PETITION FOR SPECIAL HEARING

183
87-238-SPH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a new church, planned to comply to the extent possible with RTA use requirements pursuant to Section 1 B 01.1Bc.6BCZR.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do 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 Petition.

Contract Purchaser: Loch Raven Village Presbyterian Church
R.D. Fagon Chm. Trustees (Type or Print Name)
R D Fagon (Signature)
1546 Doxbury Rd (Address)
Baltimore Md 21204 (City and State)

Attorney for Petitioner:
(Type or Print Name)
(Signature)
(Address)
(City and State)
Attorney's Telephone No.:

Legal Owner(s):
Kenneth L. Lightheiser (Type or Print Name)
Kenneth L Lightheiser Sr. (Signature)
Minetta M. Lightheiser (Type or Print Name)
Minetta M. Lightheiser (Signature)
9318 Old Harford Rd. 665-683 (Address, Phone No.)
Baltimore, MD 21234 (City and State)
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
(Name)
(Address, Phone No.)

MAP	11E NE
	4C
E.D.	9
DATE	6/3/82
200	
1000	
DP	

N42,050
E-22,700

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of November, 19 86, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of December, 19 86, at 10:15 o'clock A.M.

Zoning Commissioner of Baltimore County.

Z.C.O.—No. 1 (over)

87-238-SPH #183
Kenneth L. Lightheiser, et ux 87-238-SPH
305' SW of Waldor Dr 588' NW of Old Harford Rd (9318 Old Harford Rd)

ORDER RECEIVED FOR FILING
Date January 12, 1987
By

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
305' SW of C/L of Old Harford Rd. (9318 Old Harford Rd.) : OF BALTIMORE COUNTY
9th District :
KENNETH L. LIGHTHEISER, et ux, Petitioners : Case No. 87-238-SPH

: : : : : : :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 25th day of November, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Kenneth L. Lightheiser, 9318 Old Harford Rd., Baltimore, MD 21234, Petitioners; and R. D. Fagon, Chairman, Trustees, Loch Raven Village Presbyterian Church, 1546 Doxbury Rd., Towson, MD 21204, Contract Purchaser.

Peter Max Zimmerman

IN RE: PETITION SPECIAL HEARING * BEFORE THE
305' SW of Waldor Drive, * ZONING COMMISSIONER
588' NW of Old Harford Road * OF BALTIMORE COUNTY
(9318 Old Harford Road) - * Case No. 87-238-SPH
9th Election District *
Kenneth L. Lightheiser, et ux, *
Petitioners *

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request approval of a site plan for a church in a residential zone and to confirm that it satisfies the residential transition area (RTA) use requirements to the extent possible, as more particularly described on Petitioners' Exhibit 1.

The Petitioners appeared, as did R. D. Fagon, Chairman of the Trustees of the Loch Raven Village Presbyterian Church, Contract Purchasers. Paul Lee, a registered civil engineer, testified on behalf of the Petitioners. Arold H. Ripperger, an attorney and adjacent property owner, appeared on behalf of himself and two other nearby property owners, not to oppose the location of the church but to oppose any use of a paper street, if ever developed, as access to the site.

Testimony indicated that the subject property is zoned D.R.3.5 and D.R.16 and contains 4.35 acres. It is located on the west side of Old Harford Road and is improved with a dwelling which is occupied by the Petitioners. The Loch Raven Village Presbyterian Church proposes to purchase the property and to utilize the existing dwelling as its parsonage. It also proposes to construct a 400-seat church building, approximately 110' x 160', which will contain the sanctuary, Sunday school rooms, a fellowship hall, offices, and a library. It hopes to eventually construct a 60' x 100' multi-purpose building. The church presently has approximately 300 members, including children, who meet on Sunday mornings for services and on other evenings for some major events.

The Protestants are concerned about the development of Sunnybrae Road, which is of record but is undeveloped. This road is shown on Petitioners' Exhibit 1 to be off Waldor Drive, which leads from Cub Hill Road to Old Harford Road. The neighbors are concerned that if the County should require development of the road, which would lead directly to the instant site, a bad traffic situation on Waldor Drive would become worse. This is their only concern. Presently, access to the property is from Old Harford Road, directly to the site by a private access drive adjacent to an apartment complex property.

Churches, other buildings for religious worship, or other religious institutions are permitted in a residential zone by right. There is no question that the proposed use is compatible with the neighborhood and community; the Baltimore County Council so concluded by permitting such a use as a matter of right. However, the proposed use would be a residential transition use and, as such, would be required to satisfy, to the extent possible, the RTA use requirements to be compatible with the character and general welfare of the surrounding residential premises.

In fact, all of the RTA use requirements can be satisfied except for the 75-foot buffer requirement. The parking lot located to the northeast property line is within the required buffer area, i.e., 45 feet at the closest point to the property line. It should be noted that an apartment complex exists on three sides of the site and that the only single-family residential area is to the northeast, which creates the RTA. The Petitioners propose landscaping, which will provide a dense buffer area between the parking lot and the property line. Obviously it is impossible to satisfy the buffer requirement.

The Petitioner seeks relief from Section 1B01.1.B.1.c.6, pursuant to Section 500.7, Baltimore County Zoning Regulations (BCZR).

It is clear from the testimony and evidence presented that the proposed improvements are planned in such a way that compliance with the RTA use requirements, to the extent possible, will be maintained and that the improvements can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises. It is also clear that the proposed use would not be contrary to the spirit and intent of the BCZR and would not result in substantial detriment to the public good.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the approval prayed for should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of January, 1987, that the site plan for a church in a residential zone is approved and satisfies the RTA use requirements to the extent possible and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall be prohibited from using Sunnybrae Road, if ever developed, for access to the church and shall prohibit its members from so using and from parking on Sunnybrae Road on church service days or on days in which major events are held.

Zoning Commissioner of Baltimore County

AJ/srl

cc: Mr. & Mrs.Kenneth L. Lightheiser
Arold H. Ripperger, Esquire
People's Counsel

PETITION FOR SPECIAL HEARING
9th Election District
Case No. 87-238-SPH

LOCATION: 305 feet Southwest of the Centerline of Old Harford Road (9318 Old Harford Road)

DATE AND TIME: Monday, December 22, 1986, at 10:15 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing to approve a new church planned to comply to the extent possible with RTA use requirements

Being the property of Kenneth L. Lightheiser, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Paul Lee P.E.

Paul Lee Engineering Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
301-821-5941

DESCRIPTION

9318 OLD HARFORD ROAD

NINTH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point located 305 feet ± southwesterly along the center of Old Harford Road from the center of Waldor Drive and North 34°25'50" West 588 feet ±; running thence and continuing along the extension of said line:

(1) North 34°25'50" West 467.71 feet,

(2) South 38°27'40" West 516.93 feet,

(3) South 56°22'00" East 430.18 feet, and

(4) North 41°31'10" East 343.62 feet

to the point of beginning.

Containing 4.35 acres of land, more or less.

STATE OF MARYLAND — PAUL LEE — No. 6867 — REGISTERED PROFESSIONAL ENGINEER

OFFICE COPY

Engineers — Surveyors — Site Planners 10/22/86

8-18-87

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 17, 1986

Mr. Kenneth L. Lightheiser
Mrs. Minetta M. Lightheiser
9318 Old Harford Road
Baltimore, Maryland 21234

RE: PETITION FOR SPECIAL HEARING
305' SW of the c/l of Old Harford Rd.
(9318 Old Harford Rd.)
9th Election District
Kenneth L. Lightheiser, et ux - Petitioners
Case No. 87-238-SPH

Dear Mr. and Mrs. Lightheiser:

This is to advise you that $108.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

...the check payable to Baltimore County, Maryland, and remit ... Office Building, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT No. 025751

DATE 12/22/86 ACCOUNT R-01-615-000
SIGN & POST RETURNED (3 OF THEM) AMOUNT $ 108.00
RECEIVED FROM Loch Raven Village Presbyterian Church, 1600 White Oak Ave., Balto., Md. 21234
FOR ADVERTISING & POSTING COSTS RE CASE #87-238-SPH
B 0026****1080:a 2225F
VALIDATION OR SIGNATURE OF CASHIER

Paul Lee P.E.

Paul Lee Engineering Inc.
305 W. Pennsylvania Ave.
Towson, Maryland 21204
301-821-5341

November 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: #9318 Old Harford Road
Item #183

Dear Mr. Jablon:

I am writing this letter at the request of our congregation, the Loch Raven Village Presbyterian Church, who have filed a Petition for Special Hearing to determine if the property located at the above address is suitable for a church site.

As a condition to the sale, our congregation must obtain from Baltimore County the approval from the Zoning Office. We are required to meet this commitment, which is one of four, prior to the end of this year. This is the reason I am requesting on behalf of the Loch Raven Village Presbyterian Church and the owners of the property, Mr. and Mrs. Kenneth Lighthiser, for an early Hearing date.

Anything your office can do to expedite this request would be appreciated.

Thanking you for your cooperation in this matter, I am,

Yours sincerely,

Paul Lee

PL:tl
cc: Mr. and Mrs. Kenneth Lighthiser
Mr. Nadim Warsal

Engineers — Surveyors — Site Planners

Lewis J Healy 2721 Walden Drive
Richard A. Reif 2735 Walden Drive
Arnold H. Rippenger 2719 Walden Drive

12-8-86
RECEIVED
DEC 19 1986
ZONING OFFICE

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 183, Zoning Advisory Committee Meeting of 11-18-86
Property Owner: Kenneth L. Lightheiser, et ux
Location: Old Harford Rd.
Water Supply metro District 9
Sewage Disposal metro

COMMENTS ARE AS FOLLOWS:

(✓) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

(✓) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

( ) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.

(✓) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

WWQ 1 4/86

87-238-SPH Rec'd 12-22-86

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Arnold Jablon, Zoning Commissioner Date November 26, 1986

FROM Norman E. Gerber, AICP, Director, Office of Planning and Zoning

SUBJECT Zoning Petition No. 87-238-SpH

In view of the subject of this petition, this office offers no comment.

Norman E. Gerber AICP
Director

NEG:JGH:slb

CPS-00d

87-238-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 12th day of November, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner Kenneth L. Lightheiser, et ux Received by: James E. Dyer
Petitioner's Attorney Chairman, Zoning Plans Advisory Committee

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 87-238-SPH
Towson, Maryland

District 9th Date of Posting 12/5/86
Posted for: Special Hearing
Petitioner: Kenneth L. Lightheiser, et ux
Location of property: 305' SW/ Old Harford Rd.
9318 Old Harford Rd.
Location of Signs: (1) one sign facing Old Harford Rd. approx. 200' S/ Walden Drive
(2) one sign facing Walden Drive, approx. 400' W/ Old Harford Rd. (3) approx. 800' S/ Walden Drive & approx. 600' W/ Old Harford Rd. on property of Petitioner
Posted by [signature] Signature Date of return: 12/5/86
Number of Signs: 3

Mr. Kenneth L. Lightheiser
Mrs. Minetta M. Lightheiser
9318 Old Harford Road
Baltimore, Maryland 21234

November 14, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
305' SW of the c/l of Old Harford Rd.
(9318 Old Harford Rd.)
9th Election District
Kenneth L. Lightheiser, et ux - Petitioners
Case No. 87-238-SPH

TIME: 10:15 a.m.

DATE: Monday, December 22, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Zoning Commissioner
...e County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT No. 025664

DATE 11/7/86 ACCOUNT R-01-615-000
AMOUNT $ 100.00
RECEIVED FROM Paul Lee ...resbyterian Church
FOR SPECIAL HEARING ITEM # 183
B 003****1030:a 2074F
VALIDATION OR SIGNATURE OF CASHIER

Zoning Item # 183 Zoning Advisory Committee Meeting of 11-18-86
Page 2

( ) Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.

( ) Soil percolation tests (have been/must be) conducted.
( ) The results are valid until
( ) Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.

( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
( ) shall be valid until
( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

(✓) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.

( ) Others

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86

Sent 12/11/86

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 8, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Kenneth L. Lightheiser
9318 Old Harford Road
Baltimore, Maryland 21234

RE: Item No. 183 - Case No. 87-238-SPH
Petitioner: Kenneth L. Lightheiser, et ux
Petition for Special Hearing

Dear Mr. Lightheiser:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer /kkb

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Paul Lee Engineering, Inc.
304 W. Pennsylvania Avenue
Towson, Maryland 21204

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

NOVEMBER 19, 1986

Re: Zoning Advisory Meeting of NOVEMBER 18, 1986
Item # 183
Property Owner: KENNETH L. LIGHTHEISER, etal
Location: 305' SW/ALONG THE ℄ OF OLDHARFORD RD. FROM THE CENTER OF WALDON DRIVE

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

( )There are no site planning factors requiring comment.
(X)A County Review Group Meeting is required.
( )A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
( )This site is part of a larger tract; therfore it is defined as a subdivision. The plan must show the entire tract.
( )A record plat will be required and must be recorded prior to issuance of a building permit.
( )The access is not satisfactory.
( )The circulation on this site is not satisfactory.
( )The parking arrangement is not satisfactory.
( )Parking calculations must be shown on the plan.
( )This property contains soils which are defined as wetlands, and development on these soils is prohibited.
( )Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
( )Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
( )The amended Development Plan was approved by the Planning Board on ______.
(X)Landscaping: Must comply with Baltimore County Landscape Manual.
( )The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is ______.
( )The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
( )Additional comments:

cc: James Hoswell

David Fields, Acting Chief
Current Planning and Development

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

December 2, 1986

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 183 Zoning Advisory Committee Meeting are as follows:

Property Owner: Kenneth L. Lightheiser, et ux
Location: 305 ft. SW along the C/L Old Harford Road from the Center of Waldon Dr.
District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

(A.) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.

(B.) A building and other miscellaneous permits shall be required before the start of any construction.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

(D.) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0 to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0 to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) ______, ______, of the Baltimore County Building Code.

H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use ______ to Use ______, or to Mixed Uses ______ ______ ______. See Section 312 of the Building Code.

I. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

(J.) Comments: Provide handicapped access and useability for both structures.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

4/22/85

BY: C. E. Burnham, Chief
Building Plans Review

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

November 24, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson Maryland 21204

RE: Property Owner: Kenneth L. Lightheiser, et ux

Location: 305' SW along the centerline of Old Harford Road

Item No.: 183 Zoning Agenda: Meeting of 11/18/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at ______ EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Capt Joseph Kelly 11-25-86
Planning Group
Special Inspection Division

Noted and Approved: John F. O'Neill
Fire Prevention Bureau

/mb

PETITION FOR SPECIAL HEARING
9th Election District
Case No. 87-238-SPH

LOCATION: 305 feet Southwest of the Centerline of Old Harford Road (9318 Old Harford Road)
DATE AND TIME: Monday, December 22, 1986, at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing to approve a new church planned to comply to the extent possible with RTA use requirements.

Being the property of Kenneth L. Lightheiser, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

83455-L86116 Dec. 3

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 3, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on December 3, 1986.

TOWSON TIMES,

Susan Sinder Obrecht
Publisher

38.25

PETITION FOR SPECIAL HEARING
9th Election District
Case No. 87-238-SPH

LOCATION: 305 feet Southwest of the Centerline of Old Harford Road (9318 Old Harford Road)
DATE AND TIME: Monday, December 22, 1986, at 10:15 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing to approve a new church planned to comply to the extent possible with RTA use requirements.

Being the property of Kenneth L. Lightheiser, et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of
ARNOLD JABLON
Zoning Commissioner
of Baltimore County

12/007 Dec. 4.

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 4, 1986

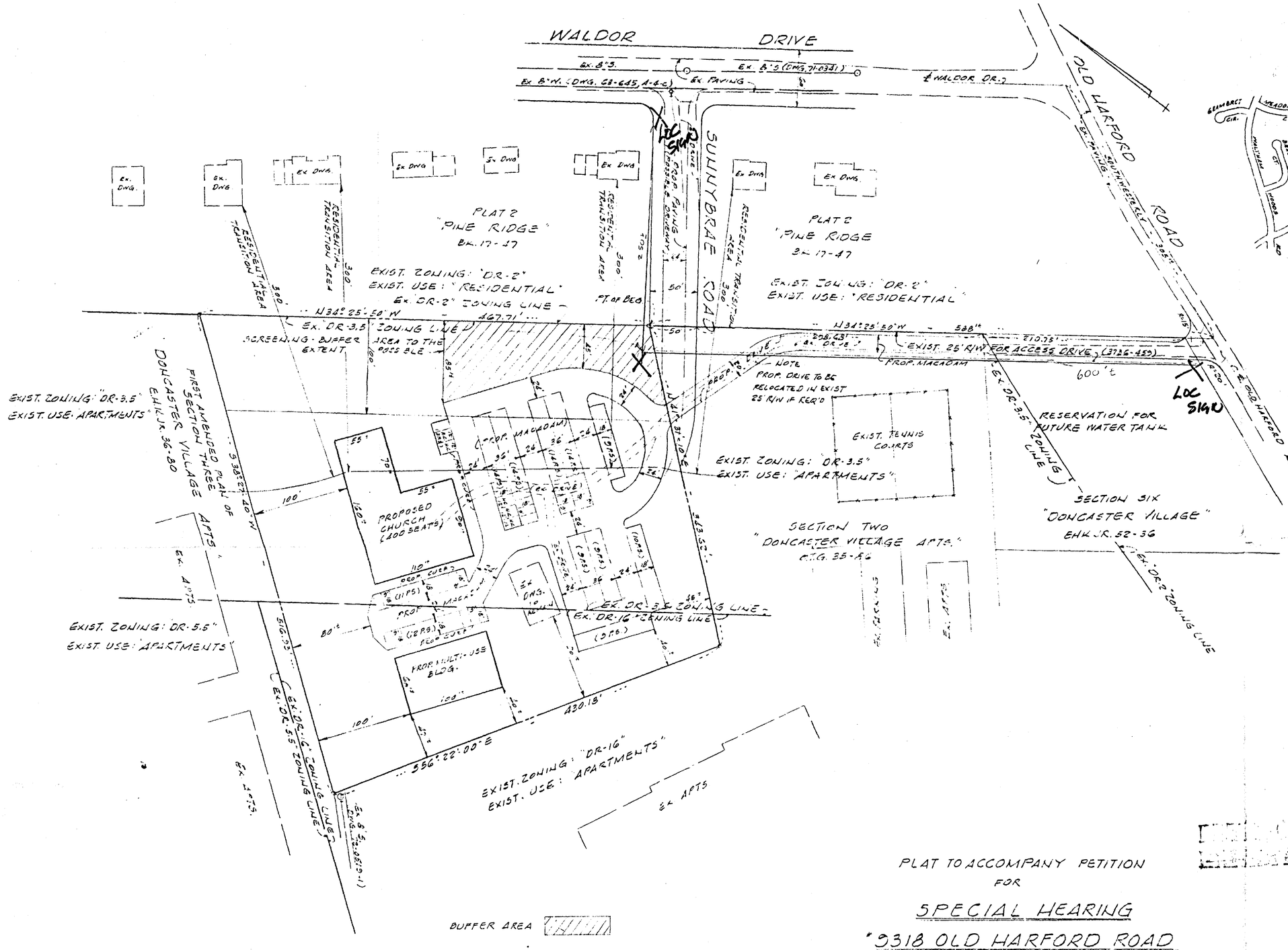
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on December 4, 1986.

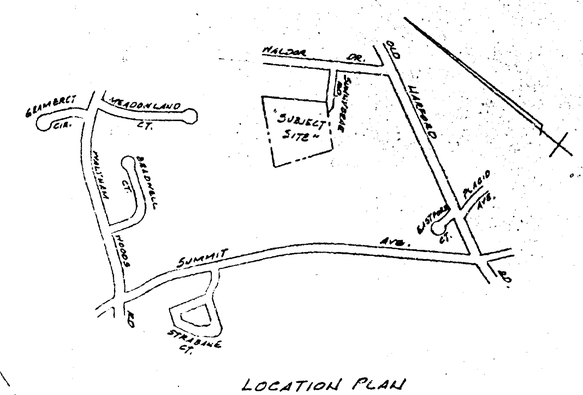
THE JEFFERSONIAN,

Susan Sinder Obrecht
Publisher

Cost of Advertising

24.75





LOCATION PLAN
SCALE: 1"=500'

GENERAL NOTES

1. TOTAL AREA OF SITE = [illegible] ACRES
2. EXIST. ZONING OF SITE = [illegible] "DR-16"
3. EXIST. USE OF SITE = "RESIDENTIAL"
4. PROP. ZONING OF SITE = "DR-3.5 & DR-16"
5. PROP. USE OF SITE = "PRESBYTERIAN CHURCH"
6. REQUIRED PARKING SPACES:
   A. RESIDENCE = 2
   B. CHURCH - NO. SEATS/6 = 400/6 = 67
   C. TOTAL NO. SPACES = 69
7. NUMBER OF PARKING SPACES SHOWN = 128 (INCL. SH.C.)
8. PETITIONER: REQUESTING SPECIAL HEARING TO SECTION 1B01.1B1.G OF THE ZONING REGULATIONS TO SHOW COMPLIANCE TO EXTENT POSSIBLE WITH THE RTA USE REQUIREMENT.
9. PUBLIC UTILITIES EXISTING TO SITE

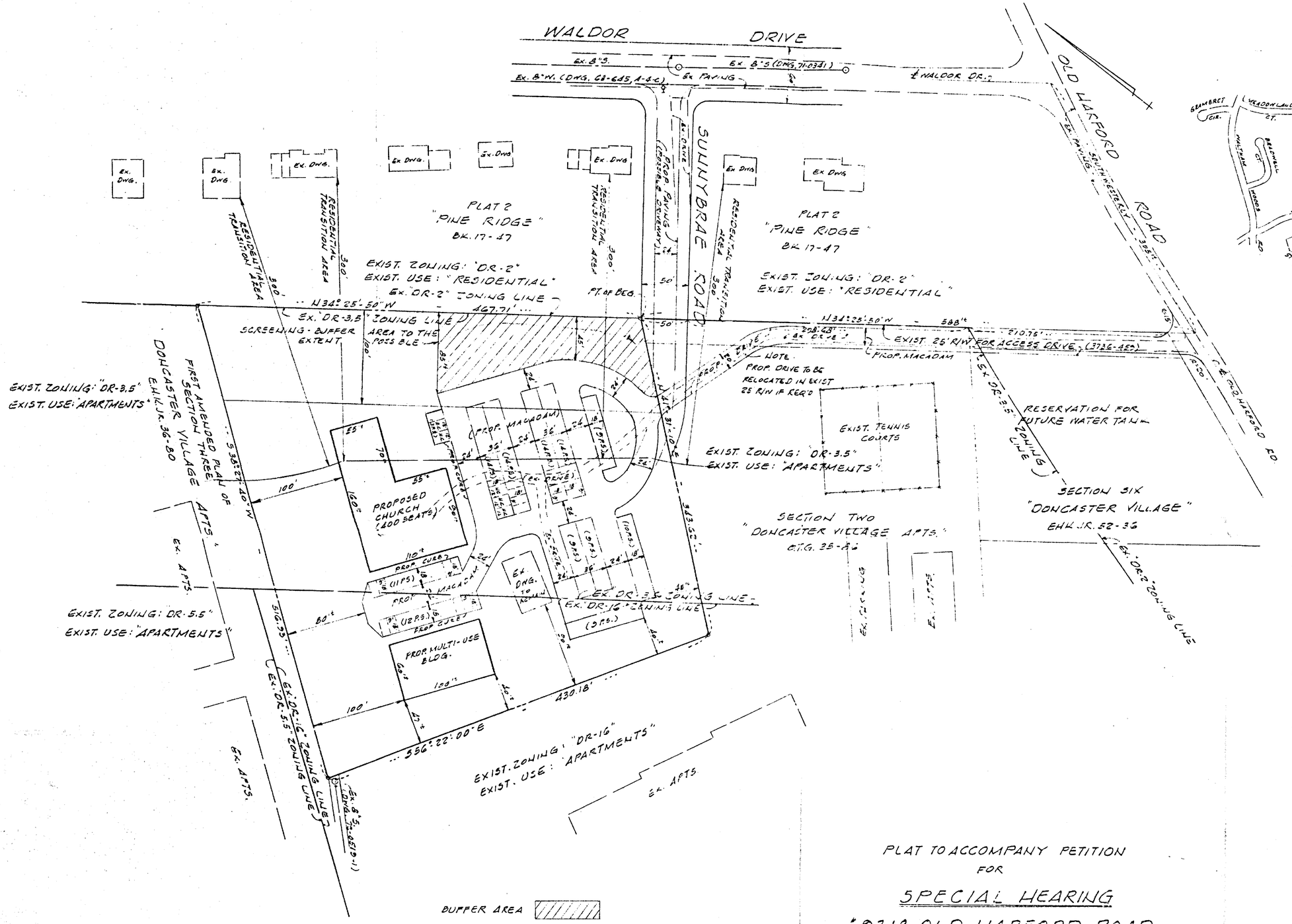
PLAT TO ACCOMPANY PETITION
FOR
SPECIAL HEARING
9318 OLD HARFORD ROAD

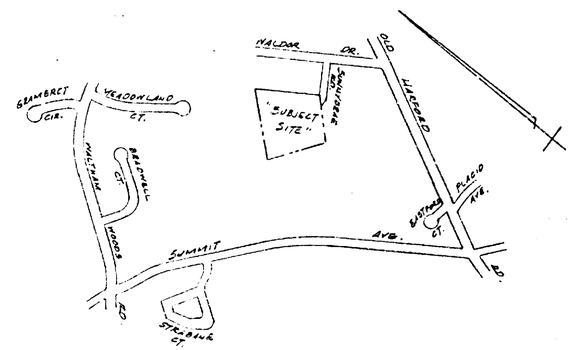
ELECT. DIST. 9 — BALTIMORE COUNTY, MD.
SCALE: 1"=50' — OCTOBER 22, 1986

3/page

#183
OFFICE COPY
89-238-SPH

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204





LOCATION PLAN
SCALE: 1"=500'

GENERAL NOTES

1. TOTAL AREA OF SITE = 4.35 ACRES ±
2. EXIST. ZONING OF SITE = "DR-3.5" & "DR-16"
3. EXIST. USE OF SITE = "RESIDENTIAL"
4. PROP. ZONING OF SITE = "DR-3.5 & DR-16"
5. PROP. USE OF SITE = "PRESBYTERIAN CHURCH"
6. REQUIRED PARKING SPACES:
   A. RESIDENCE = 2
   B. CHURCH - NO. SEATS/6 = 400/6 = 67
   C. TOTAL NO. SPACES = 69
7. NUMBER OF PARKING SPACES SHOWN = 128 (INCL. 5 H.C.)
8. PETITIONER REQUESTING SPECIAL HEARING TO SECTION 1801.1B1c6 OF THE ZONING REGULATIONS TO SHOW COMPLIANCE TO EXTENT POSSIBLE WITH THE RTA USE REQUIREMENT.
9. PUBLIC UTILITIES EXISTING TO SITE

PLAT TO ACCOMPANY PETITION
FOR

SPECIAL HEARING

#9318 OLD HARFORD ROAD

ELECT. DIST. 9 BALTIMORE COUNTY, MD.

SCALE: 1"=50' OCTOBER 22, 1986

#183
87-238-SPH

PAUL LEE ENGINEERING, INC.
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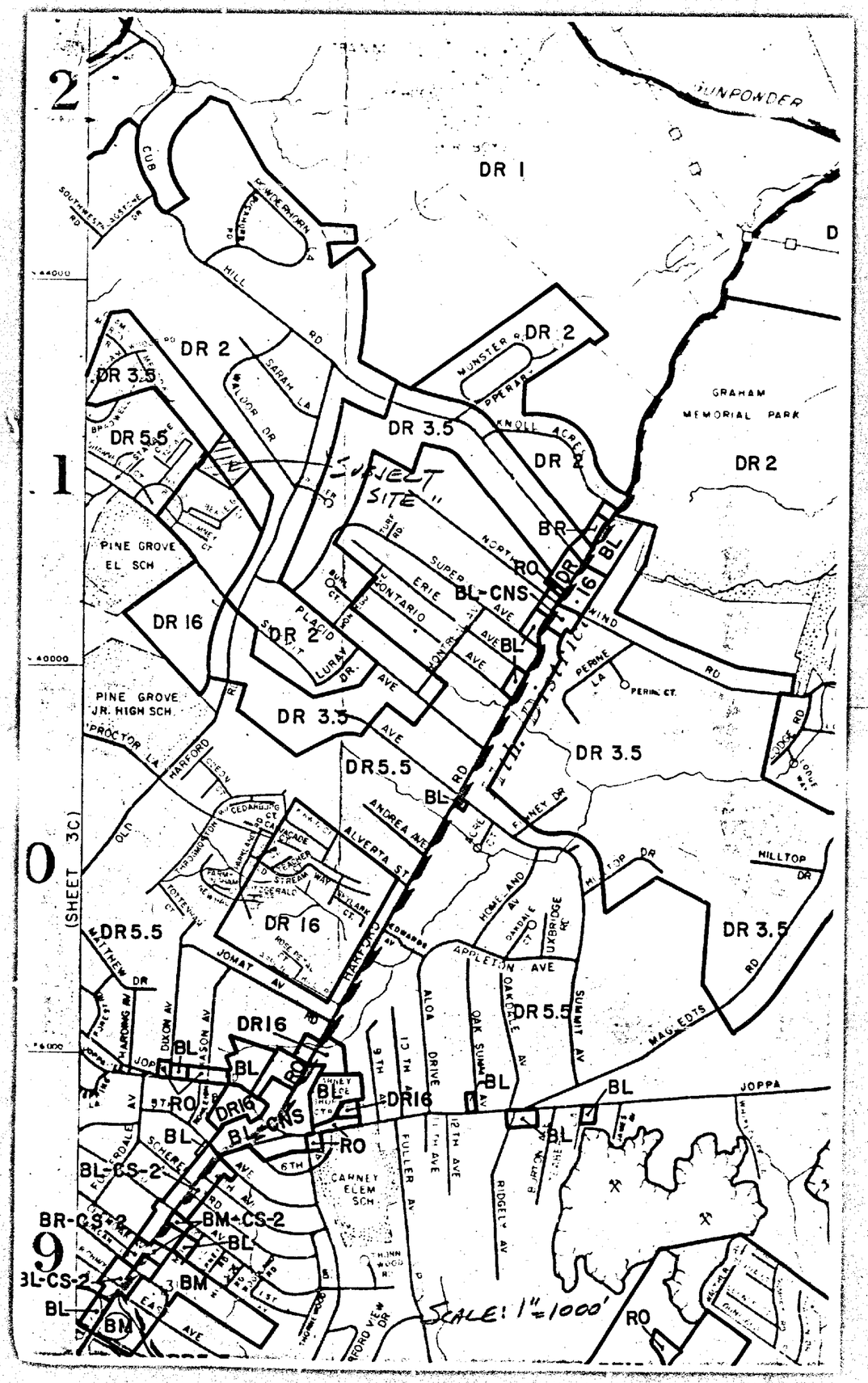
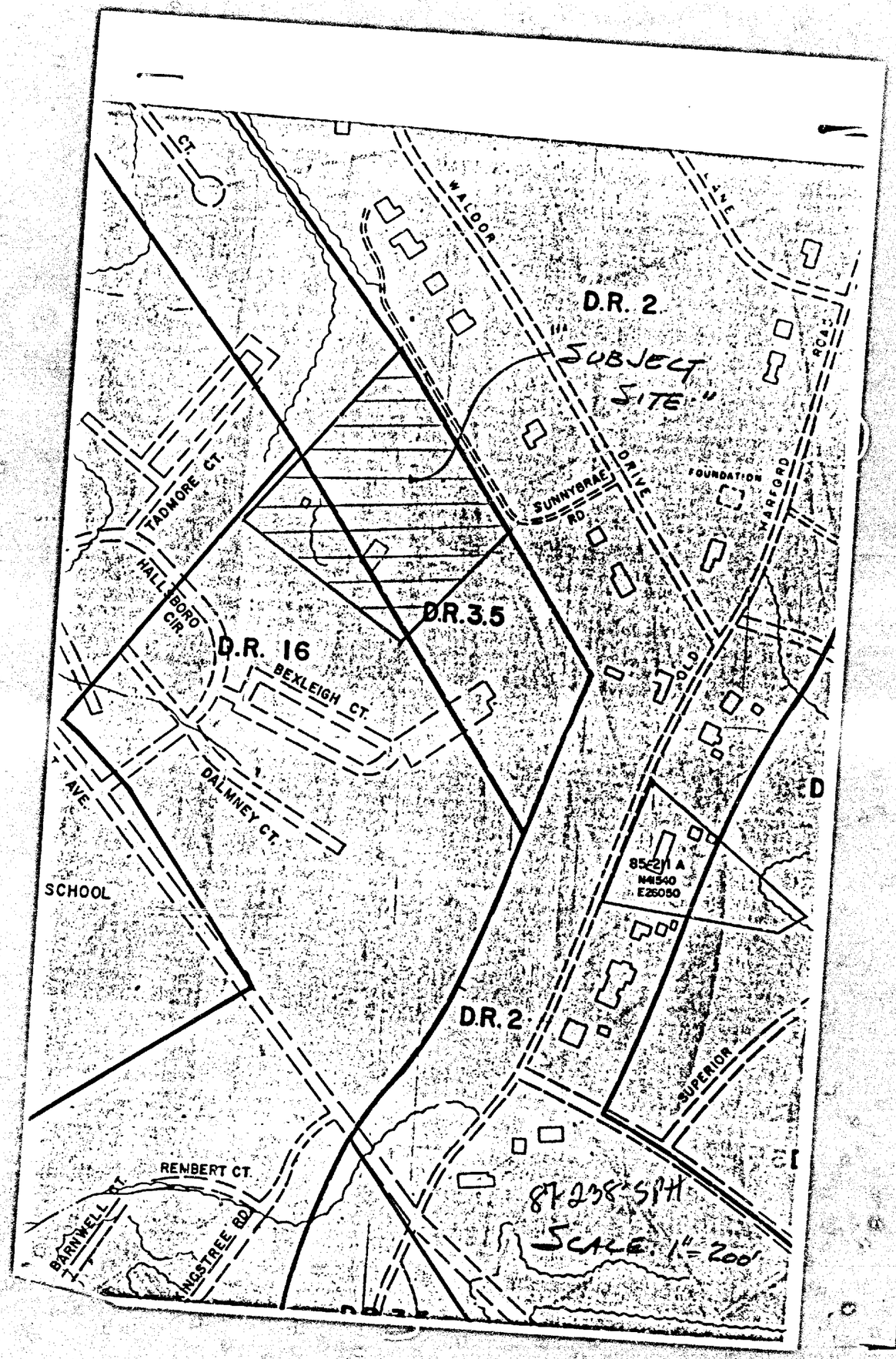
TOWSON, MARYLAND 21204



GUNPOWDER
DR 1
DR 2
DR 3.5
DR 5.5
DR 16
GRAHAM MEMORIAL PARK
SUBJECT SITE
PINE GROVE EL SCH
PINE GROVE JR. HIGH SCH
BL-CNS
BL
BR
RO
BL-CS-2
BR-CS-2
BM-CS-2
BM
CARNEY ELEM SCH
SCALE: 1"=1000'



D.R. 2
SUBJECT SITE
D.R. 3.5
D.R. 16
TADMORE CT.
HALLSBORO CIR.
BEXLEIGH CT.
DALMNEY CT.
SCHOOL
WALDOR
SUNNYBRAE RD
DRIVE
FOUNDATION
HARFORD
SUPERIOR
REMBERT CT.
BARNWELL CT.
KINGSTREE RD
85-211 A
N41540
E26050
87-238-SPH
SCALE: 1"=200'