

MEMORANDUM

DATE: September 5, 2018
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2018-0287-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on September 4, 2018. 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

**IN RE: DEVELOPMENT PLAN HEARING & *
PETITIONS FOR SPECIAL HEARING,
& VARIANCE ***

(RAVEN RIDGE)
2nd Election District
4th Council District

(9138 Liberty Road)

Trustees of Collective Christian
Ministries, Inc., Collective Christian
Ministries, Inc., P&S Development Co. &
Edward Jr. & Cleotha McLaurin
Legal Owners

P & S Development Co.
Applicant/Developer

BEFORE THE OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY

**HOH Case No. 02-0787 and
Zoning Case No. 2018-0287-SPHA**

* * * * *

**ADMINISTRATIVE LAW JUDGE'S
DEVELOPMENT PLAN AND ZONING
OPINION & ORDER (COMBINED HEARING)**

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for a public hearing on a development proposal submitted in accordance with Article 32, Title 4, of the Baltimore County Code ("BCC"). Trustees of Collective Christian Ministries, Inc., Collective Christian Ministries, Inc., P & S Development Co. and Edward Jr. & Cleotha McLaurin, *Legal Owners*, and P & S Development Co., *Applicant/Developer*, of the subject property, (hereinafter "the Developer"), submitted for approval a one-sheet redlined Development Plan ("Plan") prepared by Colbert, Matz, Rosenfelt, LLC, known as "Raven Ridge."

The Developer is proposing 17 single family detached dwellings and two (2) existing church structures on 5.17 gross acres zoned D.R. 5.5, R-O, OR-1 and CB. The property is currently improved with two (2) church structures which will remain.

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Date 8-3-18

By WJ

The Developer also has filed a Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") as follows:

1. To amend the previously approved site plan and Order in Zoning Case No. 2005-0250-A to remove the proposed and never constructed 3,523 sq. ft. assembly hall and potential 3,608 sq. ft. expansion building and 69 space parking lot and to affirm the Residential Transition Area ("RTA") relief of 10 ft. for the existing church,
2. To approve a modified parking plan as permitted by BCZR, § 409.12.B, for the existing parking conditions for the existing use,
3. To grant the recommendation of the Director of Environmental Protection and Sustainability ("DEPS") and to grant a Special Variance to permit the removal of specimen trees in accordance with BCC § 33-6-116(g), and
4. To approve a waiver from Baltimore County Standard Design Plate R-J-4 to permit a public street with a 50 ft. right-of-way with 28 ft. wide paving in lieu of the required 50 ft. right-of-way with 30 ft. wide paving.

Finally, Developer has filed a Petition for Variance from the BCZR as follows:

1. § 1B01.2.C.1.b, to permit a minimum distance of 11 ft. from the front building face to public street right-of-way in lieu of the required 25 ft. for Lot No. 7,
2. § 1B01.2.C.1.b, to permit a minimum distance of 6 ft. from the side building face to public street right-of-way in lieu of the required 15 ft. for Lot No. 7, and
3. § 301.1.A, to permit an 18 ft. rear yard setback from an open porch to the rear property line in lieu of the required 22.5 ft. for Lot Nos. 5-7 and 9-16.

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By [Signature]

The development and zoning cases were considered at a combined hearing as permitted by BCC § 32-4-230. Details of the proposed development are more fully depicted on the redlined one-sheet Development Plan that was marked and accepted into evidence as Developer's Exhibit 2. The property was posted with the Notice of Hearing Officer's Hearing and Zoning Notice on June 23, 2018, in compliance with the regulations, in order to inform all interested citizens of the date and location of the hearing. The undersigned conducted the hearing on July 27, 2018, at 10:00 AM, Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland.

In attendance at the Hearing Officer's Hearing (HOH) in support of the Plan on behalf of the Developer and property owner were Edward McLaurin, Cleo McLaurin, Dalmir Rodrigues, Richard Matz, Tony Corteal, Tom Scherr, Gavin Scherr, and Matthew Bishop, landscape architect, with Colbert, Matz & Rosenfelt, LLC, the consulting firm that prepared the site plan. Timothy M. Kotroco, Esquire appeared and represented the Developer. Several members of the community (whose names are on the sign-in sheets in the file) attended the hearing to obtain additional information regarding the project.

Numerous representatives of the various Baltimore County agencies who reviewed the Plan also attended the hearing, including the following individuals from the Department of Permits, Approvals and Inspections ("PAI"): Darryl Putty, Project Manager, Eugene Cauley, Development Plans Review ("DPR")/Department of Public Works ("DPW"), LaChelle Imwiko, DPR/Recreation and Parks ("R&P"), and Leonard Wasilewski (Office of Zoning Review). Also appearing on behalf of the County were Steve Ford from the Department of Environmental Protection and Sustainability ("DEPS"), and Jeffrey D. DelMonico from the Department of Planning ("DOP").

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Date 8-3-18

By [Signature]

All County agency representatives (with one exception noted below) indicated the Plan addressed all comments submitted by their agency, and they each recommended approval of the Plan. Mr. DelMonico indicated that although the DOP approved a pattern book (Baltimore County Exhibit 5) for the project, that agency noted in its compatibility findings (Baltimore County Exhibit 6) that the proposed dwelling accessed from Liberty Road should provide parking in the rear of the dwelling rather than in a front-loaded garage as shown on the Plan.

In its case, the Developer presented one (1) witness: Matthew Bishop with Colbert, Matz, & Rosenfelt, LLC, a registered landscape architect who was accepted as an expert. The witness described the project in detail and also discussed the zoning requests, as detailed in a subsequent portion of this Order. Mr. Bishop described the means of access to the project, which will primarily consist of 16 single family dwellings oriented around a cul-de-sac. As noted above, one single-family dwelling shown on the Plan will be accessed from Liberty Road. The witness also testified that the Developer prefers to construct homes with front-loaded garages, which is a more modern design sought by purchasers. With respect to the one home accessed off of Liberty Road, Mr. Bishop testified there will be ample room for the owners to back their vehicle out of the garage and into a paved turn around shown on the Plan. He opined this would be a safe configuration and would not require owners to back out of the driveway onto Liberty Road. In conclusion, Mr. Bishop opined Developer satisfied all Baltimore County development rules and regulations.

The BCC provides that the "Hearing Officer shall grant approval of a development plan that complies with these development regulations and applicable policies, rules and regulations." BCC § 32-4-229. Based on the testimony and evidence presented by the Developer, and confirmation from the various County agencies that the Plan satisfies those agencies'

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By [Signature]

requirements, I find that the Developer has satisfied its burden of proof and, therefore, the Development Plan shall be approved.

VARIANCE REQUESTS

The zoning petition filed in this case contains three (3) variance requests, as detailed hereinabove. There were no substantive Zoning Advisory Committee ("ZAC") comments received from any of the County reviewing agencies.

Variances

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

Mr. Bishop testified the property is irregularly shaped with the one lot on Liberty Road creating a "finger" off of the otherwise rectangular tract. The property is therefore unique. If the regulations were strictly interpreted, Developer would experience a practical difficulty because it would be unable to build the dwelling units shown on the Plan. Finally, I find that the variances can be granted in harmony with the spirit and intent of the BCZR, and in such manner as to grant relief without injury to the public health, safety and general welfare. This is demonstrated by the lack of Baltimore County and/or community opposition.

With regard to the proposed dwelling on Liberty Road, I believe the means of ingress and egress described by Mr. Bishop would be safe and should be approved. DOP representatives stressed safety is in fact the paramount consideration (more so than concerns with aesthetics and/or compatibility) and I believe Developer successfully addressed that point. In addition, the

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By 122

State Highway Administration ("SHA") submitted a ZAC comment indicating that agency will need to review and approve the proposed means of ingress/egress from this lot. I trust the SHA will issue a "residential access permit" only if it is satisfied the access is safe and satisfies state guidelines.

Two remaining items need to be addressed. First, the DPW approved "waivers" permitting a 40 ft. cul-de-sac radius (in lieu of 60 ft.) and street paving width of 28 ft. in lieu of 30 ft. Mr. Bishop testified such requests are routinely granted and he explained they allow the developer to provide wider sidewalks and less impervious surface in the community. These are worthwhile goals and I will approve the waivers.

The final point concerns a Special Variance granted by DEPS, permitting "critical impacts to five specimen trees." Developer's Exhibit 2, Note 15. Mr. Ford testified DEPS analyzed the request and determined Developer satisfied the requirements set forth at BCC § 33-6-116. No evidence or argument was presented to suggest that agency's analysis was defective or incorrect, and I will accept the recommendation and grant the Special Variance.

For purposes of clarification, only two (2) specimen trees will be removed from the subject property. The Developer indicated three (3) other specimen trees located off site (but close to the property boundary) could be impacted, which will require the Developer to observe certain root protection measures, as determined in the sole discretion of DEPS.

THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 3rd day of **August, 2018**, that the "**RAVEN RIDGE**" redlined Development Plan, marked and accepted into evidence as Developer's Exhibit 2, be and is hereby **APPROVED**, subject to the conditions noted below.

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Date 8-3-18

By DW

IT IS FURTHER ORDERED that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("BCZR") as follows:

1. To amend the previously approved site plan and Order in Zoning Case No. 2005-0250-A to remove the proposed and never constructed 3,523 sq. ft. assembly hall and potential 3,608 sq. ft. expansion building and 69 space parking lot and to affirm the Residential Transition Area ("RTA") relief of 10 ft. for the existing church; and
2. To approve a modified parking plan as permitted by BCZR, § 409.12.B, for the existing parking conditions for the existing use; and
3. To approve a waiver from Baltimore County Standard Design Plate R-J-4 to permit a public street with a 50 ft. right-of-way with 28 ft. wide paving in lieu of the required 50 ft. right-of-way with 30 ft. wide paving,

be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Variance from the BCZR as follows:

1. § 1B01.2.C.1.b, to permit a minimum distance of 11 ft. from the front building face to public street right-of-way in lieu of the required 25 ft. for Lot No. 7,
2. § 1B01.2.C.1.b, to permit a minimum distance of 6 ft. from the side building face to public street right-of-way in lieu of the required 15 ft. for Lot No. 7, and
3. § 301.1.A, to permit an 18 ft. rear yard setback from an open porch to the rear property line in lieu of the required 22.5 ft. for Lot Nos. 5-7 and 9-16,

be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for Special Variance to accept the recommendation of the Director of the DEPS and to permit the removal of two (2) specimen

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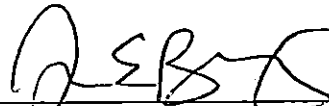
By [Signature]

trees in accordance with BCC § 33-6-116(g), as approved by DEPS on May 17, 2018, be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following condition(s):

- Prior to recordation of a plat for the project, Developer shall pay to Baltimore County \$51,365.43, which represents the required fee in lieu of providing approximately 14,634 sq. ft. of open space, as detailed on Baltimore County Exhibit 2.

Any appeal of this Order shall be taken in accordance with Baltimore County Code, § 32-4-281.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

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Date 8-3-18

By dlw



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 See Attachment A which is presently zoned DR 5.5 & RO
Deed References: See Attachment A 10 Digit Tax Account # See Attachment A
Property Owner(s) Printed Name(s) See Attachment A

(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 Attachment B

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

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

See Attachment B

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)

To Be Presented at 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:

P&S Development ^{Company} (Tom Scherr Vice President)

Name- Type or Print

See Attachment C

Signature

701 Fern Valley Circle Baltimore MD
Mailing Address City State

21228 (410) 744-8589 / tscher50@gmail.com
Zip Code Telephone # Email Address

Attorney for Petitioner:

Timothy M. Kotroco, Esquire

Name- Type or Print

Signature

305 Washington Ave. Towson MD
Mailing Address City State

21204 (410) 299-2943 / tkotroco@gmail.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

See Attachment C

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code Telephone # Email Address

Representative to be contacted:

Richard Matz

Name- Type or Print

Signature

2835 Smith Avenue Baltimore MD
Mailing Address City State

21209 (410) 653-3838 / dmatz@cmrengineers.com
Zip Code Telephone # Email Address

CASE NUMBER 2018-0287-SPHA Filing Date 4/23/2018

Do Not Schedule Dates:

Reviewer JWP

Attachment A

Addresses/Deed References/10 Digit Tax Account #'s

Address	Owner	Deed Ref.	10 Digit Tax Acc. #
9136 Liberty Road	Collective Christian Ministries Inc.	19900/00065	0223001430
9138 Liberty Road	Trustees of Collective Christian Ministries Inc.	15350/00113	1900001570
Liberty Road	Edward and Cleotha McLaurin	29953/00442	0216150180
Liberty Road	P&S Development ^{Company} (Tom Scherr)	21288/00131	0202003590

Attachment B

Special Hearing Requests

Special Hearing as permitted by BCZR §500.7 to:

1. Amend the previously approved site plan and Order in zoning case No. 05-250-A to remove the proposed and never constructed 3,523 sf assembly hall and potential 3,608 sf expansion building and 69 space parking lot and to affirm the RTA relief of 10' for the existing Church.
2. To approve a modified parking plan as permitted by the Baltimore County Zoning Regulations (BCZR) §409.12.B. for the existing parking conditions for the existing use.
3. To grant the recommendation of the Director of Environmental Protection and Sustainability (DEPS) and to grant a Special Variance to permit the removal of specimen trees in accordance with Baltimore County Code (BCC) §33-6-116 (g).
4. To approve a waiver from Baltimore County Standard Design Plate R-J-4 to permit a public street with a 50 ft. right-of-way with 28 ft. wide paving in lieu of the required 50 ft. right-of-way with 30 ft. wide paving.

Variance Requests

Request Variances from:

1. BCZR §1B01.2.C.1.b, to permit a minimum distance of 11' from the front building face to public street right of way in lieu of the required 25 ft. for Lot No. 7.
2. BCZR §1B01.2.C.1.b, to permit a minimum distance of 6' from the side building face to public street right of way in lieu of the required 15 ft. for Lot No. 7.
3. BCZR §301.1.A, to permit an 18' rear yard setback from an open porch to the rear property line in lieu of the required 22.5' for lots 5-7 and 9-16.

Combined Hearing Request

Request for a Combined Hearing as permitted by BCC §32-4-230:

1. Request for a combined development plan and zoning case hearing as permitted by Baltimore County Code (BCC) §32-4-230.

Attachment C

Legal Owners / *Contract Purchaser*

Name #4: P&S Development, ^{Company} (Tom Scherr, Vice President)

Signature #4: _____

Tom M. Scherr

Mailing Address: 701 Fern Valley Circle, Baltimore, MD

Zip Code: 21228

Telephone #: (410) 744-8589

Email Address: tscherr50@gmail.com

Attachment C

Legal Owners

Name #1: Collective Christian Ministries Inc.

Signature #1: Maude Brown - TRUSTEE

Mailing Address: 9138 Liberty Road, Randallstown, MD

Zip Code: 21133

Telephone #: 410-521-3100

Email Address: EMCLAURIN@MSN.COM

Attachment C

Legal Owners

Name #2: Trustees of Collective Christian Ministries Inc.

Signature #2: 

Mailing Address: 9138 Liberty Road, Randallstown, MD

Zip Code: 21133

Telephone #: 410-521-3100

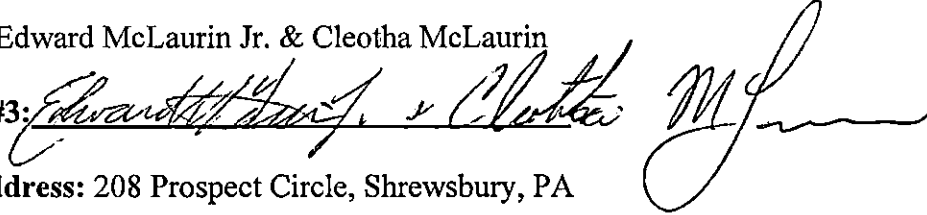
Email Address: EMCLAURIN@MSN.COM

Attachment C

Legal Owners

Name #3: Edward McLaurin Jr. & Cleotha McLaurin

Signature #3:

Handwritten signatures of Edward McLaurin Jr. and Cleotha McLaurin in cursive script, written over a horizontal line.

Mailing Address: 208 Prospect Circle, Shrewsbury, PA

Zip Code: 17361

Telephone #: 717-235-1520

Email Address: EMCLAURIN @ MSN. COM

Zoning Property Description for
9136, 9138 Liberty Road and two other properties located between Liberty Road and Tali
Drive, Randallstown, MD

Beginning at a point located on the northwest side of Liberty Road which is 66' wide at the distance of 908' east of the centerline of the nearest improved intersecting street Chapman Road which is 50' wide. **Thence** the following courses and distances, referred to the Maryland Coordinate System (NAD '83/91):

North 32 degrees 30 minutes 23 seconds East, 200.13' to a point; North 32 degrees 13 minutes 37 seconds East, 324.91' to a point; South 59 degrees 22 minutes 52 seconds East, 119.00' to a point; South 59 degrees 22 minutes 52 seconds East, 50.00' to a point; South 59 degrees 22 minutes 52 seconds East, 60.93' to a point; South 59 degrees 22 minutes 52 seconds East, 283.35' to a point; South 30 degrees 28 minutes 44 seconds West, 215.76' to a point; South 30 degrees 12 minutes 38 seconds West, 107.31' to a point; North 59 degrees 47 minutes 22 seconds West, 75.00' to a point; South 30 degrees 12 minutes 38 seconds West, 201.21' to a point; Radius of 11,487.10' and length of 76.65' to a point; North 32 degrees 37 minutes 53 seconds East, 202.92' to a point; North 59 degrees 24 minutes 12 seconds West, 151.40' to a point; North 59 degrees 24 minutes 12 seconds West, 75.16' to a point; South 32 degrees 30 minutes 07 seconds West, 200.42' to a point; North 60 degrees 02 minutes 31 seconds West, 154.09' to a point; and place of beginning.

Containing an area of $\pm 212,993$ square feet or ± 4.88 acres of land, more or less and being located in the 2nd election district and the 4th councilmanic district of Baltimore County Maryland.



2018-0287-SPHA

Debra Wiley

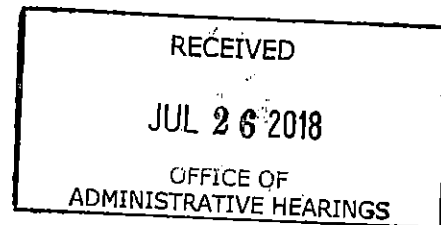
From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Wednesday, July 25, 2018 10:03 PM
To: Administrative Hearings
Subject: Raven Ridge Combined Hearing Certs Liberty Rd. & Tale Drive
Attachments: Liberty Rd. Cert.jpeg; Liberty Rd. Photos.docx; Tali Drive Photos .docx; DPH Raven Ridge Cert.jpeg; Combined Development Plan Hearing PAI.docx; Tali Drive Photos #2.docx

Hi Sherry,

I have attached the Certifications and supporting photos for the Combined Hearing for Raven Ridge Case # 2018-0287-SPHA & Development Plan Hearing PAI # 02-0787 with all supporting photos.
Thank you,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com



SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 7/25/2018

Case Number: 2018-0287-SPHA

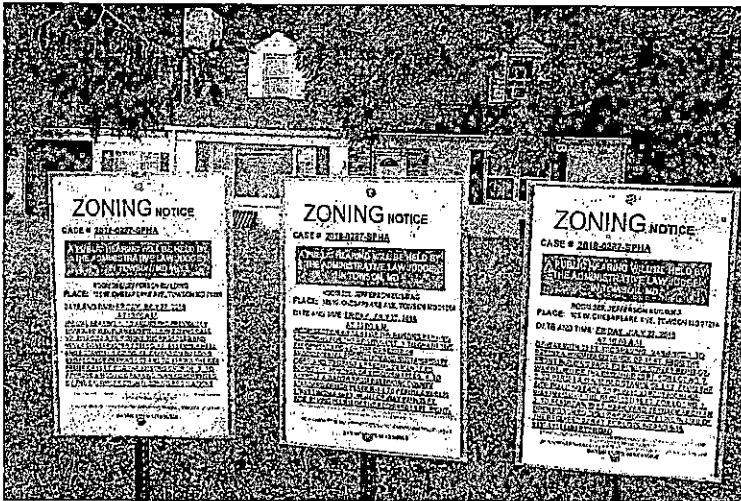
Petitioner/ Developer: TIMOTHY KOTROCO, ESQ. ~ TOM SCHERR ~
RICHARD MATZ of COLBERT, MATZ & ROSENFELT, LLC

Date of Hearing: JULY 27, 2018

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:
9136, 9138 LIBERTY ROAD & TALI DRIVE (ON-SITE)

The sign(s) were posted on: JUNE 23, 2018

The sign(s) were re-photographed on: JULY 25, 2018



9136 Liberty Road

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)

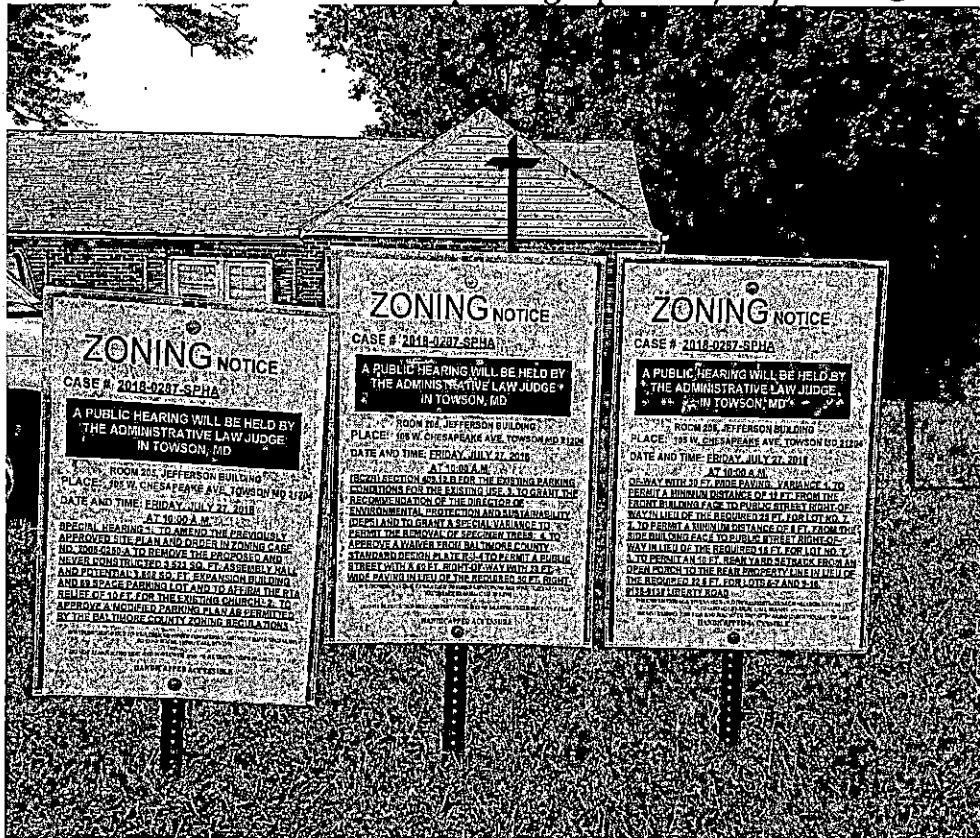
RECEIVED

JUL 26 2018

OFFICE OF
ADMINISTRATIVE HEARINGS

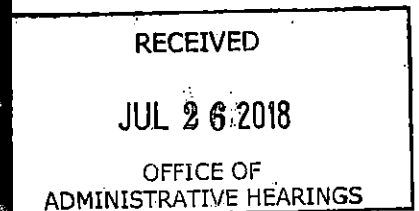


Case # 2018-0287-SPHA Rephotographed 7/25/2018 @ 9136 Liberty Rd.



RECEIVED
JUL 26 2018
OFFICE OF
ADMINISTRATIVE HEARINGS

Case # 2018-0287-SPHA Rephotographed 7/25/2018 @ 9138 Liberty Rd.



Right Side of End of Tali Drive Rephotographed 7/25/2018
CASE # 2018-0287-SPHA

SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 7/25/2018

PAI Number: 02-0787

Combined Case Number: 2018-0287-SPHA

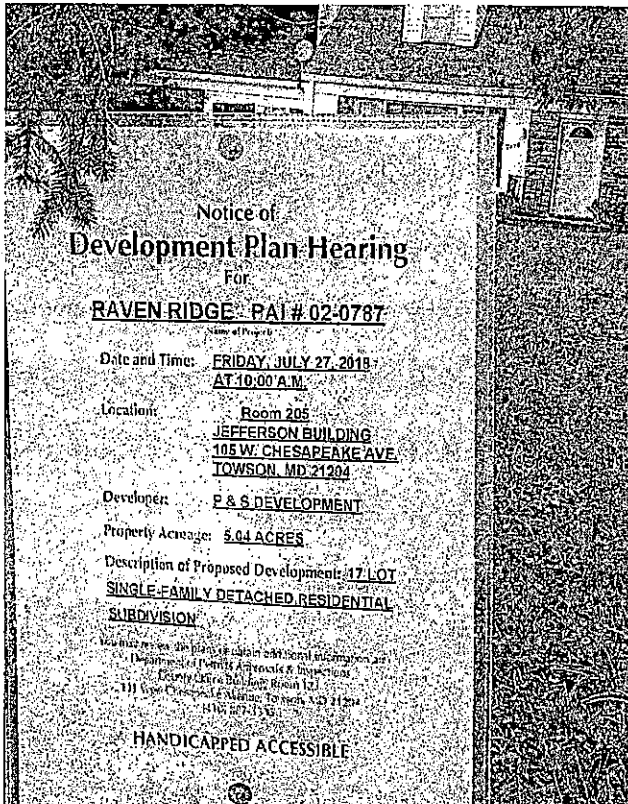
Petitioner / Developer: TIMOTHY KOTROCO, ESQ. ~ TOM SCHERR ~
RICHARD MATZ of COLBERT, MATZ & ROSENFELT, LLC

Date of Hearing: JULY 27, 2018

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:
9136, 9138 LIBERTY ROAD & TALI DRIVE (ON-SITE)

The sign(s) were posted on: JUNE 23, 2018

The sign(s) were re-photographed on: JULY 25, 2018



9136 Liberty Road

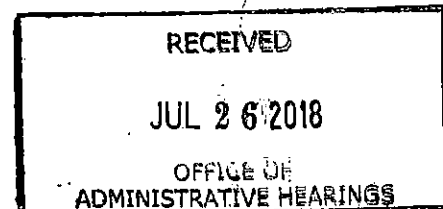
Linda O'Keefe
(Signature of Sign Poster)

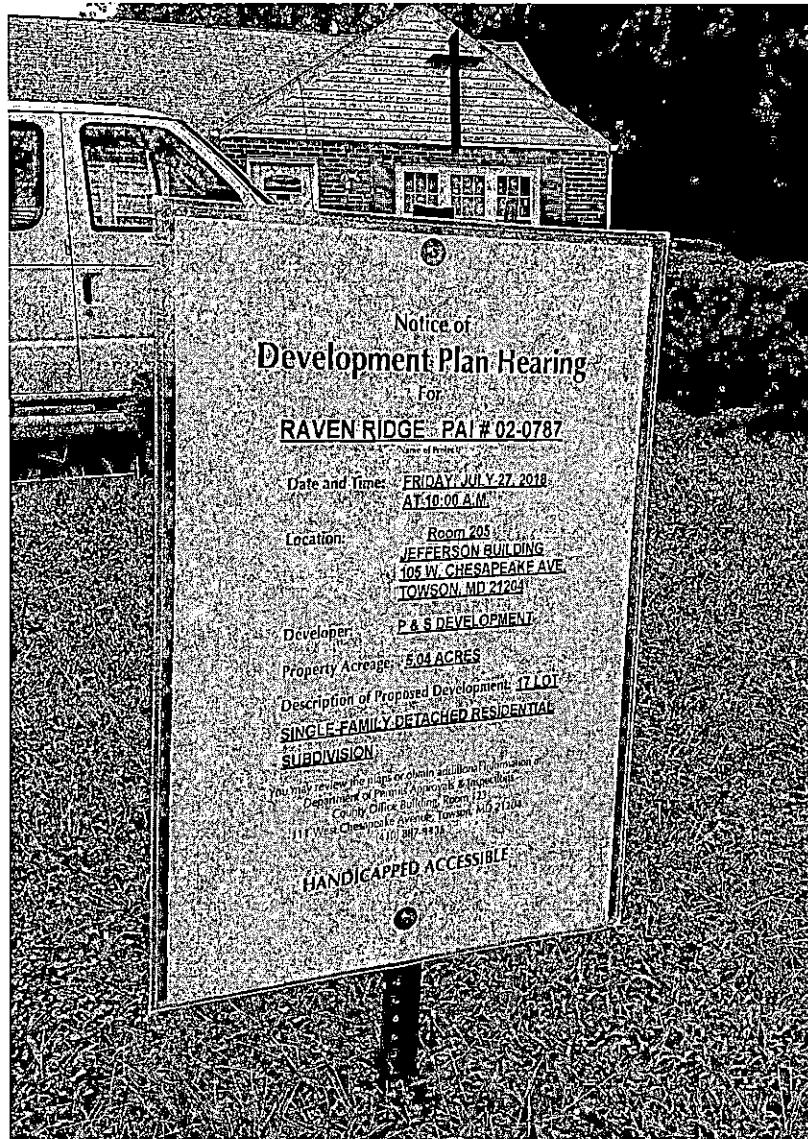
Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

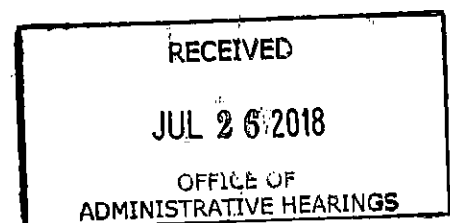
Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

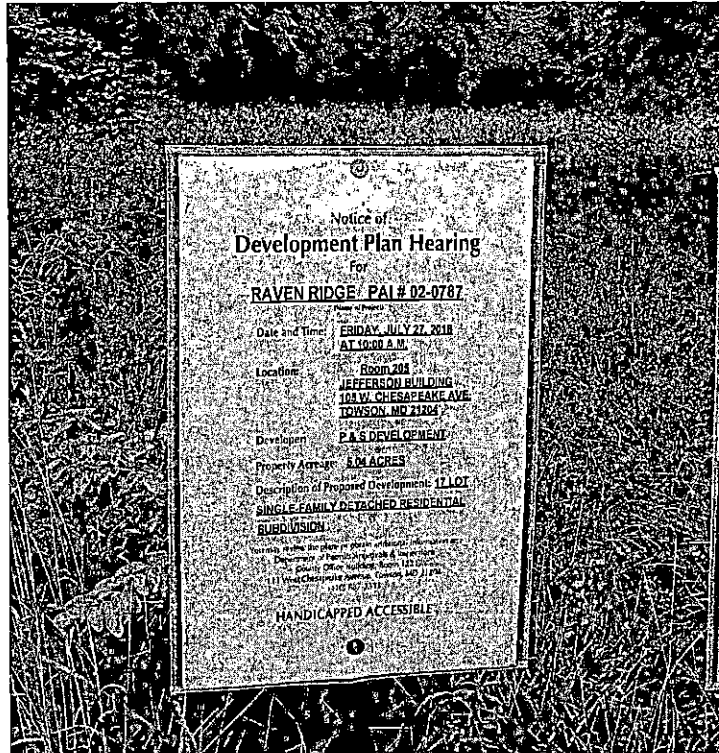
410 - 666 - 5366
(Telephone Number of Sign Poster)



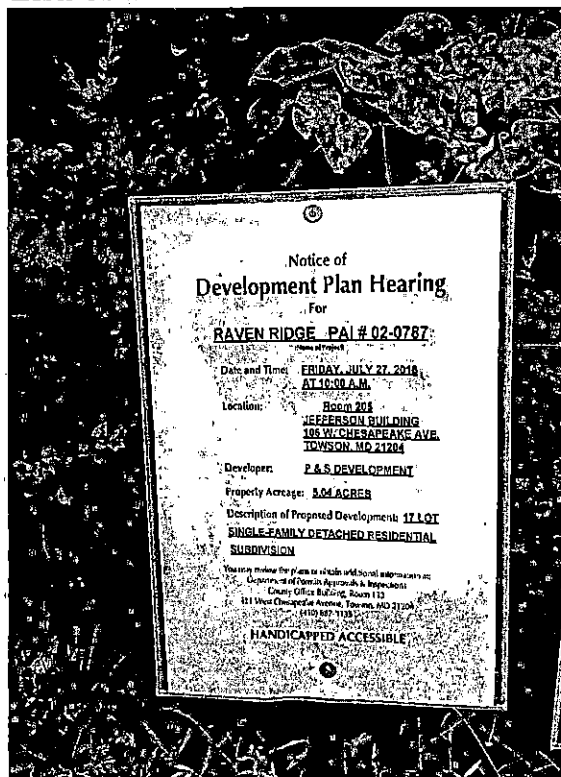


Combined Development Plan Hearing PAI # 02-0787 with
Case # 2018-0287-SPHA Rephotographed on 7/25/2018
@ 9138 Liberty Road

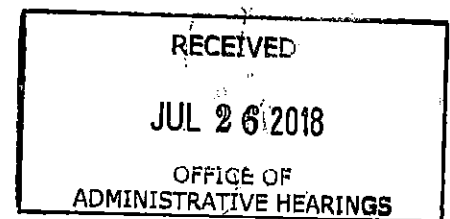




Combined Hearing PAI #02-0787 Raven Ridge with Case # 2018-0287-SPHA@
Left Side of End of Tali Drive



Combined Hearing PAI # 02-0787 Raven Ridge with Case # 2018-0287-SHPA
@ Right Side of End of Tali Drive





501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 5666243

Sold To:

Colbert Matz Rosenfelt Inc - CU00401145
2835 Smith Ave Ste G
Baltimore, MD 21209

Bill To:

Colbert Matz Rosenfelt Inc - CU00401145
2835 Smith Ave Ste G
Baltimore, MD 21209

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Jul 05, 2018

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: # 2018-0287-SPHA
9136, 9138 Liberty Road
NE/s Liberty Road, 908 ft. NE of Chapman Road
2nd Election District - 4th Councilmanic District
Legal Owner(s) Collective Christian Ministries, Edward & Cleotha McLaurin, P & S Development
Contract Purchaser(s): P & S Development Company

Special Hearing 1. To amend the previously approved site plan and Order in Zoning Case No. 2005-0250-A to remove the proposed and never constructed 3,523 sq. ft. assembly hall and potential 3,608 sq. ft. expansion building and 69 space parking lot and to affirm the RTA relief of 10 ft. for the existing church. 2. To approve a modified parking plan as permitted by the Baltimore County Zoning Regulations (BCZR) section 409.12.B for the existing parking conditions for the existing use. 3. To grant the recommendation of the Director of Environmental Protection and Sustainability (DEPS) and to grant a Special Variance to permit the removal of specimen trees. 4. To approve a waiver from Baltimore County Standard Design Plate R-J-4 to permit a public street with a 50 ft. right-of-way with 28 ft. wide paving in lieu of the required 50 ft. right-of-way with 30 ft. wide paving. Variance 1. To permit a minimum distance of 11 ft. from the front building face to public street right-of-way in lieu of the required 25 ft. for Lot No. 7. 2. To permit a minimum distance of 6 ft. from the side building face to public street right-of-way in lieu of the required 15 ft. for Lot No. 7. 3. To permit an 18 ft. rear yard setback from an open porch to the rear property line in lieu of the required 22.5 ft. for lots 5-7 and 9-16. Hearing: Friday, July 27, 2018 at 10:00 a.m. in Room 205, Jefferson

Hearing: Friday, July 27, 2018 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

07/05/18 5666243

The Baltimore Sun Media Group

By *S. Wilkinson*

Legal Advertising

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 6/23/2018

Case Number: 2018-0287-SPHA

Petitioner / Developer: TIMOTHY KOTROCO, ESQ. ~ TOM SCHERR ~
RICHARD MATZ of COLBERT, MATZ & ROSENFELT, LLC

Date of Hearing: JULY 27, 2018

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: 9136, 9138 LIBERTY ROAD & TALI DRIVE (ON-SITE)

The sign(s) were posted on: JUNE 23, 2018



9136 Liberty Road

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)



9138 Liberty Road Case # 2018-0287-SPHA POSTED 6/23/2018



Background Photos the left side of end of Tali Drive & Right Side of end of Tali Drive
Combined Hearing PAI # 02-0787 & Case # 2018-0287-SPHA POSTED 6/23/2018

ZONING NOTICE

CASE # 2018-0287-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: FRIDAY, JULY 27, 2018

AT 10:00 A.M.

SPECIAL HEARING 1. TO AMEND THE PREVIOUSLY
APPROVED SITE PLAN AND ORDER IN ZONING CASE
NO. 2005-0250-A TO REMOVE THE PROPOSED AND
NEVER CONSTRUCTED 3,523 SQ. FT. ASSEMBLY HALL
AND POTENTIAL 3,608 SQ. FT. EXPANSION BUILDING
AND 69 SPACE PARKING LOT AND TO AFFIRM THE RTA
RELIEF OF 10 FT. FOR THE EXISTING CHURCH. 2. TO
APPROVE A MODIFIED PARKING PLAN AS PERMITTED
BY THE BALTIMORE COUNTY ZONING REGULATIONS

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

Sign #1

ZONING NOTICE

CASE # 2018-0287-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: FRIDAY, JULY 27, 2018

AT 10:00 A.M.

(BCZR) SECTION 409.12.B FOR THE EXISTING PARKING
CONDITIONS FOR THE EXISTING USE. 3. TO GRANT THE
RECOMMENDATION OF THE DIRECTOR OF
ENVIRONMENTAL PROTECTION AND SUSTAINABILITY
(DEPS) AND TO GRANT A SPECIAL VARIANCE TO
PERMIT THE REMOVAL OF SPECIMEN TREES. 4. TO
APPROVE A WAIVER FROM BALTIMORE COUNTY
STANDARD DESIGN PLATE R-J-4 TO PERMIT A PUBLIC
STREET WITH A 50 FT. RIGHT-OF-WAY WITH 28 FT.
WIDE PAVING IN LIEU OF THE REQUIRED 50 FT. RIGHT-

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

Sign #2

ZONING NOTICE

CASE # 2018-0287-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

ROOM 205, JEFFERSON BUILDING
PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: FRIDAY, JULY 27, 2018

AT 10:00 A.M.

OF-WAY WITH 30 FT. WIDE PAVING. VARIANCE 1. TO
PERMIT A MINIMUM DISTANCE OF 11 FT. FROM THE
FRONT BUILDING FACE TO PUBLIC STREET RIGHT-OF-
WAY IN LIEU OF THE REQUIRED 25 FT. FOR LOT NO. 7.
2. TO PERMIT A MINIMUM DISTANCE OF 6 FT. FROM THE
SIDE BUILDING FACE TO PUBLIC STREET RIGHT-OF-
WAY IN LIEU OF THE REQUIRED 15 FT. FOR LOT NO. 7.
3. TO PERMIT AN 18 FT. REAR YARD SETBACK FROM AN
OPEN PORCH TO THE REAR PROPERTY LINE IN LIEU OF
THE REQUIRED 22.5 FT. FOR LOTS 5-7 AND 9-16.

9136-9138 LIBERTY ROAD

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

Sign #3

Case # 2018-0287-SPHA POSTED 6/23/2018
AT 9136 Liberty Road



June 14, 2018
KEVIN KAMENETZ
County Executive

NOTICE OF ZONING HEARING

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Regulations & Development

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: 2018-0287-SPHA

9136, 9138 Liberty Road

NE/s Liberty Road, 908 ft. NE of Chapman Road

2nd Election District – 4th Councilmanic District

Legal Owners: Collective Christian Ministries, Edward & Cleotha McLaurin, P & S Development

Contract Purchaser/Lessee: P & S Development Company

Special Hearing 1. To amend the previously approved site plan and Order in Zoning Case No. 2005-0250-A to remove the proposed and never constructed 3,523 sq. ft. assembly hall and potential 3,608 sq. ft. expansion building and 69 space parking lot and to affirm the RTA relief of 10 ft. for the existing church. 2. To approve a modified parking plan as permitted by the Baltimore County Zoning Regulations (BCZR) section 409.12.B for the existing parking conditions for the existing use. 3. To grant the recommendation of the Director of Environmental Protection and Sustainability (DEPS) and to grant a Special Variance to permit the removal of specimen trees. 4. To approve a waiver from Baltimore County Standard Design Plate R-J-4 to permit a public street with a 50 ft. right-of-way with 28 ft. wide paving in lieu of the required 50 ft. right-of-way with 30 ft. wide paving. Variance 1. To permit a minimum distance of 11 ft. from the front building face to public street right-of-way in lieu of the required 25 ft. for Lot No. 7. 2. To permit a minimum distance of 6 ft. from the side building face to public street right-of-way in lieu of the required 15 ft. for Lot No. 7. 3. To permit an 18 ft. rear yard setback from an open porch to the rear property line in lieu of the required 22.5 ft. for lots 5-7 and 9-16.

Hearing: Friday, July 27, 2018 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Timothy Kotroco, 305 Washington Avenue, Towson 21204
Tom Scherr, 701 Fern Valley Circle, Baltimore 21228
Richard Matz, 2835 Smith Avenue, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JULY 7, 2018.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, July 5, 2018 Issue - Jeffersonian

Please forward billing to:

Matt Bishop
Colbert, Matz & Rosenfelt
2835 Smith Avenue, Ste. G
Baltimore, MD 21209

410-653-3838

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: 2018-0287-SPHA

9136, 9138 Liberty Road

NE/s Liberty Road, 908 ft. NE of Chapman Road

2nd Election District – 4th Councilmanic District

Legal Owners: Collective Christian Ministries, Edward & Cleotha McLaurin, P & S Development

Contract Purchaser/Lessee: P & S Development Company

Special Hearing 1. To amend the previously approved site plan and Order in Zoning Case No. 2005-0250-A to remove the proposed and never constructed 3,523 sq. ft. assembly hall and potential 3,608 sq. ft. expansion building and 69 space parking lot and to affirm the RTA relief of 10 ft. for the existing church. 2. To approve a modified parking plan as permitted by the Baltimore County Zoning Regulations (BCZR) section 409.12.B for the existing parking conditions for the existing use. 3. To grant the recommendation of the Director of Environmental Protection and Sustainability (DEPS) and to grant a Special Variance to permit the removal of specimen trees. 4. To approve a waiver from Baltimore County Standard Design Plate R-J-4 to permit a public street with a 50 ft. right-of-way with 28 ft. wide paving in lieu of the required 50 ft. right-of-way with 30 ft. wide paving. Variance 1. To permit a minimum distance of 11 ft. from the front building face to public street right-of-way in lieu of the required 25 ft. for Lot No. 7. 2. To permit a minimum distance of 6 ft. from the side building face to public street right-of-way in lieu of the required 15 ft. for Lot No. 7. 3. To permit an 18 ft. rear yard setback from an open porch to the rear property line in lieu of the required 22.5 ft. for lots 5-7 and 9-16.

Hearing: Friday, July 27, 2018 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE 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.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND VARIANCE
9136 & 9138 Liberty Road; NE/S Liberty Road* OF ADMINISTRATIVE
908' NE of Chapman Road
2nd Election & 4th Councilmanic Districts * HEARINGS FOR
Legal Owners: 1. Collective Christian Ministries, Inc., * BALTIMORE COUNTY
2. Trustees of Collective Christian Ministries, Inc, *
3. Edward & Cleotha McLaurin, and 4. P & S
Development Company * 2018-287-SPHA
Contract Purchaser: P&S Development Company
Petitioner(s)

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

MAY 03 2018

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 3rd day of May, 2018, a copy of the foregoing Entry of Appearance was mailed to Richard Matz, 2835 Smith Avenue, Baltimore, Maryland 21209 and Timothy Kotroco, Esquire, 305 Washington Avenue, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2018-0287-SPHA

Property Address: 9136 and 9138 Liberty Road, Randallstown, MD 21133

Property Description: The Subdivision of +/- 4.88 acres of land into 17 new single-family detached homes. The ~~existing~~ existing buildings located

Legal Owners (Petitioners): Collective Christian Ministries and Pand S Development

Contract Purchaser/Lessee: Pand S Development

at 9136 & 9138 Liberty Road to remain.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Matt Bishop

Company/Firm (if applicable): Colbert Matz Rosenfelt, LLC

Address: 2835 Smith Avenue, Suite G
Baltimore, MD 21209

Telephone Number: (410) 653-3838

Revised 7/9/2015



DONALD I. MOHLER III
County Executive

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

July 19, 2018

Collective Christian Ministries Inc.
9138 Liberty Road
Randallstown MD 21133

Trustees of Collective Christian Ministries Inc.
9138 Liberty Road
Randallstown MD 21133

Edward McLaurin Jr.
Cleotha McLaurin
208 Prospect Circle
Shrewsbury PA 17361

P & S Development Company
Tom Scherr
701 Fern Valley Circle
Baltimore MD 21228

RE: Case Number: 2018-0287 SPHA, Address: 9136 Liberty Road, 9138 Liberty Road, Liberty Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 23, 2018. 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: jaw
Enclosures

c: People's Counsel
P & S Development Co., Tom Scherr, 701 Fern Valley Circle, Baltimore MD 21228
Timothy M. Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson MD 21204
Richard Matz, 2835 Smith Avenue, Baltimore MD 21209

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: May 16, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0287-SPHA *revised*
Address 9136-9138 Liberty Road
(Collective Christian Ministries, Inc.
Property)

Zoning Advisory Committee Meeting of **May 21, 2018**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: May 4, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0287-SPHA
Address 9137-9138 Liberty Road
(Collective Christian Ministries, Inc.
Property)

Zoning Advisory Committee Meeting of **May 7, 2018**.

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

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:

The development plan must reflect the EPS-approved forest conservation plan and any forest conservation variance decision.

Reviewer: Glenn Shaffer

Combined Hearing Request

Request for a Combined Hearing as permitted by BCC §32-4-230:

1. Request for a combined development plan and zoning case hearing as permitted by Baltimore County Code (BCC) §32-4-230.



DONALD I. MOHLER III
County Executive

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

July 19, 2018

Collective Christian Ministries Inc.
9138 Liberty Road
Randallstown MD 21133

Trustees of Collective Christian Ministries Inc.
9138 Liberty Road
Randallstown MD 21133

Edward McLaurin Jr.
Cleotha McLaurin
208 Prospect Circle
Shrewsbury PA 17361

P & S Development Company
Tom Scherr
701 Fern Valley Circle
Baltimore MD 21228

RE: Case Number: 2018-0287 SPHA, Address: 9136 Liberty Road, 9138 Liberty Road, Liberty Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 23, 2018. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw
Enclosures

c: People's Counsel
P & S Development Co., Tom Scherr, 701 Fern Valley Circle, Baltimore MD 21228
Timothy M. Kotroco, Esquire, 305 Washington Avenue, Suite 502, Towson MD 21204
Richard Matz, 2835 Smith Avenue, Baltimore MD 21209

May 29, 2018

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

Dear Ms. Lewis:

Thank you for the opportunity to review the development plan to accompany the petition for special hearing, and variance, for the proposed Raven Ridge development located on Liberty Road in Baltimore County. The Maryland Department of Transportation State Highway Administration (MDOT SHA) has reviewed the submittal listed below and is pleased to respond.

**Raven Ridge
Development Plan Review for Special Hearing, and Variance
Case No. 2018-0287-SPHA
MD 26 (north side) 700' west of Offutt Road
Mile Post 5.10
Baltimore County**

The proposed access to Lot 17 from MD 26 will be subject to the terms of a residential access permit that may be obtained by contacting Mr. Aamir Khurram, Resident Maintenance Engineer - Owings Mills Shop at 410-363-1315. A copy of the plan will be forwarded to his office.

The proposed sanitary sewer line within the MDOT SHA right-of-way will be subject to the terms of a utility permit that may be obtained by contacting Mr. Michael Pasquariello, District 4 Utility Engineer at 410-229-2341. A copy of the plan will be forwarded to his office.

The MDOT SHA is requesting that the county withhold approval of the building permit until the above permits have been issued.

If there are any questions, please contact Mr. Richard Zeller at 410-229-2332 or toll free (in Maryland only), 1-866-998-0367 (x2332) or by email at (rzeller@sha.state.md.us).

Ms. Kristen Lewis
Raven Ridge
Case 2018-0287 SPHA
May 29, 2018
Page 2

Sincerely,



Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

cc: Colbert Matz Rosenfelt, LLC / 2835 Smith Avenue, Suite G, Baltimore, MD 21209
P & S Development / 701 Fern Valley Circle, Baltimore, MD 21228
Mr. Jan M. Cook / 111 W. Chesapeake Avenue, Towson, MD 21204
Mr. Vishnu Desai / 111 W. Chesapeake Avenue, Towson, MD 21204
Mr. Michael Pasquariello, MDOT SHA District 4 Utilities
Mr. Aamir Khurram, MDOT SHA Resident Maintenance Engineer – Owings Mills Shop

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: VKD
Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For May 21, 2018
Item No. 2018-0287-SPHA **REVISED**

DATE: June 16, 2018

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

Approved Schematic Landscape Plan is required prior to Development Plan approval.

Open Space needs to be addressed. See Concept Plan Conference comments dated September 20th, 2017.

The Cul-de-Sac shown on the plan has a radius of 40-foot, the County Standard Plate R-D has a min radius of 60-foot. An exception must be granted for a reduction in the radius.

For waiver request, the Owner/Developer shall submit written request to Director of Public Works.

Developer/Owner to locate the open porch on Lot #9 outside of the 10-foot Drainage & Utility Easement along the south property line.

* * * * *

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections
MS
FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review
SUBJECT: Zoning Advisory Committee Meeting
For May 07, 2018
Item No. 2018-0287-SPHA

DATE: June 4, 2018

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

Approved Schematic Landscape Plan is required prior to Development Plan approval.

Open Space needs to be addressed. See Concept Plan Conference comments dated September 20th, 2017.

The Cul-de-Sac shown on the plan has a radius of 40-foot, the County Standard Plate R-D has a min radius of 60-foot. An exception must be granted for a reduction in the radius.

For waiver request, the Owner/Developer shall submit written request to Director of Public Works.

*

*

*

*

*

VKD: cen
cc: file

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: May 16, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0287-SPHA *revised*
Address 9136-9138 Liberty Road
(Collective Christian Ministries, Inc.
Property)

Zoning Advisory Committee Meeting of **May 21, 2018.**

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: May 4, 2018

SUBJECT: DEPS Comment for Zoning Item # 2018-0287-SPHA
Address 9137-9138 Liberty Road
(Collective Christian Ministries, Inc.
Property)

Zoning Advisory Committee Meeting of **May 7, 2018**.

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

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:

The development plan must reflect the EPS-approved forest conservation plan and any forest conservation variance decision.

Reviewer: Glenn Shaffer

No. 170224

Date 5/11/12

[illegible]

Total: 4500106

Rec From	
	Callie + Mark Kennedy

FOI
FOI
913619138 Schultz, KC

2018-03-15-8102

DISTRIBUTION

WHITE - CASHIER

PINK-AGENCY

YELLOW CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!

CASHIER'S VALIDATION

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

No. **168024**

Date: **4/23/2018**

PAID RECEIPT

BUSINESS ACTUAL TIME TIME

4/24/2018 4/23/2018 09:14:55

REG 0003 WALKIN CAR

RECEIPT # 769838 4/23/2018 OFLN

5 529 ZONING VERIFICATION

NO. 168024

Recpt Tot \$1,200.00

\$1,200.00 CA \$1.00 CA

Baltimore County Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				1,200.00

Total: **1,200.06**

Rec From: **P. S. Development Company**

For: **Special Hearing & Variance - 9136 & 9138 Liberty Rd
 2018-0287-SPHA (P.S. Development Company, et, al)**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

Case No.: 02-0787 & 2018-0287-SPHA

Exhibit Sheet

9136-9138

Liberty Rd.

Petitioner/Developer

10-3-18

Protestants

BC

No. 1	Dev. Plan	<i>Original Exhibits are included with Denial Fee</i>	Schematic Landscape Plan
No. 2	Redline Dev. Plan		Waiver Open Space
No. 3	Compatibility Report		DPW Waiver Request
No. 4	Aerial photo		School Analysis
No. 5	Photos - Tali Road		Pattern Book
No. 6	Photos - Houses in Vicinity		DOP report
No. 7			
No. 8			
No. 9			
No. 10			
No. 11			
No. 12			

CASE NAME RAVEN RIDGE
CASE NUMBER 02-0787 + 2018
DATE JULY 27, 2018 0287-
FT SPEN

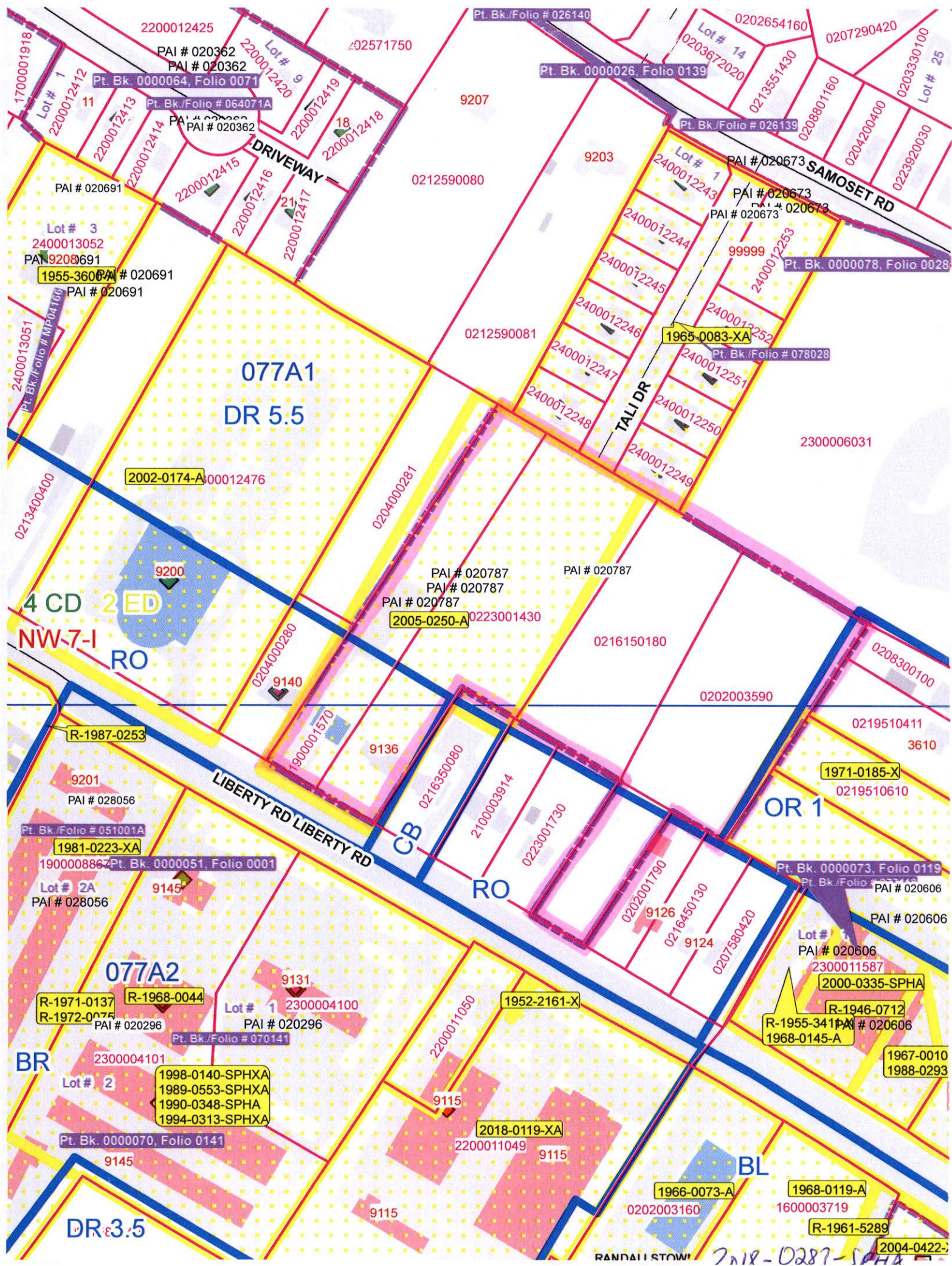
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CASE NAME RAVEN RIDGE
CASE NUMBER 02-0787 + 2018-0287-
DATE JULY 27, 2018 Srta

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CASE NAME RAVEN RIDGE
CASE NUMBER 02-0787 + 2018 -
DATE JULY 27, 2018 0287 -
SENA

[illegible]



Prior Zoning

IN RE: PETITION FOR VARIANCE
NE/S Liberty Road, 970'W of
Offutt Road
(9138 Liberty Road)
2nd Election District
4th Council District

Trustees of Collective Christian
Ministries, Inc. - Petitioners

* BEFORE THE
* ZONING COMMISSIONER FOR
* BALTIMORE COUNTY
* **CASE NO. 05-250-A**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Trustees of Collective Christian Ministries, Inc., through their attorney, John B. Gontrum, Esquire. The Petitioners seek relief from the Residential Transition Area requirements set forth in Section 1B01.1B.1(c) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a church and parking lot with a setback and buffer of 2 feet each in lieu of the required 75 feet and 50 feet, respectively. In the alternative, a special hearing is requested, pursuant to Section 1B01.1.B.1.g(6) of the Baltimore County Zoning Regulations (BCZR), seeking a determination that the proposed church and parking lot have been planned in such a way that compliance to the extent possible with the RTA use requirements will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Reverend Edward McLaurin, on behalf of Trustees of Collective Christian Ministries, Inc., property owners, and John B. Gontrum, Esquire, of Whiteford, Taylor & Preston, LLP, attorney for the

Owners/Petitioners. Appearing in opposition to the request was William Obrieht, a representative of the Liberty Road Community Council, Inc. Dave Green, Area Planner, appeared on behalf of the Office of Planning. There were no other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the northeast side of Liberty Road, just south of Chapman Road in Randallstown. The property contains a gross area of 2.4 acres, more or less, split zoned R.O. and D.R. 5.5, and is improved with a one story office building and a two story dwelling which features an attached garage, both within the R.O. zone. As shown on the site plan submitted into evidence as Petitioner's Exhibit 1, the property has frontage of approximately 154 feet along Liberty Road; however, about 200 feet back from the road, it widens to 230 feet in width and is approximately 524 feet deep. The Petitioners are desirous of utilizing the property for a church and have apparently used the existing office building for such purpose for the past 3 years. In order to accommodate their growing congregation, the Petitioners propose improvements to the site. As shown on the site plan, the Petitioners propose construction of a 3,528 sq.ft. Church in the rear portion of the property with a seating capacity for up to 200 people. The new church will be located approximately 111 feet from the rear property line, over 121 feet from the eastern side of the property, and 84 feet from the western side of the property. Also shown is the future expansion of the new church building to provide a 3,608 sq.ft. hall. The Petitioners intend to retain the two existing buildings in the front portion of the site, zoned R.O. The macadam parking area on the west side of the existing office building will be removed and landscaped and the new parking area will be located in the center of the site, closer to the western property line adjacent to property owned by William and Ethel Darling. Due to the unique configuration of the property, the proposed improvements will be located closer to the western side of the property

than the eastern side, and thus a setback of only 2 feet will be provided at the closest point from the Darling property. It should also be noted that there appears to be a very small amount of residential zoning to the rear of the adjacent property to the east that may be an anomaly of the zoning line not conforming to the lot line. The bulk of the adjacent property at 9134 Liberty Road is zoned C.B. but the rear 15 feet of the lot is zoned D.R. 5.5 and results in the new parking area being located 35 feet from this zone line.

None of the adjacent neighbors appeared at the hearing; however, the proffered testimony indicated that the Trustees had discussed the proposed improvements and shared the site plan with the adjacent neighbors, and specifically, with Mr. Darling. Further testimony indicated that Mr. Darling's property lies between the subject site and a funeral home further to the west. While Mr. Darling has no intention of leaving his home, he has no objections to the setbacks and proposed parking, and would consider selling his property to the church. (See Petitioner's Exhibit 2, Mr. Darling's notarized statement.)

The Liberty Road Community Council, Inc. through Mr. Obrieht, its authorized representative, expressed concern over the variance requested and the precedent it might set if approved. The community association had no objection to the requested variances if the church buildings were centered on the rear of the property; however, it had no knowledge of any discussions that had been held between the church and the neighboring property owners. It consequently does not oppose the concept of the variances at this location but only the extent of the relief being sought.

The Office of Planning, within its Zoning Advisory Committee (ZAC) comments, indicated they would have no objections to the proposal provided the parking was shifted an additional 10 feet from the Darling property line. The Planning Office also believes that the

setback area should be landscaped with dense evergreen plantings and a 6-foot high privacy fence placed along the side of the property.

New churches are permitted as of right in residential zones. Although the RTA applies to new churches, two provisions are available for churches to obtain waivers or variances. Section 1B01.1B.1.c of the B.C.Z.R. provides that variance relief can be granted, based on recommendations from County agencies, provided that the hearing officer "specifically finds and determines that such a reduction will not adversely impact the residential community or development on the land adjacent to the property to be developed." In the alternative, Section 1B01.1B.1g(6) provides that following a public hearing, the hearing officer may determine that the RTA is not applicable 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 said plan can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises."

The standards differ between Section 1B01.1B.1g(6) and Section 1B01.1B.1.c. The former requires a finding that the proposed improvements are planned so that compliance with RTA is "to the extent possible...." Section 1B01.1B.1.c allows variance relief to be granted, provided that there is no adverse impact by virtue of the variance to the adjoining property or residential community.

It is clear from the proffered testimony that there are no objections to the proposed church, its size or scope of activities at this location. It also is clear that no one is protesting the 69 parking spaces provided or the future expansion. What makes this case unusual is that the Petitioners deliberately chose not to center the proposed church and parking on the lot, but rather

placed it in the western portion of the site in expectation, no doubt, of perhaps acquiring the adjacent Darling tract at some point in the future.

It is clear that the Darlings do not have any objection to the church's proposal, and indeed the testimony and evidence presented was to the contrary. It was represented by Pastor McLaurin that he had personally met with Mr. Darling and that Mr. Darling was not interested in additional landscaping, fences or setbacks beyond those shown on Petitioner's Exhibit 1. Moreover, the adjacent property is only 70 feet wide, and development of the rear portion of the tract is going to be problematic given the location of the existing house and the location of the funeral home to the west. I can well appreciate why providing a 19-foot buffer between the existing church office building and the Darling house on the adjacent property as proposed would be more attractive than a buffer area to the rear of the site.

Based on the representations made at the hearing, it would appear that Mr. Darling has no objections and feels that there would be no detriment to his property by allowing the variance requested. Furthermore, the proposed parking setback from the undeveloped portion of his property would appear to have little impact on the development potential of his site. I further understand that he has no desire for a fence or landscaping along the property line, although such a fence or landscaping would screen vehicle lights in the evening from his property.

After due consideration of the testimony and evidence presented, I am persuaded that the relief requested meets the spirit and intent of Section 307 of the B.C.Z.R., and that variance relief should be granted from Section 1B01.1B.1(c). I find that the church proposed is compatible with the neighborhood and that the variances proposed will not be a detriment to the residential community or adjacent property. I am not convinced that there is an appreciable difference between a 2-foot setback and a 10-foot setback for the parking area as recommended by the

Office of Planning, given its location relative to the adjacent property. I recognize the desire of the church to maintain flexibility in its parking, and I believe that adequate parking is more important to the adjacent community for a facility of this nature than a setback from what is essentially open space. Furthermore, there is no indication of any adverse impact from the proposal to the residential properties to the east or north or to the front property, predominantly zoned C.B. As shown on the site plan, the Petitioners will provide a 10-foot wide amenity open space area along the eastern side of the parking lot.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the requested variance relief will be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of March 2005 that the Petition for Variance seeking relief from the Residential Transition Area requirements set forth in Section 1B01.1B.1(c) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a church and parking lot with a setback and buffer of 2 feet each in lieu of the required 75 feet and 50 feet, respectively, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

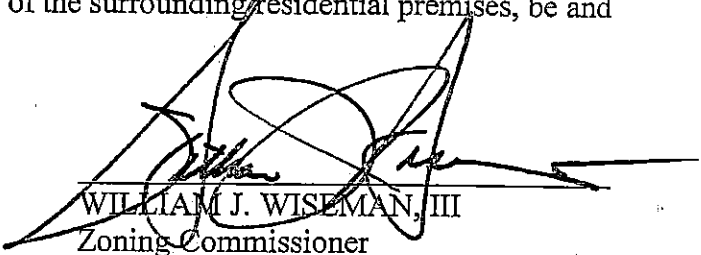
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) But for the recommendation as to a 10-foot setback and landscaping, the Petitioners shall comply with the recommendations made by the Office of Planning, within its ZAC comment dated December 10, 2004, a copy of which is attached hereto be made a part hereof. The Petitioners shall not be required to provide landscaping within the 2-foot setback; however, a 6-foot high wood privacy fence shall be erected anywhere that the proposed parking lot adjoins a residential

property line. Elevation drawings for the proposed fence shall be provided to the Office of Planning for review and approval.

- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance seeking alternative relief, pursuant to Section 1B01.1.B.1.g(6) of the Baltimore County Zoning Regulations (BCZR), that the proposed church and parking lot have been planned in such a way that compliance to the extent possible with the RTA use requirements will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises, be and is hereby DISMISSED AS MOOT.

WJW:bjs



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

DW
1/24

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: December 10, 2004

RECEIVED

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

DEC 13 2004

ZONING COMMISSIONER

SUBJECT: 9138 Liberty Road

INFORMATION:

Item Number: 5-250

Petitioner: Trustees of Collective Christian

Zoning: DR 5.5/RO

Requested Action: Variance

SUMMARY OF RECOMMENDATIONS:

Per Section 1B01.1B.1.(6) of the BCZR, a finding shall be conducted relative to new churches or other building for religious worship to determine that "the proposed improvements are planned in such a way that compliance, to the extent possible with RTA use requirement, 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."

The Office of Planning finds that the subject proposal will be in compliance with above referenced section of the regulations provided the following conditions are met:

1. Redesign the site layout so as to provide a 10-foot setback along the northeast property line. Install compact dense evergreen screening in combination with a 6-foot wood privacy fence wherever the requested variances adjoin residential property lines.
2. Submit building elevations to the Office of Planning for review and approval prior to applying for any building permit.
3. Direct all exterior lighting away from all adjacent residential use.
4. Limit the height of all exterior lighting to 14 feet.

5. Submit a landscape and lighting plan to Avery Harden, Baltimore County's Landscape Architect for review and approval.

Prepared by: Mart A. Cunningham

Division Chief: Lynn Hansen
AFK/LL:MAC:

IN RE: PETITION FOR VARIANCE
NE/S Liberty Road, 970' W of
Offutt Road
(9138 Liberty Road)
2nd Election District
4th Council District

Trustees of Collective Christian
Ministries, Inc. - Petitioners

* BEFORE THE
* ZONING COMMISSIONER FOR
* BALTIMORE COUNTY
* CASE NO. 05-250-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Trustees of Collective Christian Ministries, Inc., through their attorney, John B. Gontrum, Esquire. The Petitioners seek relief from the Residential Transition Area requirements set forth in Section 1B01.1B.1(c) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a church and parking lot with a setback and buffer of 2 feet each in lieu of the required 75 feet and 50 feet, respectively. In the alternative, a special hearing is requested, pursuant to Section 1B01.1.B.1.g(6) of the Baltimore County Zoning Regulations (BCZR), seeking a determination that the proposed church and parking lot have been planned in such a way that compliance to the extent possible with the RTA use requirements will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises. The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and

marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Reverend Edward McLaurin, on behalf of Trustees of Collective Christian Ministries, Inc., property owners, and John B. Gontrum, Esquire, of Whiteford, Taylor & Preston, LLP, attorney for the

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Owners/Petitioners. Appearing in opposition to the request was William Obrieht, a representative of the Liberty Road Community Council, Inc. Dave Green, Area Planner, appeared on behalf of the Office of Planning. There were no other interested persons present.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel located on the northeast side of Liberty Road, just south of Chapman Road in Randallstown. The property contains a gross area of 2.4 acres, more or less, split zoned R.O. and D.R. 5.5, and is improved with a one story office building and a two story dwelling which features an attached garage, both within the R.O. zone. As shown on the site plan submitted into evidence as Petitioner's Exhibit 1, the property has frontage of approximately 154 feet along Liberty Road; however, about 200 feet back from the road, it widens to 230 feet in width and is approximately 524 feet deep. The Petitioners are desirous of utilizing the property for a church and have apparently used the existing office building for such purpose for the past 3 years. In order to accommodate their growing congregation, the Petitioners propose improvements to the site. As shown on the site plan, the Petitioners propose construction of a 3,528 sq.ft. Church in the rear portion of the property with a seating capacity for up to 200 people. The new church will be located approximately 111 feet from the rear property line, over 121 feet from the eastern side of the property, and 84 feet from the western side of the property. Also shown is the future expansion of the new church building to provide a 3,608 sq.ft. hall. The Petitioners intend to retain the two existing buildings in the front portion of the site, zoned R.O. The macadam parking area on the west side of the existing office building will be removed and landscaped and the new parking area will be located in the center of the site, closer to the western property line adjacent to property owned by William and Ethel Darling. Due to the unique configuration of the property, the proposed improvements will be located closer to the western side of the property

3/2/05
[Signature]

than the eastern side, and thus a setback of only 2 feet will be provided at the closest point from the Darling property. It should also be noted that there appears to be a very small amount of residential zoning to the rear of the adjacent property to the east that may be an anomaly of the zoning line not conforming to the lot line. The bulk of the adjacent property at 9134 Liberty Road is zoned C.B. but the rear 15 feet of the lot is zoned D.R. 5.5 and results in the new parking area being located 35 feet from this zone line.

None of the adjacent neighbors appeared at the hearing; however, the proffered testimony indicated that the Trustees had discussed the proposed improvements and shared the site plan with the adjacent neighbors, and specifically, with Mr. Darling. Further testimony indicated that Mr. Darling's property lies between the subject site and a funeral home further to the west. While Mr. Darling has no intention of leaving his home, he has no objections to the setbacks and proposed parking, and would consider selling his property to the church. (See Petitioner's Exhibit 2, Mr. Darling's notarized statement.)

The Liberty Road Community Council, Inc. through Mr. Obrieht, its authorized representative, expressed concern over the variance requested and the precedent it might set if approved. The community association had no objection to the requested variances if the church buildings were centered on the rear of the property; however, it had no knowledge of any discussions that had been held between the church and the neighboring property owners. It consequently does not oppose the concept of the variances at this location but only the extent of the relief being sought.

The Office of Planning, within its Zoning Advisory Committee (ZAC) comments, indicated they would have no objections to the proposal provided the parking was shifted an additional 10 feet from the Darling property line. The Planning Office also believes that the

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Date 3/7/15
By [Signature]

setback area should be landscaped with dense evergreen plantings and a 6-foot high privacy fence placed along the side of the property.

New churches are permitted as of right in residential zones. Although the RTA applies to new churches, two provisions are available for churches to obtain waivers or variances. Section 1B01.1B.1.c of the B.C.Z.R. provides that variance relief can be granted, based on recommendations from County agencies, provided that the hearing officer "specifically finds and determines that such a reduction will not adversely impact the residential community or development on the land adjacent to the property to be developed." In the alternative, Section 1B01.1B.1g(6) provides that following a public hearing, the hearing officer may determine that the RTA is not applicable 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 said plan can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises."

The standards differ between Section 1B01.1B.1g(6) and Section 1B01.1B.1.c. The former requires a finding that the proposed improvements are planned so that compliance with RTA is "to the extent possible...." Section 1B01.1B.1.c allows variance relief to be granted, provided that there is no adverse impact by virtue of the variance to the adjoining property or residential community.

It is clear from the proffered testimony that there are no objections to the proposed church, its size or scope of activities at this location. It also is clear that no one is protesting the 69 parking spaces provided or the future expansion. What makes this case unusual is that the Petitioners deliberately chose not to center the proposed church and parking on the lot, but rather

placed it in the western portion of the site in expectation, no doubt, of perhaps acquiring the adjacent Darling tract at some point in the future.

It is clear that the Darlings do not have any objection to the church's proposal, and indeed the testimony and evidence presented was to the contrary. It was represented by Pastor McLaurin that he had personally met with Mr. Darling and that Mr. Darling was not interested in additional landscaping, fences or setbacks beyond those shown on Petitioner's Exhibit 1. Moreover, the adjacent property is only 70 feet wide, and development of the rear portion of the tract is going to be problematic given the location of the existing house and the location of the funeral home to the west. I can well appreciate why providing a 19-foot buffer between the existing church office building and the Darling house on the adjacent property as proposed would be more attractive than a buffer area to the rear of the site.

Based on the representations made at the hearing, it would appear that Mr. Darling has no objections and feels that there would be no detriment to his property by allowing the variance requested. Furthermore, the proposed parking setback from the undeveloped portion of his property would appear to have little impact on the development potential of his site. I further understand that he has no desire for a fence or landscaping along the property line, although such a fence or landscaping would screen vehicle lights in the evening from his property.

After due consideration of the testimony and evidence presented, I am persuaded that the relief requested meets the spirit and intent of Section 307 of the B.C.Z.R., and that variance relief should be granted from Section 1B01.1B.1(c). I find that the church proposed is compatible with the neighborhood and that the variances proposed will not be a detriment to the residential community or adjacent property. I am not convinced that there is an appreciable difference between a 2-foot setback and a 10-foot setback for the parking area as recommended by the

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Date 3/2/15
By [Signature]

Office of Planning, given its location relative to the adjacent property. I recognize the desire of the church to maintain flexibility in its parking, and I believe that adequate parking is more important to the adjacent community for a facility of this nature than a setback from what is essentially open space. Furthermore, there is no indication of any adverse impact from the proposal to the residential properties to the east or north or to the front property, predominantly zoned C.B. As shown on the site plan, the Petitioners will provide a 10-foot wide amenity open space area along the eastern side of the parking lot.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the requested variance relief will be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of March 2005 that the Petition for Variance seeking relief from the Residential Transition Area requirements set forth in Section 1B01.1B.1(c) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a church and parking lot with a setback and buffer of 2 feet each in lieu of the required 75 feet and 50 feet, respectively, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) But for the recommendation as to a 10-foot setback and landscaping, the Petitioners shall comply with the recommendations made by the Office of Planning, within its ZAC comment dated December 10, 2004, a copy of which is attached hereto be made a part hereof. The Petitioners shall not be required to provide landscaping within the 2-foot setback; however, a 6-foot high wood privacy fence shall be erected anywhere that the proposed parking lot adjoins a residential

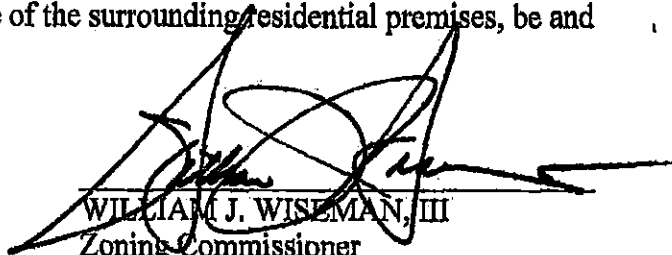
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Date 3/7/05
By [Signature]

property line. Elevation drawings for the proposed fence shall be provided to the Office of Planning for review and approval.

- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance seeking alternative relief, pursuant to Section 1B01.1.B.1.g(6) of the Baltimore County Zoning Regulations (BCZR), that the proposed church and parking lot have been planned in such a way that compliance to the extent possible with the RTA use requirements will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises, be and is hereby DISMISSED AS MOOT.

WJW:bjs


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 3/7/05
By [Signature]

Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

March 7, 2005

John B. Gontrum, Esquire
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue, Suite 400
Towson, Maryland 21204

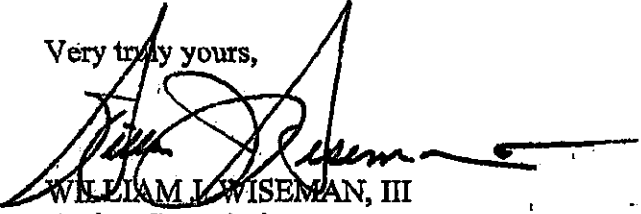
RE: PETITION FOR VARIANCE
NE/S Liberty Road, 970' W of the c/l Offutt Road
(9138 Liberty Road)
2nd Election District – 4th Council District
Trustees of Collective Christian Ministries, Inc.- Petitioners
Case No. 05-250-A

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

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 Department of Permits and Development Management office at 887-3391.

Very truly yours,


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Pastor Edward McLaurin, 9138 Liberty Road, Randallstown, Md. 21133
Mr. William Obrieht, Liberty Road Community Council, Inc.
P.O. Box 31617, Baltimore, Md. 21207
Office of Planning; People's Counsel; Case File

Visit the County's Website at www.baltimorecountyonline.info



Printed on Recycled Paper

IN RE: PETITION FOR VARIANCE
NE/S Liberty Road, 970' W of
Offutt Road
(9138 Liberty Road)
2nd Election District
4th Council District

Trustees of Collective Christian
Ministries, Inc. - Petitioners

* BEFORE THE
* ZONING COMMISSIONER FOR
* BALTIMORE COUNTY
* CASE NO. 05-250-A
*

* * * * *

AMENDED ORDER

WHEREAS, this matter came before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Trustees of Collective Christian Ministries, Inc., through their attorney, John B. Gontrum, Esquire. The Petitioners sought relief from the Residential Transition Area requirements set forth in Section 1B01.1B.1(c) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a church and parking lot with a setback and buffer of 2 feet each in lieu of the required 75 feet and 50 feet, respectively. In the alternative, the Petitioner sought approval, pursuant to Section 1B01.1.B.1.g(6) of the Baltimore County Zoning Regulations (BCZR), that the proposed church and parking lot comply to the extent possible with the RTA use requirements.

At the public hearing held on January 24, 2005, Reverend Edward McLaurin, appeared on behalf of Trustees of Collective Christian Ministries, Inc., property owners, as well as their attorney, John B. Gontrum, Esquire, of Whiteford, Taylor & Preston, LLP. William Obrieht, a representative of the Liberty Road Community Council, Inc., and Dave Green, a representative of the Office of Planning, appeared in opposition to the request.

Testimony and evidence presented at the hearing in support of the request revealed that the Petitioners have operated a church on the subject property for the past 3 years and propose extensive improvements to accommodate its growing congregation. In this regard, the Petitioners

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By

proposed the construction of a new church building and expanded parking lot, with a 2-foot setback and landscape buffer on the west side of the property, adjacent to residential property owned by William and Ethel Darling. It was indicated that relief was necessitated given the unique configuration of the property and the location of existing and proposed improvements thereon. It is the reduced buffer area that is at issue.

By my Order dated March 7, 2005, I granted the variance relief, given the fact that testimony presented at the hearing indicated that the Darlings had no objection to the reduced setback from their property line. Moreover, Counsel for the Petitioners indicated that the Church anticipated purchasing the Darling property at some point in the future and thus, the reduced setback would not be an issue. Further testimony indicated that a funeral home is located immediately west of the Darling property. I also found that adequate parking is more important to the adjacent community for a facility of this nature than a setback from what is essentially open space. Finally, I found that there would be no adverse impacts to the residential properties to the east or north or to the front property, which are predominantly zoned C.B.

Subsequent to the issuance of said Order, Motions for Reconsideration were received from the Office of People's Counsel and Mr. Obrecht. Both parties question whether the proposed improvements are appropriate for this site and request, at a minimum, that I amend my decision and require a minimum 10-foot buffer/setback on the west side, as originally recommended by the Office of Planning.

After due consideration of all of the representations made by both parties, I decline to reopen this case for further proceedings. As noted in my prior opinion, churches are permitted as off right in residential zones. Moreover, variances from the RTA requirements can be granted, pursuant to Section 1B01.1B.1.c of the B.C.Z.R., provided that the relief sought will not adversely impact the residential community or development on the land adjacent to the property

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to be developed. In this regard, the Petitioners testified that they specifically met with immediately adjoining property owners and no one had any opposition to their plans. It is also of note that the Petitioners have operated a church on the subject property for the past 3 years, without complaint, and none of the neighbors who would be most affected by the Petitioners' proposal attended the hearing. Thus, it appears that only an amendment of my prior decision to require a minimum buffer/setback of 10 feet is necessary, and I shall so Order.

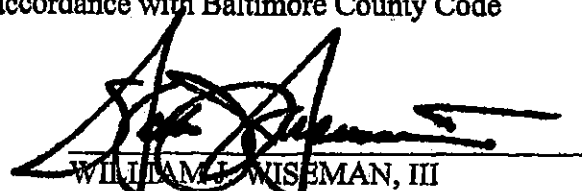
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of April 2005 that the Order issued on March 7, 2005 be and the same shall hereby be AMENDED;

IT IS FURTHER ORDERED that a variance from the Residential Transition Area requirements set forth in Section 1B01.1B.1(c) of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a church and parking lot with a setback and buffer of 10 feet each in lieu of the required 75 feet and 50 feet, respectively, be and is hereby GRANTED, subject to the following restriction:

- 1) Prior to the issuance of any building permits, the Petitioners shall submit a revised site plan to the Office of Planning and the Department of Permits and Development Management which reflects a minimum 10-foot setback and buffer on the west side of the property.

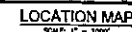
IT IS FURTHER ORDERED that but for the modified relief set forth above, all other terms and conditions of the Order issued March 7, 2005 shall remain in full force and effect.

Any appeal of this Order shall be taken in accordance with Baltimore County Code Section 32-3-401.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

SW:bjs

ORDER RECEIVED FOR PLANNING
4/15/05
Date
SW



1. OWNER: TRUSTEES OF COLLECTIVE
CHRISTIAN MINISTRIES CD.
#1136 LIBERTY ROAD
WILMINGTON, DE 19353-3522

2. SITE AREA: APT. 100.202 SQ. FT. OR 2.415 A.C.

3. CLOSING EASEMENTS: 2,402 SQ. FT.

4. PROPOSED BUILDING: 100'00 X 103'53 SQ. FT.
(FUTURE) 3,608 SQ. FT.

5. TOTAL BUILDINGS: (NOW) 7,134 SQ. FT.
(FUTURE) 10,742 SQ. FT.

6. UTILITIES
ELECTRIC, GAS, AND SEWER

7. NO 100 YR FLOODPLAINS ON SITE

8. USES:
EXISTING: #1136 RESIDENTIAL
#1136 OFFICE
PROPOSED: #1136 CHURCH OFFICE
#1136 CHURCH CHILD CARE CENTER,
PROSP. DEDICATED CHURCH

9. PARKING REQUIRED:
GROUP CHILD CARE CENTER: SPACE PER
CHILD 4' X 8' AT LARGEST SHIP 5 SPACES
55 EMPLOYEES AT LARGEST SHIP = 5 SPACES
CHURCH: 4' X 8' AT LARGEST SHIP 5 SPACES
OF WORKSHOP, 200 SEATS = 50 SPACES
TOTAL: 60 SPACES

10. PARKING: CHURCH SPACES
GROUP CHILD CARE CENTER 6 SPACES
CHURCH OFFICE 3 SPACES
TOTAL: 69 SPACES.

11. SETBACKS: REQUIRED PROVIDED
FRONT 20' 20'
SIDE 20' 20'
REAR 20' 20'
HEIGHT

12. DEED REF: 14509/133 & 15330/111

13. TAX ACCOUNT NO: 0223001450 & 1600001570

14. DEED REF: 14509/133 & 15330/111

15. ZONING/MAPPING DISTRICT 2

16. REQUIRED ZONING DISTRICT 312

17. CHURCH TRACT 40225.01

18. WATERSHED: CHESAPEAKE FALLS

19. ZONING DISTRICT 2

20. PER 1-2007 DOWNS MAP N.W. 7-1)

21. TAX MAP: 177 PARCEL 393 & #55

22. PREVIOUS RECORDS: CHURCH ON FILE

23. PREVIOUS PERMITS: NONE ON FILE

24. FLOOD MAP:
(NOW) 7,134 + 105,202 = .68
(FUTURE) 10,742 + 105,032 = 1.02
WATER WATERSHED

25. AMOUNT OF SPACE REQUIRED: = 7% OF PARKING
24,453 SQ. FT. X 0.07 = 1,782 SQ. FT.

26. FUTURE 1,887 SQ. FT. AT A SETBACK AS
THE PARKING LOT IN THE FUTURE
BEING 2' IN VIEW OF THE REQUIRED 75' AND
SHUTTERING, AND A SETBACK OF 20' FOR THE
BUILDING OF THE REQUIRED 75' AND

Richardson Engineering, LLC

730 W. Padonia Road, Suite 101
Cockeysville, Maryland 21030
Phone: 410-580-1502 Fax: 410-580-0827

PLAN TO ACCOMPANY
PETITION FOR ZONING VARIANCE
FOR

TRUSTEES OF COLLECTIVE
CHRISTIAN MINISTRIES INC.
#9138 LIBERTY ROAD
TAX MAP 77; GRID 7; PARCEL 59 & 63

2ND ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND	
PETITIONER'S		DRAWN BY: CND	DESIGNED BY: PCR
EXHIBIT 1		DATE: 5/16/04	SCALE: 1" = 40'
		JOB NO.: 03059	SHEET NO.: 1 OF 1

05-2SD-A

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment6-16 (Revised)

DEVELOPMENT PLANS REVIEW

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

C5-16 (Revised)

DEPS

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

NC

FIRE DEPARTMENT

PLANNING

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

5-29

STATE HIGHWAY ADMINISTRATION

C

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION

(Case No. Wienan)

PRIOR ZONING

(Case No. 2005-0250-A Wienan 3-17-05)

NEWSPAPER ADVERTISEMENT

Date: 7-5-18JeffersonianSIGN POSTING (1st)Date: 6-23-18by O'KeefeSIGN POSTING (2nd)

Date: _____

by _____

PEOPLE'S COUNSEL APPEARANCE

Yes

☒

No

☐

PEOPLE'S COUNSEL COMMENT LETTER

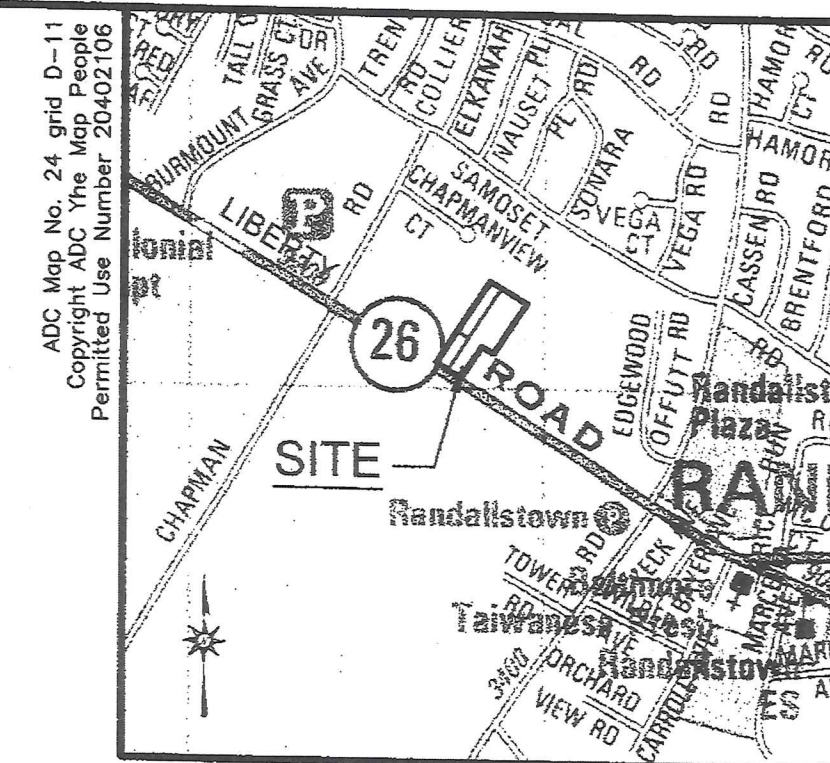
Yes

☐

No

☐

Comments, if any: _____



LOCATION MAP

SITE DATA

1. OWNER: TRUSTEES OF COLLECTIVE CHRISTIAN MINISTRIES INC.
#9138 LIBERTY ROAD
RANDALLSTOWN, MD 21133-3522
2. SITE AREA : NET: 105,202 Sq.Ft. OR 2.415 Ac.±
3. EXISTING BUILDINGS: 2,422 Sq.Ft.
4. PROPOSED BUILDING: (NOW) 3,523 Sq.Ft.
(FUTURE) 3,608 Sq.Ft.
5. TOTAL BUILDINGS: (NOW) 7,134 Sq.Ft.
(FUTURE) 10,742 Sq.Ft.
6. UTILITIES
WATER: PUBLIC SEWER: PUBLIC
NO 100 YR FLOODPLAINS ON SITE
8. USES:
EXISTING:
#9136 RESIDENTIAL
#9138 OFFICE
PROPOSED:
#9136 CHURCH OFFICE
#9138 GROUP CHILD CARE CENTER.
PROP. BLDG. CHURCH
9. PARKING REQUIRED:
GROUP CHILD CARE CENTER: 1 SPACE PER
EMPLOYEE ON LARGEST SHIFT.
5 EMPLOYEES AT LARGEST SHIFT = 5 SPACES.
CHURCH: 1 PER 4 SEATS IN PRINCIPAL PLACE OF
WORSHIP. 200 SEATS = 50 SPACES
TOTAL REQUIRED = 55 SPACES
10. PARKING PROVIDED:
GROUP CHILD CARE CENTER: 6 SPACES
CHURCH: 63 SPACES
TOTAL: 69 SPACES.
11. SETBACKS: REQUIRED PROVIDED
FRONT 40' 40'
SIDE 20' 20'
REAR 30' 30'
HEIGHT 35'
12. DEED REF: 14509/132 & 15350/113
13. TAX ACCOUNT NO: 0223001430 & 1900001570
14. ELECTION DISTRICT 2
15. COUNCILMANIC DISTRICT 2
16. REGIONAL PLANNING DISTRICT 312
17. CENSUS TRACT 4025.01
18. WATERSHED: GWYNNNS FALLS
19. ZONING: D.R. 5.5 & RO
(PER 1"=200' ZONING MAP N.W. 7-1)
20. TAX MAP: 77 PARCEL #59 & #63
21. PREVIOUS ZONING CASES: NONE ON FILE
22. PREVIOUS PERMITS: NONE ON FILE
23. FLOOR AREA RATIO:
(NOW) 7,134 ÷ 105,202 = .68
(FUTURE) 10,742 ÷ 105,202 = 1.02
MAXIMUM PERMITTED: 4.0
24. AMENITY OPEN SPACE REQUIRED: = 7% OF PARKING AREA
25,455 Sq.Ft. x 0.07 = 1,782 Sq.Ft.
PROVIDED: 1,887 Sq.Ft.
25. SIGNS: ALL PROPOSED SIGNS TO MEET BCZR.
26. VARIANCE REQUESTED PER SECTION 1B011.8.1.c TO PERMIT
THE PARKING LOT IN THE RTA WITH A SETBACK AND
BUFFER OF 2' IN LIEU OF THE REQUIRED 75' AND 50'
RESPECTIVELY, AND A SETBACK OF 20' FOR THE FUTURE
BUILDING IN LIEU OF THE REQUIRED 75'.

Richardson Engineering, LLC

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Cockeysville, Maryland 21030
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PLAN TO ACCOMPANY
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CHRISTIAN MINISTRIES INC.

#9138 LIBERTY ROAD
TAX MAP 77; GRID 7; PARCEL 59 & 63

2ND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

REVISIONS

PETITIONER'S
EXHIBIT 1

DRAWN BY: CND	DESIGNED BY: PCR	SCALE: 1" = 40'
DATE: 9/16/04	JOB NO.: 03059	SHEET NO.: 1 OF 1