RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE
6616 Chelwood Road; W/side Chelwood * ZONING COMMISSIONER
Road, 50' S Smith Avenue
3rd Election & 2nd Councilmanic Districts * FOR
Legal Owner(s): Allan & Rochelle Naiman
Petitioner(s) * BALTIMORE COUNTY

* 04-076-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/documentation filed in the case.

PETER MAX ZÍMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21 day of August, 2003, a copy of the foregoing Entry of Appearance was mailed to Deborah Dopkin, Esquire, 409 Washington Avenue, Suite 1000, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

AUG 1 9 2003

People's Counsel for Baltimore County

PETER MAX ZIMMERMAN

Per....

TO: PATUXENT PUBLISHING COMPANY

Tuesday, September 16, 2003 Issue - Jeffersonian

Please forward billing to:

Allan Naiman 6616 Chelwood Road Baltimore, MD 21209

410-602-1169

NOTICE OF ZONING HEARING

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

CASE NUMBER: 04-076-SPHA

6616 Chelwood Road
W/side of Chelwood Road, 50 feet south of Smith Avenue
3rd Election District – 2nd Councilmanic District
Legal Owners: Allan and Rochelle Naiman

Special Hearing to permit a proposed synagogue that is planned in such a way that compliance to the extent possible with RTA use requirements, will maintain and can be expected to be compatible with the character and general welfare of the surrounding residential premises. Variance to permit a residential transition area (RTA) setback of as little as zero (0) in lieu of the required one hundred feet (100); a RTA setback from the building of 20 feet in lieu of the required 75 feet, and a RTA buffer.

Hearings:

Wednesday, October 1, 2003, 2:00 p.m., in Room 106, County Office

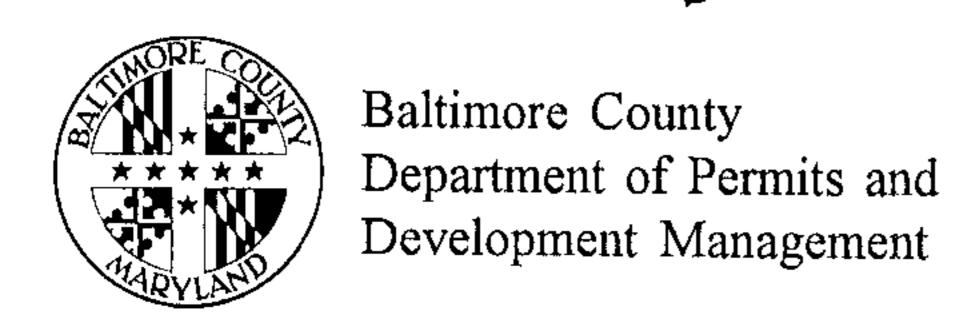
Building, 111 W. Chesapeake Avenue

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

August 27, 2003

NOTICE OF ZONING HEARING

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

CASE NUMBER: 04-076-SPHA

6616 Chelwood Road
W/side of Chelwood Road, 50 feet south of Smith Avenue
3rd Election District – 2nd Councilmanic District
Legal Owners: Allan and Rochelle Naiman

Special Hearing to permit a proposed synagogue that is planned in such a way that compliance to the extent possible with RTA use requirements, will maintain and can be expected to be compatible with the character and general welfare of the surrounding residential premises. Variance to permit a residential transition area (RTA) setback of as little as zero (0) in lieu of the required one hundred feet (100); a RTA setback from the building of 20 feet in lieu of the required 75 feet, and a RTA buffer.

Hearings:

Wednesday, October 1, 2003, 2:00 p.m., in Room 106, County Office Building, 111 W. Chesapeake Avenue

Timothy Kotroco

Director

TK:klm

C: Deborah Dopkin, 409 Washington Ave., Ste. 1000, Towson 21204 Allan and Rochelle Naiman, 6616 Chelwood Road, Baltimore 21209

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, SEPTEMBER 16, 2003.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

SPECIAL HEARING:

To determine pursuant to Section 1B01.1.B.1.g(6) that the proposed synagogue is planned in such a way that compliance, to the extent possible with RTA use requirements, will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises.

F:\docs\DCD\ZONING\Naiman\variancelanguage

04-076-SPHA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6616 Chelwood Road which is presently zoned D.R.-3.5

I/We do solemnly declare and affirm, under the penalties of

UNAVAILABLE FOR HEARING 10/06/

Date

perjury, that I/we are the legal owner(s) of the property which

This Petition shall be filed with the Department of Permits and Development Management. 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 of thereof, hereby petition for a Variance from Section(s)

See attached.

Of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

To be presented at hearing.

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

I, or we, agree to pay expenses of above Variance, advertising, posting, etc and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Is the subject of this Petition. Contract Purchaser/Lessee: <u>Legal Owner(s):</u> Allan Naiman Name - Type or Print Name__Type or Firint Signature Signature Rochelle Naiman Address. Telephone No. Name - Type or Print City State Zip Code Signature <u> Attorney For Petitioner:</u> 6616 Chelwood Road 410-602-1169 Address. Telephone No. Deborah C. Dopkin, Esquire Baltimore Md. 21209 Name - Type or Print City State Zip Code Representative to be Contacted: Signature Deborah C. Dopkin, P.A. Deborah C. Dopkin, Esquire Company Deborah C. Dopkin, P.A. 409 Washington Ave., Suite 10000 410-821-0200 409 Washington Ave., Suite 1000 410-821-0200 Address Telephone No. Address Telephone No. Towson 21204 Towson Md. 21204 Md. City State Zip Code City State Zlp Code OFFICE USE ONLY Case No. 04-()76-SPHA ESTIMATED LENGTH OF HEARING

VARIANCES:

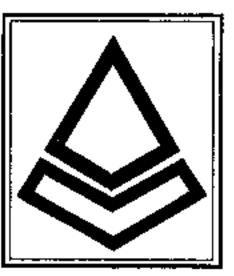
From Section 1B01.1.B. To permit a residential transition area (RTA) setback of as little as zero (0') in lieu of the required one hundred feet (100'); a RTA setback from the building of 20 ' in lieu of the required 75'; and a RTA buffer of as little as 0' in lieu fo the required 50';

From Section 409.6.A.4, to permit 0 spaces in lieu of the required twenty-five (25) spaces;

From Section 1801.2.C.I.a to permit a non-residential Principal building set back for front yard of 41' in lieu of the required 50'.

Colbert Matz Rosenfelt, Inc.

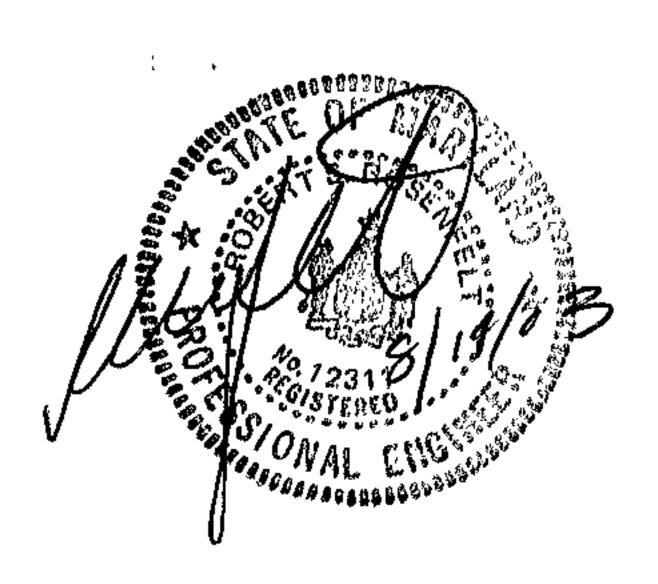
Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION 6616 CHELWOOD ROAD

Beginning at a point on the west side of Chelwood Road which is 50 feet wide at the distance of 50 feet, more or less, south of the centerline of Smith Avenue, which is of varying width.

Being Lot 18 in the subdivision of Ranchleigh, Plat No. 2, as recorded in the Baltimore County Plat Book #19, folio #61. Containing 18,606 square feet (0.43 acres). Also known as 6616 Chelwood Road and located in the 3rd Election District.



04-076-SPHA

OFFICE OF BU	COUNTY, MARYLAND JDGET & FINANCE NEOUS RECEIPT	No.	27465	DAID DECEMPT PAID RELEASE BUSINESS ACTION TIME
DATE	15/03 ACCOUNT K	001-006-	6150	HSINESS ACTUAL TIME 81/18/2003 81/15/2003 11:50:45 RE HS02 WAIL JEWN JEE SECEIPT # 289594 81/15/2003
	AMOUNT \$	650.00		OR NO. 027465
RECEIVED CO	is Madrosh of A	anchleigh	Inc	Recet lot \$650.00 650.00 CK .00 Paltimore County, Waryland
FOR:	076-SPHA (66	16 Chelwo	od Road	
Vair	non-Petitioner			
DISTRIBUTION WHITE - CASHIER	PINK - AGENCY YELLOW - CUSTO	MER		CASHIER'S VALIDATION

M 2



ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

Item Number or Case Number:	04-076-SPHA	
Petitioner: NAIMAN	· · · · · · · · · · · · · · · · · · ·	
Address or Location:6616	(HELWOOD ROAD	
PLEASE FORWARD ADVERTIS Name: <u>Allau Xlau</u>	N. Communication of the Commun	
Address: <u>Glelle Cl</u>	relivood Rd.	
Baltino	re Md. 21209	
Telephone Number: 412	0-602-1169	·

Revised 2/20/98 - SCJ



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

County Office Building, Room 111

August 26, 2003

Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

ATTENTION: Rebecca Hart

Distribution Meeting of: August 26, 2003

Item No.:

069-087

Dear Ms. Hart:

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 Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK Fire Marshal's Office PHONE 887-4881 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: September 25, 2003

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For September 2, 2003

Item No. 076

The Bureau of Development Plans Review has reviewed the subject-zoning item.

The issue of onsite parking shall be addressed.

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: September 16, 2003

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

6616 Chelwood Road

INFORMATION:

Item Number:

04-076

Petitioner:

Allan and Rochelle Naiman

Zoning:

DR 3.5

Requested Action: Special Hearing/Variance

SUMMARY OF RECOMMENDATIONS:

The Office of Planning reviewed the petitioner's request and provides the following comments:

- 1. Section 1B01.1.B.1.g(6) allows for relief from Residential Transition Area (RTA) requirements provided the petitioner demonstrates that the proposed synagogue is planned in such a way that compliance, to the extent possible with RTA use requirements will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises. The Office of Planning had determined that a 0-foot RTA setback and buffer does not meet this requirement and is not acceptable.
- 2. A landscape plan must be submitted to Avery Harden, County Landscape Architect that provides an effective buffer around the perimeter of the property.
- 3. While it is recognized that members of the congregation frequently walk to the synagogue, there will be times when parking is needed. Therefore, some parking must be provided either on site or in the form of a lease agreement with a nearby commercially zoned property.

4. Submit architectural elevations of the existing and proposed structures to this office for review and approval.

Prepared by:

Section Chief:

AFK/LL:MAC:



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

JMP

MILATELANO DEPARTMENT DE TRANSPORTAL DIL

RE:

Date: 8.24.03

Baltimore County

Item No. 076

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

Dear. Ms. Hart:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

DEBORAH C. DOPKIN, P.A.

ATTORNEY AT LAW 409 WASHINGTON AVENUE, SUITE 1000 TOWSON, MARYLAND 21204

> TELEPHONE 410-821-0200 FACSIMILE 410-823-8509 e-mail ddopkin@dopkinlaw.com

9/10/03 ant to Comment of to Post Comment

DEBORAH C. DOPKIN

September 9, 2003

VIA FACSIMILE TRANSMISSION AND FIRST CLASS MAIL

Timothy Kotroco, Esquire
Director, Department of Permits and
Development Management
Baltimore County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Request for Postponement 6616 Chelwood Road Case No. 04-076-SPHA

Dear Mr. Kotroco:

This office represents Bais Medrash of Ranchleigh and Allan and Rochelle Naiman, the applicants in the above captioned zoning petition.

This letter is to request a postponement of the hearing on this matter, which is now scheduled for October 1, 2003, until later this year.

The reason for this request is that the applicant has entered into a contract for another property in the immediate area which may be more suitable for the proposed use.

The congregation is pursuing its due diligence investigation for the alternate property to determine whether it can better accommodate use as a synagogue and accessory parking. Thus, we wish to postpone the October 1st hearing until these determinations are made.

I would appreciate your letting me know prior to Friday, September 12, 2003 if you will grant the subject postponement. We do not wish to post a sign on the property if the hearing is going to be postponed to a later date.

Thanking you in advance.

Very truly yours,

Deborah C. Dookin

DCD/kmc

cc: People's Counsel for Baltimore County Rabbi Abba Zvi Naiman

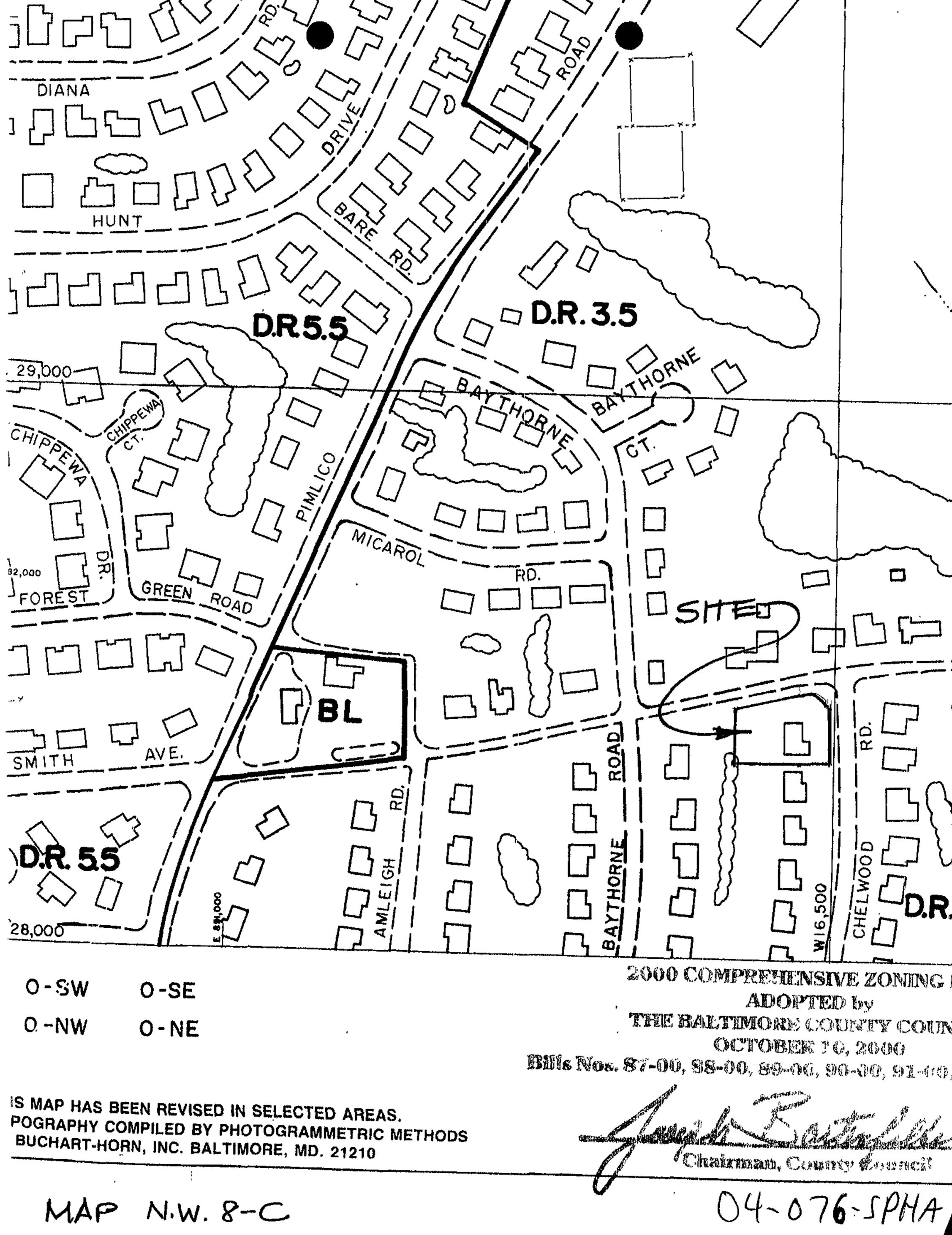
C:\docs\KMC\DCD\LETTERS 2003\kotroco timothy-naiman.wpd

SEP 1 0 2003

DEVELOPMENT MARKSEMENT

ZONING HEARING FILE INTERNAL CHECKLIST Zoning Case No. 24-0765PHA

Date Completed/Initials	
8-27-03	PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)
	DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)
	TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)
	UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)
	COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)
· •	POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)
	RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)
	INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)
<u></u>	ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)
	COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)
	FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)



(20, B/M) (A3TAW "8 .X3 ,62'26 M.UC, PP. IUN

-076-5MA



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

I/We do solemnly declare and affirm, under the penalties of

UNAVAILABLE FOR HEARING 10-06-03

Reviewed By 111P

for the property located at: 6616 Chelwood Road	-
which is presently zoned	D.R3.5

This Petition shall be filed with the Department of Permits and Development Management. 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 of thereof, hereby petition for a Special Hearing under 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commission should approve

See attached.

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

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

		perjury, that I/we are the legal owner(s) of the ls the subject of this Petition.	property	which
Contract Purchaser/Lessee:		<u>Legal Owner(s):</u>	•	•
Name – Type or Print	·	Allan Naiman Name - Type or Print		
Signature		all. (Mamin		
		Signature () Rochelle Naiman		• .
Address.	Telephone No.	Name - Type or Print		
City	State Zip Code	Signature		
Attorney For Petitioner:		6616 Chelwood Road	410-6	502-1169
		Address.	Teleph	one No.
Deborah C. Dopkin, Esquire Name - Type or Print		Baltimore	Md.	21209
		City	State	Zip Code
Signature / h sopher	· · · · · · · · · · · · · · · · · · ·	Representative to be Contacted:		
Deborah C. Dopkin, P.A. Company		Deborah C. Dopkin, Esquire		
		Deborah C. Dopkin, P.A.		
409 Washington Avenue, Suite 1000 410-821-0200 Address Telephone No.		409 Washington Avenue, Suite 1000 410-821-0		321-0200
i ciepnone ivo.		Address	Telephone No.	
Towson City	Md. 21204	Towson	Md.	21204
City	State Zip Code	City	State	Zip Code
		OFFICE USE ONLY		
Case No. 04-076-51	PHA	ESTIMATED LENGTH OF HEARING_		