

KEVIN KAMENETZ County Executive ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

January 11, 2017

Richard E. Matz, P.E. Colbert, Matz and Rosenfelt, Inc. 2835 Smith Avenue, Suite G Baltimore, Maryland 21209

Dear Mr. Matz:

RE: Zoning Spirit and Intent Review, 6823 Old Pimlico Road, Zoning Cases 2001-0191-SPH, 2006-0486-SPHA, 3000 sq. ft. Addition to High School Building, 14th Election District

Your letter to Mr. Arnold Jablon, Director, concerning an opinion from this Office regarding a Spirit and Intent determination pertaining to the above referenced zoning cases has been given careful consideration by this Office, and the following is offered. In consideration of the minor changes requested to the original relief granted in the above referenced zoning cases, and all setback requirements being observed, it is the opinion of this Office that the requested addition is within the Spirit and Intent of the aforementioned Zoning Cases. Be advised that any site plans submitted to this Office must contain an affirmation that the written notice requirement of restriction No. 4 in Zoning case 2006-0486-SPHA has been complied with. This letter must be copied onto all future site plans filed with this Office for review that pertain to the subject property.

THE FOREGOING IS MERELY AN INFORMAL OPINION. IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS DOCUMENT, OR ANY INTERPRETATION THEREOF.

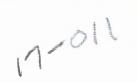
Sincerely,

Joseph C. Merrey

Plahner II Zoning Review 410-887-3391

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners





January 10, 2017

Mr. Arnold Jablon, Director Department of Permits, Approvals, and Inspections 111 West Chesapeake Avenue, Suite 105 Towson, Maryland, 21204

Re: Spirit and Intent Letter

Bais Hamedrash and Mesivta of Baltimore, Inc.

6823 Old Pimlico Road Deed Liber 38029 Folio 327

Tax Account # 2300011067 - Lot 1 Minor Subdivision of Bais Hamedrash

PAI #03-0505, Minor Subdivision #14-038-M

CMR Project Number 2003-154.3

Dear Mr. Jablon,

The subject property is owned by Bais Hamedrash and Mesivta of Baltimore Inc. The property is located at 6823 Old Pimlico Road, is zoned D.R. 3.5, and consists of 7.937 acres more or less. The site contains the Bais Hamedrash and Mesivta private religious high school.

Bais Hamedrash and Mesivta of Baltimore is proposing a 3,000 s.f. building addition. The building addition will be built to adjoin the eastern portion of the existing high school building.

This site has been the subject of two previous zoning cases. Below is a summary of each zoning case and our opinion concerning the proposed use as being within the spirit and intent of these cases.

• Case Number 01-191-SPH - Approved the petitioners request to convert the existing country club bathhouse building into a dormitory, which is an accessory use/building to the school, a permitted use. It also established that future dormitory and faculty housing were to be considered an accessory use to the permitted school, but some conditions were established. Any new buildings constructed for use as a dormitory or faculty housing would require a Special Hearing to amend the site plan approved in this case. Additionally, any addition onto existing buildings for use as dormitory or faculty housing that would increase the square footage of any of those buildings by more than 50% would also require a Special hearing. The proposed addition is not a new dormitory or faculty housing or an addition onto a dormitory or faculty housing building. The decision also required that any new buildings or additions must comply with applicable zoning and development laws, and proper notice to the community

Letter of Spirit and Intent Bais Hamedrash January 10, 2017 CMR Project No. 2003-154.3

association and neighbors must be provided. The proposed building addition onto the existing high school will comply with the applicable zoning and development laws.

 Case Number 06-486-SPHA Approved the Special Hearing request to amend the Site Plan approved in the Case Number 01-191-SPH to provide for the development of a new dormitory building. Variance relief was also granted to allow 1) a 50 foot RTA setback in lieu of the 75 feet required, 2) a front yard setback of 40 feet in lieu of the 80 feet required, and 3) a side yard setback of 30 feet between buildings in lieu of the 40 feet required. The proposed high school expansion will be within the previously approved RTA building setback relief, as approved in this 2006 zoning case. No additional zoning relief is being requested.

Please confirm that the proposed development, as shown on the enclosed Plan is within the spirit and intent of the previous zoning decisions. Thank you for your consideration of this request.

Sincerely,

Richard E. Matz. P.E.

Cc: Rabbi Zvi Dov Slanger w/att.

Enclosures: Zoning Case #06-486-SPHA

Zoning Case #01-191-SPH

Site Plan for Development Review Committee (Lot 1)

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County

Interoffice Correspondence

DATE:

July 27, 2001

TO:

Arnold Jablon, Director

Permits & Development Management

Attn: David Duvall

FROM:

Charlotte E. Radcliffe

Board of Appeals

SUBJECT:

CLOSED FILES

99-483-A /OMG Ltd. Partnership

00-161-SPHA /Joseph G. Holter, et ux

00-270-SPHA /Charlene C. & Fred D. Miller-LO; David W. Miller-CP

00-277-XA /Goodwill Industries of the Chesapeake, Inc. 00-456-A /Joseph G. Holter and Winsome Homes, Inc.

00-481-XA /Karl Pick

01-008-A /Baltimore Aviation Service, Inc.-LO; Forge Landing LLC-CP

01-191-SPH /Summit Country Club-LO;

Bais Hamedrash and Mesivta of Balto., Inc.-CP

Since the above captioned cases have been resolved or dismissed, we are hereby closing the files and returning same to your office herewith.

Attachments: Case File Nos: 99-483-A; 00-161-SPHA; 00-270-SPHA; 00-277-XA; 00-465-A; 00-481-XA; 01-008-A; and 01-191-SPH

RE: PETITION FOR SPECIAL HEARING 6823 Old Pimlico Road (Summit Country Club), SE/S Old Pimlico Rd, cor S/S Falls Gable Rd 3rd Election District, 2nd Councilmanic

Legal Owner: Summit Country Club

Contract Purchasers: Bais Hamedrash and

Mesivta of Balto., Inc.

Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

* Case No. <u>01-191-SPH</u>

<u>ORDER</u>

- 1. That the proposed conversion of a part of the existing country club building (bathhouse) for a dormitory is permitted as part of a school use;
- 2. That any new buildings constructed for use as dormitory or faculty housing would require a Special Hearing to amend the site plan approved in Case No. 01-191-SPH.
- 3. That any additions to existing buildings for use as dormitory or faculty housing that would increase the square footage of any buildings by more than 50% would require a Special Hearing to amend the site plan approved in Case No. 01-191-SPH.
- 4. That any new buildings and additions are, in any event, subject to compliance with all applicable zoning and development laws.

5. Prior to the commencement of any new building construction, the property owners shall provide at least thirty (30) days written notice of such plans to the president of the Smith Avenue/Greenspring Community Association and to Mr. and Mrs. Ernest Feibelman.

Any Petition for Judicial Review must be filed within thirty (30) days of the date of this Order.

LAWRENCE S. WESCOTT, Panel Chairman

LAWRENCE M. STAHL, Board Member

C. LYNN BARRANGER, Board Member



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

March 13, 2001

Peter Max Zimmerman
People's Counsel
for Baltimore County
Room 47, Old Courthouse
400 Washington Avenue
Towson, MD 21204

RE: In the Matter of Summit Country Club -Legal Owners;
Bais Hamedrash and Masivta of Baltimore, Inc. -CP
Case No. 01-191-SPH

Dear Mr. Zimmerman:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

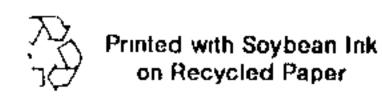
Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure, with a photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number. If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

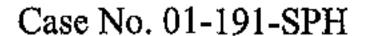
Very truly yours,

Kathleen C. Bianco Administrator

Enclosure

c: Robert A. Hoffman, Esquire
Bais Hamedrash and Mesivta of Baltimore, Inc.
Summit Country Club /Bernard Smith, President
Mr. & Mrs. Ernest Feibelman
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney





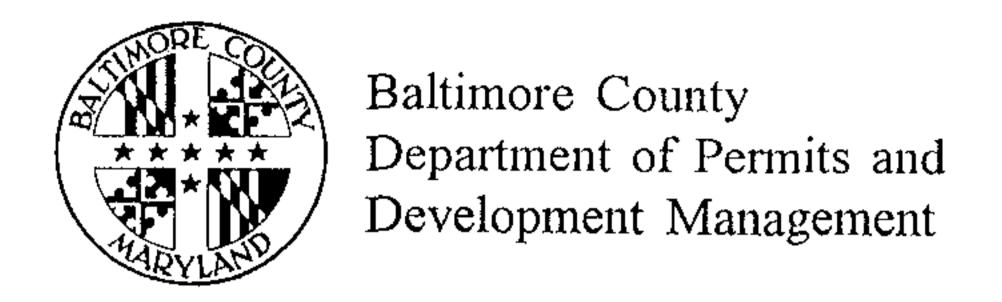
SPH -To approve dormitories and faculty housing as accessory uses to a permitted school.

1/23/2001 –Z.C.'s decision in which SPH was GRANTED with restrictions.

2/21/01 - Upon request of Counsel for Petitioners and agreement of People's Counsel, this matter has been specially set for Tuesday, March 13, 2001 at 9:30 a.m.; notice sent to the following:

Office of People's Counsel
Robert A. Hoffman, Esquire
Bais Hamedrash and Mesivta of Baltimore, Inc.
Summit Country Club /Bernard Smith, President
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

3/13/01 - Specially set hearing before the Board is concluded (Wescott, Stahl, Barranger). Order to be issued - special hearing is GRANTED with conditions, as agreed to by parties to this matter.



Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

February 20, 2001

Robert A. Hoffman, Esquire Venable, Baetjer and Howard, LLP 210 Allegheny Avenue Towson, MD 21204

Dear Mr. Hoffman:

RE: Case No. 01-191-SPH, 6823 Old Pimlico Road

Please be advised that an appeal of the above-referenced case was filed in this office on February 7, 2001 by Peter M. Zimmerman, People's Counsel for Baltimore County. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Arnold Jablon

Director

AJ:aem

c: Bais Hamedrash and Mesivta of Baltimore, Inc., 419 Yeshiva Lane, Baltimore, MD 21208
Bernard Smith, President, Summit Country Club, 6823 Old Pimlico Road, Baltimore, MD 21209
People's Counsel, MS 2010
Steve Warfield, 10540 York Road, Hunt Valley, MD 21030
Ernest Feiberlman, 2300 Baythorne Court, Baltimore, MD 21209
Moshe Pappapoy, 3811 Labyrinth Road, Baltimore, MD 21215

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FEB - 7 2001

APPEAL

Petition for Special Hearing
6823 Old Pimlico Road
E/S Old Pimlico Road, 285' W of c/I Woodbox Lane
3rd Election District – 2nd Councilmanic District
Summit Country Club – Legal Owners
Bais Hamedrash and Masivta of Baltimore, Inc. - Contract Purchaser
Case Number: 01-191-SPH

Petition for Special Hearing (filed 11/6/00)

Description of Property

Notice of Zoning Hearing (dated 11/28/00)

Certification of Publication (12/19/00 - The Jeffersonian)

Certificate of Posting (12/12/00 - Patrick M. O'Keefe)

Entry of Appearance by People's Counsel (dated 11/28/00)

Petitioner(s) Sign-In Sheet

Zoning Advisory Committee Comments (no cover letter)

Petitioners' Exhibits:

- Plan to Accompany Special Hearing of 6823 Old Pimlico Road (undated)
- 2 Ariel map (dated 4/23/61)

Misc. (Not Marked as Exhibits):

- Inter-Office Memorandum from Lloyd T. Moxley to File, Carl Richards & John Lewis (dated 11/2/00)
- Letter from Elliot N. Lewis, President of Smith-Greenspring Association, Inc. to Mr. Timothy Kotroco, Deputy Zoning Commissioner (dated 1/1/01)

Zoning Commissioner's Order dated 1/23/01 (Granted with Restrictions)

Notice of Appeal received on 2/7/01 from People's Counsel for Baltimore County

C: Robert A. Hoffman, Esquire, Venable Baetjer and Howard, LLP, 210 Allegheny Avenue, Towson, MD 21204
Bais Hamedrash and Mesivta of Baltimore, Inc., 419 Yeshiva Lane, Baltimore, MD 21208
Bernard Smith, President, Summit Country Club, 6823 Old Pimlico Road, Baltimore, MD 21209
People's Counsel of Baltimore County, MS #2010
Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

IN RE: PETITION FOR SPECIAL HEARING
E/S Old Pimlico Road, 285' W of the c/l
Woodbox Lane
(6823 Old Pimlico Road)
3rd Election District
2nd Council District

Summit Country Club, Property Owners; Bais Hamedrash and Mesivta of Baltimore, Inc., Lessees * BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

^k Case No. 01-191-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Summit Country Club, by Bernard Smith, President, and the Contract Purchasers, Bais Hamedrash and Mesivta of Baltimore, Inc., by Rabbi Zvi Dor Slanger, President, through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special hearing to approve dormitories and faculty housing as accessory uses to a permitted school. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Rabbi Zvi Dor Slanger, President, and Mosha Rappaport, representatives of Bais Hamedrash and Mesivta of Baltimore, Inc., Contract Purchasers of the subject property, Steve Warfield, Professional Engineer who prepared the site plan for this property, and Robert A. Hoffman, Esquire, attorney for the Petitioners. Appearing as interested persons were Ernest and Harriett Feibelman, adjacent property owners. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the southeast side of the intersection of Old Pimlico Road and Falls Gable Avenue, in the vicinity of the Bonnie View Golf Course, in Pikesville. The property contains a gross area of 8.00 acres, more or less, zoned D.R.3.5 and is the site of the Summit Country Club which has existed on the property for many years. Improvements on the property include a one-

'ate 162/11

story/two-story country club building, an in-ground swimming pool and one-story bathhouse building, basketball, volleyball and tennis courts, and related parking areas. As noted above, the Petitioners have contracted to sell the property to Bais Hamedrash and Mesivta of Baltimore, Inc. who wish to convert the property for use as a private school for Orthodox Jewish children, Grades 9 through 12. The school will have a maximum capacity of 120 students and employ 20 faculty/ staff members. It is anticipated that approximately 48 students will be housed in the converted bathhouse building and that at least 10 faculty/staff members will reside in housing provided elsewhere on the property. There will be no exterior changes to existing buildings on the property; only the interior of those buildings will be renovated for the proposed use.

As noted above, the property is zoned D.R.3.5. Pursuant to Section 1B01.I.A.14 of the Baltimore County Zoning Regulations (B.C.Z.R.), schools are permitted as of right in the D.R.3.5 zone. Therefore, the conversion of the subject property for use as a school does not require any zoning approval. However, the nature of the relief requested relates to the potential future development of the property. Specifically, it was indicated at the hearing that the Petitioners may, in the future, wish to build additional structures on the property in order to provide additional housing for students and faculty. The Petitioners request a finding that such future construction would be an appropriate accessory use, from a zoning perspective, to the permitted use of the property as a school. That is, the Petitioners seek this finding so that in the event additional buildings are proposed, an Order is already in place permitting same under the B.C.Z.R. Accessory uses and structures are defined in Section 101 of the B.C.Z.R. Essentially, that definition requires that an accessory use or structure be customarily incidental and subordinate to and serve the principal use or structure; be subordinate in area, extent or purpose to the principal use or structure; and, be located on the same lot as the principal use or structure served. Additionally, the accessory use must contribute to the comfort, convenience or necessity of the principal use.

Although such additional buildings have yet to be designed or even determined to be necessary, I do find that the construction of additional structures for use as dormitories for students or housing for faculty is appropriate and should be permitted. In my judgment, the housing of

students and faculty is a reasonable and incidental use associated with the primary use of the property as a school. The religious component of the proposed school is particularly significant as it relates to the desire to have students and faculty housed on the property. I do not believe that such an accessory use would be detrimental to the health, safety or general welfare of the locale and would comply with the special exception requirements of Section 502.1 of the B.C.Z.R. Thus, the Petition for Special Hearing shall be granted.

However, in granting the relief I do recognize the concerns expressed by Mr. & Mrs. Feibelman regarding the potential for over-development of this property. The Feibelmans expressed concern over the adverse impacts such over-development would have on existing drainage conditions which might cause excess runoff onto their property. Apparently, the subject site slopes so that drainage from the existing tennis courts drains towards the Feibelman property. In addition, these neighbors are concerned about additional construction on the property and impervious surfaces.

In order to address these concerns, I will require that the Petitioners contact the local community association (Smith Avenue/Greenspring Association), and Mr. & Mrs. Feibelman and advise them of their plans, prior to the beginning of any building program. The Petitioners shall be required to provide notice, only, to this community association and these neighbors, and not specifically obtain the acquiescence or consent of their plans. The implementation of this restriction is to insure that notice is provided these individuals in the event they wish to contest any such building plans, either through Baltimore County or another forum. Additionally, this notice requirement is without prejudice to the Petitioners applying for or receiving any waivers or exemptions from the County review process which might be available. That is, it is the intent of this restriction to require the Petitioners only to notify their neighbors of their plans, and is without prejudice to them as to the implementation under law of those plans. Obviously, any additional construction must be in accordance with the County regulations in existence as that time.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of January, 2001 that dormitories and faculty housing are accessory uses to a permitted school use, and as such, the Petition for Special Hearing be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the commencement of any new building construction, the Petitioners shall be required to provide notice of such plans to the Smith Avenue/Greenspring Community Association and Mr. & Mrs. Ernest Feibelman.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs



Baltimore County Zoning Commissioner

Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

January 23, 2000

Robert A. Hoffman, Esquire Venable, Baetjer & Howard 210 Allegheny Avenue Towson, Maryland 21204

JAN 29

Fax: 410-887-3468

RE: PETITION FOR SPECIAL HEARING

E/S Old Pimlico Road, 285' W of the c/l Woodbox Lane

(6823 Old Pimlico Road)

3rd Election District – 2nd Council District

Summit Country Club, Owners; Bais Hamedrash and

Mesivta of Baltimore, Inc., Contract Purchasers - Petitioners

Case No. 01-191-SPH

Dear Mr. Hoffman:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES:bjs

cc: Mr. Bernard Smith, President, Summit Country Club 6823 Old Pimlico Road, Baltimore, Md. 21209

Rabbi Zvi Dor Slanger, President, Bais Hamedrash & Mesivta of Baltimore, Inc.

419 Yeshiva Lane, Baltimore, Md. 21208

Mr. Mosha Rappaport, 3811 Labyrinth Road, Baltimore, Md. 21215

Mr. Steve Warfield, Matis-Warfield, Inc., 10540 York Road, Hunt Valley, Md. 21030

Mr. & Mrs. Ernest Feibelman, 2300 Baythorne Court, Baltimore, Md. 21209

People's Counsel; Case File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 6823 Old Pimlico Road	
which is presently zoned DR3.5	

This Petition shall be filed with the Department of Permits and Development Management. 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 Zoning Regulations of Haltimore County, to determine whether or not the Zoning Commissioner should approve

> dormitories and faculty housing as accessory uses to a permitted school.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County. I/We do solemnly declare and affirm, under the penaltles of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Bais Hamedrash and Mesivta of Baltimore, Inc. Summit Country Club Name - Type or Print Name - Type or Print By: By: Signature Kabbi Zvi Dor Slanger, President Signature/ Bernard Smith, President 419 Yeshiva Lane 410-484-9153 Address Telephone No. Name - Type or Print Baltimore, MD 21208 City State Zip Code Signature 6823 Old Pimlico Road Attorney For Petitioner: 410-486-5567 Address Telephone No. Baltimore, MD Robert A. Hoffman 21209 Name - Type or Plint City ip Code State Representative to be Contacted: Signature Venable, Baetjer and Howard, LLP Robert A. Hoffman Company Name 210 Allegheny Avenue 410-494-6200 210 Allegheny Avenue 410-494-6200 Address Telephone No. Address Telephone No. Towson, MD 21204 Towson, MD 21204 City State Z p Code Zip Code City

Case No. 01-191-5PH

ESTIMATED LENGTH OF HEARING __ UNAVAILABLE FOR HEARING ___ Reviewed By JRF Date 11-6-00

OFFICE USE ONLY

State

REV 9/15/98

consulting engineers

Beginning at a point on the east side of Old Pimlico Road which is 60 feet wide at the distance of 285 feet west of the centerline of the Woodbox Lane, the nearest improved intersecting street which is 45 feet wide. Thence the following courses and distances:

N.84 45' 18" E. 310.01 ft., S.41 58' 01" E. 245.15 ft., S.49 03' 27" W. 720.39 ft., S.04 30' 00" E. 154.13 ft., S.85 30' 00" W. 263.93 ft., N.67 02' 49" W. 154.37 ft., N.33 05' 53" E. 138.30 ft., radius 1380.37 ft. chd brg N.31 58' 57" E length 116.43 ft., N.27 20' 30" E. 203.89 ft., radius 708.35 ft. chd brg N.35 28' 15" E length 172.89 ft., N.42 29' 09" E. 67.40 ft., radius 364.73 ft. chd brg N.27 50' 29" E length 179.48 ft., to a place of beginning as recorded in Deed 2870, Folio 294 and Deed 2890, Folio 30.

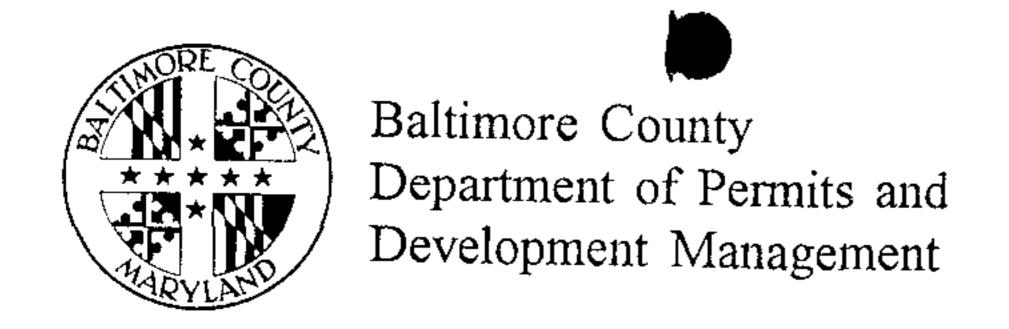


Matis Warfield, Inc.

10540 york road • sulte m• hunt valley, maryland 21030

phone 410-683-7004 • facsimile 410-683-1798

www.matiswarfield.com



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

November 28, 2000

NOTICE OF ZONING HEARING

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

CASE NUMBER: 01-191-SPH

6823 Old Pimlico Road

SE/S Old Pimlico Road, corner S/S Falls Gable Road (Summit Country Club)

3rd Election District – 2nd Councilmanic District

Legal Owner: Summit Country Club

Contract Purchaser: Bais Hamedrash and Mesivta of Baltimore, Inc.

Special Hearing to approve dormitories and faculty housing as accessory uses to a permitted school.

HEARING: Thursday, January 4, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Jable

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Arnold Jablon

Director

C: Robert A. Hoffman, Venable, Baetjer and Howard, LLP, 210 Allegheny Avenue Towson 21204

Summit Country Club, Bernard Smith, President, 6823 Old Pimlico Road, Baltimore 21209

Bais Hamedrash and Mesivta of Baltimore, Inc., Rabbi Zvi Dor Slanger, President, 419 Yeshiva Lane, Baltimore 21208

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY DECEMBER 18, 2000.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

	•
For Newspaper Advertising:	
Item Number or Case Number: 01-191-SPH	•
Petitioner: Bais Hamedrash and Mesirta of Baltimore,	nc.
Address or Location: 6823 Old Pimlico Rd	•
PLEASE FORWARD ADVERTISING BILL TO:	
Name: Barbara Ormond	,
Address: Verable	
210 Allegheny Avenue Towson lid 215	204
210 Allegheny Avenue, Towson, Jud 215 Telephone Number: 410-494-6201	•

Revised 2/20/98 - SCJ

BALTIMORE COUNTY, MARYLAN' OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	No. 6750	PANSIT ACUM. 111.
DATE // CO - OO ACCOUNT /2-OC	31-6150	HE HAD CASHIER MAL IN MARKET TO SELECT THE SECOND OF LAND OF L
RECEIVED Venable, Cautier + He		Fort Tot 250.00 Perpt T
FROM: GP23 Old Provised Rd. FOR: SOM	Traken by : JRI	ALIAI CPI
DISTRIBUTION		CASHIER'S VALIDATION

YELLOW - CUSTOMER

PINK - AGENCY

NOTICE OF ZONING HEARING

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

Case: #01-191-SPH

Case: #U1-191-3PN
6823 Old Pimilico Road
SE/S Old Pimilico Road, corner S/S Falls Gable Road
(Summit Country Club)
3rd Election District – 2nd Councilmanic District
Legal Owner(s): Summit Country Club
Contract Purchaser: Bais Hamedrash and Mesivta of

Baltimore, Inc.

Special Hearing: to approve dormitories and faculty housing as accessory uses to a permitted school. Hearing: Thursday, January 4, 2001 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

LAWRENCE E. SCHMID1
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

Contact the Zoning Review Office at (410) 887-3391.

C440481

JT/12/650 Dec. 19

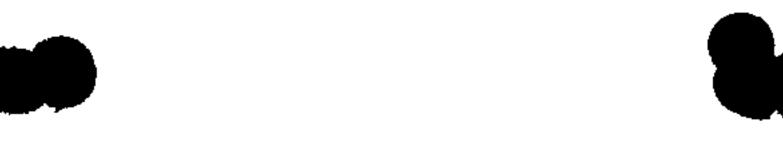
CERTIFICATE OF PUBLICATION

TOWSON, MD, 1221	2000
THIS IS TO CERTIFY, that the annexed advertisem	ent was
published in THE JEFFERSONIAN, a weekly newspaper pub	lished in
Towson, Baltimore County, Md., once in each ofsı	accessive
weeks, the first publication appearing on, 2	* <u>00</u>
THE JEFFERSONIAN,	
J. WULMBI	Designation of the last of the
LEGAL ADVERTISING	

CERTIFICATE OF POSTING

]	RE: Case No.: 01-191-5PH
	Petitioner/Developer: BAS HAMADRAS ETA
	40 R. HOFFMAN, ESQ
	Date of Hearing/Closing: 1/4/0/
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
This letter is to certify under the penalties of perjuterer posted conspicuously on the property locate $\frac{1}{2}$	
The sign(s) were posted on	2/00 Ionth, Day, Year)
	Sincerely,
ZONING HOTICE	Signature of Sign Poster and Date)
	PATRICK M. O'KEEFE (Printed Name) 523 PENNY LANE
	(Address) HUNT VALLEY, MD. 21030 (City, State, Zip Code)
;	410-666-5366; CELL-410-905-8571 (Telephone Number)
muit Country Club - 1895 Homadras	

Scennif Country Club - 1895 Hamadros
12/15/00 01-191-591+
6823 OLD PINLICO RD. 1/4/01



BALTIMORE COUNTY, MARYLAND Interoffice Memorandum

DATE:

11/02/00

TO:

File, Carl Richards, John Lewis

FROM:

Lloyd T. Moxley

SUBJECT:

6823 Old Pimlico Road

Points raised in discussions between the applicant and the Office of Zoning Review

The following comments relate to form and not to appropriateness. These comments are a result of discussions held between the applicant's attorney, Robert Hoffman, Esq. and the following representatives from the Office of Zoning Review, Carl Richards John Lewis and Lloyd T. Moxley

- It was indicated to the applicant's attorney that it was the opinion of the Office of Zoning Review that the proposed dormitory use would require a Special Exception. Applicant's attorney elects to present to the Zoning Commissioner through a Special Hearing that the dormitories are an accessory use to the principal institutional use of a school.
- It was determined that the applicants shall provide at the hearing evidence the institutional use of the property has been in existence prior to 1970 with regards to RTA requirements and other setbacks.

#191



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. William's

Administrator

Date: 11 . 27 . 00

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

RE: Baltimore County

Item No. 191 (JRF)

Dear. Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Por

L. J. Drell.

Konneth A. McDonald Jr., Chief
Engineering Access Permits Division



Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

November 28, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: Verizon Maryland, Inc. - 181 Summit Country Club - 191 Shri Shiva Corporation - 199

Location: DISTRIBUTION MEETING OF November 20, 2000

Item No.: 181, 191, and 199

Dear Ms. Stephens:

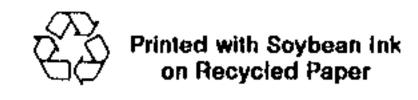
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

- 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- 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", 1994 edition prior to occupancy.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: November 29, 2000

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For November 27, 2000

Item Nos. 178 (5113 Old Court Road), 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 191, 192, 193, 194, 195, 196, 198, 199, 201,

and 202

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley KORBS

DATE:

December 1, 2000

SUBJECT:

Zoning Petitions

Zoning Advisory Committee Meeting of November 20, 2000

DEPRM has no comments for the following zoning petitions (page 1 of 2):

Item #	Address
178	5113 Old Court Road
181	4 St. Thomas Lane
182	1912 Wilson Lane
184	1214 Blue Mount Road
185	10911 Reisterstown Road
186	7 Henderson Hill Court
187	11504 Hannibal Road
188	7419 Beech Avenue
189	3300 Willoughby Road
191	6823 Old Pimlico Road
192	3900 Beckleysville Road
194	2315 Benson Mill Road
195	Security Blvd. & Rolling Road
196	1250 Sulphur Spring Road

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: December 6, 2000

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

~ ~ 6

SUBJECT:

6823 Old Pimlico Road

INFORMATION:

Item Number:

01-191

Petitioner:

Summit Country Club

Zoning:

DR 3.5

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request to add dormitories and faculty housing as accessory uses to a permitted school provided the following are met:

- The addition of any housing to this site should be compatible with the surrounding residential uses
- Any additional signage should be ground mounted without interior illumination.
- Submit elevation of all proposed buildings and signs to this office for review and approval, prior to the issuance of building permit.

Section Chief:



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

Hearing Room – Room 48 Old Courthouse, 400 Washington Avenue

February 21, 2001

NOTICE OF ASSIGNMENT

CASE #: 01-191-SPH

IN THE MATTER OF: SUMMIT COUNTRY CLUB -Legal Owner; BAIS HAMEDRASH & MASIVTA OF BALTIMORE, INC. -CP

6823 Old Pimlico Road 3rd Election District; 2nd Councilmanic District

1/23/2001 – Petition for Special Hearing GRANTED with restrictions by Zoning Commissioner...

ASSIGNED FOR:

TUESDAY, MARCH 13, 2001 at 9:30 a.m.

This matter has been specially set for the above date by agreement of Counsel.

NOTICE:

This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

> Kathleen C. Bianco Administrator

c:

Appellant

: Office of People's Counsel

Counsel for Petitioners

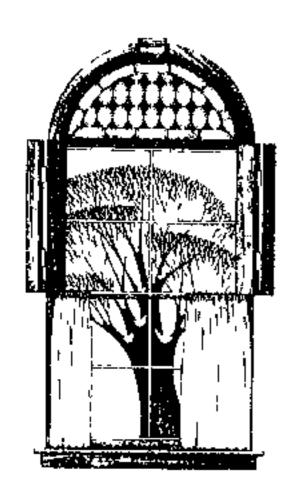
: Robert A. Hoffman, Esquire

Petitioners

: Bais Hamedrash and Mesivta of Baltimore, Inc. : Summit Country Club /Bernard Smith, President

Pat Keller, Planning Director Lawrence E. Schmidt, Zoning Commissioner Arnold Jablon, Director /PDM Virginia W. Barnhart, County Attorney

copies to: Mr. & Mrs. Ernest Feibelman



SMITH-GREENSPRING ASSOCIATION, INC.

PO. BOX 20879 • BALTIMORE, MARYLAND \$1209

January 1, 2001

JAN - 4

Mr. Timothy Kotroco Deputy Zoning Commissioner 401 Bosley Ave. Towson, Maryland 21204

> RE: Case no: 01-191-SPH 6823 Old Pimlico Road

Dear Mr. Kotroco:

The Smith-Greenspring Association, Inc., which represents 1900 families, supports the Bais Hamedrash and Mesivta of Baltimore, Inc.'s plans to convert the present bath houses and locker rooms on the premises of the Summit County Club into dormitories as an accessory use to a permitted school. At the present time we do not support the variance to allow faculty housing or other dormitories outside of the present structures.

Thank you for your assistance in this matter.

Very truly yours,

Elliot N. Lewis

President

cc. Councilman Kevin Kamenetz Phyllis Freedman, President PGCC, Inc. Robert A. Hoffman, Esq.

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COUNTY BOARD OF ATTERNATION *

OTMAR -2 AM 11+04 *

ELLIOT N. LEWIS, P.A.

LEWIS LAW CENTERS

FAX COVER SHEET

DATE:	31101
ROUTE TO:	Board of Zoning Appeals
FROM:	Elliot Lewis
SUBJECT:	Case No.: 01-191-5PH, 6827 Old
MESSAGE:	Pinlico RoAd
P	lease add me to the mailing list
F	or this CASE
	Elliot Lewis, President
	Smith Green Spring Association.
	2301 Bay thorne Court, BAlto, Mel 21201
# OF PAGES	Smith Green Spring Association. 2301 Bay thorne Court, Balto, Med 21201 Cover Plus O PAGES ORIGINAL MAILED YOU V.C.

IF YOU HAVE ANY QUESTIONS PLEASE CALL:

ELLIOT N. LEWIS AT (410) 962-1442

FAX LINE (410) 385-3101

CONFIDENTIALITY NOTICE

This facsimile transmission (and/or the documents accompanying it) may contain confidential information belonging to the sender which is protected by the attorney-client privilege. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 410-887-3180 FAX: 410-887-3182

Hearing Room – Room 48 Old Courthouse, 400 Washington Avenue

February 21, 2001

NOTICE OF ASSIGNMENT

CASE #: 01-191-SPH

IN THE MATTER OF: SUMMIT COUNTRY CLUB -Legal Owner; BAIS HAMEDRASH & MASIVTA OF BALTIMORE, INC. -CP

6823 Old Pimlico Road

3rd Election District; 2nd Councilmanic District

1/23/2001 - Petition for Special Hearing GRANTED with restrictions by Zoning Commissioner..

ASSIGNED FOR:

TUESDAY, MARCH 13, 2001 at 9:30 a.m.

This matter has been specially set for the above date by agreement of Counsel.

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compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

> Kathleen C. Bianco Administrator

c:

Appellant

: Office of People's Counsel

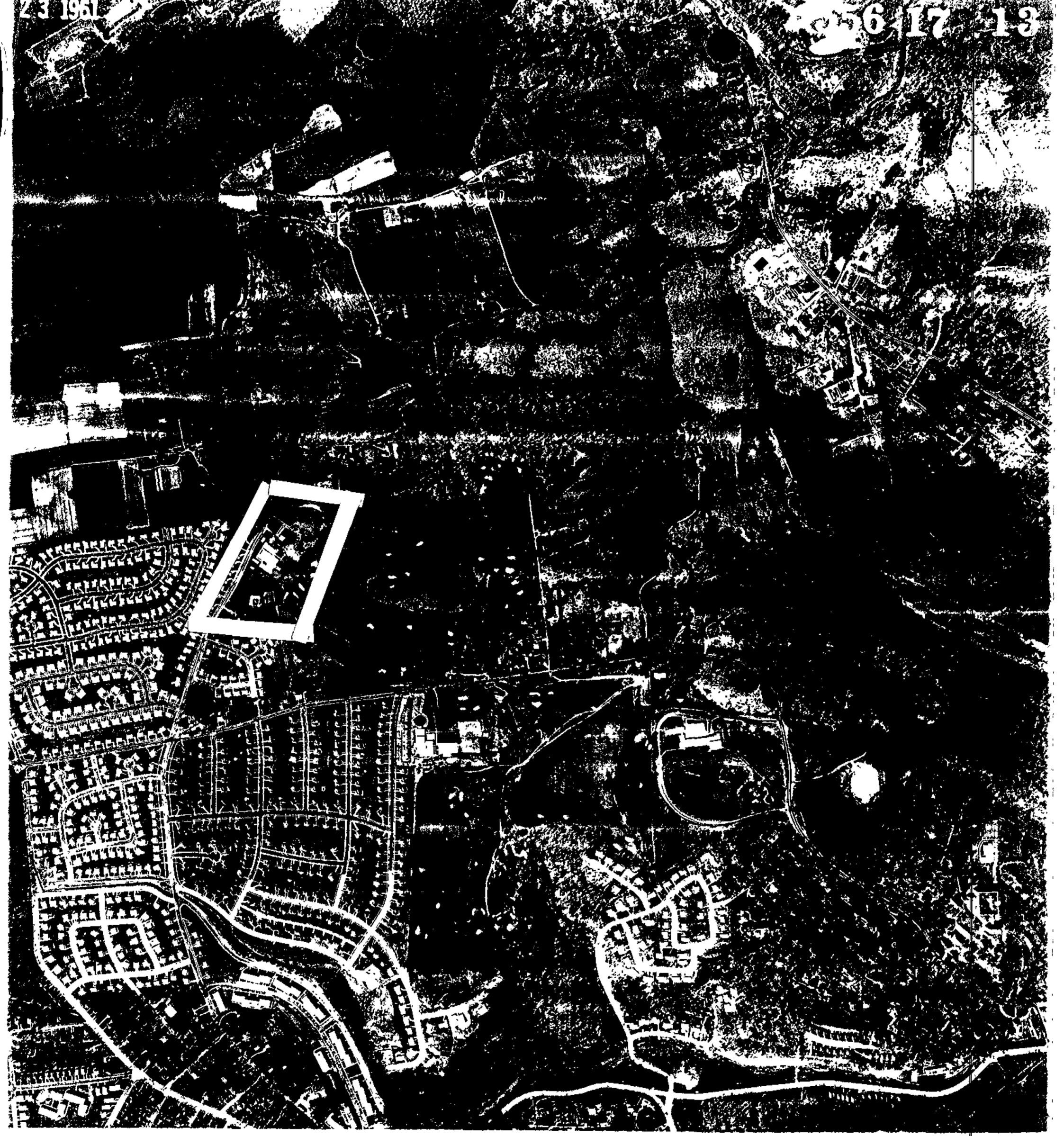
Counsel for Petitioners

Petitioners

: Robert A. Hoffman, Esquire

: Bais Hamedrash and Mesivta of Baltimore, Inc. : Summit Country Club /Bernard Smith, President

Pat Keller, Planning Director Lawrence E. Schmidt, Zoning Commissioner Arnold Jablon, Director /PDM Virginia W. Barnhart, County Attorney



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PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

itizen-	Rob Joffman Steve Warfield ERNEST FEIBELMAN Du Sy. Mosketypapa	ADDRESS ADDRESS ADDRESS 10540 XORK Read Hunt Va 2300 BAYTHORNE CT 2120 HIG YESHIVA LA. BALTO. MA 3811 Laberrath Rd. Balto 21	29 6
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OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN People's Counsel

February 6, 2001

CAROLE S. DEMILIO
Deputy People's Counsel

Arnold Jablon, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204

Hand-delivered

Re: PETITION FOR SPECIAL HEARING

6823 Old Pimlico Road (Summit Country Club), SE/S Old Pimlico Rd, cor S/S Falls Gable Rd,

3rd Election Dist., 2nd Councilmanic Legal Owner: Summit Country Club

Contract Purchasers: Bais Hamedrash and

Mesivta of Baltimore, Inc.

Case No.: 01-191-SPH

Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Findings of Fact and Conclusions of Law dated January 23, 2001 of the Baltimore County Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Peter Max Zimmerman

People's Counsel for Baltimore County

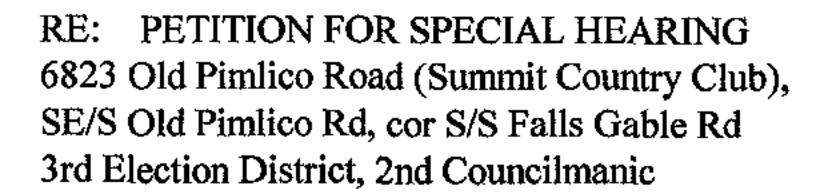
MAX K a SIG

Carole S. Demilio

Deputy People's Counsel

PMZ/CSD/caf

cc: Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204 Attorney for Petitioners



Legal Owner: Summit Country Club

Contract Purchasers: Bais Hamedrash and

Mesivta of Balto., Inc.

Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 01-191-SPH

ENTRY OF APPEARANCE

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

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

reole S. Den

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of November, 2000 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).

PETER MAX ZIMMERMAN

