

IN RE: PETITION FOR ZONING VARIANCE
 8100 Stevenson Road, 540' N of
 the Baltimore Beltway (I-695)
 (8100 Stevenson Road)
 3rd Election District
 3rd Councilmanic District
 Chizuk Amuno Congregation
 Petitioners

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 92-414-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for Baltimore County as a Petition for Zoning Variance in which the Petitioners request relief from Section 413.1.e of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a double-faced, illuminated sign of 124 sq.ft. in lieu of the permitted non-illuminated 15 sq.ft. as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Gerald M. Katz, Esquire and Benjamin Bronstein, Esquire, appeared and testified. Also appearing on behalf of the Petition were Lowell R. Glazer and Diane Torn. There were no Protestants.

Testimony indicated that the subject property, known as 8100 Stevenson Road, consists of 19.0 acres, more or less, zoned D.R. 2 and is the site of the Chizuk Amuno private school and church. The Petitioners are desirous of replacing an existing 30 sq.ft. identification sign on Stevenson Road with the proposed 124 sq.ft. sign as depicted on Petitioner's Exhibit 1. Petitioners testified that the proposed sign has been attractively designed with a double-faced sign box, garden box, and an 8-foot tall stone wall for a symbolic sculpture. Testimony indicated that the size of the proposed sign is necessary to help identify the Congregation to visitors inasmuch as the church and school facilities are set back a good distance from Stevenson Road. Further, the proposed sign will be

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 By [Signature]

more visible to traffic coming from both directions. Petitioners testified that the existing sign will be removed upon approval of this variance request and that the relief requested received approval from the Office of Planning and Zoning. In support of the relief requested, the Petitioners testified that the scale and design of the proposed sign is in keeping with the architectural character and landscaping design of surrounding uses. Testimony indicated that to require strict compliance would result in practical difficulty and unreasonable hardship for Petitioners. Further testimony indicated that the relief requested will not result in any detriment to the health, safety or general welfare of the community.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

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After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony 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 variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of June, 1992 that the Petition for Zoning Variance requesting relief from Section 413.1.e of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a double-faced, illuminated sign of 124 sq.ft. in lieu of the permitted, non-illuminated 15 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their permits 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.

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2) The existing 30 sq.ft. sign shall be removed from the premises immediately upon approval of a sign permit for the proposed 124 sq.ft. sign.

TMK:bjs

[Signature]
 TIMOTHY M. KOTROCCO
 Deputy Zoning Commissioner
 for Baltimore County

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 Date 6/11/92
 By [Signature]

Suite 113, Concourse
 400 Washington Avenue
 Towson, MD 21284 (410) 882-1396

June 9, 1992

Benjamin Bronstein, Esquire
 29 W. Susquehanna Avenue
 Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
 8100 Stevenson Road, 540' N of the Baltimore Beltway (I-695)
 (8100 Stevenson Road)
 3rd Election District - 3rd Councilmanic District
 Chizuk Amuno Congregation - Petitioner
 Case No. 92-414-A

Dear Mr. Bronstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,
 [Signature]
 TIMOTHY M. KOTROCCO
 Deputy Zoning Commissioner
 for Baltimore County

cc: Gerald M. Katz, Esquire
 22 W. Allegheny Avenue, Towson, Md. 21204

People's Counsel

File

Petition for Variance 427
 92-414-A

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 Variance from Section 413 -- SIGNS ----- TO ENLARGE SIGN FACE FROM 30 SQ. FT. TO 124 SQ. FT. ETC.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

WE NEED THE SIGN OF 30 SQUARE FT. TO BE "DOUBLE-FACED" SO THAT THE NAME OF THE SYNAGOGUE CAN BE SEEN FROM BOTH TRAFFIC DIRECTIONS. IN ORDER FOR THE 30 SQ. FT. SIGN TO BE EASILY READ FROM STREET TRAFFIC, AND VISIBLE FROM A DISTANCE, THE SIGN NEEDS TO BE PLACED PERPENDICULAR TO THE STREET. (SEE ATTACHED PHOTO)

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

I, or we, agree to pay expenses of above Variance 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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Signature

Address

City and State

Attorney's Telephone No.:

Signature

Address

City and State

Attorney's Telephone No.:

Signature

Address

City and State

Attorney's Telephone No.:

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.

Legal Owner(s):
 Chizuk Amuno Congregation
 (Type or Print Name)

Signature
 Stanley I. Minch, Executive Director
 (Type or Print Name)

Address
 8100 Stevenson Road, 410-486-6400
 Phone No.
 Baltimore, Maryland 21208
 City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
 Stanley I. Minch
 Name
 6026 Cross Country Blvd., 764-2909
 Address
 21215 Phone No.

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 Date 6/11/92
 By [Signature]

ESTIMATED LENGTH OF HEARING - 1/2HR. - 100.
 AVAILABLE FOR HEARING
 MON. / TUES. / WED. - NEXT TWO MONTHS
 ALL OTHER
 RETURNED BY: [Signature] DATE 6/13

PETITION FOR VARIANCE
 SECTION: 413
 STEVENSON RD. SIGN

PAGE 2 OF 2

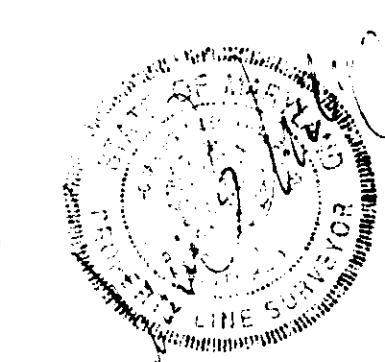
THE EXISTING SPEED LIMIT IS 40 MPH. WE ARE ASKING FOR A VARIANCE FROM 30 SQ.FT. TO 124 SQ.FT. SIGN FACE WHICH INCLUDES A DOUBLE-FACED SIGN BOX AND AN EIGHT FOOT TALL STONE WALL FOR A SYMBOLIC SCULPTURE. THE DRAWING OF THE SIGN SHOWS HOW THE LETTERS AND THE SCULPTURE ARE ONLY 84 SQ.FT. TOTAL IN COVERING THE SIGN BOX AND STONE WALL. THERE WILL BE EXTENSIVE LANDSCAPING SO THE SIGN BLENDS WITH THE NATURE LANDSCAPING OF THE SURROUNDING PROPERTIES. THE SCALE AND DESIGN OF THE SIGN BLENDS WITH THE ARCHITECTURE AND LANDSCAPE ARCHITECTURE OF THE STREET WHILE MAKING IT EASIER FOR MOTORISTS TO SEE AND IDENTIFY THE SYNAGOGUE.

ZONING DESCRIPTION 427
 92-414-A

Beginning at a point on the east side of Stevenson Road which is seventy feet (70') wide, N 08° 08' 07" E, 540 feet of the intersection of Stevenson Rd. with I-695 (Baltimore Beltway). Thence running N 81° 51' 53" W at a distance of 30 feet to the point of beginning. Thence running so as to describe the outline of the sign area the four (4) following courses and distances.

- 1) N81° 51' 53" W, a distance of 30.00 feet, thence,
- 2) N08° 08' 07" E, a distance of 20.00 feet, thence,
- 3) S81° 51' 53" E, a distance of 30.00 feet, thence,
- 4) S08° 08' 07" W, a distance of 20.00 feet, to the point of beginning.

This area contains 600 square feet of land more or less.



92-414 A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3 Date of Posting: 5/20/92
Posted for: VARIANCE
Petitioner: Chizuk Amuno Congregation
Location of property: 8100 Stevenson Rd
E/S Stevenson 54th N.D. 695
Location of Sign: 8100 Stevenson
Remarks: Jobs of
Posted by: [Signature] Date of return: 5/20/92
Number of Signs: 1

receipt
Baltimore County Zoning Commissioner
Date: 5/27/92 Account: R 001-6190
Number: [checkmark]
Please Make Checks Payable To: Baltimore County \$250.00
CA 1009-30A094-1-92

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
TOWSON, MD 21204 (410) 887-3353
DATE: 5-27-92
Chizuk Amuno Congregation
3100 Stevenson Road
Baltimore, Maryland 21208
RE: CASE NUMBER: 92-414-A
E/S Stevenson Road, 540' N of Baltimore Beltway
3100 Stevenson Road
3rd Election District - 3rd Councilmanic
Petitioner(s): Chizuk Amuno Congregation
Dear Petitioner(s):
Please be advised that \$ 74.76 is due for advertising and posting of the above captioned property.
THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.
Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 112, Towson, Maryland 21204. It should show your case number (92-414-A) and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of your permit, and/or your order, immediate attention to this matter is suggested.
[Signature: Bill Jablon]
ARNOLD JABLON
DIRECTOR

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353
MAY 6, 1992
NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
CASE NUMBER: 92-414-A
E/S Stevenson Road, 540' N of Baltimore Beltway
3100 Stevenson Road
3rd Election District - 3rd Councilmanic
Petitioner(s): Chizuk Amuno Congregation
E/S Stevenson Road, 540' N of Baltimore Beltway
3100 Stevenson Road
3rd Election District - 3rd Councilmanic
Petitioner(s): Chizuk Amuno Congregation
[Signature: Laurence E. Schmidt]
Laurence E. Schmidt
Zoning Commissioner of Baltimore County
cc: Stanley I. Minch
Chizuk Amuno Congregation
NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

CERTIFICATE OF PUBLICATION

TOWSON, MD. 5/14 1992
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/14 1992.
THE JEFFERSONIAN.
S. Zake Orlov
Publisher
\$39.76

receipt
Baltimore County Zoning Commissioner
Date: 5/19/92 Account: R-001-6190
Number: 92-414
PUBLIC HEARING FEES CITY FEE: \$74.76
POSTING SIGNS / ADVERTISING 1 X \$74.76
TOTAL: \$74.76
LAST NAME OF OWNER: CHIZUK AMUNO CONG
D4A048017ZMCHRC \$74.76
CA 1012-47P04-09-92
Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204 887-3353
May 27, 1992
Mr. Stanley I. Minch
Chizuk Amuno Congregation
8100 Steven Road
Baltimore, MD 21208
RE: Item No. 427, Case No. 92-414-A
Petitioner: Chizuk Amuno Congregation
Petition for Variance
Dear Mr. Minch:
The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.
Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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.
The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.
1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
111 West Chesapeake Avenue
Towson, MD 21204 887-3353
Your petition has been received and accepted for filing this 13th day of April, 1992.
[Signature: Bill Jablon]
ARNOLD JABLON
DIRECTOR
Received By:
[Signature: W. Carl Richards Jr.]
Chairman,
Zoning Plans Advisory Committee
Petitioner: Chizuk Amuno Congregation, et al
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
New Courts Bldg - 401 Bosley Avenue, Towson, MD 21204
MEMORANDUM
TO: Arnold Jablon, Director
Zoning Administration & Development Management
FROM: Office of Planning and Zoning
DATE: May 1, 1992
SUBJECT: Chizuk Amuno Congregation
INFORMATION:
Item Number: 427
Petitioner: Chizuk Amuno Congregation
Stanley I. Minch, Executive Director
Property Size: 19 acres
Zoning: DR 2
Requested Action: Variance
Hearing Date: / /
SUMMARY OF RECOMMENDATIONS:
The Chizuk Amuno Synagogue is requesting a variance to allow a 124 square foot sign in lieu of 30 square feet.
The Office of Planning and Zoning recommends APPROVAL of the variance. The proposed sign is an attractive well designed sign that will blend into the surrounding mature landscape and character of the street.
The Office of Planning and Zoning's only concern is what will happen to the two existing identification signs. Our staff prefers that they be removed.
Prepared by: _____
Division Chief: _____
rdn
CHIZUK/ZAC1 Pg. 1

Baltimore County Government
Fire Department
700 East Joppa Road Suite 901
Towson, MD 21204-5500 (301) 887-4500
APRIL 21, 1992
Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
RE: Property Owner: CHIZUK AMUNO CONGREGATION
Location: #8100 STEVENSON ROAD
Item No.: +427 (JLL) Zoning Agenda: APRIL 20, 1992
Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.
7. The Fire Prevention Bureau has no comments at this time.
REVIEWER: [Signature] Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division
JP/KEK
RECEIVED
APR 22 1992
ZONING OFFICE

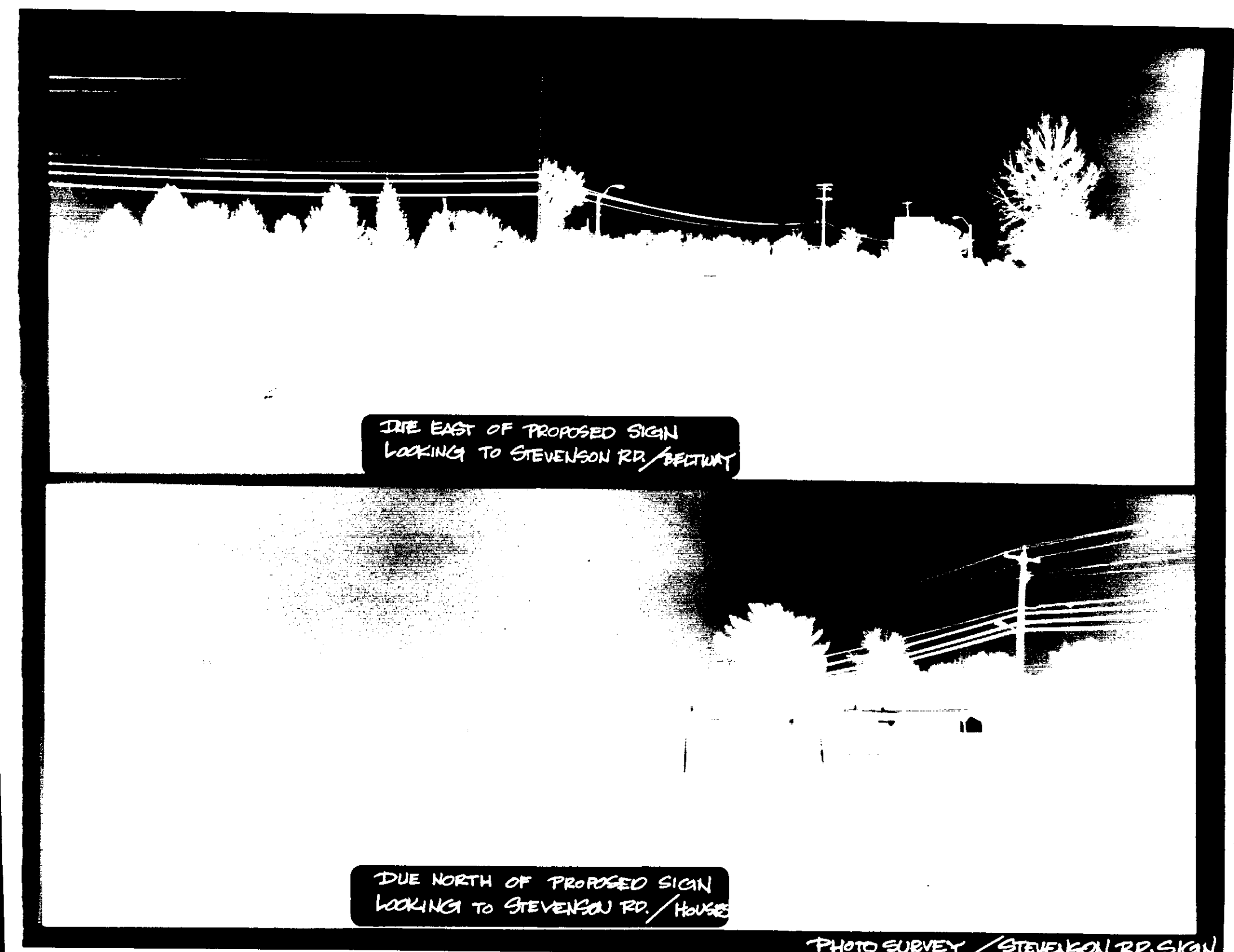
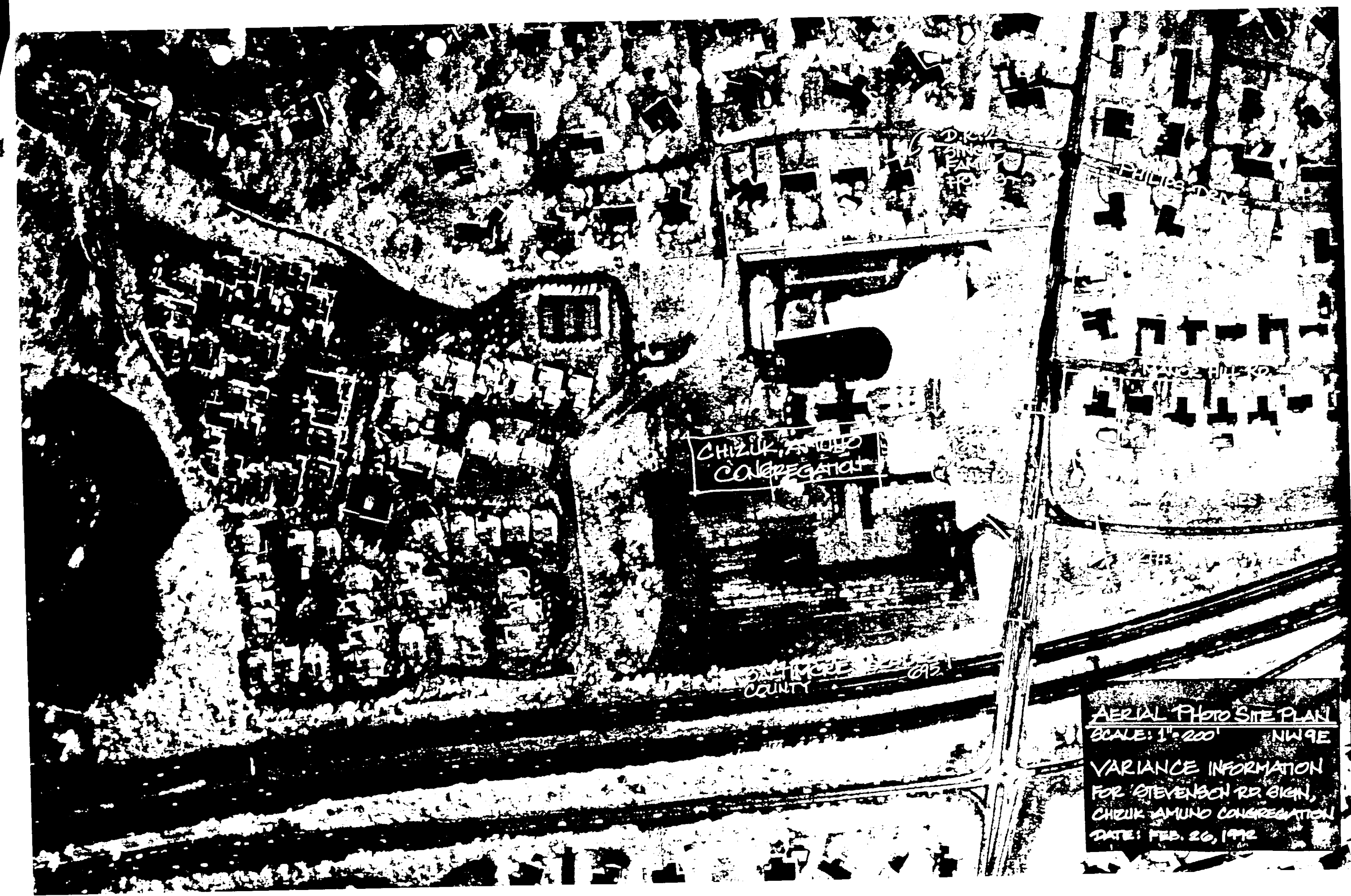
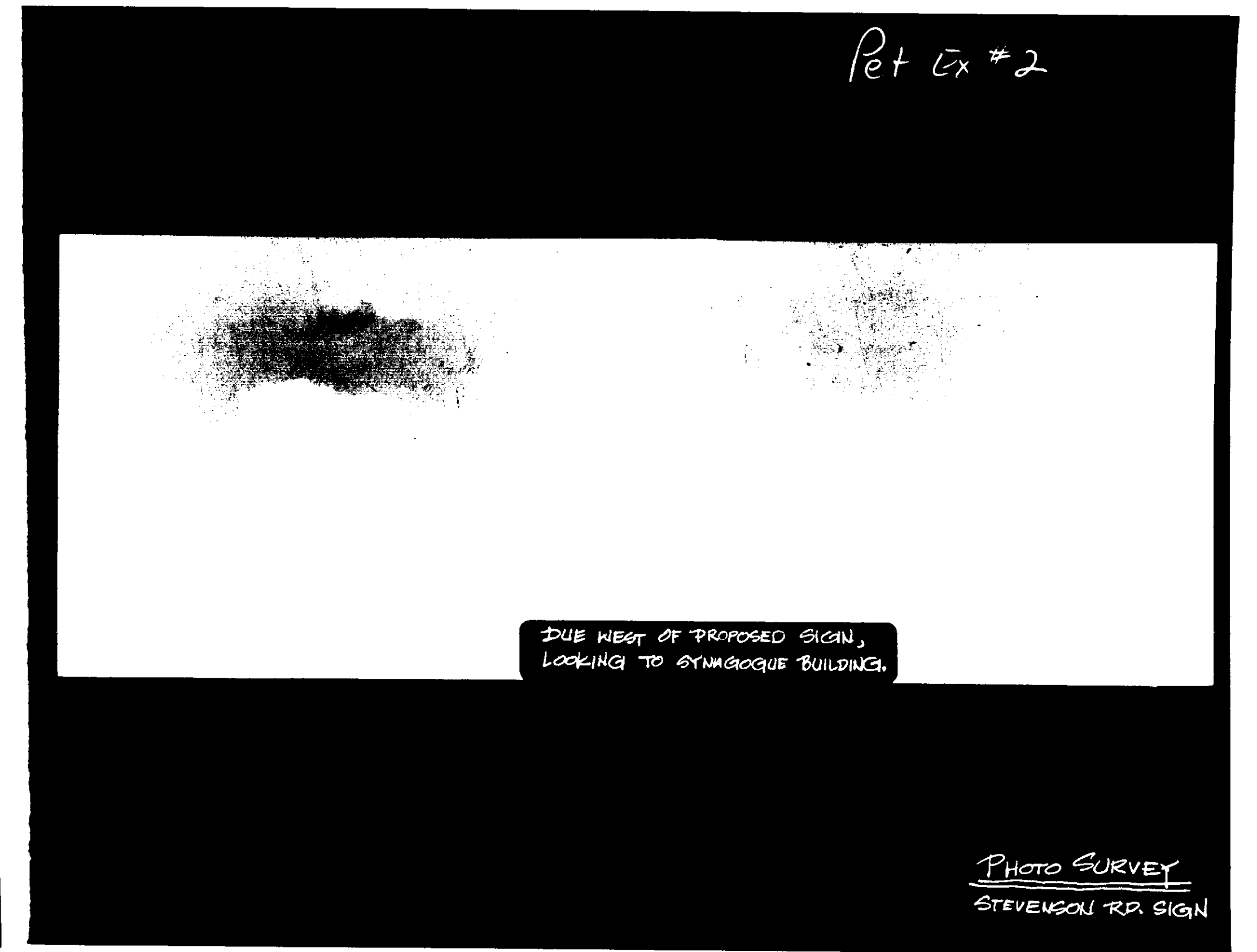
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
LOWELL R. GLAZER	4001 OLD COVER RD 21208
DIANE TOEN	52 JONES VALLEY CIRCLE 21209
GERALD M. KATZ	22 W. ALLEGHENY 21204

Department of Recreation and Parks
 Development Review Committee Response Form *WJ* Date *5/4/92*
 Authorized signature _____

Project Name	Waiver Number	Zoning Issue	Meeting Date
B100 Stevenson Road (Chizuk Amuno Congregation)	427	✓	4-20-92
7446 Berkshire Road	428	✓	No Comments
DEPRM RP (AT EIRD)			
Oella Parcel A, Lots 34-38; Parcel B, Lots 40-45; Parcel C-1, Lots 49-67	424	✓	No Comments
9928 York Road (Taco Bell)	423	✓	No Comments
2212 Maple Road	425	✓	No Comments
Magsamen Property (W/S Notchcliff Road)	434	✓	No Comments
3838 North Point Boulevard	431	✓	No Comments
14311 Old Hanover Road	433	✓	No Comments
1243 Lanover Road	434	✓	No Comments
1313-1315 York Road	438	✓	No Comments
8 Kelbark Court	439	✓	No Comments
1500 Glencoe Road - Oldfields School, Inc.			CR-92-399-XA



Chizuk Amuno Congregation
 Founded in 1971 • Affiliated with the United Synagogue of America
 8100 Stevenson Road • Baltimore, Maryland 21208-1866 • Phone: 486-6400

June 2, 1992

Baltimore County Government
 Office of Zoning Administration
 and Development Management
 Office of Planning & Zoning
 111 W. Chesapeake Ave.
 Towson, Maryland 21204
 Attn: Arnold Jablow

Dear Mr. Jablow:

This is to inform you that it is our intention to remove the existing identification signage when the variance for our requested new signage is approved.

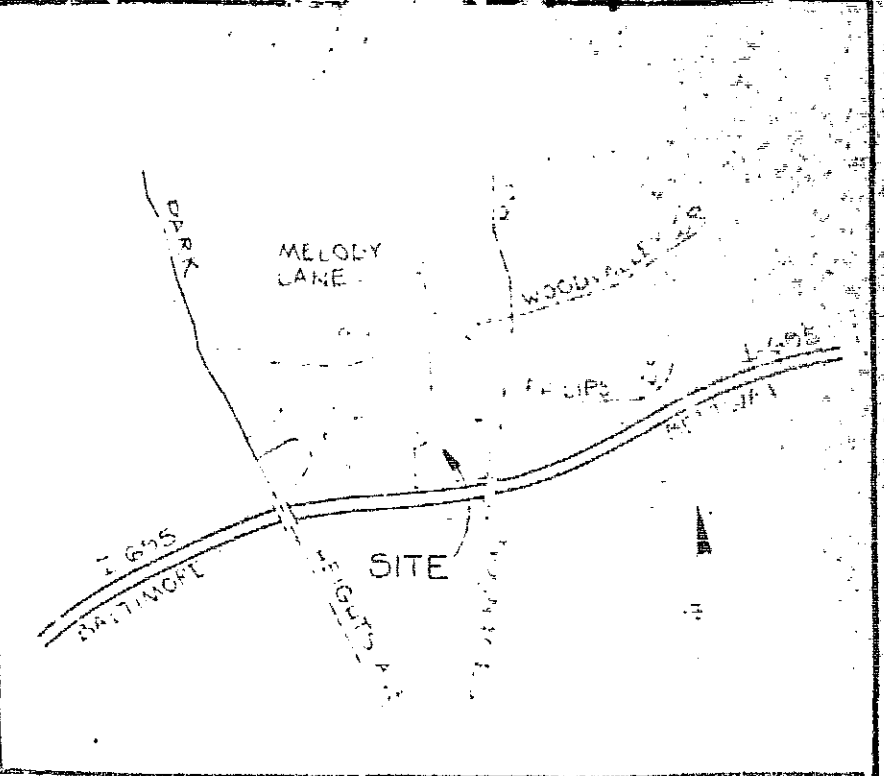
Sincerely,

Stanley I. Nitch

STANLEY I. NITCH
 Executive Director

GENERAL NOTES

1. SITE ACREAGE: 10 AC. ±
2. EXISTING ZONING: DRE
3. EXISTING USE: PRIVATE SCHOOL/CHURCH
4. PROPOSED USE: SAME - WITH ADDITIONS
5. STORM WATER MANAGEMENT REQUIREMENTS EXEMPTED BY BALTO CO DATED APRIL 20th, 1966.
6. THE SITE IS LOCATED WITHIN THE FOLLOWING AREAS AND DISTRICTS:
 - CONGREGATIONAL DISTRICT N° 3
 - CENSUS TRACT 40382.02
 - WATERSHED 04
 - SUBSEWERED 53
7. THE SITE IS VOID OF THE FOLLOWING (TO THE BEST OF OUR KNOWLEDGE):
 - HISTORIC BUILDINGS
 - WETLANDS
 - CRITICAL AREAS
 - ARCHAEOLOGICAL SITES



VICINITY MAP

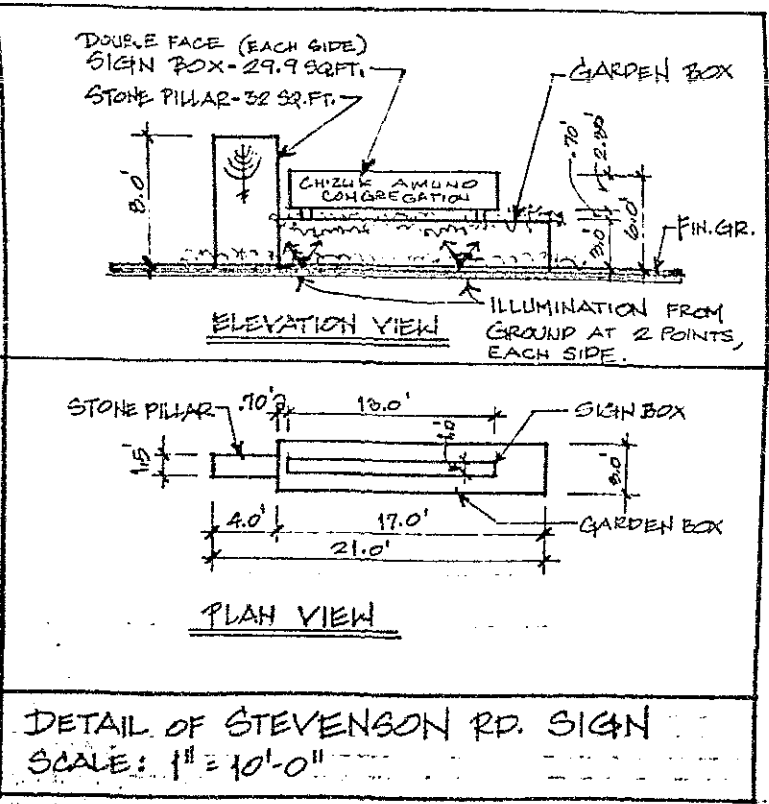
- 10. DATE OF CRG WAIVER: OCT 10, 1988
 - 11. ϕ INDICATES EXISTING LAMP POST
 - 12. ALL DISTURBED PORTIONS OF EXISTING PAVING ARE TO BE REPEATED & MAINTAINED
 - 13. ALL ON SITE UTILITIES ARE TO BE RELOCATED
- * FORDUS ASPHALT PAVING IS BEING USED TO REDUCE STORM WATER RUN OFF
- * NO PREVIOUS ZONING HEARINGS

PROPOSED CLASSROOMS
 2nd FLOOR 11,800 SQ. FT.
 1st FLOOR 14,200 SQ. FT.
 MEZZANINE 3,280 SQ. FT.

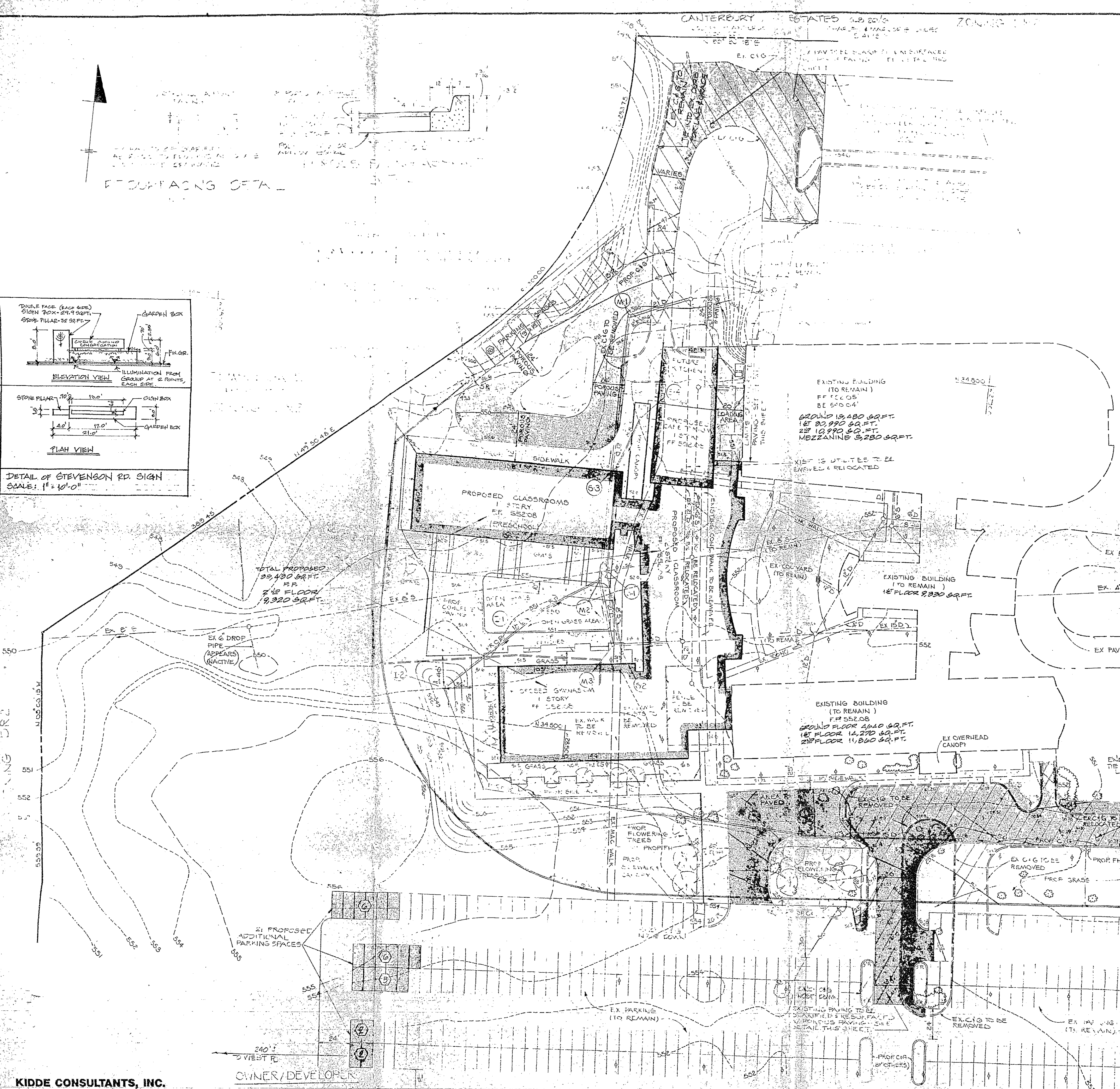
EXISTING BUILDING (TO REMAIN)
 1st FLOOR 2,940 SQ. FT.
 2nd FLOOR 11,800 SQ. FT.

EXISTING BUILDING (TO REMAIN)
 1st FLOOR 14,200 SQ. FT.
 2nd FLOOR 11,800 SQ. FT.

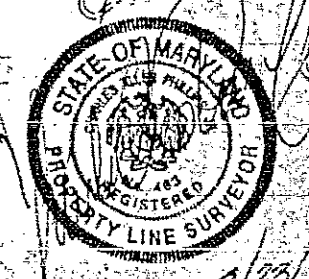
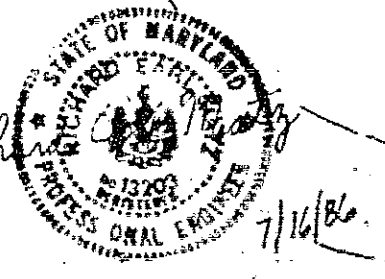
EXISTING BUILDING (TO REMAIN)
 1st FLOOR 2,940 SQ. FT.
 2nd FLOOR 11,800 SQ. FT.



TEMPLEGATE 3/13/97



VARIANCE FOR PROPOSED SIGN
 SEE DETAIL AT TOP LEFT OF THIS SHEET



KIDDE CONSULTANTS, INC.
 LAND PLANNING - ENGINEERS - LANDSCAPE ARCHITECTS
 620 CROWMELL ROAD, ROCKVILLE, MARYLAND 20850

OWNER/DEVELOPER
 CHIZUK AMUNO CONGREGATION
 8100 STEVENSON ROAD
 BALTIMORE, MD 21208
 LGER FOLIO 6735/537
 TAX ACCT 19-00-01885

DATE	REVISIONS
10/28/97	ADD SIGN, EXISTING SIGN
12/21/97	REV PARKING LAYOUT
2/22/98	REV SIGN, STEVENSON RD SIGN VARIANCE

SITE PLAN
 TO ACCOMPANY ZONING VARIANCE FOR
 CHIZUK AMUNO ADDITION
 CONGREGATION
 ELEC DIST 3
 SCALE: 1" = 30'
 BALTIMORE CO., MD
 DEC 23, 1998

Petersons Ex #1