

IN RE: PETITION FOR SPECIAL HEARING *
(1512 Woodlawn Drive)
1st Election District *
4th Councilmanic District *
Bernadette Rhebooth and James Jones *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2013-0170-SPH

* * * * *

ORDER AND OPINION

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Special Hearing filed by Emerson L. Dorsey, Jr., Esquire, on behalf of Morning Star Baptist Church of Baltimore County, property owner. The Petitioner is requesting Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to determine whether or not the Administrative Law Judge should approve a waiver of certain flood plain regulations, and to permit grading, filling, and the construction of a portion of a parking lot and a bridge and associated abutments in a riverine floodplain. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing held for this case was Richard E. Matz from Colbert, Matz and Rosenfelt, Inc., the firm that prepared the site plan. Douglas E. Moore and Allen C. Price also attended. Emerson L. Dorsey, Jr., Esquire appeared and represented the Petitioner. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

The Zoning Advisory Committee (ZAC) comments were received and made a part of the file. The Department of Environmental Protection and Sustainability (DEPS) indicated that

ORDER RECEIVED FOR FILING

Date 3-26-13

By den

Petitioner must comply with County, State and Federal floodplain regulations. The Department of Planning (DOP) requested the plan show the specific route for pedestrian access to the church, and Mr. Matz indicated that such detail was in fact labeled on the plan. Exhibit 1.

Testimony and evidence revealed that the subject property is 8.54 acres and is zoned BM and ML-IM. The Petitioner proposes to construct a large (approximately 30,000 sq. ft.) two story church on site, with adjoining parking lots. The site is presently improved with a pedestrian bridge that crosses Dead Run Branch (and it will remain), and the Petitioner also proposes to construct a vehicular bridge across the stream for access to the parking lot which will be used by parishioners.

Mr. Matz, a licensed engineer who was accepted as an expert, testified that a portion of the property is situated within the 100 year riverine floodplain. He has shown the existing limits of the floodplain on the plan (Exhibit 1), and has also indicated (with green highlighting) the "proposed" 100 year floodplain, that shows the areas of disturbance or impact to the floodplain by the proposed construction. As shown on the plan, the majority of the impact will occur in the areas planned for parking. Mr. Matz indicated that Petitioner would be amenable to erecting signs warning motorists that the area can be subject to flooding.

Mr. Kennedy, of Bureau of Development Plans Review (DPR), submitted a ZAC comment dated January 30, 2013, indicating the Director of the Department of Public Works (DPW) would provide a comment on the floodplain issue, but this office never received same. Mr. Matz indicated he has spoken with both Mr. Kennedy and Dave Thomas (also an engineer with the DPW), and that neither expressed opposition to the Petitioner's request. Again, the scope of the present request concerns only the proposed construction of the vehicular bridge, abutments for same, and portions of the parking lot. The relief granted herein, as detailed below, does not

ORDER RECEIVED FOR FILING

Date 3-26-13
By den

pertain to the construction of the proposed church building, which is the subject of a development approval request currently pending with the Department of Permits, Approvals and Inspections.

Pursuant to the advertisement, posting of the property, and public hearing, and after considering the testimony and evidence offered, I find that Petitioner Special Hearing request should be **GRANTED**.

THEREFORE, IT IS ORDERED, this 26th day of March, 2013 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to determine whether or not the Administrative Law Judge should approve a waiver of the floodplain regulations, set forth in part 125 of the Baltimore County Building Code and Sections 32-4-414, 32-4-107(a)(2), & 32-8-301 of the BCC to permit grading, filling, and the construction of a portion of a parking lot and a bridge and associated abutments in a riverine floodplain, be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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


JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB:sln

ORDER RECEIVED FOR FILING

Date 3-26-13

3 By sln



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

March 26, 2013

Emerson L. Dorsey, Jr., Esquire
100 East Pratt Street
26th Floor
Baltimore, Maryland 21202

RE: Petition for Special Hearing
Case No.: 2013-0170-SPH
Property: 1512 Woodlawn Drive

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:sln
Enclosure

c: Richard E. Matz, 2835 Smith Avenue, Suite G, Baltimore, Maryland 21209
Allen C. Price, 215 East 25th Street, Baltimore, Maryland 21218
Douglas E. Moore, P.O. Box 451, Ellicott City, Maryland 21043



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 1512 Woodlawn Drive and 1600 Whitehead Road which is presently zoned BM and ML-IM

Deed References: 29925/00053 and 31548/00256 10 Digit Tax Account # 1700001934 and 0106350870

Property Owner(s) Printed Name(s) Morning Star Baptist Church of Baltimore County

(SELECT THE HEARING(S) BY MARKING **X** 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. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED.

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. a **Variance** from Section(s)

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)

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/Lessee:

Name- Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Emerson L. Dorsey, Jr., Tydings & Rosenberg LLP

Name- Type or Print

Signature

100 East Pratt Street, 26th floor, Baltimore, MD

Mailing Address

City

State

21202

410-752-9700

Edorsey@tydingslaw.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Richard E. Matz, Colbert Matz Rosenfelt, Inc.

Name - Type or Print

Signature

2835 Smith Avenue, Suite G, Baltimore, MD

Mailing Address

City

State

21209

410-653-3838

dmatz@cmrengineers.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2013-0120-SPH

Filing Date 1/17/13

Do Not Schedule Dates:

Reviewer JS

Attachment to Petition for Special Hearing

Morning Star Baptist Church of Baltimore County
1512 Woodlawn Drive and 1600 Whitehead Road

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

A waiver pursuant to Section, 500.6, Baltimore County Zoning Regulations; from Section 3112.0 Building Code; and Sections 32-4-414, 32-4-107(a)(2), 32-8-301 Baltimore County Code to permit grading, filling, and the construction of a portion of a parking lot and a bridge and associated abutments in a riverine floodplain.

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION 1512 Woodlawn Drive

Beginning at a point on the west side of Woodlawn Drive, which is 80 feet wide, at the distance of 710 feet to the centerline of Security Boulevard, which is 120 feet wide. Thence the following courses and distances:

S 00° 44' 45" E 232.01 feet; thence
By a line curving to the left with a radius of 798.50 feet and an arc length of 114.74 feet,
subtended by a cord bearing of S 04° 52' 05" E 114.64 feet; thence
S 66° 50' 53" W 546.27 feet; thence
N 16° 34' 53" E 161.84 feet; thence
N 26° 34' 33" W 185.01 feet; thence
N 63° 25' 27" E 262.75 feet; thence
N 42° 16' 29" E 144.97 feet; thence
N 86° 19' 35" E 192.29 feet; to the Point of Beginning

Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 13203, Expiration Date: 10/2/14

As recorded in Deed Liber 29925 Folio 00053 and containing 178,294 square feet (4.09 acres), also known as 1512 Woodlawn Drive and Parcel 350 on Tax Map 0095, and located in the 1st Election District and 4th Councilmanic District.

ZONING DESCRIPTION 1600 Whitehead Court

Beginning at a point on the south side of Whitehead Court, which is 70 feet wide, at the distance of 995 feet to the centerline of Security Boulevard, which is 120 feet wide. Thence the following courses and distances:

By a line curving to the left with a radius of 1866.11 feet and an arc length of 114.42 feet,
subtended by a cord bearing of S 89° 36' 30" E 114.41 feet; thence
N 88° 38' 15" E 54.61 feet; thence
By a line curving to the left with a radius 75 feet and an arc length of 154.34 feet,
subtended by a cord bearing of N 29° 40' 48" E 128.51 feet; thence
N 60° 43' 29" E 179.14 feet; thence
N 82° 06' 39" E 150.00 feet; thence
S 62° 26' 36" E 133.34 feet; thence
S 27° 33' 24" W 225.84 feet; thence
S 42° 16' 29" W 113.39 feet; thence
S 63° 25' 27" W 526.38 feet; thence
N 00° 39' 39" W 360.96 feet; to the Point of Beginning



As recorded in Deed Liber 31548 Folio 00256 and containing 193,639 square feet (4.45 acres), and also known as 1600 Whitehead Court and Parcel 310 on Tax Map 0095, and located in the 1st Election District and 4th Councilmanic District.

2013-0170-SPH

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

No. **94031**

Date: **1/17/13**

PAID RECEIPT

BUSINESS ACCT. TIME DFB
 1/17/2013 1:12 PM 10:10PM 2
 REG #602 / BAL. 12/14/12
 RECEIPT # 011176 - 1/17/2013
 3.385.00 VERIFICATION
 0.00001
 Receipt 101 1305.00
 435.00 1.00 CA
 Baltimore County Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	506	0001		6156				\$ 385.00

Total: **\$ 385.00**

Rec From: **MORNING STAR BAPTIST**

For: **2013-0170-SM**

DISTRIBUTION

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

PLEASE PRESS HARD!!!!

**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: # 2013-0170-SPH

1512 Woodlawn Drive, 1600 Whitehead Road

Parcel 1 - W/s of Woodlawn Dr., 710 ft. S/of intersection w/Security Blvd.; Parcel 2 - S/s Whitehead Rd., 995 ft.

S/e of intersection w/Security Blvd.

1st Election District - 4th Councilmanic District

Legal Owner(s): Bernadette Rheubottom & James Jones

Special Hearing: to approve a waiver permit grading, filing, and the construction of a portion of a parking lot and a bridge and associated abutments in a riverine floodplain.

Hearing: Thursday, March 21, 2013 at 11:00 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.

25 Feb. 28

907062



501 N. Calvert Street, Baltimore, MD 21278

February 28, 2013

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on February 28, 2013.

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

PATUXENT PUBLISHING COMPANY

By: Susan Wilkinson

Susan Wilkinson

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: MARCH 4, 2013

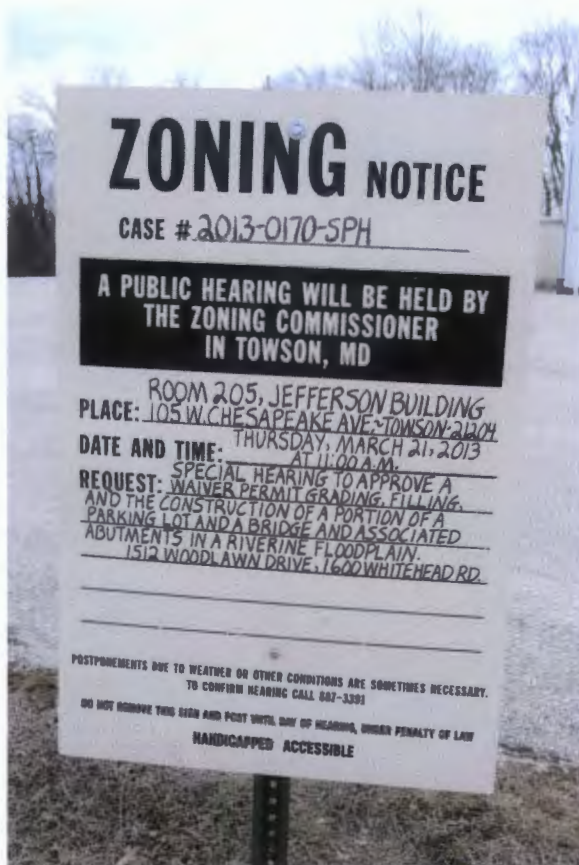
Case Number: 2013-0170-SPH

Petitioner / Developer: COLBERT, MATZ & ROSENFELT, INC.~
EMERSON DORSEY, JR. ESQ.~ BERNADETTE RHEUBOOTH,
JAMES JONES

Date of Hearing (Closing): MARCH 21, 2013

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:
1600 WHITEHEAD ROAD, 1512 WOODLAWN DRIVE (SOUTH) &
1512 WOODLAWN DRIVE (NORTH)- ON SITE

The sign(s) were posted on: MARCH 1, 2013



1600 WHITEHEAD RD.

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)

ZONING NOTICE

CASE # 2013-0170-SPH

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

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE. TOWSON 21204
DATE AND TIME: THURSDAY, MARCH 21, 2013
AT 11:00 A.M.
REQUEST: SPECIAL HEARING TO APPROVE A
WAIVER PERMIT GRADING, FILLING
AND THE CONSTRUCTION OF A PORTION OF A
PARKING LOT AND A BRIDGE AND ASSOCIATED
ABUTMENTS IN A RIVERINE FLOODPLAIN.
1512 WOODLAWN DRIVE, 1600 WHITEHEAD RD.

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

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

ZONING NOTICE

CASE # 2013-0170-SPH

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

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE. TOWSON 21204
DATE AND TIME: THURSDAY, MARCH 21, 2013
AT 11:00 A.M.
REQUEST: SPECIAL HEARING TO APPROVE A
WAIVER PERMIT GRADING, FILLING,
AND THE CONSTRUCTION OF A PORTION OF A
PARKING LOT AND A BRIDGE AND ASSOCIATED
ABUTMENTS IN A RIVERINE FLOODPLAIN.
1512 WOODLAWN DRIVE, 1600 WHITEHEAD RD.

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

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

1512 WOODLAWN DRIVE
(SOUTH)

1512 WOODLAWN DRIVE
(NORTH)

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 28, 2013 Issue - Jeffersonian

Please forward billing to:

Anita Anderson
Morning Star Baptist Church
154 Winters Lane
Baltimore, MD 21228

410-747-3417

NOTICE OF ZONING HEARING

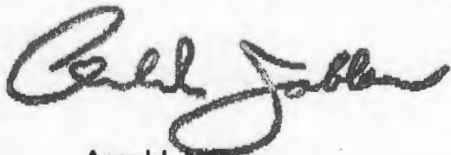
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0170-SPH

1512 Woodlawn Drive, 1600 Whitehead Road
Parcel 1 – W/s of Woodlawn Dr., 710 ft. S/of intersection w/Security Blvd.; Parcel 2 – S/s
Whitehead Rd., 995 ft. S/e of intersection w/Security Blvd.
1st Election District – 4th Councilmanic District
Legal Owners: Bernadette Rheubottom & James Jones

Special Hearing to approve a waiver permit grading, filing, and the construction of a portion of a parking lot and a bridge and associated abutments in a riverine floodplain.

Hearing: Thursday, March 21, 2013 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



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

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



KEVIN KAMENETZ
County Executive

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

February 19, 2013

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: 2013-0170-SPH

1512 Woodlawn Drive, 1600 Whitehead Road

Parcel 1 – W/s of Woodlawn Dr., 710 ft. S/of intersection w/Security Blvd.; Parcel 2 – S/s Whitehead Rd., 995 ft. S/e of intersection w/Security Blvd.

1st Election District – 4th Councilmanic District

Legal Owners: Bernadette Rheubottom & James Jones

Special Hearing to approve a waiver permit grading, filing, and the construction of a portion of a parking lot and a bridge and associated abutments in a riverine floodplain.

Hearing: Thursday, March 21, 2013 at 11:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Emerson Dorsey, Jr., 100 East Pratt St., 26th Fl., Baltimore 21202

Richard Matz, 2835 Smith Avenue, Ste. G, Baltimore 21209

Bernadette Rheubottom, James Jones, 154 Winters Lane, Catonsville 21228

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 1, 2013.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property 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: 2013-0170-SPW
Petitioner: MORNING STAR BAPTIST CHURCH OF BALTIMORE COUNTY
Address or Location: 1517 WOODBURN DR + 1600 WHITEHEAD RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: Anita Anderson, Morning Star Baptist Church
Address: 154 Winters Lane
Baltimore, MD 21228

Telephone Number: 410-747-3417



KEVIN KAMENETZ
County Executive

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

March 13, 2013

Bernadette Rheubooth & James Jones
154 Winters Lane
Catonsville MD 21228

RE: Case Number: 2013-0170 SPH, Address: 1512 Woodlawn Drive and 1600 Whitehead Road

Dear Ms. Rheubooth & Mr. Jones:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 17, 2013. 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 that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Richard E. Matz, Colbert Matz Rosenfelt, 2835 Smith Avenue, Suite G, Baltimore MD 21209
Emerson L. Dorsey, Jr., Esquire, 100 East Pratt Street, 26th floor, Baltimore MD 21202

BALTIMORE COUNTY, MARYLAND

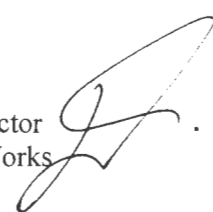
INTER OFFICE CORRESPONDENCE

4/4/13
to wet
for file
S

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

ATTN: Kristen Matthews
MS 1105

FROM: Edward C. Adams, Director
Department of Public Works



DATE: March 28, 2013

SUBJECT: Case No: 2013-0170-SPH
1512 Woodlawn Drive, Baltimore, Maryland 21231
Special Hearing Variance to determine whether or not the Administrative Law Judge should approve a waiver to Section 500.6 (BCZR), from Section 3112.0 (BCBC) and Sections 32.4.414, 32.4.107 (a)(2), 32.8.301 (BCC) to permit grading, filling, and the construction of a portion of a parking lot and bridge and associated abutments in a riverine floodplain.

Baltimore County Council Resolution 70-04 dated June 21, 2004, Baltimore County Code of 2003, Article 32, Title 4, Section 414 concerning Floodplain and Wetland Protection. Baltimore County Council Bill 40-12 dated July 12, 2012, Baltimore County Building Code Section 4 Part 125.1 concerning areas subject to inundation by riverine surface waters within the 100-year floodplain regulations says, "No new buildings or additions shall be constructed in any riverine floodplain, the 100-year floodplain shall be based upon the Federal Flood Insurance Study or as established by the Director of Public Works, whichever is the more restrictive." In addition, the Baltimore County Department of Public Works Design Manual adopted by County Council Resolution 63-10 on August 2, 2010, Plate DF has setbacks required. This memorandum is the comment from the Department of Public Works for the subject of Special Hearing Variance.

The Special Hearing Variance involves a proposed building, proposed grading in the form of fill, proposed paving, and a proposed bridge with associated abutments located within a 100-year riverine floodplain. A report entitled "100-Year Floodplain Study Morningstar Baptist Church" performed by Colbert, Matz, Rosenfelt Inc. dated August 24, 2010 has been "Accepted for Filing" by the Baltimore County Department of Permits, Approvals and Inspections, Development Plans Review on October 10, 2010.

The plans and documents submitted were reviewed and the Department of Public Works has no exception to the approval of the Special Hearing.

ECA/TWC/s

CC: Dennis Kennedy, Chief, Development Plans Review and Building Plan Review
Peter M. Zimmerman, People's Council
Richard E. Matz, Colbert Matz Rosenfelt, Inc.

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



Darrell B. Mobley, Acting Secretary
Melinda B. Peters, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 1-25-13

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

RE: Baltimore County
Item No 2013-0170-SPH
Special Hearing
Bernadette Rhebooth &
James Jones.
1512 Woodlawn Drive

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. 2013-0170-SPH

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,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief
Access Management Division

SDF/raz

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 January 28, 2013
Item No. 2013-0170

DATE: January 30, 2013

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

The Director of Public Works will provide a comment on this issue.

DAK:CEN
cc: file
ZAC-ITEM NO 13-0170-01282013.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 5, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 1312 Woodlawn Drive

INFORMATION:

Item Number: 13-170

Petitioner: James Jones

Zoning: BM and ML-IM

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner is seeking Special Hearing to determine whether a waiver should be approved to permit the grading, filling and the construction of a parking lot and a bridge and associated abutments in a riverine floodplain.

The Department of Planning has the following comment:

Show how pedestrians will access the proposed bridge and provide pedestrian connections from the bridge to the parking lot.

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

Prepared by:

Division Chief:
AVA/LL: CM

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FEB 06 2013
OFFICE OF ADMINISTRATIVE HEARINGS

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: March 11, 2013

SUBJECT: DEPS Comment for Zoning Item # 2013-0170-SPH
Address 1512 Woodlawn Drive
(Rhebooth/ Jones Property)

Zoning Advisory Committee Meeting of Jan 21, 2012.

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

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

- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).
- X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

A Forest Buffer variance request must be approved by the county for the forest buffer impacts and review from State and Federal Agencies will be required for the proposed impacts to the 100-year floodplain

Reviewer: J. Russo – *Environmental Impact Review (EIR)*

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MAR 11 2013

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
1512 Woodlawn Dr; Parcel 1: W/S Woodlawn Dr, *
710' S c/line with Security Blvd & Parcel 2: S/S * OF ADMINISTRATIVE
Whitehead Drive, 995' SW of Security Blvd *
1st Election & 4th Councilmanic Districts * HEARINGS FOR
Legal Owners: Bernadette Rhebooth & James Jones *
Petitioner(s) * BALTIMORE COUNTY
* 2013-170-SPH

* * * * *

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

JAN 24 2013

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of January, 2013, a copy of the foregoing Entry of Appearance was mailed to Richard Matz, P.E., Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209, and Emerson L. Dorsey, Jr., Tydings & Rosenberg, LLP, 100 East 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: May 7, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0170-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on April 25, 2013. 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

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

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[New Search](#)
[GroundRent](#)
[Redemption](#)
[GroundRent](#)
[Registration](#)

Account Identifier:

District - 01 Account Number - 1700001934

Owner Information

Owner Name:	MORNING STAR BAPTIST CHURCH OF BALTIMORE COUNTY	Use:	COMMERCIAL
Mailing Address:	154 WINTERS LN BALTIMORE MD 21228-3152	Principal Residence:	NO
		Deed Reference:	1) /29925/ 00053 2)

Location & Structure Information

Premises Address	Legal Description
WOODLAWN DR 0-0000	4.0857 AC PT PARCEL 650 S SECURITY BLVD MEADOWS INDUST PARK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0095	0001	0350		0000				3	
									Plat Ref: 0027/ 0021

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
		4.0900 AC	22

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	901,000	901,000		
Improvements:	106,800	85,400		
Total:	1,007,800	986,400	986,400	986,400
Preferential Land:	0			0

Transfer Information

Seller:	FOX CHEVROLET INC	Date:	09/24/2010	Price:	\$3,800,000
Type:	ARMS LENGTH MULTIPLE	Deed1:	/29925/ 00053	Deed2:	
Seller:	FOX REALTY INC	Date:	01/14/1976	Price:	\$0
Type:	NON-ARMS LENGTH OTHER	Deed1:	/05524/ 00674	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	NONE

Homestead Application Information

Homestead Application Status:	No Application
--------------------------------------	----------------

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

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

Account Identifier:**District - 01 Account Number - 0106350870****Owner Information****Owner Name:** MORNING STAR BAPTIST CHURCH OF BALTIMORE COUNTY**Use:** INDUSTRIAL**Mailing Address:** 154 WINTERS LN
BALTIMORE MD 21228-**Principal Residence:** NO**Deed Reference:** 1) /31548/ 00256
2)**Location & Structure Information****Premises Address**
1600 WHITEHEAD RD
0-0000**Legal Description**
4.5005 AC PT LT 3
S SECURITY BLVD
MEADOWS IND PARK

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0095	0001	0310		0000				3	Plat Ref: 0031/0134

Special Tax Areas

Town	Ad Valorem	Tax Class
		NONE

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1971	31439	4.5000 AC	07

Stories **Basement** **Type** **Exterior**
SERVICE GARAGE

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2012	07/01/2012	07/01/2013
Land	1,350,000	1,350,000		
Improvements:	682,400	683,600		
Total:	2,032,400	2,033,600	2,032,800	2,033,200
Preferential Land:	0			0

Transfer Information

Seller:	FOX CHEVROLET INC	Date:	12/29/2011	Price:	\$1,700,000
Type:	ARMS LENGTH IMPROVED	Deed1:	/31548/ 00256	Deed2:	
Seller:	FLYNN & EMRICH C O	Date:	01/07/1983	Price:	\$825,000
Type:	ARMS LENGTH IMPROVED	Deed1:	/06475/ 00440	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2012	07/01/2013
County	000	0.00	
State	000	0.00	
Municipal	000	0.00	0.00

Tax Exempt:
Exempt Class:**Special Tax Recapture:**
NONE**Homestead Application Information****Homestead Application Status:** No Application

CASE NAME MORNING STAR BAPTIST
CASE NUMBER 2013-0170-SPL
DATE MARCH 21, 2013

CASE NUMBER 2013-0170-SP4
DATE MARCH 21, 2013

[illegible]

BM-CCC
1970-0212-X

SECURITY BLVD

Pt. Bk. 0000054, Folio 0113
0107583213

1986-0443-A

1600002959

6633

6611

0107000779

6601

0107000776

R-1974-0194-A

BM

Pt. Bk. 0000021, Folio 0134

Pt. Bk./Folio # 031134

WHITEHEAD CT

1979-0138-X

1974-0098-A

Pt. Bk. 0000031, Folio 0134
0106350870

1620

0107000774

NW 2-F

PDM # 010110

1 ED

095A1

4 CD

*
SITE

0102000477

*
SITE

BM

1700001934

1975-0184-X

Pt. Bk./Folio # 030141

ML IM

Pt. Bk. 0000027, Folio 0021

0102001779

0102001780

1508

Pt. Bk. 0000045, Folio 0137 1600000236

1508

NW 1-F

0119271830

SECURITY ACCESS RD

1506
0107000780

WOODLAWN DR

1600002958

2013-0170-SPH

Case No.:

2013-0170-SPH

Exhibit Sheet

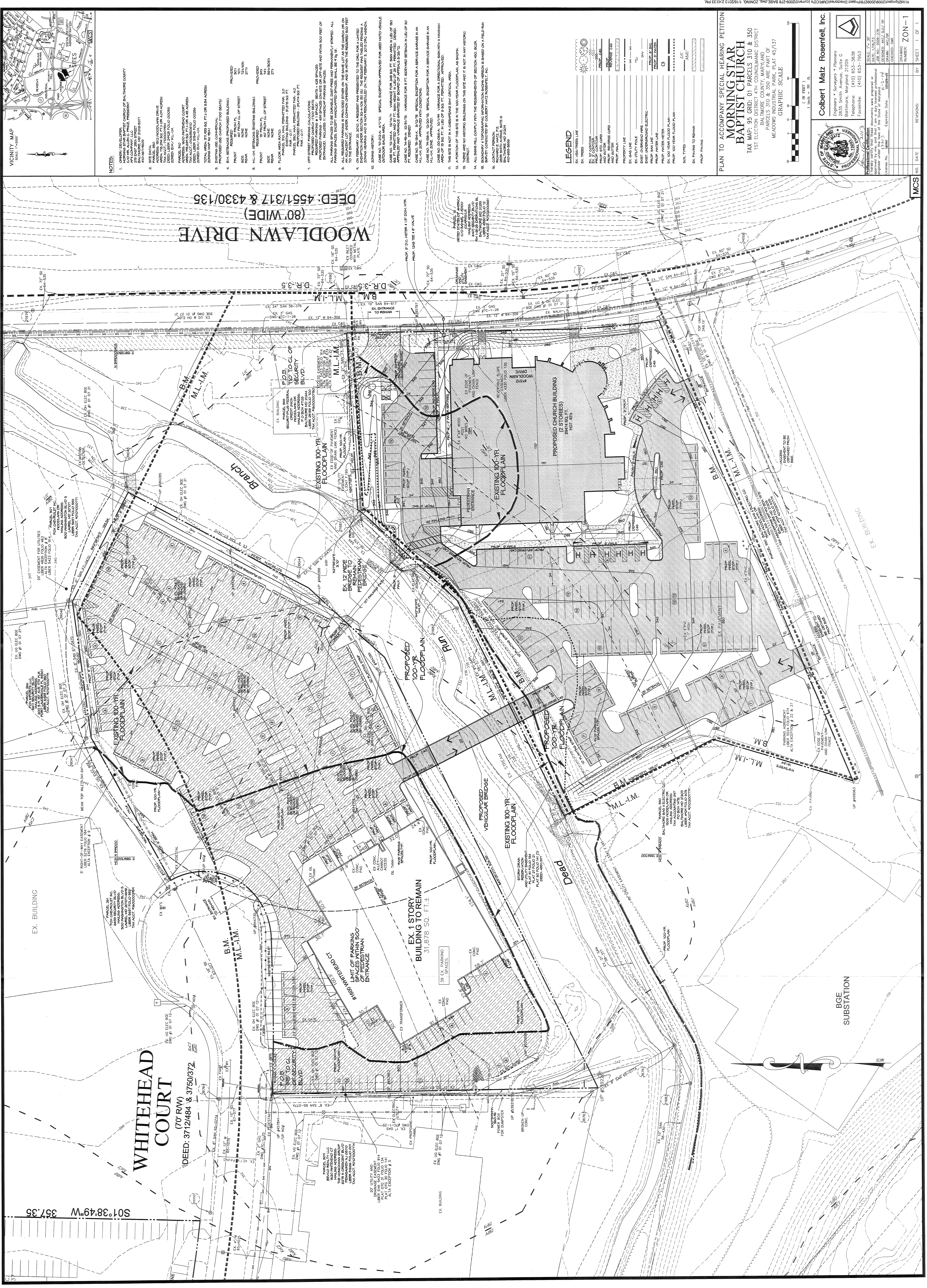
Petitioner/Developer

Protestant

93
6-1-13

SLN
3-26-13

No. 1	Site Plan	
No. 2	Aerial Photo	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



NOTES:

- [illegible]

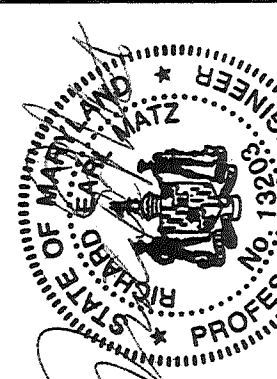
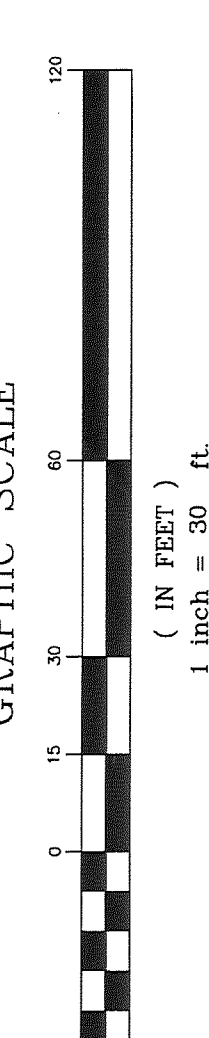
LEGEND

- | | |
|-----------------------|-----------------------|
| EX. TREES/VEGET. LINE | EX. TREES/VEGET. LINE |
| EX. VIBES | EX. VIBES |
| EX. 10' CONTOUR | EX. 10' CONTOUR |
| EX. 2' CONTOUR | EX. 2' CONTOUR |
| PROP. CONTOUR | PROP. CONTOUR |
| PROP. 5TD. C&B | PROP. 5TD. C&B |
| AND GUTTER | AND GUTTER |
| PROP. REVERSE CURVE | PROP. REVERSE CURVE |
| AND GUTTER | AND GUTTER |
| PROP. WALK | PROP. WALK |
| PROPERTY LINE | PROPERTY LINE |
| EX. 6AS LINE | EX. 6AS LINE |
| EX. UTILITY POLE | EX. UTILITY POLE |
| EXIST. OVERHEAD WIRE | EXIST. OVERHEAD WIRE |
| EXIST. UNDERGROUND | EXIST. UNDERGROUND |
| PROP. SAN. LINE | PROP. SAN. LINE |
| PROP. WATER LINE | PROP. WATER LINE |
| PROP. WATER METER | PROP. WATER METER |
| EX. 100 YEAR FLOOD | EX. 100 YEAR FLOOD |
| PROP. 100 YEAR FLOOD | PROP. 100 YEAR FLOOD |
| SOIL TYPES | SOIL TYPES |
| EX. PAVING TO REMAIN | EX. PAVING TO REMAIN |
| PROP. PAVING | PROP. PAVING |

PLAN TO ACCOMPANY SPECIAL HEARING PETITION

**MORNING STAR
BAPTIST CHURCH**

TAX MAP: 95 GRID: 01 PARCELS 310 & 350
1ST ELECTION DISTRICT 4TH COUNCLMANIC DISTRICT
BALTIMORE COUNTY MARYLAND
PARCELS 310 & 350 ARE PART OF
MEADOWS INDUSTRIAL PARK, PLAT 45/137
GRAPHIC SCALE.



Colbert Matz Rosenfelt, Inc.



Engineers • Surveyors • Planners
2835 Smith Avenue, Suite C
Baltimore, Maryland 21209
Telephone: (410) 653-3838

(10 copies) (410) 633-1952 10/16/93		SCALE 1" = 30' DATE 1/16/73 JOB NO. 2039-278 DRAWING NO. 3307/58 SHEET NO. 282 CHECKED: CMR EXTENSION DATE: 10-29-90 3244	DRAWING NUMBER: ZON-1
PROFESSIONAL CERTIFICATION I hereby certify that these documents were prepared or revised by me or under my direct supervision and in accordance with the laws of the State of Maryland. My Commission Expires: 10-29-90 3244	DATE 10/16/93	SHEET NO. 1	ZON-1



Petitioner's
No. 2