

IN RE: PETITION FOR VARIANCE
(8101 Park Heights Avenue)
3rd Election District
2nd Councilman District
Beth El Congregation of Baltimore
Legal Owner
Petitioner

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* CASE NO. 2014-0165-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance filed by Steven D. Silverman, Esquire, on behalf of the legal owner, Beth El Congregation of Baltimore, Petitioner. The Variance was filed pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") to permit a 28 ft. building setback in lieu of the required 50 ft. corner street side building setback. The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing in support of the requests was Gilbert Kleiner and engineer Richard E. Matz. Deborah Dopkin, Esquire, appeared as counsel and represented the Petitioner. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance and the file does not contain any letters of opposition or protest.

The only substantive Zoning Advisory Committee (ZAC) comment received was from the Department of Environmental Protection and Sustainability (DEPS), dated February 25, 2014. That agency noted the Petitioner must comply with the Forest Buffer and Forest Conservation Regulations.

ORDER RECEIVED FOR FILING

Date

4/4/14

By

Den

Testimony and evidence revealed that the subject property is approximately 14.58 ± acres. The property is zoned D.R.2, and is the home of the Beth El Congregation. Beth El has been at this location for over sixty years, and offers religious services and preschool programs. The Congregation would like to expand its preschool offerings, and obtain additional certifications for its programs. To do so, the Congregation proposes to construct a "common room" for the children, parents and teachers. Variance relief is needed to undertake the project.

Based upon the testimony and evidence presented, I will grant the petition for variance. To obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

Petitioner has met this test. As seen on the site plan and aerial photo (Exhibits 1 & 2), the site is irregularly shaped and is therefore unique. If the B.C.Z.R. were strictly interpreted the Petitioner would suffer a practical difficulty, since it would be unable to construct the proposed building. Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare. This is demonstrated by the absence of County and/or community opposition.

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

THEREFORE, IT IS ORDERED, this 4th day of April, 2014, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief pursuant to Baltimore County Zoning Regulations ("B.C.Z.R") to permit a 28 ft. building setback in lieu of the required 50 ft. corner street side building setback, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

Date

4/4/14

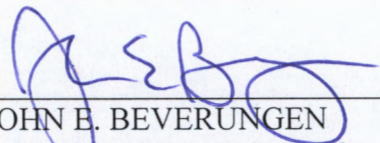
By

Sen

The relief granted herein shall be subject to the following:

1. Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge for
Baltimore County

JEB: sln

ORDER RECEIVED FOR FILING

Date 4/4/14
By sln

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

April 4, 2014

Deborah Dopkin
P.O. Box 323
Brooklandville, MD 21022

RE: Petition for Variance
Property: 8101 Park Heights Avenue
Case No.: 2014-0165-A

Dear Counsel:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Richard E. Matz, 2835 Smith Avenue, Suite G, Baltimore, Maryland 21209



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 8101 Park Heights Avenue which is presently zoned D.R. 2
 Deed References: No SDAT Deed Reference Listed 10 Digit Tax Account # 0 3 0 2 0 2 5 2 8 0
 Property Owner(s) Printed Name(s) Beth El Congregation of Baltimore

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

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

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

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
 (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Legal Owner(s) Affirmation: I / we do so solemnly declare and affirm, under the penalties of perjury, that I / We are the legal owner(s) of the property which is the subject of this / these Petition(s).

Contract Purchaser/Lessee:

N/A

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Steven D. Silverman

Name- Type or Print

Signature

9505 Reisterstown Road, Suite 3N Baltimore, MD

Mailing Address City State

21117 / 410-581-9000 / @gmail.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Beth El Congregation of Baltimore

Jerome Schnydmann, President /

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

8101 Park Heights Avenue Baltimore, MD

Mailing Address City State

21208 / 410-484-8315 / jds1@jhu.edu

Zip Code Telephone # Email Address

Representative to be contacted:

Richard E. Matz

Name - Type or Print

Signature

2835 Smith Avenue, Suite G Baltimore, MD

Mailing Address City State

21209 / 410-653-3838 / dmatz@cmengineers.com

Zip Code Telephone # Email Address

CASE NUMBER 2014-0165-4

Filing Date 2/3/14

Do Not Schedule Dates: _____

Reviewer JS

PETITION FOR ZONING HEARING

1. **A Variance** from Section 1B01.2 C.1.a., Nonresidential principal building setbacks in DR Zones - To permit a 28 foot building setback in lieu of the required 50 foot corner street side building setback,

and to grant other relief as the Administrative Law Judge deems necessary.



ZONING DESCRIPTION

**8101 Park Heights Avenue
Baltimore, Maryland 21208**

Beginning at a point on the eastern side of Park Heights Avenue which has a variable width at the distance of 218 feet southeast of the centerline of the nearest improved intersecting street, Michelle Way, which is 50 feet wide. Thence the following courses and distances:

N 66° 32' 31" E 883.59 ft.,
S 23° 27' 50" E 538.73 ft.,
S 04° 43' 50" E 446.26 ft.,
S 89° 47' 04" W 82.12 ft.,
N 56° 46' 13" W 203.56 ft.,
S 78° 45' 31" W 253.49 ft.,
N 79° 11' 49" W 177.35 ft.,
N 88° 11' 15" W 72.07 ft.,
N 77° 51' 34" W 86.68 ft.,
N 27° 14' 29" W 78.76 ft.,

Thence on a curve to the right with a radius of 7,599.44 ft. and a length of 291.06 ft.,
N 25° 02' 49" W 154.89 ft.

to the point of beginning, containing 634,913 square feet or 14.58 acres. Also known as 8101 Park Heights Avenue and located in the 3rd Election District and 2nd Councilmanic District.

Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 13203

Expiration Date: 11/02/2014

**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: 2014-0165-A

Petitioner: Beth El Congregation of Baltimore

Address or Location: 8101 Park Heights Avenue, Baltimore, MD, 21208

PLEASE FORWARD ADVERTISING BILL TO:

Name: Steven D. Silverman

Address: 9505 Reisterstown Road, Suite 3N

Owings Mills, Maryland, 21117

Telephone Number: 410-581-9000

No. 108153

PAID RECEIPT

BUSINESS	ACTUAL	TIME	DR
1/31/2014	1/30/2014	10:27:26	

Date:

REG WSO5 WALKIN RBO5 LRB
 >>RECEIPT # 722571 1/30/2014 OFL
 Dept 5 528 ZONING VERIFICATION
 CR NO. 108153

Recpt Tot \$500.00
\$500.00 CK \$1.00
Baltimore County, Maryland

Total: \$500.00

Rec From: BETHEL CONGREGATION OF BAIT

For: 2014-0165-A

PLEASE PRESS HARD!!!

**CASHIER'S
VALIDATION**

2009-168 Beth El Synagogue- Petition for Zoning He

24885

1/30/2014

500.00

Wells Fargo - Checkin 2009-168 Beth El Synagogue- Petition for Zonin

500.00

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 03/15/2014

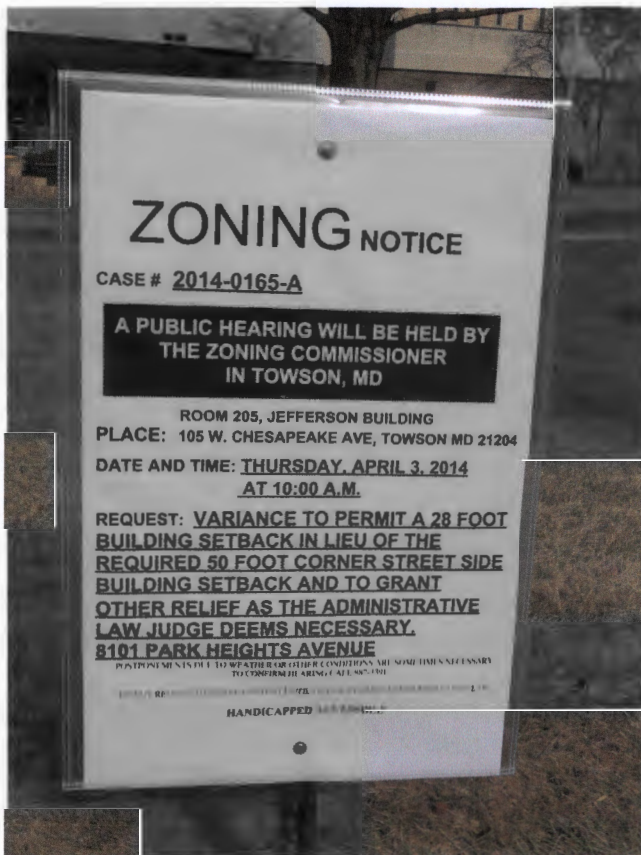
Case Number: 2014-0165-A

Petitioner / Developer: STEVEN SILVERMAN~JEROME SCHNYDMAN~
RICHARD MATZ of COLBERT, MATZ & ROSENFELT, INC.

Date of Hearing (Closing): APRIL 3, 2014

This is to certify under the penalties of perjury that the necessary sign(s)
required by law were posted conspicuously on the property located at:
8101 PARK HEIGHTS AVENUE

The sign(s) were posted on: **MARCH 14, 2014**



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

March 13, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on March 13, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: # 2014-0165-A

8101 Park Heights Avenue
E/s Park Heights Avenue, 218 ft. SE of centerline of
intersection with Michelle Way
3rd Election District - 2nd Councilmanic District

Legal Owner(s): Beth El Congregation of Baltimore

Variance: to permit a 28 foot building setback in lieu of the required 50 foot corner street side building setback, and to grant other relief as the Administrative Law Judge deems necessary.

Hearing: Thursday, April 3, 2014 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

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

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
3/300 Mar. 13 972254



KEVIN KAMENETZ
County Executive

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

March 7, 2014

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2014-0165-A

8101 Park Heights Avenue

E/s Park Heights Avenue, 218 ft. SE of centerline of intersection with Michelle Way

3rd Election District – 2nd Councilmanic District

Legal Owners: Beth El Congregation of Baltimore

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105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Steven Silverman, 9505 Reisterstown Road, Ste. 3N, Baltimore 21117

Jerome Schnydman, 8101 Park Heights Ave., Baltimore 21208

Richard Matz, 2835 Smith Ave., Ste. G., Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MARCH 14, 2014

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.

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

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 13, 2014 Issue - Jeffersonian

Please forward billing to:

Steven Silverman
9505 Reisterstown Road, Ste. 3N
Owings Mills, MD 21117

410-581-9000

NOTICE OF ZONING HEARING

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CASE NUMBER: 2014-0165-A

8101 Park Heights Avenue

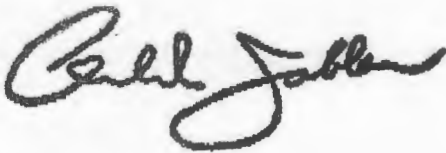
E/s Park Heights Avenue, 218 ft. SE of centerline of intersection with Michelle Way

3rd Election District – 2nd Councilmanic District

Legal Owners: Beth El Congregation of Baltimore

Variance to permit a 28 foot building setback in lieu of the required 50 foot corner street side building setback, and to grant other relief as the Administrative Law Judge deems necessary.

Hearing: Thursday, April 3, 2014 at 10:00 a.m., in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

M E M O R A N D U M

DATE: May 6, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0165-A – Appeal Period Expired

The appeal period for the above-referenced case expired on May 5, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
8101 Park Heights Avenue; E/S Park Heights *
Avenue, 218' SE c/line of Michelle Way * OF ADMINISTRATIVE
3rd Election & 2nd Councilmanic Districts *
Legal Owner(s): Beth El Congregation of Balto.* HEARINGS FOR
Petitioners *
* BALTIMORE COUNTY
*
* 2014-165-A

* * * * *

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

FEB 27 2014

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 27th day of February, 2014, a copy of the foregoing Entry of Appearance was mailed to Richard Matz, P.E., Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209 and Steven D Silverman, Esquire, 9505 Reisterstown Road, Suite 3N, Baltimore, Maryland 21117, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

C H E C K L I S T

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>2-25</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>2-25</u>	DEPS (if not received, date e-mail sent _____)	<u>C</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>2-24</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>1997-0304-A +</u> <u>1987-0069-A</u>)	
NEWSPAPER ADVERTISEMENT	Date: <u>3-13-14</u> <u>The Sun</u>	
SIGN POSTING	Date: <u>3-14-14</u> by <u>O'Keefe</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Land Development Results

Tax Account Number: 0302025280
 Owner Name: BETH EL CONG OF BALTIMORE
 Tax Premise Address: 8101 PARK HEIGHTS AVE
 Tax Map: 0068
 Parcel: 0038
 Election District: 3
 Councilmanic District: 2
 Transportation Analysis Zone: 715
 Regional Planning District: Pikesville
 Regional Planning District Code: 313
 Land Management Area: Community Conservation Area
 Growth Tier: 1
 Growth Tier Description: Served by public sewer and inside URDL
 Elementary School District: Fort Garrison ES
 Middle School District: Pikesville MS
 High School District: Pikesville HS
 Census Block: 240054038021009
 Census Block Group: 240054038021
 Census Tract: 403802
 Watershed Name: Jones Falls
 URDL Land Type: 0
 Zoning: DR 1
 Zoning: DR 2
 Zipcode: 21208
 Zip Community Name: PIKESVILLE
 GIS Tile Number (200 Scale): 068B2
 GIS Tile Number (200 Scale): 068B3
 Zoning History Case Number: 1997-0304-A
 Zoning History Case Number: R-1971-0054
 Zoning History Case Number: 1987-0069-A
 Zoning History Case Number: 2014-0165-A



KEVIN KAMENETZ
County Executive

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

March 26, 2014

Beth El Congregation of Baltimore
Jerome Schnydmann, President
8101 Park Heights Avenue
Baltimore MD 21208

RE: Case Number: 2014-0165 A, Address: 8101 Park Heights Avenue

Dear Mr. Schnydmann:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 3, 2014. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Steven Silverman, Esquire, 9505 Reisterstown Road, Suite 3N, Baltimore MD 21117
Richard E. Matz, 2835 Smith Avenue, Suite G, Baltimore MD 21209

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



Maryland Department of Transportation

James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 2-24-14

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

RE: Baltimore County
Item No. 2014-0165-A
Variance
Beth El Congregation of Baltimore
Jerome Schrybman, President
MD129

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 2-24-14. A field inspection and internal review reveals that an entrance onto MD129 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2014-0165-A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steven D. Foster".
Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

2/26/14
ccr
g

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

DATE: February 25, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For March 03, 2014
Item No. 2014-0165, 0166, 0167, 0168, 0170 and 0171

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

DAK:CEN.
Cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC03032014 -.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: February 25, 2014

SUBJECT: DEPS Comment for Zoning Item # 2014-0165-A
Address 8101 Park Heights Avenue
(Beth El Congregation of Baltimore)

Zoning Advisory Committee Meeting of February 3, 2014.

X The Department of Environmental Protection and Sustainability 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).

Reviewer: J. Russo – Environmental Impact Review (EIR)

RECEIVED

FEB 25 2014

OFFICE OF ADMINISTRATIVE HEARINGS

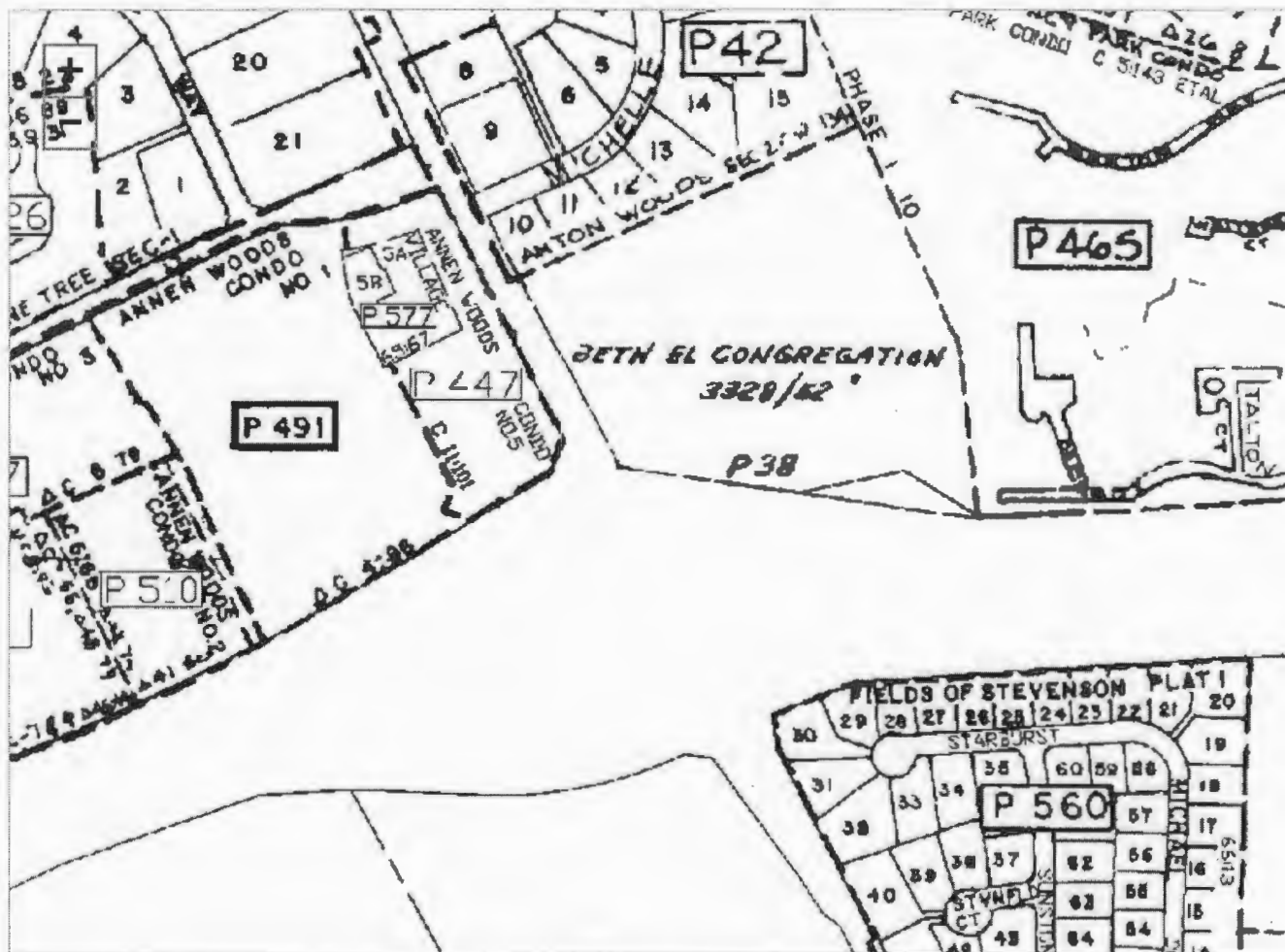
Real Property Data Search (w4)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier:	District - 03 Account Number - 0302025280	
Owner Information		
Owner Name:	BETH EL CONG OF BALTIMORE	Use: EXEMPT COMMERCIAL
Mailing Address:	8101 PARK HEIGHTS AV BALTIMORE MD 21208	Principal Residence: NO
		Deed Reference: 1) 2)
Location & Structure Information		
Premises Address:	8101 PARK HEIGHTS AVE 0-0000	Legal Description: 14.775 AC ES PARK HEIGHTS AVE 5280 FT N OLD COURT RD
Map: 0068	Grid: 0015	Parcel: 0038
Sub District:	Subdivision: 0000	Section:
Block:	Lot:	Assessment Year: 2014
Plat No:	Plat Ref:	
Special Tax Areas:	Town:	Ad Valorem: NONE
Primary Structure Built 1959	Above Grade Enclosed Area 91,000 SF	Finished Basement Area 15 SF
County Use 01		
Stories	Basement	Type CHURCH
Exterior	Full/Half Bath	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		As of 01/01/2014
Land:	2,960,000	2,960,000
Improvements	8,203,800	13,805,200
Total:	11,163,800	16,765,200
Phase-in Assessments		As of 07/01/2013
As of 07/01/2014		
Land:		
Improvements		
Total:		
Preferential Land:	0	0
Transfer Information		
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	700	11,163,800.00
State:	700	13,030,933.00
Municipal:	700	0.00 0.00
Tax Exempt:		
Exempt Class:		
Special Tax Recapture:		
NONE		
Homestead Application Information		
Homestead Application Status:	No Application	

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **03** Account Number: **0302025280**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

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For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

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CASE NAME Beth EL Cong
CASE NUMBER 2014-0165A
DATE April 3, 2014

CASE NAME Beth EL Cong
CASE NUMBER 2014-0165A
DATE April 3, 2014

[illegible]

Case No.: 2014-165-A

Exhibit Sheet

Petitioner/Developer

DO
5-6-14

Respondent

sen
4/4/14

No. 1	Site plan	
No. 2	My Neighborhood Aerial Photo	
No. 3	Elevations - Proposed Bldg.	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is not a warranty. It is provided for informational purposes only. It does not constitute a warranty of any kind, express or implied, and should not be relied upon for any purpose.

PETITIONER'S

EXHIBIT NO.

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Printed 3/31/2014







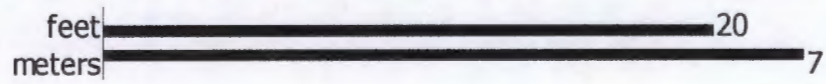
Google earth

feet
meters





Google earth





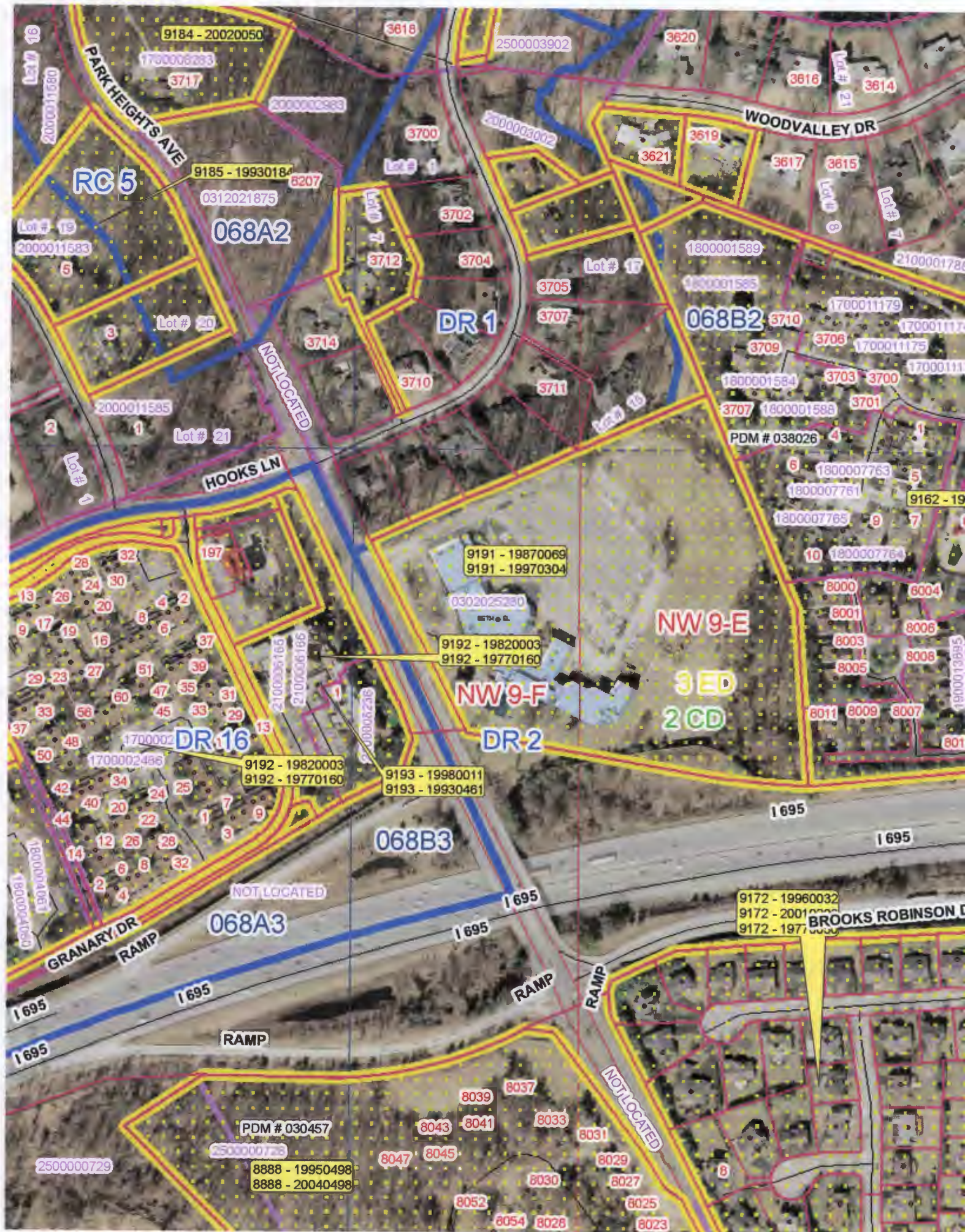
My Neighborhood Map

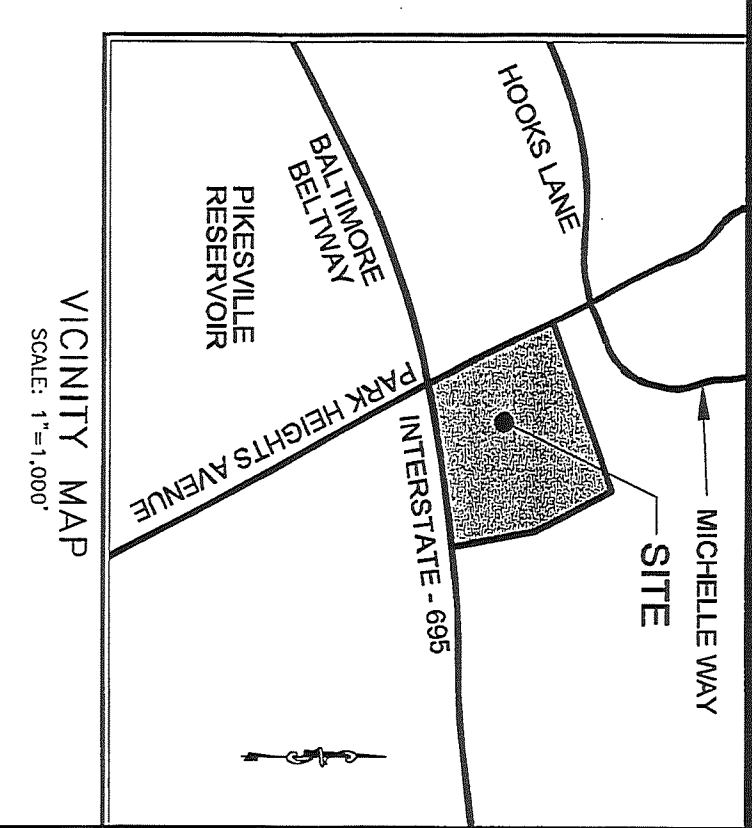
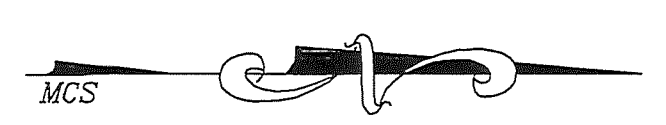
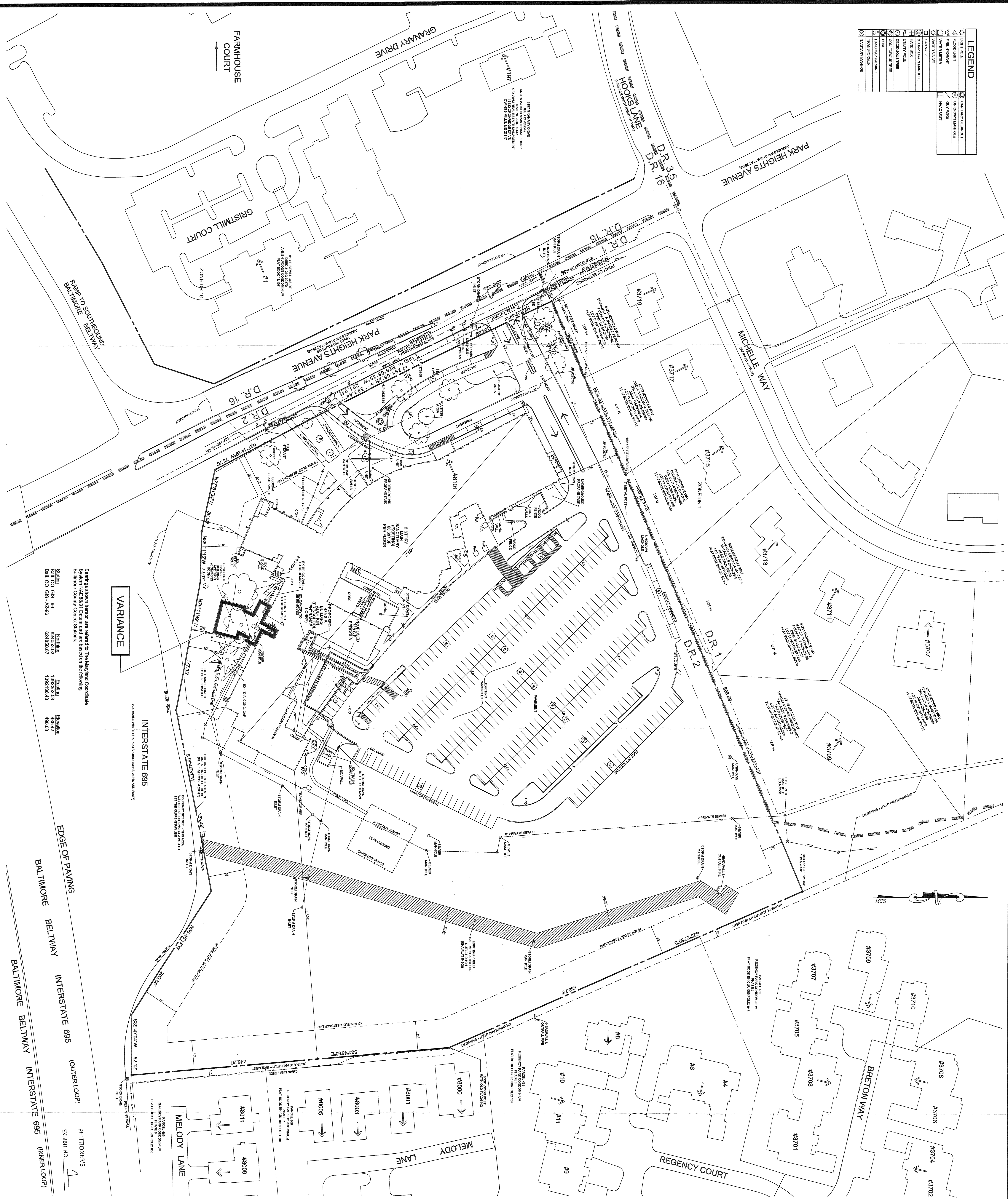
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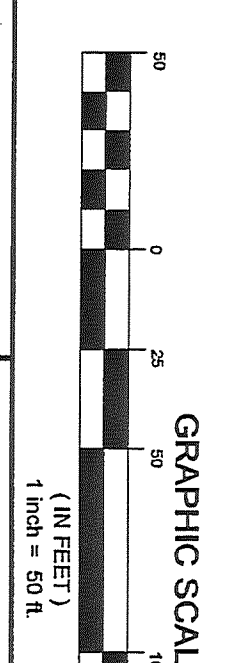


[illegible]

- GENERAL NOTES:
- OWNER, DESIGNER/ARCHITECT:
GAIL LEBENS, CORPORATION OF PULLMORE
801 PARK HEIGHTS AVENUE
BETHESDA, MD 20828
 - TAX ACCOUNT NUMBER: 030202590
DEED REFERENCE NO SAID DEED REFERENCE LISTED
(GROSS) 025204-854 98 = 450,095 SF = 14.94 AC.
GROSS: 15
NET: 98
 - PARCEL: 39
LOCAL DISTRICT: 2
REGIONAL DISTRICT: 3
TRANSPORTATION ANALYSIS ZONE: 7B
CENSUS TRACT: 40082
WATERSHED: JONES FALLS
ON: 1997
 - SITE ZONING: D/A 2
 - EXISTING USE: SYNAGOGUE AND SCHOOL
PROPOSED USE: SYNAGOGUE AND SCHOOL
ZONING: D/A 2
CASE NO. 97-04, VARIANCE TO PERMIT 28 PARKING SPACES AND TO PERMIT AN
ELEVATION WIDTH OF 84.1 FT. GRANTED ON AUGUST 28, 1998.
THE PROPOSED VARIANCE IS BASED UPON THE FOLLOWING FACTS: THE VARIANCE IS IN LIEU OF THE
REQUIRED 37 SPACES AND TO PERMIT A BUILDING WIDTH OF 66 FT. IN LIEU OF THE
REQUIRED 72 FT. THE DEED GRANTED ON MARCH 12, 1997
PROVIDED LIMITED PARKING SPACES AND TO PERMIT A LIMITED EXCEPTION
GRANTED ON MARCH 10, 1997 FOR SITE IMPROVEMENTS TO BUILDING AND PARKING.
PROPOSED TOTAL LOT/LAND AREA:
EXISTING BUILDING 12' X 20' 8" = 249.60 SQ. FT.
TOTAL LOT/LAND AREA: 197,284.4
TOTAL: 197,284.4
 - SETBACKS
FRONT: 60' REQUIRED: 60' PROPOSED: 81.2'
SIDE: 10' REQUIRED: 10' PROPOSED: 11.7'
REAR: 40' REQUIRED: 40' PROPOSED: 28.0'
CORNER STREET SIDE: 40' PROPOSED: 387.7'
 - PROPOSED PARKING:
PROVIDED: 28 PARKING SPACES (11 HANDICAP)
REQUIRED: 38 PARKING SPACES (11 HANDICAP)
 - THIS PROJECT IS NOT WITHIN THE LIMITS OF AN URBAN REVENUE PLAN.
THIS PROJECT IS NOT WITHIN THE LIMITS OF A CORNER STREET SIDE SETBACK.
THIS PROJECT IS SERVED BY PUBLIC WATER AND SEWER, NO IMPROVEMENTS TO THE EXISTING
SEWER ARE REQUIRED.
 - ALL SIGNS WILL COMPLY WITH SECTION 440 OF THE BEZEL.
 - ANY IMPROVEMENT TO ILLUMINATE ANY OF STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT
THE USE OF VARIOUS TYPES OF LIGHTS, RESIDENTIAL, STREET AND COMMERCIAL STREET.
 - THESE ARE NO HISTORIC STRUCTURES LOCATED ON THE SITE.
 - THERE ARE NO PREVIOUS CORNER PERMITS ON FILE FOR THIS PROPERTY.
 - BOUNDARY INFORMATION SHOWN HEREIN WITHIN THE SUBJECT PROPERTY IS BASED UPON A FIELD
INVESTIGATION CONDUCTED BY GAIL LEBENS, CORPORATION OF PULLMORE, INC. DATED MAY 4, 2013. ADDITIONAL
INFORMATION FROM RECORDS OF THE DISTRICT OF COLUMBIA DEPARTMENT OF THE ENVIRONMENT
AND PLANNING IS ALSO REVIEWED.
 - VARIANCE REQUESTED: 28' IN LIEU OF THE REQUIRED 37' CORNER STREET SIDE SETBACK.

ZONING CASE NUMBER: 2014-0165-A

PLAN TO ACCOMPANY PETITION FOR ZONING HEARING
**BETH EL CONGREGATION
 OF BALTIMORE**
 8101 PARK HEIGHTS AVENUE
 TAX MAP 66 - GRID 15 - PARCELS 38
 AND COUNCILMAN'S DISTRICT
 3RD ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND



Colbert Matz Rosenfelt, Inc.


 Engineers • Surveyors • Planners
 2835 Smith Avenue, Suite G
 Baltimore, Maryland 21209
 Telephone: (410) 653-3838
 Facsimile: (410) 653-7853

Professional Certification I hereby certify that this document was prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the state of Maryland.		SCALE: 1" = 50' DATE: JANUARY 10, 2014 JOB NO: 2009-168 DRAWING NO: 100-100-100 DESIGNED BY: RJS/RJS CHECKED BY: RJS FILED UNDER BASE PROJ: RJS 100
License No. 12803	Expiration Date: 11-02-2014	
		DRAWING NUMBER: VAR-1
NO.	DATE	REVISIONS
		BY SHEET 1 OF 1