



KEVIN KAMENETZ
County Executive

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

July 11, 2013

Marvin R. and Jill Bell
6730 Dogwood Road
Baltimore, Maryland 21207

RE: Petition for Special Hearing
Case No. 2013-0269-SPH
Property: 6700 Dogwood Road

Dear Mr. and Mrs. Bell:

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 typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Timothy Kotroco, One West Pennsylvania Avenue
Towson, Maryland 21204
Rick Richardson, 30 E. Padonia Road, Suite 500
Timonium, Maryland 21093

IN RE: PETITION FOR SPECIAL HEARING *
(6700 Dogwood Road)
2nd Election District *
4th Councilmanic District *
Marvin R. Bell & Eric L. Dorsey *
Petitioners *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY
CASE NO. 2013-0269-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Special Hearing filed by Marvin R. Bell and Eric L. Dorsey, legal owners. The Petitioners are requesting a finding, pursuant to § 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) that a new church located in a DR 5.5 zone will satisfy the requirements for a Residential Transition Area (RTA) exception under B.C.Z.R. §1B01.1.B.1.g.6 . The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing held for this case was Marvin and Jill Bell, Timothy Kotroco and Rick Richardson from Richardson Engineering, LLC, the firm that prepared the site plan. There were no Protestants or interested citizens in attendance, and the file does not contain any letters of protest or opposition. The file reveals that the Petition was properly advertised and the site was properly posted as required by the Baltimore County Zoning Regulations.

Zoning Advisory Committee (ZAC) comments were received from Bureau of Development Plans Review (DPR) and the Department of Planning (DOP). These comments will be discussed at greater length below.

Testimony and evidence revealed that the subject property is approximately 3.29 acres and

ORDER RECEIVED FOR FILING

Date

7/11/13

By

Sen

is zoned DR 5.5. The Petitioners are affiliated with the Church of Christ, which is presently located off of Dogwood Road less than ¼ mile from the subject property. The Church has outgrown its current facility, and purchased this property last year in order to construct a new sanctuary, gymnasium and parking facilities, as shown on the site plan prepared by engineer Rick Richardson. Exhibit 1. The church is permitted as of right in the DR 5.5 zone, and no variances are sought. The only zoning relief required is a finding that the project will satisfy the requirements for an RTA exception.

A new church is exempt from the RTA requirements set forth in the B.C.Z.R., provided that the proposed improvements are planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and that said plan can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises. B.C.Z.R. §1B01.B.1.g.6.

As noted at the outset, the church is currently located in the same community (Richardson Heights) at 6730 Dogwood Road. The present sanctuary is an integral part of the community, and there is no reason to believe that the new facility proposed herein would not also be "compatible" with the character of this community; especially since it is the same community. It is generally understood and agreed that churches are a relatively innocuous land use category, and the subject property is bordered by an established community of single family dwellings constructed in the 1950's and Featherbed Lane Elementary School. Exhibit 1.

In these circumstances, I believe the proposed 2 story church (22,990 sf.) and 1 story gymnasium (8,250 sf.) will be compatible with the surrounding residential community. Mr. Richardson (who was accepted as an expert) testified and opined via proffer that the Petitioners would satisfy the requirements for the RTA exception, and I concur. It is important to note that

ORDER RECEIVED FOR FILING

Date

7/11/13

By

Sen

neither of the ZAC comments submitted expressed concern that the church would be incompatible with the community or detrimental to the welfare of the surrounding residential premises.

Richardson Road Connection

In their ZAC comments, both DOP and DPR have suggested that the Petitioners be required to construct and extend Richardson Lane through the site. As shown on the site plan and aerial photos (Exhibits 1-3), Richardson Road extends from Woodlawn Drive to the site, and then continues on the other side of Petitioner's property where it adjoins Featherbed Lane Elementary School. Mr. Richardson testified the road was constructed in the 1950's, and has been "disconnected" since that time. Whether or not it makes sense to connect the roadway as proposed by the County is not important for present purposes. Assuming County officials desire to make the connection, the proper course would be to file a condemnation suit to acquire the land and thereafter employ the procurement and bidding procedure to engage a contractor to construct the roadway and appurtenant improvements. The Petitioners in this case cannot be expected to bear these costs (which will be significant), and their petition cannot be denied if they do not accede to such requests.

As an initial matter, both Marvin Bell (a church official) and Mr. Richardson testified that the project cannot be completed if Richardson Road is extended through the site. Mr. Bell noted that the proposed gym (used primarily by children) would be separated from the church sanctuary by the new roadway, which would create both safety and logistical concerns. Mr. Bell testified the church would not have purchased this property if it had known of the County's plans.

There are also serious legal concerns raised by the County's request. The church, as noted earlier, is permitted as of right in the zone and no variances are being sought. Thus, it is unclear whether the County could condition approval upon the terms stated, at least at this juncture. In

ORDER RECEIVED FOR FILING

Date 7/11/13

By Den

this regard, a zoning hearing is fundamentally different than a development hearing, and it is in the latter that local governments seek to condition their approval upon an applicant's dedication of land or completion of public improvements.

And in a recent case, the Supreme Court has confirmed that the constitution imposes strict limitations on these practices. Koontz v. St. Johns River Dist. (U.S. Fla. June 25, 2013). In Koontz, the court held that a local government is entitled to require the dedication of land or expenditure of funds (here, the County's demand involves both) provided that the city makes an individualized determination that what is being requested is "related both in nature and extent to the impact of the proposed development," which it described as a "rough proportionality" test.

As shown on the site plan, the Petitioners propose to use Dogwood Road for ingress/egress, and Mr. Richardson testified that the Petitioners expect they will be required to dedicate certain property or make certain roadway improvements at the point of ingress/egress. This will be where the applicants' proposal imposes a "social cost" upon the community. But the Richardson Road connection sought by the County is located to the north of the site, and the Petitioners do not propose to use either portion of existing Richardson Road for the project. As such, only if the road is connected will there be a "social cost" to the community, consisting of not only traffic from the church but also motorists diverted from Dogwood Road looking for shortcuts through the community, as recognized in the DOP's ZAC comments.

In light of the above, I do not believe that the Petitioners can be required to dedicate land and construct the connection of Richardson Road, and the granting of the petition will not be subject to this condition.

Pursuant to the advertisement, posting of the property, and public hearing, and after considering the testimony and evidence offered, I find that Petitioners' Special Hearing request

ORDER RECEIVED FOR FILING

Date 7/11/13
By Ben

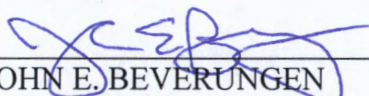
should be granted, and the site plan (Exhibit 1) is approved.

THEREFORE, IT IS ORDERED, this 11th day of July, 2013 by the Administrative Law Judge for Baltimore County, that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED, based upon a finding that the proposed improvements are planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained, and that the plan is compatible with the character and general welfare of the surrounding residential premises.

The relief granted herein shall be subject to the following:

- 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.
- Prior to building permit issuance, Petitioners must submit for approval building and sign elevations, and a landscape plan that includes a vegetative buffer around the proposed parking lot.

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:slh

ORDER RECEIVED FOR FILING

Date 7/11/13

By Den



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 6700 Dogwood Road which is presently zoned DR-5.5
Deed References: 32814/296 10 Digit Tax Account # 0208550160
Property Owner(s) Printed Name(s) Church of Christ in Carroll 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: a new church located in a DR-5.5 zone that complies with Section 1801.1.B.1.g. **6** for a finding that the proposed improvements are planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and that said plan can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises.
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)

Based on the information to be presented at the hearing

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

I, or we, agree to pay expenses of above 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

Attorney for Petitioner:

Name- Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners): Church of Christ in Carroll Co.

Marvin R. Bell / Eric L. Dorsey

Name #1 - Type or Print

Name #2 - Type or Print

Marvin R. Bell

Eric L. Dorsey

Signature #1

Signature #2

6730 Dogwood Road Baltimore Maryland
Mailing Address City State

21207-4122 / 4439746250 Marvin. Bell25@
Zip Code Telephone # Email Address
yahoo.com

Representative to be contacted:

Richardson Engineering, LLC Rick Richardson
Name - Type or Print

Signature

30 E. Padonia Road, Suite 500 Timonium Maryland
Mailing Address City State

21093 / 410-560-1502 /Rick@RichardsonEngineering.net
Zip Code Telephone # Email Address

CASE NUMBER 2013-0269-SPH Filing Date 5/14/13

Do Not Schedule Dates: Reviewer SS

**ZONING PROPERTY DESCRIPTION FOR
6700 DOGWOOD ROAD
2ND ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the **north** side right-of-way of **Dogwood Road** (22 feet) wide at a distance of **184** feet **west** of the nearest improved intersecting street **Colmar Road** which is (50 feet) wide.

Thence the following courses and distances: (1) North 60 degrees 04 minutes 30 seconds West 159.00', (2) North 39 degrees 34 minutes 30 seconds East 165.73', (3) North 60 degrees 04 minutes 30 seconds West 177.51', (4) North 39 degrees 34 minutes 30 seconds East 318.29', (5) South 49 degrees 09 minutes 58 seconds East 175.04', (6) North 39 degrees 34 minutes 30 seconds East 112.17', (7) South 49 degrees 02 minutes 30 seconds East 175.03', (8) South 41 degrees 32 minutes 30 seconds West 531.19' back to the point of beginning as recorded in deed Liber 32814, Folio 296, containing a net area of **3.18** acres. Located in the 2nd Election District and 4th Councilmanic District.



2013-02109-SPH

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: 2013-0269-SPH
Petitioner: CHURCH OF CHRIST IN CARROLL COUNTY
Address or Location: 6700 DOGWOOD RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: CHURCH OF CHRIST
Address: 6730 DOGWOOD RD
BALT, MD 21207-4122
Telephone Number: 443-974-6250

Revised 2/20/98 - SCJ

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

No. **098436**
 Date: **5-14-13**

PAID RECEIPT

BUSINESS ACTUAL TIME DM
 5/15/2013 5/14/2013 11:35:40 2
 REG #502 WALTON JENN JEE
 > RECEIPT # 024549 5/14/2013 OFFICE
 5 528 2013051400000000
 090436
 Receipt Tot 1770.00
 \$770.00 1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	306	0000		6150				\$ 770.00

Total: **\$ 770.00**

Rec From: **CHURCH OF CHRIST IN WOODBURN PARK**
 For: **2013-0269-SPH**

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

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

2013-0269-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Marvin Bell, Eric Dorsey

July 8, 2013

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

6700 Dogwood Rd

June 18, 2013

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



Sincerely,


(Signature of Sign Poster)

June 18, 2013

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

June 20, 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 June 18, 2013

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

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: #2013-0269-SPH

6700 Dogwood Road
NE/s Dogwood Road, 184 ft. W/of intersection with
Colmar Road
2nd Election District - 4th Councilmanic District
Legal Owner(s): Marvin Bell, Eric Dorsey

Special Hearing: to approve a new church located in a DR 5.5 zone that complies with Section 1801.1.B.1.g.6 for a finding that proposed improvements are planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and that said plan can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises.

Hearing: Monday, July 8, 2013 at 1:30 p.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.
JT 06/771 June 18 928853



KEVIN KAMENETZ
County Executive

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

June 10, 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: 2013-0269-SPH

6700 Dogwood Road

NE/s Dogwood Road, 184 ft. W/of intersection with Colmar Road

2nd Election District – 4th Councilmanic District

Legal Owners: Marvin Bell, Eric Dorsey

Special Hearing to approve a new church located in a DR 5.5 zone that complies with Section 1B01.1.B.1.g.6 for a finding that proposed improvements are planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and that said plan can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises.

Hearing: Monday, July 8, 2013 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a circular stamp that contains the word "Director".

Arnold Jablon
Director

AJ:kl

C: Marvin Bell, Eric Dorsey, 6730 Dogwood Rd., Baltimore 21207

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JUNE 18, 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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 18, 2013 Issue - Jeffersonian

Please forward billing to:
Church of Christ
6730 Dogwood Road
Baltimore, MD 21207

443-974-6250

NOTICE OF ZONING HEARING

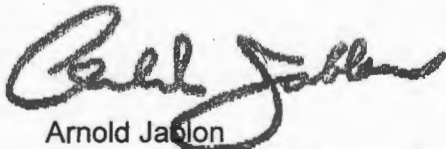
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2013-0269-SPH

6700 Dogwood Road
NE/s Dogwood Road, 184 ft. W/of intersection with Colmar Road
2nd Election District – 4th Councilmanic District
Legal Owners: Marvin Bell, Eric Dorsey

Special Hearing to approve a new church located in a DR 5.5 zone that complies with Section 1B01.1.B.1.g.6 for a finding that proposed improvements are planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and that said plan can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises.

Hearing: Monday, July 8, 2013 at 1:30 p.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.

MEMORANDUM

DATE: August 13, 2013
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2013-0269-SPH - Appeal Period Expired

The appeal period for the above-referenced case expired on August 12, 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



RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
6700 Dogwood Road; NE/S Dogwood Road,	*	
184' W of intersection of Colmar Road	*	OF ADMINISTRATIVE
2 nd Election & 4 th Councilmanic Districts	*	
Legal Owner(s): Marvin Bell & Eric Dorsey	*	HEARINGS FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	2013-269-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.

RECEIVED

MAY 22 2013



Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd of May, 2013, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2013- 0269-SPH

CHECKLIST

Comment
Received

Department

Support/Oppose/
Conditions/
Comments/
No Comment

5/24/13

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

C

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

FIRE DEPARTMENT

6/18/13

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

C

5/22/13

STATE HIGHWAY ADMINISTRATION

No Obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT

Date:

6/18/13

SIGN POSTING

Date:

6/18/13

by

Black

PEOPLE'S COUNSEL APPEARANCE

Yes



No



PEOPLE'S COUNSEL COMMENT LETTER

Yes



No



Comments, if any: _____

6/27/13
WCR

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 18, 2013

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 6700 Dogwood Road

Item Number: 13-269

Petitioner: Marvin R. Bell

Zoning: DR 5.5

Requested Action: Special Hearing



SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning offers the following:

This department strongly recommends that the developer construct the western and eastern alignments of Richardson Road. The Baltimore County *Master Plan 2020* states that neighborhoods should be developed to promote pedestrian and vehicular connectivity. The completion of Richardson Road would potentially reduce the volume of local traffic on Dogwood Road and provide the proposed church another means of ingress/egress.

The proposed road connection would most likely impact the current location of parking on the northern portion of the parking lot and some spaces may have to be eliminated. The site plan show that there are 73 additional parking spaces provided above the required 100 parking spaces.

It is possible that the proposed gym may have to be relocated or re-positioned to allow for a proposed road connection to avoid creating any potential setback deficiencies of the building from the road.

Lastly, the Department of Planning requests the following be submitted to this office for review:

1. Submit building elevations of all sides of the proposed church.
2. Submit sign elevations package of all exterior signage.
3. Provide a landscape plan. Landscaping should also be provided throughout the parking lot, at the ends of the parking rows

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

Prepared By:

Division Chief:

AVA/LL:cjm

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 27, 2013
Item No. 2013-0269

DATE: May 24, 2013

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

We recommend that this request be denied until a revised plan is submitted that shows Richardson Road and (appurtenant improvements) being extended through the property.

DAK: CEN.
Cc: file.
ZAC-ITEM NO 13-0269-05272013.doc

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



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 5-22-13

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

RE: Baltimore County
Item No 2013-0269-SPH
Special Hearing
Marvin R. Bell & Eric L. Dorsey
6700 Dogwood 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. 2013-0269-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 black ink that reads "Steven D. Foster". The signature is written in a cursive style with a large, stylized "S" and "F".

Steven D. Foster, Chief
Access Management Division

SDF/raz



KEVIN KAMENETZ
County Executive

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

July 2, 2013

Church of Christ in Carroll County
Marvin R Bell & Eric L Dorsey
6730 Dogwood Road
Baltimore MD 21207

RE: Case Number: 2013-0269 SPH, Address: 6700 Dogwood Road

Dear Mr. Bell & Mr. Dorsey:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 14, 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, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Richardson Engineering LLC, 30 E Padonia Road, Suite 500, Timonium MD 21093

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

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

Account Identifier: District - 02 Account Number - 0208550160

Owner Information

Owner Name: CHURCH OF CHRIST IN CARROLL COUNTY **Use:** RESIDENTIAL
Principal Residence: NO
Mailing Address: 6730 DOGWOOD RD **Deed Reference:** 1) /32814/ 00296
BALTIMORE MD 21207-4122 2)

Location & Structure Information

Premises Address **Legal Description**
DOGWOOD RD PT LT 1
0-0000 HIGH ACRES

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0088	0019	0224		0000			1	1	Plat Ref: 0008/0064

Special Tax Areas **Town** NONE
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
		14,900 SF	04

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

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2013	07/01/2012	07/01/2013
Land	56,400	43,200		
Improvements:	0	0		
Total:	56,400	43,200	56,400	43,200
Preferential Land:	0			0

Transfer Information

Seller: RAZA E MUSTAFA ISLAMIC CENTER INC	Date: 11/21/2012	Price: \$255,000
Type: ARMS LENGTH MULTIPLE	Deed1: /32814/ 00296	Deed2:
Seller:	Date: 06/15/2011	Price: \$29,223
Type: NON-ARMS LENGTH OTHER	Deed1: /30911/ 00174	Deed2:
Seller:	Date: 12/30/1899	Price: \$0
Type:	Deed1: /00572/ 00426	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

CASE NAME CHURCH OF CHRIST
CASE NUMBER 2013-269 SP4
DATE 7/8/13

[illegible]

7-8-13

Case No.: 2013-269-SPH

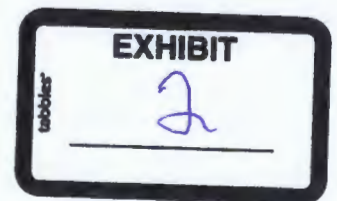
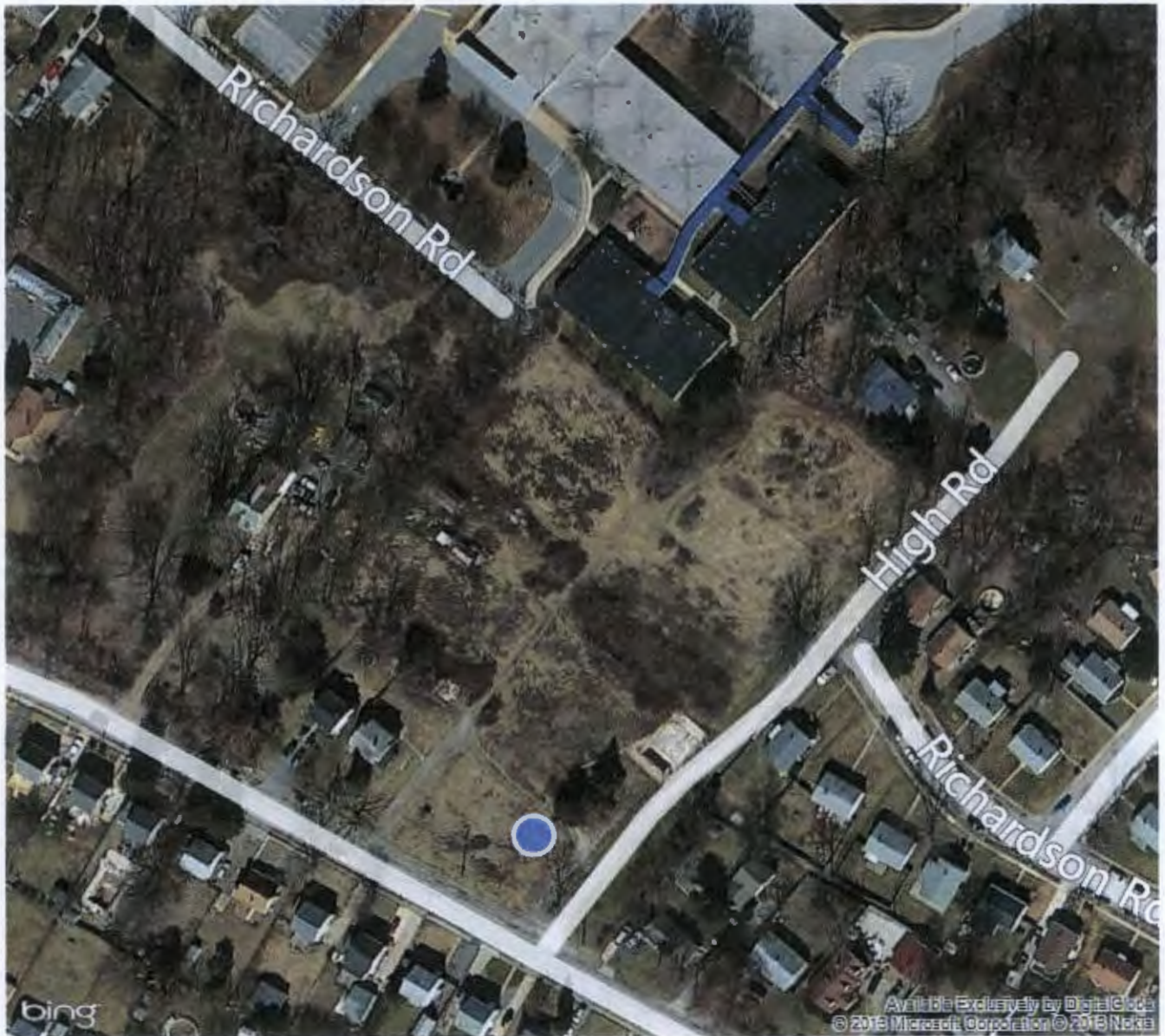
Exhibit Sheet

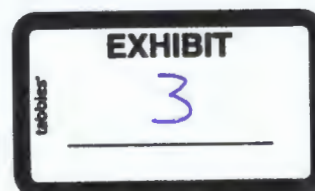
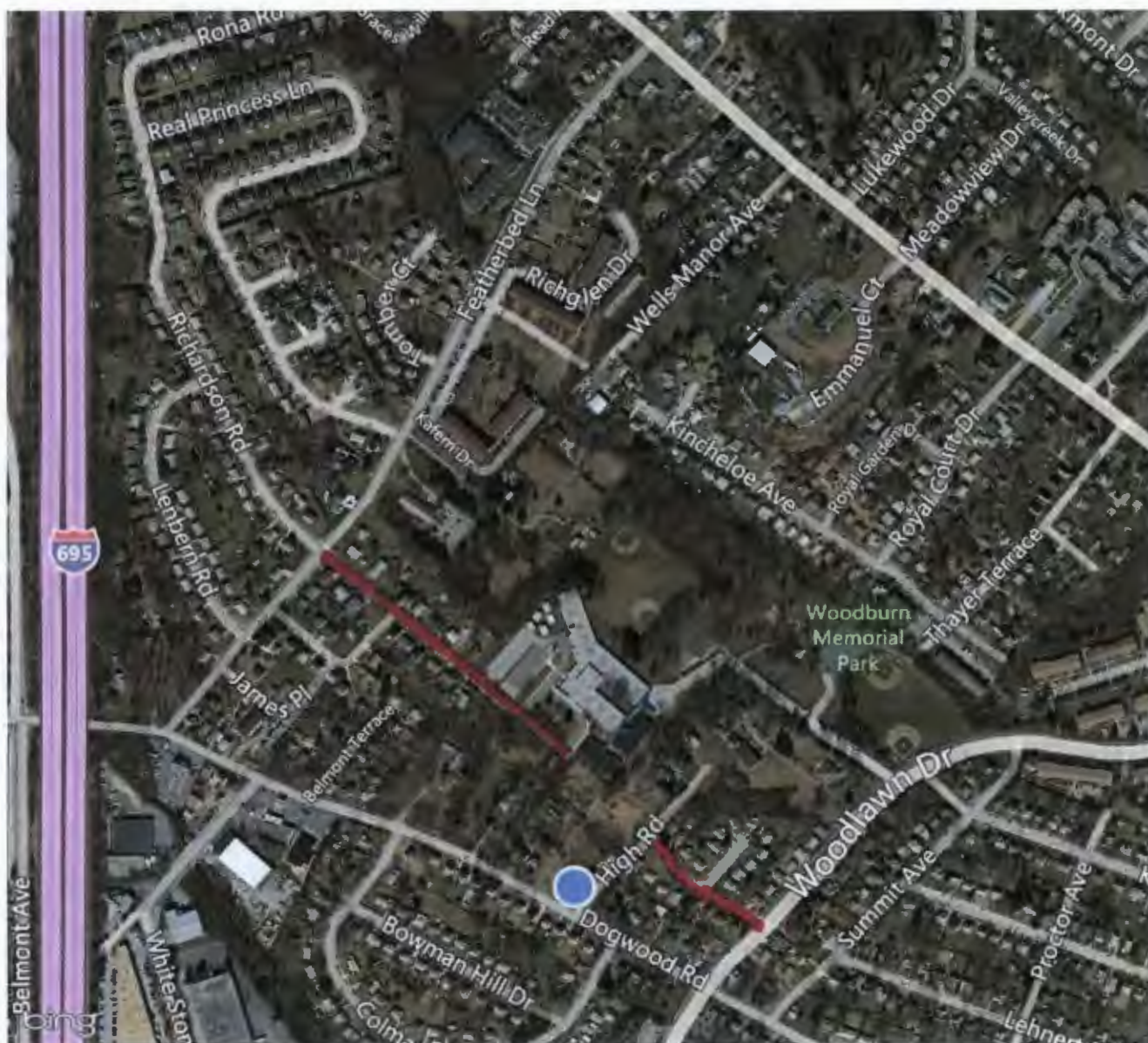
Petitioner/Developer

Protestant

195 8-13-13

No. 1	Site plan	
No. 2	Aerial photo	
No. 3	Aerial photo	
No. 4	"My Neighborhood" Map	
No. 5	photo-existing church	
No. 6	color photos- Richardson Road (East)	
No. 7	color photos Richardson Rd. (West)	
No. 8	photo-zoning notice	
No. 9	plat - High Acres	
No. 10		
No. 11		
No. 12		







My Neighborhood Map

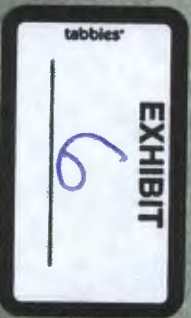
Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and court costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.

Printed 6/30/2013



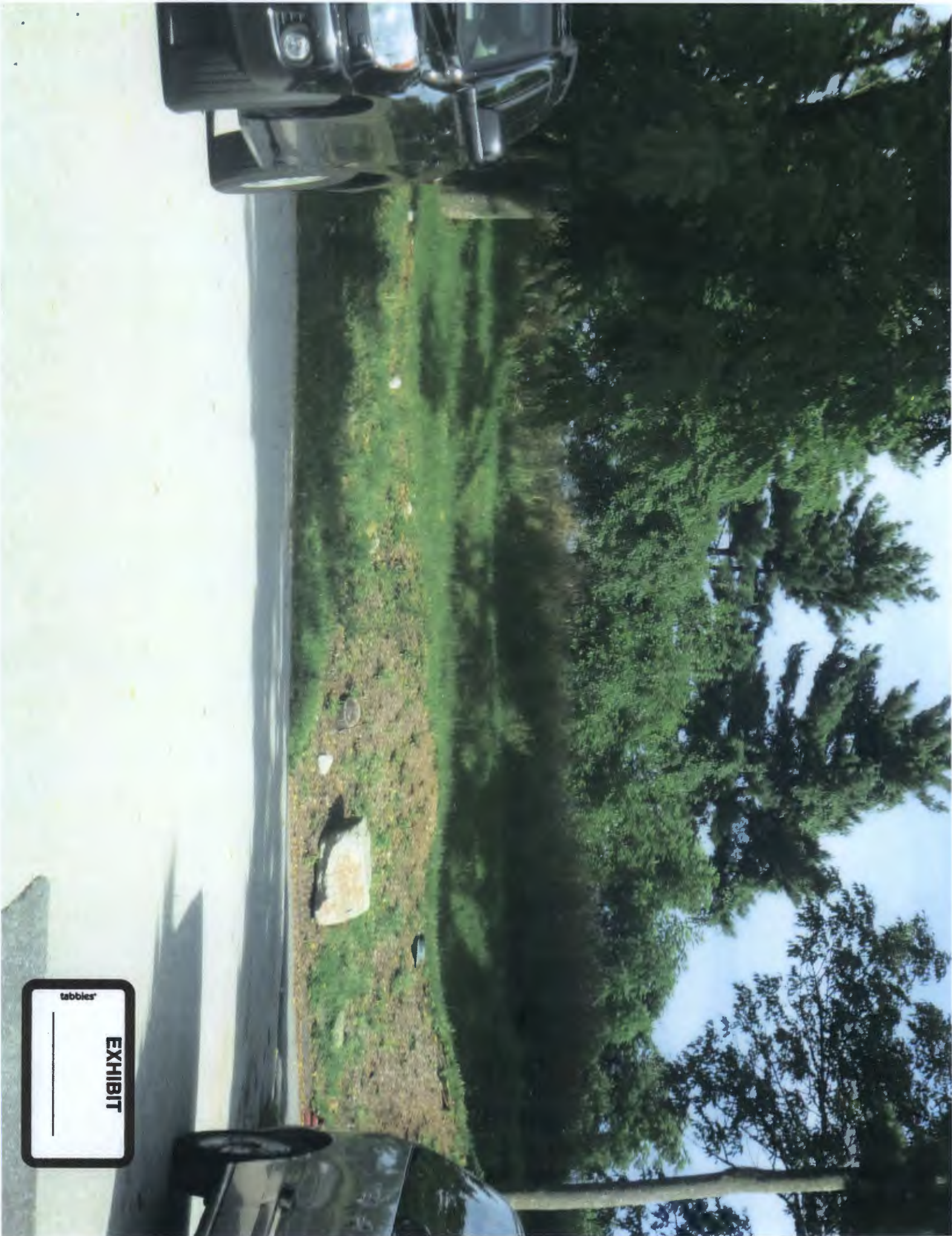






tabbles®

EXHIBIT





tabbles®

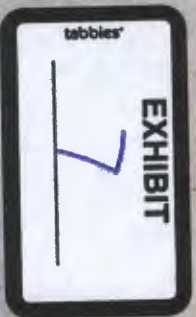
EXHIBIT

Richardson Rd

NO OUTLET

tabbles®

EXHIBIT







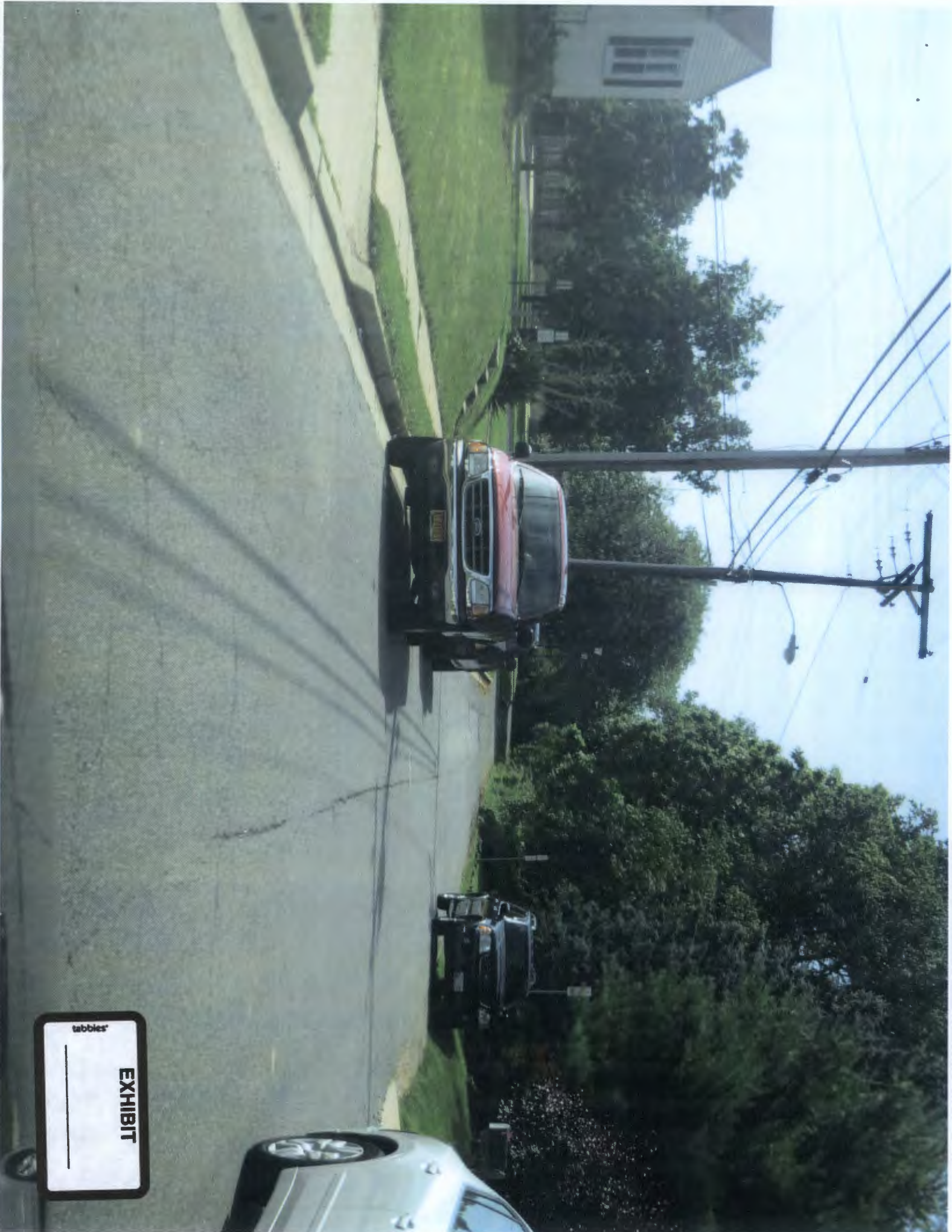
tabbies®

EXHIBIT



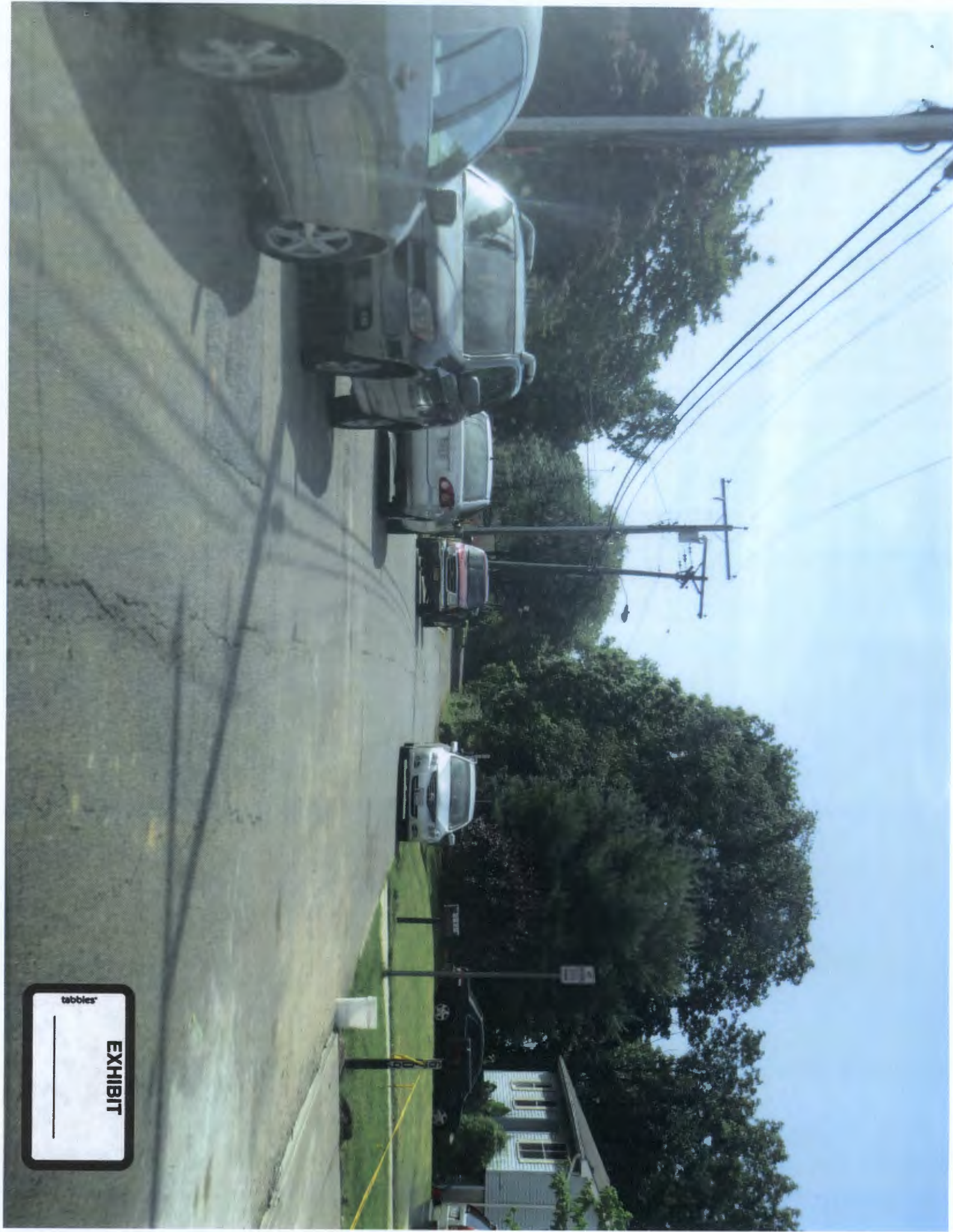
tabbles®

EXHIBIT



EXHIBIT

tabbles



tabbles®

EXHIBIT

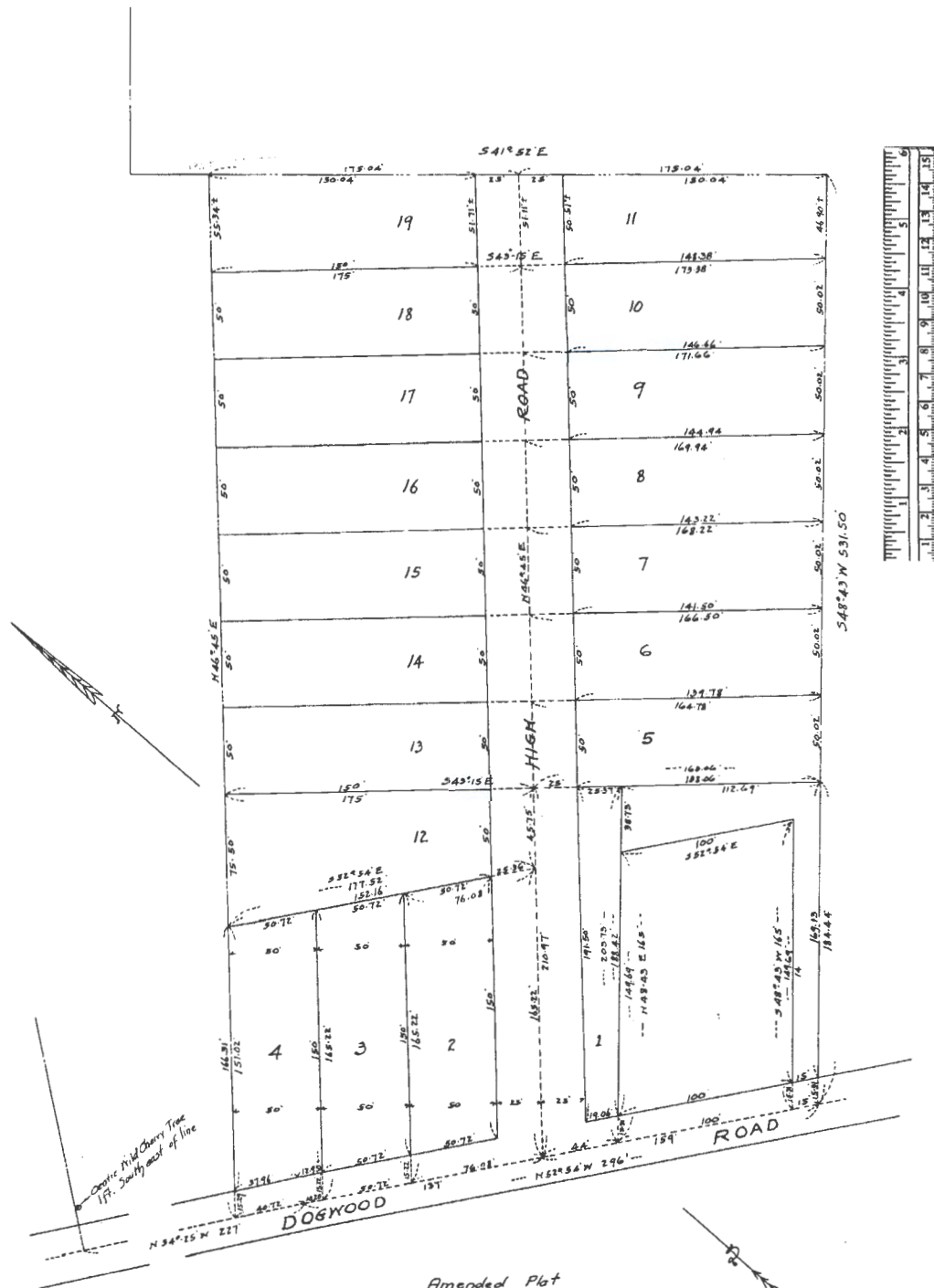


tabbles®

EXHIBIT

ZONING NOTICE
CASE # 2013-0203-SPH
A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD
ON MONDAY, SEPTEMBER 23, 2013
AT 7:00 PM
PLACE IN THE FIELD BY
SEPTEMBER 17, 2013

tabbles®
EXHIBIT
8



Amended Plot
of
part of HIGH ACRES
Margene B. Dunham. - Owner
Scale = 40 Feet to one inch.

S. J. Watterman & Co.
Surveyors & Civil Engs.
Baltimore Oct 23-1926

FILED IN 177-3612
2001-08-24
W.P. Cole
MSA CSU 2136-3612

MSA CSU 177-3612

#9

2013-269

1919 + 1926 - subdiv.

200 yds - down the road.

May - designed plan

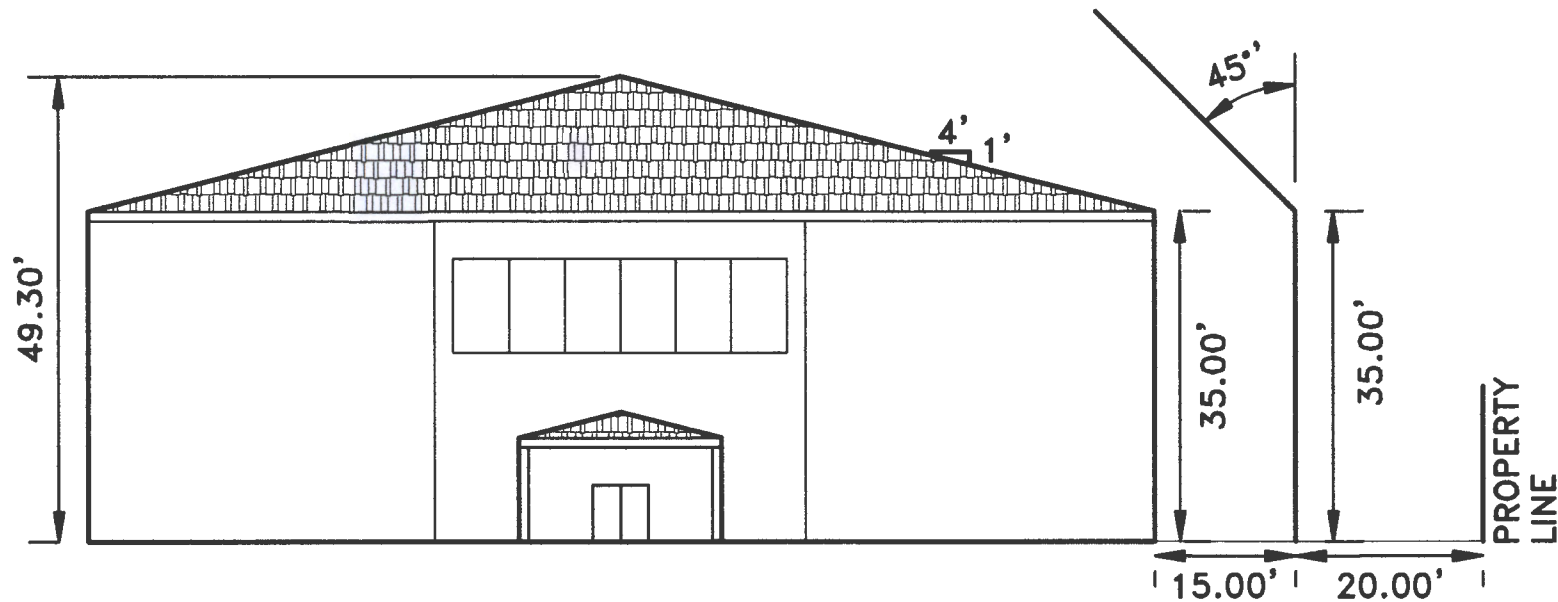
1956 - since that time Richardson

↳ constructed ~~exterior~~ Richardson Rd. (W)

→ Church wouldn't have bought this property if
it knew that County would demand the road.



G:\projects\12\12088-6700 Dogwood Road\Drawings\12088elevation.dwg, Layout1, 5/16/2013 1:20:11 PM

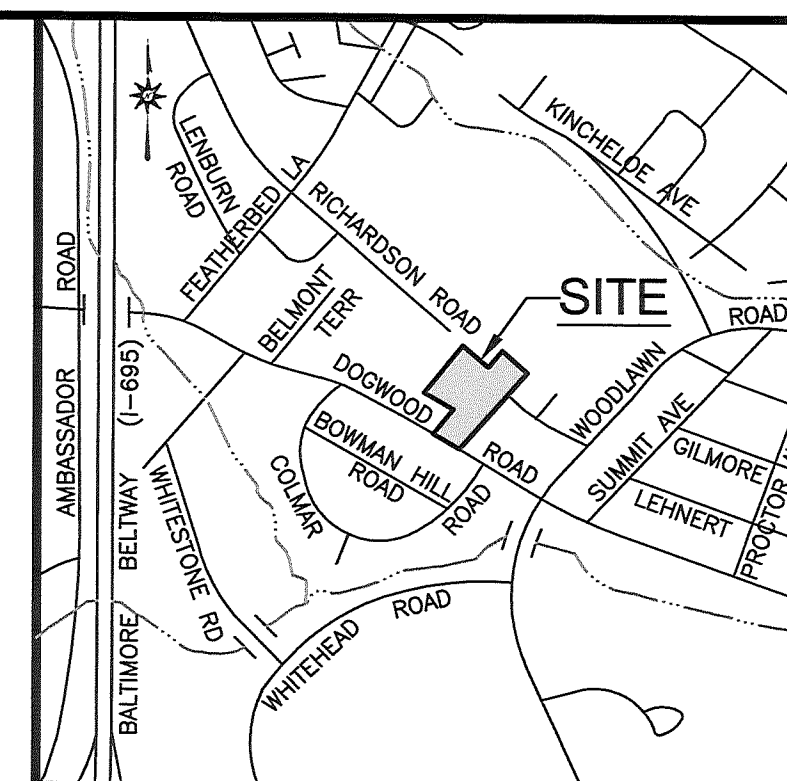
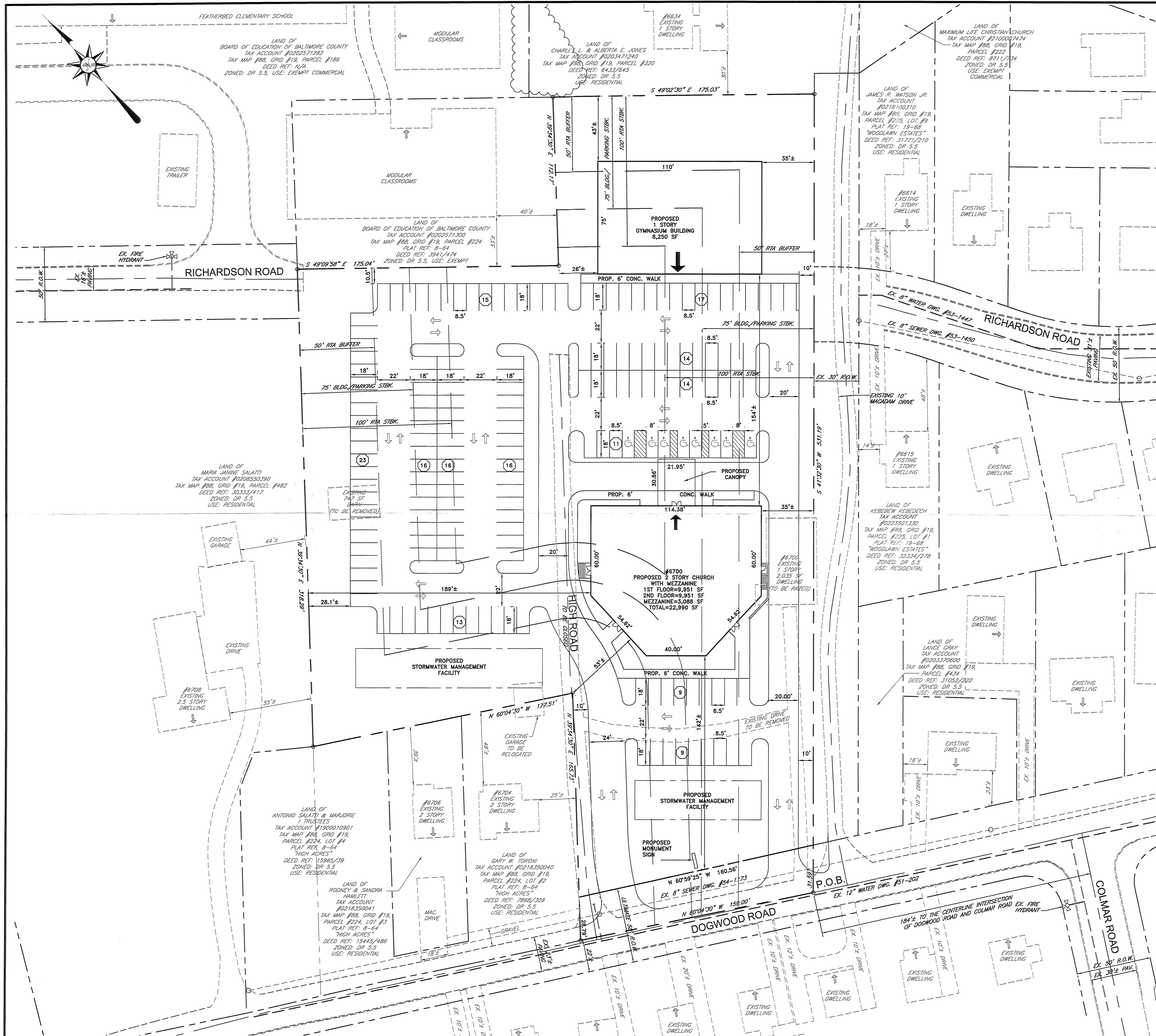


2013-0269-SPH

Richardson Engineering, LLC
 30 East Padonia Road, Suite 500
 Annapolis, Maryland 21083
 Phone: 410-560-1502 Fax: 443-801-1208

ELEVATION DRAWING
**CHURCH OF CHRIST
 IN WOODLAWN PARK**
 2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

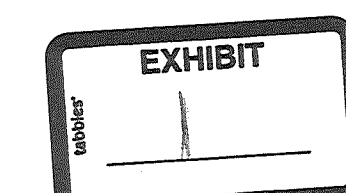
DRAWN BY: CND	DESIGNED BY: PCR	SCALE: 1"=20'
DATE: 05-16-13	JOB No.: 12088	SHEET: 1 OF 1



LOCATION MAP
SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: CHURCH OF CHRIST IN CARROLL COUNTY
6730 DOGWOOD ROAD
BALTIMORE, MD 21207-4122
- SITE AREA:
GROSS: 143,272 SF or 3.29 Ac.±
NET: 138,540 SF or 3.18 Ac.±
- DEED REF: 32,814/296
- TAX ACCOUNT: 0208550160
- COUNCILMANIC DISTRICT: 4th
- TAX MAP #88, GRID #19, PARCEL #224, LOT #1
- ZONING: DR 5.5
(PER 1"=200' ZONING MAP 088A3)
- NO PRIOR ZONING HISTORY ON FILE.
- NO KNOWN PERMITS ON FILE.
- THE PROPERTY AND STRUCTURES ARE NOT HISTORIC.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- USES
EXISTING: RESIDENTIAL LOTS
PROPOSED: CHURCH.
- SITE SERVED BY PUBLIC WATER AND SEWER.
- SITE LIES WITHIN ZONE "X" OF FLOOD INSURANCE
RATE MAP (FIRM) PANEL #2400100378 F PANEL 378
OF 580 DATED SEPTEMBER 26, 2008.
ZONE "X" IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- BUILDING AREA
EXISTING: 2,782 SF (2,782 SF TO BE REMOVED)
PROPOSED: 31,240 SF
TOTAL: 31,240 SF
- FLOOR AREA RATIO (F.A.R.)
MAX PERMITTED = 2.0
PROVIDED: 31,240/143,272 = 0.22
- PARKING
REQUIRED:
1 SPACE PER 4 SEATS @ 400 SEATS = 100 SPACES
PROVIDED: 173 SPACES (8 HANDICAPPED, 165 STANDARD)
- ANY PROPOSED SIGNS ARE TO CONFORM TO THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR).
- BUILDING HEIGHT
MAXIMUM PERMITTED: 35'
PROVIDED: 35'
- BASIC SERVICE MAPS
TYPE DEFICIENT (Y/N) NOTE
SEWER N
WATER N
TRANSPORTATION N



PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2013



Richardson Engineering, LLC

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

PLAN TO ZONING PETITION FOR THE CHURCH OF CHRIST IN WOODLAWN PARK 6700 DOGWOOD ROAD BALTIMORE, MARYLAND 21207

2ND ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND		
REVISIONS	DRAWN BY: CND	DESIGNED BY: PCR	SCALE: 1" = 30'	
	DATE: 05-08-13	JOB NO.: 12088	SHEET NO.: 1 OF 1	