

IN RE: PETITION FOR SPECIAL HEARING
S/W Corner of Rosewood Lane and
Garrison Forest Road
(225 Rosewood Lane)

3rd Election District
2nd Councilmanic District

The Greater Greenspring Assn., et al,
Petitioners
Associated Jewish Charities of Baltimore
Owners

* BEFORE THE DEPUTY
* ZONING COMMISSIONER
* FOR BALTIMORE COUNTY

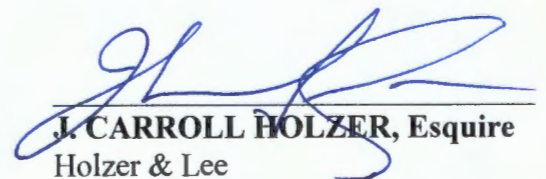
* Case No.: 2010-0211-SPH
*

* * * * *

NOTICE OF WITHDRAWAL WITHOUT PREJUDICE
OF PETITION FOR SPECIAL HEARING

THE GREATER GREENSPRING ASSOCIATION, INC., Jim Angelone, President; and
INDIVIDUALS CHERYL AARON and JAY EASTMAN, Petitioners in the above captioned
matter, by and through their attorney, J. Carroll Holzer, PA, hereby give notice of withdrawal
Without Prejudice of their Petition for Special Hearing as to all Petitioners filed on January 29,
2010.

Respectfully submitted,


J. CARROLL HOLZER, Esquire

Holzer & Lee
508 Fairmount Avenue
Towson, Maryland 21286
410-825-6961
Attorney for Petitioners

RECEIVED

MAY 12 2010

ZONING COMMISSIONER

LAW OFFICE
HOLZER AND LEE
THE 508 BUILDING
508 FAIRMOUNT AVENUE
TOWSON, MARYLAND
21286

(410) 825-6961
FAX: (410) 825-4923

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12th day of May, 2010, a copy of the foregoing Notice of Notice of Withdrawal of Petition was mailed first class, postage pre-paid to: Jeffrey Scherr, Esq. Kramon & Graham, P.A., One South Street, Suite 2600, Baltimore, MD 21202; and Ben Bronstein, Esq., Susquehanna Bldg., 29 W. Susquehanna Ave., Suite 205, Towson, MD 21204.


J. CARROLL HOLZER, Esquire

PLACE IN FILE
2010-0211-A

RE: Rosewood

From: "Jeffrey H. Scherr" <JScherr@kg-law.com>

To: "Thomas Bostwick" <tbostwick@baltimorecountymd.gov>

CC: "Bill Wiseman" <wwiseman@baltimorecountymd.gov>, <jcholzer@cavtel.net>, <benbronstein@terralaw.net>

Date: Monday - March 22, 2010 9:43 AM

Tom,

Thanks. I am not sure when Carroll returns from vacation, but I am sure Carroll and I will talk and I will keep you advised. --Jeff

Jeffrey H. Scherr

Kramon & Graham, P.A.

410-752-6030 (Office)

443-695-1369 (Cell)

410-361-8221 (Direct Fax)

"ANY HEARING ON THIS MATTER
 WOULD REQUIRE SPECULATION
 AND CONJECTURE ON PETITIONERS
 BEHALF" AS PERMITS WITHDRAWN.

Matter should therefore be
 dismissed - without prejudice

[Signature]
 3/23/10

This communication is from a law firm and may contain confidential or privileged information.

Unauthorized retention, disclosure, or use of this information is prohibited and may be unlawful under 18 U.S.C. §§ 2510-2521. Accordingly, if this email has been sent to you in error, please contact the sender by reply email or by phone at 410-752-6030.

-----Original Message-----

From: Thomas Bostwick [mailto:tbostwick@baltimorecountymd.gov]

Sent: Thursday, March 18, 2010 3:53 PM

To: Jeffrey H. Scherr

Cc: Bill Wiseman; jcholzer@cavtel.net; benbronstein@terralaw.net

Subject: Re: Rosewood

Jeff,

Bill and I will keep an eye on this and look to hear from you and/or Mr. Holzer in terms of whether this case will be pursued by Mr. Holzer's client or not. If for whatever reason the two of you are not able to agree on how to proceed going forward, then we will certainly entertain further motions on this matter.

Thanks.

>>> "Jeffrey H. Scherr" <JScherr@kg-law.com> 3/18/2010 3:36 PM >>>

Tom,

Prior to formal dismissal
 await result of Councils
 discussing open issues
 as HOLZER on vacation
 and unavailable —
 Tom Bostwick. Continued
 Case at Councils joint
 request.

Please see attached, a copy of my letter to you of even date.

Jeff

Jeffrey H. Scherr

Kramon & Graham, P.A.

One South Street

Suite 2600

Baltimore, Maryland 21202-3201

410-752-6030 (Telephone)

410-539-1269 (Facsimile)

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RECEIVED

MAR 18 2010

ZONING COMMISSIONER

LAW OFFICES
KRAMON & GRAHAM, P.A.

ONE SOUTH STREET
SUITE 2600

BALTIMORE, MARYLAND 21202-3201

TELEPHONE: (410) 752-6030

FACSIMILE: (410) 539-1269

www.kramonandgraham.com

JEFFREY H. SCHERR

DIRECT DIAL
(410) 347-7424

DIRECT FACSIMILE
(410) 361-8221

March 11, 2010

E-MAIL

jeffrey.scherr@kramonandgraham.com

VIA EMAIL (tkotroco@baltimorecountymd.gov)

FOLLOWED BY FIRST-CLASS MAIL

Timothy M. Kotroco, Director
Baltimore County Department of Permits
and Development Management
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

VIA EMAIL (wwiseman@baltimorecountymd.gov)

FOLLOWED BY FIRST-CLASS MAIL

William J. Wiseman, III, Zoning Commissioner
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

Re: Case Number: 2010-0211-SPH
225 Rosewood Lane
S/W corner of Rosewood Lane and Garrison Forest Road
3rd Election District - 2nd Councilmanic District
Legal Owners: Associated Jewish Charities

Dear Messrs. Kotroco and Wiseman:

This office represents the Associated Jewish Charities, the owner of the land that is the subject of the above-captioned matter.

The Special Hearing concerns a Permit Application filed by the Cardin School, the Contract Purchaser of the land at the time of the Permit Application. Based on the Petition for Special Hearing, the Permit Application seeks to use a portion of the land as a school building.

{02576/0/00698039.DOCv1 }

To Bill Wiseman!
I will leave
this request
for your
consideration
Tri
K.

Timothy M. Kotroco, Director
William J. Wiseman, III, Zoning Commissioner
March 11, 2010
Page Two

After the date that Petitioners filed their request for Special Hearing, the Cardin School abandoned the land sale Contract. Cardin, therefore, is no longer the Contact Purchaser and will not use any portion of the land as a school. The Associated does not seek such school use at this time.

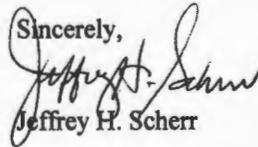
Therefore, the issues that are the subject of the Special Hearing are moot at this time and there is no reason for this Special Hearing to take place.

Accordingly, I request that the Special Hearing be dismissed.

If the Special Hearing is not dismissed, I request that it be postponed from March 23 to another date, as I have another previously scheduled matter on the 23rd at the time of the proposed Special Hearing. Also, I just recently received the notice of the hearing and will not have the opportunity to meet with my client's appropriate representatives in advance of the 23rd.

Please note that I attempted to reach Mr. Holzer by phone to discuss this matter and have not heard back from him.

I am also advised by Cardin's counsel, Mr. Bronstein, that he will request Cardin's architect, Mr. Levin, to withdraw the Permit Application. But if it is not withdrawn by Cardin, Cardin no longer has any interest in the land, and it is hereby withdrawn by the land owner, the Associated Jewish Charities.

Sincerely,

Jeffrey H. Scherr

JHS:ktm
cc: Mr. Larry Rosenhere (via email)

LAW OFFICES
KRAMON & GRAHAM, P. A.
ONE SOUTH STREET
SUITE 2600
BALTIMORE, MARYLAND 21202-3201

TELEPHONE: (410) 752-6030
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JEFFREY H. SCHERR

DIRECT DIAL
(410) 347-7424
DIRECT FACSIMILE
(410) 361-8221

E-MAIL
jscherr@kg-law.com

March 18, 2010

RECEIVED

MAR 22 2010

ZONING COMMISSIONER

VIA EMAIL (tbostwick@baltimorecountymd.gov)
FOLLOWED BY FIRST-CLASS MAIL

Thomas H. Bostwick
Deputy Zoning Commissioner
for Baltimore County
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Re: Case Number: 2010-0211-SPH
225 Rosewood Lane
S/W corner of Rosewood Lane and Garrison Forest Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Associated Jewish Charities

Dear Mr. Bostwick:

I am in receipt of your March 15, 2010 letter to me and Mr. Holzer and respond herein.

As per my previous correspondence to Messrs. Kotroco and Wiseman, Cardin School withdrew its Permit Application that generated the Special Hearing request filed by Mr. Holzer.

Therefore, as your letter states, our client, the Associated Jewish Charities, respectfully submits that without a pending Permit Application of any kind, the Special Hearing issues are moot and the matter must be dismissed.

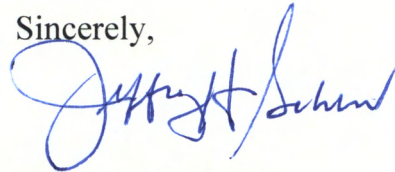
If, however, a hearing takes place, I request that it be on the moot issue and not a full Special Hearing. The Associated is very concerned about spending valuable resources on a matter it did not create, which resources would otherwise be used for charitable purposes in very difficult economic times. If, for some reason, it is determined

Thomas H. Bostwick
March 18, 2010
Page Two

to hold a full Special Hearing, that hearing may take place in due course, as without any pending Permit Application, there is no use that is intended or sought to be permitted in the near future.

Mr. Holzer is currently on vacation. We spoke before he left and agreed to discuss this matter upon his return. Should we agree on how the parties wish to proceed, I will advise you.

Sincerely,



Jeffrey H. Scherr

JHS:ktm

cc: Mr. Larry Rosenberg (via email)
Mr. Larry Boltansky (via email)
Mr. Marc Terrill (via email)
Mr. Mark Smolarz (via email)
J. Carroll Holzer, Esquire (via email)
Benjamin Bronstein, Esquire (via email)
David S. Thaler, P.E., L.S. (via email)
Mark D. Levin, AIA (via email)

RE: 225 Rosewood Lane - Cardin High School

From: "Jeffrey H. Scherr" <JScherr@kg-law.com>

To: "Timothy Kotroco" <TKotroco@baltimorecountymd.gov>, "Bill Wiseman" <wwiseman@baltimorecountymd.gov>, <jcholzer@cavtel.net>

<lboltansky@aol.com>, "Mark Smolarz" <msmolarz@associated.org>, CC: <mterrill@associated.org>, "David Thaler" <dsthaler@dsthaler.com>, <markl@levinbrown.com>, <lir@markbuilding.com>, <benbronstein@terralaw.net>

Date: Wednesday - March 17, 2010 3:02 PM

Tim,

Thank you for your email.

I assume we may be dealing with this issue at a hearing.

I received an letter from Mr. Bostwick, dated March 15,2010, postponing the case. If the case does proceed and is not dismissed, either by Mr. Holzer or the Zoning or Deputy Zoning Commissioner as moot, then, I request that the Mr. Wiseman or Mr. Bostwick conduct a hearing solely on the issue of whether Cardin's Permit Application being withdrawn moots the Special Hearing. Our client, The Associated Jewish Charities does not intend to operate the school that is the basis of Cardin's withdrawn Permit Application.

If the matter is determined to be moot, it would be an unfortunate expenditure of resources of a 501(c) (3) charitable organization to prepare for a full blown hearing. If, for some reason, the matter is determined not to be moot in the hearing on that issue, then, the Special Hearing may proceed in due course.

I spoke w/ Mr. Holzer just before he left for vacation and we agreed to discuss the matter when he returned and had more time to focus on the issue.--Jeff

Jeffrey H. Scherr
Kramon & Graham, P.A.
410-752-6030 (Office)
443-695-1369 (Cell)
410-361-8221 (Direct Fax)

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From: Timothy Kotroco [mailto:TKotroco@baltimorecountymd.gov]
Sent: Wednesday, March 17, 2010 2:28 PM
To: Bill Wiseman; jcholzer@cavtel.net; Jeffrey H. Scherr
Cc: lboltansky@aol.com; Mark Smolarz; mterrill@associated.org; David Thaler; markl@levinbrown.com; lir@markbuilding.com; benbronstein@terralaw.net
Subject: Re: 225 Rosewood Lane - Cardin High School

Jeff: The last time that I spoke to Mr. Holzer, he indicated that he was going to proceed with his petition. I guess it will be up to Mr. Wiseman as to whether he will entertain the hearing. Tim

Timothy M. Kotroco, Director
Permits & Development Management
Phone: 410-887-3020

>>> "Jeffrey H. Scherr" <JScherr@kg-law.com> 3/15/2010 4:49 PM >>>

To follow up on my letter of Thursday, March 11, I attach a letter to Mr Rascoe, by Cardin's architect, with drawing the permit application that generated the Petition for Special Hearing filed by Mr. Holzer. For your convenience, I also attach a copy of my March 11 letter.

Jeff

Jeffrey H. Scherr
& Graham, P.A.
(Office)

443-695-1369 (Cell)

410-361-8221 (Direct Fax)

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Levin/Brown & Associates, Inc.

March 15, 2010

Mr. Donald Rascoe, Deputy Director
Baltimore County Permits & Development
County Office Building, Room 105
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: 225 Rosewood Lane

Dear Mr. Rascoe ,

On behalf of the Shoshana S. Cardin Community High School, we are formally withdrawing and requesting the cancellation any further review of the Permit B731216 for the selective demolition of the building and for Permit B 731217 for the addition and renovation of the building at the above referenced address.

If you should have any questions on the above, please do not hesitate to contact me.

Sincerely,

<Mark D. Levin, AIA>
Levin/Brown & Associates, Inc.

Copies to: Lawrence Conn
 Ben Bronstein
 Barbie Prince, Cardin HS

:

X:\CORRESP\10-19\1409c03 permit withdraw1.doc



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

March 15, 2010

JEFFREY H. SCHERR, ESQUIRE
KRAMON & GRAHAM PA
ONE SOUTH STREET, SUITE 2600
BALTIMORE MD 21202-3201
Via Fax: 410 539 1269

J. CARROLL HOLZER, ESQUIRE
HOLZER & LEE
508 FAIRMONT AVENUE
TOWSON MD 21286
Via Fax: 410 825 4923

Re: Case No. 2010-0211-SPH
Legal Owners: Associated Jewish Charities

Dear Counsel:

I am in receipt of the letter dated March 8, 2010 from Mr. Holzer and the letter dated March 11, 2010 from Mr. Scherr related to the above-referenced matter.

In his letter, Mr. Holzer requests that the zoning hearing scheduled for March 23, 2010 be postponed and rescheduled due to a trip out of state that has been on his schedule for months prior to the scheduling of the above-hearing. Mr. Scherr indicates in his letter that the subject of the Special Hearing concerns a permit application filed by the Cardin School for land owned by his client, the Associated Jewish Charities. Mr. Scherr indicates that the school has abandoned the land sale contract, hence the issues that are the subject of the Special Hearing are moot and the Petition should be dismissed. In the alternative, Mr. Scherr requests that the case be postponed due to another previously scheduled matter on the hearing date.

Based on the letters from counsel, I will grant the request for postponement and direct that this matter be re-scheduled in the normal course. Please contact Kristen Matthews at the Zoning Review Office at (410) 887-3391 for available hearing dates. I will not dismiss this matter at this time, though I will await further communication from Mr. Holzer as to whether he wishes to proceed based on Mr. Scherr's letter. If this matter does proceed, Petitioner will need to re-post the property and advertise notice of the hearing.

Please contact me if you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick".

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

c: Benjamin Bronstein, Esquire
Kristen Matthews, Zoning Review Office

225 Rosewood Lane - Cardin High School

From: "Jeffrey H. Scherr" <JScherr@kg-law.com>

To: <tkotroco@baltimorecountymd.gov>, <wwiseman@baltimorecountymd.gov>, <jcholzer@cavtel.net>

<benbronstein@terralaw.net>, <lir@markbuilding.com>, <lboltansky@aol.com>, "Mark Smolarz" <msmolarz@associated.org>, <mterrill@associated.org>, "David Thaler" <dsthaler@dsthaler.com>, <markl@levinbrown.com>

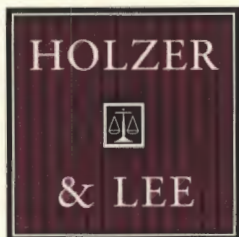
Date: Monday - March 15, 2010 4:49 PM

To follow up on my letter of Thursday, March 11, I attach a letter to Mr Rascoe, by Cardin's architect, withdrawing the permit application that generated the Petition for Special Hearing filed by Mr. Holzer. For your convenience, I also attach a copy of my March 11 letter.

Jeff

Jeffrey H. Scherr
Kramon & Graham, P.A.
410-752-6030 (Office)
443-695-1369 (Cell)
410-361-8221 (Direct Fax)

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LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER

1907-1989

THOMAS J. LEE

OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@CAVTEL.NET

March 12, 2010

#7874

Mr. Timothy Kotroco, Director
Permits & Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

William Wiseman, Esquire
Zoning Commissioner
105 West Chesapeake Avenue
Suite 103
Towson, Maryland 21204

RE: Rosewood - Cardin School

Dear Director Kotroco and Zoning Commissioner Wiseman:

I received a letter from Jeff Scherr dated March 11, 2010, in regard to Case No.: 2010-0211-SPH. After the letter was sent, I discussed this matter with the Zoning Commissioner and suggested that the case currently scheduled for Tuesday, March 23, 2010, be pulled out since neither Mr. Scherr nor I could be available. I have previously written a letter to the Zoning Commissioner, asking as the Petitioner, that the case be continued and that it would not be posted due to my being out-of-state.

I have also contacted Mr. Scherr and discussed future procedure with him and indicated that I would oppose the case being dismissed at this time. However, I may subsequently take that action once a new date is scheduled. It is necessary for me to insure that the issues raised in the Petition for Special Hearing are satisfactorily resolved for my clients. I will not be back into the office until Monday, April 5, 2010, and at that time will be glad to work with both the Assignment Commissioner, Mr. Scherr and Zoning Commissioner Wiseman to schedule a new date. Obviously, a hearing would be necessary for the Zoning Commissioner to dismiss this matter in any event.

This response is consistent with my discussions with Zoning Commissioner Wiseman as well as Jeff Scherr.

Very truly yours,

J. Carroll Holzer

JCH:mlg



To Kristen
DMC

LAW OFFICES
KRAMON & GRAHAM, P.A.
ONE SOUTH STREET
SUITE 2600
BALTIMORE, MARYLAND 21202-3201

TELEPHONE: (410) 752-6030
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JEFFREY H. SCHERR

DIRECT DIAL
(410) 347-7424

DIRECT FACSIMILE
(410) 361-8221

E-MAIL
jscherr@kg-law.com

March 11, 2010

VIA EMAIL (tkotroco@baltimorecountymd.gov)
FOLLOWED BY FIRST-CLASS MAIL

Timothy M. Kotroco, Director
Baltimore County Department of Permits
and Development Management
County Office Building
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

*To Bill Wiseman
for Zoning Resolution
T-K*

VIA EMAIL (wwiseman@baltimorecountymd.gov)
FOLLOWED BY FIRST-CLASS MAIL

William J. Wiseman, III, Zoning Commissioner
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

Re: Case Number: 2010-0211-SPH
225 Rosewood Lane
S/W corner of Rosewood Lane and Garrison Forest Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Associated Jewish Charities

Dear Messrs. Kotroco and Wiseman:

This office represents the Associated Jewish Charities, the owner of the land that is the subject of the above-captioned matter.

The Special Hearing concerns a Permit Application filed by the Cardin School, the Contract Purchaser of the land at the time of the Permit Application. Based on the Petition for Special Hearing, the Permit Application seeks to use a portion of the land as a school building.

Timothy M. Kotroco, Director
William J. Wiseman, III, Zoning Commissioner
March 11, 2010
Page Two

After the date that Petitioners filed their request for Special Hearing, the Cardin School abandoned the land sale Contract. Cardin, therefore, is no longer the Contact Purchaser and will not use any portion of the land as a school. The Associated does not seek such school use at this time.

Therefore, the issues that are the subject of the Special Hearing are moot at this time and there is no reason for this Special Hearing to take place.

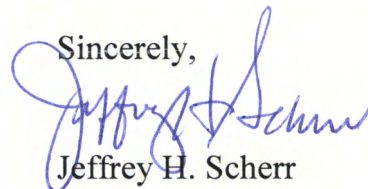
Accordingly, I request that the Special Hearing be dismissed.

If the Special Hearing is not dismissed, I request that it be postponed from March 23 to another date, as I have another previously scheduled matter on the 23rd at the time of the proposed Special Hearing. Also, I just recently received the notice of the hearing and will not have the opportunity to meet with my client's appropriate representatives in advance of the 23rd.

Please note that I attempted to reach Mr. Holzer by phone to discuss this matter and have not heard back from him.

I am also advised by Cardin's counsel, Mr. Bronstein, that he will request Cardin's architect, Mr. Levin, to withdraw the Permit Application. But if it is not withdrawn by Cardin, Cardin no longer has any interest in the land, and it is hereby withdrawn by the land owner, the Associated Jewish Charities.

Sincerely,



Jeffrey H. Scherr

JHS:ktm

cc: Mr. Larry Rosenberg (via email)
Mr. Larry Boltansky (via email)
Mr. Marc Terrill (via email)
Mr. Mark Smolarz (via email)
J. Carroll Holzer, Esquire (via email)
Benjamin Bronstein, Esquire (via email)
David S. Thaler, P.E., L.S. (via email)
Mark D. Levin, AIA (via email)



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER

1907-1989

THOMAS J. LEE

OF COUNSEL

THE 508 BUILDING

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TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@CAVTEL.NET

March 8, 2010

#7874

RECEIVED

MAR 08 2010

William Wiseman, Esquire
Zoning Commissioner
105 West Chesapeake Avenue
Suite 103
Towson, Maryland 21204

ZONING COMMISSIONER

RE: *Special Hearing: Tuesday, March 23, 2010 at 10:00 a.m., Room 104*
Case No.: 2010-0211-SPH
225 Rosewood Lane
S/West corner of Rosewood Lane and Garrison Forest Road
3rd Election District
2nd Councilmanic District
Legal Owners: Associated Jewish Charities

Dear Mr. Wiseman:

I have just received Notice of Zoning Hearing dated February 25, 2010, of a Hearing in the above-captioned case scheduled for Tuesday, March 23, 2010, at 10:00 a.m. in Room 104. Please be advised that I have had on my schedule for months a trip out-of-state to visit my son in Florida starting on Thursday evening, March 18, 2010, running through Sunday, April 4, 2010. I will be back in the office on Monday, April 5, 2010.

I would respectfully request that the matter be postponed and reset in a time convenient in April or May of this year. Because of my schedule, I am advising that I do not intend to expend the Community's money by posting the property on Monday, March 8, 2010.

Thank you for your courtesy in this matter.

Very truly yours,

J. Carroll Holzer

JCH:mlg

Enclosure

cc: Ms. Cheryl Aaron



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 225 Rosewood Lane 21117
which is presently zoned DR1

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 Baltimore County, to determine whether or not the Zoning Commissioner should approve and sub

(See attached sheet)

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 penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

See attached Signature Sheet

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

J. Carroll Holzer, PA

Name - Type or Print

Signature

J. Carroll Holzer, P.A.
508 Fairmount Ave.
Towson, MD 21286

City

State

Zip Code

410-825-6961

Telephone No.

Associated Jewish Charities

Name - Type or Print

Signature

Name - Type or Print

Signature

101 W. Mount Royal Ave.

Address

Telephone No.

Baltimore MD

City

State

21201

Zip Code

Representative to be Contacted:

Mark Levin

Name

15 Greenspring Valley Rd

Address

Telephone No.

Owings Mills MD

City

State

21117

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By Jen

Date

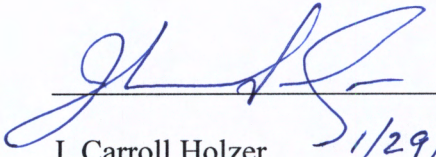
2-4-10

Case No. 2010-0211-SPH

**SUPPLEMENTAL SHEET
PETITION FOR SPECIAL HEARING
225 ROSEWOOD LANE, OWINGS MILLS, MD 21117**

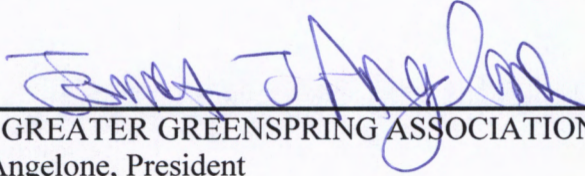
Questions Presented:

1. Does the Applicant have sufficient parking for the proposed use? Petitioners contend that there are insufficient parking spaces provided for the proposed use.
2. Does the Applicant violate the side yard setbacks of 40 feet? Petitioners submit that the 40' setbacks are violated.
3. Is the previous use of the existing building a school? Petitioners contend that the existing building was not used as a school.
4. Is there an existing Special Exception for a convalescent center or nursing home approved for the subject site? Petitioners contend that there is.
5. Must an amendment to the Special Exception for the subject site be filed by the Applicant? Petitioners submit that an amendment must be filed.
6. Such other and further relief as may be raised by the facts and evidence.

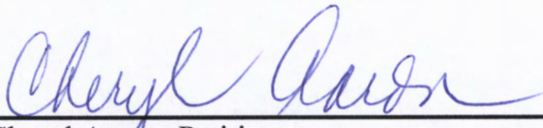


J. Carroll Holzer 5/29/10

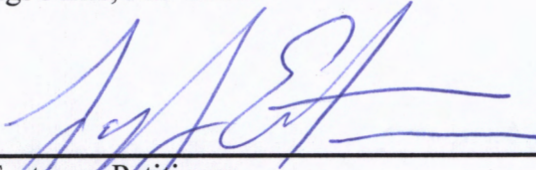
SIGNATURE PAGE
PETITION FOR SPECIAL HEARING
CARDIN SCHOOL, 225 ROSEWOOD LANE
ASSOCIATED JEWISH CHARITIES OF BALTIMORE, OWNER



THE GREATER GREENSPRING ASSOCIATION, INC., Petitioner
Jim Angelone, President
4515 Painters Mill Road
Owings Mills, MD 21117



Cheryl Aaron, Petitioner
121 St. Thomas Lane
Owings Mills, MD 21117



Jay Eastman, Petitioner
533 Garrison Forest Road
Owings Mills, MD 21117

021

ZONING DESCRIPTION
PART OF THE PROPERTY OF
THE STATE OF MARYLAND
DEPARTMENT OF MENTAL HYGIENE
ROSEWOOD STATE HOSPITAL
THIRD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the westmost right of way line of Garrison Forest Road, 40 feet wide, South 9 degrees 54 minutes 46 seconds East, 181.40 feet and South 8 degrees 51 minutes 13 seconds East, 162.20 feet from the intersection of the centerline of Rosewood Lane and the westmost right of way line of Garrison Forest Road, running thence and binding on said right of way line and referring the courses of this description to the Maryland State Grid Meridian NAD 83

- 1.) South 8 degrees 51 minutes 13 seconds East, 231.59 feet
- 2.) Southeasterly 257.82 feet along the arc of a curve to the left having a radius of 510.00 feet and a chord of South 23 degrees 20 minutes 10 seconds East, 255.09 feet
- 3.) Southeasterly 196.24 feet along the arc of a curve to the left having a radius of 1350.00 feet and a chord of South 41 degrees 58 minutes 59 seconds East, 196.07 feet, thence leaving said right of way line and running across the lands of the State of Maryland, Department of Mental Hygiene, Rosewood State Hospital
- 4.) South 55 degrees 52 minutes 30 seconds West, 466.00 feet
- 5.) South 34 degrees 09 minutes 04 seconds East, 300.58 feet
- 6.) South 6 degrees 56 minutes 06 seconds East, 111.47 feet
- 7.) South 8 degrees 16 minutes 44 seconds West, 322.74 feet
- 8.) South 69 degrees 40 minutes 50 seconds West, 364.75 feet
- 9.) South 69 degrees 42 minutes 08 seconds West, 955.85 feet
- 10.) South 1 degree 38 minutes 30 seconds East, 466.02 feet
- 11.) North 76 degrees 05 minutes 05 seconds West, 771.60 feet
- 12.) North 18 degrees 19 minutes 28 seconds West, 615.68 feet
- 13.) South 71 degrees 46 minutes 48 seconds West, 66.12 feet
- 14.) North 56 degrees 28 minutes 37 degrees West, 814.31 feet
- 15.) North 26 degrees 38 minutes 02 seconds East, 476.82 feet
- 16.) South 37 degrees 45 minutes 26 seconds East, 439.41 feet
- 17.) South 61 degrees 32 minutes 05 seconds East, 182.18 feet
- 18.) South 70 degrees 50 minutes 08 seconds East, 167.94 feet
- 19.) Southeasterly, 80.83 feet along the arc of a curve to the right having a radius of 155.91 feet and a chord of South 55 degrees 58 minutes 56 seconds East, 79.93 feet
- 20.) Southeasterly, 119.79 feet along the arc of a curve to the right having a radius of 99.36 feet and a chord of South 6 degrees 35 minutes 37 seconds East, 112.66 feet

021

- 21.) South 71 degrees 15 minutes 32 seconds East, 178.55 feet
- 22.) South 64 degrees 06 minutes 57 seconds East, 256.89 feet
- 23.) North 2 degrees 53 minutes 37 seconds East, 437.45 feet
- 24.) Northeasterly, 216.74 feet along the arc of a curve to the right having a radius of 230.81 feet and a chord of North 29 degrees 47 minutes 42 seconds East, 208.86 feet
- 25.) North 56 degrees 41 minutes 48 seconds East, 38.95 feet
- 26.) South 33 degrees 18 minutes 12 seconds East, 37.07 feet
- 27.) North 44 degrees 51 minutes 37 seconds East, 223.36 feet
- 28.) North 86 degrees 48 minutes 54 seconds East, 219.98 feet
- 29.) North 1 degree 30 minutes 42 seconds West, 120.16 feet
- 30.) North 85 degrees 30 minutes 40 seconds East, 67.87 feet
- 31.) North 66 degrees 31 minutes 06 seconds East, 152.92 feet
- 32.) North 40 degrees 33 minutes 54 seconds East, 139.51 feet
- 33.) North 84 degrees 01 minutes 21 seconds East, 133.52 feet
- 34.) North 52 degrees 36 minutes 18 seconds East, 161.97 feet
- 35.) North 14 degrees 51 minutes 08 seconds West, 184.47 feet
- 36.) North 56 degrees 52 minutes 32 seconds East, 309.56 feet
- 37.) North 28 degrees 21 minutes 05 seconds East, 83.41 feet
- 38.) North 80 degrees 26 minutes 03 seconds East, 232.14 feet
- 39.) North 40 degrees 28 minutes 07 seconds East, 26.46 feet

Containing 67.0391 acres of land more or less.

Being part of the property of the State of Maryland, Department of Mental Hygiene, Rosewood State Hospital.



**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the 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.

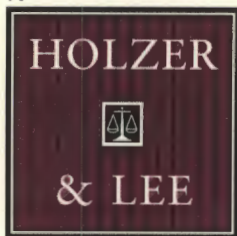
For Newspaper Advertising:

Item Number or Case Number: 2010-0211-SPH.
Petitioner: GREATER GREENSPRING ASSOC., INC.
Address or Location: 225 ROSEWOOD LANE

PLEASE FORWARD ADVERTISING BILL TO:

Name: G.G.A., INC c/o MARK LEVIN
Address: 15 GREENSPRING VALLEY Rd.
OWINGS MILLS Md. 21117

Telephone Number: 410-581-0104



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER
1907-1989

THOMAS J. LEE
OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

FAX: (410) 825-4923

E-MAIL: JCHOLZER@CAVTEL.NET

January 29, 2010
7874

HAND DELIVERED

Carl Richards
Department of Permits & Development Management
County Office Building
Towson, MD 21204

Re: In the Matter of Petition for Special Hearing; 225 Rosewood Lane
Proposed Cardin School; Associated Jewish Charities, Owner

Dear Mr. Richards:

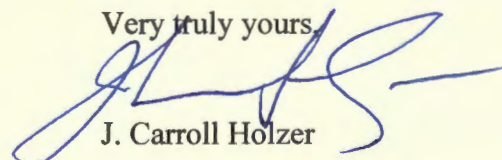
On behalf of my clients, The Greater Greenspring Association, Inc., and several named individuals, attached you will find three original Petitions for Special Hearing filed by my clients, 12 plats, three copies of a sealed description of the property and one copy of a 200' scale official zoning map as well as the filing fee. Petitioners are not aware of any zoning violation involving the subject property, which they do not own.

For advertising and posting purposes, the following language is to be used:

"Does the Applicant meet the parking & set back requirements as per the BCZR?"

Because we have reason to believe that the Owner/Contract Purchaser may attempt to obtain a building permit, we would appreciate your department not issuing any permits for the subject property until the matters raised in our Petition are addressed and decided by the Zoning Commissioner. I appreciate your assistance in this matter and if you need to call, I can be reached at 410-825-6961

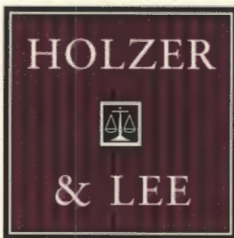
Very truly yours,



J. Carroll Holzer

JCH:clh

cc: Tim Kotroco, Esq.
Ben Bronstein, Esq.



LAW OFFICES

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J. HOWARD HOLZER
1907-1989

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OF COUNSEL

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TOWSON, MD 21286
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FAX: (410) 825-4923

E-MAIL: JCHOLZER@CAVTEL.NET

January 29, 2010
7874

HAND DELIVERED

Carl Richards
Department of Permits & Development Management
County Office Building
Towson, MD 21204

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Proposed Cardin School; Associated Jewish Charities, Owner

Dear Mr. Richards:

On behalf of my clients, The Greater Greenspring Association, Inc., and several named individuals, attached you will find three original Petitions for Special Hearing filed by my clients, 12 plats, three copies of a sealed description of the property and one copy of a 200' scale official zoning map as well as the filing fee. Petitioners are not aware of any zoning violation involving the subject property, which they do not own.

For advertising and posting purposes, the following language is to be used:

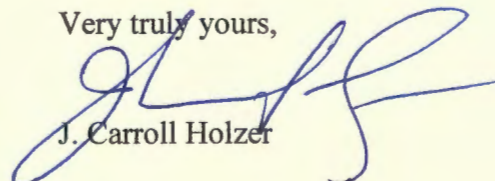
"Does the Applicant meet the parking & set back requirements for the project, and does the Applicant need to amend the existing Special Exception for the site?"

Because we have reason to believe that the Owner/Contract Purchaser may attempt to obtain a building permit, we would appreciate your department not issuing any permits for the subject property until the matters raised in our Petition are addressed and decided by the Zoning Commissioner. I appreciate your assistance in this matter and if you need to call, I can be reached at 410-825-6961

RECEIVED

JAN 29 2010

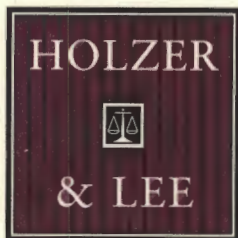
Very truly yours,



J. Carroll Holzer

JCH:clh

cc: Tim Kotroco, Esq.
Ben Bronsten, Esq.



LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER
1907-1989

THOMAS J. LEE
OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.
TOWSON, MD 21286
(410) 825-6961
FAX: (410) 825-4923

E-MAIL: JCHOLZER@CAVTEL.NET

January 21, 2010
7874

HAND DELIVERED

Mr. Timothy Kotroco, Director
Permits and Development Management
111 West Chesapeake Avenue
Towson, MD 21204

RE: The Shoshana Cardin School

Dear Mr. Kotroco:

Please be advised I am representing the Greater Greenspring Association and those individuals identified by their attached affidavits.

The County forwarded an email to my clients on November 3, 2009 stating that in order to go forward, the Cardin School would be required to file an application for a change of use and occupancy permit. On December 30, 2009, they filed application for permit alleging a school-to-school transfer. We want the Cardin School to prove it is moving its existing school to an existing school in the Kanner Building at Rosewood. If the Kanner Building is not an existing school, then the Cardin School must file for a change of use and occupancy.

Please review the current use of the building and require the Cardin School to prove the Kanner Building is used and has been used as a school. In the alternative, we ask that your Department require the Cardin School to file a Petition for a Special Hearing to determine the existing use and allow community input. I would appreciate your notifying me of your decision regarding proof of previous school use at your earliest opportunity

If you have any questions, please feel free to call me at 410-825-6961.



Very truly yours,

J. Carroll Holzer

cc: Ben Bronstein, Esquire

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

No. _____

Date: _____

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
				Obj	Sub Obj				

Total: _____

Rec
From: _____

For: _____

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

**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: # 2010-0211-SPH
225 Rosewood Lane
S/west corner of Rosewood
Lane and Garrison Forest
Road
3rd Election District
2nd Councilmanic District
Legal Owner(s): Associated
Jewish Charities

Special Hearing: to determine if the applicant meets the parking and setback requirements as per the BCZR.

Hearing: Tuesday, March 23, 2010 at 10:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
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.

JT73/791 Mar. 9 232284

CERTIFICATE OF PUBLICATION

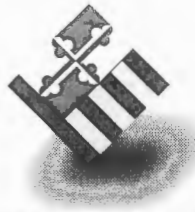
3/12/2010

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/9/2010.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management
February 26, 2010

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: 2010-0211-SPH

225 Rosewood Lane

S/west corner of Rosewood Lane and Garrison Forest Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Associated Jewish Charities

Special Hearing to determine if the applicant meets the parking and setback requirements as per the BCZR.

Hearing: Tuesday, March 23, 2010 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy Kotroco in black ink.

Timothy Kotroco
Director

TK:klm

C: J. Carroll Holzer, 508 Fairmount Avenue, Towson 21286
Associated Jewish Charities, 101 W. Mount Royal Avenue, Baltimore 21201
Mark Levin, 15 Greenspring Valley Road, Owings Mills 21117
Jim Angelone, 4515 Painters Mill Road, Owings Mills 21117
Cheryl Aaron, 121 St. Thomas Lane, Owings Mills 21117
Jay Eastman, 533 Garrison Forest Road, Owings Mills 21117

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 8, 2010.**
- (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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 9, 2010 Issue - Jeffersonian

Please forward billing to:

G.G.A.
c/o Mark Levin
15 Greenspring Valley Road
Owings Mills, MD 21117

410-581-0104

NOTICE OF ZONING HEARING

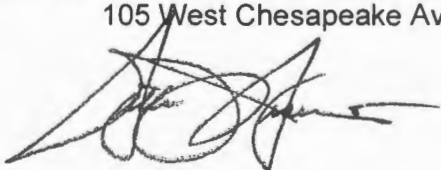
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CASE NUMBER: 2010-0211-SPH

225 Rosewood Lane
S/west corner of Rosewood Lane and Garrison Forest Road
3rd Election District – 2nd Councilmanic District
Legal Owners: Associated Jewish Charities

Special Hearing to determine if the applicant meets the parking and setback requirements as per the BCZR.

Hearing: Tuesday, March 23, 2010 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development
February 25, 2010

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: 2010-0211-SPH

225 Rosewood Lane

S/west corner of Rosewood Lane and Garrison Forest Road

3rd Election District – 2nd Councilmanic District

Legal Owners: Associated Jewish Charities

Special Hearing to determine if the applicant meets the parking and setback requirements as per the BCZR.

Hearing: Tuesday, March 23, 2010 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: J. Carroll Holzer, 508 Fairmount Avenue, Towson 21286
Associated Jewish Charities, 101 W. Mount Royal Avenue, Baltimore 21201
Mark Levin, 15 Greenspring Valley Road, Owings Mills 21117
Jim Angelone, 4515 Painters Mill Road, Owings Mills 21117
Cheryl Aaron, 121 St. Thomas Lane, Owings Mills 21117
Jay Eastman, 533 Garrison Forest Road, Owings Mills 21117

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 8, 2010.

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



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

J. Carroll Holzer
508 Fairmount Avenue
Towson 21286

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
March 17, 2010

Dear: J. Carroll Holzer

RE: Case Number 2010-0211-A, 225 Rosewood Ln.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 04, 2010. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Associated Jewish Charities, 101 W. Mount Royal Avenue, Baltimore 21201
Mark Levin, 15 Greenspring Valley Road, Owings Mills 21117
Jim Angelone, 4515 Painters Mill Road, Owings Mills 21117
Cheryl Aaron, 121 St. Thomas Lane, Owings Mills 21117
Jay Eastman, 533 Garrison Forest Road, Owings Mills 21117

3-23-10
PP

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

MAY 11 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: May 10, 2010
SUBJECT: Zoning Item # 10-211-SPH
Address 225 Rosewood Lane
(Associated Jewish Charities Property)

Zoning Advisory Committee Meeting of February 22, 2010.

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

X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

Reviewer: Michael S. Kulis
Environmental Impact Review,
410-887-3980

Date: May 5, 2010

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: February 25, 2010

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For March 8, 2010
Item Nos. 2010-192, 209, 210, 211,
212, 214, 215, 216, 217 and 218

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-03082010 -NO COMMENTS.doc

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: FEB. 25, 2010

Ms. Kristen Matthews
Baltimore County Office Of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

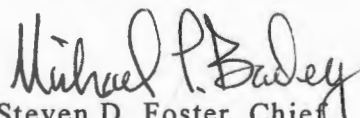
RE: Baltimore County
Item No. 2010-0211-SPH
225 ROSE WOOD LANE
ASSOCIATED JEWISH CHARITIES
SPECIAL HEARING -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2010-0211-SPH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,


For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.sha.maryland.gov

Case # 2010 - 211

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 3, 2010

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

SUBJECT: 225 Rosewood Lane

RECEIVED

INFORMATION:

MAR 22 2010

Item Number: 10-211

Petitioner: Greater Greenspring Association et al

Zoning: DR 1

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request accompanying site plan and is familiar with the subject property.

The petitioners are neither owners nor contract purchasers of the subject property. They are a local community association comprised of individual residents of the area with questions about the future use of a 55-acre parcel owned by the Associated Jewish Charities (AJC.) The 55 acres was formerly part of the Rosewood Center until purchase by the AJC in 2004.

The Shoshana S. Cardin School was under contract to purchase acreage from the AJC in order to relocate a private religious high school from Baltimore City to a building known as the Kanner building, located at the southwest corner of Garrison Forest Road and Rosewood Lane.

According to a Baltimore Sun article by Andrew Hirsch published February 12, 2010, Cardin has abandoned plans to use the Kanner building but reserves the right to exercise an option to purchase 22 acres from the State of Maryland for the relocation of their school. That parcel has not been surplus by the State.

The subject property is within the Owings Mills Growth area in an area defined as Northern Employment Corridor. In response to County Council Resolution 13-09, a citizen's advisory group prepared a community plan that includes the area where the AJC and Rosewood Center properties are located.

The Baltimore County Planning Board adopted the Rosewood Institutional Educational Center Plan for the area on February 4, 2010. The plan has been submitted to the County Council for the scheduling of a public hearing.

The petitioners ask a series of six questions concerning applicability of certain zoning regulations to the proposed school use. The Office of Planning's response will be listed after each question in bold.

1. Is parking sufficient for the proposed use? No parking has been shown on the site plan submitted or in conjunction with a building permit application for interior alterations.

Unless a variance is requested and granted, parking should be in accordance with the requirements for schools in Section 409.6.4 of the BCZR – 1 parking space per employee plus visitor spaces and student parking as determined by the Zoning Commissioner.

2. Does the applicant violate the side yard setbacks of 40 feet?

The Office of Planning does not have specific information as to the age of the existing Kanner building. However the 55-acre property was purchased by AJC from the State of Maryland in 2004 for the planned construction of a nursing home and assisted living facility similar to Levindale. There were several DRC exemption items, for B9, B2 and lot line adjustment approved for subdivision only not for site plan approval. These items requested subdivision of the 55-acre parcel from the larger area owned by the State of Maryland. The Zoning Commissioner should determine if that side yard setback is non-conforming or whether it needs a variance.

3. Is the previous use of the existing building a school?

Elizabeth Barnard, Director of the Department of Mental Health and Hygiene, the state agency that managed the Rosewood Center has indicated by e-mail that the building was not previously used as a school.

4. Is there an existing Special Exception for a convalescent home approved for the site?

Yes, 04-021sphxa was granted. However, the Special Exception was never utilized and it has expired.

5. Must the applicant file an amendment to the Special Exception?

It appears that the Special Exception is null and void. However, the Office of Planning defers to the Zoning Commissioner for determination.

6. Other and further relief.

SUMMARY OF RECOMMENDATIONS:

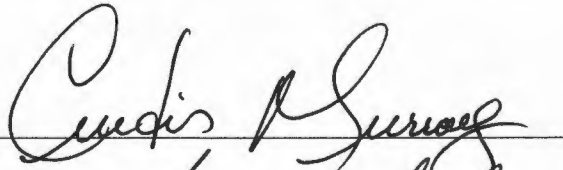
The preferred land use for the subject site and area identified on the site plan is educational and institutional provided the following conditions are met:

- A campus master plan is prepared with community input and submitted to the county DRC or full development process for review and approval;
- Development parameters listed on page 21 (See attached) are met;

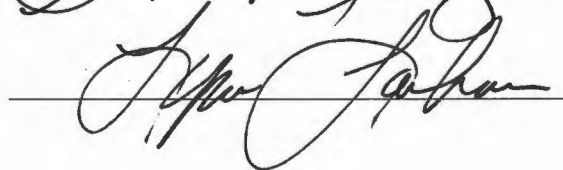
The Cardin School has not submitted a campus master plan to the county for review and approval as required by the Baltimore County Planning Board as a condition of the approval of the adopted community plan.

For further information concerning the matters stated here in, please contact Diana Itter at 410-887-3480.

Prepared by:

A handwritten signature in cursive script, appearing to read "Curtis R. Surace", written over a horizontal line.

Division Chief:
AFK/LL: CM

A handwritten signature in cursive script, appearing to read "John J. Surace", written over a horizontal line.

Attachment:

Development Parameters:

It is recognized that those uses currently existing such as the retail centers, residential communities, government, educational and religious uses may continue to grow and expand in accordance with the existing zoning. In general, the following guidelines should be applied to all new development within the plan area including modifications of existing buildings.

- 1 Adaptive reuse of existing buildings is desirable. If the buildings are not viable, new construction could approximate location of existing building. Any new construction must adhere to the LEED-Silver standard, a benchmark set by the U.S. Green Building Council, a Washington-based non profit group.
- 2 Buildings should be set back a minimum of 200 feet from Garrison Forest Road.
- 3 Garrison Forest Road is rural in nature, bordered in part with trees and fields. A landscaped berm is desirable on the west side of road along the entire road frontage.
- 4 New access to Garrison Forest Road should only be permitted through a controlled gate. Primary access to the Stevenson University- Rosewood Center campus area should be via Rosewood Lane from Reisterstown Road. Another means of access from Owings Mills Boulevard is highly desirable. A Gwynns Falls stream crossing would be needed in order to extend the existing Boulevard Circle to serve the expanded Stevenson University campus. This could be either a pedestrian or vehicular roadway.
- 5 Parking areas should be located a minimum 100 feet from Garrison Forest Road and must be adequately buffered.

- 6 Buildings that are visible from Garrison Forest Road should not exceed 3 stories in height.
- 7 Building materials should consist of natural materials.
- 8 Densities and scale should be appropriate for an educational/ institutional center.
- 9 Development /redevelopment must comply with environmental regulations.

Master Plan - Concept Plan:

A conceptual development plan has been developed for the area (see page 22). The plan is intended as a guide to provide assistance in reviewing projects. The plan is intended to be representative of the types of land uses and the intensity and scale of development.

The advisory group fully supports Stevenson University as the master developer of the Rosewood Center. The university should develop a comprehensive campus master plan with public participation from stakeholders involved with the advisory group. The campus master plan will be submitted to Baltimore County and will serve as a blueprint and for future growth and development processing.

Any purchases from the state must comply with local zoning and development regulations. Any future rezoning must comply with the community plan and the Master Plan.

Covenants

Covenants are private agreements, which further control future uses. They are entered into voluntarily and are not enforced by Baltimore County. The advisory group is of the opinion that any future development such as the Cardin School, Stevenson University or other institutions/ educational use would benefit from covenants.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
225 Rosewood Lane; SW corner of Rosewood *
Lane & Garrison Forest Road * ZONING COMMISSIONER
3rd Election & 2nd Councilmanic Districts
Legal Owner(s): Associated Jewish Charities* FOR
Petitioner(s) *
* BALTIMORE COUNTY
* 10-211-SPH

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED

MAR 08 2010

.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of March, 2010, a copy of the foregoing Entry of Appearance was mailed to Mark Levin, 15 Greenspring Valley Road, Owings Mills, MD 21117 and J. Carroll Holzer, Esquire, Holzer & Lee, 508 Fairmount Avenue, Towson, MD 21286, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

From: Patricia Zook
To: Matthews, Kristen
CC: Bostwick, Thomas; Wiley, Debra
Date: 3/15/2010 2:41 PM
Subject: Case No. 10-0211-SPH Associated Jewish Charities - letter to Counsel
Attachments: Ltr-10-0211-SPH-to Jeff Scherr-Carol Holzer-pp granted.doc

Hello Kristen -

Please see Tom's letter to Jeff Scherr and J. Carroll Holzer regarding the above-referenced case.

You will receive a hard copy of this letter.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

Please file in case No. 2010-0211-SPH.

Thanks.

Microsoft Access

File Edit View Insert Format Records Tools Window Help

GenInputFrm_View : Form

ZONING CASE HISTORY DATABASE (1939 - PRESENT)

Tax Account ID:	Deed Liber #:	Deed Folio #:	Miscellaneous Notes:
1.)	1.)	/	Petition for Special Hearing withdrawn on 5/12/10 by J. Carroll Holzer on behalf of petitioners.
2.)	2.)	/	
3.)	3.)	/	
Contract Purchaser:			
Attorney: J. Carroll Holzer			
Petition Reviewer: JCM	Petition Reviewer 2:	Petition Filing Date: 02/04/2010	
Day of Week: Tuesday	Hearing Date: 03/23/2010	Hearing Time: 10:00 AM	Hearing Location: Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204
Closing Date:	Commissioner Hearing Continued From:	Commissioner Hearing Rescheduled From:	Formal Request For Hearing:
Case Number:			

Find Record Next Record Previous Record Preview ZAC Agenda Report Open MS Word Exit Access Scanned Image

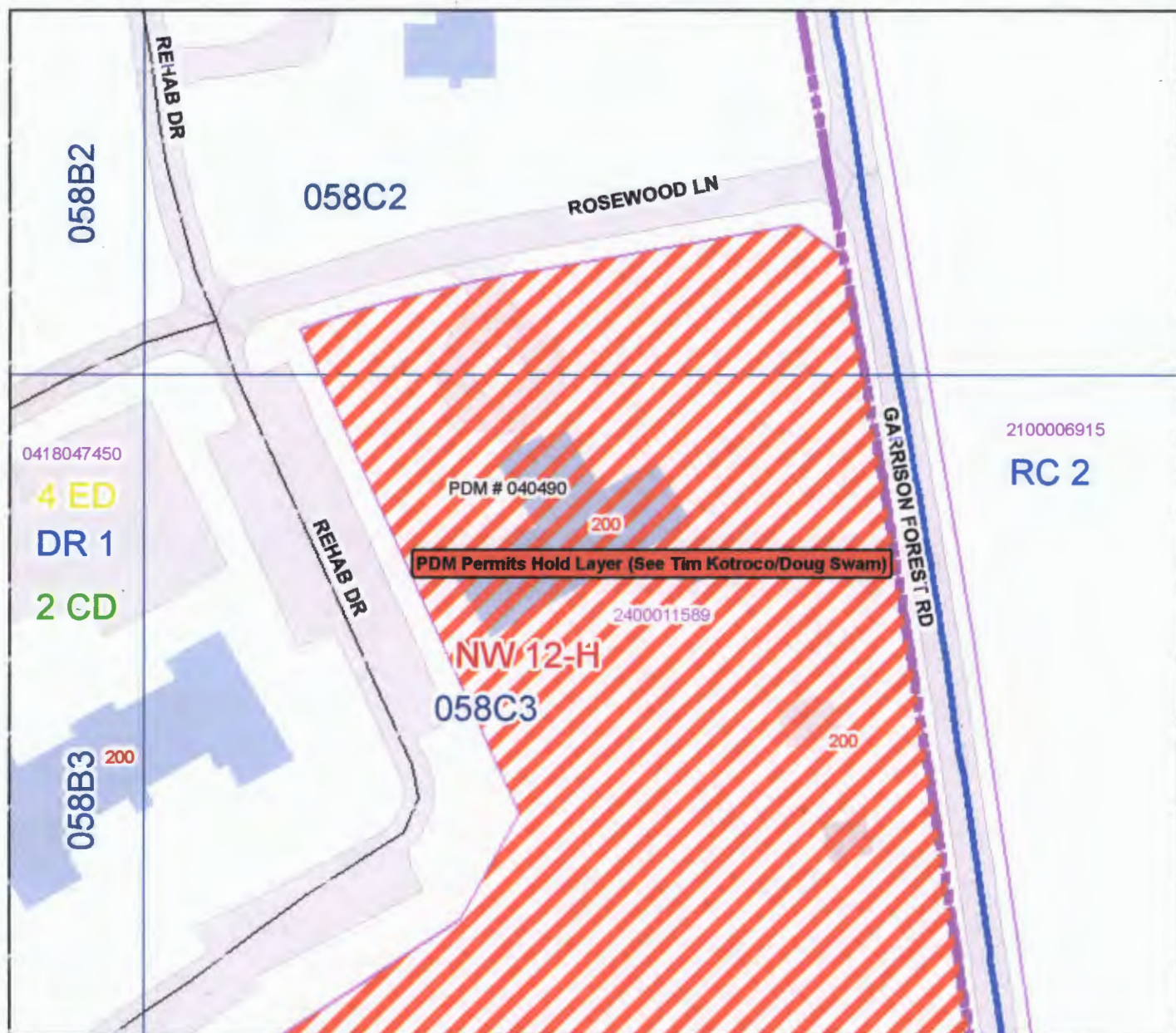
Record: 25902 of 26140

Form View

start Novell G... Microsof... The Oak... Microsof... 2:09 PM

Friday, Aug 27, 2010 02:08 PM

Garrison Forest Road

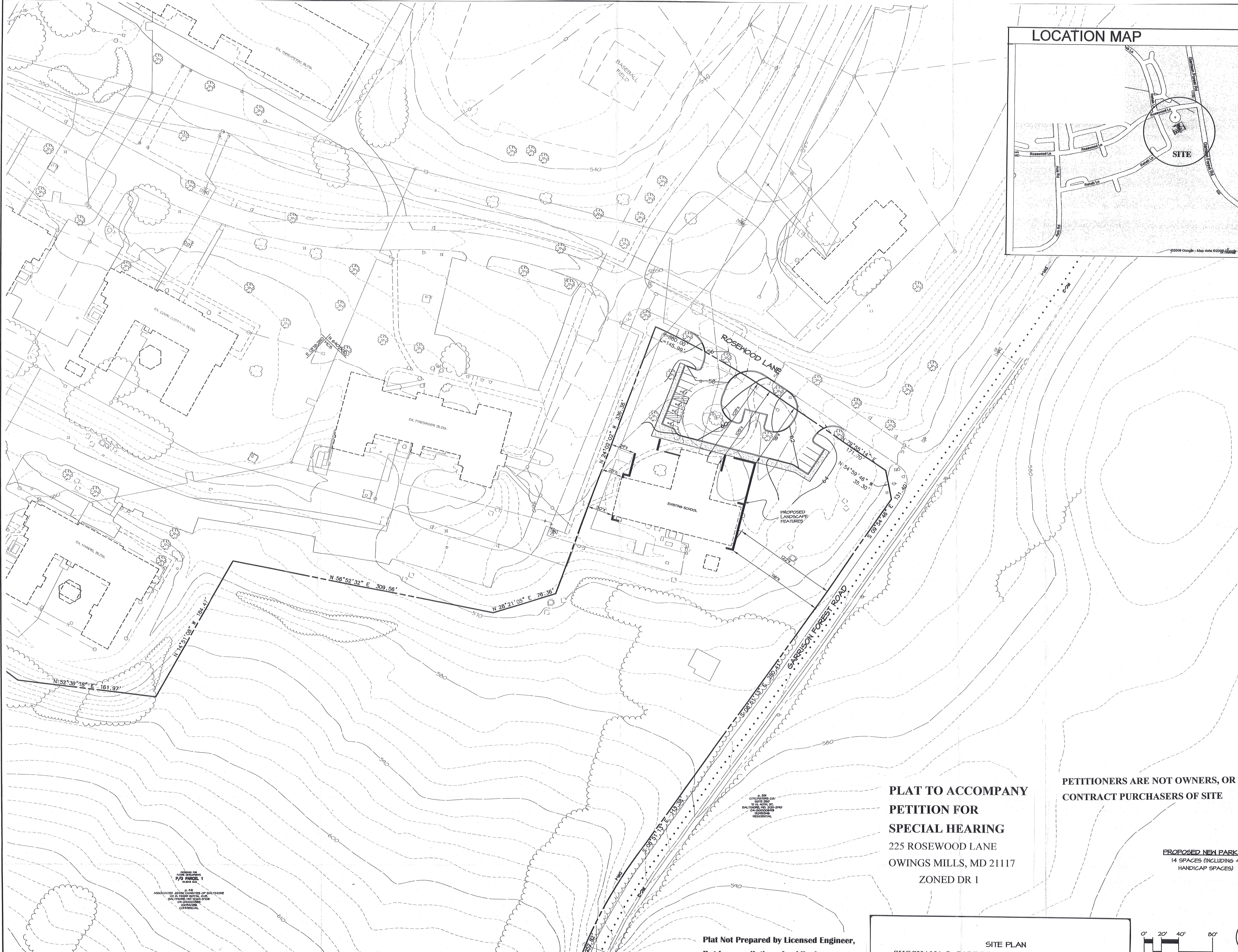


Publication Date: January 29, 2010
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 100 200 Feet

1 inch = 100 feet



**PETITIONERS ARE NOT OWNERS, OR
CONTRACT PURCHASERS OF SITE**

PROPOSED NEW PARKING
14 SPACES (INCLUDING 4
HANDICAP SPACES)

SITE PLAN
SHOSHANA S. CARDIN HIGH SCHOOL @ ROSEWOOD
4th. ELECTION DISTRICT 2nd. COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

