



KEVIN KAMENETZ
County Executive

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

January 12, 2015

Christopher Mudd, Esquire
Venable, LLP
210 W. Pennsylvania Avenue
Suite 500
Towson, Maryland 21204

RE: Petition for Variance
Property: 4445 Old Court Road
Case No.: 2015-0104-A

Dear Mr. Mudd:

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 a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

IN RE: PETITION FOR VARIANCE

(4445 Old Court Road)

2nd Election District

2nd Council District

Talmudical Academy of Baltimore, Inc.

Petitioner

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BEFORE THE OFFICE

OF ADMINISTRATIVE

HEARINGS FOR

BALTIMORE COUNTY

CASE NO. 2015-0104-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County as a Petition for Variance on behalf of the legal owner of the subject property. The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) §§1B01.1.B.1, 504.2 and 1B01.2.C.1.a as follows: (1) to permit a 0 ft. Residential Transition Area (RTA) buffer in lieu of the required 50 ft. buffer and a residential transition area building setback of 17 ft. in lieu of the required 75 ft. setback; (2) to allow a maximum building length for non-residential principal buildings of 450 ft. in lieu of the maximum permitted 200 ft.; and (3) to permit non-residential principal buildings to have a 20 ft. interior side yard setback in lieu of the required 40 ft. setback (20 ft. for each building). A redline site plan for the project was marked and accepted into evidence as Petitioner's Exhibit #1.

The president of Talmudical Academy and several neighbors (whose names are reflected on the sign-in sheet) attended the public hearing in support of the requests. Christopher Mudd, Esquire, represented the Petitioner. There were no Protestants in attendance. The Petition was advertised and posted as required by the B.C.Z.R. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review (DPR) and the Department of Planning (DOP). These will be discussed below.

ORDER RECEIVED FOR FILING

Date 1-12-15

By 19w

The subject property is approximately 11.6 acres and is zoned DR 5.5. The Talmudical Academy has for over 40 years operated on the site and as counsel explained it is in fact an integral part of the Scotts Hill neighborhood. The school population is growing and Petitioner would like to reconfigure the campus, which will include the construction of pre-school and high school buildings. Given the unusual configuration of the property and its juxtaposition to nearby single family homes, variance relief is needed.

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. The large site is irregularly shaped and is sandwiched between the Beltway and Old Court Road. As such it is unique. If the B.C.Z.R. were strictly interpreted, the Petitioner would suffer a practical difficulty, given it would be unable to construct the proposed improvements. 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 lack of county and/or community opposition.

In its original ZAC comment dated November 21, 2014, DPR objected to the requested variances. Following receipt of this comment Petitioner and its consultants made significant revisions to the site plan and the County's landscape architect has now indicated she has "no objection to the requested variances being approved." Petitioner's Exhibit #13.

The DOP also submitted a lengthy ZAC comment, and indicated that the Petitioner met with staff from that agency to discuss landscaping and architectural issues. Following that meeting, the site plan was revised to (among other things) reduce the height of proposed retaining

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Date 1-12-15

By EW

walls and relocate away from the adjoining homes the storm water management facilities. The DOP indicated it does not oppose the requested variances, but its comment identified four proposed conditions upon its approval. Those will be included in the Order which follows.

THEREFORE, IT IS ORDERED, this 12th day of January, 2015, by the Administrative Law Judge for Baltimore County, that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations ("B.C.Z.R.") §§1B01.1.B.1, 504.2 and 1B01.2.C.1.a as follows: (1) to permit a 0 ft. Residential Transition Area (RTA) buffer in lieu of the required 50 ft. buffer and a residential transition area building setback of 17 ft. in lieu of the required 75 ft. setback; (2) to allow a maximum building length for non-residential principal buildings of 450 ft. in lieu of the maximum permitted 200 ft.; and (3) to permit non-residential principal buildings to have a 20 ft. interior side yard setback in lieu of the required 40 ft. setback (20 ft. for each building), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

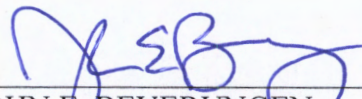
1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner must comply with the four conditions set forth in the DOP ZAC comment dated January 2, 2015, which is attached hereto and is expressly incorporated herein.

ORDER RECEIVED FOR FILING

Date 1-12-15

By RW

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 1-12-15

By DW

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: January 2, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 4445 Old Court Road

JAN 02 2015

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 15-104

Petitioner: Talmudical Academy of Baltimore, Inc.

Zoning: DR 5.5

Requested Action: Special Variance

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner is seeking a Special Variance to permit a 0 foot RTA buffer in lieu of the required 50 foot buffer and RTA building setback of 17 feet in lieu of the required 75 foot setback. Petitioner is seeking to permit a maximum building length for non-residential principal buildings of 450 feet in lieu of the maximum permitted 200 feet. Petitioner is also seeking to permit non-residential principal buildings to have a 20 foot interior side yard setback in lieu of the required 40 foot setback.

The applicant is proposing to construct two addition school buildings to the existing Talmudical Academy; a 2-story pre-school building and a 2-story high school building with an attached future gym. Additional parking and a reconfiguration of the internal circulation on site to separate the pedestrian and vehicular functions of the campus is also proposed.

Department of Planning staff met with the applicant on December 11, 2014 to discuss site, landscaping and architecture. Architectural elevations dated December 10, 2014 were submitted. Subsequent to that meeting, the applicant submitted a revised site plan and landscape plan that reflected changes discussed at the December 11 meeting as well as a map defining the "neighborhood" boundaries per BCC Section 32-4-402. The red-lined plans show relocation of certain storm water management facilities in order to provided additional landscape area between the high school building façade and adjacent residential. Additionally, site retaining walls along Smoke Tree Road were reduced in height to vary between 0 feet to a maximum height of 5 ½ feet and landscaping has been provided along the street side of the walls. The proposed parking area shows a 10 foot setback with landscaping and the applicant intends to work with SHA to landscape the existing parking lot along I-695 and Old Court Road.

SUMMARY OF RECOMMENDATIONS:

According to BCZR Section 1B01.1.B.1.c.(1), notwithstanding the provisions contained in BCZR Section 307, the Administrative Law Judge, upon recommendation of various County agencies, including the Department of Planning, "may determine the amount of RTA in cases where a single tract is more than two acres...."

The Department of Planning hereby recommends that the Administrative Law Judge determine that the amount of the RTA provided for on the site plan is appropriate, given the circumstances of this

ORDER RECEIVED FOR FILING

Date 1-12-15

By [Signature]

case, including the facts that: the subject tract is 11+/- acres; the existing school and current development characteristics as well as the proposed school buildings and related improvements are of a residential design, scale, and character, are landscaped to the extent possible, and, therefore, do not warrant the significant buffers and setbacks required by the RTA regulations.

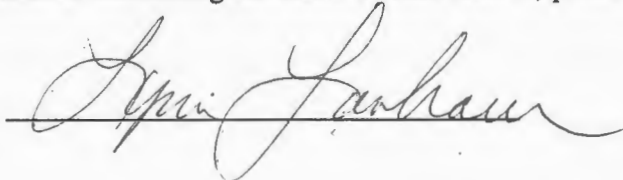
The ALJ may modify the RTA pursuant to BCC Section 32-4-402, compatibility, a finding that the reduction will not adversely impact the residential community or development on the land adjacent to the property to be developed. The Department of Planning recognizes that the existing school is an integral part of the community and the proposed improvements should not change that relationship nor adversely impact the community.

As to the building length, and per the residential standards of the Comprehensive Manual of Development Policies (pg 35, Non-residential buildings in D.R. zones), the Department of Planning finds that subject to the specification of materials as listed below, the buildings are segmented and architecturally varied to visually break up the massing of the façade, landscaping is designed to visually break up the massing of the façade and the proposed materials and design reflect regional residential elements. The Department of Planning agrees with the defined neighborhood as submitted by the applicant and finds that the proposal meets the eight compatibility objectives of BCC Section 32-4-402 subject to the following comments:

1. The applicant stated in meetings that building materials will be primarily brick with split face block and cast stone. Proposed materials, as indicated, shall be labeled on the architectural elevations submitted to the ALJ and with the development plan submittal.
2. A lighting plan shall be submitted with the final landscape plan. The maximum height of any lighting fixtures in an RTA buffer area shall be 16 feet. The fixtures shall be designed and placed so as to prevent the spillage of light into any adjoining dwelling or lot. The intensity of the fixture shall not exceed 0.2 candle at the tract boundary.
3. Should a fence be proposed the location, design, materials and height should be submitted to the Department of Planning for review and approval with the development plan submission.
4. Wall design, including materials and sections shall be submitted to the Department of Planning with the development plan submission.

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

Division Chief:
AVA/LL



ORDER RECEIVED FOR FILING

Date 1-12-15

By [Signature]



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 4445 Old Court Road which is presently zoned DR 5.5

Deed References: SEE ATTACHED 10 Digit Tax Account # SEE ATTACHED

Property Owner(s) Printed Name(s) TALMUDICAL ACADEMY OF BALTIMORE, INC.

(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:

Name- Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

BY Christopher Mudd

Name- Type or Print

Signature

210 W. Penn. Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6200 / cdmudd@venable.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address

City

State

Zip Code

Telephone #

Email Address

Representative to be contacted:

Christopher Mudd

Name- Type or Print

Signature

210 W. Penn. Ave., Ste. 500 Towson MD

Mailing Address City State

21204 / 410-494-6200 / cdmudd@venable.com

Zip Code Telephone # Email Address

CASE NUMBER 2015-0104-A Filing Date 11/5/14

Do Not Schedule Dates: _____

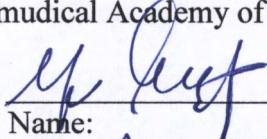
Reviewer GA

SIGNATURE PAGE FOR PETITION FOR VARIANCE

**4445 Old Court Road
Baltimore, Maryland 21208**

Legal Owner:

Talmudical Academy of Baltimore, Inc.

By: 

Name:

Title: PRESIDENT

Address: 4445 Old Court Road
Baltimore, Maryland 21208
410-484-6600

ATTACHED SHEET FOR PETITION FOR VARIANCE
4445 Old Court Road
Baltimore, Maryland 21208

Deed References: 4634/543, 5257/525, 13393/277, 31948/241, 32357/491

Tax ID Nos.: 0220000640, 0220000641, 0220000643, 0218000880, 02190001950, 1600006745, 0211150932

Requested Variance:

Variance from Baltimore County Zoning Regulations ("BCZR") Section 1B01.1.B.1 to permit a 0 foot residential transition area buffer in lieu of the required 50 foot buffer and a residential transition area building setback of 17 feet in lieu of the required 75 foot setback.

Variance from BCZR Section 504.2 and the Comprehensive Manual of Development Policies, Part III, Division II, Section A, p. 35 to allow a maximum building length for non-residential principal buildings of 450 feet in lieu of the maximum permitted 200 feet.

Variance from BCZR Section 1B01.2.C.1.a to permit non-residential principal buildings to have a 20 foot interior side yard setback in lieu of the required 40 foot setback (20 feet for each building).

SIGNATURE PAGE FOR PETITION FOR VARIANCE
4445 Old Court Road
Baltimore, Maryland 21208

Legal Owners (Tax ID No. 0211150932 – 1021 Smoke Tree Road):



JOEL RIBIAT



BAILA RIBIAT

MATISWARFIELD

Consulting Engineers

November 05, 2014

Description to Accompany Zoning Petition for Variance Talmudical Academy – 4445 Old Court Road

Beginning at a point on the South side of Old Court Road 635 feet West of the centerline of Scotts Hill Drive, running thence and binding on the South side of Old Court Road:

- 
1. North 87° 19' 12" West 183.30 feet
 2. North 87° 19' 12" West 8.69 feet
 3. North 85° 36' 58" West 79.13 feet
 4. South 64° 15' 28" West 78.17 feet to a point, thence leaving said south side of Old Court Road and running thence:
 5. North 17° 56' 46" East 133.26 feet
 6. North 65° 21' 56" West 174.30 feet
 7. a Curve having a radius of 275.00 feet for an arc distance of 327.75 feet
 8. North 45° 52' 43" East 158.34 feet
 9. North 51° 06' 56" East 253.12 feet
 10. North 35° 53' 38" East 728.68 feet
 11. South 14° 25' 12" East 16.09 feet
 12. South 09° 02' 58" East 311.34 feet
 13. South 10° 05' 07" East 248.92 feet
 14. South 18° 11' 37" East 283.14 feet
 15. South 02° 59' 53" East 299.35 feet
 16. South 10° 38' 59" West 137.62 feet
 17. South 05° 33' 22" West 73.02 feet to the place of beginning.

Containing 11.172-acres± known as Talmudical Academy, and located in the 2nd Election District.

THIS DESCRIPTION COMPILED FOR ZONING PURPOSES ONLY AND IS NOT
INTENDED TO BE USED FOR CONVEYANCES OR AGREEMENTS



2015-0104-A

**CASHIER'S
VALIDATION**

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

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: 2015-0104-A
Petitioner: Talmudical of Baltimore, Inc.
Address or Location: 4445 Old Court Rd 21208

PLEASE FORWARD ADVERTISING BILL TO:

Name: Barbara Lukaszewich
Address: Verable LLP
210 W. Pennsylvania Ave. Ste. 500
Towson, MD 21204
Telephone Number: (410) 494-6200



501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 2886935

Sold To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave
Ste 500
Towson, MD 21204-5304

Bill To:

VENABLE LLP - CU00174151
210 W Pennsylvania Ave
Ste 500
Towson, MD 21204-5304

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Dec 16, 2014

The Baltimore Sun Media Group

By

S. Wilkinson
Legal Advertising

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: # 2015-0104-A
4445 Old Court Road
S/s Old Court Road, 635 ft. to centerline of Scotts Hill Road
2nd Election District 2nd Councilmanic District
Legal Owner(s) Talmudical of Baltimore, Inc.

Variance: to permit a 0 foot residential transition area buffer in lieu of the required 50 foot buffer and a residential transition area building setback of 17 feet in lieu of the required 75 foot setback. To allow a maximum building length for non-residential principal buildings of 450 feet in lieu of the maximum permitted 200 feet; to permit non-residential principal buildings to have a 20 foot interior side yard setback in lieu of the required 40 foot setback (20 ft. for each building).

Hearing: Monday, January 5, 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.

JT 12/735 Dec. 16 2886935

CERTIFICATE OF POSTING

2015-0104-A

RE: Case No.: _____

Petitioner/Developer: _____

Talmudical of Baltimore, Inc

January 5, 2015

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

Ladies and Gentlemen:

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

4445 Old Court Rd

December 16, 2014

The sign(s) were posted on _____

(Month, Day, Year)



Sincerely,

December 16, 2014

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



KEVIN KAMENETZ
County Executive
November 20, 2014

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

NOTICE OF ZONING HEARING

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4445 Old Court Road

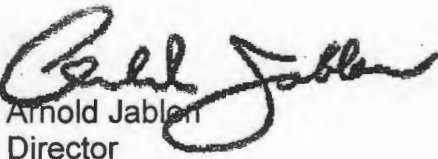
S/s Old Court Road, 635 ft. to centerline of Scotts Hill Road

2nd Election District – 2nd Councilmanic District

Legal Owners: Talmudical of Baltimore, Inc.

Variance to permit a 0 foot residential transition area buffer in lieu of the required 50 foot buffer and a residential transition area building setback of 17 feet in lieu of the required 75 foot setback. To allow a maximum building length for non-residential principal buildings of 450 feet in lieu of the maximum permitted 200 feet; to permit non-residential principal buildings to have a 20 foot interior side yard setback in lieu of the required 40 foot setback (20 ft. for each building).

Hearing: Monday, January 5, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 W. Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Chris Mudd, 210 W. Penn Avenue, Ste. 500, Towson 21204
Talmudical Academy of Balto., 4445 Old Court Rd., Baltimore 21208

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 16, 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
Tuesday, December 16, 2014 Issue - Jeffersonian

Please forward billing to:

Barbara Lukasevich

410-494-6200

Venable

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21208

NOTICE OF ZONING HEARING

The Administrative Law Judge 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:

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4445 Old Court Road

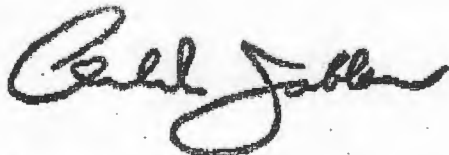
S/s Old Court Road, 635 ft. to centerline of Scotts Hill Road

2nd Election District – 2nd Councilmanic District

Legal Owners: Talmudical of Baltimore, Inc.

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Hearing: Monday, January 5, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 W. 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.

RE: PETITION FOR VARIANCE
4445 Old Court Road; W 635' to c/line
of Scotts Hill Road
2nd Election & 2nd Councilmanic Districts
Legal Owner(s): Talmudical Academy
of Baltimore, Inc

Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2015-104-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

NOV 25 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 25th day of November, 2014, a copy of the foregoing Entry of Appearance was mailed to Christopher Mudd, Esquire, Venable, LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

M E M O R A N D U M

DATE: February 12, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0104-A – Appeal Period Expired

The appeal period for the above-referenced case expired on February 11, 2015. 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

CASE NAME TALMUDICAL ACADEMY
CASE NUMBER 2015-0104-A
DATE 1/5/15

[illegible]

CASE NO. 2015-0104-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>11/21</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>C</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>11/21/14</u>	PLANNING (if not received, date e-mail sent _____)	<u>C</u>
<u>11/17</u>	STATE HIGHWAY ADMINISTRATION	<u>no obj</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>12/16/14</u>	
SIGN POSTING	Date: <u>12/16/14</u>	by <u>SSO Black</u>
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search (w2)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 02 Account Number - 0220000640			
Owner Information					
Owner Name:	TALMUDICAL ACADEMY OF BALTIMORE INC		Use:	EXEMPT NO	
Mailing Address:	4445 OLD COURT RD BALTIMORE MD 21208		Deed Reference:	/04634/ 00543	
Location & Structure Information					
Premises Address:	OLD COURT RD 0-0000		Legal Description:	PT PARCEL A SCOTTS HILL	
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0078	0007	0485		0000	J 2013 5 0027/0115
Special Tax Areas:			Town: NONE		
			Ad Valorem: Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
			23,572 SF	01	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
Value Information					
	Base Value	Value	Phase-In Assessments		
		As of 01/01/2013	As of 07/01/2014	As of 07/01/2015	
Land:	79,100	60,700			
Improvements	0	0			
Total:	79,100	60,700	60,700	60,700	
Preferential Land:	0			0	
Transfer Information					
Seller:	Date:	Price:			
Type: NON-ARMS LENGTH OTHER	Deed1: /04634/ 00543	Deed2:			
Seller:	Date:	Price:			
Type:	Deed1:	Deed2:			
Seller:	Date:	Price:			
Type:	Deed1:	Deed2:			
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2014	07/01/2015		
County:	710	60,700.00	60,700.00		
State:	710	60,700.00	60,700.00		
Municipal:	710	0.00 0.00	0.00 0.00		
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: No Application					

New Search (<http://sdat.resiusa.org/RealProperty>)

Order the **TAX
MAP** [click here...](#)

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

 Loading... Please Wait. Loading... Please Wait.



KEVIN KAMENETZ
County Executive

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

December 31, 2014

Joel & Baila Ribiat
1021 Smoke Tree Road
Pikesville MD 21208

RE: Case Number: 2015-0104 A, Address: 4445 Old Court Road

Dear Mr. & Ms. Ribiat:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on November 5, 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." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Christopher Mudd, Esquire, 210 W. Pennsylvania Avenue, Suite 500, Towson MD 21204

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



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

Date: 11/17/14

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

RE: Baltimore County
Item No. 2015-0104-A
Variance
Talmudical Academy of
Baltimore, Inc.
4445 Old Court Road
MD 133

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 11/17/14. A field inspection and internal review reveals that an entrance onto MD133 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance. Case Number 2015-0104-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

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: January 2, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 4445 Old Court Road

JAN 02 2015

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 15-104

Petitioner: Talmudical Academy of Baltimore, Inc.

Zoning: DR 5.5

Requested Action: Special Variance

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner is seeking a Special Variance to permit a 0 foot RTA buffer in lieu of the required 50 foot buffer and RTA building setback of 17 feet in lieu of the required 75 foot setback. Petitioner is seeking to permit a maximum building length for non-residential principal buildings of 450 feet in lieu of the maximum permitted 200 feet. Petitioner is also seeking to permit non-residential principal buildings to have a 20 foot interior side yard setback in lieu of the required 40 foot setback.

The applicant is proposing to construct two addition school buildings to the existing Talmudical Academy; a 2-story pre-school building and a 2-story high school building with an attached future gym. Additional parking and a reconfiguration of the internal circulation on site to separate the pedestrian and vehicular functions of the campus is also proposed.

Department of Planning staff met with the applicant on December 11, 2014 to discuss site, landscaping and architecture. Architectural elevations dated December 10, 2014 were submitted. Subsequent to that meeting, the applicant submitted a revised site plan and landscape plan that reflected changes discussed at the December 11 meeting as well as a map defining the "neighborhood" boundaries per BCC Section 32-4-402. The red-lined plans show relocation of certain storm water management facilities in order to provided additional landscape area between the high school building façade and adjacent residential. Additionally, site retaining walls along Smoke Tree Road were reduced in height to vary between 0 feet to a maximum height of 5 ½ feet and landscaping has been provided along the street side of the walls. The proposed parking area shows a 10 foot setback with landscaping and the applicant intends to work with SHA to landscape the existing parking lot along I-695 and Old Court Road.

SUMMARY OF RECOMMENDATIONS:

According to BCZR Section 1B01.1.B.1.c.(1), notwithstanding the provisions contained in BCZR Section 307, the Administrative Law Judge, upon recommendation of various County agencies, including the Department of Planning, "may determine the amount of RTA in cases where a single tract is more than two acres...."

The Department of Planning hereby recommends that the Administrative Law Judge determine that the amount of the RTA provided for on the site plan is appropriate, given the circumstances of this

case, including the facts that: the subject tract is 11+/- acres; the existing school and current development characteristics as well as the proposed school buildings and related improvements are of a residential design, scale, and character, are landscaped to the extent possible, and, therefore, do not warrant the significant buffers and setbacks required by the RTA regulations.

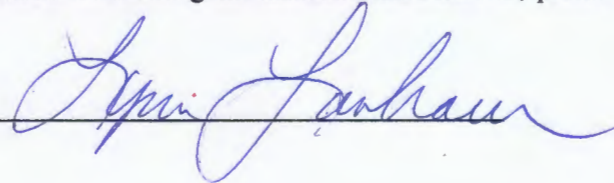
The ALJ may modify the RTA pursuant to BCC Section 32-4-402, compatibility, a finding that the reduction will not adversely impact the residential community or development on the land adjacent to the property to be developed. The Department of Planning recognizes that the existing school is an integral part of the community and the proposed improvements should not change that relationship nor adversely impact the community.

As to the building length, and per the residential standards of the Comprehensive Manual of Development Policies (pg 35, Non-residential buildings in D.R. zones), the Department of Planning finds that subject to the specification of materials as listed below, the buildings are segmented and architecturally varied to visually break up the massing of the façade, landscaping is designed to visually break up the massing of the façade and the proposed materials and design reflect regional residential elements. The Department of Planning agrees with the defined neighborhood as submitted by the applicant and finds that the proposal meets the eight compatibility objectives of BCC Section 32-4-402 subject to the following comments:

1. The applicant stated in meetings that building materials will be primarily brick with split face block and cast stone. Proposed materials, as indicated, shall be labeled on the architectural elevations submitted to the ALJ and with the development plan submittal.
2. A lighting plan shall be submitted with the final landscape plan. The maximum height of any lighting fixtures in an RTA buffer area shall be 16 feet. The fixtures shall be designed and placed so as to prevent the spillage of light into any adjoining dwelling or lot. The intensity of the fixture shall not exceed 0.2 candle at the tract boundary.
3. Should a fence be proposed the location, design, materials and height should be submitted to the Department of Planning for review and approval with the development plan submission.
4. Wall design, including materials and sections shall be submitted to the Department of Planning with the development plan submission.

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

Division Chief:
AVA/LL



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For November 24, 2014
Item No. 2015-0104

DATE: November 21, 2014

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comments.

Variance request # 1: This plan proposes very large, long buildings in a D.R 5.5 zone with significant retaining walls directly adjacent to residential homeowner occupied lots. No serviceable buffer is proposed. As such, RTA setbacks on this property should be as specified in the BCZR and should not be reduced. Significant landscape buffers specified by the BCZR and the Landscape Manual should be provided and the variance request denied.

Variance request #2: Unless RTA buffers specified in the BCZR are respected, this variance should also be denied for the same reasons as cited above.

* * * * *

DAK:CEN
cc:file

Parcel "B" located on the east side of the Beltway is contiguous to the Baltimore County Beltway on the west and abuts the community of Scotts Hill on the east. Scotts Hill has ingress and egress from Milford Mill Road through the streets of Smoke Tree, Park Valley, Wheaton Road and other residential streets in the development. While a small portion of parcel "B" actually fronts on the north on Old Court Road, the petitioner testified that there were no plans for ingress and egress for the subject property from Old Court Road and that the streets of the residential development of Scotts Hill would be the only ingress and egress to parcel "B". All of the traffic would have to go through the residential streets of Scotts Hill in order to reach the proposed apartments. Scotts Hill is one of the finest "R-6" single family residences that one could conceive, well kept homes with much care having been given to the planning and landscaping; a development that appears to have real community life in all of its aspects. The development of parcel "B" in anything but the same character as that of Scotts Hill would be catastrophic. Certainly there have been no changes since the adoption of the zoning map for this area on November 15, 1962 with regard to parcel "B" that would allow for the requested change, and there has been no evidence of error presented by the petitioner that would justify the reclassification.

The petitioner spoke of extreme rock on the subject property but this has actually been countered by the protestants with testimony that the adjacent land to the south had recently been sold and is about to be placed on the market for sale with single family homes similar to those in Scotts Hill. The Board of Appeals is unanimous that the reclassification of parcel "B" should be denied.

Parcel "A" presents an entirely different set of circumstances. It has a total acreage of 11.3 acres, more or less, and borders Scotts Level Road on the west and the Baltimore County Beltway on the east. It is now a wooded area and actually overlooks the Beltway. Scotts Level Road runs from Milford Mill Road on the south to Old Court Road on the north and is undeveloped except for a few old run-down farm houses located on the west side of Scotts Level Road.

There was testimony by the petitioner that it would be quite difficult to sell the homes in an "R-6" category because of its proximity to the Beltway, and this testimony was further substantiated by the real estate expert for the protestants who spoke of the undesirability of purchasing raw land for "R-6" development adjacent to or overlooking the Beltway.

One cannot help but wonder why if parcel "A" should be reclassified, why not parcel "B". There are many differences. First the development of Scotts Hill makes parcel "B" most desirable and removes it from the normal raw land category. The development of parcel "B" into apartments would be detrimental to the value of the homes in Scotts Hill, while the development of parcel "A" into apartments could only appreciate the value of the land on the east and west side of Scotts Level Road.

The traffic to the apartments on parcel "B" would tend to overcrowd and cause a traffic hazard on the residential streets existing in the Scotts Hill development, while Scotts Level Road is a lightly traveled road and the addition of traffic from apartments on parcel "B" could have no detrimental effect.

Then too, parcel "B" is actually below the level of the Beltway and it was testified by some of the protestants that they hardly knew the Beltway even existed. Parcel "A" is above the level of the Beltway and the homes there would be overlooking this highway and property owners probably would be quite conscious of its existence.

It is difficult to think that at the time of the adoption of the zoning map on November 15, 1962 that the Baltimore County Council could have realized the effect of the Beltway on the subject tract as it exists today. While the Beltway location was known its effect was not, and it seems quite obvious that the entire acreage in this petition was zoned as one parcel. In looking at the Scotts Hill development and looking at the property in its entirety, as stated before, it would have been catastrophic to have zoned parcel "B" anything but "R-6".

8583912

The Board of Appeals is unanimous in its opinion that parcel "A" should have been zoned "R-A". The effect that the Beltway has had on the property could be considered a change, or another way of saying the same thing would be to say that the Council erred in not recognizing the damage the Beltway would cause to parcel "A". In either case the Board is unanimous that the proper classification for parcel "A" should have been "R-A".

For the above stated reasons the reclassification of the above subject portion of parcel "A", 11.3 acres, more or less, is granted. The acreage in parcel "B", 8.4 acres, more or less, is denied.

ORDER

For the reasons set forth in the foregoing Opinion, It is this 27th day of February, 1964 by the County Board of Appeals, ORDERED that the reclassification petitioned for on parcel "A", be and the same is hereby granted. It is also ORDERED that the reclassification petitioned for on parcel "B", be and the same is hereby denied.

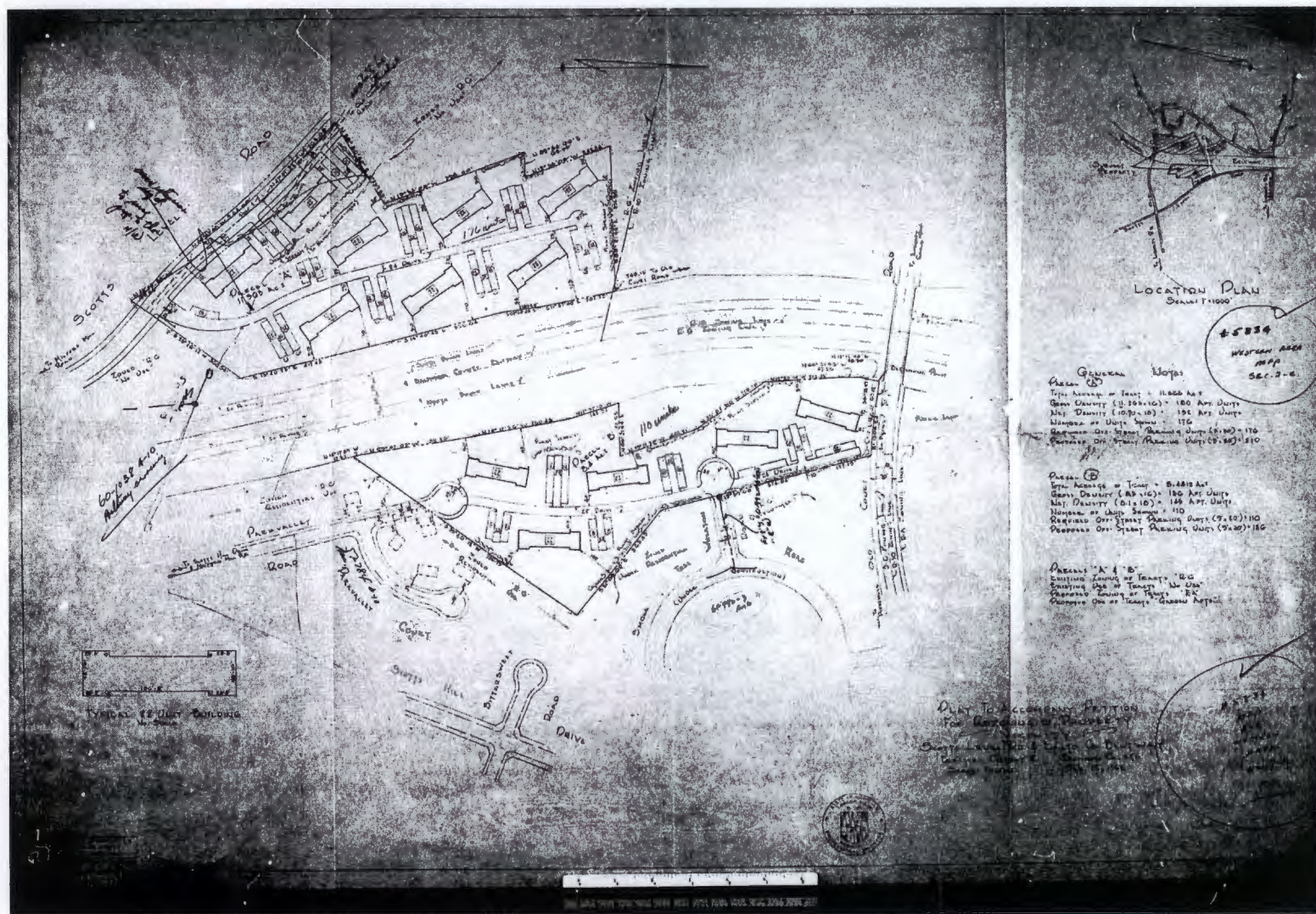
Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William H. Kaufman
CHAIRMAN

Charles H. Sturges

S. Mitchell Austin



Case No.: 2015-0104-A

Exhibit Sheet

Petitioner/Developer

Protestants

No. 1	Site plan	
No. 2	Warfield CV	
No. 3	Curry CV	
No. 4	Malena CV	
No. 5	My Neighborhood map	
No. 6	My Neighborhood map	
No. 7	KeySheet for photos	
No. 8	Photographs	
No. 9	Renderings - Elevations preschool	
No. 10	Rendering - high school	
No. 11	Rendered landscape plan	
No. 12	12-29-2014 letter	

Case No.:

2015-0104-A

Exhibit Sheet - Continued

Petitioner/Developer

Respondent

No. 13	Email dated 12-29-14 J. Tansey	
No. 14	Map re: "Neighborhood" for compatibility	
No. 15	Support letters from community Ass'n.	
No. 16	letters from community members.	
No. 17		
No. 18		
No. 19		
No. 20		
No. 21		
No. 22		
No. 23		
No. 24		

Stephen A. Warfield, P.E.

10540 York Road, Suite M
Hunt Valley, Maryland 21030
(410) 683-7004

Professional Registration

Registered Professional Engineer - Civil Engineering 1995 - Maryland P.E. # 21162

Education

B.S. Civil Engineering - 1990 - University of Maryland, College Park
Master of Environmental Engineering - 1994- Johns Hopkins University

Professional Experience

- 12/94-Present Matis Warfield, Inc.; 10540 York Road, Suite M; Hunt Valley, Maryland 21030:
Currently employed as a principal at Matis Warfield, Inc. Responsible for civil engineering services for the development community. Responsibilities include; planning, design, development, and permitting for site development projects. Responsibilities include; feasibility studies, concept plans, development plans, zoning plans, expert witness testimony, floodplain studies, open channels, stormwater management facilities, storm drain systems, erosion and sediment control plans, highways, pumping stations, utilities, specification development, cost estimating, grading, alternatives analysis, critical area analysis, project management, marketing, administration, client relations, etc.
- 5/91-12/94 Gannett Fleming, Inc.; Suite 200; East Quadrangle; The Village of Cross Keys; Baltimore, Maryland 21210: Supervisors: Fred Wagner-Project Manager, and Dave Ross-Office Manager
Employed as a project engineer by Gannett Fleming, Inc., Baltimore Maryland. Responsible for design and specification development for water treatment plant process design, wastewater treatment plant process and site design, pumping station design, open channel design, stormwater management design, erosion and sediment control design, drainage studies, alternatives analysis, and highway designs.
- 6/90-5/91 George William Stephens, & Associates, Inc.; 658 Kenilworth Drive; Towson, Maryland 21204: Supervisor: Tapobrata Chakrabarti, Partner
Employed as a design engineer by George William Stephens Jr. & Associates, Inc., Towson, Maryland. Performed floodplain studies, designed stormwater management facilities, and designed open channel flow systems for residential, commercial, and industrial development projects. Responsibilities also included development of computer programs to aid stormwater management design.

Professional Affiliations

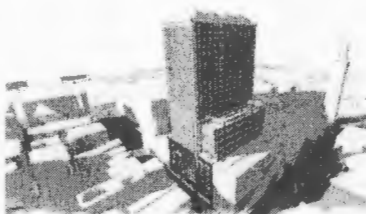
Baltimore County Engineers Association
Home Builders Association of Maryland
Maryland Society of Professional Engineers

PETITIONER'S

EXHIBIT NO. 2



Biography



325 West Baltimore St.



Metro Centre



Stevenson Stadium



Montessori School



The Walk, Nike Factory Store

Shellie A. Curry, AIA, NCARB, LEED®AP

Principal

Shellie Curry is founder and principal of Curry Architects. He has over 30 years of experience as an architect and has managed his own firm for over 24 years. He has built Curry Architects with a commitment to exceed client expectations and to create architecture with a common theme of sustainability, design excellence and value. Maintaining a mid-sized firm allows Mr. Curry to play a leading role in every phase of each project from initial design, to construction completion. This has resulted in the production of a prolific body of work consistently high in quality and client satisfaction.

Mr. Curry has directed Curry Architects in the specialization in meeting client's budgetary goals by bringing the right experience and construction approach to each individual project. His long history of working with developers gives him a superior understanding of project cost and delivery methods which benefits all of his projects. This approach has allowed him to establish a broad base of repeat clientele which ranges from large developers such as The Cordish Companies and Merritt Properties, to community organizations such as The Associated Jewish Community Federation of Baltimore, to small business owners.

Curry Architects has been ranked number 33 out of 100 fastest growing businesses in Baltimore by the Baltimore Business Journal. Shellie Curry's projects have won numerous awards and have been featured in many publications including Chesapeake Home, Baltimore Magazine, The Mid-Atlantic Real Estate Journal, The Baltimore Sun, and others.

Education

- B.S. in Architecture, University of Texas, Arlington, Texas.
- Master of Architecture, University of Pennsylvania, Philadelphia, Pennsylvania

Active Registration

- Member, The American Institute of Architects
- Member, The National Council of Architectural Registration Boards
- Member, The United States Green Building Council
- Member, The International Code Council
- Licensed Architect, States of Maryland, Pennsylvania, Virginia, New Jersey, Missouri, Kentucky and Kansas

Sustainability

Curry Architects is an active member of the US Green Building Council and employs LEED accredited professionals. Current green projects include: MVA / Hilltop Shopping Center; Towson Circle, Multi use Center, Merritt Athletic - Buckingham; CHAI (Community Housing Assistance, Inc.); and the Jewish Community Center, Lower school building

Community Service

- Trustee, The Montessori & Emerson Farms Middle School
- Vice President, West Towson Neighborhood Association
- Founding Board Member, The Towson Swim Club

Noted Projects

- 325 West Baltimore Street - Baltimore, MD: *High Rise Tower in Downtown Baltimore, Ground floor retail, 8 levels of parking, 4 levels of Office, and 17 levels of multi-family apartments.*
- Metro Centre Transit Oriented Development - Owings Mills, MD: *A mixed-use, multi-phased transit-oriented development that, upon completion, will support: 1.2 million sf of commercial office space, 300,000 sf of complementary retail space, 1700 residential units, 120,000 square feet of educational facilities, A hospitality component offering up to 250 rooms.*
- Mercas Torah and Tefilah, Inc. - Baltimore, MD: *Renovation and addition to enlarge and accommodate a growing congregation to an existing Synagogue.*
- Stevenson School of the Sciences - Owings Mills, MD: *Retrofit and new facade for existing warehouse. Interior renovations comprises of 241,500 square feet in 3 stories.*
- Linwood Center- Ellicott City, MD: *New 35,900 square feet school for the center for Autism.*
- Kol Torah - Baltimore, MD: *22,000 sq ft Synagogue with sanctuary, class rooms, and social hall*
- Pearlstone Center- Reisterstown, MD: *The Associated Jewish Charities new residential housing units for conference center*
- CHAI (Comprehensive Housing Assistance, Inc.)- Baltimore, MD: *The Associated Jewish Charities new 10,500 sq ft office building*

E. RESUMES OF KEY PERSONNEL PROPOSED FOR THIS CONTRACT

(Complete one Section E for each key person.)

12. NAME SALLY A. MALENA	13. ROLE IN THIS CONTRACT Landscape Architect	14. YEARS EXPERIENCE	
		a. TOTAL 34	b. WITH CURRENT FIRM 32
15. FIRM NAME AND LOCATION (City and State) Human & Rohde, Inc., Towson, MD			
16. EDUCATION (DEGREE AND SPECIALIZATION) Michigan State Univ., BS 1969 - Textile Michigan State Univ., BLA 1980, Landscape Arch.		17. CURRENT PROFESSIONAL REGISTRATION (STATE AND DISCIPLINE) 1983 MD Registered Landscape Architect RLA #547 1994 MD Certified Horticulturist 2010 LEED Green Associate	
18. OTHER PROFESSIONAL QUALIFICATIONS (Publications, Organizations, Training, Awards, etc.)			

19. RELEVANT PROJECTS

(1) TITLE AND LOCATION (City and State)		(2) YEAR COMPLETED	
OLYMPIAN PARK	Towson, MD	PROFESSIONAL SERVICES 2009	CONSTRUCTION (If applicable) 2011
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE		☒ Check if project performed with current firm	
a. Ms. Malena prepared design concepts and construction documents for this small urban park commemorating Baltimore County Olympians and celebrating the revitalization of the County Seat. Design challenges included multiple underground utilities, maintaining visibility, and addressing accessibility and County maintenance concerns. \$300,000			
(1) TITLE AND LOCATION (City and State)		(2) YEAR COMPLETED	
GARRISON FOREST VETERAN'S CEMETERY	Owings Mills, MD	PROFESSIONAL SERVICES 2009	CONSTRUCTION (If applicable) 2011
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE		☒ Check if project performed with current firm	
b. Ms. Malena prepared schematic plans and construction documents for Phase IV of the cemetery, including the layout and detailing of grave sites, Columbaria, a plaza, vehicular and pedestrian circulation, and a natural preservation area. Work included site visits and coordination with DGS and Federal Veteran's Administration. \$3.3 million			
(1) TITLE AND LOCATION (City and State)		(2) YEAR COMPLETED	
FUNCTIONAL ENHANCEMENT OF SWM FACILITIES FOR MD SHA	Anne Arundel County, MD	PROFESSIONAL SERVICES 2010	CONSTRUCTION (If applicable) 2011
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE		☒ Check if project performed with current firm	
c. Ms. Malena developed planting plans for six different existing storm water facilities being retrofitted by SHA. She worked closely with the engineers to develop pond aesthetics such as curvilinear forms, limited side slopes, and adequate aquatic benches suitable for planting. \$3 million			
(1) TITLE AND LOCATION (City and State)		(2) YEAR COMPLETED	
OWINGS MILLS METRO CENTER	Owings Mills, Maryland	PROFESSIONAL SERVICES 2007	CONSTRUCTION (If applicable) 2013
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE		☒ Check if project performed with current firm	
d. Ms. Malena prepared streetscape and planting design for this light rail parking facility, library and offices, including construction documents for intricate brick paving patterns, site furnishings and landscaping. David S. Brown, developer. \$6.5 million			
(1) TITLE AND LOCATION (City and State)		(2) YEAR COMPLETED	
STEVENSON UNIVERSITY CAMPUS AT BOULEVARD CORPORATE CENTER	Owings Mills, Maryland	PROFESSIONAL SERVICES 2011	CONSTRUCTION (If applicable) 2015
(3) BRIEF DESCRIPTION (Brief scope, size, cost, etc.) AND SPECIFIC ROLE		☒ Check if project performed with current firm	
e. Ms. Malena prepared the landscape plans for the new Campus at Boulevard Corporate Center as well as other commercial buildings on site. As a consultant to Stevenson and David S. Brown, she designed the plantings for hardiness and ease of maintenance, as well as provide color and interest appropriate to a place of learning. Planting: \$2 million			



My Neighborhood Map

Created By
Baltimore County
My Neighborhood

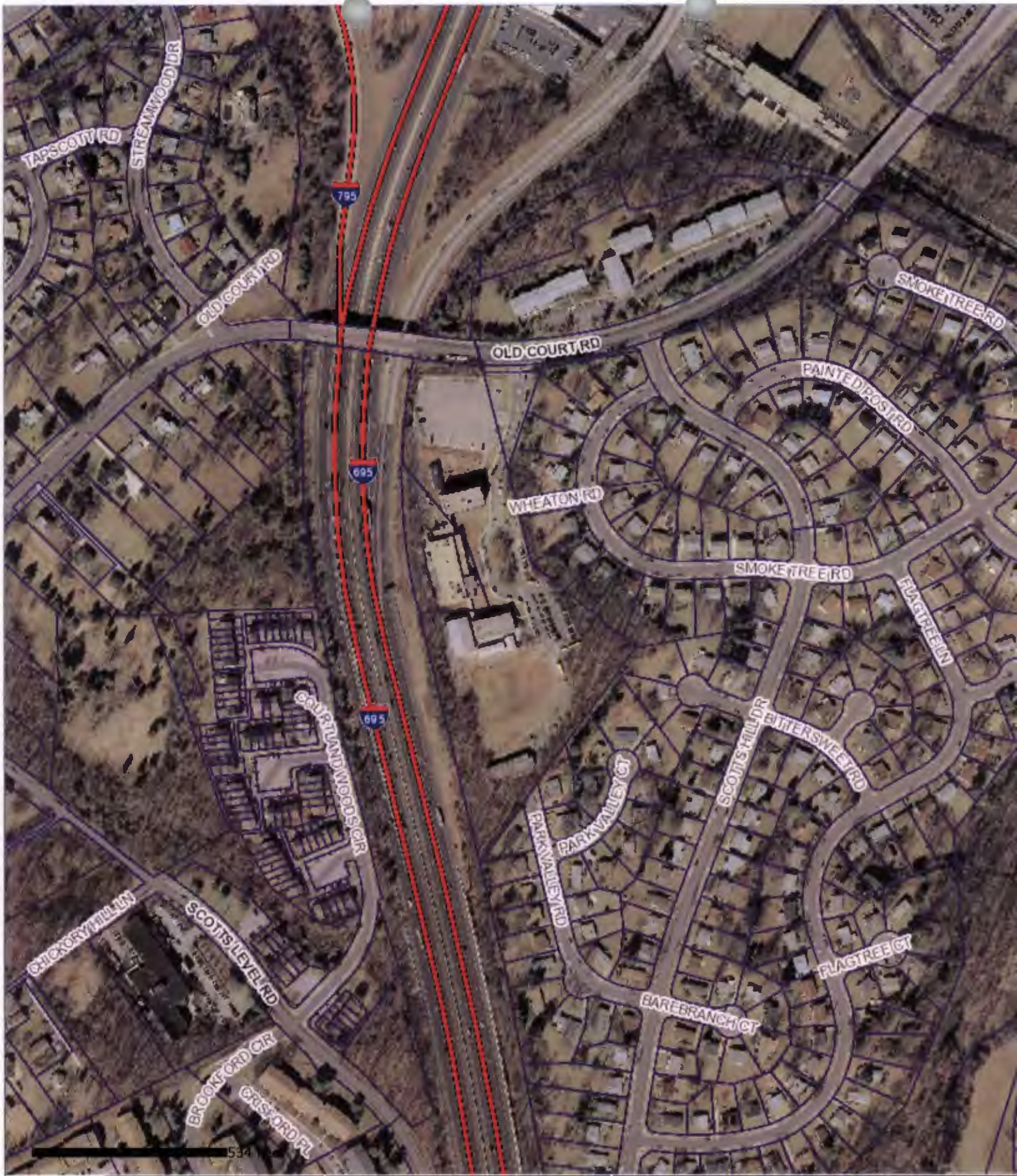


This data is only for general information purposes only. This data may be Maryland does not warrant the accuracy or reliability of the data and disclaims all obligation and liability for damages, including but not limited to attorneys' and experts' fees, and court costs incurred as a result of, this data.

PETITIONER'S

EXHIBIT NO.

5



My Neighborhood Map

Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or not warrant with regard to or implied, of Baltimore County including but not damages, attorney of, arising from

PETITIONER'S

EXHIBIT NO.

6

Human & Rohde Inc.
Landscape architects/land planners

JOHN C. ROHDE, RLA
SALLY MALENA, RLA
LYNETTE PINHEY, RLA

512 VIRGINIA AVENUE
TOWSON, MD 21286
TEL: (410) 825-3885
FAX: (410) 825-3887

December 29, 2014

Mr. Arnold Jablon, Director, Deputy Administrative Officer
Department of Permits, Approval & Inspections
111 West Chesapeake Avenue, Room 119
Towson, Maryland 21204

Re: Request for modification to the Landscape Manual
For Talmudical Academy, 4445 Old Court Road

Dear Mr. Jablon:

We are requesting a modification to Condition B of the Landscape Manual for the above referenced project. Condition B requires a 10 foot landscape strip between parking lots and public right-of-ways. The proposed development is to add a high school, gym and pre-school to the existing Talmudical Academy, improve the parking facilities and add outdoor play areas. The site abuts Old Court Road on the north, the Baltimore Beltway (I-695) on the west, and a single family community and Smoke Tree Road on the east and south. Existing parking lots are adjacent to Old Court Road and the Beltway. An existing Administration/gym/cafeteria building also abuts the Beltway. There are other buildings on site including a dormitory that is adjacent to the beltway and a residential community. The current zoning on the parcel is DR5.5.

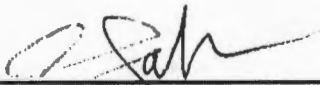
The existing parking lot that abuts Old Court Road and the Beltway does not meet current standards. The distance between the curb and the R.O.W. line along Old Court Road ranges between approximately 4 feet and less than 2 feet due to improvements that the State Highway Administration (SHA) made to Old Court Road. The site abuts the beltway for 1,350 feet. There is a 10 foot landscaped strip along most of it with only 137 feet where the distance between the R.O.W. ranges between 10 feet and 2 feet. Along both Old Court and the Beltway there are existing trees within the State Highway's R.O.W. We are requesting a modification to allow relief from the required 10 foot buffer because of the existing parking conditions, and the existing vegetation within SHA R.O.W. that does help provide the needed screening.

PETITIONER'S

EXHIBIT NO. 12

There is a small area within the right of way that is not wooded along Old Court Road. We will request permission from SHA to allow shrub planting to buffer the parking area.

OK JUST
12/29/14

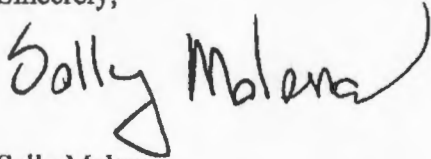


Mr. Jablon

12/29/14

Date

Sincerely,



Sally Malena
Human & Rohde, Inc.

TALMUDICAL ACADEMY OF BALTIMORE
Revised Zoning Advisory Landscape Comments

The petitioner has revised the plan and the red-lined mark-up addresses concerns related to the landscape manual requirements. Given the neighborhood association's and adjacent neighbors' support of the proposed development and the changes made on the red-lined plan, I have no objection to the requested variances being approved.

Jean Tansey
12/29/14

PETITIONER'S

EXHIBIT NO. 13



Created By
Baltimore County
My Neighborhood



This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. ~~Neither the~~ the
accuracy or the he
data, including
merchantability
disclaims all
special, indirect
costs incurred
upon this data

PETITIONER'S

EXHIBIT NO. 14

PETITIONER'S

EXHIBIT NO.

14

SCOTTS HILL COMMUNITY ASSOCIATION
901 Dropleaf Court
Baltimore, Maryland 21208

December 1, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2015-^{0104-A}~~INSERT~~
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am the President of the Scotts Hill Community Association, which is made up of residents of the neighborhood that is immediately adjacent to the Talmudical Academy campus. I am writing to inform you that our Association is in support of the variances requested in the above-referenced case.

We are very thankful for the attention and consideration that TA has shown our community organization and neighborhood in preparing, developing, and executing its campus expansion. TA has taken the time to meet with us to describe in detail its plans for expansion, and we have absolutely no objections to the newly proposed buildings.

Our residents are pleased to have TA as a neighbor, as well as having numerous TA faculty and staff members who live among us. We all look forward to having TA continue to be our neighbor for many years to come.

Thank you for your consideration of our position.

Sincerely,



William Rubin
President
Scotts Hill Community Association

PETITIONER'S

EXHIBIT NO. 15

December 29, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1026 Flagtree Lane, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,

Roy Kiewe

Name: Roy Kiewe

Property Address: 1026 Flagtree Lane

Phone Number: 410-415-0437

December 21, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

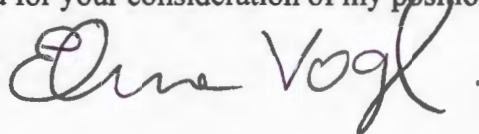
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1104 Scotts Hill Drive, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Elana Vogel

Property Address: 1104 Scotts Hill Drive

Phone Number: 410-653-0275

December 11, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

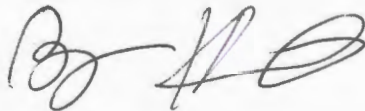
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1106 Scotts Hill Drive, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Binyomin Herskowitz

Property Address: 1102 Scotts Hill Drive

Phone Number: 410-486-6539

December 29, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

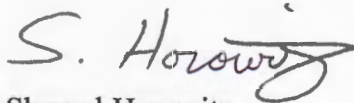
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 913 Painted Post Road, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Shmuel Horowitz

Property Address: 913 Painted Post Road

Phone Number: 410-484-2736

December 25, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

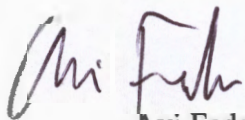
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1055 Flagtree Lane, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Avi Feder

Property Address: 1055 Flagtree Lane

Phone Number: 410-602-8404

December 25, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1110 Scotts Hill Drive, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Avrohom Eichenthal

Property Address: 1110 Scotts Hill Drive

Phone Number: 410-484-5782

December 29, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1011 Scotts Hill Drive, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Mordechai Abrahams

Property Address: 1011 Scotts Hill Drive

Phone Number: 410-484-3083

December 29, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

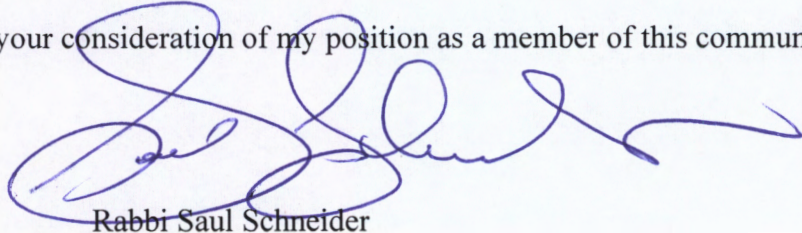
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1023 Smoke Tree Road, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,

Name:  Rabbi Saul Schneider

Property Address: 1023 Smoke Tree Road

Phone Number: 410-486-0921

December ~~29~~, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 912 Painted Post Road, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Elchanan Ciment

Property Address: 912 Painted Post Road

Phone Number: 410-484-8086

December 29, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

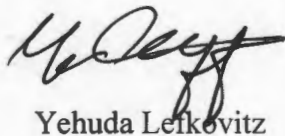
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1115 Scotts Hill Drive, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Yehuda Leikovitz

Property Address: 1115 Scotts Hill Drive

Phone Number: 410-486-8659

December 21, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

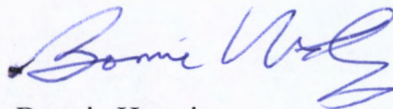
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1113 Scotts Hill Drive, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Bonnie Hurwitz

Property Address: 1113 Scotts Hill Drive

Phone Number: 410-484-1987

December 23, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

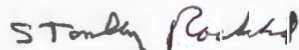
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1003 Smoke Tree Road, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Rabbi Stanely Rochkind

Property Address: 1003 Smoke Tree Road

Phone Number: 410-486-6555

December 17, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

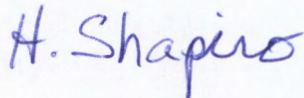
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1014 Smoke Tree Road, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Mrs. Hadassah Shapiro

Property Address: 1014 Smoke Tree Road

Phone Number: 410-484-8940

December 25, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1027 Scotts Hill Drive, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Sora Alon

Property Address: 1027 Scotts Hill Drive

Phone Number: 410-258-0766

December 25, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

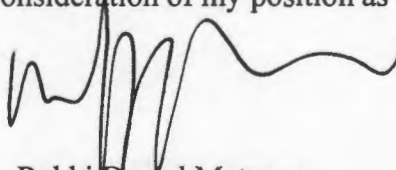
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1025 Smoke Tree Road, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Rabbi Daniel Metzger

Property Address: 1025 Smoke Tree Road

Phone Number: 410-484-2557

December 25, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

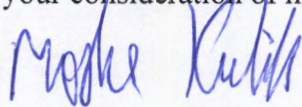
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1108 Scotts Hill Drive, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Moshe Kulik
Property Address: 1108 Scotts Hill Drive
Phone Number: 410-486-2789

December 29 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

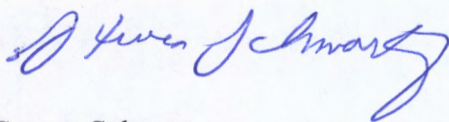
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 920 Painted Post Road, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Steven Schwartz

Property Address: 920 Painted Post Road

Phone Number: 410-653-8708

December 28, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

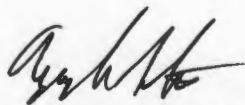
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1057 Flagtree Lane, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Azaryah Schechter

Property Address: 1057 Flagtree Lane

Phone Number: 410-484-7511

December 29, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1107 Scotts Hill Drive, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Nathaniel Frand

Property Address: 1107 Scotts Hill Drive

Phone Number: 410-580-0066

December 22, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1114 Scotts Hill Drive, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Rabbi Israel Lefkovitz

Property Address: 1114 Scotts Hill Drive

Phone Number: 410-580-0915

December 29, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1101 Scotts Hill Drive, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Michael Berkowitz
Property Address: 1101 Scotts Hill Drive
Phone Number: 410-484-6622

December 23, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

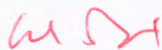
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 901 Painted Post Road, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Eli Rifkind
Property Address: 901 Painted Post Road
Phone Number: 410-580-1295

December 25 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

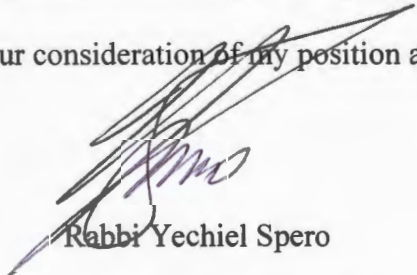
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1012 Smoke Tree Road, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,

Name:  Rabbi Yechiel Spero

Property Address: 1012 Smoke Tree Road

Phone Number: 410-486-6327

December 29, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

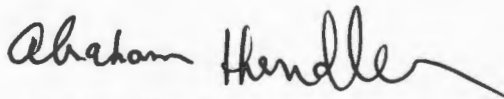
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 917 Painted Post Road, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Avraham Hendler

Property Address: 917 Painted Post Road

Phone Number: 410-580-9490

December 29, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1016 Smoke Tree Road, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Rabbi Yisroel Fuchs

Property Address: 1016 Smoke Tree Road

Phone Number: 410-486-1929

December 29, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

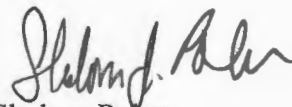
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1102 Scotts Hill Drive, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Shalom Polen

Property Address: 1102 Scotts Hill Drive

Phone Number: 410-486-2491

December 21, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1002 Scotts Hill Drive, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

Sincerely,



Name: Shraga Herskowitz
Property Address: 1002 Scotts Hill Drive
Phone Number: 410-486-6455

December 28, 2014

John E. Beverungen
Administrative Law Judge for Baltimore County
Office of Administrative Hearings
Jefferson Building
105 W. Chesapeake Ave, Suite 103
Towson, Maryland 21204

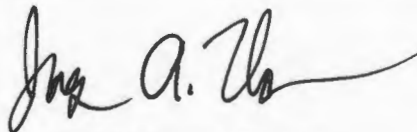
Re: Zoning Case No. 2015-0104-A
4445 Old Court Road
Petition for Variances

Dear Judge Beverungen:

I am aware of Talmudical Academy's proposal to install new school buildings and related improvements on the above-referenced property. I have seen a copy of the site plan filed in the above-referenced case, and I have reviewed and understand the zoning relief requested in that case. I reside at 1018 Smoke Tree Road, which is in very close proximity to the subject property, and I have no objections to the proposed improvements or the requested zoning relief. TA has been an excellent neighbor for years, and I look forward to the institution continuing to be a great neighbor for many years to come.

Thank you for your consideration of my position as a member of this community.

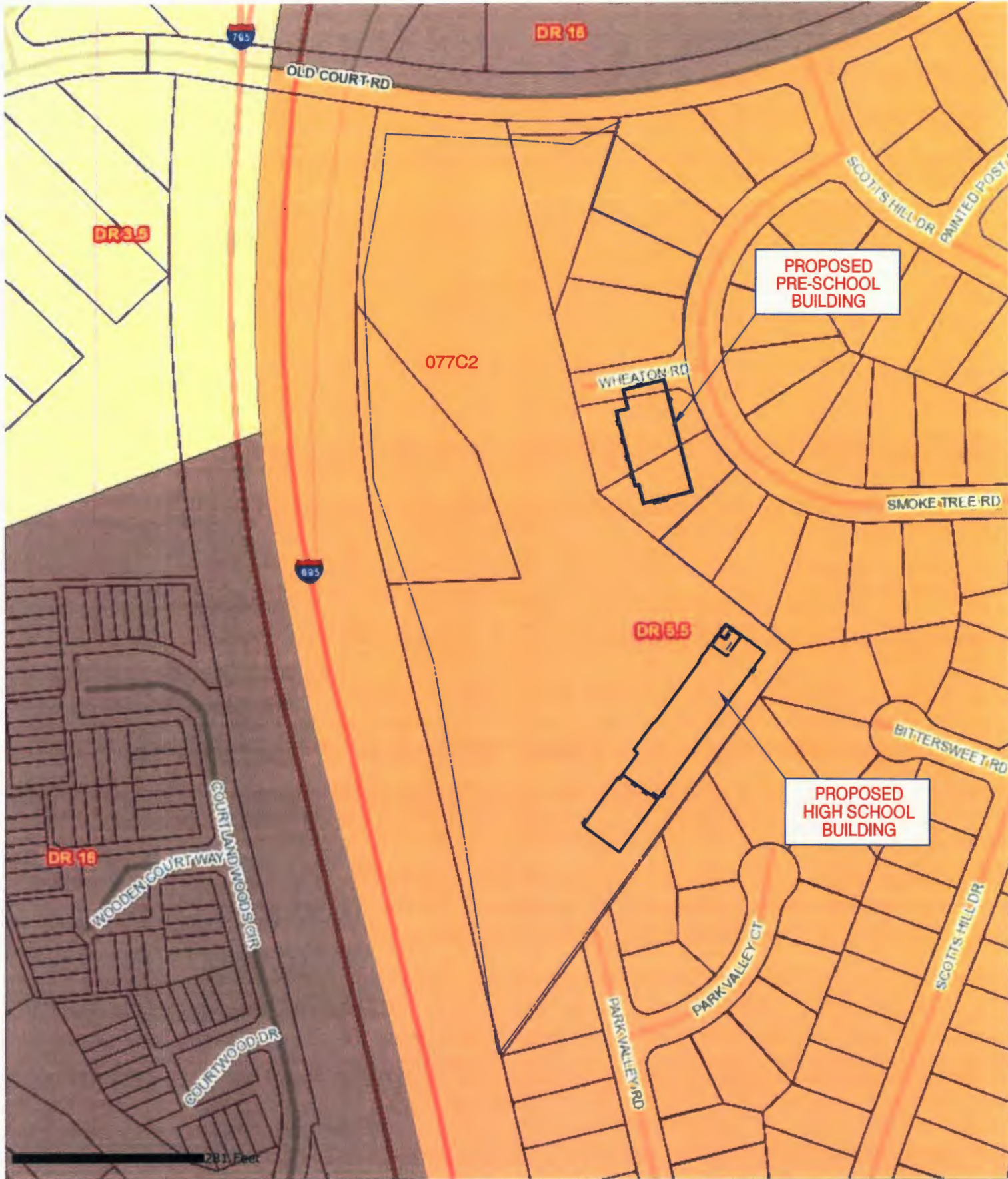
Sincerely,



Name: Rabbi Joseph Flamm

Property Address: 1018 Smoke Tree Road

Phone Number: 410-602-0252



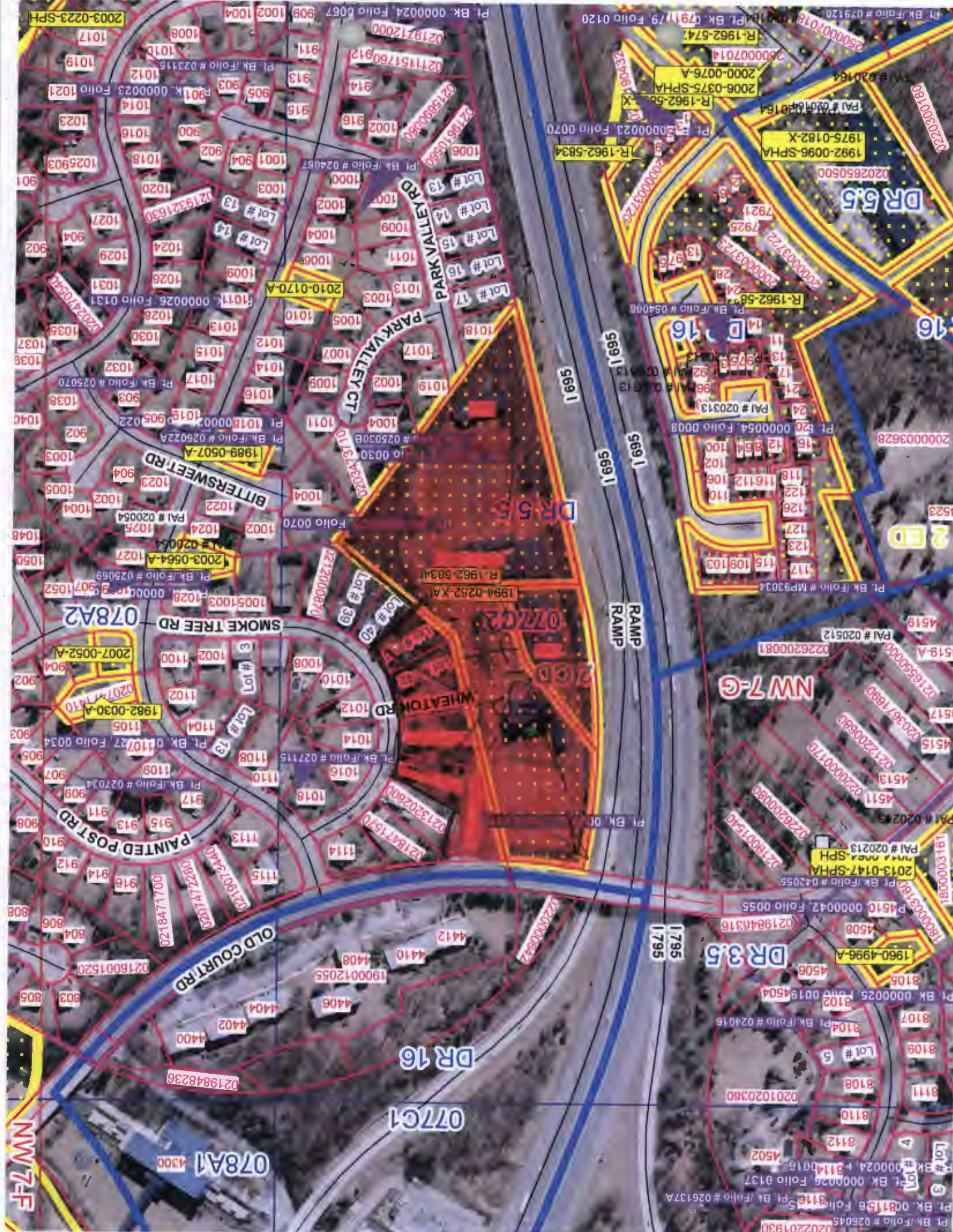
My Neighborhood Map

Created By
Baltimore County
My Neighborhood



2015-0104-A

This data is only for general information purposes only. This data may be inaccurate or contain errors or omissions. Baltimore County, Maryland does not warrant the accuracy or reliability of the data and disclaims all warranties with regard to the data, including but not limited to, all warranties, express or implied, of merchantability and fitness for any particular purpose. Baltimore County, Maryland disclaims all obligation and liability for damages, including but not limited to, actual, special, indirect, and consequential damages, attorneys' and experts' fees, and costs incurred as a result of, arising from or in connection with the use of or reliance upon this data.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: January 2, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

JAN 02 2015

SUBJECT: 4445 Old Court Road

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 15-104

Petitioner: Talmudical Academy of Baltimore, Inc.

Zoning: DR 5.5

Requested Action: Special Variance

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner is seeking a Special Variance to permit a 0 foot RTA buffer in lieu of the required 50 foot buffer and RTA building setback of 17 feet in lieu of the required 75 foot setback. Petitioner is seeking to permit a maximum building length for non-residential principal buildings of 450 feet in lieu of the maximum permitted 200 feet. Petitioner is also seeking to permit non-residential principal buildings to have a 20 foot interior side yard setback in lieu of the required 40 foot setback.

The applicant is proposing to construct two addition school buildings to the existing Talmudical Academy; a 2-story pre-school building and a 2-story high school building with an attached future gym. Additional parking and a reconfiguration of the internal circulation on site to separate the pedestrian and vehicular functions of the campus is also proposed.

Department of Planning staff met with the applicant on December 11, 2014 to discuss site, landscaping and architecture. Architectural elevations dated December 10, 2014 were submitted. Subsequent to that meeting, the applicant submitted a revised site plan and landscape plan that reflected changes discussed at the December 11 meeting as well as a map defining the "neighborhood" boundaries per BCC Section 32-4-402. The red-lined plans show relocation of certain storm water management facilities in order to provided additional landscape area between the high school building façade and adjacent residential. Additionally, site retaining walls along Smoke Tree Road were reduced in height to vary between 0 feet to a maximum height of 5 ½ feet and landscaping has been provided along the street side of the walls. The proposed parking area shows a 10 foot setback with landscaping and the applicant intends to work with SHA to landscape the existing parking lot along I-695 and Old Court Road.

SUMMARY OF RECOMMENDATIONS:

According to BCZR Section 1B01.1.B.1.c.(1), notwithstanding the provisions contained in BCZR Section 307, the Administrative Law Judge, upon recommendation of various County agencies, including the Department of Planning, "may determine the amount of RTA in cases where a single tract is more than two acres...."

The Department of Planning hereby recommends that the Administrative Law Judge determine that the amount of the RTA provided for on the site plan is appropriate, given the circumstances of this





2



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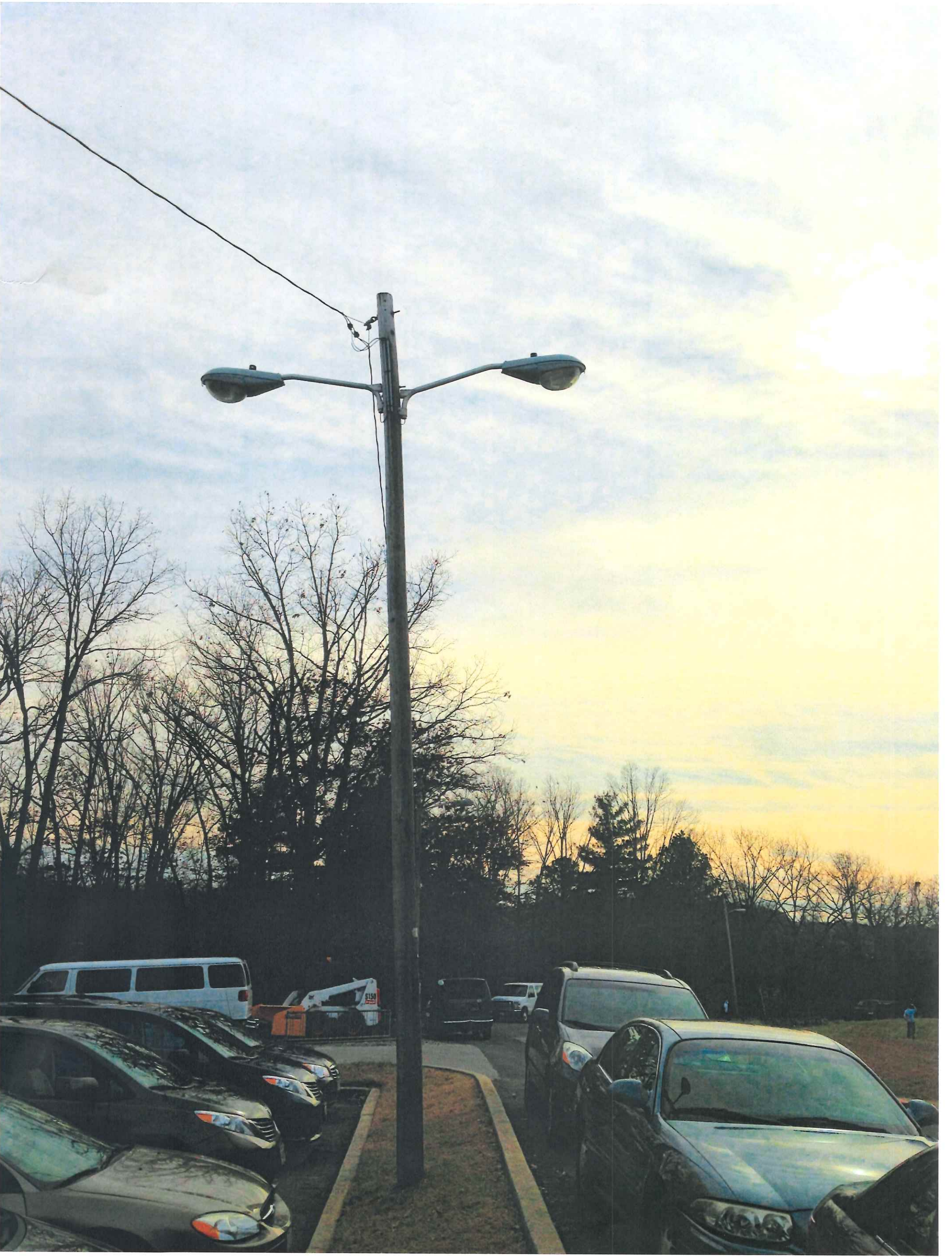














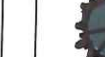


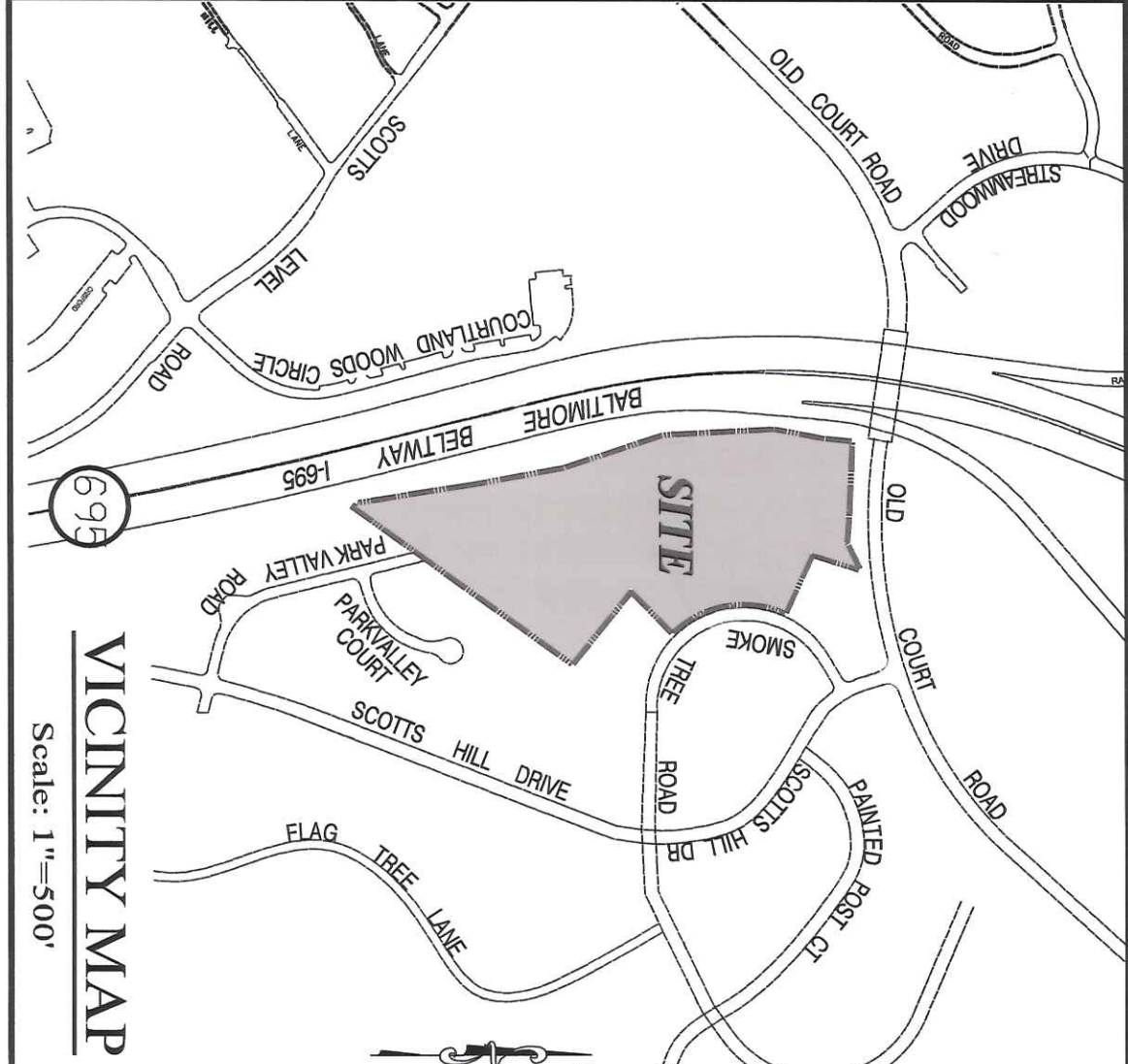
51







	KEY
MAJOR TREES	
MINOR TREES	
EVERGREEN TREES	
SHRUBS	
GROUNDCOVER / GRASS	



PLANTING CALCULATIONS			
KEY	ELEMENT	RATE	PLANTING FEET UNITS (FU)
A	ADJACENT PUBLIC ROWWAY (OLD COURT)	1 FU / 40 LF	349 LF
*	CREDIT FOR EX TREES (OLD COURT)	-160 LF	8.7
A	ADJACENT PUBLIC ROWWAY (SMOKE FR RD)	1 FU / 40 LF	4
A	ADJACENT PUBLIC ROWWAY (L498)	1 FU / 40 LF	328 LF
*	CREDIT FOR EX TREES (L498)	-150 LF	33.8
*	CREDIT FOR EX TREES (L499)	1 FU / 40 LF	-33.75
A	INTERIOR ROWWAY	1 FU / 20 LF	1100 LF
B	PARKING LOT INTERIOR	1 FU / 12 SPACES	201 SPACES
B	PARKING ADJACENT TO PUBLIC ROWWAY	1 FU / 20 LF	437 LF
B	PARKING ADJACENT TO A PUBLIC ROWWAY	1 FU / 20 LF	437 LF
B	PARKING ADJACENT TO A PUBLIC ROWWAY	1 FU / 20 LF	154 LF
B	PARKING ADJACENT TO A PUBLIC ROWWAY	1 FU / 20 LF	7.7
B	PARKING ADJACENT TO A PUBLIC ROWWAY	1 FU / 20 LF	18 LF
B	PARKING ADJACENT TO A PUBLIC ROWWAY	1 FU / 15 LF	1
B	PARKING ADJACENT TO A PUBLIC ROWWAY	1 FU / 15 LF	139 LF
B	PARKING ADJACENT TO A PUBLIC ROWWAY	1 FU / 15 LF	245 LF
B	PARKING ADJACENT TO A PUBLIC ROWWAY	1 FU / 15 LF	16.3
E	NON RESIDENTIAL ADJACENT TO RES.	1 FU / 15 LF	430 LF
E	NON RESIDENTIAL ADJACENT TO RES.	1 FU / 15 LF	26.7
E	NON RESIDENTIAL ADJACENT TO RES.	1 FU / 15 LF	136 LF
E	NON RESIDENTIAL ADJACENT TO RES.	1 FU / 15 LF	9.0
J	SLOPE, EMBANKMENTS & EROSION CONTROL	1 FU / 15 LF	1027 LF
J	SLOPE, EMBANKMENTS & EROSION CONTROL	1 FU / 15 LF	88.5
TOTAL REQUIRED - TOTAL PROPOSED			247 / 247 FU

INTERIOR LANDSCAPING: REAR 30' SETBACK PROVIDED - 11-154 SF		INTERIOR PARKING LOT FOR INTERIOR PLANTING 108-302 SF $\times$ 0.7 = 75.61 SF PROVIDED - 11,154 SF	
SCHEMATIC LANDSCAPE PLAN FOR THE PROPOSED REAR LOT			
This Schematic Landscape Plan is created by a landscape architect and certified by my separate below as being in accordance with all county agency landscape architectural covenants.			
_____ Applicant Signature	_____ Date	_____ Print Name	
_____ Mailing Address (if not already on plan)			

TALMUDICAL ACADEMY

BALTIMORE, MD



WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

PRESCHOOL

3/32' = 1'-0"

- BUILDING MATERIALS**
- SPILT FACE CONCRETE MASONRY UNITS
 - CAST STONE
 - BRICK
 - GROUND FACE BLOCK
 - PRE-FINISHED TRIM PANELS
 - METAL ROOF EDGING
 - ALUMINUM AND GLASS

January 5, 2015

CURRY ARCHITECTS

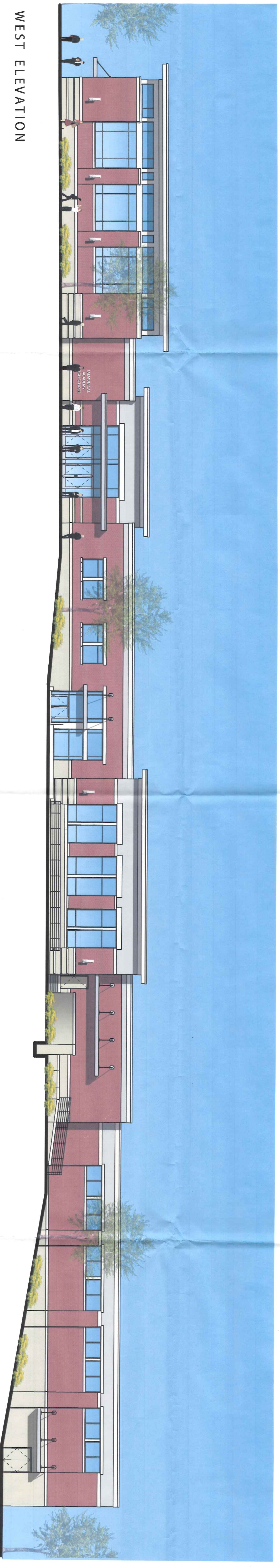


606 EAST JOYNS ROAD | TOWSON, MARYLAND 21206 | 410.321.1002 | WWW.CURRYARCHITECTS.COM

PETITIONERS

EXHIBIT NO. 9

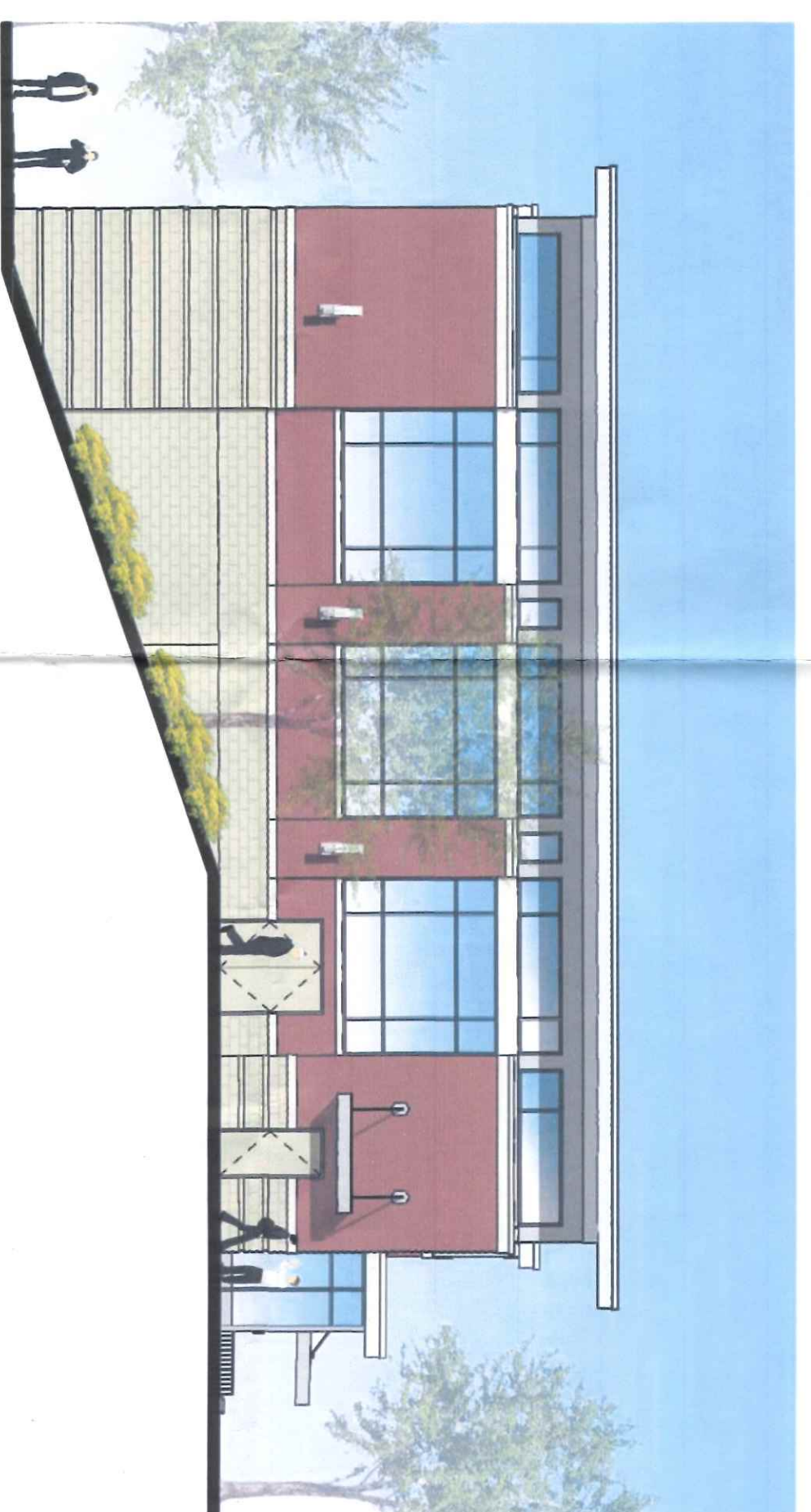
TALMUDICAL ACADEMY BALTIMORE, MD



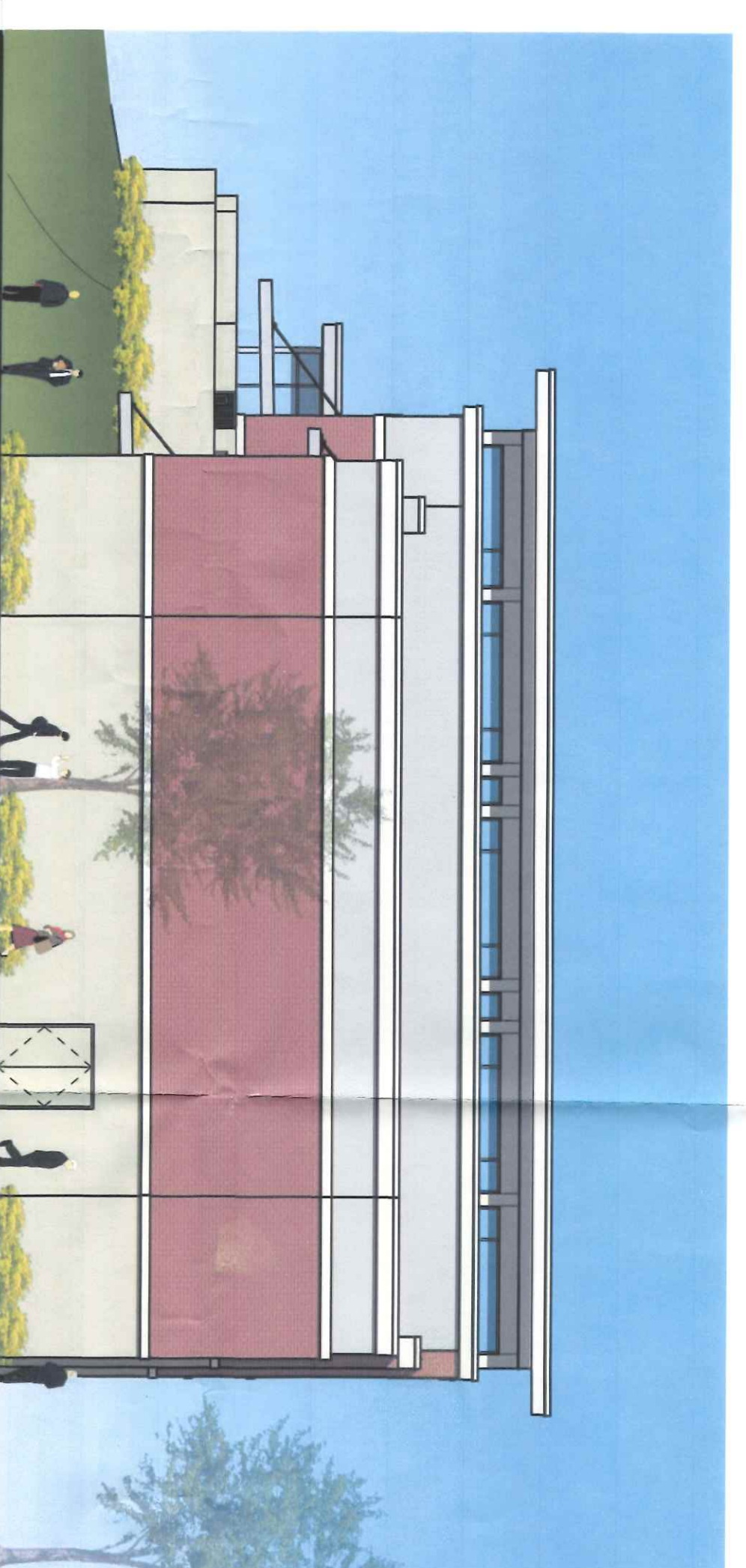
WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

HIGH SCHOOL

January 5, 2015

CURRY ARCHITECTS



806 EAST JOPPA ROAD | TOWSON, MARYLAND 21204 | 410.223.4600

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PETITIONERS

EXHIBIT NO. 19

