

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

NW Corner of Intersection of Falls Road and *
Saters Lane
3rd Election District *
3rd Councilmanic District
(1010 Saters Lane) *

Trustees of Chestnut Ridge Baptist Church, *
Legal Owner
Baptist Family and Children's Services of *
MD, Inc., *Contract Purchaser*
Petitioners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY

CASE NO. 2011-0270-SPHX

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for consideration of Petitions for Special Hearing and Special Exception filed by the legal property owner, Trustees of Chestnut Ridge Baptist Church. The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to amend the previously approved Development Plan, pursuant to Section 1A00.4 of the B.C.Z.R., to allow the expansion of uses listed under Note 17 on the Development Plan, to include foster care counseling, training and general office use in addition to the principal church use; and to amend Note 3 of the Hearing Officer's Order dated June 16, 1994 to allow the expanded uses described above. The Special Exception, pursuant to Section 1A04.2.B(5) of the B.C.Z.R., is to allow use of the property known as 1010 Saters Lane for a community care center in addition to its current by right principal church use. 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 Special Exception requests were Neil Lanzi, Esquire on behalf of the property owner, Trustees of Chestnut Ridge Baptist Church, and Paul Lee with Century Engineering, Inc., the professional

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engineer who prepared the site plan. Also attending the hearing on behalf of the Chestnut Ridge Baptist Church and Baptist Family and Children's Services of Maryland (hereinafter "Baptist Family") was Bob Gerstmyer, the Executive Director of Baptist Family. Pastor Jeffrey Blaylock, the current pastor of the Chestnut Ridge Baptist Church, was in attendance as well as James Thompson, the current chairman of the Board of Trustees of the Chestnut Ridge Baptist Church.

Appearing in opposition to the Petitioners' request were many residents of the surrounding neighborhood all of whom signed in on the Citizen Sign-In Sheets and whose names are too numerous to mention in this Order. Reference is made to those Sign-In Sheets as to the individuals in attendance at the hearing before me. These individuals were represented by Keith Franz, Esquire, with the law firm of Azrael, Franz, Schwab and Lipowitz LLC.

Testimony and evidence indicated that the property which is the subject of this special hearing and special exception requests consists of 2.17 acres more or less and is located on the northwest side of Falls Road at its intersection with Saters Lane. The subject property is zoned RC 5 and is currently improved with a one story church known as the Chestnut Ridge Baptist Church. The Chestnut Ridge Baptist Church received County approval to locate on this property back in 1994 and was constructed shortly thereafter. Submitted into evidence as Petitioners' Exhibit 1 was a site plan of the property showing the improvements on the site.

It should be noted that during the course of presenting testimony and evidence, the Applicants, the Trustees of Chestnut Ridge Baptist Church as well as the Baptist Family and Children's Services of Maryland withdrew their special exception request. Mr. Neil Lanzi, attorney for the Petitioners, indicated to this Administrative Law Judge that the Petition for Special Exception was in fact misleading. This special exception request was filed at the request and insistence of the People's Counsel of Baltimore County. After meeting with People's

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By [Signature]

Counsel, the Applicants were requested by that Office to file the special exception for a community care center. These "community care centers" encompass a host of uses that many neighborhoods find particularly objectionable. The proposed use requested by these Applicants in no way falls under the definition of a "community care center" and therefore the Applicants voluntarily withdrew and dismissed their special exception request.

The Applicants did proceed on the special hearing request to amend the previously approved Development Plan for the property in hopes of allowing Baptist Family to locate their offices and to provide their services from the subject property located at 1010 Saters Lane. Testifying in support of this request was Bob Gerstmyer, the current Executive Director of Baptist Family. Mr. Gerstmyer testified that Baptist Family is interested in relocating from their Columbia office to this particular site on Saters Lane. Mr. Gerstmyer is also a member of the Chestnut Ridge Baptist Church and as of the following Friday after the hearing before me, will be the new part-time pastor for Chestnut Ridge Baptist Church. His testimony revealed that Pastor Blaylock, the current full-time pastor of Chestnut Ridge Baptist Church will be resigning his position as pastor due to the diminishing membership of the congregation of Chestnut Ridge Baptist Church. Pastor Gerstmyer testified that at one time the Chestnut Ridge Baptist Church had up to 125 members in the congregation; however, that number has dwindled down to about 30 at the time of the hearing before me. Given these dwindling numbers it is no longer feasible for Chestnut Ridge Baptist Church to have a full-time pastor thereby explaining the resignation of Pastor Blaylock and Pastor Gerstmyer taking over on a more limited, part-time basis.

The Trustees of the Chestnut Ridge Baptist Church were approached by Baptist Family with the prospect of relocating the offices of Baptist Family which currently operate in Columbia. Executive Director Gerstmyer testified that Baptist Family currently leases 9,500

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By [Signature]

square feet of office space in an office park in Columbia. They pay approximately \$175,000 a year in rent to their landlord in Columbia. Most of these expenses could be avoided by Baptist Family by leaving their Columbia site and relocating to Saters Lane. In addition, the Chestnut Ridge Baptist Church would benefit from Baptist Family utilizing the empty space located within this church. As stated previously, this church and sanctuary was constructed for a much larger congregation than what exists on the property today. Executive Director Gerstmyer testified that 16 employees would be brought to this new location bringing new life and activity to what has become an otherwise empty facility.

Executive Director Gerstmyer testified that Baptist Family is a 501c(3) charitable organization which employs social workers and counselors who work with troubled children and families with the goal of trying to keep families together as a single unit. Sometimes it is necessary to remove a child from a home and place that child with a temporary foster family. Baptist Family also provides a network of permanent foster families as well. Baptist Family, which is an off-shoot of the Baptist convention, was created in 1920 and has been operating since that time. They provide services mostly in Maryland, but also have a presence in Delaware and West Virginia.

Further testimony revealed that not only would this 501c(3) non-profit entity have its headquarters at Saters Lane, but they would also provide foster care training to prospective foster families at this location. Prospective foster families would meet at Chestnut Ridge Baptist Church to be trained and would receive certification as a foster family. This training would occur once every three months for three hours on a Tuesday evening. This usually entails 20 couples coming to the church to receive their training. On occasion, some foster children also attend the training sessions.

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By [Signature]

Executive Director Gerstmyer testified that the great bulk of their work would occur out in the community and not at the church facility. He made it clear that no foster children would come to their headquarters for counseling. All counseling occurs at the children's homes or out in the community away from this site. Mr. Gerstmyer stated in his testimony that he was perfectly willing to have the use of the property restricted to certain terms and conditions thereby giving assurances to the surrounding neighbors and neighborhood that the use would not grow beyond what he testified to in his testimony.

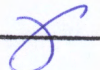
In order to move forward with locating Baptist Family at this site, the Applicants must amend Note 17 of the Development Plan. The Development Plan was submitted into evidence as Petitioners' Exhibit 1. Note 17 places restrictions on the property to be used for church services and church related activities by church members and guests. It further states that no other activities to be conducted during church services and other related religious uses. The Trustees of the Chestnut Ridge Baptist Church and Baptist Family have co-petitioned to amend Note 17 to allow this office use to locate at this property.

It should be noted that a key portion of Executive Director Gerstmyer's testimony centered around the fact that the Trustees of the Chestnut Ridge Baptist Church intend to convey in its entirety the church building and church property to Baptist Family. As stated previously, Baptist Family is a charitable organization and not a religious entity. In essence, at the time of the conveyance from the Trustees of the Chestnut Ridge Baptist Church to Baptist Family the property would cease to be owned by a religious institution. Baptist Family thereby intends to enter into a lease arrangement with the Trustees of the Chestnut Ridge Baptist Church to allow them to continue to hold religious services on the property for their small congregation. Pastor Gerstmyer did testify that he hopes to rebuild the congregation back to the larger membership

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By 

that they once enjoyed. However, his intentions notwithstanding, the trend over the past number of years has not been positive.

The title ownership of the subject property is particularly troubling to this Administrative Law Judge. The transfer of the title of the property and the building improvements thereon to a charitable entity would cause the property to cease to be owned and operated by a religious institution. This, in my opinion, is a fatal flaw to the Petitioners' special hearing request. Note 17 of the Development Plan submitted into evidence mandates that the church building is to be used for church services and church-related activities by church members and guests. Note 17 was specifically negotiated and placed on the Development Plan by the residents and neighbors to this property back in 1994 when the thought of building this church originated. These neighbors were very concerned at that time that the church property would be utilized by some other business entity, thereby explaining the purpose of placing Note 17 on the Plan at the time of its approval.

As stated previously, many surrounding residents and neighbors appeared in strong opposition to this change in use of the subject property. I agree with their position that the change in ownership of the property to a charitable entity, removing the title from the "Trustees of the Chestnut Ridge Baptist Church" which is a church activity cannot and should not be approved. Note 17 affords certain protections to the surrounding neighborhood which was of great importance at the time that this church was built and remains equally important today. In essence, the subject property would be converted into an office building with a subsidiary lease to the Chestnut Ridge Baptist Church to hold services on Sundays for a small number of its members. This property is zoned RC 5 and such a transition to office use is not permitted within that zone. For these reasons, the Petitioners' special hearing request must be denied.

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By BN

While the special hearing request filed by the Applicants herein has been denied, I do find it necessary to comment on the inter-office correspondence sent to this Office from the Director of the Office of Planning dated April 5, 2011, a copy of which is attached hereto. In that comment, the Office of Planning supports the proposed foster care counseling as outlined by Director Gerstmyer for Baptist Family. The Office of Planning stated in their comment that the counseling function described in the Petition is a ministerial or pastoral function incidental to the principal use of the property as a church. Normally I would agree with the Office of Planning; however, in my opinion, the Office of Planning was unaware that the Trustees of the Chestnut Ridge Baptist Church intended to convey legal title to their church property to Baptist Family. The re-titling of the property in that fashion causes a technical flaw in the special hearing request before me and is the reason why the matter has been denied. It could quite possibly be an entirely different situation and possibly a permitted use were this foster care counseling actually provided by the pastor and staff of the Chestnut Ridge Baptist Church and not this 501c(3) entity. However, that is not the request before me as it is the intention of the parties herein to transfer legal title to the property to a charity thereby causing the property to no longer owned by a religious institution. It appears, based on the comment of the Office of Planning, that there would not need to be a special hearing petition filed if this activity were provided for and under the auspices of the Chestnut Ridge Baptist Church.

As to the special hearing request before me to amend Note 17 for the reasons stated previously within this Order, I find that the special hearing request should be denied.

I further find that the special exception filed by the Petitioners shall be dismissed as requested by the Applicants.

ORDER RECEIVED FOR FILING

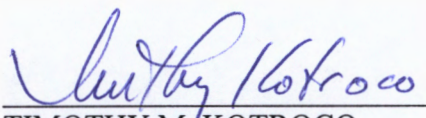
Date 5-20-11

By J

THEREFORE, IT IS ORDERED this 20th day of May, 2011, by this 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 amend the previously approved Development Plan, pursuant to Section 1A00.4 of the B.C.Z.R., to allow the expansion of uses listed under Note 17 on the Development Plan, to include foster care counseling, training and general office use in addition to the principal church use; and to amend Note 3 of the Hearing Officer's Order dated June 16, 1994 to allow the expanded uses described above, be and is hereby DENIED; and

IT IS FURTHER ORDERED that the Special Exception request pursuant to Section 1A04.2.B(5) of the B.C.Z.R., to allow use of the property known as 1010 Saters Lane for a community care center in addition to its current by right principal church use, be and is hereby DISMISSED at the request of the Petitioners.

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

Attachment

ORDER RECEIVED FOR FILING

Date 5-20-11

By 

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 5, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

RECEIVED

SUBJECT: 1010 Saters Lane

APR 06 2011

Item Number: 11-270

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: Trustees of Chestnut Ridge Baptist Church

Zoning: RC 5

Requested Action: Special Hearing and Special Exception

The petitioner requests a special hearing to amend note 17 on the previously approved development plan to allow foster care counseling, training and general office use in addition to the principal church use. A Special Exception for community care center is also requested.

It is the opinion of the Office of Planning that the counseling function described in the petition is a ministerial or pastoral function, incidental to the principle use of the property as a church. A community care center is defined as "a small-scale facility, sponsored or operated by a private charitable organization or by a public agency and licensed by the Maryland State Department of Mental Health and Hygiene or by the Maryland State Department of Social Services, for the housing, counseling, supervision or rehabilitation of alcoholics or drug abusers or of physically or mentally (including emotionally) handicapped or abused individuals who are not subject to incarceration or in need of hospitalization."

The proposed use, foster care counseling and training does not appear to meet this definition, as it is not a facility licensed by the Maryland State Department of Mental Health and Hygiene. It does not involve housing, supervision or rehabilitation of alcoholics or drug abusers.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the proposed foster care counseling service to be operated by the Baptist Family and Children's Services of Maryland at the Chestnut Ridge Baptist Church. In the event that the administrative law judge determines that the proposed use is a community care center, the use should be restricted to the counseling and training of foster care parents/guardians and children and should not include any housing or overnight accommodations.

If granted as a community care center, the use should be limited to the contract purchaser lessee and may continue beyond the 5 year time frame mentioned in Section 502.5A.1 of the BCZR.

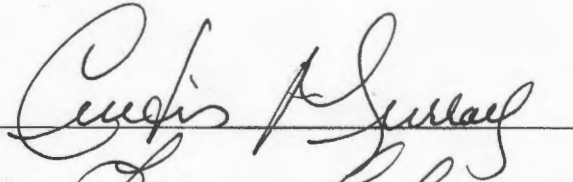
ORDER RECEIVED FOR FILING

Date 5-20-11

By [Signature]

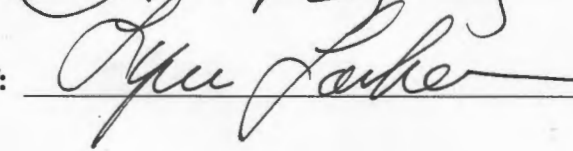
For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by:



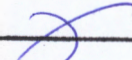
Division Chief:

JM/LL: CM



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Date 5-20-11

By 



KEVIN KAMENETZ
County Executive

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

May 20, 2011

J. NEIL LANZI, ESQUIRE
409 WASHINGTON AVENUE, #617
TOWSON, MD 21204

Re: Petition for Special Hearing and Special Exception
Case No. 2011-0270-SPHX
Property: 1010 Saters Lane

Dear Mr. Lanzi:

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.

Sincerely,

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

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

Enclosure

c: *See Attached List*

KEITH S. FRANZ, ESQUIRE
AZRAEL FRANZ SCHWAB &
LIPOWITZ
101 E. CHESAPEAKE AVE., 5TH FLOOR
BALTIMORE MD 21286

MIMI AZRAEL
11 OLD LYME RD
LUTHERVILLE MD 21093

MELISSA SCHNEIDER
3 OLD LYME RD
LUTHERVILLE MD 21093

PETER O'BRIEN
1 OLD LYME RD
LUTHERVILLE MD 21093

MICHAEL BAYER
1300 MUSGROVE RD
LUTHERVILLE MD 21093

RICHARD ROE
911 CHESTNUT RIDGE DR
LUTHERVILLE MD 21093

JAMES ESHLEMAN
11703 FALLSWOOD TERRACE
LUTHERVILLE MD 21093

RICHARD BORN
1212 SCOTTS KNOLL CT
LUTHERVILLE MD 21093

KAREN BARTLETT
1206 SCOTTS KNOLL CT
LUTHERVILLE MD 21093

JEAN BRENNER
11619 ST. DAVID'S LN
LUTHERVILLE MD 21093

JANET TROSCH
11629 ST DAVID'S LN
LUTHERVILLE MD 21093

JIM THOMPSON
1010 SATERS LANE
LUTHERVILLE MD 21093

PHILLIP RAY
11518 ST DAVID'S LANE
LUTHERVILLE MD 21093

SHARON WATERS
11704 FALLSWOOD TERRACE
LUTHERVILLE MD 21093

DIANE NOTARANGELO
1113 SOMERSET PL
LUTHERVILLE MD 21093

CYNTHIA FRANKLIN
1202 SOMERSET PL
LUTHERVILLE MD 21093

JAMES CASEY
12 OLD LYME RD
LUTHERVILLE MD 21093

DAN MEENAN
2 RISES CT
LUTHERVILLE MD 21093

TOM & KATHERINE CHEEK
1110 SOMERSET PL
LUTHERVILLE MD 21093

STACY GEMMA
1107 SOMERSET PL
LUTHERVILLE MD 21093

SANDRA MURPHY
1105 SOMERSET PL
LUTHERVILLE MD 21093

LEIGH POWELL
1103 SOMERSET PL
LUTHERVILLE MD 21093

MORRIS MURRAY
17 TREADMILL CT
LUTHERVILLE MD 21093

KATHERINE & CLIFF GILLESPIE
15 BROOKSTONE CT
LUTHERVILLE MD 21093

RICH KASTENDIECK
1206 SOMERSET PL
LUTHERVILLE MD 21093

GREG SEIDL
11 BROOKSTONE CT
LUTHERVILLE MD 21093

LAURA FEKETIE
1102 SOMERSET PL
LUTHERVILLE MD 21093

RICK PANNONI
1100 WESTWICKE LN
LUTHERVILLE MD 21093

KIM LEWIS
1008 WESTWICKE LN
LUTHERVILLE MD 21093

ANNE GAYHARDT
1106 BROOKLANDWOOD RD
LUTHERVILLE MD 21093

ALLISON TORRIE LAMM
1001 CHESTNUT RIDGE DR
LUTHERVILLE MD 21093

ROBERT CHERTKOF
1112 SOMERSET PL
LUTHERVILLE MD 21093

RENEE DURDIS
1006 BROOKLANDWOOD RD
LUTHERVILLE MD 21093

LINDA HURKA
1111 SOMRSET PL
LUTHERVILLE MD 21093

TERESA EAST
1109 WESTWICKE LN
LUTHERVILLE MD 21093

JANICE HERSCHMAN
1114 SOMERSET PL
LUTHERVILLE MD 21093

LEIGH PECK
11502 ST DAVIDS LN
LUTHERVILLE MD 21093

RAY RAZDOM
912 CHESTNUT RIDGE RD
LUTHERVILLE MD 21093



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1010 Saters Lane, Lutherville, MD 21093

which is presently zoned RC-5

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

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

(This box to be completed by planner)

See attached

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:

Baptist Family and Children's Services of MD, Inc.

Name - Type or Print Robert Gerstmyer Exec Dir

Signature Robert Gerstmyer

Address 7161 A Columbia Gateway Drive

City Columbia, MD 21046 State _____ Zip Code _____

Attorney For Petitioner:

J. Neil Lanzi

Name - Type or Print J. Neil Lanzi

Signature J. Neil Lanzi

Company J. Neil Lanzi, P.A.

Address 409 Washington Avenue Suite 617 Telephone No. 410-296-0686

City Towson, MD 21204 State _____ Zip Code _____

Legal Owner(s):

Trustees of Chestnut Ridge Baptists Church

Name - Type or Print James Thompson Chairman

Signature James H. Thompson

Name - Type or Print _____

Signature _____

Address 1010 Saters Lane

City Lutherville, MD 21043 State _____ Zip Code _____

Representative to be Contacted:

Neil Lanzi

Name _____

Address 409 Washington Avenue Suite 617 Telephone No. 410-296-0686

City Towson, MD 21204 State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 2011-0270-SPHX ORDER RECEIVED FOR FILING UNAVAILABLE FOR HEARING

REV 9/15/03

Reviewed By Jan

Date 3.11.11

Date 5-20-11

By [Signature]

PETITION FOR SPECIAL HEARING

Petitioner, Baptist Family and Children's Services of Maryland, Inc., for the property known as 1010 Saters Lane, hereby petitions the Zoning Commissioner for the following relief from Baltimore County Zoning Regulations (BCZR):

1. To amend the previously approved Development Plan pursuant to Section 1A00.4 of the BCZR to allow the expansion of uses listed under Note 17 on the Development Plan, to include foster care counseling, training and general office use in addition to the principal church use; and

2. To amend Note 3 of the Hearing Officer's Order dated June 16, 1994 to allow the expanded uses described above.

The Zoning Commissioner has the power to grant special hearing relief pursuant to Section 500.7 of the BCZR. The requested foster care counseling, training and office use by Petitioner are accessory uses normal and customary to the principal church use. Additional reasons in support of the Petition will be provided at the hearing.



Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property located at 1010 Saters Lane, Lutherville, MD 21093

which is presently zoned RC 5

Deed Reference: 11450 / 662 Tax Account # 2200025674

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

See attached

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

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

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

Contract Purchaser/Lessee:

Baptist Family and Children's Services of MD, Inc.

Name - Type or Print

X Robert H. Heston
Signature

7161 A Columbia Gateway Drive

Address Telephone No.

Columbia, MD 21046

City State Zip Code

Attorney For Petitioner:

J. Neil Lanzi nlanzi@lanzilaw.com

Name - Type or Print

J. Neil Lanzi
Signature

J. Neil Lanzi, P.A.

Company

409 Washington Avenue Suite 617 410-296-0686

Address Telephone No.

Towson, MD 21204

City State Zip Code

Legal Owner(s):

Trustees of Chestnut Ridge Baptist Church

Name - Type or Print

X James H. Thompson
Signature

Name - Type or Print

Signature

1010 Saters Lane

Address Telephone No.

Lutherville, MD 21043

City State Zip Code

Representative to be Contacted:

Neil Lanzi

Name

409 Washington Avenue Suite 617 410-296-0686

Address Telephone No.

Towson, MD 21204

City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By J. Lanzi Date 3-11-11

Case No. 2011-0270-SPHX

REV 07/27/2007

ORDER RECEIVED FOR FILING

Date 5-20-11

By [Signature]

PETITION FOR SPECIAL EXCEPTION

Petitioner, Baptist Family and Children's Services of Maryland, Inc., for the property known as 1010 Saters Lane, hereby petitions the Zoning Commissioner for a Special Exception pursuant to Section 1A04.2B(5) of the Baltimore County Zoning Regulations (BCZR) to allow the following:

1. Use of the property known as 1010 Saters Lane for a community care center in addition to its current by right principal church use.

The Zoning Commissioner has the power to grant special exceptions for uses that will not be detrimental to the health, safety or general welfare of the locality involved. Petitioner will not be making any exterior changes to the existing structures or property as a result of this request. Additional reasons in support will be provided at the hearing.

**DESCRIPTION
TRUSTEES OF CHESTNUT RIDGE BAPTIST CHURCH
1010 SATERS LANE
WEST SIDE OF FALLS ROAD
ELECT. DIST. 8C2**

BEGINNING FOR THE SAME at a point at the intersection of Falls Road and Saters Lane, said point also being located northwesterly 400'± from the center of Tremblant Court; thence running in or near the center of Saters Lane, two following courses and distances:

- 1) North 86° 15' 24" W – 382.43' and
- 2) South 88° 41' 55" W – 158.00', thence leaving said Saters Lane
- 3) North 03° 00' 56" W – 185.72' and
- 4) North 89° 11' 04" E – 441.24' to a point in the paving of Falls Road, thence running in the paving of Falls Road,
- 5) South 26° 54' 14" E – 238.99' to the point of beginning.

Containing 2.17 acres of land, more or less, and as recorded among the land records of Baltimore County in Plat Book SM 67 Folio 53.



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

No. **65820**

Date: **3-11-11**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
000	800			6150					835.00

Total: **835.00**

Rec From: **1. J. F. Family & Children's Svcs. Inc.**

For: **2011-0270-04X**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

CUSTOMER: **J. F. Family & Children's Svcs. Inc.**

DATE: **3-11-2011** TIME: **10:24 AM**

BY: **W. J. F. Family & Children's Svcs. Inc.**

RECEIPT # **65820** DATE: **3-11-2011** DEPT: **000**

AMOUNT: **\$ 835.00** PAYEE: **J. F. Family & Children's Svcs. Inc.**

REMARKS: **005000**

Receipt To: **000000**

\$835.00 TOTAL: **\$835.00**

Signature: **W. J. F. Family & Children's Svcs. Inc.**

**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: # 2011-0270-SPHX

1010 Saters Lane

N/corner of the intersection of Falls Road and Saters Lane

3rd Election District-3rd Councilmanic District

Legal Owner(s): Trustees of Chestnut Ridge

Baptists Church

Contract Purchaser: Baptist Family and Children's

Services of MD, Inc.

Special Hearing: to amend the previously approved Development Plan to allow the expansion of uses listed under Note 17 on the Development Plan, to include foster care counseling, training and general office use in addition to the principal church use; to amend Note 3 of the Hearing Officers Order dated June 16, 1994 to allow the expanded uses described above; the requested foster care counseling, training and office use by Petitioner are accessory uses normal and customary to the principal church use; additional reasons in support of the Petition will be provided at the hearing. **Special Exception:** to allow the use of the property known as 1010 Saters lane for a community care center in addition to its current by right principal church use.

Hearing: Monday, April 25, 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) 887-3391.

4/013 Apr. 7

271755

CERTIFICATE OF PUBLICATION

4/7/2011

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 4/7/, 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

ATTENTION: KRISTEN LEWIS

DATE: 4/8/2011

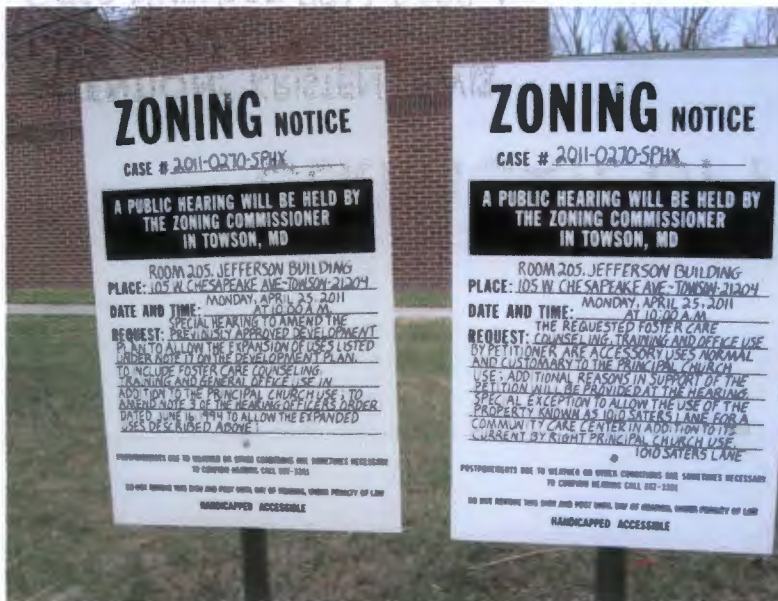
Case Number: 2011-0270-SPHX

Petitioner / Developer: J. NEIL LANZI, ESQ.~ROBERT GERSTMAYER~JAMES THOMPSON

Date of Hearing (Closing): APRIL 25, 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:
1010 SATERS LANE (ON-SITE)

The sign(s) were posted on: APRIL 8, 2011



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

Post-it® Fax Note	7671	Date	# of pages ▶ 1
To <u>KRISTEN</u>		From <u>PATTI</u>	
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

TO: PATUXENT PUBLISHING COMPANY
Thursday, April 7, 2011 Issue - Jeffersonian

Please forward billing to:

J. Neil Lanzi
409 Washington Avenue, Ste. 617
Towson, MD 21204

410-296-0686

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0270-SPHX

1010 Saters Lane

N/corner of the intersection of Falls Road and Saters Lane

3rd Election District – 3rd Councilmanic District

Legal Owners: Trustees of Chestnut Ridge Baptists Church

Contract Purchaser: Baptist Family and Children's Services of MD, Inc.

Special Hearing to amend the previously approved Development Plan to allow the expansion of uses listed under Note 17 on the Development Plan, to include foster care counseling, training and general office use in addition to the principal church use; to amend Note 3 of the Hearing Officers Order dated June 16, 1994 to allow the expanded uses described above; the requested foster care counseling, training and office use by Petitioner are accessory uses normal and customary to the principal church use; additional reasons in support of the Petition will be provided at the hearing. Special Exception to allow the use of the property known as 1010 Saters Lane for a community care center in addition to its current by right principal church use.

Hearing: Monday, April 25, 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 ADMINSTRATIVE 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

March 17, 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: 2011-0270-SPHX

1010 Saters Lane

N/corner of the intersection of Falls Road and Saters Lane

3rd Election District – 3rd Councilmanic District

Legal Owners: Trustees of Chestnut Ridge Baptists Church

Contract Purchaser: Baptist Family and Children's Services of MD, Inc.

Special Hearing to amend the previously approved Development Plan to allow the expansion of uses listed under Note 17 on the Development Plan, to include foster care counseling, training and general office use in addition to the principal church use; to amend Note 3 of the Hearing Officers Order dated June 16, 1994 to allow the expanded uses described above; the requested foster care counseling, training and office use by Petitioner are accessory uses normal and customary to the principal church use; additional reasons in support of the Petition will be provided at the hearing. Special Exception to allow the use of the property known as 1010 Saters Lane for a community care center in addition to its current by right principal church use.

Hearing: Monday, April 25, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: J. Neil Lanzi, 409 Washington Ave., Ste. 617, Towson 21204
Robert Gerstmyer, 7161 A Columbia Gateway Drive, Columbia 21046
James Thompson, 1010 Saters Lane, Lutherville 21043

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 9, 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 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 - 0270 SPHX
Petitioner: Bapher Family and Children's Services of MD Inc.
Address or Location: 1010 Satras Lane

PLEASE FORWARD ADVERTISING BILL TO:

Name: J. NEIL LANZI, P.A.
Address: 409 WASHINGTON AVE
Telephone Number: _____

N/A. week of April 18th
week of 25th
works.



KEVIN KAMENETZ
County Executive

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

Date April 19, 2011

James Thompson
1010 Saters Lane
Lutherville, MD 21093

RE: Case Number 2011-0270SPHX, 1010 Saters Lane

Dear Mr. Thompson,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Neil Lanzi, 409 Washington Avenue, Ste. 617, Towson, MD 21204
Robert Gerstmyer, 7161 A Columbia Gateway Drive, Columbia, MD 21046



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

State Highway
Administration

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

Maryland Department of Transportation

Date: MARCH 25, 2011

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

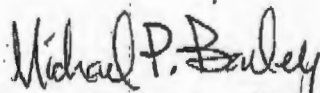
RE: Baltimore County
Item No. 2011-0270-SPHX
1010 SATER LANE
CHESTNUT RIDGE BAPTIST CHURCH
SPECIAL HEARING -
SPECIAL EXCEPTION -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0270-SPHX.

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

Very truly yours,


FOR Steven D. Foster, Chief
Access Management Division

SDF/mb

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For March 28, 2011
Item Nos. 2011- 265, 267, 268, 269,
270 and 273

DATE: March 17, 2011

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

DAK:CEJN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-03282011 -NO COMMENTS.doc

4-25 10AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: March 29, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-270-SPHX
Address 1010 Sater Lane
(Trustees of Chestnut Ridge Baptist Church)

Zoning Advisory Committee Meeting of March 21, 2011.

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

1. Proposed bldg. permits will need Groundwater Mgmt. review, since it is on well and septic. - *Dan Esser; Groundwater Management*

RECEIVED

MAR 29 2011

OFFICE OF ADMINISTRATIVE HEARINGS

4/25 10am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 5, 2011

FROM: Jeff Mayhew
(Acting) Director, Office of Planning

RECEIVED

SUBJECT: 1010 Saters Lane

APR 06 2011

Item Number: 11-270

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: Trustees of Chestnut Ridge Baptist Church

Zoning: RC 5

Requested Action: Special Hearing and Special Exception

The petitioner requests a special hearing to amend note 17 on the previously approved development plan to allow foster care counseling, training and general office use in addition to the principal church use. A Special Exception for community care center is also requested.

It is the opinion of the Office of Planning that the counseling function described in the petition is a ministerial or pastoral function, incidental to the principle use of the property as a church. A community care center is defined as "a small-scale facility, sponsored or operated by a private charitable organization or by a public agency and licensed by the Maryland State Department of Mental Health and Hygiene or by the Maryland State Department of Social Services, for the housing, counseling, supervision or rehabilitation of alcoholics or drug abusers or of physically or mentally (including emotionally) handicapped or abused individuals who are not subject to incarceration or in need of hospitalization."

The proposed use, foster care counseling and training does not appear to meet this definition, as it is not a facility licensed by the Maryland State Department of Mental Health and Hygiene. It does not involve housing, supervision or rehabilitation of alcoholics or drug abusers.

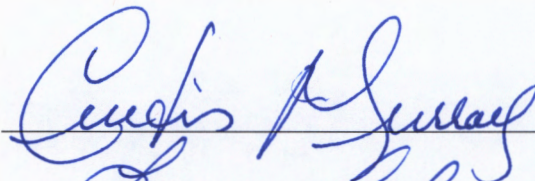
SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the proposed foster care counseling service to be operated by the Baptist Family and Children's Services of Maryland at the Chestnut Ridge Baptist Church. In the event that the administrative law judge determines that the proposed use is a community care center, the use should be restricted to the counseling and training of foster care parents/guardians and children and should not include any housing or overnight accommodations.

If granted as a community care center, the use should be limited to the contract purchaser lessee and may continue beyond the 5 year time frame mentioned in Section 502.5A.1 of the BCZR.

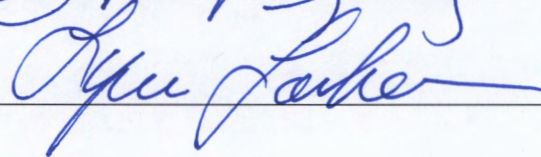
For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by:

A handwritten signature in blue ink, appearing to read "Curtis P. Sullivan", written over a horizontal line.

Division Chief:

JM/LL: CM

A handwritten signature in blue ink, appearing to read "Ryan Parker", written over a horizontal line.



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

March 16, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **March 21, 2011**

Item No.:

Administrative Variance: 2011-0265A, 2011-0268A, 2011-0271A, 2011-0273A

Special Hearing: 2011-0267-SPHA, 2011-0269-SPH, 2011-0270-SPHX

Special Exception: 2011-0270-SPHX

Variance: 2011-0267-SPHA,

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

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND SPECIAL EXCEPTION *
1010 Sater Lane; NW corner of the * ZONING COMMISSIONER
Intersection of Falls Rd. & Saters Lane *
3rd Election & 3rd Councilmanic Districts * FOR
Legal Owner: Trustees of Chestnut Ridge *
Baptist Church * BALTIMORE COUNTY
Contract Purchaser: Baptist Family & Children's *
Services of MD, Inc. * 2011-0270-SPHX
Petitioner(s)

* * * * *

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of March, 2011, a copy of the foregoing Entry of Appearance was mailed to J. Neil Lanzi, J. Neil Lanzi, P.A., 409 Washington Avenue, Suite 617, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TK
4-25-11

IN RE: Petition for
SPECIAL HEARING
and
SPECIAL EXCEPTION

Trustees of Chestnut Ridge
Baptist Church, Owner
and Baptist Family & Children's
Services of Maryland, Inc.
Contract Purchaser

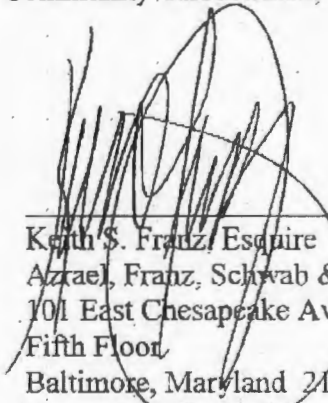
* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS OF BALTIMORE
* COUNTY
*
* Case No.: 2011-0270-SPHX
*

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of Keith S. Franz and Azrael, Franz, Schwab & Lipowitz on behalf of Robert Chertkoff and The Clearings Community Association, Inc. in the above referenced case.

April 22, 2011
DATE

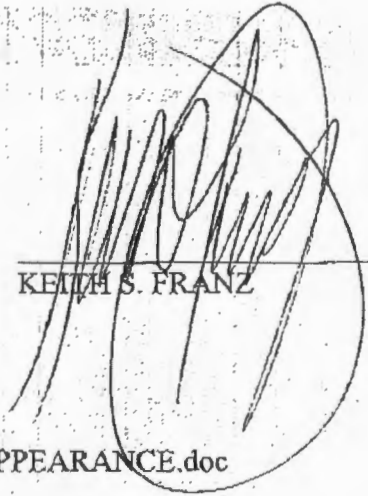


Keith S. Franz, Esquire
Azrael, Franz, Schwab & Lipowitz, LLC
101 East Chesapeake Avenue
Fifth Floor
Baltimore, Maryland 21286
Counsel for Protestants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on April 22, 2011, a copy of the foregoing Entry of Appearance and Rule 5-902(b) Notification was mailed to:

J. Neil Lanzi
409 Washington Avenue
Towson, Maryland 21204



KEITH S. FRANZ

KSF/crl

F:\USERS\JET\Jaa\Chestnut Ridge ENTRY OF APPEARANCE.doc

From: Patricia Zook
To: Bostwick, Thomas; Heint, Steven
Date: 5/20/2011 11:19 AM
Subject: Fwd: CASE NO 2011-0270-SPHX
Attachments: CASE NO 2011-0270-SPHX

Good morning -

Please find attached a scanned copy of the above-referenced Order on the Chestnut Ridge Baptist Church matter. Copies of the Order with the cover letter are going out in today's mail.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

CONFIDENTIALITY NOTICE: The information contained in this ELECTRONIC MAIL transmission is legally privileged and confidential. It may also be subject to the attorney-client privilege or be privileged work product or proprietary information. This information is intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any use, disclosure, dissemination, distribution (other than to the addressee(s)), copying or taking of any action because of this information is strictly prohibited.

From: Patricia Zook
To: nlanzi@lanzilaw.com
Date: 5/20/2011 11:13 AM
Subject: Fwd: CASE NO 2011-0270-SPHX Chestnut Ridge Baptist Church
Attachments: CASE NO 2011-0270-SPHX

Good morning Neil -

Please find attached the cover letter and the Order for the above-referenced matter. The attached scanned Order is signed and the 'hard copy' is going out in today's mail.

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

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*Please file.
Thanks.
Deb*

Debra Wiley - RE: 2011-0270-SPHX - 1010 Saters Lane - Hearing 4/25/11

From: "Dan Meenan" <dmeenan@gmail.com>
To: "Debra Wiley" <dwiley@baltimorecountymd.gov>
Date: 5/26/2011 2:51 PM
Subject: RE: 2011-0270-SPHX - 1010 Saters Lane - Hearing 4/25/11

Debbie,

I am guilty of sloth. I got lazy. My address is 2 Rises Court Cockeysville, MD 21030.

I am sorry for the trouble I caused you and the unnecessary expense to the county.

I'll get a copy from the FRCA.

Dan Meenan

From: Debra Wiley [mailto:dwiley@baltimorecountymd.gov]
Sent: Thursday, May 26, 2011 1:26 PM
To: dmeenan@gmail.com
Subject: Fwd: 2011-0270-SPHX - 1010 Saters Lane - Hearing 4/25/11

Mr. Meenan,

Please find attached a copy of the Citizen's Sign-In Sheet in which your name, address, etc. has been circled for your convenience. Also, as you can see from the second attachment (envelope), the address does match what was supplied at the hearing. Unfortunately, this document has been returned to us by the post office. Please supply our office with a "correct" address if you'd still like to receive the Order. If we do not hear from you, we will return this document to be placed in the zoning file.

Thanks and have a great day !

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 - 2011-0270-SPHX - Newspaper Advertisement

*Missing -
Not in file
4/22/11*

From: Debra Wiley
To: Lewis, Kristen
Date: 4/22/2011 1:59 PM
Subject: 2011-0270-SPHX - Newspaper Advertisement

Hi Kristen,

Do you have the newspaper advertisement for the above. It is not located in the file folder.
(This hearing is scheduled for Monday, April 25th @ 10 AM).

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

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

Go Ba
View N
New Ser
GroundRent R
GroundRent R

Account Identifier:

District - 08 Account Number - 2200025674

Owner Information

Owner Name:	TRUSTEES OF CHESTNUT RIDGE BAPTIST CHURCH	Use:	EXEMPT COMMERCIAL
Mailing Address:	1010 SATERS LA LUTH-TIMONIUM MD 21093	Principal Residence:	NO
		Deed Reference:	1) 2)

Location & Structure Information

Premises Address
1010 SATERS LN
0-0000

Legal Description
2.171 AC
NS SATERS LANE
CHESTNUT RIDGE BAPT CH

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0059	0012	0008		0000				2	
									Plat Ref:

Special Tax Areas

Town	NONE
Ad Valorem	
Tax Class	

0067/0053

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1996	14,382 SF	2.1700 AC	01

Stories	Basement	Type	Exterior
		CHURCH	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2011	07/01/2010	07/01/2011
Land	542,500	542,500		
Improvements:	1,637,000	2,607,800		
Total:	2,179,500	3,150,300	2,179,500	2,503,100
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County	700	2,503,100.00	0.00
State	700	2,503,100.00	0.00
Municipal	700		0.00

Tax Exempt:**Exempt Class:** CHURCHES, SYNAGOGUES, & PARSONAGES**Special Tax Recapture:**

* NONE *

COMMUNITY EVENT

MEET WITH OUR COUNTY COUNCIL REP -VICKY ALMOND

SUNDAY, MAY 1, 2011

Time: 3:00 to 5:00 PM

**Place: Lance and Anne Roth's
1008 Brooklandwood Rd.
Lutherville, Md. 21093**

**Contact: anneroth@comcast.net
410.560.5678**

Discussion:

**REZONING OF CHESTNUT RIDGE BAPTIST CHURCH PROPERTY
FROM "CHURCH USE" TO COMMERCIAL USE**

The proposed buyer of CRBC has to secure a commercial zoning exception in order to operate its business (non-profit white collar) at that location. CRBC is giving its property to the buyer and will essentially only lease the facilities on Sundays.

Please Come! It is a good opportunity to build a stronger relationship with Vicky and the Baltimore County Counsel. It appears that other property issues are imminent, and we are going to need a strong advocate.

VERY INFORMAL OPEN FORMAT

Children are welcome.

PLEASE PRINT CLEARLY

CASE NAME _____

CASE NUMBER _____

DATE _____

PETITIONER'S SIGN-IN SHEET

[illegible]

PLEASE PRINT CLEARLY

CASE NAME 2011-0270-SPHX

CASE NUMBER _____

DATE _____

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Mimi Azrael	11 Old Lyme Road	Lutherville MD 21093	mail@azrael.com
Melissa Schneider	3 Old Lyme Rd	Lutherville 21093	melrosch@aol.com
Steven O'Brien	1 Old Lyme Rd	Lutherville 21093	PHOBRIAN1776@Sprint.net
MICHAEL BAYER	1300 MUSGRADE Rd	Lutherville MD 21093	
KEITH W. ROE	911 CHESTNUT RIDGE DR.	Lutherville, MD 21093	richard.roe@psd.com
James R. Eshleman	11703 Fallswood Terrace	" " 21093	jeshlema@jhu.edu
Richard BORN	1212 Scotts Knoll Ct	" 21093	rw6904@aol.com
KAREN BARTLETT	1206 Scotts Knoll Ct	✓ 21093	Kabbartlett@comcast.net
Jean Brenner	11619 St. David's Ln.	" 21093	jkbrenner484@gmail.com
Janet Trisch	11629 St. David's Lane	" " 21093	jc trisch@verizon.net
Rev. Jeff Blaylock	1010 Sifers Lane	Lutherville " 21093	pastorjeff@chestnutridge.org
Jim Thompson	1010 Sifers Lane	Lutherville " "	BGST@HotMail.com
Philip Ray	11518 St. David's Ln	Lutherville " "	psdray@verizon.net
Shaun S. Waters	11704 Fallswood TERR	" " "	watersworks@gmail.com
Diane Noterangelo	1113 Somerset Pl.	" " "	dwillard630@fcl.com
CYNTHIA FRANKLIN	1202 Somerset Pl	" " "	franklinfam@comcast.net
James Casey	12 Old Lyme Rd	" " "	JosephCasey@GMAIL.com
Dan Meenan	2 Rises Ct	" " "	dmeen@ gmail.com
Kathy Cheek	1110 Somerset Pl	" " "	TomKatcheck@Comcast.net
Stacy Gemma	1107 Somerset Place	" " "	Sagemma53@comcast.net

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER _____
DATE _____

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
Sandra Murphy	1105 Somerset Pl.	Lutherville MD 21093	dsak.murphy12@ver.net
LEIGH POWELL	1103 SOMERSET PL	LUTHERVILLE MD 21093	lpowell891@aol.com
MORRIS MARRAS	17 Treadmill Ct	Lutherville, MD 21093	SAMARRAS17C@verizon.net
Katherine Kellapio	15 Brookstone Ct.	Lutherville MD 21093	kellapio15@comcast.net
Cuff Kellapio	15 Brookstone Ct	Lutherville MD 21093	Cuff@comcast.net
RICH KASTENDIECK	1206 SOMERSET PL	LUTHERVILLE MD 21093	RKASTENDIECK@AOL.COM
GREG SETDL	11 BROOKSTONE CT	Lutherville MD 21093	ddcgreg@yahoo.com
Laura Fekete	1102 Somerset Place	Lutherville, MD 21093	lfekefie@aol.com
Rick Pannoni	1100 Westwicke Lane	Lutherville MD 21093	Rickpannoni@aol.com
Kim Lewis	1008 Westwicke Ln.	Lutherville, MD 21093	KIMLEWIS@verizon.net
Anne Gaybandt	1008 Brooklandwood Rd	"	anneeroth@comcast.net
Austin Torrie-Lamm	1001 Chestnut Ridge Dr	Lutherville MD 21093	allytorrie@yahoo.com
BOB CHERTOFF	1112 Somerset Pl	"	BOBCHERTOFF@aol.com
Renee Durakis	1006 Brooklandwood Rd	Lutherville MD 21093	Reneedurakis@gmail.com
Linda Hurka	1111 Somerset Pl	Lutherville 21093	lindahurka@gmail.com
TERRIE EAST	1109 Westwicke Ln	Lutherville 21093	TERRIE.EAST@verizon.net
JANE HERSCH	1114 Somerset Pl.	Lutherville 21093	jhersch@aol.com
Leigh Peck	11502 St Dauds Ln	Lutherville 21093	lemape@comcast.net
Raj Razdan	912 Chestnut Ridge Dr	Lutherville 21093	Rajrazdan@gmail.com

Case No.:

2011-0270 SPHX

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	Aerial view of property in Elbert City/Columbia
No. 2	Larry Schmidt Decision Case No vill- 626	Aerial view of Chestnut Ridge Baptist church
No. 3	Photos of the church	Photo of historic sign for Sater's Church
No. 4	Fire Dept approval for this use	Westwicke Petition
No. 5	Letter from Mary Vale support	Letter from Mimi Azrael
No. 6	Westwicke letter of Support	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

IN RE: DEVELOPMENT PLAN HEARING	* BEFORE THE
(Saters Baptist Church)	
W/S Falls Rd., S of Somerset Pl.	* ZONING COMMISSIONER
8th Election District	
3rd Councilmanic District	* OF BALTIMORE COUNTY
The Trustees of the Baptist	* Case No. VIII-626
Church at Saters Meeting House	
Owner/Developer	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Hearing Officer for consideration of a development plan prepared by Paul Lee Engineering, Inc., for the proposed development of the subject property by The Trustees of the Baptist Church at Saters Meeting House, with a one story church and sanctuary in accordance with the red-lined development plan submitted into evidence as Developer's Exhibit 1.

The subject property is located off of Falls Road at its intersection with Saters Lane in northern Baltimore County. The property consists of 2.17 acres, zoned R.C. 5 and is presently improved with a dwelling and garage which are to be removed to accommodate the proposed improvements.

Appearing at the public hearing required for this project were Paul Lee, the Professional Engineer who prepared the site plan for this project, T. Girard Lee with Lee-Warner Architects, and Paul R. Cvach, Esquire, attorney for the Owner/Developer. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing as did several residents of the surrounding community, including Leigh R. Powell, Jeffrey D. Herschman, Jean Marie Thompson, and Carol Johnsen-Wula, all of whom testified in opposition. Other residents of the surrounding locale appeared as interested parties, including Richard Musgrove, Charles H. Elliott, and Philip Steinberg. Appearing on behalf

ORDER RECEIVED FOR FILING

Date 4/16/94

By [Signature]







**BALTIMORE COUNTY FIRE DEPARTMENT
INVESTIGATIVE SERVICES
FIRE INSPECTION REPORT**

PETITIONER'S

EXHIBIT NO.

4

1. STATION <i>W.F.M.C.</i>		2. SHIFT		3. PERMIT NUMBER <i>7410365</i>		4. NUMBER OF PAGES: PAGE 1 OF 1	
5. DATE OF INSPECTION: <i>4-6-11</i>		6. BOX NUMBER: <i>141-1</i>		7. OCCUPANCY TYPE: COMPLETE 7A AND 7B IF THE OCCUPANCY TYPE IS A 100		7-A CAPACITY SIGN: ☐ YES ☐ NO	
7-B CAPACITY:		8. NUMBER OF STORIES: <i>1</i>		9. UNITS: <i>2</i>			
10. BUSINESS NAME: <i>Chestnut Ridge Baptist / Baptist Family & Children Services</i>						11. BUSINESS TELEPHONE NUMBER: <i>800-621-8834</i>	
12. BUSINESS ADDRESS: <i>1010 Saters Ln.</i>				13. SUITE		14. CITY <i>Balto. Co.</i>	
15. STATE <i>MD</i>				16. ZIP CODE <i>21093</i>			
17. BUSINESS REPRESENTATIVE NAME: <i>Robert H. Gerstner</i>				18. KNOX BOX ☐ YES ☐ NO		KEYS ADDED OR REMOVED FROM THE KNOX BOX - FILL OUT THE KNOX BOX FORM 25	
19. BUILDING FIRE PROTECTION SYSTEMS:							
19-1. SPRINKLER SYSTEM ☐ YES OR ☐ NO		NAME OF SPRINKLER COMPANY:		TELEPHONE NUMBER:		LAST SERVICE DATE:	
19-2. FIRE ALARM SYSTEM ☐ YES OR ☐ NO		NAME OF FIRE ALARM COMPANY:		TELEPHONE NUMBER:		LAST SERVICE DATE:	
20. OWNERS INFORMATION: (BUILDING OR BUSINESS)							
NAME:						TELEPHONE NUMBER:	
ADDRESS:				SUITE		CITY	
						STATE	
						ZIP CODE	
21. VIOLATIONS / LOCATIONS / CODE SECTIONS / COMPLETION DATES:							
<i>Fire Safety Inspr.</i>							
<i>Existing church office space & educational wing is approved for use of office use.</i>							
<i>No physical changes are being made.</i>							
22. INSPECTED BY (PRINT NAME): <i>Nate Mack</i>		23. REPRESENTATIVE SIGNATURE: <i>X. [Signature]</i>				24. DATE: <i>4-6-11</i>	
25. INSPECTORS SIGNATURE: <i>Nate Mack</i>		26. INSPECTORS SIGNATURE AFTER COMPLETION OF VIOLATIONS: <i>Nate Mack</i>				27. DATE: <i>4-6-11</i>	
28. RE-INSPECTIONS							
1ST RE-INSPECTION DATE:		INSPECTED BY (PRINT NAME):		2ND RE-INSPECTION DATE:		INSPECTED BY (PRINT NAME):	
29. REFERRAL TO DISTRICT FIRE MARSHAL		CAPTAIN SIGNATURE:		DATE:		BATTALION CHIEF SIGNATURE:	
30. FIRE STATION TELEPHONE NUMBER:		31. DISTRICT FIRE MARSHAL'S OFFICE: ☐ CENTRAL ☐ EASTERN ☐ WESTERN				32. DISTRICT OFFICE TELEPHONE NUMBER:	

**DISTRIBUTION- MASTER FILE (WHITE) - STATION FILE (YELLOW) - REPRESENTIVES COPY (PINK)
145FP (REV. 03/10)**

Brian Jarboe, President
Board of Trustees
Maryvale Preparatory School
11300 Falls Road
Brooklandville, DM 21022

April 25, 2011

Lawrence M. Stahl, Zoning Commissioner
Office of Administrative Hearings
Jefferson Building, Suite 102
105 West Chesapeake Avenue
Towson, Maryland 21204

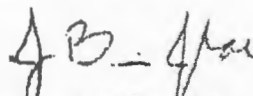
Re: 1010 Saters Lane
Chestnut Ridge Baptist Church

Dear Mr. Stahl:

On behalf of the Board of Trustees of the Maryvale Preparatory School, I wish to express our support for the Petitions for Zoning Relief as filed by Baptist Family and Children's Services of Maryland, Inc. for the property known as 1010 Saters Lane. I have met with counsel for Baptist Family and Children's Services of Maryland, Inc. and discussed the plans for the proposed foster care counseling, training and office use proposed by the Petitioner in addition to the continued principal church use of this property. Moreover, our association, as the closest institution to the subject property, also supports the Petitioner's request to be exempt from Section 502.5(A) of the Baltimore County Zoning Regulations concerning renewal requirements every five years.

Thank you for your consideration.

Very truly yours,



Brian Jarboe, President
Board of Trustees
Maryvale Preparatory School

PETITIONER'S

EXHIBIT NO.

5

Westwicke Homeowners' Association
c/o Kim Lewis, President
108 Westwicke Lane
Lutherville, MD 21093

TK
3 4-25-11

March 31, 2011

RECEIVED

APR 12 2011

OFFICE OF ADMINISTRATIVE HEARINGS

Lawrence M. Stahl, Zoning Commissioner
Office of Administrative Hearings
Jefferson Building, Suite 102
105 West Chesapeake Avenue
Towson, MD 21204

PETITIONER' S

EXHIBIT NO. 6

Re: 1010 Saters Lane
Chestnut Ridge Baptist Church

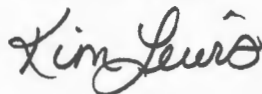
2011-0270

Dear Mr. Stahl:

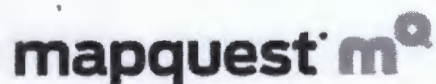
On behalf of the Westwicke Homeowners' Association, I wish to express our support for the Petitions for Zoning Relief as filed by Baptist Family and Children's Services of Maryland, Inc. for the property known as 1010 Saters Lane. I have met with the Executive Director of Baptist Family and Children's Services of Maryland, Inc. and discussed the plans for the proposed foster care counseling, training and office use proposed by the Petitioner in addition to the principal church use of this property. Moreover, our association, as the closest homeowners' association to the subject property, also supports the Petitioner's request to be exempt from Section 502.5(A) of the Baltimore County Zoning Regulations concerning renewal requirements every five years.

Thank you for your consideration.

Very truly yours,



Kim Lewis, President
Westwicke Homeowners' Association



Notes

Map of:

7161 Columbia Gateway Dr Ste A
Columbia, MD 21046-2148



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Directions and maps are informational only. We make no warranties on the accuracy of their content, road conditions or route usability or expeditiousness. You assume all risk of use. MapQuest and its suppliers shall not be liable to you for any loss or delay resulting from your use of MapQuest. Your use of MapQuest means you agree to our Terms of Use

PROTESTANT' S

EXHIBIT NO.

1

Google maps

PROTESTANT' S

EXHIBIT NO.

2

To see all the details that are visible on the screen, use the "Print" link next to the map.



PROTESTANT'S

EXHIBIT NO.

3

Saters Ln.



04/22/2011

**Petition to Oppose the Rezoning Request
The Chestnut Ridge Baptist Church**

I am a homeowner in the Westwicke Community. I have had an opportunity to review the rezoning request from The Chestnut Ridge Baptist Church. I am opposed to their proposed plan.

Name (sign and print) Mrs. Karen Riger / Karen Riger
Dr. Mike Riger / Dr. Mike Riger
 Address 1202 Scotts Knoll Dr.
 Date 4-23-11

Name (sign and print) [Signature] Alan Culmer
 Address 1203 Scotts Knoll
 Date 4-23-11

Name (sign and print) MARK & KAREN Bartlett / Karen Bartlett
 Address 1206 Scotts Knoll Ct
 Date 4.23.11

Name (sign and print) Albert + Claire Grimes
 Address 1202 Scotts Knoll Ct
 Date 4.23.11

Name (sign and print) William & KATHY Simmons / Wm K Simmons
 Address 1204 SCOTTS KNOLL CT., LUTHERVILLE, MD 21093
 Date 4-23-11

Name (sign and print) MYO TITANT & KHIN MAY-MYINT THANT
 Address 1000 WESTWICKE LANE, LUTHERVILLE, MD 21093
 Date 4/23/11

Name (sign and print) [Signature] RICHARD & ELAINE BORN
 Address 1212 SCOTTS KNOLL CT, 21093
 Date 4-23-11

Name (sign and print) SANTIAGO PADILLA / [Signature]
Marta Padilla / Marta Padilla
 Address 1101 Westwick Lane
 Date 4-23-11

Subj: **Re: Rezoning Petition**
 Date: 4/23/2011 6:17:01 P.M. Eastern Daylight Time
 From: infauft1@aol.com
 To: rickpannoni@aol.com

Tom + Jennie Faust
 1110 Westwicke Lane.

Hi Rick,

Tom and I oppose the rezoning. Unfortunately, we were unable to sign the petition. We won't be back from Hilton Head until noon Monday.

Thanks,
 Jennie

—Original Message—

From: RickPannoni <rickpannoni@aol.com>
 To: kabbartlett <kabbartlett@comcast.net>; kimnlewis <kimnlewis@verizon.net>
 Cc: martapadilla <martapadilla@comcast.net>; myersmd <myersmd@ml3.com>; DZAPORA <DZAPORA@NationalRoofingUSA.com>; bob.east <bob.east@westwickepartners.com>; albert.grimes <albert.grimes@comcast.net>; smhorrigan <smhorrigan@stifel.com>; amygale28 <amygale28@aol.com>; drsykim <drsykim@hotmail.com>; lslias <lslias@erols.com>; janetassadi <janetassadi@gmail.com>; elaineborn <elaineborn@aol.com>; mchoti <mchoti@jhmi.edu>; JNFAUST1 <JNFAUST1@AOL.COM>; thegolfdoc <thegolfdoc@aol.com>; ddix <ddix@northamericanelectrical.com>; pfeifergirls <pfeifergirls@verizon.net>; terrie.east <terrie.east@verizon.net>; wjcallis <wjcallis@gmail.com>; titopadilla <titopadilla@comcast.net>; croakette <croakette@aol.com>; khgray <khgray@comcast.net>; CULINER01 <CULINER01@COMCAST.NET>; j16j21 <j16j21@mac.com>; johnk <johnk@jlkcpas.com>; gayle1200 <gayle1200@comcast.net>; krriger <krriger@gmail.com>; mklausner <mklausner@comcast.net>; mmthant <mmthant@mindspring.com>; jennifermeyers <jennifermeyers@verizon.net>; jpowers <jpowers@powershomes.com>; bsimmons <bsimmons@gsio.net>; bfitlax2 <bfitlax2@hotmail.com>; slwoodsmd <slwoodsmd@dnhm.state.md.us>; DHORRIGAN <DHORRIGAN@STIFEL.com>
 Sent: Fri, Apr 22, 2011 12:58 pm
 Subject: Re: Rezoning Petition

Neighbors,

There will be a petition placed in the gatehouse this afternoon for those of you who are opposed to the rezoning. Please sign the petition if you are opposed.

I will leave it there until Monday at 8:00 am., at which time I will present it at the rezoning hearing.

Thanks
 Rick

—Original Message—

From: kabbartlett <kabbartlett@comcast.net>
 To: Kimberly Lewis <kimnlewis@verizon.net>
 Cc: MARTA PADILLA <martapadilla@comcast.net>; Michael Myers <myersmd@ml3.com>; Debbie Zapora <DZAPORA@NationalRoofingUSA.com>; Bob East <bob.east@westwickepartners.com>; Al Grimes <albert.grimes@comcast.net>; Sean Horrigan <smhorrigan@stifel.com>; Amy Passen <amygale28@aol.com>; Sam & In Kyoung Kim <drsykim@hotmail.com>; lslias <lslias@erols.com>; Janet Assadi Assadi <janetassadi@gmail.com>; Elaine Born <elaineborn@aol.com>; Mike and Carole Choti <mchoti@jhmi.edu>; TOM & JENNIE FAUST <JNFAUST1@AOL.COM>; thegolfdoc <thegolfdoc@aol.com>; Donna Dix <ddix@northamericanelectrical.com>; Craig and Jacqueline Pfeifer <pfeifergirls@verizon.net>; Terrie East <terrie.east@verizon.net>; Bill CALLIS <wjcallis@gmail.com>; Tito Padilla <titopadilla@comcast.net>; Bob and Terri Smith <croakette@aol.com>; ROGER & KATHY Gray <khgray@comcast.net>; ALAN & ANNA CULINER <CULINER01@COMCAST.NET>; Michael Riger <j16j21@mac.com>; John Kenneally <johnk@jlkcpas.com>; Gayle Kelly <gayle1200@comcast.net>; Karen Riger <krriger@gmail.com>; Mindy and Mark Klausner <mklausner@comcast.net>; Rick Pannoni

Sunday, April 24, 2011 AOL: RickPannoni

Mimi & Richard Azrael
11 Old Lyme Road
Lutherville, MD 21093
410-252-2231
mail@azrael.com

PROTESTANT' S

April 25, 2011

EXHIBIT NO. 5

Hand Delivered

Arnold Jablon, Esquire
Deputy Administrative Officer
111 West Chesapeake Avenue
Towson, MD 21204

RE: **Case # 2011-0270-SPHX** - 1010 Saters Lane, Lutherville, MD 21093 (RC-5)
OPPOSITION to Petition to any expansion of property use from "church" use
OPPOSITION to Special Exception to allow use as "Community Care Center"

Dear Mr. Jablon:

We live on Old Lyme Road across Falls Road from the property that is the subject of the above Petition. This letter notifies Baltimore County that we **OPPOSE** the relief Petitioner seeks. The Saters Lane property, of which Petitioner is the contract purchaser, is zoned RC-5 (Rural Residential). The neighborhood consists of single family homes on large lots of mostly over an acre served by well-water and septic tanks. The "general office use," "community care center" and other intended uses for which Petitioner seeks permission are inconsistent with the property's rural residential character, the current RC-5 zoning classification, and are inconsistent with the spirit and intent of the Baltimore County Zoning Regulations and should be **denied**.

"General office use" is not allowed in RC-5 zoning. The current lawful use of the Saters Lane property is that of a "church," according to Notes 3 and 17 on the property's 1994 development plan. The legal owner is a Baptist church (the "Church"). The Church sold the property to the Petitioner, a Maryland corporation. Petitioner is NOT a church. The Petitioner plans to use the property for general office use, which is not a use permitted as of right, §1A04.2.A, nor by special exception, §1A04.2.B. Therefore, use of the property for general office use must be **DENIED**.

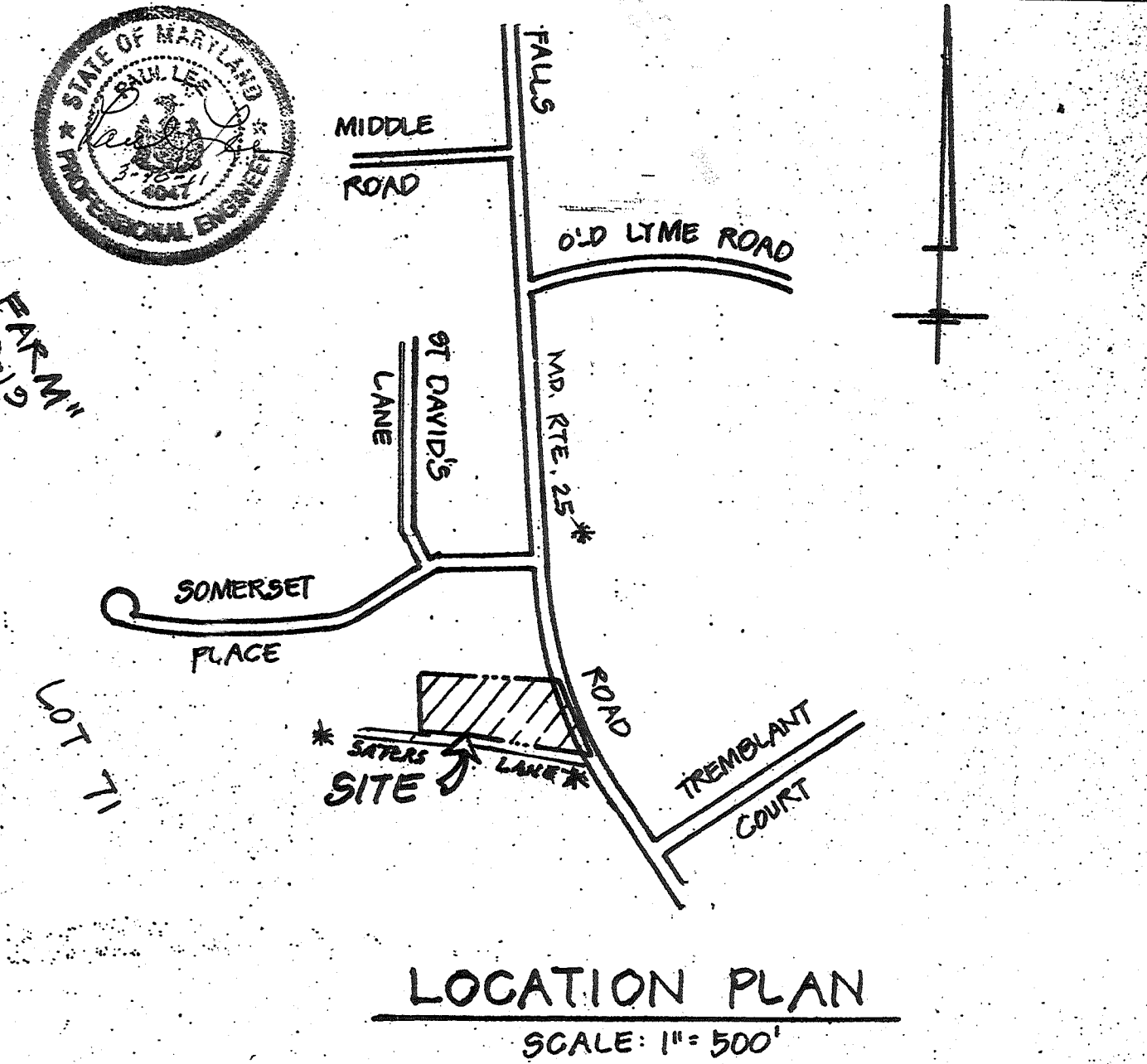
General office use and foster care counseling and training are not uses "accessory" to the Church's use, because the Church is only a nominal and transient occupant. Petitioner's characterization of its proposed uses as "accessory" to the existing "church" use is unsupportable. As mentioned above, the Church sold the property to Petitioner, which is **not** a church. Though the Petitioner has told the community that the Church will continue

PETITION FOR SPECIAL EXCEPTION

Petitioner, Baptist Family and Children's Services of Maryland, Inc. for the property known as 1010 Saters Lane, hereby petitions the Zoning Commissioner for a Special Exception pursuant to Section 1A04.2B(5) of the Baltimore County Zoning Regulations (BCZR) to allow the following:

1. Use of the property known as 1010 Saters Lane for a community care center in addition to its current by right principal church use.

The Zoning Commissioner has the power to grant special exceptions for uses that will not be detrimental to the health, safety or general welfare of the locality involved. Petitioner will not be making any additional changes to the existing structures or property as a result of this request. Additional reasons in support will be provided at the hearing.



PLAN TO ACCOMPANY
HEARING OFFICER'S ORDER

August 1, 1994 Daniel D. Doe
DATE PROJECT MANAGER

1. EXIST. AREA OF SITE. 2.17 AC² August 1, 1994 David P. B.
DATE PROJECT MANAGER
2. EXIST. ZONING "RC-5"
3. PROP. USE: CHURCH
4. REQ'D. PARKING: 250 PER .14 = 63 P.S.
PARKING SHOWN 63 P.S.
5. ALLOWABLE BUILDING COVERAGE = 15%
15% (34,525.2 S.F.) = 14,178 S.F.
6. PROPOSED BUILDING COVERAGE: 14,178 PETITIONER'S
7. CENSUS TRACT 4083 EXHIBIT NO. 7
8. WATERSHED: 24 SUBSEWERSED: G1
9. LANDSCAPING AS PER LANDSCAPE MANUAL
10. ACCOUNT NOS. - 08-19-000175 DEBS: 4003/133
08-20-061861 4003/135
08-20-067232 574/206
11. PARKING AREA & DRIVEWAY LIGHTING TO BE ON BUILDING.
12. THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING. THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.
13. ALL SIGNS TO COMPLY WITH SECT. 413.2 & 413.5 OF THE BCZM AND ALL ZONING POLICIES.
14. PROPERTY TO BE SERVED BY EXIST. WELL & NEW SEPTIC SYSTEM.
15. MICROWAVES ARE NOT A FACTOR REFERENCE TO PROP. CHURCH STEEPLE - (STEVE REEKIE 687-3775)
16. SITE EXEMPTED FROM FOREST CONSERVATION ACT BILL 165-93, MAR. 2, 1994.
- * 17. CHURCH BUILDING TO BE USED FOR CHURCH SERVICES AND CHURCH RELATED ACTIVITIES BY CHURCH MEMBERS AND GUESTS. NO OTHER ACTIVITIES TO BE CONDUCTED DURING CHURCH SERVICES ANOTHER RELATED RELIGIOUS USES.
- * 18. THE EXISTING WELL SHALL BE UPGRADED TO CURRENT STANDARDS PRIOR TO ISSUANCE OF A BUILDING PERMIT.

WHEREFORE, IT IS ORDERED by the Zoning Commissioner and Hearing Officer for Baltimore County this 16th day of June, 1994 that the General Zoning Ordinance be amended to allow the proposed development to conform with the General Zoning Ordinance, subject to the following conditions:

1) Approval of the plan is conditioned upon the Developer acquiring an existing or implementing a storm water management system which provides an outfall by way of a pipe from the subject property to the storm water management system in the Clearings community. In the event the Developer is unable to acquire that ownership, then the hearing shall be recommenced to permit the presentation of different alternatives and allow public participation in my consideration of those alternatives.

2) All lighting for the subject site shall be directed towards the building and fitted with the appropriate devices to prevent reflection and glare onto neighboring properties. All light posts on the site shall be limited to a height of 8 feet.

3) All uses of the proposed building shall be limited to those delineated under Note No. 17 on Development Submittal 1.

Any appeal of this decision must be taken in accordance with
Section 28-209 of the Baltimore County Code.

- * 19. THE PROP. STORMWATER MANAGEMENT FACILITY DISCHARGES/SIS TO BE DIRECTED TO A PUBLIC R/W, EXISTING PUBLIC STORM DRAIN SYSTEM OR SHEET PILE TO A SITE SO AS NOT TO ADVERSELY AFFECT THE ADJACENT PROPERTIES.
- * 20. ALL EXISTING WELLS, EXCEPT THE WELL TO REMAIN, WILL BE BACKFILLED BY A LICENSED MASTER WELL DRILLER WHO WILL SUBMIT A WELL ABANDONMENT REPORT PRIOR TO RAZING.
- * 21. WATER BALANCE ASSESSMENT HAS BEEN SUBMITTED TO DEPRM FOR APPROVAL.
- 22. POND LIGHTING SHALL BE DIRECTED TOWARDS THE BUILDING & APPROPRIATE DEVICES TO PREVENT REFLECTION & GLARE ONTO NEIGHBORHOOD PROPERTIES. MAX. MGT. OF LIGHT FALS TO BE S.
- 23. PLANNING & ZONING COMMENTS WITHDRAWN.

RECEIVED
AUG 01 1994
BALTIMORE COUNTY
ZADM/DM

ZADM Development Conts. I
FINAL ZONING APPROVAL
 Case/ File or Permit No. _____ Staff Initial _____ Phase II, FOP, Phase III, Permit _____
 BY: _____ DATE _____
 FOP, PHASE III & PERMIT APPROVAL IS FINAL FOR ALL PERMIT APPLICATIONS. CONSIDERATION WITH THIS PLAN SHOULD BE APPLICABLE. IF INCONSISTENT, THEN THIS FINAL PLAN MUST BE RECONSIDERED ACCORDINGLY AND REAPPROVED BY ZADM.
 ZADM VIII-0226



THIS PLAN IS SEALED AND CERTIFIED TO BE IN ACCORDANCE WITH EACH OFFICER'S ORDER AND ALL APPLICABLE

Owner	Proposed Units	Parking Required	Units Provided	Open Space Required (Acres)	Open Space Proposed	Phasing	Development Schedule
Single Family Detached lots Vermont with 2 car garage Modernism 2 bed 3 bedroom in Albany							Month, Year
CHURCH	14, 178, 31	63	60				Month, Year

Open Space Type	Acres
City of Butler and Wetlands	N/A
Plat: Dental Transition Area (P.T.A.)	N/A
Stormwater Management	50.42 SF
Preservation of Barrens and Road	N/A
Pool and Tennis Courts	N/A
Tot lots, Free Play, etc.	N/A
Total Provided	

THEFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 19th day of October, 1995 that the Petition for Variance seeking relief from Section 413.1.B of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a total sign and brick wall area of 94.5 sq.ft. (47.25 sq.ft. per face), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners shall not be permitted from commencing at this time as at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, the Order is reversed, the relief granted herein shall be rescinded.

2) The proposed sign shall not be illuminated past 11:00 p.m. on any given day. The amount of illumination within the interior of the sign shall be such that it shall not be so bright as to be distracting to area residents while at the same time providing adequate lighting to illuminate the name of the Church and the meaning of the evening hours. All lights from the subject sign shall be directed away from the street.

3) In the event a problem arises due to the illumination of the subject sign, the City of San Jose will initiate this process for a Special Hearing to determine the appropriate remedy.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

"THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT."

ANY FOREST DUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS."

* REASON FOR 1ST REFINEMENT DEVELOPMENT PLAN
TO CONSOLIDATE THE DEVELOPMENT PLAN WITH ALL NOTES
AND INFORMATION REQUIRED BY DEVELOPER'S EXHIBIT "I"
PLAN APPROVED 6-16-94 AND TO ADD VARIANCE FOR A
NEW BRICK WALL AND SIGN (CASE # 96-780) GRANTED 10-10-95

ENGINEER
PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

ENGINEER *
CENTURY ENGINEERING
10710 GILROY ROAD
HUNT VALLEY, MARYLAND 21031

OWNER:
THE TRUSTEES OF THE BAPTIST CHURCH AT
EATERS MTS HOUSE
1010 EATERS LANE
BALTIMORE, MD 21093

* 1ST REFINEMENT - DEVELOPMENT PLAN
SATER'S BAPTIST CHURCH FALLS ROAD & SATER LANE
ELECTION DIST 3 COUNCILMANIC DIST 3 BALTIMORE COUNTY, MD

SHEET 1 OF 1	DATE SEPT 1953 SCALE 1" = 30'	JOB NUMBER
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Drafting JR	DATE	REVISIONS
Check P.L.	1/4/11	1ST REFINEMENT TO DEVELOPMENT PLAN #-
Design P.L.		THIRD 2ND SWI TAPPED SWM OUTFALL
Check GL		REVISION #