

IN RE: **PETITIONS FOR SPECIAL EXCEPTION *
AND VARIANCE**

S/S of Carlvon Road, 156' W c/line of *
Reisterstown Road *
(5 Carlvon Road) *
4th Election District *
4th Council District *

Igor Braun, et ux, *Legal Owner* *
Alexandr Braun, *Contract Lessee* *
Petitioners *

BEFORE THE
ZONING COMMISSIONER
FOR
BALTIMORE COUNTY

Case No. 2009-0099-XA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owners of the subject property, Igor Braun, and his wife, Alla Braun, and Alexandr Braun, the Contract Lessee. The Petitioners request a special exception for a used motor vehicle outdoor sales area, separated from a sales agency building pursuant to Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, variance relief is requested pursuant to Section 238.4 of the B.C.Z.R. to permit storage and display of materials, vehicles and equipment in the front yard 28.5 feet in front of the front building setback line in lieu of 15 feet permitted.¹ The subject property and requested relief are more particularly described on the redlined site plan submitted, which was accepted into evidence and marked as Petitioners' Exhibit 1.

Appearing at the requisite public hearing in support of the request were Alla Braun, property owner, Alexandr Braun, the Lessee, and Richard E. Matz, professional engineer, as well as Lisa Junter and Lisa Dayan also with Colbert Matz Rosenfelt, Inc., the engineering firm who prepared the

¹ B.C.Z.R. Section 238.1 in this case establishes the front property line as being "not less than 50 feet from the centerline" of Carlvon Road as illustrated on the redlined site plan submitted at the hearing.

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Date 12-17-08
By [Signature]

site plan and assisting the Petitioners with the permitting process. It is to be noted that David A. Green, a community planner with the Office of Planning, appeared and participated at the hearing. There were no Protestants in attendance at the hearing.

Testimony and evidence revealed that the subject property is an irregularly shaped rectangular parcel located on the southwest side of Carlvon Road, just west of Reisterstown Road in Owings Mills. The property has approximately 120 feet of frontage on Carlvon Road, is 228 feet deep and narrows to 65 feet at the rear of the property where it crosses a stream known as the Gwynns Falls. The property contains a gross area of 18,019 square feet or 0.414 acres. The owners, who operate a successful moving and storage business, filed an application for change of zoning classification during the *Baltimore County 2008 Comprehensive Zoning Map Process*. That application, supported by the Office of Planning and the action taken by the Baltimore County Council, changed the zoning on the subject property from B.L. (Business, Local) to B.R. (Business, Roadside) in its entirety. Presently, the property is improved with a one and one-half story building and a large, paved front yard area. These improvements are visually depicted on Petitioners' Exhibits 2A and 2B. The building was at one time used as a used furniture sales and display business; however, had become vacant for some time. It is to be noted that the property is environmentally constrained with a large area, including the building being within the 100-year floodplain. Mr. Matz explained that the Petitioners do not propose any redevelopment such as grading, paving or expansion of the building envelope footprint. He noted, by redline, on the site plan, the 100-year water level as interpreted from the Baltimore County Flood Study of November 28, 1989. These environmental constraints near the Gwynns Falls stream and the property's configuration prevents paving on the southern half of the site and drives the need to park vehicles on the northern portion of the property closest to

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Carlvon Road out of the 100-year floodplain. The Petitioners acquired the property in 2006 with the original intent to redevelop the site for furniture storage, a use by right in the B.R. zone but have now contracted to lease the property for a used car sales operation. This is significant as this use must comply with the B.C.Z.R. as it relates to signage, storage of vehicles and setbacks, etc.

Testimony further indicated that the proposed use car sales business will operate six (6) days a week from 9:00 A.M. to 7:00 P.M., Monday through Friday, and 9:00 A.M. to 5:00 P.M. on Saturday. Alex Braun indicated that approximately 17 cars would be stored on the site. Cars will be cleaned and aesthetically made ready for sale at the subject site; however, no mechanical repairs or body/fender work will be done on site. It was also indicated that most vehicles will be driven to the site, and thus, there will be no large car carriers unloading on the property. As shown on the site plan, the existing brick building will provide retail sales space of approximately 1,158 square feet. Parking for up to four (4) vehicles will be provided to the rear of the structure, and the proposed use motor vehicle display area will be located on the front portion of the site.

Based upon the testimony and evidence presented, I am persuaded that special exception relief should be granted. This is a commercial retail area with a veterinarian hospital and Rite Aid nearby and the proposed use according to Dave Green is compatible with the locale. I easily find that the standards set forth in Section 502.1 of the B.C.Z.R. have been met and there is no evidence that the proposed use with its attendant 30 vehicle trips per day will increase traffic volumes nor will it be detrimental to the health, safety and general welfare of the locale.

As noted above, variance requests have been requested. One variance is to allow the storage and display of vehicles 28.5 feet in front of the front building setback line in lieu of the maximum allowed 15 feet. This variance is driven by the location of the floodplain, the positioning

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Date 12-17-08
By [Signature]

of the existing building and the ingress and egress area that runs along the southern portion of the site. It is typical with used car operations that the proposed display of vehicles will be immediately adjacent to that right-of-way to increase visibility. Thus, the requested variance is necessary. It is also to be noted that the proposed display areas in the front of the site immediately adjacent to Carlvon Road will not block sight distance and will not be within the right-of-way.

The second variance needed in my opinion is to allow parking spaces a minimum of 5 feet from the street right-of-way in lieu of the required 10 feet. Again, this variance is necessary to accommodate the front row display area, which is in an area formerly used by a used furniture retail business for parking. I am persuaded that the Petitioners have met the requirements of Section 307 of the B.C.Z.R. for relief to be granted and that the proposed use is an appropriate adaptive reuse of the subject property.

Although there were no Protestants or other interested persons present, a Zoning Advisory Committee (ZAC) comment was submitted by Dave Green of the Office of Planning, requesting that certain conditions be attached to any approval. Specifically, he has requested that a landscape and lighting plan be submitted, as well as assuring that ingress and egress to the property be consistent with the Baltimore County Public Works Standards. The comment also suggests that no vehicles be displayed in the right-of-way and indeed, the site plan shows that they will be setback a minimum of 5 feet from the right-of-way line. The Petitioners indicated that an attachment of these conditions as restrictions to the requested relief was acceptable and it appears appropriate for the redevelopment of this site.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted with

CASE FILED FOR FILING
Date 12-17-08
By [signature]

conditions.

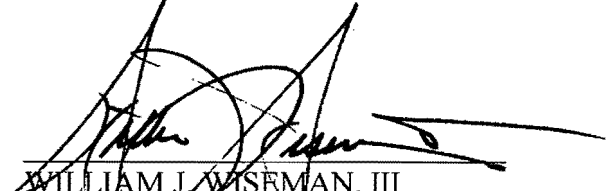
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of December, 2008, that the Petition for Special Exception seeking relief from Section 236.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a used motor vehicle outdoor sales area, separated from a sales agency building, be and is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 238.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit storage and display of materials, vehicles and equipment in the front yard 28.5 feet in front of the front building setback line in lieu of 15 feet permitted, and from Section 409.8.A.4 to permit parking spaces a minimum of 5 feet from the street right-of-way in lieu of the required 10 feet, in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED subject to the following restrictions which are conditions precedent to the relief granted herein:

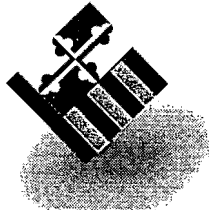
- 1) The Petitioners may apply for their use permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason this order is reversed, the Petitioners shall be required to return, and be responsible for returning said property to its original condition.
- 2) Within sixty (60) days of the date hereof, the Petitioners shall provide the Office of Planning landscape and lighting plans for its review and approval.
- 3) No body or fender work shall be performed on the site including the painting of vehicles.
- 4) No vehicles in a damaged or disabled state may be stored or allowed to remain on the property for more than thirty (30) days.

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Date 12-17-08
By [signature]

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


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

RECEIVED FOR FILING
Date 8-17-2013
By



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

December 17, 2008

WILLIAM J. WISEMAN III
Zoning Commissioner

Igor Braun
Alla Braun
11717 Greenspring Avenue
Lutherville, MD 21093

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE
S/S of Carlvon Road, 156' W c/line of Reisterstown Road
(5 Carlvon Road)
4th Election District - 4th Council District
Igor Braun, et ux, *Legal Owner*; Alexandr Braun, *Contract Lessee* - Petitioners
Case No. 2009-0099-XA

Dear Mr. and Mrs. Braun:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have 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,

A handwritten signature in black ink, appearing to read 'William J. Wiseman III', written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Alexandr Braun, 5 Carlvon Road, Owings Mills, MD 21117
Richard E. Matz, P.E., Lisa Junter & Lisa Dayan, Colbert Matz Rosenfelt, Inc.,
2835 Smith Avenue, Suite G, Baltimore, MD 21209
People's Counsel; David A. Green, Office of Planning; File



Flood

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at: 5 Carlvon Road

which is presently zoned BR

Deed Reference 24735 / 184 Tax Account # 1700014304

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 hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A used motor vehicle outdoor sales area, separated from a sales agency building, in accordance with Section 236.4, BCZR.

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

I, or we, agree to pay expenses of above Special Exception, 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:

Alexandr Braun

Name - Type or Print

Alexandr Braun

Signature

5 Carlvon Road

410-795-3700

Address.

Telephone No.

Owings Mills

Md. 21117

City

State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State Zip Code

Legal Owner(s):

Igor Braun

Name - Type or Print

I. Braun

Signature

Alla Braun

Name - Type or Print

Alla Braun

Signature

11717 Greenspring Avenue

410-252-7755

Address.

Telephone No.

Lutherville

Md. 21093

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

Case No. 2009-0099-XA

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BH Date 11/14/08

RECEIVED FOR FILING
Date 12-17-08
By [Signature]



Flood Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5 Carlvon Road

which is presently zoned BR

Deed Reference 24735 / 184 Tax Account # 1700014304

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part of thereof, hereby petition for a Variance from Section(s)

See Attached.

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

Reasons to be presented at the hearing.

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

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

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:

Alexandr Braun

Name - Type or Print

Signature

5 Carlvon Road

410-795-3700

Address.

Telephone No.

Owings Mills

Md. 21117

City

State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State Zip Code

Legal Owner(s):

Igor Braun

Name - Type or Print

Signature

Alla Braun

Name - Type or Print

Signature

11717 Greenspring Avenue

410-252-7755

Address.

Telephone No.

Lutherville

Md. 21093

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

Case No. 2009-0099-XA

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

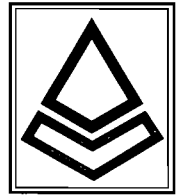
UNAVAILABLE FOR HEARING _____

Reviewed By BH Date 10/14/08

RECEIVED FOR FILING
Date 12-17-08
By [Signature]

ATTACHMENT – PETITION FOR VARIANCE – 5 CARLVON ROAD

Variance from Section 238.4 to permit storage and display of materials, vehicles and equipment in the front yard 28.5 feet in front of the front building setback line in lieu of 15 feet permitted.

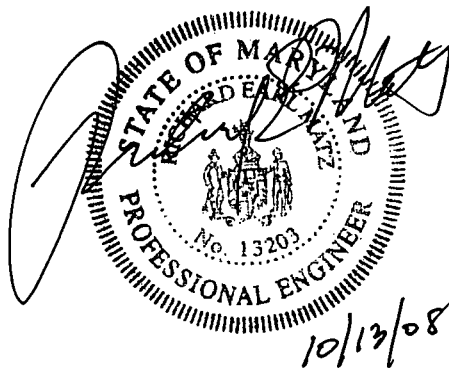


ZONING DESCRIPTION 5 CARLVON ROAD

Beginning at a point on the south side of Carlvon Road, which is of varying width, at a distance of 156 feet west of the centerline of Reisterstown Road, which is 66 feet wide. Thence the following courses and distances:

S 43°28'00" E, 228.67 ft.;
S 40°44'00" W, 64.63 ft.;
N 54°57'00" W, 169.84 ft., thence
N 11°31'00" E, 119.82 ft. to the Point of Beginning.

As recorded Deed Liber 24735, folio 184, and containing 0.383 acre, more or less. Also known as 5 Carlvon Road and located in the 4th Councilmanic District, 4th Election District.



Professional Certification. I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

License No. 13203, Expiration Date: 11-2-10

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: #2008-0099-XA

5 Carlvon Road.

S/side of Carlvon Road, 156 feet west of centerline of Reisters-town Road

4th Election District — 4th Councilmanic District

Legal Owner(s): Igor & Alla Braun

Contract Purchaser: Alexandr Braun

Special Exception: for a used motor vehicle outdoor sales area, separated from a sales agency building. **Varience:** to permit storage and display of materials, vehicles and equipment in the front yard 28.5 feet in front building setback line in lieu of 15 feet permitted.

Hearing: Monday, December 15, 2008 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake 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) 887-4386.

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

JT 11/733 Nov. 25

189234

CERTIFICATE OF PUBLICATION

11/27, 2008

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 week~~s~~, the first publication appearing on 11/25, 2008.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATHHEWS

DATE: 11/30/08

Case Number: 2009-0099-XA

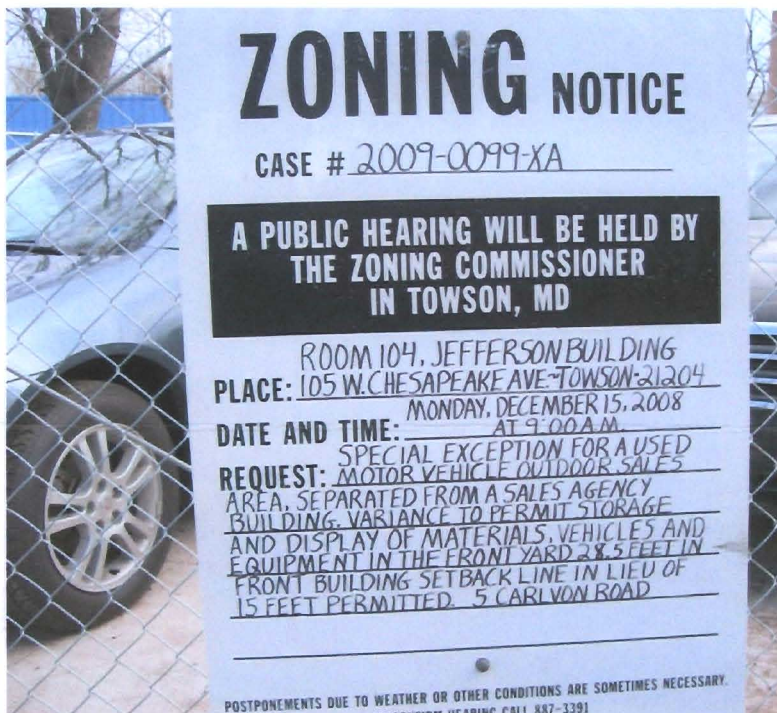
Petitioner / Developer: COLBERT, MATZ & ROSENFELT, INC.~

MR. & MRS. BRAUN~ MR. BRAUN

Date of Hearing (Closing): DECEMBER 15, 2008

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:
5 CARLVON ROAD

The sign(s) were posted on: 11/28/08



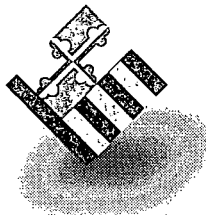
Linda O'Keefe
(Signature of Sign Poster)

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

November 3, 2008
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: 2009-0099-XA

5 Carlvon Road

S/side of Carlvon Road, 156 feet west of centerline of Reisterstown Road

4th Election District – 4th Councilmanic District

Legal Owners: Igor & Alla Braun

Contract Purchaser: Alexandr Braun

Special Exception for a used motor vehicle outdoor sales area, separated from a sales agency building. Variance to permit storage and display of materials, vehicles and equipment in the front yard 28.5 feet in front building setback line in lieu of 15 feet permitted.

Hearing: Monday, December 15, 2008 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Mr. & Mrs. Braun, 11717 Greenspring Avenue, Lutherville 21093
Mr. Braun, 5 Carlvon 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 SAT., NOVEMBER 29, 2008.**
- (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, November 25, 2008 Issue - Jeffersonian

Please forward billing to:
Alexandr Braun
5 Carlvon Road
Owings Mills, MD 21117

410-795-3700

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: 2009-0099-XA

5 Carlvon Road

S/side of Carlvon Road, 156 feet west of centerline of Reisterstown Road

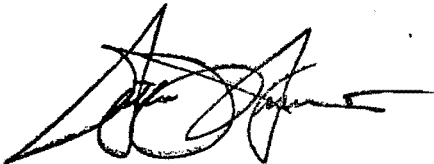
4th Election District – 4th Councilmanic District

Legal Owners: Igor & Alla Braun

Contract Purchaser: Alexandr Braun

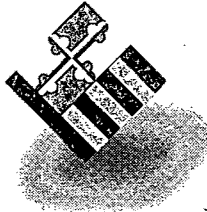
Special Exception for a used motor vehicle outdoor sales area, separated from a sales agency building. Variance to permit storage and display of materials, vehicles and equipment in the front yard 28.5 feet in front building setback line in lieu of 15 feet permitted.

Hearing: Monday, December 15, 2008 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake 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.



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
December 10, 2008

Igor & Alla Braun
11717 Greenspring Ave.
Lutherville, MD 21093

Dear: Igor & Alla Braun

RE: Case Number, 2009-0099-XA 5 Carlvon Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 14, 2008. 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Richard E. Matz, P.E., 2835 Smith Ave., Ste. G, Baltimore, MD 21209
Alexandr Braun, 5 Carlvon Rd., Owings Mills, MD 21117



BALTIMORE COUNTY
M A R Y L A N D

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

October 21, 2008

ATTENTION: Zoning Review Planners

Distribution Meeting Of: October 20, 2008

Item Numbers: Item Number 0047,0080 and 0090 through 0099

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.

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

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: October 22, 2008

FROM: Dennis A. Kennedy, ^{DAK}Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For October 27, 2008
Item Nos. 09-047, 080, 091, 092, 093,
094, 095, 096, 097, 098 & 099

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

DAK:CEN:cab
cc: File
ZAC-10272008-NO COMMENTS



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

State Highway
Administration

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

Maryland Department of Transportation

Date: Oct. 20, 2008

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

RE: Baltimore County

Item No ~~2009-0099-XA~~

S CARLVON ROAD

BRAUN

SPECIAL EXCEPTION
VARIANCE

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. ~~2009-0099-XA~~

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,

Foster Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: October 24, 2008

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

SUBJECT: 5 Carlvon Road

INFORMATION:

Item Number: 9-099

Petitioner: Alexander Braun

Zoning: BR

Requested Action: Special Exception and Variance

RECEIVED
OCT 27 2008

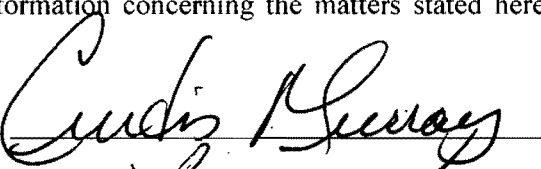
BY:

SUMMARY OF RECOMMENDATIONS:

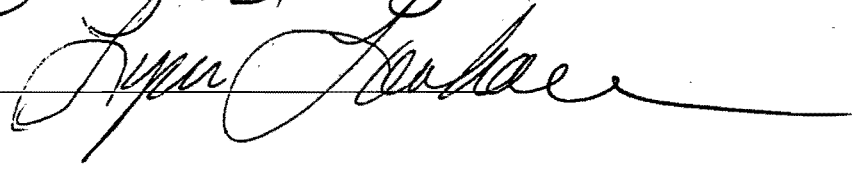
Provided the following conditions are met, this office recommends approval of the subject special exception and variance:

Ingress and egress to the proposed property should be consistent with Baltimore County Public Works Standards. Additionally the petitioner shall provide landscaping treatments along the Carlvon Road frontage.

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

Reviewed by: 

Division Chief:
AFK/LL: CM



BALTIMORE COUNTY, MARYLAND**Inter-Office Correspondence****RECEIVED**
NOV 07 2008

BY:.....

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: November 6, 2008
SUBJECT: Zoning Item # 09-099-XA
Address 5 Carlvon Road
(Braun Property)

Zoning Advisory Committee Meeting of October 20, 2008

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

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).

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:

Reviewer: JWL

Date: 11/6/08

S:\Devcoord\1 ZAC-Zoning Petitions\ZAC 2009\ZAC 09-099-XA 5 Carlvon Road.doc

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
AND VARIANCE		
5 Carlvon Road; S/S Carlvon Road, 156' W	*	ZONING COMMISSIONER
c/line of Reisterstown Road		
4 th Election & 4 th Councilmanic Districts	*	FOR
Legal Owner(s): Igor & Alla Braun		
Contract Purchaser(s): Alexandr Braun	*	BALTIMORE COUNTY
Petitioner(s)	*	09-099-XA

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

OCT 28 2008

CERTIFICATE OF SERVICE

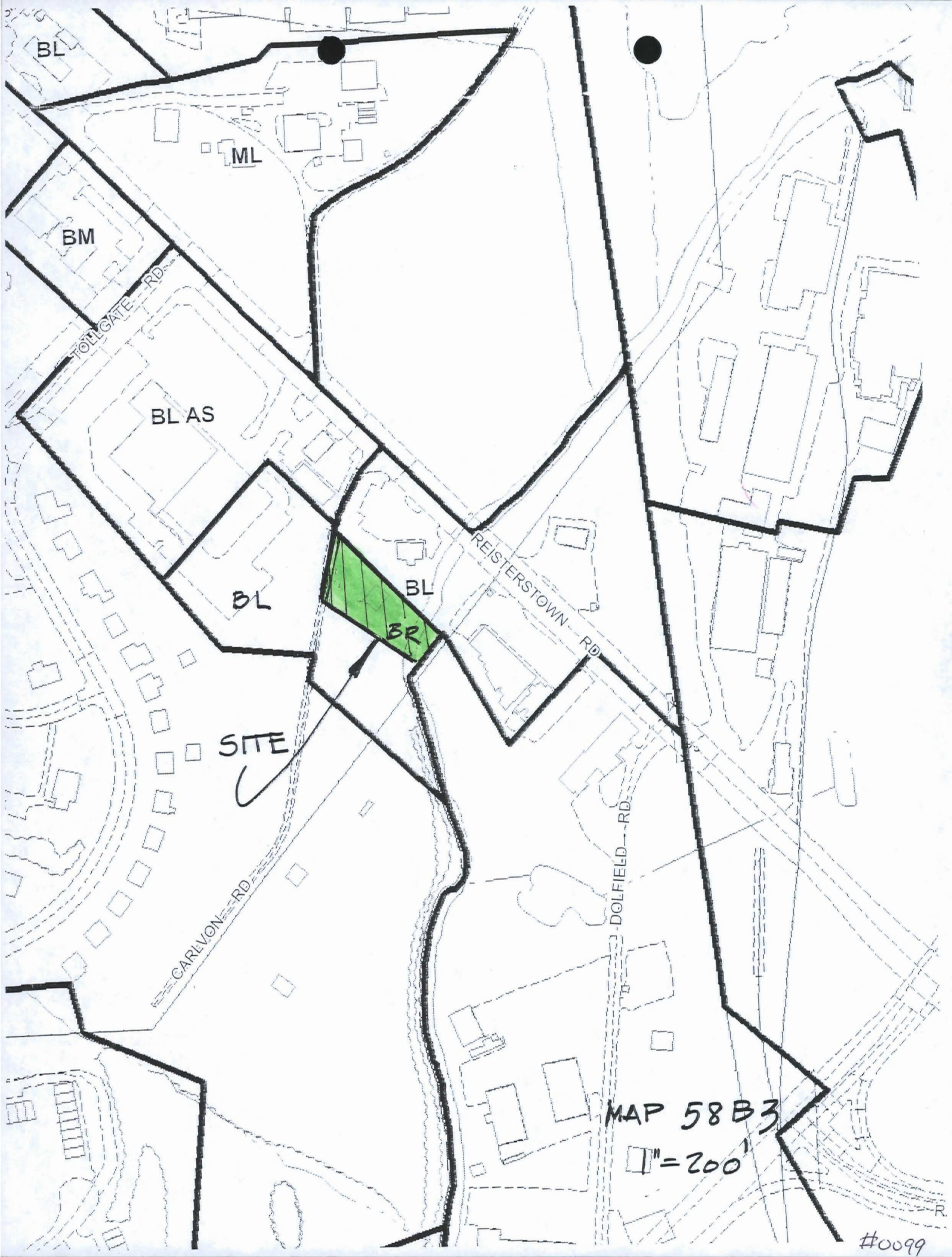
I HEREBY CERTIFY that on this 28th day of October, 2008, a copy of the foregoing Entry of Appearance was mailed to Richard E. Matz, PE, Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME Brown
CASE NUMBER 2009-0099 -XA
DATE 12-15-08

[illegible]



PETITIONER' S

EXHIBIT NO.

2A



PETITIONER' S

EXHIBIT NO. 2B

