

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting.
For May 21, 2012
Item No. 2012-0272

DATE: May 14, 2012

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment.

Provide a landscape plan for the site, to comply with landscape Manual for the RTA and parking requirements.

Please call Jean Tansey at 410-887-3751 to make an appointment to discuss planting options for the site.

DAK:CEN
cc: File
ZAC-ITEM NO 12-0272-05212012.doc

ORDER RECEIVED FOR FILING

Date 6-21-12

By B

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

N side of Old Court Road, 300' SW of *
c/line of Greens Lane *
2nd Election District *
4th Councilmanic District *
(5616 Old Court Road)

New Antioch Baptist Church of *
Randallstown Md., Inc., *Legal Owner* *
Marcorp, Ltd., *
Contract Purchaser/Lessee *
Petitioners *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY
Case No. 2012-0272-XA

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) as Petitions for Special Exception and Variance filed for property located at 5616 Old Court Road. The Petition was filed by New Antioch Baptist Church of Randallstown Md., Inc., the legal owner of the subject property, and Marcorp, Ltd., contract purchaser/lessee (the "Petitioners"). The Special Exception Petition seeks relief from Section 1B01.1.C.9 of the Baltimore County Zoning Regulations (B.C.Z.R), to use the property for a funeral establishment. Petitioners are also requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

- Section 1B01.1.B.1.e(1), to permit use of the existing structure in Residential Transition Area (RTA) for a funeral establishment;
- Section 1B01.1.B.1.e(2), to permit an existing structure 72.5' from the tract boundary in lieu of the required minimum setback of 75';
- Section 1B01.1.B.1.e(2), (3) and (5), to permit an existing parking lot with a setback at a minimum of 20' from the tract boundary and within the RTA buffer of 50' at a minimum of 20' in lieu of the required 75' from the tract boundary and the RTA buffer of 50'; and

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Date 6-21-12

By pm

- Section 409.6.A.4, to provide 134 parking spaces on a paved and landscaped parking lot in lieu of the required 178 parking spaces.

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

Appearing at the hearing were Victor C. March, Sr., Erick W. March and Nathan Malloy with Marcorp, Ltd., Rev. Kenneth Barney, Sr. with New Antioch Baptist Church of Randallstown Md., Inc., and Burton English, Jr., P.E. with Farrand & English, the site engineering consultant. Emerson L. Dorsey, Jr., Esquire and Darrell Peterson, Esquire, attended and represented the Petitioners. D. Powell and Courtney Miller attended as interested citizens. The file contains a letter of opposition dated June 6, 2012 from Napoleon and Brenda Sykes, residents of the Woodstock community which is in close proximity to the subject property.

Testimony and evidence offered at the hearing revealed that the site is 4.6199 acres and is zoned DR 3.5. The site is improved with a church, constructed in 1992. The Petitioners propose to open and operate a funeral home on the site, and will make only interior improvements to the structure.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. ZAC comments were received from the Department of Planning on May 21, 2012, which state as follows:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The property is located on an approved church site. The current owners of the property (New Antioch Baptist Church of Randallstown) have constructed a larger church across the street (Old Court Road) from the subject property. The site also abuts another place of worship (Kingdom Hall) along the western property line of the proposed funeral establishment.

Discussions with the petitioner's revealed that this location will be the 3rd such funeral establishment operated by Marcorp LTD in the Baltimore area. Further discussion with the petitioner revealed that as to the variance request to allow 134 parking spaces in lieu of the required 178 parking spaces, it is highly unlikely that

ORDER RECEIVED FOR FILING

Date 6-21-12 2

By pm

large funerals will be conducted at this site. Typically larger funerals are held at large sanctuaries. Marcorp does not hold funerals on Sunday during the hours that the adjacent churches experience peak traffic.

The Department of Planning recognizes the current volume of traffic generated on Sundays as the result of 2 existing places of worship being located on this portion of Old Court Road. If this building continues to function as approved (another church) it would create greater traffic challenges on Sundays than the proposed funeral establishment.

The Department of Planning supports the requested special exception and variances provided the petitioner submits an updated landscape plan to mitigate the requested RTA variances.

ZAC comments were also received from the Department of Environmental Protection and Sustainability (DEPS) on May 23, 2012, which indicated Groundwater Management will need to review future permits for parking, etc. since the site is served by well and septic.

In addition, ZAC comments were received from the Development Plans Review (DPR) on May 14, 2012, which recommended providing a landscape for the site in order to comply with the Baltimore County Landscape Manual for the RTA and parking requirements.

Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

The Petitioners have met this test. The property is of irregular dimensions and Petitioners must contend with existing site conditions. Also, the property is served by well and septic, even though it is zoned DR 3.5, which also creates certain site constraints with regard to septic reserve areas and such.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and

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By pm

general welfare. The Department of Planning has indicated its support for this project, and the Petitioners have the enthusiastic support of community groups in the area.

As for the special exception relief, the proposal satisfies B.C.Z.R. §502.1, and will not be detrimental to the public's health, safety and welfare. The funeral home operation will impose no additional burdens upon the community beyond those caused by the existing church. Petitioners will not conduct funerals on Sunday, so as not to cause traffic congestion associated with services at several nearby churches. The funeral home use is presumptively proper under Maryland law, and no evidence was introduced to rebut that presumption. Schultz v. Pritts, 291 Md. 1 (1981).

Pursuant to the advertisement, posting of the property, and public hearing on these petitions, and after considering the testimony and evidence offered, I find that Petitioners' Special Exception and Variance requests should be granted.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County, this 21 day of June, 2012, that Petitioners' request for Special Exception relief under Section 1B01.1.C.9 of the Baltimore County Zoning Regulations (B.C.Z.R.), to use the property for a funeral establishment, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's request for Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows:

- Section 1B01.1.B.1.e(1), to permit use of the existing structure in Residential Transition Area (RTA) for a funeral establishment;
- Section 1B01.1.B.1.e(2), to permit an existing structure 72.5' from the tract boundary in lieu of the required minimum setback of 75';

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By ms

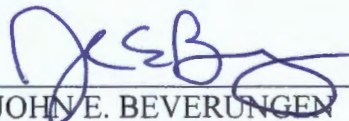
- Section 1B01.1.B.1.e(2), (3) and (5), to permit an existing parking lot with a setback at a minimum of 20' from the tract boundary and within the RTA buffer of 50' at a minimum of 20' in lieu of the required 75' from the tract boundary and the RTA buffer of 50'; and
- Section 409.6.A.4, to provide 134 parking spaces (existing) on a paved and landscaped parking lot in lieu of the required 178 parking spaces,

be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate 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 such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the ZAC comments made by the Department of Planning dated May 21, 2012, a copy of which is attached hereto and made a part hereof.
3. Compliance with the ZAC comments made by the Department of Environmental Protection and Sustainability dated May 22, 2012, a copy of which is attached hereto and made a part hereof.
4. Compliance with the ZAC comments made by the Bureau of Development Plans Review dated May 14, 2012, a copy of which is attached hereto and made a part hereof.

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


 JOHN E. BEVERUNGEN
 Administrative Law Judge
 for Baltimore County

JEB/pz

ORDER RECEIVED FOR FILING

Date 6-21-12 5

By [Signature]

6-21 10am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: May 21, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

MAY 21 2012

SUBJECT: 5616 Old Court Road

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Item Number: 12-272

Petitioner: New Antioch Baptist Church of Randallstown, Maryland Inc.

Zoning: DR 3.5

Requested Action: Special Exception and Variance

SUMMARY OF RECOMMENDATIONS:

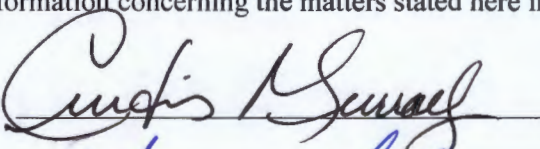
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The property is located on an approved church site. The current owners of the property (New Antioch Baptist Church of Randallstown) have constructed a larger church across the street (Old Court Road) from the subject property. The site also abuts another place of worship (Kingdom Hall) along the western property line of the proposed funeral establishment.

Discussions with the petitioner's revealed that this location will be the 3rd such funeral establishment operated by Marcorp LTD in the Baltimore area. Further discussion with the petitioner revealed that as to the variance request to allow 134 parking spaces in lieu of the required 178 parking spaces, it is highly unlikely that large funerals will be conducted at this site. Typically larger funerals are held at large sanctuaries. Marcorp does not hold funerals on Sunday during the hours that the adjacent churches experience peak traffic.

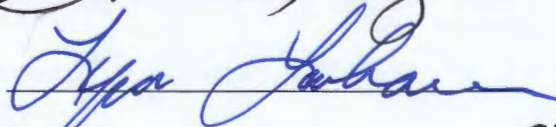
The Department of Planning recognizes the current volume of traffic generated on Sundays as the result of 2 existing places of worship being located on this portion of Old Court Road. If this building continues to function as approved (another church) it would create greater traffic challenges on Sundays than the proposed funeral establishment.

The Department of Planning supports the requested special exception and variances provided the petitioner submits an updated landscape plan to mitigate the requested RTA variances.

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

Prepared by: 

Division Chief:
AVA/LL: CM



ORDER RECEIVED FOR FILING

Date: 6-21-12

By: 

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

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

DATE: May 22, 2012

SUBJECT: DEPS Comment for Zoning Item # 2012-0272-XA
Address 5616 Old Court Road
(New Antioch Baptist Church of Randallstown Property)

Zoning Advisory Committee Meeting of May 7, 2012.

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

1. Groundwater Management will need to review future permits for parking, etc. – since the site is served by well and septic.

Reviewer: *Dan Esser; Groundwater Management*

RECEIVED

MAY 23 2012

OFFICE OF ADMINISTRATIVE HEARINGS

ORDER RECEIVED FOR FILING

Date 6-21-12

By [Signature]



KEVIN KAMENETZ
County Executive

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

June 21, 2012

EMERSON L. DORSEY, JR., ESQUIRE
TYDINGS & ROSENBERG
100 EAST PRATT STREET
26TH FLOOR
BALTIMORE MD 21202

RE: Petition for Special Exception Variance
Case No.: 2012-0272-XA
Property: 5616 Old Court Road

Dear Mr. Dorsey:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

Enclosure

c: Napoleon and Brenda Sykes, 10102 Village Green Drive, Woodstock MD 21163



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 5616 Old Court Road which is presently zoned D. R. 3.5

Deed References: 7235/51 and 8812/562 10 Digit Tax Account # 1 7 0 0 0 1 3 7 4 5 and *

Property Owner(s) Printed Name(s) New Antioch Baptist Church of Randallstown, Maryland, Inc.

*0213400580

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. ☒ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for
A funeral establishment in accordance with Section 1B01.1.C.9 of the Zoning Regulations.

3. ☒ a **Variance** from Section(s)

SEE ATTACHED SHEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

SEE ATTACHED SHEET

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser ~~XXXXXX~~

MARCORP, LTD.

By: Victor C. March, Sr.

Name- Type or Print

Signature

5719 York Road Baltimore, MD

Mailing Address City State

21212 / 410-435-0500 / vmarch@marchfh.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Emerson L. Dorsey, Jr.

Name- Type or Print

Signature

100 E. Pratt St., 26th Fl., Baltimore, MD

Mailing Address City State

21202 / 410-752-9723 / edorsey@tydingslaw.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners): NEW ANTIOCH BAPTIST CHURCH OF RANDALLSTOWN, MARYLAND, INC.

By: Rev. Kenneth Barney, Sr.

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

5609 Old Court Road, Baltimore, MD

Mailing Address City State

21244 / 410-521-7866 / praisethelord@klbsr.org

Zip Code Telephone # Email Address

Representative to be contacted:

Rev. Kenneth Barney, Sr.

Name - Type or Print

Signature

5609 Old Court Road, Baltimore, MD

Mailing Address City State

21244 / 410-521-7866 / praisethelord@klbsr.org

Zip Code Telephone # Email Address

CASE NUMBER 2012-0272-XA Filing Date 4/27/12 Do Not Schedule Dates: _____ Reviewer Bh

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date 6-21-12

By Bh

PETITION FOR ZONING HEARING(S)

ATTACHMENT

5616 OLD COURT ROAD

3. X a Variance from Section(s) (a) 1B01.1.B.1.e(1) to permit use of existing structure in Residential Transition Area for a funeral establishment; (b) 1B01.1.B.1.e(2) to permit existing structure 72.5 feet from the tract boundary in lieu of the required minimum setback of 75 feet; (c) 1B01.1.B.1.e (2), (3) and (5) to permit existing parking lot with a setback at a minimum of 20 feet from the tract boundary and within the RTA buffer of 50 feet at a minimum of 20 feet in lieu of the required minimum of 75 feet from the tract boundary and the RTA buffer of 50 feet; and (d) 409.6.A.4 to provide 134 parking spaces on a paved and landscaped parking lot in lieu of the required 178 parking spaces.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: **(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)**

(a) the existing building, a church, is in the RTA and was approved in Case No. 94-201-SPH, which approval Petitioner requests be affirmed, and requiring removal of a portion of the existing building would result in practical difficulty for the Contract Purchaser; (b) the existing building, a church, is less than 75 feet from the tract boundary, and requiring removal of a portion of the existing building would result in practical difficulty for the Contract Purchaser; (c) the existing parking lot is less than 75 feet from the tract boundary and within the 50 foot RTA buffer, and its removal would be practically difficult, and its removal would result undue hardship to the Contract Purchaser caused by a reduction in the number of the existing parking spaces; and (d) due to the unique topography of the property and the existence of well, septic, and stormwater facilities on the property, the adding parking spaces would be practically difficult and would result in undue hardship to the Contract Purchaser to do so.

Albion Surveys

Land Surveyors

Michael K. Smith, LS
Proprietor

PROPERTY DESCRIPTION
5616 OLD COURT ROAD
SECOND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point on the north side of Old Court Road, 70 feet wide, at a distance of 300 feet southwesterly from the centerline of Greens Lane, thence binding along the outline of the subject property the seven (7) following courses and distances:

1. South 59 degrees 15 minutes 45 seconds West 169.12 feet,
2. South 60 degrees 20 minutes 38 seconds West 279.84 feet, thence leaving Old Court Road,
3. North 15 degrees 40 minutes 39 seconds West 455.75 feet,
4. North 68 degrees 33 minutes 43 seconds East 494.96 feet,
5. South 21 degrees 57 minutes 37 seconds East 171.17 feet,
6. South 59 degrees 15 minutes 45 seconds West 100.00 feet and
7. South 21 degrees 31 minutes 11 seconds East 198.78 feet to the point of beginning, containing 193,868.43 square feet or 4.4506 acres of land, more or less.



Michael K. Smith

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

No.

83438

Date:

4/27/12

PAID RECEIPT

BUSINESS ACTUAL TIME
 4/27/2012 4/27/2012 09:29:35

REC #503 WALKIN RDOS LRB

>>RECEIPT # 587420 4/27/2012

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
								\$ 435.00
001	506	0000		6754				\$ 835.00

Total: **\$ 835.00**

Rec

From:

Rec'd from 4/27/12

For:

Special Exception & Voucher

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

FLW 4/27/12

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2012 - 0272 - XA
Petitioner: ~~Marshall, Ltd.~~ New Antioch Baptist Church of Randallstown Maryland, Inc
Address or Location: 5609 Old Court Road, Baltimore, MD 21244

PLEASE FORWARD ADVERTISING BILL TO:

Name: Emerson L. Dorsey, Jr.
Address: Tydings & Rosenberg LLP
100 East Pratt Street, 26th Floor
Baltimore, MD 21202
Telephone Number: 410-752-9700

Certificate of Posting

RE: Case NO. 2012-0272-XA

Petitioner/Developer _____

Victor March, Sr.

Date of Hearing/Closing 6/21/12

Baltimore County
Department of Permits and Development Managements
County Office Building – Room 111
111 W. Chesapeake Ave.
Towson, Md. 21204

Attention:

This letter is to certify, under penalties of perjury, that the necessary sign as required by law, was posted conspicuously on the property located at _____

5616 Old Court Road

The sign(s) were posted on 6/1/12
(Month, Day, Year)

Sincerely,

(Signature of sign Poster and date)

Richard E. Hoffman
(Printed Name)

904 Dellwood Drive
(Address)

Fallston, Md. 21047
(City, State, Zip Code)

410-879-3122
(Telephone Number)

See Attached
Photograph

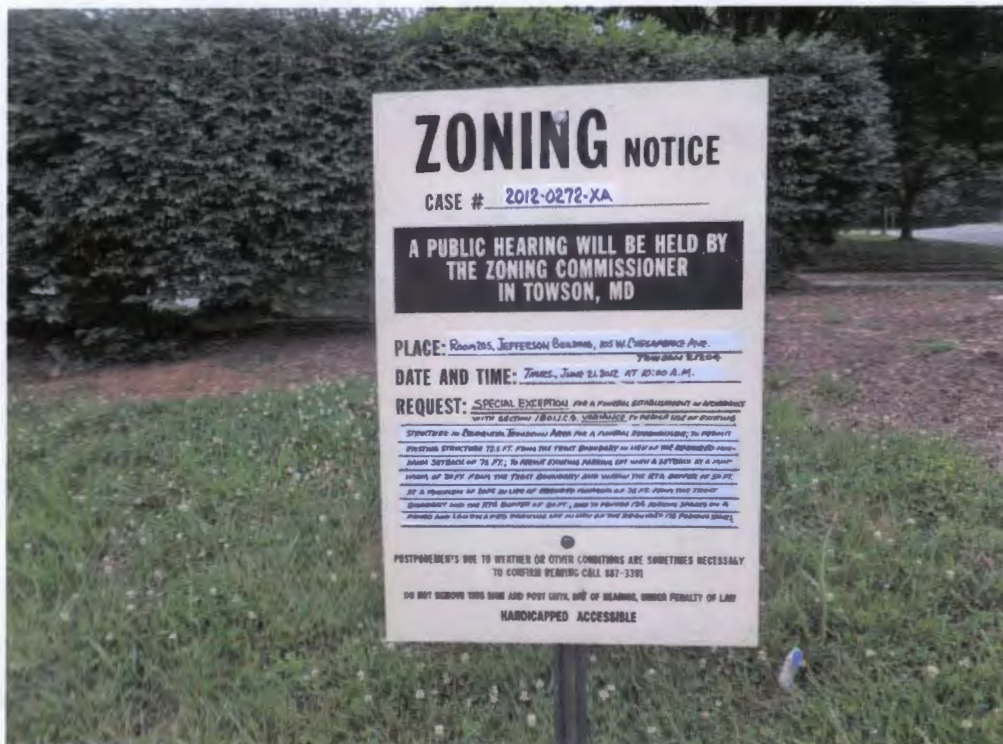
Certificate of Posting
Photograph Attachment

Re: 2012-0272-XA

Petitioner/Developer: _____

Victor March, Sr.

Date of Hearing/Closing: 6/21/12



5616 Old Court Rd.

Posting Date: 6/1/12

(Signature and date of sign poster)

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: #.2012-0272-XA

5616 Old Court Road

N/side of Old Court Road, 300 ft. S/west of centerline of Greens Lane

2nd Election District — 4th Councilmanic District

Legal Owner(s): New Antioch Baptist Church of Randallstown, Rev. Kenneth Barney, Sr.

Contract Purchaser: Marcorp, Ltd., Victor March, Sr.

Special Exception for a funeral establishment in accordance with Section 1801.1.C.9 **Variance** to permit use of existing structure in Residential Transition Area for a funeral establishment; to permit existing structure 72.5 ft. from the tract boundary in lieu of the required minimum setback of 75 ft.; to permit existing parking lot with a setback at a minimum of 20 ft. from the tract boundary and within the RTA buffer of 50 ft. at a minimum of 20 ft. in lieu of the required minimum of 75 ft. from the tract boundary and the RTA buffer of 50 ft.; and to provide 134 parking spaces on a paved and landscaped parking lot in lieu of the required 178 parking spaces.

Hearing: Thursday, June 21, 2012 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.

05/406 May 31

303699

CERTIFICATE OF PUBLICATION

5/31/, 2012

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/31/, 2012.

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

J. Wilkinson

LEGAL ADVERTISING



KEVIN KAMENETZ
County Executive

May 22, 2012

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

NOTICE OF ZONING HEARING

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CASE NUMBER: 2012-0272-XA

5616 Old Court Road

N/side of Old Court Road, 300 ft. S/west of centerline of Greens Lane

2nd Election District – 4th Councilmanic District

Legal Owners: New Antioch Baptist Church of Randallstown, Rev. Kenneth Barney, Sr.

Contract Purchaser: Marcorp, Ltd., Victor March, Sr.

Special Exception for a funeral establishment in accordance with Section 1B01.1.C.9. Variance to permit use of existing structure in Residential Transition Area for a funeral establishment; to permit existing structure 72.5 ft. from the tract boundary in lieu of the required minimum setback of 75 ft.; to permit existing parking lot with a setback at a minimum of 20 ft. from the tract boundary and within the RTA buffer of 50 ft. at a minimum of 20 ft. in lieu of the required minimum of 75 ft. from the tract boundary and the RTA buffer of 50 ft.; and to provide 134 parking spaces on a paved and landscaped parking lot in lieu of the required 178 parking spaces.

Hearing: Thursday, June 21, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Emerson Dorsey, Jr., 100 E. Pratt St., 26th Fl., Baltimore 21202
Victor March, Sr., 5719 York Road, Baltimore 21212
Rev. Kenneth Barney, Sr., 5609 Old Court Rd., Baltimore 21244

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JUNE 1, 2012.**
- (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.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 31, 2012 Issue - Jeffersonian

Please forward billing to:

Emerson Dorsey, Jr.
Tydings & Rosenberg, LLP
100 East Pratt Street, 26th Floor
Baltimore, MD 21202

410-752-9700

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2012-0272-XA

5616 Old Court Road

N/side of Old Court Road, 300 ft. S/west of centerline of Greens Lane

2nd Election District – 4th Councilmanic District

Legal Owners: New Antioch Baptist Church of Randallstown, Rev. Kenneth Barney, Sr.

Contract Purchaser: Marcorp, Ltd., Victor March, Sr.

Special Exception for a funeral establishment in accordance with Section 1B01.1.C.9. Variance to permit use of existing structure in Residential Transition Area for a funeral establishment; to permit existing structure 72.5 ft. from the tract boundary in lieu of the required minimum setback of 75 ft.; to permit existing parking lot with a setback at a minimum of 20 ft. from the tract boundary and within the RTA buffer of 50 ft. at a minimum of 20 ft. in lieu of the required minimum of 75 ft. from the tract boundary and the RTA buffer of 50 ft.; and to provide 134 parking spaces on a paved and landscaped parking lot in lieu of the required 178 parking spaces.

Hearing: Thursday, June 21, 2012 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 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.

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE OFFICE
AND VARIANCE		
5616 Old Court Road; N/S Old Court Road,	*	OF ADMINISTRATIVE
300' SW c/line of Greens Lane		
2 nd Election & 4 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): New Antioch Baptist Church		
Of Randallstown	*	BALTIMORE COUNTY
Contract Purchaser(s): Marcorp Ltd		
Petitioner(s)	*	2012-272-XA

* * * * *

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

MAY 17 2012

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of May, 2012, a copy of the foregoing Entry of Appearance was mailed to Kenneth Barney, St, 5609 Old Court Road, Baltimore, Maryland 21244 and Emerson Dorsey, Jr, 100 E. Pratt Street, 26th Floor, Baltimore, MD 21202, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

M E M O R A N D U M

DATE: July 25, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0272-XA - Appeal Period Expired

The appeal period for the above-referenced case expired on July 23, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

CASE NAME _____
CASE NUMBER 2012-0272-XA
DATE _____

[illegible]

CASE NAME _____
CASE NUMBER 2012-0272-XA
DATE _____

[illegible]



BALTIMORE COUNTY
MARYLAND

BALTIMORE COUNTY
OFFICE OF ADMINISTRATIVE HEARINGS
JEFFERSON BUILDING, SUITE 103
105 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204

Phone: 410-887-3868

Fax: 410-887-3468

F A X C O V E R S H E E T

DATE: 6-18-12

NO. OF PAGES INCLUDING COVER SHEET: 2

TO:

FROM:

March

PHONE: _____

FAX NO.: 410 494 0574

MESSAGE:

letter of opposition

REMARKS: ☐ YOUR COPY

☐ URGENT

☐ FOR REVIEW

☐ PLEASE REPLY

☐ PLEASE COMMENT

***** -COMM. JCL- ***** DATE JUN-18-2012 TIME 14:05 *****

MODE = MEMORY TRANSMISSION

START=JUN-18 14:04

END=JUN-18 14:05

FILE NO.=687

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	2	94104940574	002/002	00:00:44

-ZONING COMMISSIONER OFF M-

***** -

- ***** -

410 887 3468- *****



BALTIMORE COUNTY
MARYLAND

BALTIMORE COUNTY
OFFICE OF ADMINISTRATIVE HEARINGS
JEFFERSON BUILDING, SUITE 103
105 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204

Phone: 410-887-3868

Fax: 410-887-3468

FAX COVER SHEET

DATE: 6-18-12

NO. OF PAGES INCLUDING COVER SHEET: 2

TO:

FROM:

March

PHONE:

FAX NO.: 410 494 0574

MESSAGE:

letter of opposition

REMARKS: ☐ YOUR COPY ☐ URGENT ☐ FOR REVIEW
☐ PLEASE REPLY ☐ PLEASE COMMENT

CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comment
Received

Department

5-14

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

Comments

5-23

DEPS
(if not received, date e-mail sent _____)

Comments

FIRE DEPARTMENT

5-21

PLANNING
(if not received, date e-mail sent _____)

Sw/ Cond.

5-15

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

6-6

ADJACENT PROPERTY OWNERS

Sykes oppose

ZONING VIOLATION

(Case No. _____)

PRIOR ZONING

(Case No. 1994-0201 and 1993-0384)

NEWSPAPER ADVERTISEMENT

Date: 5-31-12

SIGN POSTING

Date: 6-1-12 by Hoffman

PEOPLE'S COUNSEL APPEARANCE

Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER

Yes ☐ No ☐

Comments, if any: * See Opposition Ltr. from Napoleon + Brenda Sykes
* See Support Ltr. from Stevenswood Improvement Assoc.,
Fried Stone Comm. Grp. + Rosalind Spelman
* Liberty Rd. Business Assoc.

Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

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

Account Identifier: District - 02 Account Number - 1700013745 ✓

Owner Information

Owner Name: NEW ANTIOCH BAPTIST CHURCH OF
RANDALLSTOWN MD INC
Use: EXEMPT COMMERCIAL
Mailing Address: P O BX 376
RANDALLSTOWN MD 21133
Principal Residence: NO
Deed Reference: 1) /07235/ 00051
2)

Location & Structure Information

Premises Address
5616 OLD COURT RD
0-0000
Legal Description
4.0214 AC
5616 OLD COURT RD NWS
400 FT W GREENS LA

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
0077	0014	0354		0000				1	

Special Tax Areas
Town NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1992	15792	4.0200 AC	01

Stories **Basement** **Type** **Exterior**
CHURCH

Value Information

	Base Value	Value As Of 01/01/2010	Phase-in Assessments As Of 07/01/2011	As Of 07/01/2012
Land	230,200	230,200		
Improvements:	2,068,300	2,289,800		
Total:	2,298,500	2,520,000	2,446,167	2,520,000
Preferential Land:	0			0

Transfer Information

Seller:	Date:	Price:
COMMUNITY BAPTIST CHURCH OF	05/31/1991	\$0
Type:	Deed1:	Deed2:
NON-ARMS LENGTH OTHER	/07235/ 00051	
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	2,446,167.00	2,520,000.00
State	700	2,446,167.00	2,520,000.00
Municipal	700	0.00	0.00

Tax Exempt: **Special Tax Recapture:**
Exempt Class: CHURCHES, SYNAGOGUES, & PARSONAGES NONE

Homestead Application Information

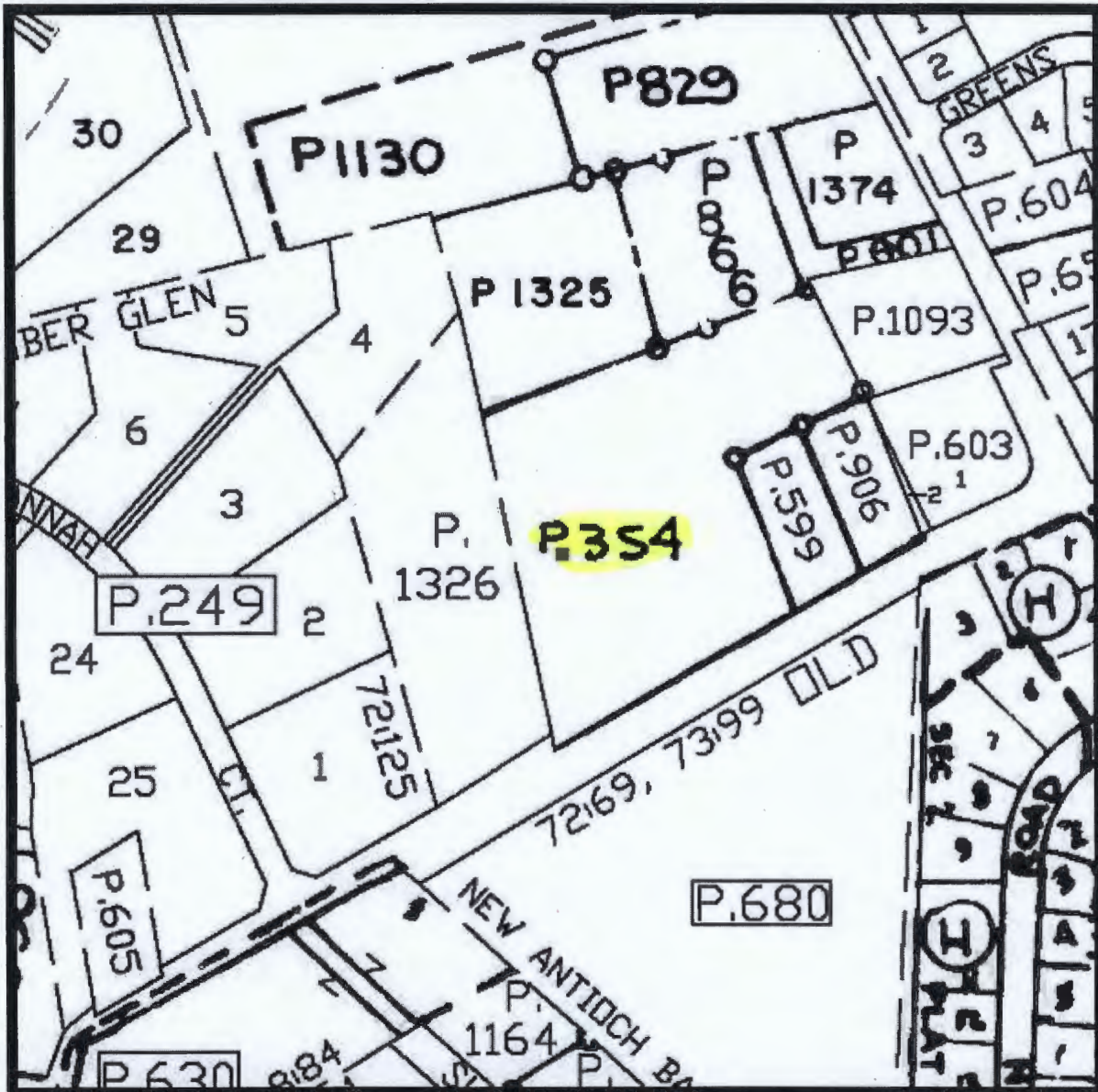
Homestead Application Status: No Application



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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

District - 02 Account Number - 1700013745



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2010. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml



LIBERTY ROAD
BUSINESS ASSOCIATION
"In Business For Your Business"
9405 Liberty Road
P.O. Box 1417
Randallstown Maryland 21133
Tel: 410-655-7766 Fax: 410-655-7767
e-mail lrba@lrba.biz

June 20, 2012

Baltimore County Department of
Permits, Approvals and Inspections
111 West Chesapeake Avenue, Suite 105
Towson, Maryland 21204

RECEIVED
JUN 21 2012
OFFICE OF ADMINISTRATIVE HEARINGS

Re: Case Number 2012-0272-XA.
5616 Old Court Road

To Whom It may concern:

I am the Executive Director of the Liberty Road Business Association, an organization interested in maintaining and improving the business climate along the Liberty Road Corridor in northwest Baltimore County. I am writing to express my Association's support of the March Funeral Home's request to use the building located on the site at 5616 Old Court Road in Randallstown, MD as a funeral. We are also excited about March Funeral Homes presence in the Randallstown community..

Thank you for your consideration of my comments.

Sincerely,

Harold G.Reid
Executive Director

Debra Wiley - ZAC Comments - Distribution Mtg. of 5/7

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 5/7/2012 11:59 AM
Subject: ZAC Comments - Distribution Mtg. of 5/7

Good Morning,

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

2012-0266-SPHA - 9401 Groveton Circle
No hearing date assigned in data base as of today

2012-0270-A - 15 Music Fair Road - **FLOODPLAIN**
No hearing date assigned in data base as of today

2012-0271-A - 9801 Reisterstown Road
No hearing date assigned in data base as of today

2012-0272-XA - 5616 Old Court Road
No hearing date assigned in data base as of today

2012-0273-A - 518 Education Way
Administrative Variance - Closing Date: 5/21

2012-0274-SPH - 2422 Lightfoot Drive
No hearing date assigned in data base as of today

2012-0275-A - 3901 Schroeder Avenue
Administrative Variance - Closing Date: 5/28

2012-0276-SPHA - 3914 Glenhurst Road - **CRITICAL AREA & FLOODPLAIN**
No hearing date assigned in data base as of today

2012-0277-A - 502 Dogwood Lane
Administrative Variance - Closing Date: 5/28

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



KEVIN KAMENETZ
County Executive

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

June 12, 2012

New Antioch Baptist Church of Randallstown
Reverend Kenneth Barney, Sr.
5609 Old Court Road
Baltimore MD 21244

RE: Case Number: 2012-0272 XA, Address: 5616 Old Court Road

Dear Rev. Kenneth Barney:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 27, 2012. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
MARCORP Ltd., Victor C. March, Sr., 5719 York Road, Baltimore, MD 21212
Emerson L. Dorsey, 100 E. Pratt Street, 26th floor, Baltimore MD 21202

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 5-15-12

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

RE: Baltimore County
Item No 2012-0272-XA
Special Exception Variance
Rev. Kenneth Barney Sr.
New Antioch Baptist Church
of Randallstown
5616 Old Court Road.

Dear Ms. Lewis:

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. 2012-0272-XA.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief
Access Management Division

SDF/raz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: May 21, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 5616 Old Court Road

INFORMATION:

Item Number: 12-272

Petitioner: New Antioch Baptist Church of Randallstown, Maryland Inc.

Zoning: DR 3.5

Requested Action: Special Exception and Variance

SUMMARY OF RECOMMENDATIONS:

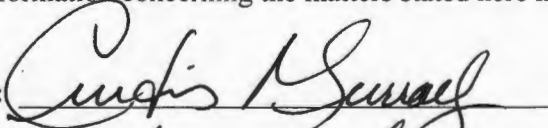
The Department of Planning has reviewed the petitioner's request and accompanying site plan. The property is located on an approved church site. The current owners of the property (New Antioch Baptist Church of Randallstown) have constructed a larger church across the street (Old Court Road) from the subject property. The site also abuts another place of worship (Kingdom Hall) along the western property line of the proposed funeral establishment.

Discussions with the petitioner's revealed that this location will be the 3rd such funeral establishment operated by Marcorp LTD in the Baltimore area. Further discussion with the petitioner revealed that as to the variance request to allow 134 parking spaces in lieu of the required 178 parking spaces, it is highly unlikely that large funerals will be conducted at this site. Typically larger funerals are held at large sanctuaries. Marcorp does not hold funerals on Sunday during the hours that the adjacent churches experience peak traffic.

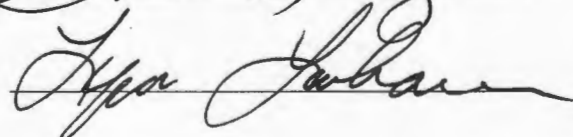
The Department of Planning recognizes the current volume of traffic generated on Sundays as the result of 2 existing places of worship being located on this portion of Old Court Road. If this building continues to function as approved (another church) it would create greater traffic challenges on Sundays than the proposed funeral establishment.

The Department of Planning supports the requested special exception and variances provided the petitioner submits an updated landscape plan to mitigate the requested RTA variances.

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

Prepared by: 

Division Chief:
AVA/LL: CM



RECEIVED

JUN 18 2012

OFFICE OF ADMINISTRATIVE HEARINGS

Fax

To:	Office of Administrative Hearings	From:	Victor C. March, Sr.
Fax:	(410) 887-3468	Pages:	3
Phone:	(410) 435-0500	Date:	6/18/2012
Re:	Case # 2012-0272- XA	CC:	[Click here and type name]
☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle			

● **Comments:**

Attached, please find copies of "Letters of Support for Case # 2012-0272-XA" that I have received via email for your files.

If you should have any questions, please feel free to contact me on my cell 443-392-1351.

Thank you.

Stevenswood Improvement Association, Inc.

8546 Stevenswood Road
Windsor Mill, MD 21244
410-922-4124

June 15, 2012

Baltimore County Department of
Permits, Approvals, and Inspections
111 West Chesapeake Avenue
Suite 105
Towson, Maryland 2124

Re: Case # 2012-0272-XA

To Whom It May Concern,

On behalf on the residents of the Stevenswood Community, I am writing to support March's Funeral Home's efforts to purchase the former New Antioch Baptist Church, 5616 Old Court Road. Additionally, we support March's plans to remodel the building and to convert it into a state-of-the-arts funeral home in Randallstown. The addition of a funeral home at this location provides thousands of people greater convenience and more choices when it comes to planning home going services for loved ones in greater Randallstown and surrounding communities.

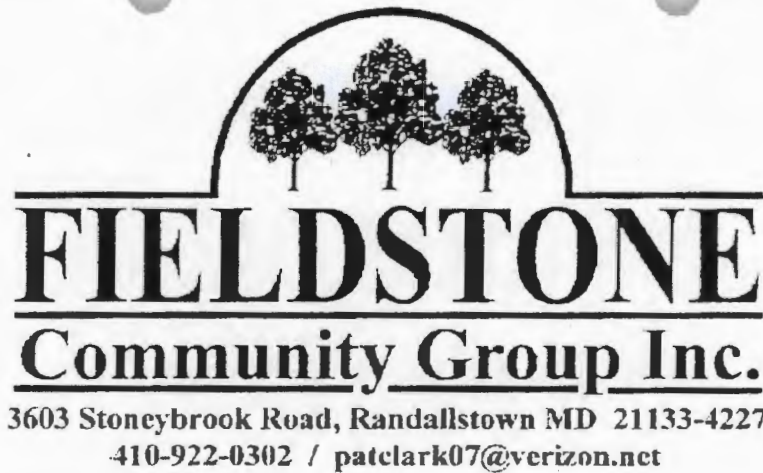
In closing, the addition of March's Funeral Home at 5616 Old Court Road. Randallstown represents value added for their present clientele as well as potential customers.

Sincerely,

AARON

PLYMOUTH

Aaron Plymouth
President



June 11, 2012

Baltimore County Department of Permits, Approvals & Inspections
111 West Chesapeake Avenue, Suite 105
Towson, Maryland 21204

Gentlemen:

Re: Case Number 2012-0272-XA

The Fieldstone Community Group, Inc., approves of the purchase of the former New Antioch Baptist Church building located at 5616 Old Court Road by March Funeral Homes. We understand after purchase March Funeral Home intends to remodel the interior of the building for use as a state-of-the-art funeral home.

March Funeral Homes gave a presentation of the above proposal for a group of community organizations at the Randallstown Community Center on December 13, 2011, and received unanimous support for the project. We believe March Funeral Homes will bring needed services closer to the residents of the greater Randallstown community.

Sincerely yours,

Pat Clark

Pat Clark
President

support

Rosalind Spellman [RSpellman@dhmh.state.md.us]

Sent: Wednesday, June 06, 2012 9:41 AM

To: Victor March Sr.

I support this zoning matter for March Funeral Home on Old Court Rd - Case Number 2012-0272-XA.

Rosalind "Roz" Spellman, Administrative Officer
Office of the Attorney General
Health Occupations Prosecution & Litigation Division
300 West Preston St., Rm 201
Baltimore, Maryland 21201
410-767-1885
Fax: 410-333-5831

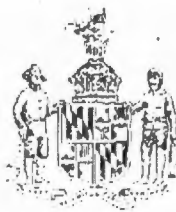
CONFIDENTIAL

THIS E-MAIL AND ANY ATTACHMENT contains information that is or may be legally privileged and/or confidential. It is intended solely for the use of the designated recipient(s). IF YOU ARE NOT A DESIGNATED RECIPIENT, your review, retention, storage, copying, or dissemination of this e-mail is prohibited and may expose you to criminal penalties and/or civil liability as may be provided by law. IF YOU HAVE RECEIVED THIS E-MAIL IN ERROR, PLEASE IMMEDIATELY (i) notify the sender and (ii) delete the e-mail from your computer and network.

SENATOR DELORES G. KELLEY
10th Legislative District
Baltimore County
Finance Committee

Chair
Executive Nominations Committee

Senate Vice Chair
Joint Committee on Health
Care Delivery and Financing



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

6/12
TO WOLF
8

James Senate Office Building
17 Bladen Street, Room 302
Annapolis, Maryland 21401
410-841-1606
800-497-7122 Ext. 3606
Fax 410-841-3399
Delores.Kelley@senate.state.md.us

June 7, 2012

Baltimore County Department of
Permits, Approvals and Inspections
111 West Chesapeake Ave.
Suite 105
Towson, Maryland 21204

RE: ~~Case~~ #2012-0272-XA

To Whom It May Concern:

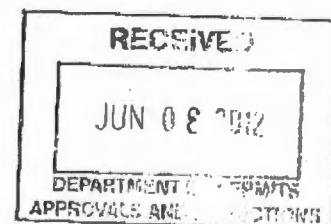
This letter is in support of the proposed development of a new March Funeral Home establishment to be owned and operated by the March Family at 5616 Old Court Road.

It has been my pleasure to know and work with the March family on many occasions for the benefit of our community. They have a national reputation in funeral service as an industry leader and as consummate professionals. I hold them in high esteem and am confident that their funeral business will be an asset to the community and the Tenth Legislative District.

Sincerely,

Delores G. Kelley
Delores G. Kelley

DGK/lvf



June 6, 2012

10102 Village Green Drive
Woodstock, Maryland 21163

Baltimore County Department of
Permits, Approvals and Inspections
111 West Chesapeake Avenue, Suite 105
Towson, Maryland 21204



Re: Case No. 2012-0272-XA

Dear Sir/Madam:

I am a resident of the Woodstock Community which is in close proximity to the building at 5616 Old Court Road. I understand that the March Funeral Home is seeking to purchase the property to use as a funeral home. The schedule hearing for the zoning and permit is June 21, 2012.

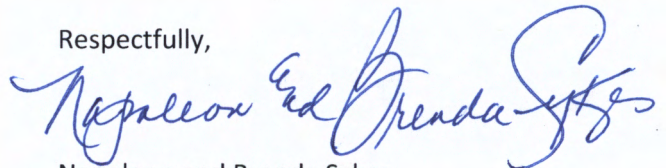
Unfortunately, I will not be able to attend the hearing, but would like to voice my opposition to this venture. The main concern that I have is the additional congestion of traffic patterns on Old Court Road. This road is a main route to Northwest Hospital. There already exists substantial traffic congestion during the day, particularly in the morning, during rush hour traffic and essentially this route has continuous peak traffic during the remainder of the day.

Old Court is a two lane – road ... one lane goes east and the other west. The New Antioch Church on Old Court generates lots of congestion particularly on Saturday and Sunday mornings. There is also another Church in walking distance from both the proposed site and New Antioch Church. Also, the closest intersecting street ... Windsor Mill is a traffic nightmare. The roads are narrow and they are heavily travelled all day long.

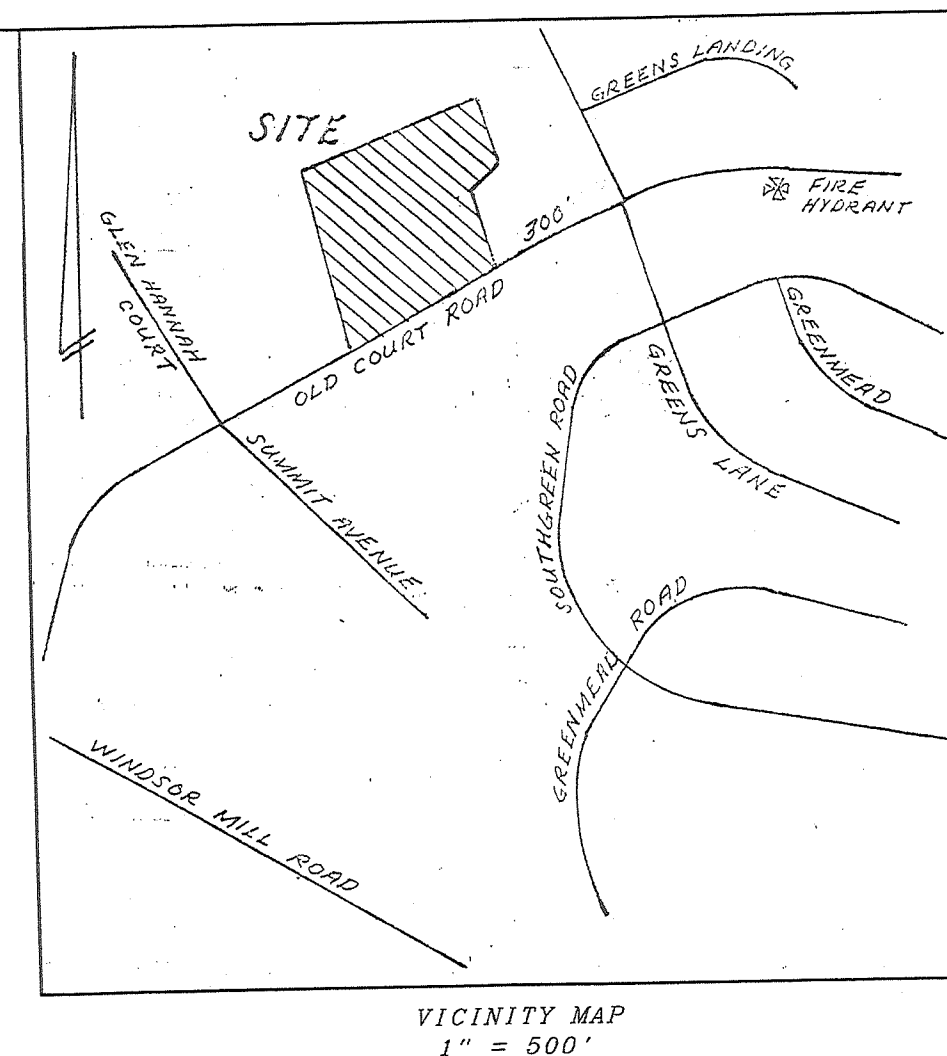
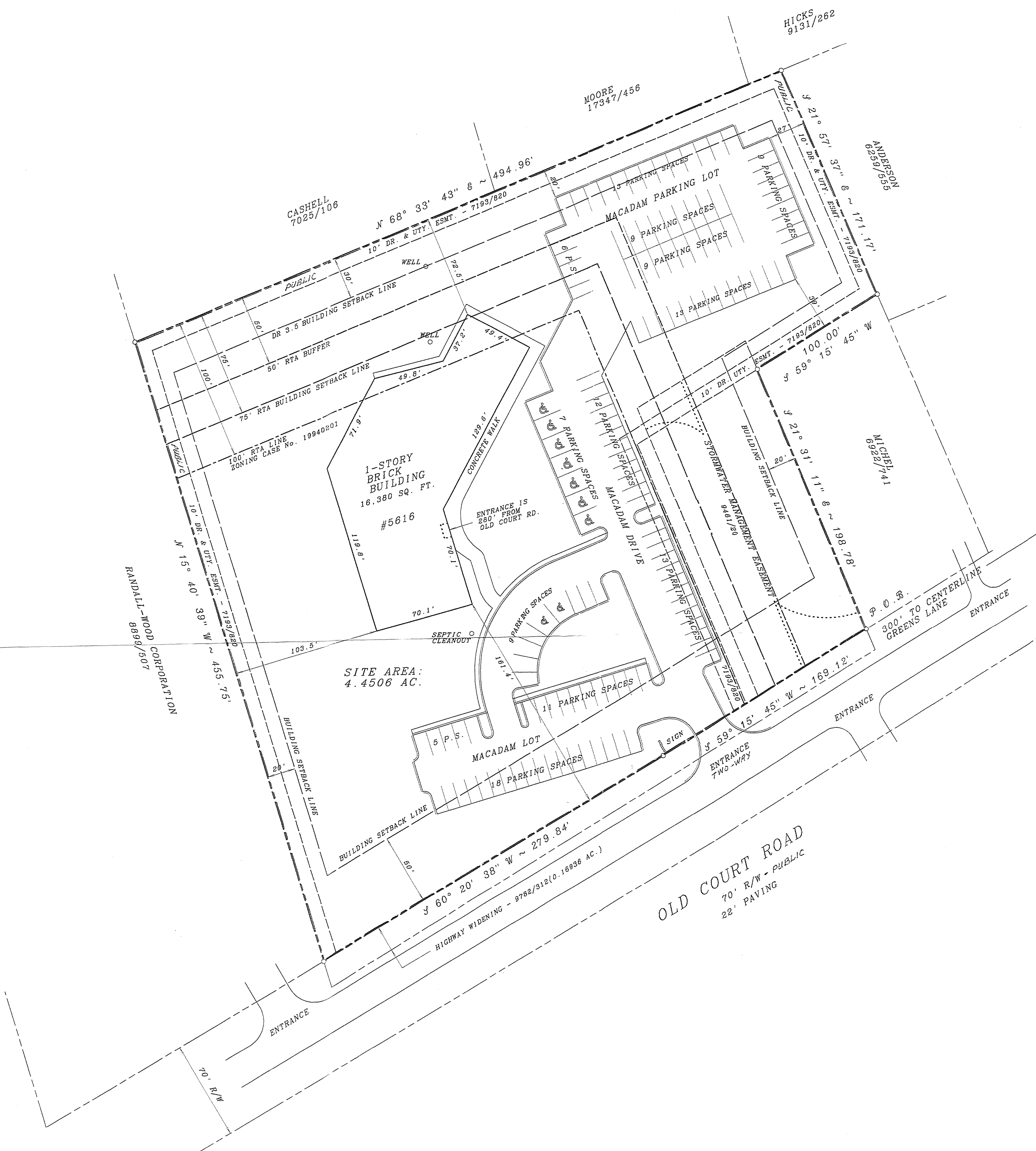
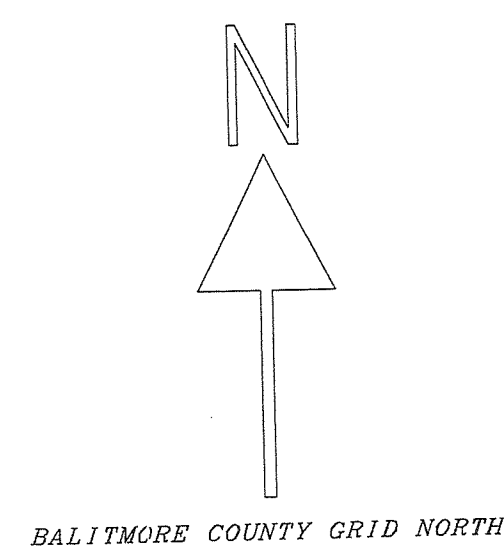
In addition, I am aware that Bethel AME Church has purchased property on Dogwood which empties into Old Court. Should they ever build on their site, the traffic pattern will be unbearable and could pose health and safety risks since this is the main road to Northwest Hospital. Plus there are already two funeral homes in close proximity on Liberty Road. We do not need more funeral homes, nor do we need the resulting traffic problems that will surely ensue.

Thank you for consideration of my concerns.

Respectfully,


Napoleon and Brenda Sykes





GENERAL NOTES

- OWNER:
NEW ANTIOCH BAPTIST CHURCH OF RANDALLSTOWN, MARYLAND, INC
P.O. BOX 376
RANDALLSTOWN, MD 21133
- SITE AREA:
GROSS: 4.6199 ACRES
NET: 4.4506 ACRES
- BUILDING AREA: 16,280 SQUARE FEET
ORIGINAL BUILDING CONSTRUCTED IN 1992
ADDITION TO BUILDING CONSTRUCTED IN 2004
- UTILITIES:
PRIVATE WELL
PRIVATE SEPTIC
- THE SITE DOES NOT LIE IN A FLOOD HAZARD AS SHOWN OF FIRM
MAP No. 240010-0360-B DATED MARCH 2, 1991.
- PARKING CALCULATIONS:
FUNERAL HOME REQUIRED: 16,380 S.F. @ 10/1000 = 170 SPACES
5 EMPLOYEES @ 1 SPACE PER 2 EMPLOYEES = 3 REQUIRED SPACES
5 VEHICLES @ 1 SPACE PER VEHICLE = 5 REQUIRED SPACES
TOTAL REQUIRED PARKING SPACES = 178 SPACES
PROVIDED: 134 SPACES (9 HANDICAP)
REQUIRED HANDICAP SPACES: 6 SPACES PER 150-200 SPACES
2 VAN ACCESSIBLE, 4 REGULAR
PROVIDED: 9 HANDICAP SPACES - 2 VAN ACCESSIBLE, 7 REGULAR
- SETBACKS:

	REQUIRED	PROVIDED
FRONT	50'	161'
SIDE	20'	103'
REAR	30'	72'
- HEIGHT OF STRUCTURE:
MAXIMUM PERMITTED: 50'
EXISTING BUILDING: 15'(ROOF APEX = 30')
- DEED REFERENCES: 7235/51 AND 6812/682
- TAX ACCOUNT NUMBERS: 1700013745 & 0213400580
- ELECTION DISTRICT: 2
- COUNCILMANIC DISTRICT: 4th
- REGIONAL PLANNING DISTRICT: 312
- CENSUS TRACT: 4025.03
- ZONING: DR 3.5 (PER 1"=200' ZONING MAP 077A2)
- TAX MAP No. 77, PARCEL Nos. 354 & 599
- PREVIOUS ZONING CASES ON FILE:
19930384: SIGN VARIANCE GRANTED
19940201: RTA VARIANCE GRANTED
- NEAREST FIRE HYDRANT IS 720' EAST OF SITE ON THE SOUTH SIDE
OF OLD COURT ROAD.
- SITE HEREON IS NOT IN ANY FAILED BASIC SERVICES MAP AREA.
- EXISTING SIGN IS TWO (2) FEET INSIDE PROPERTY BOUNDARY,
DOUBLE FACED, 54 SQUARE FEET, UNILLUMINATED AND TEN (10)
FEET HIGH.

PETITIONER'S

EXHIBIT NO. 1

ALBION SURVEYS

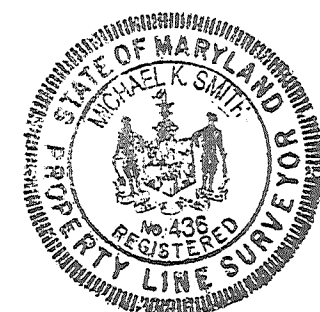
Land Surveyors

P.O. Box 5614

Baltimore, Maryland

410-435-0800

21210



SCALE: 1" = 50'

PLAN TO ACCOMPANY PETITION FOR SPECIAL EXCEPTON AND VARIANCE

PROPERTY OF
NEW ANTIOCH BAPTIST CHURCH OF RANDALLSTOWN
KNOWN AS
5616 OLD COURT ROAD
PARCELS 906 & 599 TAX MAP 77
SECOND ELECTION DISTRICT
BALTIMORE COUNTY
MARYLAND



LIBERTY ROAD
BUSINESS ASSOCIATION
"In Business For Your Business"
9405 Liberty Road
P.O. Box 1417
Randallstown Maryland 21133
Tel: 410-655-7766 Fax: 410-655-7767
e-mail lrba@lrba.biz

June 20, 2012

Baltimore County Department of
Permits, Approvals and Inspections
111 West Chesapeake Avenue, Suite 105
Towson, Maryland 21204

Re: Case Number 2012-0272-XA.
5616 Old Court Road

To Whom It may concern:

I am the Executive Director of the Liberty Road Business Association, an organization interested in maintaining and improving the business climate along the Liberty Road Corridor in northwest Baltimore County. I am writing to express my Association's support of the March Funeral Home's request to use the building located on the site at 5616 Old Court Road in Randallstown, MD as a funeral. We are also excited about March Funeral Homes presence in the Randallstown community..

Thank you for your consideration of my comments.

Sincerely,

Harold G.Reid
Executive Director

PETITIONER' S

EXHIBIT NO. 2



TIMBER GLEN
COMMUNITY ASSOCIATION



June 20, 2012

To Whom It May Concern:

RE: March Funeral Home Property Acquisition
Letter of Support Case #2012-0272-XA

March Funeral Homes has served our Baltimore Metropolitan Community for more than 50 years. We're also aware that the March Family has owned and operated the King Memorial Park located in the Windsor Mill/Randallstown for more than 30 years as well.

Many of the residents of our community have directly utilized the services of March Funeral Homes or been part of the services provided to family, friends and/or associates. We collectively can say that every experience has been one of encouragement with an abundant level of sensitivity to all parties involved.

We are fully aware of March Funeral Homes objective to purchase the former New Antioch Baptist Church building located at 5616 Old Court Road. We understand that it is their hope this will bring their professional services closer with a level of enhanced convenience to our area residents.

The Timber Glen Community Association has no opposition to the March Funeral Home moving forward with this objective. We do indeed offer our support and ask that additional traffic controls and speed reductions be seriously considered and implemented by our County Government that support the safety of our growing community in this corridor.

Sincerely,

Ray Nelson, President
Timber Glen Community Association (TGCA)

Stevenswood Improvement Association, Inc.

8546 Stevenswood Road

Windsor Mill, MD 21244

410-922-4124

aaron.plymouth@verizon.net

June 15, 2012

Baltimore County Department of
Permits, Approvals, and Inspections
111 West Chesapeake Avenue
Suite 105
Towson, Maryland 2124

Re: Case # 2012-0272-XA

To Whom It May Concern,

On behalf on the residents of the Stevenswood Community, I am writing to support March's Funeral Home's efforts to purchase the former New Antioch Baptist Church, 5616 Old Court Road. Additionally, we support March's plans to remodel the building and to convert it into a state-of-the-arts funeral home in Randallstown. The addition of a funeral home at this location provides thousands of people greater convenience and more choices when it comes to planning home going services for loved ones in greater Randallstown and surrounding communities.

In closing, the addition of March's Funeral Home at 5616 Old Court Road, Randallstown represents value added for their present clientele as well as potential customers.

Sincerely,

AARON

PLYMOUTH

Aaron Plymouth
President



June 11, 2012

Baltimore County Department of Permits, Approvals & Inspections
111 West Chesapeake Avenue, Suite 105
Towson, Maryland 21204

Gentlemen:

Re: Case Number 2012-0272-XA

The Fieldstone Community Group, Inc., approves of the purchase of the former New Antioch Baptist Church building located at 5616 Old Court Road by March Funeral Homes. We understand after purchase March Funeral Home intends to remodel the interior of the building for use as a state-of-the-art funeral home.

March Funeral Homes gave a presentation of the above proposal for a group of community organizations at the Randallstown Community Center on December 13, 2011, and received unanimous support for the project. We believe March Funeral Homes will bring needed services closer to the residents of the greater Randallstown community.

Sincerely yours,

Pat Clark

Pat Clark
President

support

Rosalind Spellman [RSpellman@dhhm.state.md.us]

Sent: Wednesday, June 06, 2012 9:41 AM

To: Victor March Sr.

I support this zoning matter for March Funeral Home on Old Court Rd - Case Number 2012-0272-XA.

Rosalind "Roz" Spellman, Administrative Officer
Office of the Attorney General
Health Occupations Prosecution & Litigation Division
300 West Preston St., Rm 201
Baltimore, Maryland 21201
410-767-1885
Fax: 410-333-5831

CONFIDENTIAL

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Office Outlook Web Access Type here to search This Folder

Fwd: Letter of Opposition

Deleted Items
Drafts (1)
Inbox
Junk E-Mail (1749)
Sent Items

Sent: Tuesday, June 19, 2012 4:11 PM

To:

Attachments: [image icon] [image icon]

Sent from my Samsung Epic™ 4G Touch

----- Original message -----
Subject: FW: Letter of Opposition
From: renee keys <ekeys@yahoo.com>
To: Arthur Grier <adgrier@marchfh.com>
CC:

I Renee Keys am responding to case No 2012-0272-XA. I am in favor of March funeral Home purchasing the property at 5616 Old Court Road..I think that this would be an asset. to the community. I have found that this organization does many wonderful and positive things for its surrounding communities.Most people talk about the possible increase in traffic, but I live right behind the church and there can't be any more traffic then there already is with the two services held on Sundays and not to mention the extra traffic the church generates on Wednesdays as well as other activites. I know that the current location is across the street but if March Funeral Home purchases the property I think the traffic flow would be a lot less.Since I will not be able to attend the hearing .I wanted to let the board know that I am in favor of the purchase on 5616 Old Court Road by Marcorp. LTD.

Sincerely Renee Keys
5614 Northgreen Road
Windsor Mill, Maryland 21244

I— On **Mon, 6/18/12, Arthur Grier <adgrier**

@marchfh.com> wrote:

From: Arthur Grier <adgrier@marchfh.com>
Subject: FW: Letter of Opposition
To: "ekeys@yahoo.com" <ekeys@yahoo.com>
Date: Monday, June 18, 2012, 10:31 PM

Thanks Renee

From: Victor March Sr.
Sent: Monday, June 18, 2012 7:26 PM
To: J. Darrell Peterson
Cc: Edorsey@tydingslaw.com; Erich March; Annette March-Grier; Arthur Grier; Carmalita March-Harris; Cynthia March-Malloy; Lola March; Nathan Malloy Jr.; Victor March Jr.
Subject: Letter of Opposition

This letter was sent to me from Baltimore County's Office of Administrative Hearings.

As of this morning, this was the only letter they had received or placed in the file! I have faxed to them the two (2) letters we have received to place in the file.

Victor C. March, Sr.
President/CEO
Marcorp, Ltd./March Funeral Homes, Inc.
5719 York Rd.
Baltimore, MD 21212
(410) 435-0500

Subject: Supporting March Funeral Home – Randallstown
From: jyoung@comforcare.com (jyoung@comforcare.com)
To: vcmarch@yahoo.com;
Cc: CharlesYoungSr@verizon.net;
Date: Tuesday, June 19, 2012 1:26 PM

Mr. March,

It is with great pleasure that I send this email confirming the support of the Edrich Manor Home Owner's Association for the building of March Funeral Home Randallstown. We welcome the opportunity for new businesses and growth in our community.

Sincerely,

*Charles Young, Sr.
President, Edrich Manor Home Owner's Association*



GPCA

Greater Patapsco Community Association
PO Box 31, Woodstock, MD 21163

June 18, 2012

Baltimore County Department of
Permits, Approvals and Inspections
111 West Chesapeake Avenue, Suite 105
Towson, Maryland 21204

Re: Case Number 2012-0272-XA.
March Funeral Home
5616 Old Court Road, Baltimore, MD 21133

Dear Sir or Madam,

Regarding the above referenced request for a special exception to permit a funeral home in a DR 3.5 zone, the officers and Board of Directors of Greater Patapsco Community Association express no opposition to this proposal. The petitioner operates the associated King Memorial Park on Dogwood Road which is within our membership area. They are a good corporate neighbor and have maintained that facility in a responsible manner.

Mr. Eric March representing March Funeral Homes advises that the proposed use will occupy the same architectural footprint as the existing structure at 5616 Old Court Road and that no additional impervious surface will be imposed on the site to accommodate its use as a funeral home. He further states that no embalming will occur at this facility. We support acceptance of this use inside the Urban Rural Demarcation Line as opposed to construction of a new facility for that purpose at the King Memorial Park which lies in a RC 6 zone.

Yours truly,

Cathy Wolfson, vice-president



LIBERTY ROAD
BUSINESS ASSOCIATION

"In Business For Your Business"

9405 Liberty Road

P.O. Box 1417

Randallstown Maryland 21133

Tel: 410-655-7766 Fax: 410-655-7767

e-mail lrba@lrba.biz

June 20, 2012

Baltimore County Department of
Permits, Approvals and Inspections
111 West Chesapeake Avenue, Suite 105
Towson, Maryland 21204

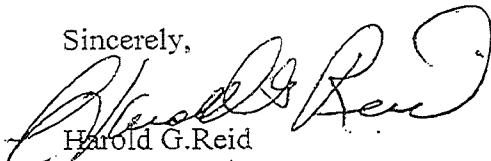
Re: Case Number 2012-0272-XA.
5616 Old Court Road

To Whom It may concern:

I am the Executive Director of the Liberty Road Business Association, an organization interested in maintaining and improving the business climate along the Liberty Road Corridor in northwest Baltimore County. I am writing to express my Association's support of the March Funeral Home's request to use the building located on the site at 5616 Old Court Road in Randallstown, MD as a funeral. We are also excited about March Funeral Homes presence in the Randallstown community..

Thank you for your consideration of my comments.

Sincerely,



Harold G. Reid
Executive Director

Case No.:

2012-272-XA

DW 7/25/12

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	Letters of Support	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		