

8/10/15

IN RE: PETITION FOR SPECIAL HEARING *

(14 Aigburth Road)

9th Election District *

5th Council District *

Friends of Lubavitch, Inc. *

Legal Owner

Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2015-0223-SPH

* * * * *

**ORDER ON
MOTION FOR RECONSIDERATION**

Now pending is a request for clarification filed by Petitioner, which will be treated as a motion for reconsideration. The community has filed an opposition to that request. Having reviewed both papers, I will deny the motion.

In seeking special hearing relief, the Petitioner made only one request: "confirmation of continued use as a residential parsonage, with accessory use for religious worship and religious education." The June 26, 2015 Order denied the Petition, which of necessity was a determination that the property was not used as a parsonage. Petitioner now requests a finding that the property is "being used as a residence," and not as a religious institution or community building. I am unfortunately not able to answer that inquiry, since it is beyond the scope of the zoning request filed with the County.

Petitioner's correspondence indicates the County will not withdraw the zoning citation issued with respect to the subject property. Again, I have no authority to insist that the Code Enforcement Bureau rescind a citation or correction notice issued by one of its inspectors. I would note that Petitioner's larger concern is that the County will not "process Rabbi Rivkin's building application." Under the County Code, the building engineer is required in writing to explain the basis for his denial of a building permit application. It is unclear whether that has occurred, or even

ORDER RECEIVED FOR FILING

Date 8/10/15

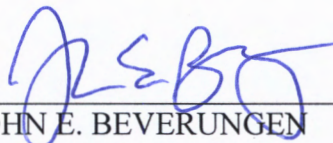
By Den

if the Petitioner has in fact formally made application for a building permit. In any event, if a building permit is denied the Petitioner is entitled to file an appeal with the County Board of Appeals (CBA) pursuant to B.C.C. §35-2-302. As such, it may be that the CBA, rather than the OAH, is the correct forum in which to resolve this ongoing dispute.

WHEREFORE, for the foregoing reasons, IT IS ORDERED this 10th day of August, 2015 that the Motion for Reconsideration filed by Petitioner be and is hereby DENIED.

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

JEB:slh



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 8/10/15
By Den



KEVIN KAMENETZ
County Executive

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

August 10, 2015

Alan Betten, Esq.
Sagal, Filbert, Quasney & Betten, P.A.
600 Washington Avenue, Suite 300
Towson, Maryland 21204

J. Carroll Holzer, Esq
508 Fairmount Avenue
Towson, Maryland 21286

RE: **MOTION FOR RECONSIDERATION**
Case No. 2015-0223-SPH
Property: 14 Aigburth Road

Dear Counsel:

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

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

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

8/1/15

FRIENDS OF LUBAVITCH, INC.	*	BEFORE THE
14 AIGBURTH ROAD	*	ADMINISTRATIVE
	*	LAW JUDGE
9 th Election District	*	FOR
5 th Councilmanic District	*	BALTIMORE COUNTY
RECEIVED	*	
AUG 06 2015	*	
OFFICE OF ADMINISTRATIVE HEARINGS	*	Case No.: 2015-0223-SPH
* * * * *		

**AMAT’S RESPONSE TO PETITIONER’S
REQUEST FOR CLARIFICATION**

The Aigburth Manor Association of Towson, Inc. (“AMAT” or “Community”), and David Zoll, Devin Leary and Paul Hartman, individually, by ***J. Carroll Holzer, Esquire***, submit this Response to Petitioner’s Request for Clarification on its Petition for Zoning Relief seeking special hearing relief in the above referenced matter.

As a preliminary matter, the Rules of Practice and Procedure Before the Zoning Commissioner/Hearing Officer of Baltimore County does **not** provide for such relief. Rule 4.K provides, in pertinent part, that:

A party may file a motion for reconsideration of an order issued by the Zoning Commissioner. Such a motion must be made in writing, within thirty (30) days of the date of the original order. The motion must state, with specificity, the grounds and reasons for the request.

The Request was filed within 30 days of the date of the original order. However, Petitioner's request is not technically a Motion for Reconsideration. If anything, it's more of a Md. Rule 2-535 request for the Administrative Law Judge ("ALJ") to exercise revisory power over the decision. Rule 10 of the Rules of Practice and Procedure of the Board of Appeals gives the Board of Appeals the authority to revise decisions based upon "fraud, mistake or irregularity" but the Rules of Practice and Procedure Before the Zoning Commissioner/Hearing Officer of Baltimore County does not give the ALJ this authority.

A Motion for Reconsideration "is a request for extraordinary relief that may be granted only upon a showing of exceptional circumstances." *Sanders v. Clemco Indus.*, 862 F.2d 161, 169 n. 14 (8th Cir. 1998). The decision to grant or deny a motion for reconsideration is committed to the court's discretion, *Renfro v. City of Emporia*, 732 F.Supp. 1116, 1117-1118 (D. Kan. 1990), and is reviewed by an appellate court on the basis of an abuse of discretion. *Id.*

While on the one hand, Petitioner's Request should be dismissed as not constituting a motion for reconsideration, we think it is important for ALJ Beverungen to clarify certain points. This is necessary because Petitioner seems to be indicating that it intends to have the use determined by ALJ Stahl as part of the hearing on the code enforcement citation, as opposed to this hearing on the petition for zoning relief. For this

reason, AMAT suggests that ALJ Beverungen review a similar case (No.: 2014-0147-SPHA), with respect to the procedural irregularity of Petitioner's request.

The Petitioner sought special hearing relief to confirm the "continued use as a residential parsonage, with accessory use for religious worship and religious education." It is noteworthy that the Petitioner did not seek to confirm, even in the alternative, that the principal use was a single-family dwelling or church, three (3) uses expressly permitted by right in the underlying zone. In the alternative, Petitioner similarly neglected to seek approval of the use as a community building, a use permitted by special exception in the underlying zone. The reason for this oversight is that being categorized as any of these three (3) uses would not allow them to achieve their goal of operating and, more importantly, expanding the Chabad without additional zoning relief. The use is most appropriately categorized as a church and the ALJ lacks the authority to approve a change in occupancy based upon the instant request for relief. The request fails to provide sufficient notice because Petitioner has neglected to seek variances from the Residential Transition Area ("RTA") and bulk regulations. In order to obtain an occupancy permit under B.C.Z.R. §500.4 to change the use from a single-family detached dwelling to a church would necessitate variances from the RTA regulations, as provided in B.C.Z.R. 1B01.1.B.1.d(1), and other zoning relief including but not limited to bulk

regulation setbacks and parking variances. It is important to note that no change in occupancy was ever sought (including in the instant petition for zoning relief) because an addition to an existing "church or other building of religious worship" is a listed exception to the RTA conditions, as noted in B.C.Z.R. §1B01.1.B.1.g(4).

Petitioners request that ALJ Beverungen determine that the only use of the property as residential is preposterous. The issue of whether the church/community building or residential use is the principal use (which would require additional zoning relief besides the special hearing relief requested) or the accessory use (which must be customarily incident and subordinate to and serve the principal use) must be determined. However, the Petitioner did not request that the ALJ determine the principal, and if necessary, accessory use(s) of the property. This failure was the Petitioner's alone. Protestants find it rather hard to believe that the Petitioner was instructed by county staff to ask for the use to be categorized as a residential parsonage, a use which is not permitted by right or by special exception in the zoning regulations. The Petitioner shouldn't have put all of its eggs in one basket. They chose the relief to be requested (special hearing only versus special hearing, variance and special exception). It is the Petitioner's job to ask for all of the relief necessary for approval in their petition for zoning relief.

The Petitioner appears to be intimating that a hearing before the other ALJ, Lawrence M. Stahl, would be the appropriate forum to resolve the ultimate question of how to define the use. One can only assume the Petitioner thinks it will fare better before

ALJ Stahl for some reason. ALJ Stahl's review will be to determine whether or not the code enforcement citation was properly issued. As you recall, the citation alleged that the Petitioner was using the property as a church (which would require RTA variances) or a community building (which would require a special exception and RTA variances).

It is very evident that the Petitioners want to get a permit to build their addition under the guise that it is principally a residence so they can expand the Chabad.

ALJ Beverungen properly found that they've been getting a tax exemption for the property for years that they're not entitled to receive if the principal use of the property is residential. As the ALJ indicated in his decision, there's:

...evidence establishing that the property at 14 Aigburth Road has been granted by the State of Maryland an exemption from real property taxes. See, Petitioner's Exhibit 7. Such an exemption is provided for by §7-204 of the Maryland Tax-Property Code Annotated, which provides as follows:

Property that is owned by a religious group or organization is not subject to property tax if the property is actually used exclusively for:

- (1) public religious worship;
- (2) a parsonage or convent; or
- (3) educational purposes.

The Petitioner has, in effect, **already admitted** that the property cannot be considered as being used as a dwelling. ALJ Beverungen properly responded to the relief requested in the petition. He did not decide whether the use was a church or community building, as he was not asked to do so.

The testimony and evidence indicates that the Petitioner, the Friends of Lubavitch, Inc., purchased the property from Jackson Y. Dott for \$525,000¹ in 2006. Mr. Dott's principal use of the property was a single-family detached dwelling.

Rabbi Menachem Rivkin and his family presently reside on the subject property. There is no testimony or evidence that the Petitioner, or anyone else for that matter, ever sought a change in occupancy permit. Nevertheless, the record makes it clear that Rabbi Rivkin is operating a Chabad, a use which most closely resembles a church, out of the subject property. There is a sign in the front lawn which reads "Chabad 14 Aigburth".

At some point, Rabbi Menachem Rivkin endeavored to construct additional improvements on the subject property to serve additional persons. This desire to construct these additional improvements led to articles being written about the proposal and Code Enforcement issuing a citation. The citation indicates that the use of the subject property was in violation of the County's rules and regulations. The County attorney agreed, in effect, that the fine would be stayed if the property owner filed a request for zoning relief within a reasonable period of time and ultimately received approval.

The testimony and evidence makes it overwhelmingly clear that Rabbi Rivkin intends to use the property as a church. This is supported by the fact that the Rabbi and his wife own neighboring properties but the subject site is owned by the Petitioner. As

¹According to SDAT the assessed value of the land and improvements is \$336,400. No doubt the Petitioner is under pressure to find a way to raise the value of its property. Unfortunately for the Petitioner, the Master Plan 2020 and the applicable zoning provisions do not enable it to dispatch with the applicable provisions. A ruling to this effect would rewrite how churches would seek to change the fabric of residential neighborhoods throughout the county.

noted above, ALJ Beverungen previously found that property owned by a religious group or organization is not subject to property tax if it is used EXCLUSIVELY for: (1) public religious worship; (2) a parsonage or convent; or (3) educational purposes. Since none of these options is a "residence", the exempt property at issue in the code enforcement case cannot be deemed a residence. The character of this neighborhood and similarly zoned residential neighborhoods throughout the county are at risk of uses which were not intended to be permitted being approved if the Petitioner is allowed to proceed with his plan to build a 37-foot tall building in addition to the existing structure. In the unlikely event the ALJ deems the principal use to be a single-family dwelling as opposed to a church or community building, there is no evidence in the record that the Chabad is a permissible accessory use. The fact that the Petitioner is even contending that the principal use of the property is residential is essentially an admission that they have been cheating the State out of property taxes.

For all of these reasons stated herein, the Protestants respectfully request that the ALJ deny the instant request for clarification.

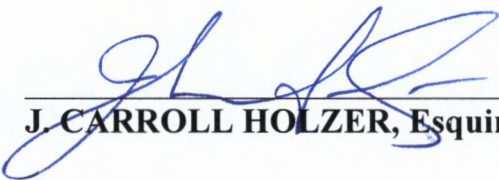
Respectfully Submitted,



J. CARROLL HOLZER, Esquire
Holzer & Lee
508 Fairmount Avenue
Towson, Maryland 21286
410-825-6961
Attorney for Protestants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 7th day of August, 2015, a copy of the foregoing Memorandum was hand-delivered, to Alan Betten, Esquire, Sagal, Filbert, Quasney & Betten, LLP, 600 Washington Avenue, Suite 300, Towson, Maryland 21204 and Peter Max Zimmerman, Esquire, People's Counsel for Baltimore County, The Jefferson Building, 105 West Chesapeake Avenue, Room 204, Towson, Maryland 21204.



J. CARROLL HOLZER, Esquire



KEVIN KAMENETZ
County Executive

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

July 27, 2015

Alan Betten, Esq.
Sagal, Filbert, Quasney & Betten, P.A.
600 Washington Avenue, Suite 300
Towson, Maryland 21204

J. Carroll Holzer, Esq.
508 Fairmount Avenue
Towson, Maryland 21286

RE: Petition for Special Hearing
Case No. 2015-0223-SPH
Property: 14 Aigburth Road

Gentlemen:

I am in receipt of Mr. Betten's July 24, 2015 request for clarification, as well as an e-mail dated July 27, 2015 from Mr. Holzer's office.

Mr. Betten's correspondence will be considered a Motion for Reconsideration, which under the Rules stays the time in which an appeal must be filed. Mr. Holzer will file a response on or before August 10, 2015, and I will rule on the Motion within the 30 day time frame provided under the Rules.

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

LAW OFFICES

**SAGAL, FILBERT,
QUASNEY & BETTEN, P.A.**

600 WASHINGTON AVENUE, SUITE 300
TOWSON, MARYLAND 21204

Telephone: 410-823-1881

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STUART L. SAGAL
ALVIN J. FILBERT, JR.
DANIEL W. QUASNEY
ALAN BETTEN
LETECIA ROLLINS
RICK M. GRAMS*
CHERYL L. MATTHEWS
MINDY MEZ SALER

*Admitted in MD and PA

OF COUNSEL

KIMBERLY A. MANUELIDES
STANLEY L. MORSTEIN

HOWARD CASSIN
(1951 - 2005)

July 24, 2015

The Honorable John E. Beverungen
Administrative Law Judge, Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, MD 21204

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JUL 23 2015

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OFFICE OF ADMINISTRATIVE HEARINGS

JUL 24 2015

OFFICE OF ADMINISTRATIVE HEARINGS

RE: Request for Clarification
Petition for Special Hearing
Case No. 2015-0223-SPH
Property: 14 Aigburth Road (the "Property")

Dear Judge Beverungen:

We write to ask for clarification of your Order dated June 26, 2015, which denied Petitioner's request that the use of the Property be confirmed as a residential parsonage with an accessory use for religious worship and religious education. Although your Order and Opinion was clear as to what the Property is not, there remains uncertainty as to what the Property is. As such, we ask that you clarify that the Property is being used neither as a House of Worship/Religious Institution nor as a Community Building; rather, it is being used as the residence of Rabbi and Mrs. Rivkin and their four children. As discussed below, such a clarification would avoid the necessity of having the very same hearing on the open citation that is pending with the County.

As you know, this matter arose as a result of a dispute between the County Code Inspections and Enforcement Division and Rabbi Mendy Rivkin concerning the Rabbi and his family's use of the Property. The dispute arose after Rabbi and Mrs. Rivkin had resided together with their children continuously at the Property for seven years. Upon Rabbi and Mrs. Rivkin's decision to seek the County's approval of expansion plans for their home, a County Zoning and Code Enforcement officer issued a use citation (the "Citation"), without ever stepping foot in the home or interviewing Rabbi Rivkin or his wife, on the grounds that the Property allegedly was being used as either a House of Worship or a Community Building. As a result of the Citation, the County strongly urged that Rabbi Rivkin submit the matter as a Petition for Special Hearing prior to its acceptance and consideration of the proposed building plans.

Accordingly, the Petition was filed primarily to clarify the use of the Property as being residential rather than a commercial, public or other type of use. After all of the evidence was

Letter
Page 2
July 23, 2015

presented at the two-day hearing before Your Honor, there can be no doubt that the Property is *not* being used as either a Religious House of Worship or as a Community Building. Indeed, the continued reference to the Property as a "home" and "single family dwelling," throughout your Opinion and Order, as well as your statements made during the course of the hearing that the Property was not being used as a House of Worship/Religious Institution or as a Community Building, make this clear. Moreover, one of the principal holdings of the Opinion and Order is that the Property does not meet the definition of a parsonage because there is no synagogue (i.e., Religious Institution/House of Worship) to which the building is appurtenant.

Unfortunately, the County refuses to accept or to process Rabbi Rivkin's building application while the Citation remains open. Moreover, notwithstanding Your Honor's Opinion and Order, as well as the abundant evidence now before it, the County refuses to withdraw the Citation. Petitioners could, of course, move forward with a hearing on the Citation. After proceeding on the Petition at the County's urging, however, it would be an incredible waste of time and resources to require the Rivkins, as well as the County, to now proceed on the Citation. To do so would require Rabbi Rivkin and his wife to repeat before another Administrative Law Judge virtually the exact same testimony about the private details of their life and their exercise of their religion within their home.

Accordingly, we respectfully request that Your Honor clarify the Opinion and Order to state additionally that, although the Property in your opinion does not qualify as a parsonage, it is being used as a residence, and not a House of Worship/Religious Institution or a Community Building.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Alan Betten", is written over a horizontal line.

Alan Betten

Kimberly A. Manuelides

cc: J. Carroll Holzer, Esq.
Peter Zimmerman, Esq.
Brady Locher, Esq.

John E. Beverungen

From: Carroll Holzer <jcholzer38@gmail.com>
Sent: Monday, July 27, 2015 1:51 PM
To: John E. Beverungen
Subject: Alan Betten Motion for Reconsideration
Attachments: Betten letter_2015_07_27_00_17_03_856.pdf

Mr. Beverungen

We received in the mail a "Request for Clarification" in Case No. 2015-0223-SPH (14 Aigburth Rd.) from Alan Betten, attorney for the property owner. His letter is dated July 24, 2015 and is attached to this e-mail. Mr. Holzer is at the Outer Banks this week, but he called us today and we informed him about Mr. Betten's "Request for Clarification." Mr. Holzer is treating Mr. Betten's request as a motion for reconsideration, but he is unable to respond to this request by the property owner until he returns from vacation next Monday.

Therefore, Mr. Holzer respectfully requests that he be given until Monday, August 10, 2015 to respond to Mr. Betten's motion for reconsideration. I will be in the office this week and can forward any questions or other information to Mr. Holzer that you may have.

We are sending a copy of this e-mail to Mr. Betten.

Thanks for your attention and understanding,
Sterling Leese
Office of J. Carroll Holzer

Debra Wiley

From: John E. Beverungen
Sent: Thursday, August 06, 2015 3:41 PM
To: Sherry Nuffer; Debra Wiley
Subject: 2015-223-SPH- 14 Aigburth Road

The Petitioner filed a motion for reconsideration in this case and the community (attorney Holzer) filed a response. Do we still have the file? Hopefully it didn't get sent back to PAI, since I need to issue an order on this motion. Thanks, John.



6/26/15
IN RE: PETITION FOR SPECIAL HEARING *
(14 Aigburth Road)
9th Election District *
5th Council District *
Friends of Lubavitch Inc. *
Legal Owner *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2015-0223-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Friends of Lubavitch Inc., legal owner. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to confirm continued use of the subject property as a residential parsonage with an accessory use for religious worship and religious education.

Appearing at the public hearing in support of the requests was Rabbi Manachem Rivken and his wife Sheina. Alan Betten, Esq. represented the Petitioner. Several neighbors objected to the request, and the protestants were represented by J. Carroll Holzer, Esq. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were received from The Department of Planning (DOP) and the Bureau of Development Plans Review (DPR). While DPR noted a landscape plan was required, the DOP recommended denial of the petition. That agency believed the Petitioner was operating a "community building," which would require a special exception.

The subject property is 17,000 square feet and is improved with a single family dwelling constructed in 1952. The property is zoned DR 5.5. Rabbi Rivken and his wife moved to the

ORDER RECEIVED FOR FILING

Date 6-26-15

By [Signature]

property in 2008, and they propose to enlarge the home to accommodate their growing family and certain religious activities as noted below.

Several witnesses provided testimony in the case concerning the nature of the use and activities at the subject property. Rabbi Rivken lives at the home with his wife and four (4) children. The Rabbi and his wife also host at their home certain meetings or gatherings throughout the week, where they meet with primarily college-aged students to discuss Jewish social and educational issues. In addition, the Rabbi and his wife host a weekly Sabbath (Shabbat) dinner on Friday evening, which can be attended by 50 or more people. Rabbi Rivken testified that the property is not used as a synagogue or community building, and that he on Saturday morning walks 6+ miles each way to a synagogue on Pimlico Road to attend religious services.

The sole legal issue is whether the property is used as a "parsonage" with accessory religious uses. Based upon the available legal precedent, I do not believe the property at 14 Aigburth Road qualifies as a "parsonage," and the Petition for Special Hearing will therefore be denied. As a general matter, and as discussed in greater detail below, I believe the Petitioners have it backwards; i.e., a parsonage is in fact an adjunct or accessory structure near or on the same grounds as a church, synagogue or other house of worship. The fundamental problem here is that there is no synagogue to which the parsonage would be appurtenant. The term "parsonage" does not appear in the B.C.Z.R., although it has been defined in Maryland case law.

Petitioner submitted evidence establishing that the property at 14 Aigburth Road has been granted by the State of Maryland an exemption from real property taxes. See, Petitioner's Exhibit 7. Such an exemption is provided for by § 7-204 of the Maryland Tax-Property Code Annotated, which provides as follows:

Property that is owned by a religious group or organization is not subject to property tax if the property is actually used exclusively for:

ORDER RECEIVED FOR FILING

Date 6-26-15

2

By [Signature]

- (1) public religious worship;
- (2) a parsonage or convent; or
- (3) educational purposes.

The only potentially applicable portion of the statute would be subsection (2), given that the Rabbi and his wife testified that the property is not used exclusively for “educational” or “worship” purposes, which would exclude subsections (1) and (3) from consideration.

In East Coast Conference of Evangelical Covenant Church of America, Inc. v. Prince George’s County, 40 Md. App. 213 (1978), the Court of Special Appeals considered a case involving subsection (2) of the tax exemption statute, and I believe that precedent is dispositive of the issue in this case. The Court noted that there is “no dispute that the subject property is owned by a religious group or organization,” and that is also true in the present matter. Id. at 215. The question “is whether the subject property is a parsonage as used in [§ 7-204(2)].” Id.

After reviewing several definitions provided in well-known dictionaries, the Evangelical Covenant court noted that a parsonage is “in general, a house supplied to a parish minister by the parish congregation or church.” Id. at 216. The court noted that the “disputed point,” which is also the disputed issue in this matter, is “whether or not there must be an existing local church or congregation, to which the parsonage is adjunct.” Id. at 216. Ultimately, the Court of Special Appeals concluded that the property in that case did not qualify as a parsonage, and in support of that conclusion held as follows:

To qualify as a parsonage there must be a minister with an identifiable parish and congregation and, of course, a building furnished to him by the church or congregation for his residence. The record clearly demonstrates that Reverend Njaa, although an ordained minister, accepted a “call” as a nucleus builder for the Washington, D.C. area, not as a traditional minister for an identifiable congregation.

ORDER RECEIVED FOR FILING

Date 6-26-15

By [Signature]

[The Court also noted that the Reverend in that case “did not hold regular services or serve a parish as such”. Id. at 219.] Id. at 218.

In my opinion, the facts in the present case are strikingly similar to those in Evangelical Covenant, and for that reason I do not believe the property at 14 Aigburth Road qualifies as a “parsonage.” While the property is owned by a religious organization, and Rabbi Rivken is clergy, there is missing from the equation a congregation or parish to which the parsonage would be adjunct. It is simply not sufficient that the home be owned by a religious organization and lived in by a clergy member and his family. Rabbi Rivken testified that he attends service on Saturday mornings at a synagogue on Pimlico Road, which is located 6+ miles from the subject property. No evidence was presented to establish that Rabbi Rivken is formally affiliated with or is in charge of that synagogue and congregation. In these circumstances, the property fails to qualify as a parsonage for the same reasons as those articulated by the Court of Special Appeals in Evangelical Covenant. See also, Ballard v. Balto. Co., 269 Md. 397, 406 (1973) (minister’s home qualifies for exemption only if it is a “parsonage for a house of public worship”).

THEREFORE, IT IS ORDERED this 26th day of **June, 2015** by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 to confirm continued use of the subject property as a residential parsonage with an accessory use for religious worship and religious education, be and is hereby DENIED.

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

JEB:dlw



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

ORDER RECEIVED FOR FILING

Date 6-26-15 4

By dlw



KEVIN KAMENETZ
County Executive

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

June 26, 2015

Alan Betten, Esq.
Sagal, Filbert, Quasney & Betten, P.A.
600 Washington Avenue, Suite 300
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 2015-0223-SPH
Property: 14 Aigburth Road

Dear Mr. Betten:

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 County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: J. Carroll Holzer, Esq., 508 Fairmount Avenue, Towson, Maryland 21286



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 #14 Aigburth Road which is presently zoned DR 5.5

Deed References: 27395-112 10 Digit Tax Account # 0922250090

Property Owner(s) Printed Name(s) Friends of Lubavitch, Inc.

(SELECT THE HEARING(S) BY MARKING ☒ 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

SEE ATTACHED

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

3. ☐ a **Variance** from Section(s)

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

City

State

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Alan Betten

Name- Type or Print

Sagal, Filbert, Quasney & Betten, P.A.

Signature

600 Washington Av St 300 Towson MD

Mailing Address

City

State

21204

410-823-1881

abetten@sagallaw.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Friends of Lubavitch, Inc Rabbi Manachem Rivkin, agent

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

#14 Aigburth Road

Towson

MD

Mailing Address

City

State

21286

646-295-3010

mendyriv@gmail.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

J Scott Dallas (J S Dallas, Inc)

Name - Type or Print

Signature

P O Box 26

Baldwin

MD

Mailing Address

City

State

21013

410-817-4600

jsdinc@aol.com

Zip Code

Telephone #

Email Address

CASE NUMBER

2015-0223-SPH

Filing Date

4/14/15

Do Not Schedule Dates:

Reviewer

AT

Attachment 1

Reason for Special Hearing:

Confirmation of continued use as a residential parsonage, with accessory use for religious worship and religious education.

Attachment 2

Code Enforcement & Inspection Citation, Case Nos. CC1500406

(a) BCBC – 113.4

Failure to obtain a Change of Occupancy permit to change the “use” of a residential dwelling.

(b) BCZR – 101, 102.1, 1B01.1.b.1, 1B01.2.c.1.a., 409.6.a.4.

Failure to cease the illegal House of Worship/Religious Institution without the benefit of meeting the RTA requirements, the parking requirements and the Non-Residential Principle Setback requirements.

(c) BCZR – 101, 102.1, 1B01.1.b.1., 1B01.1.c.6.

Failure to cease the illegal operation of a Community Building without the benefit of a Special Exception Hearing.

The Hearing scheduled for March 25, 2015 was stayed in consideration of Petitioner's submission of the instant Petition for Special Hearing.

J.S. DALLAS, INC.

Surveying & Engineering

P.O. Box 26
Baldwin, MD 21013
(410)817-4600
FAX (410)817-4602

ZONING DESCRIPTION OF # 14 AIGBURTH ROAD

BEGINNING at a point on the south side of Aigburth Road (50 feet wide), at the distance of 130.55 feet, more or less, west of the west side of Cedar Avenue (30 feet wide)

THENCE the following courses and distances: (1) South 20 degrees 00 minutes West 218.42 feet (2) North 71 degrees 08 minutes West 76.85 feet (3) North 19 degrees 11 minutes East 218.42 feet and (4) South 71 degrees 08 minutes east 80.00 feet to the place of beginning as recorded in deed Liber 27395 folio 112 etc., containing 17,122 square feet or 0.393 acres of land, more or less. Located in the 9th election district and 5th council district.



2015-0223-SPH

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: JUNE 2, 2015

Case Number: 2015-0223-SPH

Petitioner / Developer: ALAN BETTEN ~ J. SCOTT DALLAS ~
RABBI MANACHEM RIVKIN

Date of Hearing (Closing): JUNE 19, 2015

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

The sign(s) were posted on: MAY 29, 2015



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/17/2015

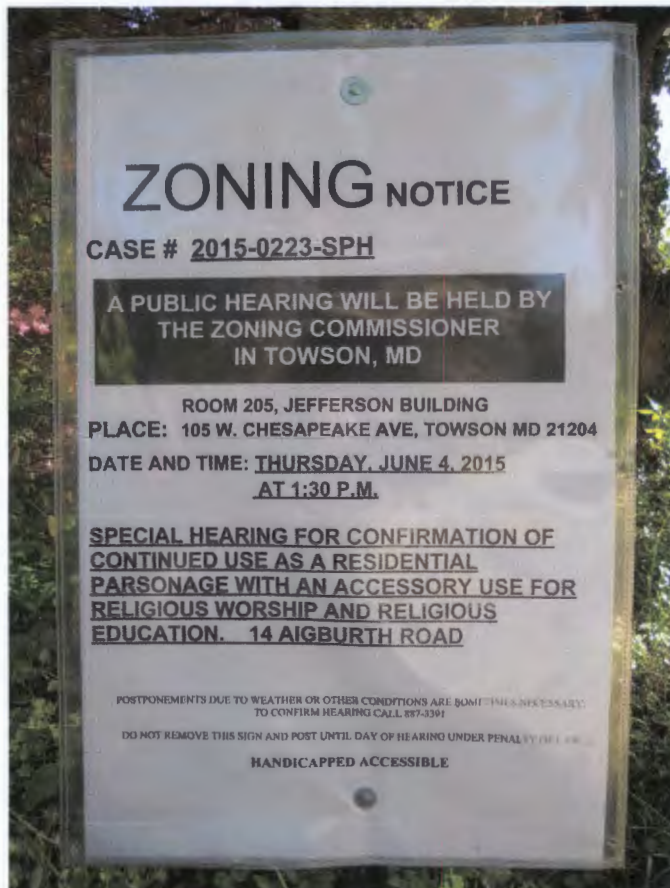
Case Number: 2015-0223-SPH

Petitioner / Developer: ALAN BETTEN ~ J.SCOTT DALLAS~
RABBI MANACHEM RIVKIN

Date of Hearing (Closing): JUNE 4, 2015

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

The sign(s) were posted on: MAY 14, 2015



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

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

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



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 3271622

Sold To:

Rabbi Manachem Rivkin - CU00442051
14 Aigburth Rd
Towson, MD 21286-1103

Bill To:

Rabbi Manachem Rivkin - CU00442051
14 Aigburth Rd
Towson, MD 21286-1103

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

May 14, 2015

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: # 2015-0223-SPH

14 Aigburth Road
S/s Aigburth Road, 130 ft. w/of centerline of Cedar Avenue

9th Election District - 5th Councilmanic District
Legal Owner(s) Friends of Lubavitch, Inc., Rabbi Manachem Rivkin

Special Hearing for confirmation of continued use as a residential parsonage with an accessory use for religious worship and religious education.

Hearing: Thursday, June 4, 2015 at 1:30 p.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.

5/121 May 14

3271622

No.

1,235,73

Date:

4/14/15

PAID RECEIPT

BUSINESS	ACTUAL	TIME	ERN
4/14/2015	4/14/2015	10:23:29	5

REF #505 WALKIN REOS LRD

RECEIPT # 791130 4/14/2015

5 SEA FILING VERIFICATION

LIB. NO. 123593

Recpt Tot \$110.00

\$570.00 CK \$1.00

Baltimore County, Maryland

Total:

~~5~~500

From:

For:

14 AIGBURTH RD

2015-0223-4PL

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

TO: DAILY RECORD
Thursday, May 14, 2015 Issue

Please forward billing to:
Rabbi Manachem Rivkin
14 Aigburth Road
Towson, MD 21286

646-295-3010

NOTICE OF ZONING HEARING

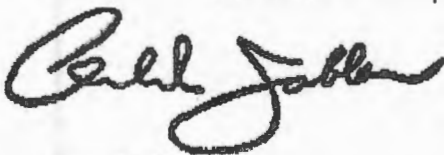
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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S/s Aigburth Road, 130 ft. w/of centerline of Cedar Avenue
9th Election District – 5th Councilmanic District
Legal Owners: Friends of Lubavitch, Inc., Rabbi Manachem Rivkin

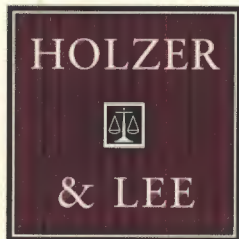
Special Hearing for confirmation of continued use as a residential parsonage with an accessory use for religious worship and religious education.

Hearing: Friday, June 19, 2015 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake A



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.



5/20/15
TO KL
OK

LAW OFFICES

J. CARROLL HOLZER, PA

J. HOWARD HOLZER

1907-1989

THOMAS J. LEE

OF COUNSEL

THE 508 BUILDING

508 FAIRMOUNT AVE.

TOWSON, MD 21286

(410) 825-6961

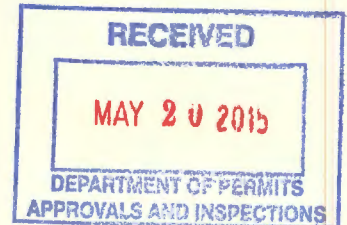
FAX: (410) 825-4923

~~XXXXXXXXXXXXXXXXXXXX~~

E-Mail: jcholzer38@gmail.com

May 18, 2015

#8114



VIA FAX 410-887-5708 & FIRST CLASS MAIL

Arnold Jablon, Esquire
Deputy Administrative Officer
Director, Department of Permits
Approvals & Inspection
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Case No: 2015-0223-SPH; 14 Aigburth Rd.
ALJ Hearing Date: Thursday, June 4, 2015; 1:30 pm

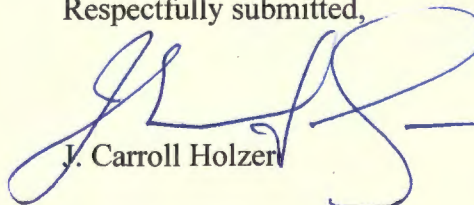
Dear Mr. Jablon:

Please be advised that I have been retained to represent Aigburth Manor Association of Towson, Inc., as well as several individuals in the above referenced matter for the hearing scheduled on June 4, 2015 before the ALJ. My clients are adjacent property owners and would be adversely impacted by this zoning request.

Unfortunately, on the same day, June 4, I have a continued hearing in The Matter of TTV Properties (also known as Volvo Dealership) before the Board of Appeals. I have enclosed a copy of the Board's Notice of Assignment. Therefore, I am hereby requesting a postponement of Case No. 2015-0223 SPH to a mutually convenient time for the ALJ and counsel.

I appreciate your attention and understanding.

Respectfully submitted,



J. Carroll Holzer

JCH:mlg
Attachment

cc: Lawrence Stahl, Esq.
Aigburth Manor Assn.
Alan Betten, Esq.



KEVIN KAMENETZ
County Executive

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

April 30, 2015

NOTICE OF ZONING HEARING

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

CASE NUMBER: 2015-0223-SPH

14 Aigburth Road

S/s Aigburth Road, 130 ft. w/of centerline of Cedar Avenue

9th Election District – 5th Councilmanic District

Legal Owners: Friends of Lubavitch, Inc., Rabbi Manachem Rivkin

Special Hearing for confirmation of continued use as a residential parsonage with an accessory use for religious worship and religious education.

Hearing: Thursday, June 4, 2015 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Alan Betten, 600 Washington Avenue, Ste. 300, Towson 21204

J. Scott Dallas, P.O. Box 26, Baldwin 21013

Rabbi Manachem Rivkin, 14 Aigburth Road, Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MAY 15, 2015.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 14, 2015 Issue - Jeffersonian

Please forward billing to:
Rabbi Manachem Rivkin
14 Aigburth Road
Towson, MD 21286

646-295-3010

NOTICE OF ZONING HEARING

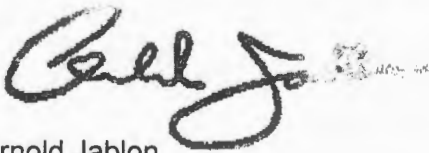
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2015-0223-SPH

14 Aigburth Road
S/s Aigburth Road, 130 ft. w/of centerline of Cedar Avenue
9th Election District – 5th Councilmanic District
Legal Owners: Friends of Lubavitch, Inc., Rabbi Manachem Rivkin

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Hearing: Thursday, June 4, 2015 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake A



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.

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/neighbor 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:

2015-0223 - SPH

Petitioner:

Friends of Lubavitch, Inc

Address or Location:

#14 Aigburth Rd. Towson

PLEASE FORWARD ADVERTISING BILL TO:

Name:

Rabbi Menachem Rivkin

Address:

#14 Aigburth Rd.

Towson, MD 21286

Telephone Number:

646-295-3010



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

May 12, 2015

NOTICE OF ASSIGNMENT

IN THE MATTER OF:

CBA-14-039
CBA-15-011

TTV Properties III, LLC
(aka Volvo Dealership)
10630 York Road
DRC# 042214A and DRC# 42214B
8th Election District; 3rd Councilmanic District

These matters, having been heard on April 30, 2015 and not concluded, have been

ASSIGNED FOR: THURSDAY, JUNE 4, 2015, AT 9:00 A.M. – Day 2

LOCATION:

Hearing Room #2, Second Floor, Suite 206
Jefferson Building, 105 W. Chesapeake Avenue, Towson

This matter has been assigned for hearing in accordance with § 32-4-281 of the *Baltimore County Code*.

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

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

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

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

**Krysundra "Sunny" Cannington
Administrator**

c: Counsel for Petitioner/Legal Owner
Petitioner/Legal Owner

: Lawrence E. Schmidt, Esquire
: TTV Properties, III, LLC

Counsel for Protestants
Protestants

: J. Carroll Holzer, Esquire
: Becky Gerber, Jim and Lisa McBean, John and Amy Spencer, Mitchell
and Nancy Williams, Mary Slafkosky, and Chris Bowman

Appellant

: People's Counsel for Baltimore County

Kevin Riley/Site Resources, Inc.
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Jan Cook, Development Manager/PAI
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law



KEVIN KAMENETZ
County Executive

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

June 10, 2015

Friends of Lubavich, Inc.
Rabbi Manachem Rivkin, Agent
14 Aigburth Road
Towson MD 21286

RE: Case Number: 2015-0223 SPH, Address: 14 Aigburth Road

Dear Rabbi Rivkin:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on April 14, 2015. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Alan Betten, Esquire, 600 Washington Avenue, Suite 300, Towson MD 21204
J Scott Dallas, (JS Dallas Inc.), P O Box 26, Baldwin MD 211013

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary

Date: 4/30/15

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

RE: Baltimore County
Item No 2015-0223-SPH
Special Hearing
Friends of Lubavitch, Inc.
Rabbi Menachem Rivkin
14 Aigbeuth Road

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2015-0223-SPH.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-545-5598 or 1-800-876-4742 (in Maryland only) extension 5598, or by email at (rzeller@sha.state.md.us).

Sincerely,

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

SDF/raz

6-19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 19, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

JUN 01 2015

SUBJECT: 14 Aigburth Road

OFFICE OF ADMINISTRATIVE HEARINGS

INFORMATION:

Item Number: 15-223

Petitioner: Friends of Lubavitch, Inc. Rabbi Manachem Rivkin

Zoning: DR 5.5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to determine whether or not the property should be approved for the continued use as a residential parsonage with accessory use for religious worship and religious education.

There are several open code violations against the property as indicated in Case # CC1500406. Particularly, the address has been cited by Baltimore County Code Enforcement for the illegal use of the property as a "community building" without the benefit of a special exception and for not providing the required residential transition area buffers. Upon a site visit and consideration of the site plan, the code violations and information available on-line at

http://www.chabad.org/centers/default_cdo/aid/704078/jewish/Chabad-Lubavitch-of-Towson.htm,

this Department agrees that the principal use of the property as a community building devoted to civic, social and educational activities (Jewish Community Center) and that the residential use on the property is ancillary. The property address is listed as being a Chabad House affiliated with Towson University.

So defined, the proposed use requires special exception approval pursuant to BCZR Section 1B01.1.C.4. The Department of Planning contends that the submitted site plan does not successfully address the conditions enumerated in BCZR Section 502.1. Further, by more than doubling the size of the structure while providing no additional parking or buffering, the Department determines that the proposed improvements are not planned in such a way that compliance with RTA use requirements, to the extent possible, will be maintained or that the special exception can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises.

It is for the reason cited above that the Department of Planning recommends denial of the petitioned zoning request.

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

Division Chief: Kathy S. Mahan

AVA/KS

cc: Laurie Hay

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For May 4, 2015
Item No. 2015-0223

DATE: May 6, 2015

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

A Landscape Plan is required respecting all required setbacks and RTA.

* * * * *

DAK: CEN
cc:file

ZAC-ITEM NO 15-0223-05042015.doc

MEMORANDUM

DATE: September 10, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2015-0223-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on September 9, 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

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
14 Aigburth Road; S/S of Aigburth Road,	*	
130' W of c/line of Cedar Avenue	*	OF ADMINSTRATIVE
9 th Election & 5 th Councilmanic Districts	*	
Legal Owner(s): Friends of Lubavitch, Inc	*	HEARINGS FOR
By Rabbi Manachem Rivkin, Agent	*	
Petitioner(s)	*	BALTIMORE COUNTY
	*	2015-223-SPH

* * * * *

ENTRY OF APPEARANCE

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

RECEIVED
MAY 04 2015

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 4th day of May, 2015, a copy of the foregoing Entry of Appearance was mailed to J. Scott Dallas, P.O. Box 26, Baldwin, MD 21013 and Alan Betten, Esquire, 600 Washington Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County

MEMO

From: Aaron Tsui, Planner II

May 29, 2015

To: Administrative Law Judge/File

Re: Proposed Residential Parsonage
Case no. 2015-0223-SPH
14 Aigburth Road, 9th Election District

Mr. Carl Richard, Zoning Office Supervisor, commented that the proposed use of the subject property now designated as a 'Residential Parsonage' is, de facto, a house of worship, or a community building. Other factors considered include:

The Code Enforcement Division has issued citation and correction notices pertinent to various County code violations, more specifically, to the illegal use of the subject property as a house of worship or community building. A printout of the violation notices attached for reference.

In numerous meetings with the Director of PAI and the Zoning Supervisor, the owner/petitioner failed to prove that the current and proposed use will remain as a single family dwelling use. In fact, the attachment to the petition form by the petitioner clearly indicated that the proposed use will be a residential parsonage with an accessory use for religious worship and religious education. A religious worship and education is a church use.

Section 101 of BCZR does not define religious worship, parsonage, or residential parsonage. Section 407.1 of BCZR refers churches, synagogues and other houses of worship as "church". A church or house of worship use in a DR zone is permitted by right subject to meeting the RTA (Residential Transition Area - BCZR -1B-1.1.B.1.g.4) and non-residential principal building setbacks (BCZR -1B1.2.C.1.a) regulations. A community building in the DR zone is permitted by Special Exception. A church or community building must also comply with the parking requirements per Section 409 of BCZR. The proposed use does not comply any of the RTA, non-residential building setbacks, and parking requirements.

The petitioner reasoned that the proposed use is a 'Residential Parsonage' which does not require variances for RTA, the non-residential building setbacks, the parking requirements, or a special exception for a community building. The Zoning Office disagrees. The Zoning Office always looks at the history of the violations and the intended use other than the designation of the property.

Further, a parsonage is a building, which is accessory to an existing parish property as a clergymen's residence or for congregation for its pastor's use. To wit, there is an absence of a principal use, a church or house of worship, on the subject property, for the proposed parsonage building to subordinate to and serve a principal use.

Aaron Tsui

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204



Code Enforcement 410-887-3351
Electrical Inspection 410-887-3960
Plumbing Inspection 410-887-3620
Building Inspection 410-887-3953

www.baltimorecountymd.gov/Agencies/permits/

CODE ENFORCEMENT & INSPECTION CITATION

FRIENDS OF LUBAVITCH INC
14 AIGBURTH RD
TOWSON, MD 21286-1103

CASE NUMBER CC1500406	PROP.TAX ID 0922250090
VIOLATION ADDRESS 14 AIGBURTH RD LOCH RAVEN, MD 21286	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
Other Violation(s)	BCBC - 113.4 Failure to obtain a Change of Occupancy permit to change the "use" of a residential dwelling. BCZR - 101, 102.1, 1B01.1.b.1., 1B01.2.c.1.a., 409.6.a.4. Failure to cease the illegal House of Worship/Religious Institution without the benefit of meeting the RTA requirements, the parking requirements and the Non Residential Principle Setback requirements. BCZR - 101, 102.1, 1B01.1.b.1., 1B01.1.c. 6. Failure to cease the illegal operation of a Community Building without the benefit of a Special Exception Hearing.

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty has been assessed, as a result of the violation(s) cited herein, in the amount indicated:

\$3000

A quasi-judicial hearing has been pre-scheduled in:
Jefferson Building, 105 W. Chesapeake Ave, Rm 205
Towson, Maryland, 21204

DATE: 03/25/2015 TIME: 09:00 A.M.

IF A VIOLATOR DOES NOT APPEAR AT THE CODE ENFORCEMENT HEARING, THE CITATION AND ANY CIVIL PENALTY ARE DEEMED A NON-APPEALABLE FINAL ORDER OF THE CODE OFFICIAL OR THE DIRECTOR.

I do solemnly declare and affirm, under the penalty of perjury, that the contents stated above are true and correct to the best of my knowledge, information, and belief.

Inspector Printed Name Kimberly Wood	Inspector Signature	Issued Date 03/02/2015
--	----------------------------	----------------------------------

2015-0223-SPH

Permits, Approvals, and Inspections
Code Inspections & Enforcement
County Office Building, Rm. 213
111 West Chesapeake Ave
Towson, Maryland 21204



Code Enforcement	410-887-3351
Electrical Inspection	410-887-3960
Plumbing Inspection	410-887-3620
Building Inspection	410-887-3953

www.baltimorecountymd.gov/Agencies/permits/

CODE ENFORCEMENT & INSPECTION CITATION

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

1. If unable to appear on the designated date, the violator may request in writing to the Code Official within fifteen (15) days from the date of this citation for a rescheduled hearing. If you require the assistance of an interpreter because you do not understand or speak the language in which the proceedings are being conducted you must ask for an interpreter within 72 hours of the court date.
2. At this hearing, you are entitled to be represented by an attorney, present witnesses, present evidence, and cross-examine any witnesses against you. An attorney can be helpful to you by (a) explaining the charges in this citation, (b) helping you at the hearing, and (c) helping you challenge the civil penalty, if found in violation.
3. If Administrative Law Judge finds that a violation has occurred, the Final Order may include (a) a civil penalty, (b) reasonable conditions as to time and manner of correction and (c) requirement to reimburse the County for any lien(s) or costs incurred to correct a violation.
4. (a) Civil penalty a lien.
 - (1) If a final order assesses a civil penalty or an order of the Board of Appeals affirms or modifies a final order that assesses a civil penalty and the violator does not pay the civil penalty within the time required by the order, the Code Official or the Director shall certify to the Director of Budget and Finance the amount owed.
 - (2) If a violator does not pay a civil penalty within the time required as specified in paragraph (1) of this subsection, the amount owed
 - (i) Become a lien on the property on which the violation existed and shall be collectible in the manner provided for the collection of real estate taxes; or
 - (ii) May be collected in the same manner as any civil money judgment or debt may be collected.
- (b) Code Official may procure performance. If a violator fails to comply with a final order or an order of the Board of Appeals, the Code Official or the Director may procure the performance of the work needed to correct the violation in accordance with the procedure authorized in 3-6-402 of this subtitle.
5. If you are the Owner of the property, failure to pay the assessed penalty shall constitute a lien on the property and shall be collectible in the same manner and to the same extent as real estate taxes. In addition, failure to correct the violation(s) shall result in appropriate judicial action for enforcement, including civil contempt, which could result in imprisonment.
6. Should the Violator disagree with the Final Order rendered by the Office of Administrative Law, an appeal may be taken to the Baltimore County Board of Appeals within fifteen (15) days of the date of the Order.
7. A filing fee of \$225.00 and a security in the amount of any civil penalty assessed in the Final Order must accompany the notice of appeal and petition. See Baltimore County Code: 3-6-302.
8. Inclement weather procedure: We follow the Baltimore County Circuit Court schedule. Should the Circuit Court be closed, all code enforcement hearings will be cancelled and rescheduled.
9. **If the violator wishes NOT to contest this citation, give up your right to a hearing and wish to pay the fine. Please remit the following: a copy of this citation, and a check or money order payable to: Baltimore County Office of Budget and Finance, 400 Washington Ave, Rm 150, Towson, MD 21204**

Permits, Approvals, and Inspections
 Code Inspections & Enforcement
 County Office Building, Rm. 213
 111 West Chesapeake Ave
 Towson, Maryland 21204
www.baltimorecountymd.gov/Agencies/permits/



Code Enforcement 410-887-3351
 Electrical Inspection 410-887-3960
 Plumbing Inspection 410-887-3620
 Building Inspection 410-887-3953

CODE ENFORCEMENT CORRECTION NOTICE

FRIENDS OF LUBAVITCH INC
 14 AIGBURTH RD
 TOWSON, MD 21286-1103

CASE NUMBER CC1500406	PROP.TAX ID 0922250090
VIOLATION ADDRESS 14 AIGBURTH RD LOCH RAVEN, MD 21286	

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY CODES AND/OR REGULATIONS:

County Codes/Regulations	Inspector's Comments
B.C.C. 13-7-310(a): Remove all trash & debris from property Other Violation(s)	Remove all junk, trash and debris from property. BCBC- 113.4 Obtain a Change of Occupancy permit for a change of "use" of residential dwelling. BCZR - 101, 102.1, 1B01.1.b.1., 1B01.2.c.1.a., 409.6.a.4. Cease the illegal House of Worship/Religious Institution without the benefit of meeting the RTA requirements, the parking requirements and the Non Residential Principle Setback requirements. BCZR - 101, 102.1, 1B01.1.b.1., 1B01.1.c.6. Cease the illegal operation of a Community Building without the benefit of a Special Exception Hearing. Remove all junk, trash and debris from property.
B.C.C. 13-7-312: Remove accumulations of debris, materials, etc B.C.Z.R 1B01.1D: Remove open dump/ junk yard	Remove all junk, trash and debris from property, including scrap wood, metal chairs, etc from under carport area.

Failure to comply with this correction notice, may result in a **\$200.00** fine/penalty per day, per violation pursuant to BCC: 1-2-217; 32-3-602 and/or the County sending a contractor to correct the violation(s) at your expense. Call the inspector for more information and details.

COMPLIANCE DATE: 02/26/2015	INSPECTOR NAME: Kimberly Wood
	ISSUED DATE: 01/29/2015

IMPORTANT INFORMATION TO THE PERSON'S CHARGED

- It is important that you read this document carefully, as it charges you with the commission of a crime.
- If you fail to correct the violations noted by the date dictated, a citation may be issued, and a trial scheduled at which you may be penalized by a fine, imprisonment, or both.
- If the County is required to bring your property into compliance, all costs and fines shall become a lien and shall be collectible in the manner provided for collection of real estate taxes; or may be collected in the same manner as any civil money judgment or debt collected.
- A lawyer can give important assistance to you:
 - on how to correct the violation(s) in order to avoid trial or
 - at trial, if you failed to correct the violation(s) noted. Assistance may be provided to determine whether there are any defenses to the charges against you or any circumstances helpful to you that should be brought to the trial. A lawyer can help you by developing and presenting information, which could effect how you correct the violation(s).
- A conviction for each violation will subject you to potential fines of \$200, \$500, \$1000 per day per violation, depending on the violation, or 90 days in jail, or both Baltimore County Code section 1-2-217 and 32-3-602.
- It is your responsibility to obtain any required permit(s) to correct the cited violation(s). All repairs must be in accordance with applicable laws, Code of Baltimore County Regulations, and standards.
- Upon correction of these violation(s), contact the inspector for re-inspection. If you have any questions contact the inspector promptly.

2015-0223-SPH

Debra Wiley

From: Debra Wiley
Sent: Monday, June 29, 2015 3:04 PM
To: Janice M Kemp
Cc: Lionel Van Dommelen
Subject: Web Posting - Case 2015-0223-SPH
Attachments: 2015-0223-SPH.docx

Hi Janice,

Please post the following:

2015-0223-SPH
Hearing: 6/19/15; Order: 6/26/15

By copy of this email to Lionel, am advising that this case file was marked -- code enforcement violations (Citation) CC1500406 -- 3/2/15 & (Correction) same CC #, 1/29/15; see attached Order.

Thanks.

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Debra Wiley

From: Debra Wiley
Sent: Tuesday, June 23, 2015 9:36 AM
To: 'jcholzer38@gmail.com'; 'ABETTEN@SAGALLAW.COM'
Subject: Continuance of Case No. 2015-0223-SPH - 14 Aigburth Rd.

Good Morning,

This is to confirm that the above case, which was held on Friday, June 19, 2015, has been scheduled for a second day on Thursday, June 25th @ 10 AM, Room 205, in the Jefferson Building, 105 W. Chesapeake Ave., Towson.

Please mark your calendars accordingly.

Thank you.

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

Debra Wiley

From: John E. Beverungen
Sent: Tuesday, June 23, 2015 9:05 AM
To: Debra Wiley
Subject: Re: Continuation of case from Friday (Case No. 2015-0223-SPH)

Deb, that's probably a good idea to do that. I will be in by about 11 today. Thanks, john

From: Debra Wiley
Sent: Monday, June 22, 2015 10:08 AM
To: John E. Beverungen
Subject: Continuation of case from Friday (Case No. 2015-0223-SPH)

John,

Mr. Holzer called to confirm that he is available on June 25th at 10 AM. I contacted Kristen for room availability and you're set.

Do you need me to send out confirmation to counsel?

Debra Wiley
Baltimore County Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204
410-887-3868

JB 6-19-15
10 Am

Debra Wiley

From: Jason Vettori <jvettori@sgs-law.com>
Sent: Wednesday, June 17, 2015 9:03 AM
To: John E. Beverungen
Cc: Debra Wiley
Subject: Case No. 2015-0223-SPH
Attachments: 20150616_155947.pdf

Dear Administrative Law Judge Beverungen,

My name is Jason Vettori. I am writing in regards to the Petition for Zoning Relief in Case No. 2015-0223-SPH.

I live at 5 Maryland Avenue, Towson, MD 21286 with my wife and 2 children. I live in the vicinity of the property which is the subject of the request for zoning relief. As indicated in the attached exhibit, the subject property is outlined in blue and my property is highlighted in green. Unfortunately I am unable to attend the hearing on June 19, 2015. Please be so kind as to forward your written decision to my attention as I am interested in the outcome of this unique request for relief. Thank you.

Very truly yours
Jason Vettori

Mr. John Beverungen, Administrative Law Judge

Office of Administrative hearings

105 W. Chesapeake Ave., Ste. 103, Towson, MD 21204

Case # 2015-0223-SPH

Rabbi Rivkin who resides at 14 Aigburth Rd., Towson MD 21286, is requesting a large building as an addition.

We think that this proposed building would be out of place compared to the other set back residences on Aigburth Rd. The proposed building/addition is too large and much closer to the road than any other property nearby.

Rabbi Rivkin has not maintained his property well as far as lawn and yard care, often letting the grass and weeds become unsightly (grass and weeds up to 2 feet high) – again in comparison to a surrounding neighborhood where lawns are mowed regularly and bushes/trees trimmed. Unfortunately, Rabbi Rivkin (or those aligned with him) have purchased two other properties (rentals) on the road (12 Aigburth Rd. and 202 Aigburth Rd.) not keeping those yards up to the standards of the other neighboring properties. The neighborhood now has three eyesore properties owned by him or his sponsors.

Besides lawn care, Rabbi Rivkin's trash cans frequently spill over and the cans are w/out lids for trash collection. Sometimes the cans have tipped over before and after trash pick- up days. There have been multiple times when the emptied cans have not been returned to his house for days after the trash has been picked up. We remember last July when the trash cans stayed on the sidewalk for 9 days before they were returned to his house. Unfortunately, again, his two other rental properties also have overfilled trash cans w/out lids and the cans stay on the sidewalk for multiple days.

We request that you deny Rabbi Rivkin's request for a large building addition.

Respectfully Submitted, June 24, 2015

Jack and Judith Giacomo, 17 Aigburth Road, Towson, MD 21286

Donald D'Agati, MD and Diana D'Agati, MD

20 Aigburth Rd

Towson, MD 21286

13 June 2015

John Beverungen

Administrative Law Judge

Office of Administrative Hearings

105 W. Chesapeake Ave, Ste 103

Towson, MD 21204

Re: Position of Neighbor on Petition for Zoning Relief for 14 Aigburth Rd (Case # 2015-0223-SPH)

Dear Judge Beverungen,

Because we both will be at work during the time of the hearing of the above case, we would like to make our feelings known to you by letter.

We live four houses from 14 Aigburth and three houses from 202 Aigburth Road, between the two properties. We have lived in our house 19 years and raised our children here.

Since both # 14 and #202 have changed hands, we have noticed a clear deterioration in the way they have been maintained, and a large increase in the noise levels coming from #202. Re: noise, the previous owner, who was the first to rent that house (where he used to live) to others, was very concerned about the impact of tenants there on the neighbors, and chose them accordingly. I am not aware of anyone ever complaining in the years he owned it. The new owner has moved to different renters. The noise levels have been high enough that neighbors have complained and the owner or police have been called to intervene. We have heard the tenants walking past the house after 2 am, very loud, on several occasions.

Our neighborhood organization has striven to keep the neighborhood a place where families can raise children in a safe and pleasant environment, as it has been for almost a hundred years. This has meant trying to restrain unnecessary encroachment from commercial and Towson University-related projects. Putting a large building in front of an old home so that it almost reaches the curb (when all other homes on this street have significant set-backs) would further diminish the atmosphere of our neighborhood.

Parking has also been an issue as we are close to Towson University. Despite signs that limit parking on Aigburth Road to 30 minutes, students often park there illegally for extended periods. This will likely worsen if this new structure is built.

Towson has many buildings in its commercial districts. I think we all understand that organizations like the one Rabbi Rivkin represents are an important part of any university campus. We would like to see this organization move to a place which has appropriate zoning for the uses intended. This would be good for the university, good for the organization, and good for our neighborhood.

Sincerely,

Diane D'Agata
Deaf Dan

June 19, 2015

John Beverungen
Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204
jbeverungen@baltimorecountymd.gov

Position of Neighbor on Petition for Zoning Relief for 14 Aigburth Road (Case No. 2015-0223-SPH)

Mr. John Beverungen,

Thank you for your consideration of this most important matter.

My name is Wanda Coombs I reside at 76 Cedar Avenue Towson, Maryland 21286. My family and I have resided here in our custom built single family home since 2007. My home is currently being used as our principal residence. My home sits back off the road which is in line with the other properties in the community that sit back off the road as well. What is being proposed will not be in line with the existing setbacks and style of the other homes in this community. An addition as such to Rabbi Rivkin's parcel situated that close to the street will be a total eyesore.

I am personally asking you to please think hard and fair about your decision that will ultimately affect the lives and property values of all the existing home owners in this community. The long time residences of this community young and elderly work very hard at keeping their properties up and are very mindful and respectful of one another's property value, peace, tranquility and safety. I am unable to attend the hearing on the Petition for Zoning Relief and my position on the petition is to oppose Rabbi Rivkin's proposed project at 14 Aigburth Avenue Towson, Maryland 21286 for the following reasons:

- Loud noises resulting from parties with alcohol and profanity during the day and late at night that would last beyond midnight at 12 Aigburth Avenue and 14 Aigburth Avenue.
- The noise would disturb my family and prevent us from getting to sleep at night.
- The parties are held on the weekends quite often.
- The backyards of Rabbi Rivkins properties 12 and 14 Aigburth Avenue backs up to my house where my bedroom, 2 daughters who have separate bedrooms and granddaughter bedroom is on that side of my house.
- The 3 properties that Rabbi Rivkin presently own on Aigburth Avenue are always overgrown with grass and shrubs due to lack of yard maintenance/upkeep.
- Rabbi Rivkin has 2 houses which are multi-rental units located at 12 and 202 Aigburth Avenue and 1 home that his family resides in at 14 Aigburth Avenue. So, even if he doesn't feel like cutting the grass himself he could hire a lawn service for regular maintenance of his properties which he hasn't done either.
- Prior to him taking over ownership of these properties the upkeep was never a problem with Mr. Battista the previous owner.

- Ever since Rabbi Rivkin purchased these 3 properties his concern for the outside appearance and upkeep of his properties has proven to be of no importance to him.
- His lack of concern for keeping his properties up will eventually take its toll on the property value of all the surrounding neighbors' property.
- My greatest concern is if he cannot take care of what he has now what other issues will arise if he's allowed to move forward with this project that will drastically affect our community and property value as a whole with **MORE** parties, **MORE** people, **MORE** noise, **MORE** trash strewn over lawn, and **MORE** overgrown grass/ shrubs.
- Overall it's not fair to the existing neighbors as a whole to have to deal with these frustrations as is and if he's given this opportunity for expansion it's only going to get worse.

Wanda Coombs

John Beverungen
Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Ave., Suite 103
Towson, MD 21204

June 18, 2015

**RE: Position of Neighbor on Petition for Zoning Relief for 14 Aigburth Road
(Case No. 2015-0223-SPH)**

Dear Judge Beverungen:

I am Brenda Ames-Ledbetter, a 20 year resident at 9 Maryland Ave., Towson, MD 21286. I am active in my community association and love our neighborhood. I am unable to attend the hearing scheduled for June 19, but would like to submit this letter for your consideration.

My concerns regarding the Chabad property include the following:

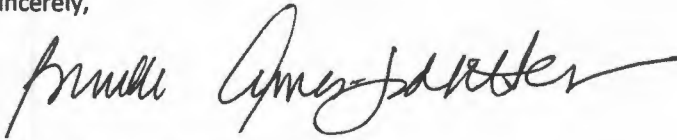
- While our neighborhood is diverse (townhomes, individual homes, large and small, a church, and a school) it retains a 'residential feel'. What Rabbi Rivkin is proposing for his property, which is now a house very similar in nature to the surrounding homes, will convert the property into a much more commercial use. Could this set a precedent for other property owners to convert their properties into larger, more commercial properties?
- While the Christian Scientist Church and school (THS) have parking lots to accommodate attendees, 14 Aigburth does not. How will guests be accommodated? How will large numbers of 'attenders' impact neighbors? Some will walk, many will not.
- Rabbi Rivkin and/or his employer own several properties on Aigburth Road: 202 Aigburth, 14 Aigburth, and 12 Aigburth. Under Rivkin's management, all of the properties have turned into eyesores at times: lawns aren't mowed, lots of items collecting in the yard, trees growing up in beds around the houses, houses not well maintained. We have concerns about the maintenance of yet another property.
- There seems to be some confusion about the real size and purpose of the proposed property. The Towson Times ran an article with a schematic drawing of the proposed building and did an interview with Rivkin. When the Community Association asked Rivkin for details about the article, concerned about what had been reported, he said the Towson Times article was incorrect. Given his history with the Community Association, we do have concerns about what the actual size and purpose of the building will be. Frankly, I feel he has been misleading in the past.
- Rabbi Rivkin has already installed electricity for the new addition, without permit and zoning approval. Will he abide by County regulations?
- He has stated the new addition will be, I believe, a 'residential parsonage'. What he is living in is a house, if he were to build something to accommodate worship services and religious meetings, that would be a worship center, not a parsonage. A parsonage is a residence for a cleric to reside in with his family. A worship center is just that – a building to gather groups of people for religious services and meetings. I believe he wants to build a worship center which will have multiple functions. Does he have space for his on his residential property?

- We live in close proximity to Towson University . Prior to Rabbi Rivkin taking over the management of his properties, in my 20 year experience in the community assoication, we never had a compliant about the renters or the maintenance of the properties. The Rabbi immediately had complaints regarding his tenants, mostly students. Will this new purposed property bring in more students, noise, trash, traffic, etc.
- At onr point the Rabbi said he would host religious holiday meals in the new property, perhaps for 60 or more people. As one neighbor stated, 'that is a venue, not a residence'. Again concerns about trash removal, late hours, and noise are concerns.

I do not believe the proposed use of the property fits with the current residential nature of the neighborhood.

Thank you again for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Brenda Ames-Ledbetter", with a long, sweeping horizontal stroke extending to the right.

Brenda Ames-Ledbetter
9 Maryland Ave.
Towson, MD 21286

June 16, 2015

The Honorable John Beverungen
Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

jbeverungen@baltimorecountymd.gov

Re: Position of Neighbor on Petition for Zoning Relief for 14 Aigburth Road (Case No. 2015-0223-SPH)

Dear Judge Beverungen:

My name is Amy Christopher, and my husband and two children and I live at 18 Maryland Avenue, Towson, MD 21286. We have called Aigburth Manor - our neighborhood - home for nearly seven years, and have made **significant capital improvements to our property**, including an addition of nearly 1,100 square feet, planting more than 25 native trees on our property, and landscaping the entire property. This is our forever home, and we have formed bonds with our neighbors that will last a lifetime.

When we first moved to the neighborhood, **I initiated an annual summer block party to build community engagement**, and **I petitioned our entire block to secure speed bumps and sidewalk installation**. Our neighborhood not only is home to many resident children, but serves as a pass-through neighborhood for thousands of Towson University and Towson High School students each day during the school year.

The bottom line is that my husband and I want **a safe, well-kept, highly engaged community, and we commit significant dollars and time to cultivate that environment**.

While I am unable to attend the hearing on the Petition for Zoning Relief, **I strongly urge you to take my concerns and those of my neighbors into consideration** as you review this petition. Your consideration is much appreciated.

We vehemently oppose the petition for zoning relief for Case No. 2015-0223-SPH due to the following reasons:

- Rabbi Rivkin has expressed - through his actions - no interest in maintaining his properties. He has ownership or other interest in three properties; 14 Aigburth, 12 Aigburth, and 202 Aigburth. These houses are **very regularly (more often than not, in fact) in significant disrepair**, with piles of **trash strewn about**, **unkempt lawns**, **far too many cars parked in driveways and on lawns**. These properties are **not only an eyesore to our community**, but also **send a signal to Towson University students** (of which there are many in our neighborhood

that our community association are constantly monitoring and keeping in check) **that this kind of misbehavior and neglect of property is acceptable. It is not.**

- Due to the fact that the property at 202 Aigburth is on my regular walking route, I am confronted with the reality of its poor upkeep at least once daily. It's despicable that what could be a stunning example of a historic home in our otherwise lovely, quiet neighborhood, has essentially been lowered to "frat house" status - **overrun with too many tenants, trash cans overflowing, random interior furniture on exterior surfaces, and overgrown weeds.** All of these symptoms are **an invitation for rats and rodents, and send a signal to potential buyers** in our neighborhood that this **may not be a safe, secure neighborhood where they want to live.**
- The property at 202 Aigburth is juxtaposed to a lovely cedar shake home where a Towson University Physics professor is an avid gardener. His property is lovingly cared for and maintained. Rabbi Rivkin's **neglect just next door is a tragedy that neither the professor nor the neighborhood deserves.**

Actions speak louder than words. I urge you to consider Rabbi Rivkin's actions (or lack thereof) as a strong indicator of future performance should he be allowed this zoning relief.

I thank you for your consideration, and I welcome your feedback or any questions you may have. I can be reached at 443-956-0660 or amy_christopher@verizon.net

Sincerely,



Amy Christopher
Homeowner at 18 Maryland Avenue
Towson Maryland 21286

###

John Beverungen
Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

Position of Neighbor on Petition for Zoning Relief for 14 Aigburth Road (Case No. 2015-0223-SPH)

Dear Judge Beverungen,

Thank you for your consideration of this most important matter. My name is Florence Newman. I live at 8 Maryland Avenue, one of the older homes on the street, with a set-back of about 24 feet. My husband and I have lived here for almost 20 years. Although I am unable to attend the hearing on the Petition for Zoning Relief, I would like to express my opposition to the petition. Mr. Rivkin has not been a conscientious homeowner and landlord of the properties he owns in the neighborhood. Not only does he regularly allow grass to become overgrown at 12, 14, and 202 Aigburth Road, but he has frequently allowed litter and rubbish to accumulate at 202 Aigburth, a property that he rents out to students. During the winter, no one—neither Mr. Rivkin nor his tenants—shovels the snow and ice from the sidewalk in front of that residence, although every other homeowner in the area obeys the law concerning shoveling snow from sidewalks adjacent to their properties. Walking on the ice- and snow-covered sidewalk has been virtually impossible during the prolonged cold spells of the last couple of winters, and students on their way to Towson High School have been forced out into Aigburth Road, which is dangerous for them and for drivers.

It is not in the best interest of the community to extend Mr. Rivkin's zoning rights, given how little responsibility and concern for his neighbors he has shown up to this point.

Sincerely,

Florence Newman

Florence Newman
8 Maryland Ave.
Towson, MD 21286

John Beverungen
Administrative Law Judge
Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Lawson, MD. 21204

Petition of Neighbor for Hearing Relief for 14 Aigburth Rd.
(Case No. 2015-0223-SPH)

Thank you for your consideration of this important matter.

My name is Lisa Kelly. I live at 74 Cedar Ave. I am unable to attend the hearing on the petition for Hearing Relief and my position on the petition is negative for the following reasons:

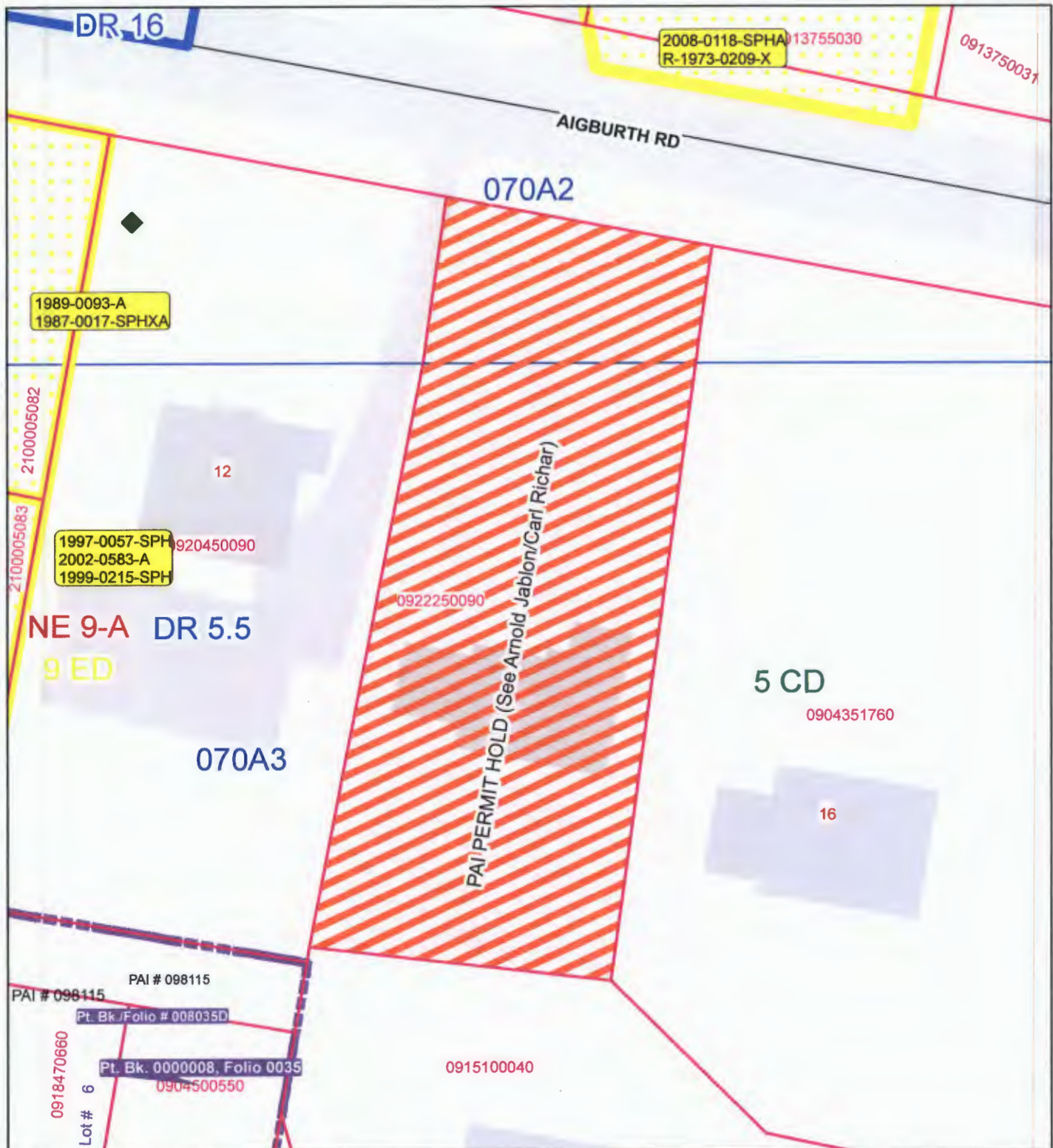
I have lived in Lawson since I was four years old and in my current home for nineteen years. Four children have been raised and launched in the neighborhood of Aigburth Manor. We live in a quiet community. My property actually, almost touches 14 Aigburth in the rear. What concerns me the most about 14 Aigburth is the way in which it is maintained or I should say, not maintained. The sight is a blight on our neighborhood. My visiting adult children have also been awakened at early morning ~~or~~ hours by noise from said property. My neighborhood is one in which I take pride. These other properties affect mine.

Lisa Kelly

Guide to searching the database

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0922250090			
Owner Information					
Owner Name:		FRIENDS OF LUBAVITCH INC		Use:	EXEMPT NO
Mailing Address:		14 AIGBURTH RD TOWSON MD 21286-1103		Principal Residence:	Deed Reference:
					/27395/ 00112
Location & Structure Information					
Premises Address:		14 AIGBURTH RD 0-0000		Legal Description:	CHAR EX 14 AIGBURTH RD SS 210 W OF CEDAR AVE
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0070	0014	0431		0000	2014
Special Tax Areas:				Town: Ad Valorem: Tax Class:	NONE
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	Property Land Area
1952		2,294 SF		350 SF	17,004 SF
					County Use
					04
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
1 1/2	NO	STANDARD UNIT	BRICK	2 full	1 Carport
Value Information					
		Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2014 As of 07/01/2015	
Land:		112,200	96,000		
Improvements		224,200	212,300		
Total:		336,400	308,300	308,300	308,300
Preferential Land:		0			0
Transfer Information					
Seller: DOTT JACKSON Y		Date: 10/16/2008		Price: \$525,000	
Type: ARMS LENGTH IMPROVED		Deed1: /27395/ 00112		Deed2:	
Seller: DOTT JACKSON Y		Date: 03/31/2008		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /26829/ 00578		Deed2:	
Seller: DOTT ESTHER J		Date: 11/29/1990		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /08659/ 00764		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class	07/01/2014	07/01/2015	
County:		700	308,300.00	308,300.00	
State:		700	308,300.00	308,300.00	
Municipal:		700	0.00/0.00	0.00/0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

14 Aigburth Road



Publication Date: 4/13/2015



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 40 feet

2015-0223-SPH

14 Aigburth Road



Publication Date: 4/13/2015



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



1 inch = 40 feet

2015-0223-SPH

CASE NAME 14 Aigianth Rd.
CASE NUMBER 2015-223
DATE 6-25-15

[illegible]

14 Fitzburt Rd

2015-0223

6-23-15

6-23-15

E - MAIL

DAVID ZOLL	16 Aigborth	Towson Md 21286	Zollmedskye@yahoo.com
JUDITH GIACOMO	17 Aigborth Rd	" "	REDDSKYE@COMCAST.NET
many Carol Bruff	15 Hillside Ave	Towson MD 21286	c-bruff08@comcast.net
Paul Hartman	18 1/2 Cedar Ave	TOWSON 21286	paul@gtcca.org
Sally Molzner	18 AIGBORTH RD	TOWSON 21286	Sally@humanandfahd.com
Deven Leary	61 CEDAR AVE	Towson 21286	reddskye

CASE NAME 14 Aigunite Rd.
CASE NUMBER 2015-0223-SFH
DATE 6-19-15

PETITIONER'S SIGN-IN SHEET

[illegible]

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

6/19

10 AM

Case No.: 2015-0223-SPH

Exhibit Sheet

DW
6-26-15DW
9-10-15Petitioner/Developer

Protestants

No. 1	Deed = 9-29-2008	Floorplans - 4 pages
No. 2	Deed April 5, 2012	Balto. Sun story 6/21/15
No. 3	Deed May 21, 2013	Photo - Maples Senior Housing
No. 4	large photo of home	Photo - Church on Aigburth
No. 5	Aerial photo of neighborhood	Chart - property sizes
No. 6	Story - Beth Jacob school	Dictionary, p. 1645
No. 7	SDAT record - 14 Aigburth	BCZR - § 101.1
No. 8	SDAT record - 12 Aigburth	Dictionary, p. 368
No. 9	Web pages - Chabad of Towson	Photos provided by Mr. Zell
No. 10	Towson Times story 8-4-2014	
No. 11	Jewish Times story April 13, 2015	
No. 12	Balto. Sun story June 17, 2014	

Exhibits are rolled up in a cylindrical form

6/19/2015

Case No.: 2015-0223-SPH

Exhibit Sheet - Continued

Petitioner/Developer

Respondent

No. 13	Elevation - proposed dwelling	
No. 14	Drawings, plans for new expansion.	
No. 15	ZAC comment planning	
No. 16	Memo - Aaron Tsui May 29, 2015	
No. 17	Picture of current sign	
No. 18	Site plan	
No. 19		
No. 20		
No. 21		
No. 22		
No. 23		
No. 24		

0027395 112

Please Return To:
ESQUIRE TITLE COMPANY, INC.
10 E. BALTIMORE STREET, SUITE 901
BALTIMORE, MD 21202
Q08-3247

THIS DEED made this 29th day of **SEPTEMBER, 2008**, by and between **JACKSON Y. DOTT and KATHLEEN M. DOTT**, husband and wife, parties of the first part, hereinafter termed Grantors, and **FRIENDS OF LUBAVITCH, INC.**, party of the second part, hereinafter termed Grantee;

WITNESSETH:-

THAT in consideration of the sum of **FIVE HUNDRED TWENTY FIVE THOUSAND DOLLARS (\$525,000.00)** and other good and valuable considerations, the receipt of which is hereby acknowledged, the said **JACKSON Y. DOTT and KATHLEEN M. DOTT**, parties of the first part, do grant and convey unto the said **FRIENDS OF LUBAVITCH, INC.**, party of the second part, its successors and assigns, all that lot of ground and premises situate in **BALTIMORE COUNTY**, in the State of **MARYLAND** and described as follows:

BEGINNING for the same at a stone located on the southernmost side of Aigburth Avenue, at the beginning of the land which by deed dated December 4, 1928 and recorded among the Land Records of Baltimore County in Liber W.H.M. No. 661, folio 253, etc. was conveyed by Dora Thomas and husband to George W. Hyde; said point of beginning being distant 210.55 feet westerly from the southwest corner of Aigburth Avenue and Cedar Avenue; and running thence South 71 degrees 08 minutes east binding on the southernmost side of Aigburth Avenue, 80 feet; thence running for lines of division now made the two following courses and distances, viz: South 20 degrees no minutes West parallel with Cedar Avenue, 218.42 feet and North 71 degrees 08 minutes West, parallel with Aigburth Avenue, 76.85 feet to intersect the last line of description of the whole land conveyed as aforesaid by Dora Thomas and husband to George W. Hyde, and thence binding on said last mentioned line of description, North 19 degrees 11 minutes East 218.42 feet to the place of beginning. The improvements thereon being known as **NO. 14 AIGBURTH AVENUE; ALSO KNOWN AS NO. 14 AIGBURTH ROAD.**

BEING the same property which by Deed dated March 20, 2008 and recorded among the Land Records of Baltimore County in Liber SM No. 26829, folio 578, was granted and conveyed by **JACKSON Y. DOTT** unto **JACKSON Y. DOTT and KATHLEEN M. DOTT.**

TOGETHER WITH the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises unto the said **FRIENDS OF LUBAVITCH, INC.**, party of the second part, its successors and assigns, forever, **IN FEE SIMPLE.**

EXHIBIT

tabbies

1

Please Return To:
ESQUIRE TITLE COMPANY, INC.
 10 E. BALTIMORE STREET, SUITE 901
 BALTIMORE, MD 21202
 Q12-3700

THIS DEED made this ^{APRIL} 5TH day of ~~MARCH~~, 2012, by and between **ROBERT DAVID BATTISTA**, party of the first part, hereinafter termed Grantor, and **MENACHEM MENDEL RIVKIN**, party of the second part, hereinafter termed Grantee;

WITNESSETH:-

THAT in consideration of the sum of **THREE HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$375,000.00)** and other good and valuable considerations, the receipt of which is hereby acknowledged, the said **ROBERT DAVID BATTISTA**, party of the first part, does grant and convey unto the said **MENACHEM MENDEL RIVKIN**, party of the second part, his personal representatives, heirs, and assigns, all that lot of ground and premises situate in **BALTIMORE COUNTY**, in the State of **MARYLAND** and described as follows:

BEGINNING at an iron pipe on the south side of Aigburth Road, formerly known as Owens Avenue, at a distance of 512.5 feet measured in an easterly direction from the southeast corner of the York Road and Aigburth Road, said point of beginning being at the end of the Third Line of that parcel of land which by Deed dated September 27, 1897 recorded among the Land Records of Baltimore County, Maryland in Liber L.M.B. No. 227, at folio 167, was conveyed by the Maryland Real Estate Company to the heirs of Curtis E. Price and running thence binding along said Third Line reversely south 16 degrees 00 minutes west 225 feet to a stone, thence south 74 degrees 00 minutes east 100 feet to an iron pipe, thence north 16 degrees 00 minutes east 225 feet to a stone on the said south side of Aigburth Road, thence binding along the south side of Aigburth Road, north 74 degrees 00 minutes west 100 feet to the point of beginning, containing 22,500 square feet of land more, or less. The improvements thereon being known as **12 AIGBURTH ROAD**.

BEING the same property which by Deed dated October 15, 2004 and recorded among the Land Records of Baltimore County in Liber SM No. 21062, folio 248, was granted and conveyed by Eric William Dorn unto **ROBERT DAVID BATTISTA**.

TOGETHER WITH the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises unto the said **MENACHEM MENDEL RIVKIN**, party of the second part, his personal representatives, heirs and assigns, forever, **IN FEE SIMPLE**.

AND THE SAID Grantor hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; and will warrant specially the property hereby granted; and will execute such further assurances of the same as may be demanded.

EXHIBIT

tabbles

2

Please Return To:
ESQUIRE TITLE CO., INC.
 10 E. BALTIMORE STREET, SUITE 901
 BALTIMORE, MD 21202
 Q13-3897

THIS DEED made this 21ST day of May, 2013, by and between **ROBERT D. BATTISTA**, Trustee under that certain Battista Family Trust, dated September 28, 1990, party of the first part, hereinafter termed Grantor, and **SHEINA RIVKIN**, party of the second part, hereinafter termed Grantee;

WITNESSETH:-

THAT in consideration of the sum of **THREE HUNDRED THOUSAND DOLLARS (\$300,000.00)** and other good and valuable considerations, the receipt of which is hereby acknowledged, the said **ROBERT D. BATTISTA**, Trustee under that certain **Battista Family Trust, dated September 28, 1990**, party of the first part, does grant and convey unto the said **SHEINA RIVKIN**, party of the second part, her personal representatives, heirs, and assigns, all that lot of ground and premises situate in **BALTIMORE COUNTY**, in the State of **MARYLAND** and described as follows:

BEING KNOWN AND DESCRIBED AS Lot No. 1 and 1-A as laid out and shown indicated on the Plat entitled "LOT 1 & 1-A FINAL SUBDIVISION FOR THE LANDS OF ROBERT D. BATTISTA," which Plat is recorded among the Plat Records of Baltimore County in Liber E.H.K. Jr. No. 49, folio 128. The improvements thereon being known as **No. 202 AIGBURTH AVENUE**.

BEING the same property which by Deed dated August 11, 2003 and recorded among the Land Records of Baltimore County in Liber SM No. 19380, folio 0214, was granted and conveyed by **ROBERT D. BATTISTA** unto **ROBERT D. BATTISTA**, Trustee under that certain Battista Family Trust, dated September 28, 1990.

TOGETHER WITH the buildings thereupon, and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said described lot of ground and premises unto the said **SHEINA RIVKIN**, party of the second part, her personal representatives, heirs and assigns, forever, **IN FEE SIMPLE**.

AND THE SAID Grantor hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; and will warrant specially the property hereby granted; and will execute such further assurances of the same as may be demanded.

WITNESS the hand and seal of the said Grantor.

EXHIBIT

tabbles

3



Continuing a Legacy

**Day school thrives
in former Beth Jacob building**

By Melissa Apter

Photos by David Stuck

Children wearing crowns decorated with glitter rode their bicycles and scooters into the courtyard of their school on Park Heights Avenue and dashed inside for an icy treat and further Lag B'Omer celebrations.

Whether children would be seen at all in the large building that was once the home of Beth Jacob Congregation, a pillar of the local Jewish community, was uncertain just a few years ago. But through generous community support, including the donation of the building itself, the children's school, Cheder Chabad, has grown nearly three-fold.

Beth Jacob Congregation sprang to life in Upper Park Heights in 1938, according to "The American Synagogue: A Historical Dictionary and Sourcebook" by Kerry M. Olitzky, in response to the community's desire for a modern Orthodox synagogue in the neighborhood. The congregation was first housed in a building on Park Heights Avenue and Pinkney Road. The Manhattan Avenue property was purchased in 1940 and was used as the

EXHIBIT

tabbies

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Real Property Tax

[Logout](#)

Ownership and Address Information

Parcel ID: 09-22-250090
Tax Year: 2015
Owner Name: Friends Of Lubavitch Inc
Mailing Address: 14 Aigburth Rd, Towson, MD 21286
Parcel/Situs Address: 14 Aigburth Rd
District: 09
Property Class: 04 Residential
Semi-Annual Eligible: No
Miscellaneous:

Legal Description

CHAR EX
14 AIGBURTH RD SS

Assessment Information

Full Year: 0
Tax rate for Full Year: County \$1.10000, State \$0.11200 per \$100 of Assessed Value

Tax Receivable Amounts

Bill Date: 07/01/2014

	Billed Amount	Paid	Outstanding	First SA	Second SA
Taxes/Charges	611.65	611.65	.00	.00	.00
Fees	25.00	25.00	.00	.00	.00
Gross/Base	636.65	636.65	.00	.00	.00
Discount Applied	.00	.00	.00	.00	.00
New Discount	.00	.00	.00	.00	.00
Interest Applied	42.82	42.82	.00	.00	.00
New Interest	.00	.00	.00	.00	.00
Total	679.47	679.47	.00	.00	.00

Date to calculate interest amount owed (mm/dd/yyyy): 06/30/2015

[Recalculate](#)

If the recalculation process does not change the amount due, please contact the Office of Budget and Finance for further assistance at 410-887-2404

Payments Received

Payment	Payment Type	Interest/Discount Calculation Date	Amount Paid
Full	FY	04/21/2015	679.47

Detailed Breakdown of Receivable Amounts

Description	Amount	Tax Credits
County Tax	.00	
State Tax	.00	
Bay Res Fee	60.00	
Sewer Service	414.54	
Storm Water Remediation Fee	39.00	
Water Distribution	98.11	
Postage Tax Sale	25.00	
Total	636.65	

The receivable tax amounts reflect the application of the tax credits listed.

[Back](#)[Return To Search Menu](#)[Print Bill](#)[Print Page](#)

EXHIBIT

tabbles®

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Real Property Tax

[Logout](#)

Ownership and Address Information

Parcel ID: 09-20-450090
Tax Year: 2015
Owner Name: Rivkin Menachem Mendel
Mailing Address: 12 Aigburth Rd, Towson, MD 21286
Parcel/Situs Address: 12 Aigburth Rd
District: 09
Property Class: 04 Residential
Semi-Annual Eligible: No
Miscellaneous:

Legal Description

514 AC 95 AIGBURTH
12 AIGBURTH RD

Assessment Information

Full Year: 344,900
Tax rate for Full Year: County \$1.10000, State \$0.11200 per \$100 of Assessed Value

Tax Receivable Amounts

Bill Date: 07/01/2014

	Billed Amount	Paid	Outstanding	First SA	Second SA
Taxes/Charges	4,839.22	4,839.22	.00	.00	.00
Fees	.00	.00	.00	.00	.00
Gross/Base	4,839.22	4,839.22	.00	.00	.00
Discount Applied	(37.94)	(37.94)	.00	.00	.00
New Discount	.00	.00	.00	.00	.00
Interest Applied	.00	.00	.00	.00	.00
New Interest	.00	.00	.00	.00	.00
Total	4,801.28	4,801.28	.00	.00	.00

Date to calculate interest amount owed (mm/dd/yyyy): 06/30/2015

[Recalculate](#)

If the recalculation process does not change the amount due, please contact the Office of Budget and Finance for further assistance at 410-887-2404

Payments Received

Payment	Payment Type	Interest/Discount Calculation Date	Amount Paid
Full		07/21/2014	4,801.28

Detailed Breakdown of Receivable Amounts

Description	Amount	Tax Credits
County Tax	3,793.90	
State Tax	386.29	
Bay Res Fee	60.00	
Sewer Service	461.92	
Storm Water Remediation Fee	39.00	
Water Distribution	98.11	
Total	4,839.22	

The receivable tax amounts reflect the application of the tax credits listed.

[Back](#)[Return To Search Menu](#)[Print Bill](#)[Print Page](#)

EXHIBIT

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Printed from [chabad.org](http://www.chabad.org)

Chabad-Lubavitch of Towson

Towson, MD USA

Chabad-Lubavitch of Towson



14 Aigburth Road
Towson, MD 21286-1103 USA
Phone: 410-825-0779
Local Time: 2:45 PM (GMT -4)

Personnel »

- Rabbi Mendy Rivkin, Co-director
- Mrs. Sheiny Rivkin, Co-director

Services »

- | | | |
|---|----------------------------|------------------------------|
| Campus Chabad House | Synagogue | After School Programs |
| Bar/Bat Mitzvah Instruction | Holiday Awareness Programs | Communal Lectures |
| Mezuzah and Tefillin Checking | One-on-One Study | Hands-on Holiday Programming |
| Religious Instruction for P.S. Students | Anti-Cult & Missionary | Circumcision |
| Hospital Visitation | Prison Visitation | Hospital Chaplaincy |
| Military Chaplaincy | Prison Chaplaincy | Regular Classes |
| Seniors Visitation | Marriage Prep | Funeral Services |
| Food Package Distribution | Mezuzah Loans/Service | Shabbat/Holiday Hospitality |
| Adult Education | | |

College Campuses Served »

- **Towson University** - (On Site)
Towson, MD 21252 USA

Services Offered By Chabad »

- | | |
|---|---|
| <ul style="list-style-type: none"> • Shabbat and Holidays
Shabbat Student Dinners
Holiday Awareness Programs • Education
One-on-One Study
Israel Programming • Social
Regional Programming
Social Action / Chessed Projects | <p>Shabbat Hospitality</p> <p>Experiential Jewish Learning</p> <p>Kosher Cooking Club
Birthright Israel</p> |
|---|---|

- **Goucher College** - (On Site)
Baltimore, MD 21204 USA

EXHIBIT

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PHOTO BY STEVE RUARK, BALTIMORE SUN MEDIA GROUP

A menorah stands outside the Chabad of Towson at 14 Aigburth Road. A \$2 million expansion is planned for the house.

By Barbara Pash
Updated August 4, 2014

The Aigburth Manor Association of Towson recently formed a three-person committee to serve as the liaison with the Chabad of Towson, at 14 Aigburth Road, as it undergoes an expansion.

"We are moving ahead with the project. We are meeting with the builder and architect," said Rabbi Mendy Rivkin, the Towson Chabad rabbi since the facility, formerly called the Chabad Jewish Center at Towson and Goucher, opened in 2008.

Members of the committee are Paul Hartman, president of the Greater Towson Council of Community Associations and vice president of Aigburth Manor; and Devin Leary and David Zoll, Aigburth Manor members.

All are neighbors of Chabad and their goal, said Zoll, "is to keep apprised of the situation."

Said Leary, "We're waiting for the rabbi to come back with a proposal of what he is planning to do."

A June 17 Towson Times article about the expansion kicked off flurry of concern in the neighborhood, with some people saying they were unaware of the planned expansion.

Jt

BALTIMORE
Jewish Times

OPINION

NEWS

MEDIA

ARTS & LIFE

SPECIAL COVERAGE

COMMUNITY

INSIDER

MARKETPLACE

Breaking Ground

JUNE 5, 2014 - ז' סיון תשע"ד

BY LAUREN ROOT

On Sunday, June 1, the Chabad Jewish Student Center at Towson and Goucher celebrated the official groundbreaking for the organization's new building. The new location will allow the expansion of programs at a time when both Towson University's and Goucher College's Jewish student populations are growing, according to Rabbi Mendy and Sheiny Rivkin, who currently operate the center from their two-story home in Towson.

The Rivkins, who moved to the area in 2008 to offer a welcoming Jewish experience for college students, have always felt strongly about Jewish youth and the need to strengthen their Jewish ties.



GROUND BREAKING FOR THE NEW CHABAD STUDENT CENTER IS THE FIRST STEP IN A \$3 MILLION BUILDING THAT WILL INCLUDE A SYNAGOGUE AND GUEST SUITES. (PROVIDED)

"We want to give students the opportunity to explore, to figure out who they are, who they want to be," said

Mendy Rivkin, "It's their journey, and we're just here to support it."

BREAKING NEWS

STATES CHIEF JUDGE APPROVES

EXHIBIT

LETZER NEW

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Chabad Jewish Center in Towson to expand

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RENDERING COURTESY OF CHABAD CENTER

A preliminary rendering shows what the \$2M addition planned for Chabad of Towson, an outreach facility located at 14 Aigburth Road, might look like.

By Barbara Pash

Updated June 17, 2014

The Chabad Jewish Center at Towson and Goucher is expanding and getting a new name. The facility at 14 Aigburth Road will nearly triple its size. Its new name, Chabad of Towson, reflects the goal of the Chabad rabbi, Mendy Rivkin, to serve not only the students in those two universities but the growing Jewish community of Towson as well.

"We want to meet the demand that wants to reach us," said Rivkin, the Towson Chabad rabbi since the facility opened in 2008. Ground was broken for the new center June 1. "Now, our lack of space limits the programs we can offer. There is talk about building apartments in downtown Towson, and we need to grow to meet the needs" of anticipated Jewish residents."

The Chabad facility is part of Chabad-Lubavitch, an international Jewish outreach movement. The Towson facility is situated in a 2,200-square foot, two-story house that is set back on the lot. The addition will be built onto the front of the center, increasing its size from 3,500- to 6,000-square feet and two- to three-stories high, depending on the final architectural design.

Rivkin has talked to Baltimore County officials about the plan but is awaiting the final design before completing the permit process. He is hoping to start construction this summer and finish in one year. The addition is budgeted at \$2 million, to be funded by the national Chabad organization and local Jewish donors.

The existing Chabad facility is used for programs and as the Rivkin family's home. "With the addition, we will use it as our residence and do all the programming in the new space," he said.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 19, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 14 Aigburth Road

INFORMATION:

Item Number: 15-223

Petitioner: Friends of Lubavitch, Inc. Rabbi Manachem Rivkin

Zoning: DR 5.5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to determine whether or not the property should be approved for the continued use as a residential parsonage with accessory use for religious worship and religious education.

There are several open code violations against the property as indicated in Case # CC1500406. Particularly, the address has been cited by Baltimore County Code Enforcement for the illegal use of the property as a "community building" without the benefit of a special exception and for not providing the required residential transition area buffers. Upon a site visit and consideration of the site plan, the code violations and information available on-line at

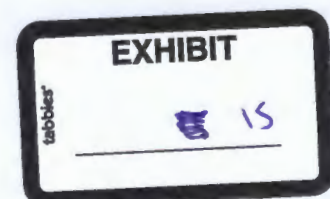
http://www.chabad.org/centers/default_cdo/aid/704078/jewish/Chabad-Lubavitch-of-Towson.htm,

this Department agrees that the principal use of the property as a community building devoted to civic, social and educational activities (Jewish Community Center) and that the residential use on the property is ancillary. The property address is listed as being a Chabad House affiliated with Towson University.

So defined, the proposed use requires special exception approval pursuant to BCZR Section 1B01.1.C.4. The Department of Planning contends that the submitted site plan does not successfully address the conditions enumerated in BCZR Section 502.1. Further, by more than doubling the size of the structure while providing no additional parking or buffering, the Department determines that the proposed improvements are not planned in such a way that compliance with RTA use requirements, to the extent possible, will be maintained or that the special exception can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises.

It is for the reason cited above that the Department of Planning recommends denial of the petitioned zoning request.

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



MEMO

From: Aaron Tsui, Planner II

May 29, 2015

To: Administrative Law Judge/File

Re: Proposed Residential Parsonage
Case no. 2015-0223-SPH
14 Aigburth Road, 9th Election District

Mr. Carl Richard, Zoning Office Supervisor, commented that the proposed use of the subject property now designated as a 'Residential Parsonage' is, de facto, a house of worship, or a community building. Other factors considered include:

The Code Enforcement Division has issued citation and correction notices pertinent to various County code violations, more specifically, to the illegal use of the subject property as a house of worship or community building. A printout of the violation notices attached for reference.

In numerous meetings with the Director of PAI and the Zoning Supervisor, the owner/petitioner failed to prove that the current and proposed use will remain as a single family dwelling use. In fact, the attachment to the petition form by the petitioner clearly indicated that the proposed use will be a residential parsonage with an accessory use for religious worship and religious education. A religious worship and education is a church use.

Section 101 of BCZR does not define religious worship, parsonage, or residential parsonage. Section 407.1 of BCZR refers churches, synagogues and other houses of worship as "church". A church or house of worship use in a DR zone is permitted by right subject to meeting the RTA (Residential Transition Area - BCZR -1B 1.1.B.1.g.4) and non-residential principal building setbacks (BCZR -1B1.2.C.1.a) regulations. A community building in the DR zone is permitted by Special Exception. A church or community building must also comply with the parking requirements per Section 409 of BCZR. The proposed use does not comply any of the RTA, non-residential building setbacks, and parking requirements.

The petitioner reasoned that the proposed use is a 'Residential Parsonage' which does not require variances for RTA, the non-residential building setbacks, the parking requirements, or a special exception for a community building. The Zoning Office disagrees. The Zoning Office always looks at the history of the violations and the intended use other than the designation of the property.

Further, a parsonage is a building, which is accessory to an existing parish property as a clergymen's residence or for congregation for its pastor's use. To wit, there is an absence of a principal use, a church or house of worship, on the subject property, for the proposed parsonage building to subordinate to and serve a principal use.



Aaron Tsui

The Daily Record

11 East Saratoga Street
Baltimore, MD 21202-2199
(443) 524-8100

<http://www.thedailyrecord.com>

Order #: 10773734

Case #:

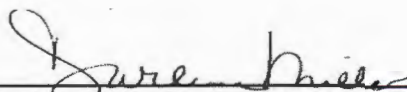
Description:

Case Number: 2015-0223-SPH - Notice of Zoning Hearing

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in **The Daily Record**, a daily newspaper published in the State of Maryland 1 times on the following dates:

6/1/2015



Darlene Miller, Public Notice Coordinator
(Representative Signature)

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 NUMBER: 2015-0223-SPH

14 Aigburth Road

S/s Aigburth Road, 130 ft. w/of centerline of Cedar Avenue

9th Election District - 5th Councilmanic District

Legal Owners: Friends of Lubavitch, Inc., Rabbi Manachem Rivkin

Special Hearing for confirmation of continued use as a residential parsonage with an accessory use for religious worship and religious education.

Hearing: Friday, June 19, 2015 at 1:30 p.m. in Room 205, Jefferson Building, 105 W. Chesapeake Avenue, Towson 21204

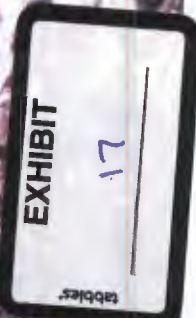
ARNOLD JABLON,
Director of Permits,

Approvals and Inspections for Baltimore County.

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL 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.

jel



6/19

10 AM

Case No.: 2015-0223 - SPH

Exhibit Sheet

Petitioner/Developer

PW
9-10-15
Protestants

No. 1	Deed = 9-29-2008	Floorplans - 4 pages
No. 2	Deed April 5, 2012	Balto. Sun story 6/21/15
No. 3	Deed May 21, 2013	Photo - Maples Senior Housing
No. 4	large photo of home	Photo - Church on Aigburth
No. 5	Aerial photo of neighborhood	Chart - property sizes
No. 6	Story - Beth Jacob school	Dictionary, p. 1645
No. 7	SDAT record - 14 Aigburth	BCZR - § 101.1
No. 8	SDAT record - 12 Aigburth	Dictionary, p. 368
No. 9	Web pages - Chabad of Towson	Photos provided by Mr. Zoll
No. 10	Towson Times story 8-4-2014	
No. 11	Jewish Times story April 13, 2015	
No. 12	Balto. Sun story June 17, 2014	

Exhibit is rolled up in a cylindrical form

Towson University expands; H neighbors feel growing pains^u

Influx of students offers benefits and challenges

By PAMELA WOOD
The Baltimore Sun

As Towson University celebrates its 150th anniversary, the former teachers college continues to grow, adding programs and students.

But that growth is sparking conflict in surrounding Baltimore County neighborhoods. Even as campus leaders fine-tune a campus master plan and determine where to house and teach students — including an extra 2,700 expected over the next 10 years — neighbors are complaining about problems with traffic, parking and rowdy students.

"As the university gets larger and larger, every year there are one or two or three issues that come up," said Jerry Truelove, who heads a university relations committee for Rodgers Forge, a



LLOYD FOX/BALTIMORE SUN

The student body at Towson University numbered 14,551 in 1994. Amid steady growth, enrollment is expected to be as high as 26,000 within 10 to 12 years.

neighborhood abutting the campus.

For many Towson residents, tension is heightened because the university's expansion comes at the same time Baltimore County is pushing redevelopment along Towson's York Road corridor, with hundreds of residential units, high-rise
See **TOWSON**, page 19



Photo 3



Plot #4

[Home](#) [Mail](#) [News](#) [Sports](#) [Finance](#) [Weather](#) [Games](#) [Groups](#) [Answers](#) [Screen](#) [lickr](#) [Mobile](#) [More](#)

Search Mail

Search Web

[Home](#)[David](#)

Compose

[Delete](#) [Move](#) [Spam](#) [More](#)[Up](#) [Down](#) [Close](#)

Inbox (766)

Drafts (1)

Sent

Spam (111)

Trash (10)

Folders

Drafts

Notes

Sent Messages

Smart Views

Unread

Starred

People

Social

Shopping

Finance

> Recent

Sponsored

loanerr.com

Quick Cash Loans up to \$1000

Property sizes

[People](#)

Paul Hartman/GTCCA

Devin Leary, me, Mary Carol Bruff

Here is my homework. There are actually some houses close to 4,000 SF (hello, David!!!) so perhaps this isn't the best argument to use. The square footage does NOT include the basement, whether finished or not (see the note on the property tax records). I included the lot size in case we need it some day...

Above Grade Enclosed Area

Generally, for residential property, the enclosed area of the dwelling above ground level. The calculation excludes the area of the basement (if any) even if it is finished. For commercial property, this is usually the total area in square feet of the building(s) excluding parking structures and out-buildings.

Blocked Plug-in

14 Aigburth Road (Rivkin)
Above Grade Enclosed Area 2,294 SF
Property Land Area 17,004 SF

12 Aigburth Road (Rivkin 4-unit rental)
2,997 SF
22,500 SF

10 Aigburth Road (Reynoso)
2,136 SF
10,436 SF

8 Aigburth Road (Ball)
3,681 SF
14,482 SF

16 Aigburth Road (Zoll)
3,899 SF
33,201 SF

18 Aigburth Road (Malena)
2,415 SF
24,001 SF

9 Aigburth Road (Geiffuss)
3,004 SF
27,810 SF

15 Aigburth Road (Geiffuss rental)
3,633 SF
28,900 SF

17 Aigburth Road (Giacomo)
2,661 SF
33,464 SF

19 Aigburth Road (Troupe)
2,780 SF

Prot 5

Prot. # 17

Baltimore County, MD
Thursday, June 4, 2015

ARTICLE 1. General Provisions

SECTION 101. Definitions

§ 101.1. Word usage; definitions.

[Bill No. 149-1987]

Words used in the present tense include the future; words in the singular number include the plural number; the word "shall" is mandatory. For the purposes of these regulations, certain terms and words are defined below.

Any word or term not defined in this section shall have the ordinarily accepted definition as set forth in the most recent edition of Webster's Third New International Dictionary of the English Language, Unabridged.

ACCESSORY APARTMENT

A second living quarters within a principal single-family detached dwelling or within an accessory building situated on the same lot as the principal single-family detached dwelling and in compliance with Section 400, with dedicated bathing and cooking facilities, and located on owner-occupied property, subject to the following:

[Bill No. 49-2011]

- A. The owner may occupy either the principal dwelling or the accessory apartment;
- B. The occupant(s) of the accessory apartment and the occupant(s) of the principal single-family detached dwelling shall be immediate family, related as grandparents, parents, or parents' children by blood, marriage or adoption;
- C. The accessory apartment is provided without compensation; and
- D. The accessory apartment, whether located within the principal dwelling or in the accessory building, shall comply with all laws, regulations, and codes affecting residential occupancy.

ACCESSORY BUILDING

One which is subordinate and customarily incidental to and on the same lot with a main building. A trailer shall not be considered an accessory building. A structure connected to a principal building by a covered passageway or with one wall in common shall not be considered an accessory building.

ACCESSORY USE OR STRUCTURE

A use or structure which: (a) is customarily incident and subordinate to and serves a principal use or structure; (b) is subordinate in area, extent or purpose to the principal use or structure; (c) is located on the same lot as the principal use or structure served; and (d) contributes to the comfort, convenience or necessity of occupants, business or industry in the principal use or structure served; except that, where specifically provided in the applicable regulations, accessory off-street parking need not be located on the same lot. An accessory building, as defined above,















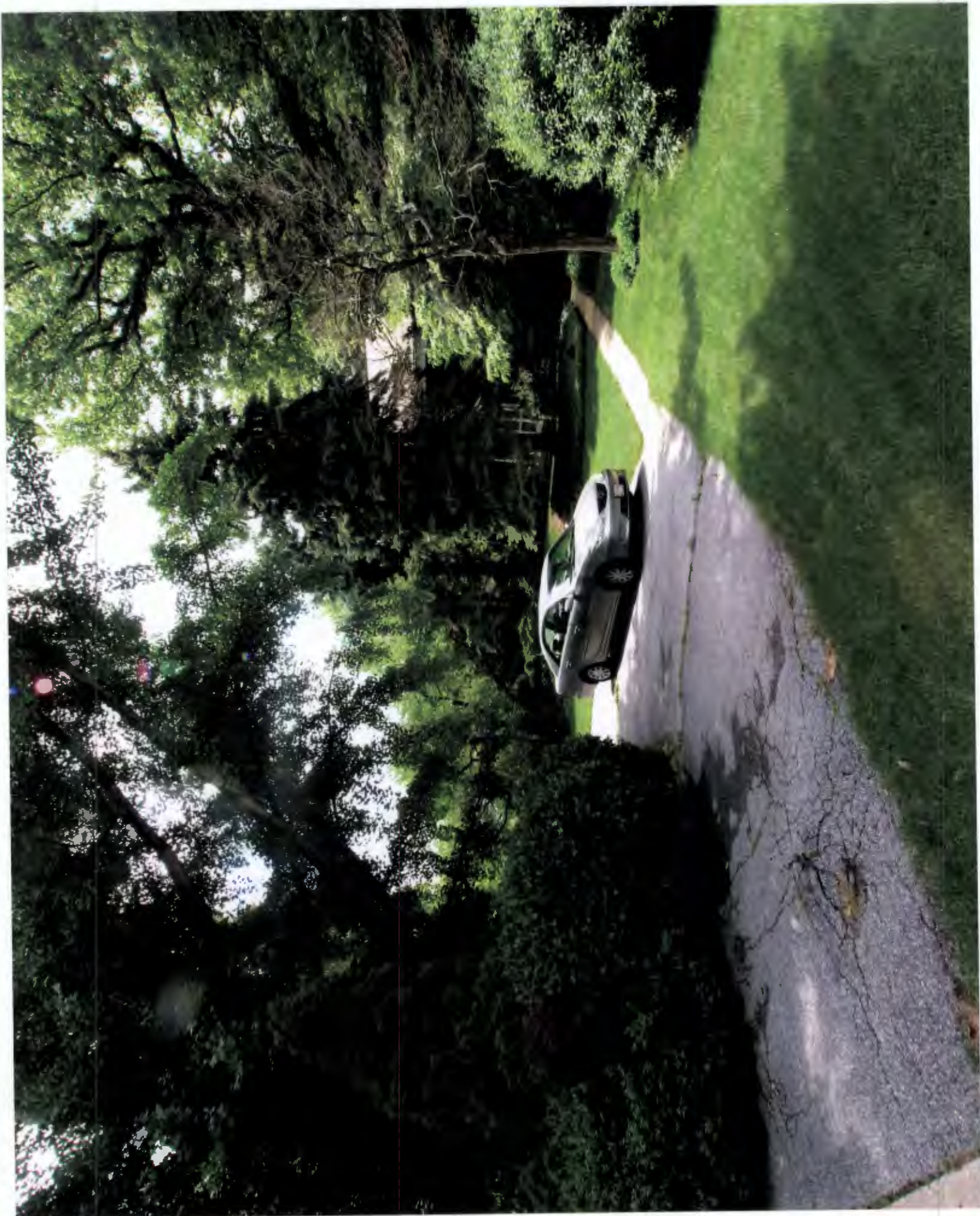
















FIRST FLOOR



BASMENT

TOP FLOOR



PROTESTANT'S
EXHIBIT NO. 1



GENERAL NOTES:

1. OWNER: FRIENDS OF LUBAVITCH INC.
C/O RABBI MENACHEM RIVKIN, AGENT
14580 WILSON RD
TOWSON, MD 21286
PHONE 646-235-3010

3. BUILDING AREAS:
EX DWG. 1420 Sq. Ft.
PROPOSED ADDITION 2804 Sq. Ft.
TOTAL 4024 Sq. Ft.

4. UTILITIES:
PUBLIC SEWER
PUBLIC WATER
PUBLIC STORM DRAIN

5. THE SITE LIES WITHIN ZONE "X" AS SHOWN
ON F.I.R.M. 2400100265F DATED SEPTEMBER 26, 2008.

6. EX. STRUCTURE = 25' HIGH
7. DEED REF.: SM 27395 / 112
8. TAX ACCOUNT: #0922250090
9. COUNCILMANIC DISTRICT: 5TH
10. CENSUS TRACT: 490800
11. WATERSHED: BACK RIVER
12. ZONING: DR 5.5
(PER BALT. CO. "MY NEIGHBORHOOD" WEBSITE)

13. TAX MAP: #0070, PARCEL 0431
14. NO KNOWN PREVIOUS ZONING CASES ON FILE.
15. NO KNOWN PERMITS ON FILE.

16. NO KNOWN PREVIOUS DRG MEETINGS
17. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY
CRITICAL AREA

18. THERE ARE NO HISTORIC FEATURES ON THE SITE NOR
IS THE SITE ITSELF HISTORIC.

19. P - DENOTES PROPOSED PORCH, STEPS OR WALK AREA

20. SITE AREA: 17,122 Sq. Ft. 0.393 Ac+-

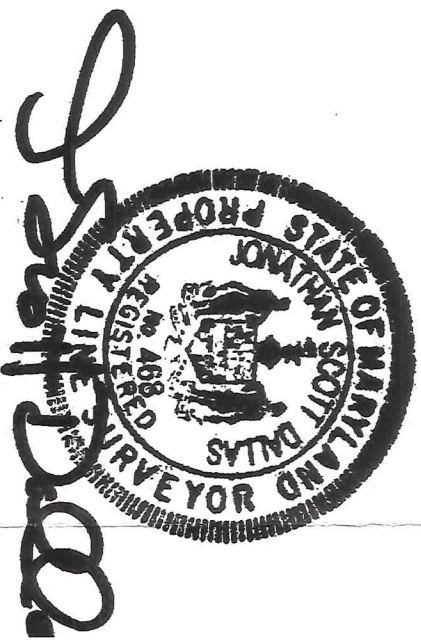
21. TOPOGRAPHY SHOWN HEREON PER
BALTO. CO. "MY NEIGHBORHOOD" WEBSITE

22. RESIDENTIAL PARSONAGE, WITH ACCESSORY
USE FOR RELIGIOUS WORSHIP AND RELIGIOUS
EDUCATION

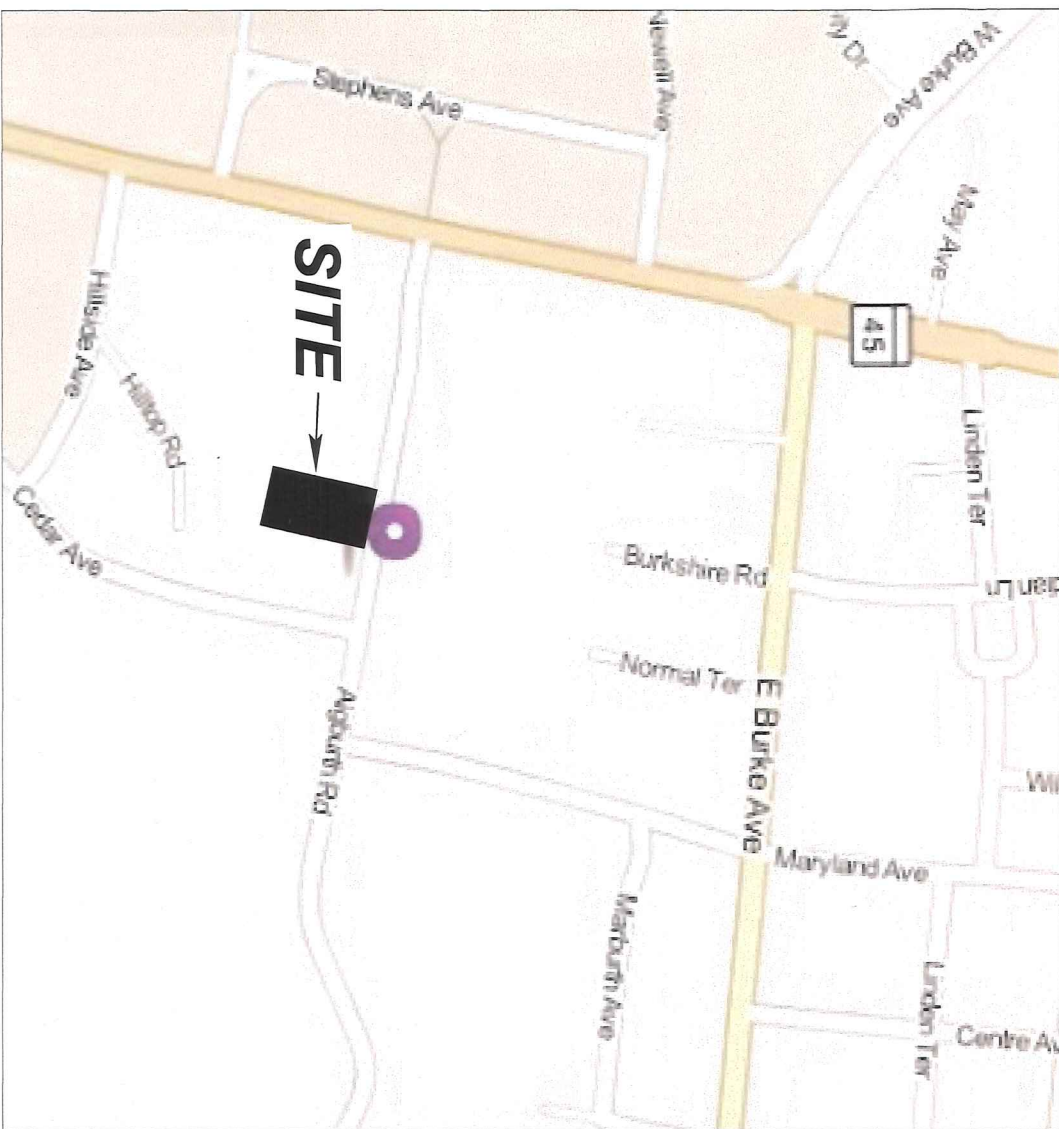
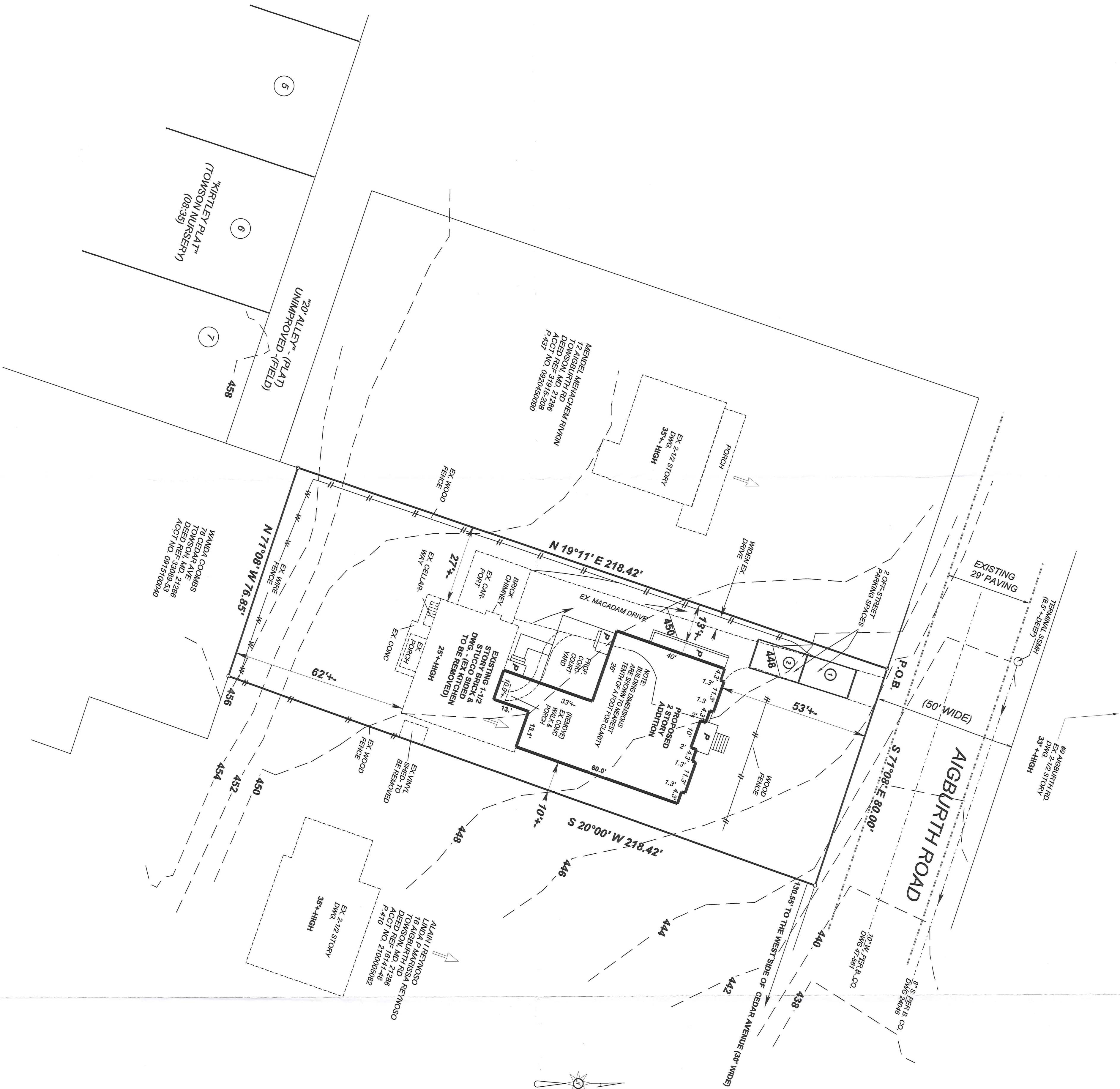
23. CONFIRMATION OF CONTINUED USE AS A
RESIDENTIAL PARSONAGE, WITH ACCESSORY
USE FOR RELIGIOUS WORSHIP AND RELIGIOUS
EDUCATION

24. HEIGHT OF PROPOSED ADDITION: 47 FEET HIGH +- PER BUILDING PLANS

J.S. DALLAS, INC.
SURVEYING & ENGINEERING
P.O. BOX 26
BALDWIN, MD 21013
(410) 817-4600



DATE: 04-09-2015



PLAN TO ACCOMPANY PETITION
FOR SPECIAL HEARING
#14 AIGBURTH ROAD

REASON FOR
SPECIAL HEARING:
CONFIRMATION OF CONTINUED USE AS A
RESIDENTIAL PARSONAGE, WITH ACCESSORY
USE FOR RELIGIOUS WORSHIP AND RELIGIOUS
EDUCATION

DEED REFERENCE
SM27395-112
MAP 0070 PARCEL 0431
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

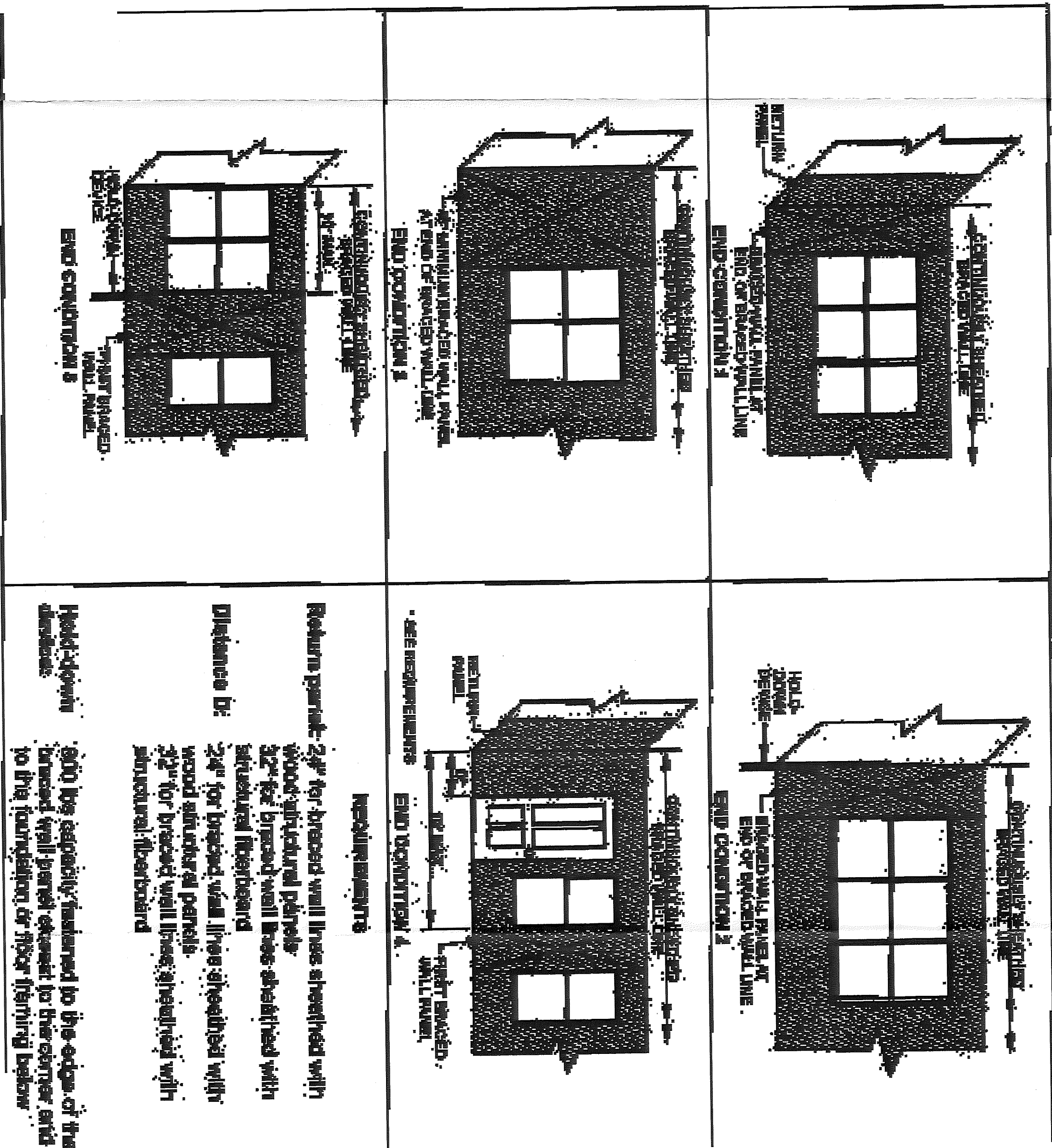
FILE NAME			
15-1522 TRV	DATE	DRAWN BY	
SCALE	4-9-2015	R.N.G.	
20 FvIn	REVISION	SHEET	
JOB	1/1	1/1	
AIGBURTH RD			

- LEGEND:**
- | | |
|--------|----------------------------------|
| CS-VSP | CONTINUOUS SHEATHING- MOOD |
| | STRUCTURAL PANEL (1.1E16H) |
| CS-PF | CONTINUOUS SHEATHED PORTAL FRAME |
| CS-6 | CONTINUOUS SHEATHING- GARAGE |
| | DOOR OPENINGS |
| GB | GYPSUM 2 SIDED |
| TD | THE DOWN DEVICE (1.1B5) |

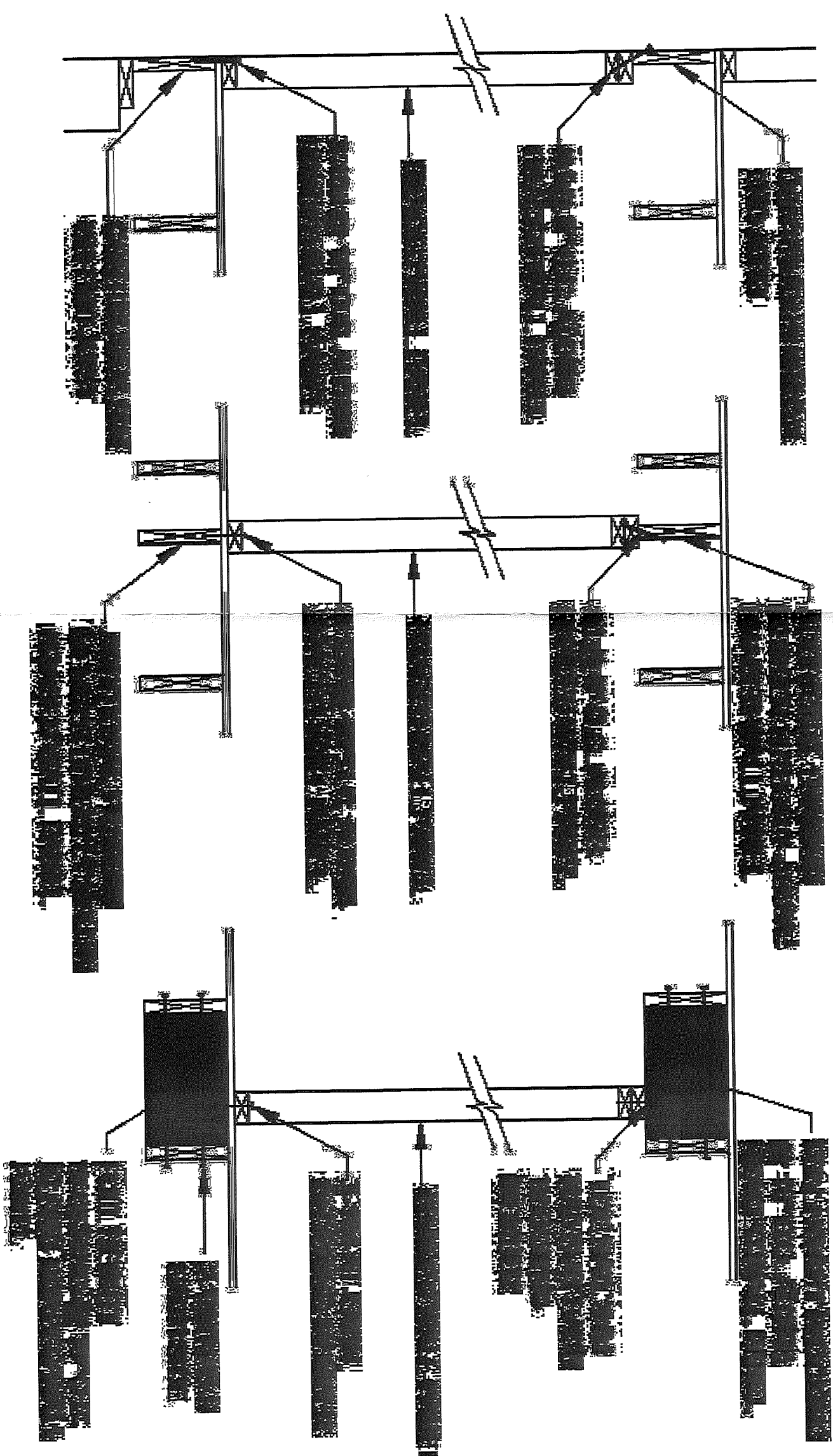
MALL BRACING DESIGN INFO:

LOCATION: _____ COUNTY, MARYLAND
SEISMIC CATEGORY, B
WIND SPEED, 40 MPH
METHOD 3 (WOOD SHEATHING)/ CONTINUOUS SHEATHING
METHOD 5 (GYPSUM BOARD)
*THESE DRAWINGS ARE LIMITED TO IRC WALL BRACING
RETROFITMENTS ONLY.

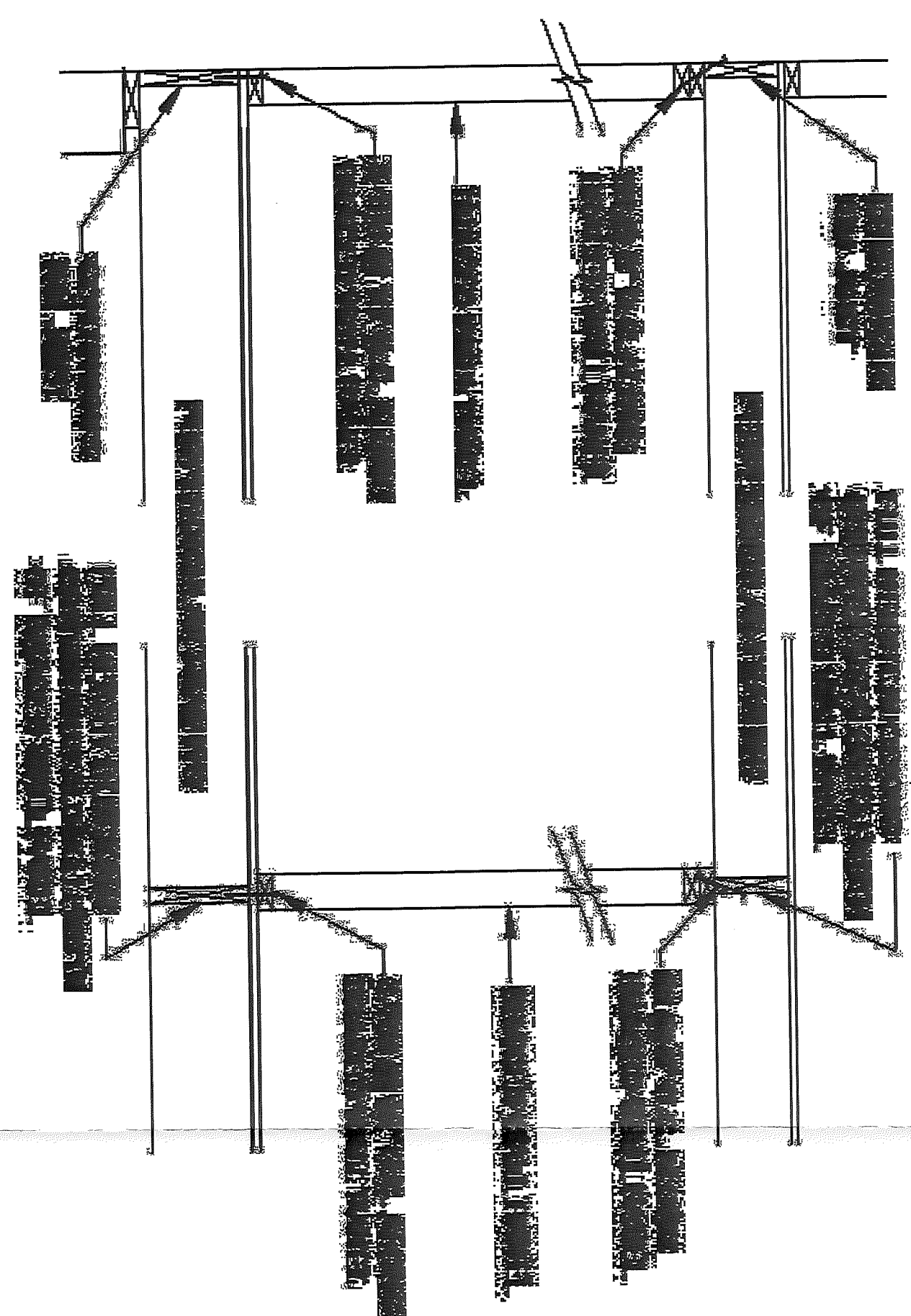
RE02.10.4 CONTINUOUS SHEATHING. BRACED WALL LINES WITH CONTINUOUS SHEATHING SHALL BE CONSTRUCTED IN ACCORDANCE WITH THIS SECTION. ALL BRACED WALL LINES ALONG EXTERIOR WALLS ON THE SAME STORY SHALL BE CONTINUOUSLY SHEATHED.



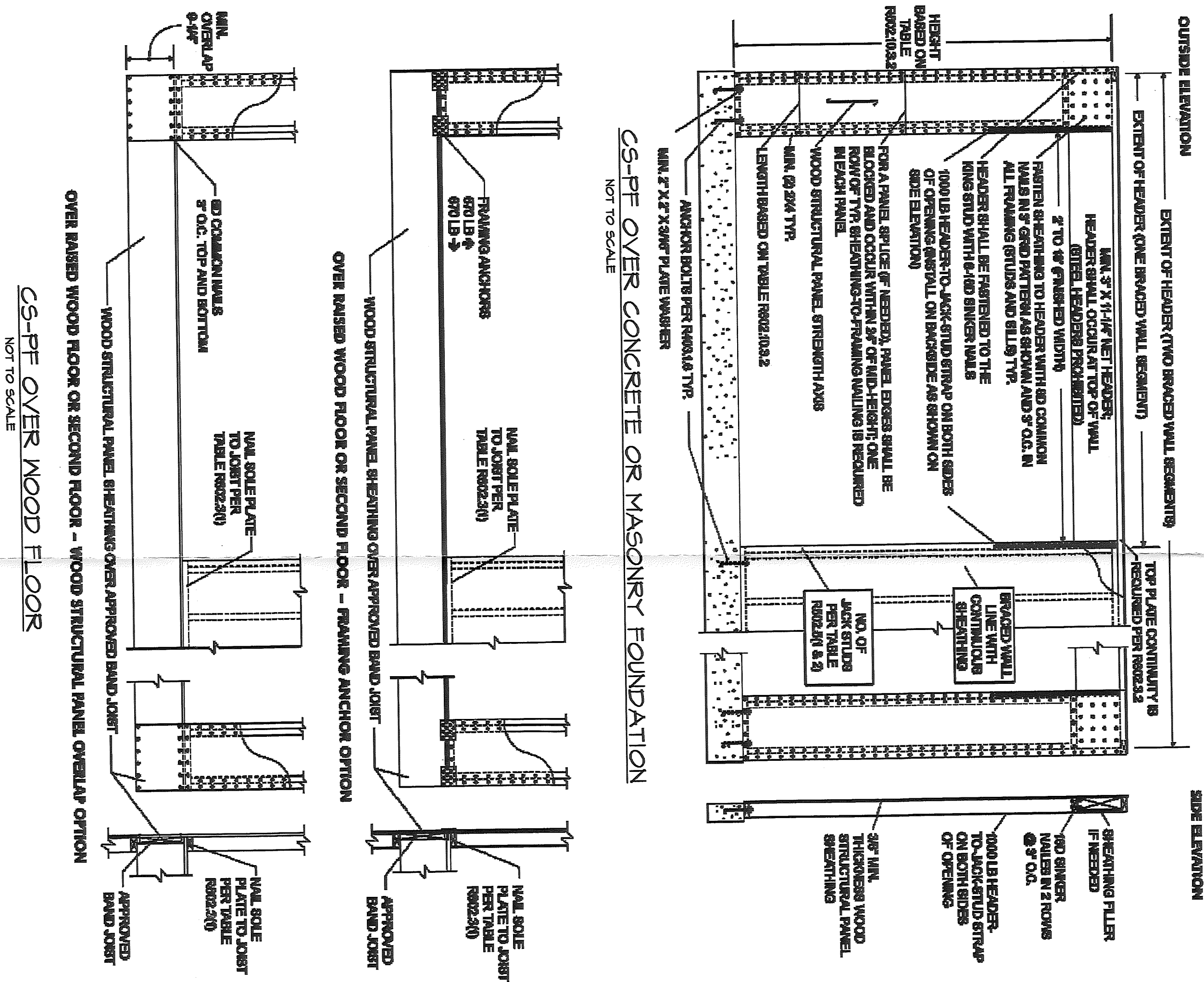
CORNER CONDITIONS



PARALLEL CONNECTIONS



PERPENDICULAR CONNECTIONS



CHABAD HOUSE ADDITION TO
14 ALBURTH ROAD

PROJECT ADDRESS:
14 ALGBURTH ROAD
TOWSON, MD 21286
BALTIMORE COUNTY, MD

REVISÉD 2/24/2015
REVISÉD 1/23/2015
REVISÉD 1/15/2015
REVISÉD 12/23/2014
REVISÉD 10/23/2014

FILE F. RIVKIN - CHABAD HOUSE

SCALE: $1/4" = 1'-0"$
DATE: 10/20/14
SHEET NO.: 11 OF 11

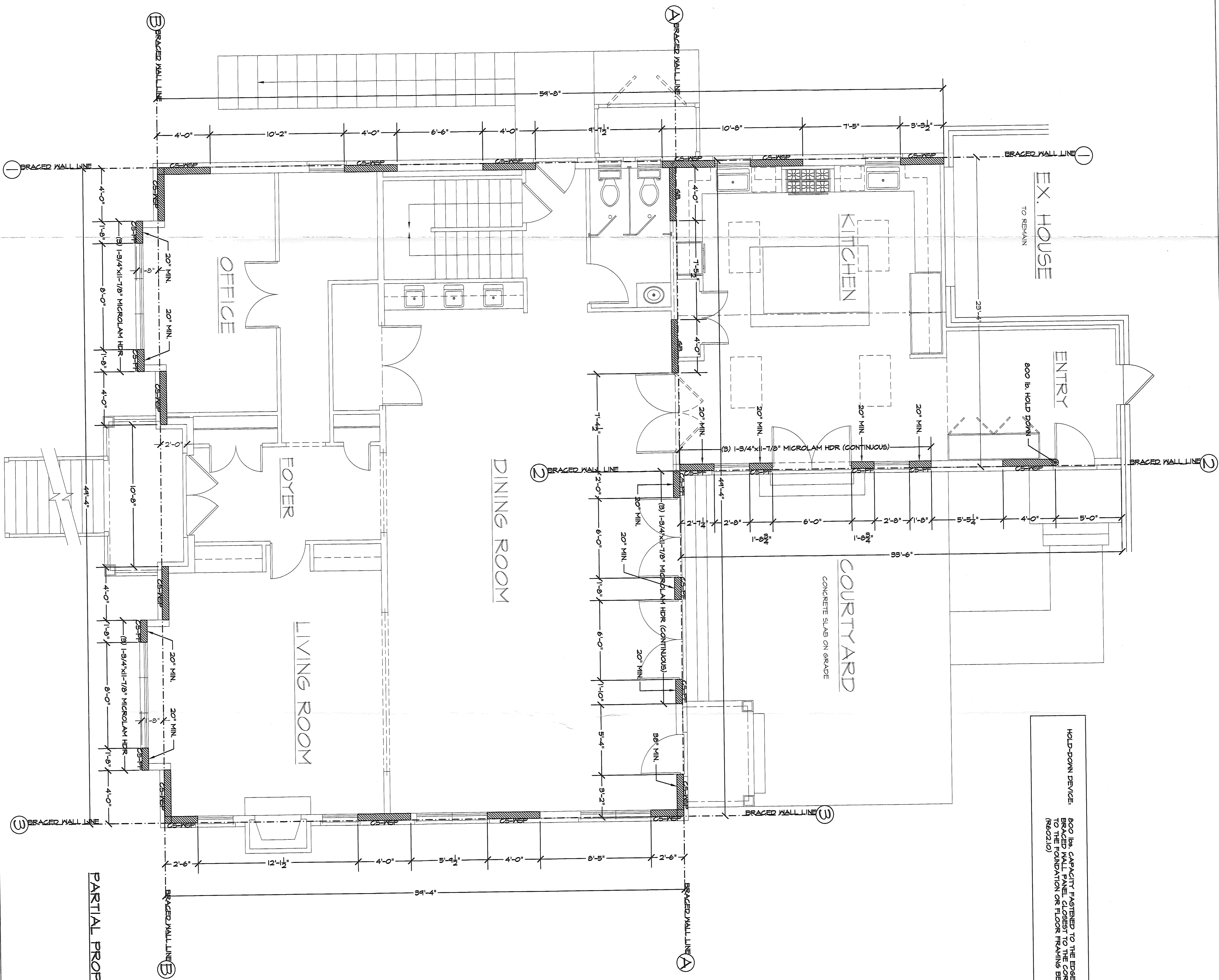
**GBL CUSTOM HOME
DESIGN INC.**
PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320

PROJECT ADDRESS:
14 AIGEBURTH ROAD
TOWSON, MD 21286
BALTIMORE COUNTY, MD

LIVKIN - CHABAD HOUSE



SCALE: 1/4"=1'-0"



PARTIAL PROPOSED FIRST FLOOR- WALL BRACING LAYOUT

SCALE: 1/4" = 1'-0"
10' PROPOSED FIRST FLOOR CEILING HEIGHT

REVISED 2/24/2015
REVISED 1/23/2015
REVISED 1/15/2015
REVISED 12/23/2014
REVISED 10/30/2014
REVISED 10/23/2014

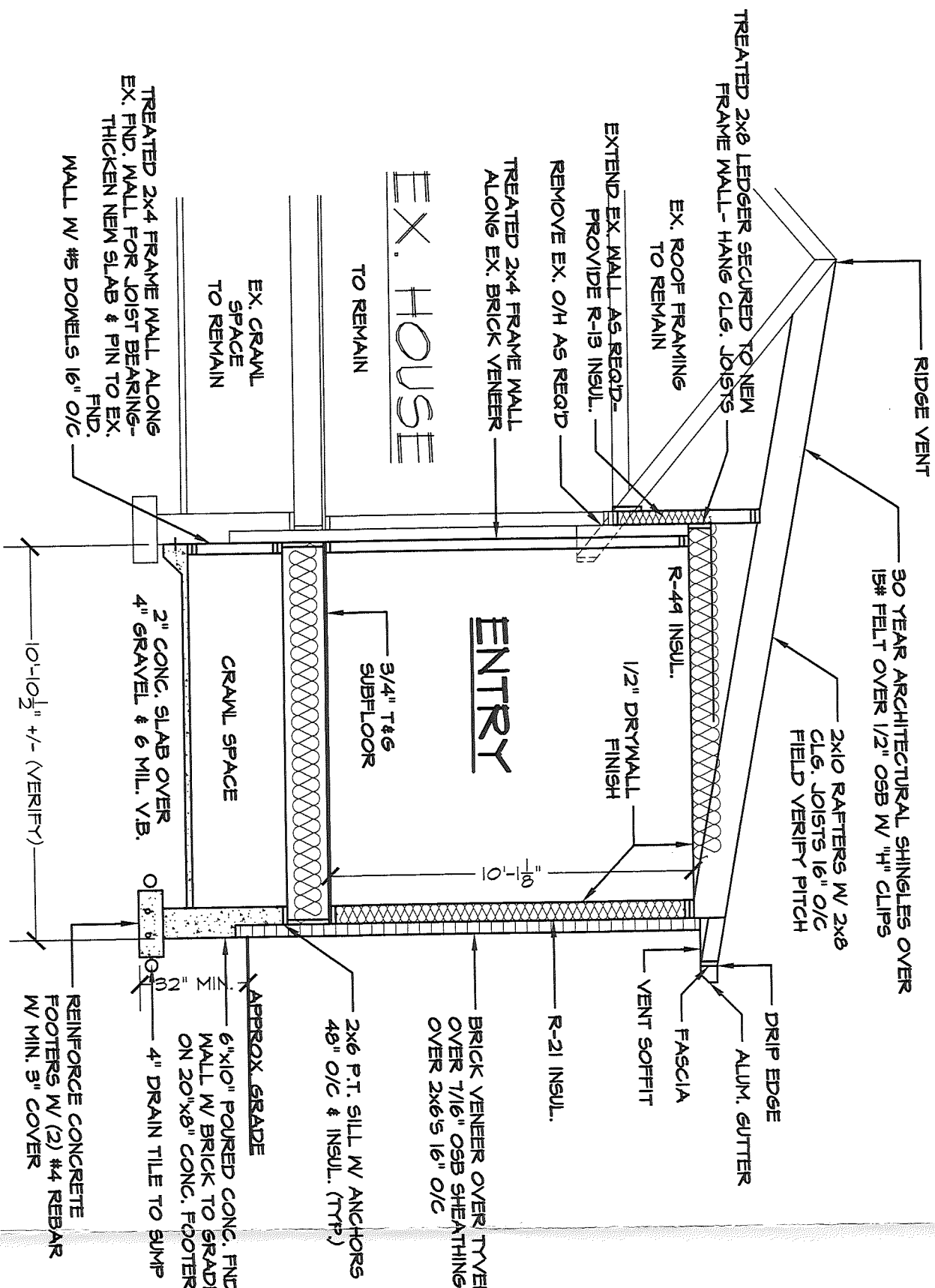
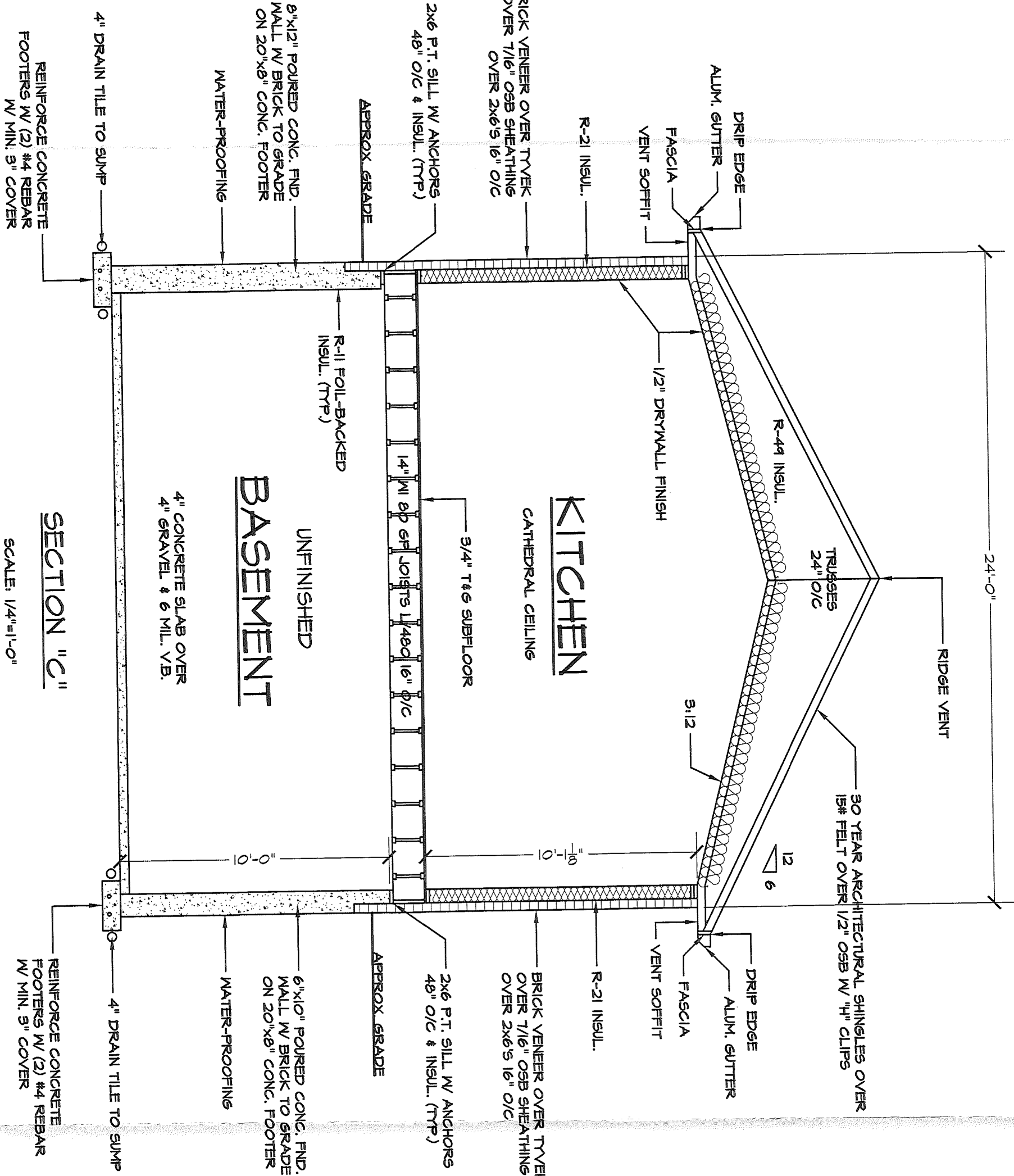
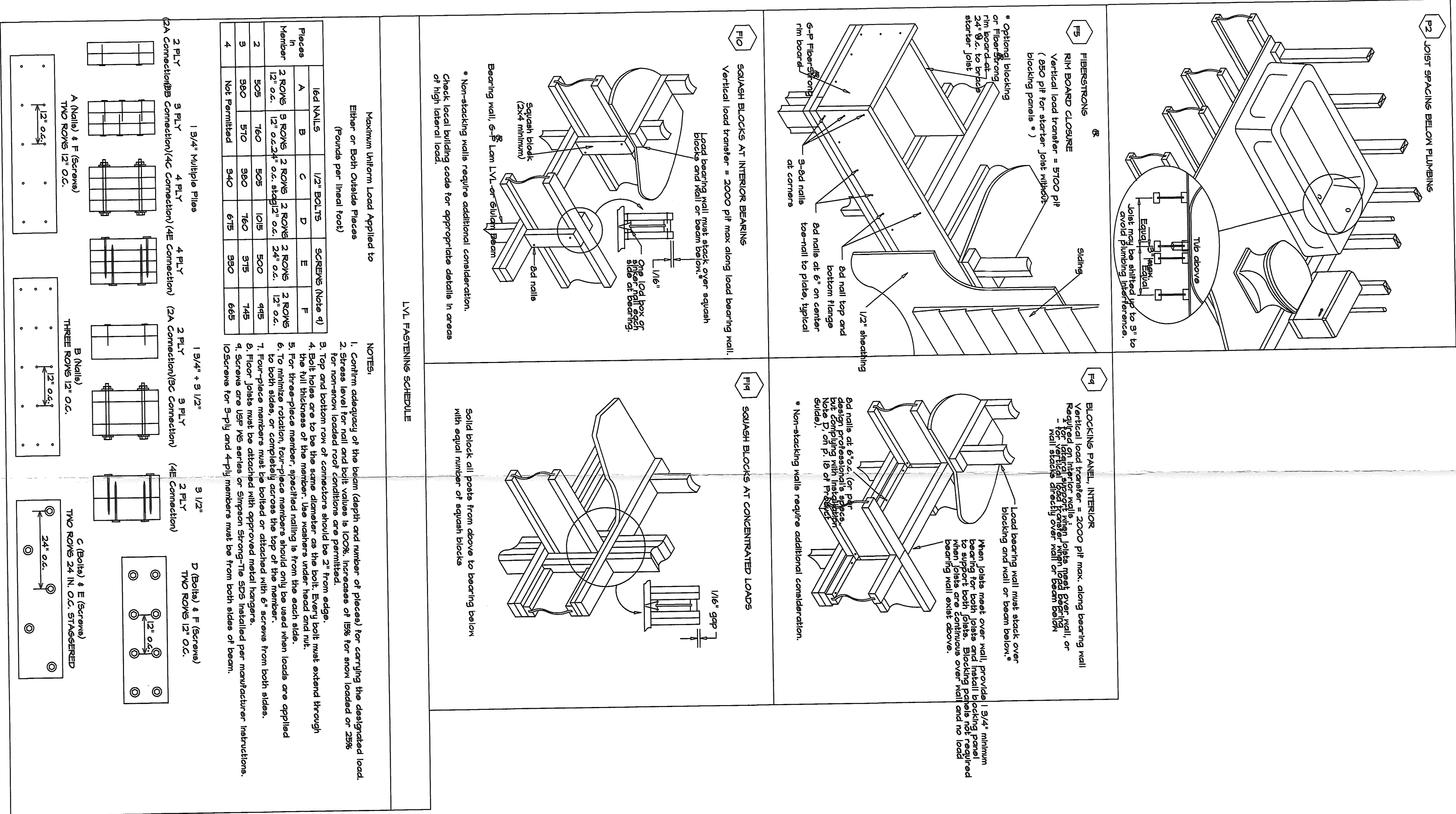
PROJECT ADDRESS:
14 AIGBURTH ROAD
TOWSON, MD 21286
BALTIMORE COUNTY, MD

CHABAD HOUSE ADDITION TO 14 AIGBURTH ROAD

SCALE: 1/4" = 1'-0"
DATE: 10/2014
SHEET NO.: 4 OF 11

GBL CUSTOM HOME
DESIGN INC.
PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320

FILE: RIVKIN - CHABAD HOUSE



CHABAD HOUSE ADDITION TO 14 AIGBURTH ROAD

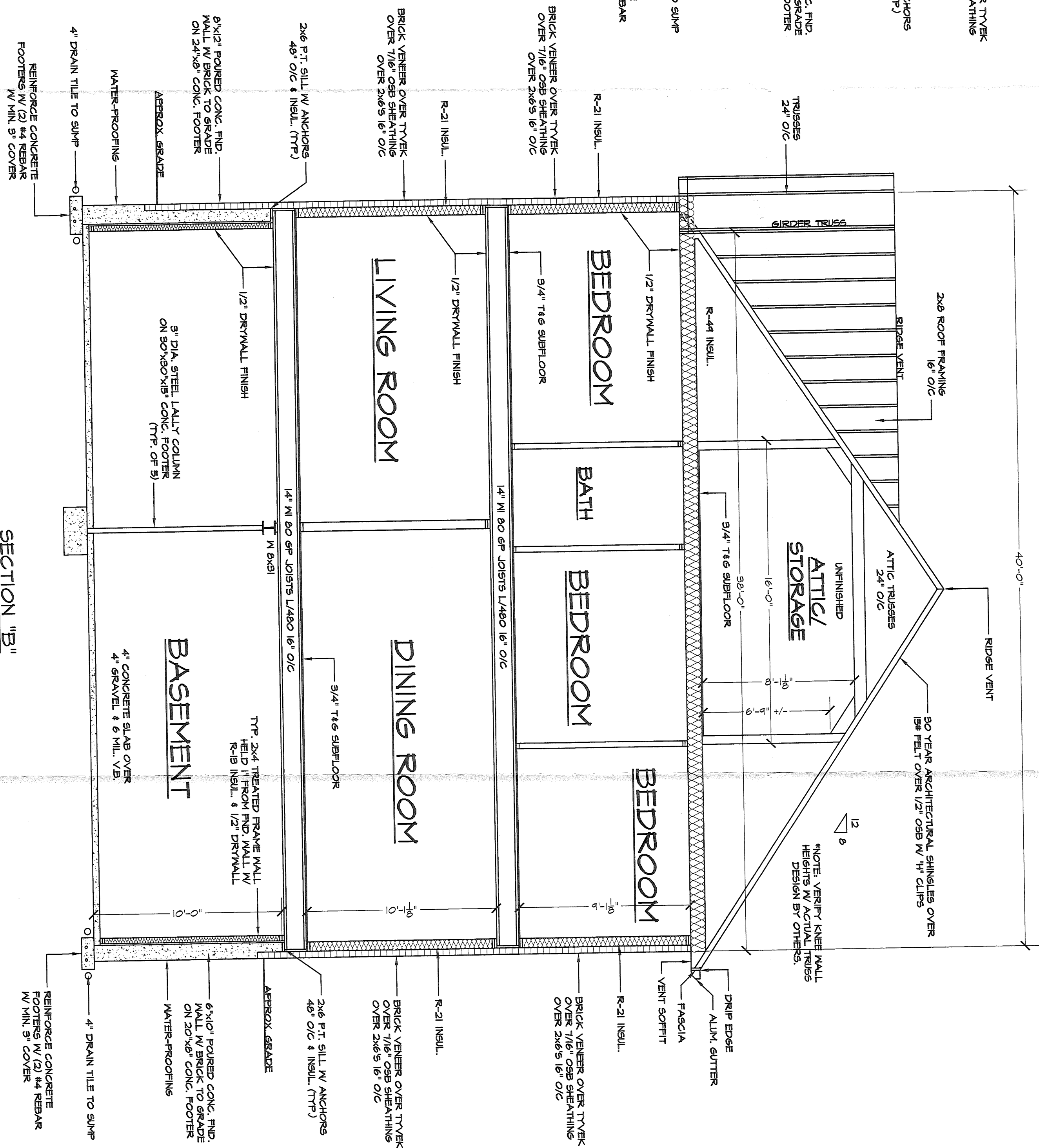
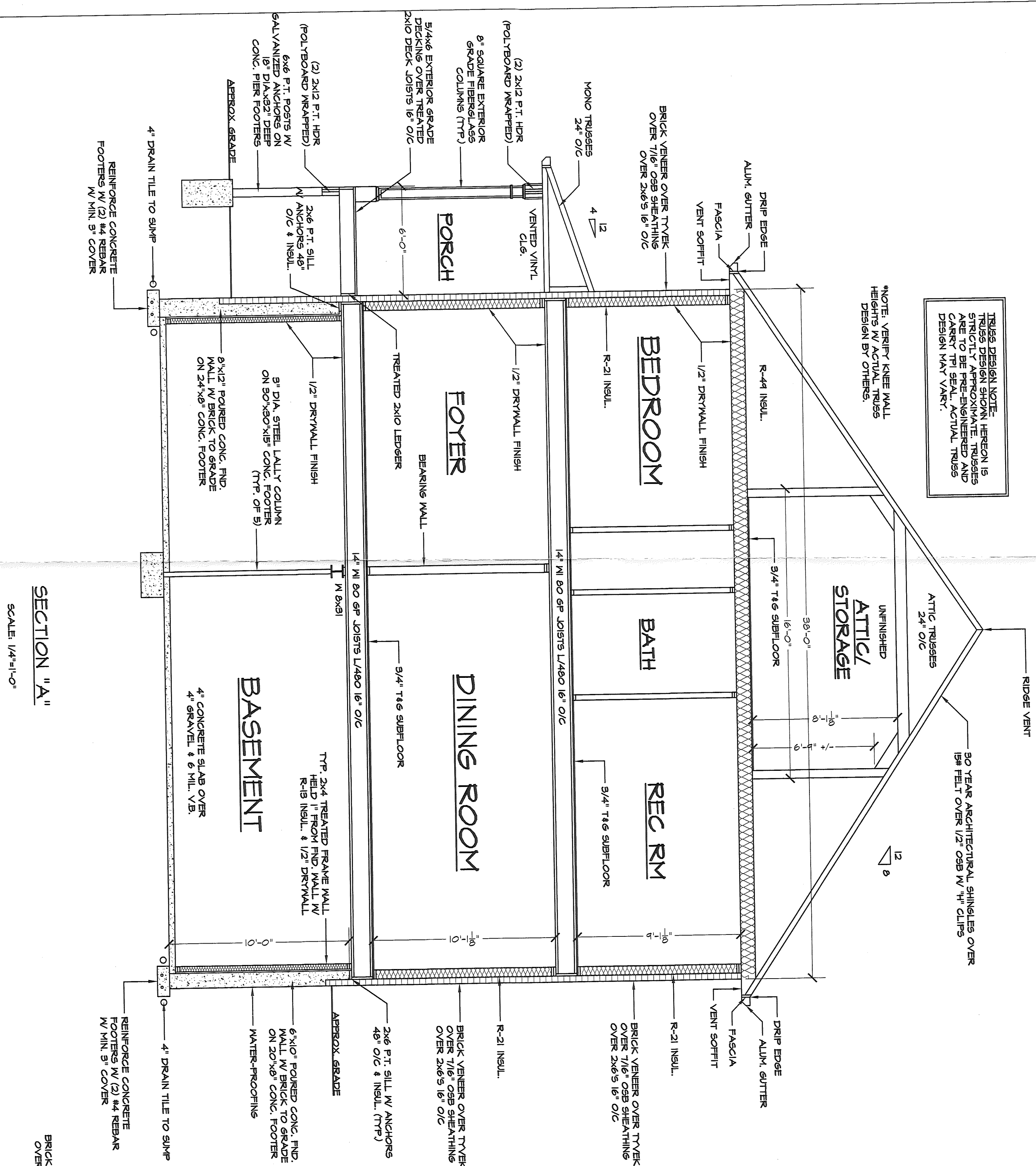
PROJECT ADDRESS:
14 AIGBURTH ROAD
TOWSON, MD 21286
BALTIMORE COUNTY, MD

REVISED 2/04/2015
REVISED 12/23/2015
REVISED 12/28/2014
REVISED 10/30/2014
REVISED 10/28/2014

SCALE: 1/4" = 1'-0"
DATE: 10/20/14
SHEET NO.: 8 OF 11

GBL CUSTOM HOME
DESIGN INC.
PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320

FILE: RIVKIN - CHABAD HOUSE



FILE: RIVKIN - CHABAD HOUSE

SCALE: 1/4" = 1'-0"

DATE: 10/2014

SHEET NO.: 7 OF 11

**GBL CUSTOM HOME
DESIGN INC.**
PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320

REVISED 2/24/2015
REVISED 1/23/2015
REVISED 1/15/2015
REVISED 12/23/2014
REVISED 10/30/2014
REVISED 10/23/2014

PROJECT ADDRESS:
14 AIGBURTH ROAD
TOWSON, MD 21286
BALTIMORE COUNTY, MD

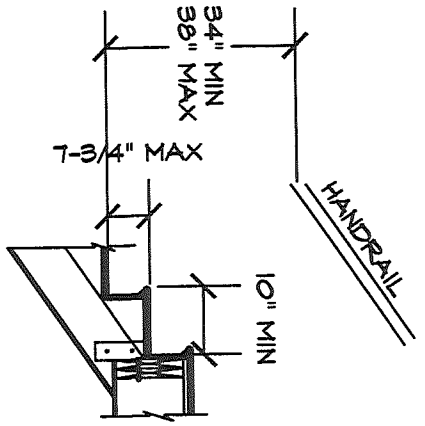
CHABAD HOUSE ADDITION TO 14 ALGBURTH ROAD

ALL WINDOWS WHERE THE OPERABLE WINDOW IS LOCATED MORE THAN 6' ABOVE THE FINISHED FLOOR OR MORE THAN 6' BELOW THE LOWEST PART OF THE CLEAR OPENING SHALL BE A MIN. OF 24" ABOVE THE FINISHED FLOOR OR THE ROOM FINISH FLOOR WHICHEVER IS HIGHER. OPENINGS BETWEEN THE FLOOR AND 24" SHALL BE FIXED OR HAVE OPENINGS THROUGH WHICH A 4" DIA. SPHERE CANNOT PASS.

EXCEPTIONS:

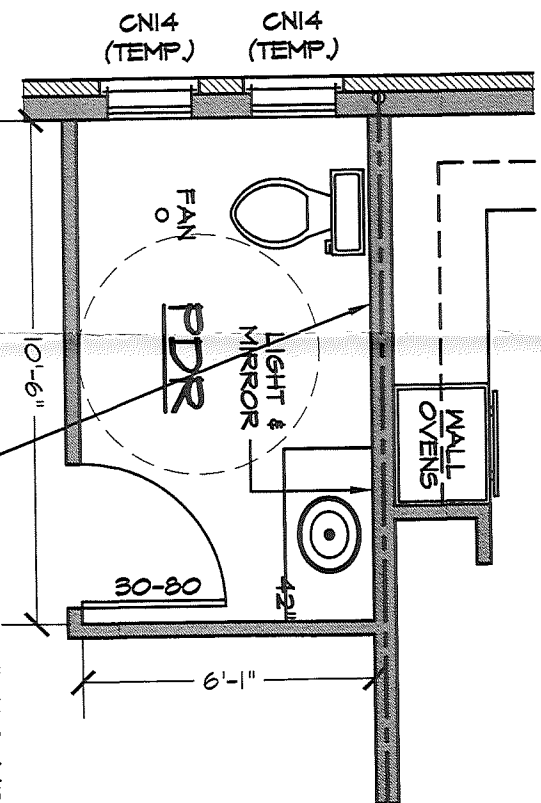
1. WINDOWS WHOSE OPENINGS WILL NOT ALLOW A 4" DIA. SPHERE TO PASS THROUGH THE OPENING WHEN THE WINDOW IS IN ITS LARGEST OPENED POSITION

2. OPENINGS THAT ARE PROVIDED WITH WINDOW GLAZES THAT COMPLY WITH ASTM F 2000 OF 1-2006



TYPICAL STAIR SECTION

NOTE: ALL STAIRS SHALL BE CONSTRUCTED IN ACCORDANCE WITH IRC 2004 SECTION R314



OPTIONAL ADA BATH

SCALE: 1/4"=1'-0"

CHABAD HOUSE ADDITION TO 14 AIGBURTH ROAD

PROJECT ADDRESS:
14 AIGBURTH ROAD
TOWSON, MD 21286
BALTIMORE COUNTY, MD

REVISED 2/24/2015
REVISED 1/23/2015
REVISED 1/19/2015
REVISED 12/23/2014
REVISED 10/30/2014
REVISED 10/29/2014

GBL CUSTOM HOME
DESIGN INC.
PO BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320

1/4" = 1'-0"
10/2014

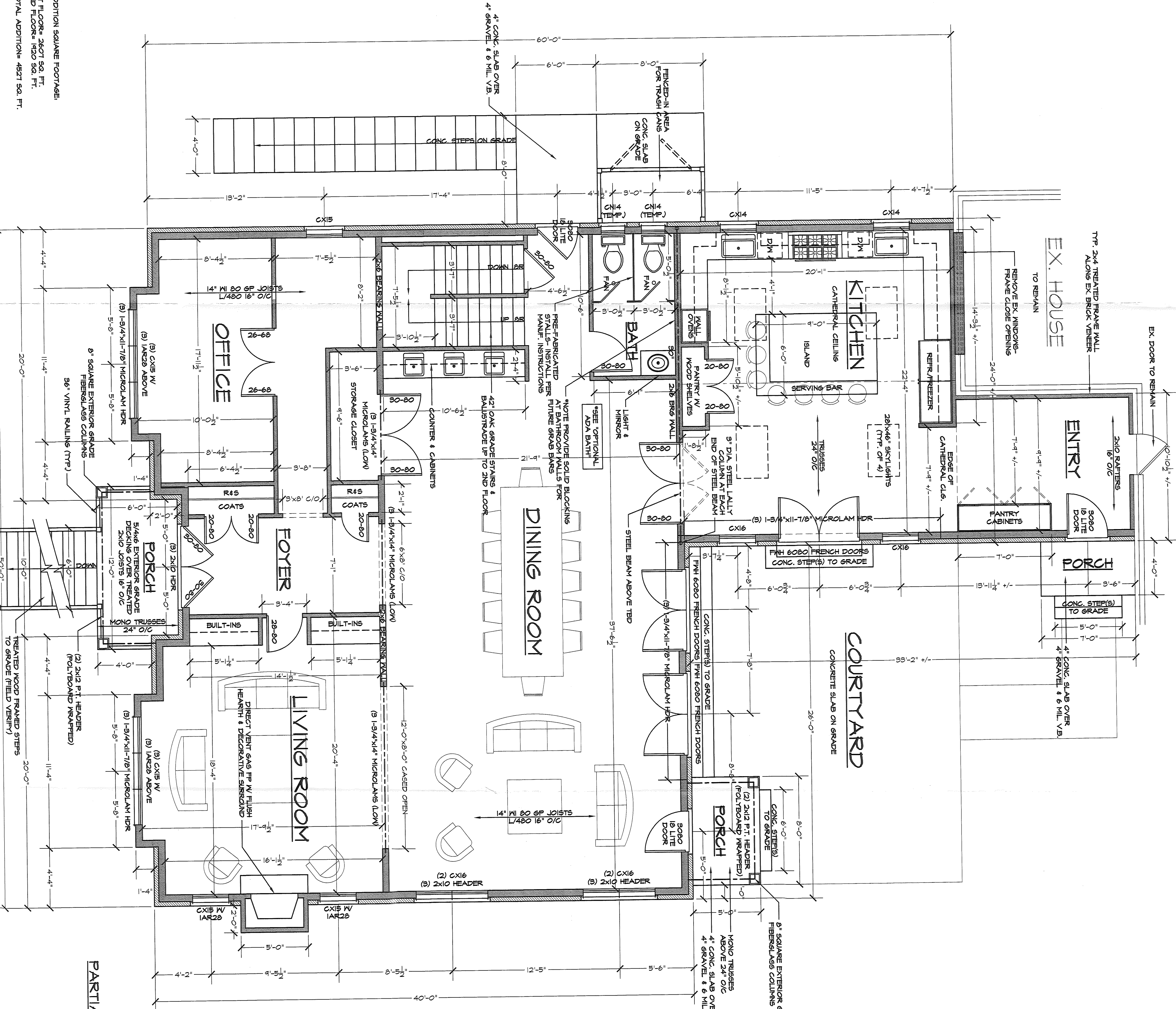
NO.: 5 OF 11

PARTIAL PROPOSED FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"

10' PROPOSED FIRST FLOOR CEILING HEIGHT

ADDITION SQUARE FOOTAGE:
1ST FLOOR= 2607 SQ. FT.
2ND FLOOR= 1420 SQ. FT.
TOTAL ADDITION= 4027 SQ. FT.



CHABAD HOUSE ADDITION TO
4 AIGBURTH ROAD

PROJECT ADDRESS:
4 AIGBURTH ROAD
TOWSON, MD 21286
BALTIMORE COUNTY, MD

REVISED 2/24/2015
REVISED 1/23/2015
REVISED 1/15/2015
REVISED 12/25/2014
REVISED 10/30/2014
REVISED 10/25/2014

GBL CUSTOM HOME
DESIGN INC.
P.O. BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320

SCALE: 1/4" = 1'-0"
DATE: 10/20/14
SHEET NO.: 2 OF 11

FILE: RYKIN - CHABAD HOUSE



CHABAD HOUSE ADDITION TO
4 AIGBURTH ROAD

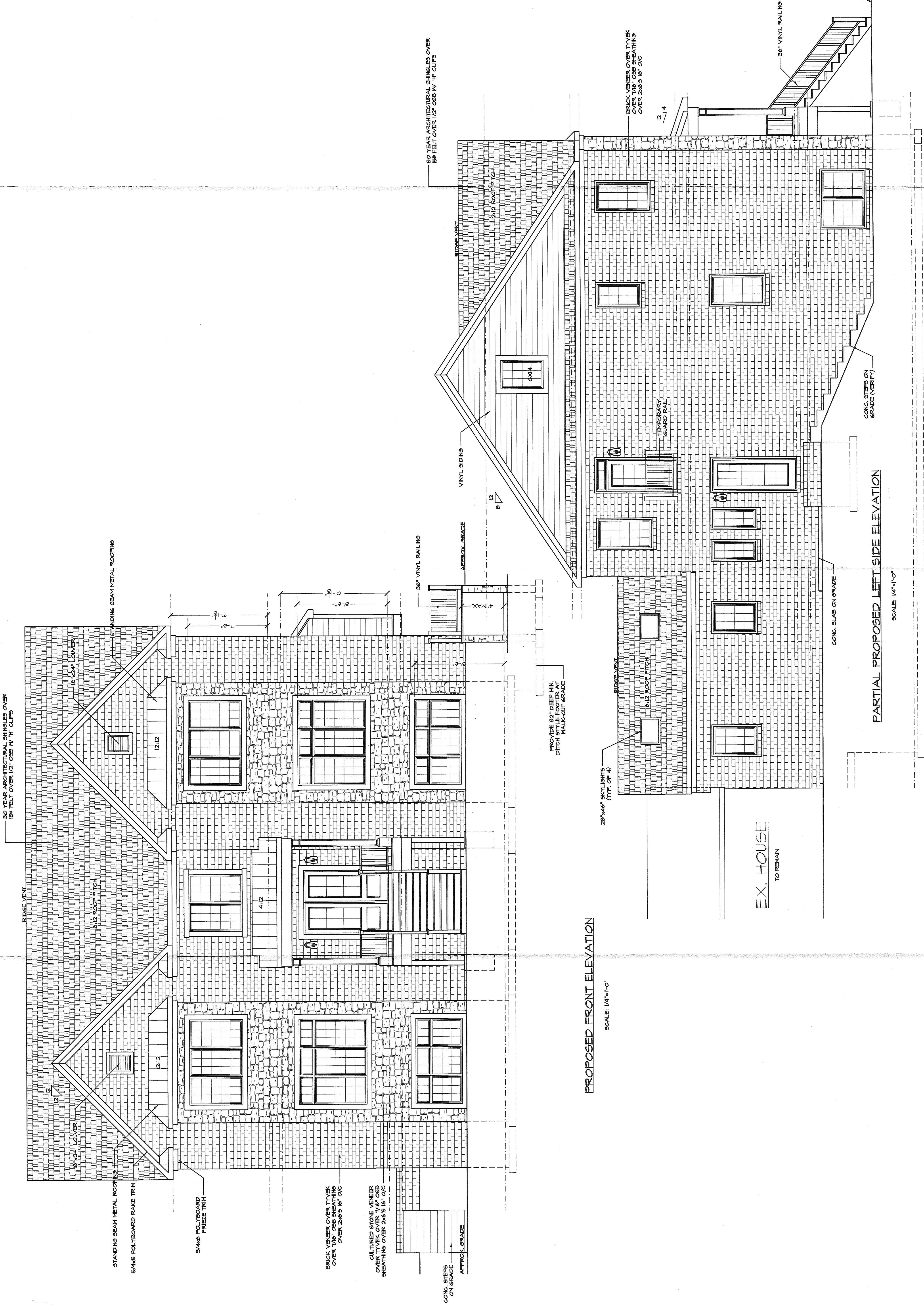
PROJECT ADDRESS:
4 AIGBURTH ROAD
TOWSON, MD 21286
BALTIMORE COUNTY, MD

REVISED 2/24/2015
REVISED 1/29/2015
REVISED 1/15/2015
REVISED 12/25/2014
REVISED 10/30/2014
REVISED 10/29/2014

GBL DESIGN INC.
P.O. BOX 237 FINKSBURG, MD 21048
PHONE 410-833-8320

SCALE: 1/4" = 1'-0"
DATE: 10/20/14
SHEET NO.: 1 OF 11

FILE: RYKIN - CHABAD HOUSE



PROPOSED FRONT ELEVATION

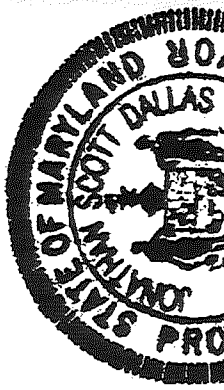
SCALE: 1/4"=1'-0"

PARTIAL PROPOSED LEFT SIDE ELEVATION

SCALE: 1/4"=1'-0"

GENERAL NOTES:

1. OWNER: FRIENDS OF LUBAVITCH INC.
C/O RABBI MENACHEM RIVKIN, AGENT
14 AIGBURTH ROAD
TOWSON, MD. 21286
PHONE 646-295-3010
3. BUILDING AREAS:
EX DWG. 1420 Sq. Ft.
PROPOSED ADDITION 2604 Sq. Ft.
TOTAL 4024 Sq. Ft.
4. UTILITIES:
PUBLIC SEWER
PUBLIC WATER
PUBLIC STORM DRAIN
5. THE SITE LIES WITHIN ZONE "X" AS SHOWN
ON F.I.R.M. 2400100269F DATED SEPTEMBER 26, 2008.
6. EX. STRUCTURE = 25' HIGH
7. DEED REF.: SM 27395 / 112
8. TAX ACCOUNT: #0922250090
9. COUNCILMANIC DISTRICT: 5TH
10. CENSUS TRACT: 490800
11. WATERSHED: BACK RIVER
12. ZONING: DR 5.5
(PER BALT. CO. "MY NEIGHBORHOOD" WEBSITE)
13. TAX MAP: #0070, PARCEL 0431
14. NO KNOWN PREVIOUS ZONING CASES ON FILE.
15. NO KNOWN PERMITS ON FILE.
16. NO KNOWN PREVIOUS DRC MEETINGS
17. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY
CRITICAL AREA.
18. THERE ARE NO HISTORIC FEATURES ON THE SITE NOR
IS THE SITE ITSELF HISTORIC.
19. P - DENOTES PROPOSED PORCH, STEPS OR WALK AREA
20. SITE AREA: 17,122 Sq. Ft. 0.393 Ac+-
21. TOPOGRAPHY SHOWN HEREON PER
BALTO. CO. "MY NEIGHBORHOOD" WEBSITE
22. RESIDENTIAL PARSONAGE, WITH ACCESSORY
USE FOR RELIGIOUS WORSHIP AND RELIGIOUS
EDUCATION
23. CONFIRMATION OF CONTINUED USE AS A
RESIDENTIAL PARSONAGE, WITH ACCESSORY
USE FOR RELIGIOUS WORSHIP AND RELIGIOUS
EDUCATION
24. HEIGHT OF PROPOSED ADDITION: 47 FEET HIGH +- PER BUILDING PLANS

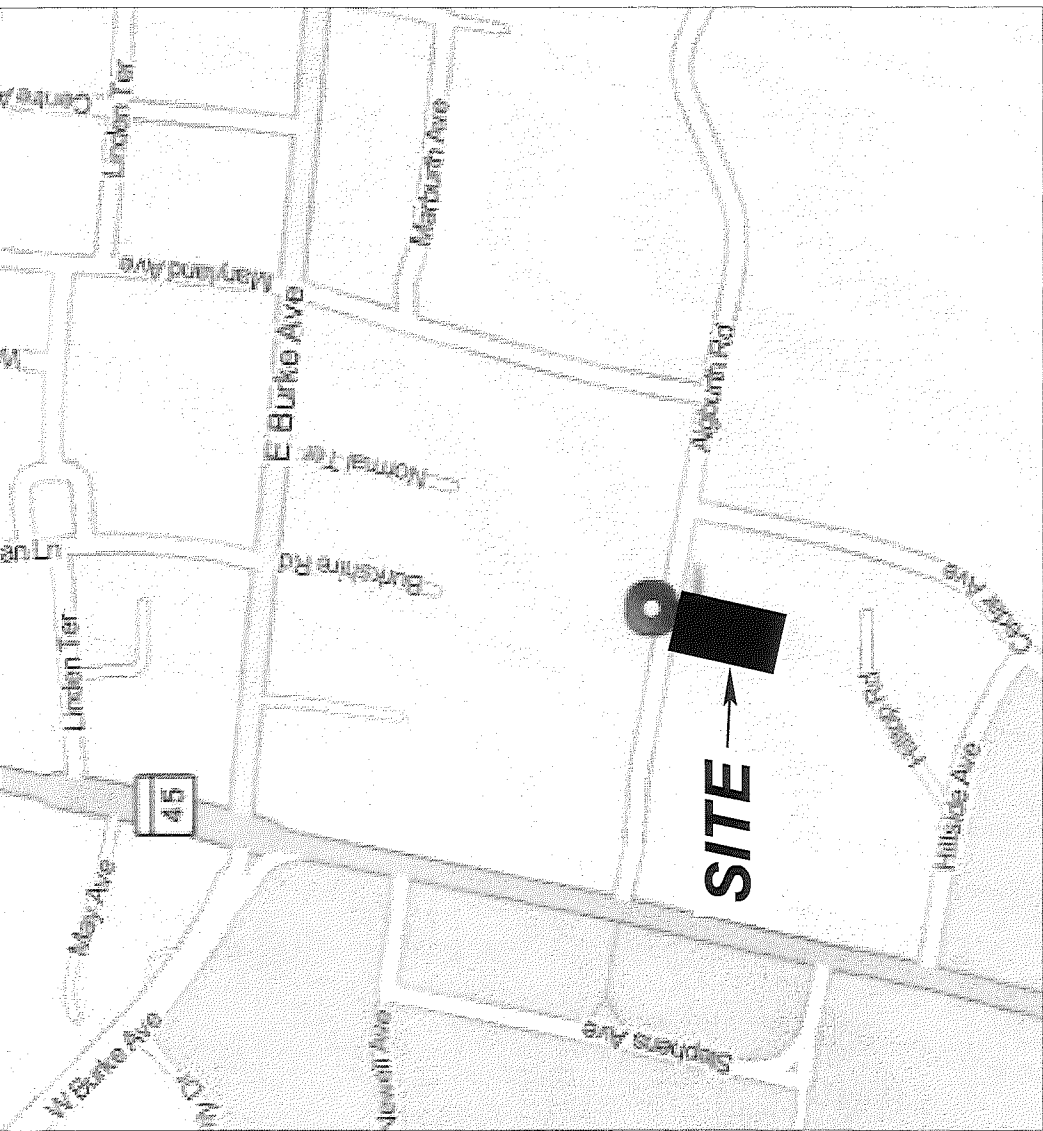


J.S. DALLAS, INC.
SURVEYING & ENGINEERING
P.O. BOX 26
BALDWIN, MD. 21013
(410) 817-4600

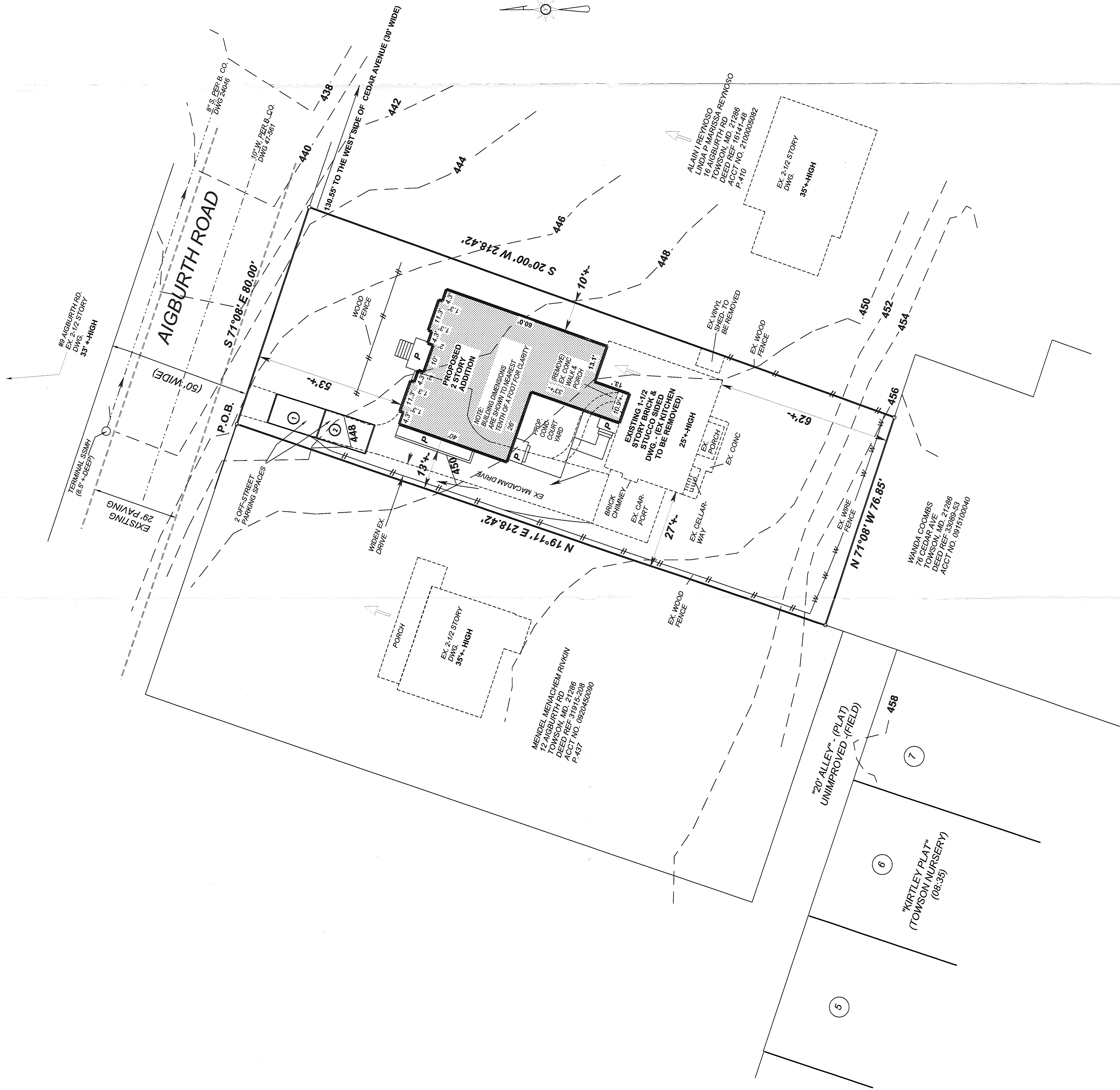
J.S. Dallas

04-09-2015

DATE:



VICINITY MAP
NOT TO SCALE



PLAN TO ACCOMPANY PETITION
FOR SPECIAL HEARING
#14 AIGBURTH ROAD

REASON FOR
SPECIAL HEARING:

CONFIRMATION OF CONTINUED USE AS A
RESIDENTIAL PARSONAGE, WITH ACCESSORY
USE FOR RELIGIOUS WORSHIP AND RELIGIOUS
EDUCATION

DEED REFERENCE
SM27395-112
MAP 0070 PARCEL 0431
9TH ELECTION DISTRICT
BALTIMORE COUNTY, MD.

FILE NAME	15-1522.TRV	DATE	DRAWN BY
SCALE	20 Ftl/in	4-9-2015	R.N.G.
JOB	AIGBURTH RD	REVISION	SHEET
		1/1	1/1