

MEMORANDUM

DATE: October 29, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0014-SPH – Appeal Period Expired

The appeal period for the above-referenced case expired on October 28, 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

IN RE: **PETITION FOR SPECIAL HEARING** *
(10807 Tony Drive)
8th Election District *
2nd Council District *
Montessori Society of *
Central Maryland *
Legal Owner *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2016-0014-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 Montessori Society of Central Maryland ("Montessori"), legal owner. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve amendments to Special Exception No. 84-173-X to permit renovation, expansion and adding on to existing buildings on the school campus.

Tamera Balis, employed by Montessori, attended the hearing in support of the request. Jeffrey H. Scherr, Esq. represented the Petitioner. Two neighbors attended the hearing and expressed concerns about certain aspects of the proposal, which will be discussed below. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants or interested citizens in attendance. Substantive Zoning Advisory Committee (ZAC) comments were received from the Department of Planning (DOP) and the Bureau of Development Plans Review (DPR).

The subject property is 6.57 acres and zoned RC 2. The Montessori school was constructed over 40 years ago, and has undergone several expansion projects throughout the years. Petitioner's counsel described the zoning history for the site, and orders from previous zoning

ORDER RECEIVED FOR FILING

Date 9-28-15

By Den

cases concerning the school were admitted as Petitioner's Exhibit Nos. 3-6. A site plan depicting the proposed improvements was admitted as Petitioner's Exhibit 1.

Charles Phillips (a principal with KCI) provided testimony to explain the proposed changes to the campus, which includes the expansion of two existing buildings and a renovation of a third building. Mr. Phillips also noted that at present no storm water management facilities exist at the site, since the buildings were constructed prior to the regulations which now require such features. He presented a plan (Exhibit 2) which depicts the storm water management devices to be constructed, which he explained will reduce the amount of surface water runoff below current levels.

Kevin Campbell, from KSC Education Consulting, was the next witness in the Petitioner's case. Mr. Campbell testified he is the project coordinator, and has in the last 1 ½ years worked extensively with nearby community groups to address their concerns. He explained that both the Valleys Planning Council and Falls Road Community Association have agreed not to oppose the project, as has the Brooklandwood HOA. Mr. Campbell testified that enrollment at the school will not increase, and he noted that concerns with flooding on Tony Drive (raised by Mary Seldin, who attended the hearing) were "very new" to the school and were not mentioned previously by any of the neighborhood associations or community members.

The neighbors raised two primary concerns with the project: noise during construction and flooding on Tony Drive, which is a private road. Ms. Seldin explained that she has a hearing condition which could be impacted during the construction project. As explained at the hearing, Baltimore County regulates only "domestic noise," which does not include noise produced by machinery, construction and other commercial operations. Balto. County Code §17-3-101 et. seq. The State of Maryland has regulations which establish the maximum allowable noise levels for

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Date

9-28-15

By

sen

"construction activities," but those are enforced by the Maryland Department of the Environment, not Baltimore County. COMAR §26.02.03.02. Montessori and its contractors will of course be required to adhere to these state regulations.

The remaining issue is the flooding on Tony Drive, which Ms. Seldin believes was caused by previous construction projects at the Montessori school. There is apparently a storm drain installed under the bed of Tony Drive, and it has either become clogged, damaged or its handling capacity has been exceeded. This drain may have been the culprit in previous instance(s) wherein the road was inundated with surface water. Other than Ms. Seldin's comments, there was no other testimony or evidence presented as to the extent of this problem, its cause(s) or potential cure(s). Without knowing more, I do not believe I am in a position to adequately address this issue. I will include in the order below a requirement that Montessori investigate the matter in an attempt to determine the nature and extent of the problem, along with possible solutions.

THEREFORE, IT IS ORDERED this 28th day of September, **2015** by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 to approve amendments to Special Exception No. 84-173-X to permit renovation, expansion and adding on to existing buildings (as shown on the site plan admitted as Petitioner's Ex. 1), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner shall use good faith efforts to investigate the functionality of the storm drain conduit underneath Tony Drive, as detailed above.

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Date 9-28-15

By Den

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 9-28-15

By slh



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 10807 Tony Drive which is presently zoned R.C.2

Deed References: EHK, Jr. 5765/839; EHK, Jr. 5731/659 10 Digit Tax Account # 17-00-007579; 17-00-007580; 17-00-007581

Property Owner(s) Printed Name(s) Montessori Society of Central Maryland

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

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

1. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve amendments to Special Exception No. 84-173X, to permit renovation, expansion, and adding onto existing buildings in accordance with the 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:

n/a
Name- Type or Print
Signature
Date
Mailing Address City State
BY
Zip Code Telephone # Email Address

Attorney for Petitioner:

Jeffrey H. Scherr
Name- Type or Print
Signature
Kramon & Graham, P.A.
One South Street, Suite 2600 Baltimore Maryland
Mailing Address City State
21202 (410) 752-6030 jscherr@kg-law.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Montessori Society of Central Maryland
Name #1 - Type or Print Name #2 - Type or Print
Signature #1 Signature #2
10807 Tony Drive Lutherville Maryland
Mailing Address City State
21093 (410) 321-8555 tbalis@greenspringmontessori.com
Zip Code Telephone # Email Address

Representative to be contacted:

Jeffrey H. Scherr
Name - Type or Print
Signature
Kramon & Graham, P.A.
One South Street, Suite 2600 Baltimore Maryland
Mailing Address City State
21093 (410) 752-6030 jscherr@kg-law.com
Zip Code Telephone # Email Address

CASE NUMBER 2016-0014-SPH Filing Date 7/20/15

Do Not Schedule Dates: Reviewer RD

Special Hearing No. 2003-0315SPH to allow construction of a 75-foot by 130-foot multi-purpose building. This construction resulted in a slight increase in the square footage of the building, which the Commissioner determined was within the spirit of the Special Exception. *See* Case No. 1989-0380SPH.

Greenspring Montessori's instant request is consistent with the Special Exceptions and Amendments previously granted by the Commissioner in the cases referenced above. The School will not seek to increase the total square footage of all building footprints on its campus, as existing or proposed. *See* Exhibit C, Plans. Moreover, the enrollment will not increase beyond the existing enrollment cap of 325 students (as stated in Case No. 84-173X) unless the School acquires any adjoining properties. In addition, all renovations, additions, and sewer connections continue to comply with the requirements for Special Exceptions set forth in Section 502.1 of the Baltimore County Zoning Code. Accordingly, Greenspring Montessori requests that the Commissioner grant the proposed Amendments to Special Exception No. 84-173X.

Respectfully submitted,

Jeffrey H. Scherr
Justin A. Redd
KRAMON & GRAHAM, P.A.
One South Street, Suite 2600
Baltimore, Maryland 21202
410-752-6030 Phone
410-539-1269 Facsimile

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

No. **127371**
 Date: **7/20/15**

PAID RECEIPT

BUSINESS ACTUAL TIME BRN
 7/20/2015 7/20/2015 10:29:35 2

REG NO:2 WALKIN JEVA JEE
 RECEIPT # 723943 7/20/2015 OFLH

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
201	306	0000		6150				\$500

Dept 5 528 ZONING VERIFICATION

CR NO. 127371

Receipt Tot \$500.00
 \$500.00 CN \$1.00 CA
 Baltimore County, Maryland

Total: **\$500**

Rec From:

For:

zoning hearing - case #2016-0014-SPH

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 9/4/2015

Case Number: 2016-0014-SPH

Petitioner / Developer: NICHOLAS WILSON of KCI TECHNOLOGIES, INC. ~ JEFFREY SCHERR, ESQ. ~ MONTESSORI SOCIETY OF CENTRAL MARYLAND

Date of Hearing (Closing): SEPTEMBER 24, 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:
10807 TONY DRIVE

The sign(s) were posted on: SEPTEMBER 4, 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)

EAR, NOSE & THROAT ASSOCIATES

THE PHYSICIANS PAVILION EAST • 6565 N. CHARLES STREET • SUITE 601 • BALTIMORE, MARYLAND 21204 • (410) 821-5151

J. DENNIS BRANGER, M.D., F.A.C.S.
KARL W. DIEHN, M.D., F.A.C.S.
ANDREW C. GOLDSTONE, M.D., F.A.C.S.
DARIO KUNAR, M.D., F.A.C.S.

BRIAN A. KAPLAN, M.D., F.A.C.S.
MARC G. DUBIN, M.D., F.A.C.S.
KENNETH C. FLETCHER, JR., M.D.
DIANE M. WEHRLE, M.S., C.R.N.P.

Montessori School
Attn: Kevin Campbell, Project Manager

Re: Mary Seldin
DOB: 11/1/1938

Dear Mr. Campbell,

September 9, 2015

Ms. Seldin is a patient of mine whom has a history of bilateral moderate to severe sensorineural hearing loss. It is advised for her not to be exposed to prolonged loud noises as there is an increased likelihood that her hearing can worsen. Please accommodate her request for different living arrangements during construction.

Respectfully,



Karl Diehn, MD FACS

Prots. #1

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 2016-0014-SPH

Petitioner: Montessori School

Address or Location: 10807 Tony Drive

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jeffrey A. Scherr

Address: Karmon and Gratton, P.A.

One South Street - 26th Floor

Baltimore, Maryland 21202

Telephone Number: 410-752-6030



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 3534891

Sold To:

Jeffrey Scherr, Attorney - CU00483497
1 South St
Baltimore, MD 21202-3298

Bill To:

Jeffrey Scherr, Attorney - CU00483497
1 South St
Baltimore, MD 21202-3298

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

Sep 03, 2015

The Baltimore Sun Media Group

By S. Wilkinse

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: # 2016-0014-SPH
10807 Tony Drive
E/s Tony Drive, 130 ft. N/of centerline of Greenspring Valley Road
8th Election District - 2nd Councilmanic District
Legal Owner(s) Montessori Society of Central Maryland

Special Hearing to determine whether or not the Administrative Law Judge should approve amendments to Special Exception No. 84-173-X to permit renovation, expansion and adding to existing buildings in accordance with the attached.

Hearing: Thursday, September 24, 2015 at 10:00 a.m.
in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

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

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

9/003 September 3 3534891

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 9/4/2015

Case Number: 2016-0014-SPH

Petitioner / Developer: NICHOLAS WILSON of KCI TECHNOLOGIES, INC. ~ JEFFREY SCHERR, ESQ. ~ MONTESSORI SOCIETY OF CENTRAL MARYLAND

Date of Hearing (Closing): SEPTEMBER 24, 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:
10807 TONY DRIVE

The sign(s) were posted on: SEPTEMBER 4, 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)



KEVIN KAMENETZ
County Executive

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

August 6, 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: 2016-0014-SPH

10807 Tony Drive
E/s Tony Drive, 130 ft. N/of centerline of Greenspring Valley Road
8th Election District – 2nd Councilmanic District
Legal Owners: Montessori Society of Central Maryland

Special Hearing to determine whether or not the Administrative Law Judge should approve amendments to Special Exception No. 84-173-X to permit renovation, expansion and adding on to existing buildings in accordance with the attached.

Hearing: Thursday, September 24, 2015 at 10:00 a.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: Jeffrey Scherr, One South Street, Ste. 2600, Baltimore 21202
Montessori Society of Central MD, 10807 Tony Drive, Lutherville 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, SEPTEMBER 4, 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.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
10807 Tony Drive; E/S Tony Drive, 130' N	*	
of c/line of Greenspring Valley Road	*	OF ADMINSTRATIVE
8 th Election & 2 nd Councilmanic Districts	*	
Legal Owner(s): Montessori Society of	*	HEARINGS FOR
Central Maryland by Jeffrey Scherr	*	
Petitioner(s)	*	BALTIMORE COUNTY
	*	
	*	2016-014-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

AUG 06 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 6th day of August, 2015, a copy of the foregoing Entry of Appearance was mailed to Jeffrey Scherr, Esquire, Kramon & Graham, P.A., One South Street Suite 2600, Baltimore, Maryland 21093, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Case No.:

2016-0014-SPH

Exhibit Sheet

9-28-15

Dln

Petitioner/Developer

Protestants

No. 1	site plan	Letter dated 9-9-2015 from Karl Diehn, M.D.
No. 2	colored site plan	Letter dated Jan. 5, 2007 from Mr. + Mrs. Seldin
No. 3	zoning order # 79-74-X	Personal correspondence Mary Seldin
No. 4	zoning order # 84-173-X	
No. 5	zoning order # 89-380-SPH	
No. 6	zoning order 03-315-SPH	
No. 7	zoning order Phillips resume	
No. 8	SWM plan	
No. 9	certificate of posting	
No. 10		
No. 11		
No. 12		

PETITIONER'S

EXHIBIT NO. 3

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
W/S of the Jones Falls Expressway (Falls
Road), 407.5' NW of Greenspring Valley : DEPUTY ZONING
Road - 8th Election District
Montessori Society of Central Maryland, : COMMISSIONER
Inc. - Petitioner
NO. 79-74-X (Item No. 3) : OF
: BALTIMORE COUNTY

111 111 111

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This matter comes before the Deputy Zoning Commissioner as a result of a Petition for Special Exception for a day care center (extended school hours) on the subject property. This hearing was necessary because of the Petitioner's desire to change the hours of operation of the Montessori School from the present 8:45 a. m. to 3:30 p. m. to between 7:30 a. m. and 5:30 p. m.

Testimony on behalf of the Petitioner indicated that the Montessori Society of Central Maryland, Inc., is presently operating a school with an enrollment of between 160 and 170 students, on their tract of land of approximately 6½ acres, at the above location. It was their contention that the character of the school would not change if the Petition were granted, that two additional classrooms are planned to accommodate 50 additional students, and that such classroom expansion is permitted regardless of the outcome of the Special Exception hearing. Counsel for the Petitioner also maintained that there would be no appreciable increase in traffic as a result of the proposed change in hours. This premise appears to have been supported by memoranda by both the State Highway Administration and the Department of Traffic Engineering (see Zoning Plans Advisory Committee Comments).

Nearby residents and counsel for the Protestants indicated that they believed the operation of a day care center would be inimical to the rural character of the area in which the school is located, that it would increase traffic in the Falls and Green Spring Valley Roads vicinity, and that public

ORDER RECEIVED FOR FILING

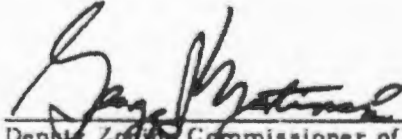
DATE December 2, 1978

BY Stella R. Lawrence
ADMINISTRATIVE ASSISTANT

safety would be negatively affected if the Petition were granted. ~~Contra~~
was also evidenced regarding the adequacy of present sewage lines. The
Petitioner's counsel stated that the school has a private sewage system and
does not plan to use the public system.

Without reviewing the evidence further in detail but based upon all of
the evidence presented at the hearing, in the judgment of the Deputy Zoning
Commissioner, the prerequisites of Section 502.1 of the Baltimore County
Zoning Regulations have been met and the health, safety and general welfare
of the community not being adversely affected, the Special Exception should
be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of
Baltimore County, this 15 day of December, 1978, that the Petition
for Special Exception for a day care center (extended school hours) should be
and the same is hereby GRANTED, from and after the date of this Order,
subject to the approval of a site plan by the State Highway Administration, the
Department of Public Works, the Department of Traffic Engineering, and the
Office of Planning and Zoning.


Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE December 14, 1978

BY Shirley A. Lawrence, clerk
ADMINISTRATIVE ASSISTANT

PETITIONER'S

EXHIBIT NO. 4

IN RE: PETITION SPECIAL EXCEPTION	BEFORE THE
E/S of Tony Drive, 85.08' N of	ZONING COMMISSIONER
Greenspring Valley Road - 8th	
Election District	OF BALTIMORE COUNTY
Montessori Society of Central	Case No. 84-173-X
Maryland, Inc.,	
Petitioner	

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein, Montessori Society of Central Maryland, Inc., requests a special exception to conduct a private school in an R.C.2 Zone, as more fully described on Petitioner's Exhibit 1.

The Petitioner, represented by Counsel, presented two witnesses, Mark Levin, an architect, and Dr. Calvin Schutzman, the chief administrator. No Protestants appeared, although Judith Baer appeared as an observer.

The property in question was purchased in 1976 for the purpose of operating a private school. At that time, 16,297 square feet of interior space was intended to be used for the school, which was then a permitted use. During subsequent years, renovations and additions were made to the existing structures. The school presently exists as a nonconforming use. The Petitioner wishes to expand beyond the permitted 25% pursuant to Section 104 of the Baltimore County Zoning Regulations (BCZR) and, therefore, requires the special exception requested herein. He wishes to renovate buildings 1 and A-4, as well as construct an addition to building A-4, as shown on Petitioner's Exhibit 1. The renovations and addition will allow the school to add approximately 20 to 25 students to the present enrollment of 300. It is also expected that one additional teacher will be needed. Since most of the students carpool, the increase in students will create only minimal additional traffic. The proposed changes will provide space for storage, the library, and physical education facilities.

ORDER RECEIVED FOR FILING

DATE January 13, 1984
BY John H. Lacey

Mr. Levin testified that in his opinion there will be no adverse effect on the community, but will be a benefit. He and Dr. Schutzman testified that current traffic flow will not be made worse or disrupted by the changes proposed. The neighborhood is an exclusive rural area where homes are valued from \$250,000. Eight or nine homes are serviced by a common access road which also serves the school. In an attempt to relieve congestion, the Petitioner has constructed a driveway to Falls Road, which is used primarily for egress. The common access road is used primarily for ingress. The Petitioner points out that a public school is allowed by right, a private school by special exception.

It is clear that the BCZR permit the use requested by the Petitioner in an R.C.2 Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity of the proposed school. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the

DATE _____

8.

proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances of the use proposed by the Petitioner does not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond those inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Ritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the zoning regulations.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of January, 1984, that the Petition for Special Exception for a private school in an R.C.2 Zone, in accordance with the site plan introduced and accepted into evidence as Petitioner's Exhibit 1, be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

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

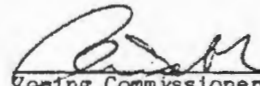
ORDER RECEIVED FOR FILING

DATE

BY

ADMINISTRATIVE ASSISTANT

2. A detailed landscaping plan shall be submitted to and approved by the Current Planning and Development Division.
3. The Petitioner shall be allowed five years from the date of this Order to utilize this special exception, pursuant to Section 502.3; however, as long as this special exception has been substantially begun within that five-year period, the Petitioner may, without further hearing, renovate or add on to the existing structures for the purposes as described above. The term "substantially begun" shall, for the purpose herein used, be defined in terms of total square feet proposed for renovation and addition, but shall not include major development and/or structures, which will not be permitted without further public hearing.
4. The Petitioner shall be limited to a maximum enrollment of 375 students during any one school term.


Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE January 13, 1974
BY John R. Lammert
PLANNING & DEVELOPMENT DIVISION

IN RE: PETITION SPECIAL EXCEPTION
E/S of Tony Drive, 85.08' N of
Greenspring Valley Road - 8th
Election District
Montessori Society of Central
Maryland, Inc.,

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 84-173-X

Petitioner



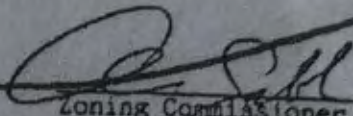
AMENDED ORDER

It has come to the attention of the Zoning Commissioner that an agreement between the Petitioner herein and the neighboring community association has been entered into; thus, the Zoning Commissioner, by the following Order, incorporates said agreement into, and amends accordingly, the decision rendered on January 13, 1984.

For the reason cited above, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15 day of February, 1984, that Restriction 4 contained in the Order dated January 13, 1984 be and is hereby Amended as follows:

4. The Petitioner shall be limited to a maximum enrollment of 325 students during any one school term, pursuant to the attached stipulation by the Petitioner.

Any appeal from this Amended Order shall be within 30 days from the date of this Order.


Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE February 13, 1984

BY John P. P. [Signature]
ADMINISTRATIVE ASSISTANT

* Referred to
375 to 325
//

PETITIONER'S

EXHIBIT NO. 5

IN RE: PETITION FOR SPECIAL HEARING
 2/8 Tony Drive, 85.08' N of
 Greenspring Valley Road
 (Falls & Greenspring Valley Rds.)
 8th Election District
 3rd Councilmanic District
 Montessori Society of Central
 Maryland, Inc. - Petitioners

• BEFORE THE
 • ZONING COMMISSIONER
 • OF BALTIMORE COUNTY
 • Case No. 89-380-SPH

AMENDED ORDER

WHEREAS, the Petitioners requested a special hearing to approve an amendment to the originally approved site plans in Case Nos. 79-74-X, 84-99-SPH and 84-173-X, to permit the relocation of proposed additions and the addition of a maintenance shed, in accordance with the plan submitted, identified as Petitioner's Exhibit 1;

WHEREAS, by Order issued May 3, 1989 the relief requested was granted with restrictions;

WHEREAS, a request was submitted by Counsel for the Petitioners advising of a technical error in said Order concerning Restrictions Nos. 2 and 5;

WHEREAS, a review of the issues raised by Counsel revealed that an amended Order should be issued;

IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of June, 1989 that the Order issued May 3, 1989 be and the same is hereby amended as follows:

Restriction No. 2 shall be amended to read: "Compliance with all Zoning Plans Advisory Committee Comments."

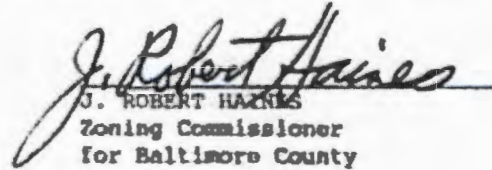
ORDER PROVIDED FOR FILING

Date

6/13/89
Bette J. Holman

Restriction No. 5 shall read: "There shall be no (new) access to the subject property from Falls Road," and;

IT IS FURTHER ORDERED that all other conditions and restrictions of the Order issued on May 3, 1989 shall remain in full force and effect.


J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

ORDER RECEIVED FOR FILING

DATE

BY

6/18/89
L. J. Schuman

IN RE: PETITION FOR SPECIAL HEARING
 E/S Tony Drive, 85.08' N of
 Greenspring Valley Road
 (Falls & Greenspring Valley Rds.)
 8th Election District
 3rd Councilmanic District

• BEFORE THE
 • ZONING COMMISSIONER
 • OF BALTIMORE COUNTY
 • Case No. 89-380-SPH

Montessori Society of Central
 Maryland, Inc. - Petitioners

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an amendment to the originally approved site plans in Case Nos. 79-74-X, 84-99-SPH and 84-173-X, to permit the relocation of proposed additions and the addition of a maintenance shed as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Marcia Hettinger, Head Mistress, appeared, testified, and were represented by Ira C. Cooke, Esquire. Also appearing on behalf of the Petition was Mark Levin, Architect with Levin/Brown & Associates, Inc. Lisa Keir, Executive Director, appeared and testified on behalf of the Valleys Planning Council as an interested party. There were no Protestants.

Testimony indicated that the subject property, located off of Green Spring Valley Road between Tony Drive and Falls Road, consists of 6.573 acres zoned R.C. 2, and is the site of the Montessori School. Testimony indicated that the subject property was granted a special exception for a private school in Case No. 79-74-X, a special hearing to approve its expansion in Case No. 84-99-SPH, and a subsequent special exception for further expansion and renovations in Case No. 84-173-X. Ms. Hettinger testified the Petitioner has been in the process of renovating and expanding the existing facilities since its purchase of the property in 1976.

DATE 5/3/89 FOR FILING

By *[Signature]*

ORDER FOR FILING

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By

5/3/89
R. J. Schuler

At the present time, the Petitioners propose constructing an addition and renovations to the existing library and a class room/work room addition in the locations as shown in Petitioner's Exhibit 1. Testimony indicated the proposed additions were previously approved in Case No. 84-173-X; however, the locations are different from that previously approved. The proposed library addition was originally planned to be located to the rear of the existing library; however, it is now proposed for placement alongside the existing structure. The proposed class room/work room addition, which was originally planned as a freestanding structure to be constructed between existing Buildings 6 and 7 as set forth in Petitioner's Exhibit 1, is now proposed as an addition to the existing science room. Further testimony indicated the size and dimensions of the proposed additions have not changed. The proposed science room addition has been planned for use as a computer science laboratory and its new location is believed to be more appropriate. Testimony indicated, however, that the relocation of this addition will result in the loss of an existing maintenance garage. Accordingly, Petitioners propose constructing a new maintenance shed/garage facility to the rear of the site as shown in Petitioner's Exhibit 1. The proposed maintenance shed will be used solely for the storage of tools and equipment used in the upkeep and maintenance of the school campus.

Mr. Levin testified the site plan submitted herein as Petitioner's Exhibit 1 is the same as that previously approved in prior cases. He testified the proposed relocations will not have any impact or detrimental affect on the use of the subject property or surrounding uses. Mr. Levin further testified that Petitioner's Exhibit 6, which was submitted as the floor plans for the proposed additions, was architecturally wrong and submitted revised floor plans which have been identified as Petitioner's

Exhibits 6A and 6B. Testimony and evidence presented by both Mr. Levin and Ms. Hettinger indicated the conditions set forth in Section 502.1 of the zoning regulations will be met by this proposal.

Ms. Keir, testifying on behalf of the Valleys Planning Council, indicated the Council has no objection to the proposed additions, however, the Council is concerned about the growth of the school's membership.

Mrs. Hettinger testified in response to the Valleys Planning Council's concerns regarding school membership and indicated the current student enrollment stands at 325 students which is within the maximum permitted by the Order issued in Case No. 84-173-X.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in

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5/3/89
By [Signature]

roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below. In the opinion of the Zoning Commissioner, the Petitioners' request is a limited modification of previously approved plans. The proposed relocations will not have any adverse affect upon the conditions or restrictions of the relief previously granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of May, 1988 that the Petition for Special Hearing to approve an amendment to the originally approved site plans in Case Nos. 79-74-X, B4-99-SPH and B4-173-X, to permit the relocation of proposed additions and the addition of a maintenance shed, in accordance with Petitioner's Exhibits 1 and 6A and 6B, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

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

2) Compliance with all Zoning Plans Advisory Committee comments, including, but not limited to, the comments submitted by the Fire Prevention Bureau of the

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OFF

DATE

BY

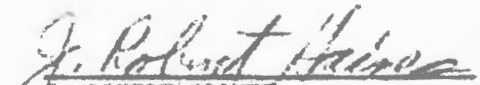
5/3/89
Bette G. Schuman

Fire Department, dated February 7, 1989, attached hereto and made a part hereof.

4) Prior to the issuance of any permits, Petitioners shall comply with the requirements of the Fire Department as set forth in Restriction No. 2 above.

4) Petitioners shall submit a detailed landscaping plan for approval by the Baltimore County Landscape Planner. A copy of the approved plan shall be submitted to the Zoning Commissioner's Office for inclusion in the case file.

5) There shall be no access to the subject property from Falls Road.


J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

CLING

5/3/89
by Betty Schuler

IN RE: PETITION FOR SPECIAL HEARING
E/S private road ("Tony Drive"), 130' N
centerline of Green Spring Valley Road
8th Election District
3rd Councilmanic District
(10807 Tony Drive)

Montessori Society of Central Maryland
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-315-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the Montessori Society of Central Maryland, by and through Albert Swartz and their attorney, G. Scott Barhight. The Petitioner is requesting special hearing relief for their school located at 10807 Tony Drive in the Lutherville area of Baltimore County. The special hearing request is to amend the previous site plans submitted in conjunction with Case Nos. 79-74-X, 84-99-SPH, 84-173-X and 89-380-SPH. The purpose of the special hearing request is to approve a proposed 75 ft. x 130 ft. multi-purpose building.

Appearing at the hearing on behalf of the special hearing request were Phillip Carroll, representing the engineering firm who prepared the site plan of the property, Albert Swartz and Stewart Levitas, appearing on behalf of the Montessori School, and G. Scott Barhight, attorney at law, representing the Petitioner. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 6.57 acres, more or less, zoned R.C.2. The property is located on the north side of Green Spring Valley Road, west of its intersection with Falls Road. The property is the home of the Montessori School. Currently, the Montessori School utilizes seven buildings for the purpose of operating their private school. They are proposing at this time to construct a multi-purpose building addition with administrative offices as is depicted on Petitioner's Exhibit

ORDER RECEIVED FOR FILING

Date 3/12/03

By [Signature]

No. 1, the site plan submitted into evidence. The Petitioner met with the Falls Road Community Association and The Valleys Planning Council and brought to their attention their plans to construct this addition. Neither of those community groups oppose the Montessori School and their plans to construct this building. In fact, The Valleys Planning Council submitted a letter indicating that they have no opposition to the proposed expansion. That letter was submitted into evidence as Petitioner's Exhibit No. 2.

In order to approve the expansion plans, the granting of the special hearing request is necessary utilizing the proofs associated with Section 502.1 of the Baltimore County Zoning Regulations.

It is clear the Baltimore County Zoning Regulations permit the expansion plans by special exception. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioners had the burden of adducing testimony and evidence which shows that the building proposal meets the prescribed standards and requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations. The Petitioners have shown that the buildings can be constructed without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the use at this particular location described by Petitioners' Exhibit No. 1 has any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed construction of the multi-purpose building is not detrimental to the health, safety, or general welfare of the locality, nor tends to create congestion in roads, streets, or alleys

STAFF
DATE 3/12/03
BY R. J. JAMES

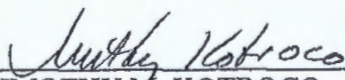
therein, nor is it inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing relief shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 12th day of March, 2003, that the Petitioner's Request for Special Hearing, to amend the previous site plans submitted in conjunction with Case Nos. 79-74-X, 84-99-SPH, 84-173-X and 89-380-SPH for a proposed 75 ft. x 130 ft. multi-purpose building, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner shall be prohibited from installing exterior lighting that may be excessive or inappropriate, given the rural character of the Montessori campus.
2. The Petitioner shall be required to submit to Mr. Jack Dillon, Executive Director of The Valleys Planning Council, architectural and landscape plans for the subject property prior to obtaining a building permit for this structure.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
E/S private road ("Tony Drive"), 130' N	*	
centerline of Green Spring Valley Road	*	DEPUTY ZONING COMMISSIONER
8th Election District	*	
3rd Councilmanic District	*	OF BALTIMORE COUNTY
(10807 Tony Drive)	*	
	*	CASE NO. 03-315-SPH
Montessori Society of Central Maryland	*	
<i>Petitioner</i>	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the Montessori Society of Central Maryland, by and through Albert Swartz and their attorney, G. Scott Barhight. The *Petitioner* is requesting special hearing relief for their school located at 10807 Tony Drive in the Lutherville area of Baltimore County. The special hearing request is to amend the previous site plans submitted in conjunction with Case Nos. 79-74-X, 84-99-SPH, 84-173-X and 89-380-SPH. The purpose of the special hearing request is to approve a proposed 75 ft. x 130 ft. multi-purpose building.

Appearing at the hearing on behalf of the special hearing request were Phillip Carroll, representing the engineering firm who prepared the site plan of the property, Albert Swartz and Stewart Levitas, appearing on behalf of the Montessori School, and G. Scott Barhight, attorney at law, representing the *Petitioner*. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 6.57 acres, more or less, zoned R.C.2. The property is located on the north side of Green Spring Valley Road, west of its intersection with Falls Road. The property is the home of the Montessori School. Currently, the Montessori School utilizes seven buildings for the purpose of operating their private school. They are proposing at this time to construct a multi-purpose building addition with administrative offices as is depicted on *Petitioner's* Exhibit

ORDER RECEIVED FOR FILING
Date 3/12/03
By [Signature]

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In order to approve the expansion plans, the granting of the special hearing request is necessary utilizing the proofs associated with Section 502.1 of the *Baltimore County Zoning Regulations*.

It is clear the Baltimore County Zoning Regulations permit the expansion plans by special exception. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioners had the burden of adducing testimony and evidence which shows that the building proposal meets the prescribed standards and requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations. The Petitioners have shown that the buildings can be constructed without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the use at this particular location described by Petitioners' Exhibit No. 1 has any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed construction of the multi-purpose building is not detrimental to the health, safety, or general welfare of the locality, nor tends to create congestion in roads, streets, or alleys

OFFICE OF THE CLERK
DATE 3/12/03
BY R. J. JAMES

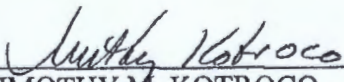
therein, nor is it inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing relief shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 12th day of March, 2003, that the Petitioner's Request for Special Hearing, to amend the previous site plans submitted in conjunction with Case Nos. 79-74-X, 84-99-SPH, 84-173-X and 89-380-SPH for a proposed 75 ft. x 130 ft. multi-purpose building, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner shall be prohibited from installing exterior lighting that may be excessive or inappropriate, given the rural character of the Montessori campus.
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3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

IN RE: PETITION FOR SPECIAL HEARING
E/S private road ("Tony Drive"), 130' N
centerline of Green Spring Valley Road
8th Election District
3rd Councilmanic District
(10807 Tony Drive)

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-315-SPH

Montessori Society of Central Maryland
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the Montessori Society of Central Maryland, by and through Albert Swartz and their attorney, G. Scott Barhight. The Petitioner is requesting special hearing relief for their school located at 10807 Tony Drive in the Lutherville area of Baltimore County. The special hearing request is to amend the previous site plans submitted in conjunction with Case Nos. 79-74-X, 84-99-SPH, 84-173-X and 89-380-SPH. The purpose of the special hearing request is to approve a proposed 75 ft. x 130 ft. multi-purpose building.

Appearing at the hearing on behalf of the special hearing request were Phillip Carroll, representing the engineering firm who prepared the site plan of the property, Albert Swartz and Stewart Levitas, appearing on behalf of the Montessori School, and G. Scott Barhight, attorney at law, representing the Petitioner. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 6.57 acres, more or less, zoned R.C.2. The property is located on the north side of Green Spring Valley Road, west of its intersection with Falls Road. The property is the home of the Montessori School. Currently, the Montessori School utilizes seven buildings for the purpose of operating their private school. They are proposing at this time to construct a multi-purpose building addition with administrative offices as is depicted on Petitioner's Exhibit

ORDER RECEIVED FOR FILING

Date

3/12/03

By

R. J. G. [Signature]

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In order to approve the expansion plans, the granting of the special hearing request is necessary utilizing the proofs associated with Section 502.1 of the Baltimore County Zoning Regulations.

It is clear the Baltimore County Zoning Regulations permit the expansion plans by special exception. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioners had the burden of adducing testimony and evidence which shows that the building proposal meets the prescribed standards and requirements set forth in Section 502.1 of the Baltimore County Zoning Regulations. The Petitioners have shown that the buildings can be constructed without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the use at this particular location described by Petitioners' Exhibit No. 1 has any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed construction of the multi-purpose building is not detrimental to the health, safety, or general welfare of the locality, nor tends to create congestion in roads, streets, or alleys

STAFF COUNCIL
DATE 3/12/03
BY R. J. M. [Signature]

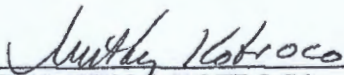
therein, nor is it inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing relief shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 12th day of March, 2003, that the Petitioner's Request for Special Hearing, to amend the previous site plans submitted in conjunction with Case Nos. 79-74-X, 84-99-SPH, 84-173-X and 89-380-SPH for a proposed 75 ft. x 130 ft. multi-purpose building, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner shall be prohibited from installing exterior lighting that may be excessive or inappropriate, given the rural character of the Montessori campus.
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TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

**Charles A. Phillips, Jr., RPLS****Senior Vice President****Site Facilities Discipline Manager****Experience:**

Mr. Phillips has more than 38 years of professional experience in the consulting engineering business. He currently serves as the Discipline Manager of KCI's Site & Facilities Division which employs more than 170 people in fifteen offices across 10 states. The Site & Facilities Discipline serves both public and private sector clients on a variety of project types including municipal and institutional facilities, military and federal installations, airports and related structures, commercial buildings, residential land development, and land and hydrographic surveying.

After joining KCI in 1985 and spending his first six years in a regional branch office, Mr. Phillips was promoted to Vice President and assumed leadership posts of the Corporate Surveys Division in 1991, the Laurel and Frederick, Maryland branch offices in 1992, and the corporate Site Engineering Division in 1994. In 1997, he was appointed to Group Manager of Site Engineering and Surveys and was soon after promoted to Senior Vice President. In 2002, he was named Site/Buildings/Telecommunications Manager for the Mid-Atlantic Region. In January of 2005 KCI's Mechanical/Electrical practice joined the Site Group as the company strived to align service offerings with the appropriate market managers. Under Mr. Phillips' direction that practice expanded and mechanical and electrical staff were added to branch offices in Harrisburg and Pittsburgh, Pennsylvania as well as Sterling, Virginia. In 2008, Mr. Phillips successfully launched a new brand, KCI Protection Technologies to diversify the service offerings of the Site Group. With the stated goal to reach a new untapped client base in the security, fire protection, life safety and risk management arenas, KCI Protection Technologies pushed the geographic reach of KCI from the east to the west coast. As part of a corporate restructuring in 2009, Mr. Phillips was named Discipline Manager of the Site & Facilities Discipline. Within that discipline he assumed the leadership of

all personnel within the Land Development, Mechanical/Electrical, Municipal, Security/Fire Protection and Survey practices throughout the geographic reach of the company.

In addition to his years of business management, business development and project management experience he has significant experience in site/civil engineering and is a recognized expert in land development, land use and zoning issues in the Mid-Atlantic region. He has provided expert witness testimony on hundreds of projects in regards to land use during his tenure with KCI. The land development practice within his group in the State of Maryland has been very active providing analysis of properties subject to Maryland's storm-water and impervious surface tax that places a fee on all property owners for the amount impervious surfaces located on their properties. He has also spoken at conferences across the country on various topics including risk management, integration of computer technology, employee training and education, employee stock ownership programs and marketing and business development.

Mr. Phillips is a licensed Surveyor and an active member of the Maryland Society of Surveyors (MSS), the Society of Military Engineers (SAME), The National Association of Industrial Office Parks (NAIOP), The American Council of Engineering Companies (ACEC), The Homebuilders Association of Maryland (HBAM), GovConnects Advisory Council and the Maryland Terrapin Club. In addition to serving on the Board of Trustees of KCI Technologies, Inc. he also serves on the board of several non-profit organizations including the Board of Directors for the National Aquarium in Baltimore, The Board of Directors of the Howard County Chamber of Commerce and is the Secretary of the Board of Directors for Project PLASE, Inc. an advocacy group that serves Baltimore, Maryland's homeless population. Mr. Phillips is currently serving as the Legislative Chair for the American Council of Engineering Companies, ACEC MD and has experience in providing testimony on business friendly legislation in both the Maryland House and Senate. He has been a resident of Howard County, MD for more than 25 years and currently resides in Woodbine MD, with Kimberly his wife of 32 years. KCI Technologies, Inc. maintains two Howard County offices in Ellicott City and Fulton, MD.

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER 2016-0014-SPH

DATE 9-24-2015

PETITIONER'S SIGN-IN SHEET

[illegible]

PLEASE PRINT CLEARLY

CASE NAME

CASE NUMBER

DATE

2016-0014-SPH

9-24-2015

CITIZEN'S SIGN - IN SHEET

NAME

ADDRESS

CITY, STATE, ZIP

E - MAIL

EVERETTE SMITH

3818 BEAUMONT DR.

FAIRBANKS AK 99701

esmith@verizon.net

MARY SEAN

Tony Drive

Fairbanks AK 99701

msean@quad.com

Prior
ZONING

12
2
3/11

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
E/S private road ("Tony Drive"), 130' N		
centerline of Green Spring Valley Road	*	DEPUTY ZONING COMMISSIONER
8th Election District		
3rd Councilmanic District	*	OF BALTIMORE COUNTY
(10807 Tony Drive)		
	*	CASE NO. 03-315-SPH
Montessori Society of Central Maryland		
<i>Petitioner</i>	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the Montessori Society of Central Maryland, by and through Albert Swartz and their attorney, G. Scott Barhight. The Petitioner is requesting special hearing relief for their school located at 10807 Tony Drive in the Lutherville area of Baltimore County. The special hearing request is to amend the previous site plans submitted in conjunction with Case Nos. 79-74-X, 84-99-SPH, 84-173-X and 89-380-SPH. The purpose of the special hearing request is to approve a proposed 75 ft. x 130 ft. multi-purpose building.

Appearing at the hearing on behalf of the special hearing request were Phillip Carroll, representing the engineering firm who prepared the site plan of the property, Albert Swartz and Stewart Levitas, appearing on behalf of the Montessori School, and G. Scott Barhight, attorney at law, representing the Petitioner. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 6.57 acres, more or less, zoned R.C.2. The property is located on the north side of Green Spring Valley Road, west of its intersection with Falls Road. The property is the home of the Montessori School. Currently, the Montessori School utilizes seven buildings for the purpose of operating their private school. They are proposing at this time to construct a multi-purpose building addition with administrative offices as is depicted on Petitioner's Exhibit

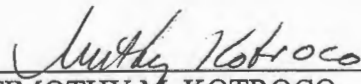
therein, nor is it inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing relief shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 12th day of March, 2003, that the Petitioner's Request for Special Hearing, to amend the previous site plans submitted in conjunction with Case Nos. 79-74-X, 84-99-SPH, 84-173-X and 89-380-SPH for a proposed 75 ft. x 130 ft. multi-purpose building, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner shall be prohibited from installing exterior lighting that may be excessive or inappropriate, given the rural character of the Montessori campus.
2. The Petitioner shall be required to submit to Mr. Jack Dillon, Executive Director of The Valleys Planning Council, architectural and landscape plans for the subject property prior to obtaining a building permit for this structure.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

C H E C K L I S T

**Comment
Received**

Department

**Support/Oppose/
Conditions/
Comments/
No Comment**

8/6/15

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

C

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

8/11/15

PLANNING
(if not received, date e-mail sent _____)

no obj
w/cond.

7/29/15

STATE HIGHWAY ADMINISTRATION

no obj

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. 2003-0315-SPH)

NEWSPAPER ADVERTISEMENT Date: 9/3/15

SIGN POSTING Date: 9/4/15 by O'Keefe

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption				View GroundRent Registration			
Account Identifier:		District - 08 Account Number - 1700007579							
Owner Information									
Owner Name:		MONTESSORI SOCIETY OF CENTRAL MARYLAND				Use: Principal Residence:		EXEMPT COMMERCIAL NO	
Mailing Address:		TONY DR LUTHERVILLE MD 21093				Deed Reference:		/05731/ 00659	
Location & Structure Information									
Premises Address:		10807 TONY DR 0-0000				Legal Description: 93 N GREENSPRING VALLE BROOKLANDWOOD			
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No: Plat Ref:
0060	0013	0088		0000			1	2014	0039/0080
Special Tax Areas:					Town: Ad Valorem: Tax Class:		NONE		
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area		Property Land Area		County Use 01	
Stories	Basement	Type	Exterior	Full/Half Bath		Garage	Last Major Renovation		
Value Information									
			Base Value		Value As of 01/01/2014		Phase-in Assessments As of 07/01/2015 As of 07/01/2016		
Land:			147,800		147,800				
Improvements			658,500		658,500				
Total:			806,300		806,300		806,300		806,300
Preferential Land:			0						0
Transfer Information									
Seller: BROOKLANDWOOD AS SOCIATES				Date: 03/09/1977				Price: \$0	
Type: NON-ARMS LENGTH OTHER				Deed1: /05731/ 00659				Deed2:	
Seller:				Date:				Price:	
Type:				Deed1:				Deed2:	
Seller:				Date:				Price:	
Type:				Deed1:				Deed2:	
Exemption Information									
Partial Exempt Assessments:		Class		07/01/2015		07/01/2016			
County:		800		806,300.00		806,300.00			
State:		800		806,300.00		806,300.00			
Municipal:		800		0.00/0.00		0.00/0.00			
Tax Exempt: Exempt Class:				Special Tax Recapture: NONE					
Homestead Application Information									
Homestead Application Status: No Application									

IX RE: PETITION SPECIAL EXCEPTION *
E/S of Tony Drive, 85.08' N of *
Greenspring Valley Road - 8th *
Election District *

Montessori Society of Central *
Maryland, Inc., *

Petitioner *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 84-173-X

* * * * *
FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein, Montessori Society of Central Maryland, Inc., requests a special exception to conduct a private school in an R.C.2 Zone, as more fully described on Petitioner's Exhibit 1.

The Petitioner, represented by Counsel, presented two witnesses, Mark Levin, an architect, and Dr. Calvin Schutzman, the chief administrator. No Protestants appeared, although Judith Baer appeared as an observer.

The property in question was purchased in 1976 for the purpose of operating a private school. At that time, 16,297 square feet of interior space was intended to be used for the school, which was then a permitted use. During subsequent years, renovations and additions were made to the existing structures. The school presently exists as a nonconforming use. The Petitioner wishes to expand beyond the permitted 25% pursuant to Section 104 of the Baltimore County Zoning Regulations (BCZR) and, therefore, requires the special exception requested herein. He wishes to renovate buildings 1 and A-4, as well as construct an addition to building A-4, as shown on Petitioner's Exhibit 1. The renovations and addition will allow the school to add approximately 20 to 25 students to the present enrollment of 300. It is also expected that one additional teacher will be needed. Since most of the students carpool, the increase in students will create only minimal additional traffic. The proposed changes will provide space for storage, the library, and physical education facilities.

ORDER RECEIVED FOR FILING

DATE 3/3/84
BY [Signature]

Item # 0014

Although no major construction will occur on the site, the Petitioner hopes to further renovate existing structures and, in the future, add on to others for office space, faculty lounges, overhangs and canopies, a computer center, et al. Additional parking spaces may also be required. All of the expected changes will better serve the children, improve the school, and benefit the area.

Mr. Levin testified that in his opinion there will be no adverse effect on the community, but will be a benefit. He and Dr. Schutzman testified that current traffic flow will not be made worse or disrupted by the changes proposed. The neighborhood is an exclusive rural area where homes are valued from \$250,000. Eight or nine homes are serviced by a common access road which also serves the school. In an attempt to relieve congestion, the Petitioner has constructed a driveway to Falls Road, which is used primarily for egress. The common access road is used primarily for ingress. The Petitioner points out that a public school is allowed by right, a private school by special exception.

The Petitioner seeks relief from Section 1A01.2.C.19., pursuant to Section 502.1, of the Baltimore County Zoning Regulations (BCZR).

It is clear that the BCZR permit the use requested by the Petitioner in an R.C.2 Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity of the proposed school. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception as applied for by the Petitioner should be granted, with certain restrictions as more fully described below.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the

ORDER RECEIVED FOR FILING

DATE

BY

proposed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances of the use proposed by the Petitioner does not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond those inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Britts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the zoning regulations.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of January, 1984, that the Petition for Special Exception for a private school in an R.C.2 Zone, in accordance with the site plan introduced and accepted into evidence as Petitioner's Exhibit 1, be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

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

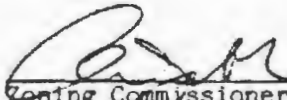
ORDER RECEIVED FOR FILING

DATE

BY

ADMINISTRATIVE ASSISTANT

2. A detailed landscaping plan shall be submitted to and approved by the Current Planning and Development Division.
3. The Petitioner shall be allowed five years from the date of this Order to utilize this special exception, pursuant to Section 502.3; however, as long as this special exception has been substantially begun within that five-year period, the Petitioner may, without further hearing, renovate or add on to the existing structures for the purposes as described above. The term "substantially begun" shall, for the purpose herein used, be defined in terms of total square feet proposed for renovation and addition, but shall not include major development and/or structures, which will not be permitted without further public hearing.
4. The Petitioner shall be limited to a maximum enrollment of 375 students during any one school term.



Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE January 13, 1974
BY John H. L. Lantry
ADMINISTRATIVE ASSISTANT

IN RE: PETITION FOR SPECIAL HEARING • BEFORE THE
 E/S Tony Drive, 85.08' N of • ZONING COMMISSIONER
 Greenspring Valley Road • OF BALTIMORE COUNTY
 (Falls & Greenspring Valley Rds.) • Case No. 84-99-SPH
 8th Election District •
 3rd Councilmanic District •
 Montessori Society of Central
 Maryland, Inc. - Petitioners •

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an amendment to the originally approved site plans in Case Nos. 79-74-X, 84-99-SPH and 84-173-X, to permit the relocation of proposed additions and the addition of a maintenance shed as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Marcia Hettinger, Head Mistress, appeared, testified, and were represented by Ira C. Cooke, Esquire. Also appearing on behalf of the Petition was Mark Levin, Architect with Levin/Brown & Associates, Inc. Lisa Keir, Executive Director, appeared and testified on behalf of the Valleys Planning Council as an interested party. There were no Protestants.

Testimony indicated that the subject property, located off of Green Spring Valley Road between Tony Drive and Falls Road, consists of 6.573 acres zoned R.C. 2, and is the site of the Montessori School. Testimony indicated that the subject property was granted a special exception for a private school in Case No. 79-74-X, a special hearing to approve its expansion in Case No. 84-99-SPH, and a subsequent special exception for further expansion and renovations in Case No. 84-173-X. Ms. Hettinger testified the Petitioner has been in the process of renovating and expanding the existing facilities since its purchase of the property in 1976.

ORDER RECEIVED FOR FILING

Date 5/3/89

By [Signature]

Exhibits 6A and 6B. Testimony and evidence presented by both Mr. Levin and Ms. Hettinger indicated the conditions set forth in Section 502.1 of the zoning regulations will be met by this proposal.

Ms. Keir, testifying on behalf of the Valleys Planning Council, indicated the Council has no objection to the proposed additions, however, the Council is concerned about the growth of the school's membership.

Mrs. Hettinger testified in response to the Valleys Planning Council's concerns regarding school membership and indicated the current student enrollment stands at 325 students which is within the maximum permitted by the Order issued in Case No. 84-173-X.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in

ORDER OF THE COURT
FILED
5/3/89
By *[Signature]*

Fire Department, dated February 7, 1989, attached hereto and made a part hereof.

4) Prior to the issuance of any permits, Petitioners shall comply with the requirements of the Fire Department as set forth in Restriction No. 2 above.

1) Petitioners shall submit a detailed landscaping plan for approval by the Baltimore County Landscape Planner. A copy of the approved plan shall be submitted to the Zoning Commissioner's Office for inclusion in the case file.

5) There shall be no access to the subject property from Falls Road.

JRH:bjs


J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

ORDER OF FILING

Date

By

5/3/89

Bette Schulman

IN RE: PETITION FOR SPECIAL HEARING
E/S private road ("Tony Drive"), 130' N
centerline of Green Spring Valley Road
8th Election District
3rd Councilmanic District
(10807 Tony Drive)

Montessori Society of Central Maryland
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 03-315-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the Montessori Society of Central Maryland, by and through Albert Swartz and their attorney, G. Scott Barhight. The Petitioner is requesting special hearing relief for their school located at 10807 Tony Drive in the Lutherville area of Baltimore County. The special hearing request is to amend the previous site plans submitted in conjunction with Case Nos. 79-74-X, 84-99-SPH, 84-173-X and 89-380-SPH. The purpose of the special hearing request is to approve a proposed 75 ft. x 130 ft. multi-purpose building.

Appearing at the hearing on behalf of the special hearing request were Phillip Carroll, representing the engineering firm who prepared the site plan of the property, Albert Swartz and Stewart Levitas, appearing on behalf of the Montessori School, and G. Scott Barhight, attorney at law, representing the Petitioner. There were no protestants or others in attendance.

Testimony and evidence indicated that the property, which is the subject of this special hearing request, consists of 6.57 acres, more or less, zoned R.C.2. The property is located on the north side of Green Spring Valley Road, west of its intersection with Falls Road. The property is the home of the Montessori School. Currently, the Montessori School utilizes seven buildings for the purpose of operating their private school. They are proposing at this time to construct a multi-purpose building addition with administrative offices as is depicted on Petitioner's Exhibit.

RECEIVED FOR ZONING

Date

3/12/03

By

R. Swartz

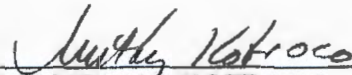
therein, nor is it inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing relief shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 12th day of March, 2003, that the Petitioner's Request for Special Hearing, to amend the previous site plans submitted in conjunction with Case Nos. 79-74-X, 84-99-SPH, 84-173-X and 89-380-SPH for a proposed 75 ft. x 130 ft. multi-purpose building, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

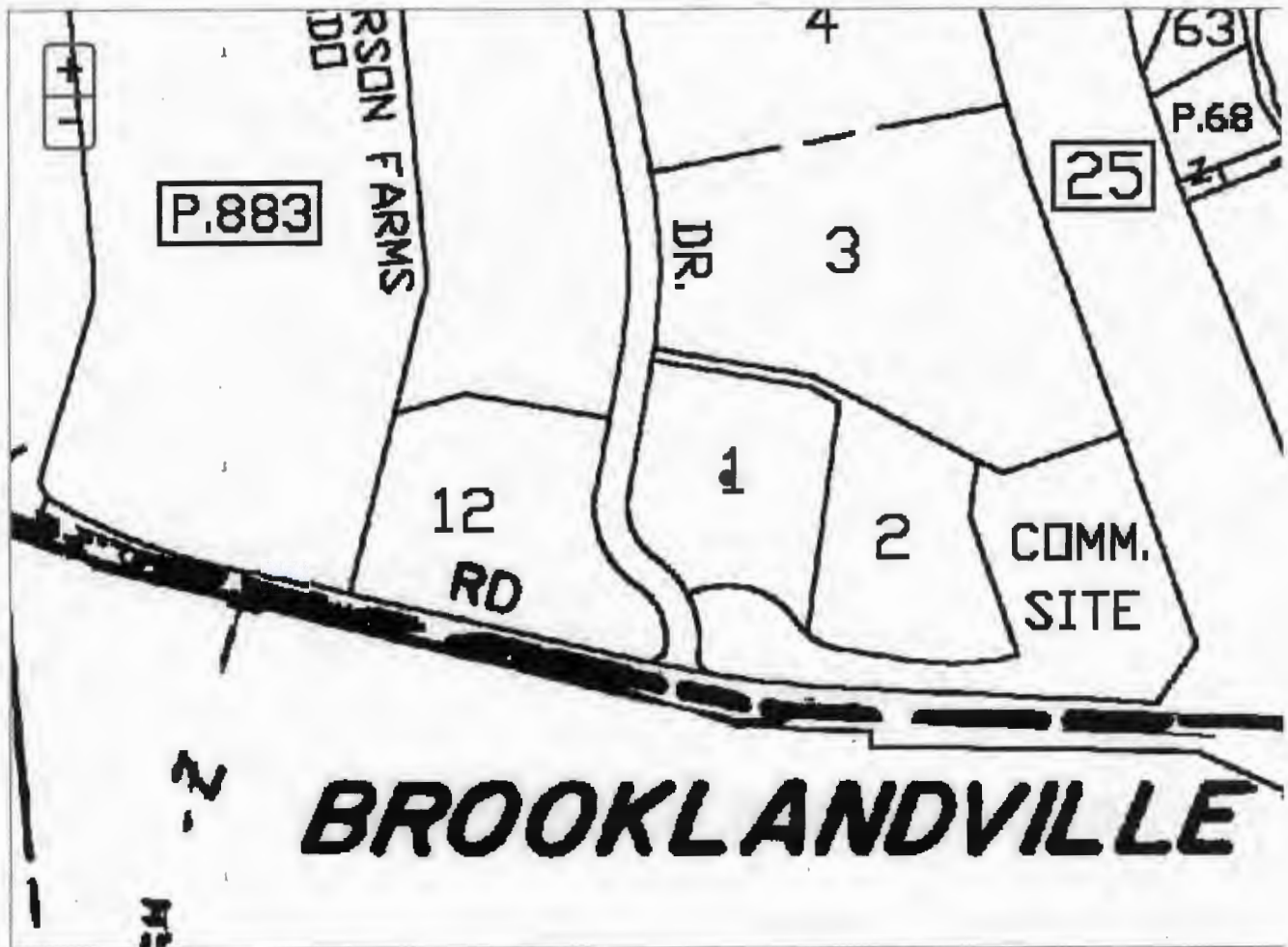
1. The Petitioner shall be prohibited from installing exterior lighting that may be excessive or inappropriate, given the rural character of the Montessori campus.
2. The Petitioner shall be required to submit to Mr. Jack Dillon, Executive Director of The Valleys Planning Council, architectural and landscape plans for the subject property prior to obtaining a building permit for this structure.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

Baltimore County

New Search (<http://sdat.dat.maryland.gov/RealProperty/>)District: **08** Account Number: **1700007579**

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

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

Property maps provided courtesy of the Maryland Department of Planning ©2011.

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



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

Loading... Please Wait. Loading... Please Wait. -->



KEVIN KAMENETZ
County Executive

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

September 17, 2015

Montessori Society of Central Maryland
Jeffrey H. Scherr, Esquire
10807 Tony Drive
Lutherville MD 21093

RE: Case Number: 2016-0014 SPH, Address: 10807 Tony Drive

Dear Mr. Scherr:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 20, 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
Jeffrey H Scherr, Esquire, One South Street, Suite 2600, Baltimore MD 21202

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Douglas H. Simmons, Acting Administrator

Date: 7/24/15

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

RE: Baltimore County
Item No 2016-0014-SPH
Special Hearing
Montessori Society of
Central Maryland
Jeffrey H. Sherr, Esquire
10807 Tony Drive

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. 2016-0014-SPH.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in dark ink, appearing to read "David W. Peake".

David W. Peake
Metropolitan District Engineer
Baltimore & Harford Counties

DWP/RAZ

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For August 3, 2015
Item No. 2016-0014

DATE: August 6, 2015

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

Landscape and Photometric Lighting Plans are required.

* * * * *

DAK:CEN
cc:file

ZAC-ITEM NO 16-0014-08032015.doc

9/24

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 11, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 10807 Tony Drive

INFORMATION:

RECEIVED

Item Number: 16-014

AUG 26 2015

Petitioner: Montessori Society of Central Maryland

Zoning: RC-2

OFFICE OF ADMINISTRATIVE HEARINGS

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to determine whether or not the Administrative Law Judge should approve amendments to the previous Special Exception in zoning case no. 84-173 X.

The proposal is to add two educational facilities on a subject property. The Department accepts the Petitioners declaration that any amendments so proposed would continue to comply with the Special Exception requirements found in BCZR Section 502.1 and therefore has no objection to the grant of the petitioned relief conditioned upon the following:

- Submit to this Department for review and approval building elevations prior to the issuance of a building permit.

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

Division Chief:

Kathy Schaubach

AVA/KS

C: Kaylee Justice

8/14/15
WCA

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 11, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 10807 Tony Drive

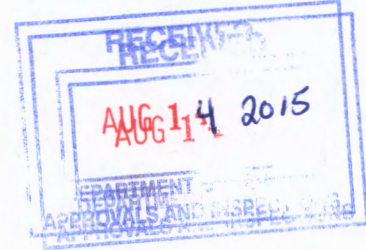
INFORMATION:

Item Number: 16-014

Petitioner: Montessori Society of Central Maryland

Zoning: RC-2

Requested Action: Special Hearing



SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the Petition for Special Hearing to determine whether or not the Administrative Law Judge should approve amendments to the previous Special Exception in zoning case no. 84-173 X.

The proposal is to add two educational facilities on a subject property. The Department accepts the Petitioners declaration that any amendments so proposed would continue to comply with the Special Exception requirements found in BCZR Section 502.1 and therefore has no objection to the grant of the petitioned relief conditioned upon the following:

- Submit to this Department for review and approval building elevations prior to the issuance of a building permit.

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

Division Chief: Kathy Schlabach
AVA/KS
C: Kaylee Justice

January 5th, 2007

Dr. Lauren Schnaper
GBMC Breast Center
6701 N. Charles St.
Suite 3105
Balto. MD 21204

Dear Dr. Schnaper:

We would like to meet with you, as a member of Montessori's Board of Directors, over some important, unresolved issues that have arisen between Montessori and the Homeowners' Association. (See the enclosed letters)

As neighbors we have tried to communicate with the headmaster, but have been met with no response or with extreme rudeness (he has told people not to talk to us). We were told by Albie that nothing can be done about the actual damage to our property and/or our health, and that we have no choice but to put up with the loud noise (at times exceeding 90 decibels) because "it doesn't bother anyone at Montessori". As we draft this letter, our neighbor, Dr. Hrehorovich is over at Montessori again attempting to reason with Albie.

Most of us have lived in this area for over 25 years and have gotten along well with each of the heads of the schools, enjoying a mutual respect for each other. None of us likes to see that relationship deteriorate. However, if we do not have our concerns addressed in an expeditious manner, we will be forced to pursue other legal remedies.

Waiting for your prompt response,

Sincerely,

Mary Seldin, and Gerald Seldin
10901 Tony Drive
Lutherville, MD 21093
Phone: 410 821-7293

Prots. #2

I often think how lucky I am ^{also} to live in lush and verdant Greenspring Valley and to own my own home, when ~~I grew up after WWII I had no home, of an error of the War Department during WWII.~~

As I sit in my Courtyard and watch the leaves shimmering in the trees, it seems like a dream come true.

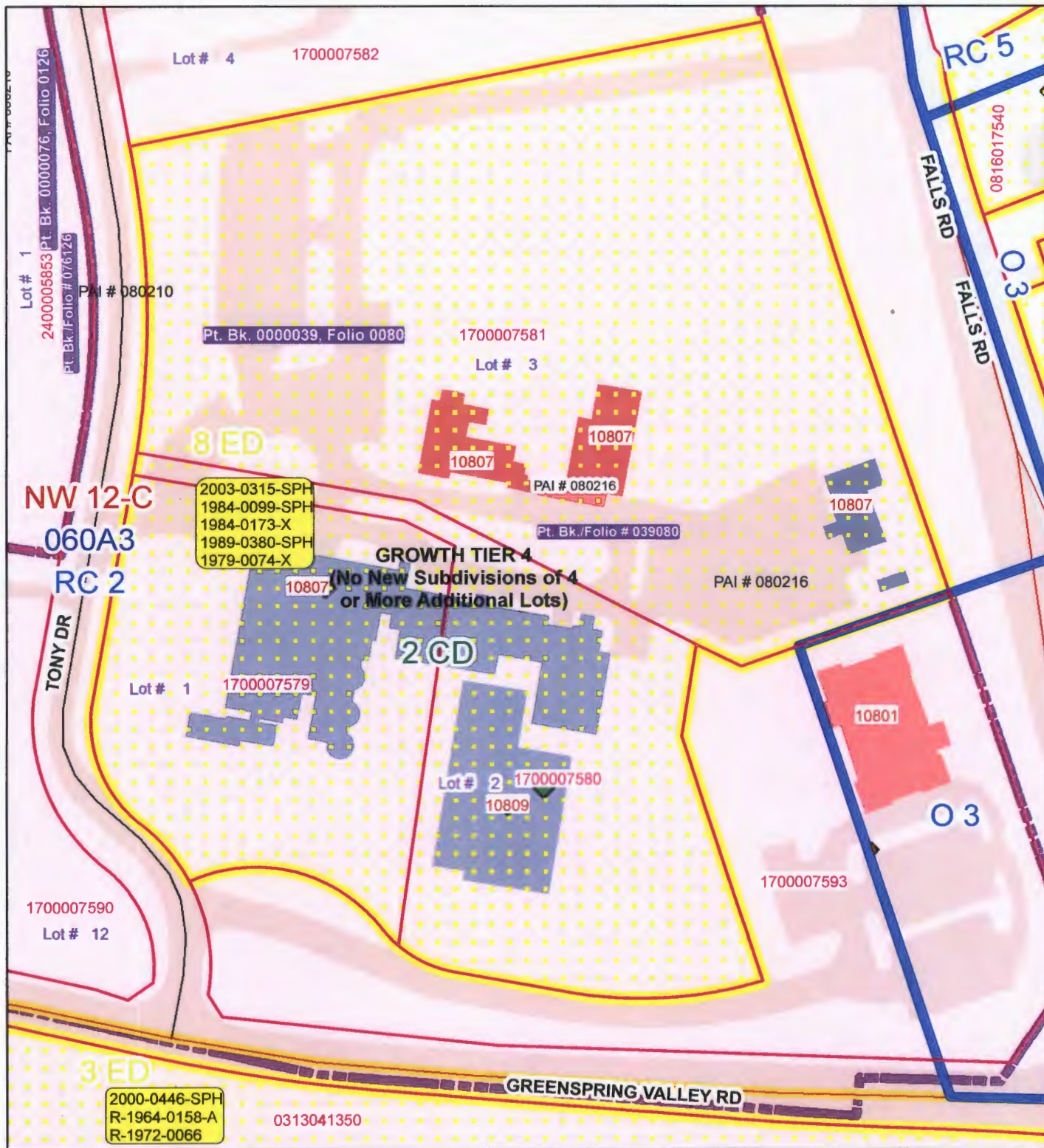
Living here for 34 years with a loving husband and raising two beautiful children was a dream come true!... Sure, we worked hard day & night in a restaurant & delli to afford to buy our houses and to send our children to private schools like Montessori (Sunny went there from 2 yrs old til 2nd grade when she transferred to St. Paul's). But what were the odds of it all turning out so well? I don't even want to go there.

Last year I lost ^{Gerry} the love of my life, and my children are grown and not living at home anymore. But I treasure the memories here, and the peace and quiet to reflect on them.

My husband was president of the HOA from 1981 til he died. Even though he was a very sick man on a feeding tube for 16 yrs. from cancer, no one asked him to resign. Gerry was a very generous & gregarious person. ~~Like~~ had good relations with all the neighbors including the former heads of Montessori. Bud Shultzman had a tree farm & ~~we~~ made a deal: If we would buy the trees from him to go along the line between our property & Montessori's they would maintain them. ^{we were very happy} ~~we were happy~~ ^{attending} Bud's 2nd wedding. Marcia Settinger would sit at my kitchen table & make her phone calls, or stop by the back patio & try out our new furniture.

Our ~~relationship~~ ~~was somewhat~~ ~~strained~~ ~~unpleasantly~~ It was only
the construction of a large ^{new} building on Montessori
property (see ²⁰⁰⁷ letter) Letter to the Board of Montessori
that we had any disagreement. As neighbors we complained
to Albie Schwartz. He said it didn't bother anyone at Montessori. So we
wrote my house was damaged, and I suffered
a ^{letter} ~~loss~~ ~~of~~ ~~hearing~~ ~~as~~ ~~the~~ ~~closest~~ ~~to~~ ~~construction~~
~~nothing~~ ~~was~~ ~~done~~ ~~as~~ ~~the~~ ~~closest~~ ~~to~~ ~~construction~~
a loss of hearing from the excessive noise
and vibrations. Now my doctor (ENT)
tells me my hearing could worsen even
more after prolonged exposure to loud
noises, and that I need to make
other living arrangements during any
Construction (see letter from Dr. Diehn).
ENT Doc.

Montessori School



Publication Date: 7/20/2015



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



A horizontal scale bar with markings at 0, 25, 50, 100, 150, and 200 feet. The bar is black with white markings and numbers.

1 inch = 100 feet

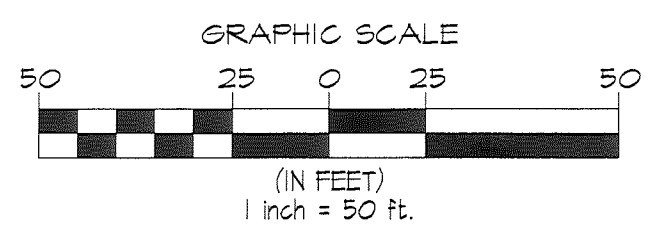
Item #0014



IMPERVIOUS AREA EXHIBIT-EXISTING CONDITIONS

SCALE: 1" = 50'

EXISTING CONDITIONS:	PROPOSED CONDITIONS-UNMANAGED	PROPOSED CONDITIONS-MANAGED
1YR DISCHARGE = 6.69 CFS	1YR DISCHARGE = 7.22 CFS	1YR DISCHARGE = 6.56 CFS
2YR DISCHARGE = 10.74 CFS	2YR DISCHARGE = 11.39 CFS	2YR DISCHARGE = 10.56 CFS
10YR DISCHARGE = 25.63 CFS	10YR DISCHARGE = 26.54 CFS	10YR DISCHARGE = 25.21 CFS
100YR DISCHARGE = 42.82 CFS	100YR DISCHARGE = 43.80 CFS	100YR DISCHARGE = 42.28 CFS
STUDY AREA: 6.57 ac±	STUDY AREA: 6.57 ac±	ESDV STORAGE PROVIDED: 2,877 cu. ft.
IMPERVIOUS COVER: 2.474 ac±	IMPERVIOUS COVER: 2.68 ac±	RCN (LOD AFTER REDUCTION): 64
RCN: 75	RCN: 76	RCN (REMAINDER OF STUDY AREA): 76



PLOTTED: Wednesday, June 17, 2015 11:55:00 AM
 BY: Nicholas Wilson
 FILE: M:\2015\27157555\Drawings\IMPERVIOUS AREA EXHIBIT.dwg



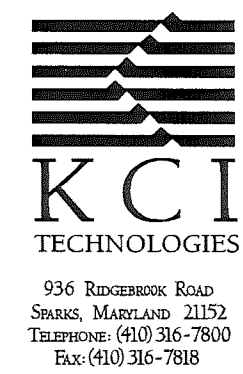
IMPERVIOUS AREA EXHIBIT-PROPOSED CONDITIONS

SCALE: 1" = 50'

LEGEND

---	EX. INDEX CONTOUR
- - -	EX. INTERMEDIATE CONTOUR
---	PROPERTY LINE/LIMITS OF STUDY AREA
---	PROP. CONTOUR
[Shaded Box]	PROPOSED IMPERVIOUS AREA WITHIN STUDY AREA
[Dashed Box]	AREA TREATED BY PROPOSED MICRO-BIORETENTION FACILITY

PETITIONER'S
 EXHIBIT NO. 8



GREENSPRING MONTESSORI SCHOOL		
Job No.	27157555	RDT
Scale	AS SHOWN	Drawn
Date	11 SEPT 2015	
Drawing Title	STORMWATER MANAGEMENT IMPERVIOUS AREA EXHIBIT	Drawing Number
		SWM-1



1. EXISTING 2" SANITARY - GREENSPRING VALLEY ROAD DWS. # 98-1544.
2. EXISTING 16" WATER - FALLS ROAD DWS. #59-1378

1. EXISTING 2" SANITARY - GREENSPRING VALLEY ROAD DWS. # 98-1544.
2. EXISTING 16" WATER - FALLS ROAD DWG. #59-1378

PLOTTED: "01:37 PM on Wednesday, September 23, 2015"
 BY: Andrea Lake Division: P086 Land Develop Emp
 FILE: M:\2015\27157555\Drawings\DRG Rendering SK-1.dgn

PLOTTED: "09:25 AM on Monday, July 20, 2015"
BY: Nicholas Wilson Division: P086 Land Develop Emp
FILE: M:\2015\27157555\drawings\DRC Site Plan.dgn

LINE & CURVE TABLE LOT 1
LOT 1 SURVEYED AREA 1.380 ACRES±

LINE	BEARING	DISTANCE
L1	S80°14'52"E	197.97'
L2	S62°31'04"E	39.15'
L3	S08°21'32"W	282.64'
L4	S71°34'05"W	12.03'
L5	N09°45'08"E	166.67'

LINE	ARC	RADIUS	CHORD BEARING	CHORD
C1	15.55'	78.00'	N42°12'18"W	15.52'
C2	140.62'	112.00'	N72°27'49"W	131.56'
C3	54.91'	120.00'	N42°06'13"W	54.43'
C4	90.71'	80.00'	N22°43'49"W	85.93'

LINE & CURVE TABLE LOT 2
LOT 2 SURVEYED AREA 1.377 ACRES±

LINE	BEARING	DISTANCE
L1	S80°14'52"E	200.31'
L2	S62°31'04"E	220.86'
L3	S08°21'32"W	68.07'
L4	S19°11'27"E	177.83'
L5	N81°38'28"W	86.68'
L6	N08°21'32"E	282.64'
L7	N62°31'04"W	39.15'
L8	N80°14'52"W	197.97'
L9	N09°45'08"E	15.00'

LINE	ARC	RADIUS	CHORD BEARING	CHORD
C5	130.03'	328.00'	S87°00'07"W	129.18'
C6	45.91'	78.00'	N64°46'41"W	45.25'

LINE & CURVE TABLE LOT 3
LOT 3 SURVEYED AREA 3.816 ACRES±

LINE	BEARING	DISTANCE
L15	N79°13'36"E	446.62'
L16	S19°11'27"E	227.05'
L17	S70°48'33"W	154.99'
L18	N62°31'04"W	255.86'
L19	N80°14'52"W	200.31'
L20	N10°46'24"W	7.47'

LINE	ARC	RADIUS	CHORD BEARING	CHORD
C6	193.85'	5789.58'	S18°13'53"E	193.84'
C7	207.78'	580.00'	N00°30'38"W	206.67'

REFERENCE DRAWINGS

1. EXISTING 2" SANITARY - GREENSPRING VALLEY ROAD DWG. # 98-1544.
2. EXISTING 16" WATER - FALLS ROAD DWG. #59-1378

BENCHMARK DATA

1. THE MERIDIAN SOURCE OF THIS TOPOGRAPHIC SURVEY IS BASED ON THE MARYLAND STATE COORDINATE SYSTEM, THE PROJECTION MERIDIAN OF NAD 1983/2007 WAS ESTABLISHED USING GPS METHODS AND WAS INITIATED BY SMARTNET GPS NETWORK STATION NO. 328 NAMED LOYK IN ANNAPOLIS MD.
2. ELEVATIONS REFER TO NAVD 1988 AND WERE ESTABLISHED USING GPS METHODS LOYK, IN ANNAPOLIS, MD.
3. THE FOLLOWING BALTIMORE COUNTY SURVEY CONTROL POINTS WERE USED AS A CHECK.

NAME	NORTH	EAST	ELEV
500	571435.86	1348714.09	52.73
783	570664.46	1346188.90	140.01
AZ-46	569165.28	1347140.24	146.51
G15-46	569466.52	1347469.8	155.96

INITIATED BY SMARTNET GPS NEWTOWN STATION NO. 328, NAMED

SITE DATA

1. OWNER: MONTESSORI SOCIETY OF CENTRAL MARYLAND
10804 TONY DRIVE
LUTHERVILLE, MARYLAND 21043
ATTN: MS. TAMARA BALIS, HEAD OF SCHOOL
410-232-8555
2. TAX ACCOUNT NOS: 17-00-007519, 17-00-007580, 17-00-007581
3. ZONING MAP NO: N4112C
4. ZONING: R.C. 2
5. ELECTION DISTRICT: 8
6. COUNCILMANIC DISTRICT: 5
7. AREA OF SITE: 6.51 ACRES
8. EXISTING USE: SCHOOL (EDUCATIONAL)
9. PROPOSED BUILDING: SCHOOL (EDUCATIONAL)
10. NO. OF FACILITY & STAFF: 60
11. PARKING REQUIRED: 1 EACH PER FACILITY & STAFF MEMBER
1 X 60 = 60 SPACES
12. PARKING PROVIDED: 82 SPACES(ALL EXISTING PARKING AREAS ARE PAVED AND PAINT STRIPED)
13. PLAT REFERENCE: PLAT OF "BROOKLANDWOOD", LOTS 1, 2 & 3
E.H.K. JR. 5/9/80
14. DEED REFERENCES: E.H.K. JR. 5/51/65/9
E.H.K. JR. 5/65/65/9
15. EXISTING SEWER: PUBLIC
16. EXISTING WATER: PUBLIC
17. MINIMUM SETBACKS 75' OFF THE CENTER LINE OF ANY STREET,
OR WITHIN 35' OF ANY LOT LINE OTHER THAN A STREET LINE.
18. LAST COMMERCIAL PERMIT THERE ARE NO PERMITS LISTED IN COUNTY COMPUTER
RECORDS FOR THE LAST 3 YEARS.
19. THERE ARE NO STREAMS, STORM WATER MANAGEMENT SYSTEMS OR 100 YEAR
FLOODPLAIN ARE THE SITE OR WITHIN 50 FEET OF THE PROPERTY.
20. THE SITE IS NOT IN A FAILED SERVICE AREA.

ZONING HISTORY

CASE NO. 79-74X

ORDER: THEREFORE, IT IS ORDERED BY THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY, THIS 1ST DAY OF DECEMBER, 1978, THAT THE PETITION FOR SPECIAL EXCEPTION FOR A DAY CARE CENTER (EXTENDED SCHOOL HOURS) SHOULD BE AND THE SAME IS HEREBY GRANTED, FROM AND AFTER THE DATE OF THIS ORDER, SUBJECT TO THE APPROVAL OF A SITE PLAN BY THE STATE HIGHWAY ADMINISTRATION, THE DEPARTMENT OF PUBLIC WORKS, THE DEPARTMENT OF TRAFFIC ENGINEERING, AND THE OFFICE OF PLANNING AND ZONING.

CASE NO. 84-99-SPH

ORDER: THEREFORE, IT IS ORDERED BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY, THIS 25TH DAY OF OCTOBER 1983, THAT THE RELIEF REQUESTED BY THE PETITION FOR SPECIAL HEARING TO HAVE THE DECISION MADE BY THE ZONING COMMISSIONER ON AUGUST 4, 1982, AND NOTED ON THE SITE PLAN IDENTIFIED AS PETITIONER'S EXHIBIT SIX (6) SET ASIDE AND TO DECIDE THAT THE PETITIONER DID NOT WAIVE ITS RIGHTS TO APPEAL SAID DECISION BE AND IS HEREBY DENIED, FROM AND AFTER THE DATE OF THIS ORDER.

CASE NO. 84-173-X

ORDER; THEREFORE IT IS ORDERED BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY THIS 15TH DAY OF JANUARY 1984, THAT THE PETITION FOR SPECIAL EXCEPTION FOR A PRIVATE SCHOOL IN AN R.C. 2 ZONE, IN ACCORDANCE WITH THE SITE PLAN INTRODUCED AND ACCEPTED INTO EVIDENCE AS PETITIONER'S EXHIBIT I, BE AND IS HEREBY GRANTED, FROM AND AFTER THE DATE OF THIS ORDER.

CASE NO. 89-280-SPH

ORDER: THEREFORE, IT IS ORDERED BY THE ZONING COMMISSIONER FOR BALTIMORE COUNTY THIS 3RD DAY OF MAY, 1989 THAT THE PETITION FOR SPECIAL HEARING TO APPROVE AN AMENDMENT TO THE ORIGINALLY APPROVED SITE PLANS IN CASE NOS. 79-74-X, 84-49-SPH AND 84-173-X, TO PERMIT THE RELOCATION OF PROPOSED ADDITIONS AND THE ADDITION OF A MAINTENANCE SHED, IN ACCORDANCE WITH PETITIONER'S EXHIBITS 1 AND 6A AND 6B, BE AND IS HEREBY GRANTED.

CASE NO. 03-315-SPH

ORDER: THEREFORE, IT IS ORDERED BY THE ZONING COMMISSIONER FOR BALTIMORE COUNTY THIS 12TH DAY OF MARCH, 2003, THAT THE PETITIONER'S REQUEST FOR SPECIAL HEARING, TO AMEND HIS PREVIOUS SITE PLANS SUBMITTED IN CONJUNCTION WITH CASES NOS. 74-74-X, 84-94-SFH, 84-173-X AND 84-380-SFA FOR A PROPOSED 75 FT. X 130 FT. MULTI-PURPOSE BUILDING, BE AND IS HEREBY GRANTED, SUBJECT, HOWEVER, TO THE FOLLOWING RESTRICTIONS WHICH ARE CONDITIONS PRECEDENT TO THE RELIEF GRANTED HEREIN:

1. THE PETITIONER SHALL BE PROHIBITED FROM INSTALLING EXTERIOR LIGHTING THAT MAY BE EXCESSIVE OR INAPPROPRIATE, GIVEN THE RURAL CHARACTER OF THE MONTESSORI CAMPUS.
2. THE PETITIONER SHALL BE REQUIRED TO SUBMIT TO MR. JACK DILLON, EXECUTIVE DIRECTOR OF THE VALLEYS PLANNING COUNCIL, ARCHITECTURAL AND LANDSCAPE PLANS FOR THE SUBJECT PROPERTY PRIOR TO OBTAINING A BUILDING PERMIT FOR THIS STRUCTURE.
3. WHEN APPLYING FOR A BUILDING PERMIT, THE SITE PLAN FILED MUST REFERENCE THIS CASE AND SET FORTH AND ADDRESS THE RESTRICTIONS OF THIS ORDER.

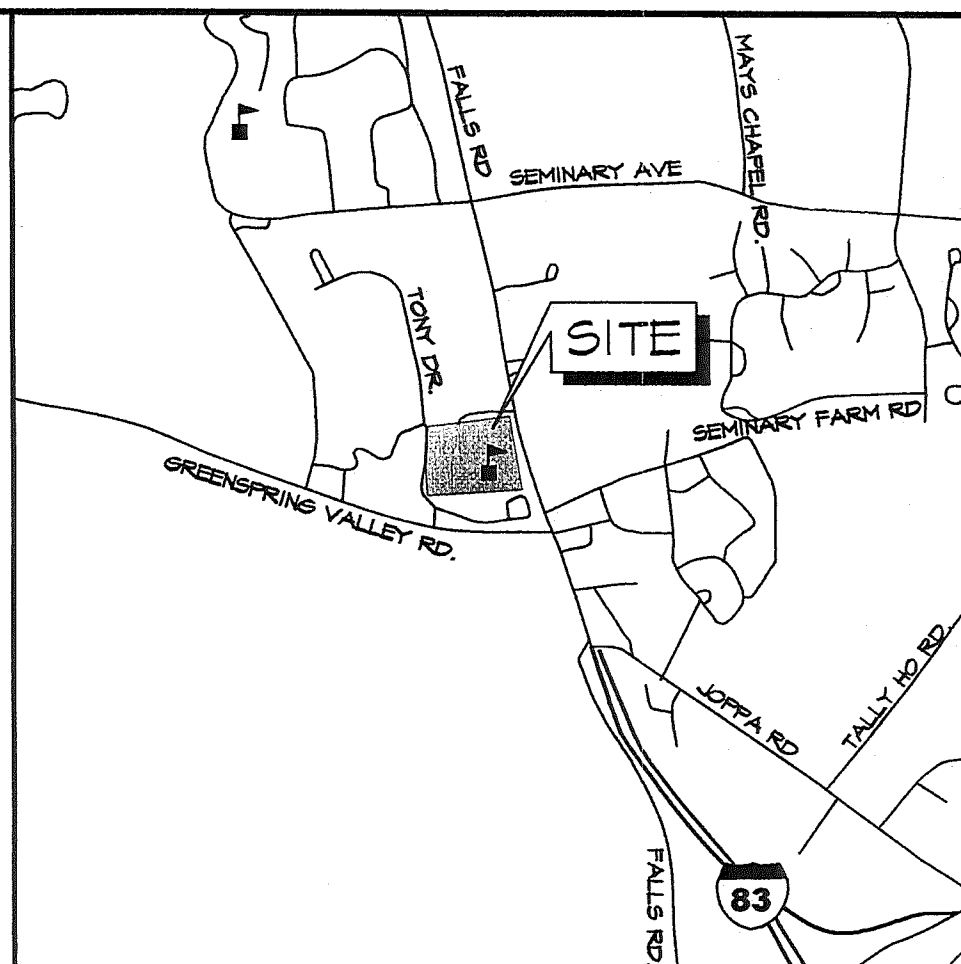
CASE NO. 03-315-SPH

ORDER: THE PROPOSED AMENDMENT DOES NOT CHANGE ANY OF THE ISSUES ADDRESSED AND APPROVED IN THE ZONING HEARING AND ORDER. THE PROPOSED CHANGE TO THE LOCATION IS STILL WELL WITHIN THE REQUIRED BUILDING RESTRICTION LINE. THE PREVIOUSLY APPROVED BUILDING WAS 9265 SQUARE FEET IN AREA. THE ALTERATION OF THE SHAPE AND LOCATION OF THE BUILDING INCREASES ITS SIZE BY 110 SQUARE FEET FOR A TOTAL OF 9375 SQUARE FEET THESE CHANGES ARE WELL WITHIN THE SPIRIT OF CASE# 03-315-SFH.

DRC NUMBER 1125028, GRANTED SECTION 26-171(A)(7) LIMITED EXCEPTION.

ON APRIL 5, 2006, THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ISSUED A SPIRIT AND INTENT LETTER CONFIRMING THAT ME PROPOSED BUILDING AS SHOWN IS WITHIN THE SPIRIT AND INTENT OF ZONING CASE 03-315-SPH, SEE BELOW

LIGHTING: ANY FIXTURE USED TO ILLUMINATE OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS. LIGHT STANDARDS SHALL BE PROJECTED BY CURBING OR LANDSCAPING.



VICINITY MAP

SCALE: 1" = 1000'

#2016-0014-SPH

DRAWING NO.

C.1

SHEET 1 OF
KCI JOB NUMBER
27-157555