

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

February 5, 2014

2/10/14
TO RL OK
g

ELLIS LEVIN (1893-1960)
CALMAN A. LEVIN (1930-2003)



Lawrence M. Stahl, Managing
Administrative Law Judge
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Arnold Jablon, Director
Baltimore County Department of Permits
Approvals and Inspections
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204

Baltimore County Planning Board
c/o Mr. Curtis Murray, Planner
Department of Planning
105 West Chesapeake Avenue, Suite 101
Towson, Maryland 21204

Baltimore County Landmarks Preservation
Commission
c/o Ms. Vicki Nevy, Staff Contact
Department of Planning
105 West Chesapeake Avenue, Suite 101
Towson, Maryland 21204

RE: Koziol Property Development Plan & Zoning Hearing
11 S. Belle Grove Road
PAI No. 01-0574/Case No. 2014-0153-A
Final Landmarks List No. 387; MIHP No. BA-3274
1st Election District

Proposed Procedure and Scheduling of Hearings/Planning Board Meeting

Dear Messrs. Stahl, Jablon, Murray and Ms. Nevy:

I represent Mr. and Mrs. Carl Koziol, owners of the above referenced property. A Development Plan and a Petition for Variance have been filed with the County for that property and a combined hearing before the Administrative Law Judge has been requested pursuant to *Baltimore County Code* ("BCC") § 32-4-230. When the hearings before the AJL and the consideration by the Planning Board are scheduled, please do not schedule them during the time period April 4, 2014 through April 16, 2014.

The proposed development of this approximately 2.8 acre tract, zoned DR 3.5, is five lots, one for the existing home and four additional. A portion of this property has been added to the County's Final Landmarks List and the concept plan was reviewed and considered by the Landmarks Preservation Commission. Confirmation of that Commission's support of the development concept presented is attached. The Development Plan is to be referred to the Baltimore County Planning

Lawrence M. Stahl, Managing
Administrative Law Judge
Arnold Jablon, Director
Mr. Curtis Murray, Planner
Ms. Vicki Nevy, Staff Contact
February 5, 2014
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Board pursuant to BCC § 32-4-231(a)(3).

As there is a request for a combined, development and zoning, hearing before the ALJ I am writing to suggest a proposed course of procedure. In an effort to promote judicial economy and minimize expenses and witness time, the following procedure is recommended:

1. The required written notice is given and the property is posted with the date/time of the hearing before the ALJ;
2. County/State review agencies hold the required Development Plan Conference;
3. Administrative Law Judge convenes the scheduled hearing at which time the Applicant/Petitioners introduce the Development Plan & Plan to Accompany Zoning Petition as submitted, or as redlined resulting from agency review comments distributed during the Development Plan Conference;
4. On behalf of the Applicant/Petitioners, I will move that the hearing be continued and that the ALJ make the required referral of the [redlined] Development Plan to the Planning Board, with the hearing to be scheduled in the future following the Planning Board meeting and filing of its decision with the ALJ pursuant to BCC § 32-4-232(c); and
5. Once the Planning Board has filed its decision with the ALJ, the hearing can be rescheduled and written notice given to all parties. Assuming the Planning Board's decision is favorable, the combined hearing can then proceed as any other combined development plan/zoning hearing.

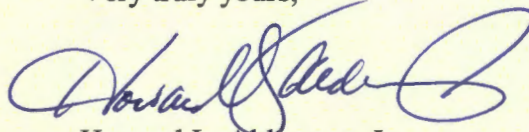
The steps set out above are, I believe, the process that Peter M. Zimmerman, People's Counsel and I agreed upon nearly one year ago. The purpose of this letter is to describe the suggested procedure to all so that lay and expert witnesses do not have to be called to the first hearing where the Development/Zoning plan is merely to be introduced and referred. The suggested procedure will provide the Applicant/Petitioners, the County and any other interested party the opportunity to participate in a hearing before the ALJ with all required information, testimony and evidence presented at one time.

Lawrence M. Stahl, Managing
Administrative Law Judge
Arnold Jablon, Director
Mr. Curtis Murray, Planner
Ms. Vicki Nevy, Staff Contact
February 5, 2014
Page 3

Should there be disagreement with this procedure, it would be most helpful if all concerned could confer (even by telephone conference) to outline the procedural steps to be followed in this matter. I will await your advices; I have also copied Mr. Zimmerman on this letter.

Thank you.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Howard L. Alderman, Jr.", with a stylized, cursive script.

Howard L. Alderman, Jr.

HLA/gk
Enclosure
c (w/encl.):

Mr. and Mrs. Carl Koziol
Peter Max Zimmerman, People's Counsel
Richard E. Matz, PE

IN RE: DEVELOPMENT PLAN HEARING &
PETITION FOR VARIANCE
1st Election District
1st Council District

KOZIOL PROPERTY
(11 South Belle Grove Road)

Carl Alan & Laurel N. Koziol
Owner/Developer

* BEFORE THE OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR
* BALTIMORE COUNTY
* HOH Case No. 01-0574 and
* Zoning Case No. 2014-0153-A
*

* * * * *

**ADMINISTRATIVE LAW JUDGE'S COMBINED ZONING AND
DEVELOPMENT PLAN OPINION & ORDER**

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for a public hearing on a development proposal submitted in accordance with the development review and approval process contained in Article 32, Title 4, of the Baltimore County Code ("B.C.C."). The hearing also involves a request for variance relief under the Baltimore County Zoning Regulations (B.C.Z.R.) and the Comprehensive Manual of Development Policies (C.M.D.P). Carl Alan and Laurel N. Koziol, the developers of the subject property (hereinafter "the Developer"), submitted for approval a two-sheet redlined Development Plan prepared by Colbert, Matz & Rosenfelt, Inc., known as "Koziol Property." Developer's Exhibit 1A and 1B.

The Developer proposes five (5) single-family dwellings (4 proposed and 1 existing) situated on 2.8 gross acres of DR 3.5 zoned land. The site is currently improved with one (1) single-family dwelling, which is historic. The tract is a mix of lawn and woods.

The existing single family dwelling is designated a Final Landmarks structure #387, "Boxwood" (Belle Grove Gardener's House). A Historical Environmental Setting (HES) of

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Date 11-7-14

By [Signature]

approximately 0.4 acres was delineated around the structure. Both the Landmarks Preservation Commission (LPC) and the Planning Board voted to support the project, as noted in the June 25, 2014 memorandum and attachments admitted as Developer's Exhibit 2.

In addition to the Hearing Officer's Hearing (HOH), the Developer is requesting Variance relief pursuant to § 1B01.2.C.1.b of the B.C.Z.R. and Table VI of the C.M.D.P., to permit a 10' side building face to tract boundary setback, a 12' side building face to side building face setback, and a 26' rear building face to rear property line setback, in lieu of the respectively required 15', 20', and 30' setbacks. The variance relief pertains to only one lot (Lot No. 5) in the proposed subdivision.

The hearing was held on Thursday, November 6, 2014, at 10:00 AM, Room 205 of the Jefferson Building, 105 West Chesapeake Avenue, Towson, Maryland. The property was posted with the Notice of Hearing Officer's Hearing and Zoning Notice (both on October 5, 2014) for 20 working days prior to the hearing, in order to inform all interested citizens of the date and location of the hearing.

Appearing at the requisite Hearing Officer's Hearing in support of the Development Plan on behalf of the Developer and property owner was Carl and Laurel Koziol and Richard E. Matz, P.E., with Colbert, Matz & Rosenfelt, Inc., the consulting firm that prepared the site plan. Howard L. Alderman, Esquire with Levin & Gann, PA, appeared and represented the Developer. Jimmy Laughlin, President of the Paradise Community Association, attended the hearing and indicated his association supported the project.

Numerous representatives of the various Baltimore County agencies, who reviewed the Development Plan, also attended the hearing, including the following individuals from the Department of Permits and Development Management: Darryl Putty (Project Manager), Vishnu

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By [Signature]

Desai and Jean M. Tansey, Development Plans Review, Brad Knatz, Real Estate Compliance, and Gary Hucik (Office of Zoning Review). Also appearing on behalf of the County were Jeff Livingston from the Department of Environmental Protection and Sustainability (DEPS), and Lloyd Moxley from the Department of Planning.

The role of the reviewing County agencies in the development review and approval process is to perform an independent and thorough review of the Development Plan as it pertains to their specific areas of concern and expertise. The agencies specifically comment on whether the plan complies with all applicable Federal, State, and/or County laws, policies, rules and regulations pertaining to development and related issues. In addition, these agencies carry out this role throughout the entire development plan review and approval process, which includes providing input to the Hearing Officer either in writing or in person at the hearing. It should also be noted that continued review of the plan is undertaken after the Hearing Officer's Hearing during the Phase II review of the project. This continues until a plat is recorded in the Land Records of Baltimore County and permits are issued for construction.

Pursuant to §§32-4-227 and 32-4-228 of the B.C.C., which regulate the conduct of the Hearing Officer's Hearing, I am required first to identify any unresolved comments or issues as of the date of the hearing. At the hearing, each of the Baltimore County agency representatives identified above indicated that the redlined Development Plan (marked as Developer's Exhibit 1A and 1B) addressed any and all comments submitted by their agency, and they each recommended approval of the plan.

DEVELOPER'S CASE

The Developer presented one witness, Maxwell Vidaver, an urban planner whose firm prepared the Development Plan. Mr. Vidaver, who was accepted as an expert, explained the

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Date 11-7-18

By [Signature]

project by referring to the two-sheet Development Plan, and he noted that under the DR 3.5 zoning classification, the site would allow ten (10) single family dwellings though only five (5) [total] were being proposed. In conclusion, the witness opined that the development proposal satisfied all Baltimore County rules and regulations.

The Baltimore County Code clearly provides that the "Hearing Officer shall grant approval of a development plan that complies with these development regulations and applicable policies, rules and regulations." B.C.C. §32-4-229. After due consideration of the testimony and evidence presented by the Developer, the exhibits offered at the hearing, and confirmation from County agencies that the development plan satisfies those agencies' requirements, I find that the Developer has satisfied its burden of proof and, therefore, is entitled to approval of the redlined Development Plan.

ZONING REQUEST

VARIANCE

In addition to the Development Plan approval, the Developer sought variance relief under the B.C.Z.R. and C.M.D.P. As noted above, the setback variances involve only Lot No. 5, and as Mr. Vidaver explained, the project became "tight" as a result of the relocation of the single family dwellings to comply with the LPC's comments and to preserve the integrity of the historic structure and setting. Based upon the testimony and evidence presented, I will grant the request for variance relief.

To obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

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Date 11-7-14

By DW

The Petitioners have met this test. Mr. Vidaver testified that almost 1/3 of the site would be dedicated to Baltimore County as a forest conservation easement. In addition, the 0.4 acre historical setting also further constricts the "building envelope." Mr. Vidaver noted that no other properties in the area have such features, and I concur with his opinion that the site is therefore unique. Petitioners would experience a practical difficulty if the B.C.Z.R. were strictly interpreted, since they would not be able to complete the project as shown on the Plan, which was designed primarily to accommodate the historic structure and setting. The relief will in no way be injurious to the public health, safety and welfare. Neither the community nor Baltimore County expressed concern with the project, and as Mr. Vidaver testified, the variances are truly "internal," in the sense that they will not impact any adjacent property owners.

Pursuant to the development regulations contained in Article 32, Title 4, of the Baltimore County Code, the Koziol Property Development Plan shall be approved. In addition, the Petition for Variance will also be granted.

THEREFORE, IT IS ORDERED by this Administrative Law Judge/Hearing Officer for Baltimore County, this 7th day of November, 2014, that the two-sheet redlined "**KOZIOL PROPERTY**" Development Plan, marked and accepted into evidence as Developer's Exhibit 1A and 1B, be and is hereby **APPROVED**.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief pursuant to § 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) and Table VI of the Comprehensive Manual of Development Policies (C.M.D.P), to permit a 10' side building face to tract boundary setback, a 12' side building face to side building face setback, and a 26' rear

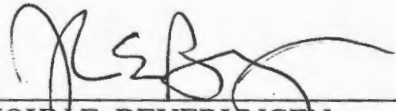
ORDER RECEIVED FOR FILING

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By [Signature]

building face to rear property line setback (for Lot No. 5 only), in lieu of the respectively required 15', 20', and 30' setbacks, be and is hereby GRANTED.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/dlw

ORDER RECEIVED FOR FILING

Date 11-7-14

By [Signature]



KEVIN KAMENETZ
County Executive

November 7, 2014

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
502 Washington Avenue, Suite 800
Towson, MD 21204

RE: Development Plan and Zoning Case
HOH Case No. 01-0574 and Zoning Case No. 2014-0153-A
Koziol Property – 11 S. Belle Grove Road

Dear Mr. Alderman:

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 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, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw
Enclosure

c: Jimmy Laughlin, 12 Hillview Drive, Catonsville, MD 21228



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 11 South Belle Grove Road

which is presently zoned DR 3.5

Deed References: 15481 / 547

10 Digit Tax Account # 0123002270 012300227

Property Owner(s) Printed Name(s) CARL ALAN KOZIOL & LAUREL N. KOZIOL

(SELECT THE HEARING(S) BY MARKING **X** 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

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

3. X 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 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)

SEE ATTACHED

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:

Howard L. Alderman, Jr., Esq. / Levin & Gann, PA

Name- Type or Print

Signature

502 Washington Avenue, STE 800

Towson

MD

Mailing Address

City

State

21204

4103210600

halderman@levingann.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Carl Alan Koziol

Laurel N. Koziol

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

11 S. Belle Grove Road Baltimore

MD

Mailing Address

City

State

21228

410-744-8650

ckozyl@msn.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Richard E. Matz, PE / Colbert, Matz, Rosenfelt, Inc.

Name - Type or Print

Signature

2835 Smith Avenue, Suite G Baltimore

MD

Mailing Address

City

State

21209

410-653-3838

dmatz@cmrengineers.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2014-0153-A

Filing Date 1/14/14

Do Not Schedule Dates:

Reviewer JS

**HEARING TO BE COMBINED WITH DEVELOPMENT
PLAN HEARING PER BCC SECTION 32-4-230**

REV. 10/4/11

CASE NO: 14-- -A

Address: 11 S. Belle Grove Road

Legal Owners: Carl Alan Koziol & Laurel N. Koziol

Present Zoning: DR 3.5

PETITION FOR VARIANCE

REQUESTED RELIEF:

A Variance from BCZR § 1B01.2.C.1.b. and Table VI of the CMDP to permit a 10' side building face to tract boundary setback, a 12' side building face to side building face setback, and a 26' rear building face to rear property line setback, in lieu of the respectively required 15 feet, 20 feet, and 30 feet setbacks; and for such additional relief as the Plan to accompany this Petition and the nature of this case may require.

JUSTIFICATION:

The relief requested is justified by the site design, layout and configuration requirements of the Baltimore County Landmarks Preservation Commission, the shape and configuration of the developable area of the subject property and as will be further justified at the time of public hearing held on this request.

For Additional Information Contact:

Howard L. Alderman, Jr., Esquire
Levin & Gann, P.A.
Nottingham Centre
502 Washington Centre
8th Floor
Towson, Maryland 21204

(410) 321-0600
Fax: (410) 296-2801

halderman@LevinGann.com



ZONING DESCRIPTION

**11 South Belle Grove Road
Baltimore, Maryland 21228**

Beginning at a point on the eastern side of South Belle Grove Road which is 40 feet wide at the distance of 876.56 feet south of the centerline of the nearest improved intersecting street, Frederick Road which is 66 feet wide. Thence the following courses and distances:

N 77° 16' 48" E 394.55 ft.,
S 13° 21' 12" E 250.00 ft.,
S 49° 17' 42" E 62.26 ft.,
S 77° 16' 48" W 421.83 ft.,
North on a curve to the right with a radius of 130.00 ft. and a length of 51.42 ft., thence
N 13° 12' 27" W 249.99 ft.

to the point of beginning, containing 125,273 square feet or 2.876 acres. Also known as 11 South Belle Grove Road and located in the 1st Election District and 1st Councilmanic District.

Jan 8, 2014

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: 11/02/2014

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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: 2014-0153A.

Petitioner: CARL ALAN KOZIOL & LAUREN N. KOZIOL

Address or Location: 11 SOUTH BELLE GROVE ROAD 21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: CARL KOZIOL

Address: 11 SOUTH BELLE GROVE ROAD
BALTIMORE, MD. 21228-2205

Telephone Number: 443-271-1098

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **108131**

Date: **1/14/14**

PAID RECEIPT

ADDRESS: ACTUAL TIME: 1/14/2014 1/14/2014 11:25:51

REC: 1081 WALKIN SHIL GSH
 RECEIPT # 613674 1/14/2014 OF: 1

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$ 150.00

5 528 ZONING VERIFICATION
 108131
 Perpt Tot: \$150.00
 \$150.00 CR 4.00 CA
 Baltimore County, Maryland

Total: **\$ 150.00**

Rec From: **KOZIOU**

For: **2014-0153-A**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 10/5/2014

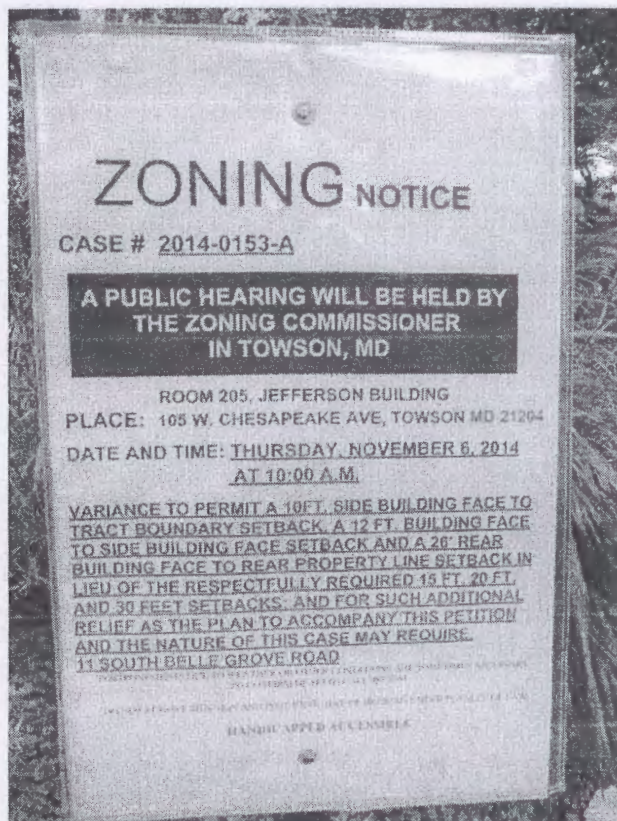
Case Number: 2014-0153-A

Petitioner / Developer: HOWARD ALDERMAN, ESQ.~MR. & MRS.
KOZIOL~RICHARD MATZ

Date of Hearing (Closing): NOVEMBER 6, 2014

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:
11 SOUTH BELLE GROVE ROAD

The sign(s) were posted on: OCTOBER 5, 2014



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)

RECEIVED

NOV 03 2014

OFFICE OF ADMINISTRATIVE HEARINGS



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

March 6, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on March 6, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: #2014-0153-A

11 South Belle Grove Road
E/s South Belle Grove Road, 876.55 ft. s/of centerline of intersection with Frederick Road
1st Election District - 1st Councilmanic District
Legal Owner(s): Carl & Laurel Koziol

Variance to permit a 10 ft. side building face to tract boundary setback, a 12 ft. building face to side building face setback, and a 26' rear building face to rear property line setback, in lieu of the respectfully required 15 ft., 20 ft., and 30 feet setbacks; and for such additional relief as the Plan to accompany this petition and the nature of this case may require.

Hearing: Friday, March 28, 2014 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391,
3/007 March 6

970831



KEVIN KAMENETZ
County Executive

Docketed

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

February 18, 2014

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2014-0153-A

11 South Belle Grove Road

E/s South Belle Grove Road, 876.55 ft. s/of centerline of intersection with Frederick Road

1st Councilmanic District – 1st Election District

Legal Owners: Carl & Laurel Koziol

Variance to permit a 10 ft. side building face to tract boundary setback, a 12 ft. building face to side building face setback, and a 26' rear building face to rear property line setback, in lieu of the respectfully required 15 ft., 20 ft., and 30 feet setbacks; and for such additional relief as the Plan to accompany this petition and the nature of this case may require.

Hearing: Friday, March 28, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C: Howard Alderman, Jr., 502 Washington Ave., Ste. 800, Towson 21204
Mr. & Mrs. Koziol, 11 S. Belle Grove Road, Baltimore 21228
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 SATURDAY, MARCH 8, 2014.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 6, 2014 Issue - Jeffersonian

Please forward billing to:

Carl Koziol
11 South Belle Grove Road
Baltimore, MD 21228

443-271-1098

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2014-0153-A

11 South Belle Grove Road

E/s South Belle Grove Road, 876.55 ft. s/of centerline of intersection with Frederick Road

1st Councilmanic District – 1st Election District

Legal Owners: Carl & Laurel Koziol

Variance to permit a 10 ft. side building face to tract boundary setback, a 12 ft. building face to side building face setback, and a 26' rear building face to rear property line setback, in lieu of the respectfully required 15 ft., 20 ft., and 30 feet setbacks; and for such additional relief as the Plan to accompany this petition and the nature of this case may require.

Hearing: Friday, March 28, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

M E M O R A N D U M

DATE: December 12, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0153-A – Appeal Period Expired

The appeal period for the above-referenced case expired on December 8, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
11 South Belle Grove Road; E/S S Belle Grove	*	
Road, 876.56' S c/line of Frederick Road	*	OF ADMINISTRATIVE
1 st Election & 1 st Councilmanic Districts	*	
Legal Owner(s): Carl & Laurel Koziol	*	HEARINGS FOR
Petitioner(s)	*	BALTIMORE COUNTY
	*	2014-153-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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.

RECEIVED

JAN 24 2014

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of January, 2014, a copy of the foregoing Entry of Appearance was mailed to Richard Matz, P.E., Colbert Matz Rosenfelt, Inc, 2835 Smith Avenue, Suite G, Baltimore, MD 21209 and Howard Alderman, Esquire, Levin & Gann, 502 Washington Avenue, 8th Floor, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

MEMORANDUM

TO: John E. Beverungen
Zoning Commissioner

DATE: June 25, 2014

FROM: Andrea VanArsdale
Secretary, Baltimore County Planning Board

SUBJECT: Koziol Property, PAI # 01-574

In accordance with Section 32-4-231(a) (3) and Section 32-4-232 of the Baltimore County Code, at its May 15, 2014 meeting, the Planning Board reviewed the involvement of an historic structure; known as *Boxwood* (Belle Grove Gardener's House) house and setting, located at 11 S. Belle Grove Road, Catonsville [BA-3274], submitted in conjunction with a request for a development plan for the Koziol Property, PAI # 01-574.

The Administrative Law Judge referred the Development Plan to the Planning Board for action as stipulated in BCC Section 32-4-232(f). The Planning Board action is binding upon the Hearing Officer.

The Baltimore County Planning Board, at its June 19, 2014 meeting, based on the Department of Planning's Staff Report, concludes that the development "involves" an historic structure. The preservation of the structure on the final landmarks list and the established historic environmental setting separating the proposed development effectively preserves the historic resource.

A copy of the Staff Report dated May 15, 2014 is included for your information.

AVA:ll

Enclosures

c: The Honorable Councilman Tom Quirk
Thomas Peddicord, Secretary, County Council
Arnold Jablon, Deputy Administrative Officer and Director, PAI
Karin Brown, Preservation Services
Colleen Kelly, PAI
Howard Alderman, Esquire
Scott Phillips, Chairman, Baltimore County Planning Board



KEVIN KAMENETZ
County Executive

ANDREA VAN ARSDALE, Director
Department of Planning

TO: Baltimore County Planning Board **DATE:** May 15, 2014

FROM: Department of Planning

SUBJECT: Proposed development, Koziol Property which "involves" a structure on the Baltimore County Landmarks List, 3387 "Boxwood" (Belle Grove Gardener's House)

GENERAL INFORMATION

Applicant: Carl Alan & Laurel N. Koziol
11 S. Belle Grove Road
Baltimore, MD 21228-2205

Project Number: L-574

Location: 11 S. Belle Grove Road

Land Management Area: Community Conservation Area

Zoning (and acreage): D.R. 3.5

Growth Tier: I

Total area: 2.737± acres

Surrounding Zoning and Land Use:

North:	DR 3.5	Office and Residential
South:	DR 3.5	Residential
East:	DR 3.5, DR 5.5	Residential
West:	DR 3.5	Residential

Project Proposal

The project proposes 5 single-family dwellings, 4 proposed, 1 existing situated on 2.8 gross acres of DR 3.5 zoned land. The site is currently improved with one single-family dwelling, which is considered historical. The tract is a mix of lawn and woods.

Historic Resource – Final Landmarks List Structure and Setting

Boxwood (Belle Grove Gardener's House) house and setting, 11 S. Belle Grove Road, Catonsville [BA-3274]

Boxwood is located in the First Election District of Baltimore County in the Paradise area of Catonsville. Originally constructed by wallpaper merchant Darius Carpenter Howell as a home for employees of his mansion *Belle Grove* (Final Landmark # 151) the house was purchased in 1920 by Baltimore attorney George Tyler Smith to be used as a summer home. The structure likely acquired the name "Boxwood" about this time. The Smith family sold the property in 1930 and over time, the structure fell into disrepair. Today, the home has been extensively restored by the current owners.

Boxwood is significant as a tangible reminder of the big estates characterized by large acreage lots and gardens that once dominated Catonsville. The home demonstrates the evolution of development in Catonsville around the early 1900's when these large properties were subdivided for a new generation of residents. Architecturally, the house is an excellent example of a rural vernacular style typical of the cottage styles of the late 19th and early 20th centuries. *Boxwood* was designed not only to complement *Belle Grove* but to also integrate with the lawn and gardens surrounding the main house.

Part of the property, 0.38 acres total was delineated as a historic environmental setting (HES) in support of *Boxwood*.

Historic Resource –Decision of the LPC:

The applicant proposes to construct 4 new dwellings on the current site of Final Landmarks Property "Boxwood". Prior to submitting the plan to the Landmarks Preservation Commission (LPC), the applicant met with a Technical Committee at site. The Technical Committee commented on the proposal and the engineer incorporated the suggestions into the plan presented to the Commission. The LPC voted to support the Concept Plan presented at the March 14, 2013 meeting subject to the site plan presented being revised to show the HES. The appropriately revised site plan was submitted to the Planning Department on March 15, 2013.

Historic Resources – Role of the Baltimore County Planning Board:

Pursuant to BCC Section 32-4-231(a)(3) the Administrative Law Judge (ALJ, Hearing Officer) shall refer any Development Plan involving a structure included on the preliminary or final county landmarks list to the Baltimore County Planning Board (Planning Board) prior to rendering a Final Decision and Order in the development case. Upon referral, the Planning Board has 45 days to file its written decision with the Hearing Officer, including the reasons for its decision in adherence with BCC Section 32-4-232(c). BCC Section 32-4-232(f)(1) stipulates the decision of the Planning Board is binding upon the Hearing Officer and "shall be incorporated as part of the Hearing Officer's final action on a plan."

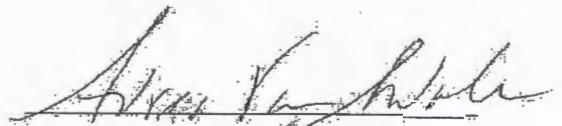
On March 28, 2014 the ALJ referred the Koziol Property Development Plan to the Planning Board for action. The Planning Board is scheduled to act upon the referral at their meeting scheduled for May 15, 2014 and to be concluded on June 5, 2014. The ALJ has waived the 45 day Planning Board response timeline requirements found in BCC 32-4-232(c).

Conclusions of the Department of Planning – Historic Setting

The HES of *Baxwood* is very local to the historic structure. Variance relief to side building face setback requirements between the new dwellings has been petitioned for which the Department supports. That notwithstanding, historic structure is provided all required setback distances thereby ensuring the integrity of the HES.

Recommendations of the Department of Planning:

The Department of Planning recommends that the Development Plan be approved.



Andrea Van Arsdale, Director

LTM:ltm

CC: Honorable John E. Beverungen, Baltimore County Administrative Law Judge
Howard L. Alderman, Jr., Esquire, Levin & Gann, PA
Richard Matz, PE, Colbert Matz Rosenfelt, Inc.

**BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PLANNING**

COPY

Memorandum

TO: Lynn Lanham **DATE:** March 18, 2013
FROM: Vicki Nevy, Administrator/Secretary
Landmarks Preservation Commission
SUBJECT: Koziol property (11 S. Belle Grove Road)

The applicant proposes to construct 4 new dwellings on the current site of Final Landmarks Property #387, "Boxwood". The Landmarks Preservation Commission voted to support the Concept Plan presented at the March 14, 2013 meeting subject to the site plan presented being revised to show the Historic Environmental Setting. The appropriately revised site plan was submitted to the Planning Department on March 15, 2013.

c. Curtis Murray

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>1-27</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>1-24</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 3-16-14

SIGN POSTING Missing left address v.m. 3-25 @ 1 PM reg. privet sign posting
3-24 Date: None per address 3-26 by _____

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

March 19, 2014

Carl Alan & Laurel N. Koziol
11 South Belle Grove Road
Baltimore MD 21228

RE: Case Number: 2014-0153 A, Address: 11 South Belle Grove Road

Dear Mr. & Ms. Koziol:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 14, 2014. 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, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Howard L. Alderman, Jr., Esquire, 502 Washington Avenue, Suite 800, Towson MD 21204

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 1/24/14

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

RE: Baltimore County
Item No 2014-0153-A
Variance
Carl Alan & Laurel N. Koziol
11 South Belle Grove Road.

Dear Ms. Lewis:

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. 2014-0153-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Steven D. Foster'.

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PLANNING

COPY

Memorandum

TO: Lynn Lanham **DATE:** March 18, 2013
FROM: Vicki Nevy, Administrator/Secretary
Landmarks Preservation Commission
SUBJECT: Koziol property (11 S. Belle Grove Road)

The applicant proposes to construct 4 new dwellings on the current site of Final Landmarks Property #387, "Boxwood". The Landmarks Preservation Commission voted to support the Concept Plan presented at the March 14, 2013 meeting subject to the site plan presented being revised to show the Historic Environmental Setting. The appropriately revised site plan was submitted to the Planning Department on March 15, 2013.

c. Curtis Murray

Howard Alderman

From: John Beverungen <jbeverungen@baltimorecountymd.gov>
Sent: Friday, March 28, 2014 2:28 PM
To: Howard Alderman
Cc: Darryl Putty; Debra Wiley; Kristen Lewis; Peter Zimmerman
Subject: HOH # 01-574; 2014-0153-A; Koziol property

Mr. Alderman,

You will receive shortly a letter regarding the referral of this matter to the Planning Board, in light of the structure on the final landmarks list.

When we concluded the hearing today, I wanted to review the Code concerning how the posting and advertisement should be done for the resumption of the combined HOH and zoning case. Though you are correct that the Code does not specifically address the issue of whether posting is required before the continuation of the HOH, in these circumstances I think it makes sense to do so.

As we discussed, there was no posting or advertisement of the Petition for Variance, so that obviously needs to be done before the reconvened hearing. The development regulations (like the zoning regulations) impose a 20 day posting requirement for the HOH. As such, to ensure that adequate notice is given to all parties of the combined zoning/HOH, the owner/developer must comply with the posting and notice requirements for both aspects of the hearing.

John Beverungen
ALJ

CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

From: Debra Wiley
To: Alderman, Howard; Lanham, Lynn; Lewis, Kristen; Moxley, Lloyd; Putty...
Date: 3/31/2014 8:23 AM
Subject: REVISED LTR. (Koziol Property) - HOH Case No. 01-0574 & Zoning Case No. 2014-0153-A
Attachments: 20140331080620129.pdf

Good Morning,

Please find attached Revised correspondence reflecting the correct date (March v. April) for the above-referenced matter.

I apologize for any inconvenience this may have caused. Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

>>> <officeofhearings@baltimorecountymd.gov> 3/31/2014 8:06 AM >>>
This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 03.31.2014 08:06:19 (-0400)
Queries to: officeofhearings@baltimorecountymd.gov

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

March 28, 2014

Lynn Lanham and Lloyd Moxley
Department of Planning, Development Review
105 West Chesapeake Avenue, Room 101
Towson, Maryland 21204

RE: Hearing Officer's Hearing (HOH)
HOH Case No. 01-0574 and Zoning Case No. 2014-0153-A
Koziol Property – 11 S. Belle Grove Road

Dear Ms. Lanham and Mr. Moxley:

The above matter, a combined zoning and development plan case, was scheduled for hearing today. Counsel for the Developer, Howard Alderman, opened the hearing and identified for the record a three-sheet Development Plan (marked for identification as Exhibits 1A-1C). Mr. Alderman explained that the subject property contains a building or structure on the Final County Landmarks List.

As such, Mr. Alderman moved to continue the HOH and related zoning case, and requested that I refer this matter to the Planning Board per Baltimore County Code (B.C.C.) Section 32-4-231(a)(3). The motion for continuance was granted, and please also accept this letter as the formal referral of this matter to the Planning Board. The Developer, through counsel, has agreed to waive the 45-day written decision requirement imposed by B.C.C. Section 32-4-232(c).

Thank you for your assistance, and please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal line extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

c: Howard L. Alderman, Jr., Esquire, Levin & Gann, PA, 502 Washington Avenue,
Suite 800, Towson, MD 21204
Darryl Putty, Project Manager, Div. of Development Processing, PAI,
Kristen Lewis, Office of Zoning Review, PAI

Message Id: 53395E28.77C : 38 : 53259
Subject: REVISED LTR. (Kozioi Property) - HOH Case No. 01-0574 & Zoning Case No. 2014-0153-A
Created By: dwiley@baltimorecountymd.gov
Scheduled Date:
Creation Date: 3/31/2014 8:23 AM
From: Debra Wiley

Recipients:

Recipient	Action	Date & Time	Comment
 COB_PO.COB_DOM	Delivered	3/31/2014 8:23 AM	
To: Darryl Putty (DPutty@baltimorecountymd.gov)			
To: Kristen Lewis (klewis@baltimorecountymd.gov)			
 levingann.com	Pending		
To: Howard Alderman (halderman@levingann.com)			
 NCH_PO.NCH_DOM	Delivered	3/31/2014 8:23 AM	
To: Lloyd Moxley (lmoxley@baltimorecountymd.gov)			
To: Lynn Lanham (mlanham@baltimorecountymd.gov)			

Post Offices

Post Office	Delivered	Route
COB_PO.COB_DOM	3/31/2014 8:23 AM	baltimorecountymd.gov
levingann.com		levingann.com
NCH_PO.NCH_DOM	3/31/2014 8:23 AM	baltimorecountymd.gov

Files

File	Size	Date & Time
20140331080820129.pdf	50456	3/31/2014 8:19 AM
MESSAGE	1904	3/31/2014 8:23 AM

Options

Auto Delete: No
Concealed Subject: No
Expiration Date: None
Notify Recipients: Yes
Priority: Standard
Reply requested by None
Security: Standard
To Be Delivered: Immediate

Record Id

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Common Record Id: 533925E8.NCH_DOM.NCH_PO.200.2000026.1.491B5.1

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

JB 3-28-14
ELLIS LEVIN (1893-1960)
CALMAN A. LEVIN (1930-2003)

July 8, 2014

RECEIVED

JUL 10 2014

The Honorable John E. Beverungen, Administrative Law Judge
Baltimore County Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

OFFICE OF ADMINISTRATIVE HEARINGS

Re: 11 South Belle Grove Road
PAI No. 01-574 – Case No. 2014-0048-A
Combined Development Plan/Zoning Hearing
Rescheduled Hearing

Dear Judge Beverungen:

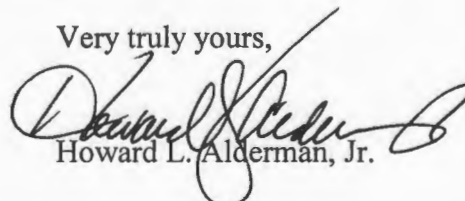
You will recall that the above-referenced matters came before you on March 28, 2014 as previously scheduled. At that time the hearing was opened and I moved to have the hearing continued requesting that the matter be referred to the Baltimore County Planning Board as it involved a structure on the County Final Landmarks List.

As required by the Baltimore County Code, you referred the development plan to the Planning Board. On May 15, 2014 the Planning Board reviewed the proposed development including taking testimony of all who desired to be heard. Thereafter, the Board posed questions and inquiries to members of the development team regarding specifics of the proposed development and how the historic structure would be protected. The Board concluded its hearing on the issue during that May 15th meeting.

Approximately one (1) month later, on June 19, 2014, the Planning Board met to vote on the referral of the development plan. Attached is a copy of a letter dated June 25, 2014 from Andrea Van Arsdale, Secretary to the Baltimore County Planning Board noting the Board's affirmative vote finding that the proposed development effectively preserves the historic resource. In accordance with Baltimore County Code Section 32-4-232 (f)(1) the Planning Board decision is final and must be incorporated as part of any final action that you take with regard to the referenced development plan.

Therefore, the Hearing Officers Hearing on the development plan and the combined zoning hearing must be rescheduled. As outlined in your e-mail message of March 28, 2014 (copy enclosed) the subject property will have to be posted giving notice of both the Hearing Officers Hearing and the zoning petition. I am copying Ms. Kristen Lewis on this so that she might coordinate a reschedule hearing date with you, myself and all other counsel and interested parties. Should you or she need additional information in order to reschedule this hearing please do not hesitate to contact me.

Very truly yours,


Howard L. Alderman, Jr.

John E. Beverungen
July 8, 2014
Page 2

LEVIN & GANN, P.A.

HLA/bdg
Enclosures

cc (w/encl.): Mr. and Mrs. Carl Koziol
People's Counsel for Baltimore County
Richard E. Matz, PE
Lloyd T. Moxley, Planner
Kristen Lewis, Docket Clerk

Debra Wiley - 11 South Belle Grove Road PAI No. 01-574 AND Case No. 2104-0048-A

From: Debra Wiley
To: halderman@LevinGann.com
Date: 8/1/2014 11:33 AM
Subject: 11 South Belle Grove Road PAI No. 01-574 AND Case No. 2104-0048-A
CC: Lewis, Kristen; Putty, Darryl
Attachments: image003.jpg; Ltr to Beverungen 7.8.14.pdf

Good Morning Mr. Alderman,

I am in receipt of your email to Judge Beverungen and Ms. Lewis regarding the above. As you may or may not be aware, Kristen Lewis from the Office of Zoning Review is our office's scheduler and all scheduling/rescheduling matters must be coordinated through her. However, it is very important to note that since this is a combined development plan/zoning case, this also involves scheduling coordination with the project manager, Darryl Putty.

By copy of this email to both Mr. Putty and Ms. Lewis, I am notifying them of your intention to proceed.

Please let me know if you require anything further. Thanks.

Debbie Wiley
 Legal Administrative Secretary
 Office of Administrative Hearings
 105 West Chesapeake Avenue, Suite 103
 Towson, Md. 21204
 410-887-3868
 410-887-3468 (fax)
 dwiley@baltimorecountymd.gov

>>> Howard Alderman <halderman@levingann.com> 7/31/2014 5:41 PM >>>
 Judge Beverungen/Ms. Lewis:

Attached is a scanned copy of my letter and attachments sent to each of you on **July 8, 2014**. Since that request for rescheduling of the combined hearing on this property I have not received any communication from anyone in the County. Unless there is some reason of which I am unaware that this case is not ripe for rescheduling, please consider this request that it be rescheduled as quickly as the County's calendar permits. In the letter I also request that the hearing date be coordinated with the schedules of the Judge, myself and all other counsel of record/interested parties (none of the latter appeared at the last hearing or either of the two Planning Board sessions).

Thank you,
 Howard Alderman

~~~~~  
 Howard L. Alderman, Jr., Esquire

Levin & Gann, PA  
Nottingham Centre, 8<sup>th</sup> Floor  
502 Washington Avenue  
Towson, Maryland 21204  
410-321-0600 (voice)  
410-296-2801 (fax)  
410-456-8501 (cell)  
Email: [halderman@LevinGann.com](mailto:halderman@LevinGann.com)  
Website: [www.LevinGann.com](http://www.LevinGann.com)



Provide Feedback at <http://tinyurl.com/HLA-AVVO>

Find me on Completely E-Legal



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Of Maryland's  
Super Lawyers***

*This email is confidential, intended only for the named recipient(s) above and may contain information that is privileged, attorney work product or exempt from disclosure under applicable law. If you have received this message in error or are not the named recipient(s), please notify immediately the sender at 410-321-0600 and delete this email message from your computer as any and all unauthorized distribution or use of this message is strictly prohibited. Thank you.*

Circular 230 Disclosure: Pursuant to recently-enacted U.S. Treasury Department Regulations, we are now required to advise you that, unless otherwise expressly indicated, any federal tax advice contained in this communication, including attachments and enclosures, is not intended or written to be used, and may not be used, for the purpose of either (i) avoiding tax-related penalties under the U.S. Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

NOTE: If a file in Adobe/PDF format is attached to this message and you do not have the software to open it, you may download and install the software at no cost from the following:

<http://www.adobe.com/products/acrobat/readstep2.html>

**Debra Wiley - Automatic reply: 11 South Belle Grove Road PAI No. 01-574 AND Case No. 2104-0048-A**

---

**From:** Howard Alderman <halderman@levingann.com>  
**To:** Debra Wiley <dwiley@baltimorecountymd.gov>  
**Date:** 8/1/2014 11:34 AM  
**Subject:** Automatic reply: 11 South Belle Grove Road PAI No. 01-574 AND Case No. 2104-0048-A

---

**FRIDAY, August 1, 2014:** I am out of the office today with limited access to cell phone and/or email connections. If you need immediate assistance, please send an email message to (bgerst@levingann.com) or call my assistant, Britaney (410-321-4654). Thank you.

Message Id: 53DB7B04.D00 : 38 : 53259  
 Subject: 11 South Belle Grove Road PAI No. 01-574 AND Case No. 2104-0048-A  
 Created By: dwiley@baltimorecountymd.gov  
 Scheduled Date:  
 Creation Date: 8/1/2014 11:33 AM  
 From: Debra Wiley

**Recipients:**

| Recipient                                                                                        | Action      | Date & Time       | Comment |
|--------------------------------------------------------------------------------------------------|-------------|-------------------|---------|
|  COB_PO.COB_DOM | Delivered   | 8/1/2014 11:33 AM |         |
| CC: Darryl Putty (DPutty@baltimorecountymd.gov)                                                  | Read        | 8/5/2014 12:29 PM |         |
| CC: Kristen Lewis (kewis@baltimorecountymd.gov)                                                  | Read        | 8/4/2014 8:18 AM  |         |
|  LevinGann.com  | Transferred | 8/1/2014 11:33 AM |         |
| To: halderman@LevinGann.com (halderman@LevinGann.com)                                            |             |                   |         |

**Post Offices**

| Post Office    | Delivered         | Route                 |
|----------------|-------------------|-----------------------|
| COB_PO.COB_DOM | 8/1/2014 11:33 AM | baltimorecountymd.gov |
| LevinGann.com  |                   | LevinGann.com         |

**Files**

| File                         | Size   | Date & Time       |
|------------------------------|--------|-------------------|
| IMAGE.jpeg                   | 2423   |                   |
| IMAGE.png                    | 4511   |                   |
| IMAGE.png                    | 3039   |                   |
| IMAGE.png                    | 8530   |                   |
| Image003.jpg                 | 2423   | 8/1/2014 10:41 AM |
| Ltr to Beverungen 7.8.14.pdf | 193158 | 8/1/2014 10:41 AM |
| MESSAGE                      | 8975   | 8/1/2014 11:33 AM |
| Mime.822                     | 312184 | 8/1/2014 11:33 AM |
| TEXT.htm                     | 12705  | 8/1/2014 11:33 AM |

**Options**

Auto Delete: No  
 Concealed Subject: No  
 Expiration Date: None  
 Notify Recipients: Yes  
 Priority: Standard  
 Reply requested by: None  
 Security: Standard  
 To Be Delivered: Immediate

**Record Id**

Record Id: 53DB7B04.NCH\_DOM.NCH\_PO.100.1887078.1.1CCDA.1  
 Common Record Id: 53DB7B04.NCH\_DOM.NCH\_PO.200.2000028.1.507AC.1

## Debra Wiley

---

**From:** Howard Alderman <halderman@levingann.com>  
**Sent:** Monday, November 03, 2014 12:00 PM  
**To:** Debra Wiley  
**Cc:** Darryl DPutty; Kristen L Lewis; John E. Beverungen  
**Subject:** RE: Koziol Property - Nov. 6th  
**Attachments:** Koziol Certificate of Posting 2014-10-05.pdf

Ms. Wiley,

I can't imagine why the Zoning Office did not provide these. The engineer forwarded these to me on 10/8/14. After review, please let me know if you need any additional information.

Howard

~~~~~  
Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0600 (voice)
410-296-2801 (fax)
410-456-8501 (cell)
Email: halderman@LevinGann.com
Website: www.LevinGann.com

RECEIVED

NOV 03 2014

OFFICE OF ADMINISTRATIVE HEARINGS

Provide Feedback at <http://tinyurl.com/HLA-AVVO>

-----Original Message-----

From: Debra Wiley [mailto:dwiley@baltimorecountymd.gov]
Sent: Monday, November 3, 2014 11:47 AM
To: Howard Alderman
Cc: Darryl DPutty; Kristen L Lewis; John E. Beverungen
Subject: Koziol Property - Nov. 6th

Good Morning Mr. Alderman,

As you may recall, the HOH and Zoning Case 2014-0153-A for the Koziol Property came before Judge Beverungen on March 28, 2014. At that time, you moved to continue both of these matters and items were referred to the Planning Board.

This project has been reset for Thursday, 11/6 @ 10 AM. Per your email on 3/28/14 posting of the property with signs for both the Development Plan Hearing and Zoning Hearing must occur. Unfortunately, our office has not received proof of same.

Please provide update. Thanks in advance.

-----Original Message-----

From: officeofhearings@baltimorecountymd.gov [mailto:officeofhearings@baltimorecountymd.gov]

Sent: Monday, November 03, 2014 11:19 AM

To: Debra Wiley

Subject: Message from "zoneprt1"

This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 11.03.2014 11:18:30 (-0500)

Queries to: officeofhearings@baltimorecountymd.gov

Connect with Baltimore County

[http://www.baltimorecountymd.gov/sebin/p/i/socialmedia_fb.jpg] <<https://www.facebook.com/Baltimorecounty>>

[http://www.baltimorecountymd.gov/sebin/r/j/socialmedia_twitter.jpg] <<https://twitter.com/BCgov>>

[http://www.baltimorecountymd.gov/sebin/b/f/socialmedia_BC_NOW.jpg]

<<http://www.baltimorecountymd.gov/News/BaltimoreCountyNow>>

[http://www.baltimorecountymd.gov/sebin/r/z/socialmedia_youtube.jpg]

<<http://www.youtube.com/baltimorecounty>> [<http://www.baltimorecountymd.gov/sebin/x/i/footer-photosicon.png>]

<<http://www.flickr.com/people/baltimorecounty/>>

[<http://www.baltimorecountymd.gov/sebin/h/e/mobile-seal.png>] <<http://www.baltimorecountymd.gov>> When you think Baltimore County, think, www.baltimorecountymd.gov <<http://www.baltimorecountymd.gov>>

Debra Wiley

11/6
10 Am

From: Debra Wiley
Sent: Monday, November 03, 2014 11:47 AM
To: 'halderman@LevinGann.com'
Cc: Darryl DPutty; Kristen L Lewis; John E. Beverungen
Subject: Koziol Property - Nov. 6th
Attachments: 20141103111830972.pdf

Good Morning Mr. Alderman,

As you may recall, the HOH and Zoning Case 2014-0153-A for the Koziol Property came before Judge Beverungen on March 28, 2014. At that time, you moved to continue both of these matters and items were referred to the Planning Board .

This project has been reset for Thursday, 11/6 @ 10 AM. Per your email on 3/28/14 posting of the property with signs for both the Development Plan Hearing and Zoning Hearing must occur. Unfortunately, our office has not received proof of same.

Please provide update. Thanks in advance.

-----Original Message-----

From: officeofhearings@baltimorecountymd.gov [mailto:officeofhearings@baltimorecountymd.gov]
Sent: Monday, November 03, 2014 11:19 AM
To: Debra Wiley
Subject: Message from "zoneprt1"

This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 11.03.2014 11:18:30 (-0500)
Queries to: officeofhearings@baltimorecountymd.gov

3-28-14 JB referred matter
to Planning Board
prop. contains
beag/structure
on private Co.
landmarks
suit

BALTIMORE COUNTY
DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS
DEVELOPMENT PLAN HEARING SCHEDULE

JB 3-28-14
Cont'd on
11-6-14

PROJECT: KOZIOL PROPERTY

DATE: 03/28/14

PROJECT LOCATION: 11 S BELLE GROVE RD

RECEIVED

TIME: 10:00AM

FEB 18 2014

PROPOSAL: 1 existing SFD 4 proposed SFDS

OFFICE OF ADMINISTRATIVE HEARINGS

PAI NUMBER: 01-0574

**MEETING LOCATION: JEFFERSON BUILDING - ROOM 205
105 W CHESAPEAKE AVE TOWSON, MD
21204**

COUNCIL DISTRICT: 1

DEVELOPER: CARL ALAN KOZIOL

ENGINEER: COLBERT, MATZ & ROSENFELT, INC.

ENGINEER'S PHONE NUMBER: 410 653-3838

MANAGER: Darryl D. Putty

PHONE NUMBER: 410-887-3321

Lynn Lanham and Lloyd Moxley
Department of Planning, Development Review
105 West Chesapeake Avenue, Room 101
Towson, Maryland 21204

From: Howard Alderman <halderman@levingann.com>
To: 'John Beverungen' <jbeverungen@baltimorecountymd.gov>, 'Carl Koziol' <ckoz...
CC: Darryl Putty <DPutty@baltimorecountymd.gov>, Debra Wiley <dwiley@baltimo...
Date: 3/28/2014 2:39 PM
Subject: RE: HOH # 01-574; 2014-0153-A; Koziol property
Attachments: WRD000.jpg; Image002.jpg

Dick/Max,
Please see the email message below from Judge Beverungen; the red highlights were added by me. Once we finish at the Planning Board and the combined cases are rescheduled, posting of the property with signs giving notice of the rescheduled date/time for both the Development Plan Hearing and the Zoning Hearing must occur within the time limits set forth in the Code/Zoning Regulations. If the sign poster you select has any questions, please have her/him call me. Have a great weekend,
Howard

Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0800 (voice)
410-298-2801 (fax)
410-458-8501 (cell)
Email: halderman@LevinGann.com <mailto:halderman@LevinGann.com>
Website: www.LevinGann.com <http://www.levingann.com/>

From: John Beverungen [mailto:jbeverungen@baltimorecountymd.gov]
Sent: Friday, March 28, 2014 2:28 PM
To: Howard Alderman
Cc: Darryl Putty; Debra Wiley; Kristen Lewis; Peter Zimmerman
Subject: HOH # 01-574; 2014-0153-A; Koziol property
Mr. Alderman,

You will receive shortly a letter regarding the referral of this matter to the Planning Board, in light of the structure on the final landmarks list.

When we concluded the hearing today, I wanted to review the Code concerning how the posting and advertisement should be done for the resumption of the combined HOH and zoning case. Though you are correct that the Code does not specifically address the issue of whether posting is required before the continuation of the HOH, in these circumstances I think it makes sense to do so.

As we discussed, there was no posting or advertisement of the Petition for Variance, so that obviously needs to be done before the reconvened hearing. The development regulations (like the zoning regulations) impose a 20 day posting requirement for the HOH. As such, to ensure that adequate notice is given to all parties of the combined zoning/HOH, the owner/developer must comply with the posting and notice requirements for both aspects of the hearing.

3-28-14 JB referred matter to Planning Board Prop. containing 12/15/14 11-6-14 JB 3-28-14

BALTIMORE COUNTY
DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS
DEVELOPMENT PLAN HEARING SCHEDULE

PROJECT: KOZIOL PROPERTY

DATE: 03/28/14

PROJECT LOCATION: 11 S BELLE GROVE RD

RECEIVED

TIME: 10:00AM

FEB 18 2014

PROPOSAL: 1 existing SFD 4 proposed SFDS

OFFICE OF ADMINISTRATIVE HEARINGS

PAI NUMBER: 01-0574

MEETING LOCATION: JEFFERSON BUILDING - ROOM 205
105 W CHESAPEAKE AVE TOWSON, MD
21204

COUNCIL DISTRICT: 1

DEVELOPER: CARL ALAN KOZIOL

ENGINEER: COLBERT, MATZ & ROSENFELT, INC.

ENGINEER'S PHONE NUMBER: 410 653-3838

MANAGER: Debra Wiley
March 28, 2014

Lynn Lanham and Lloyd Moxley
Department of Planning, Development Review
105 West Chesapeake Avenue, Room 101
Towson, Maryland 21204

RE: Hearing Officer's Hearing (HOH)
HOH Case No. 01-0574 and Zoning Case No. 2014-0153-A
Koziol Property - 11 S. Belle Grove Road

Dear Ms. Lanham and Mr. Moxley:

The above matter, a combined zoning and development plan case, was scheduled for hearing today. Counsel for the Developer, Howard Alderman, opened the hearing and identified for the record a three-sheet Development Plan (marked for identification as Exhibits 1A-1C). Mr. Alderman explained that the subject property contains a building or structure on the Final County Landmarks List.

As such, Mr. Alderman moved to continue the HOH and related zoning case, and requested that I refer this matter to the Planning Board per Baltimore County Code (B.C.C.) Section 32-4-231(a)(3). The motion for continuance was granted, and please also accept this letter as the formal referral of this matter to the Planning Board. The Developer, through counsel, has agreed to waive the 45-day written decision requirement imposed by B.C.C. Section 32-4-232(c).

Thank you for your assistance, and please let me know if you have any questions.

Sincerely,

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

Lynn Lanham and Lloyd Moxley
Department of Planning, Development Review
105 West Chesapeake Avenue, Room 101
Towson, Maryland 21204

Howard Alderman <naiderman@levingann.com>
'John Beverungen' <jbeverungen@baltimorecountymd.gov>, 'Carl Koziol' <ckoz...
Darryl Putty <DPutty@baltimorecountymd.gov>, Debra Wiley <dwiley@baltima...
3/28/2014 2:39 PM
ct: RE: HOH # 01-574; 2014-0153-A; Koziol property
ments: WRD000.jpg; Image002.jpg

see the email message below from Judge Beverungen; the red highlights were added by me. The hearing will finish at the Planning Board and the combined cases are rescheduled, posting of the property is giving notice of the rescheduled date/time for both the Development Plan Hearing and the Hearing must occur within the time limits set forth in the Code/Zoning Regulations. If the sign you select has any questions, please have her/him call me. great weekend,

Alderman, Jr., Esquire
Gann, PA
m Centre, 8th Floor
ington Avenue
Maryland 21204
800 (voice)
801 (fax)
801 (cell)
erman@LevinGann.com<mailto:halderman@LevinGann.com>
www.LevinGann.com<http://www.levingann.com/>

Beverungen [mailto:jbeverungen@baltimorecountymd.gov]
March 28, 2014 2:28 PM
Alderman
ity; Debra Wiley; Kristen Lewis; Peter Zimmerman
01-574; 2014-0153-A; Koziol property

re shortly a letter regarding the referral of this matter to the Planning Board, in light of the final landmarks list.

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JEB:dlw

c: Howard L. Alderman, Jr., Esquire, Levin & Gann, PA, 502 Washington Avenue,
Suite 800, Towson, MD 21204
Darryl Putty, Project Manager, Div. of Development Processing, PAI,
Kristen Lewis, Office of Zoning Review, PAI

John Beverungen - 11 South Belle Grove Road PAI No. 01-574; Case No. 2104-0048-A

From: Howard Alderman <halderman@levingann.com>
To: "Beverungen, John" <jbeverungen@baltimorecountymd.gov>, "Kristen Lewis('...
Date: 7/31/2014 5:42 PM
Subject: 11 South Belle Grove Road PAI No. 01-574; Case No. 2104-0048-A
CC: "Carl Koziol (ckozyl@msn.com)" <ckozyl@msn.com>, "Dick Matz(dmatz@cmreng...
Attachments: image003.jpg; Ltr to Beverungen 7.8.14.pdf

Judge Beverungen/Ms. Lewis:

Attached is a scanned copy of my letter and attachments sent to each of you on **July 8, 2014**. Since that request for rescheduling of the combined hearing on this property I have not received any communication from anyone in the County. Unless there is some reason of which I am unaware that this case is not ripe for rescheduling, please consider this request that it be rescheduled as quickly as the County's calendar permits. In the letter I also request that the hearing date be coordinated with the schedules of the Judge, myself and all other counsel of record/interested parties (none of the latter appeared at the last hearing or either of the two Planning Board sessions).

Thank you,
 Howard Alderman

~~~~~  
 Howard L. Alderman, Jr., Esquire  
 Levin & Gann, PA  
 Nottingham Centre, 8<sup>th</sup> Floor  
 502 Washington Avenue  
 Towson, Maryland 21204  
 410-321-0600 (voice)  
 410-296-2801 (fax)  
 410-456-8501 (cell)  
 Email: [halderman@LevinGann.com](mailto:halderman@LevinGann.com)  
 Website: [www.LevinGann.com](http://www.LevinGann.com)



Provide Feedback at <http://tinyurl.com/HLA-AVVO>

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 Of Maryland's  
 Super Lawyers**

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Circular 230 Disclosure: Pursuant to recently-enacted U.S. Treasury Department Regulations, we are now required to advise you that, unless otherwise expressly indicated, any federal tax advice contained in this communication, including attachments and enclosures, is not intended or written to be used, and may not be used, for the purpose of either (i) avoiding tax-related penalties under the U.S. Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

NOTE: *If a file in Adobe/PDF format is attached to this message and you do not have the software to open it, you may download and install the software at no cost from the following:*

<http://www.adobe.com/products/acrobat/readstep2.html>

**From:** Howard Alderman <halderman@levinggann.com>  
**To:** 'John Beverungen' <jbeverungen@baltimorecountymd.gov>, "Carl Koziol(ckoz...  
**CC:** Darryl Putty <DPutty@baltimorecountymd.gov>, Debra Wiley <dwiley@baltime...  
**Date:** 3/28/2014 2:39 PM  
**Subject:** RE: HOH # 01-574; 2014-0153-A; Koziol property  
**Attachments:** WRD000.jpg; image002.jpg

Dick/Max,

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Have a great weekend,  
 Howard

~~~~~  
 Howard L. Alderman, Jr., Esquire
 Levin & Gann, PA
 Nottingham Centre, 8th Floor
 502 Washington Avenue
 Towson, Maryland 21204
 410-321-0600 (voice)
 410-296-2801 (fax)
 410-456-8501 (cell)
 Email: halderman@LevinGann.com<mailto:halderman@LevinGann.com>
 Website: www.LevinGann.com<http://www.levinggann.com/>

[cid:image001.png@01CDFFC1.21489BB0]

From: John Beverungen [mailto:jbeverungen@baltimorecountymd.gov]
Sent: Friday, March 28, 2014 2:28 PM
To: Howard Alderman
Cc: Darryl Putty; Debra Wiley; Kristen Lewis; Peter Zimmerman
Subject: HOH # 01-574; 2014-0153-A; Koziol property
 Mr. Alderman,

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is given to all parties of the combined zoning/HOH, the owner/developer must comply with the posting and notice requirements for both aspects of the hearing.

John Beverungen
ALJ

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[Image removed by sender.]<<http://www.baltimorecountymd.gov>>

www.baltimorecountymd.gov<<http://www.baltimorecountymd.gov>>

From: Debra Wiley
To: Alderman, Howard; Lanham, Lynn; Lewis, Kristen; Moxley, Lloyd; Putty...
BC Nuffer, Sherry
Date: 3/28/2014 2:38 PM
Subject: (Koziol Property) - HOH Case No. 01-0574 and Zoning Case No. 2014-0153-A
Attachments: 20140328141831122.pdf

Good Afternoon,

Please find attached correspondence from Judge Beverungen in reference to this morning's case.

Thank you.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

>>> <officeofhearings@baltimorecountymd.gov> 3/28/2014 2:18 PM >>>
This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 03.28.2014 14:18:30 (-0400)
Queries to: officeofhearings@baltimorecountymd.gov

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

April 28, 2014

Lynn Lanham and Lloyd Moxley
Department of Planning, Development Review
105 West Chesapeake Avenue, Room 101
Towson, Maryland 21204

RE: Hearing Officer's Hearing (HOH)
HOH Case No. 01-0574 and Zoning Case No. 2014-0153-A
Koziol Property – 11 S. Belle Grove Road

Dear Ms. Lanham and Mr. Moxley:

The above matter, a combined zoning and development plan case, was scheduled for hearing today. Counsel for the Developer, Howard Alderman, opened the hearing and identified for the record a three-sheet Development Plan (marked for identification as Exhibits 1A-1C). Mr. Alderman explained that the subject property contains a building or structure on the Final County Landmarks List.

As such, Mr. Alderman moved to continue the HOH and related zoning case, and requested that I refer this matter to the Planning Board per Baltimore County Code (B.C.C.) Section 32-4-231(a)(3). The motion for continuance was granted, and please also accept this letter as the formal referral of this matter to the Planning Board. The Developer, through counsel, has agreed to waive the 45-day written decision requirement imposed by B.C.C. Section 32-4-232(c).

Thank you for your assistance, and please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", with a long horizontal flourish extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw

c: Howard L. Alderman, Jr., Esquire, Levin & Gann, PA, 502 Washington Avenue,
Suite 800, Towson, MD 21204
Darryl Putty, Project Manager, Div. of Development Processing, PAI,
Kristen Lewis, Office of Zoning Review, PAI

Message Id: 5335C199.DE5 : 38 : 53259
Subject: (Koziol Property) - HOH Case No. 01-0574 and Zoning Case No. 2014-0153-A
Created By: dwiley@baltimorecountymd.gov
Scheduled Date:
Creation Date: 3/28/2014 2:38 PM
From: Debra Wiley

Recipients:

Recipient	Action	Date & Time	Comment
 COB_PO.COB_DOM	Delivered	3/28/2014 2:38 PM	
To: Darryl Putty (DPutty@baltimorecountymd.gov)			
To: Kristen Lewis (klewis@baltimorecountymd.gov)			
 levingann.com	Pending		
To: Howard Alderman (halderman@levingann.com)			
 NCH_PO.NCH_DOM	Delivered	3/28/2014 2:38 PM	
To: Lloyd Moxley (lmoxley@baltimorecountymd.gov)			
To: Lynn Lanham (mlanham@baltimorecountymd.gov)			
BC: Sherry Nuffer (snuffer@baltimorecountymd.gov)			

Post Offices

Post Office	Delivered	Route
COB_PO.COB_DOM	3/28/2014 2:38 PM	baltimorecountymd.gov
levingann.com		levingann.com
NCH_PO.NCH_DOM	3/28/2014 2:38 PM	baltimorecountymd.gov

Files

File	Size	Date & Time
20140328141831122.pdf	51288	3/28/2014 2:35 PM
MESSAGE	1800	3/28/2014 2:38 PM

Options

Auto Delete: No
Concealed Subject: No
Expiration Date: None
Notify Recipients: Yes
Priority: Standard
Reply requested by None
Security: Standard
To Be Delivered: Immediate

Record Id

Record Id: 53358959.NCH_DOM.NCH_PO.100.1687076.1.1B85B.1
Common Record Id: 53358959.NCH_DOM.NCH_PO.200.2000026.1.490C2.1

From: John Beverungen
To: Howard Alderman
CC: Darryl Putty; Debra Wiley; Kristen Lewis; Peter Zimmerman
Date: 3/28/2014 2:28 PM
Subject: HOH # 01-574; 2014-0153-A; Koziol property

Mr. Alderman,

You will receive shortly a letter regarding the referral of this matter to the Planning Board, in light of the structure on the final landmarks list.

When we concluded the hearing today, I wanted to review the Code concerning how the posting and advertisement should be done for the resumption of the combined HOH and zoning case. Though you are correct that the Code does not specifically address the issue of whether posting is required before the continuation of the HOH, in these circumstances I think it makes sense to do so.

As we discussed, there was no posting or advertisement of the Petition for Variance, so that obviously needs to be done before the reconvened hearing. The development regulations (like the zoning regulations) impose a 20 day posting requirement for the HOH. As such, to ensure that adequate notice is given to all parties of the combined zoning/HOH, the owner/developer must comply with the posting and notice requirements for both aspects of the hearing.

John Beverungen
ALJ

From: Debra Wiley
To: Alderman, Howard
Date: 3/26/2014 10:19 AM
Subject: Re: FW: Posting of Koziol Property -- Certification needed

Hi Howard,

Thank you for the certification for the HOH, however, we also need one for the zoning case (2014-0153-A).

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

>>> Howard Alderman <halderman@levingann.com> 3/25/2014 3:45 PM >>>
Debbie,
Here's the certification that was just sent to me. Apparently, Darryl Putty has an original.
Thanks,
Howard

~~~~~  
Howard L. Alderman, Jr., Esquire  
Levin & Gann, PA  
Nottingham Centre, 8th Floor  
502 Washington Avenue  
Towson, Maryland 21204  
410-321-0600 (voice)  
410-296-2801 (fax)  
410-456-8501 (cell)  
Email: [halderman@LevinGann.com](mailto:halderman@LevinGann.com)<<mailto:halderman@LevinGann.com>>  
Website: [www.LevinGann.com](http://www.LevinGann.com)<<http://www.levingann.com/>>

[cid:image001.png@01CDFFC1.21489BB0]

From: Linda Okeefe [<mailto:luckylinda1954@yahoo.com>]  
Sent: Tuesday, March 25, 2014 3:41 PM  
To: Howard Alderman

Cc: Carl Koziol (ckozyl@msn.com); Dick Matz (dmatz@cmrengineers.com); 'Maxwell R. Vidaver'  
Subject: Re: Posting of Koziol Property -- Certification needed

Hi Howard,

I received your message and called Darryl D. Putty, the Planner to see if he has his copy of the Certification and he does. His number is 410-887-3335. I am forwarding you a copy of the Certification for your records.

Linda O'Keefe  
523 Penny Lane  
Hunt Valley MD 21030  
Phone # 410-666-5366  
Cell# 443-604-6431  
Fax# 410-666-0929  
[lucky linda1954@yahoo.com](mailto:lucky linda1954@yahoo.com)<<mailto:lucky linda1954@yahoo.com>>

On Tuesday, March 25, 2014 1:04 PM, Howard Alderman  
<[halderman@levingann.com](mailto:halderman@levingann.com)<<mailto:halderman@levingann.com>>> wrote:  
Linda,

I just received a call from the Office of Administrative Hearings advising that there is no certificate of posting of the Koziol property at 11 S. Belle Grove Road. The hearing is set for this Friday morning.

Would you please provide me with a copy of your certification via email message attachment so that I may clear this up? See the 2/24/14 email message from Maxwell R. Vidaver at Colbert, Matz & Rosenfelt.

Thank you,  
Howard

~~~~~  
Howard L. Alderman, Jr., Esquire
Levin & Gann, PA
Nottingham Centre, 8th Floor
502 Washington Avenue
Towson, Maryland 21204
410-321-0600 (voice)
410-296-2801 (fax)
410-456-8501 (cell)
Email: halderman@LevinGann.com<<mailto:halderman@LevinGann.com>>
Website: www.LevinGann.com<<http://www.levingann.com/>>

[cid:image001.png@01CDFFC1.21489BB0]

Provide Feedback at <http://tinyurl.com/HLA-AVVO>
Find me on Completely E-Legal [Description: EmailSignature]
<<http://completelyelegal.com/profile/HowardLAldermanJr>>

[Description: Listed_In_Best_Lawyers_Web.gif]

Recognized as One<<http://www.superlawyers.com/maryland/lawyer/Howard-L-Alderman-Jr/eb89007c-d02e-4386-9777-3a6dca40af03.html>>

Of Maryland's<<http://www.superlawyers.com/maryland/lawyer/Howard-L-Alderman-Jr/eb89007c-d02e-4386-9777-3a6dca40af03.html>>

[Description:

cid:image001.png@01CC6D72.6F42F460]<<http://www.superlawyers.com/maryland/lawyer/Lee-J-Eidelberg/a7954261-b136-4e16-867c-61d42a06b51c.html>>

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NOTE: If a file in Adobe/PDF format is attached to this message and you do not have the software to open it, you may download and install the software at no cost from the following:

<http://www.adobe.com/products/acrobat/readstep2.html>

Debra Wiley - PAI # 01-0574; No. 2014-0048-A (South Belle Grove Rd.)

From: John Beverungen
To: Howard Alderman
Date: 2/26/2014 11:51 AM
Subject: PAI # 01-0574; No. 2014-0048-A (South Belle Grove Rd.)
CC: Debra Wiley; Kristen Lewis; Peter Zimmerman

Mr. Alderman,

I am in receipt of your letter dated February 24, 2014, concerning the above case. As you note, a combined development/zoning hearing has been scheduled for March 28, 2014.

After reviewing your letter, I am in agreement with the procedure suggested therein. As such, we will open the case on March 28, and then the matter will be continued to allow for Planning Board (PB) review of the Plan. The hearing will be rescheduled after my office has received the PB decision, and you will provide notice of the continuation date to all interested parties, including any citizens that may attend on March 28.

I will include your February 24, 2014 letter, and this e-mail response, in both the development and zoning cases for the above property.

John Beverungen
AU

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

JB 3/28 10Am
ELLIS LEVIN (1893-1960)
CALMAN A. LEVIN (1930-2003)

February 24, 2014

RECEIVED

FEB 25 2014

The Honorable John E. Beverungen,
Administrative Law Judge
Baltimore County Office of Administrative Hearings
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

OFFICE OF ADMINISTRATIVE HEARINGS

RE: 11 South Belle Grove Road
PAI No. 01-0574/Case No. 2014-0048-A
Combined Development Plan/Zoning Hearing
First Hearing Date: March 28, 2014 @ 10:00 a.m.

Dear Judge Beverungen:

Enclosed is a copy of a Notice of Zoning Hearing for the above-referenced property. This is to be a combined development plan/zoning hearing pursuant to *Baltimore County Code* ("BCC"), Section 32-4-230.

A portion of this property has been added to the County's Final Landmarks List and the concept plan was reviewed and considered by the Landmarks Preservation Commission. Confirmation of that Commission's support of the development concept presented is included with another, referenced enclosure. The Development Plan is to be referred by the Hearing Officer/Administrative Law Judge to the Baltimore County Planning Board pursuant to BCC § 32-4-231(a)(3).

Attached is a copy of a letter and enclosure that I sent, on February 5, 2014, to your offices and others suggesting a proposed procedure for the conduct of the initial and following hearings regarding the above-referenced cases. As suggested in that correspondence, at the March 28th Hearing, a very brief introduction of the combined development plan/plan to accompany the zoning petitions, I will ask that it be marked for identification as Developer's Exhibit No. 1 / Petitioners' Exhibit No. 1 and will then immediately make a Motion that the hearing be continued and that you refer the combined plan to the Planning Board.

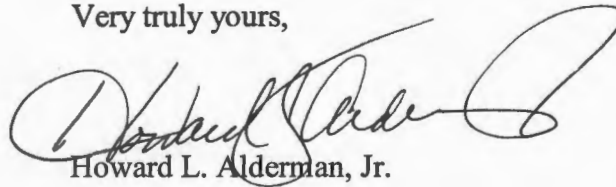
Once the Planning Board files its binding decision with you pursuant to BCC §§ 32-4-232(c) & (f)(1) and, assuming the Planning Board's decision is favorable, the hearing can be rescheduled and written notice given to all parties. The combined hearing can then proceed as any other combined development plan/zoning hearing with taking of testimony and evidence.

The Honorable John E. Beverungen,
Administrative Law Judge
February 24, 2014
Page 2

Please review this proposed procedure and advise if any portion is objectionable or is to be modified. If desired, I can prepare and file, in advance, a written Motion setting forth this proposed procedure or any procedure that you may direct.

Should you need any additional information in this regard, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Howard L. Alderman, Jr.", written in a cursive style.

Howard L. Alderman, Jr.

HLA/gk
Enclosure
c (w/encl.): Mr. and Mrs. Carl Koziol
Peter Max Zimmerman, People's Counsel

HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

JB 3/28 10 Am
ELLIS LEVIN (1893-1960)
CALMAN A. LEVIN (1930-2003)

February 5, 2014

RECEIVED

FEB 07 2014

OFFICE OF ADMINISTRATIVE HEARINGS

Lawrence M. Stahl, Managing
Administrative Law Judge
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

Arnold Jablon, Director
Baltimore County Department of Permits
Approvals and Inspections
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204

Baltimore County Planning Board
c/o Mr. Curtis Murray, Planner
Department of Planning
105 West Chesapeake Avenue, Suite 101
Towson, Maryland 21204

Baltimore County Landmarks Preservation
Commission
c/o Ms. Vicki Nevy, Staff Contact
Department of Planning
105 West Chesapeake Avenue, Suite 101
Towson, Maryland 21204

RE: Koziol Property Development Plan & Zoning Hearing
11 S. Belle Grove Road
PAI No. 01-0574/Case No. 2014-0153-A
Final Landmarks List No. 387; MIHP No. BA-3274
1st Election District

Proposed Procedure and Scheduling of Hearings/Planning Board Meeting

Dear Messrs. Stahl, Jablon, Murray and Ms. Nevy:

I represent Mr. and Mrs. Carl Koziol, owners of the above referenced property. A Development Plan and a Petition for Variance have been filed with the County for that property and a combined hearing before the Administrative Law Judge has been requested pursuant to *Baltimore County Code* ("BCC") § 32-4-230. When the hearings before the AJL and the consideration by the Planning Board are scheduled, please do not schedule them during the time period April 4, 2014 through April 16, 2014.

The proposed development of this approximately 2.8 acre tract, zoned DR 3.5, is five lots, one for the existing home and four additional. A portion of this property has been added to the County's Final Landmarks List and the concept plan was reviewed and considered by the Landmarks Preservation Commission. Confirmation of that Commission's support of the development concept presented is attached. The Development Plan is to be referred to the Baltimore County Planning

Lawrence M. Stahl, Managing
Administrative Law Judge
Arnold Jablon, Director
Mr. Curtis Murray, Planner
Ms. Vicki Nevy, Staff Contact
February 5, 2014
Page 2

Board pursuant to BCC § 32-4-231(a)(3).

As there is a request for a combined, development and zoning, hearing before the ALJ I am writing to suggest a proposed course of procedure. In an effort to promote judicial economy and minimize expenses and witness time, the following procedure is recommended:

1. The required written notice is given and the property is posted with the date/time of the hearing before the ALJ;
2. County/State review agencies hold the required Development Plan Conference;
3. Administrative Law Judge convenes the scheduled hearing at which time the Applicant/Petitioners introduce the Development Plan & Plan to Accompany Zoning Petition as submitted, or as redlined resulting from agency review comments distributed during the Development Plan Conference;
4. On behalf of the Applicant/Petitioners, I will move that the hearing be continued and that the ALJ make the required referral of the [redlined] Development Plan to the Planning Board, with the hearing to be scheduled in the future following the Planning Board meeting and filing of its decision with the ALJ pursuant to BCC § 32-4-232(c); and
5. Once the Planning Board has filed its decision with the ALJ, the hearing can be rescheduled and written notice given to all parties. Assuming the Planning Board's decision is favorable, the combined hearing can then proceed as any other combined development plan/zoning hearing.

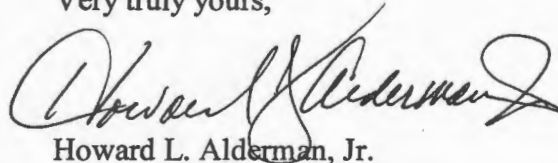
The steps set out above are, I believe, the process that Peter M. Zimmerman, People's Counsel and I agreed upon nearly one year ago. The purpose of this letter is to describe the suggested procedure to all so that lay and expert witnesses do not have to be called to the first hearing where the Development/Zoning plan is merely to be introduced and referred. The suggested procedure will provide the Applicant/Petitioners, the County and any other interested party the opportunity to participate in a hearing before the ALJ with all required information, testimony and evidence presented at one time.

Lawrence M. Stahl, Managing
Administrative Law Judge
Arnold Jablon, Director
Mr. Curtis Murray, Planner
Ms. Vicki Nevy, Staff Contact
February 5, 2014
Page 3

Should there be disagreement with this procedure, it would be most helpful if all concerned could confer (even by telephone conference) to outline the procedural steps to be followed in this matter. I will await your advices; I have also copied Mr. Zimmerman on this letter.

Thank you.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Howard L. Alderman, Jr.", with a stylized flourish at the end.

Howard L. Alderman, Jr.

HLA/gk
Enclosure
c (w/encl.): Mr. and Mrs. Carl Koziol
Peter Max Zimmerman, People's Counsel
Richard E. Matz, PE

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: January 27, 2014

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

SUBJECT: Zoning Advisory Committee Meeting
For January 27, 2014
Item No. 2014-0146, 0149, 0150, 0151, 0152, 0153, 0154 and 0156

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

DAK:CEN.
Cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC01272014 -.doc

Real Property Data Search (w2)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier:	District - 01 Account Number - 0123002271	
Owner Information		
Owner Name:	KOZIOL CARL ALAN KOZIOL LAUREL N	Use: RESIDENTIAL Principal Residence: NO
Mailing Address:	11 S BELLE GROVE RD BALTIMORE MD 21228-2205	Deed Reference: 1) /15481/ 00547 2)
Location & Structure Information		
Premises Address:	BELLE GROVE RD 0-0000	Legal Description: LT ES BELLE GROVE RD E BELLE GROVE RD
Map: 0101	Grid: 0004	Parcel: 1084
Sub District:	Subdivision: 0000	Section:
Block:	Lot:	Assessment Year: 2013
Plat No:	Plat Ref:	Town: NONE
Special Tax Areas:	Ad Valorem:	Tax Class:
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
Property Land Area 23,240 SF	County Use 04	
Stories	Basement	Type
Exterior	Full/Half Bath	Garage
Last Major Renovation		
Value Information		
Base Value	Value	Phase-in Assessments
	As of	As of
	01/01/2013	07/01/2013
	07/01/2014	
Land: 87,300	67,000	
Improvements: 0	0	
Total: 87,300	67,000	67,000
Preferential Land: 0		0
Transfer Information		
Seller: KOZIOL CARL ALAN	Date: 08/20/2001	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /15481/ 00547	Deed2:
Seller: KOZIOL CARL ALAN	Date: 12/10/1997	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /12543/ 00092	Deed2:
Seller: WATKINS R DORSEY,ET AL	Date: 12/27/1985	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07072/ 00551	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County: 000		0.00
State: 000		0.00
Municipal: 000		0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)

District: **01** Account Number: **0123002271**

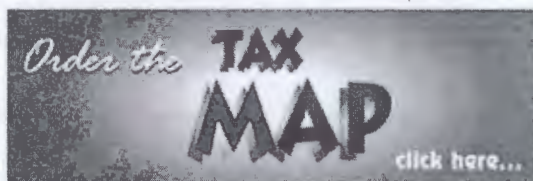


The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

☒ Loading... Please Wait.

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Real Property Data Search (w2)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier:	District - 01 Account Number - 0123002270	
Owner Information		
Owner Name:	KOZIOL CARL ALAN KOZIOL LAUREL N	Use: RESIDENTIAL
Mailing Address:	11 S BELLE GROVE RD BALTIMORE MD 21228-2205	Principal Residence: YES Deed Reference: 1) /15481/ 00547 2)
Location & Structure Information		
Premises Address:	11 BELLE GROVE RD 0-0000	Legal Description: LT ES BELLE GROVE RD 11 BELLE GROVE RD 800 S OF FREDERICK AV
Map: 0101	Grid: 0004	Parcel: 1084
Sub District:	Subdivision: 0000	Section:
Block:	Lot:	Assessment Year: 2013
Plat No:	Plat Ref:	Town: NONE
Special Tax Areas:	Ad Valorem:	Tax Class:
Primary Structure Built 1849	Above Grade Enclosed Area 2,924 SF	Finished Basement Area 2.2900 AC
Property Land Area 04	County Use	
Stories 2.000000	Basement YES	Type STANDARD UNIT
Exterior WOOD SHINGLE	Full/Half Bath 2 full	Garage 1 Detached
Last Major Renovation		
Value Information		
Base Value	Value	Phase-in Assessments
Land: 135,400	As of 01/01/2013	As of 07/01/2013
Improvements 161,700	As of 01/01/2013	As of 07/01/2014
Total: 297,100	As of 01/01/2013	As of 07/01/2014
Preferential Land: 0	As of 01/01/2013	As of 07/01/2014
Transfer Information		
Seller: KOZIOL CARL ALAN	Date: 08/20/2001	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /15481/ 00547	Deed2:
Seller: KOZIOL CARL ALAN	Date: 12/10/1997	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /12543/ 00092	Deed2:
Seller: WATKINS R DORSEY, ET AL	Date: 12/27/1985	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /07072/ 00551	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County: 000	07/01/2014	
State: 000	0.00	
Municipal: 000	0.00 0.00	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: Approved 04/07/2011		

New Search (<http://sdat.resiusa.org/RealProperty>)

P160

P 712

P1550

P2169

P2168

P1672

P1613

P1508

P1008

P1009

P154

P158

P124

P1084

MOUNT RIDGE

Order the **TAX MAP** [click here...](#)

(<http://imsweb05.mdp.state.md.us/website/mosp/>)

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CASE NAME KOZIOLO PROPERTY
CASE NUMBER 01-0574 and
DATE NOVEMBER 6 2014

2014-0153-A

CITY, STATE, ZIP

E - MAIL

[illegible]

CASE NAME KOZIOL PROPERTY
CASE NUMBER 01-574 and
DATE NOVEMBER 6, 2014

2014-0153-A

[illegible]

HCH 01-574

Exhibits are included in PRT case

Case No.: (2014-0153-A companion case)

Exhibit Sheet

Petitioner/Developer

Protestants

B.C.

No. 1	IA > 2 sheet redline develop. plan IB		Open space WAIVER
No. 2	Planning Board County Memorandum dated 6-25-14		School Analysis
No. 3	Pattern Book		
No. 4			
No. 5			
No. 6			
No. 7			
No. 8			
No. 9			
No. 10			
No. 11			
No. 12			

CASE NAME ~~02-0574~~ K03101
CASE NUMBER 01-0574 P2014-0153-A
DATE 28 MARCH 2014

[illegible]

CASE NAME Kozjol Property
CASE NUMBER 01-0574
DATE 3/28/2014

[illegible]

Case No.:

2014-0153-A

Exhibit Sheet

PW 12-12-14
PW 11-7-14

Petitioner/Developer

Protestants

No. 1	Plan (sheet 1, Dev. Ex. 1A, Redline Dev. Plan)	
No. 2	Planning Board memo dated 6-25-14	
No. 3	Enlarged Exhibit w/ locations of variances	
No. 4	XXXX	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

BALTIMORE COUNTY, MARYLAND

MEMORANDUM

TO: John E. Beverungen
Zoning Commissioner

DATE: June 25, 2014

FROM: Andrea VanArsdale
Secretary, Baltimore County Planning Board

SUBJECT: Koziol Property, PAI # 01-574

In accordance with Section 32-4-231(a) (3) and Section 32-4-232 of the Baltimore County Code, at its May 15, 2014 meeting, the Planning Board reviewed the involvement of an historic structure; known as *Boxwood* (Belle Grove Gardener's House) house and setting, located at 11 S. Belle Grove Road, Catonsville [BA-3274], submitted in conjunction with a request for a development plan for the Koziol Property, PAI # 01-574.

The Administrative Law Judge referred the Development Plan to the Planning Board for action as stipulated in BCC Section 32-4-232(f). The Planning Board action is binding upon the Hearing Officer.

The Baltimore County Planning Board, at its June 19, 2014 meeting, based on the Department of Planning's Staff Report, concludes that the development "involves" an historic structure. The preservation of the structure on the final landmarks list and the established historic environmental setting separating the proposed development effectively preserves the historic resource.

A copy of the Staff Report dated May 15, 2014 is included for your information.

AVA:ll

Enclosures

c: The Honorable Councilman Tom Quirk
Thomas Peddicord, Secretary, County Council
Arnold Jablon, Deputy Administrative Officer and Director, PAI
Karin Brown, Preservation Services
Colleen Kelly, PAI
Howard Alderman, Esquire
Scott Phillips, Chairman, Baltimore County Planning Board





KEVIN KAMENETZ
County Executive

ANDREA VAN ARSDALE, Director
Department of Planning

TO: Baltimore County Planning Board **DATE:** May 15, 2014

FROM: Department of Planning

SUBJECT: Proposed development, Koziel Property which "involves" a structure on the Baltimore County Landmarks List, 3387 "Boxwood" (Belle Grove Gardener's House)

GENERAL INFORMATION

Applicant: Carl Alan & Laurel N. Koziel
11 S. Belle Grove Road
Baltimore, MD 21228-2205

Project Number: I-574

Location: 11 S. Belle Grove Road

Land Management Area: Community Conservation Area

Zoning (and acreage): DR 3.5

Growth Tier: I

Total area: 2.737± acres

Surrounding Zoning and Land Use:

North:	DR 3.5	Office and Residential
South:	DR 3.5	Residential
East:	DR 3.5, DR 5.5	Residential
West:	DR 3.5	Residential

Project Proposal

The project proposes 5 single-family dwellings, 4 proposed, 1 existing situated on 2.8 gross acres of DR 3.5 zoned land. The site is currently improved with one single-family dwelling, which is considered historical. The tract is a mix of lawn and woods.

Historic Resource – Final Landmarks List Structure and Setting

Boxwood (Belle Grove Gardener's House) house and setting, 11 S. Belle Grove Road, Catonsville [BA-3274]

Boxwood is located in the First Election District of Baltimore County in the Paradise area of Catonsville. Originally constructed by wallpaper merchant Darius Carpenter Howell as a home for employees of his mansion *Belle Grove* (Final Landmark # 151) the house was purchased in 1920 by Baltimore attorney George Tyler Smith to be used as a summer home. The structure likely acquired the name "Boxwood" about this time. The Smith family sold the property in 1930 and over time, the structure fell into disrepair. Today, the home has been extensively restored by the current owners.

Boxwood is significant as a tangible reminder of the big estates characterized by large acreage lots and gardens that once dominated Catonsville. The home demonstrates the evolution of development in Catonsville around the early 1900's when these large properties were subdivided for a new generation of residents. Architecturally, the house is an excellent example of a rural vernacular style typical of the cottage styles of the late 19th and early 20th centuries. *Boxwood* was designed not only to complement *Belle Grove* but to also integrate with the lawn and gardens surrounding the main house.

Part of the property, 0.38 acres total was delineated as a historic environmental setting (HES) in support of *Boxwood*.

Historic Resource –Decision of the LPC:

The applicant proposes to construct 4 new dwellings on the current site of Final Landmarks Property "Boxwood". Prior to submitting the plan to the Landmarks Preservation Commission (LPC), the applicant met with a Technical Committee at site. The Technical Committee commented on the proposal and the engineer incorporated the suggestions into the plan presented to the Commission. The LPC voted to support the Concept Plan presented at the March 14, 2013 meeting subject to the site plan presented being revised to show the HES. The appropriately revised site plan was submitted to the Planning Department on March 15, 2013.

Historic Resources – Role of the Baltimore County Planning Board:

Pursuant to BCC Section 32-4-231(a)(3) the Administrative Law Judge (ALJ, Hearing Officer) shall refer any Development Plan involving a structure included on the preliminary or final county landmarks list to the Baltimore County Planning Board (Planning Board) prior to rendering a Final Decision and Order in the development case. Upon referral, the Planning Board has 45 days to file its written decision with the Hearing Officer, including the reasons for its decision in adherence with BCC Section 32-4-232(c). BCC Section 32-4-232(f)(1) stipulates the decision of the Planning Board is binding upon the Hearing Officer and "shall be incorporated as part of the Hearing Officer's final action on a plan."

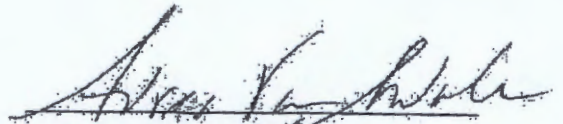
On March 28, 2014 the ALJ referred the Koziol Property Development Plan to the Planning Board for action. The Planning Board is scheduled to act upon the referral at their meeting scheduled for May 15, 2014 and to be concluded on June 5, 2014. The ALJ has waived the 45 day Planning Board response timeline requirements found in BCC 32-4-232(c).

Conclusions of the Department of Planning – Historic Setting

The HES of *Baxwood* is very local to the historic structure. Variance relief to side building face setback requirements between the new dwellings has been petitioned for which the Department supports. That notwithstanding, historic structure is provided all required setback distances thereby ensuring the integrity of the HES.

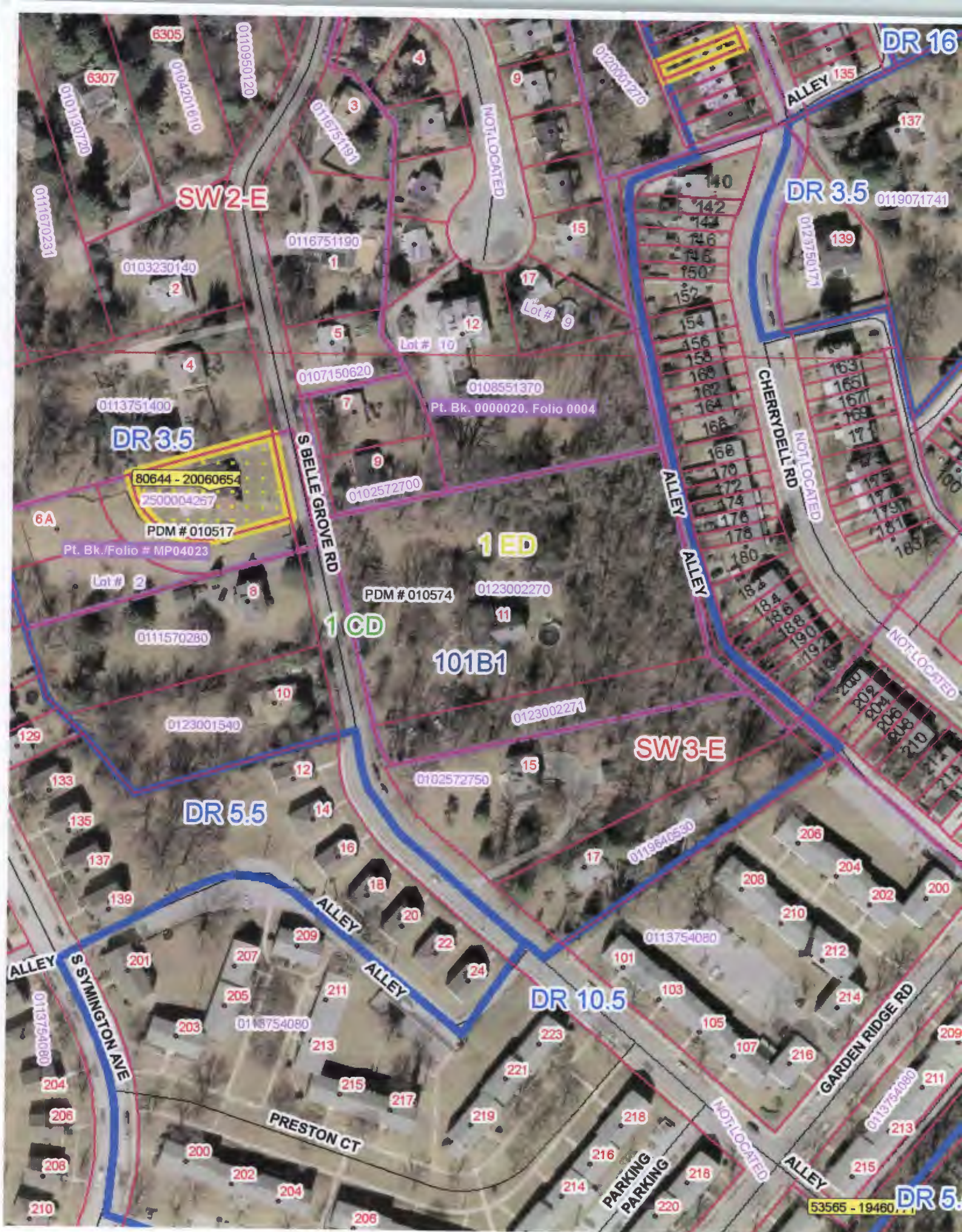
Recommendations of the Department of Planning:

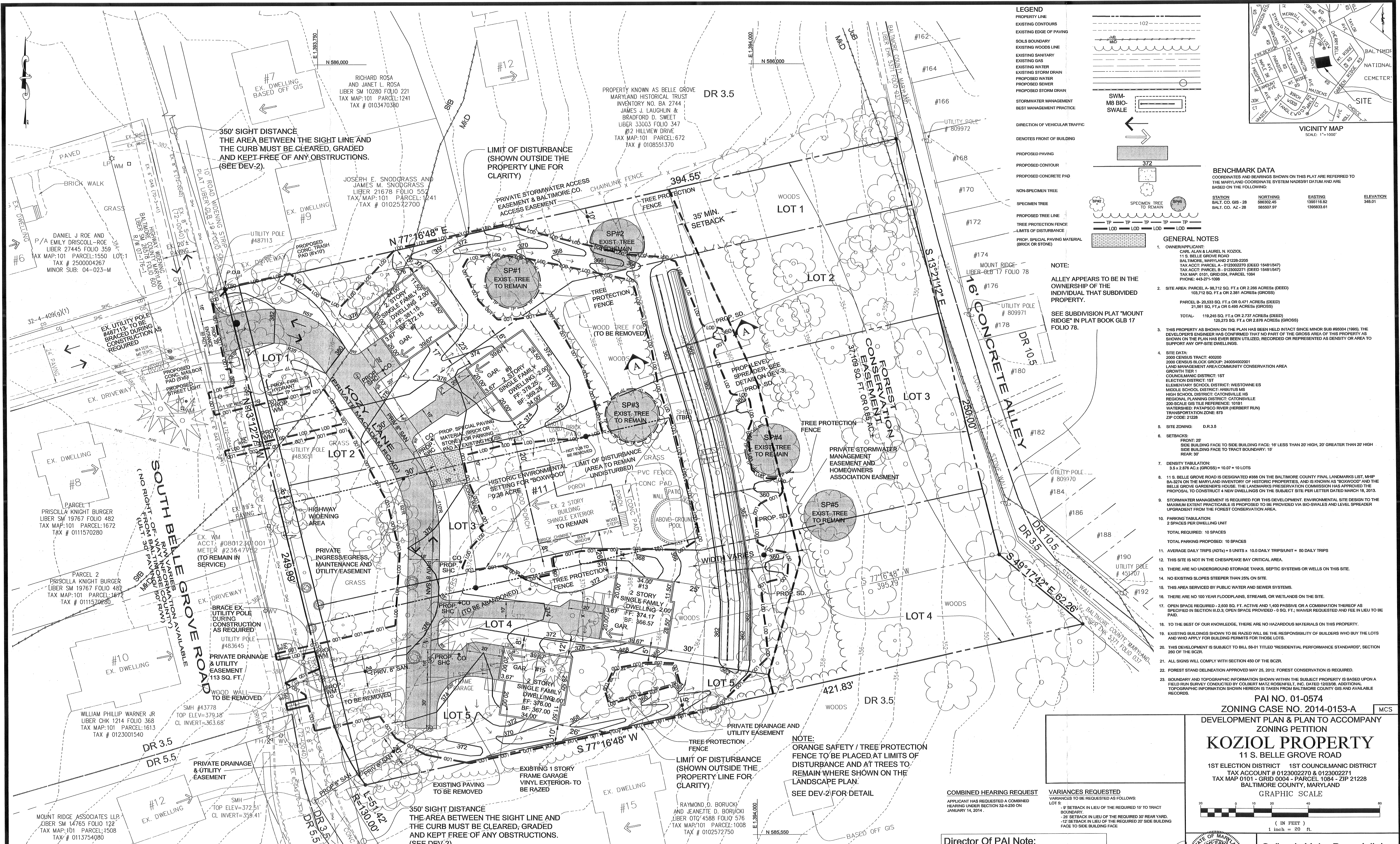
The Department of Planning recommends that the Development Plan be approved.


Andrea Van Arsdale, Director

LTM:ltm

CC: Honorable John E. Beverungen, Baltimore County Administrative Law Judge
Howard L. Alderman, Jr., Esquire, Levin & Gann, PA
Richard Matz, PE, Colbert Matz Rosenfelt, Inc.





- LEGEND**
- PROPERTY LINE
 - EXISTING CONTOURS
 - EXISTING EDGE OF PAVING
 - SOILS BOUNDARY
 - EXISTING WOODS LINE
 - EXISTING SANITARY
 - EXISTING WATER
 - EXISTING STORM DRAIN
 - PROPOSED WATER
 - PROPOSED SEWER
 - PROPOSED STORM DRAIN
 - STORMWATER MANAGEMENT
 - BEST MANAGEMENT PRACTICE

- GENERAL NOTES**
1. OWNER/APPLICANT: CARL ALAN & LAUREL N. KOZIOLO
11 S. BELLE GROVE ROAD
BALTIMORE, MARYLAND 21228-2205
TAX ACCT: PARCEL A - 0123002270 (DEED 15481547)
TAX ACCT: PARCEL B - 0123002271 (DEED 15481547)
TAX MAP: 0101, GRID 0004, PARCEL 1064
PHONE: 410-271-1088
2. SITE AREA: PARCEL A - 98,712 SQ. FT. ± OR 2.266 ACRES (DEED)
103,712 SQ. FT. ± OR 2.381 ACRES (GROSS)
PARCEL B - 20,533 SQ. FT. ± OR 0.471 ACRES (DEED)
21,561 SQ. FT. ± OR 0.495 ACRES (GROSS)
TOTAL - 119,245 SQ. FT. ± OR 2.737 ACRES (DEED)
125,273 SQ. FT. ± OR 2.876 ACRES (GROSS)
3. THIS PROPERTY AS SHOWN ON THE PLAN HAS BEEN HELD INTACT SINCE MINOR SUB #66004 (1998). THE DEVELOPER/ENGINEER HAS CONFIRMED THAT NO PART OF THE GROSS AREA OF THIS PROPERTY AS SHOWN ON THE PLAN HAS EVER BEEN UTILIZED, RECORDED OR REPRESENTED AS DENSITY OR AREA TO SUPPORT ANY OFF-SITE DWELLINGS.
4. SITE DATA:
2000 CENSUS TRACT: 400200
2000 CENSUS BLOCK GROUP: 24004002001
LAND MANAGEMENT AREA/COMMUNITY CONSERVATION AREA
GROWTH TIER 1
COUNCILMANIC DISTRICT: 1ST
ELECTION DISTRICT: 1ST
ELEMENTARY SCHOOL DISTRICT: WESTWIND ES
MIDDLE SCHOOL DISTRICT: ARBUTHUS MS
HIGH SCHOOL DISTRICT: CATONSVILLE HS
REGIONAL PLANNING DISTRICT: CATONSVILLE
200-SCALE GIS FILE REFERENCE: 10181
WATERSHED: PATAPSCO RIVER (HERBERT RUN)
TRANSPORTATION ZONE: 073
ZIP CODE: 21228
5. SITE ZONING: DR.3.5
6. SETBACKS:
FRONT: 20'
SIDE BUILDING FACE TO SIDE BUILDING FACE: 10' LESS THAN 20' HIGH, 20' GREATER THAN 20' HIGH
SIDE BUILDING FACE TO TRACT BOUNDARY: 15'
REAR: 30'
7. DENSITY TABULATION:
5.5 ± 2.876 AC ± (GROSS) = 10.07 ± 10 LOTS
8. 11 S. BELLE GROVE ROAD IS DESIGNATED #388 ON THE BALTIMORE COUNTY FINAL LANDMARKS LIST, MHP BA-3274 ON THE MARYLAND INVENTORY OF HISTORIC PROPERTIES, AND IS KNOWN AS "BOXWOOD" AND THE BELLE GROVE COUNTRY HOUSE. THE LANDMARKS PRESERVATION COMMISSION HAS APPROVED THE PROPOSAL TO CONSTRUCT 4 NEW DWELLINGS ON THE SUBJECT SITE PER LETTER DATED MARCH 18, 2013.
9. STORMWATER MANAGEMENT IS REQUIRED FOR THIS DEVELOPMENT. ENVIRONMENTAL SITE DESIGN TO THE MAXIMUM EXTENT PRACTICABLE IS PROPOSED TO BE PROVIDED VIA BIO-SWALES AND LEVEL SPREADER UPGRADES FROM THE FOREST CONSERVATION AREA.
10. PARKING TABULATION:
2 SPACES PER DWELLING UNIT
TOTAL REQUIRED: 10 SPACES
TOTAL PARKING PROVIDED: 10 SPACES
11. AVERAGE DAILY TRIPS (ADTs) = 5 UNITS x 10.0 DAILY TRIPS/UNIT = 50 DAILY TRIPS
12. THIS SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
13. THERE ARE NO UNDERGROUND STORAGE TANKS, SEPTIC SYSTEMS OR WELLS ON THIS SITE.
14. NO EXISTING SLOPES STEEPER THAN 25% ON SITE.
15. THIS AREA SERVICED BY PUBLIC WATER AND SEWER SYSTEMS.
16. THERE ARE NO 100 YEAR FLOODPLAINS, STREAMS, OR WETLANDS ON THE SITE.
17. OPEN SPACE REQUIRED - 2,808 SQ. FT. ACTIVE AND 1,400 PASSIVE OR A COMBINATION THEREOF AS SPECIFIED IN SECTION III.D.3. OPEN SPACE PROVIDED - 0 SQ. FT.; WAIVER REQUESTED AND FEE IN LIEU TO BE PAID.
18. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO HAZARDOUS MATERIALS ON THIS PROPERTY.
19. EXISTING BUILDINGS SHOWN TO BE RAZED WILL BE THE RESPONSIBILITY OF BUILDERS WHO BUY THE LOTS AND WHO APPLY FOR BUILDING PERMITS FOR THOSE LOTS.
20. THIS DEVELOPMENT IS SUBJECT TO BILL 88-01 TITLED "RESIDENTIAL PERFORMANCE STANDARDS", SECTION 200 OF THE BCZR.
21. ALL SIGNS WILL COMPLY WITH SECTION 450 OF THE BCZR.
22. FOREST STAND DELINEATION APPROVED MAY 25, 2012. FOREST CONSERVATION IS REQUIRED.
23. BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN WITHIN THE SUBJECT PROPERTY IS BASED UPON A FIELD SURVEY CONDUCTED BY COLBERT MATZ ROSENFELT, INC. DATED 12/20/10. ADDITIONAL TOPOGRAPHIC INFORMATION SHOWN HEREON IS TAKEN FROM BALTIMORE COUNTY GIS AND AVAILABLE RECORDS.

NOTE:
ALLEY APPEARS TO BE IN THE OWNERSHIP OF THE INDIVIDUAL THAT SUBDIVIDED PROPERTY.
SEE SUBDIVISION PLAT "MOUNT RIDGE" IN PLAT BOOK GLB 17 FOLIO 78.

COMBINED HEARING REQUEST
APPLICANT HAS REQUESTED A COMBINED HEARING UNDER SECTION 3-2-20 ON JANUARY 14, 2014.

VARIANCES REQUESTED
VARIANCES TO BE REQUESTED AS FOLLOWS:
LOT 5:
- 9' SETBACK IN LIEU OF THE REQUIRED 15' TO TRACT BOUNDARY.
- 20' SETBACK IN LIEU OF THE REQUIRED 30' REAR YARD.
- 12' SETBACK IN LIEU OF THE REQUIRED 20' SIDE BUILDING FACE TO SIDE BUILDING FACE

Director Of PAI Note:
THIS DEVELOPMENT PLAN IS APPROVED BY THE DIRECTOR OF PAI BASED ON HIS INTERPRETATION OF THE ZONING REGULATIONS, THAT IT COMPLES WITH PRESENT POLICY, DENSITY, AND BULK CONTROLS AS THEY ARE DELINEATED IN THE REGULATIONS. ANY PART OR PARCEL OF THIS TRACT THAT HAS BEEN UTILIZED FOR DENSITY TO SUPPORT DWELLINGS SHOWN THEREON SHALL NOT BE FURTHER DIVIDED, SUBDIVIDED OR DEVELOPED FOR ADDITIONAL DWELLINGS OR ANY PURPOSE OTHER THAN THAT INDICATED PRESENTLY ON SAID PLAN. UTILIZATION WILL HAVE OCCURRED WHEN A DWELLING IS CONSTRUCTED AND TRANSFERRED FOR THE PURPOSE OF OCCUPANCY.

CERTIFICATE OF DELINQUENT ACCOUNTS
I, CARL KOZIOLO, HEREBY CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.
Signature: [Signature] Date: JAN 14, 2014

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. 13293 Expiration Date: 11/02/14
Checked: SLD/REM
File: 2007173 DEV PLAN.dwg
Drawing Number: DEV-1

NO. DATE REVISIONS: BY SHEET 1 OF 2

ENVIRONMENTAL NOTES:

FOREST CONSERVATION EASEMENTS NON-DISTURBANCE NOTE:
THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST CONSERVATION EASEMENTS EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY.

FOREST CONSERVATION EASEMENTS PROTECTIVE COVENANTS NOTE:
ANY FOREST CONSERVATION EASEMENTS SHOWN HEREON ARE SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

REQUIREMENTS	VOLUME REQUIRED	VOLUME PROVIDED	NOTES
WATER QUALITY VOLUME (WQV)	1720	1389	VOLUME PROVIDED = 75%
RECHARGE VOLUME (REV)	232	-	INCLUDED IN ESdV
ESdV	2222	4265	ADDITIONAL RECHARGE VOLUME REQUIRED
OVERBANK FLOOD PROTECTION (OP)	N/A	N/A	N/A
EXTREME FLOOD VOLUME (OF)	N/A	N/A	N/A

OPEN SPACE PROPOSAL

Local Open Space Type	Acres
Active Open Space	0.00
100 Year Flood Plain	0.00
Critical Area Easement	0.00
Amenity Areas	0.00
Trails and Connectors	0.00
Other (Passive Open Space)	0.00
Total Provided	0.00 *
Proposed Ownership	N/A

* LOS WAIVER TO BE REQUESTED.

SITE DATA

visiting Zoning and Maximum Density Permitted

Zone	Acres	Units Allowed	Density Units	Units Proposed
D.R.3.5	2.876	10	10	5
Total	2.876	10	10	5

Acres
0A)
0.31
0.00
0.70
1.01

KEY	SOIL NAME
JUB	JACKLAND-URBAN LAND COMPLEX
MID	MATTAREX-URBAN LAND COMPLEX
SIB	SASSAFRAS-URBAN LAND COMPLEX

SOILS DATA

KEY	SOIL NAME	HSG	DWELLINGS WITH BASEMENTS	DWELLINGS WITHOUT BASEMENTS	LOCAL ROADS & STREETS
JUB	JACKLAND URBAN LAND COMPLEX	D	SLIGHT	SLIGHT	MODERATE
MID	MATTAPES URBAN LAND COMPLEX	C	MODERATE SLOPE	MODERATE SLOPE	SEVERE SLOPE
SIB	SASSAFRAS URBAN LAND COMPLEX	B	MODERATE SLOPE	MODERATE SLOPE	SEVERE SLOPE

GRAPHIC SCALE

1 inch = 20 ft.

0 10 20 30 40 50

PAI NO. 01-0574
ZONING CASE NO. 2014-0153-A MCS

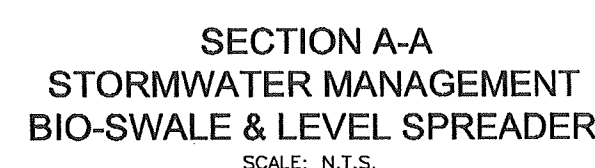
DEVELOPMENT PLAN & PLAN TO ACCOMPANY ZONING PETITION

KOZIOLO PROPERTY
11 S. BELLE GROVE ROAD
1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT
TAX ACCOUNT # 0123002270 & 0123002271
TAX MAP 0101 - GRID 0004 - PARCEL 1064 - ZIP 21228
BALTIMORE COUNTY, MARYLAND

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

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. 13293 Expiration Date: 11/02/14
Checked: SLD/REM
File: 2007173 DEV PLAN.dwg
Drawing Number: DEV-1

NO. DATE REVISIONS: BY SHEET 1 OF 2



Where fire protection water supplies are required to be provided shall be installed and made available for use not later than the time when construction of any individual building is under roof. A crusher run road for access to buildings and required water supplies shall be available for the use by emergency fire apparatus and capable of handling emergency apparatus weighing 70,000 lbs. when construction of any building is under roof, in accordance with the Baltimore County Fire prevention Code, Section 1:16.4.3.1.3.

Refer to the provisions of the **Baltimore County Fire Prevention Code; County Bill # 48-10 Section1:10.12.1.5**, regarding the address numbers for residential properties shall be a **minimum** inches in size.

A separate building permit is required for the installation of a residential sprinkler system for each individual dwelling.

The residential sprinkler system shall be inspected and approved by the Baltimore County Marshal's Office prior to occupancy.

All FIRE HYDRANTS shall be in accordance with the Baltimore County Standard Design Manual, adopted by County Council Resolution 63-10.



Form 4

Projected Pupil Yield by Development Type
Department of Planning

Project Name **11 South Belle Grove Road**

PDM Project Number 01-0574

Filing Date

		Actual September 30th Enrollment	Projected # of Pupils for Specific Development	Projected # of Pupils for Approved Development	Total Projected Enrollment	# of Students Above or (Below) Net SDC	Projected* # of Pupils as a Percentage of Net SDC	
School District		480	568	1	0	569	89	118.5%
Westone Elementary School								
Arbutus Middle School	1,036	807	0	0	807	(229)	77.9%	
Catonsville	1,729	1,719	1	0	1,720	(9)	99.5%	

**BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PLANNING**

Memorandum

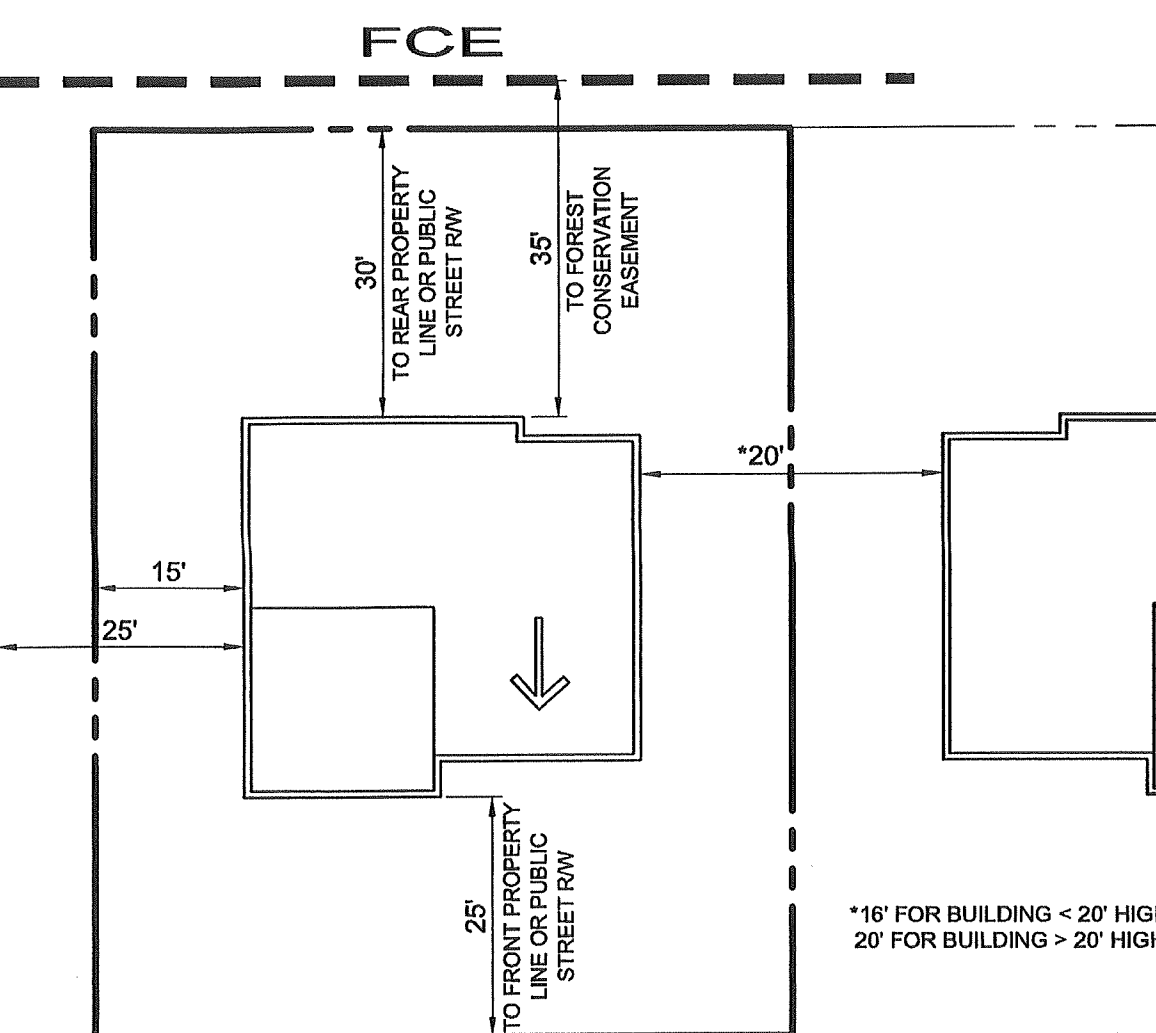
TO: Lynn Lanham

DATE: March 18, 2013

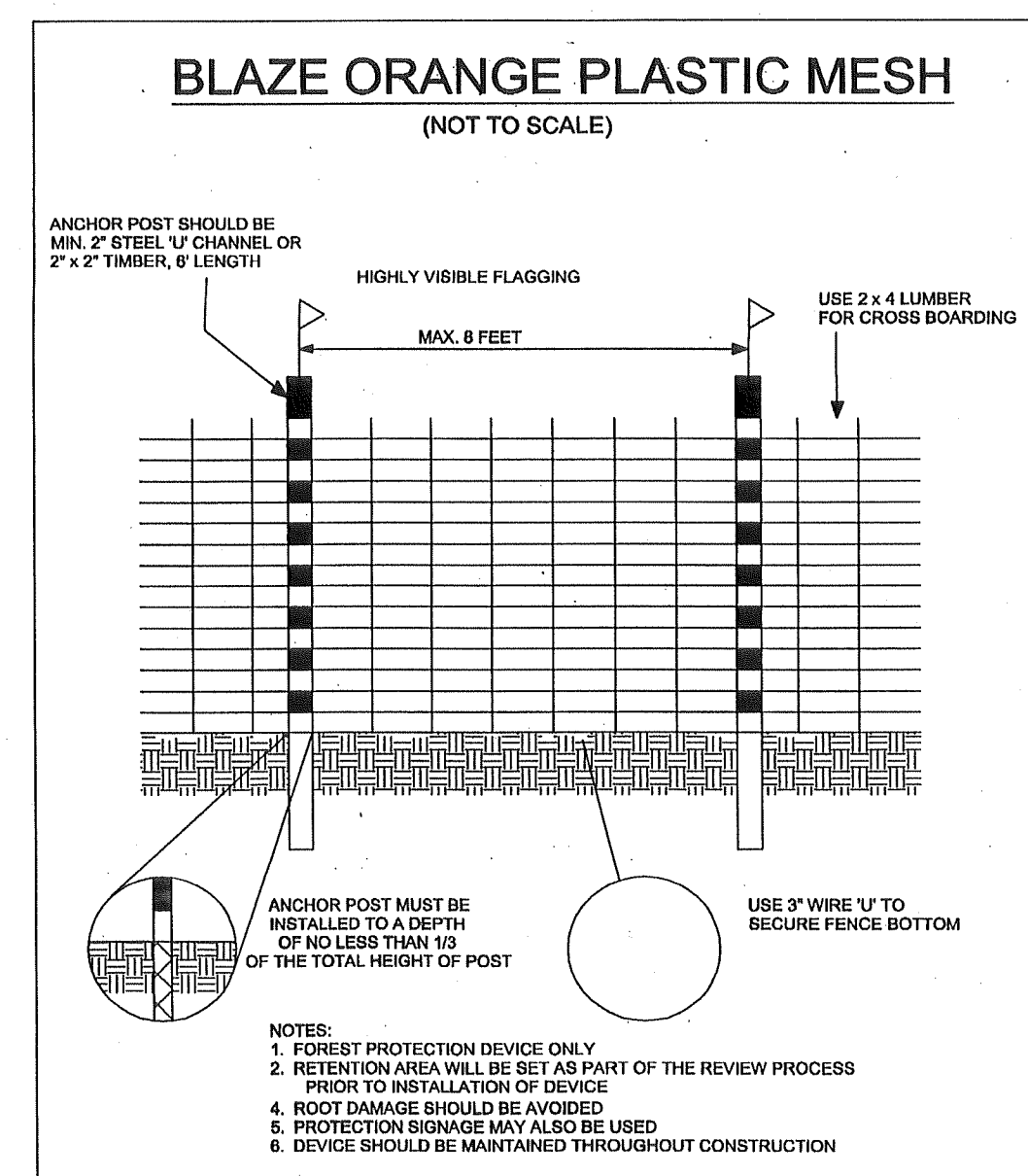
FROM: Vicki Nevy, Administrator/Secretary
Landmarks Preservation Commission

SUBJECT: Koziol Property (11 S. Belle Grove Road)

The applicant proposes to construct 4 new dwellings on the current site of Final Landmarks Property #388, "Boxwood". The Landmarks Preservation Commission voted to support the Concept Plan presented at the March 14, 2013 meeting subject to the site plan presented being revised to show the Historic Environmental Setting. The appropriately revised site plan was submitted to the Planning Department on March 15, 2013. (For depiction of Historic Environmental Setting, see Map, this sheet and DEV-1.)



TYPICAL LOT LAYOUT
SCALE: 1"=20'



DEDICATION TABLE

The following rights of way are to be conveyed to Baltimore County by the developer/owner of this property as a condition of approval of these plans.

TYPE OF CONVEYANCE	NO.	TOTAL AREA*
BALTIMORE COUNTY ACCESS EASEMENT	1	0.06 AC
FOREST CONSERVATION EASEMENT	1	0.85 AC
HIGHWAY WIDENING	1	0.05 AC

*NOTE: During the processing of development plans and prior to Final Development Plan (FD) submittal, total areas shown in this table may be approximate.

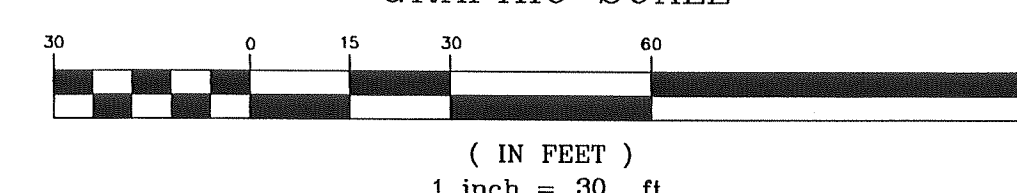
PAI NO. 01-0574
ZONING CASE NO. 2014-0153-A

DEVELOPMENT PLAN & PLAN TO ACCOMPANY
ZONING PETITION - NOTES & DETAILS

11 S. BELLE GROVE ROAD

1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT
TAX ACCOUNT # 0123002270 & 0123002271
TAX MAP 0101 - GRID 0004 - PARCEL 1084 - ZIP 21228
BALTIMORE COUNTY, MARYLAND

GRAPHIC SCALE



Colbert Matz Rosenfelt, Inc.

Engineers * Surveyors * Planners

2835 Smith Avenue, Suite G
Baltimore, Maryland 21206

Telephone: (410) 653-3838

Facsimile: (410) 653-7953

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:	11/02/14	DESIGNED: AKC/ S
				DRAWN: AKC

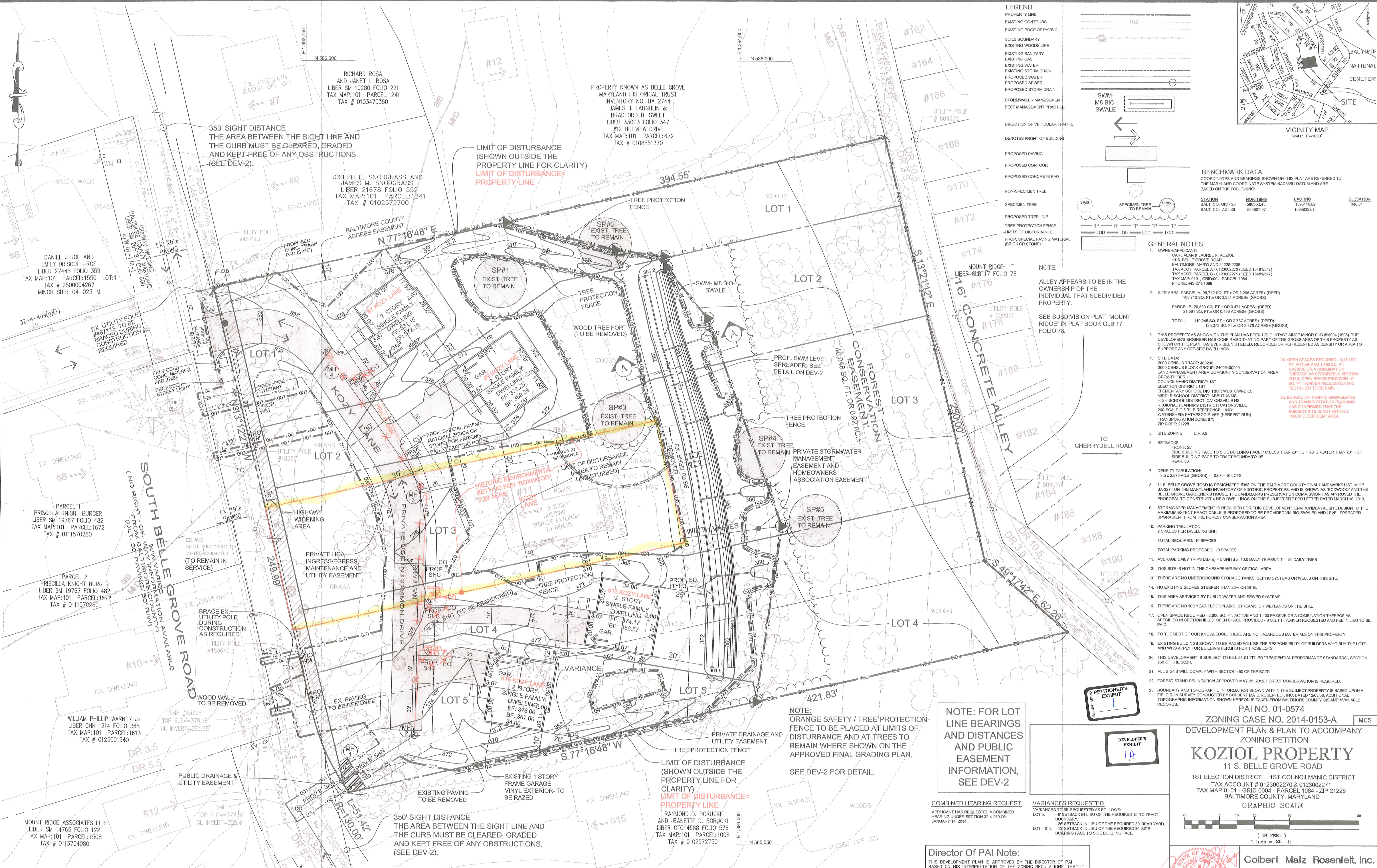
					DRAWN: ARC
					CHECKED: SLD / RE

			FILE: 2007173 DEV PLA
			DRAWING

				NUMBER:	DE

NO.	DATE	REVISIONS:	BY	SHEET 2 OF
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\\id2\project\2007\2007173\Project Directories\CMR\Dev Plan (current)\2007173 DEV PLAN (CURRENT) 011314.dwg, DEV-2, 1/14/2014 2:10:14 PM,



ENVIRONMENTAL NOTES:

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SWM STORAGE REQUIREMENTS

REQUIREMENTS	VOLUME REQUIRED (cu ft)	VOLUME PROVIDED (cu ft)	NOTES
WATER QUALITY VOLUME (WQV)	1720	1389	VOLUME PROVIDED LESS
RECHARGE VOLUME (REV)	232	-	INCLUDED IN ESDV
ESDV	2222	4285	REQUIREMENT MET
OVERBANK FLOOD PROTECTION (OB)	N/A	N/A	N/A
EXTREME FLOOD VOLUME (EFV)	N/A	N/A	N/A

OPEN SPACE PROPOSAL

Local Open Space Type	Acres
Active Open Space	0.00
100 Year Flood Plain	0.00
Critical Area Easement	0.00
Amenity Areas	0.00
Trails and Connectors	0.00
Other (Passive Open Space)	0.00
Total Provided	0.00 *
Proposed Ownership	N/A

* LOS NUMBER TO BE REQUESTED.

SITE DATA

Zone	Acres	Density	Units Proposed
D.R.3.5	2.876	10	10
Total	2.876	10	10

SOILS DATA

KEY	SOIL NAME	HSG	DWELLINGS WITH BASEMENTS	DWELLINGS WITHOUT BASEMENTS	LOCAL ROADS & STREETS
JAB	JACKSON-URBAN LAND COMPLEX	D	MODERATE SLOPE	MODERATE SLOPE	MODERATE
MD	MATTAPEX-URBAN LAND COMPLEX	C	MODERATE SLOPE	MODERATE SLOPE	SEVERE SLOPE
SB	SASSAPARAS-URBAN LAND COMPLEX	B	MODERATE SLOPE	MODERATE SLOPE	SEVERE SLOPE

Director Of PAI Note:

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CERTIFICATE OF DELINQUENT ACCOUNTS

I, CARL KOZIOL, HEREBY CERTIFY THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. I HAVE REVIEWED THE PLANS AND SPECIFICATIONS FOR THE PROPOSED DEVELOPMENT, AND I AM NOT PROVIDING CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

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Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

NO.	DATE	REVISIONS	BY	SHEET	OF
1	05/05/14			1	2

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PAI NO. 01-0574
ZONING CASE NO. 2014-0153-A
MCS
DEVELOPMENT PLAN & PLAN TO ACCOMPANY
ZONING PETITION
KOZIOL PROPERTY
11 S. BELLE GROVE ROAD
1ST ELECTION DISTRICT 1ST COUNCILMANIC DISTRICT
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BALTIMORE COUNTY, MARYLAND
GRAPHIC SCALE
1 inch = 20 ft.

