

IN RE: PETITION FOR SPECIAL HEARING, & ZONING VARIANCE
W/S Old Pimlico Road, E. of Rockland Hills Drive
7000 Rockland Hills Drive
3rd Election District
2nd Councilmanic District
Liberty Jewish Center
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE #90-569-SPHA

ORDER OF DISMISSAL

The Petitioner herein requested a Petition for a Special Hearing to approve the removal of the special exception for a country club and conditions imposed in Case No. 74-265X; a synagogue and parking therefor as an exception to residential transition, pursuant to Section 1801.1.B.1c and a Zoning Variance from Section 409.4 to permit 90 deg. parking off a direct access aisle.

WHEREAS, the Petitioner, Liberty Jewish Center, by Donald Scherr, President, has requested withdrawal of the Petitions (see companion case No. 90-568-SPHA).

IT IS THEREFORE ORDERED by the Zoning Commissioner for Baltimore County, this 9th day of August, 1990 that the Petitions for Special Hearing and Zoning Variance, in the above captioned matter, be and the same is hereby DISMISSED without prejudice.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER OF
BALTIMORE COUNTY

JRH:mmm
cc: Peoples Counsel

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner



August 8, 1990

Dennis F. Rasmussen
County Executive

Mr. Donald Scherr, President
Liberty Jewish Center
7000 Rockland Hills Drive
Baltimore, Maryland 21209

RE: Petitions for Special Hearing and Zoning Variance
Liberty Jewish Center, Petitioner
Case #90-569-SPHA

Dear Mr. Scherr:

Attached hereto is an Order of Dismissal regarding the above captioned matter.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm
att.
cc: Peoples Counsel

PETITION FOR SPECIAL HEARING AND VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-569-SPHA

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 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

- (i) the removal of the special exception for a country club and conditions imposed in Case No. 74-265X;
(ii) a synagogue and parking therefor as an exception to residential transition pursuant to Section 1801.1.B.1c;
(iii) a variance from § 409.4 to permit 90° parking off a direct access aisle.

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:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Deborah C. Dopkin

(Type or Print Name)

Signature

Address

Towson, Maryland 21204

City and State

Attorney's Telephone No.: 825-1099

Legal Owner(s):

Liberty Jewish Center

(Type or Print Name)

Signature Donald Scherr, President

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Deborah C. Dopkin

Address

825-1099

City and State

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, 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 _____ day of _____, 19____, at _____ o'clock _____ M.

Filed on 9/20/89 by J.L.
ANYTIME OR DAY 3 HRS +
FOR HEARING
R.C.O. No. 1
THIS SHOULD BE HEARD WITH ITEM 91
(over)
THIS HRS. F. SHOULD COVER BOTH

90-569-SPHA

To intersect the aforesaid westerly right-of-way line of Rockland Hills Drive; thence, binding upon the last said right-of-way line the following 2 courses and distances:

11. South 03° 45' 00" East 328.66 feet to a point;
12. South 38° 24' 45" West 14.82 feet to the point of beginning.

Containing 10.00 acres more or less.



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 9/20/89 ACCOUNT R-1000 01-615

AMOUNT \$ 350.00

RECEIVED FROM D. Scherr

FOR SPHA

6 815 *****35000: 3201F

VALIDATION OR SIGNATURE OF CASHIER

September 15, 1989

DESCRIPTION OF LIBERTY JEWISH CENTER 90-569-SPHA

Beginning for the same at a point where the southerly line of Plat 2, Section 5, "Greengate," recorded among the Land Records of Baltimore County, Maryland in Plat Book 38 folio 77, intersects the westerly right-of-way line of Rockland Hills Drive, a 70 foot drive (erroneously described as 80 feet in prior descriptions); which point is 340 feet, more or less, northwesterly from the intersection of the westerly right-of-way line of Rockland Hills Drive with the northerly right-of-way line of Old Pimlico Road; thence, binding upon the said westerly right-of-way line, South 03° 45' 00" East 42.00 feet to a point; thence, running over and through the land of which this is a part, for a line of division, the following ten (10) courses and distances:

1. South 86° 15' 00" West 31.85 feet to a point;
2. South 03° 39' 13" East 90.41 feet to a point;
3. South 86° 20' 47" West 242.56 feet to a point;
4. South 03° 39' 13" East 62.72 feet to a point;
5. South 86° 20' 47" West 83.67 feet to a point;
6. South 03° 39' 13" East 69.25 feet to a point;
7. South 86° 20' 47" West 122.00 feet to a point;
8. North 03° 39' 13" West 81.51 feet to a point;
9. South 86° 20' 47" West 70.36 feet to a point;
10. North 03° 39' 13" West 182.00 feet to intersect the southerly line of aforementioned Plat 2, Section 5, "Greengate"; thence, running with and binding upon the last said land North 86° 15' 00" East 550.38 feet to the point of beginning.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

December 7, 1989

90-569-SPHA

Donald Scherr, President
Liberty Jewish Center
7000 Rockland Hills Drive
Baltimore, Maryland 21209

RE: Liberty Jewish Center
Item #106
7000 Rockland Hills Drive

Dear Mr. Scherr:

This correspondence is in reference to the status of the petition for Special Hearing and Variance in Item #106 as it relates to Item #91. In a conversation with Deborah Dopkin, Esq., who has withdrawn as your attorney in Item #106, it was brought to my attention that revisions to the plans and descriptions under both these items will be required. I have been holding these petitions in expectation of such revisions but as they have not been presented for review and inclusion under the item it has become necessary to determine exactly what your wishes are in reference to your hearing.

Please contact me at 887-3391 to advise me if you wish me to continue to wait for revised plans, etc., or to proceed with the case as it now exists in our files.

Very truly yours,

John L. Lewis
John L. Lewis
Planning & Zoning Associate

JLL:jat
cc: Case File Item's #91 & #106

page 2
Description of Liberty Jewish Center
September 15, 1989

91-569-SPHA

Containing 2.174 acres of land, more or less.
Under and subject to items of record.



August 1, 1989

DESCRIPTION OF PROPERTY AT
7000 ROCKLAND HILLS DRIVE
THIRD ELECTION DISTRICT, BALTIMORE COUNTY

90-569-SPHA

Beginning for the same at a point where the westerly right-of-way of Rockland Hills Drive, a 70 foot drive, intersects the northerly right-of-way of Old Pimlico Road, a 70 foot road; thence, along the proposed right-of-way for the re-aligned Old Pimlico Road; the following 4 courses and distances:

1. South 60° 34' 34" West 493.05 feet to a point;
2. 309.03 feet by a curve to the right having a radius of 1170.00 feet and a chord of South 88° 08' 30" West 308.13 feet to a point;
3. North 84° 17' 30" West 163.94 feet to a point;
4. 223.51 feet by a curve to the left having a radius of 730.00 feet and a chord of South 86° 56' 14" West 222.84 feet to a point;

Thence, binding upon the easterly right-of-way of Sugarcone Road the following 3 courses and distances:

5. North 58° 36' 00" West 14.48 feet to a point;
6. North 14° 58' 27" West 20.52 feet to a point;
7. 143.42 feet by a curve to the left having a radius of 420.00 feet and a chord of North 24° 45' 24" West 142.72 feet to a point;

Thence the following 3 courses:

8. North 55° 27' 40" East 170.00 feet to a point;
9. North 15° 49' 31" West 102.16 feet to a point;
10. North 88° 15' 00" East 1135.20 feet to a point;

MEMO TO FILES: ITEM #91/106

A meeting was held on Monday, 12/18/89 between Mr. Jeff Sherr and his associate and Mr. Carl Richards, Zoning Coordinator, concerning the representation of Liberty Jewish Center. An amended petition will be filed to only address R.T.A. requirements for the new synagogue and the amendment from the previous country club hearing. At the present time, Mr. Sherr is checking with the developer to correlate their request with the future development portion and the proposed reduced scale development.

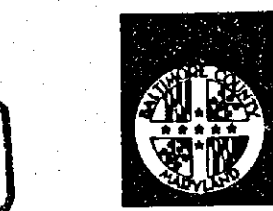
cc: File #91/106

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
(410) 887-3554

November 9, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RECEIVED
NOV 16 1989



ZONING OFFICE

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item number 171, 91, 103, 105, 106P 107 and 108.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/lab

HELLMAN & REDMOND
ATTORNEYS-AT-LAW
405 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 828-1099
FAX (301) 828-4120

September 5, 1989

Mr. Frank H. Fisher
Office of Current Planning
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Liberty Jewish Center/Rockland Hills Towers

Dear Mr. Fisher:

I represent Rockland Hills Towers, Inc., the purchaser and developer of a 7.94 acre parcel of land located on Pimlico Road near the intersection of Rockland Hills Drive.

A County Review Group (CRG) meeting was held on July 21, 1989 to consider the proposed development - an 82 unit mid-rise residential condominium. Since a portion of the site is D.R. 2 and clustering is proposed, the CRG referred the matter to the Planning Board for action at its next regularly scheduled meeting in September.

The developer and synagogue had scheduled a meeting with community representative, but have postponed that meeting because of a miscommunication between the seller (the synagogue) and the developer. The community meeting will be rescheduled before the developer proceeds with the project.

Accordingly, I am requesting that this matter not be put on the Planning Board agenda for action on September 21, 1989, but that such action be delayed until October. I fully expect that by that time, we will have met with community representatives as planned. Thank you for your consideration of this matter.

Very truly yours,

Deborah C. Dopkin
Deborah C. Dopkin

cc: Herb Kistner
Distribution (attached)

LETRO178

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3553
J. Robert Haines
Zoning Commissioner

90-569-SPHA

November 15, 1989



Dennis F. Ramussen
County Executive

Donald Scherr, President
Liberty Jewish Center
7000 Rockland Hills Drive
Baltimore, Maryland 21209

RE: Item #106
Petition for Special Hearing and Variance
Liberty Jewish Center
Petitioner

Dear Mr. Scherr:

I am in receipt of a letter dated November 9, 1989 from Deborah C. Dopkin requesting that we remove her name as attorney of record regarding the above captioned matter. Please advise this office who your new counsel will be, or have the attorney send a letter stating his representation.

Thank you for your cooperation.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm
cc: Deborah C. Dopkin
Attorney
Law Offices of Hellman and Redmond
405 Allegheny Avenue
Towson, Maryland 21205

bcc: Gwen Stephens
P.S. to Gwen:
Remove Deborah's name as attorney of record on the above matter. We will wait to hear from the Center's new attorney.

HELLMAN & REDMOND
ATTORNEYS-AT-LAW
405 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 828-1099
FAX (301) 828-4120

STANLEY H. HELLMAN
PAUL J. REDMOND
RICHARD V. LYNAS

November 9, 1989

90-569-
RECEIVED SPHA

NOV 13 1989

ZONING OFFICE

J. Robert Haines, Esquire
Zoning Commissioner for Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Liberty Jewish Center
Petition for Special Hearing and Variance
Item No. 106

Dear Mr. Haines:

On September 20, 1989 I filed the above captioned petition on behalf of the Liberty Jewish Center, a synagogue located at 7000 Rockland Hills Drive.

Please remove my name as attorney-of-record in this case in that I am no longer representing the synagogue. (Note, however, that I will continue as attorney-of-record with respect to the petitions filed by Rockland Hills Towers, Inc., Item No. 91.)

Thank you for your attention to this matter.

Sincerely,

Deborah C. Dopkin
Deborah C. Dopkin

cc: Herb Kistner
Donald Scherr

LETRO200

SMITH, SOMERVILLE & CASE

ATTORNEYS AT LAW
400 LIGHT STREET
BALTIMORE, MARYLAND 21202-1084
TELEPHONE (410) 767-1464
CABLE ADDRESS: "SMITHCASE" - BALTIMORE, MD 21202
FAX (410) 767-1464

August 22, 1989

Mr. W. Carl Richards, Jr.
Zoning Coordinator
Office of Planning and Zoning
Room 113
111 West Chesapeake Avenue
Towson, MD 21204

Re: Liberty Jewish Center; Project No. III-349

Dear Mr. Richards:

The County Review Group ("CRG") met on July 21, 1989, for the purpose of reviewing this development plan. A number of objections remained unresolved, and the hearing was continued to September 21, 1989 to take up the remaining objections. I am a resident of the Greengate community and a former officer of the Community Association. However, this letter is being written as a concerned resident and not in any official capacity.

Although I was unable to attend the July 21 meeting, I have taken opportunity to review the CRG file and the comments made at that time. I have concluded that the development plan as submitted is objectionable; I would urge the County Review Group to deny approval until the developer conforms the project to the residential community adjacent to the site, and not take advantage of uses within existing zoning configurations, and abandons its efforts to "variance out" the nonconformities.

The CRG is being asked to approve a mid-rise condominium tower to be situated in the midst of low-rise single-family detached residences, townhouses and low-rise apartments, a project that can only be built, as presently planned, if the County grants to the developer the following:

- (a) A special exception to permit a building having a length of 380 feet, rather than the permitted maximum of 300 feet;

SMITH, SOMERVILLE & CASE

Mr. W. Carl Richards, Jr.
August 22, 1989
Page 2

- (b) A height variance, to permit the developer to exceed the allowed height of 50 feet (DR-2) or 60 feet (DR-16);
- (c) A density transfer that will place high-density housing on more than 4.5 acres of DR-2 zoned land;
- (d) Possible violation of existing Declarations of Covenants affecting permitted use and permitted development on this land; and
- (e) Variances from County mandated requirements on building setback, buffers, parking, and landscape in a Residential Transition Area.

Land use and land planning is not my specialty, but I would imagine that somewhere among the complex Baltimore County Planning and Zoning Regulations are provisions for granting a developer waivers, special exceptions, variances and the like. I cannot believe that the County would grant so many wholesale waivers that the cumulative effect is a total disregard for the protections created by regulation. At some point, the exceptions consume the rule. While I have no doubt that the property eventually will be developed, the plan should be compatible with residential communities adjacent to the site, and not take advantage of waivers, special use exceptions and zoning variances.

This proposed development is located in a Residential Transition Area. The County had adopted many controls over development of RTA's, presumably to guaranty the surrounding communities that the proposed use would be both compatible and harmonious with existing residential developments. Waivers, special exceptions and variances should not be utilized when the cumulative effect results in a structure that has no place in the existing neighborhood.

You only have to visit the site to understand what this project, as submitted, would do to the surrounding area. I am not only referring to aesthetics; obviously, this building will stand head and shoulders above everything around it, and will be visible from every home within a three block radius. In addition, it may add significant, additional traffic to an already overloaded street system and night lighting that will reflect onto surrounding homes.

As for buffers and foliage, on other occasions I have heard other developers (and their engineers) testify before the CRG that the developer will preserve existing foliage and buffers and augment the same with additional plantings. What happens in

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2536
(301) 887-4500
Paul H. Reincke
Chief

SEPTEMBER 28, 1989



Dennis F. Ramussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: LIBERTY JEWISH CENTER
Location: N/S OF OLD PIMLICO ROAD
Item No.: 106 Zoning Agenda: OCTOBER 3, 1989

Gentlemen:

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

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Refer to Item #91 for comments.

REVIEWER: *Carl J. Kelly* 10-3-89 Noted and Approved
Planning Division Fire Prevention Bureau

JK/KEK

SMITH, SOMERVILLE & CASE

Mr. W. Carl Richards, Jr.
August 22, 1989
Page 3

practice is that the developer clear-cuts the entire project for expediency and then plants the minimal number of seedlings. The buffer is then in place in 15 or 20 years.

I understand that Rabbi Max of the Liberty Jewish Center, for whom I and other members of the Jewish community have a great respect and reverence, presented testimony at the CRG meeting in favor of this project. While I have no doubt that certain members of the congregation would benefit by the proximity of the development to the synagogue, the greater benefit to the congregation is the purchase money the congregation stands to gain from the developer, which I understand is tied in directly to the number of units the County approves for this project. Therefore, the weight to be accorded to the testimony should be evaluated in that light.

I submit that the development should be limited to 48 condominium units, that all existing length and height limitations should be met without variance, that all RTA setback and buffer requirements should be met without variance, that the developer enter into a written declaration of covenants with the community associations to protect existing foliage and agree on a landscape plan (with the input of professional landscape architects at the developer's cost) that will immediately preserve all existing foliage and landscape buffers. It should also address parking lots, lot lighting, location of dumpsters and other subjects. Such declaration shall be recorded among the land records of Baltimore County.

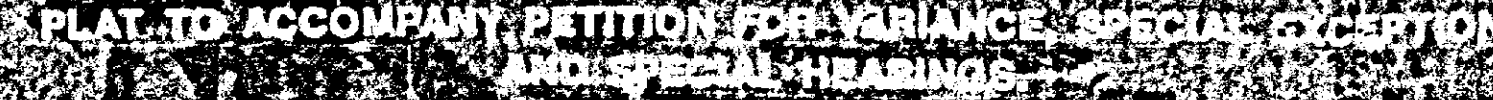
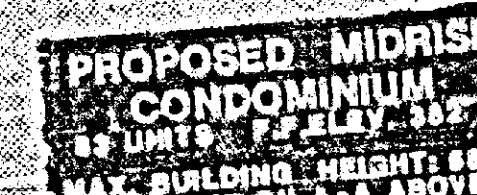
I am taking the liberty of copying Councilman Mintz and other interested parties with this letter.

Very truly yours,

Leslie J. Folt
Leslie J. Folt

LJP/lj

Honorable Melvin G. Mintz
Mr. David Thomas
Mr. Harvey Goldstein
Mr. David S. Thaler
Ms. Phyllis Friedman



IN RE: PETITION FOR SPECIAL HEARING, & ZONING VARIANCE
W/S Old Pimlico Road, E. of Rockland Hills Drive
7000 Rockland Hills Drive
3rd Election District
2nd Councilmanic District
Liberty Jewish Center
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE #90-569-SPHA

ORDER OF DISMISSAL

The Petitioner herein requested a Petition for a Special Hearing to approve the removal of the special exception for a country club and conditions imposed in Case No. 74-265X; a synagogue and parking therefor as an exception to residential transition, pursuant to Section 1801.1.B.1c and a Zoning Variance from Section 409.4 to permit 90 deg. parking off a direct access aisle.

WHEREAS, the Petitioner, Liberty Jewish Center, by Donald Scherr, President, has requested withdrawal of the Petitions (see companion case No. 90-568-SPHA).

IT IS THEREFORE ORDERED by the Zoning Commissioner for Baltimore County, this 9th day of August, 1990 that the Petitions for Special Hearing and Zoning Variance, in the above captioned matter, be and the same is hereby DISMISSED without prejudice.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER OF
BALTIMORE COUNTY

JRH:mmm
cc: Peoples Counsel

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner



August 8, 1990

Dennis F. Rasmussen
County Executive

Mr. Donald Scherr, President
Liberty Jewish Center
7000 Rockland Hills Drive
Baltimore, Maryland 21209

RE: Petitions for Special Hearing and Zoning Variance
Liberty Jewish Center, Petitioner
Case #90-569-SPHA

Dear Mr. Scherr:

Attached hereto is an Order of Dismissal regarding the above captioned matter.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm
att.
cc: Peoples Counsel

PETITION FOR SPECIAL HEARING AND VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-569-SPHA

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 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

- (i) the removal of the special exception for a country club and conditions imposed in Case No. 74-265X;
(ii) a synagogue and parking therefor as an exception to residential transition pursuant to Section 1801.1.B.1c;
(iii) a variance from § 409.4 to permit 90° parking off a direct access aisle.

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:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Deborah C. Dopkin

(Type or Print Name)

Signature

405 Allegheny Avenue

Address

Towson, Maryland 21204

City and State

Attorney's Telephone No.: 825-1099

Legal Owner(s):

Liberty Jewish Center

(Type or Print Name)

Signature Donald Scherr, President

Donald Scherr, President

(Type or Print Name)

Signature

7000 Rockland Hills Drive

Address

Baltimore, Maryland 21209

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Deborah C. Dopkin

Name

405 Allegheny Ave.

Address

825-1099

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day

of _____, 19____, 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 _____ day of _____, 19____, at _____ o'clock

_____ M.

Date

By

Filed on 9/20/89 by J.L.
ANYTIME OR DAY 3 HRS +
FOR HEARING
R.C.O. No. 1
THIS SHOULD BE HEARD WITH ITEM 91
(over)
THE 3 HRS. F. SHOULD COVER BOTH

90-569-SPHA

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12. South 38° 24' 45" West 14.82 feet to the point of beginning.

Containing 10.00 acres more or less.



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 077626

DATE 9/20/89 ACCOUNT R-1000 01-615

AMOUNT \$ 350.00

RECEIVED FROM D. Scherr

FOR SPHA

6 815 *****35000: 3201F

VALIDATION OR SIGNATURE OF CASHIER

page 2
Description of Liberty Jewish Center
September 15, 1989

91-569-SPHA

Containing 2.174 acres of land, more or less.
Under and subject to items of record.



August 1, 1989

DESCRIPTION OF PROPERTY AT
7000 ROCKLAND HILLS DRIVE
THIRD ELECTION DISTRICT, BALTIMORE COUNTY

90-569-SPHA

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2. 309.03 feet by a curve to the right having a radius of 1170.00 feet and a chord of South 88° 08' 30" West 308.13 feet to a point;
3. North 84° 17' 30" West 163.94 feet to a point;
4. 223.51 feet by a curve to the left having a radius of 730.00 feet and a chord of South 86° 56' 14" West 222.84 feet to a point;

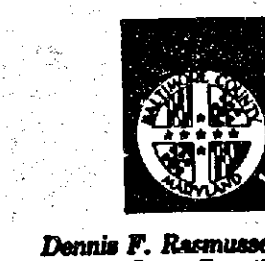
Thence, binding upon the easterly right-of-way of Sugarcone Road the following 3 courses and distances:

5. North 58° 36' 00" West 14.48 feet to a point;
6. North 14° 58' 27" West 20.52 feet to a point;
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Thence the following 3 courses:

8. North 55° 27' 40" East 170.00 feet to a point;
9. North 15° 49' 31" West 102.16 feet to a point;
10. North 88° 15' 00" East 1135.20 feet to a point;

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner



December 7, 1989

90-569-SPHA

Donald Scherr, President
Liberty Jewish Center
7000 Rockland Hills Drive
Baltimore, Maryland 21209

RE: Liberty Jewish Center
Item #106
7000 Rockland Hills Drive

Dear Mr. Scherr:

This correspondence is in reference to the status of the petition for Special Hearing and Variance in Item #106 as it relates to Item #91. In a conversation with Deborah Dopkin, Esq., who has withdrawn as your attorney in Item #106, it was brought to my attention that revisions to the plans and descriptions under both these items will be required. I have been holding these petitions in expectation of such revisions but as they have not been presented for review and inclusion under the item it has become necessary to determine exactly what your wishes are in reference to your hearing.

Please contact me at 887-3391 to advise me if you wish me to continue to wait for revised plans, etc., or to proceed with the case as it now exists in our files.

Very truly yours,

John L. Lewis
John L. Lewis
Planning & Zoning Associate

JLL:jat

cc: Case File Item's #91 & #106

MEMO TO FILES: ITEM #91/106

A meeting was held on Monday, 12/18/89 between Mr. Jeff Sherr and his associate and Mr. Carl Richards, Zoning Coordinator, concerning the representation of Liberty Jewish Center. An amended petition will be filed to only address R.T.A. requirements for the new synagogue and the amendment from the previous country club hearing. At the present time, Mr. Sherr is checking with the developer to correlate their request with the future development portion and the proposed reduced scale development.

cc: File #91/106

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
(801) 887-3554

November 9, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RECEIVED
NOV 16 1989



ZONING OFFICE

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item number 171, 91, 103, 105, 106P 107 and 108.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan,
Traffic Engineer Associate II

MSF/lab

HELLMAN & REDMOND
ATTORNEYS-AT-LAW
405 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 828-1099
FAX (301) 828-4120

September 5, 1989

Mr. Frank H. Fisher
Office of Current Planning
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Liberty Jewish Center/Rockland Hills Towers

Dear Mr. Fisher:

I represent Rockland Hills Towers, Inc., the purchaser and developer of a 7.94 parcel of land located on Pimlico Road near the intersection of Rockland Hills Drive.

A County Review Group (CRG) meeting was held on July 21, 1989 to consider the proposed development - an 82 unit mid-rise residential condominium. Since a portion of the site is D.R. 2 and clustering is proposed, the CRG referred the matter to the Planning Board for action at its next regularly scheduled meeting in September.

The developer and synagogue had scheduled a meeting with community representative, but have postponed that meeting because of a miscommunication between the seller (the synagogue) and the developer. The community meeting will be rescheduled before the developer proceeds with the project.

Accordingly, I am requesting that this matter not be put on the Planning Board agenda for action on September 21, 1989, but that such action be delayed until October. I fully expect that by that time, we will have met with community representatives as planned. Thank you for your consideration of this matter.

Very truly yours,

Deborah C. Dopkin
Deborah C. Dopkin

cc: Herb Kistner
Distribution (attached)

LETRO178

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3553
J. Robert Haines
Zoning Commissioner

90-569-SPHA

November 15, 1989



Dennis F. Ramussen
County Executive

Donald Scherr, President
Liberty Jewish Center
7000 Rockland Hills Drive
Baltimore, Maryland 21209

RE: Item #106
Petition for Special Hearing and Variance
Liberty Jewish Center
Petitioner

Dear Mr. Scherr:

I am in receipt of a letter dated November 9, 1989 from Deborah C. Dopkin requesting that we remove her name as attorney of record regarding the above captioned matter. Please advise this office who your new counsel will be, or have the attorney send a letter stating his representation.

Thank you for your cooperation.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm
cc: Deborah C. Dopkin
Attorney
Law Offices of Hellman and Redmond
405 Allegheny Avenue
Towson, Maryland 21205

bcc: Gwen Stephens
P.S. to Gwen:
Remove Deborah's name as attorney of record on the above matter. We will wait to hear from the Center's new attorney.

HELLMAN & REDMOND
ATTORNEYS-AT-LAW
405 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 828-1099
FAX (301) 828-4120

STANLEY H. HELLMAN
PAUL J. REDMOND
RICHARD V. LYNAS

November 9, 1989

90-569-
RECEIVED SPHA

NOV 13 1989

ZONING OFFICE

J. Robert Haines, Esquire
Zoning Commissioner for Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Liberty Jewish Center
Petition for Special Hearing and Variance
Item No. 106

Dear Mr. Haines:

On September 20, 1989 I filed the above captioned petition on behalf of the Liberty Jewish Center, a synagogue located at 7000 Rockland Hills Drive.

Please remove my name as attorney-of-record in this case in that I am no longer representing the synagogue. (Note, however, that I will continue as attorney-of-record with respect to the petitions filed by Rockland Hills Towers, Inc., Item No. 91.)

Thank you for your attention to this matter.

Sincerely,

Deborah C. Dopkin
Deborah C. Dopkin

cc: Herb Kistner
Donald Scherr

LETRO20

SMITH, SOMERVILLE & CASE

ATTORNEYS AT LAW
400 LIGHT STREET
BALTIMORE, MARYLAND 21202-1084
TELEPHONE (410) 767-1464
CABLE ADDRESS: "SMITHCASE" - 11200 BOWEN
FAX (410) 767-1464

AMTAPOLIS OFFICE
FAX CHAIRMAN PLICE
AMTAPOLIS MARYLAND 21202-1084
TELEPHONE (410) 767-1464, EXT. 474
FAX (410) 767-1464

TOWSON OFFICE
40 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204-1084
TELEPHONE (410) 767-1464
FAX (410) 767-1464

August 22, 1989

Mr. W. Carl Richards, Jr.
Zoning Coordinator
Office of Planning and Zoning
Room 113
111 West Chesapeake Avenue
Towson, MD 21204

Re: Liberty Jewish Center; Project No. III-349

Dear Mr. Richards:

The County Review Group ("CRG") met on July 21, 1989, for the purpose of reviewing this development plan. A number of objections remained unresolved, and the hearing was continued to September 21, 1989 to take up the remaining objections. I am a resident of the Greengate community and a former officer of the Community Association. However, this letter is being written as a concerned resident and not in any official capacity.

Although I was unable to attend the July 21 meeting, I have taken opportunity to review the CRG file and the comments made at that time. I have concluded that the development plan as submitted is objectionable; I would urge the County Review Group to deny approval until the developer conforms the project to the residential communities adjacent to the site, and not take advantage of variances within existing zoning configurations, and abandons its efforts to "variance out" the nonconformities.

The CRG is being asked to approve a mid-rise condominium tower to be situated in the midst of low-rise single-family detached residences, townhouses and low-rise apartments, a project that can only be built, as presently planned, if the County grants to the developer the following:

- (a) A special exception to permit a building having a length of 380 feet, rather than the permitted maximum of 300 feet;

SMITH, SOMERVILLE & CASE

Mr. W. Carl Richards, Jr.
August 22, 1989
Page 2

- (b) A height variance, to permit the developer to exceed the allowed height of 50 feet (DR-2) or 60 feet (DR-16);
- (c) A density transfer that will place high-density housing on more than 4.5 acres of DR-2 zoned land;
- (d) Possible violation of existing Declarations of Covenants affecting permitted use and permitted development on this land; and
- (e) Variances from County mandated requirements on building setback, buffers, parking, and landscape in a Residential Transition Area.

Land use and land planning is not my specialty, but I would imagine that somewhere among the complex Baltimore County Planning and Zoning Regulations are provisions for granting a developer waivers, special exceptions, variances and the like. I cannot believe that the County would grant so many wholesale waivers that the cumulative effect is a total disregard for the protections created by regulation. At some point, the exceptions consume the rule. While I have no doubt that the property eventually will be developed, the plan should be compatible with residential communities adjacent to the site, and not take advantage of waivers, special use exceptions and zoning variances.

This proposed development is located in a Residential Transition Area. The County had adopted many controls over development of RTA's, presumably to guaranty the surrounding communities that the proposed use would be both compatible and harmonious with existing residential developments. Waivers, special exceptions and variances should not be utilized when the cumulative effect results in a structure that has no place in the existing neighborhood.

You only have to visit the site to understand what this project, as submitted, would do to the surrounding area. I am not only referring to aesthetics; obviously, this building will stand head and shoulders above everything around it, and will be visible from every home within a three block radius. In addition, it may add significant, additional traffic to an already overloaded street system and night lighting that will reflect onto surrounding homes.

As for buffers and foliage, on other occasions I have heard other developers (and their engineers) testify before the CRG that the developer will preserve existing foliage and buffers and augment the same with additional plantings. What happens in

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2536
(301) 887-4500
Paul H. Reincke
Chief

SEPTEMBER 28, 1989



Dennis F. Ramussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: LIBERTY JEWISH CENTER
Location: N/S OF OLD PIMLICO ROAD
Item No.: 106 Zoning Agenda: OCTOBER 3, 1989

Gentlemen:

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

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Refer to Item #91 for comments.

REVIEWER: *Carl Richards, Jr.* 10-3-89 Noted and Approved
Planning Division
Special Inspection Division

Carl Richards, Jr.
Fire Prevention Bureau

JK/KEK

SMITH, SOMERVILLE & CASE

Mr. W. Carl Richards, Jr.
August 22, 1989
Page 3

practice is that the developer clear-cuts the entire project for expediency and then plants the minimal number of seedlings. The buffer is then in place in 15 or 20 years.

I understand that Rabbi Max of the Liberty Jewish Center, for whom I and other members of the Jewish community have a great respect and reverence, presented testimony at the CRG meeting in favor of this project. While I have no doubt that certain members of the congregation would benefit by the proximity of the development to the synagogue, the greater benefit to the congregation is the purchase money the congregation stands to gain from the developer, which I understand is tied in directly to the number of units the County approves for this project. Therefore, the weight to be accorded to the testimony should be evaluated in that light.

I submit that the development should be limited to 48 condominium units, that all existing length and height limitations should be met without variance, that all RTA setback and buffer requirements should be met without variance, that the developer enter into a written declaration of covenants with the community associations to protect existing foliage and agree on a landscape plan (with the input of professional landscape architects at the developer's cost) that will immediately preserve all existing foliage and landscape buffers. It should also address parking lots, lot lighting, location of dumpsters and other subjects. Such declaration shall be recorded among the land records of Baltimore County.

I am taking the liberty of copying Councilman Mintz and other interested parties with this letter.

Very truly yours,

Leslie J. Pelt
Leslie J. Pelt

LJP/lj

Honorable Melvin G. Mintz
Mr. David Thomas
Mr. Harvey Goldstein
Mr. David S. Thaler
Ms. Phyllis Friedman

IN RE: PETITION FOR SPECIAL HEARING, & ZONING VARIANCE
W/S Old Pimlico Road, E. of Rockland Hills Drive
7000 Rockland Hills Drive
3rd Election District
2nd Councilmanic District
Liberty Jewish Center
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE #90-569-SPHA

ORDER OF DISMISSAL

The Petitioner herein requested a Petition for a Special Hearing to approve the removal of the special exception for a country club and conditions imposed in Case No. 74-265X; a synagogue and parking therefor as an exception to residential transition, pursuant to Section 1801.1.B.1c and a Zoning Variance from Section 409.4 to permit 90 deg. parking off a direct access aisle.

WHEREAS, the Petitioner, Liberty Jewish Center, by Donald Scherr, President, has requested withdrawal of the Petitions (see companion case No. 90-568-SPHA).

IT IS THEREFORE ORDERED by the Zoning Commissioner for Baltimore County, this 9th day of August, 1990 that the Petitions for Special Hearing and Zoning Variance, in the above captioned matter, be and the same is hereby DISMISSED without prejudice.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER OF
BALTIMORE COUNTY

JRH:mmm
cc: Peoples Counsel

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner



August 8, 1990

Dennis F. Rasmussen
County Executive

Mr. Donald Scherr, President
Liberty Jewish Center
7000 Rockland Hills Drive
Baltimore, Maryland 21209

RE: Petitions for Special Hearing and Zoning Variance
Liberty Jewish Center, Petitioner
Case #90-569-SPHA

Dear Mr. Scherr:

Attached hereto is an Order of Dismissal regarding the above captioned matter.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm
att.
cc: Peoples Counsel

PETITION FOR SPECIAL HEARING AND VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-569-SPHA

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 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

- (i) the removal of the special exception for a country club and conditions imposed in Case No. 74-265X;
(ii) a synagogue and parking therefor as an exception to residential transition pursuant to Section 1801.1.B.1c;
(iii) a variance from § 409.4 to permit 90° parking off a direct access aisle.

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:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Deborah C. Dopkin

(Type or Print Name)

Signature

Address

Towson, Maryland 21204

City and State

Attorney's Telephone No.: 825-1099

Legal Owner(s):

Liberty Jewish Center

(Type or Print Name)

Signature Donald Scherr, President

(Type or Print Name)

Signature

Address

7000 Rockland Hills Drive

Address

Baltimore, Maryland 21209

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Deborah C. Dopkin

Name

405 Allegheny Ave.

Address

825-1099

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, 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 _____ day of _____, 19____, at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County.

Filed on 9/20/89 by J.L.
ANYTIME OR DAY 3 HRS +
FOR HEARING
R.O. No. 1
THIS SHOULD BE HEARD WITH ITEM 91
(over)
THE 3 HRS. F. SHOULD COVER BOTH

ORDER RECEIVED FOR FILING
Date
By

page 2
Description of Liberty Jewish Center
September 15, 1989

91-569-SPHA

Containing 2.174 acres of land, more or less.
Under and subject to items of record.



August 1, 1989

DESCRIPTION OF PROPERTY AT
7000 ROCKLAND HILLS DRIVE
THIRD ELECTION DISTRICT, BALTIMORE COUNTY

90-569-SPHA

Beginning for the same at a point where the westerly right-of-way of Rockland Hills Drive, a 70 foot drive, intersects the northerly right-of-way of Old Pimlico Road, a 70 foot road; thence, along the proposed right-of-way for the re-aligned Old Pimlico Road; the following 4 courses and distances:

1. South 60° 34' 34" West 493.05 feet to a point;
2. 309.03 feet by a curve to the right having a radius of 1170.00 feet and a chord of South 88° 08' 30" West 308.13 feet to a point;
3. North 84° 17' 30" West 163.94 feet to a point;
4. 223.51 feet by a curve to the left having a radius of 730.00 feet and a chord of South 86° 56' 14" West 222.84 feet to a point;

Thence, binding upon the easterly right-of-way of Sugarcone Road the following 3 courses and distances:

5. North 58° 36' 00" West 14.48 feet to a point;
6. North 14° 58' 27" West 20.52 feet to a point;
7. 143.42 feet by a curve to the left having a radius of 420.00 feet and a chord of North 24° 45' 24" West 142.72 feet to a point;

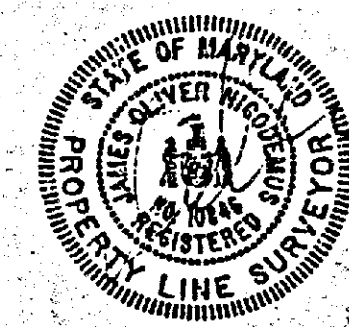
Thence the following 3 courses:

8. North 55° 27' 40" East 170.00 feet to a point;
9. North 15° 49' 31" West 102.16 feet to a point;
10. North 88° 15' 00" East 1135.20 feet to a point;

To intersect the aforesaid westerly right-of-way line of Rockland Hills Drive; thence, binding upon the last said right-of-way line the following 2 courses and distances:

11. South 03° 45' 00" East 328.56 feet to a point;
12. South 38° 24' 45" West 14.82 feet to the point of beginning.

Containing 10.00 acres more or less.



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 077626

DATE 9/20/89 ACCOUNT R-1000 01-615

AMOUNT \$ 350.00

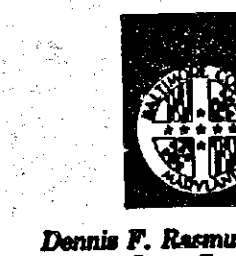
RECEIVED FROM D. Scherr, President

FOR SPHA

6 815 *****35000: 3201F

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner



December 7, 1989

90-569-SPHA

Donald Scherr, President
Liberty Jewish Center
7000 Rockland Hills Drive
Baltimore, Maryland 21209

RE: Liberty Jewish Center
Item #106
7000 Rockland Hills Drive

Dear Mr. Scherr:

This correspondence is in reference to the status of the petition for Special Hearing and Variance in Item #106 as it relates to Item #91. In a conversation with Deborah Dopkin, Esq., who has withdrawn as your attorney in Item #106, it was brought to my attention that revisions to the plans and descriptions under both these items will be required. I have been holding these petitions in expectation of such revisions but as they have not been presented for review and inclusion under the item it has become necessary to determine exactly what your wishes are in reference to your hearing.

Please contact me at 887-3391 to advise me if you wish me to continue to wait for revised plans, etc., or to proceed with the case as it now exists in our files.

Very truly yours,

John L. Lewis
John L. Lewis
Planning & Zoning Associate

JLL:jat
cc: Case File Item's #91 & #106

MEMO TO FILES: ITEM #91/106

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cc: File #91/106

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
(410) 887-3554

November 9, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

RECEIVED
NOV 16 1989



ZONING OFFICE

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item number 171, 91, 103, 105, 106P 107 and 108.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan,
Traffic Engineer Associate II

MSF/lab

HELLMAN & REDMOND
ATTORNEYS-AT-LAW
405 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 828-1099
FAX (301) 828-4120

September 5, 1989

Mr. Frank H. Fisher
Office of Current Planning
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Liberty Jewish Center/Rockland Hills Towers

Dear Mr. Fisher:

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Accordingly, I am requesting that this matter not be put on the Planning Board agenda for action on September 21, 1989, but that such action be delayed until October. I fully expect that by that time, we will have met with community representatives as planned. Thank you for your consideration of this matter.

Very truly yours,

Deborah C. Dopkin
Deborah C. Dopkin

cc: Herb Kistner
Distribution (attached)

LETRO178

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3363
J. Robert Haines
Zoning Commissioner

90-569-SPHA

November 15, 1989



Dennis F. Ramussen
County Executive

Donald Scherr, President
Liberty Jewish Center
7000 Rockland Hills Drive
Baltimore, Maryland 21209

RE: Item #106
Petition for Special Hearing and Variance
Liberty Jewish Center
Petitioner

Dear Mr. Scherr:

I am in receipt of a letter dated November 9, 1989 from Deborah C. Dopkin requesting that we remove her name as attorney of record regarding the above captioned matter. Please advise this office who your new counsel will be, or have the attorney send a letter stating his representation.

Thank you for your cooperation.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm
cc: Deborah C. Dopkin
Attorney
Law Offices of Hellman and Redmond
405 Allegheny Avenue
Towson, Maryland 21205

bcc: Gwen Stephens
P.S. to Gwen:
Remove Deborah's name as attorney of record on the above matter. We will wait to hear from the Center's new attorney.

HELLMAN & REDMOND
ATTORNEYS-AT-LAW
405 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE (301) 828-1099
FAX (301) 828-4120

STANLEY H. HELLMAN
PAUL J. REDMOND
RICHARD V. LYNAS

November 9, 1989

90-569-
RECEIVED SPHA

NOV 13 1989

ZONING OFFICE

J. Robert Haines, Esquire
Zoning Commissioner for Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Liberty Jewish Center
Petition for Special Hearing and Variance
Item No. 106

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Thank you for your attention to this matter.

Sincerely,

Deborah C. Dopkin
Deborah C. Dopkin

cc: Herb Kistner
Donald Scherr

LETRO20

SMITH, SOMERVILLE & CASE

ATTORNEYS AT LAW
400 LIGHT STREET
BALTIMORE, MARYLAND 21202-1084
TELEPHONE (410) 767-1464
CABLE ADDRESS: "SMITHCASE" - BALTIMORE, MD 21202
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AMTAPOLIS OFFICE
FAX CHAIRMAN PLICE
AMTAPOLIS OFFICE
TELEPHONE (410) 767-1464
FAX (410) 767-1464

TOWSON OFFICE
40 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204-1084
TELEPHONE (410) 767-1464
FAX (410) 767-1464

August 22, 1989

Mr. W. Carl Richards, Jr.
Zoning Coordinator
Office of Planning and Zoning
Room 113
111 West Chesapeake Avenue
Towson, MD 21204

Re: Liberty Jewish Center; Project No. III-349

Dear Mr. Richards:

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SMITH, SOMERVILLE & CASE

Mr. W. Carl Richards, Jr.
August 22, 1989
Page 2

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Land use and land planning is not my specialty, but I would imagine that somewhere among the complex Baltimore County Planning and Zoning Regulations are provisions for granting a developer waivers, special exceptions, variances and the like. I cannot believe that the County would grant so many wholesale waivers that the cumulative effect is a total disregard for the protections created by regulation. At some point, the exceptions consume the rule. While I have no doubt that the property eventually will be developed, the plan should be compatible with residential communities adjacent to the site, and not take advantage of waivers, special use exceptions and zoning variances.

This proposed development is located in a Residential Transition Area. The County had adopted many controls over development of RTA's, presumably to guaranty the surrounding communities that the proposed use would be both compatible and harmonious with existing residential developments. Waivers, special exceptions and variances should not be utilized when the cumulative effect results in a structure that has no place in the existing neighborhood.

You only have to visit the site to understand what this project, as submitted, would do to the surrounding area. I am not only referring to aesthetics; obviously, this building will stand head and shoulders above everything around it, and will be visible from every home within a three block radius. In addition, it may add significant, additional traffic to an already overloaded street system and night lighting that will reflect onto surrounding homes.

As for buffers and foliage, on other occasions I have heard other developers (and their engineers) testify before the CRG that the developer will preserve existing foliage and buffers and augment the same with additional plantings. What happens in

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2536
(301) 887-4500
Paul H. Reincke
Chief

SEPTEMBER 28, 1989



Dennis F. Ramussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: LIBERTY JEWISH CENTER
Location: N/S OF OLD PIMLICO ROAD
Item No.: 106 Zoning Agenda: OCTOBER 3, 1989

Gentlemen:

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

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Refer to Item #91 for comments.

REVIEWER: *Carl Richards, Jr.* 10-3-89 Noted and Approved
Planning Division Fire Prevention Bureau

JK/KEK

SMITH, SOMERVILLE & CASE

Mr. W. Carl Richards, Jr.
August 22, 1989
Page 3

practice is that the developer clear-cuts the entire project for expediency and then plants the minimal number of seedlings. The buffer is then in place in 15 or 20 years.

I understand that Rabbi Max of the Liberty Jewish Center, for whom I and other members of the Jewish community have a great respect and reverence, presented testimony at the CRG meeting in favor of this project. While I have no doubt that certain members of the congregation would benefit by the proximity of the development to the synagogue, the greater benefit to the congregation is the purchase money the congregation stands to gain from the developer, which I understand is tied in directly to the number of units the County approves for this project. Therefore, the weight to be accorded to the testimony should be evaluated in that light.

I submit that the development should be limited to 48 condominium units, that all existing length and height limitations should be met without variance, that all RTA setback and buffer requirements should be met without variance, that the developer enter into a written declaration of covenants with the community associations to protect existing foliage and agree on a landscape plan (with the input of professional landscape architects at the developer's cost) that will immediately preserve all existing foliage and landscape buffers. It should also address parking lots, lot lighting, location of dumpsters and other subjects. Such declaration shall be recorded among the land records of Baltimore County.

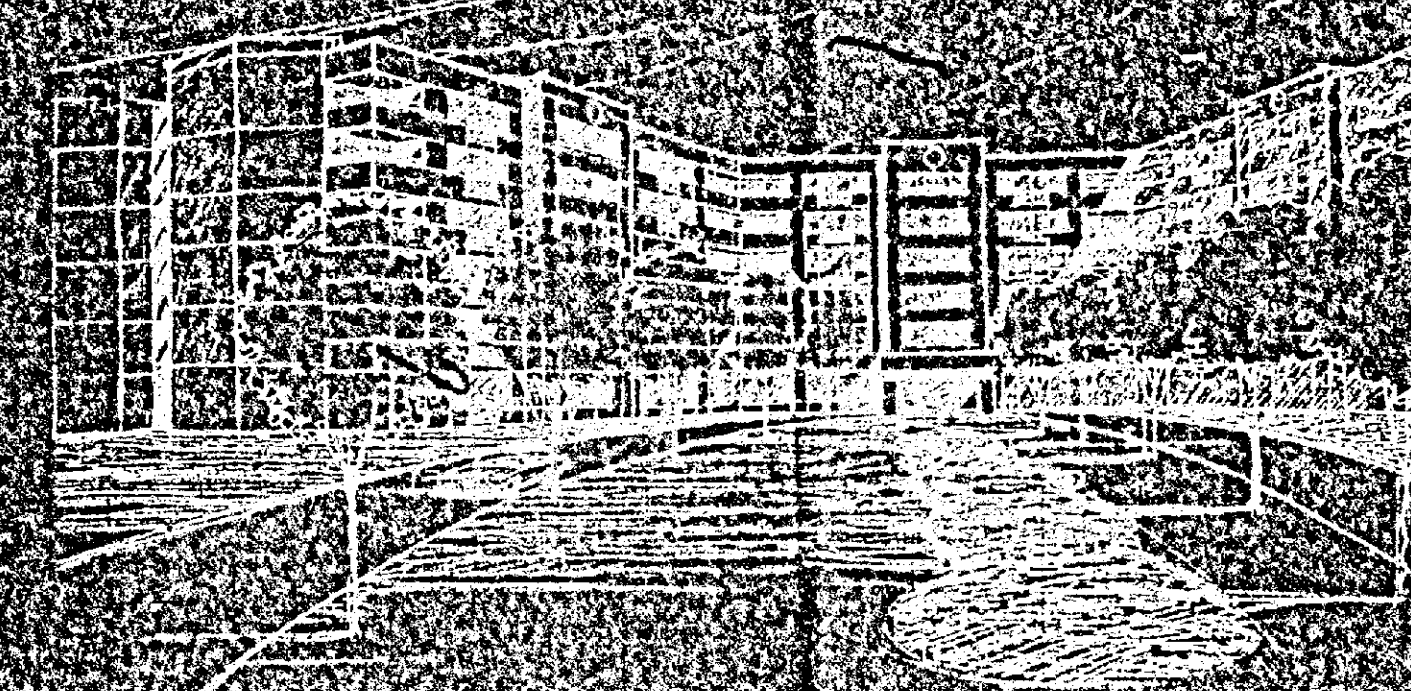
I am taking the liberty of copying Councilman Mintz and other interested parties with this letter.

Very truly yours,

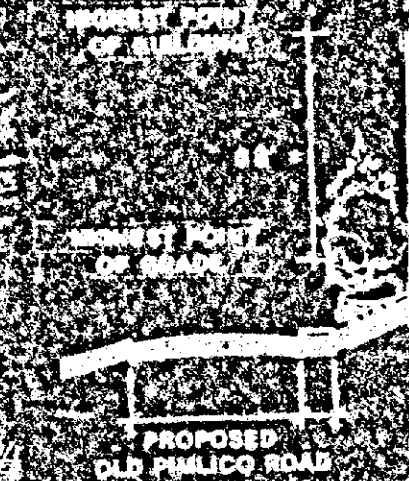
Leslie J. Folt
Leslie J. Folt

LJP/lj

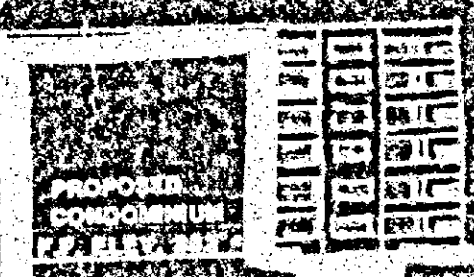
Honorable Melvin G. Mintz
Mr. David Thomas
Mr. Harvey Goldstein
Mr. David S. Thaler
Ms. Phyllis Friedman



SCHEMATIC BUILDING ELEVATION



**PROPOSED
OLD PUBLIC ROAD**



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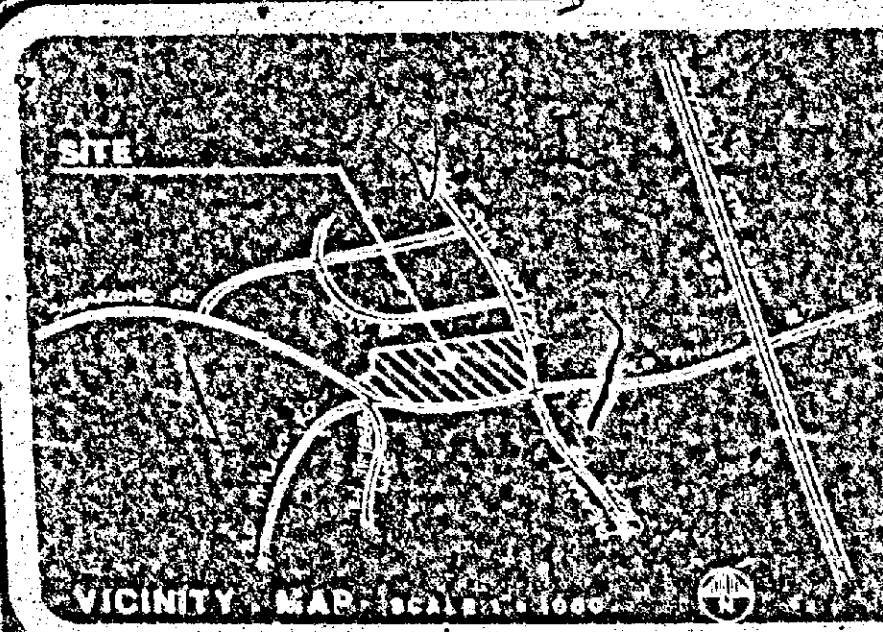
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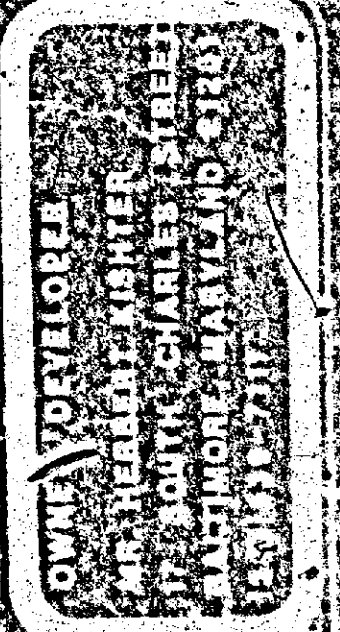
Abstract



1990



VICINITY MAP - scale 1:1000



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LIBERTY JEWISH CENTER
1001 E. COVINGTON, BETHLEHEM, SPECIAL EDUCATION AND SPECIAL HEARING

DR. D. S. THAYER ASSOC. INC.



LEGEND	
EXISTING	
	IMPERVIOUS CONCRETE
	PAVEMENT ROADS
	WOOD PAVEMENT
	PAVED LANE
	GRAVEL
	GRAVEL SCOTCH TIE
	GRAVEL COMMERCIAL
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Symbol	Quantity	Unit
(○)	1	Tree
(⊗)	1	Shrub
(*)	1	Plant
(□)	1	Structure
(△)	1	Furniture

PLAT TO ACCOMPANY PETITION FOR VARIANCE, SPECIAL EXCEPTION
AND SPECIAL HEARINGS

106
90-569-SPHA

BLDG. HEIGHT VS. BLDG. SEPARATION