IN RE: PETITION FOR SPECIAL HEARING

W side of Reisterstown Road, 173 feet N

of the c/l of Ritters Lane

4th Election District

4th Councilmanic District

(10 Ritters Lane)

Brian and Martha A. Bystry Petitioners BEFORE THE

DEPUTY ZONING

* COMMISSIONER

* FOR BALTIMORE COUNTY

* Case No. 08-146-SPH

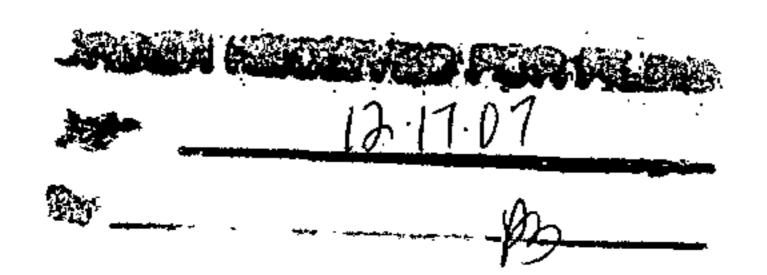
FINDINGS OF FACT AND CONCLUSIONS OF LAW

*

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Hearing filed by Brian and Martha A. Bystry, the legal property owners. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to amend the previously approved zoning plan and to approve a modified parking plan pursuant to Section 409.12.B of the B.C.Z.R. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing, and in lieu of Petitioners, was Richard E. Matz, with Colbert Matz Rosenfelt, Inc., the professional engineer who prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.

Testimony and evidence offered by Mr. Matz revealed that the subject property is irregular-shaped and contains approximately 3 acres and is split-zoned R.O. and D.R.3.5. The property is located in the Owings Mills area of Baltimore County. The R.O. portion of the property fronts Reisterstown Road and consists of approximately one acre. It is also where the improvements are located, including a 2½-story framed structure and an office/garage structure.

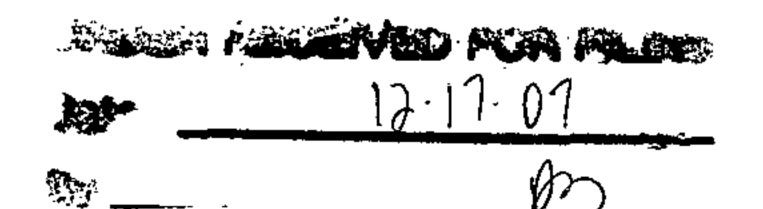


The D.R.3.5 portion of the property is located to the south of the R.O. portion of the property. It fronts Ritters Lane and consists of approximately 2 acres and is presently unimproved. Vehicular access to the property on the whole is by way of a paved asphalt driveway from Ritters Lane which leads to the improved areas and then past those areas to the north side of the property to another private access road leading to a second entrance to the north at Pleasant Hill Road.

Presently, Petitioners utilize the R.O. portion of the site and the improved structures to operate their commercial contracting business, Progressive Contracting Company. In order to understand the context of the present request, it is helpful to briefly discuss the previous zoning history of the property.

In Case No. 98-298-X, the previous owner of the property and the present owners (who were contract purchasers at the time) requested a special exception in order to approve the use of the property as a Class B office building pursuant to Section 204.3.B.1.a of the B.C.Z.R. At that time, the present Petitioners desired to purchase the property and operate their aforementioned business in the 2½-story structure, as well as make improvements including enclosing a sunroom, constructing an addition, and removing an existing swimming pool. These improvements effectively changed the existing building from a Class A to a Class B office building, and Class B office buildings were permitted in an R.O. zone by special exception only. In an Order dated April 2, 1998, then-Zoning Commissioner Lawrence E. Schmidt granted the special exception use of the building as a Class B office building.

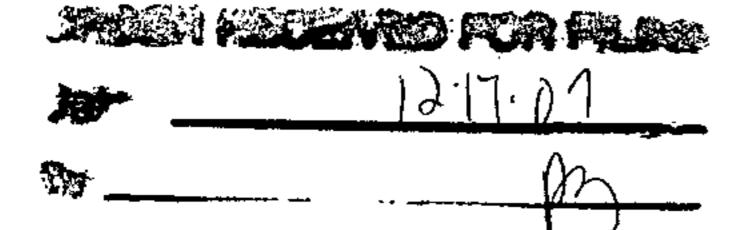
In Case No. 06-655-SPH, the present Petitioners requested special hearing relief in order to amend the site plan in the previous zoning case to allow the use of an existing garage for office use and to show two new single-family detached homes to be located on the D.R.3.5 portion of the property. In an Order dated August 16, 2006, then-Deputy Zoning Commissioner



John V. Murphy granted the special hearing request, finding that amending the site plan to allow the use of the garage in the R.O. portion of the property as an office/conference room met the special exception criteria of Section 502.1 of the B.C.Z.R., and allowing the minor subdivision of the property for two single-family dwellings in the D.R.3.5 portion of the property also met the Section 502.1 criteria and was within the spirit and intent of the D.R.3.5 regulations.

At this juncture, Petitioners request special hearing relief in order to amend the previous site plans and zoning Orders, and to approve a modified parking plan pursuant to Section 409.12.B of the B.C.Z.R. As shown in an inset on Petitioners' Exhibit 1, a previously approved permit plan for a porch expansion shows 19 parking spaces proposed. The present parking requirements for the property are 14 spaces for the office use (3.3 per 1,000 square feet x 4,100 square feet = 14 spaces) and two spaces for each proposed dwelling for a total of four spaces for the dwellings. Petitioners' Exhibit 1 shows a proposed two-car garage and required parking in the driveway for each of the dwellings. Mr. Matz indicated the minor subdivision plan is currently being processed. In addition, Petitioners' Exhibit 1 shows 14 spaces as required for the office use instead of the previously approved 19 spaces. Petitioners wish to reduce the parking to that which is on the site presently (14 spaces) and thereby amend the previous parking plan (19 spaces) in order to limit the amount of unnecessary impervious paving on the site.

In support of this request, Mr. Matz submitted photographs of the property which were marked and accepted into evidence as Petitioners' Exhibits 2A and 2B. These photographs show abundant parking areas on the property. In addition, photographs which were marked and accepted into evidence as Petitioner's Exhibit 3A and 3B and 4A and 4B, respectively, show the access driveways from Ritters Lane and Pleasant Hill Road. These photographs show uncluttered access to and from the property and also illustrate the rural character of the property,



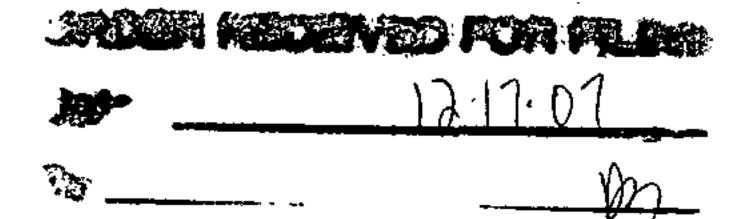
even though it abuts busy Reisterstown Road and also sits partially in an R.O. zone. Mr. Matz also pointed out that according to Petitioners, there have never been any problems with the present parking configuration, with a mix of trucks and cars always resulting in sufficient parking. Mr. Matz also indicated that Ritters Lane is not a thru street, so the only traffic is vehicles traveling to the residential area to the west of the property, or to Petitioners' property.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The Inter-Office Correspondence from the Office of Planning dated December 3, 2007 indicates it has no comments to Petitioner's proposal. The comments received from the Department of Environmental Protection and Resource Management (DEPRM) dated November 6, 2007 indicate that development of the property must comply with the Forest Conservation Regulations.

Based on the uncontroverted testimony and evidence presented, I am persuaded to grant the special hearing relief to amend the previous site plan and to approve a modified parking plan pursuant to Section 409.12.B of the B.C.Z.R.

In my judgment, Petitioners' parking plan is reasonable and presents an efficient use of the property's parking capabilities, and balances the parking needs of the site and requirements of the regulations, without overcrowding the land and taking away from the rural setting of the property. I also find that Petitioners' plan will not be detrimental to the health, safety, or general welfare of the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioners, I find that Petitioners' request for special hearing should be granted with conditions.



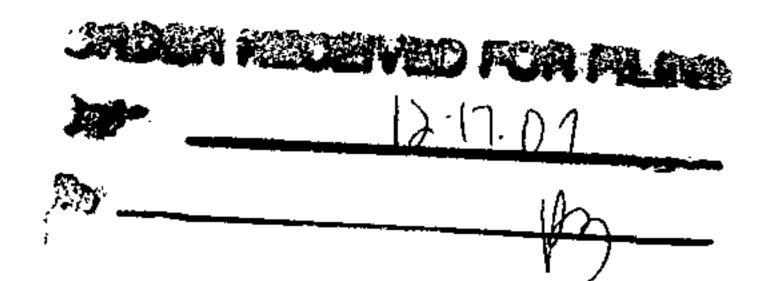
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this ______ day of December, 2007, that Petitioners' request for Special Hearing relief filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations to amend the previously approved zoning plan and to approve a modified parking plan pursuant to Section 409.12.B is hereby GRANTED, subject to the following restrictions which are conditions precedent to the relief granted herein:

- 1. Petitioners may apply for permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2. Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).
- 3. Any planting requirement for Forest Conservation may be addressed either offsite or by paying a fee-in-lieu.

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

THOMAS H. BOSTWICK Deputy Zoning Commissioner for Baltimore County

THB:pz





JAMES T. SMITH, JR. County Executive

THOMAS H. BOSTWICK Deputy Zoning Commissioner

December 17, 2007

BRIAN AND MARTHA A. BYSTRY 10 RITTERS LANE OWINGS MILLS MD 21117

> Re: Petition for Special Hearing Case No. 08-146-SPH Property: 10 Ritters Lane

Dear Mr. and Mrs. Bystry:

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

for Baltimore County

THB:pz Enclosure

c: Richard E. Matz, Colbert, Matz & Rosenfelt, 2835 Smith Avenue, Suite G, Baltimore, MD 21209



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at: 10 Ritters Lane	
which is presently zoned	D.R. 3.5 and RO

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

Special Hearing to amend the previously approved zoning plan and to approve a modified parking plan, per Sec. 409.12.8.

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.

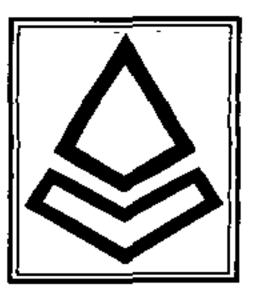
Property is to be posted and advertised as prescribed by the zoning regulations.

THE PARTY PARTY

		I/We do solemnly declare and affirm, under the perjury, that I/we are the legal owner(s) of the plant is the subject of this Petition.	_	
Contract Purchaser/Lessee:		<u>Legal Owner(s):</u>		
		Brian Byskry		
Name - Type or Print		Name - Type or Print		
Signature		Signature	<u></u>	
		Martha A. Bystry		
Address.	Telephone No.	Name – Type or Print		
		Marto Q. Det	1/	
City	State Zip Code	Signature	X	
Attorney For Petitioner:		10 Ritters Lane	410-2	215-7189
		Address.	Teleph	one No.
		Owings Mills	MD	21117
Name – Type or Print		City	State	Zip Code
		Representative to be Contacted:		
Signature	-			
		Dick Matz		
Company		COLBERT MATZ ROSENFELT, INC		
		2835 Smith Avenue, Suite G	410-6	353-3838
Address	Telephone No.	Address	Teleph	one No.
		Baltimore	MD	21209
City	State Zip Code	City	State	Zip Code
		OFFICE USE ONLY		
Case No. 08-146-	SPH	ESTIMATED LENGTH OF HEARING_		
Case No.				, ,
		UNAVAILABLE FOR HEARING Reviewed By A TS(11) Date	, 9/	24/0-

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

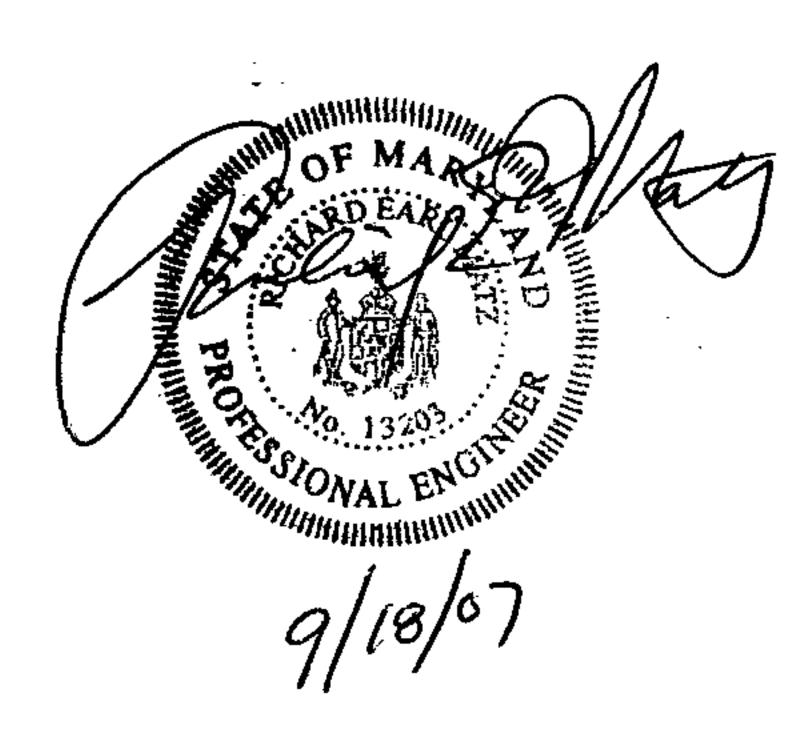


ZONING DESCRIPTION BYSTRY PROPERTY 10 RITTERS LANE

Beginning at a point on the west side of Reisterstown Road, which is 80 feet wide, at a distance of 173± feet north of the centerline of Ritters Lane, which is of variable width, thence the following courses and distances:

```
S 66°34'36"W, 206.84 ft.;
S 66°48'20"W, 146.78 ft.;
S 37°49'10"E, 248.35 ft.;
S 52°06'19"W, 145.90 ft.;
N 37°47'39"W, 317.46 ft.;
N 66°50'03"E, 71.16 ft.;
N 15°18'10"W, 229.88 ft.;
N 73°24'50"E, 334.83 ft., thence
S 42°34'10"E, 231.29 ft. to the Point of Beginning.
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As recorded in Deed Liber 12901, folio 74 and containing 128,307 sq. ft. (2.95 acres). Also known as 10 Ritters Lane and located in the 4th Election District and 4th Councilmanic District.



0 f-146-SPH

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NOTICE OF ZONING

The Zoning Commissioner of Baltimore Gounty, 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: #08-146-SPH
10 Ritters Lane
W/side of Reisterstown
Road, 173 feet north of the
centerline of Ritters Lane
4th Election District
4th Councilmanic District
Legal Owner(s):
Brian & Martha Bystry
Special Hearing: to amend
the 'previously approved
zoning plan and to approve
a modified parking plan,
per Section 409.12.B.
Hearing: Tuesday, November 27, 2007 at 11:00
a.m. in Room 407, County
Courts Building, 401
Bosley Avenue, Towson
21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for
Baltimore County
NDTES: (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/11/656 Nov 13 155120

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in the following weekly newspaper published in Baltimore County, Md., once in each of THIS IS TO CERTIFY, that the annexed advertisement was published _successive weeks, the first publication appearing

Mellen

LEGAL ADVERTISING

JM 3/06

IN RE: PETITION FOR SPECIAL HEARING
W/S of Reisterstown Road, 173 feet
North of Ritters Lane
4th Election District

4 Election District
4th Councilmanic District

(10 Ritters Lane)

Brian and Martha Bystry

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 06-655-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

*

This matter comes before this Deputy Zoning Commissioner on a Petition for Special Hearing for the property located at 10 Ritters Lane. The Petition was filed by Brian and Martha Bystry, Petitioners. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an amendment to the site plan in zoning Case No. 98-298-X to allow office use of the existing garage and for such other relief as may be required.

The property was posted with Notice of Hearing on July 17, 2006, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on July 18, 2006, to notify any interested persons of the scheduled hearing date.

Amended Petition

Mr. Matz clarified that the purpose of amending the site plan of Case 98-298-X is to allow the use of an existing garage for an office but also to approve amending the site plan to show two new single family detached homes on the DR 3.5 portion of the property.

Applicable Law

Section 500.7 of the B.C.Z.R. Special Hearings

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

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) Comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing was Richard E. Matz, P.E. of Colbert Matz Rosenfelt, Inc., who prepared the site plan. No protestants or citizens appeared at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

The property contains 2.95 acres zoned RO and DR 3.5 as shown on exhibit 1. The RO portion of the property along Reisterstown Road is improved with an existing office used by the Petitioners in their contracting business. This structure had been a residence previously which in turn had a garage to serve the residence. The Petitioners would like to amend the site plan for Case No. 98-298-X to have the garage used as a conference room/office. The garage is in the RO portion of the property.

In addition Mr. Matz indicated that the Petitioners have applied for a minor subdivision to have the property subdivided into three lots on which two new houses would be built again as

shown in exhibit 1. The new single family dwellings would have access to the public road by means of the existing driveway which intersects with Ritters Lane. There is no direct access to Reisterstown Road because the property slopes steeply from the exiting office to the roadbed. The new homes would be built to meet all County regulations. Mr. Matz opined that the new homes would not change the pattern of development of the neighborhood as homes south of Ritters Lane have significantly smaller lots; the homes to the west and east are similar in size and design.

Findings of Fact and Conclusions of Law

Case No. 98-298-X granted the Petitioner at that time the right to build a Class B office building on the RO portion of the property by special exception. The question for me was whether or not the legal description of the Special Exception encompassed just the RO portion of the property or the whole property. In reviewing the file it is clear the Special Exception covered the whole property and so not only do we need to address the use of the garage as a conference room but also the two new homes in the DR 3.5 portion as well.

In regard to the use of the garage in the RO portion of the property as a conference room/office, I find that the proposed use meets the criteria of Section 502.1 of the BCZR, will not adversely affect the neighborhood and would be within the spirit and intent of the RO regulations. This is an office use in an office zone which would benefit the Petitioner's contracting business and the general public.

Similarly I find that the amendment of the site plan to have two single family dwellings as shown on exhibit I meet the criteria of Section 502.1, will not adversely affect the neighborhood and would be within the spirit and intent of the DR 3.5 regulations. The new homes will meet all DR 3.5 regulations, and will be compatible with the pattern of development

in the neighborhood. In fact these may be slightly larger lots than the average lot in the area. I

see no reason these new homes would have any problem sharing the driveway with the

Petitioner's contracting business. Certainly some type of maintenance agreement should be

arranged among the business and residential uses of the driveway.

Pursuant to the advertisement, posting of the property, and public hearing on this petition

held, and after considering the testimony and evidence offered by the Petitioner, I find that the

Petitioners' request for special hearing should be GRANTED.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore

County, this 16th day of August, 2006, that the Petitioners' request for Special Hearing relief

filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to

permit an amendment to the site plan in zoning Case No. 98-298-X to allow office/conference

room use of the existing garage on the RO portion of the property and two single family

dwellings on the DR 3.5 portion of the property as shown on exhibit 1 is hereby GRANTED

1. The Petitioners may apply for their permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return,

and be responsible for returning, said property to its original condition.

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

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

4

PETITION FOR SPECIAL EXCEPTION IN RE:

SW/S Reisterstown Road, 165 ft.

NW of c/l Ritters Lane

10 Ritters Lane

4th Election District

3rd Councilmanic District

Legal Owner: Susan C. Sidney

* Case No. 98-298-X

Contract Purchaser: Brian P. Bystry Petitioners

* BEFORE THE

* ZONING COMMISSIONER

* OF BALTIMORE COUNTY

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 10 Ritters Lane in Owings Mills. The Petition was filed by the Susan Cohen Sidney, property owner, and Brian P. Bystry, Contact Purchaser. Special Exception relief is requested to approve a Class B office building, pursuant to Section 204.3.B.1.a. of the Baltimore County Zoning Regulations (BCZR). The subject property and requested relief are more particularly shown on Petitioner's Exh. 1, the plan to accompany the Petition for Special Exception.

Appearing at the public hearing held for this case was Susan Cohen Sidney, property owner. Also appearing in support of the Petition were Chuck Gilmore, Joe McGraw, Richard Fradkin, Rob Feedman, Nick Pirone and There were no Protestants or other interested persons Marc Witman. present.

Testimony and evidence presented was that the subject property is an irregularly shaped parcel, approximately 3 acres in area, split zoned R.O. and D.R.3.5. The property is improved with an existing 2-1/2 story frame structure, which is located in the R.O. portion of the lot, fronting Reis-The R.O. part of the lot is approximately 1 acre in area terstown Road. The and occupies that part of the property which abuts Reisterstown Road. rear of the site is zoned D.R.3.5 and is 2.0384 acres in area. Vehicular access to the site is by way of Ritters Lane, from which a lengthy existing macadam driveway leads to the structure described above. Vehicular access

can also be obtained by a private drive which connects with Pleasant Hill Road.

Ms. Susan Sidney indicated that the subject structure is presently used as an office for her business; a graphic design advertising firm. However, the property is under sale to Mr. Bystry, who intends on using a site as an office building for his commercial contracting company. It was indicated at the hearing that contractor's equipment would not be stored on the property and that the business would be confined to the structure.

Presently, the structure contains approximately 2400 sq. ft. of space. However, several additions are proposed to enlarge the building. A porch and sunroom area will be enclosed so that same can be utilized year around. Additionally, an addition is also proposed. When completed, the building will feature approximately 4270 sq. ft. of office area.

It was indicated that, other than these improvements, the character of the property will not change. Vehicular access will continue to be by way of Ritters Lane and a private drive which leads to Pleasant Hill Road. Additionally, an existing swimming pool to the rear of the structure will be removed. An area for parking is also shown on the site plan.

A Class B office building is defined in Section 101 of the BCZR as, "A principal building used for offices in which is not a Class A office building". A Class A office building is a principal building that was originally constructed as a one family or two family detached dwelling, and was converted by a proper permit to office use without any external enlargement for the purpose of creating the office space or, otherwise, accommodating the office use. Construction of the additions and external improvements make the subject building a Class B building. Class B office buildings are permitted in the R.O. zone by special exception only.

Based upon the testimony and evidence offered, all of which is uncontradicted, I am persuaded to grant the Petition. In my judgment, the proposed improvements and conversion will not be detrimental to the health, safety and general welfare of the locale. Testimony presented at the hearing is that the neighborhood is generally a mix between retail office and residential uses. Moreover, the location of the existing structure, immediately adjacent to Reisterstown Road is persuasive. That is, the office building is oriented towards that major roadway and will not adversely impact the residences which are located to the interior.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of April 1998 that, pursuant to the Petition for Special Exception, approval for use of the subject site as a Class B office building, pursuant to Section 204.3.B.2.a. of the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED, subject, however, to the following restriction:

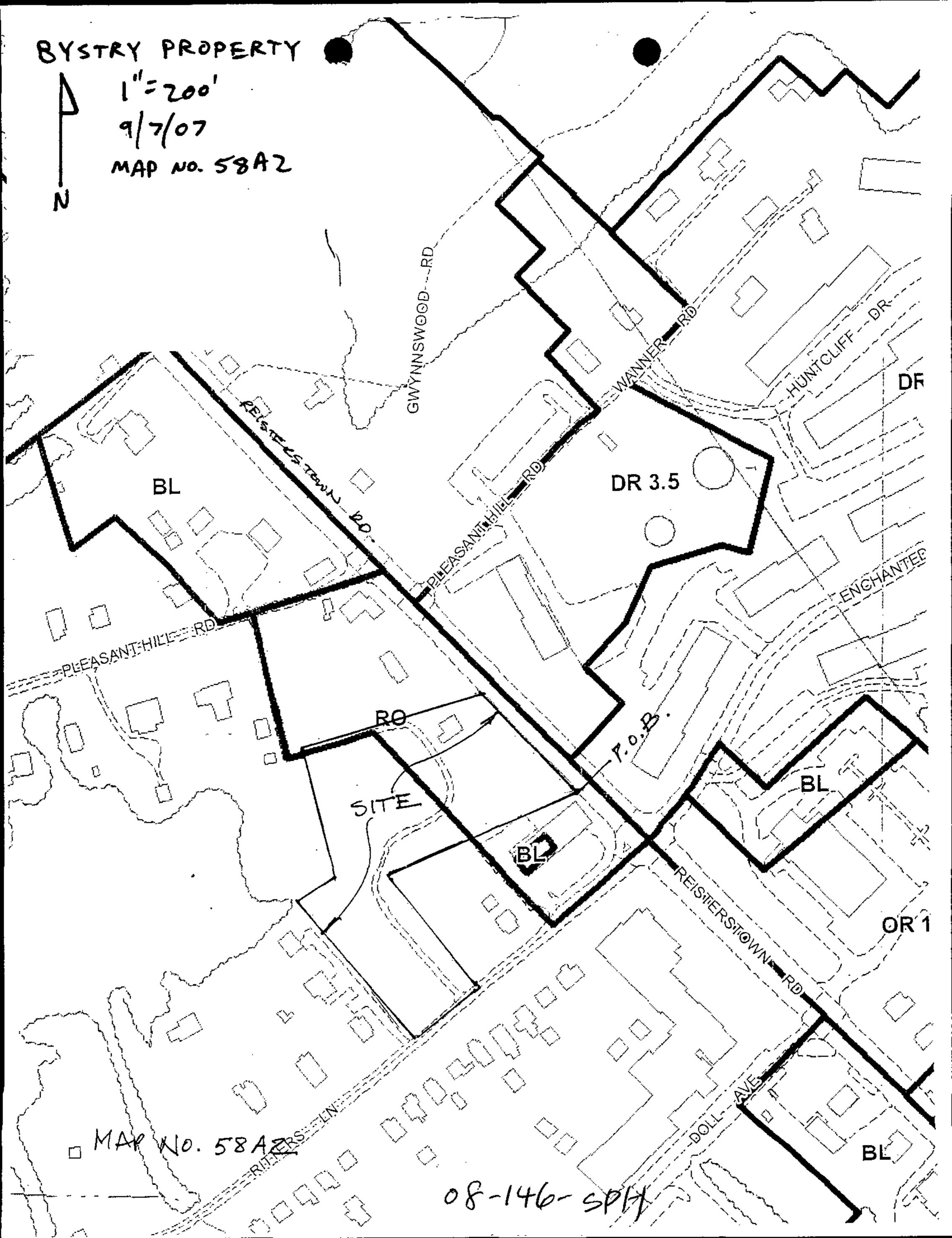
1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

LES:mmn



TO: PATUXENT PUBLISHING COMPANY

Tuesday, November 13, 2007 Issue - Jeffersonian

Please forward billing to:

Brian & Martha Bystry
10 Ritters Lane
Owings Mills, MD 21117

410-215-7189

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: 08-146-SPH

10 Ritters Lane

W/side of Reisterstown Road, 173 feet north of the centerline of Ritters Lane 4th Election District – 4th Councilmanic District

Legal Owners: Brian & Martha Bystry

Special Hearing to amend the previously approved zoning plan and to approve a modified parking plan, per Section 409.12.B.

Hearing: Tuesday, November 27, 2007 at 11:00 a.m. in Room 407, County Courts Building,

#01 Bosley Avenue, Towson 21204

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.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

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

For Newspaper Advertising: Item Number or Case Number: $08 - 146 - 5PH$
Petitioner: Brigh Bysty and Martha A. Bysty
Address or Location: 10 Ritters Lane, Owings Mills, MD 21117
PLEASE FORWARD ADVERTISING BILL TO:
Name: Brian and Mastha Bystay
Address: 10 Ritters Lane
Dwings Mills, MD Z1117
Telephone Number: 410-215-7189

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

DATE: 11/12/07

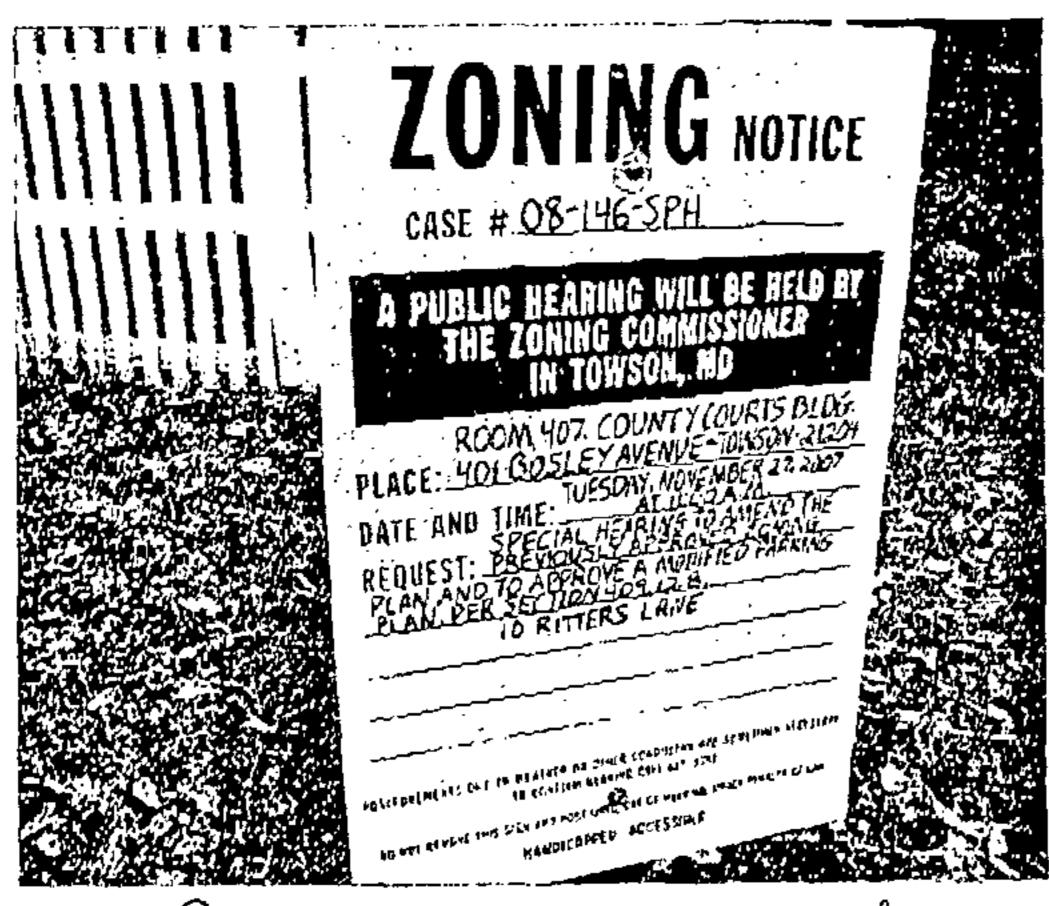
Case Number: 08-146-SPH

Petitioner / Developer: COLBERT, MATZ & ROSENFELT INC.

Date of Hearing (Closing): NOVEMBER 27, 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: (One) POSTED @ 10 RITTERS LANE and (ONE) POSTED @ REISTERSTOWN ROAD

The sign(s) were posted on: 11/10/07



(Signature of Sign Poster)

Linda O'Keefe

(Printed Name of Sign Poster)

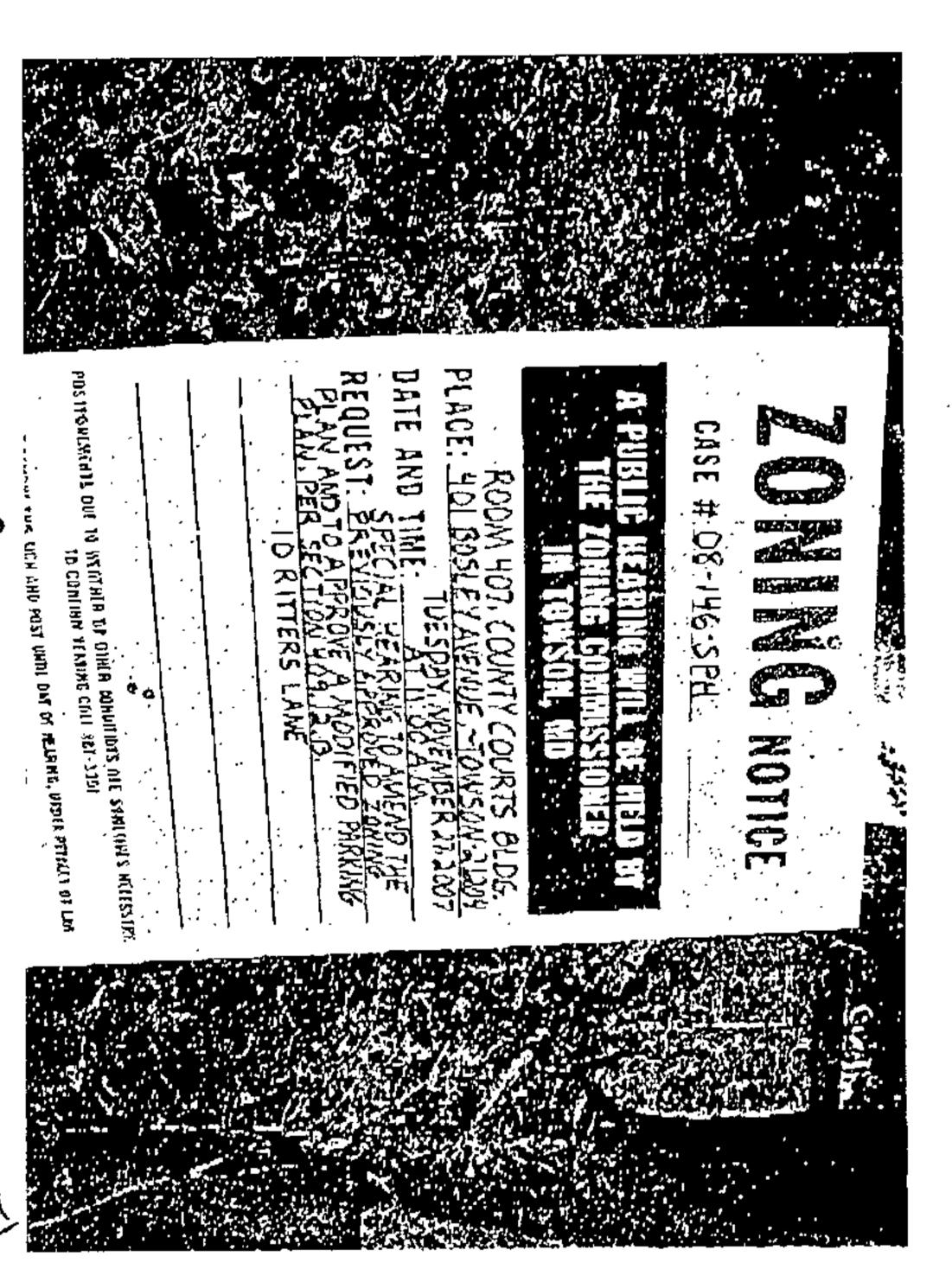
523 Penny Lane

(Street Address of Sign Poster)

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

410 - 666 - 5366

(Telephone Number of Sign Poster)



enstrotour.

RE: PETITION FOR SPECIAL HEARING
10 Ritters Lane; W/S Reisterstown Road,
173' N of Ritters Lane
4th Election & 4th Councilmanic Districts
Legal Owner(s): Brian & Martha Bystry
Petitioner(s)

- * BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * 08-146-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

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of October, 2007, a copy of the foregoing Entry of Appearance was mailed to, Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209, Representative for Petitioner(s).

RECEIVED

OCT 1 1 2007

Per V

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



JAMES T. SMITH, JR. County Executive

October 9, 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: 08-146-SPH

10 Ritters Lane

W/side of Reisterstown Road, 173 feet north of the centerline of Ritters Lane

4th Election District – 4th Councilmanic District

Legal Owners: Brian & Martha Bystry

Special Hearing to amend the previously approved zoning plan and to approve a modified parking plan, per Section 409.12.B.

Hearing: Tuesday, November 27, 2007 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco Director

TK:klm

C: Brian & Martha Bystry, 10 Ritters Lane, Owings Mills 21117 Dick 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, NOVEMBER 12, 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.



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

November 20, 2007

Brian Bystry Martha A. Bystry 10 Ritters Lane Owings Mills, Maryland 21117

Dear Mr. and Mrs. Bystry:

RE: Case Number: 08-146-SPH, 10 Ritters Lane

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 24, 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

u. Callalal D.

WCR:amf

Enclosures

c: People's Counsel
Dick Matz Colbert Matz Rosenfelt, Inc. 2835 Smith Avenue, Suite G Baltimore 21209

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 11, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 15, 2007

Item Nos. 08-136, 145, 146, 147, 148,

149, 151, 152, 154, 158, and 161

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

DAK:CEN:clw cc: File

ZAC-NO COMMENTS-10112007.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: October 11, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SIGNED: Dennis A. Kennedy

SUBJECT:

Zoning Advisory Committee Meeting

For October 15, 2007
Item Nos. 08-136; 145, 46, 147, 148, 149; 151; 152; 154; 158; and 161

The Bureau of Development Plans Review has reviewed the subject zoning items and we have no comments.

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-10112007.doc

PLEASE PRINT CLEARLY

CASE NAME
CASE NUMBER 08-146-SH
DATE 1/27/27

PETITIONER'S SIGN-IN SHEET

E- MAIL 21209 STATE, ZIP HO CITY, Bellenon Sinto G 7835 Swith Mrs ADDRESS Matz MAME Milano E, and

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: December 3, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-146- Special Hearing

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

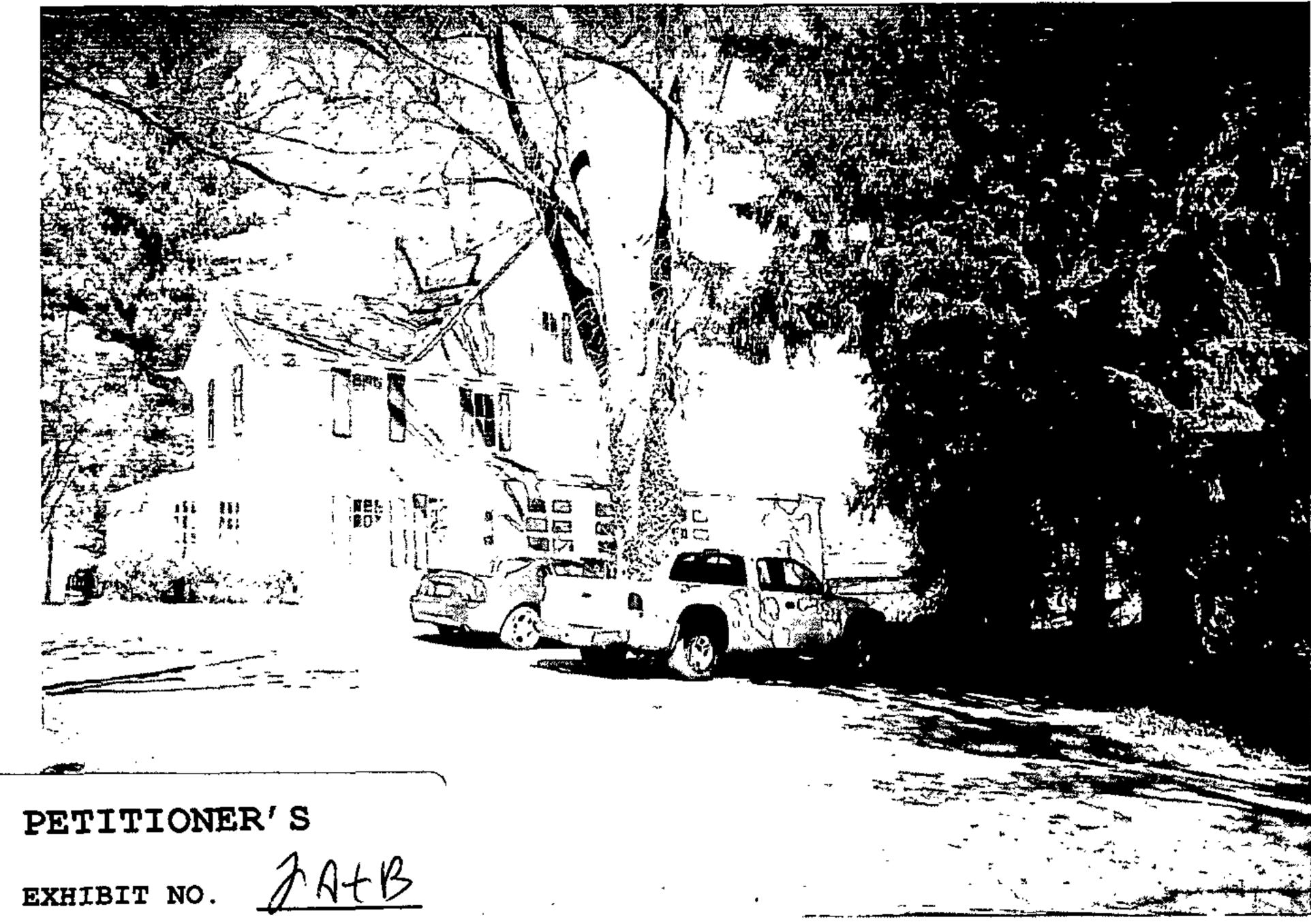
For further questions or additional information concerning the matters stated herein, please contact Dave Green in the Office of Planning at 410-887-3480.

Prepared By:

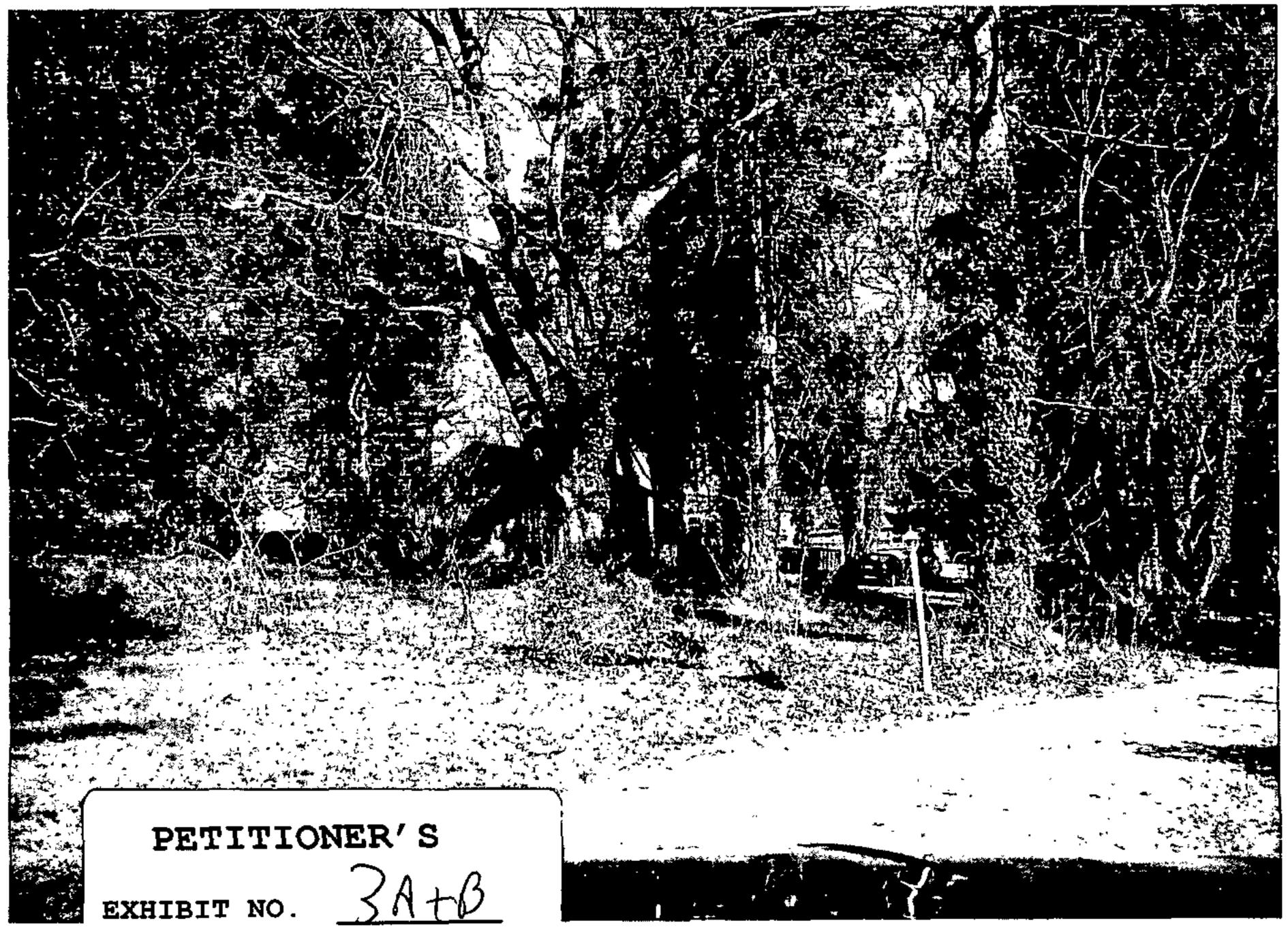
Division Chief:

CM/LL









BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

Parasses

DEC 0 5 2007

BY:____

DATE: December 3, 2007

SUBJECT: Zoning Advisory Petition(s): Case(s) 08-146- Special Hearing

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Dave Green in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

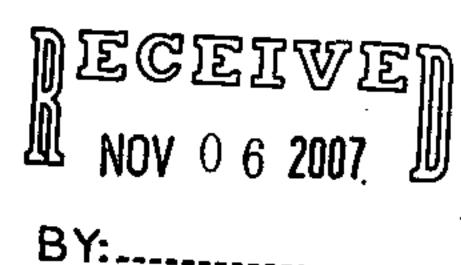
CM/LL

TB II/2

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence





TO:	Timothy M. Kotroco
FROM:	Dave Lykens, DEPRM - Development Coordination ゴルし
DATE:	November 6, 2007
SUBJECT:	Zoning Item # 08-146-SPH Address 10 Ritters Lane (Bystry Property)
Zoning	g Advisory Committee Meeting of October 8, 2007
	epartment of Environmental Protection and Resource Management has no ents on the above-referenced zoning item.
	epartment of Environmental Protection and Resource Management offers lowing 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 (Section 33-3-101 through 33-3-120 of the Baltimore County Code).
<u>X</u>	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

Additional Comments:

Any planting requirement for Forest Conservation may be addressed either offsite or by paying a fee-in-lieu.

Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and

Reviewer: Glenn Shaffer Date: 10/31/07

other Sections, of the Baltimore County Code).

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2008\ZAC-08-146-SPH.doc '



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

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

Maryland Department of Transportation

October 15, 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. 08-146-SPH
10 Ritters Lane (north side)
w/s of MD 140 (Reisterstown RD)
Bystry Property
Special Hearing: To amend the
previously approved zoning plan and to
approve a modified parking plan.

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for special hearing on the subject of the above captioned, which was received on October 10, 2007. A field inspection reveals that the existing entrance onto Ritters Lane is adequate to serve additional vehicles accessing the proposed parking spaces. Based on available information the proposed parking layout appears adequate and is designed to allow sufficient traffic movements within the parking areas adjacent the existing driveway. Therefore, this office has no objection to Bystry Property Item # 08-146-SPH approval. Please include our comments in your staff report to the Zoning hearing Officer.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (<u>mbailey@sha.state.md.us</u>). Thank you for your attention.

Very truly yours,

A Steven D. Foster, Chi

Engineering Access Permits

Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA

Mr. Michael Pasquariello, Utility Engineer, SHA



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

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204 October 11, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 8, 2007

Item Number: Item Number 136,145,145,147,148,149,150,151,152,154,155,158 and161

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.

. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr. Fire Marshal's Office 410-887-4880 (C)443-829-2946 MS-1102F

cc: File



