IN RE: **PETITION FOR SPECIAL HEARING** W/S Timber Grove Road, S/S Academy Ave. **(240 Timer Grove Road)**	*	BEFORE THE
	*	ZONING COMMISSIONER
4th Election District 2nd Council District	*	OF
	*	BALTIMORE COUNTY
Mayer Pasternak, et ux Petitioners	*	**Case No. 08-047-SPH**

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, Rabbi Mayer Pasternak and Beth Pasternak, his wife, by and through their attorney, Deborah C. Dopkin, Esquire. The Petitioners, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), request a special hearing to obtain a determination that the proposed synagogue and parking lot have been planned in such a way that they comply, to the extent possible, with the Residential Transition Area (RTA) use requirements of B.C.Z.R. Section 1B01.1.B.1.g(6), and will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises. In addition, the Petitioners request a modified parking plan in accordance with Section 409.12.B of the B.C.Z.R. The subject property and requested relief are more particularly described on the redlined site plan submitted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the requests were Deborah C. Dopkin, Esquire, attorney for Rabbi Mayer Pasternak and his wife, Beth Pasternak, property owners; David Loewy and Richard E. Matz, Professional Engineer, with Colbert-Matz-Rosenfelt, Inc., the consultants who prepared the site plan for this property. Also appearing in support were Solomon Cockle, Felix Shragra, Chaim Pasternak, Michael Silverstone, Dmitry Sheynman, Adam Shulman, Andrew Shenkman, Solomon Feder, Valeriy Kozlov, Vladimir Michael Koyfman, Nathan Feder, neighbors and members of the congregation. The issues

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Date 11-2-07
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presented in this case generated significant public interest, and a large number of individuals from the surrounding community appeared and/or testified in opposition to the request. Steven and Susan Golden, adjacent property owners, appeared with their attorney, Lawrence M. Hammond, Esquire; June Harden testified as an officer of the Brookshire Community Association and presented a petition containing 70 signatures in opposition; similarly Linda Percy, Vice-President of Country Club Estates Community Association of Reisterstown, Inc., stated many of her members were unaware of the hearing and not afforded an opportunity to provide a formal position.[1] Other property owners namely, Donald Opper, Rogert P. Myers, David and Jennifer Brown, Susan and Alex Fanti, Arlene Staley, Jill Wahman, Ted and JoAnne Christensen appeared in opposition and participated at the hearing.

An appreciation of the property's past history and use is relevant and is briefly outlined. Rabbi Pasternak stated that the subject two-story building has existed on the property since the early 1950's. The home was a custom-built brick raised rancher. The first floor level with its large walkout basement served as doctor's offices, the upstairs as a residence. For these reasons, a large parking area with 12 parking spaces had been provided in front of the dwelling. After its purchase by the Petitioners in 2001, and for some year's since, the improvements functioned as a synagogue for worship by the local communities observant Jewish population consisting of 15 to 20 families. Although the trend for this as well as other Orthodox congregations like Beth-Tfiloh is decreasing, the Pasternak's who have six (6) children find it problematic to share their building as both a private family residence and synagogue uses without conflict. It is their desire to build a two-story parsonage as an accessory structure on the northwest corner of the subject property as illustrated on the site plan and retain the existing dwelling as a synagogue to be known as "The Village Shul". In this regard, over 30 letters urging favorable consideration to permit the use of the property as a synagogue and home for Rabbi Pasternak and his family were received as Petitioners' Exhibit 5.

[1] Subsequent to the hearing, Mark Hemler, the Association's President, submitted a letter in opposition dated October 15, 2007 accepted as Protestants' Exhibit 3 raising issues of excessive traffic, signage location and negative impacts on the community.

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Testimony was offered describing the subject property and proposed use under the Petition for Special Hearing by Rabbi Pasternak and Richard Matz, P.E. The square shaped lot, known as 240 Timber Grove Road, is on the southwest corner of Timber Grove Road and Academy Avenue in Reisterstown and consists of 1.76 acres, more or less, split-zoned D.R.3.5 (1.53 acres) and D.R.5.5 (0.23 acres) and improved with a 1,931 square foot building currently used as a synagogue. The property is served by public utilities and, if subdivided and developed, would provide for five (5) single-family homes. The Petitioners come before me not seeking to expand the building used as a synagogue but to legitimize existing conditions for its use for religious purposes. The RTA relief is necessary because the parking lot encroaches 13 feet into the buffer area and a sliver of the building on the north side shown in red cross hatching on the site plan also encroaches into the RTA buffer. Rabbi Pasternak stated that there is no intention to expand the structure that will remain for synagogue use by its current members. No trees are to be removed from the site. The driveway entrance from Timber Grove Road will be widened to 16 feet to improve ingress and egress. Existing public walkways on the east side of Timber Grove Road and north side of Academy Avenue were added to the plan by Mr. Matz. There are no sidewalks on the subject lot nor would there be any connectivity if constructed as none exist on the south side of Academy Avenue or the west side of Timber Grove Road. No exterior lighting is proposed. Modified parking is being requested as the parking area, while rather large, provides for 12 spaces, 8-½' x 16' in length. B.C.Z.R. Section 409.3 designates spaces of 8-½' x 18'. Similarly, a 20' drive isle width or travel way is required and an 18' width is provided (B.C.Z.R. Section 409.4). Since the requirements under these facts would create an undue hardship, approval of the modified plan seems appropriate as the lot and drive isle that exist have functioned well for over fifty (50) years. The proposed accessory parsonage as shown on the plan will be accessed from Academy Avenue and provide two (2) separate parking spaces for the exclusive use (parsonage and parking) of the Pasternak family.

Testimony was taken from Rabbi Pasternak regarding the use of the building by the congregation. As noted above, this congregation is of the Orthodox Jewish faith and for the most

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part abides by the strict tenets of the religion. These include a requirement that men and women be seated separately from one another during religious services. Additionally, members of the Orthodox Jewish faith customarily do not operate motor vehicles on holy days and the Sabbath. Apparently, there are now approximately 15 families who make up the membership of the congregation. The Rabbi testified that most worshipers live within a ½ mile radius, others within 1-½ miles and only three (3) or four (4) families over 1-½ miles. Thus, a large percentage of the membership walks to services.

New churches and synagogues are permitted as of right in residential zones. Although the RTA applies to these structures, two (2) provisions are available for synagogues to obtain variances or exceptions thereto. Section 1B01.1B.1.c of the B.C.Z.R. provides that variance relief can be granted, based on recommendations from County agencies, provided that the Hearing Officer "specifically finds and determines that such a reduction will not adversely impact the residential community or development on the land adjacent to the property to be developed". In the alternative, Section 1B01.1B.1.g(6) of the B.C.Z.R. provides an exception to RTA if, following a public hearing, the Hearing Officer determines that the RTA is not applicable upon a finding that "the proposed improvements are planned in such a way that compliance, to the extent possible with the RTA use requirements, will be maintained and that said plan can otherwise be expected to be compatible with the character and general welfare of the surrounding residential premises".

The standards differ between Section 1B01.1.B.1.g(6) and Section 1B01.1.B.1.c. The former requires a finding that the proposed improvements are planned so that compliance with RTA is "to the extent possible . . . ". Section 1B01.1.B.1.c allows variance relief to be granted provided that there is no adverse impact by virtue of the variance to the adjoining property or residential community.

The Office of Planning, within its Zoning Advisory Committee (ZAC) comment, stated "the proposed use, a synagogue will not adversely impact the existing neighborhood. In most cases, there will not be any excess vehicular traffic that may cause congestion . . . . It was

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established that the synagogue will not be used for any other large functions on any other days of the week and so the required parking will not be necessary. As such, the Office of Planning does not oppose the modified parking plan". Under the parking requirements of the B.C.Z.R. if the synagogue building was limited to a seating capacity of 44, a minimum of 11 spaces are required. Petitioners' Exhibit 3, photographs of parking, show 12 parking spaces are provided. Additional parking as stated by Mr. Matz could be added to the north side of the existing parking and driveway which, if needed, would be internal to the site.[2] The Petitioners' testimony emphasized that members of the congregation do not drive to the site on the Sabbath and during holidays (holy days), which is when the greatest attendance could be anticipated. As a large percentage of the membership walks to services and any increase in seating capacity would be primarily driven by internal growth of the member families, rather than external growth from additional members, it is not anticipated that the parking needs of the congregation would materially change.

As noted above, numerous individuals appeared or signed petitions (Protestants' Exhibit 1) in opposition to the request. The primary objection voiced by most witnesses who testified related to traffic, residential impacts and the likelihood that parking problems that already exist in the neighborhood would be exacerbated. Mr. Hammond cross-examined Messrs. Pasternak and Matz on behalf of the Golden family, as well as David Brown and Alex Fanti whose homes front along Bryanstone Road and have rear yards that abut the southern boundary of the subject property some 37 feet from the synagogue parking lot. Despite the existence of fencing along this common boundary line, car lights and noise, i.e., music or basketball activity, impact upon adjacent property owners and other residents enjoyment of their homes. It was conceded that occasionally worshipers at the congregation have not always used the existing onsite parking spaces provided, and Rabbi Pasternak in response testified regarding steps he has taken to improve the parking situation.

[2] In response to community concerns, the site plan (Petitioners' Exhibit 1) was amended by adding a redlined note stating, "The total seating capacity under this hearing shall be limited to 44. Any expansion or addition above 44 seats would require a Special Hearing . . . The existing parking lot shall be screened by the addition of evergreen or similar dense planting".

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Further testimony in opposition to the request was provided by Jill Wahman who, due to traffic safety concerns in the area, was instrumental in having the traffic control at the intersection of Academy Avenue and Timber Grove Road changed to a four-way stop. She believes a synagogue in the center of this residential community would result in adverse impacts and exacerbate vehicular traffic and the parking situation. Helen J. Madden, residing at 5 Staley Court, was unable to attend due to health reasons. Her daughter, June Harden, read into the record her mother's concerns which were accepted as Protestants' Exhibit 2. As an adjacent neighbor, she expressed concerns that a synagogue would be detrimental to the quiet enjoyment of her property and not in keeping with the residential neighborhood.

As is the case with many petitions involving houses of worship, this case presents difficult issues. It is difficult to question the operation of a house of worship and limit the freedom of this congregation to pursue their religion. On the other hand, the zoning regulations must deal with the appropriate restrictions upon the use of the land to prohibit adverse impacts on neighboring and surrounding properties. On its face the modified parking plan and RTA requirements would seem to be unsuited given the large number of individuals who oppose the synagogue in this residential setting. However, I am persuaded that there are compelling circumstances in this case. The fact that members of the congregation do not drive on the Sabbath and holidays, when the largest number of individuals are on the site, is significant, as is the fact that many of the members live within walking distance. Although at odds with society's reliance on the automobile, the Petitioners have produced persuasive evidence that the congregation does not generate heavy volumes of vehicular traffic. Insofar as the congregation continuing in its present mode of operation, it appears that the use should not unreasonably burden the streets and their neighbors. After due consideration of the testimony and evidence presented, I am persuaded that the relief requested meets the spirit and intent of the regulations. I find that the synagogue and the proposed parsonage are compatible with the neighborhood and with appropriate conditions the relief proposed will not be a detriment to the residential community or adjacent properties. Rabbi Pasternak has agreed to screen the parking lot with

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dense evergreen landscaping, arrange for and use off-site parking for those instances where the number of vehicles exceed available parking and a requirement that the congregation petition for a hearing to amend this Special Hearing approval if it intends to increase capacity beyond 44. Under these circumstances, I will grant the zoning relief necessary to permit the Petitioners to proceed with the proposed use of the property as the Village of Shul subject to conditions.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of November 2007 that the Petition for Special Hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to obtain a determination that the proposed synagogue and parking lot have been planned in such a way that they comply, to the extent possible, with Residential Transition Area (RTA) use requirements of B.C.Z.R. Section 1B01.1.B.1.g(6), and will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the modified parking plan in accordance with Section 409.12.B of the B.C.Z.R., be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

2. The maximum congregation seating capacity shall not exceed 44 without a public hearing and approval of a Petition for Special Hearing for an amendment to the Special Hearing and site plan approved in this case.

3. The Petitioners will take all reasonable steps to encourage on-site parking and the existing parking lot shall be screened by the addition of evergreen or similar dense planting to buffer impacts to the adjacent rear yards of Lots 46 through 52 as shown on the site plan.

4. The Petitioners and synagogue will request that Baltimore County extend the no parking area on Timber Grove Road and install additional no parking signs; if the County does

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not do so, the synagogue will post, to the extent it is legally able to do so, its Timber Grove frontage, with a small sign "No synagogue parking on Timber Grove Road".

5. The synagogue will arrange for and use off-site parking for any occasion where the number of vehicles exceeds available parking. That is to say that for major events, such as High Holy Day services, the synagogue will arrange for off-site parking.

6. The Petitioners and synagogue will not rent the building for non-synagogue members or for activities not normally and customarily related to a synagogue or other house of worship.

7. The synagogue will not have any outdoor programs using amplified music after 8:00 P.M.

8. The signage on the subject property shall be limited to one small sign at the entrance not to exceed twenty-five (25) square feet in area.

9. Development and use of the subject property shall comply with all environmental and forest conservation regulations as set forth in the ZAC comment submitted by DEPRM, dated September 19, 2007.

10. The Special Hearing relief granted to the Petitioner's herein is limited in nature to the use of the property as a synagogue because of the particular incidents of Jewish observance. If the property is not used in this manner for a period of twenty-four (24) consecutive months, the synagogue use shall cease and the property be returned to residential uses.

11. These conditions are intended to bind the Petitioners and their successors and assigns. Accordingly, Petitioners, through counsel, shall place in any deed of conveyance a reference to this case and these restrictions.

Any appeal of this decision must be made taken in accordance with Section 32-3-401 of the Baltimore County Code.

WJW:dlw

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 11-2-07
By DE

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

November 2, 2007

Deborah C. Dopkin, Esquire
Law Offices of Deborah C. Dopkin, P.A.
409 Washington Avenue
Towson, MD 21204

Lawrence M. Hammond, Esquire
465 Main Street
P.O. Box 569
Reisterstown, MD 21136

RE: **PETITION FOR SPECIAL HEARING**
W/S Timber Grove Road, S/S Academy Ave.
(240 Timer Grove Road)
4th Election District - 2nd Council District
Mayer Pasternak, et ux - Petitioners
Case No. 08-047-SPH

Dear Counsel:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted with restrictions 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 the Department of Permits and Development Management office at 887-3391.

Very truly yours,

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Rabbi Mayer Pasternak and Beth Pasternak, 240 Timber Grove Road, Owings Mills, MD 21117
David Loewy and Richard E. Matz, P.E., Colbert-Matz-Rosenfelt, Inc., 2835 Smith Avenue, Suite G, Baltimore, MD 21209
Solomon Cockle, 3321 Clarks Lane, Baltimore, MD 21215

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at: 240 Timber Grove Road
which is presently zoned DR-3.5 and DR-5.5

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

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.

To approve a modified parking plan in accordance with Section 409.12.B, BCZR.

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.

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/Lessee:

dmatz@CMRengineers.com

Name – Type or Print

Signature

Address. Telephone No.

City State Zip Code

Legal Owner(s):

Mayer Pasternak
Name – Type or Print

Signature

Beth Pasternak
Name – Type or Print

Beth Pasternak
Signature

240 Timber Grove Road 410-526-0026
Address. Telephone No.

Owings Mills MD 21117
City State Zip Code

Attorney For Petitioner:

Deborah Dopkin, Esq.
Name – Type or Print

Deborah C Dopkin
Signature

Law Offices of Deborah C. Dopkin, P.A.
Company

409 Washington Avenue 410-821-0200
Address Telephone No.

Towson Md. 21204
City State Zip Code

Representative to be Contacted:

Richard E. Matz, P.E.
COLBERT MATZ ROSENFELT, INC

2835 Smith Avenue, Suite G 410-653-3838
Address Telephone No.

Baltimore MD 21209
City State Zip Code

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING
UNAVAILABLE FOR HEARING Sept 13 & 14, 27, 2 & Oct 4 & 5

Case No. 08-047-SPH

ORDER RECEIVED FOR FILING
Date 11-2-07
By

Reviewed By KDD Date 7/25/07

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

ZONING DESCRIPTION
240 TIMBER GROVE ROAD

Beginning at a point on the south side of Academy Avenue, which is of varying width, on the west side of Timber Grove Road, which is of varying width, thence the following courses and distances:

S 13°00'56" W, 200.00 ft.;
N 76°59'06" W, 300.00 ft.;
N 13°00'54" E, 243.02 ft.;
S 74°31'56"E, 80.08 ft.; thence
S 66°46'56"E, 223.53 ft. to the Point of Beginning

As recorded in Deed Liber 15616, folio 118, and containing 1.55 acres. Also known as #240 Timber Grove Road and located in the 4th Election District, 2nd Councilmanic District.

STATE OF MARYLAND
REGISTERED
No. 13203
PROFESSIONAL ENGINEER

7/25/07

Item # 047

2835 Smith Avenue, Suite G Baltimore, Maryland 21209
Telephone: (410) 653-3838 / Facsimile: (410) 653-7953

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising:

Item Number or Case Number: 08-047-SPH

Petitioner: MAYER PASTERNAK

Address or Location: 240 TIMBERGROVE ROAD
OWINGS MILLS, MD 21117

PLEASE FORWARD ADVERTISING BILL TO:

Name: MAYER PASTERNAK

Address: 240 TIMBERGROVE ROAD
OWINGS MILLS, MD 21117

Telephone Number: 410-654-4558

Revised 7/11/05 - SCJ

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: # 08-047-SPH
240 Timber Grove Road
W/side of Timber Grove Road and s/side of Academy Avenue
4th Election District - 2nd Councilmanic District
Legal Owner(s): *Mayer & Beth Pasternak*.

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 and to approve a modified parking plan in accordance with Section 409.12.B, BCZR.

Hearing: Tuesday, October 9, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for *special accommodations Please Contact the Zoning Commissioner's Office at* (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 9/762 Sept. 25 149890

CERTIFICATE OF PUBLICATION

9/28, 20 07

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/25, 20 07.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS RECEIPT

No. 03899

Date: 7-25-07

Fund	Agcy	Orgn	Sub Orgn	Rev Source	Sub Rev	Rept Catg	BS Acct	Amount
001	006			6150				
						Total:		

Rec From:

For: Zoning CASE # 08-047-SPH

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

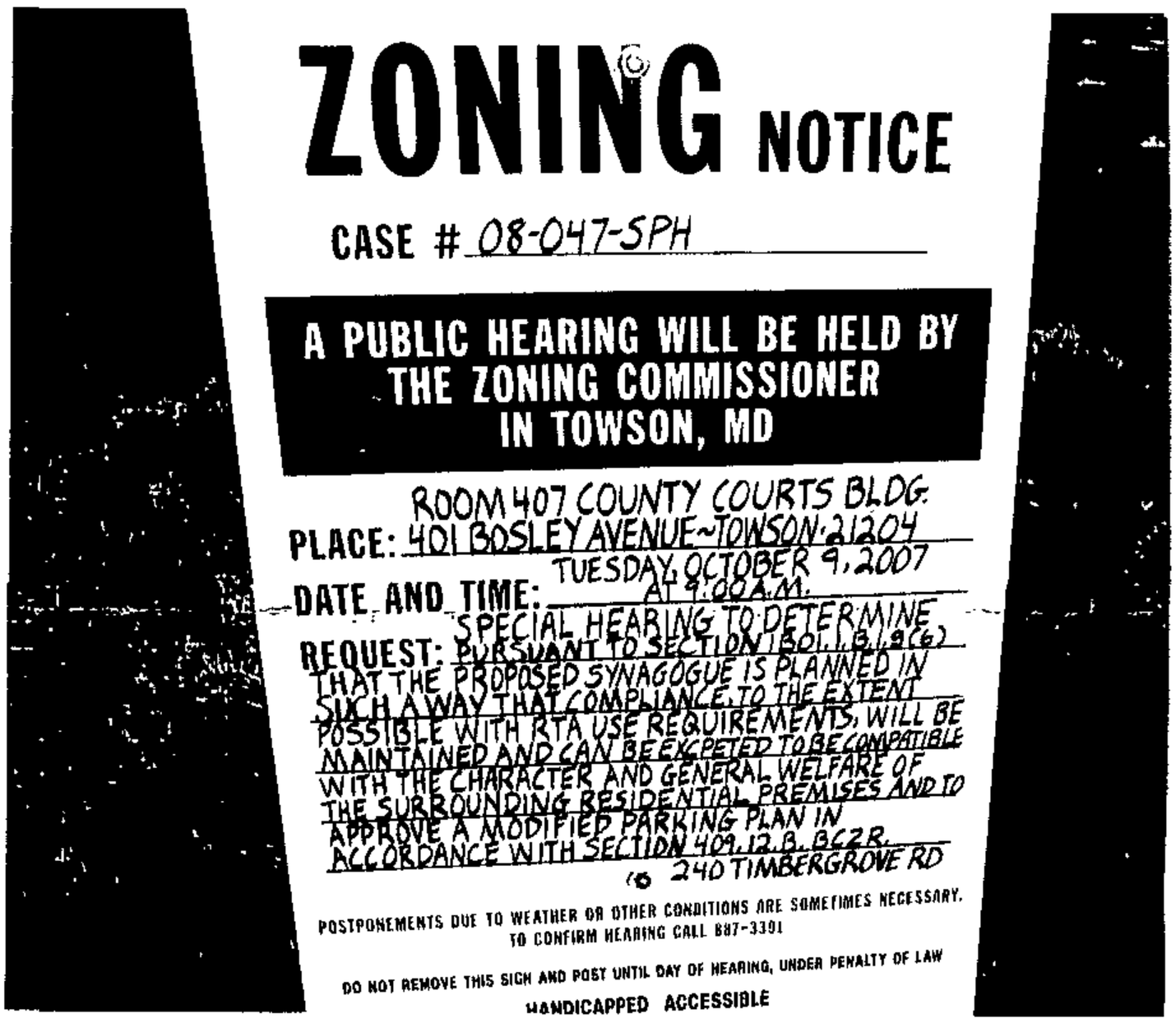
PAID RECEIPT
BUSINESS ACTUAL TIME DATE
7/26/2007 Wed Jul 25 15:17:31 2
ACCT NAME REV SRC
RECEIPT # 203216 7/25/2007 OCT
Dept 3 501 Zoning Violation Penalties
003899
Rcpt Tot $320.00
$325.00 CK $5.00 CA
Baltimore County, Maryland

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS
DATE: 09/24/07
Case Number: 08-047-SPH
Petitioner / Developer: COLBERT, MATZ & ROSENFELT INC.
MR. & MRS. FASTERNAK~DEBORAH DOPKIN ESQ.
Date of Hearing (Closing): OCTOBER 9, 2007

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:
240 TIMBERGROVE ROAD

The sign(s) were posted on: 09/19/07



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

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

BALTIMORE COUNTY

MARYLAND

JAMES T. SMITH, JR.
County Executive

August 23, 2007

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

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: 08-047-SPH
240 Timber Grove Road
W/side of Timber Grove Road and s/side of Academy Avenue
4th Election District – 2nd Councilmanic District
Legal Owners: Mayer & Beth Pasternak

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 and to approve a modified parking plan in accordance with Section 409.12.B, BCZR.

Hearing: Tuesday, October 9, 2007 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Timothy Kotroco
Director

TK:klm

C: Deborah Dopkin, 409 Washington Avenue, Towson 21204
Mr. & Mrs. Pasternak, 240 Timbergrove Road, Owings Mills 21117
Richard Matz, 2835 Smith Avenue, Ste. G, Baltimore 21209

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, SEPTEMBER 24, 2007**
(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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 25, 2007 Issue - Jeffersonian

Please forward billing to:
Mayer Pasternak
240 Timbergrove Road
Owings Mills, MD 21117

410-654-4558

NOTICE OF ZONING HEARING

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240 Timber Grove Road
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WILLIAM J. WISEMAN III
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.

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

October 2, 2007

Deborah Dopkin, Esquire
Law Offices of Deborah C. Dopkin, P.A.
409 Washington Avenue
Towson, MD 21204

Dear Ms. Dopkin:

RE: Case Number: 08-047-SPH, 240 Timber Grove Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 25, 2007. This letter is not an approval, but only a **NOTIFICATION.**

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf
Enclosures
c: People's Counsel
Mayer Pasternak Beth Pasternak 240 Timber Grove Road Owings Mills 21117
Richard E. Matz, P.E. Colbert Matz Rosenfelt, Inc. 2835 Smith Avenue, Suite G Baltimore 21209

BW 10/9
9AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: August 22, 2007

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 240 Timber Grove Road

RECEIVED
SEP 0 5 2007
BY:

INFORMATION:

Item Number: 8-047

Petitioner: Mr. & Mrs. Mayer and Beth Pasternak

Zoning: DR 3.5 and DR 5.5

Requested Action: **Variance**

The petitioner requests to determine pursuant to Section 1B01.1B.1.g(6) that the proposed synagogue is planned in such a way that compliance to the extent possible with the RTA use requirements, will be maintained and can be expected to be compatible with the character and general welfare of the surrounding residential premises, as well as to approve a modified parking plan in accordance with Section 409.12.B, BCZR.

SUMMARY OF RECOMMENDATIONS:
The Office of Planning does not oppose the petitioner's request. The proposed use, a synagogue will not adversely impact the existing neighborhood. In most cases, there will not be any excess vehicular traffic that may cause congestion.

After speaking with the Richard E. Matz, the site engineer and representative for the property owners, it was established that the synagogue will not be used for any other large functions on any other days of the week and so the required parking will not be necessary. As such, the Office of Planning does not oppose the modified parking plan.

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

Reviewed by: Cindy Murray

Division Chief: Lynn Lanham
AFK/LL: CM

W:\DEVREV\ZAC\8-047.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: August 22, 2007

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 240 Timber Grove Road

INFORMATION:

Item Number: 8-047

Petitioner: Mr. & Mrs. Mayer and Beth Pasternak

Zoning: DR 3.5 and DR 5.5

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

Reviewed by: Cadis Gurney

Division Chief: Lynn Lanham
AFK/LL: CM

W:\DEVREV\ZAC\8-047.doc

RE: PETITION FOR SPECIAL HEARING 240 Timber Grove Road; W/S Timber Grove Road & S/S Academy Avenue 4th Election & 2nd Councilmanic Districts Legal Owner(s): Mayer & Beth Pasternak Petitioner(s)	* * * *	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY 08-047-SPH

* * * * * * * * * * * * *

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 and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 3rd day of August, 2007, a copy of the foregoing Entry of Appearance was mailed to, Richard E. Matz, PE, Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209 and Deborah C. Dopkin, Esquire, 409 Washington Avenue, St 1000, Towson, MD, 21204, Attorney for Petitioner(s).

RECEIVED
AUG 03 2007
Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BW 10/9
9Am

Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL
Room 47, Old CourtHouse
400 Washington Ave.
Towson, MD 21204

410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

September 12, 2007

William J. Wiseman, III, Zoning Commissioner
County Courts Building
401 Bosley Avenue, Suite 405
Towson, Maryland 21204

RECEIVED
SEP 13 2007
BY:_____

Re: PETITION FOR SPECIAL HEARING
Mayer & Beth Pasternak.- Petitioners
Case No: 08-047-SPH

Dear Mr. Wiseman,

Because this case focuses on parking issues, we asked Stephen E. Weber, Chief of Traffic Engineering, to review the site plan. As a result, he sent us the enclosed email dated September 4, 2007. I am forwarding it to you for your consideration at the hearing.

Please note his discussion of the site's size constraints, the likelihood of future expansion, and the potential adverse impact on the neighborhood. Mr. Weber also focuses on the need to complete the sidewalk system. Perhaps the most important point is that the need for adequate off street parking on this small site may conflict with the RTA setback and buffer requirements in a major way, especially if there is an expansion. We also note that the provision of 11 parking spaces for a 44-seat synagogue is realistically inadequate if most of the congregants use the parking lot. In this context, there is a reasonable concern that this site may be too small for a functioning place of worship.

Thank you for your consideration.

Sincerely,

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Carole S. Demilio
Deputy People's Counsel

cc: Deborah C. Dopkin, Esquire
Stephen Weber, Chief

From: Stephen Weber
To: People's Counsel
Date: 09/04/2007 6:39 PM
Subject: Case No. 08-047-SPH

Peter -

In looking at this request, it appears they plan on placing a synagogue on a lot on the SW corner of Timber Grove Rd and Academy Ave. This lot is approximately 280' x 205' in size (1 1/3 acre) and appears rather small to be able to accommodate a place of worship. I don't know if they plan on using the existing house or if it is to be razed and a new structure erected. However, by the time you get a building on the site, it doesn't leave much room for parking.

This site is in the middle of a residential community of single-family homes with driveways. The two adjoining streets meet at a 4-way Stop control on the corner. Because this lot has never been subdivided in recent times, it lacks sidewalks which approach the property from adjacent areas.

A place of worship in such residential settings can certainly peacefully coexist; however this is generally dependent upon the use keeping its parking needs primarily contained on its own property. I would be concerned that in building such a use on this small of a lot, there is the potential that future expansion needs would only compromise the site or result in an ever increasing parking demand being forced into the adjacent community with on-street parking in front of neighbors homes being required to support the use. This then generates all sorts of problems with parked cars blocking driveway entrances and removing needed parking from in front of residents' homes. The planning for such a site would seem rather short sighted. If the petitioners would counter that they would never see a need to expand, it would seem rather odd that they could actually survive with such a small congregation. The other problem is that if this house is ever converted to a place of worship or it's razed and a place of worship is constructed in its place, if this use is unsuccessful or it is so successful it starts generating the other parking problems, it is highly unlikely that the property would ever be able to be converted back to a residential use, such as doing a minor sub of the lot to 3 building lots.

If there's something more detailed you feel needs to be evaluated, please let me know and we'll take a closer look at it. Certainly if the site is developed as a synagogue, it needs to complete the sidewalk system on this corner and it needs to maximize the availability of on-site parking given the tight constraints of the property. Setback requirements to any parking lot would probably have to be compromised to insure that the maximum amount of parking is made available on site, using other methods (fencing, vegetation) to try and address proximity issues to adjacent residential properties.

Steve Weber

**********COMM. JOURNAL- ********** DATE OCT-05-2007 ********** TIME 12:58 **********

MODE = MEMORY TRANSMISSION START=OCT-05 12:56 END=OCT-05 12:58

FILE NO.=397

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK		94108238509	008/008	00:01:08

-ZONING COMMISSIONER OFF M-

********** - ***** - 410 887 3468- **********

10/5 at Deborah Dopkin's request comments were sent to her as she has not rec'd. Deb

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and Development Management

October 2, 2007

Deborah Dopkin, Esquire
Law Offices of Deborah C. Dopkin, P.A.
409 Washington Avenue
Towson, MD 21204

Dear Ms. Dopkin:

RE: Case Number: 08-047-SPH, 240 Timber Grove Road

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 25, 2007. This letter is not an approval, but only a **NOTIFICATION.**

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf
Enclosures
c: *People's Counsel*
Mayer Pasternak Beth Pasternak 240 Timber Grove Road Owings Mills 21117
Richard E. Matz, P.E. Colbert Matz Rosenfelt, Inc. 2835 Smith Avenue, Suite G
Baltimore 21209

Bill Wiseman - 240 Timbergrove Road - Case No. 08-047 SPH

From: "Deborah Dopkin" <ddopkin@dopkinlaw.com>
To: "William Wiseman" <wwiseman@co.ba.md.us>
Date: 10/19/07 2:35 PM
Subject: 240 Timbergrove Road - Case No. 08-047 SPH
CC: <hhlawllc@aol.com>, <mayer@aishbaltimore.com>, "'Dick Matz'" <dmatz@cmrengineers.com>, <ddopkin@dopkinlaw.com>

Dear Mr. Wiseman:

Thanks to the good offices of Mr. Hammond, we have been able to reach an accomodation between his client and the synagogue regarding conditions on any approval that may issue for the use of the property as a synagogue. As a result of the dialogue, both Mr. Hammond and I believe that our respective clients will both work toward better communications and relations as neighbors, and they have expressed that wish to us.

So, in addition to the two notes and redlining that were made part of the plan at the hearing, here are the five items we have agreed upon:

1. The synagogue will not have any outdoor programs using amplified music after 8:00pm.
2. The Rabbi will take all reasonable steps to encourage on-site parking.
3. For major events, such as High Holy Day services the synagogue will arrange for off-site parking.
4. The synagogue will not rent the building for non-synagogue members or for activities not normally and customarily related to a synagogue or other house of worship.

5. The Synagogue will request that Baltimore County extend the no parking area on Timber Grove Road and install additional no parking signs; if county does not do so, the synagogue will post, to the extent it is legally able to do so, on its Timber Grove frontage, a small sign "No synagogue parking on Timber Grove Road".

Thank you for your patience.

Deborah C. Dopkin

Deborah C. Dopkin, Esquire
Deborah C. Dopkin, P.A.
1000 Mercantile Towson Building
409 Washington Avenue
Towson, Maryland 21204
Telephone: 410.821-0200
Fax: 410.823-8509
Email: DDopkin@DopkinLaw.com

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Bill Wiseman - Timber Grove

From: "Deborah Dopkin" <ddopkin@dopkinlaw.com>
To: "William Wiseman" <wwiseman@co.ba.md.us>
Date: 10/18/07 4:51 PM
Subject: Timber Grove

Thank you for your fax of today. I did receive an email from Mr. Hammond today, and hope to have a better list for you before the end of the day tomorrow.

Deborah

Deborah C. Dopkin, Esquire
Deborah C. Dopkin, P.A.
1000 Mercantile Towson Building
409 Washington Avenue
Towson, Maryland 21204
Telephone: 410.821-0200
Fax: 410.823-8509
Email: DDopkin@DopkinLaw.com

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<<...>>

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

October 18, 2007

DEBORAH DOPKIN *Via Facsimile* *410 823 8509*
1000 MERCANTILE-TOWSON BUILDING
409 WASHINGTON AVENUE
TOWSON MD 21204

Re: 08-047-SPH – Mayer Pasternak
240 Timber Grove Road

Dear Ms. Dopkin:

Thank you for your e-mail of 10-18-07 outlining the Synagogue's proposed conditions. I also will let you know if I receive information from Mr. Hammond. The purpose of this fax transmittal is to provide you with a letter received from Mark Hemler, the President of the County Club Estates Community Association of Reisterstown, which is self-explanatory. Additionally, Helen Madden, who composed a letter which was received as Protestant's Exhibit 2, telephoned and advised that she was mailing photographs that depicted the view of the Synagogue from her property at 5 Staley Court and those photographs were mailed on today's date, but not received.

Failing to hear from Mr. Hammond, I will proceed to issue an Order in this case in the near future.

Very truly yours,

William J. Wiseman, III
Zoning Commissioner
for Baltimore County

Attachment

Bill Wiseman - Timber Grove Road

From: "Deborah Dopkin" <ddopkin@dopkinlaw.com>
To: "William Wiseman" <wwiseman@co.ba.md.us>, <hhlawllc@aol.com>
Date: 10/18/07 10:06 AM
Subject: Timber Grove Road
CC: "'Dick Matz'" <dmatz@cmrengineers.com>, <mayer@aishbaltimore.com>

Good morning gentlemen -

This is to update Mr. Wiseman on the status of our discussion on conditions applicable to Case No. 08-047 SPH.

Last Thursday I sent Mr. Hammond an email message proposing the following:

In addition to the notes which were added to the plan at the hearing:

THE TOTAL SEATING CAPACITY UNDER THIS HEARING SHALL BE LIMITED TO 44. ANY EXPANSION OR ADDITION ABOVE 44 SEATS WOULD REQUIRE A SPECIAL HEARING.

THE EXISTING PARKING LOT SHALL BE SCREENED BY THE ADDITION OF EVERGREEN OR SIMILAR DENSE PLANTING.

The synagogue proposed the following conditions also be part of Mr. Wiseman's order:

The Synagogue will request that Baltimore County extend the no parking area on Timber Grove Road and install additional no parking signs; if county does not do so, the synagogue will post, to the extent it is legally able to do so, its Timber Grove frontage, with a small sign "No synagogue parking on Timber Grove Road".

And

The synagogue will arrange for and use off-site parking for any occasion where the number of vehicles exceeds available parking.

I have called Mr. Hammond to follow up, but as of this morning, I have not heard from Mr. Hammond. My understanding at the close of the hearing is that you would hold the record open for ten days (that would be until today), and I wanted to make sure you are aware of the status. I will let you know if I hear from Mr. Hammond today.

In any event, my client, and I, do not want this matter to be left hanging indefinitely. Please let me know your thoughts on how to proceed.

Many thanks.

Deborah C. Dopkin

Deborah C. Dopkin, Esquire
Deborah C. Dopkin, P.A.
1000 Mercantile Towson Building
409 Washington Avenue
Towson, Maryland 21204
Telephone: 410.821-0200
Fax: 410.823-8509
Email: DDopkin@DopkinLaw.com

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<<...>>

Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw2.3)

Go Back
View Map
New Search

Account Identifier: **District** - 04 **Account Number** - 0412040575

Owner Information

Owner Name:	PASTERNAK MAYER PASTERNAK BETH	**Use:**	RESIDENTIAL
		Principal Residence:	YES
Mailing Address:	240 TIMBER GROVE RD OWINGS MILLS MD 21117-1702	**Deed Reference:**	1) /15616/ 118 2)

Location & Structure Information

Premises Address
240 TIMBER GROVE RD

Legal Description
1.55 AC
240 TIMBER GROVE RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
49	19	97						1	Plat Ref:

Special Tax Areas **Town** **Ad Valorem** **Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1952	1,931 SF	1.55 AC	04

Stories	Basement	Type	Exterior
1	YES	STANDARD UNIT	BRICK

Value Information

	Base Value	Value As Of 01/01/2007	Phase-in Assessments As Of 07/01/2007	As Of 07/01/2008
Land	52,750	94,950		
Improvements:	145,850	224,840		
Total:	198,600	319,790	238,996	279,392
Preferential Land:	0	0	0	0

Transfer Information

Seller: LINDLEY GAY	**Date:** 10/01/2001	**Price:** $175,000
Type: IMPROVED ARMS-LENGTH	**Deed1:** /15616/ 118	**Deed2:**
Seller: LINDLEY GAY F	**Date:** 03/23/2001	**Price:** $0
Type: NOT ARMS-LENGTH	**Deed1:** /15065/ 557	**Deed2:**
Seller: GAY F LINDLEY	**Date:** 04/13/1998	**Price:** $0
Type: NOT ARMS-LENGTH	**Deed1:** /12786/ 1	**Deed2:**

Exemption Information

Partial Exempt Assessments	**Class**	07/01/2007	07/01/2008
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
* NONE *

BW

10-9-07
9AM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
SEP 2 4 2007
BY:.....

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination JWL

DATE: September 19, 2007

SUBJECT: Zoning Item # 08-47-SPH
Address 240 Timber Grove Road
(Pasternak Property)

Zoning Advisory Committee Meeting of July 30, 2007

____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_X_ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

_X_ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:
Forest Conservation requirements may be met by purchase of offsite retention bank credit or fee-in-lieu of plantings.

Reviewer: Glenn Shaffer Date: 9/10/07

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2008\ZAC 08-47-SPHA.doc

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

August 2, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: July 30, 2007

Item Number: 047

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C)443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development Management

DATE: August 1, 2007

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for August 6, 2007
Item No. 08-047

The driveway should be widened to at least 16 feet along its entire length.

DAK:CEN:cab
cc: File
Attachment
ZAC-ITEM NO 08-047-08062007.doc

Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

State Highway Administration
Maryland Department of Transportation

John D. Porcari, *Secretary*
Neil J. Pedersen, *Administrator*

Date: JULY 31, 2007

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

RE: Baltimore County
Item No. 8-47-SPH
240 TIMBER GROVER ROAD
PASTERNAK PROPERTY
SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 8-47-A.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Michael P. Bailey

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Department of Public Works

Bureau of Traffic Engineering
and Transportation Planning
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3554 • Fax: 410-887-5784

Baltimore County

James T. Smith, Jr., County Executive
Edward C. Adams, Jr., Director

February 25, 2005

Ms. Linda Percy
1003 Kingsbury Road
Reisterstown, Maryland 21136

Kingsbury Road

Dear Ms. Percy:

Thank you for your request to have Kingsbury Road considered for the ***Neighborhood Traffic Management Program***. Due to the excessive levels of thru traffic experienced on Kingsbury Road, partially as the result of delays in the development of the County's East Cherry Hill Road extension project, we agree that the implementation of traffic calming strategies is appropriate.

Enclosed are plans that we feel will best address the traffic calming need on your street. The next step is for the community to gather a petition from all of the homes shown on the attached plans. Seventy five percent (75%) of the homeowners must sign in favor and all of the homeowners with a traffic-calming device being installed in front of their home must also sign. These required signatures are shown on the plan. Homeowners who do not sign the petition will be counted as a ***"No"*** vote and only one signature per household is allowed. Once we have received the petition with the required signatures, you will be contacted with the schedule for construction.

If you have any questions or require additional information, please give Keith Link or me a call at 410-887-3554. If a meeting is necessary to explain the recommended strategy in more detail we would be happy to visit the community at your convenience.

Sincerely,

Darrell A. Wiles, Chief
Bureau of Traffic Engineering
& Transportation Planning

DAW:WLK:vwh

Enclosures

Linda Eve Percy
1003 Kingsbury Road
Reisterstown, Maryland 21136

Sample petition Letter.

March 10, 2005

Ms. Dorothea Myers
1041 Kingsbury Road
Reisterstown, Maryland 21136-3506

Re: Traffic Calming Devices for Kingsbury Road

Dear Ms. Myers:

I am a resident of Kingsbury Road, and am working with other residents of Kingsbury Road to obtain traffic calming devices for our street. A recent analysis of the traffic on Kingsbury shows that over 6,000 cars travel on Kingsbury every day. This far exceeds the capacity that the road was built for. As a result of this exceptionally high volume of traffic, Baltimore County has agreed to construct two speed humps and make Kingsbury Road one way (until the East Cherry Hill extension is complete). These changes will dramatically cut down on the high volume of traffic in the morning, and slow down the cars for the rest of the day.

Before the county will even start work on the changes, the county wants to know if the majority of the property owners of Kingsbury Road are in favor of the changes, and have asked us to obtain signatures of those property owners. There are 40 homes on Kinsgbury Road. So, far, 33 home owners have signed the petition in favor of the changes, and only 3 home owners have objected to the changes. We are contacting by mail those owners who rent, or who cannot be reached in person or by phone.

I have enclosed a copy of the blue print that was created by the county that shows where the proposed speed humps will be placed, and the direction of the one way traffic. I have also enclosed the petition for your consideration. If you agree to the changes, please sign the petition, and return it in the enclosed self addressed envelope. If you have any question, you can call me during the day at work, 410-823-5299, or at home in the evening, 410-833-2062. You can also call another home owner who has been working on the petition, Charles Smith, at his office, 410-356-7999. Thank you for your time in this matter.

Sincerely,

Linda Eve Percy

cc: Mr. Charles Smith, 1012 Kinsgbury Road
Alma Wine, Country Club Estates Community Association of Reisterstown, Inc.

Country Club Estates Community Association of Reisterstown, Inc.
P.O. Box 32
Reisterstown, Maryland 21136

October 15, 2007

William J Wiseman III
Zoning Commissioner
County Courts Building
401 Bosely Ave
Towson, MD 21204-0754

Re: Opposition to Application for Variance for 240 Timber Grove Road

Dear Mr Wiseman,

I am the President of the Country Club Estates Community Association of Reisterstown. This letter is to inform you that our Community Association is opposed to the variance for 240 Timber Grove Road. This letter addresses the issues of traffic, the sign for the Synagogue, and fire code compliance.

The neighbors in that area of our community have objected to the requested variance citing the problem of high levels of traffic. The county has already established that there is excessive traffic that comes across Timber Grove Road, and does constitute a problem. Our Community Association can confirm that the level of traffic passing by 240 Timber Grove Road is excessive and dangerous.

Two years ago a traffic analysis of Kingsbury Road, which is one block from 240 Timber Grove Road, was completed at the request of the residents of Kingsbury. At that time the county recorded that over 6,000 cars were traveling through Kingsbury Road per day. The county called this amount of traffic excessive, and made Kingsbury one way to prevent the majority of the traffic from entering Kingsbury Road. As a result of making Kingsbury Road one way, the traffic now travels straight up Timber Grove, and either turns to the right of 240 Timber Grove Road, and on to Academy, or continues straight past 240 Timber Grove Road.

I have attached the county map showing how the engineering department has made Kingsbury Road one way. I have also attached a copy of the letter from the county which states that traffic coming from Owings Mills and turning on to Kingsbury was excessive. Also attached is a sample letter to the residents of Kingsbury asking

PROTESTANT'S
EXHIBIT NO. 3

them to accept the county plan to reduce the traffic on Kingsbury. The county plan was carried through.

If the county considered 6,000 cars on Kingsbury Road excessive, they would certainly consider the same 6,000 cars as excessive on Timber Grove. For this reason, the Community Association opposes the variance for 240 Timber Grove Road.

The Community Association is opposed to any sign to being placed near the road. If there is to be a sign, it should be placed up against the building. Placing a sign near the edge of the property would be detrimental to the aesthetics of the community. Rabbi Pasternak used the sign of an existing church that is located a few blocks away for a comparison and as a justification for the size and placement of his sign. However, the church he referred to was built long before the homes in the area were built, and sits on a much larger tract of land. The homes grew up around the church, and there is a substantial buffer. Rabbi Pasternak wants to insert a Synagogue in an already established community, and on a much smaller area of land. Any sign should be up against the building.

Our Community Association is concerned that, even though Rabbi Pasternak has converted a private home for public use, there has been no inspection by the fire department as to fire safety and determining the maximum number of people that can use the facility safely.

The Community Association takes the position that allowing the variance would have a negative impact on the community, and we ask that the variance be denied. Thank you for accepting our letter for consideration in your decision.

Sincerely,

Mark Hemler

Mark Hemler

cc: Steve Golden
Susan Fanti
Lawrence Hammond

PETITION TO OPPOSE PROPOSED SYNAGOGUE ZONING REQUEST

By the signing of this petition, we, the undersigned, do hereby object to the following zoning request stated below for the proposed synagogue and modified parking plan at 240 Timber Grove Rd.

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 and to approve a modified parking plan in accordance with Section 409.12.B, BCZR.

#	Signature	Printed Name	Address	Date
1		David A. Brown	344 Bryanstone Rd 21136	10/4/07
2		Jennifer L. Brown	344 Bryanstone Rd 21136	10/4/07
3		M S. Golden	346 Bryanstone 21136	10/4/07
4		Helen Martin	343 Bryanstone Rd	10-4-07
5		ROWE	NA. CAVERLEY 343 Bryanstone	10/4/07
6		SUSAN FANTI	342 Bryanstone Rd	10/4/07
7		LEE FANTI	342 BRYANSTONE Rd	10-4-07
8		Alex Fanti	342 Bryanstone Rd	10/4/2007
9			300 Timber Grove Rd	10/4/07
10			322 Academy Ave	10/4/07
11		DOROTHY MACHLINSKI	320 ACADEMY MACHLINSKI	10/4/07
12		RAYMOND MACHLINSKI	320 ACADEMY MACHLINSKI	10/4/07
13		Margorie Bublitz	316 academy	10/4/07
14		Margie Sullivan	316 Academy	10/4/07
15		Denise Tinsley	317 Academy Ave	10/4/07
16		MICHAEL SPINELLI	317 ACADEMY AVE	10/4/07
17		Keith Tinsley	317 Academy Ave	10/4/07
18		KATHLEEN JACOBER	317 Academy Ave.	10/04/07

PROTESTANT'S

EXHIBIT NO. 1

	Signature	Printed Name	Address	Date
19	Ronald E Oates	RONALD OATES	315 ACADEMY AVE 21136	10-5-07
20	Ruth Oates	RUTH OATES	315 ACADEMY AVE 21136	10-5-07
21	Karen Storms	Karen Storms	311 Academy Ave	10/5/07
22	Diana LeDoux	DIANA LEDOUX	307 ACADEMY AVE	10/5/07
23	Robert Jackson Sr	ROBERT JACKSON SR	303 Academy Ave.	10/5/07
24	Kellie Jackson	Kellie Jackson	303 Academy Ave.	10/4/07
25	Brian Schepers	Brian Schepers	258 Candytuft Rd.	10/4/07
26	William Sizemore	WM SIZEMORE	304 ACADEMY AVE	10-4-07
27	Patricia Pettway	Patricia Pettway	308 Academy Ave	10/4/07
28	Dawn A. Stallings	Dawn Stallings	237 Timber Grove Rd	10/3/07
29	Dawn Stallings	Dawn Stallings	231 Timber Grove Rd	10/5/07
30	William Klueselta	William Klueselta	400 BRYANSTONE RD	10/5/07
31		ERIC SPURRIER	402 BRYANSTONE RD	10/5/07
32	Jeffrey R Bakhsh	JEFFREY R BAKHSH	404 BRYANSTONE RD	10/5/07
33	Dennis Booher	Dennis Booher	406 Bryanstone Rd	10/5/07
34	Judith Booher	Judith Booher	406 Bryanstone Rd	10/5/07
35	Charles Banks	CHARLES BANKS	401 BRYANSTONE RD	10-08-07
36	Sherrie Snyder	Sherrie Snyder	338 Bryanstone Rd	10/5/07
37	Carl E. Snyder	CARL SNYDER	338 Bryanstone Rd	10/5/07
38	Jeff Miller	Jeff Miller	2 Staley CT	10/8/07
39	Patti Miller	Patti Miller	2 Staley Ct	10/8/07

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER
DATE 10/9/07

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
RICHARD E. MATZ	2835 SMITH AVE., SUITE G	BALTO, MD 21209	
David Loewy	Same as above	Same as above	
Deborah Dopkin	409 Washington Ave	Towson, MD 21204	ddopkin@dopkinlaw.com
MAYER PASTERNAK	240 TIMBER GROVE RD	OWINGS MILLS MD 21117	MAYERP@ARTSCROLL.COM
Beth Pasternak	240 Timbergrove Rd	Owings Mills MD 21117	
Solomon Coulle	3321 Clarks Lane	Balt. Md. 21215	
Felix Shraga	2 Condor Ct.	Owings Mills, MD 21117	felix.shraga@ahlending.net
Chaim Pasternak	240 Timber Grove RD	Owings Mills, MD 21117	
Michael Silverstone	412 Academy Ave	Owings Mills, MD 21117	
Dmitry Sheynman	722 Brickston Rd	Reisterstown, MD 21136	
ADAM SHULMAN	3 Continental Court #202	Owings Mills, MD 21117	
Andrew Shenkman	606 Academy Ave.	Owings Mills, MD 21117	ahshenkman@gmail.com
Solomon Feder	12141 Faulkner Dr.	Owings Mills MD 21117	~~solomonfeder123@~~
VALERIY KOZLOV	7 Purman Court	Reisterstown, MD 21136	vkozlov@comcast.net
VLADIMIR Michael Koyfman	3808 Tabor RD	Owings Mills, MD 21117	koyfman69@comcast.net
Nathan Feder	12141 Faulkner Drive	Owings Mills, MD 21117	NathanFeder123@verizon.net

PLEASE PRINT CLEARLY

CASE NAME_____
CASE NUMBER_____
DATE_____

CITIZEN'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
DONALD OPPER	214 TIMBER GROVE RD	REISTERSTOWN, MD 21136	DON.OPPER@COMCAST.NET
Roger P Myers	217 Timber Grove Rd	Owings Mills Md 21117	
David Brown	344 Bryanstone Rd	Reisterstown, MD 21136	davidbrown23@comcast.net
Jennifer Brown			
✓LINDA PERCY	1003 Kingsbury Road	Reisterstown MD 21136	Lpercy@bcpl.net
✓STEVEN GILBER	346 BRYANSTONE RD.	REISTERSTOWN MD 21136	
SUSAN FANTI	342 BRYANSTONE Rd	REISTERSTOWN MD 21136	
Alex Fanti	342 Bryanstone Rd	Reisterstown MD 21136	
✓Lawrence Hammond	465 MAIN STREET P.O. BOX 569	REISTERSTOWN MD 21136	
✓June Harden	5 Staley Ct. Reist. Md. 21136	Reist. Md. 21136	
~~Felix Shragge~~	~~2 Condor Ct. 21136~~	~~Reist. MD 21136~~	~~felix.shragge@ahlending.net~~
~~Michael Silverstone~~	~~112 Academy Ave~~	~~Owings Mills MD 21117~~	
~~Chaim Pistermak~~	~~304 Greenbrook Ave.~~	~~Owings Mills, MD 21117~~	
~~Dmitry Sheynman~~	~~922 Brickston RD~~	~~Reisterstown, MD 21136~~	
Arlene Staley	226 Timber Grove Rd.	Reisterstown, MD 21136	
Jill Wahman	318 Academy Ave	Reisterstown Md 21136	
TED CHRISTENSEN	332 TIMBER GROVE Rd	REISTERSTOWN MD 21136	TCCSR1@COMCAST.NET
JO ANNE CHRISTENSEN	332 TIMBER GROVE Rd.	Reisterstown MD 21136	
✓Del Golden	346 Bryanstone Rd	Reist. MD. 21136	dgolden346@comcast.net

October 5, 2007

Zoning Commissioner
for Baltimore County

IN RE: CASE NO. 8-47-SPH
240 Timbergrove Road

Dear Sir:

The undersigned hereby oppose the relief requested by Mayer & Pasternak in the above referenced case.

MARK MELLENDICK
[ ]

324 E CHERRY HILL RD
Address

REISTERSTOWN MD 21136

[ ]

5 Talfourd Court
Address

Owings Mills MD 21117

William Pagnotta
[ ]

218 TIMBER GROVE
Address

REISTERSTOWN MD
21136

Mary Myers Rogers	217 Timber Grove Owings Mills 21117
Allen & Dona Thomas Virginia Reilly	215 Timber Grove Owings Mills, Md 21117 4 FLEMINGHAM CT
Vita & Suzanne Lindgren	5 Flamingham Ct. Owings Mills, Md. 21117
Arlene P. Staley	226 Timber Grove Rd. Reisterstown MD 21136
Jeffrey R Schmidt	10 Staley Court Reisterstown MD 21136
Helen J. Madden	5 Staley Ct. Reisterstown, MD 21136

John Hayes
[ ]

311 Lexton Rd
Address

Reisterstown Md 21136

Robert K. Hughes
[ ]

203 Erin Way T-2
Address

Reist, Md 21136

Gloria OLDAKER
[ ]

228 Timbergrove Rd
Address

Reist md 21136

El Wohman
[ ]

318 Academy Ave
Address

Reisterstown, Md 21136

MARK WIDERMAN
[ ]

307 ESTATE RD
Address

REISTERSTOWN MD 21136

[ ] Address

[ ] 309 Wembley Rd.
Address
Reisterstown, MD 21136

Gordon H. Coggins, Sr [ ] 313 Wembley Rd
Address
Reisterstown, Md. 21136
~~Reisterstown~~

Bill N. [ ] 310 WEMBLEY Rd
REISTERSTOWN, 21136
Address

[ ] 304 Keyton Rd
Address
Reisterstown, MD

Jack D Cromwell 1020 KINGSBURY RD
[ ] Address
REISTERSTOWN MD 21136

Betty J. Miller 322 Timber Grove
[ ] Address
Reisterstown, Md. 21136 RD.

Elizabeth L. Bodino 322 Timber Grove Rd
[ ] Address
Reisterstown, Md. 21136

Timothy J Kearney 326 Bryanstone Rd
[ ] Address
Reisterstown MD 21136

PETITION TO OPPOSE PROPOSED SYNAGOGUE ZONING REQUEST

By the signing of this petition, we, the undersigned, do hereby object to the following zoning request stated below for the proposed synagogue and modified parking plan at 240 Timber Grove Rd.

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 and to approve a modified parking plan in accordance with Section 409.12.B, BCZR.

#	Signature	Printed Name	Address	Date
1		Russell L Holiday	501 Academy Ave	10-7-07
2		Paul Bray	7 Staley Court	10-7-07
3		DEENA ANAND	402 ACADEMY AVE	10-7-07
4		MILTON RICHARDSON	404 ACADEMY AVE	10-7-07
5		HELEN Richardson	404 Academy AVE	10-7-07
6		MARGARET SPEAR	232 Embleton Rd	10/7/07
7		J. DeFilippo	2 Fairbridge	10/7/07
8		Dipak Dalwadi	502, Academy Ave	10/7/07
9		Noemy Gehrig	503 academy ave.	10-7-07
10		MUSHTAQ AHMAD	504 Academy AVE	10.7.07
11		MARK BELLE	508 ACADEMY AVE	10-7-07
12		David Betz	604 Academy Ave	10-7-07
13		BILL WIMBERLY	505 Academy Ave	10-7-07
14		Kathy Wimberly	505 Academy Ave	10-7-07
15		Mary Lou Hines	340 Bryanstone Rd	10-7-07
16			227 TIMBER GROVE RD	10-7-07
17			214 Timber Grove Rd	10-7-07
18		DON OPPEE	214 TIMBER GROVE RD	10/7/07

#	Signature	Printed Name	Address	Date
19		Nicholas D. Oppes	214 Timber Grove Rd.	10/7
20	Alma H. Wirz	Alma H Wirz	938 Shirley Menon Rd 21136	10/8
21	Steve Holden	Steve Golden	3456 Bryanstone Rd	10/8

#	Signature	Printed Name	Address	Date

#	Signature	Printed Name	Address	Date

Case No.: 08-047 SPH 240 Timber Grove Rd

Exhibit Sheet

	Petitioner/Developer	Protestant
No. 1	Red Lined Site Plan	Petition in Opposition
No. 2	Collectively - Photo's of Existing Conditions	(2A) Helen J. Madden Letter 10-9-07 - (2B) - Photos
No. 3	Photo of Parking	Country Club Estates Community Association 10/15/07
No. 4	Sign Replicas of installed at entrance	
No. 5	Letters of Support	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Case No.: 08-047 SPH 240 Timber Grove Rd

Exhibit Sheet

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No. 3	Photo of Parking	Country Club Estates Community Association 10/15/07
No. 4	Sign Replicas of installed at entrance	
No. 5	Letters of Support	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

PROTESTANT'S

EXHIBIT NO. 2A

October 9, 2007

2nd Council District
County Courts Building Room 407
401 Bosley Ave,
Towson, Md 21204

RE: Zoning Hearings
240 Timber Grove Rd.

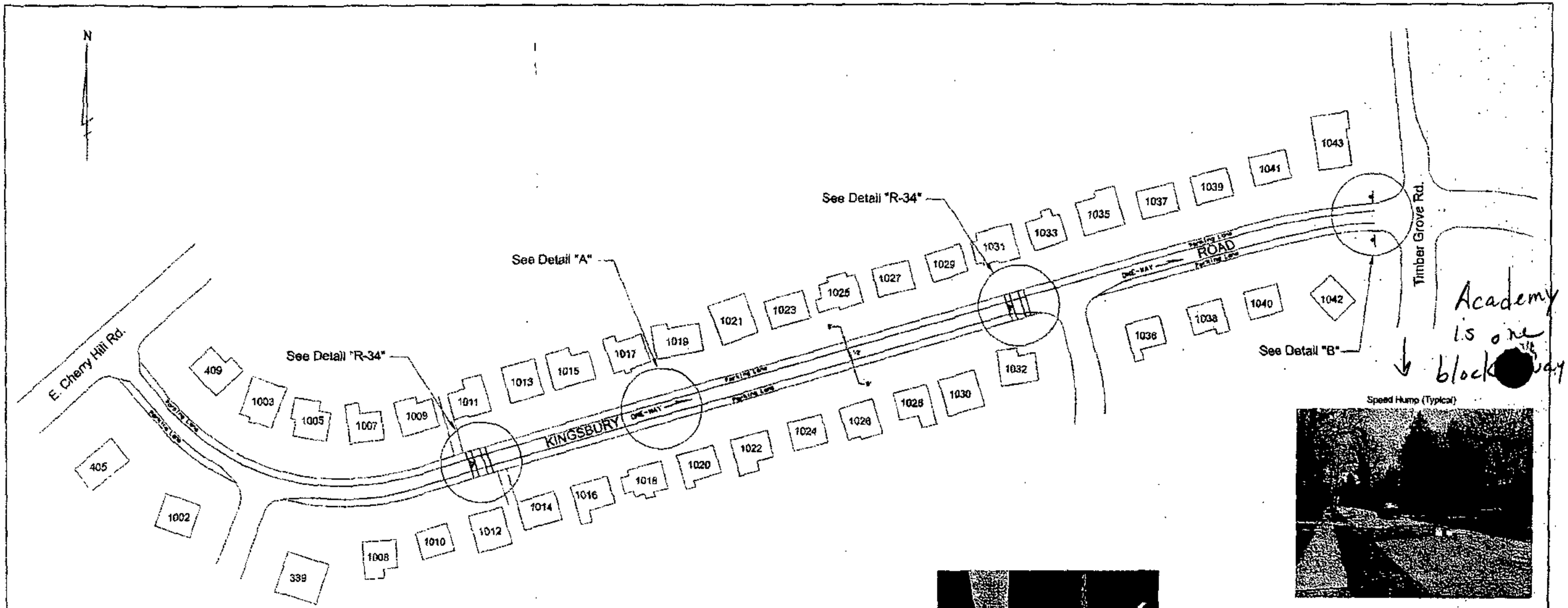
To Whom It May Concern:

I am unable to attend the zoning hearings regarding the property at 240 Timber Grove Rd, Reisterstown, MD because I watch my 9 mo. old grand daughter.

My house and backyard at 5 Staley Court is adjacent to the backyard at 240 Timber Grove Rd. I am opposed to the proposed synagogue and extended parking lot on said property.

This is a quiet, residential community of young families and older, retired residents like myself. I know this proposal would not be compatible with the general welfare of the community. It would infringe on my privacy in my back yard as well as with adjacent residences.

It would cause possible trash, sewage and rodent problems, noise issues and add to the existing parking problems already in the community.



Academy is one block away

Speed Hump (Typical)

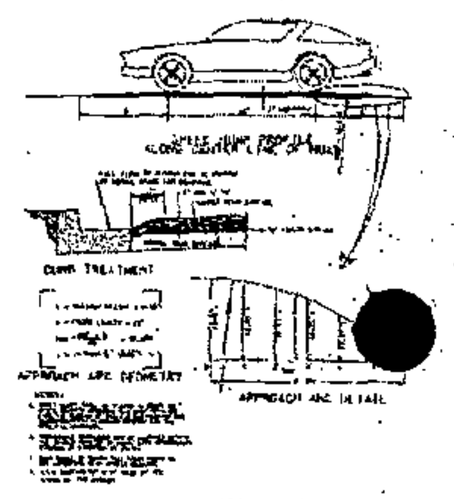
Kingsbury Road looking westbound

Detail "A"

Parking Lanes

Detail "B"

One-way



Required Signatures

House No.

#1011 _____

#1012 _____

#1031 _____

#1032 _____

REV. NO.	DESCRIPTION	APPR.	DATE

BALTIMORE COUNTY
DIVISION OF TRAFFIC ENGINEERING

Traffic Calming
Kingsbury Road

DESIGNED BY: E. LINK DATE 2/05
CHECKED BY: _____ DATE: _____
APPROVED BY: _____ DATE _____

F.E. NO. TC-019

KAUFFMAN AND FORMAN, P.A.

ATTORNEYS AND COUNSELORS AT LAW
406 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

BRUCE E. KAUFFMAN
JEFFREY L. FORMAN

(410) 823-5700
FAX (410) 296-7349
E-mail: beklaw@comcast.net

October 8, 2007

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

Dear Mr. Wiseman:

I have had the privilege of knowing Rabbi Mayer Pasternak and his family for the past five (5) years and have worshiped regularly at his home. Rabbi Pasternak and his family have been a great asset to our community and it is imperative for the benefit of our community that the Pasternak residence be zoned for use as a synagogue and that his family also be entitled to live in a separate dwelling on the Property. The Pasternak synagogue is the only synagogue within walking distance for an observant Jewish population and it is anticipated that there will be a limited membership based on the number of orthodox Jews in the community.

I would appreciate your favorable consideration in reference to this matter.

Sincerely,

Bruce E. Kauffman

Bruce E. Kauffman and the Kauffman Family
11980 Longlake Drive
Reisterstown, Maryland 21136

PETITIONER'S
EXHIBIT NO. 5

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

Dear Mr. Wiseman:

Please accept this letter in support of the Petition for Special Hearing to permit the use of the above property as a synagogue and home for the Rabbi. My family and I live in close proximity to the property, and we believe the community will benefit from having a synagogue within walking distance of the observant Jewish population. There is no such house of worship in the area at this time.

We believe it is customary for the clergyman to live nearby or on the same property as the house of worship, and feel that the community would be best served by having that presence on the site. The owners, Rabbi and Mrs. Pasternak have maintained the property and we anticipate that by being on site, they will continue to do so. Their presence will also provide an element of security.

Please give favorable consideration to this matter.

Thank you.

Sincerely,

Name

12307 High Stakes Pt
Reisterstown MD
Address 21136

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

Dear Mr. Wiseman:

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Andrew H. Shenkman

Andrew H. Shenkman
Name

606 Academy Ave.
Owings Mills, MD
21117
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely, Leo Desyatnikov

Leo DESYATNIKOV
Name

130 Owings Gate Rd #303
Owings Mills MD 21117
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Leonid Marden

Leonid Marden
Name

2 Pendragon Ct
Reisterstown MD 21136
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

Dear Mr. Wiseman:

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Gary Sappersteir
Name

124 Rockrimmon Rd.
Reisterstown, Md. 21136
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

(Eric Kauffman)
Name

11980 Long Lake Dr.

Rest. MD 21136
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

Dear Mr. Wiseman:

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Valeriy Kozlov
Name

7 Putman Court
Reisterstown, MD 21136
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Olga Kuchevsky (O. Kucher)
Name

343 Timber Grove Rd
Owings Mills, MD 21117
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

Dear Mr. Wiseman:

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Please give favorable consideration to this matter.

Thank you.

Sincerely, B. Kuchevsky

Boris R. Kuchevsky
Name

343 Timber Grove Road
Owings Mills, MD 21117
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

Dear Mr. Wiseman:

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Mindy Goodman
Name

4003 Longlake Dr
Owings Mills Md 21117
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

Dear Mr. Wiseman:

Please accept this letter in support of the Petition for Special Hearing to permit the use of the above property as a synagogue and home for the Rabbi. My family and I live in close proximity to the property, and we believe the community will benefit from having a synagogue within walking distance of the observant Jewish population. There is no such house of worship in the area at this time.

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Caryn Lerman
Name

3807 Thoroughbred Lane
Owings Mills, MD 21117
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Lida Feder

Name

12141 Faulkner Dr.

Owings Mills MD 21117

Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

Dear Mr. Wiseman:

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Michael Feder
Name

Michael Feder

12141 Faulkner Drive
Address
Owings Mills, MD. 21117

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Jeffrey Sagel

Name
Jeffrey Sagel
12310 Steeplechase Drive
Reisterstown MD 21136
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

Dear Mr. Wiseman:

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Bernard Sagel

Name
Bernard Sagel
12310 Steeplechase Dr

Reisterstown MD 21136
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Sharon Sagel

Sharon Sagel
Name

12310 Steeplechase Dr.
Reisterstown MD 21136
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

BRIAN J. LERMAN
Name

3807 Thoroughbred LA.
Owings Mills, MD 21117
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Larry J. Feldman
Name

12307 High Stakes Dr.
Reisterstown MD 21136
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely, ADAM Shulman

Ellie Shulman Ellie Shulman
ADAM SHULMAN
Name

3 Continental Ct #202
Owings Mills, MD 21117
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Lisa Levy
Name

9 Pitmark Ct.
Reist. MD 21136
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

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240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Matthew Kuchersky
Name

Matthew Kuchersky

343 Timber Grove rd.
Address Owings Mills, MD, 21117

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Thank you.

Sincerely,

Michael Feder Michael Feder
Name

12141 Faulkner Drive

Owings Mills MD, 21117
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

M. Silverstone

Michael & Janelle Silverstone
Name

412 Academy Ave

Owings Mills, MD
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

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240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Felix Shrago

Name

2 Condor Ct.
Reisterstown, MD 21136

Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

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240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Dmitry Sheynman
Name

722 Brickston RD
Reisterstown, MD 21209
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Peter Palis
Name

5311 Wagon Shed Cir 21117
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Anna Grage
Name

2 Candor Ct.
2113b
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Lev Shragos
Name

8 Candor Court 21136
Address

The Honorable William Wiseman, III
Zoning Commissioner for Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

RE: Case No. 08-047 SPH
240 Timber Grove Road

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Please give favorable consideration to this matter.

Thank you.

Sincerely,

Tsilia Talis
Name

5311 Wagon Shed Cir. 21117
Address

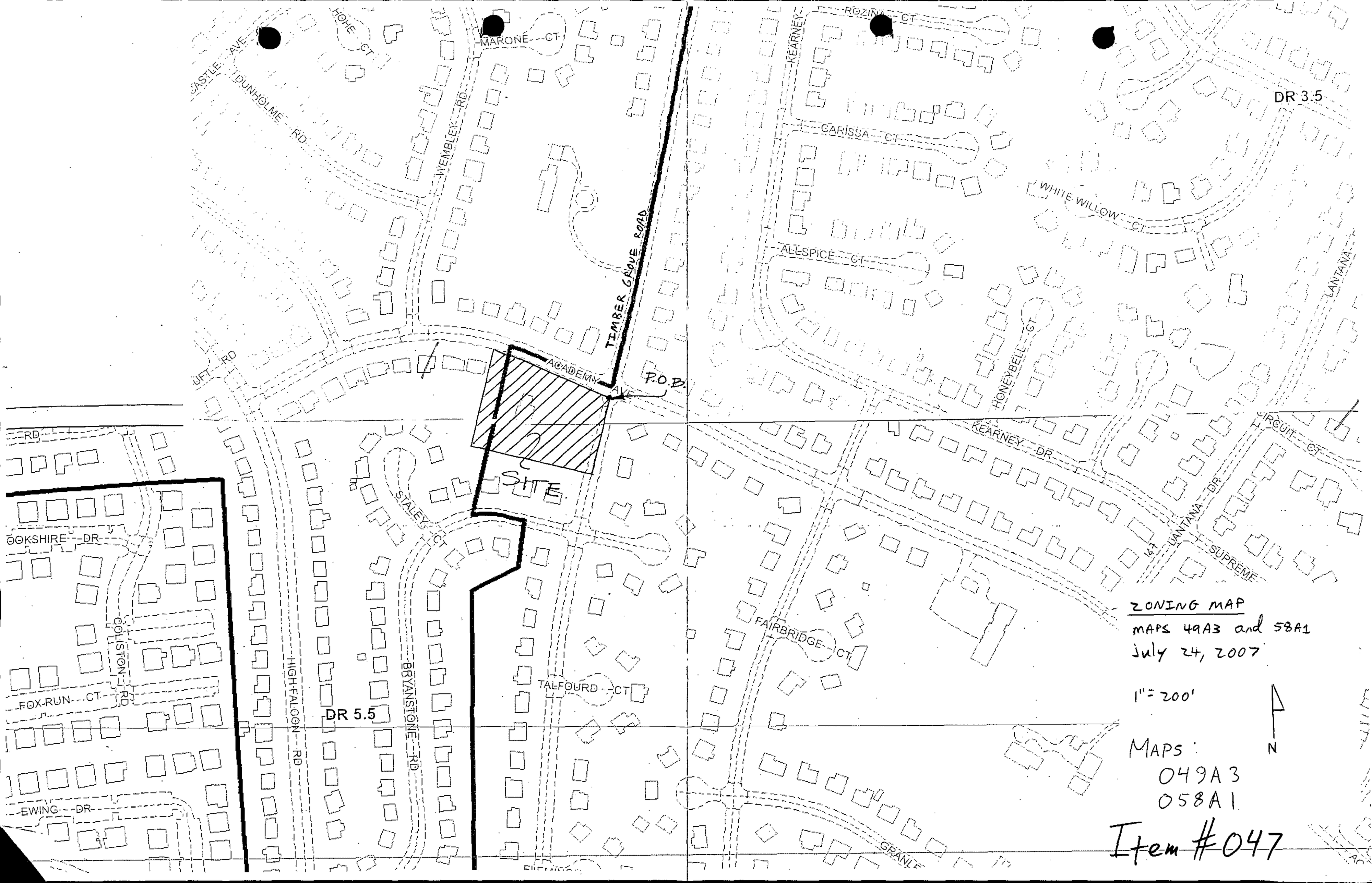

DR 3.5
DR 5.5
SITE
P.O.B.
TIMBER GROVE ROAD
ACADEMY AVE
MARONE CT
WEMBLEY RD
DUNHOLME RD
CASTLE AVE
HOHE CT
ROZINA CT
KEARNEY
CARISSA CT
WHITE WILLOW CT
ALLSPICE CT
HONEYBELL CT
LANTANA
KEARNEY DR
CIRCUIT CT
LANTANA DR
SUPREME
FAIRBRIDGE CT
TALFOURD CT
STALEY CT
BRYANSTONE RD
HIGH FALCON RD
COLISTON RD
FOX RUN CT
EWING DR
OOKSHIRE DR
GRANLE
ZONING MAP
MAPS 49A3 and 58A1
July 24, 2007
1" = 200'
N
MAPS:
049A3
058A1
Item #047

EXHIBIT 2-B

October 17, 2007

Mr. William J. Wiseman III,
Zoning Commissioner
Towson Court House - Room 405
Towson, MD. 21204-0754

RECEIVED
OCT 22 2007
BY:.....

RE: Zoning Hearing
240 Timber Grove Rd
Owings Mills, MD 21136
Case # 8-47-SPH

RC
10/9/07
08-047-SPH

Forwarded is a copy of the land plot and pictures of additional information of my property at 5 Staley Court, Reisterstown, MD regarding my letter submitted to the court on Oct. 9, 2007 in reference to the above subject.

My backyard is 167.47 ft deep and 83 ft wide and backs up to the property at 240 Timber Grove Rd as shown in the pictures. My property is nicely landscaped so that I may enjoy the relaxing atmosphere.

To try to abate the noise level and to provide some quiet and privacy to my well-being, a type of noise barrier is suggested.

My concerns are:

1. Since there is a metal fence running the width and between both properties, an easement between the barrier (fence, shrubs or trees) and my fence would be required in order to provide the residents

RE: Case # 8-47-SPH
Room 405
EXHIBIT 2-B

at 240 Timber Grove Rd to maintain, cut the grass and prune the shrubs or trees from overgrowth.

2. If trees are planted, certain types would have to be considered. Trees that have roots that grow down and not out to prevent roots from growing into and through my fence.

3. I'm concerned that any barrier would be maintained properly since I have had to deal with neighbors on both sides running the length of my yard not maintaining their shrubery. Due to my age and financial situation, I would not and should not have to trim, prune or pay someone to keep properly maintained.

Any consideration of the court would be greatly appreciated. I don't feel that I should be forced to sell and move elsewhere. This is the first and only home my husband and I purchased in 1996. He passed away in Oct. 2000 and I would like to remain in my home the way we had planned.

Sincerely,
Helen J. Madden
5 Staley Court
Reisterstown, MD 21136

Page 3 - Additional information.

RE: Case # 8-47-SPH
ROOM 105
EXHIBIT 2-B

Since writing this letter, I have made this observation. Between 7AM and 8AM a number of vehicles arrive and depart at said residence as children are waiting for the school bus on the corner and elementary school children are walking to Timber Grove Elementary School. This causes additional traffic at this early time of the morning in this area and I feel that this could be a safety concern for the children.

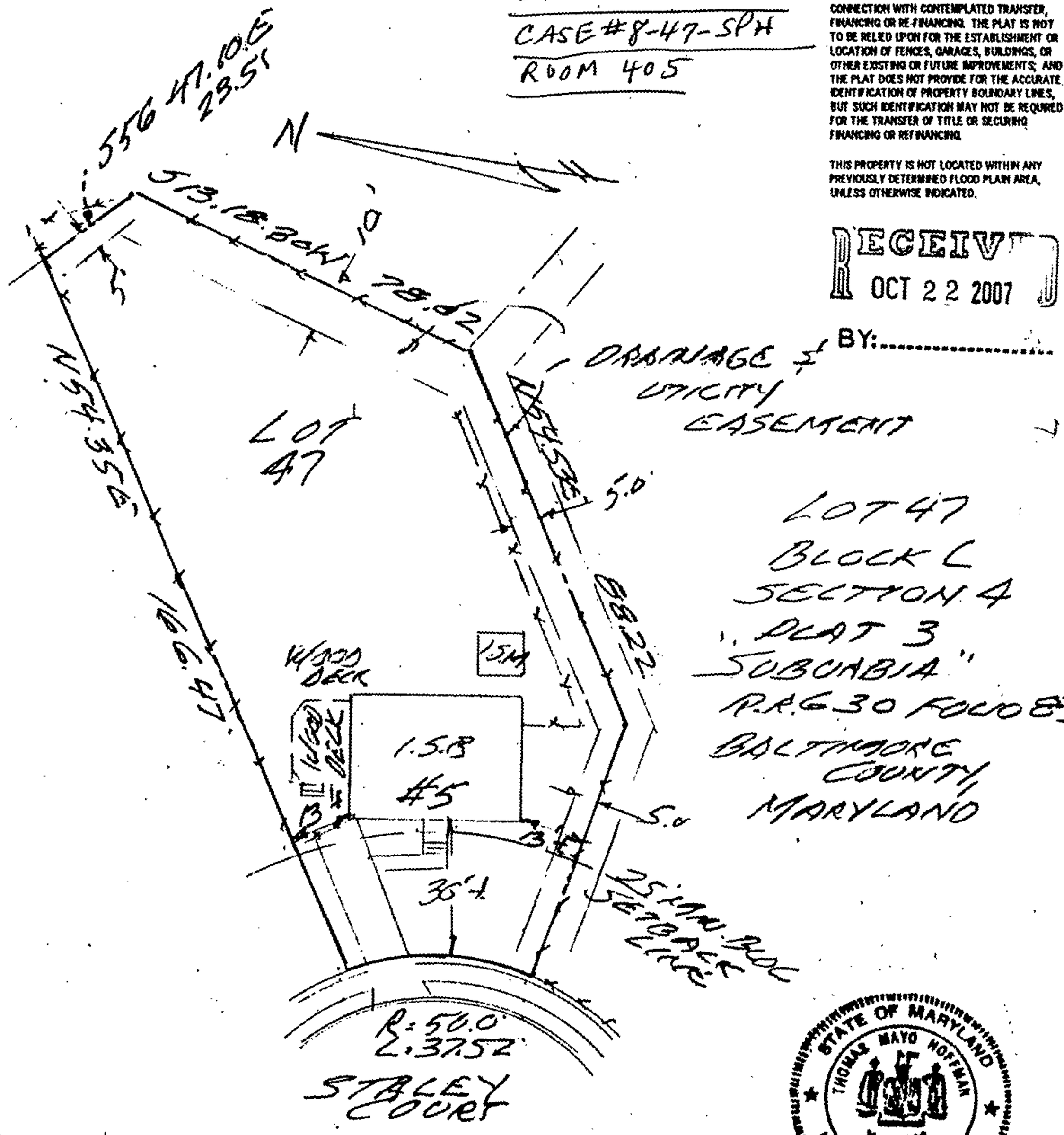
Helen J. Madden

EXHIBIT 2-B
CASE #8-47-SPH
ROOM 405

THE PLAT IS OF BENEFIT TO A CONSUMER ONLY INSOFAR AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENT IN CONNECTION WITH CONTEMPLATED TRANSFER, FINANCING OR RE-FINANCING. THE PLAT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OR LOCATION OF FENCES, GARAGES, BUILDINGS, OR OTHER EXISTING OR FUTURE IMPROVEMENTS; AND THE PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING.

THIS PROPERTY IS NOT LOCATED WITHIN ANY PREVIOUSLY DETERMINED FLOOD PLAIN AREA, UNLESS OTHERWISE INDICATED.

RECEIVED
OCT 22 2007
BY:.....



STATE OF MARYLAND
THOMAS MAYO HOFFMAN
No. 6138
REGISTERED
LAND SURVEYOR

LOCATION SURVEY

NO. 5 STALEY COURT

SCALE: 1" = 30

THIS IS TO CERTIFY THAT ON VULY 1996 I PERFORMED A LOCATION SURVEY ON THE SUBJECT PROPERTY FOR THE PURPOSE OF LOCATING THE IMPROVEMENTS THEREON AND SAID IMPROVEMENTS ARE LOCATED WITHIN THE BOUNDARIES OF THE SUBJECT PROPERTY, UNLESS INDICATED BY ASTERISK ♠.

Thomas M. Hoffman
THOMAS M. HOFFMAN L.S. #6138

The Surveyors
Professional Land Surveyors
307 W. LAFAYETTE AVENUE
BALTIMORE, MD 21217
PHONE: (410) 728-8767

(2)

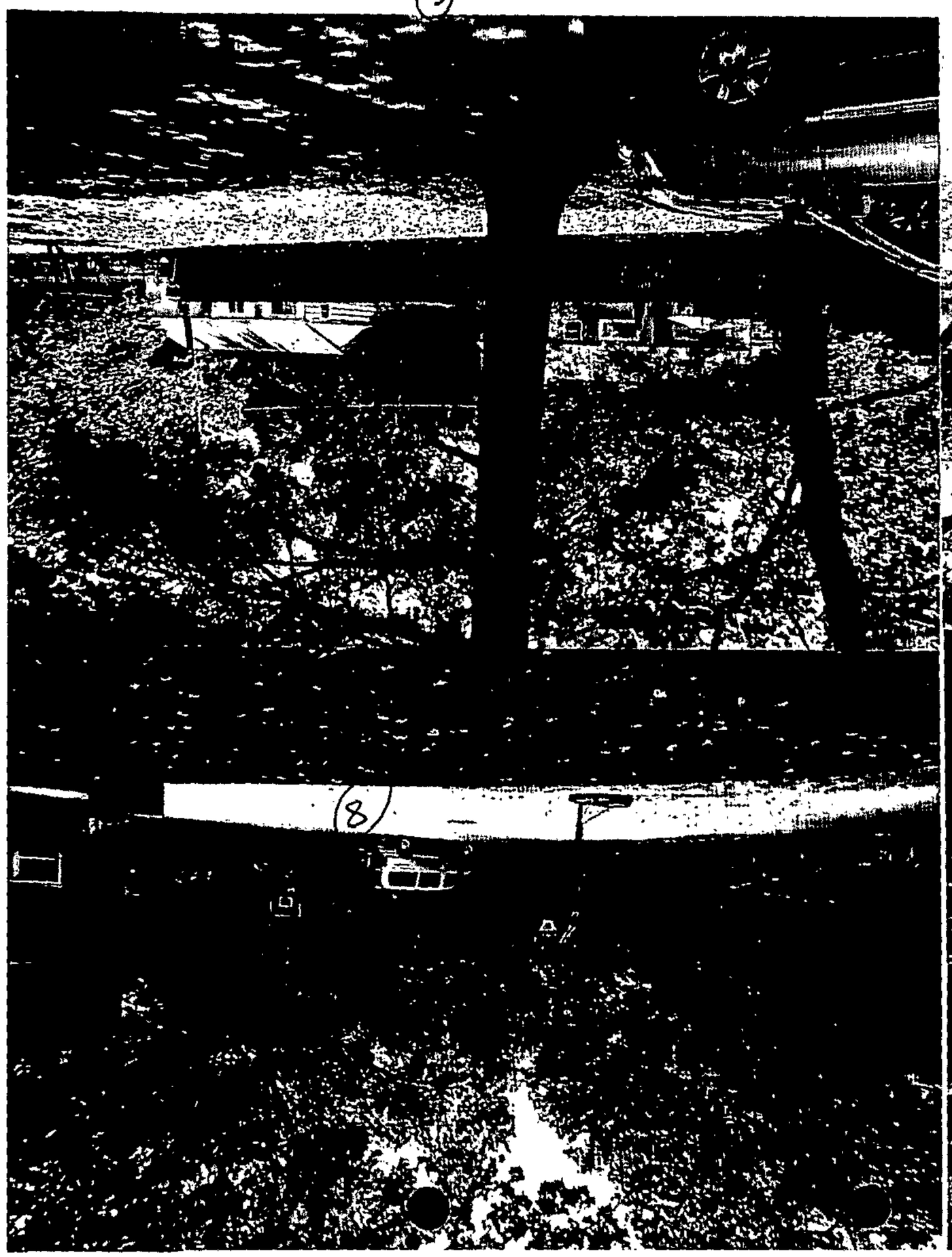
(1)

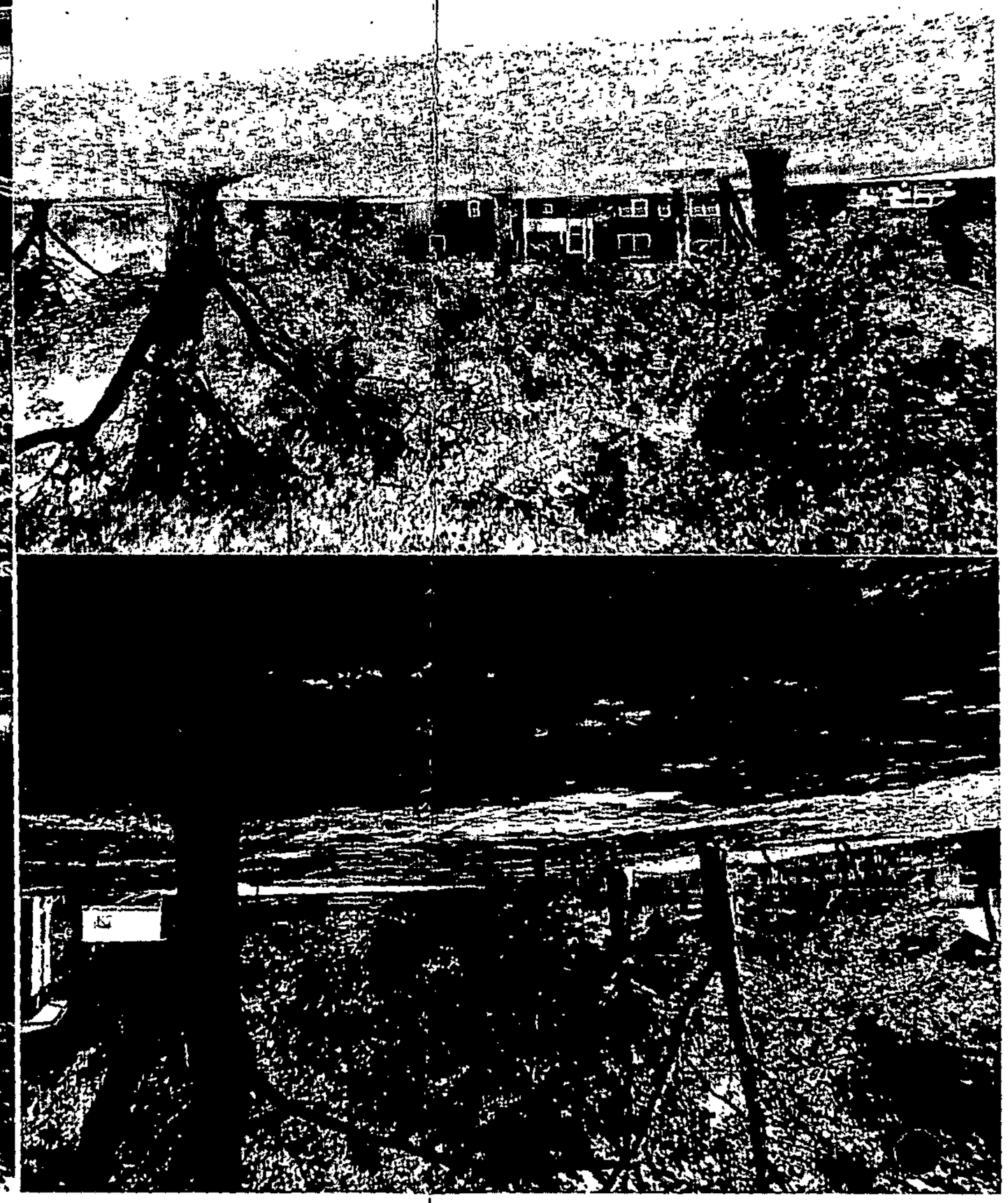
(4)

(3)

PETITIONER'S

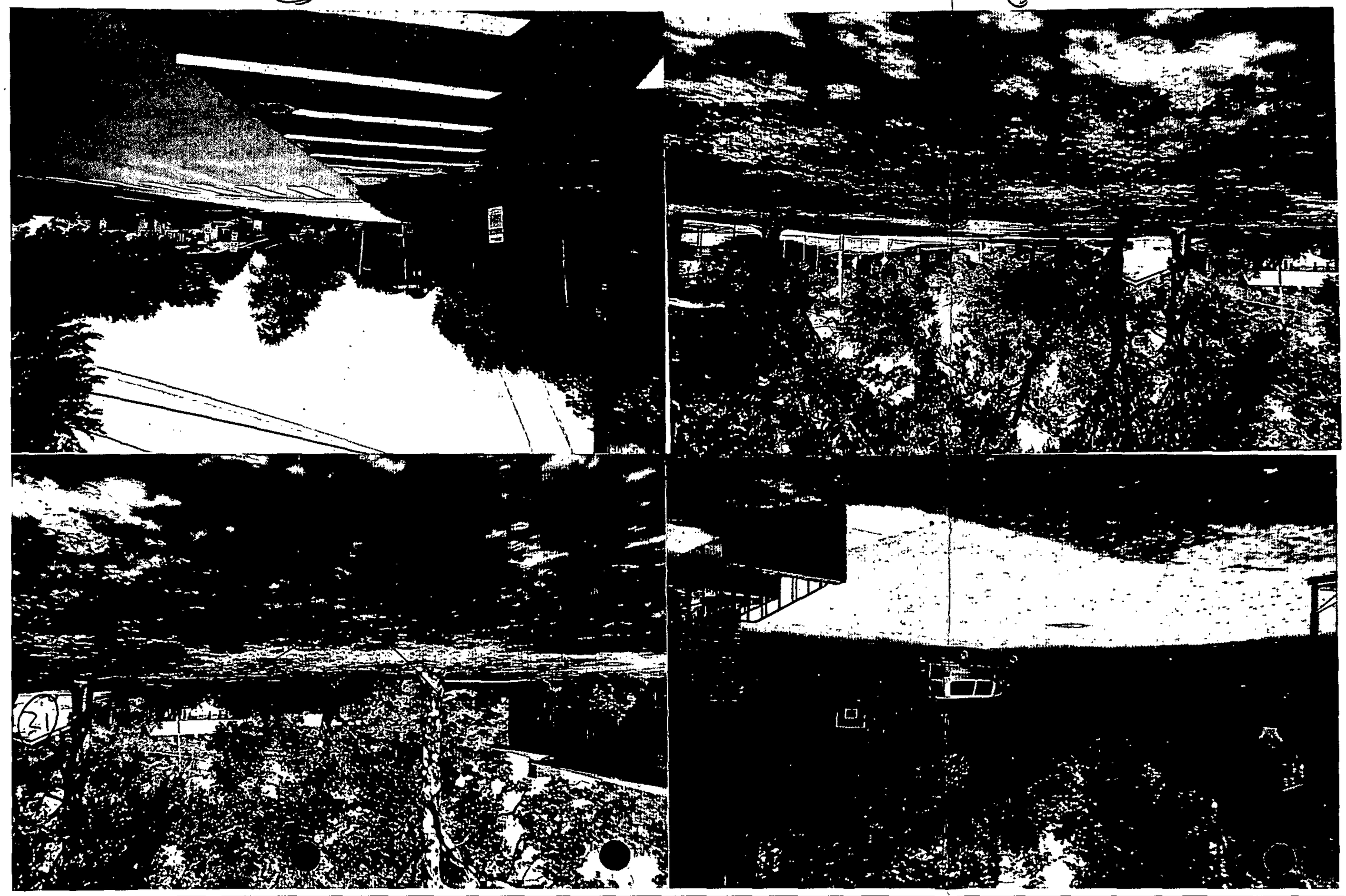
EXHIBIT NO. 2





(a)

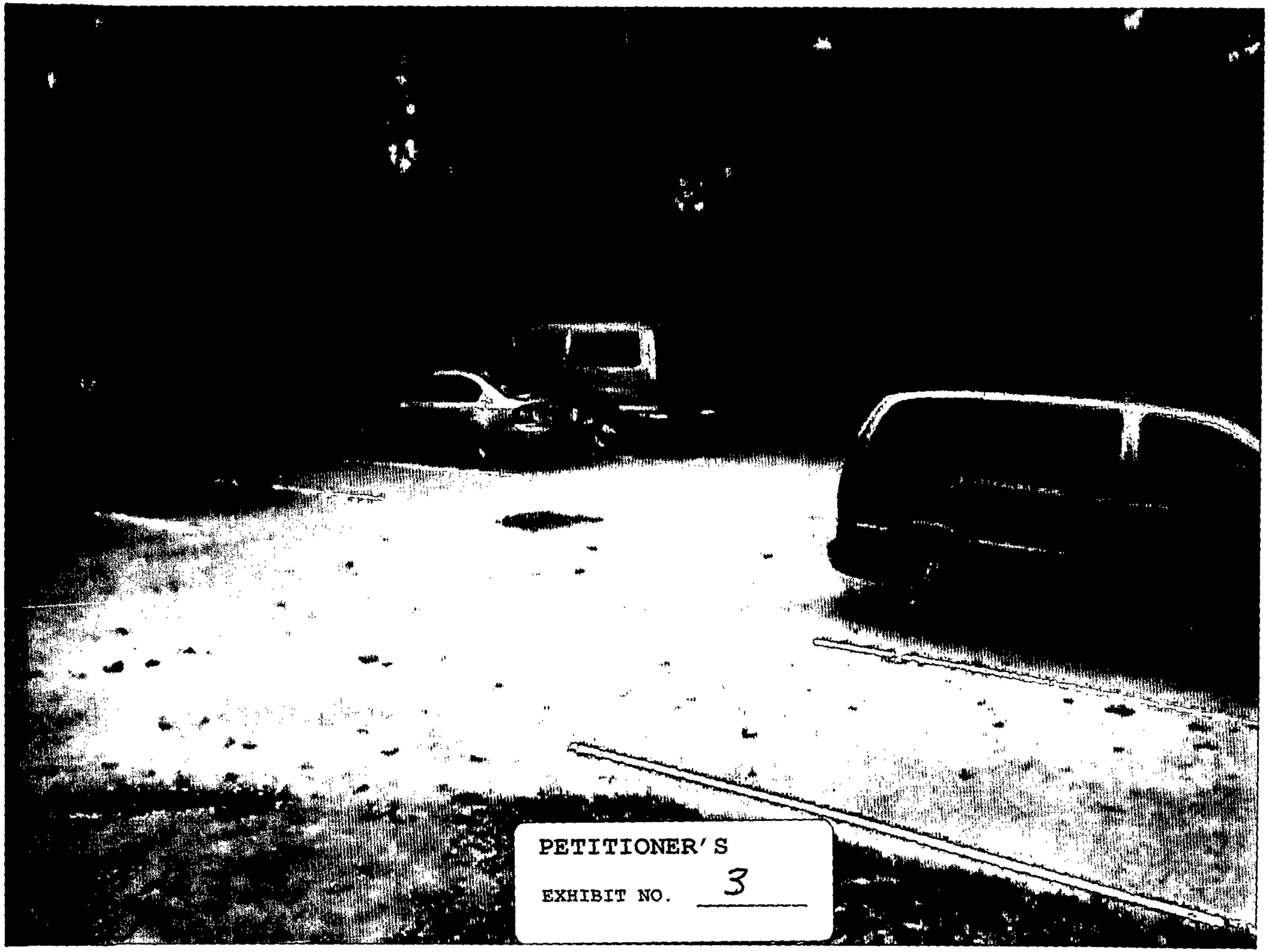
(b)



(c)

(d)

(11)

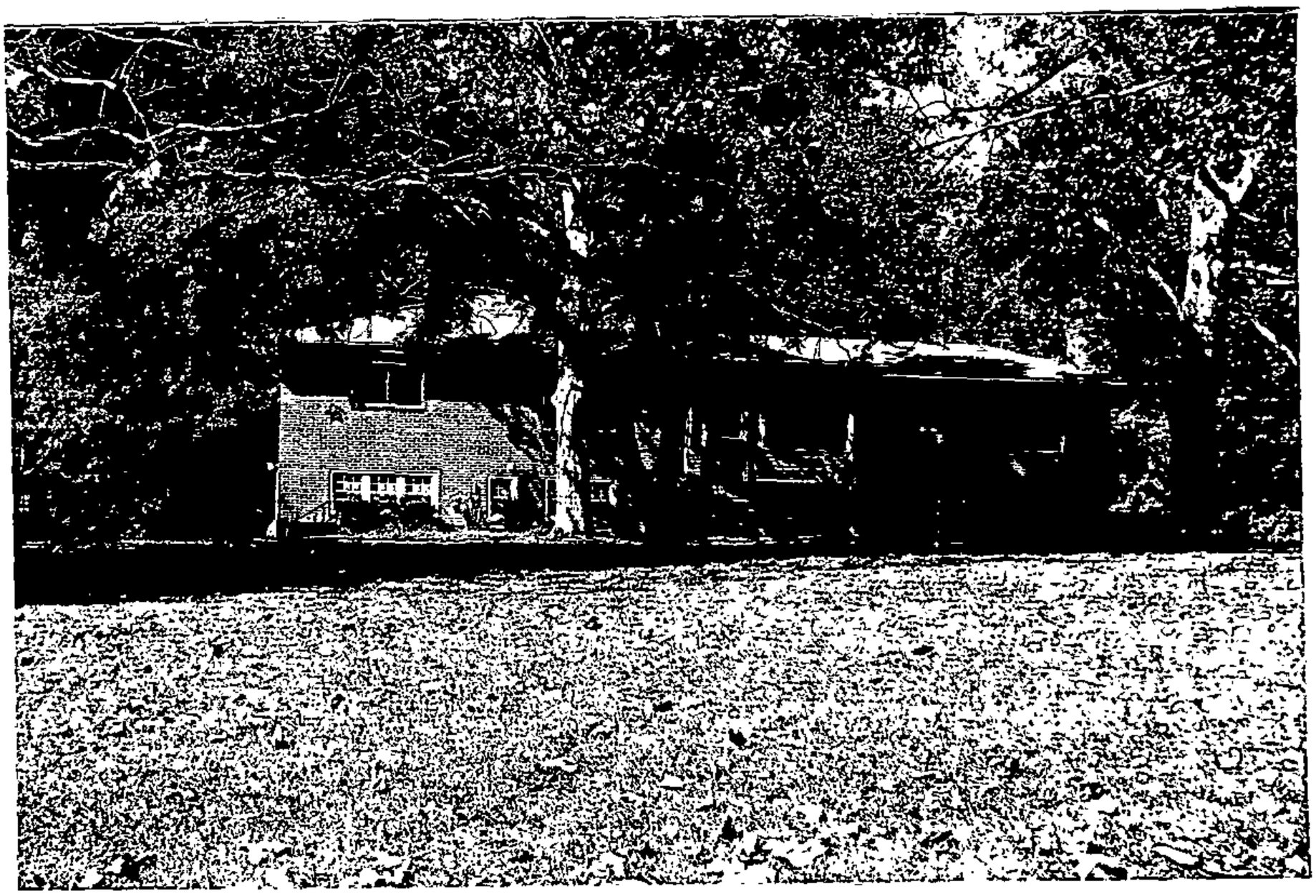


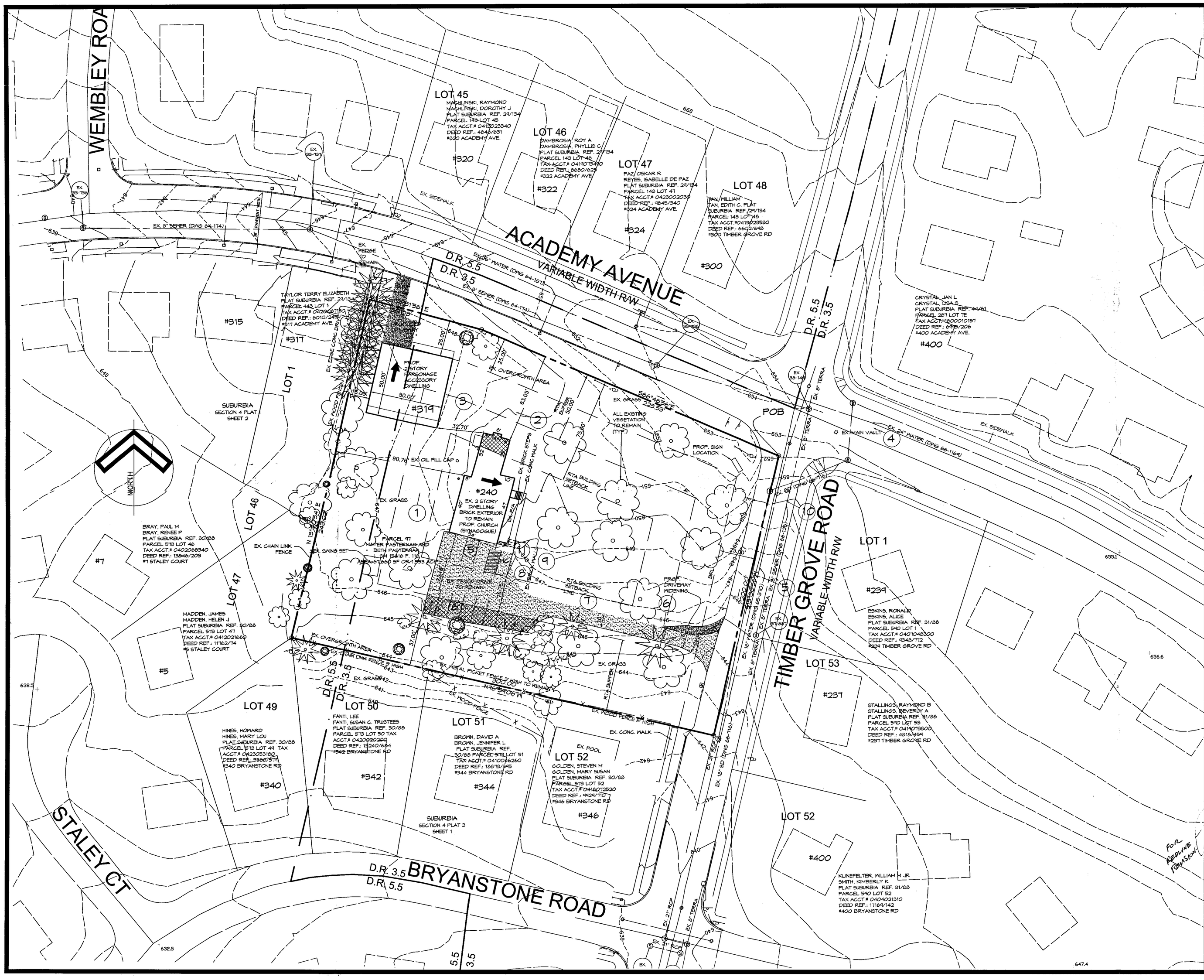
PETITIONER'S

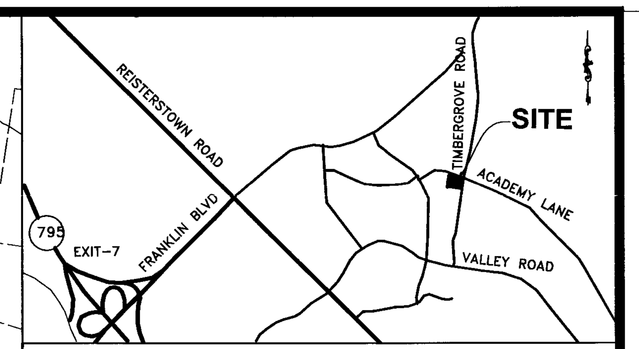
EXHIBIT NO. 3

PETITIONER'S

EXHIBIT NO. 4







VICINITY MAP
SCALE: 1"=2000'

NOTES:

1. PROPERTY OWNER: MAYER & BETH PASTERNAK
240 TIMBER GROVE ROAD
OWINGS MILLS MD 21117-1702

2. EXISTING ZONING: D.R. 3.5. & D.R. 5.5.
ZONING MAPS 49A3 AND 58A1

3. SITE DATA

PROPERTY LAND: 67,518±SF (1.55 Ac)
TAX MAP: 49, PARCEL: 97

TAX ACCOUNT NUMBER: #0412040575

DEED REFERENCE: 15616/118

4. ELECTION DISTRICT: 4
COUNCILMANIC DISTRICT: 2

5. GROSS AND NET AREAS: (By Acres)

	D.R.3.5.	D.R.5.5.	TOTAL
GROSS AREA	1.53	0.23	1.76
NET AREA	1.34	0.21	1.55

6. BUILDING SETBACKS:

	D.R. 3.5. & D.R. 5.5.
FRONT:	25'
SIDE TO R/W AND TRACT BOUNDARY	15'
SIDE BUILDING FACE TO BUILDING FACE	20'>20' HEIGHT
REAR	30'

7. EXISTING USE: SINGLE-FAMILY DWELLING
PROPOSED USE: PARSONAGE AND SYNAGOGUE (44 SEATS)

8. OFF-STREET PARKING
SYNAGOGUE: REQUIRED- 11 @ 1 SPACE/ 4 SEATS
PROPOSED- 11 SPACES
PARSONAGE: REQUIRED- 2
PROPOSED- 2

9. SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.

10. SITE IS NOT IN A 100-YEAR FLOODPLAIN.

11. THIS IS NOT A HISTORIC SITE OR DISTRICT.

12. THERE ARE NO OUTSTANDING ZONING VIOLATIONS.

13. THERE IS NO CONTIGUOUS OWNERSHIP.

14. THERE ARE NO PREVIOUS COMMERCIAL PERMITS FOR THIS SITE.

15. ALL SIGNS WILL MEET THE REQUIREMENTS OF SECTION 450, BCZR.

16. THE TOTAL SEATING CAPACITY UNDER THIS HEARING SHALL BE LIMITED TO 44. ANY EXPANSION OR ADDITION ABOVE 44 SEATS WOULD REQUIRE A SPECIAL HEARING.

17. THE EXISTING PARKING LOT SHALL BE SCREENED BY THE ADDITION OF EVERGREEN OR SIMILAR DENSE PLANTING.

PLAN TO ACCOMPANY PETITION FOR
SPECIAL HEARING

THE VILLAGE SHUL

240 TIMBER GROVE ROAD

4th ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.

30 0 15 30 60 120
GRAPHIC SCALE (IN FEET)
1 inch = 30 ft.

STATE OF MARYLAND
REGISTERED PROFESSIONAL ENGINEER
No. 13281
10/6/07

Colbert Matz Rosenfelt, Inc.
Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

NO.	DATE	REVISIONS:	BY

SCALE: 1"= 30'
DATE: 7/24/07
JOB NO.: 2002179
DESIGNED: REM
DRAWN: RS/GSS/LBF/DSL
CHECKED: REM
FILE: 2002179_BASE
DRAWING NUMBER: ZON-1
SHEET 1 OF 1

N:\cd2\projects\2002\2002179\Project Directories\CMR\Concep Plan\ (CURRENT)\2002179 BASE.dwg 10/2/2007 12:14:53 PM EDT

PETITIONER'S
EXHIBIT NO. 1

I have had to endure with the noise situation in the past during their festival celebration with no regard to my requests. Building a synagogue would only add to the noise problem during other activities.

If granted this request it would cause me much anxiety and stress on my health and well-being.

If said property was re-zoned other than residential how would my property value be affected if or when I would decide to sell? What other type of business would be approved if said residents sold their property?

Helen J. Madden
5 Staley Court
Reisterstown, MD 21136

Felix Shragra, 2 Candor Court, Owings Mills, MD 21117
Chaim Pasternak, 240 Timber Grove Road, Owings Mills, MD 21117
Michael Silverstone, 412 Academy Avenue, Owings Mills, MD 21117
Dmitry Sheynman, 722 Brickston Road, Reisterstown, MD 21136
Adam Shulman, 3 Continental Court, #202, Owings Mills, MD 21117
Andrew Shenkman, 606 Academy Avenue, Owings Mills, MD 21117
Solomon Feder, 12141 Faulkner Drive, Owings Mills, MD 21117
Valeriy Kozlov, 7 Putman Court, Reisterstown, MD 21136
Vladimir Michael Koyfman, 3808 Tabor Road, Owings Mills, MD 21117
Nathan Feder, 12141 Faulkner Drive, Owings Mills, MD 21117
Steven and Susan Golden, 346 Bryanstone Road, Reisterstown, MD 21136
June Harden, 5 Staley Court, Reisterstown, MD 21136
Linda Percy, 1003 Kingsbury Road, Reisterstown, MD 21136
Donald Opper, 214 Timber Grove Road, Reisterstown, MD 21136
Roger P. Myers, 217 Timber Grove Road, Owings Mills, MD 21117
David and Jennifer Brown, 344 Bryanstone Road, Reisterstown, MD 21136
Susan and Alex Fanti, 342 Bryanstone Road, Reisterstown, MD 21136
Arlene Staley, 226 Timber Grove Road, Reisterstown, MD 21136
Jill Wahman, 318 Academy Avenue, Reisterstown, MD 21136
Ted and JoAnne Christensen, 332 Timber Grove Road, Reisterstown, MD 21136
Helen J. Madden, 5 Staley Court, Reisterstown, MD 21136
Mark Hemler, Country Club Estates Community Association of Reisterstown, Inc.,
P.O. Box 32, Reisterstown, MD 21136
People's Counsel; File