lieu of the required 35 feet; to permit a changeable copy sign (for a church) with an area/face of 32 square feet in lieu of the maximum permitted 25 feet and a height of 7.5 feet in lieu of the maximum permitted 6 feet.

Hearing: Wednesday, December, 1, 2010 at 2:00 p.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:kl

C: Mr. & Mrs. Somide, 9601 Liberty Road, Randallstown 21133
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 201093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 16, 2010.**
- (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.**

**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: 2011-0138-A
Petitioner: ABIODUN & OMOBOLARINWA SOMIDE
Address or Location: 9601 LIBERTY RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ABIODUN SOMIDE
Address: 9601 LIBERTY RD
RANDALLSTOWN, MD 21133-2417

Telephone Number: 410-496-0755



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

Jefferson Building - Second Floor
Hearing Room #2 - Suite 206
105 W. Chesapeake Avenue

March 2, 2011

NOTICE OF ASSIGNMENT

CASE #: 11-138-A IN THE MATTER OF: ABIODUN & OMOBOLARINWA SOMIDE-
LEGAL OWNERS/PETITIONERS
9601 LIBERTY ROAD
2ND E; 4TH C

Re: Petition for Variance:

- 1) to permit an RTA buffer of 10 ft ilo req'd 50 ft;
- 2) to permit a parking lot to be constructed at a distance of 10 ft from the property line ilo req'd 75 ft;
- 3) to permit a structure to be constructed at a distance of 19 ft from the property line ilo req'd 75 ft;
- 4) to permit a front yard setback of 48 ft ilo req'd 50 ft;
- 5) to permit a side street setback of 19 ft ilo req'd 35 ft;
- 6) to permit a changeable copy sign (for church) with an area/face of 32 sq ft ilo max permitted 25 ft and a height of 7.5 ft ilo max permitted 6 ft.

12/10/10 Findings of Fact and Conclusion of Law issued by Deputy Zoning Commissioner DENYING requested Variance relief.

ASSIGNED FOR: THURSDAY, MAY 5, 2011 AT 10:00 A.M.

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

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

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

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

Theresa R. Shelton, Administrator

c: Petitioner/Legal Owner/Appellant

: Abiodun & Omobolarinwa Somide

Rick Richardson
Richardson Engineering, LLC
Linda Forsyth

Office of People's Counsel
Lawrence M. Stahl, Administrative Law Judge
Arnold Jablon, Director/PAI
Jeff Mayhew, Acting Director/Office of Planning
Nancy C. West, Assistant County Attorney
Michael E. Field, County Attorney



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

July 18, 2011

Abiodun & Omibolarinwa Somide
9601 Liberty Road
Randallstown, MD 21133-2417

RE: Case Number 2011-0138-SPHA, 9601 Liberty Road

Dear Mr. & Mrs. Somide,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 14, 2011. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, MD 21093
C. William Clark, Nolan Plumhoff and Williams, 502 Washington Avenue, Towson, MD 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits,
Approvals and Inspections

DATE: June 22, 2011

FROM: Andrea Van Arsdale
Director, Office of Planning

SUBJECT: 9601 Liberty Road

Item Number: 11-138

Petitioner: Abiodun Somide

Zoning: DR 3.5

Requested Action: Variance

RECEIVED

JUN 24 2011

OFFICE OF ADMINISTRATIVE HEARINGS

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The property is located in a Master Plan designated community conservation area. An existing single-family residence is being converted to a church. The site is located in an established neighborhood with lots similar to the size of that which the proposed church is situated on.

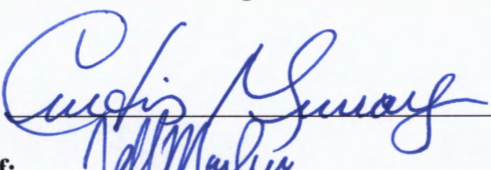
A previous variance request to construct an 8,684 sq. ft. sanctuary was denied on December 10, 2010. The petitioner appealed the Zoning Commissioner's decision to the Baltimore County Board of Appeals. In response to appeal the Board of Appeals remanded the request back to the Administrative Law Judge.

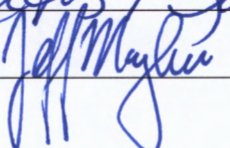
The petitioner has submitted an altered site plan requesting a smaller (5,781 sq. ft.) building with proposed building elevations reflecting a more attractive design and the addition of a proposed changeable sign. The new design is less intrusive to adjacent properties.

The Office of Planning recommends approval of the requests contained in the Variance and Special Hearing petition provided the petitioner:

1. Install a 6-foot wood privacy fence and compact dense evergreen screening that will grow to at least 15 feet tall along the property's southern boundary line to mitigate any impacts on the adjacent residential use
2. Construct the building according to building elevations submitted to the Office of Planning.
3. Install lighting less than 14 feet tall that will not reflect on adjacent residential uses.
4. Submit building elevations, landscape and lighting plan (as a package) to the Office of Planning for approval before applying for any building permits.

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

Prepared by:  _____

Division Chief:  _____
AVA/LL: CM

TB- 12/1 2pm 109

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 3, 2010

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

SUBJECT: 9601 Liberty Road

RECEIVED

INFORMATION:

Item Number: 11-138

NOV 10 2010

Petitioner: Abiodun Somide

Zoning: DR 3.5

ZONING COMMISSIONER

Requested Action: Variance

The petitioner Requests Variances from:

- Section 1B01.1 (e) (3) to permit an RTA buffer of 10' feet in lieu of the required 50' buffer.
- Section 1B01.1B19(e) (5) to permit a parking lot to be constructed at a distance of 10 ' from the property line in lieu of the required 75"
- Section 1B01.1B19(e) (5) to permit a structure to be constructed at a distance of 19 ' from the property line in lieu of the required 75"

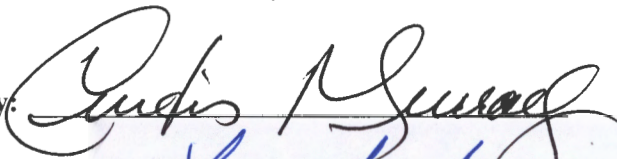
SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The property is located in a Master Plan designated community conservation area. An existing single-family residence is being converted to a church. The site is located in an established neighborhood with lots similar to the size of the proposed church.

The proposed variances could have negative impacts on the adjacent residential property. Privacy currently enjoyed by owners on 3721 Live Oak Road could be compromised and the volume of cars entering and exiting the parking lot on Live Oak Road could cause traffic problems for this residential street. To that end the Office of Planning recommends the requested variances be denied.

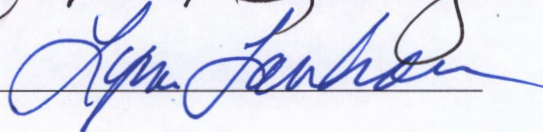
For further information concerning the matters stated here in, please contact Dave Green at 410-887-3480.

Prepared by:



Division Chief:

AFK/LL: CM





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

State Highway
Administration

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: OCTOBER 19, 2010

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

RE: Baltimore County
Item No. 2011-0138A
MD 26
9601 LIBERTY ROAD
SOMIDE PROPERTY
VARIANCE -

RECEIVED

NOV 29 2010

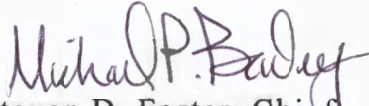
ZONING COMMISSIONER

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 10/17/10. A field inspection and internal review reveals that an entrance onto MD 26 consistent with current State Highway Administration guidelines is required. As a condition of approval for 9601 LIBERTY RD, Case Number 2011-0138A the applicant must contact the State Highway Administration to obtain an entrance permit.

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

Very truly yours,


For ¹ Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov



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

State Highway
Administration

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: JUNE 22, 2011

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

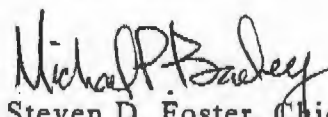
RE: Baltimore County
Item No. 2011-0138
MD 26
9601 LIBERTY RD
ABIDUM & OMGBOLARINWA
SONIDE
VARIANCE -
SPECIAL HEARING -

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 6-21-2011. A field inspection and internal review reveals that an entrance onto MD 26 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for 9601 LIBERTY RD, Case Number 2011-0138.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may email him at (mbailey@sha.state.md.us). Thank you for your attention.

Very truly yours,


For¹ Steven D. Foster, Chief
Access Management Division

SDF/mb

Cc: Mr. David Peake - SHA Metropolitan District Engineer
Mr. Michael Pasquariello - SHA Utility Engineer

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide toll free

Street address: 707 North Calvert Street - Baltimore, Maryland 21202 - Phone 410.545.0300 - www.marylandroads.com

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For November 1, 2010
Item Nos. 2011- 124, 133, 135, 136
And 138

DATE: November 1, 2010

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

RECEIVED

NOV 29 2010

ZONING COMMISSIONER

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-11012010 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: June22, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For July 05, 2011
Item Nos. 2011-138, 352, 353, 354, 355, 356, 357
And 358.

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-07052011 -NO COMMENTS.doc

TB
12-1-10

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

DEC 01 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: December 1, 2010
SUBJECT: Zoning Item # 11-138-A
Address 9601 Liberty Road
(Somide Property)

Zoning Advisory Committee Meeting of October 18, 2010.

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

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. As per Section 33-6-103 (a) (1) a person making application for a development, subdivision, building, grading, or erosion and sediment control approval on areas of land 40,000 square feet or greater must comply with the Forest Conservation Law.

Reviewer: J. Russo

Date: 10/29/10



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

June 28, 2011

County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Zoning Review

Distribution Meeting of: **June 20, 2011**

Item No.:

Variance: 2011-0138-SPHA

Special Hearing: 2011-0138-SPHA

Comments:

The proposed building shall be designed and constructed so as to meet the applicable provisions of the Baltimore County Fire Prevention Code; Bill # 48-10.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

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

October 20, 2010

ATTENTION: Kristen Mathews
ZAC 11/1/2010

PDM Number no's.:

2011-0124-A
2011-0433-A
2011-0135-A
2011-0136-A
2011-0138-A

The fire marshal's office has no comments at this time.

Lt. Jimmie D. Mezick
Fire Marshal's Office
410-887-4880
MS-1102F

cc: File

RECEIVED

NOV 29 2010

ZONING COMMISSIONER



Printed with Soybean Ink
on Recycled Paper

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

RE: PETITION FOR VARIANCE
IN THE MATTER OF:
ABIODUN & OMOBOLARINWA SOMIDE
9601 Liberty Road
2nd E; 4th C

Legal Owners/Petitioners

* BEFORE THE
* THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE #: 11-138 A

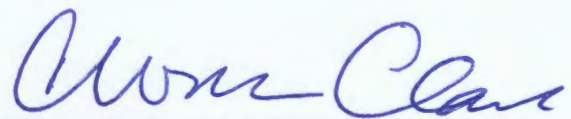
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the undersigned counsel to represent the Petitioners, Abiodun and Omobolarinwa Somide, in reference to the above captioned case, and please have all notices forwarded to the undersigned.

RECEIVED
MAY - 5 2011

**BALTIMORE COUNTY
BOARD OF APPEALS**

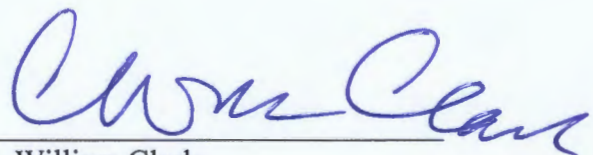


C. William Clark, Esquire
NOLAN, PLUMHOFF & WILLIAMS, CHTD.
Suite 700 Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204
(410) 823-7800

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 4th day of May, 2011, a copy of the foregoing Entry of Appearance was mailed, via first-class mail, postage prepaid to the following:

PETER MAX ZIMMERMAN
Office of People's Counsel
Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, MD 21204



C. William Clark



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

February 16, 2011

Abiodun & Omobolarinwa Somide
3903 Algiers Road
Randallstown, MD 21133

Dear Mr. & Mrs. Somide:

RE: Case: 2011-0138-A, 9601 Liberty Road

Please be advised that your appeal of the above-referenced case was filed in this office on January 4, 2011. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Jablon", written over a light blue circular stamp.

Arnold Jablon
Director

AJ:kl

c: Office of Administrative Hearings
People's Counsel
Rick Richardson, 30 E. Padonia Road, Ste. 500, Timonium 21093
Linda Forsyth, 3522 Sea Pines Circle, Randallstown 21133

RECEIVED

FEB 17 2011

**BALTIMORE COUNTY
BOARD OF APPEALS**

BOARD OF APPEALS OF BALTIMORE COUNTY
MINUTES OF DELIBERATION

IN THE MATTER OF: Abiodun & Omobolarinwa Somide 11-138-A

DATE: May 5, 2011

BOARD/PANEL: Lawrence Wescott, Chairman
Wendy Zerwitz
Edward Crizer, Jr.

TRANSCRIBED BY: Sunny Cannington/Legal Secretary

PURPOSE: To deliberate the following:

1. Counsel made a Joint Motion on the record to Remand this matter to the Administrative Hearing Judge for further proceedings.

PANEL MEMBERS DISCUSSED THE FOLLOWING:

Wescott: By agreement of the parties we will Remand this matter to the Administrative Law Judge. All agreed?

Crizer: I agree

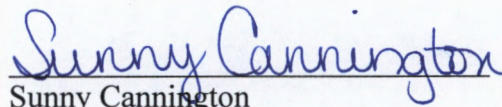
Zerwitz: I agree.

Wescott: Ok. Thank you.

FINAL DECISION: After thorough review of the facts, testimony, and law in the matter, the Board unanimously agreed to REMAND this matter to the Administrative Law Judge.

NOTE: These minutes, which will become part of the case file, are intended to indicate for the record that a public deliberation took place on the above date regarding this matter. The Board's final decision and the facts and findings thereto will be set out in the written Opinion and Order to be issued by the Board.

Respectfully Submitted,


Sunny Cannington

JB 7/26 10 AM 205
Debra Wiley - Fwd: 2011-0138-A (Abiodun & Omobolarinwa Somide - 601 Liberty Rd.)

From: Debra Wiley
To: Lewis, Kristen
Date: 5/11/2011 3:32 PM
Subject: Fwd: 2011-0138-A (Abiodun & Omobolarinwa Somide - 601 Liberty Rd.)
CC: Zook, Patricia

Hi Kristen,

Per our telephone conversation, the above-referenced case was Remanded to OAH for further proceedings. I've attached a copy of the paperwork from the BOA for your information.

It is my understanding that the Petitioner, via Bud Clark, will redo or amend the plan, repost, re-advertise, etc. -
- no different than if they filed a new case and dismissed the original petition.

In any event (as agreed), our office will hold onto this file until you request it.

Thanks.

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

Debra Wiley - Re: Case No. 11-138-A (Abiodun & Omobolarinwa Somide - 601 Liberty Road)

From: <csdemil@aol.com>
To: <dwiley@baltimorecountymd.gov>
Date: 5/11/2011 1:46 PM
Subject: Re: Case No. 11-138-A (Abiodun & Omobolarinwa Somide - 601 Liberty Road)

Hi Deb,

The original Petition was denied by the ALJ. Planning also opposed the relief as well as a neighbor. Our office planned to defend ALJ decision at CBA. Petitioner then asked Bud Clark to represent them. They decided to redo the Plan in the hope of eliminating some or most of the variances - in other words to have another bite at the apple in the hope of getting the amended relief approved. But we all agreed that if anyone is not satisfied with the ALJ decision on this amended Plan they can appeal to CBA.

Petitioner has to repost, provide newspaper notice of hearing and present its case with the appropriate evidence. A new decision must be rendered. It would be no different than if they filed a new case and dismissed the original Petition but they preferred a remand to save filing fees and I did not object since there would be notice of the hearing and Petitioner agreed to circulate the red-lined plan among the County agencies.

Thanks. Carole

-----Original Message-----

From: Debra Wiley <dwiley@baltimorecountymd.gov>
To: Carole Demilio <csdemil@aol.com>
Sent: Wed, May 11, 2011 1:31 pm
Subject: Case No. 11-138-A (Abiodun & Omobolarinwa Somide - 601 Liberty Road)

Hi Carole,

It appears that Counsel jointly made a Motion for Remand on the record and we have received the file for further proceedings.

Larry wanted me to ask if you know any of the following:

Is more time needed ? Are they working out ? Is there some other meaning?

Thanks in advance for any information you can provide.

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

6-29-11
Plan to be amended -
may maybe reduced
satisfactory to P.C. -
D

Debra Wiley - ZAC Comments

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 6/23/2011 3:48 PM
Subject: ZAC Comments
CC: Zook, Patricia

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

Thanks and feel free to contact me should you have any questions or concerns.

2011-0138-SPHA - 9601 Liberty Road
(REMANDED back to OAH from Board of Appeals)

2011-0352-A (Administrative Variance) - 13 Campitelli Court (Closing Date 7/4/10)
2011-0353-A (Administrative Variance) - 7512 Knollwood Rd. (Closing Date 7/4/10)
2011-0354-A (Administrative Variance) - 5701 Emory Rd. (Closing Date 7/4/10)

2011-0355-SPHA -14425-14423 Thornton Mill Road
(No Hearing Date reflected in data base as of today)

2011-0356-A - 68 Del Rio Road
(No Hearing Date reflected in data base as of today)

2011-0357-SPHA - 1407 Vesper Ave.
(No Hearing Date reflected in data base as of today)

2011-0358-A - 802 Overbrook Rd.
(No Hearing Date reflected in data base as of today)

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

Debra Wiley - Re: ZAC Comments

From: Dennis Kennedy
To: Wiley, Debra
Date: 6/24/2011 2:22 PM
Subject: Re: ZAC Comments

Deb:

These are just going to the Zoning Office today.

Dennis

>>> Debra Wiley 6/23/2011 3:48 PM >>>

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

Thanks and feel free to contact me should you have any questions or concerns.

2011-0138-SPHA - 9601 Liberty Road

(REMANDED back to OAH from Board of Appeals)

2011-0352-A (Administrative Variance) - 13 Campitelli Court *(Closing Date 7/4/10)*

2011-0353-A (Administrative Variance) - 7512 Knollwood Rd. *(Closing Date 7/4/10)*

2011-0354-A (Administrative Variance) - 5701 Emory Rd. *(Closing Date 7/4/10)*

2011-0355-SPHA -14425-14423 Thornton Mill Road

(No Hearing Date reflected in data base as of today)

2011-0356-A - 68 Del Rio Road

(No Hearing Date reflected in data base as of today)

2011-0357-SPHA - 1407 Vesper Ave.

(No Hearing Date reflected in data base as of today)

2011-0358-A - 802 Overbrook Rd.

(No Hearing Date reflected in data base as of today)

Debbie Wiley

Legal Administrative Secretary

Office of Administrative Hearings

105 West Chesapeake Avenue, Suite 103

Towson, Md. 21204

410-887-3868

410-887-3468 (fax)

dwiley@baltimorecountymd.gov

From: Curtis Murray
To: Wiley, Debra
CC: Lanham, Lynn
Date: 6/28/2011 11:48 AM
Subject: Re: ZAC Comments

Hi Debbie,

11-138- Was sent on 6/24 ✓ *Rec'd*
11-352-354- We Administrative, No Comment sent to ALJ
11-355-358- Comments have not been generated as of today.

Have great day :O),

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

>>> Debra Wiley 06/23/11 3:48 PM >>>

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

Thanks and feel free to contact me should you have any questions or concerns.

2011-0138-SPHA - 9601 Liberty Road ✓
(REMANDED back to OAH from Board of Appeals)

2011-0352-A (Administrative Variance) - 13 Campitelli Court (Closing Date 7/4/10)
2011-0353-A (Administrative Variance) - 7512 Knollwood Rd. (Closing Date 7/4/10)
2011-0354-A (Administrative Variance) - 5701 Emory Rd. (Closing Date 7/4/10)

2011-0355-SPHA -14425-14423 Thornton Mill Road
(No Hearing Date reflected in data base as of today)

2011-0356-A - 68 Del Rio Road
(No Hearing Date reflected in data base as of today)

2011-0357-SPHA - 1407 Vesper Ave.
(No Hearing Date reflected in data base as of today)

2011-0358-A - 802 Overbrook Rd.
(No Hearing Date reflected in data base as of today)

Debra Wiley - Fwd: 2011-0138-A (Abiodun & Omobolarinwa Somide - 601 Liberty Rd.)

From: Debra Wiley
To: Lewis, Kristen
Date: 7/20/2011 9:42 AM
Subject: Fwd: 2011-0138-A (Abiodun & Omobolarinwa Somide - 601 Liberty Rd.)
CC: Zook, Patricia
Attachments: Fwd: 2011-0138-A (Abiodun & Omobolarinwa Somide - 601 Liberty Rd.)

Hi Kristen,

As you can see from the attached, Bud Clark was to redo or amend the plan, re-post & re-advertise for the hearing scheduled next week, Tuesday, July 26th @ 10 AM. Our office has been holding onto the file and in reviewing it, I do not see any evidence that the above was completed.

Do you have copies of the advertisement or posting ? Thanks.

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

*File Rec'd for
BOA*

Debra Wiley - Fwd: 2011-0138-SPHA - 9601 Liberty Rd.

From: Debra Wiley
To: Lewis, Kristen
Date: 7/21/2011 12:33 PM
Subject: Fwd: 2011-0138-SPHA - 9601 Liberty Rd.

Hi Kristen,

Rose delivered the above-referenced zoning file and it is reflective of a notice of hearing, sign posting, etc. However, I do not see proof of newspaper advertisement. I have attached for your convenience a form regarding the advertisement located in the file.

Since there's no proof in the file to indicate that the newspaper advertisement has been accomplished, can you check it out.

Thanks.

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

Patricia Zook - Wednesday December 1 cases missing all ZAC comments & Peoples Counsel Entry of Appearance

From: Patricia Zook
To: Campbell, Rose; Lewis, Kristen
Date: 11/29/2010 10:14 AM
Subject: Wednesday December 1 cases missing all ZAC comments & Peoples Counsel Entry of Appearance
CC: Bostwick, Thomas

Ladies-

The following cases are missing all ZAC comments and Peoples Counsel Entry of Appearance.

2011-0138-A - also missing posting certification
2011-0135-A - also need violation packet for 0083050
2011-0133-A - have Planning Comment

I will need these documents as soon as possible!

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

Patricia Zook - Cases on Wednesday, December 1

From: Patricia Zook
To: Kennedy, Dennis; Livingston, Jeffrey; Murray, Curtis
Date: 11/29/2010 10:19 AM
Subject: Cases on Wednesday, December 1
CC: Bostwick, Thomas

Good morning gentlemen -

The following case files were delivered to our office late Friday afternoon and the files are missing all ZAC comments:

2011-0135-A
2011-0133-A
2011-0138-A (have a Planning comment on this one)

If you have 'no comment' you can reply to this e-mail and I'll print it and place it in the appropriate file.

As always, thanks for your help.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

Patricia Zook - Files delivered Friday for Wednesday hearings - missing Entry of Appearance

From: Patricia Zook
To: Wheatley, Rebecca
Date: 11/29/2010 10:47 AM
Subject: Files delivered Friday for Wednesday hearings - missing Entry of Appearance
CC: Bostwick, Thomas

Hello Rebecca -

The following cases are missing the Peoples Counsel Entry of Appearance. The hearings are scheduled for Wednesday, December 1.

2011-0138-A
2011-0135-A
2011-0133-A

Thanks for your help!

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

Patricia Zook - Re: Cases on Wednesday, December 1

From: Dennis Kennedy
To: Livingston, Jeffrey; Murray, Curtis; Zook, Patricia
Date: 11/29/2010 12:01 PM
Subject: Re: Cases on Wednesday, December 1
CC: Bostwick, Thomas; Richards, Carl

Patti:

We had no comments on Items 2011-0133, 2011-0135, or 2011-0138.

Dennis

>>> Patricia Zook 11/29/2010 10:19 AM >>>
Good morning gentlemen -

The following case files were delivered to our office late Friday afternoon and the files are missing all ZAC comments:

2011-0135-A
2011-0133-A
2011-0138-A (have a Planning comment on this one)

If you have 'no comment' you can reply to this e-mail and I'll print it and place it in the appropriate file.

As always, thanks for your help.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov



THE REDEEMED CHRISTIAN CHURCH OF GOD

Chapel of Blessings

General Overseer:
Pastor (Dr.) E.A. Adeboye

"Home of Divine Champions and Fruit Bearers"

Pastor-in-Charge:
Pastor Susan O. Somide

Address: 9601 liberty road, Randallstown MD 21133
Email: rccgchapelofblessings@yahoo.com | contact@rccgchapelofblessings.org
Phone: (410) 655 - 1024

4th January 2011

Atten: Mr. George Klunk
Acting Director
Zoning Administration & Development Mgmt
111 W. Chesapeake Ave
Towson. MD 21204

Subject: Zoning
RCCG Chapel of Blessings
9601 Liberty Road, Randallstown

Dear Mr. Klunk,

I am writing to request an appeal of the decision rendered by the zoning commissioner's office in regard to case number 2011-0138-A

Please schedule a hearing date for us in this matter. Enclosed herewith is a check for ~~\$100 (One hundred dollars)~~ made to the Baltimore County to cover cost.

\$265

Yours Faithfully,

Abiodun Somide
RCCG Chapel of Blessings
Randallstown, MD 21133

"Jesus Christ the same yesterday, and today, and forever."
(Hebrews 13:8)

11/18/2010

Mr. Tom Bostwick / Mr. Tim Kotroco
Zoning Review
111 West Chesapeake Ave.
Room 111
Towson, Md. 21204

RECEIVED

NOV 23 2010

Re: Spirit and Intent Letter
Case Number 2011-0139-A
John C. Wang & Mrs. Woo
2007 Tufton Avenue
Reisterstown Md. 21136

ZONING COMMISSIONER

Dr. Mr. Bostwick / Mr. Kotroco

I am writing this letter per Mr. John Wang's request.

The intent of the variance request from the beginning was to install the pool in the side yard as indicated on the original drawing and the variance petition. The intent was to install the pool slightly beyond the front plane of the house (12") to be exact & to install a patio that also extended beyond the front plane as well.(10')

Please see enclosed plan in 40 scale. This information was provided for Dr. Wang prior to the application process as the site plan was too small to show such exacting detail. It is unclear to me whether he presented this drawing at the review phase. I am submitting this plan now for you review and approval.

Sincerely

Michael J. Duffy
Area Sales Manager
Anthony & Sylvan Pools
344 c Ritchie Hwy.
Severna Park Md. 21146
443-994-3169(cell)

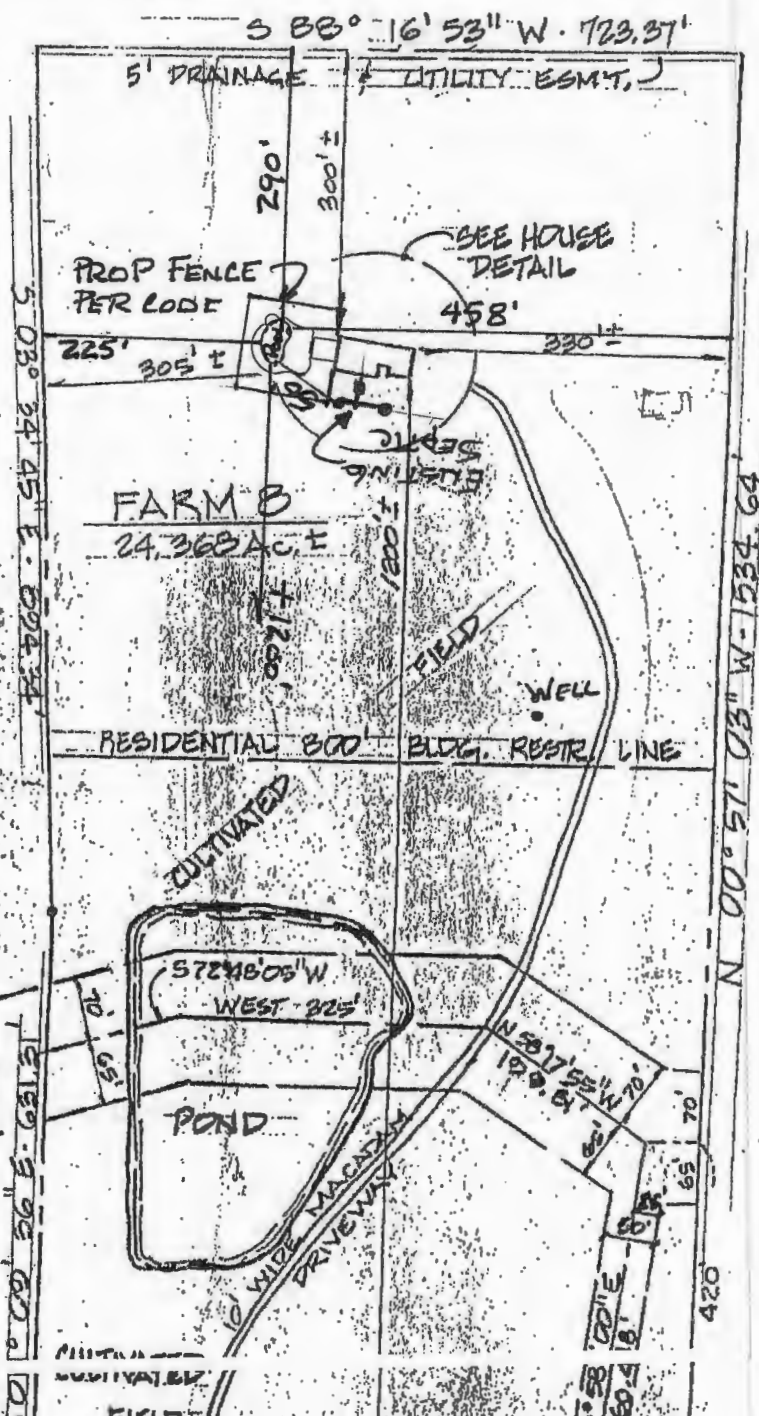
SURVEYOR'S CERTIFICATE:

1. This is to certify that we have surveyed this property for the purpose of locating the improvements and that they are located as shown hereon. This survey did NOT include the marking of lot corners with permanent markers.
2. This plat may NOT be used to establish property lines.
3. This plat is for title purposes only. No title report is being furnished.
4. This plat is subject to all easements and rights of way of record.
5. Flood designation by Federal Flood Insurance Rate Map Panel 230 of 575, Community Panel No. 240010-02308, dated 3-2-81 is Zone(s) C

EDWIN J. KIRBY, JR. PROF. L.S.

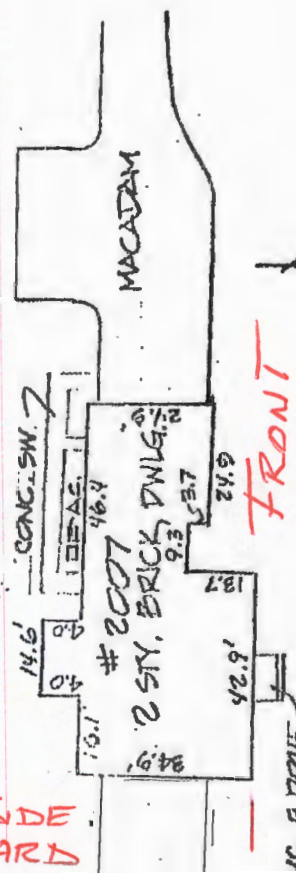


NOTE: ALSO KNOWN AS FARM #B, AS SHOWN ON PLAT OF DIVISION OF FARM #B, PLAT 2 SECTION I, TUFTON FARMS, Recorded in Bolto County, Md. in P.B. E.H.K. Jr. 43, F.65



BACK

SIDE YARD



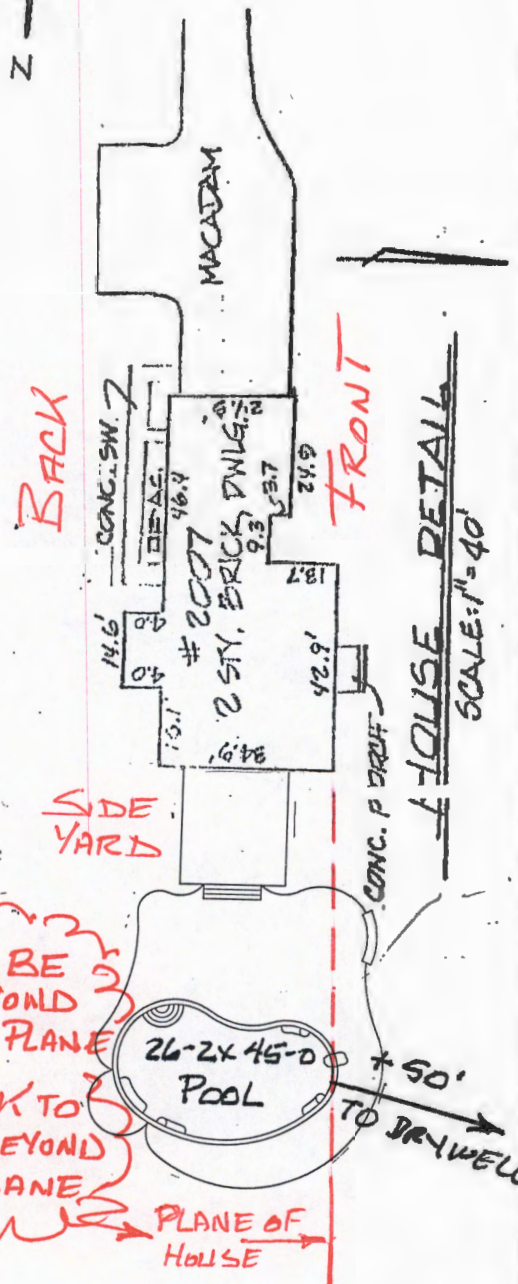
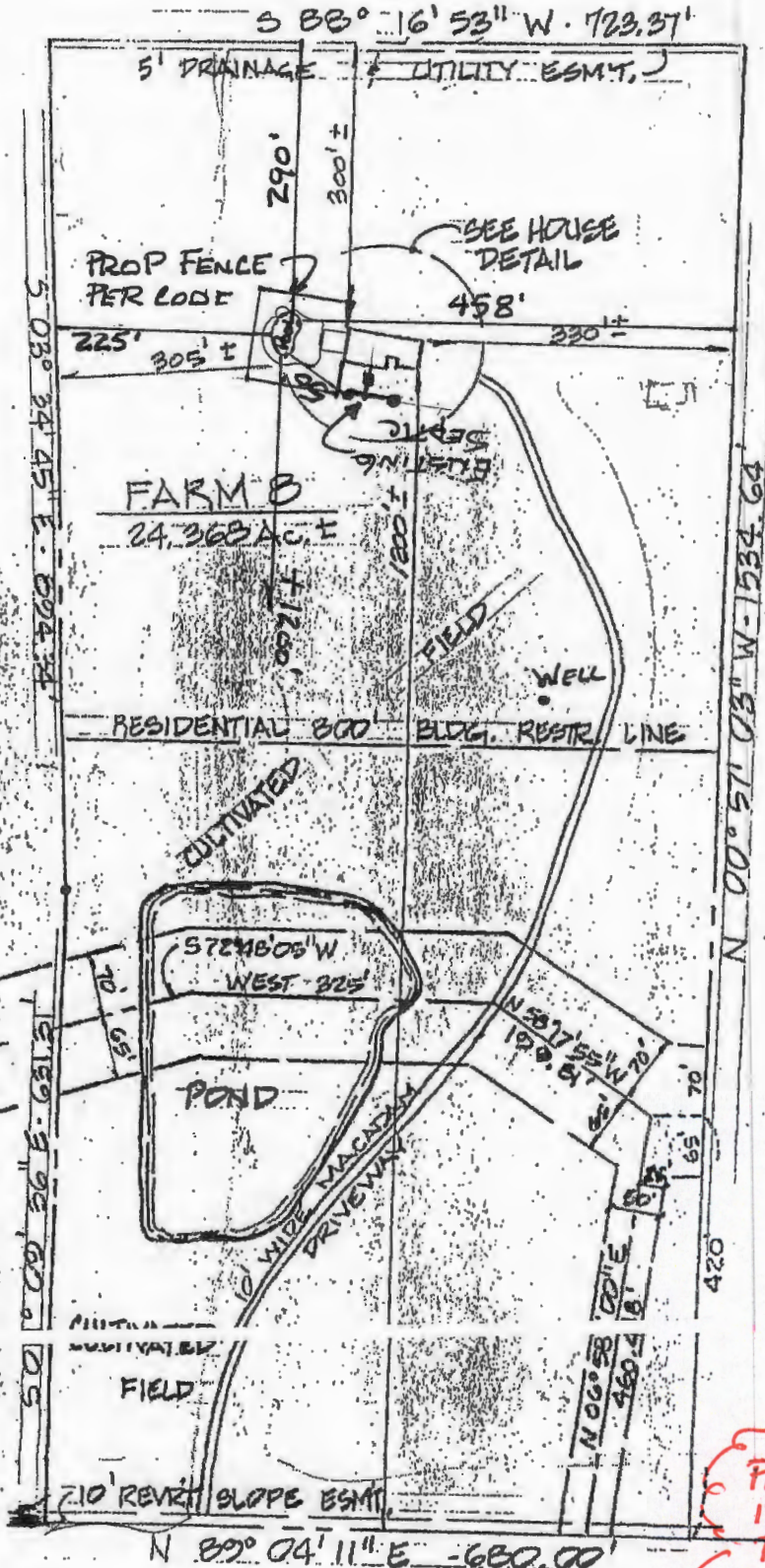
FRONT

HOUSE DETAIL
SCALE: 1"=40'

EDWIN J. KIRBY, JR. PROF. L.S.



NOTE: ALSO KNOWN AS FARM #8, AS SHOWN ON PLAT OF DIVISION OF FARM #8, PLAT 2 SECTION I, TUFTON FARMS, Recorded in Balto. County, Md. in P.B. E.H.K. Jr. 43, F.65



TUFTON AVENUE

LOCATION SURVEY

#2007 TUFTON AVE.
BALTIMORE COUNTY, MD

Scale: 1"=20'

Date: 10/28/97

Maryland Department of Assessments and Taxation
Real Property Data Search (vw1.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier: District - 02 Account Number - 0213065500

Owner Information

Owner Name: SOMIDE ABIODUN
SOMIDE OMOBOLARINWA
Use: RESIDENTIAL
Principal Residence: YES
Mailing Address: 9601 LIBERTY RD
RANDALLSTOWN MD 21133-2417
Deed Reference: 1) /26220/ 00001
2)

Location & Structure Information

Premises Address
9601 LIBERTY RD
0-0000
Legal Description
.9592 AC
9601 LIBERTY RD
SE COR LIVE OAK RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
0076	0006	0331		0000				1	

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1939	2,392 SF	41,782 SF	04

Stories	Basement	Type	Exterior
2.500000	YES	STANDARD UNIT STUCCO	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2010	07/01/2010	07/01/2011
Land	81,940	81,900		
Improvements:	236,450	191,600		
Total:	318,390	273,500	273,500	273,500
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
JOHNSON DONNELL	09/28/2007	\$365,000
Type: ARMS LENGTH IMPROVED	Deed1: /26220/ 00001	Deed2:
LEE DANIEL	04/27/2007	\$285,000
Type: ARMS LENGTH IMPROVED	Deed1: /25552/ 00584	Deed2:
MCDONALD WM D	09/03/2003	\$189,900
Type: ARMS LENGTH IMPROVED	Deed1: /18701/ 00491	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County			0.00
State			0.00
Municipal			0.00

Tax Exempt:
Exempt Class:
Special Tax Recapture:
* NONE *

CASE NAME 9601 LIBERTY RD
CASE NUMBER 2010-138A
DATE 12/1/10

[illegible]

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER 2011-0138-A
DATE 12-1-10

CITIZEN'S SIGN-IN SHEET

[illegible]

CASE NAME 9601 Liberty Rd.
CASE NUMBER 2011-0138-A
DATE 7-26-11

Remand

[illegible]



ZONING MAP #076C1
SCALE: 1" = 200'

2011-0138-A

Syllabus.

[218 Md.

suit to take possession of a trust fund from those entitled to it and fails, has no right to reimbursement of his expenses out of the trust fund.

The chancellor found that the instant case was in the nature of an interpleader. We agree. But, instead of being paid out of the fund paid into court, the costs and fees in an interpleader proceeding are generally payable by the defendant who has made the litigation necessary. *Hopkins v. Easton Nat. Bank*, 171 Md. 130, 187 A. 874 (1936). See also 4 Pomeroy *Equity Jurisprudence* § 1328 (5th ed. 1941); 30 Am. Jur. *Interpleader* § 28.

We think the costs should be paid out of a fund only in those proceedings in which the parties have a common interest or when the fund itself benefits from the action. When there is an adversary proceeding, such as this, to determine who is entitled to the fund in dispute, the losing party should pay the costs in the trial court and on appeal. In this instance the plaintiff-appellant should pay the costs in both courts.

Having arrived at the conclusion that the proceeds of the policy of insurance are payable to the estate of the insured and that the widow should pay the costs in the lower court and on this appeal, it is not necessary to consider whether the admission of the testimony of the widow was contrary to the provisions of Art. 35 § 3, *supra*.

*Order affirmed, the appellant to
pay the costs in the trial court
and on this appeal.*

CASSIDY ET AL. v. BALTIMORE COUNTY
BOARD OF APPEALS ET AL.

[No. 125, September Term, 1958.]

ADMINISTRATIVE LAW—*Proper Notice of Hearing, Required by Law—Failure to Give, Fatal to Jurisdiction.* The failure of an administrative official or a board to give a proper notice of

418]

Syllabus.

a hearing, required by law, is fatal to the jurisdiction of the official or the board to conduct the hearing. pp. 421-422

ZONING—*Baltimore County—Notice Referring to Petition for Reclassification Only, and Not Mentioning Special Exception, Was Sufficient to Confer Jurisdiction to Grant Special Exception.* A notice of a hearing upon a petition for a reclassification of property in Baltimore County substantially complied with the County Zoning Regulations and the law to confer jurisdiction to grant a special exception, even though no application had been made for a special exception and the notice did not specifically mention a request for one, but stated only that a reclassification was sought. The notice notified the public that the petitioner was seeking a reclassification of its property to the lowest (the least restricted) zoning category, and thus apprised the public "clearly of the character of the action proposed and enough of the basis upon which it rest(ed) to enable" them "to intelligently prepare for the hearing". Anyone who attended the hearing prepared to defeat the request for a reclassification would likewise have been prepared to defeat the granting of a special exception. In reaching this conclusion, the Court noted that the regulations do not explicitly require the notice to contain the words "special exception" in order to authorize the granting of one, and stressed the closeness with which the regulations deal with petitions for reclassifications and for special exceptions; the fact that the method of notice required for each is identical; and, among other things, that the recognized practice in Baltimore County is to file a petition for each may be filed at the same time and a joint hearing held thereon.

pp. 421-426

ZONING — *Baltimore County — Special Exception to Public Utility for Steam Generating Plants and Related Facilities in R.6 Zones.* The Baltimore County Zoning Regulations, in express terms, authorize a special exception to public utility companies for the operation in R.6 (residential) zones of steam generating plants and related facilities.

pp. 427-428

ZONING — *Baltimore County — Special Exception to Public Utility for Steam Generating Station and Related Facilities in Residential Zone—Board's Decision to Grant, Fairly Debatable—*

remembered any details at all. Of those two, one recalled that the papers said Finke was guilty and another recalled a reference to a psychic who divined that someone related to the deceased was responsible for her death. A third panel member did not remember any details of what he had read but felt he could not be impartial.

Both appellant and the State rely upon *Simms v. State*, 49 Md.App. 515, 433 A.2d 1199 (1981). Appellant quotes from *Simms*:

"It is not all publicity that causes prejudice to a defendant, but only that publicity that operates to deprive defendant of a fair trial. Such publicity is the type that proclaims the defendant's guilt in advance of trial and prejudices the minds of the public against the defendant to such an extent that most people are unable to weigh the evidence objectively."

Id. at 521, 433 A.2d 1199, quoting *United States v. Mandel*, 415 F.Supp. 1033, 1073 (D.Md.1976).

The State, in turn, quotes the following language from *Simms*:

A party moving for a change of venue carries a heavy burden of satisfying the court that there is so great a prejudice against him that he cannot obtain a fair and impartial trial. Generally, in order to meet this burden, the defendant must show in non-capital cases "(1) that the newspaper article [or pretrial publicity] is prejudicial, (2) that a juror has read the prejudicial newspaper article [or otherwise been exposed to the prejudicial publicity], and (3) that the juror's decision at the trial was influenced by that newspaper article [or pretrial publicity]." . . .

Voir dire examination is usually a sufficient mechanism to insure that a defendant obtains a fair and impartial trial despite the pretrial publicity. . . . This may be satisfied if each venireman empaneled indicates that he has not formed an opinion of defendant's guilt or innocence as a result of the pretrial publicity or that the pretrial publicity would not "in any way derogate from his ability

to give the defendant a fair and impartial trial," as was done in the instant case.

Id. 49 Md.App. at 518-519, 433 A.2d 1199 (citations omitted).

We agree that the publicity was pervasive and prejudicial in nature. But its impact on the public, as demonstrated by the *voir dire* examination of the panel, was negligible. We find no abuse of discretion in the court's refusal to remove the case.

JUDGMENT AFFIRMED.

COSTS TO BE PAID BY APPELLANT.

468 A.2d 383

Charles H. O'DONNELL, Jr., et al.

v.

BASSLERS, INCORPORATED et al.

No. 52, Sept. Term, 1983.

Court of Special Appeals of Maryland.

Dec. 9, 1983.

Protestants challenging adoption of amendment to zoning ordinance to authorize special permit for airport appealed from a decision of the Circuit Court, Howard County, Guy J. Cicone, J., affirming a decision and order of county zoning board adopting the amendment. The Court of Special Appeals, Liss, J., held that: (1) amendment as adopted was supported by competent, material and substantial evidence sufficient to make adoption of amendment fairly debatable, and (2) notice of hearing on the amendment was legally sufficient.

Affirmed.

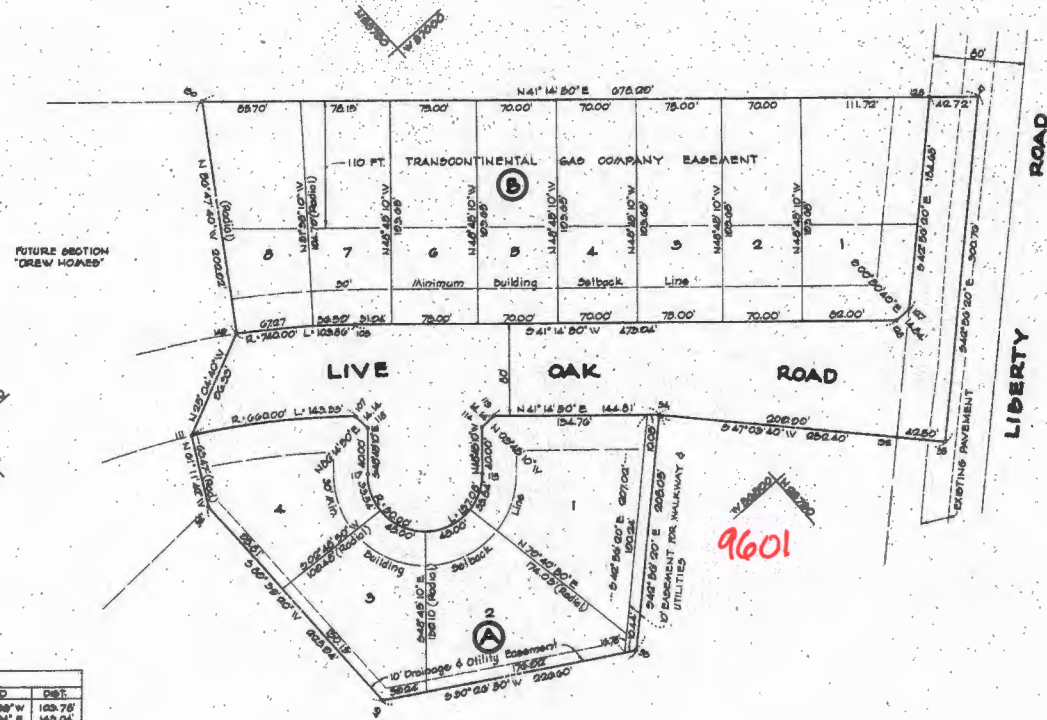
Case No.: 2011-0138-A

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	site plan	
No. 2	record plat	
No. 3	aerial photo / zoning map	
No. 4	photo of corner	
No. 5	excerpt of Master Plan	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



CURVE DATA

STATION	TO	BEARING	LENGTH	CHORD	CHORD BEARING
109	108	S 60° 00' W	103.00	98.08	09° 08' 30"
111	107	S 60° 00' W	148.00	71.88	10° 08' 30"
117	118	S 0° 00' W	187.00	180.00	N 41° 14' 30" E

COORDINATES

NO	EAST	NORTH	NO	EAST	NORTH
26	86648.26	83363.89	114	86708.74	83397.72
46	86660.38	83363.89	118	86758.86	83396.13
47	86661.30	83102.64	117	86761.80	83436.19
89	86471.80	83363.89	119	86771.87	83513.34
94	86611.10	83710.71	128	86650.46	83707.75
98	86488.41	83554.44	127	86653.67	83659.34
108	86448.95	83564.59	126	86653.48	83653.70
107	86715.78	83511.01	125	86647.85	83643.70
111	86607.66	83504.47	140	86603.71	83481.73
119	86706.66	83401.80	150	86703.30	83462.89

SECTION 1
DREW HOMES
 2ND ELECTION DISTRICT BALTIMORE COUNTY, MD.
 SCALE 1"=50'
 OCTOBER 12, 1964

DEVELOPER
 MORRIS & KATE SODENOW
 612 N. CHARLES ST.
 BALTIMORE, MD. 21201

ALL 30 FOLD 64
 RECEIVED FOR RECORD
 JAN 19 1965
 BALTIMORE COUNTY RECORDS
 One of the Records of
 Baltimore County and
 adjacent, per

PETITIONER'S

EXHIBIT NO. 2

APPROVED, BALTIMORE COUNTY PLANNING BOARD 1/7/65 [Signature] DATE	APPROVED: 1/16/65 [Signature] DATE BALTIMORE COUNTY HEALTH OFFICE	NOTE: STREETS and ROADS shown herein and sections thereof to be shown on the plat are shown as for purposes of the subdivision only, and the same are not intended to be dedicated to public use the fee shall remain in the hands thereof is especially reserved in the grant of the deed to which this plat is attached, their heirs and assigns.	NOTE: COORDINATES and BEARINGS shown on this plat are referred to the center of subdivision established in The Baltimore County Metropolitan District and are based on the following known corners: X 4217 W 86700.00 N 60038.40 X 4216 W 86105.88 N 63717.91	OWNERS CERTIFICATE: The requirements of Section 73-2, Article 17 of the Annotated Code of Maryland, (1967 Amendment) as far as they relate to the preparation of this plat have been complied with. [Signature] 12-1-64 DATE	SURVEYORS CERTIFICATE: I, JOHN C. CHILDS JR., a Registered Land Surveyor of the State of Maryland, do hereby certify that the land shown herein has been laid out, and the plat thereof prepared in accordance with the provisions of the law relating to the subdivision of land known as House Bill 4289, Chapter 1016 of the Laws of the State of Maryland. [Signature] 12-1-64 REGISTERED LAND SURVEYOR No. 3422 DATE	MATZ, CHILDS & ASSOCIATES 2129 N. CHARLES ST. BALTIMORE 18, MD. COMPUTER R.S. DRAWN T.R. CHECKED R.E.C. J.C.C. 12-1-64 PM760 MSH534-135-2875 30-64
--	--	--	--	---	--	--



PETITIONER'S

EXHIBIT NO. 3



Address **Liberty Road / Live Oak Road**

Address is approximate

Save trees. Go green!

Download Google Maps on your phone at google.com/gmm



PETITIONER'S

EXHIBIT NO.

4

commercial areas warrants a full service police precinct in Randallstown.

The community survey and discussions with area residents revealed that Liberty Road lacks the quality merchandise and services, necessary to support their effort to do business and/or shop on Liberty Road. The demographics of the communities served by Liberty Road merchants indicate a growing population of educated, professional, and older consumers who have grown to expect a high degree of products, services and integrity from the businesses on Liberty Road. A number of residents have noted, "it is distressing to have to travel out of their community to shop." In order to maintain and attract new residents capable of supporting a more upscale commercial district, the quality of product and services must be improved. Real estate agents noted convenient access to desirable businesses and shopping destinations is a key determinate of the value of homes in community.

Actions:

- Encourage private investments by enhancing the public right-of way with traffic calming, landscaping, street furniture, and human scale lighting.
- Secure a consultant to work with residents and businesses to establish a form-based code for commercial nodes along Liberty Road.
- Conduct a market study to determine businesses that could be supported by area residents.
- Encourage mixed-use development via the Renaissance Opportunity Legislation.
- Publicize County programs offered by the Department of Economic Development to stimulate investments (see list of incentives in appendix).

- Perform a market research study to determine the needs of the community.
- Maintain maximum police presence along the commercial corridor.

Land Use

Issue: Residential communities are threatened by commercial encroachment and high-density residential uses that detract from existing single-family neighborhoods. Future higher density uses must be mitigated by landscaping and other design features.

Discussion:

While Liberty Road provides many opportunities for commercial development, adjacent residential communities noted a need to protect surrounding neighborhoods from uses that jeopardize the enjoyment of their residential properties. Single-family units have been a predominant residential development type in the Liberty West area and are projected to grow in the next two to three decades. Promoting a variety of housing choices is key to meet the needs of diverse household types (composition and income levels), and senior citizens in the Liberty West area.

Residents have experienced an increase in attempts through requests for zoning changes to locate non-residential uses in their communities. These non-residential uses degrade the character of the neighborhoods by bringing additional traffic, signage and commercial deliveries to local streets. The most prevalent use impacting neighborhoods are group homes. Conversion of houses to group homes has been the number one land use complaint of residents in this community.

Documented research has revealed that western-Baltimore County houses more group homes than any other part of the State. The impact of group homes has been detrimental to not just

Case No: 11-138-A Case Name: Abiodun + Omobolarinwa

Exhibit List

Party: Petitioner Date: 5-5-11

Exhibit No:	Description:
✓ 1	Plan to Accompany
VERIFIED BY <u>KAC</u> DATE: <u>5/5/11</u>	

Case No.:

2011-138 SPH-A

7-26-11

Exhibit Sheet

Petitioner/Developer~~Protestant~~

No. 1	Site Plan	(14) DEED
No. 2	Photographs 2A-D	
No. 3	Photograph	
No. 4	Photos 4A- I I	
No. 5	Photos 5A-5E	
No. 6	Photo - near of 9601	
No. 7	Elevation drawings	
No. 8	Neighbor letter	
No. 9	Neighbor letter	
No. 10	ZAC Comments	
No. 11	Landscape Plan	
No. 12	Zoning map 200 scale	

13

1B01.1B BLZR

EXHIBIT
2A



ZONING NOTICE
CASE # 2010-00000000
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER
ON: 10/15/10
PLACE:
DATE AND TIME:
SUBJECT: 10/15/10
10/15/10

ZONING
10/15/10
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER
ON: 10/15/10
PLACE:
DATE AND TIME:
SUBJECT: 10/15/10
10/15/10

EXHIBIT
2B



EXHIBIT

2

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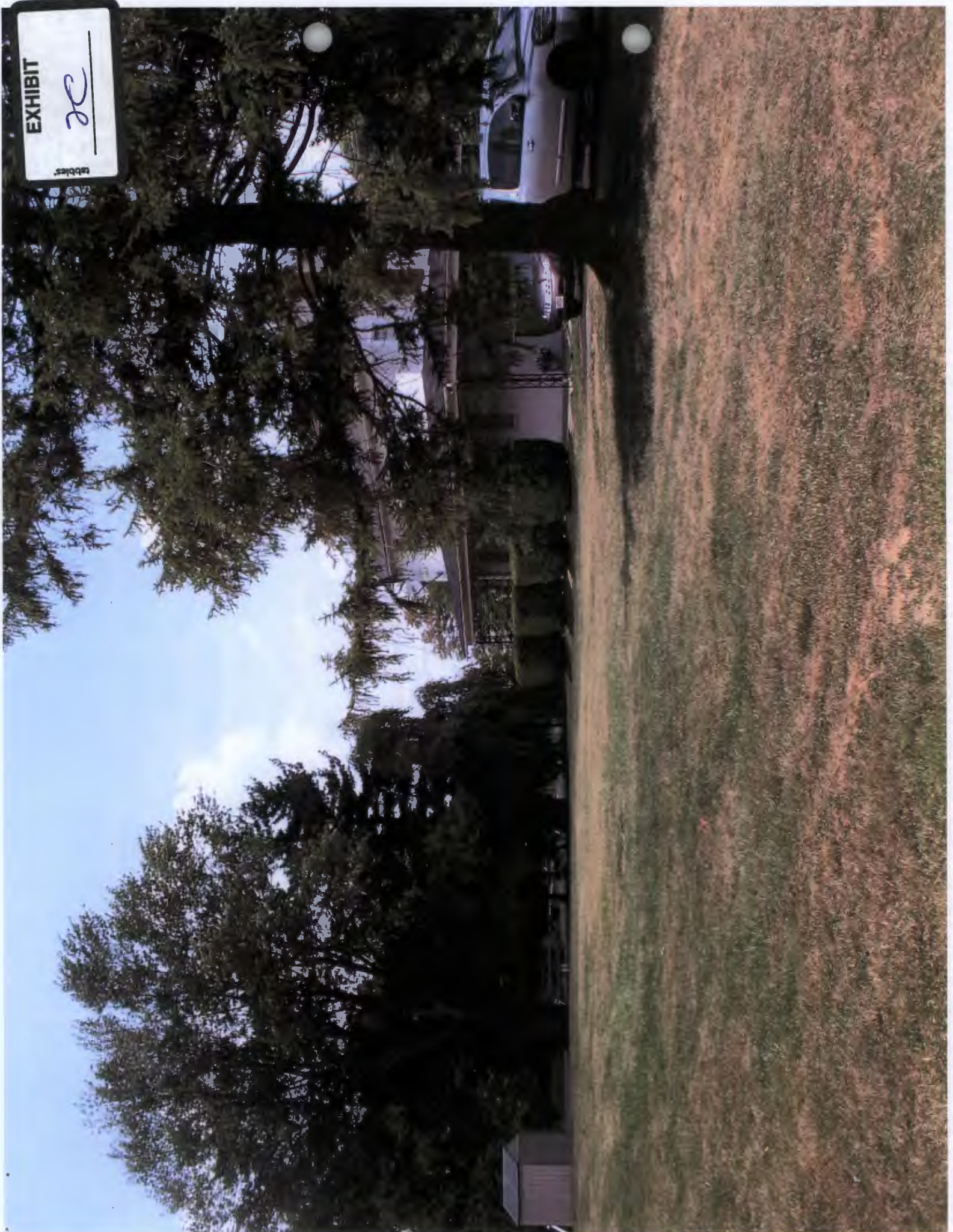


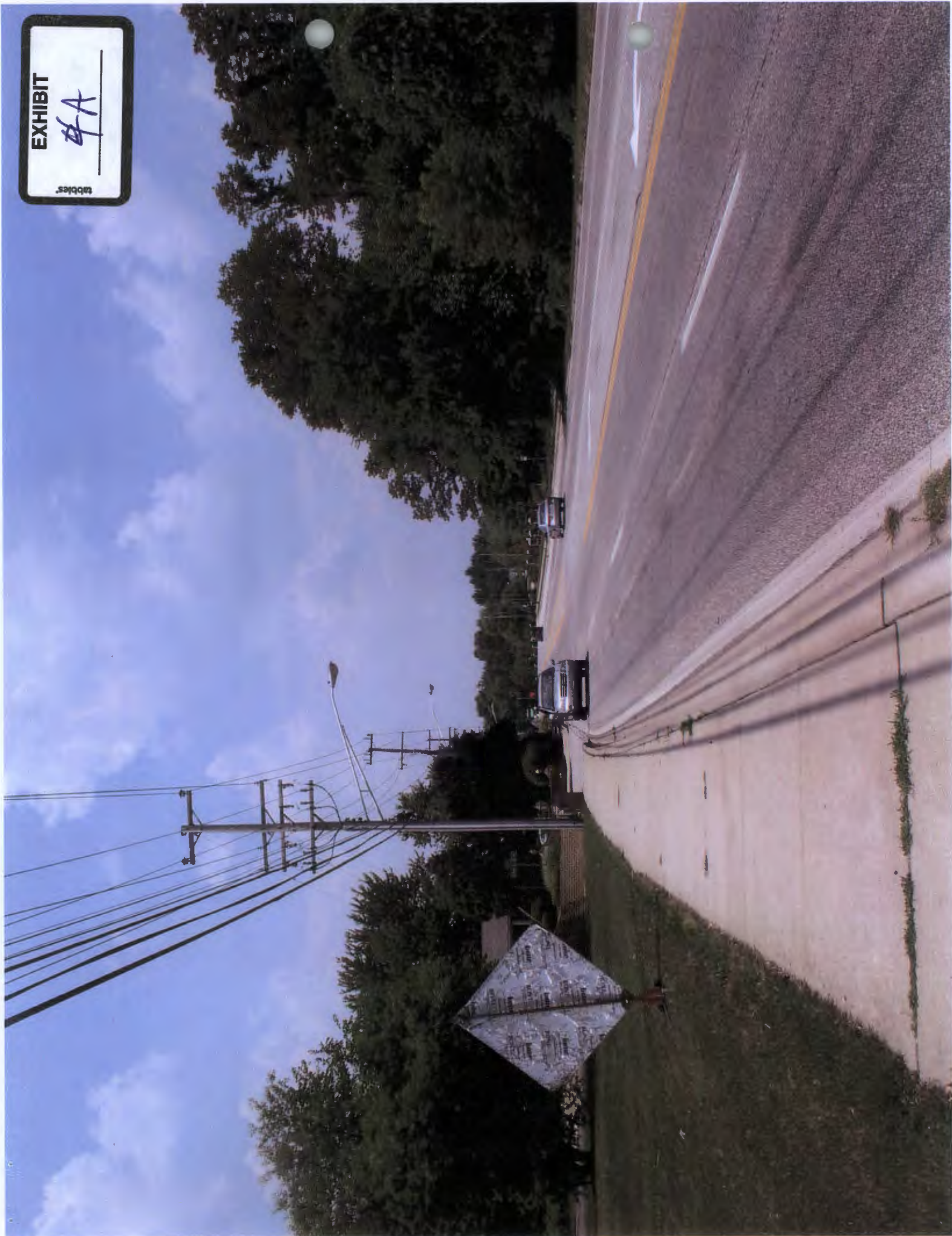


EXHIBIT
20
tabbles



EXHIBIT
3

EXHIBIT
4A



EXHIBIT

4B

labbles



EXHIBIT
4C





EXHIBIT

40

tabbies

EXHIBIT

45

tabbles





EXHIBIT

44

tabbles

EXHIBIT
46



EXHIBIT

44

tabbies

Customer Service

9:30-3:30

Mon-Fri

Or Use

Mail Box



LOCK

EXHIBIT
44

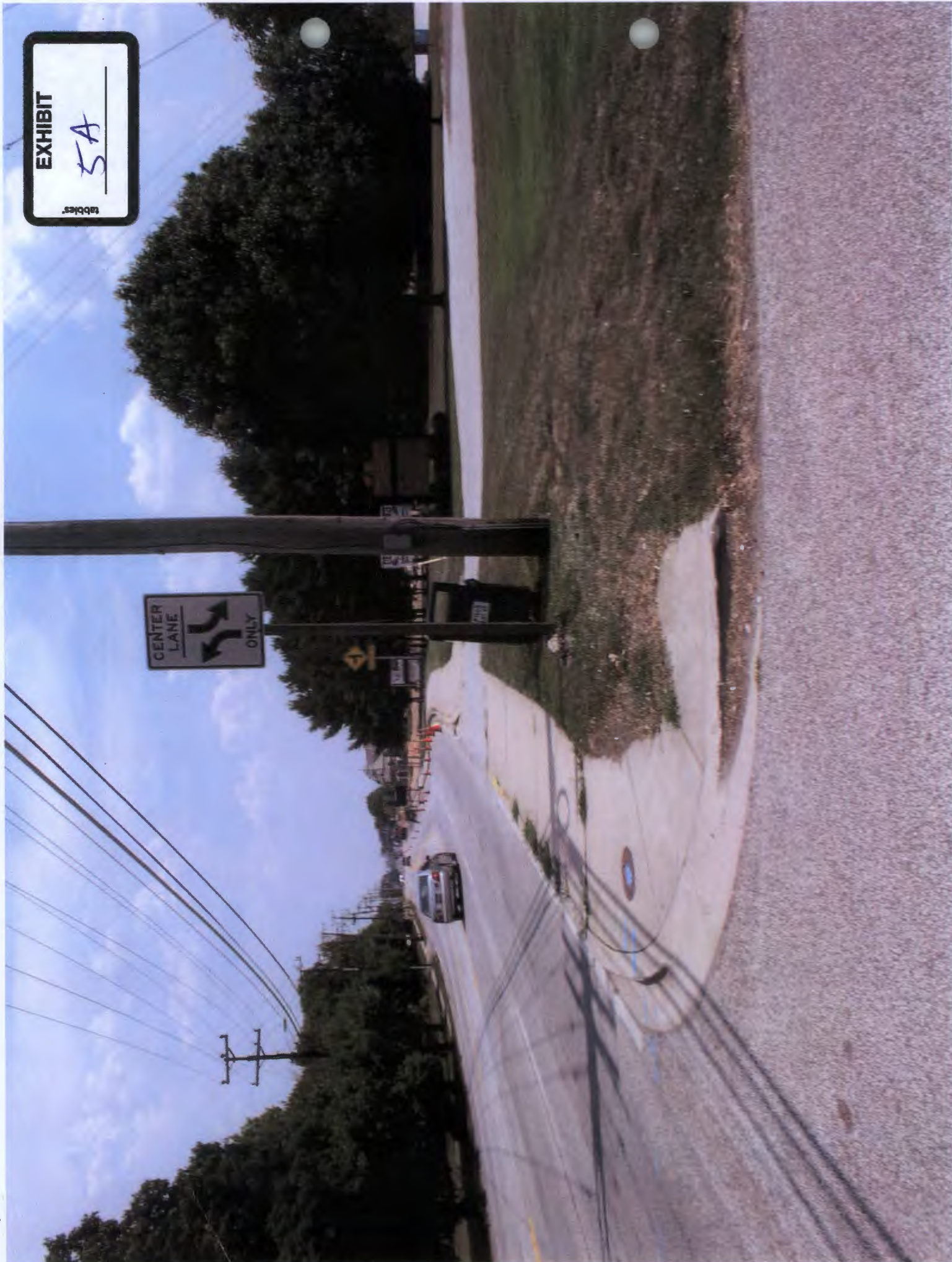
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EXHIBIT

5A

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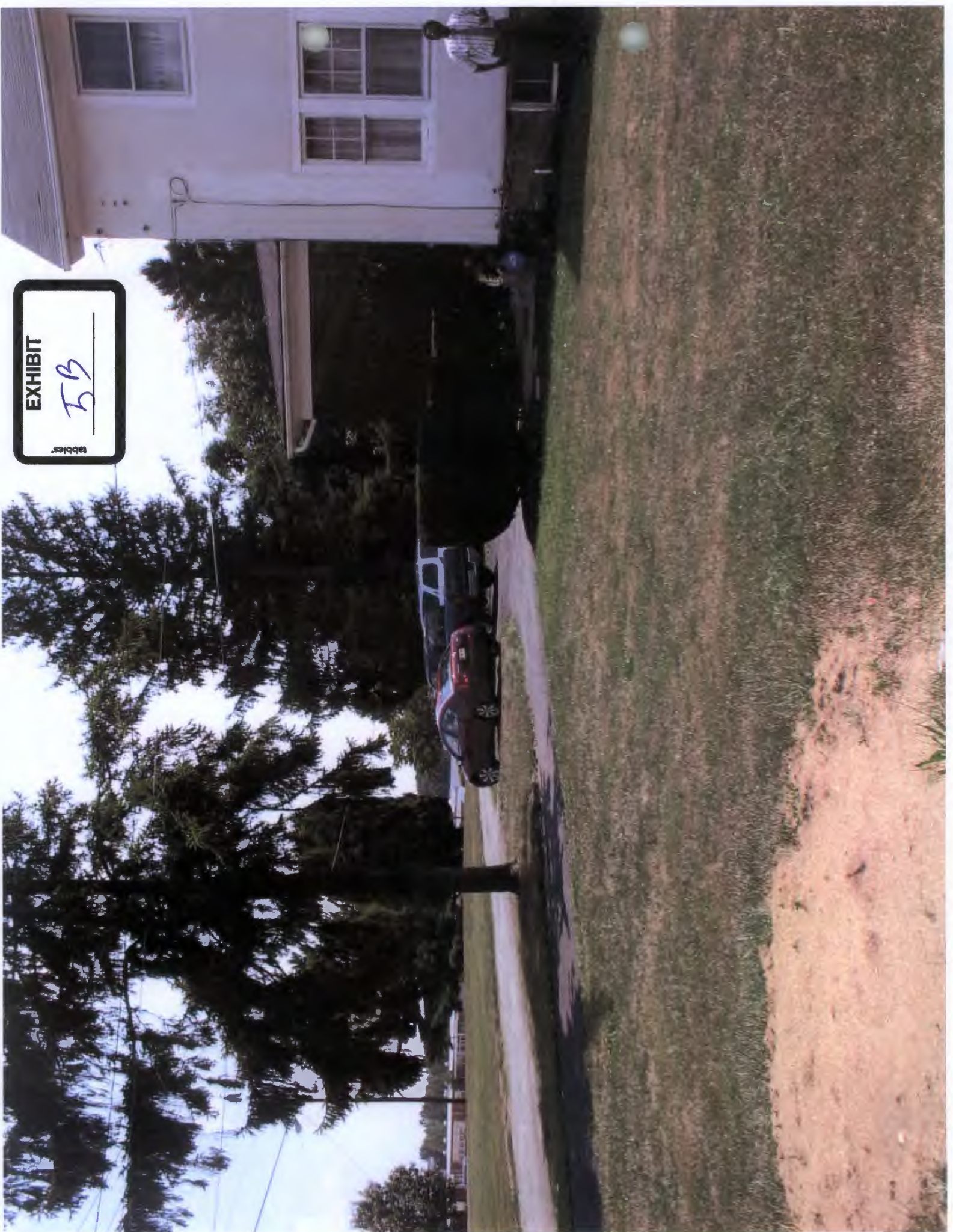


EXHIBIT
5B

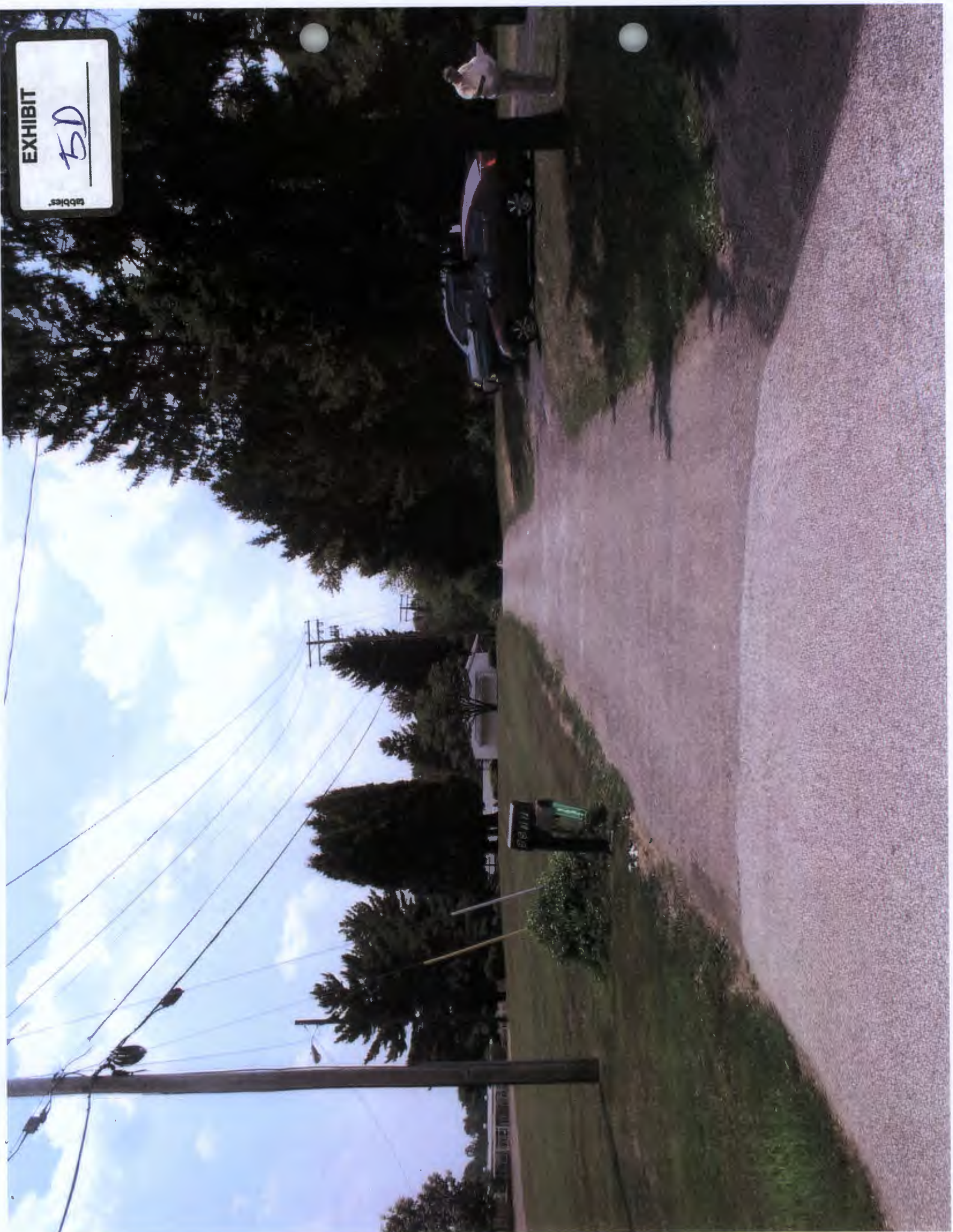
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EXHIBIT

50

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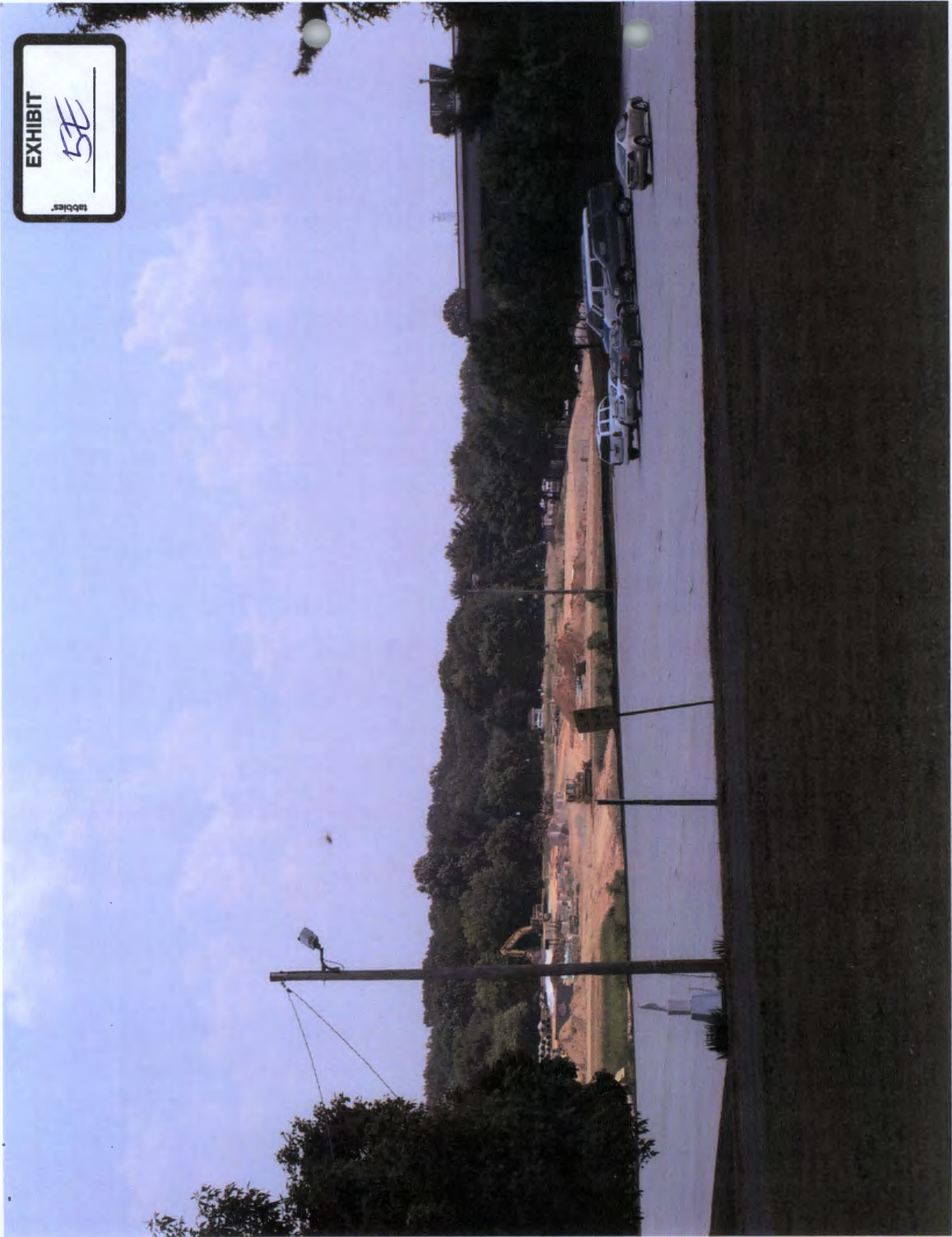
EXHIBIT

5D

tabbles

EXHIBIT
5E

tabbles



EXHIBIT

labbies





EXTERIOR PERSPECTIVE

**CHURCH BUILDING FOR RCCG CHAPEL OF BLESSINGS
LIBERTY ROAD**

EXHIBIT

7

tabbles



THE REDEEMED CHRISTIAN CHURCH OF GOD

Chapel of Blessings

General Overseer:
Pastor (Dr.) E.A. Adeboye

"Home of Divine Champions and Fruit Bearers"

Pastor-in-Charge:
Pastor Susan O. Somide

Address: 9601 liberty road, Randallstown MD 21133
Email: rccgchapelofblessings@yahoo.com | contact@rccgchapelofblessings.org

January 2, 2011

Sir, Madam

TO WHOM IT MAY CONCERN

Re: RCCG Chapel of Blessings Church Project

This is to attest to the fact that I have been shown and briefed on the details of the site plan for the proposed church extension on 9601 Liberty Road, Randallstown MD 21133. I have no objection or reservation against the project.

Signature: Dennis Kast

Name: Dennis Kast Business Manager Holy Family Church

Address: 9531 Liberty RD 21133

Date: 3-11-2011

"Jesus Christ the same yesterday, and today, and forever."
(Hebrews 13:8)





THE REDEEMED CHRISTIAN CHURCH OF GOD
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January 2, 201

Sir, Madam

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Signature: Phyllis Lewis

Name: Phyllis Lewis

Address: 3600 Kings Point Rd

Date: 6/8/2011

"Jesus Christ the same yesterday, and today, and forever."
(Hebrews 13:8)

86



THE REDEEMED CHRISTIAN CHURCH OF GOD

Chapel of Blessings

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Phone: (410) 655 - 1024

January 2, 2011

Sir, Madam

TO WHOM IT MAY CONCERN

Re: RCCG Chapel of Blessings Church Project

This is to attest to the fact that I have been shown and briefed on the details of the site plan for the proposed church extension on 9601 Liberty Road, Randallstown MD 21133. I have no objection or reservation against the project.

Signature: GEORGE D. TOWNSEND

Name: [Signature]

Address: 3720 LIVE OAK RD

Date: 1-2-11

"Jesus Christ the same yesterday, and today, and forever."
(Hebrews 13:8)

SC



THE REDEEMED CHRISTIAN CHURCH OF GOD

Chapel of Blessings

General Overseer:
Pastor (Dr.) E.A. Adeboye

"Home of Divine Champions and Fruit Bearers"

Pastor-in-Charge:
Pastor Susan O. Somide

Address: 9601 liberty road, Randallstown MD 21133
Email: rccgchapelofblessings@yahoo.com | contact@rccgchapelofblessings.org

January 2, 2011

Sir, Madam

TO WHOM IT MAY CONCERN

Re: RCCG Chapel of Blessings Church Project

This is to attest to the fact that I have been shown and briefed on the details of the site plan for the proposed church extension on 9601 Liberty Road, Randallstown MD 21133. I have no objection or reservation against the project.

Signature: Lois Harper

Name: Lois Harper

Address: 3602 Kingsport Road

Date: 6/24/2011

*"Jesus Christ the same yesterday, and to
(Hebrews 13:8)"*

PETITIONER'S

EXHIBIT NO.

9



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

July 18, 2011

Abiodun & Omobolarinwa Somide
9601 Liberty Road
Randallstown, MD 21133-2417

RE: Case Number 2011-0138-SPHA, 9601 Liberty Road

Dear Mr. & Mrs. Somide,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 14, 2011. 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,

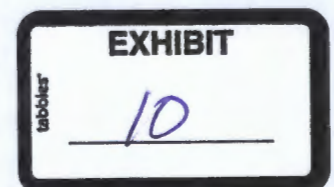
A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

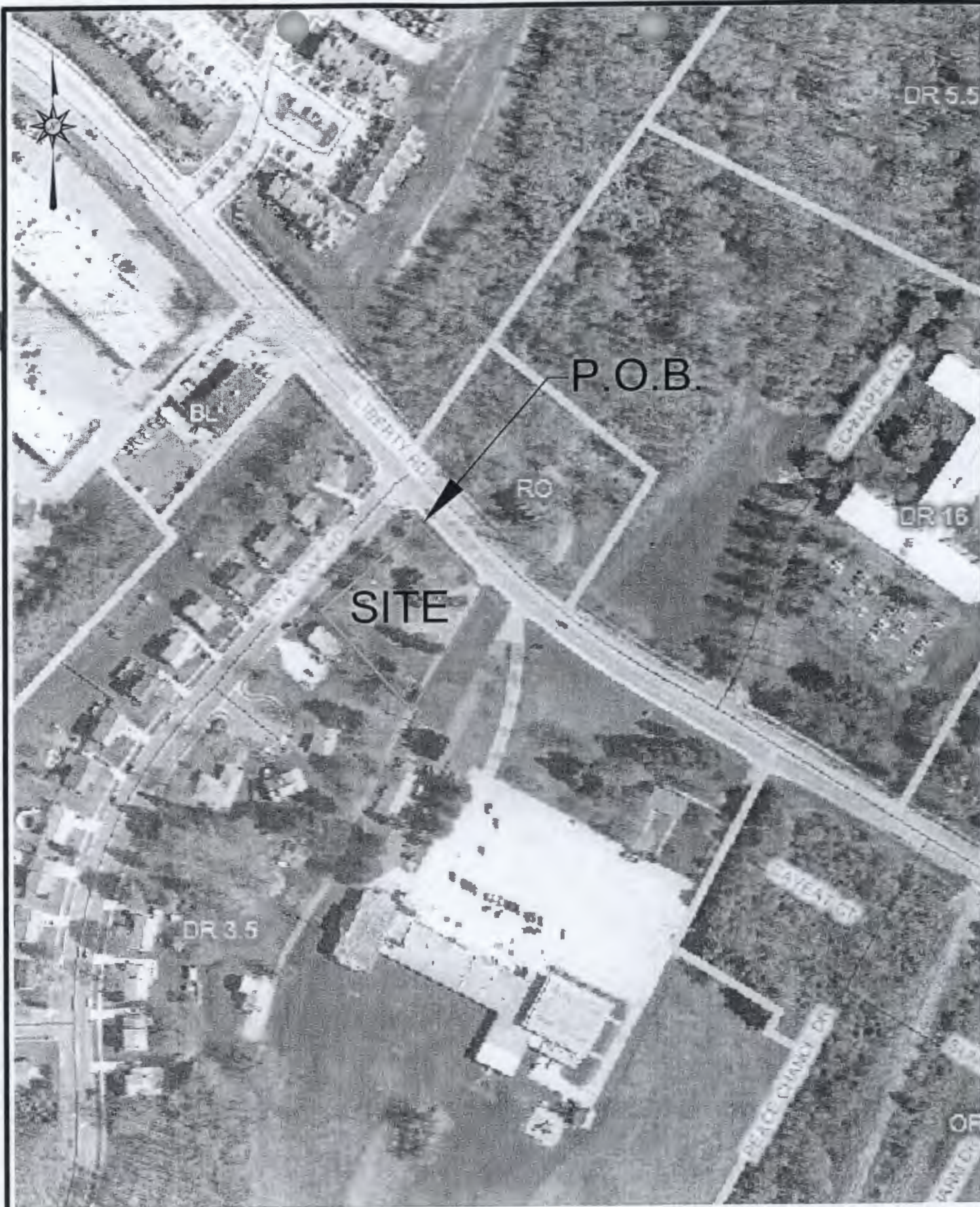
W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, MD 21093
C. William Clark, Nolan Plumhoff and Williams, 502 Washington Avenue, Towson, MD 21204





ZONING MAP #076C1
SCALE: 1" = 200'

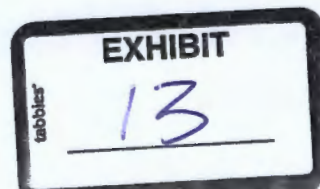
EXHIBIT

tabbles

Handwritten signature

2011-0138-A

- e. Offices for the conduct of business incidental to the rental, operation, service or maintenance of apartment buildings.
 - f. Signs, subject to Section 450. **[Bill No. 89-1997]**
 - g. Swimming pools, tennis courts, garages, utility sheds, satellite receiving dishes (subject to Section 429) or other accessory structures or uses (all such accessory structures or uses subject to the height and area provisions for buildings as set forth in Section 400). **[Bill No. 71-1987]**
19. Commercial film production, subject to Section 435. **[Bill No. 57-1990]**
- B. Dwelling-type and other supplementary use restrictions based on existing subdivision and development characteristics. **[Bill No. 124-1981]**
- 1. Residential transition areas and uses permitted therein. **[Bill No. 2-1992]**
 - a. Definitions and purpose. **[Bill No. 2-1992]**
 - (1) The residential transition area (RTA) is a one-hundred-foot area, including any public road or public right-of-way, extending from a D.R. zoned tract boundary into the site to be developed.
 - (2) The purpose of an RTA is to assure that similar housing types are built adjacent to one another or that adequate buffers and screening are provided between dissimilar housing types.
 - b. Generation of residential transition area. An RTA is generated if the property to be developed is zoned D.R. and lies adjacent to land zoned D.R.1, D.R.2, D.R.3.5, D.R.5.5 or R.C. which: **[Bill Nos. 2-1992; 8-2004]**
 - (1) Contains a single-family detached, semi-detached or duplex dwelling within 150 feet of the tract boundary; or
 - (2) Is vacant, less than two acres in size, and contains a buildable area at least 20 feet by 30 feet on which a dwelling meeting all required setbacks can be erected.
 - c. Variance of RTA. **[Bill No. 2-1992]**
 - (1) Notwithstanding the provisions of Section 307, the hearing officer, upon the recommendation of the Departments of Public Works, Planning, Environmental Protection and Sustainability, Permits, Approvals and Inspections, Recreation and Parks, or Economic Development, may determine the amount of RTA in cases where a single tract is more than two acres, is vacant, or contains no more than one single-family detached, semidetached or duplex dwelling. **[Bill No. 122-2010]**
 - (2) The RTA for a tract may be modified as directed by findings pursuant to § 32-4-402 and the hearing officer's hearing under Article 32, Title 4, Subtitle 2 of the Baltimore County Code. However, the hearing officer may not reduce the amount of RTA unless the officer specifically finds



PETITIONER'S

EXHIBIT NO. 14

494

Susie N S Constantine Grantor as aforesaid and acknowledged the foregoing deed to be her act
(Notarial)
(Seal)
William I Stevenson
Notary Public
Recorded Jan 24 1940 At 2 30 P M & Exd Per C Willing Browne Jr Clerk

140645 : This Release of Mortgage made this 13th day of December 1939 by
Pauline F Kraus : Pauline F Kraus of Baltimore City State of Maryland
Rel to : Witnesseth that whereas all the covenants of the hereinafter
Mike Kikas : described mortgage have been performed and the whole sum of money
and interest secured thereby has been paid the said Pauline F Kraus
doth hereby grant and release unto Mike Kikas his personal representatives and assigns all
that lot of ground described in a mortgage from the said Mike Kikas to the said Pauline
F Kraus dated December 21 1937 and recorded among the Land Records of Baltimore County in
Liber C W B Jr No 1020 folio 274 etc free and clear from the operation and effect of said
mortgage

Witness the hand and seal of said Pauline F Kraus releasor the day and year first above
written
Attest
Joseph L Leitzer
State of Maryland City of Baltimore to wit

I hereby certify that on this 13th day of December 1939 before me the subscriber
a Notary Public of the State of Maryland in and for the City of Baltimore aforesaid
personally appeared Pauline F Kraus releasor herein and she acknowledged the foregoing
Deed of Release of Mortgage to be her act

As witness my hand and Notarial Seal
(Notarial)
(Seal)
Joseph L Leitzer
Notary Public
Recorded Jan 24 1940 At 3 15 P M & Exd Per C Willing Browne Jr Clerk

140831 : THIS DEED Made this 24th day of January in the year one
Clarence Wright & wife : thousand nine hundred and forty by and between Clarence
Deed to : Wright and Blanche C Wright his wife of Baltimore County
William D McDonald et al : in the State of Maryland of the first part and William
U S Stamp \$6.50 : D McDonald and Anna P McDonald his wife of the same county
State Tax \$6.50 : and State of the second part

Witnesseth that in consideration of the sum of five
dollars and other good and valuable consideration receipt whereof is hereby acknowledged
the said Clarence Wright and Blanche C Wright his wife do grant and convey unto the said
William D McDonald and Anna P McDonald his wife as tenants by the entireties their assigns
the survivor of them and the survivors heirs and assigns in fee simple all that lot of ground
situate lying and being in the Second Election District of Baltimore County aforesaid and
described as follows that is to say

Beginning for the same in the centre of a private lane at the distance of 226-4/10 feet
on the fourth or North 37 degrees 15 minutes East 490 feet line of that parcel of land which
by deed dated November 9th 1939 and recorded among the Land Records of Baltimore County in
Liber C W B Jr No 1020 folio 274 etc free and clear from the operation and effect of said
mortgage

Blanche C
North 37
20 minute
courses a
20 minute
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APPEAL

Petition for Variance
9601 Liberty Road
S/s of Liberty Road at corner of E/s of Live Oak Road
2nd Election District – 4th Councilmanic District
Legal Owners: Abiodun & Omobolarinwa Somide

Case No.: 2011-0138-A

Petition for Variance (October 14, 2010)

Zoning Description of Property

Notice of Zoning Hearing (October 29, 2010)

Certification of Publication (The Jeffersonian – November 16, 2010)

Certificate of Posting (November 26, 2010) by Robert Black

Entry of Appearance by People's Counsel (October 26, 2010)

Petitioner(s) Sign-In Sheet – One Sheet

Protestant(s) Sign-In Sheet – None

Citizen(s) Sign-In Sheet – One Sheet

Zoning Advisory Committee Comments

Petitioners' Exhibit
As shown on included Exhibit Sheet

Protestants' Exhibits - None

Miscellaneous (Not Marked as Exhibit) - None

Deputy Zoning Commissioner's Order (DENIED – December 10, 2010)

Notice of Appeal received on January 4, 2011 from Abiodun Somide

c: People's Counsel of Baltimore County, MS #2010
Administrative Law Judges
Arnold Jablon, Director of PAI
Mr. & Mrs. Somide, 9601 Liberty Road, Randallstown 21133
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

date sent February 16, 2011, kl

APPEAL

Petition for Variance
9601 Liberty Road
S/s of Liberty Road at corner of E/s of Live Oak Road
2nd Election District – 4th Councilmanic District
Legal Owners: Abiodun & Omobolarinwa Somide

Case No.: 2011-0138-A

- ✓ Petition for Variance (October 14, 2010)
- ✓ Zoning Description of Property
- ✓ Notice of Zoning Hearing (October 29, 2010)
- ✓ Certification of Publication (The Jeffersonian – November 16, 2010)
- ✓ Certificate of Posting (November 26, 2010) by Robert Black
- ✓ Entry of Appearance by People's Counsel (October 26, 2010)
- ✓ Petitioner(s) Sign-In Sheet – One Sheet
- Protestant(s) Sign-In Sheet – None
- ✓ Citizen(s) Sign-In Sheet – One Sheet
- ✓ Zoning Advisory Committee Comments
- Petitioners' Exhibit
As shown on included Exhibit Sheet – *Exhibit's # 1-5*
- Protestants' Exhibits – None
- Miscellaneous (Not Marked as Exhibit) – None
- ✓ Deputy Zoning Commissioner's Order (DENIED – December 10, 2010)
- ✓ Notice of Appeal received on January 4, 2011 from Abiodun Somide

c: People's Counsel of Baltimore County, MS #2010
Administrative Law Judges
Arnold Jablon, Director of PAI
Mr. & Mrs. Somide, 9601 Liberty Road, Randallstown 21133
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

date sent February 16, 2011, kl

Address List

Petitioners:

Abiodun & Omobolarinwa Somide
9601 Liberty Road
Randallstown, MD 21133

Abiodun & Omobolarinwa Somide
3903 Algiers Road
Randallstown, MD 21133

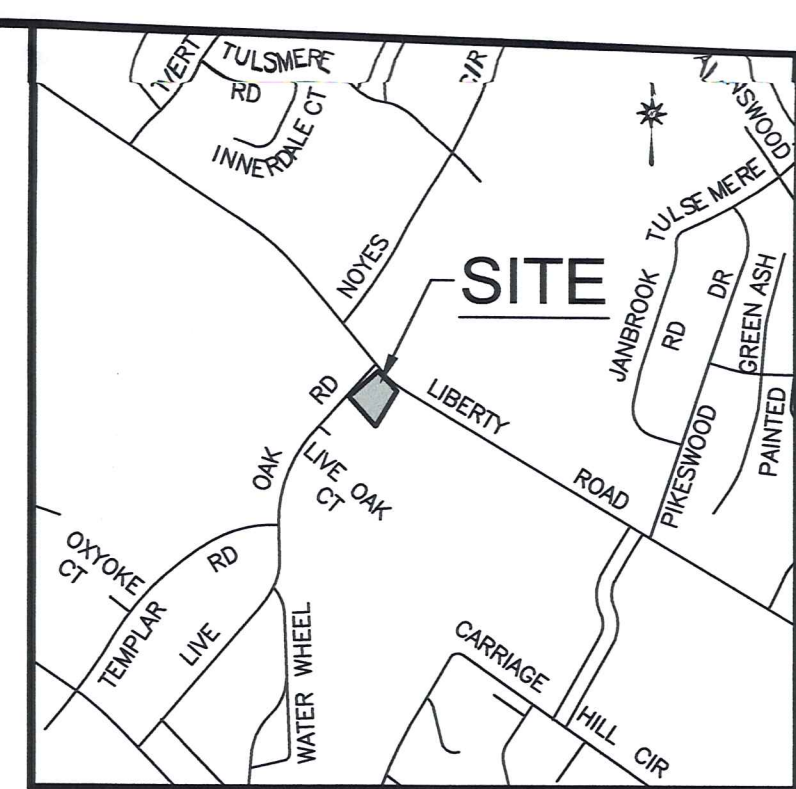
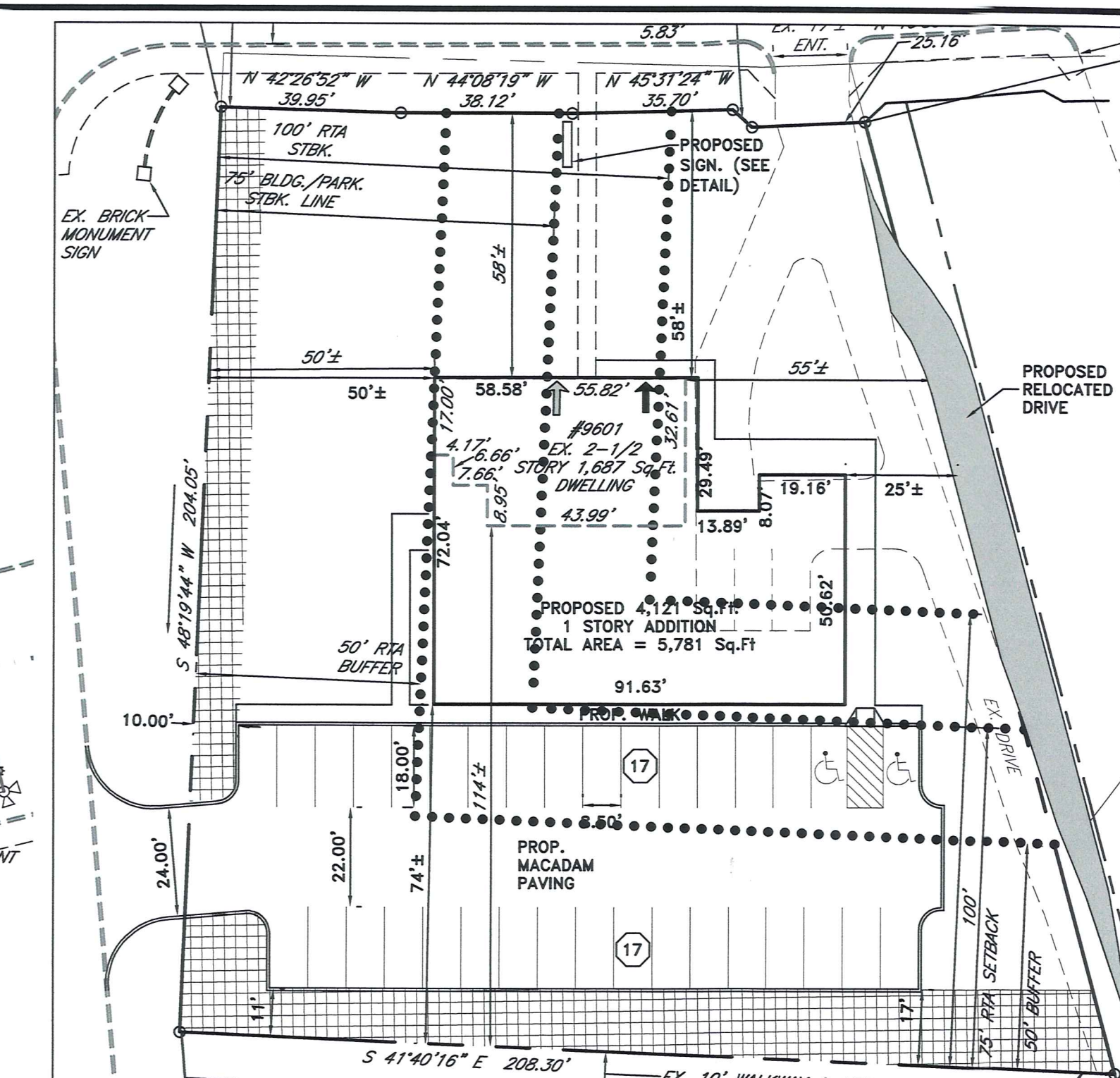
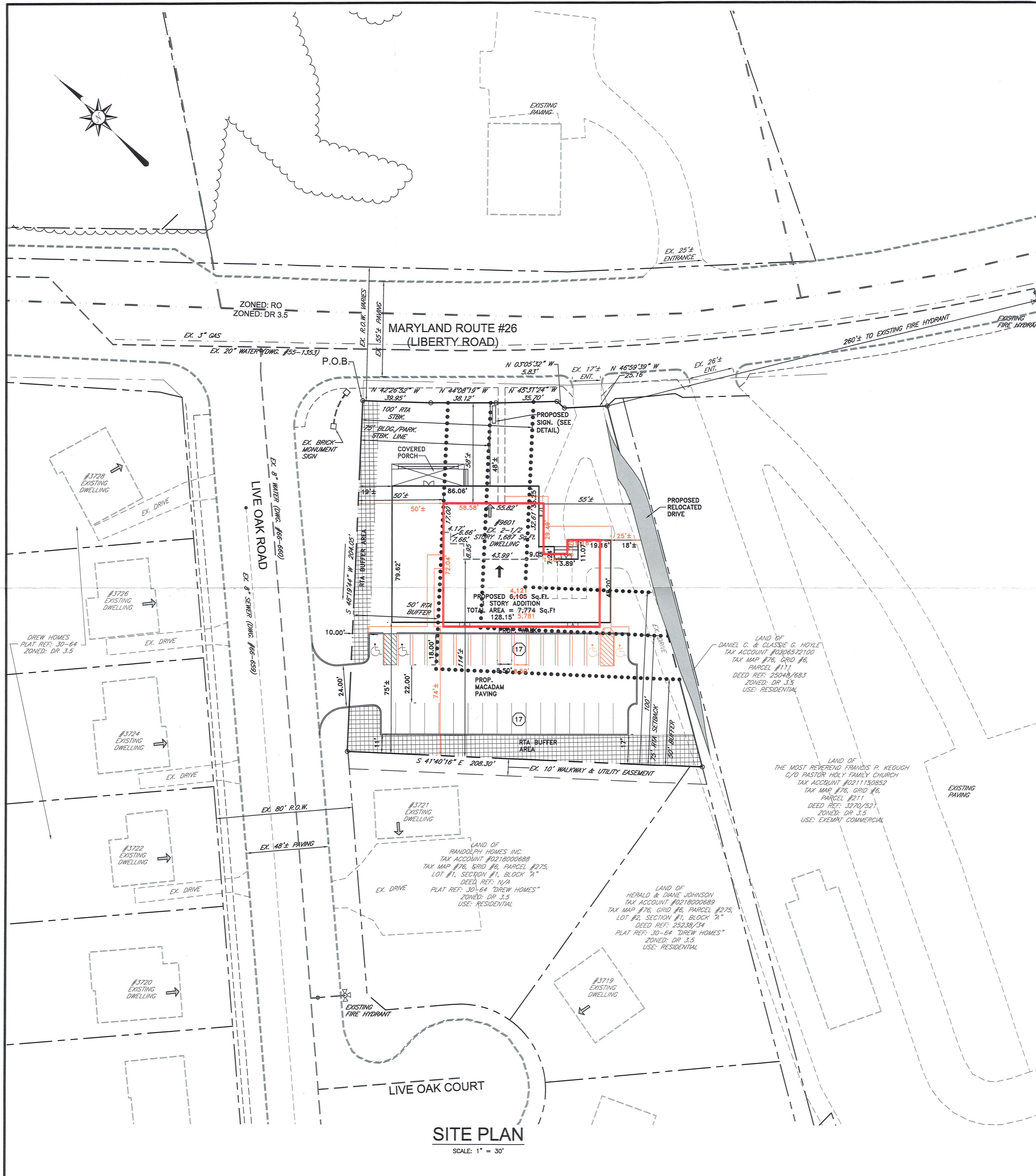
Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Road, Ste 500
Timonium, MD 21093

Interested Persons:

Linda Forsyth
3522 Sea Pines Circle
Randallstown, MD 21133

Interoffice:

Office of People's Counsel
Lawrence M. Stahl, Administrative Law Judge
Arnold Jablon, Director/PAI
Jeff Mayhew, Acting Director/Office of Planning
Nancy C. West, Assistant County Attorney
Michael Field, County Attorney



AMENDED SITE PLAN

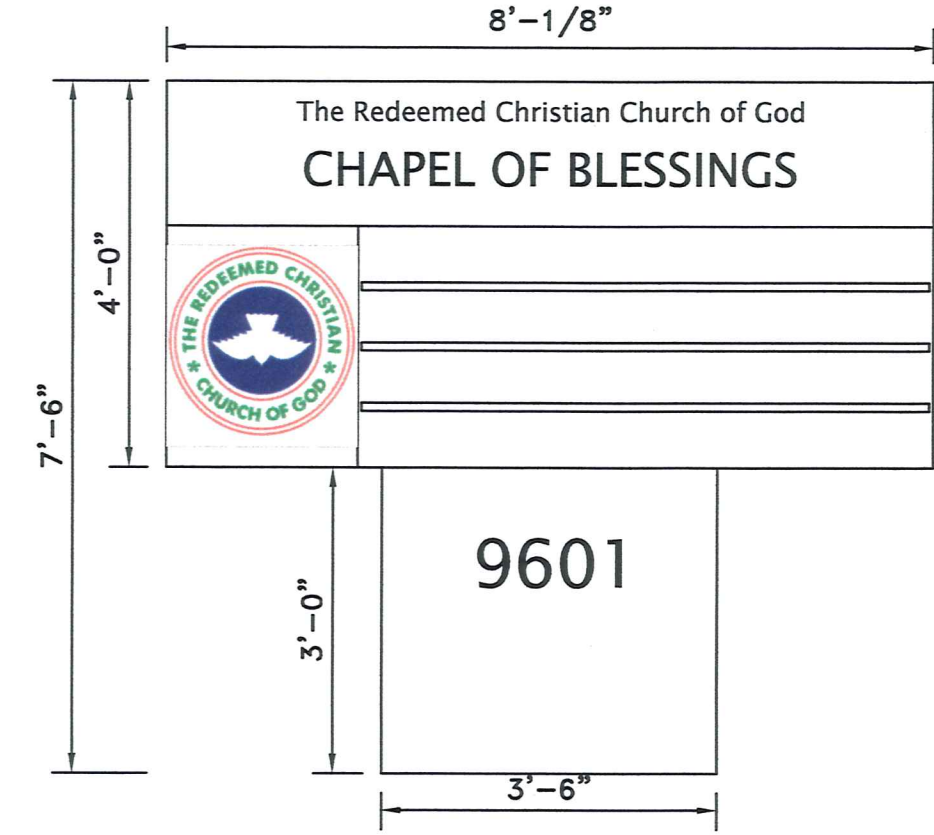
SCALE: 1" = 30'

GENERAL NOTES:

- 1. OWNER: ABIODUN & OMOLARINWA SOMIDE 9601 LIBERTY ROAD RANDALLSTOWN, MARYLAND 21133-2417
- 2. SITE AREA: GROSS: 47,442 Sq.Ft. or 1.089 Ac.± NET: 36,223 Sq.Ft. or 0.832 Ac.±
- 3. BUILDING AREAS: EXISTING: 1,687 Sq.Ft. (1,660 Sq.Ft. TO REMAIN) PROPOSED ADDITION: 4,121 Sq.Ft. TOTAL PROPOSED: 5,781 Sq.Ft.
- 4. UTILITIES: PUBLIC WATER & PUBLIC SEPTIC
- 5. USES: EXISTING: RESIDENTIAL DWELLING PROPOSED: CHURCH
- 6. PARKING: REQUIRED: 1 PER 4 SEATS 130 SEATS = 33 SPACES PROVIDED: 34 SPACES
- 7. SETBACKS: REQUIRED FRONT 50' SIDE 20' CORNER SIDE 35' REAR 30' PROVIDED FRONT 58'± SIDE 26'± CORNER SIDE 35'± REAR 30'±
- 8. DEED REF: 26220/1
- 9. TAX ACCOUNT #0213065500
- 10. COUNCILMANIC DISTRICT: 4th
- 11. WATERSHED: PATAPSCO
- 12. FLOOR AREA RATIO: (EX. BLDG. TO REMAIN x2 + PROP. ADDITION x1) (1,660 x 2) + 4,121 = 7,441 Sq.Ft. 7,441 ÷ 47,442 = .157
- 13. ZONING: DR 3.5 (PER 1"=200' ZONING MAP 076C1)
- 14. TAX MAP #76 PARCEL #331
- 15. SITE LIES WITHIN ZONE "X" (OTHER AREAS) OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #240010 0215 F PANEL 215 OF 580 DATED SEPT. 26, 2008. ZONE "X" (OTHER AREAS) IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- 16. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- 17. BUILDING HEIGHT NOT TO EXCEED 35 FEET.
- 18. THE SITE NOR THE BUILDING ARE HISTORIC.
- 19. NO PREVIOUS PERMITS ON FILE.
- 20. PREVIOUS ZONING CASES 2011-0138-A; DENIED ON 12-10-2010.
- 21. NO PREVIOUS DRC OR CRG ON FILE.

GENERAL NOTES:

- 1. OWNER: ABIODUN & OMOLARINWA SOMIDE 9601 LIBERTY ROAD RANDALLSTOWN, MARYLAND 21133-2417
- 2. SITE AREA: GROSS: 47,442 Sq.Ft. or 1.089 Ac.± NET: 36,223 Sq.Ft. or 0.832 Ac.±
- 3. BUILDING AREAS: EXISTING: 1,687 Sq.Ft. (1,660 Sq.Ft. TO REMAIN) PROPOSED ADDITION: 7,024 Sq.Ft. TOTAL PROPOSED: 8,684 Sq.Ft.
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- 5. USES: EXISTING: RESIDENTIAL DWELLING PROPOSED: CHURCH
- 6. PARKING: REQUIRED: 1 PER 4 SEATS 130 SEATS = 33 SPACES PROVIDED: 34 SPACES
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- 8. DEED REF: 26220/1
- 9. TAX ACCOUNT #0213065500
- 10. COUNCILMANIC DISTRICT: 4th
- 11. WATERSHED: PATAPSCO
- 12. FLOOR AREA RATIO: (EX. BLDG. TO REMAIN x2 + PROP. ADDITION x1) (1,660 x 2) + 7,024 = 10,344 Sq.Ft. 10,344 ÷ 47,442 = .218
- 13. ZONING: DR 3.5 (PER 1"=200' ZONING MAP 076C1)
- 14. TAX MAP #76 PARCEL #331
- 15. SITE LIES WITHIN ZONE "X" (OTHER AREAS) OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #240010 0215 F PANEL 215 OF 580 DATED SEPT. 26, 2008. ZONE "X" (OTHER AREAS) IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
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- 19. NO PREVIOUS PERMITS ON FILE.
- 20. NO PREVIOUS ZONING CASES ON FILE.
- 21. NO PREVIOUS DRC OR CRG ON FILE.



SIGN DETAIL

SCALE: 1/2" = 1'

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 16597, EXPIRATION DATE: 08-15-2011



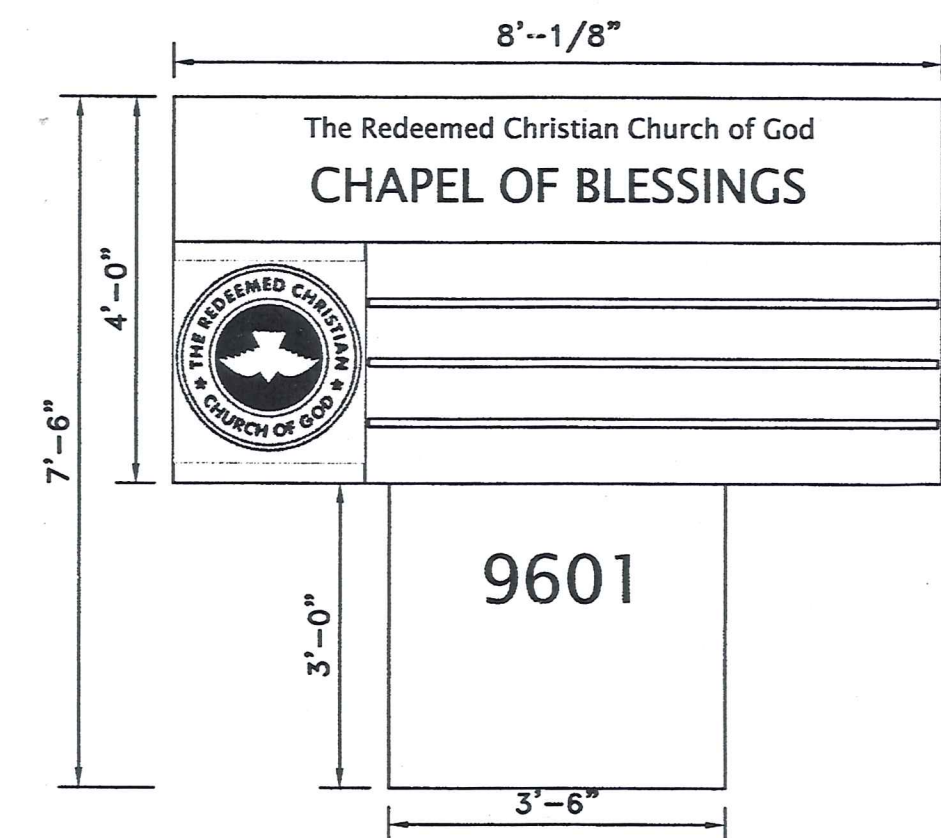
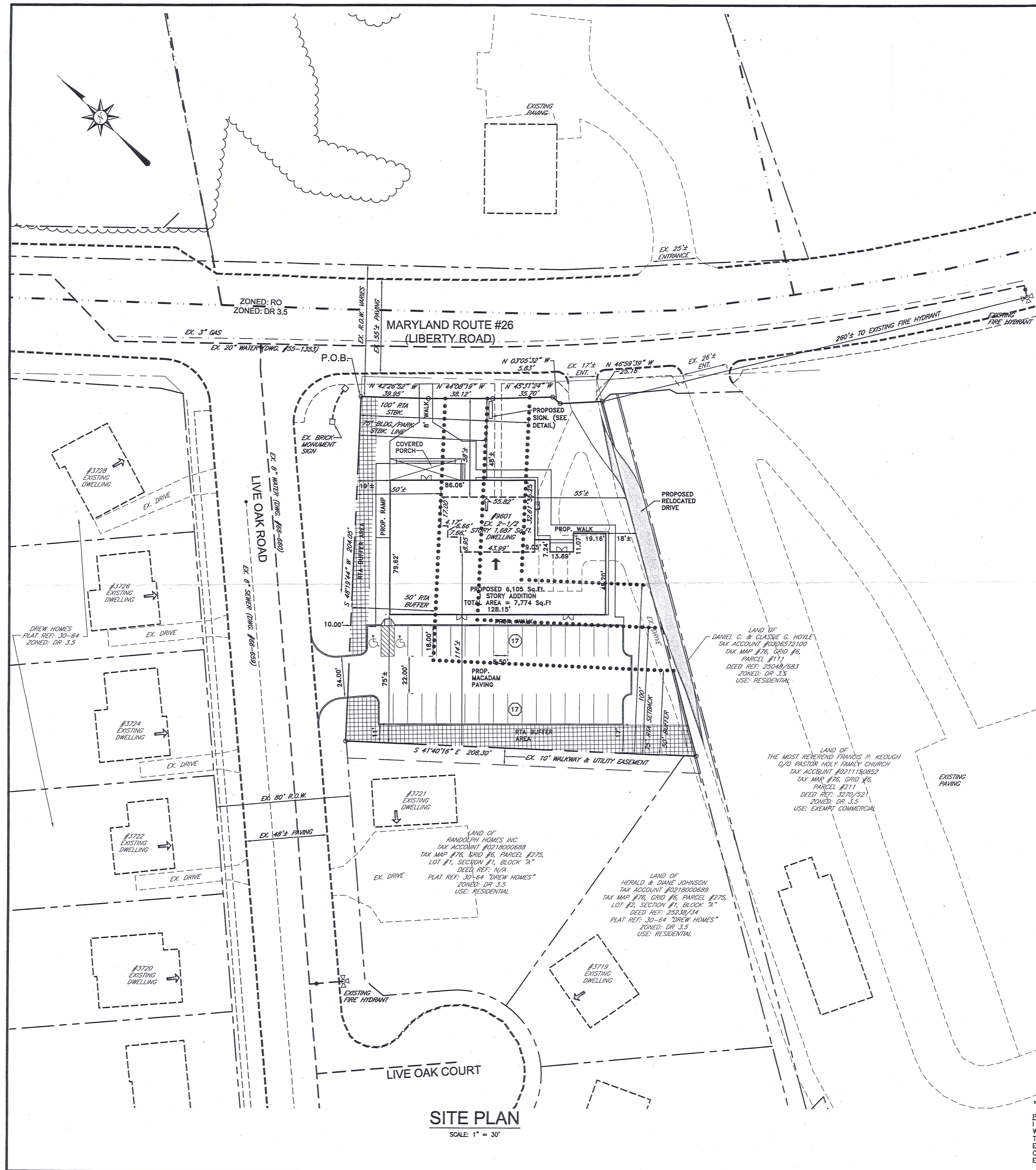
Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION FOR THE THE REDEEMED CHRISTIAN CHURCH OF GOD CHAPEL OF BLESSINGS 9601 LIBERTY ROAD RANDALLSTOWN, MARYLAND 21133

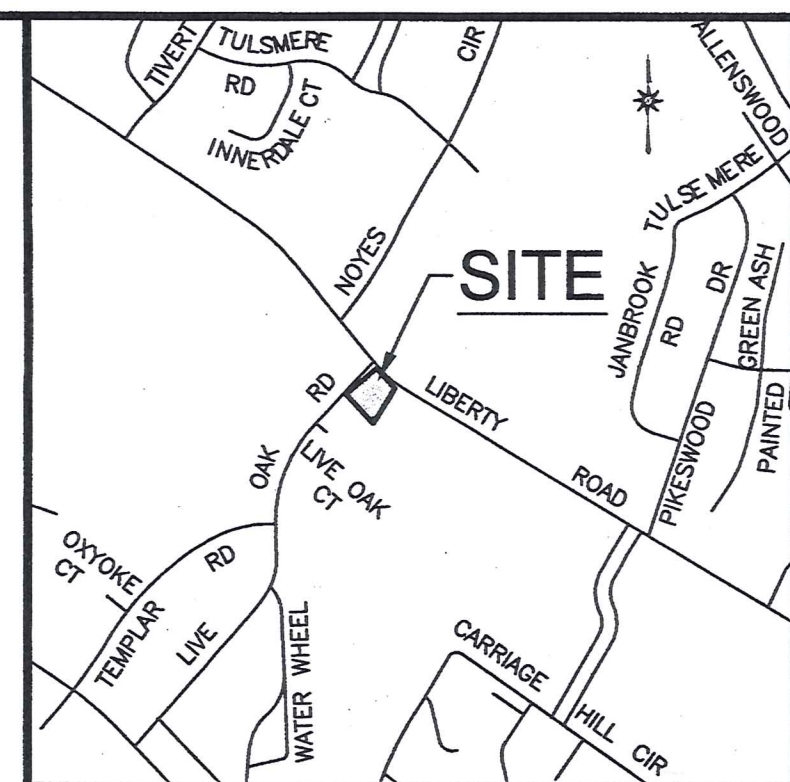
2ND ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND		
PETITIONER'S EXHIBIT NO. 1	DRAWN BY: CND	DESIGNED BY: PCR	SCALE: 1" = 30'	
	DATE: 10-04-10	JOB NO.: 10046	SHEET NO.: 1 OF 1	

2011-0138-SPHA (Special Hearing & Remanded Variance)



SIGN DETAIL

SCALE: 1/2" = 1'



LOCATION MAP

SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: ABIODUN & OMOBOLARINWA SOMIDE
9601 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133-2417
- SITE AREA:
GROSS: 47,442 Sq.Ft. or 1.089 Ac.±
NET: 36,223 Sq.Ft. or 0.832 Ac.±
- BUILDING AREAS:
EXISTING: 1,687 Sq.Ft. (1660 Sq.Ft. TO REMAIN)
PROPOSED ADDITION: 7,024 Sq.Ft.
TOTAL PROPOSED: 8,684 Sq.Ft.
- UTILITIES
PUBLIC WATER & PUBLIC SEPTIC
- USES:
EXISTING: RESIDENTIAL DWELLING
PROPOSED: CHURCH
- PARKING:
REQUIRED: 1 PER 4 SEATS
130 SEATS = 33 SPACES
PROVIDED: 34 SPACES
- SETBACKS: REQUIRED PROVIDED
FRONT 30' 48'±
SIDE 10' 18'±
TOTAL SIDE 25' 37'±
REAR 30' 75'±
- DEED REF: 26220/1
- TAX ACCOUNT #0213085500
- COUNCILMANIC DISTRICT: 4th
- WATERSHED: PATAPSCO
- FLOOR AREA RATIO:
(EX. BLDG. TO REMAIN x2 + PROP. ADDITION x1)
(1,660 x 2) + 7,024 = 10,344 Sq.Ft.
10,344 ÷ 47,442 = .218
- ZONING: DR 3.5
(PER 1"=200' ZONING MAP 076C1)
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- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- BUILDING HEIGHT NOT TO EXCEED 35 FEET.
- THE SITE NOR THE BUILDING ARE HISTORIC.
- NO PREVIOUS PERMITS ON FILE.
- NO PREVIOUS ZONING CASES ON FILE.
- NO PREVIOUS DRC OR CRO ON FILE.

ALL DWELLINGS (SINGLE AND 2 FAMILY) AND LOTS OF LESS THAN 2 ACRES THAT CREATE AN RTA ON THE SITE ARE SHOWN ON THE PLAN.

LAND OF DANIEL C. & GLASSIE G. HOYLE
TAX ACCOUNT #0306572100
TAX MAP #76, GRID #6,
PARCEL #111
DEED REF: 25049/883
ZONED: DR 3.5
USE: RESIDENTIAL

LAND OF THE MOST REVEREND FRANCIS P. KEOUGH
G/O PASTOR HOLY FAMILY CHURCH
TAX ACCOUNT #0211130852
TAX MAP #76, GRID #6,
PARCEL #211
DEED REF: 3230/521
ZONED: DR 3.5
USE: EXEMPT COMMERCIAL

LAND OF RANDOLPH HOMES INC.
TAX ACCOUNT #0216000688
TAX MAP #76, GRID #6, PARCEL #275,
LOT #1, SECTION #1, BLOCK "A"
DEED REF: 15/4
PLAT REF: 30-64 "DREW HOMES"
ZONED: DR 3.5
USE: RESIDENTIAL

LAND OF HERALD & DIANE JOHNSON
TAX ACCOUNT #0216000689
TAX MAP #76, GRID #6, PARCEL #275,
LOT #2, SECTION #1, BLOCK "A"
DEED REF: 25230/34
PLAT REF: 30-64 "DREW HOMES"
ZONED: DR 3.5
USE: RESIDENTIAL

SITE PLAN

SCALE: 1" = 30'

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR THE
THE REDEEMED CHRISTIAN
CHURCH OF GOD
CHAPEL OF BLESSINGS
9601 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133

2ND ELECTION DISTRICT

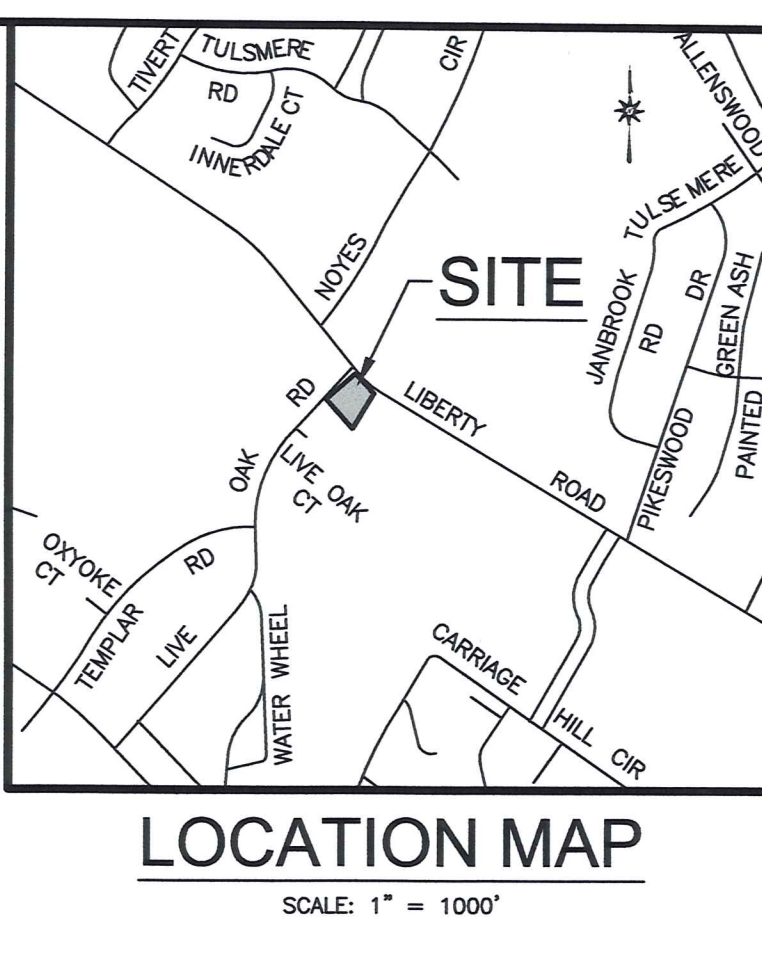
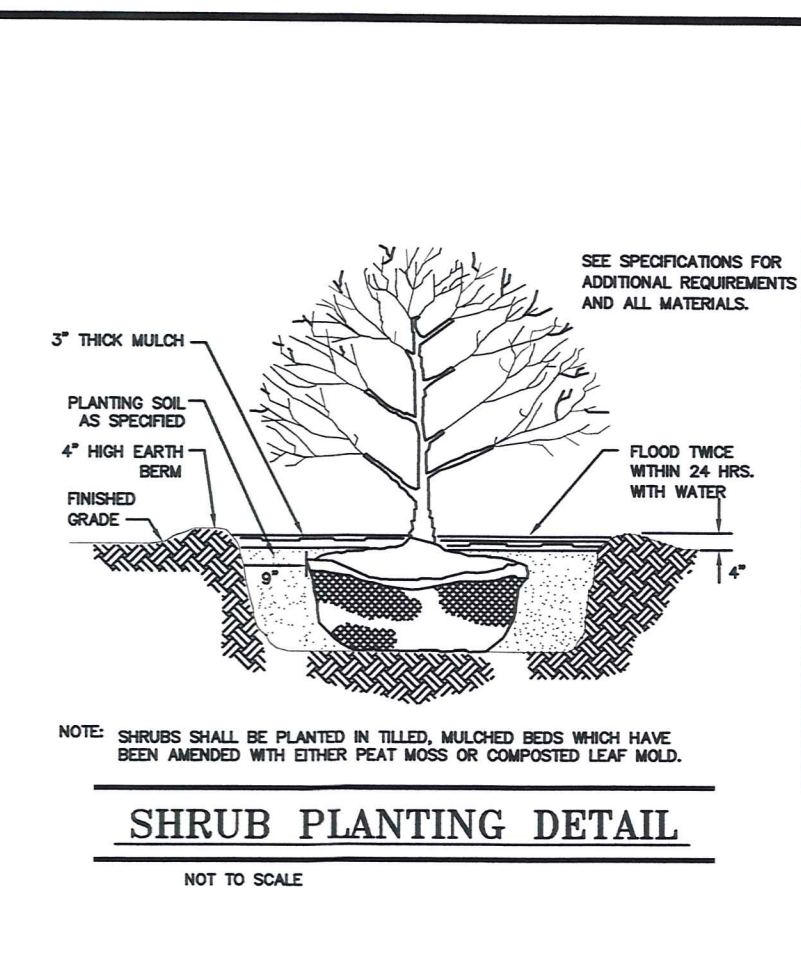
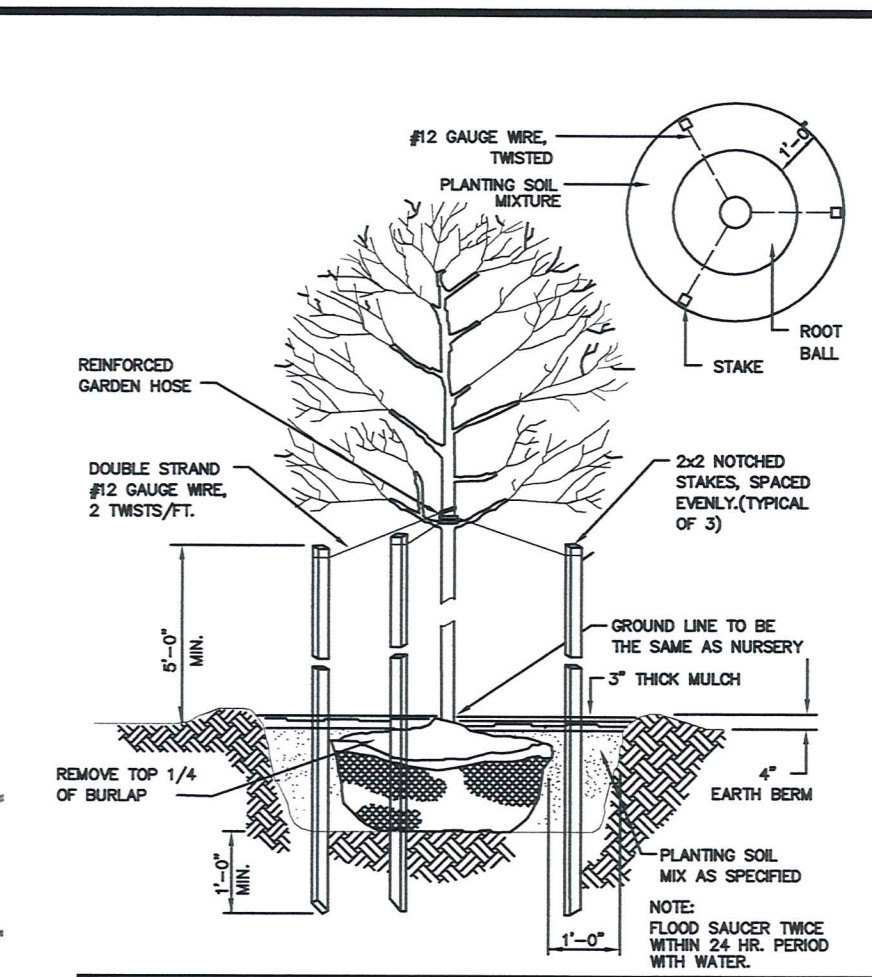
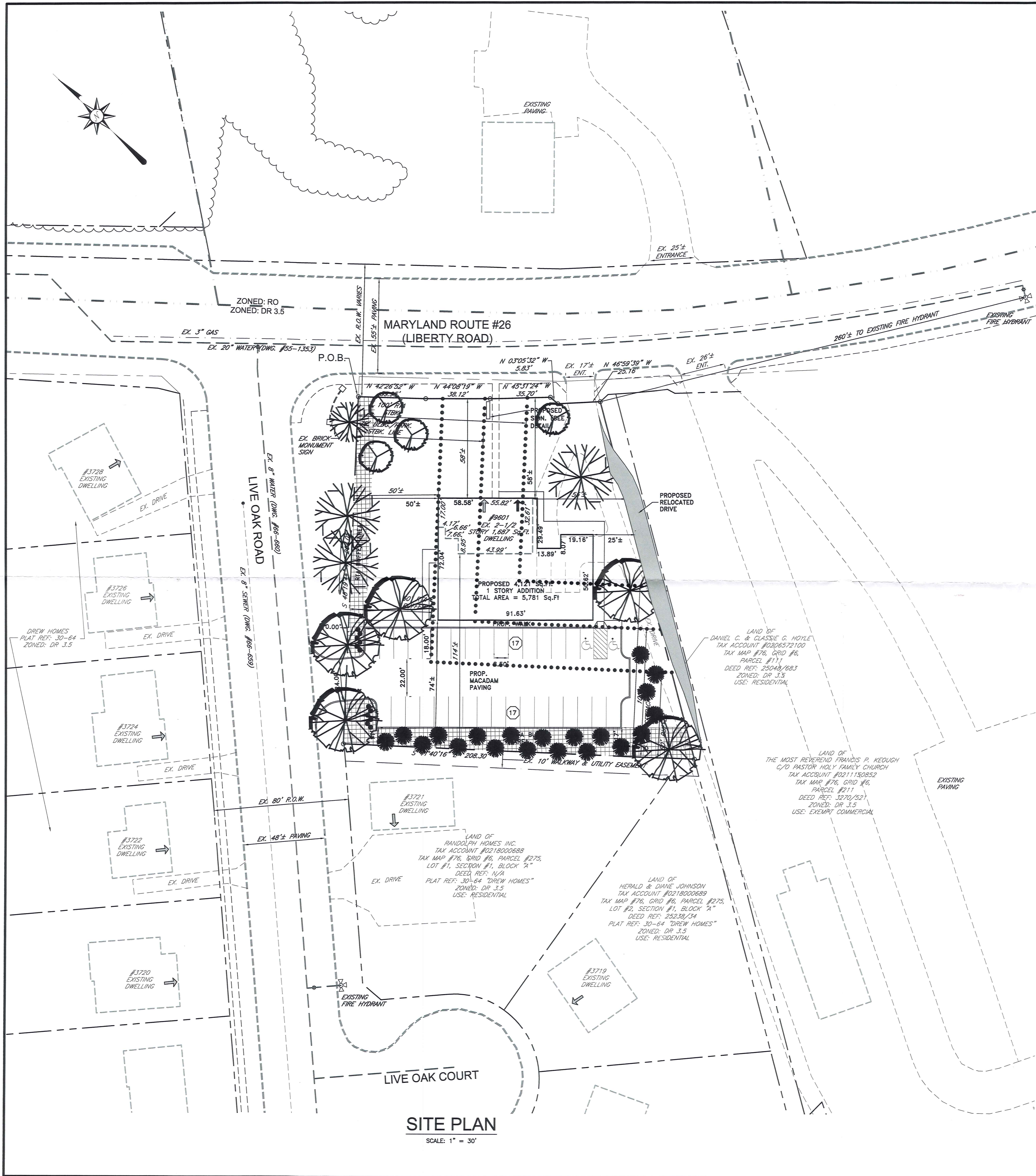
BALTIMORE COUNTY, MARYLAND

REVISIONS
PETITIONER'S
EXHIBIT NO. 1

DRAWN BY: CND	DESIGNED BY: PCR	SCALE: 1" = 30'
DATE: 10-04-10	JOB NO.: 10048	SHEET NO.: 1 OF 1



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2011



DECIDUOUS TREE PLANTING DETAIL

SHRUB PLANTING DETAIL

LOCATION MAP

PLANT LIST

KEY	QUANTITY	PLANTING UNITS	PLANT TYPE
(Symbol)	4	4	MAJOR DECIDUOUS TREE
(Symbol)	4	2	FLOWERING TREE
(Symbol)	22	11	EVERGREEN TREE
(Symbol)	12	2.4	SHRUB
(Symbol)	1	2	EX. TREE
22.4 TOTAL PLANTING UNITS			

- LANDSCAPE NOTES
- ALL PLANT MATERIALS SHALL BE NURSERY GROWN AND SHALL CONFORM TO AMERICAN ASSOCIATION OF NURSERYMEN, INC. STANDARDS. ALL PLANTING PROCEDURES AND SPECIFICATIONS SHALL CONFORM TO "LANDSCAPE SPECIFICATION GUIDELINES FOR BALTIMORE WASHINGTON METROPOLITAN AREA" LATEST EDITION.
 - THE CONTRACTOR SHALL CONTACT "MISS UTILITY" FOR UNDERGROUND UTILITY LOCATIONS AT LEAST 72 HOURS PRIOR TO THE COMPLETION DATE.
 - ALL PLANTS SHALL BE GUARANTEED BY THE CONTRACTOR FOR ONE YEAR FOLLOWING THE INSTALLATION COMPLETION

SCHEMATIC LANDSCAPE PLAN CERTIFICATION FORM

This Schematic Landscape Plan is sealed by a Landscape Architect and certified by my signature below as being in accordance with all county agency landscape architectural comments.

Applicant Signature _____ Date _____ Print Name _____

Mailing Address (if not on plan) _____

LANDSCAPE TABULATION

1) 240 LIN. FT. OF ADJACENT ROAD / 40 = 6 PLANTING UNITS
2) 30 LIN. FT. OF INTERIOR ROAD / 20 = 1.5 PLANTING UNITS
3) 145 LIN. FT. PARKING ADJACENT TO RESIDENTIAL / 15 = 9.66 PLANTING UNITS
3) 34 PARKING SPACES / 12 = 2.83 PLANTING UNITS
5) 36 LIN. FT. PARKING ADJACENT TO PUBLIC R.O.W. / 15 = 2.4 PLANTING UNITS
22.4 PLANTING UNITS REQUIRED
22.4 PLANTING UNITS PROPOSED

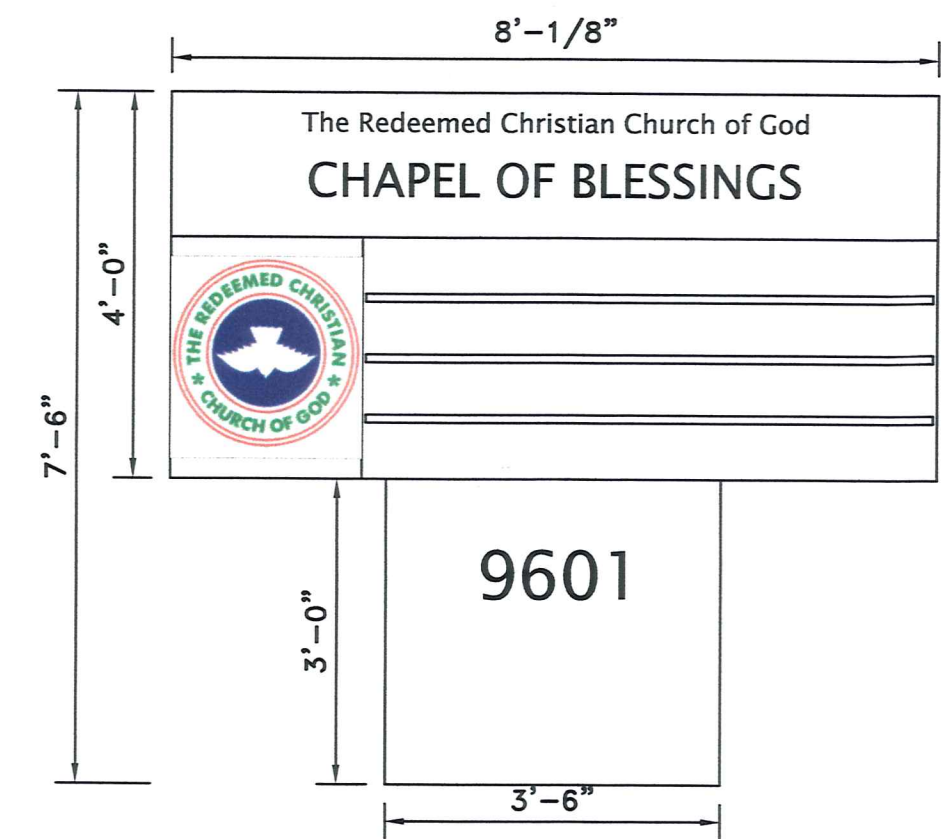
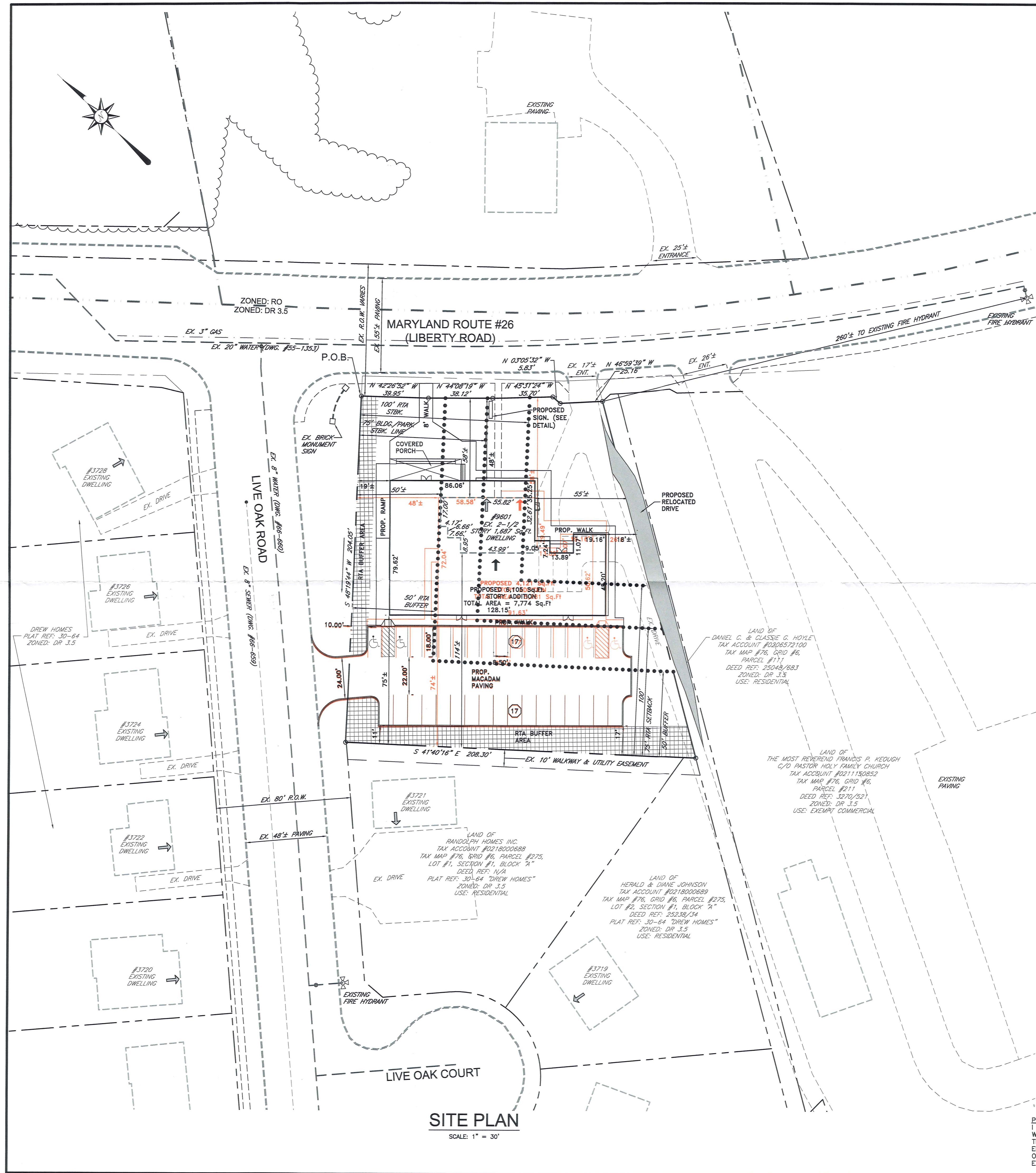
Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PRELIMINARY LANDSCAPE PLAN
FOR
THE REDEEMED CHRISTIAN
CHURCH OF GOD
CHAPEL OF BLESSINGS
9601 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133

2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 30'
	DATE:	JOB NO.:	SHEET NO.:
	04-26-11	10046	1 OF 1



SIGN DETAIL
SCALE: 1/2" = 1'



GENERAL NOTES:

- OWNER: ABIODUN & OMOBOLARINWA SOMIDE
9601 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133-2417
- SITE AREA:
GROSS: 47,442 Sq.Ft. or 1.089 Ac.±
NET: 36,223 Sq.Ft. or 0.832 Ac.±
- BUILDING AREAS:
EXISTING: 1,687 Sq.Ft. (1,680 Sq.Ft. TO REMAIN)
PROPOSED ADDITION: 4,121 Sq.Ft.
TOTAL PROPOSED: 6,804 Sq.Ft.
- UTILITIES
PUBLIC WATER & PUBLIC SEPTIC
- USES:
EXISTING: RESIDENTIAL DWELLING
PROPOSED: CHURCH
- PARKING:
REQUIRED: 1 PER 4 SEATS
130 SEATS = 33 SPACES
PROVIDED: 34 SPACES
- SETBACKS: REQUIRED PROVIDED
FRONT 50' 58'±
SIDE 20' 28'±
CORNER SIDE 35' 48'±
REAR 30' 74'±
- DEED REF: 26220/1
- TAX ACCOUNT #0213065500
- COUNCILMANIC DISTRICT: 4th
- WATERSHED: PATAPSCO
- FLOOR AREA RATIO:
(EX. BLDG. TO REMAIN x2 + PROP. ADDITION x1)
(1,680 x 2) + 4,121 = 7,441 Sq.Ft.
7,441 ÷ 47,442 = .157
- ZONING: DR 3.5
(PER 1"-200' ZONING MAP 076C1)
- TAX MAP #76 PARCEL #331
- SITE LIES WITHIN ZONE "X" (OTHER AREAS) OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #240010 0215 F PANEL 215 OF 580 DATED SEPT. 26, 2008. ZONE "X" (OTHER AREAS) IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- BUILDING HEIGHT NOT TO EXCEED 35 FEET.
- THE SITE NOR THE BUILDING ARE HISTORIC.
- NO PREVIOUS PERMITS ON FILE.
- PREVIOUS ZONING CASES 2011-0138-A; DENIED ON 12-10-2010.
- NO PREVIOUS DRC OR CRG ON FILE.

GENERAL NOTES:

- OWNER: ABIODUN & OMOBOLARINWA SOMIDE
9601 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133-2417
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REAR 30' 74'±
- DEED REF: 26220/1
- TAX ACCOUNT #0213065500
- COUNCILMANIC DISTRICT: 4th
- WATERSHED: PATAPSCO
- FLOOR AREA RATIO:
(EX. BLDG. TO REMAIN x2 + PROP. ADDITION x1)
(1,680 x 2) + 7,024 = 10,344 Sq.Ft.
10,344 ÷ 47,442 = .218
- ZONING: DR 3.5
(PER 1"-200' ZONING MAP 076C1)
- TAX MAP #76 PARCEL #331
- SITE LIES WITHIN ZONE "X" (OTHER AREAS) OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #240010 0215 F PANEL 215 OF 580 DATED SEPT. 26, 2008. ZONE "X" (OTHER AREAS) IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
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PLAN TO ACCOMPANY ZONING PETITION
FOR THE
THE REDEEMED CHRISTIAN
CHURCH OF GOD
CHAPEL OF BLESSINGS
9601 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133

2ND ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND	
REVISIONS		DRAWN BY: CND	DESIGNED BY: PCR
DATE: 10-04-10		JOB NO.: 10046	SCALE: 1" = 30'
		SHEET NO.: 1 OF 1	

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 06-15-2011



P.T. Co #1 Abiodun + Omobolarinwa Somide 5-5-11 #11-138-A