

**IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

E/Side of Rolling Road, 150' N of *
c/l of Windsor Boulevard *
2nd Election District *
4th Councilmanic District *
(2901 North Rolling Road) *

Calvin L. and Pamela L. McMichael *
Legal Owners

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY

CASE NO. 2011-0238-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for consideration of Petitions for Special Hearing and Variance filed by the legal property owners, Calvin L. and Pamela L. McMichael. The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to modify the Residential Transition Area (RTA) pursuant to Section 1B01.B.1.c(2) and as directed by the findings pursuant to Section 32-4-402 of the Baltimore County Code (B.C.C.), to allow the existing side setback of 2 feet, more or less, for an existing parking lot and 13 feet, more or less, for an existing building. Landscape screening is proposed along the parcel line to provide a buffer from the adjacent property. In addition, the Petitioners are requesting Variance relief from Section 1B01.2.C.1.a of the B.C.Z.R. to allow for a rear yard setback of 3 feet, more or less, in lieu of the required 30 feet, and to allow for a side yard setback of 13 feet, more or less, in lieu of the required 20 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 Special Hearing and Variance requests were Calvin L. and Pamela L. McMichael, property owners, and Dwight Little and Aaron Kensinger with Little & Associates, Inc., the consultants who prepared the site plan for this

ORDER RECEIVED FOR FILING

Date 3-25-11

By js

property. Also appearing in support of the Petitions was Michael Reynolds. There were no Protestants or other interested persons at the hearing.

Testimony and evidence offered revealed that the subject property is located at the east side of Rolling Road, just north of the centerline of Windsor Boulevard, in Baltimore County. The property is currently improved with an existing two story single family dwelling which is situated on the property as shown on Petitioners' Exhibit 1, the site plan submitted into evidence. The property also contains a small parking lot located in the front of the two story dwelling. These applicants are interested in utilizing this dwelling as a church. In order to do so, the Special Hearing and Variance relief are necessary.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse comments received from any of the County reviewing agencies.

Based upon the testimony and evidenced offered, I am persuaded to grant the requested Special Hearing and Variance relief. As to the Special Hearing relief, the Applicants demonstrated and I hereby find that the modification to the Residential Transition Area (RTA) for this church will not adversely impact the residential community or any development on adjacent land to this subject property. The use of the property as a church is compatible with the surrounding neighborhood.

As to the Variance relief, I am persuaded to grant the request for variance relief. I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request. I also find that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioners.

I further find that the variance can be granted in strict harmony with the spirit and intent of said regulations, and in such a manner as to grant relief without injury to the public health, safety,

ORDER RECEIVED FOR FILING

Date

3-25-11

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By

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and general welfare. Thus, I find that the variance can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R., as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995).

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and after considering the testimony and evidence offered by the parties, I find that Petitioners' requests for Special Hearing and Variance should be granted.

THEREFORE, IT IS ORDERED this 25th day of March, 2011, by the Administrative Law Judge, that Petitioners request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to modify the Residential Transition Area (RTA) pursuant to Section 1B01.B.1.c(2) and as directed by the findings pursuant to Section 32-4-402 of the Baltimore County Code (B.C.C.), to allow the existing side setback of 2 feet, more or less, for an existing parking lot and 13 feet, more or less, for an existing building, and landscape screening along the parcel line to provide a buffer from the adjacent property, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Variance request for relief from Section 1B01.2.C.1.a of the B.C.Z.R. to allow for a rear yard setback of 3 feet, more or less, in lieu of the required 30 feet, and to allow for a side yard setback of 13 feet, more or less, in lieu of the required 20 feet, in accordance with the area shown on the approved site plan, be and is hereby GRANTED.

The relief granted is subject to the following condition:

1. Petitioners may apply for their building permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

ORDER RECEIVED FOR FILING

Date

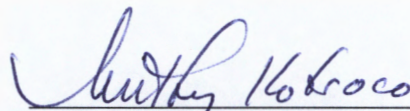
3-25-11

3

By

[Signature]

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

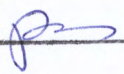


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

ORDER RECEIVED FOR FILING

Date 3-25-11

By 



KEVIN KAMENETZ
County Executive

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

March 25, 2011

CALVIN L. AND PAMELA L. MCMICHAEL
4127 RALEIGH ROAD
BALTIMORE MD 21208

Re: Petition for Special Hearing and Variance
Case No. 2011-0238-SPHA
Property: 2901 North Rolling Road

Dear Mr. and Mrs. McMichael:

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, Applications 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,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

Enclosure

c: Dwight Little and Aaron Kensinger, Little & Associates, Inc., 1055 Taylor Avenue, Suite 307, Towson MD 21286
Michael Reynolds, 5 Asbury Lane, Shrewsbury PA 17361



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at #2901 Rolling Road
which is presently zoned DR 5.5

(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)

Please See Attached

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:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____
Date _____
By _____

Legal Owner(s):

Calvin L. McMichael, Jr.
Name - Type or Print _____
Signature _____
Pamela L. McMichael
Name - Type or Print _____
Signature _____
4127 Raleigh Road 717-781-5205
Address Telephone No.
Baltimore MD 21208
City State Zip Code

Representative to be Contacted:

Little and Associates, Inc. c/o Aaron Kensinger
Name _____
1055 Taylor Ave. Suite 307 410-296-1636
Address Telephone No.
Towson MD 21286
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. **2011-0238SPA**

REV 9/15/98

UNAVAILABLE FOR HEARING
Reviewed By **JCM** Date **2-11-11**

#2901 Rolling Road

A request to modify the RTA pursuant to section 1B01.B.1.c.(2), and as directed by the findings pursuant to 32-4-402, to allow the existing side setback of 2'+- for an existing parking lot and 13'+- for an existing building. Landscape screening is proposed along the parcel line to provide a buffer from the adjacent property.

ZONING DESCRIPTION FOR
#2901 NORTH ROLLING ROAD

Beginning at a point on the east side of Rolling Road, which has a variable width, at the distance of 150 feet north of the centerline of the nearest improved intersecting street, Windsor Boulevard, which has a variable width. Thence the following courses and distances: (1) South 65 degrees 10 minutes 26 seconds East 79.14 feet; thence (2) North 24 degrees 53 minutes 27 seconds East 111.47 feet; thence (3) South 88 degrees 23 minutes 36 seconds West 90.31 feet; thence (4) North 55 degrees 32 minutes 33 seconds West 39.57 feet; and thence (5) South 02 degrees 42 minutes 43 seconds East 87.84 feet to the place of beginning. Containing 0.20 acres of land, more or less, as recorded in deed S.M. 28900 folio 174. Also known as #2901 North Rolling Road and located in the 2nd Election District, 4th Councilmanic District.



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

No. 647
 Date: 2.11.11

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	800	0000		6150					770.-

Total: 770.-

Rec From: PTL M. ...

For: ...

...

...

...

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

PAID RECEIPT

PAID TO THE ORDER OF
 FOR DEPOSIT ONLY
 NO CASH WITHDRAWALS
 NO CHECKS CASHED
 NO DEBIT CARDS
 NO CREDIT CARDS
 NO MONEY ORDERS
 NO TRAVELERS CHECKS
 NO FOREIGN CURRENCY
 NO OTHER INSTRUMENTS

**CASHIER'S
 VALIDATION**

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: # 2011-0238-SPHA

2901 North Rolling Road

E/side of Rolling Road, 150 ft. n/of centerline of Windsor Boulevard

2nd Election District — 4th Councilmanic District

Legal Owner(s): Calvin & Pamela McMichael, Jr.

Special Hearing: to modify the RTA pursuant to section 1801.b.1c(2), and as directed by the findings pursuant to 32-4-402, to allow the existing side setback of 2 feet +/- for an existing parking lot and 13 ft. +/- for an existing building. Landscape screening is proposed along the parcel line to provide a buffer from the adjacent property. **Variance:** to allow for a rear yard setback of 3' +/- in lieu of the required 30' and to allow for a side yard setback of 13' +/- in lieu of the required 20'.

Hearing: Wednesday, March 16, 2011 at 1:30 p.m. in Room 104, 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 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.

JF-3/620 March 1

268278

CERTIFICATE OF PUBLICATION

3/3/, 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 3/1/, 2011.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

Date: 3-1-11

RE: Case Number: 2011-0238-SPH

Petitioner/Developer: Calvin McMichael

Date of Hearing/Closing: 3-16-2011

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 2901 N. Rolling Rd

The signs(s) were posted on 3-1-11
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2011-J238-SPHA

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

JEFFERSON BLDG, ROOM 104

PLACE: 105 W. CHESAPEAKE AVE TOWSON 21204

DATE AND TIME: WED, MAR. 16, 2011 1:30 PM

REQUEST: SPECIAL HEARING TO MODIFY

THE RTA PURSUANT TO SECTION 18-11-01, AND AS DIRECTED
BY THE FINDINGS PURSUANT TO 32-4-02, TO ALLOW THE EXIST-
ING SIDE SETBACK OF 2 FEET 4" FOR AN EXISTING PARKING
LOT AND 13 FT. 4" FOR AN EXIST. BLDG. LANDSCAPE SCREENING
IS PROPOSED ALONG THE PARCEL LINE TO PROVIDE A BUFFER
FROM THE ADJACENT PROPERTY. VARIANCE TO ALLOW FOR A
REAR YARD SETBACK OF 2 FT. 4" IN LIEU OF THE REQUIRED 30'
AND TO ALLOW FOR A SIDE YARD SETBACK OF 13 FT. 4" IN
LIEU OF THE REQUIRED 20'

CONDITIONS ARE SOMETIMES NECESSARY.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 1, 2011 Issue - Jeffersonian

Please forward billing to:

Praise the Lord Ministry, Attn: Mike Reynolds
P.O. Box 163
Shrewsbury, PA 17361

717-781-5205

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: 2011-0238-SPHA

2901 North Rolling Road

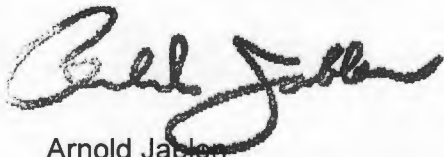
E/side of Rolling Road, 150 ft. n/of centerline of Windsor Boulevard

2nd Election District – 4th Councilmanic District

Legal Owners: Calvin & Pamela McMichael, Jr.

Special Hearing to modify the RTA pursuant to section 1B01.b.1.c(2), and as directed by the findings pursuant to 32-4-402, to allow the existing side setback of 2 feet +/- for an existing parking lot and 13 ft. +/- for an existing building. Landscape screening is proposed along the parcel line to provide a buffer from the adjacent property. Variance to allow for a rear yard setback of 3' +/- in lieu of the required 30' and to allow for a side yard setback of 13' +/- in lieu of the required 20'.

Hearing: Wednesday, March 16, 2011 at 1:30 p.m. in Room 104, 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

February 18, 2011

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: 2011-0238-SPHA

2901 North Rolling Road
E/side of Rolling Road, 150 ft. n/of centerline of Windsor Boulevard
2nd Election District – 4th Councilmanic District
Legal Owners: Calvin & Pamela McMichael, Jr.

Special Hearing to modify the RTA pursuant to section 1B01.b.1.c(2), and as directed by the findings pursuant to 32-4-402, to allow the existing side setback of 2 feet +/- for an existing parking lot and 13 ft. +/- for an existing building. Landscape screening is proposed along the parcel line to provide a buffer from the adjacent property. Variance to allow for a rear yard setback of 3' +/- in lieu of the required 30' and to allow for a side yard setback of 13' +/- in lieu of the required 20'.

Hearing: Wednesday, March 16, 2011 at 1:30 p.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the address line of the hearing information.

Arnold Jablon
Director

AJ:kl

C: Mr. & Mrs. McMichael, 4127 Raleigh Road, Baltimore 21208
Aaron Kensinger, Little & Associates, 1055 Taylor Ave., Ste. 307, Towson 21286

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

**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 that is the subject of an upcoming zoning hearing. For those petitions that 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:

2011-0238 SPHA

Petitioner: Calvin L. McMichael, Jr.

Address or Location:

2901 North Rolling Road

Please Forward Advertising Bill to:

Name: Praise the Lord Ministry, Attn. Mike Reynolds

Address: P.O. Box 163

Shrewsbury, PA 17361

Telephone: 717-781-5205



KEVIN KAMENETZ
County Executive

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

March 9, 2011

Mr. & Mrs. Calvin McMichael, Jr.
4127 Raleigh Road
Baltimore, MD 21208

Dear Mr. & Mrs. McMichael, Jr.

RE: Case Number 2011-0238 SPH, 2901 Rolling Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 11, 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 a dark, textured rectangular background.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Aaron Kensinger, Little and Associated, Inc., 1055 Taylor Avenue, Ste. 307, Towson, MD 21204



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

February 22, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **February 22, 2011**

Item No.:

Administrative Variance: 2011-0236A, 2011-0239A – 0240A, 2011-0244A

Special Hearing: 2011-0237-SPH, 2011-0238-SPHA, 2011-0242-SPH

Variance: 2011-0238SPHA, 2011-0243A, 2011-0245A.

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

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



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: MARCH 1, 2011

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

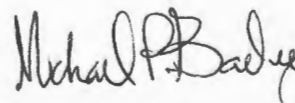
RE: Baltimore County
Item No 2011-0238-SPH
2901 ROLLING ROAD
McMICHAEL PROPERTY
SPECIAL HEARING -
VARIANCE -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0238-SPH

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

Very truly yours,


For Steven D. Foster, Chief
Access Management Division

SDF/mb

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

DATE: February 28, 2011

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

SUBJECT: Zoning Advisory Committee Meeting
For February 28, 2011
Item Nos. 2011- 218, 236, 237, 238,
239, 240, 242, 243, 244 and 245

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

DAK:CEN:cab
cc: File
G:\DevPlanRev\ZAC -No Comments\ZAC-02282011 -NO COMMENTS.doc

TK
3-16-11

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED



MAR 01 2011

ZONING COMMISSIONER

TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Dave Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 1, 2011

SUBJECT: DEPS Comment for Zoning Item: # 11-238-SPHA
Address: 2901 North Rolling Road
(McMichael Property)

Zoning Advisory Committee Meeting of February 18, 2011.

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

Reviewer: JWL

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
2901 N. Rolling Road; E/side of Rolling Road * ZONING COMMISSIONER
2nd Election & 4th Councilmanic Districts *
Legal Owner(s): Calvin L. McMichael, Jr. * FOR
Petitioner(s) *
* BALTIMORE COUNTY
*
* 2011-0238-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

RECEIVED

FEB 18 2011

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of February, 2008, a copy of the foregoing Entry of Appearance was mailed to Calvin L. McMichael and Pamela L. McMichael, 4127 Raleigh Road, Baltimore, Maryland 21208, Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME _____
CASE NUMBER _____
DATE _____

[illegible]



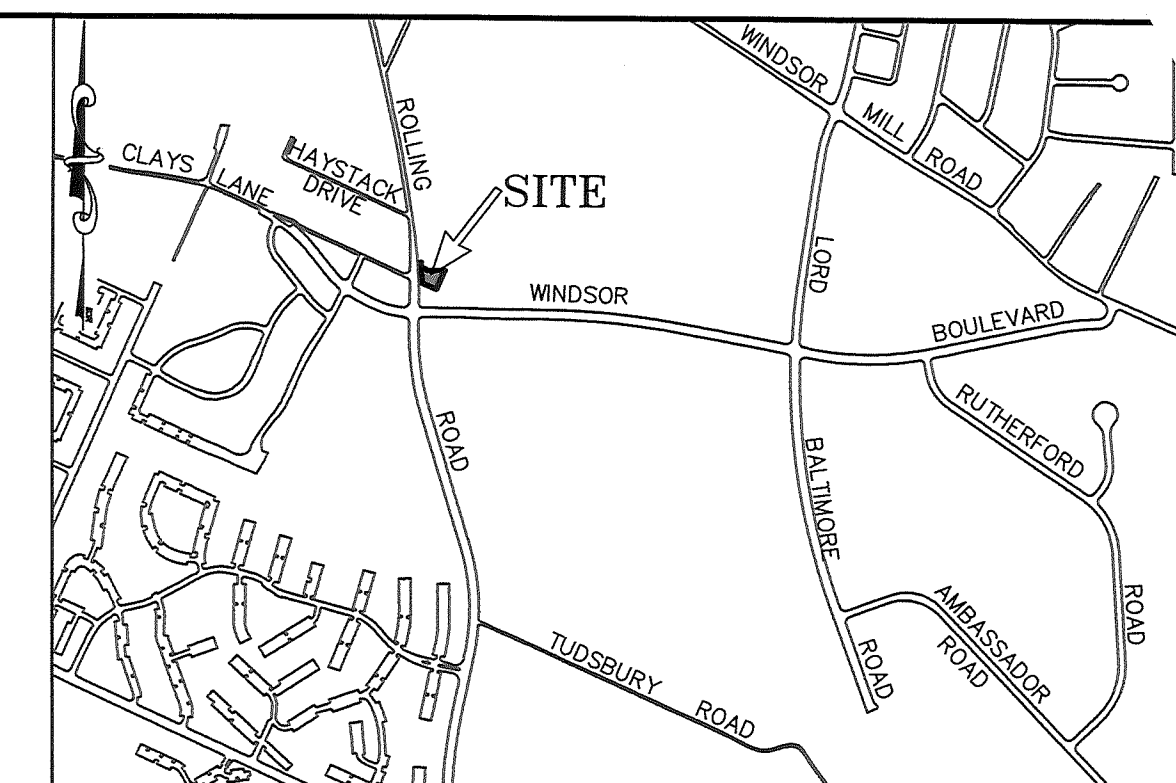
PETITIONER'S
EXHIBIT NO. 2











VICINITY MAP

SCALE: 1"=1000'

SITE DATA

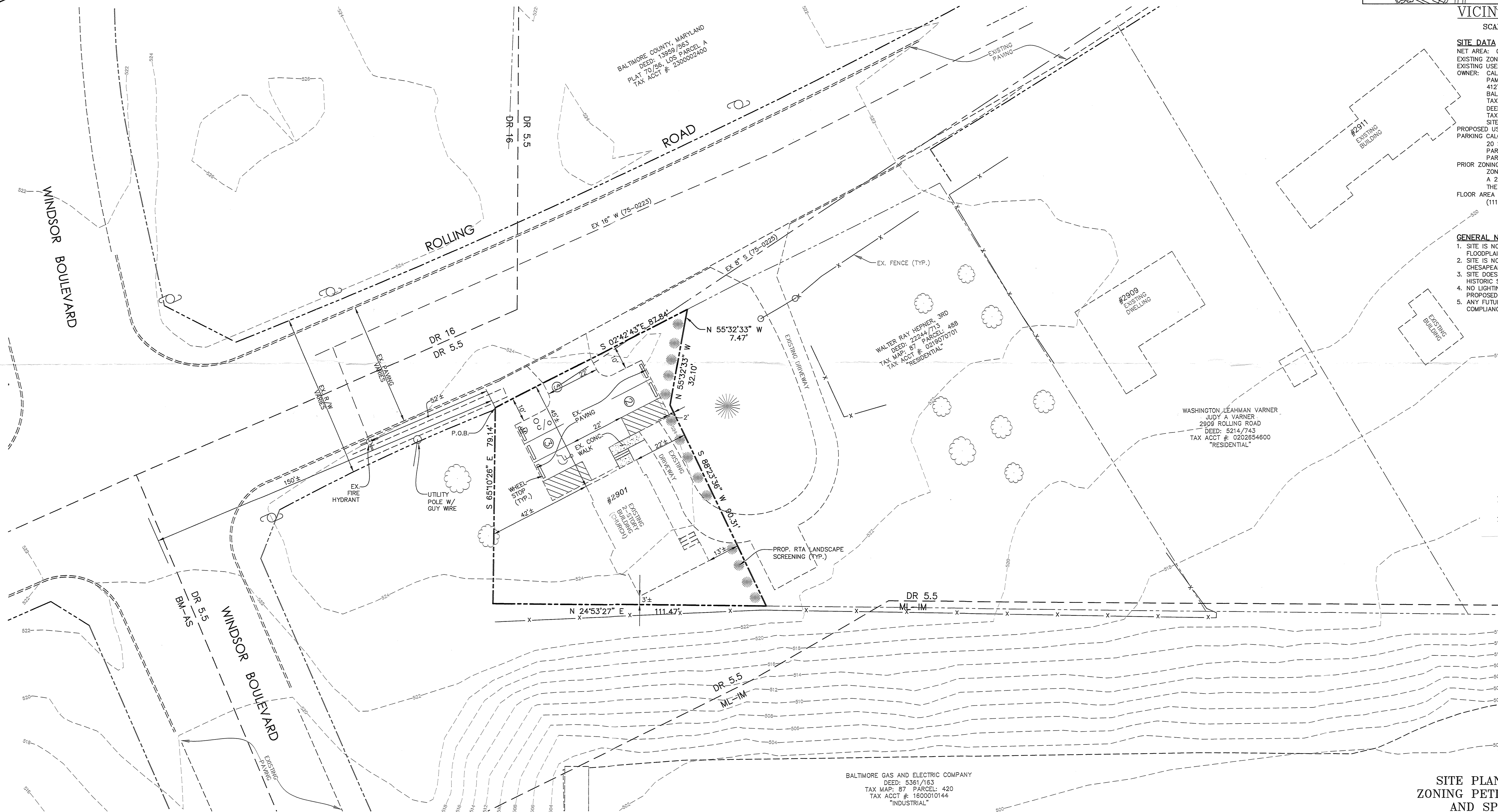
NET AREA: 0.2012 AC±
EXISTING ZONING: DR 5.5 (MAP 87C2)
EXISTING USE: RESIDENTIAL
OWNER: CALVIN L. McMICHAEL, JR.
PAMELA L. McMICHAEL
4127 RALEIGH ROAD
BALTIMORE, MD 21208
TAX MAP: 87 GRID: 11 PARCEL: 488
DEED: 28900/174
TAX ACCT. #: 0219070700
SITE ADDRESS: 2901 N ROLLING ROAD
PROPOSED USE: CHURCH
PARKING CALCULATIONS:
20 SEATS x 1 P.S. / 4 SEATS = 5 P.S.
PARKING REQUIRED: 5 P.S.
PARKING PROPOSED: 5 P.S.
PRIOR ZONING HISTORY:
ZONING CASE 07-380A TO ALLOW FOR
A 25' FRONT YARD SETBACK IN LIEU OF
THE REQUIRED 40'.
FLOOR AREA RATIO (F.A.R.):
(1114 S.F. * 2 FLOORS) / 8,764 S.F. = 0.25

GENERAL NOTES

1. SITE IS NOT LOCATED WITHIN A 100 YEAR FLOODPLAIN
2. SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA
3. SITE DOES NOT CONTAIN ANY KNOWN HISTORIC STRUCTURES.
4. NO LIGHTING OF PARKING AREA IS PROPOSED
5. ANY FUTURE SIGNAGE SHALL BE IN COMPLIANCE WITH BCZR SECTION 450.

PETITIONER'S

EXHIBIT NO. 1



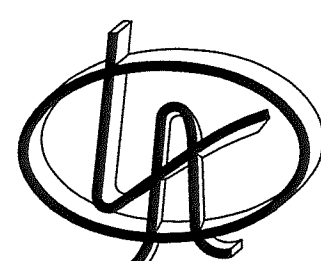
BALTIMORE GAS AND ELECTRIC COMPANY
DEED: 5361/163
TAX MAP: 87 PARCEL: 420
TAX ACCT #: 1600010144
"INDUSTRIAL"

SITE PLAN TO ACCOMPANY
ZONING PETITION FOR VARIANCE
AND SPECIAL HEARING
#2901 N ROLLING ROAD
TAX ACCT. #: 0219070700

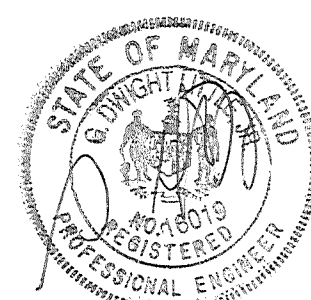
McMICHAEL PROPERTY

DISTRICT 02c4
SCALE: 1"=20'

BALTIMORE COUNTY, MD
FEBRUARY 1, 2011



LITTLE & ASSOCIATES, INC.
ENGINEERS~LAND PLANNERS~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639



OWNER/DEVELOPER
CALVIN L. JR. AND
PAMELA L. McMICHAEL
4127 RALEIGH ROAD
BALTIMORE, MD 21208