

MAP NO. 7E
26
E.D. 3
DATE 1-23-87
200
1000
DP

Leon Kuryk, et al.
SE corner of Marnet Road and
Seven Mile Lane (7307 Seven
Mile Lane) - 3rd Election
District.
3rd Elec. Dist.

IN RE: PETITION SPECIAL HEARING
SE corner of Marnet Road and
Seven Mile Lane (7307 Seven
Mile Lane) - 3rd Election
District.
Leon Kuryk, et al.,
Petitioners
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-401-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests approval of a site plan for a synagogue in a residential zone and, additionally, confirmation that it satisfies the Residential Transition Area (RTA) use requirements to the extent possible, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by the Contract Purchaser, Congregation Darchei Tzedek, Inc., by Donald Kristt, President, appeared and testified and was represented by Counsel. Paul Lee, a registered civil engineer, and Dr. Sheldon Avery, President of the Marnet Road Neighborhood Association, also testified on behalf of the Petitioner.

Testimony indicated that the subject property, zoned D.R.5.5 and located at the corner of Marnet Road and Seven Mile Lane, is improved with two, two-story buildings joined together. Over the years, these buildings have been utilized for a variety of commercial uses, all nonconforming, including a grocery store, package goods store with gas pumps, and a pharmacy, as well as an apartment on the second floor. The buildings have been vacant for some

time. The Synagogue proposes to purchase the property and two adjoining lots and utilize the existing buildings for its congregation, which is comprised of approximately 35 families. The two adjoining lots will be converted to a parking area which will provide 19 spaces. Inasmuch as this is an Orthodox

congregation, vehicular traffic will be minimal since many do not drive to service.

Churches, other buildings for religious worship, or other religious institutions are permitted in a residential zone by right. There is no question that the proposed use is compatible with the neighborhood and community; the Baltimore County Council so concluded by permitting such a use as a matter of right.

However, the proposed use would be a residential transition use and, as such, would be required to satisfy, to the extent possible, the RTA use requirements and be compatible with the character and general welfare of the surrounding residential premises.

Mr. Lee testified that, in his opinion, the proposed use satisfies the conditions set forth in the Baltimore County Zoning Regulations (BCZR) and complies, to the extent possible, with the RTA use requirements. In fact, all can be satisfied except for the 75-foot buffer requirement. With the proposed landscaping, the impact created by the inability to satisfy the 75-foot buffer requirement would be negligible. Mr. Lee further believes that the use is compatible with the immediate residential area.

Dr. Avery testified that the community is not opposed to the proposed use. See Petitioner's Exhibit 4.

The Petitioner seeks relief from Section 1B01.1.B.1.c.6, pursuant to Section 500.7, BCZR.

It is clear from the testimony and evidence presented that the proposed improvements are planned in such a way that compliance with the RTA use requirements, to the extent possible, will be maintained and that the improvements can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises. It is also clear

that the proposed use would not be contrary to the spirit and intent of the BCZR and would not result in substantial detriment to the public good.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the approval prayed for should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 16th day of April, 1986, that conversion to a new building for religious worship within an RTA Zone is approved and, as such, the Petition for Special Hearing is hereby GRANTED from and after the date of this Order.

984
Zoning Commissioner of
Baltimore County

AJ/srl
cc: Steven M. Rosen, Esquire
People's Counsel

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a Special hearing in regard to Section 1B01.1B1.c.6 of the Zoning Regulation to show compliance

to the extent possible with the RTA Use Requirement for Congregation Darchei Tzedek.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do 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 Petition.

Contract Purchaser:
Congregation Darchei Tzedek, Inc.
(Type or Print Name)
By: Donald Kristt
Signature Donald Kristt, President
Address
3216 Fallstaff Road
Baltimore, Maryland 21215
City and State
Attorney for Petitioner:
Steven A. Loewy, Esq.
(Type or Print Name)
Signature
14th Floor
100 South Charles Street
Baltimore, Maryland 21201
City and State
Attorney's Telephone No.: 332-8850

Legal Owner(s):
Leon Kuryk
(Type or Print Name)
Signature
David Kuryk
(Type or Print Name)
Signature
11200 Five Springs Road
Address
Lutherville, Maryland 21093; 752-7125
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Steven A. Loewy, Esquire
Name
14th Floor
100 S. Charles St., 332-8850
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of March, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

on the 24th day of April, 1986, at 10:00 o'clock

Call John
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner
Date: March 24, 1986

FROM: Norman E. Gerber, Director
Office of Planning & Zoning
SUBJECT: Zoning Petition No. 86-401-SPH

In view of the subject of this petition, this office has no comment.

Norman E. Gerber, AICP, Director
Office of Planning and Zoning

NEG/JOH/dm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 14, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Steven A. Loewy, Esquire
14th Floor, 100 South Charles Street
Baltimore, Maryland 21201

RE: Item No. 259 - Case No. 86-401-SPH
Petitioners - Leon Kuryk, et al
Special Hearing Petition

Dear Mr. Loewy:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are intended to indicate the appropriateness of the zoning action requested. But, to assure that all parties are made aware of plans or proposals with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,
James E. Dyer, Inc.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: Paul Lee Engineering, Inc.
304 West Pennsylvania Avenue
Towson, Maryland 21204

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
404-3211
NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

March 19, 1986
Re: Zoning Advisory Meeting of January 21, 1986
Item # 259
Property Owners: LEON KURYK, et al
Location: 8416 MARNET ROAD SEVEN
MILE LANE

Dear Mr. Jablon:

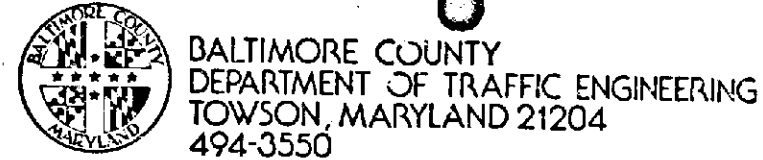
The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group meeting is required.
- ☒ Forward by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ The proposed development must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 2-28 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on 1/21/86.
- ☒ The property is located in a deficient service area as defined by §111 124-75. To building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
- ☒ The property is located in a traffic area controlling by a "D" level intersection as defined by §111 172-77, and all conditions change are re-evaluated annually by the County Council.
- ☒ Additional comments:

cc: James Howell

Norman E. Gerber
Chair, Current Planning and Development

APR 21 1987



STEPHEN E. COLLINS
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -2AC- Meeting of January 22, 1986
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

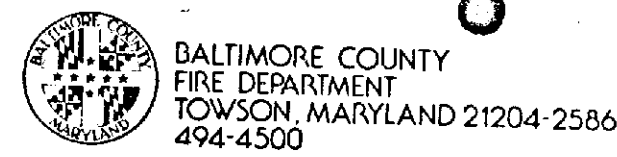
Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items numbered 258, 259, 260, 261, and 263.

Michael S. Flanagan
Traffic Engineer Associate II

MSE/bld



PAUL H. REINCKE
CHIEF

January 22, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Leon Kuryk

Location: SE corner Marnet Road and Seven Mile Lane

Item No.: 259 Zoning Agenda: Meeting of 1-22-86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: _____
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

Case No. 86-401-SPH

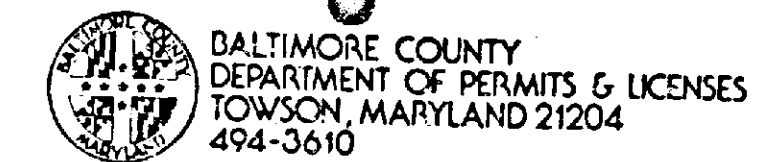
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 4th day of March, 1986.

Petitioner: Leon Kuryk, et al
Petitioner's Attorney: Steven A. Loewy, Esquire

Received by *James E. Dyer*
ARNOLD JABLON
Zoning Commissioner
Chairman, Zoning Plans Advisory Committee



TED ZALESKI, JR.
DIRECTOR

February 11, 1986

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item #259 Zoning Advisory Committee Meeting are as follows:
Property Owner: Leon Kuryk, et al
Location: SE corner Marnet Road and Seven Mile Lane
District: 3rd.

APPLICABLE CODES ARE CIRCLED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85; the Maryland Code for the Handicapped and Age 12, P.L. 83-161, and other applicable Codes and Standards.
2. A building and other miscellaneous permits shall be required before the start of any construction.
3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is not required on plans and technical data.
4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
5. All One and One Half Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. All One and One Half Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire of party exterior wall within 3'-0" of an interior lot line. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be conditioned until the necessary data pertaining to height/area and construction type is provided. See Table 505 and 506 and have your Architect/Engineer contact this department.
7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
8. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for use see use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use M-1 to Use C-1, or to Mixed Use. See Section 102 of the Building Code.
9. The proposed project appears to be located in a Flood Plain, Flood Hazard. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site Plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

SPECIAL NOTE: 1. Comments: Structural floor loadings, exits, storage areas, fire separations, fire stopping at various levels, sprinklers in limited areas - all require investigation by the applicant's architect/engineer registered in Maryland before filing plans for an alteration permit and change of occupancy permit. Compliance to the State of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired Handicapped the applicant may obtain additional information by visiting Room 112 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204. *Charles E. Blanton* applies to change of occupancy permits.
311 C. E. Blanton, Chief
Building Plans Section

1/22/86

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James Dyer Date: March 3, 1986

FROM: James Thompson

SUBJECT: Item No. 259
Leon Kuryk, et al

Please note that the above-subject petition is in active violation case, C-84-1158, 7307 Seven Mile Lane. When this matter is scheduled for a hearing please notify:

Dr. Azery
3317 Marnet Road
Baltimore, Maryland 21208

Ross Carter
3304 Marnet Road
Baltimore, Maryland 21208

Ellis M. Fell, Esquire
3313 Marnet Road
Baltimore, Maryland 21208

JT/ls

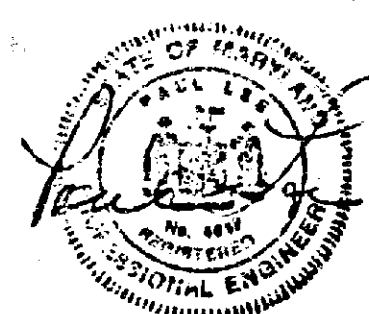
Paul Leo P.E.

Paul Leo Engineering Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
821-5941

DESCRIPTION

7307 SEVEN MILE LANE
THIRD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point at the intersection of the east side of Seven Mile Lane and the south side of Marnet Road, said point being located 20 feet ± from the center of Marnet Road, thence binding on the south side of Marnet Road (1) Easterly 130 feet thence leaving said south side of Marnet Road (2) Southerly 129 feet - 5 3/4 inches and (3) Westerly 130 feet to the east side of Seven Mile Lane, thence binding on the east side of Seven Mile Lane (4) Northerly 129 feet 5 3/4 inches to the point of beginning.



Engineers — Surveyors — Site Planners 1/3/86

PETITION FOR SPECIAL HEARING

3rd Election District

LOCATION: Southeast Corner of Marnet Road and Seven Mile Lane (7307 Seven Mile Lane)

DATE AND TIME: Wednesday, April 9, 1986, at 10:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing to show compliance to the extent possible with the PMA use requirement for Congregation Darchei Tzedek, Inc.

Being the property of Leon Kuryk, et al, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
SE Corner Marnet Rd. & Seven Mile Ln. (7307 Seven Mile Ln.) : OF BALTIMORE COUNTY
3rd District

LEON KURYK, et al., Petitioners Case No. 86-401-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 18th day of March, 1986, a copy of the foregoing Entry of Appearance was mailed to Steven A. Loewy, Esquire, 14th Floor, 100 S. Charles St., Baltimore, MD 21201, Attorney for Petitioner; and Donald Kristoff, President, Congregation Darchei Tzedek, Inc., 3216 Fallstaff Rd., Baltimore, MD 21215, Contract Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman

APR 26 1987



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
454-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

April 2, 1986

Steven A. Loewy, Esquire
14th Floor
100 South Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL HEARING
SE/cor. Marnet Rd. and Seven Mile La.
(7307 Seven Mile La.)
Leon Kuryk, et al - Petitioners
Case No. 86-401-SPH

Dear Mr. Loewy:

This is to advise you that \$72.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 018581

DATE: 4/10/86 ACCOUNT: 3-01-615-000

SIGN & POST
RETURNED 4/10/86

AMOUNT \$ 72.00

RECEIVED FROM: Solomon Spetner

FOR: Advertising & Posting re Case #86-401-SPH

FOR: 8 0150*****720015 5116F

VALIDATION OR SIGNATURE OF CASHIER

PETITION FOR SPECIAL HEARING
3rd Election District

LOCATION: Southeast Corner of Marnet Road and Seven Mile Lane (7307 Seven Mile Lane)

DATE AND TIME: Wednesday, April 9, 1986, at 10:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Ordinance and Regulations of Baltimore County, will hold a public hearing on the petition for special hearing to show compliance in the event possible with the RIA use requirement for Congregation Tzedek Synagogue, Inc. as shown on plat filed with the Zoning Officer.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Mar. 26

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 20 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 20 1986

THE JEFFERSONIAN,

B. Venetia

Publisher

Cost of Advertising

22.00

86-401-SPH

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3rd Date of Posting: March 16, 1986

Posted for: Special Hearing

Petitioner: Leon Kuryk, et al

Location of property: SE/cor. Marnet Rd. and Seven Mile Lane

1.7307 Seven Mile Lane

Location of Sign: 1 sign at SE/cor. Marnet Rd. and Seven Mile Lane, approx. 16' high, 18" wide, and 1 sign at SE/cor. Marnet Rd. and Seven Mile Lane, approx. 12' x 6' of Seven Mile Lane

Remarks:

Posted by: S. J. Harte Signature Date of return: March 16, 1986

Number of Signs: 2

LEGAL NOTICE

PETITION FOR SPECIAL HEARING
3rd Election District

LOCATION: Southeast Corner of Marnet Road and Seven Mile Lane (7307 Seven Mile Lane)

DATE AND TIME: Wednesday, April 9, 1986, at 10:00 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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By Order of:
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
Mar. 26

CERTIFICATE OF PUBLICATION

75241

Mar. 19 1986

that the annexed advertisement

NORTHWEST STAR, a weekly

in Pikesville, Baltimore

County, Maryland before the 9th day of April 19 86

the first publication appearing on the 19th day of March 19 86

the second publication appearing on the day of 19

the third publication appearing on the day of 19

THE NORTHWEST STAR

R. P. Lee
Manager

Cost of Advertisement \$20.00

86-401-SPH

Steven A. Loewy, Esquire
14th Floor
100 South Charles Street
Baltimore, Maryland 21201

March 10, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
SE/cor. Marnet Rd. and Seven Mile La. (7307 Seven Mile La.)
3rd Election District
Leon Kuryk, et al - Petitioners
Case No. 86-401-SPH

TIME: 10:00 a.m.

DATE: Wednesday, April 9, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

B. Venetia
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 016117

DATE: 4/14/86 ACCOUNT: 01.615.000

AMOUNT \$ 100.00

RECEIVED FROM: Paul Lee

FOR: SH. # 259

FOR: 8 0134*****100015 5116F

VALIDATION OR SIGNATURE OF CASHIER

Mr. Ross Carter
3504 Marnet Road
Baltimore, Maryland 21208

Ellis M. Fell, Esquire
3313 Marnet Road
Baltimore, Maryland 21208

Stephen M. Rosen, Esquire

-2-

April 8, 1986

With the passage of time, however, the immediate neighborhood grew with migration to the county during the 1950's and 1960's to a predominantly residential neighborhood. As a result of that growth, the property is now surrounded by and is a part of a predominantly residential neighborhood except for the synagogue which is on the other side of the street diagonal to the Seven Mile Lane property.

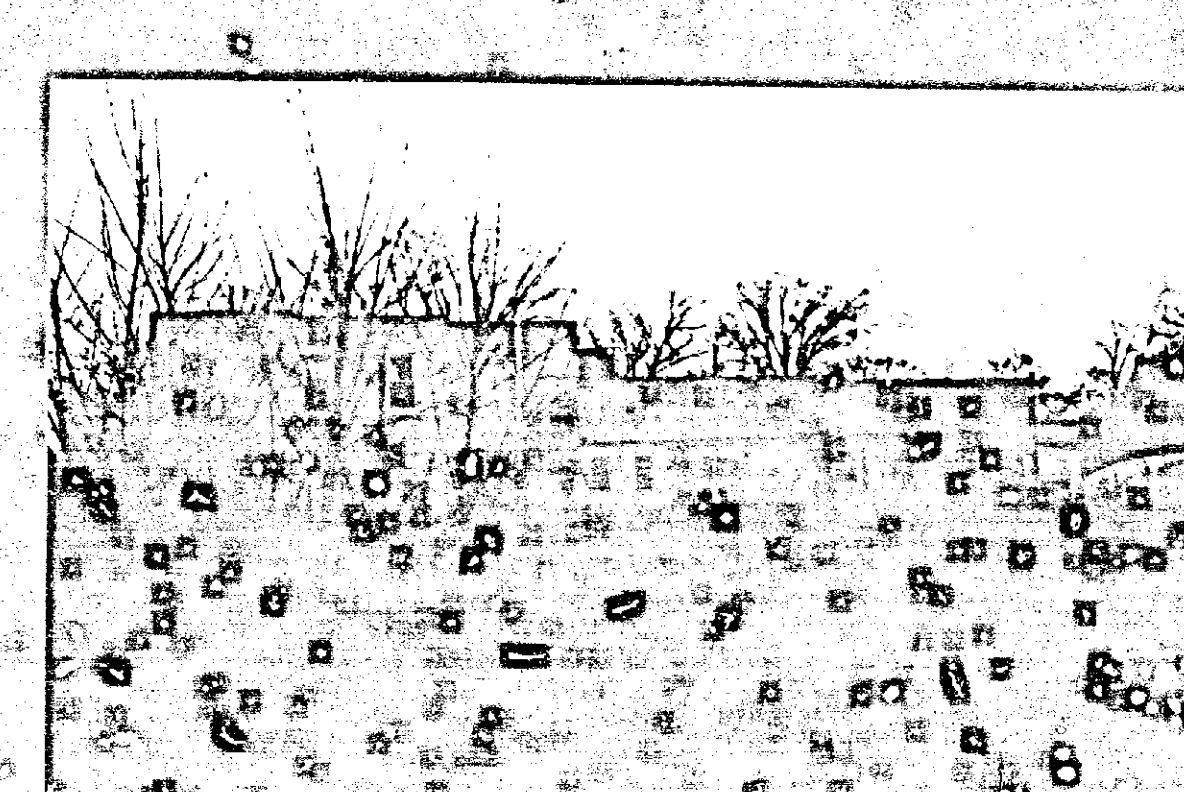
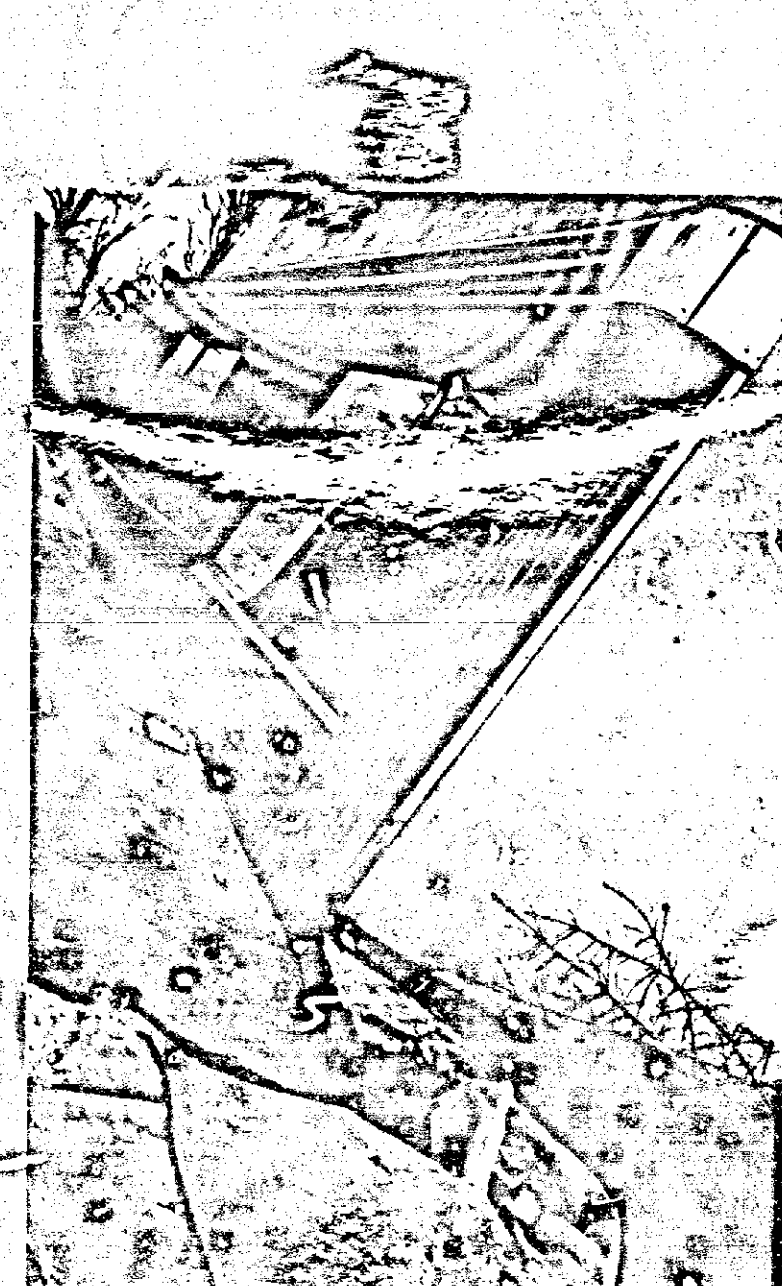
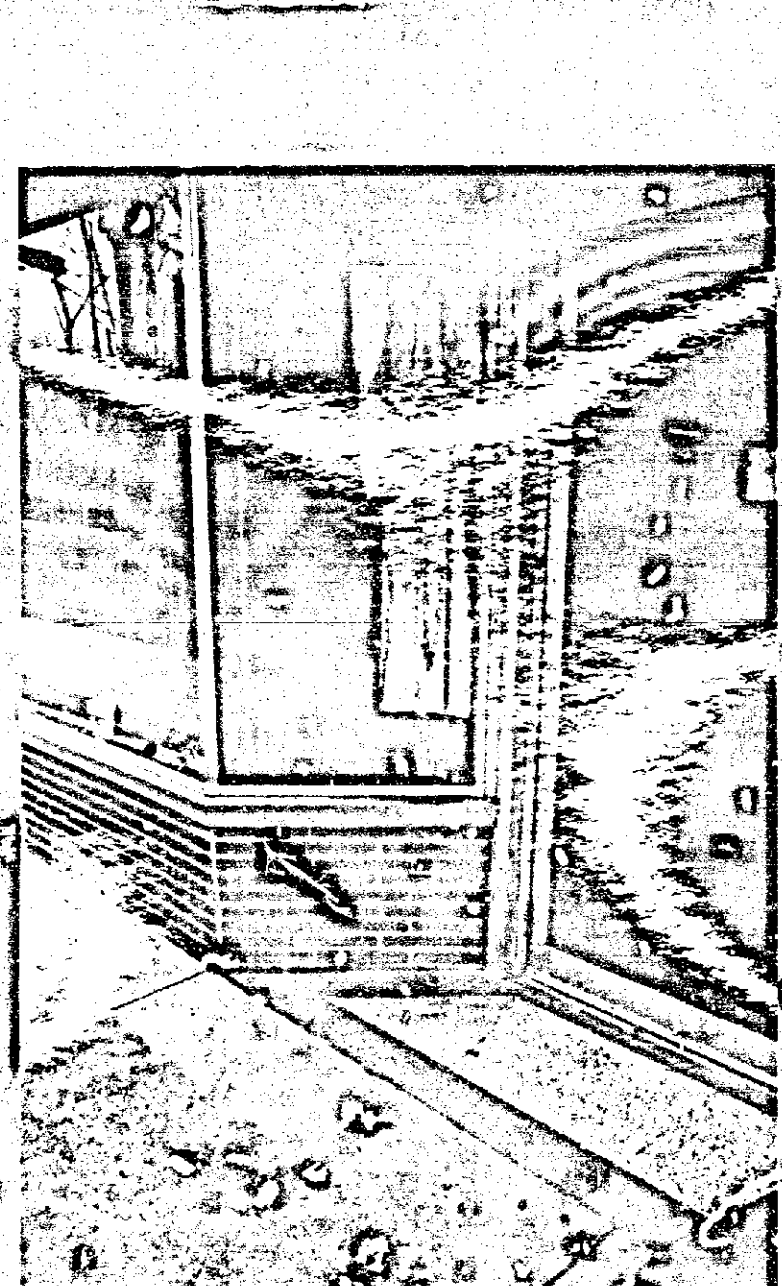
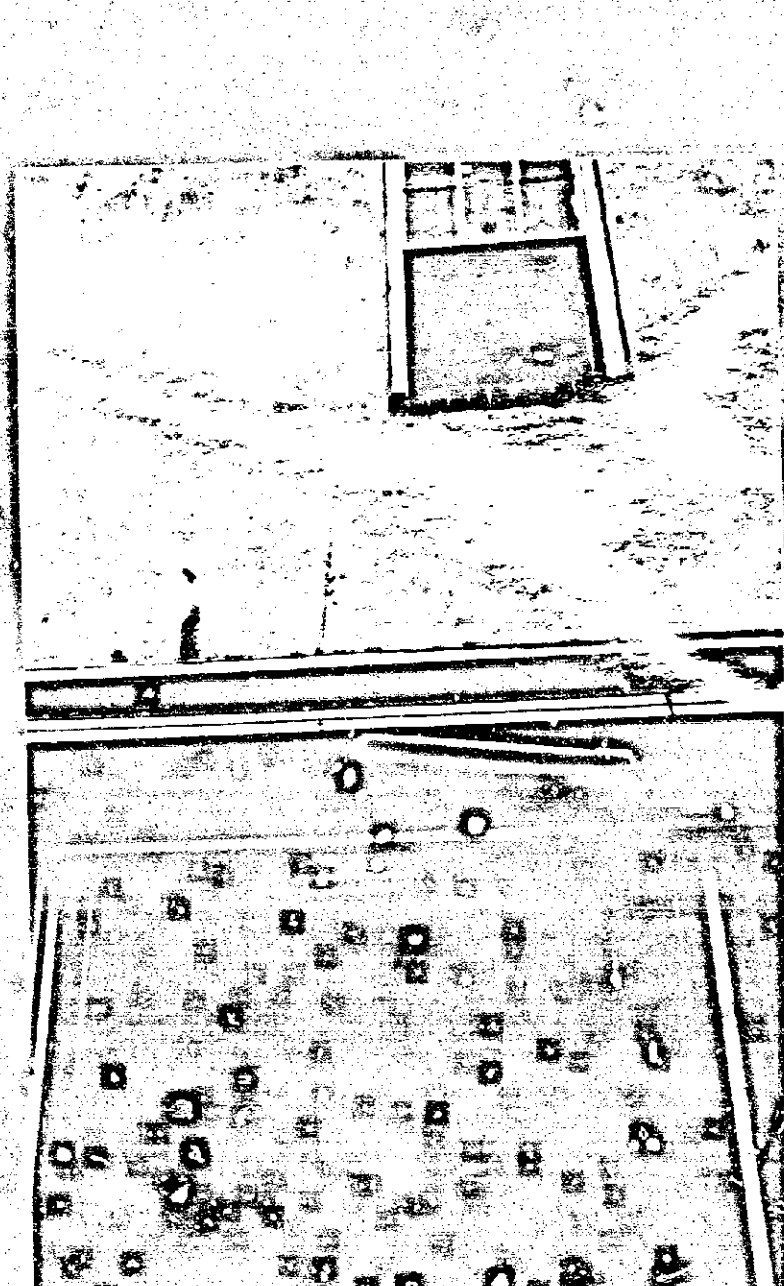
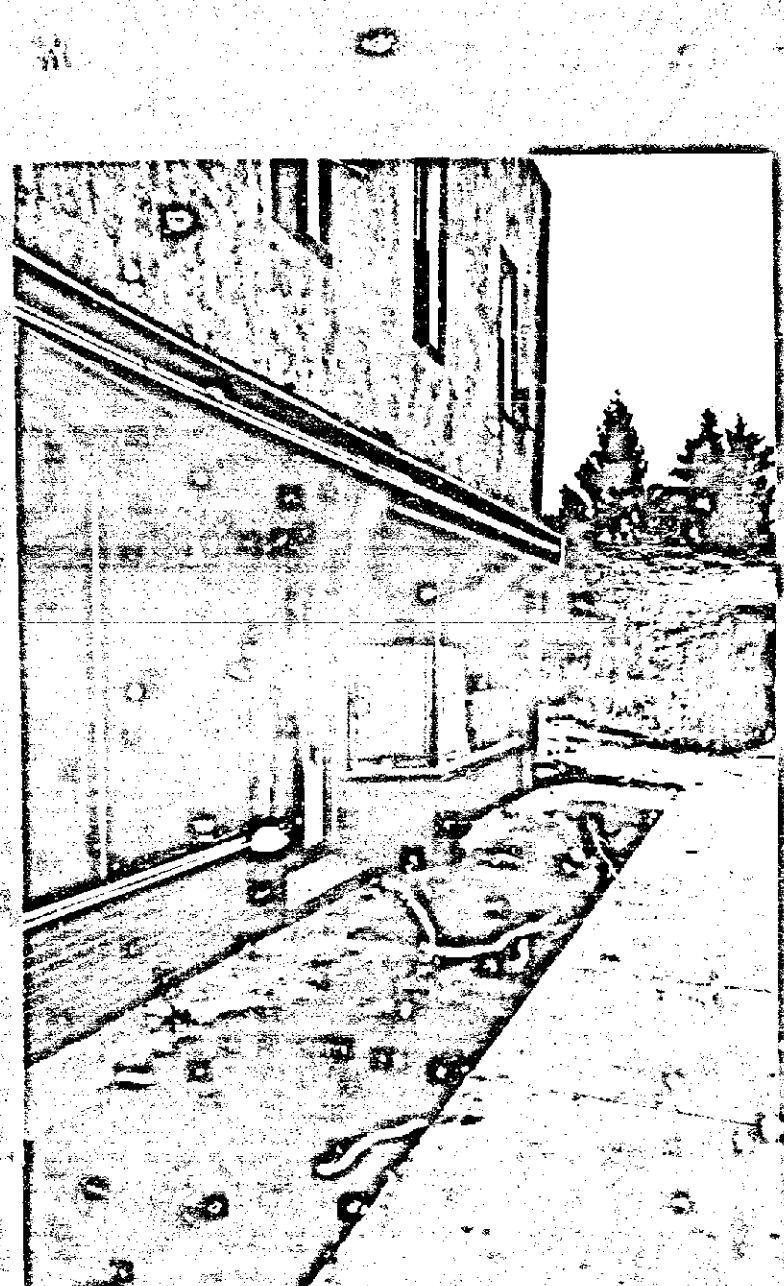
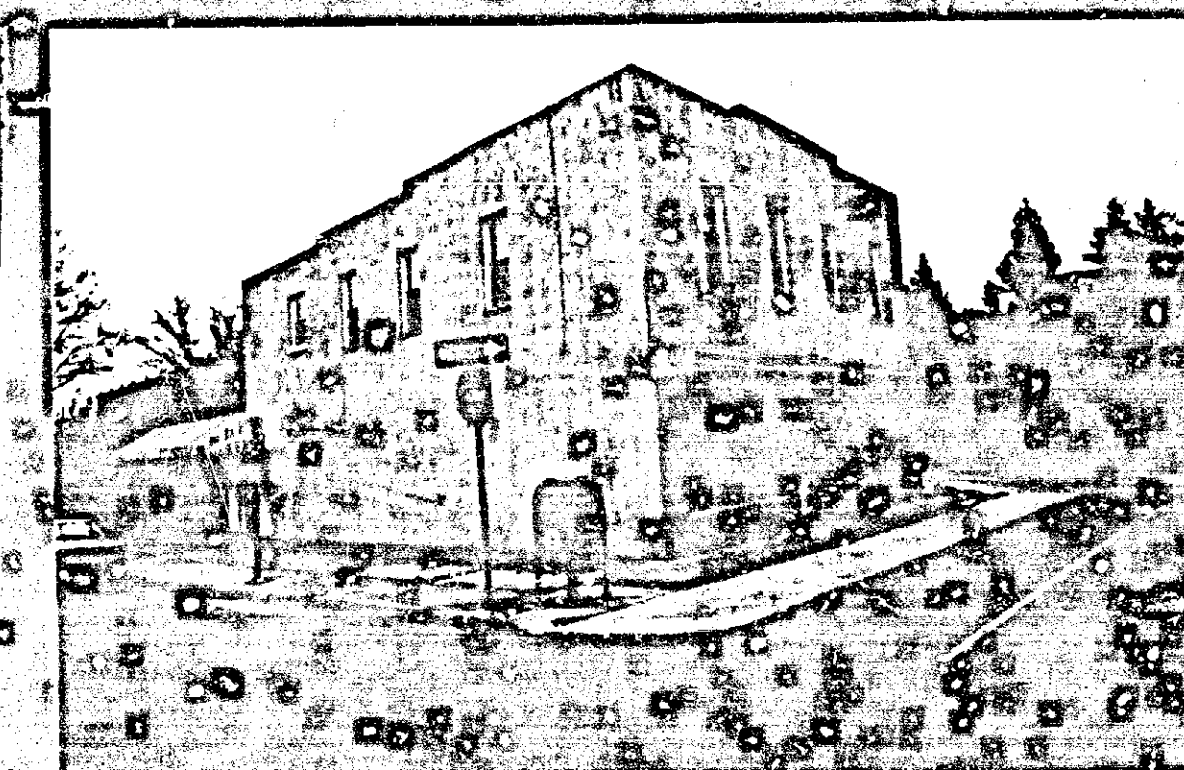
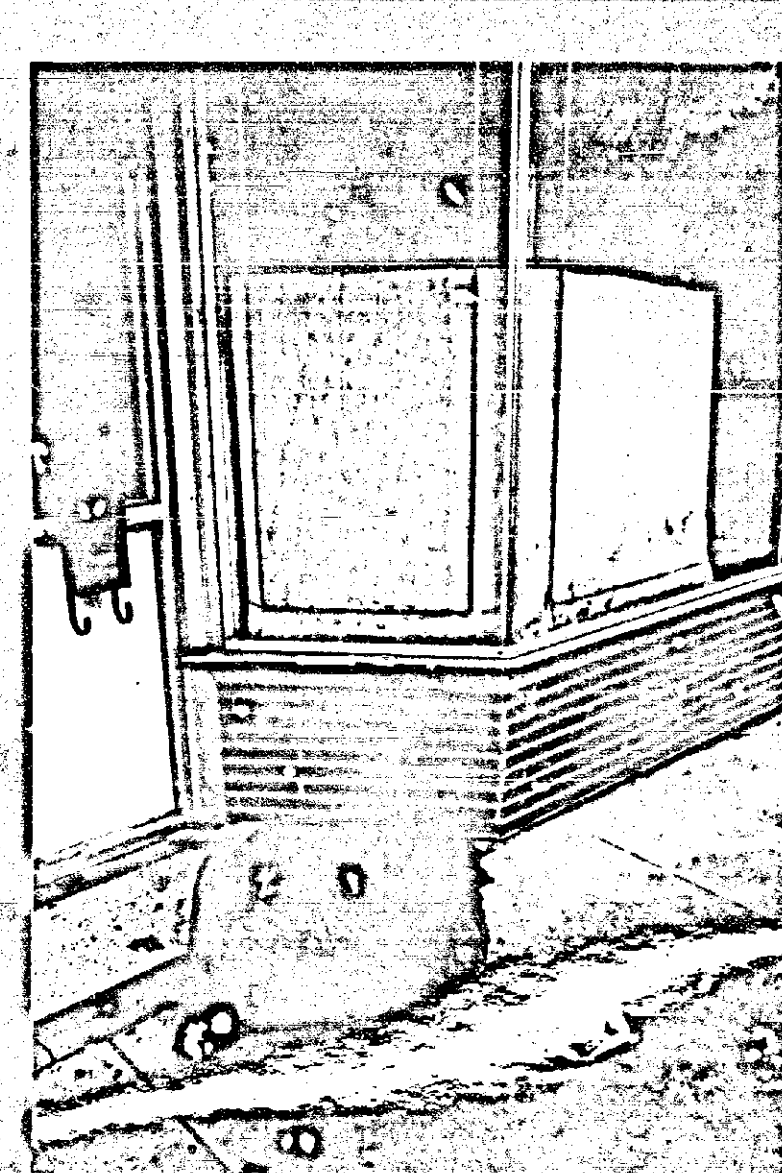
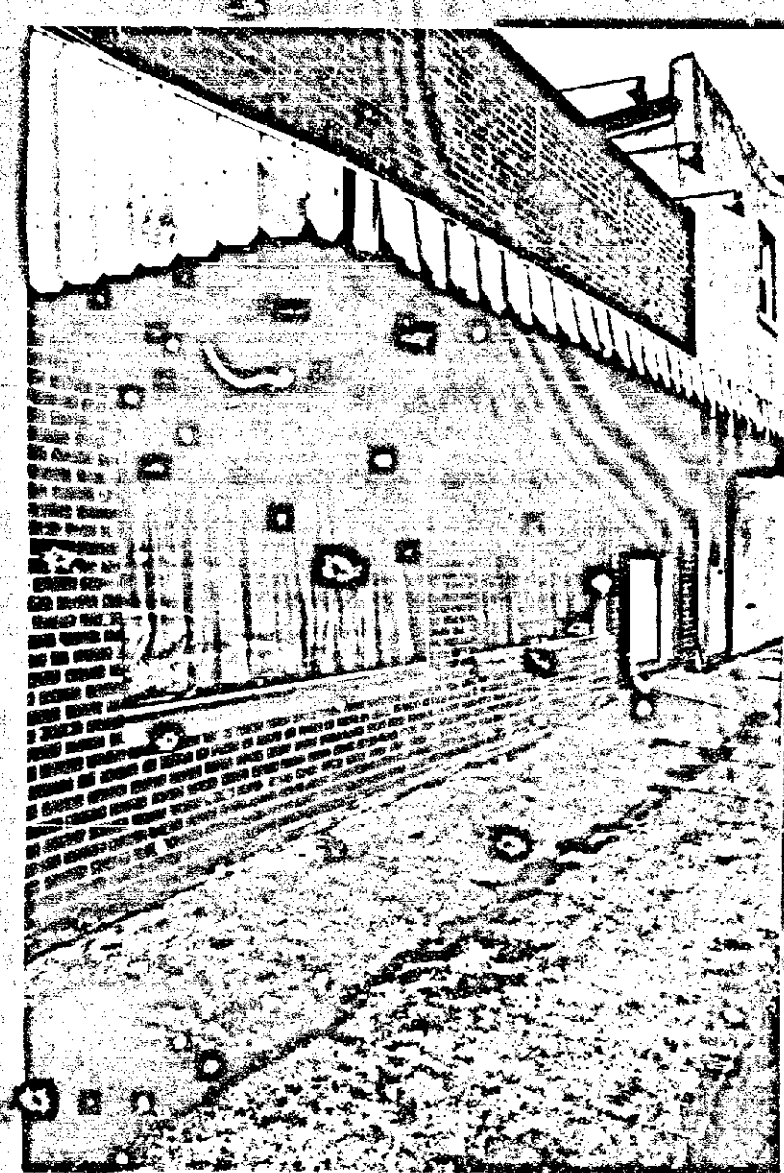
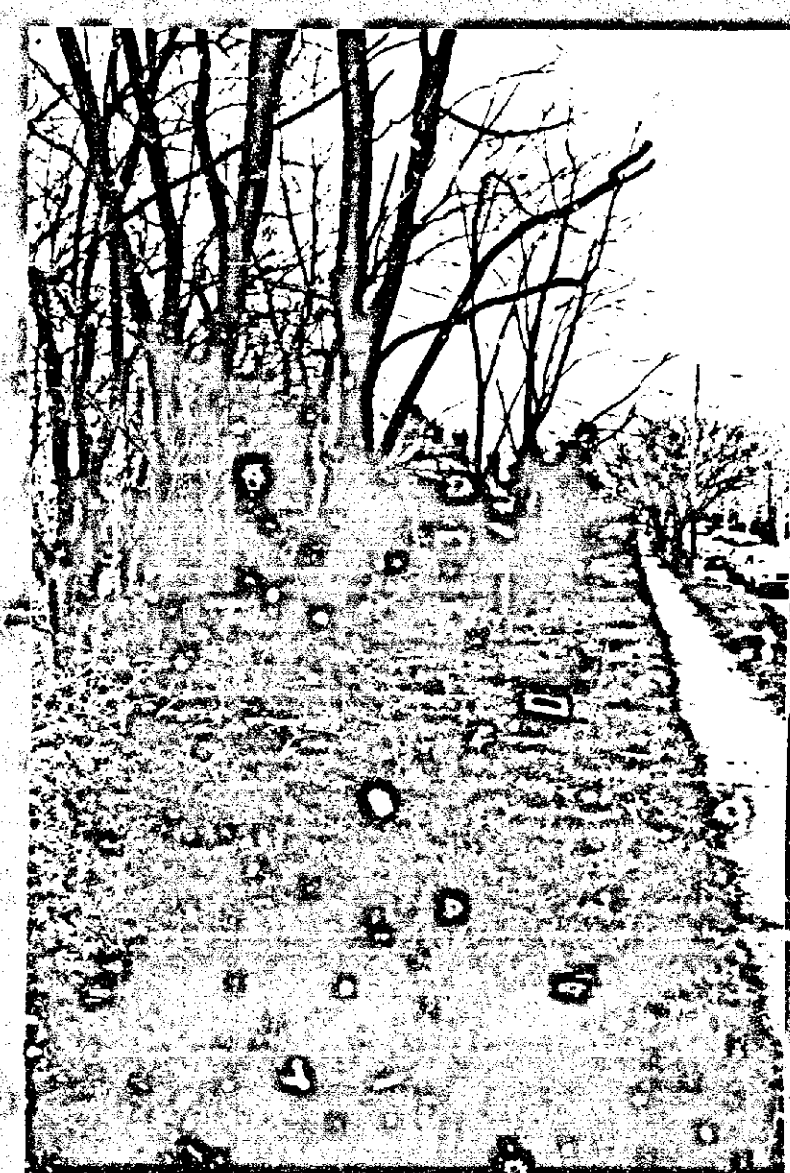
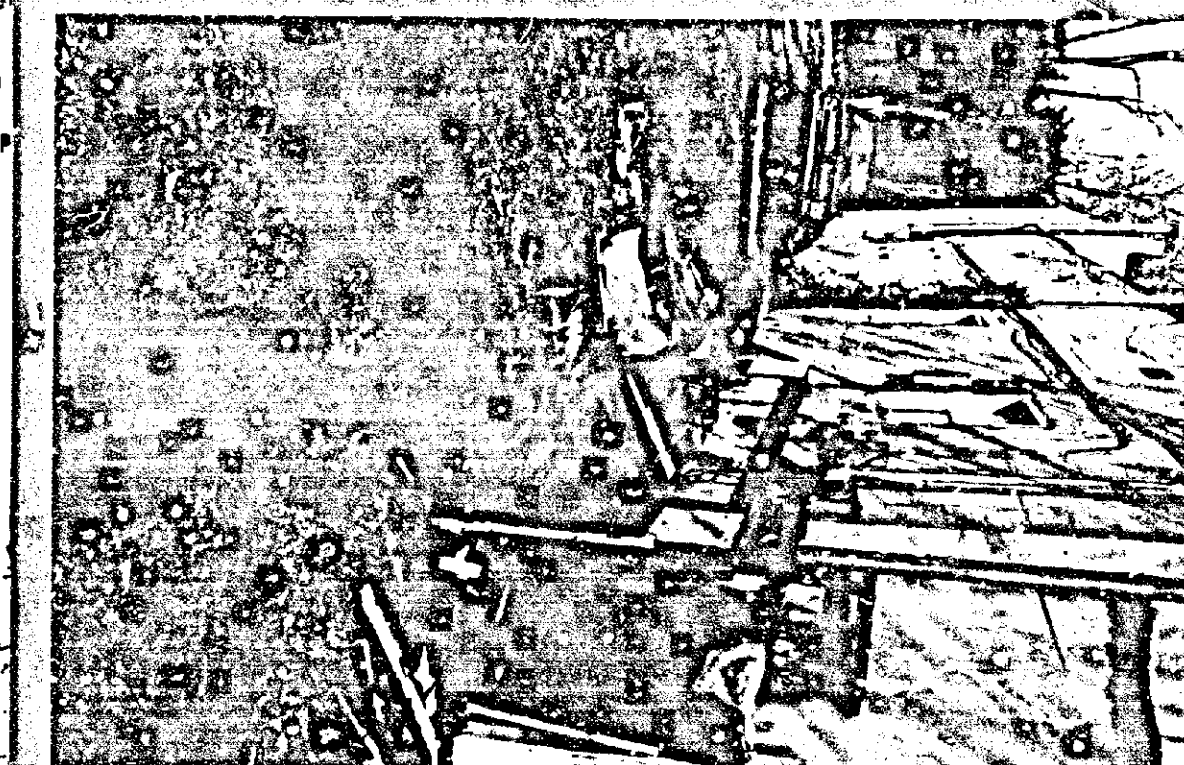
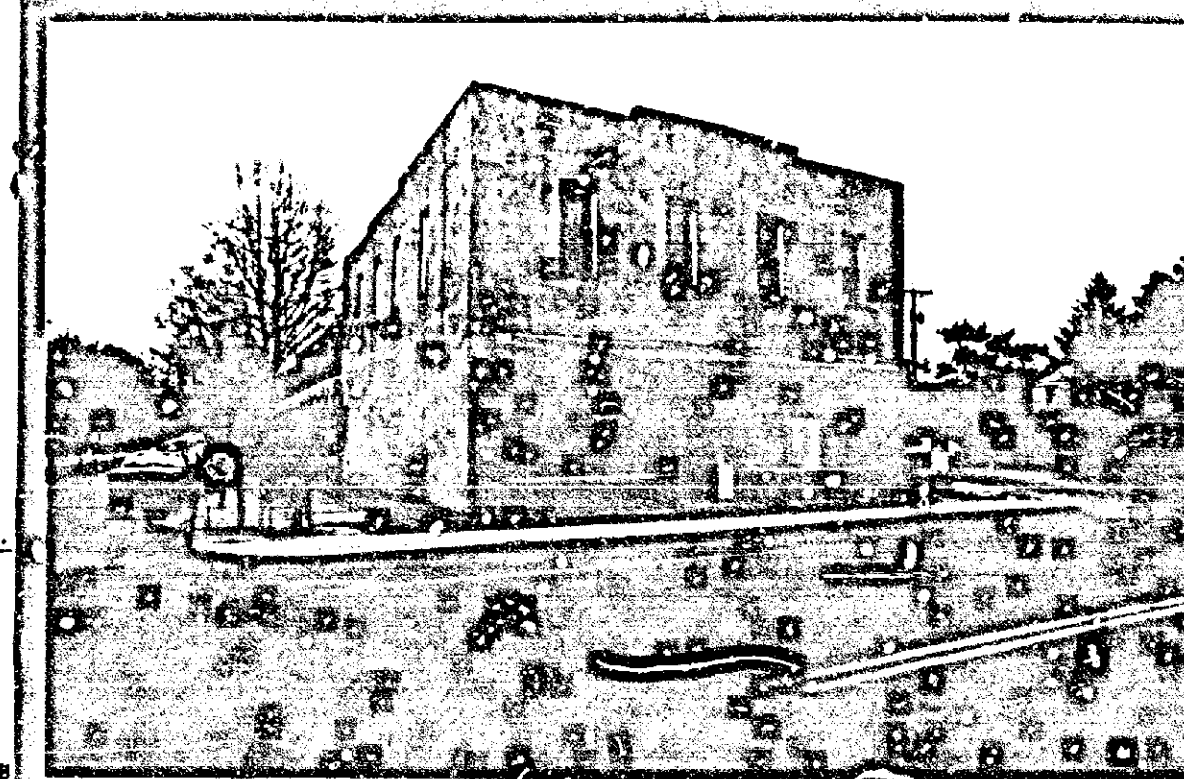
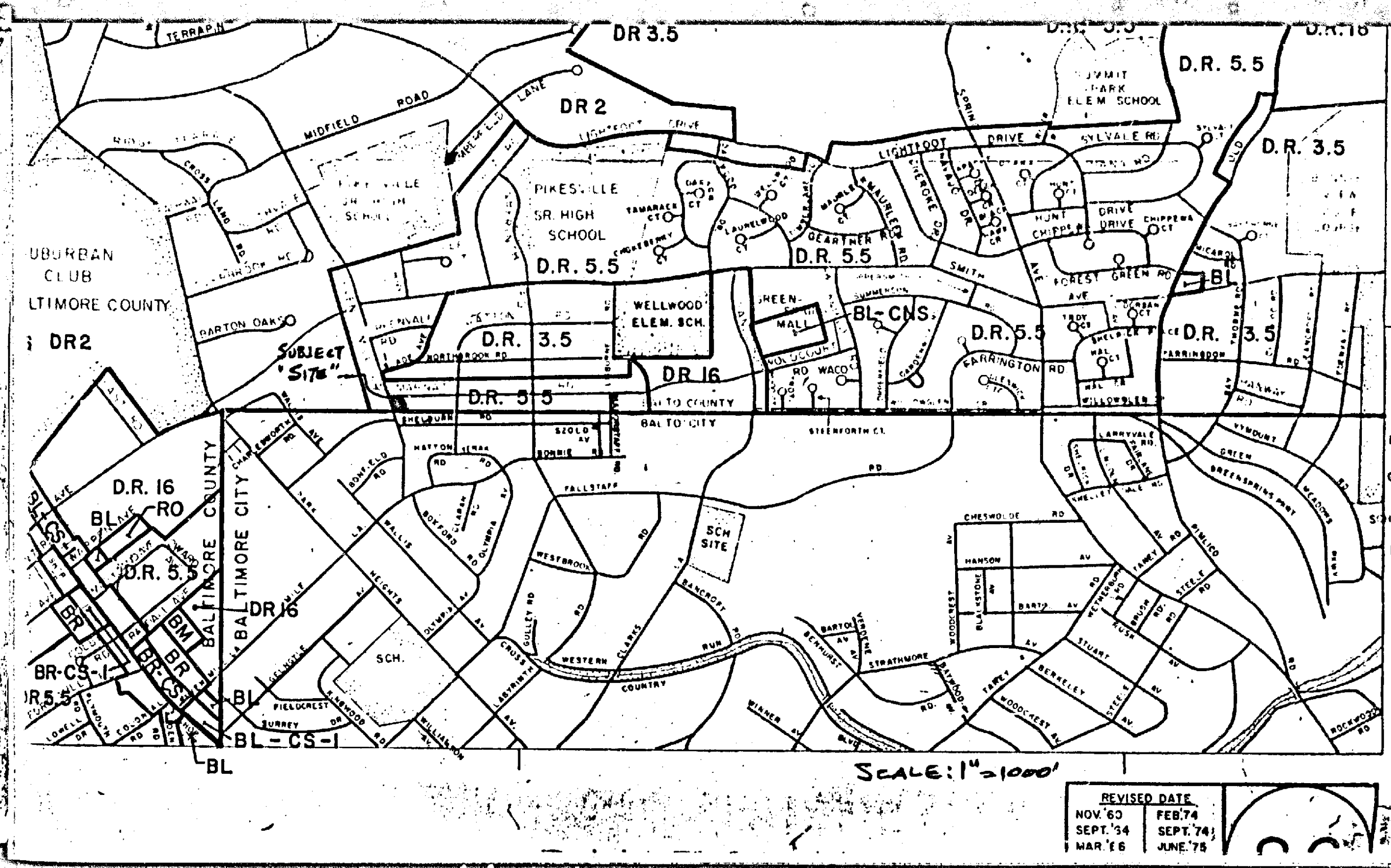
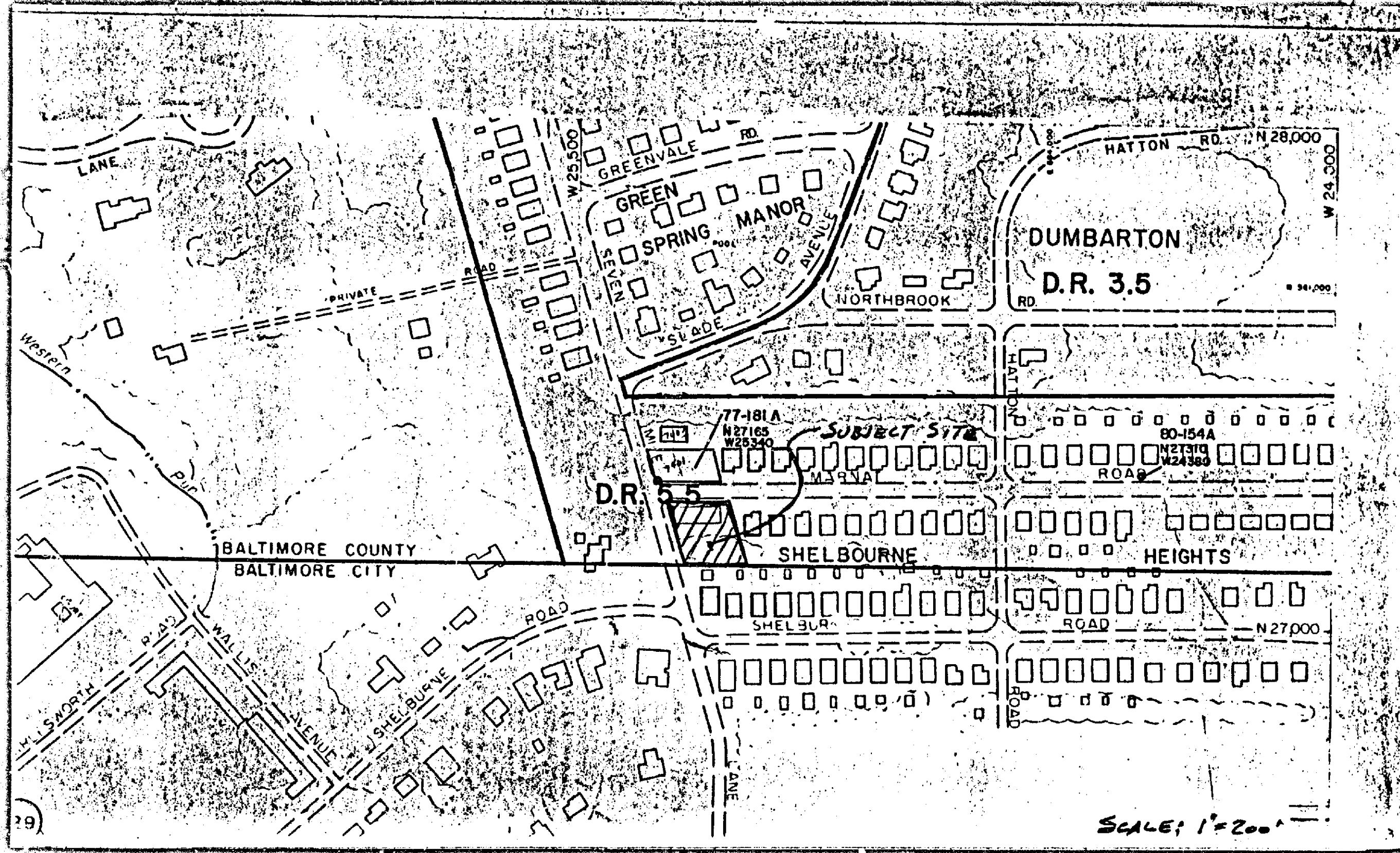
Because of the predominantly residential character of the neighborhood, it is my impression that the neighbors now resent the commercial use of the property. They have, therefore, opposed just about every commercial and retail use which has been proposed for the property. It is my further belief that the neighbors would prefer that this property be torn down and a single family dwelling constructed on the premises. The only problem with this proposal is that it is economically impossible to justify without public financing. Because of the problems now concerning the use of the property, the property is not self-supporting and therefore there have been no funds left for the overall rehabilitation or renovation of the property. Nor is there any way to justify economically any infusion of capital which would be required to reduce the property from three individual units to one unit which would also result in only one rental income, the amount of which could never meet the costs of the current obligations, let alone the increased obligations for the cost of renovation or rehabilitation. Thus, it does not appear that there is any other use which would be more suitable taking into consideration the nature and character of the neighborhood in which, in my opinion, would be less intrusive than the one proposed by the synagogue. As you are aware, the contract of sale provides a contingency for your receiving approval from the Office of Planning and Zoning for the use of the property as a synagogue. In the event the approval is not received, the contract may be declared null and void. In that event, we will be faced with the dilemma of having a property which is not self-supporting and which the rehabilitation and renovation of the property as proposed by your client could never be achieved otherwise. I trust this will be of some assistance to you and if you have any further questions, or, if I may be of any assistance to you, please do not hesitate to contact me.

Very truly yours,

Leon Kuryk
Leon Kuryk

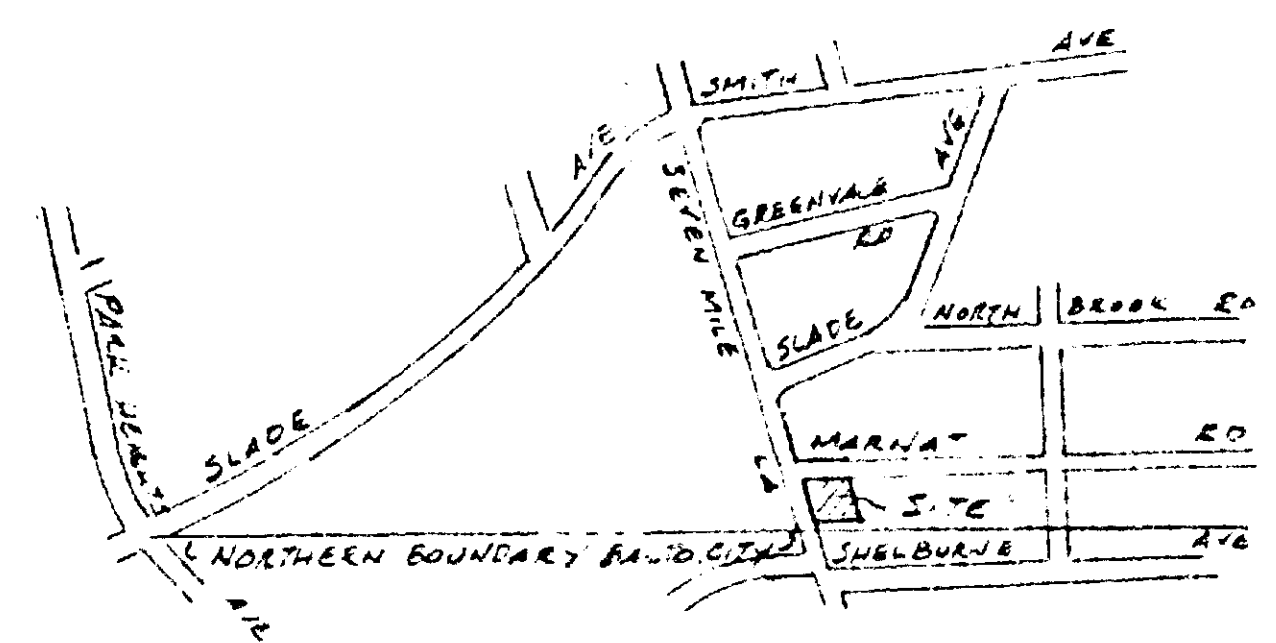
LK:p





PLAT OF
"SHELBOURNE HEIGHTS"
7-169

EXIST. ZONING: "DR-5.5"
EXIST. USE: "RESIDENTIAL"



LOCATION PLAN
SCALE: 1" = 500'

PETITIONER'S
STATEMENT

GENERAL NOTES

1. TOTAL AREA OF SITE = 5610 SF (0.126 AC)
2. EXIST. ZONING OF SITE = DR-5.5
3. EXIST. USE OF SITE = 1874.12 SF (VACANT) 240 FL. APART.
4. PROP. ZONING OF SITE = "DR-5.5"
5. PROP. USE OF SITE = "CONGREGATION DARGABI TZEDEK - RELIGIOUS SERVICES"
6. REQUIRED PARKING SPACES:
NO. OF SEATS = 75 (1RS./10 SEATS) = 12.5 = 13 RS.
7. NO. OF PARKING SPACES SHOWN = 19 RS.
8. PETITIONER REQUESTING SPECIAL HEARING TO SECT. 1801.1 B1.6.6 OF THE ZONING REGULATIONS TO SHOW COMPLIANCE TO EXTENT POSSIBLE WITH THE RTA USE REQUIREMENT
9. PUBLIC UTILITIES EXISTING TO SITE.

PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING

7307 SEVEN MILE LANE

3RD ELECT. DIST.

BALTIMORE COUNTY, MD.

SCALE: 1" = 20'

JAN. 6, 1986

EXIST. ZONING: "DR-5.5"
EXIST. USE: "RESIDENTIAL"

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204



ITEM #259

85-010