



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

May 28, 2024

Michael McCann, Esq. – michael@mmccannlaw.net
Michael R. McCann, PA
118 W. Pennsylvania Avenue
Towson, Maryland 21204

David H. Karceski, Esq. – dkarceski@venable.com
Adam M. Rosenblatt, Esq. – amrosenblatt@venable.com
Venable, LLP
210 W. Chesapeake Avenue, Suite 500
Towson, MD 21204

RE: Petition for Special Hearing
Case No: 2024-0028-SPH
Address: 11-12 Celadon Road
Legal Owner: Jemicy School, Inc.

Dear Counsel:

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

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

Sincerely,

A handwritten signature in black ink that reads "Maureen E. Murphy". The signature is written in a cursive style with a large, flowing "M" and "E".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM/dlm
Attachment

c: Mitch Kellman – mjkellman@baltimorecountymd.gov
Paul Brickman – paulbrickman1@gmail.com

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(11-12 Celadon Road	*	OFFICE OF
10724 Park Heights Avenue)	*	ADMINISTRATIVE HEARINGS
3 rd Election District	*	FOR BALTIMORE COUNTY
2 nd Council District	*	
The Jemicy School, Inc.	*	
Legal Owner	*	
Hannah Byron	*	
Petitioner	*	Case No. 2024-0028-SPH

* * * * *

ORDER ON MOTION TO DISMISS

At issue before the Office of Administrative Hearings (“OAH”) is consideration of the property Owner, The Jemicy School, Inc.’s (“Jemicy”) Motion to Dismiss and/or Motion for Judgment (styled as *Owner’s Post Hearing Memorandum*) which was filed at the close of Petitioner, Hannah Byron’s case-in-chief (the “Petitioner”), and on Petitioner’s Response to Motion to Dismiss and For Judgment. Petitioner filed a Petition for Special Hearing pursuant to Baltimore County Zoning Regulations (“BCZR”), §500.6, §500.7 and §502.1, for the property addressed as 11 and 12 Celadon Rd. (the “Jemicy Property”), to determine: (1) whether the previously approved Special Exception and site plan should have been, and must now be amended, to include the already-constructed playground and sport court; and (2) whether the now-constructed playground and sport court meet the applicable standards for amending a Special Exception.

An in-person/virtual public hearing was conducted on April 30, 2024. The Petition was properly advertised and posted. The Petitioner, and Kimball Byron, her husband, appeared at the hearing in support of the Petition, and were represented by Michael McCann, Esquire. David Karceski, Esquire, Adam M. Rosenblatt, Esquire, and Venable, LLP represented Jemicy.

The Property is comprised of 1.36 acres +/- (11 Celadon Rd.) and 22.2 acres +/- (12 Celadon Rd.). It is split-zoned RC2 and RC5. A school is permitted by right in the RC5 zone and by Special Exception in RC2.

Procedural Background.

Jemicy has previously filed for, and was granted, zoning relief in the following Cases as shown in the Petitioner's exhibits:

- 1) Case No.: 1961-5323-X – Petition for Special Exception granted for a kindergarten and elementary school (the “1961 Case”). (Pet. Ex. 19).
- 2) Case No.: 1982-0165-X – Petition for Special Exception granted to allow a private school in RC2 zone (the “1982 Case”). (Pet. Ex. 2).
- 3) Case No.: 2000-005-SPHX - Petition to Expand the Special Exception Area granted to include 11 Celadon Rd. for school buildings expansion (the “2000 Case”). (Pet. Ex. 3).
- 4) Case No.: 2004-456-SPH – Petition for Special Hearing was granted for the expansion of a high school (the “2004 Case”). (Pet. Ex. 4).
- 5) Case No.: 2022-0190-SPHX – Petition for Special Hearing and for expansion of Special Exception area to include 12 Celadon Rd. was granted (the “2022 Case”). (Pet. Ex. 5).

Evidence.

Petitioner and her husband were the only witnesses who testified. In 1992, they purchased their property located at 10524 Burnside Farm Rd. (the “Byron Property”). My Neighborhood Maps showed the Jemicy Property, on its southern end, abutting three (3) properties: the Byron Property; 10526 Burnside Farm Rd. (Hardcastle); and 10523 Burnside Farm Rd. (Robinson). The Byron Property sits at a lower elevation than the Jemicy Property. She described that there are a total of 13 properties on Burnside Farm. Since her retirement in 2018, Petitioner has been spending

more time at home, where she gardens and enjoys her pool, both located in the rear yard. Since 1992, Petitioner testified that Jemicy has grown in terms of both the number of school buildings and student population. She believes that many of the school buildings were not constructed until after she moved into her home.

The issue for which she seeks zoning relief is the noise level coming from the Jemicy Property including childrens' voices/shrieking/screaming, and the sound of bouncing balls. Specifically, she described the noise as coming from a playground and sport court installed in 2010, which facilities are highlighted in orange on the Site Plan. (Pet. Ex. 1). Street view photographs of the playground and sport court were provided. (Pet. Exs. 6, 7). Additionally, students play and build forts in the wooded area along the fence line abutting her rear yard which activity also creates noise. The noise level has caused her to wear noise cancelling headphones. In 2010, she worked with Jemicy to plant and share the cost of 16 White Pine trees between the Byron Property and the Jemicy Property, as well as sharing in the cost of installing an 8 ft. tall wooden fence. While the trees helped to obscure her view of the school activities, the trees and fence have not reduced the noise level. Petitioner has also planted 14 trees and 10 shrubs in her rear yard but the noise level has continued.

Petitioner indicated that the playground is 55 ft. from her rear yard. In her view, the location of the pool and gardens in the rear yard causes the Byron Property to be impacted differently than the properties at 10526 and 10523. (Pet. Ex. 8). The property at 10526 Burnside Farm Rd. does not have a pool; yet it is nearer to the outdoor Jemicy learning pavilion as shown in the photograph. (Pet. Ex. 12). Petitioner indicated that birthday parties take place in the learning pavilion and also generate noise. At the hearing, Petitioner played recordings of the noise which she took from her rear yard. (Pet. Exs. 15, 16).

According to Petitioner's testimony, noise level from the Jemicy Property continues on the weekends and holidays when both the playground and sport court are in-use. The weekend use stirred her - on more than one occasion - to go onto the Jemicy Property and to confront the people who were there. Additionally, she added that summer camps began in 2022 and have generated more noise. Options to resolve the noise issues were provided to - but rejected by Jemicy, and included Petitioner paying to move both the playground and sport court. Jemicy did agree to turn off a building light that was shining into Petitioner's bedroom, and to turn off school bells which continued to ring on the weekends.

On cross examination, Petitioner acknowledged that both the playground and sport court are on the 2022 Site Plan. (Pet. Ex. 5). The Byrons did not participate in Case No.: 2022-0190-SPHX. She further acknowledged that the 1982 Site Plan shows the school buildings were in existence. She also conceded that both the playground and sport court were installed 14 years prior to this hearing. After the playground and sport court were installed, in 2016, the Byron pool was installed. Due to the trees planted along the joint property line, Petitioner is not able to see either the playground or sport court from her property. Petitioner testified that in 30 years of living in her home, she has contacted Jemicy 10 times about not only noise, but about weeds/vines along the fence line, as well as a dead tree. She conceded that the noise causing her concern also comes from children playing along the rear yard fence, and from the learning pavilion. She would like Jemicy to prohibit use of the playground and sport court outside of school days.

Mr. Byron also testified about the history of Burnside Farm. He supported his wife's testimony.

SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). And, "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing would be compatible with the community and generally consistent with the spirit and intent of the regulations." *Kiesling v. Long*, Unreported Opinion, No. 1485, Md. App. (Sept. Term 2016). Similarly, under BCZR, §500.6, the Zoning Commissioner has the authority to conduct hearings "involving any violation or alleged violation or noncompliance with any zoning regulations, or the proper interpretation thereof..."

Regarding the issue of OAH's authority to decide the Petition for Special Hearing, BCZR, §500.6 and §500.7, and the appellate court's holding in *Antwerpen, supra*, provides OAH with the authority to interpret the BCZR, and/or the rights of any person in property. As a practical matter, it is not an infrequent occurrence that Petitions for Special Hearing are filed by neighboring property owners and/or community associations. A Code Enforcement action is not the sole remedy available to interested parties and can be filed simultaneously with Petitions for zoning relief, although the latter does not have the enforcement mechanism of a civil penalty.

In her Response to the Motion to Dismiss and/or for Judgment, Petitioner relies on the 2023 Zoning Commissioner's Policy Manual ("ZCPM"), Section PP-1, for her position that the standard

for amendments is ‘materiality.’ Specifically, she asserts that the already-constructed playground and sport court are ‘material.’ The Petitioner next contends that, after considering evidence presented by Petitioner, a decision must be made that the playground and sport court do not meet the required factors in BCZR, §502.1. With regard to the second issue raised by the Petitioner, because Jemicy did *not* file a Petition for Special Exception relief, that issue cannot be addressed. *Schultz v. Pritts*, 291 Md. 1, 11-12, 432 A.2d 1319, 1325 (1981); (*See generally* Stanley D. Abrams, *Guide to Maryland Zoning*, (certain uses are permitted only after a property owner obtains a special exception after a reviewing body has reviewed and approved an application seeking a special exception)).

As to the first issue raised by the Petitioner, the term ‘materiality,’ Section PP-1 of the ZCPM plainly addresses the in-take procedure used by Permits, Approvals and Inspection (“PAI”) and/or the Office of Zoning Review (“OZR”) when a property owner files a subsequent Petition requesting to amend a Special Exception or Variance, after having received original approval. Upon review of a Petition, Section PP-1 specifies that PAI/OZR will make the determination as to whether the requested relief is ‘material’ or ‘non-material,’ which will then direct whether the Petition is administratively approved, or not:

PP-1 Amending Pending or Previously Granted Zoning Hearings
Reference Section 500 of the BCZR The requested relief and submitted site plans of pending or approved zoning cases are sometimes amended. **The following situations will determine the procedures in which these amendments can be completed:**

* * * *

In a similar way, BCC, §32-4-262, controls amendments to approved development plans, and reads that the determination of ‘materiality’ is made by PAI, which then directs how an amendment will be processed. Indeed, an amendment to a residential development plan is considered to be

‘material’ if the amendment results in an increase in residential density, or increase in the number of buildable residential lots. BCC, §32-4-262(2). ‘Materiality’ is not a standard identified in BCZR or one that is determined by OAH for a zoning Petition.

Assuming, however, for the sake of argument, that the standard for determining amendments is ‘materiality,’ in this Case I find that the neither the playground nor sport court are ‘material.’ Consequently, Jemicy was not required to amend the Special Exception or the site plan before either of those facilities could be constructed/installed. In support of this decision, it is noteworthy that in Case No.: 1961-5323-X, a Petition for Special Exception was granted authorizing a kindergarten and elementary school (Pet. Ex. 19), and in Case No.: 1982-0165-X, a Petition for Special Exception was granted to allow a private school in a RC2 zone (Pet. Ex. 2). Significantly, both the playground and sport court were constructed/installed within each of the approved Special Exception areas on both the 1961 and 1982 Site Plans - not outside of those areas. Because each of these facilities are connected to, and are an integral part of every school, I find that the previously approved Special Exception areas on the associated site plans already contemplated these type school-related outdoor areas, and as such, there is no need to file for that additional relief. It would indeed be odd for a school not to have these type of outdoor, recreational facilities for students.

Second, while the playground and sport court at issue were not specifically shown on either the 1961 or 1982 Site Plans because they were not installed until 2010, the 2022 Site Plan, however, showed both. (Pet. Ex. 5). Petitioner acknowledged that the Site Plan she submitted with the Petition was the 2022 Site Plan (without the professional engineer’s seal and signature). (Pet. Ex. 1). Petitioner elected not participate in Case No.: 2022-0190-SPHX or raise noise issues at that time. If Petitioner believed these facilities were ‘material,’ she could have, and should have,

participated in the 2022 Case. The doctrine of *res judicata* bars litigation of the same matter with respect not only to the legal claims or issues decided in the case but also as to all matters which could have been litigated in the first suit. The Court of Appeals in *Alvey v. Alvey*, 225 Md. 386, 390 (1961) said:

The doctrine of *res judicata* is that a judgment between the same parties and their privies is a final bar to any other suit upon the same cause of action, and is conclusive, not only as to all matters which with propriety could have been decided in the original suit, but as to all matters which with propriety could have been litigated in the first suit,...

(See also, *Seminary Galleria v. Dulaney Valley Improvement Ass'n*, 192 Md. App. 719, 995, A.2d 1068 (2010). *Batson v. Shiflett*, 325 Md. 684, 705, 602 A.2d 1191 (Md., 1992). *Whittle v. Board of Zoning Appeals*, 211 Md. 36, 38, 125 A.2d 41 (1956). *Garrity v. Maryland State Bd. of Plumbing*, 447 Md. 359, 368 (2016). *Colandrea v. Wilde Lake Community Ass'n, Inc.*, 361 Md. 391 (2000); *Washington Suburban Sanitary Commission v. TKU Associates*, 281 Md. 1, 18-19 (1977)). Accordingly, I find that that issue now raised by Petitioner is precluded under the doctrine of *res judicata* and collateral estoppel.

Third, on the issue of 'materiality' of the facilities, the 2004 Site Plan from Case No.: 2004-456-SPH (Pet. Ex. 4), shows the current playground is located in the same place where a volleyball court previously existed, and the sport court now exists in the same place where a dodgeball court previously existed. Petitioner testified that she participated in, and/or was aware of Jemicy's request in the 2004 Case for a high school/upper school and therefore, would have known, or should have known, about both the volleyball and dodgeball courts from the 2004 Site Plan. Consequently, sport and recreational activity has been taking place in those same locations on the Jemicy Property since at least 2004. Even still, as highlighted by Jemicy, whether or not any sport

facilities are present in the current locations will not prohibit children from playing, screaming or bouncing balls. To the extent that she believed noise from those sport/recreational facilities were ‘material’, those issues would have, or should have, been raised in 2004. For these reasons, the issue now raised by the Petitioner has been waived.

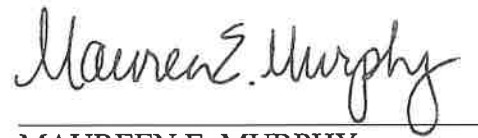
Fourth, Petitioner acknowledged that she cannot see the activity on the Jemicy Property from her rear yard due to the extensive tree planting and landscaping. Consequently, Petitioner has not established, by a preponderance of the evidence, that the noise she hears originates from facilities which she claims are ‘material.’ To this point, both the 2000 Site Plan and the 2004 Site Plan show a *separate*, paved basketball court on the neighboring property at 10534 Burnside Farm Rd. On the 2022 Site Plan, 10534 Burnside Farm Rd. is owned by Jemicy. SDAT information confirms that 10534 Burnside Farm Rd. was transferred to Jemicy on June 10, 2021. Importantly, the same paved basketball court is shown on the 2022 Site Plan but is not now being alleged to be the source of noise. The evidence was not sufficient to prove that the noise stems from the paved basketball court; the sport court; the playground; children playing along the fence area; the learning pavilion; the athletic fields; or is from general outdoor activity associated with a school. As such, the Petition will be dismissed for insufficiency of evidence.

Lastly, if installation of the playground and sports court was in 2010 as Petitioner contends, the use of those facilities by Jemicy has continued for 14 years. Given this time period, the issue of ‘materiality’ has been waived.

THEREFORE, IT IS ORDERED this 28th day of **May, 2024** by this Administrative Law Judge that the Owner, The Jemicy School, Inc.’s Motion to Dismiss and/or for Judgment be, and it is hereby, **GRANTED**; and it is

IT IS FURTHER ORDERED, that the Petition for Special Hearing to determine: (1) whether the previously approved Special Exception and site plan should have been, and must now be amended, to include the already-constructed playground and sport court; and (2) whether the now-constructed playground and sport court meet the applicable standards for amending a Special Exception, be, and they are each hereby, **DENIED**.

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

A handwritten signature in black ink, reading "Maureen E. Murphy". The signature is written in a cursive style with a horizontal line underneath the name.

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM/dlm



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 11,12 Celadon Rd., 10724 Park Heights Ave Currently Zoned RC⁵/RCZ
Deed Reference 45415/1 44890/354 17768/1 10 Digit Tax Account # 0322000780, 2400003406, 190002823
Owner(s) Printed Name(s) Jemicy School 238 0322000782, 2100001397, 0323076005, 0322000781

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

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

See Attached

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

3. a **Variance** from Section(s)

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

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

I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound 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: PETITIONER

Legal Owners (Petitioners):

Heather Byron
Name - Type or Print
[Signature]
Signature
118 W. Pennsylvania Ave Towson MD
Mailing Address City State
21204 410 825-2150
Zip Code Telephone # Email Address
michaelpmccannlaw.net

Jemicy School, Inc.
Name #1 - Type or Print Name #2 - Type or Print
[Signature] [Signature]
Signature #1 Signature #2
11 Celadon Rd Owings Mills MD
Mailing Address City State
21117
Zip Code Telephone #'s (Cell and Home) Email Address

Attorney for Petitioner:

Representative to be contacted:

Michael R. McCann
Name - Type or Print
[Signature]
Signature
118 W. Pennsylvania Ave Towson MD
Mailing Address City State
21204 410 825-2150 michaelpmccannlaw.net
Zip Code Telephone # Email Address

Michael R. McCann
Name - Type or Print
[Signature]
Signature
same
Mailing Address City State
same
Zip Code Telephone # Email Address

Case Number 2024-0028-SPH Filing Date 1, 29, 24 Do Not Schedule Dates Reviewer JS

Attachment

Petition for Special Hearing (BCZR, §§ 500.6, 500.7, 502.1)

1. Special hearing to determine whether the previously approved special exception and site plan should have been and must now be amended to include the already-constructed playground and sport court?
2. Special hearing to determine whether the now-constructed playground and sport court meet the applicable standards for amending a special exception?
3. Special hearing to determine such other issues as necessary and appropriate.

2024-0078-SPH

**ZONING PROPERTY DESCRIPTION FOR
11 CELADON ROAD, OWINGS MILLS, MARYLAND
PROPERTY OF
THE JEMICY SCHOOL, INC.
3RD ELECTION DISTRICT (C-2)
BALTIMORE COUNTY, MARYLAND**

BEGINNING at point (POB-1) on West side of the end of Celadon Road which is 50 feet wide at a distance of 565 feet South of the centerline of Velvet Valley Court which is 50 feet wide. Thence leaving said West side of Celadon Road and running the following courses and distances:

1. North 56 degrees 24 minutes 17 seconds East a distance of 25.03 feet to a point.
2. North 50 degrees 27 minutes 11 seconds East a distance of 25.03 feet to a point.
3. North 50 degrees 27 minutes 11 seconds East a distance of 264.23 feet to a point.
4. North 50 degrees 27 minutes 11 seconds East a distance of 81.83 feet to a point.
5. North 56 degrees 44 minutes 47 seconds East a distance of 78.89 feet to a point.
6. South 29 degrees 03 minutes 13 seconds East a distance of 18.25 feet to a point.
7. By a curve to the right having a radius of 484.89 feet, an arc length of 160.86 feet; a chord bearing North 65 degrees 24 minutes 29 seconds East 160.20 feet to a point.
8. By a curve to the left having a radius of 1014.00 feet, an arc length of 336.25 feet; a chord bearing North 65 degrees 27 minutes 16 seconds East 334.72 feet to a point.
9. By a curve to the right having a radius of 1133.97 feet, an arc length of 326.56 feet; a chord bearing North 64 degrees 12 minutes 17 seconds East 325.43 feet to a point.
10. North 72 degrees 27 minutes 17 seconds East a distance of 132.69 feet to a point.
11. South 03 degrees 02 minutes 43 seconds West a distance of 600.00 feet to a point.
12. North 86 degrees 57 minutes 17 seconds West a distance of 27.69 feet to a point.
13. South 03 degrees 02 minutes 43 seconds West a distance of 20.00 feet to a point.
14. North 86 degrees 57 minutes 17 seconds West a distance of 222.51 feet to a point.
15. South 07 degrees 30 minutes 34 seconds West a distance of 321.28 feet to a point.
16. North 82 degrees 18 minutes 01 seconds West a distance of 324.57 feet to a point.
17. South 00 degrees 04 minutes 23 seconds East a distance of 434.82 feet to a point.
18. South 00 degrees 28 minutes 47 seconds East a distance of 138.05 feet to a point.

2024-0078-SPM

19. North 77 degrees 48 minutes 03 seconds West a distance of 573.10 feet to a point.
20. North 08 degrees 22 minutes 57 seconds East a distance of 449.10 feet to a point.
21. North 23 degrees 12 minutes 13 seconds West a distance of 235.00 feet to a point.
22. North 82 degrees 14 minutes 13 seconds West a distance of 67.23 feet to a point.
23. North 36 degrees 34 minutes 13 seconds West a distance of 31.30 feet to the Point of Beginning.

Containing 22.31 acres of land, more or less. As recorded in Deeds Liber 38719, folio 058 & Liber 13768, folio 238. Located in the 3rd Election District and 2nd Council District.

2024-0078-SPM

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW OFFICE

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.*

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2024-0028-SP4

Property Address: 11, 12 Celadon Rd; 10724 Park Heights Ave

Legal Owners (Petitioners): Jamich School, Inc.

Contract Purchaser/Lessee: n/a

PLEASE FORWARD ADVERTISING BILL TO:

Name: Company/Firm (if applicable): MICHAEL McCANN

Address: 118 W. PENNSYLVANIA AVE
TOWSON, MD 21204

Telephone Number: 410-825-2150

*Failure to advertise and/or post a sign on the property within the designated time will result in the Hearing request being delayed. The delayed Hearing Case will be cycled to the end of pending case files and rescheduled in the order that it is received. Also, a \$250.00 rescheduling fee may be required after two failed advertisings and/or postings.

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

No. 228987

Date: 1/29/24

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 500.00
Total:								\$ 500.00

Rec

From: MICHAEL MCCANN

For: 2024-0028-SP4

JEMICY SCHOOL

JSS

**CASHIER'S
VALIDATION**

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

LAW OFFICES OF MICHAEL R. MCCANN

118 W. PENNSYLVANIA AVE
TOWSON, MD 21204

6628

65-320/550 7384

PAY
TO THE
ORDER OF

Baltimore County
Three Hundred

DATE 1/29/24

\$ 300.00

DOLLARS



Wells Fargo Bank, N.A.
Maryland
wellsfargo.com

FOR

⑈0000006628⑈ ⑆055003201⑆ 2000021865921⑈

LAW OFFICES OF MICHAEL R. MCCANN

118 W. PENNSYLVANIA AVE
TOWSON, MD 21204

6625

65-320/550 7384

PAY
TO THE
ORDER OF

Baltimore County
Two Hundred

DATE 1/29/24

\$ 200.00

DOLLARS



Wells Fargo Bank, N.A.
Maryland
wellsfargo.com

FOR

⑈0000006625⑈ ⑆055003201⑆ 2000021865921⑈

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)
[View GroundRent Redemption](#)
[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 03 Account Number - 0322000780

Owner Information

Owner Name: THE JEMICY SCHOOL INC Use: EXEMPT COMMERCIAL
Principal Residence: NO

Mailing Address: 11 CELADON RD Deed Reference: /38719/ 00058
OWINGS MILLS MD 21117

Location & Structure Information

Premises Address: 11 CELADON RD Legal Description: 6.18 AC SER
OWINGS MILLS 21117- 266 FT CELADON RD
550 S VELVET VALLEY CT

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0059 0020 0274 20000.04 0000 2023 Plat Ref:

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
6 SF 01

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2023	07/01/2023	07/01/2024
Land:	1,240,000	1,240,000		
Improvements	1,638,300	1,638,300		
Total:	2,878,300	2,878,300	2,878,300	2,878,300
Preferential Land:	0	0		

Transfer Information

Seller: THE JEMICY SCHOOL INC	Date: 03/08/2017	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /38719/ 00058	Deed2:
Seller: SCHOOL AT JEMICY FARM INC	Date: 06/28/2016	Price: \$0
Type: ARMS LENGTH MULTIPLE	Deed1: /37699/ 00400	Deed2:
Seller: VALLEY SCHOOL IN C	Date: 06/25/1975	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /05540/ 00867	Deed2:

Exemption Information

Partial Exempt Assessments: Class	07/01/2023	07/01/2024
County: 800	2,878,300.00	2,878,300.00
State: 800	2,878,300.00	2,878,300.00
Municipal: 800	0.00 0.00	0.00 0.00

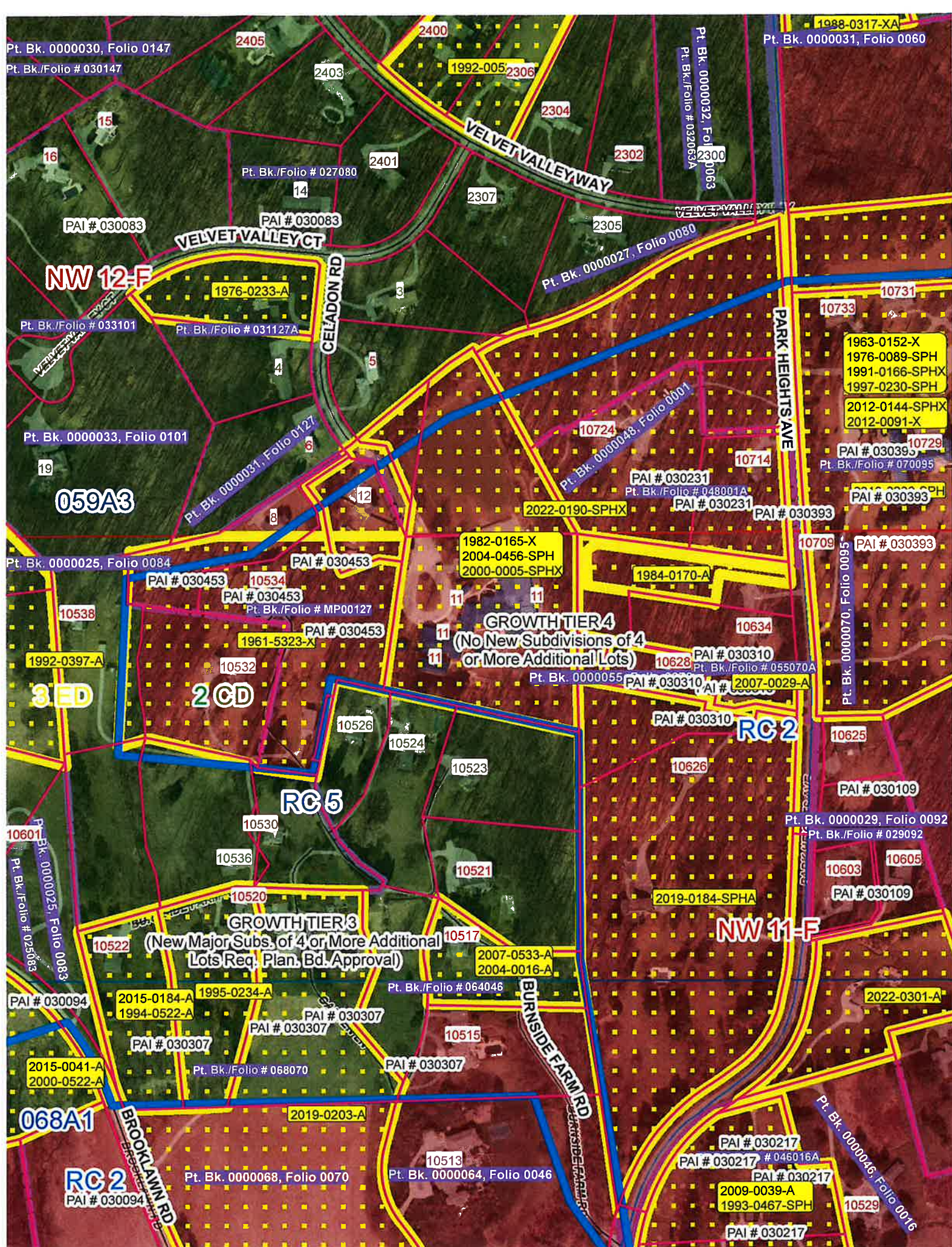
Special Tax Recapture: None

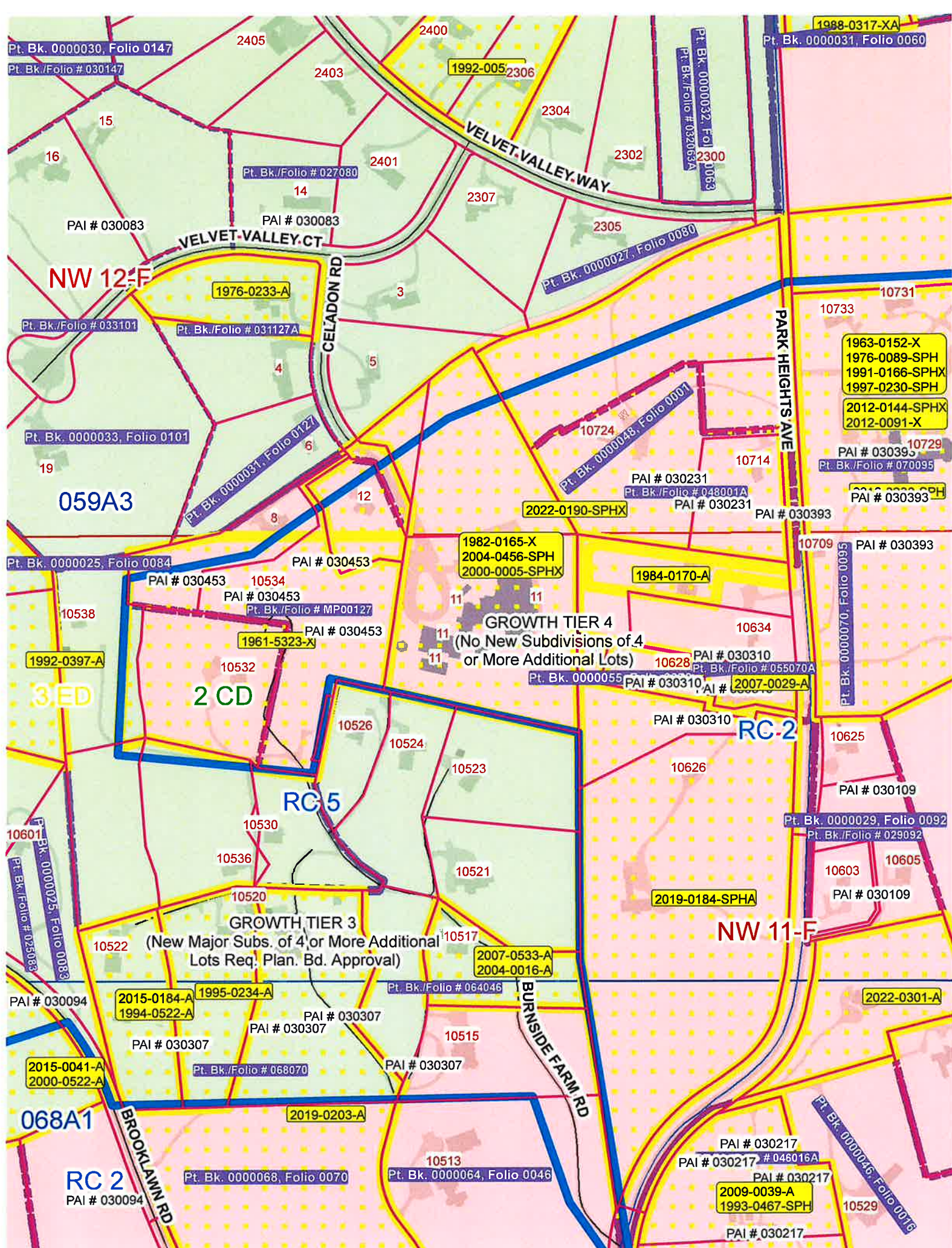
Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:







PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections
To the Office of Administrative Hearings for Baltimore County for the property located at:

Address 11, 12 Celadon Rd., 10724 Park Heights Ave. Currently Zoned RC⁵/RCZ
Deed Reference 45415/1 44890/354 17768/ 10 Digit Tax Account # 0322000780, 2400007406, 1900007823
Owner(s) Printed Name(s) Jernicy School 238 0322000782, 2100001397, 0323076005, 0322000781

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)

The undersigned, who own and occupy the property situate in Baltimore County and which is described in the plan/plat attached hereto and made a part hereof, hereby petition for an:

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

See Attached

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

3. a **Variance** from Section(s)

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

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

I/ we agree to pay expenses of above petition(s), advertising, posting, etc. and further agree to be bound 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: PETITIONER

Harrah Byron
Name - Type or Print

[Signature]
Signature

118 W. Pennsylvania Ave Towson MD
Mailing Address City State

21204 410 825-2150
Zip Code Telephone # Email Address

michael@mccannlaw.net

Attorney for Petitioner:

Michael R. McCann
Name - Type or Print

[Signature]
Signature

118 W. Pennsylvania Ave Towson MD
Mailing Address City State

21204 410 825-2150 michael@mccannlaw.net
Zip Code Telephone # Email Address

2024-0028-SPH Filing Date 1, 29, 24

Legal Owners (Petitioners):

Jernicy School, Inc.
Name #1 - Type or Print Name #2 - Type or Print

[Signature] 11 Celadon Rd Owings Mills MD
Signature #1 Signature #2

21117
Mailing Address City State

21117
Zip Code Telephone #'s (Cell and Home) Email Address

same

Representative to be contacted:

Michael R. McCann
Name - Type or Print

[Signature]
Signature

same
Mailing Address City State

same
Zip Code Telephone # Email Address

Do Not Schedule Dates 05

Attachment

Petition for Special Hearing (BCZR, §§ 500.6, 500.7, 502.1)

1. Special hearing to determine whether the previously approved special exception and site plan should have been and must now be amended to include the already-constructed playground and sport court?
2. Special hearing to determine whether the now-constructed playground and sport court meet the applicable standards for amending a special exception?
3. Special hearing to determine such other issues as necessary and appropriate.

2024-0078-SPH

**ZONING PROPERTY DESCRIPTION FOR
11 CELADON ROAD, OWINGS MILLS, MARYLAND
PROPERTY OF
THE JEMICY SCHOOL, INC.
3RD ELECTION DISTRICT (C-2)
BALTIMORE COUNTY, MARYLAND**

BEGINNING at point (POB-1) on West side of the end of Celadon Road which is 50 feet wide at a distance of 565 feet South of the centerline of Velvet Valley Court which is 50 feet wide. Thence leaving said West side of Celadon Road and running the following courses and distances:

1. North 56 degrees 24 minutes 17 seconds East a distance of 25.03 feet to a point.
2. North 50 degrees 27 minutes 11 seconds East a distance of 25.03 feet to a point.
3. North 50 degrees 27 minutes 11 seconds East a distance of 264.23 feet to a point.
4. North 50 degrees 27 minutes 11 seconds East a distance of 81.83 feet to a point.
5. North 56 degrees 44 minutes 47 seconds East a distance of 78.89 feet to a point.
6. South 29 degrees 03 minutes 13 seconds East a distance of 18.25 feet to a point.
7. By a curve to the right having a radius of 484.89 feet, an arc length of 160.86 feet; a chord bearing North 65 degrees 24 minutes 29 seconds East 160.20 feet to a point.
8. By a curve to the left having a radius of 1014.00 feet, an arc length of 336.25 feet; a chord bearing North 65 degrees 27 minutes 16 seconds East 334.72 feet to a point.
9. By a curve to the right having a radius of 1133.97 feet, an arc length of 326.56 feet; a chord bearing North 64 degrees 12 minutes 17 seconds East 325.43 feet to a point.
10. North 72 degrees 27 minutes 17 seconds East a distance of 132.69 feet to a point.
11. South 03 degrees 02 minutes 43 seconds West a distance of 600.00 feet to a point.
12. North 86 degrees 57 minutes 17 seconds West a distance of 27.69 feet to a point.
13. South 03 degrees 02 minutes 43 seconds West a distance of 20.00 feet to a point.
14. North 86 degrees 57 minutes 17 seconds West a distance of 222.51 feet to a point.
15. South 07 degrees 30 minutes 34 seconds West a distance of 321.28 feet to a point.
16. North 82 degrees 18 minutes 01 seconds West a distance of 324.57 feet to a point.
17. South 00 degrees 04 minutes 23 seconds East a distance of 434.82 feet to a point.
18. South 00 degrees 28 minutes 47 seconds East a distance of 138.05 feet to a point.

2024-0078-SPM

19. North 77 degrees 48 minutes 03 seconds West a distance of 573.10 feet to a point.
20. North 08 degrees 22 minutes 57 seconds East a distance of 449.10 feet to a point.
21. North 23 degrees 12 minutes 13 seconds West a distance of 235.00 feet to a point.
22. North 82 degrees 14 minutes 13 seconds West a distance of 67.23 feet to a point.
23. North 36 degrees 34 minutes 13 seconds West a distance of 31.30 feet to the Point of Beginning.

Containing 22.31 acres of land, more or less. As recorded in Deeds Liber 38719, folio 058 & Liber 13768, folio 238. Located in the 3rd Election District and 2nd Council District.

2024-0028-SPM

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 4/8/2024

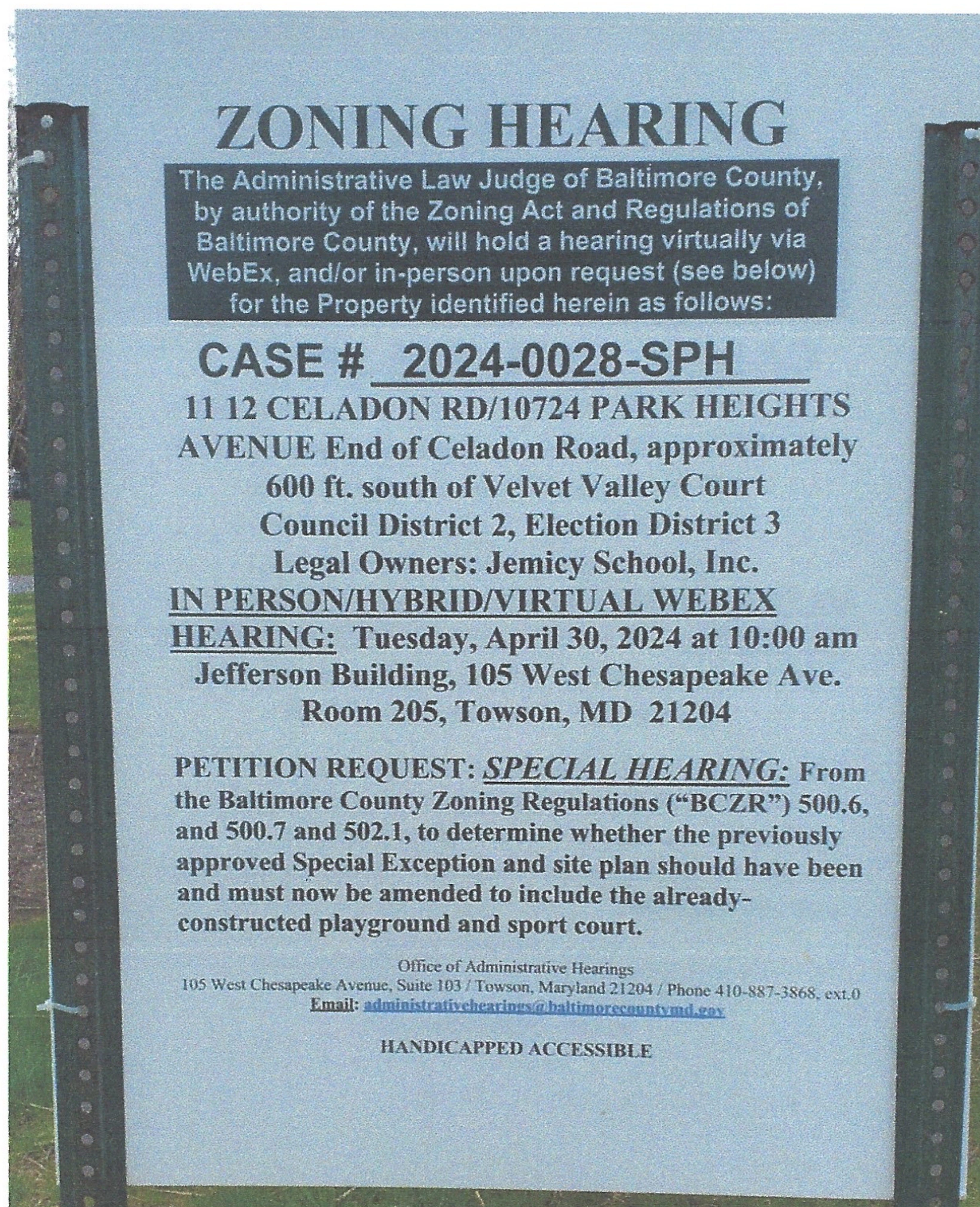
Case Number: 2024-0028-SPH

Petitioner / Developer: MICHAEL McCANN, ESQ. ~
JEMICY SCHOOL

Date of Hearing: APRIL 30, 2024

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:
11 12 CELADON ROAD

The sign(s) were posted on: APRIL 8, 2024



1st Sign of 1st Set of Signs

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, MD 21030
(City, State, Zip of Sign Poster)

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

ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

CASE # 2024-0028-SPH

11 12 CELADON RD/10724 PARK HEIGHTS AVENUE End of Celadon Road, approximately 600 ft. south of Velvet Valley Court
Council District 2, Election District 3
Legal Owners: Jemicy School, Inc.
IN PERSON/HYBRID/VIRTUAL WEBEX
HEARING: Tuesday, April 30, 2024 at 10:00 am
Jefferson Building, 105 West Chesapeake Ave.
Room 205, Towson, MD 21204

Special Hearing to determine whether the now-constructed playground and sport court meet the applicable standards for amending a Special Exception; to determine such other issues as necessary and appropriate.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-887-3868, ext.0
Email: administrativehearings@baltimorecountymd.gov

HANDICAPPED ACCESSIBLE

2nd Sign of 1st Set of Signs
Posted @ 11 12 Celadon Road ~ 4/8/2024
CASE # 2024-0028-SPH

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: February 13, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0028-SPH
Address: 11 – 12 CELADON RD
Legal Owner: Jemicy School, Inc.

Zoning Advisory Committee Meeting of February 12, 2024.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.
The Department of Environmental Protection and Sustainability offers the
following comments on the above-referenced zoning item:

Additional Comments:

Reviewer: Earl D. Wrenn

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 2/13/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0028-SPH

INFORMATION:

Property Address: 11, 12 Celadon Road
Petitioner: The Jemicy School Inc.
Zoning: RC 5 and RC 2
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for the following:

Special Hearing -

- a. To determine whether the previously approved special exception and site plan should have been and must now be amended to include the already-constructed playground and sport court
- b. To determine whether the now-constructed playground and sport court meet the applicable standards for amending a special exception?
- c. To determine such other issues as necessary and appropriate.

The subject property is located along Celadon Road at 11 and 12 Celadon Road. The property consists of 1.36 acres at 11 Celadon Road and 22.2 acres at 12 Celadon Road. The property is zoned RC-5 and RC-2. The RC-5 is the smaller zone to the north and RC-2 is the largest zone to the south. The proposed location is the Jemicy School in the Owings Mills area of Baltimore County. Detached residential dwellings, forest conservation and farms surround the property.

The R.C.5 zoning classification was established in response to concerns over wasteful and disorderly rural-residential development and inadequate lot sizes for on-lot sewer and water systems. These issues could result in undue financial hardships and negatively affect the safety and welfare of citizens. In identifying specific areas suitable for rural-residential development, the aim is to direct future growth towards these areas and prevent disorderly development patterns. The R.C.5 zoning classification serves to provide suitable areas for rural-residential development, minimize encroachments on natural resource areas, and provide a minimum lot size for proper on-lot sewer and water system functioning.

The RC-2 zone is a zoning district established to preserve the rural character of the area and promote low-density residential development. This district is intended to maintain the natural beauty and peacefulness of the surrounding countryside, while providing for compatible land uses and development patterns. The proposed relief is in harmony with the spirit and intent of the RC-2 zoning regulations. The requested use adheres to the zoning requirements and standards since it does not seek to alter the existing approved design. Therefore, the proposed use ensures that the rural character of the area remains uncompromised.

To gain a clearer perspective on the Special Hearing in question, it's beneficial to review the related Special Exception Zoning Case 2022-0190. This involves the modification of the previously established special exception and site plan, as outlined in Zoning Case No. 2000-0005 SPHX. This modification aimed to expand the designated Special Exception area allocated to the school, as per Section 1A01.2.C.25 of the Baltimore County Zoning Regulations. The expansion was designed to include 12 Celadon Road, along with its existing buildings, to be utilized as administrative offices for the school. This expansion effort was targeted at enhancing the school's operational capabilities and infrastructure as recognized within the mentioned zoning case.

In the review process for Zoning Case 2022-0190-SPHX, the Department of Planning conducted a site visit on 8/18/2022. The Department discovered that the petitioner did not propose to change anything with regard to the building materials or design of the exterior structure. The applicant was rather using the existing parking lot of the school for parking for the proposed administrative offices. The Department supported the proposed Special Exception for Zoning Case 2022-0190-SPHX because a past Zoning Case 2000-0005-SPHX was granted to allow a school in the RC zone to enlarge with no issue. On October 6th 2022, the Administrative Law Judge granted the petition for Special Exception for Zoning Case 2022-0190-SPHX.

In the Special Exception Zoning Case 2000-0005-SPHX, the applicant petitioned for an approval of an amendment to the previously approved special exception zoning case and site plan in prior Special Exception Zoning Case 1982-0165-X. In the Case 1987-0165-X, the applicant petitioned for a private school in an RC-2 zone. The proposed work removed an existing outbuilding and replaced it with a new attached structure containing classrooms. According to the Findings of Fact and Conclusions of Law for Zoning Case 2000-0005-SPHX, the Special Exception Zoning Case 1982-0165-X was granted by the Deputy Zoning Commissioner on September 28th 1999 to approve an amendment to the previously approved Special Hearing Zoning Case and site plan in prior Special Exception Zoning Case 1982-0165-X.

The Special Hearing for Case 2024-0028-SPH seeks to determine if the previously approved Special Exception (2022-0190-SPHX) and site plan should have been, and now must be, amended to encompass the already-constructed playground and sport court. This involves assessing whether the newly established playground and sport court adhere to the relevant standards required for amending a special exception. Additionally, it encompasses examining any other issues deemed necessary and appropriate to ensure comprehensive evaluation and compliance with the established guidelines and regulations. Given the complex legal and historical context surrounding this relief request, the Department recommends that the decision on this matter be left to the Administrative Law Judge.

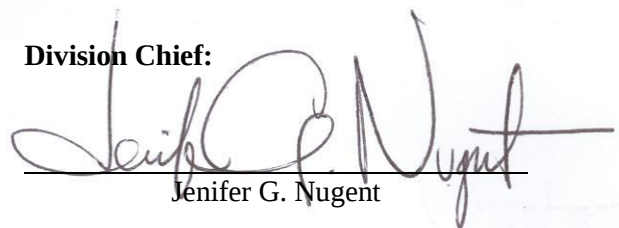
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Michael R. McCann, Representative

Joseph Wiley and Abigail Roger, Community Planners
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals
nce
FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review
SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0028-A

DATE: February 9, 2024

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

DPR: No comment

DPW-T: No exception taken

Landscaping: No comment.

Recreations & Parks: No Greenways affected.



View of the Signs across the Street @ 11 12 Celadon Road ~ 3/5/2024
CASE # 2024-0028-SPH

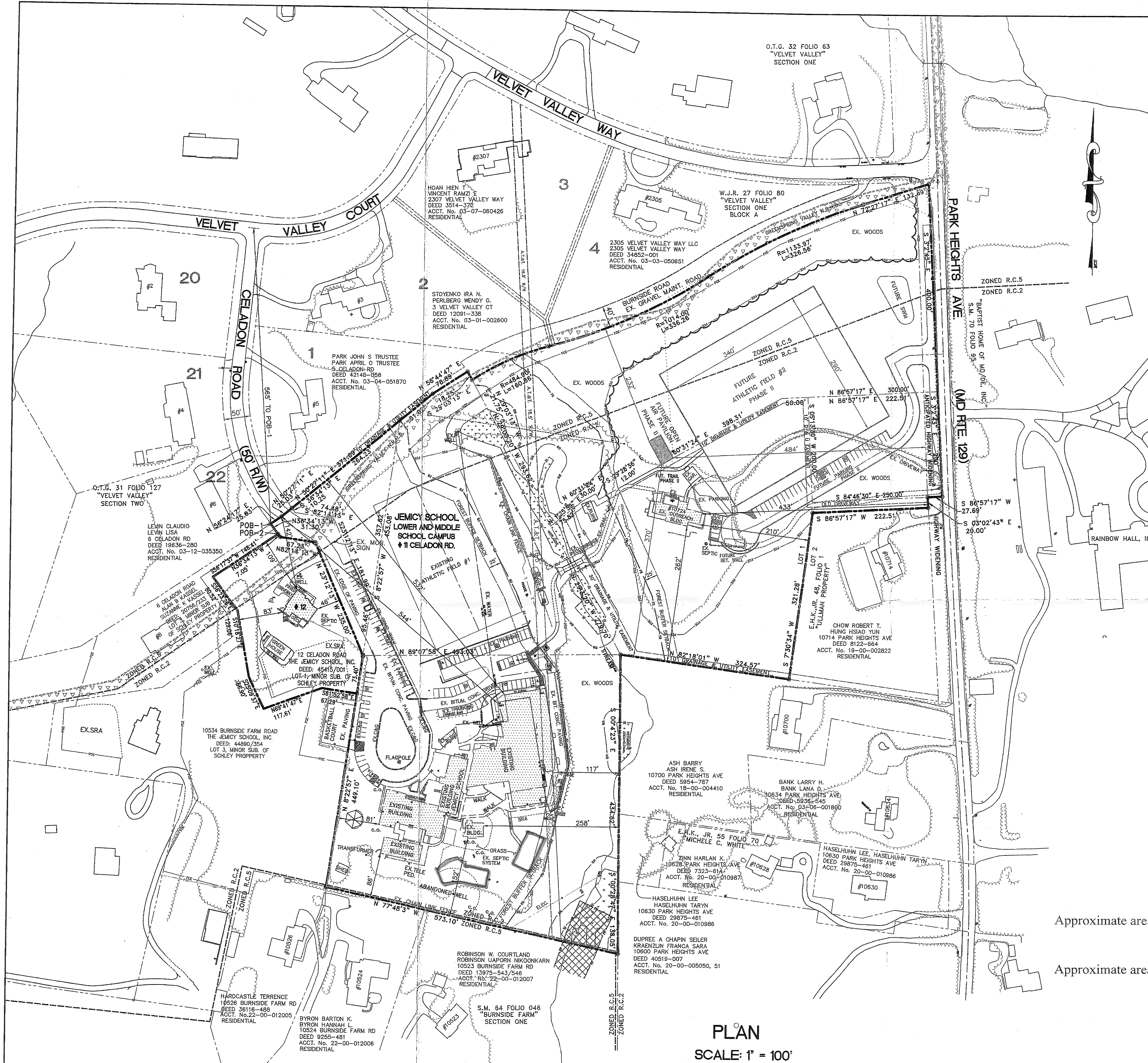


Background Photo Front Side 1st Set of Signs Posted @ 11 12 Celadon Rd. ~ 3/5/2024



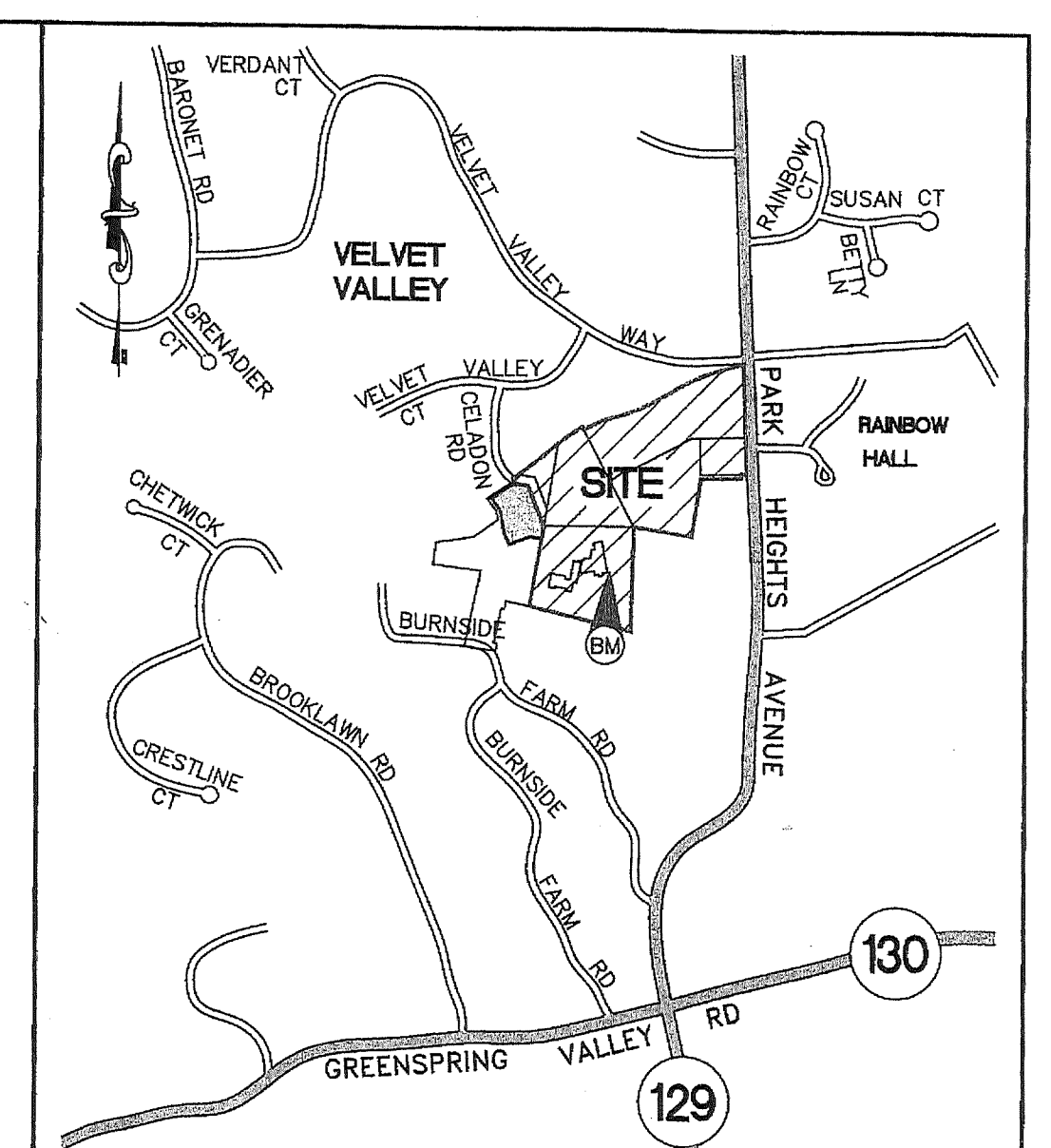
Background Photo Back Side of 1st Set of Signs Posted @ 11 12 Celadon Rd. ~ 3/5/2024

CASE # 2024-0028-SPH



GENERAL NOTES

- OWNER: The Jemicy School, Inc.
#11 Celadon Road, Owings Mills, MD 21117
- LOCATION: #11 Celadon Road, Owings Mills, MD 21117
#10724 Park Heights Avenue, Owings Mills, MD 21117
PROP. #12 Celadon Road, Owings Mills, MD 21117
- TAX MAP DEED AREA ACCOUNT NO.
59 274 38719-58 (Parcel 1) 6.18 ac. 03-22-000780
59 273 38719-58 (Parcel 2) 0.60 ac. 03-22-000781
59 273 38719-58 (Parcel 3) 3.86 ac. 03-22-000782
59 273 38719-58 (Parcel 4) 0.34 ac. 03-03-076005
59 119 38719-58 7.36 ac. 21-00-091597
59 388, Lot 2 13768-238 4.15 ac. 19-00-092823
Existing Total Area 22.31 ac. (971,639 s.f.)
PROP. 59 272, Lot 1 45415-001 1.35 ac. 24-00-033406
Proposed Total Area 23.67 ac. (1,030,913 s.f.)
- ELECTION DISTRICT: 03
COUNCILMANIC DIST.: C-2
- ZONING: EXISTING R.C.5 (5.06 ac.) PROP. R.C.5 (0.30 ac.) TOTAL R.C.5 (5.36 ac.)
R.C.2 (17.25 ac.) R.C.2 (1.06 ac.) R.C.2 (18.31 ac.)
Zoning Map 05843
Properties are in Greenspring Valley National Register Historic District (N.R.H.D.)
- EXISTING LAND USE: Private, non-profit school.
- PROPOSED LAND USE: Private, non-profit school with addition of existing building at 12 Celadon Road for administrative offices.
- BUILDING SETBACKS:
Min. Reg. R.C.2 / R.C.5 Ls/Ms. Bldg. Ex. 10724: Ex. 12 Celadon Rd.
C/A Street: Park Height Ave.
Celadon Rd.: 75 ft. / 75 ft. 544 ft. 142 ft.
Front: 35 ft. / 50 ft. 532 ft. 433 ft. 46 ft.
Side: 35 ft. / 50 ft. 81 ft. 210 ft. 109 ft.
Rear: 35 ft. / 50 ft. 86 ft. 282 ft. 83 ft.
- BUILDING HEIGHT:
Permitted: 35' max. (R.C.2 and R.C.5), except under Section 300
50' max. for educational purposes (Section 300)
Existing: Gymnasium: 42'
- UTILITIES: Private utilities presently serve this site.
Sanitary Sewer: Private septic sewage disposal systems.
Water: Private drilled wells.
- PREVIOUS ZONING CASES:
ZONING CASE No. 5323-X: per Order of the Zoning Commissioner dated July 20, 1981, granted approval for a special exception for a Kindergarten and Elementary School subject, however, to approval of the present site plan by the Office of Planning.
ZONING CASE No. 82-165-X: per Order of the Deputy Zoning Commissioner dated Feb. 3, 1982, granted approval for a school in a R.C. 2 zone per Site Plan.
ZONING CASE No. 00-005-SPHX: per Order of the Zoning Commissioner dated September 26, 1998, granted approval to amend the previously approved special exception and site plan to reflect the proposed improvements and approved proposed school expansion in on R.C.2 zone.
ZONING CASE No. 04-456-SPHX: per Order of the Zoning Commissioner dated September 28, 2004, granted approval to amend the previously approved special exception in Cases Nos. 00-005-SPHX and 82-165-X, to reflect the proposed expansion, including expansion of Lower and Middle School and construction of High School. Appeals for this case were filed on 10/13/2004 and 10/26/2004. Case was withdrawn.
11. LIMITED EXEMPTION:
Limited Exemption Under Section 26-171(A)(7) granted per DRC 07077-A and approval letter dated Jan. 2, 1998 for a building addition.
Limited Exemption Under Section 26-171(A)(7) granted per DRC 082303D and approval letter dated July 8, 2003 for a building addition.
Limited Exemption Under Section 32-4-106(a)(1)(v) granted per DRC 010208D and approval letter dated January 11, 2008 for an open air pavilion and reconfigured athletic field #2.
Limited Exemption Under Section 32-4-106(a)(1)(v) granted per DRC 071916B and approval letter dated August 4, 2016 for a temporary classroom.
12. COMMERCIAL PERMITS:
C-66-64 C-1056-77 C-0125-90
1792, C-633-68 16426, C-712-79 C-1104-90
1933, C-549-70 C-1356-81 C-728-91
85305, C-1312-76 91085, C-1351-86
13. BUILDING PERMITS:
B043152 B108464 B335261 B694372 B882098 B930236
B059417 B305686 B530635 B789462 B921464 B953406
B069875 B331567 B693454 B841662 B927175
14. NUMBER OF STUDENTS AND STAFF:
Number of Students (Lower and Middle School): 214
Number of Teachers / Admin. (LS and MS): 53
15. AREA CALCULATIONS:
Total LS/MS floor area: 69,140 s.f.
Ex. Outreach Building area: 6,000 s.f.
Future Pavilion area: 1,250 s.f.
Add Ex. 12 Celadon area: 4,858 s.f.
Total floor area: 81,046 s.f.
FLOOR AREA RATIO: 81,046 / 1,030,913 = 0.08
16. EXISTING PARKING: 103 p.s. (incl. 5 handicap p.s.) - west side, off Celadon Rd.
PROPOSED PARKING: 105 p.s. (incl. 5 handicap p.s.) - west side, off Celadon Rd.
17. SIGNS: All existing and proposed signs shall comply with BCZR Section 450 and all zoning policies for R.C. zones.
18. LIGHTING: Lighting shall be building or pole mounted and directed away and downward from adjacent residential properties and public R/W.
19. There are no known historic buildings, archaeological sites, endangered species habitats, underground storage tanks, or hazardous material sites located on this property. There are no significant views or site features that may affect the development proposal. There are no significant related plants or wildlife communities based upon DEPS and DNR data. Existing wells, septic systems and streams are as shown on this Plat.



VICINITY MAP

SCALE: 1"=1000'

Maryland State Plane:		SURVEY CONTROLS:	
NAD83/91-Horiz. Datum	Benchmark: Trav. M-5 504.74 Bar & Cap in Gravel Road at the East corner of main Jemicy School BLDG.	Baltimore County Benchmarks:	
NAVDB8-Vertical Datum		QIS-96 N 624053.010 E 139252.580 ELEV. 486.42	
		QIS-136 N 633511.876 E 1373642.436 ELEV. 471.157	

- FOREST CONSERVATION:
Wetland and Forest Stand Delineation have been prepared by Jeffrey A. Wolinski, consulting ecologist and approved by DEPS on 10/18/2002.
Forest Conservation Plan and Forest Buffer Protection Plan were prepared by Human & Rohde, Inc. and approved by DEPS on 07/26/2004. That plan was amended by Forest Buffer Variance granted by DEPS on 03/22/2013.
Part of the Forest Conservation Easement as shown on the Plan had been recorded in Baltimore County Land Records in Liber 23901, folio 827.
For 12 Celadon Road and 10534 Burnside Farm Road (Lots 1 and 3 of Minor Subdivision of Schley Property) Forest Conservation Easement had been recorded in Baltimore County Land Records in Liber 16519, folio 706.
- FOREST BUFFER:
The Forest Buffer limits delineated hereon are based on the Steep Slopes Analysis prepared by KOW Engineering Technologies, Inc.
Variances were granted on July 8, 2003 and March 22, 2013 by the Baltimore County Department of Environmental Protection and Sustainability from the law for the protection of Water Quality, Streams, Wetlands and Floodplains. The Forest Buffer Easement and building setback shown hereon are reflective of the fact that these variances were granted. Conditions were placed on these variances to reduce water quality impacts including 15,653 square feet of offset planting at a preapproved Forest Buffer Planting Bank.
Part of the Forest Buffer Easement as shown on the Plan had been recorded in Baltimore County Land Records in Liber 23902, folio 759.
For 10534 Burnside Farm Road (Lot 3 of Minor Subdivision of Schley Property) Forest Buffer and Forest Conservation Easement had been recorded in Baltimore County Land Records in Liber 16528, folio 354.
- FLOODPLAIN: The 100-year floodplain shown hereon is based on the Floodplain Study prepared by KOW Engineering Technologies, Inc. and accepted for filing by DPR on 04/11/2002.
- STORMWATER MANAGEMENT: The requirements of Baltimore County's Stormwater Management Policy shall be addressed prior to issuance of future Permits.
- LANDSCAPE PLAN: Landscape Plan in accordance with the current Landscape Manual shall be approved by PAI prior to issuance of Permits.
- ATHLETIC FIELD USE RESTRICTIONS:
 - No loudspeakers or other amplifying equipment and/or electronic scoreboards will be made available for athletic field #2.
 - There shall be no permanent grandstands or bleachers for athletic field #2.
 - There shall be no lights installed on athletic field #2 for use of the athletic field. Any lighting for the parking area located on the south side of athletic field #2 shall be of a low level downward direction design and approved by the landscape architect for Baltimore County or its designee.
- Site is not in any failed Basic Services Map areas.

PREVIOUS ZONING CASES (Cont'd)

ZONING CASE 2022-0190-SPHX: Order of Administrative Law Judge dated October 6, 2022 granting petition for special exception to enlarge special exception area granted in Zoning Case No. 2000-005-SPHX to include 12 Celadon Road and the existing structure for administrative offices for School, and granting petition for special hearing to amend the previously approved special exception and site plan in Case No. 2000-005-SPHX.

2024-0028-SPH

PLAN to ACCOMPANY PETITION for ZONING SPECIAL HEARING

THE JEMICY SCHOOL
LOWER AND MIDDLE SCHOOL CAMPUS
#11 CELADON ROAD

BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT - 3 C2
SCALE: 1"= 100'

PLAN

SCALE: 1" = 100'

OWNER:

THE JEMICY SCHOOL, Inc.
#11 Celadon Road, Owings Mills, MD 21117
Attn.: J. Peter Ward, President
Tele: 410-653-2700

REVISIONS	
DATE	DESCRIPTION

Approximate area of existing playground

Approximate area of existing sport court