

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(1200 White Avenue)		
15 th Election District	*	OFFICE OF
7 th Council District		
Davud Musayev, <i>Legal Owner</i>	*	ADMINISTRATIVE HEARINGS
Sunay Ahmadov, <i>Lessee</i>	*	FOR BALTIMORE COUNTY
Petitioners	*	Case No. 2018-0322-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of a Petition for Special Hearing filed on behalf of Davud Musayev, legal owner, and Sunay Ahmadov, lessee (“Petitioners”). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to approve an amendment of the previously approved site plan, reflecting the removal of garage and the layout of display parking from Case No. 2018-0105-X. A site plan was marked and accepted into evidence as Petitioners’ Exhibit 1.

Sunay Ahmadov and professional engineer Mostafa Izadi appeared in support of the requests. There were no protestants or interested citizens in attendance. The Petition was advertised and posted as required by the BCZR. Substantive Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) and the Bureau of Development Plans Review (“DPR”). Neither agency objected to the request.

SPECIAL HEARING

This is a relatively straight forward case involving an amendment of a site plan approved last year in Case No. 2018-0105-X. That plan showed spaces for eight (8) motor vehicles to be displayed for sale. The Motor Vehicle Administration (“MVA”) informed Petitioners they must

display for sale a minimum of ten (10) vehicles. As such, the plan was amended to indicate an existing garage has been razed, which allowed several additional vehicles to be displayed on site.

This is a reasonable request and the petition will therefore be granted.

THEREFORE, IT IS ORDERED this 20th day of **July, 2018**, by this Administrative Law Judge, that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations (“BCZR”) to approve an amendment of the previously approved site plan, reflecting the removal of garage and the layout of display parking from Case No. 2018-0105-X, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. Petitioners shall comply with the DOP ZAC comment attached hereto, with the exception of the first highlighted item which has been stricken by the undersigned.
3. A maximum of twelve (12) vehicles may be displayed and offered for sale on site.

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

Signed
JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:dlw