

Partial
Scan



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 LASTGATE AND 2 LASTGATE ROAD, OWINGS MILLS, MD 21117 which is presently zoned D.R. 3.5
Deed References: 27533-655, 37697-382, 23958 - 158 10 Digit Tax Account # 0403025031, 0420066970, 0403025030
Property Owner(s) Printed Name(s) FIRST LATIN AMERICAN CHURCH OF THE NAZARENE OF BALTIMORE, INC.

(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; TO BE PRESENTED AT HEARING.

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

Attorney for Petitioner:

KIMBERLY A. MANUELIDES

Name- Type or Print

Signature

600 Wash. Ave, S-300 Towson MD

Mailing Address City State

21204 410-823-1881 kmanuelides@sagallaw.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

FIRST LATIN AMERICAN CHURCH OF THE NAZARENE OF BALTIMORE, INC.

Name #1 - Type or Print Name #2 - Type or Print

Signature #1 Signature #2

2 Lastgate Road Owings Mills MD

Mailing Address City State

21117

Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2017-0252-S-14A Filing Date 3/21/17

Do Not Schedule Dates: Reviewer gjh

REV. 10/4/11



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 2, 6, 10 MILLGATE, 2 LASTGATE, and 9 TOLLGATE ROADS, OWINGS MILLS, MD 21117 which is presently zoned D.R. 3.5
 Deed References: 37520-467, 27633-655, 37697 - 382, 23958-158, 36331-228 10 Digit Tax Account # 0420066971, 0422035151, 0403050424, 0403025030
 Property Owner(s) Printed Name(s) FIRST LATIN AMERICAN CHURCH OF THE NAZARENE OF BALTIMORE, INC.

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1B01.2.C.1.a.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
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SEE ATTACHED; TO BE PRESENTED AT HEARING.

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

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Contract Purchaser/Lessee:

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Attorney for Petitioner:

KIMBERLY A. MANUELIDES

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2 Lastgate Road Owings Mills MD

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Zip Code Telephone # Email Address

Representative to be contacted:

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone # Email Address

CASE NUMBER 2017-0252-SP4A Filing Date 3/21/17

Do Not Schedule Dates: Reviewer gh

**ATTACHMENT TO PETITION FOR
SPECIAL EXCEPTION AND PETITION FOR VARIANCES**

OWNER/APPLICANT: First Latin American Church of the Nazarene of Baltimore, Inc.
2 Lastgate Road, Owings Mills, MD 21117

PROPERTIES: Tax Account Nos.:
0403025030, 0403025031, 0420066970, 0420066971, 0419002890,
0422035151, and 0403050424.

The Applicant is the owner of 2 Lastgate Road, upon which was constructed a church by the previous owner. The Applicant purchased 2 Lastgate Road for the purpose of continuing and, eventually, expanding that use. The Applicant purchased the Properties that are the subject of these Petitions with the intent of expanding the Church and to facilitating its associated ministries, i.e., conducting Church outreach, adult education, conducting church-related meetings, Bible study, church council meetings, religious education for the youth, music ministry practice, and parsonage. The properties, located at 9 South Tollgate, 2 Millgate, 6 Millgate, and 10 Millgate, are each presently improved with a single family dwelling.

In order to utilize the Properties in accordance with the Plat attached to its Petitions, the Church requests:

**SPECIAL HEARING UNDER SECTION 500.7 OF THE ZONING
REGULATIONS OF BALTIMORE COUNTY TO:**

1. Change the use of existing dwellings at 9 South Tollgate Road, 2 Millgate Road, 6 Millgate Road and 10 Millgate Road from residential to church use.
2. Residential Transition Area: Confirm that the proposed site improvements (new parking) to the church site are in compliance subject to Section 1B01.1.B1.g(4) of the Zoning Regulations of Baltimore County;

Or in the alternative, confirm compliance to the extent possible for residential transition is pursuant to Section 1B01.1.B1.g(6) of the Zoning Regulations of Baltimore County.

2017-0252 - SPAA

VARIANCE FROM SECTION 1B01.2.C.1.a FOR NON-RESIDENTIAL BUILDINGS IN D.R. 3.5 ZONE:

For # 9 South Tollgate Road (Tax Acct. # 0419002890):

1. Existing front yard setback of 36' in lieu of minimum required 50'.

For # 2 Lastgate Road (Tax Acct. # 0403025030):

1. Existing front yard setback of 31' in lieu of minimum required 50'.
2. Existing rear yard setback of 20' in lieu of minimum required 30'.
3. Existing interior side yard setback of 19' in lieu of minimum required 20'.
4. Variance from Section 450 for existing freestanding identification sign with sign area/face of 46 square feet and a height of 10.5 feet in lieu of the permitted 25 square feet and height of 6 feet.

For # 2 Millgate Road (Tax Acct. # 0420066971):

1. Existing front yard setback of 23' in lieu of minimum required 50'.
2. Existing street corner side yard setback of 15' in lieu of minimum required 35'.

For # 6 Millgate Road (Tax Acct. # 0422035151):

1. Existing front yard setback of 23' in lieu of minimum required 50'.

For # 10 Millgate Road (Tax Acct. # 0403050424):

1. Existing front yard setback of 20' in lieu of minimum required 50'.
2. Existing interior side yards setback of 11' in lieu of minimum required 20'.

Because of the particular nature of the Properties, practical difficulty or unnecessary hardship to the Applicant would result, as distinguished from a mere inconvenience, if the strict letter of the applicable zoning regulations were to be applied; the practical difficulty or unnecessary hardship has not been created by any intentional action of the Applicant; the purposes of the requested Variances and Special Hearing are not based exclusively upon the desire to increase the value or income potential of the Properties; the granting of the Variances and Special Hearing will not be detrimental to or endanger the public health, security, general welfare, or morals of, and will not be injurious to the use of the other properties in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood; the granting of the Variances and Special Hearing will not adversely affect transportation, public services, population concentration, or traffic conditions within the surrounding neighborhood; and, within the intent and purposes of the Zoning Code, the Variances and Special Hearing, if granted, constitute the minimum changes necessary to afford the requested relief.

2017-0252-SP4A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 17-252

DATE: 5/12/2017

INFORMATION:

Property Address: 2 Lastgate Road
Petitioner: First Latin American Church of the Nazarene of Baltimore, Inc.
Zoning: DR 3.5
Requested Action: Special Hearing and Variance

The Department of Planning has reviewed the petition for a special hearing to determine whether or not the Administrative Law Judge should change the use of the dwellings located at #9 South Tollgate Road and #2, #6 and #10 Millgate Road and to confirm that the site is in compliance with the Residential Transition Area requirements of the Baltimore County Zoning Regulations as identified on the attachment submitted in support of the petitions. The Department has also reviewed the petition for variances to permit setback relief as listed on the attachment submitted in support of the petitions for the existing structures located at #9 South Tollgate Road, #2 Lastgate Road and #2, #6 and #10 Millgate Road.

A site visit was conducted on April 5, 2017. The Petitioners met with the Department on two separate occasions, April 11, 2017 and May 8, 2017. Pursuant to said meetings the Petitioners have addressed staff comments as shown on a plan received by this Department dated May 12, 2017.

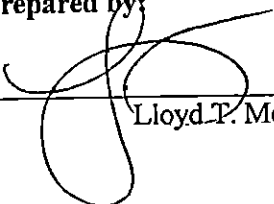
The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

- The Department will only support the use of # 10 Millgate as an ancillary residential/parsonage.
- Provide a landscape and lighting plan to the Baltimore County Landscape Architect for approval. The landscape plan shall include the additional screening as outlined in (4) and (6) of the submitted compatibility narrative received by the Department on May 8, 2017. Any dumpster proposed shall meet the requirements of Condition H of the Baltimore County Landscape Manual.

The petitioners should demonstrate to the Administrative Law Judge through the hearing that church activities can be conducted such that impacts on the adjacent residential properties are minimized. The Department commends the petitioner's proposal to provide a pedestrian sidewalk as shown on the aforesaid May 12, 2017 plan.

For further information concerning the matters stated herein, please contact Bill Skibinski at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

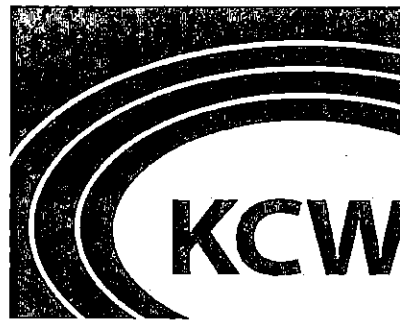
c: Bill Skibinski
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Kimberly A. Manuelides
Office of the Administrative Hearings
People's Counsel for Baltimore County

Kimberly M. Groves, P.E.
President and CEO

Melissa M. Walker
Executive Vice President, CFO

Kevin C. Anderson, Jr., P.E.
*Vice President, Director
of Land Development*

J. Peter McDonnell
Vice President



Douglas L. Kennedy, P.E.
Vice President

Reginald C. Roberts
Associate, Dry Utilities Specialist

Matthew C. Zane, L.S.
Chief of Surveys

William K. Woody, L.S.
President Emeritus

**ZONING DESCRIPTION OF
2 LASTGATE ROAD, BALTIMORE MARYLAND
PROPERTY OF
FIRST LATIN AMERICAN CHURCH OF THE NAZARRENE
4TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

Beginning for the same at the intersection of Lastgate Road (80 feet wide) and Millgate Road (50 feet wide).
Thence running with the right of way of Millgate Road the following courses and distances:

1. By a curve to the right with a radius of 25.00 feet, an arc length of 39.27 feet and subtended by a chord bearing and distance of South 17 degrees 45 minutes 27 seconds West 35.35 feet; thence
2. By a curve to the right with a radius of 170.87 feet, an arc length of 134.36 feet and subtended by a chord bearing and distance of South 85 degrees 17 minutes 39 seconds West 130.93 feet; thence
3. By a curve to the right with a radius of 170.87 feet, an arc length of 60.73 feet and subtended by a chord bearing and distance of North 61 degrees 59 minutes 48 seconds West 60.41 feet; thence
4. North 51 degrees 34 minutes 55 seconds West 67.01 feet; thence, leaving said right of way of Millgate Road (5- feet wide),
5. North 38 degrees 25 minutes 05 seconds East 103.36 feet; thence
6. North 63 degrees 20 minutes 08 seconds West 98.47 feet; thence
7. South 30 degrees 25 minutes 55 seconds West 135.65 feet to the right of way of Millgate Road (50 feet wide); thence running with the right of way of Millgate Road (50 feet wide),
8. By a curve to the left with a radius of 1,026.00 feet, an arc length of 72.70 feet and subtended by a chord bearing and distance of North 53 degrees 50 minutes 29 seconds West 72.68 feet; thence, leaving said right of way of Millgate Road (50 feet wide),
9. North 34 degrees 21 minutes 15 seconds East 145.31 feet; thence
10. North 60 degrees 37 minutes 16 seconds West 61.85 feet; thence
11. North 21 degrees 23 minutes 04 seconds East 151.28 feet; to the right of way line of South Tollgate Road (60 feet wide); thence, running with the right of way of South Tollgate Road (60 feet wide),
12. By a curve to the left with a radius of 235.00 feet, an arc length of 73.42 feet and subtended by a chord bearing and distance of South 78 degrees 01 minutes 30 seconds East 75.25 feet; thence

KCW Engineering Technologies, Inc.

810 Landmark Drive, Suite 120 • Glen Burnie, MD 21061 • **Phone:** 410.768.7700 • **Fax:** 410.768.0200 • www.kcw-et.com

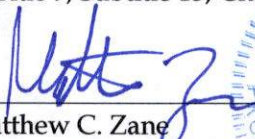
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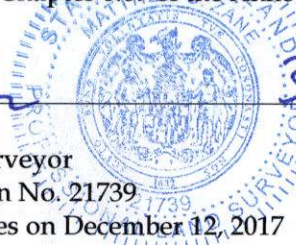
13. By a curve to the right with a radius of 93.00 feet, an arc length of 141.97 feet and subtended by a chord bearing and distance of South 43 degrees 30 minutes 23 seconds East 128.58 feet to the right of way line of Lastgate Road (60 feet wide); thence, running with the right of way of Lastgate Road (60 feet wide),
14. By a curve to the left with a radius of 180.00 feet, an arc length of 86.27 feet and subtended by a chord bearing and distance of South 13 degrees 30 minutes 15 seconds East 85.44 feet; thence
15. South 27 degrees 00 minutes 00 seconds East 254.85 feet to the point of beginning.

Containing 88,656 square feet of land more or less.

As recorded in Deeds Liber 23958, folio 158, Liber 27533, folio 655, Liber 37697, folio 382, Liber 36331, folio 228, Liber 27533, folio 655, Liber 37697, folio 382, Liber 37520, folio 467.

The undersigned hereby states that the metes and bounds description hereon was prepared by myself or under my direct supervision and that it complies with the minimum standards of practice as established in Title 9, Subtitle 13, Chapter 6.09 of the Annotated Code of Maryland as enacted and amended.


Matthew C. Zane
Professional Land Surveyor
Maryland Registration No. 21739
My registration expires on December 12, 2017


3/8/17
Date:

3/8/12

W. J. Hall

