



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

September 8, 2022

Jennifer Busse, Esquire – jbusse@wtplaw.com
Whiteford, Taylor and Preston
1 W. Pennsylvania Avenue, Suite 300
Towson, MD 21204

RE: Development Plan – PAI # 04-0446 & Zoning Case #: 2021-0015-SPH
Project: Rider Property
1st Material Amendment Parcel 1 Lot 47
2 Stone Garden, Owings Mills, MD

Dear Ms. Busse:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink that reads "Paul M. Mayhew".

PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlm
Enclosure

c: *See Next Page*

Alex Keselman – alexstamps@hotmail.com
Jeff Zigler – jzigler@clsimail.com
Jeff Livingston – jlivingston@baltimorecountymd.gov
Jim Hermann – jhermann@baltimorecountymd.gov
Vishnu Desai – vdesai@baltimorecountymd.gov
Eugene Cauley – ecauley@baltimorecountymd.gov
Jenifer Nugent – jnugent@baltimorecountymd.gov
LaChelle Inwiko – limwiko@batlimorecountymd.gov
Gary Hucik – ghucik@baltimorecountymd.gov
Jeff Perlow – jperlow@baltimorecountymd.gov
Lloyd Moxley – lmoxley@baltimorecountymd.gov
Jerry Chen – jchen@baltimorecountymd.gov
Brian Wagner, PE – bwagner@clsimail.com
Linda Alexander – laalexander@clsimail.com
Mark Leeds – markleeds@aol.com
Brett Williams – bmwilliams@baltimorecountymd.gov
Christina Frink – cfrink@baltimorecountymd.gov

IN RE: DEVELOPMENT PLAN HEARING &	*	BEFORE THE OFFICE OF
PETITION FOR SPECIAL HEARING		
4 th Election District	*	ADMINISTRATIVE HEARINGS
4 th Council District		
(2 Stone Garden, Owings Mills, MD)	*	FOR
 1st Material Amendment	*	BALTIMORE COUNTY
Parcel 1, Lot 47		
RIDER PROPERTY/RIDER MILL II	*	CASE NOS. 04-0446 &
		2021-0015--SPHA
ALEX AND OLGA KESELMAN		
<i>Owner/Developer</i>	*	

* * * * *

ADMINISTRATIVE LAW JUDGE'S ("ALJ")
COMBINED DEVELOPMENT PLAN AND ZONING OPINION & ORDER

This matter comes before the Office of Administrative Hearings ("OAH") for a public hearing on a development proposal submitted in accordance with Article 32, Title 4, of the Baltimore County Code ("BCC"). Alex and Olga Keselman, *Owner/Applicant* (herein known as "Developer") submitted for approval a 2 sheet redlined/greenlined Development Plan ("Plan") prepared by CLSI Land Planning and Environmental Consultants, known as "1st Material Amendment Parcel 1 RIDER PROPERTY/ RIDER MILL II." The Plan was admitted as Developer's Exhibit 17. The amendment proposes the creation of two additional lots on current lot 47.

The Developer has also filed Revised Petitions for Special Hearing relief under the Baltimore County Zoning Regulations ("BCZR") § 1B01.3.A.7 for approval of the 5th Amended Final Development Plan ("FDP") Rider Property, creating a total of three (3) residential lots (1 existing and 2 new). In addition, Variance relief is also requested as follows pursuant to BCZR § 307:

- 1.) Variance from the Baltimore County Code (“BCC”) § 32-4-409(e) to permit a panhandle driveway in excess of 500 ft., and
- 2.) Variance from BCZR §§ 1B01.3.A.5.b, 409.8.A.1 and 504.1: To permit a 4.5 ft. landscaped buffer in lieu of the otherwise required 10 ft. on each side of the driveway for a portion of the driveway, and from BCC § 32-4-404 and page 6 of the Landscape Manual. Any further relief as deemed necessary by the Administrative Law Judge (“ALJ”).

The development and zoning cases were considered at a combined hearing as permitted by BCC § 32-4-230. On July 28, 2022 in compliance with the regulations, the property was posted with the Notice of Hearing Officer’s Hearing (“HOH”) development hearing, and Notice of Zoning hearing. Due to the ongoing COVID-19, the undersigned conducted a public virtual WebEx hearing in lieu of an in-person public hearing on August 25, 2022 at 10:00 a.m.

Alexa and Olga Keselman, the Developers, attended the HOH in support of the Plan. Also in attendance was Jeff Zigler of CLSI Engineering, the firm that prepared the site plan. Jennifer Busse, Esquire of Whiteford, Taylor and Preston represented the Developer. There were no protestants in attendance.

AGENCY WITNESSES

Numerous representatives of the various Baltimore County agencies who reviewed the Plan also attended the virtual hearing, including the following individuals from the Department of Permits, Approvals and Inspections (“PAI”): Jerry Chen, the Project Manager, James Hermann and Eugene Cauley of Development Plans Review (“DPR”), and Department of Recreation and Parks (“R&P”), LaChelle Imwiko from Real Estate Compliance, and Christina Frink, from the Office of Zoning Review (“OZR”). Also appearing on behalf of the County were Jeff Livingston from the Department of Environmental Protection and Sustainability (“DEPS”), and Brett

Williams from the Department of Planning (“DOP”). All these witnesses were sworn in.

Other than DEPS (which will be discussed below), each County agency representative indicated the Plan addressed all comments submitted by their agency, and they each recommended approval of the Plan. Specifically, Mr. Hermann identified County Exhibit 1 as the Approved Open Space Waiver Fee in Lieu worksheet which documents that Developer will pay an Open Space fee in lieu waiver in the amount of \$7,020.00. He explained that both the Schematic and Final Landscape Plan approvals will take place during Phase II of the project. Mr. Williams testified that the DOP has approved the Developer’s School Impact Analysis (Developer’s Exhibit 7), as well as Developer’s Residential Performance Standards Report (Developer’s Exhibit 8). Finally, he stated that the DOP believes that the material amendment is within the spirit and intent of the original development plan.

On behalf of DEPS Jeff Livingston explained that his department had requested certain technical amendments of the Plan concerning the storm water management Concept Plan. The undersigned agreed to hold the record open for a week to allow the final revisions to be submitted and reviewed. Mr. Livingston stated that pending those minor revisions that DEPS recommends approval. In a covering inter-office Memorandum dated September 2, 2022, Mr. Livingston, provided the undersigned with a copy of the approved greenlined Plan and a final recommendation of approval from DEPS.

DEVELOPER’S CASE

The Landscape Architect, Jeff Zigler, testified on behalf of the Developer. His *curriculum vitae* was admitted as Developer’s Exhibit 1 and he was accepted as an expert in landscape architecture, site engineering, and in the Baltimore County development laws and zoning regulations. He explained the development proposal in detail, including modifications made in

response to comments from County Agencies. He explained that there is an existing dwelling on the lot to be subdivided and that the proposed amendment would create two additional lots on which compatible dwellings are proposed. He explained that the lots will be accessed via a panhandle driveway but that they are not panhandle lots, as each has frontage on public streets: Featherbed Land and Stone Garden Court. He testified that in his expert opinion the proposed amendments are within the spirit and intent of the original development plan and therefore in compliance with BCZR § 1B01.3.A.7.B. With regard to the zoning case, he explained the unique features of the site that necessitate the requested variances. Specifically, there is a “pinch point” along an approximately 25 foot portion of the panhandle driveway that precludes the required 10 foot landscape buffers. He explained, however, that the required buffer will be provided the entire remaining length of the driveway, and that they have discussed the variance with the adjoining property owners, who do not object. He further explained that the 10 ft. wide fee simple strips are being provided for the panhandle driveway as well as a tee-turnaround for emergency vehicle access. Finally, he explained that the proper areas have been set aside for mailboxes and trash receptacles at the end of the driveway. In sum, he testified that in his expert opinion the variance relief is within the spirit and intent of the BCZR and will not harm the public health, safety, or welfare. None of the County agencies object to the requested variances, although the DOP asks that the relief be conditioned on compliance with BCC § 32-4-409(h) and (i).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The BCC provides that the “Hearing Officer *shall* grant approval of a development plan that complies with these development regulations and applicable policies, rules and regulations.” BCC § 32-4-229 (emphasis added). In *People’s Counsel v. Elm Street Development, Inc.*, 172 Md. App. 690 (2007), the Court of Special Appeals held that if the county agencies recommend

approval of a development plan, it is “then up to [protestants] to provide evidence rebutting the Director’s recommendations.” *Id.* at 703. It should also be noted that in Baltimore County “the development process is indeed an ongoing process, and the hearing officer’s affirmation of the plan is just the first step.” *Monkton Preservation Association, et al. v. Gaylord Brooks Realty Corp.*, 107 Md. App. 573, 585 (1996). Indeed, the County agencies will continue to review the Developer’s evolving plans and construction activities through every phase of the development process to insure compliance with all County laws and regulations.

In the instant case the testimony of the County agency witnesses and the Developer’s expert was persuasive and unrebutted. After considering the testimony and evidence presented by the Developer, the exhibits offered at the hearing, and confirmation from the various County agencies that the Plan satisfies those agencies’ requirements, I find that the Developer has satisfied its burden of proof and, therefore, is entitled to approval of the Plan.

I further find that the Special Hearing and zoning relief should also be granted because it has been proven to be within the spirit and intent of the BCZR and, in my view, will not harm the public health, safety, or welfare.

THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 8th day of **September 2022**, that the “1st Material Amendment Rider Property” development plan, marked and accepted into evidence as Developer’s Exhibit 17, be and hereby is **APPROVED**.

IT IS FURTHER ORDERED that the Petition for Special Hearing pursuant to BCZR § 1B01.3.A.7, to approve the 5th Amended Final Development Plan (“FDP”) Rider Property to permit the creation of a total of three (3) residential lots (1 existing and 2 new), be and hereby is **APPROVED**.

IT IS FURTHER ORDERED that the Petition for a Variance from the Baltimore County Code ("BCC") § 32-4-409(e) to permit a panhandle driveway in excess of 500 ft. be and is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Petition for a Variance from BCZR §§ 1B01.3.A.5.b, 409.8.A.1 and 504.1, to permit a 4.5 ft. of landscaped buffer in lieu of the otherwise required 10 ft. on each side of the driveway (along the approximately 25 ft. portion), and from BCC § 32-4-404 and page 6 of the Landscape Manual be and is hereby **GRANTED**.

1. Developer shall pay a Local Open Space waiver fee in the amount of \$7,020.00.
2. Developer shall comply with BCC § 32-4-409(h) and (i) in its design and construction of the panhandle driveway.

Any appeal of this Order shall be taken in accordance with Baltimore County Code, § 32-4-281.



PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM:dlw

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING May 30, 2022
FORMAL OR INFORMAL RESPONSE DUE AT June 6, 2022 Meeting

* Agenda Only
+ Agenda and Petition
& Agenda and Plat
Agenda, Petition and Plat

Distribution:

* Administrative Law Judge, Commissioner (Paul M. Mayhew), MS #4103, dwiley@baltimorecountymd.gov; dmignon@baltimorecountymd.gov
* PAI, Zoning Review H.O. Hearing File (Kristen Lewis), klewis@baltimorecountymd.gov
* PAI, Zoning Review DRC/ZAC Meeting File (Jeff Perlow), JPerlow@baltimorecountymd.gov
* PAI, Development Management (Lloyd Moxley), MS # 1105, lmoxley@baltimorecountymd.gov
* PAI, Code Enforcement (Lisa Henson), MS # 1105, lhenson@baltimorecountymd.gov
* PAI, Building Inspection (Matt Gawel), mg@baltimorecountymd.gov
* Economic Development Commission, Business Develop. (Stanley Jacobs), MS # 4300, sjacobs@baltimorecountymd.gov
* Highways (Tom Hargis), MS #1003 thargis@baltimorecountymd.gov
* Neighborhood Improvements (Marcia Williams), MS #4201, myneighborhoodimprovement@baltimorecountymd.gov
* County Council, District 3, (Tom Bostwick), MS #2201, council1@baltimorecountymd.gov
tbostwick@baltimorecountymd.gov
* Mike Ruby (Newspaper), mildmanneredcomm@aol.com
+ People's Counsel, rwheatley@baltimorecountymd.gov
+ IF CRITICAL AREA, Maryland Office of Planning (Joseph Griffiths), joseph.griffiths@maryland.gov
+ Kathy Are, kare@baltimorecountymd.gov
& State Highway Administration, Access Permits Division (Steven Autry), SAutry@mdot.maryland.gov
& Fire Department (Inspector Muddiman), MS # 1102F, dmuddiman@baltimorecountymd.gov
& PAI, Development Plans Review (Vishnu Desai), vdesai@baltimorecountymd.gov
People's Counsel (Peter Zimmerman), MS #4204 pzimmerman@baltimorecountymd.gov
Planning Office (Jenifer Nugent), MS # 4101, jnugent@baltimorecountymd.gov; Henry Ayakwah hayakwah@baltimorecountymd.gov; Taylor Bensley tbensley@baltimorecountymd.gov
DEPS (Jeff Livingston) – 2 copies of each, MS # 1319, jlivingston@baltimorecountymd.gov; Steve Ford, sford@baltimorecountymd.gov
IF FLOODPLAIN, Maryland Department of the Environment, kevin.wagner@maryland.gov
Public Works (Terry Curtis), MS #1315, tcurtis@baltimorecountymd.gov
* IF ELDERLY HOUSING, Community Development, MS #1102M
* IF TOWER, Tower Coordinator, c/o OIT, MS #2007
IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder), MS #1102E

The attached information is being forwarded to you for comment. Your comments should reflect any conflicts with the codes, standards, or regulations of your office or department. Development representatives that attend the meeting should be prepared to submit their agency's response as either "no comment", "written comment" or "more review time required" within one week at the next meeting. If no written response is received within two weeks, it is assumed that your agency has "no comment". All written comments must reference the ZAC item number. All comments received will be compiled and included in the zoning/development file for review and consideration by the hearing officer during the course of the upcoming zoning/development hearing.

If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Lewis

If you have any questions regarding a particular zoning petition, please contact the Zoning Review Planner (see initials after item number) at 410-887-3391.

ZAC AGENDA

Case Number: 2021-0015-SPHA **Reviewer:** Gary Hucik
Existng Use: RESIDENTIAL **Proposed Use:** RESIDENTIAL
Type: SPECIAL HEARING, VARIANCE
Legal Owner: Alex & Olga Keselman
Contract Purchaser: No Contract Purchaser was set.

Critical Area: No **Flood Plain:** No **Historic:** No **Election Dist:** 4 **Council Dist:** 2

Property Address: 2 A STONE GARDEN CT

Location: North side of Stone Garden Court West 90 feet to the center line of Church Road.

Existing Zoning: DR 3.5

Area: 6.5622 AC

Proposed Zoning:

SPECIAL HEARING:

1B01.3.A.7: To approve the 5th Amended Final Development Plan (Rider Property) to permit the creation of a total of 3 residential lots (1 existing and 2 new).

VARIANCE:

1.) BCC 32-4-409(e) and BCZR 307: To permit a panhandle driveway in excess of 500 feet.

2.) BCZR 307, 1B01.3.A.5.b, 409.8.A.1 and 504.1: To permit a 4.5 feet of landscaped buffer in lieu of the otherwise required 10 feet on each side of the driveway.

BCC 32-4-404 and page 6 of the Landscape Manual.

Any further relief as deemed necessary by the Administrative Law Judge.

Attorney: Jennifer R. Busse

Prior Zoning Cases: None

Concurrent Cases: None

Violation Cases: None

Closing Date:

Miscellaneous Notes:

Per Jerry Chen, PAI granted postponement request for the combined development and zoning case on April 11, 2022 for hearing on April 28, 2022 at Jen Busse's request. Zoning file was received by OAH on April 19, 2022, however, placed in pickup box same day; emailed Lajuanda and Kristen for their info.; Received revised petition and entered into database 5/26/22; This case is a combined zoning/development hearing. The date must be coordinated with Jerry Chen in Development Management.; This, along with Rider Mill II HOH was postponed -- were not ready to proceed just yet. File returned to Kristen Lewis in OZR on 4/21/21 for further processing, posting & advertising when ready to be rescheduled.

Revised. Variance added.



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 2A Stone Garden Court, Owings Mills, MD 21117 which is presently zoned DR 3.5

Deed References: 29206/402 10 Digit Tax Account # 2300002445

Property Owner(s) Printed Name(s) Alex & Olga Keselman

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

PLEASE SEE ATTACHED

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☐ a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I/we do so 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/these Petition(s).

Contract Purchaser/Lessee:

N/A

Name - Type or Print

Signature

Mailing Address City State

Zip Code Telephone# Email Address

Attorney for Petitioner:

Jennifer R. Busse, Esquire

Name - Type or Print

Signature Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address City State

21204 410-832-2077 jbusse@wtplaw.com

Zip Code Telephone# Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Alex Keselman

Signature #1

Name #2 - Type or Print

Olga Keselman

Signature #2

2A Stone Garden Court, Owings Mills, MD

Mailing Address City State

21117 443-377-0303 alexstamps@hotmail.com

Zip Code Telephone# Email Address

Representative to be contacted:

Jennifer R. Busse, Esquire

Name - Type or Print

Signature

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address City State

21204 410-832-2077 jbusse@wtplaw.com

Zip Code Telephone# Email Address

CASE NUMBER 2021-0015544 Filing Date 1/25/21 Do Not Schedule Dates: _____

Reviewer gh

REV. 10/4/11

REVISED 2/7/2022

REVISED 5/24/22

REVISED

Attachment to Zoning Petition

2A Stone Garden Court

Case # 2021-015-SPHA

Petition for Special Hearing per BCZR §1B01.3.A.7 to approve the 5th Amended Final Development Plan Rider Property to permit the creation of a total of 3 residential lots (1 existing and 2 new).

Petition for Variance to permit a panhandle driveway in excess of 500 feet in accordance with BCC §32-4-409(e) and BCZR §307.

Petition for Variance to permit 4.5 feet of landscaped buffer in lieu of the otherwise required 10 feet on each side of the driveway in accordance with BCZR §307, §1B01.3.A.5.b, §409.8.A.1 & §504.1; BCC §32-4-404; and page 6 of the Landscape Manual.

Any further relief as deemed necessary by the Administrative Law Judge.

10225717

Revision for 2021-0015-SPHA

ZONING ADVISORY COMMITTEE AGENDA
ROOM 123, COUNTY OFFICE BUILDING
DISTRIBUTION MEETING February 14, 2022
FORMAL OR INFORMAL RESPONSE DUE AT February 22, 2022 Meeting

* Agenda Only
+ Agenda and Petition
& Agenda and Plat
Agenda, Petition and Plat

Distribution:

* Administrative Law Judge, Commissioner (Paul M. Mayhew), MS #4103,
dwiley@baltimorecountymd.gov; dmignon@baltimorecountymd.gov
* PAI, Zoning Review H.O. Hearing File (Kristen Lewis), klewis@baltimorecountymd.gov
* PAI, Zoning Review DRC/ZAC Meeting File (Jeff Perlow), JPerlow@baltimorecountymd.gov
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* Neighborhood Improvements (Marcia Williams), MS #4201,
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* County Council, District 3, (Tom Bostwick), MS #2201, council1@baltimorecountymd.gov
tbostwick@baltimorecountymd.gov
* Mike Ruby (Newspaper), mildmanneredcomm@aol.com
+ People's Counsel, rwheatley@baltimorecountymd.gov
+ IF CRITICAL AREA, Maryland Office of Planning (Joseph Griffiths), joseph.griffiths@maryland.gov
+ Kathy Are, kare@baltimorecountymd.gov
& State Highway Administration, Access Permits Division (Steven Autry), SAutry@mdot.maryland.gov
& Fire Department (Inspector Muddiman), MS # 1102F, dmuddiman@baltimorecountymd.gov
& PAI, Development Plans Review (Vishnu Desai), vdesai@baltimorecountymd.gov
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* IF TOWER, Tower Coordinator, c/o OIT, MS #2007
IF HELICOPTER, Police Department, Aviation Unit (Officer Taylor or Sgt. Wines)
IF PAWN SHOP, Police Department, Burglary/Pawn Unit (Det. Kropfelder), MS #1102E

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If your agency or section is not represented at the meeting, you should return your written comments to the Department of Permits and Development Management (PDM), Room 111, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (Mail Stop #1105), Attention: Kristen Lewis

If you have any questions regarding a particular zoning petition, please contact the Zoning Review Planner (see initials after item number) at 410-887-3391.

WHITEFORD, TAYLOR & PRESTON L.L.P.

JENNIFER R. BUSSE
DIRECT LINE (410) 832-2077
DIRECT FAX (410) 339-4027
jbusse@wtplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

DELAWARE*
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MARYLAND
NEW YORK
PENNSYLVANIA
VIRGINIA

WWW.WTPLAW.COM
(800) 987-8705

February 4, 2022

VIA HAND DELIVERY

Mr. Jeffrey Perlow
Chief Zoning Review Supervisor
Baltimore County Zoning Office
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

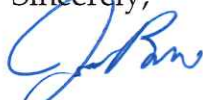
**Re: Rider Mill II, Lot 47
Amendment to Previously Filed Zoning Case No. 2021-015-SPHA**

Dear Mr. Perlow:

Following up on our email correspondence, enclosed please find my firm's check representing payment for this amendment. Also enclosed are twelve (12) copies of the revised plan to accompany the zoning relief. Essentially, the layout has been revised for this proposed development, such that no variances are required anymore. However, as you have helpfully guided us on, we need to file to amend the previously approved FDP. As you will see on the attached revised language for relief, no variances are now required, so I am not sure if that means you want to change the case designation to no longer have an "A" at the end.

Thank you so much for your assistance with this amendment, and please do not hesitate to let me know if you have any questions or concerns or if there is any further information you require.

Sincerely,



Jennifer R. Busse

JRB:tdm
Enclosures
12195994

REVISED 2/7/2022



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 2A Stone Garden Court, Owings Mills, MD 21117 which is presently zoned DR 3.5

Deed References: 29206/402

10 Digit Tax Account # 2300002445

Property Owner(s) Printed Name(s) Alex & Olga Keselman

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

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1. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

PLEASE SEE ATTACHED

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

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

Legal Owner(s) Affirmation: I/we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

N/A

Name - Type or Print

Signature

Mailing Address

City

State

Zip Code

Telephone#

Email Address

Attorney for Petitioner:

Jennifer R. Busse, Esquire

Name - Type or Print

Signature

Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address

City

State

21204

410-832-2077

jbusse@wtplaw.com

Zip Code

Telephone#

Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Alex Keselman

Signature #1

Name #2 - Type or Print

Olga Keselman

Signature #2

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Representative to be contacted:

Jennifer R. Busse, Esquire

Name - Type or Print

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CASE NUMBER 2021-0015544 Filing Date 1/25/21

Do Not Schedule Dates: _____

Reviewer gh

REV. 10/4/11

REVISED 2/7/2022

REVISED

Attachment to Zoning Petition

2A Stone Garden Court

Case # 2021-015-SPHA

Petition for Special Hearing per BCZR §1B01.3.A.7 to approve the 5th Amended Final Development Plan Rider Property to permit the creation of a total of 3 residential lots (1 existing and 2 new).

[NO variance relief now required due to revisions made.]

10225717

REVISED 2/7/2022