

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

that the Petitioner operates an establishment which sells books, gifts and novelty items at the location known as 9029 Liberty Road, Baltimore County, Maryland, that the Petitioner is not "operating continued on attached sheet)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Continued on next page

Petitioner:

9029 Liberty Road, Inc.

(Type or Print Name)

Signature Gail Taylor, President

9029 Liberty Road

Address

Randallstown, Maryland 21136

City and State

Attorney for Petitioner:

David S. Goldberg

(Type or Print Name)

Signature

P.O. Box 32043

Address

Baltimore, Maryland 21208

City and State

Attorney's Telephone No.: (301) 653-1090

Address

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

(Type or Print Name)

Signature

(Type or Print Name)

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(Type or Print Name)

Page Two

Petition for Special Hearing

a theatre" as alleged in the Correction Notice For Alleged Zoning Violation.

IN RE: PETITIONS SPECIAL HEARINGS
SW/S of Liberty Road, 400'
SE of Offutt Road
(9029 Liberty Road)
2nd Election District

9029 Liberty Road, Inc.,

Petitioner

SW/S of Main Street (Reisters-
town Road), 300' SE of Walstan
Road (716 Main Street) -
4th Election District

The Randall Corporation,

Lessee

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case Nos. 87-495-SPH and
C-87-912

Case Nos. 87-496-SPH and
C-87-913

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Pursuant to the representation made by Counsel for the Petitioner and Lessee in the above-cited cases, which was confirmed by the Baltimore County Police Department, it is

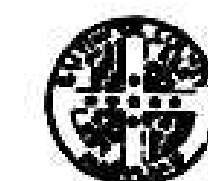
ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of July, 1987, that Case Nos. 87-495-SPH and 87-496-SPH be and are hereby DISMISSED and, as such, Case Nos. C-87-912 and C-87-913 are hereby closed for the reason that the issue presented in these matters for review and adjudication has been resolved by the removal of the "coin-operated viewing machines", more appropriately known as "peep shows".

AJ/srl

cc: David S. Goldberg, Esquire

Ms. Judith Berger

People's Counsel



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JALON
ZONING COMMISSIONER

June 10, 1987

David S. Goldberg, Esquire
P.O. Box 32043
Baltimore, Maryland 21208

RE: PETITION FOR SPECIAL HEARING

SW/S Liberty Rd., 400' SE of Offutt Rd.
(9029 Liberty Rd.)
2nd Election District - 2nd Councilmanic District
9029 Liberty Road, Inc. - Petitioner
Case No. 87-495-SPH

Dear Mr. Goldberg:

This is to advise you that \$72.77 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jalon
Zoning Commissioner

AJmed

MICHAEL B. DALLAS

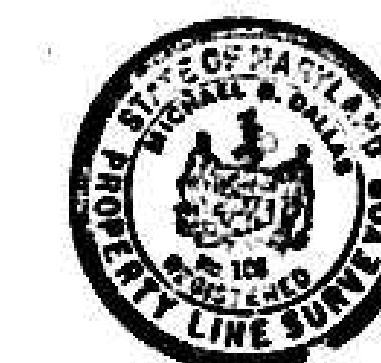
Registered Surveyor
SUITE 200
24 W PENNSYLVANIA AVENUE
TOWSON MD 21204

694-0026

ZONING DESCRIPTION 9029 Liberty Road, Baltimore County, Maryland

BEGINNING on the southwest side of Liberty Road (66 feet wide) at a point distant 400 feet southeasterly from Offutt Road, thence leaving said road and running South 33 degrees 36 minutes West 220.97 feet, thence South 55 degrees 10 minutes East 90.23 feet to the northwest side of Bayer Avenue (a 15 foot private road), thence binding on said road North 31 degrees 50 minutes East 214.50 feet to said southwest side of Liberty Road, thence binding thereon North 50 degrees 35 minutes West 84.03 feet to the place of beginning.

March 7, 1987



CERTIFICATE OF PUBLICATION

87962

Pikesville, Md., May 27 19 87

TO CERTIFY, that the annexed advertisement
published in the NORTHWEST STAR, a weekly
published in Pikesville, Baltimore
Maryland before the 15th day of

1987

publication appearing on the

27th day of May, 1987

publication appearing on the

day of , 19

publication appearing on the

day of , 19

THE NORTHWEST STAR

Phyllis Cole Friedman
Manager

Cost of Advertisement \$25.00

PETITION FOR SPECIAL HEARING

2nd Election District - 2nd Councilmanic District

Case No. 87-495-SPH

LOCATION: Southwest Side of Liberty Road, 400 feet Southeast of Offutt Road (9029 Liberty Road)

DATE AND TIME: Monday, June 15, 1987, at 11:00 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing to approve that the Petitioner operate an establishment that sells books, gifts, and novelty items at the location known as 9029 Liberty Road and to determine whether or not the Petitioner is "operating a theatre" as alleged in the Correction Notice for Alleged Zoning Violation

Being the property of _____ as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JALON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL HEARING
SW/S Liberty Rd., 400' SE of Offutt Rd. (9029 Liberty Rd.)
2nd District
9029 Liberty Road, Inc.,
Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 26th day of May, 1987, a copy of the foregoing Entry of Appearance was mailed to David S. Goldberg, Esquire, P. O. Box 32043, Baltimore, MD 21208, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: May 22-27
Posted for: Special Hearing
Petitioner: 9029 Liberty Road, Inc.
Location of property: SW/S. of Liberty Road 400' SE of
Offutt Road (9029 Liberty Road)
Location of Sign: On front of 9029 Liberty Road
Remarks:
Posted by: [Signature] Date of return: June 1-7
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 28 1987
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on May 28, 1987.

THE JEFFERSONIAN,

[Signature]
Publisher

3217

David S. Goldberg, Esquire
P.O. Box 32043
Baltimore, Maryland 21208

May 8, 1987

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING
SW/S Liberty Rd., 400' SE of Offutt Rd.
(9029 Liberty Rd.)
2nd Election District - 2nd Councilmanic District
9029 Liberty Road, Inc. - Petitioner
Case No. 87-495-SPH

TIME: 11:00 a.m.

DATE: Monday, June 15, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 32417
DATE: 5/10/87 ACCOUNT: 01-615
AMOUNT: \$ 100.00
RECEIVED FROM: David S. Goldberg
FOR: Fee for Special Hearing Item 357
9029 Liberty Rd, Inc
VALIDATION OR SIGNATURE OF CLERK

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this day of April, 1987

Petitioner: 9029 Liberty Road, Inc. Received by: [Signature]
Petitioner's Attorney: David S. Goldberg, Esq. Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: May 13, 1987
Norman E. Gerber, AICP, Director
FROM: Off. of Planning and Zoning
SUBJECT: Zoning Petition Nos. 87-493-SPH, 87-494-SPH, 87-495-SPH and 87-496-SPH

In view of the subjects of these petitions, this office offers no comments.

[Signature]
Norman E. Gerber, AICP
Director

NEG:JGH:sib

RECEIVED
MAY 15 1987

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

James Dyer
TO: Zoning Supervisor Date: March 17, 1987
James Thompson
FROM: Zoning Enforcement Coordinator
Item No. 357 (if known)
SUBJECT: Petitioner: 9029 Liberty Rd., Inc. (if known)

VIOLATION CASE #C-87-913
LOCATION OF VIOLATION 9029 Liberty Road 3809 Jambrook Road
DEFENDANT H. Kappa Sigma, Inc. ADDRESS Randallstown, MD 21133

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME	ADDRESS
Detective Douglas Dunlap	Baltimore County Police Department 400 Fenilworth Avenue Towson, MD 21204

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 21, 1987

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

David S. Goldberg, Esquire
P.O. Box 32043
Baltimore, Maryland 21208

RE: Item No. 357 - Case No. 87-495-SPH
Petitioner: 9029 Liberty Road, Inc.
Petition for Special Hearing

Dear Mr. Goldberg:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

[Signature]
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Michael B. Dallas
24 W. Pennsylvania Avenue
Towson, Maryland 21204



Maryland Department of Transportation

State Highway Administration

RECEIVED
APR 2 1987

ZONING OFFICE

March 30, 1987

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Att: Mr. James Dyer

Re: ZAC Meeting of 3-24-87
ITEM: 357.
Property Owner: 9029 Liberty Road Inc.
Location: SW/S Liberty Road, Route 26, 400 feet SE Offutt Rd.
Existing Zoning: B.L.-CNS
Proposed Zoning: Special Hearing
to approve that the petitioner operates an establishment which sells books, gifts and novelty items at the location. That the petitioner is not "operating a theatre" as alleged in the correction notice for alleged zoning violation.
Area: 0.43 Acres
District: 2nd Election District

Dear Mr. Jablon:

On review of the submittal of 3-6-87 (9029 Liberty Road) the State Highway Administration finds all access to the site generally acceptable, by way of Bayer Avenue.

Very truly yours,

[Signature]
Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:maw

cc: Mr. J. Ogle

By: George Wittman



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

XXXXXXXXXXXX
C. Richard Moon,
Acting Director

April 17, 1987

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 357 -ZAC- Meeting of March 24, 1987
Property Owner: 9029 Liberty Road, Inc.
Location: SW/S Liberty Road, 400 feet SE Offutt Road
Existing Zoning: B.L.-CNS - D.R. 3.5
Proposed Zoning: Special Hearing to approve that the petitioner operates an establishment which sells books, gifts and novelty items at the location. That the petitioner is not "operating a theatre" as alleged in the correction notice for alleged zoning violation
Area: 0.43 acres
District: 2nd Election District

Dear Mr. Jablon:

The frontage of this site along Liberty Road should be improved to meet all of the State Highway Administration's standards.

The parking lot for this site accesses to Bayer Avenue (a private road); this access should be improved to meet County standards.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

March 19, 1987

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: 9029 Liberty Road, Inc.

Location: SW/S Liberty Rd., 400' SE Offutt Road

Item No.: 357

Zoning Agenda: Meeting of 3/24/87

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

2. A second means of vehicle access is required for the site.

3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

X 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

6. Site plans are approved, as drawn.

7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John F. O'Neill* Noted and
Planning Group Approved:
Special Inspection Division

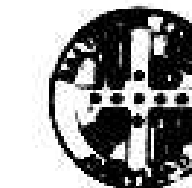
/mb

5/7/87

RE: 87-495-SPH

5/6/87, John Lewis checked with street address section upstairs and ascertained that this property is known as 9029 Liberty Road not 9025 Liberty Road as indicated on plat and description.

5/7/87, a check by B. du Bois with PD ascertained that they also have the address as 9029 Liberty Road and not 9025 Liberty Road.



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204

TED ZALESKI, JR.
DIRECTOR

April 16, 1987

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 357 Zoning Advisory Committee Meeting are as follows:
Property Owner: 9029 Liberty Road, Inc.
Location: SW/S Liberty Road, 400 ft SE Offutt Road
District: 2nd

APPLICABLE ITEMS ARE CIRCLED:

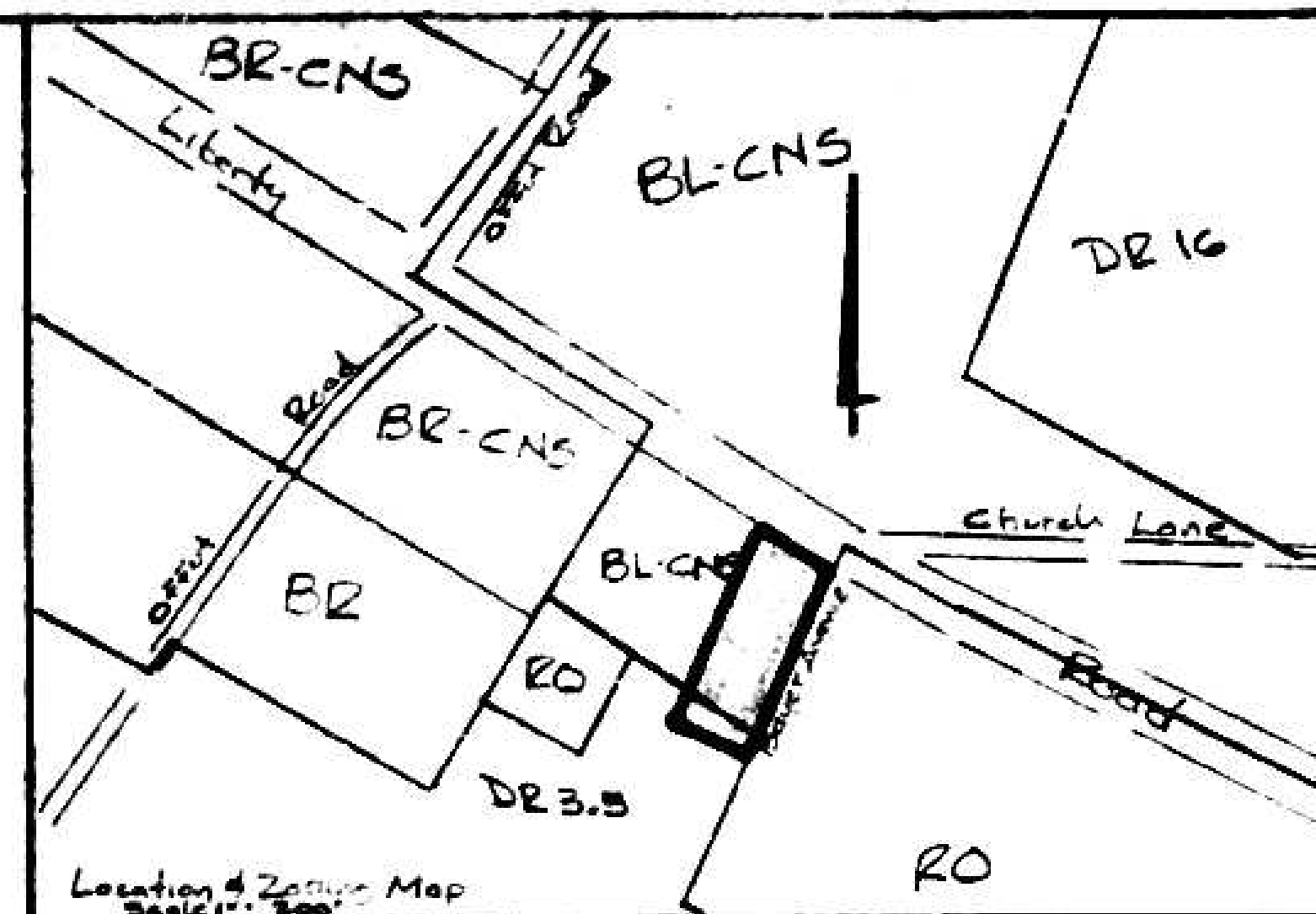
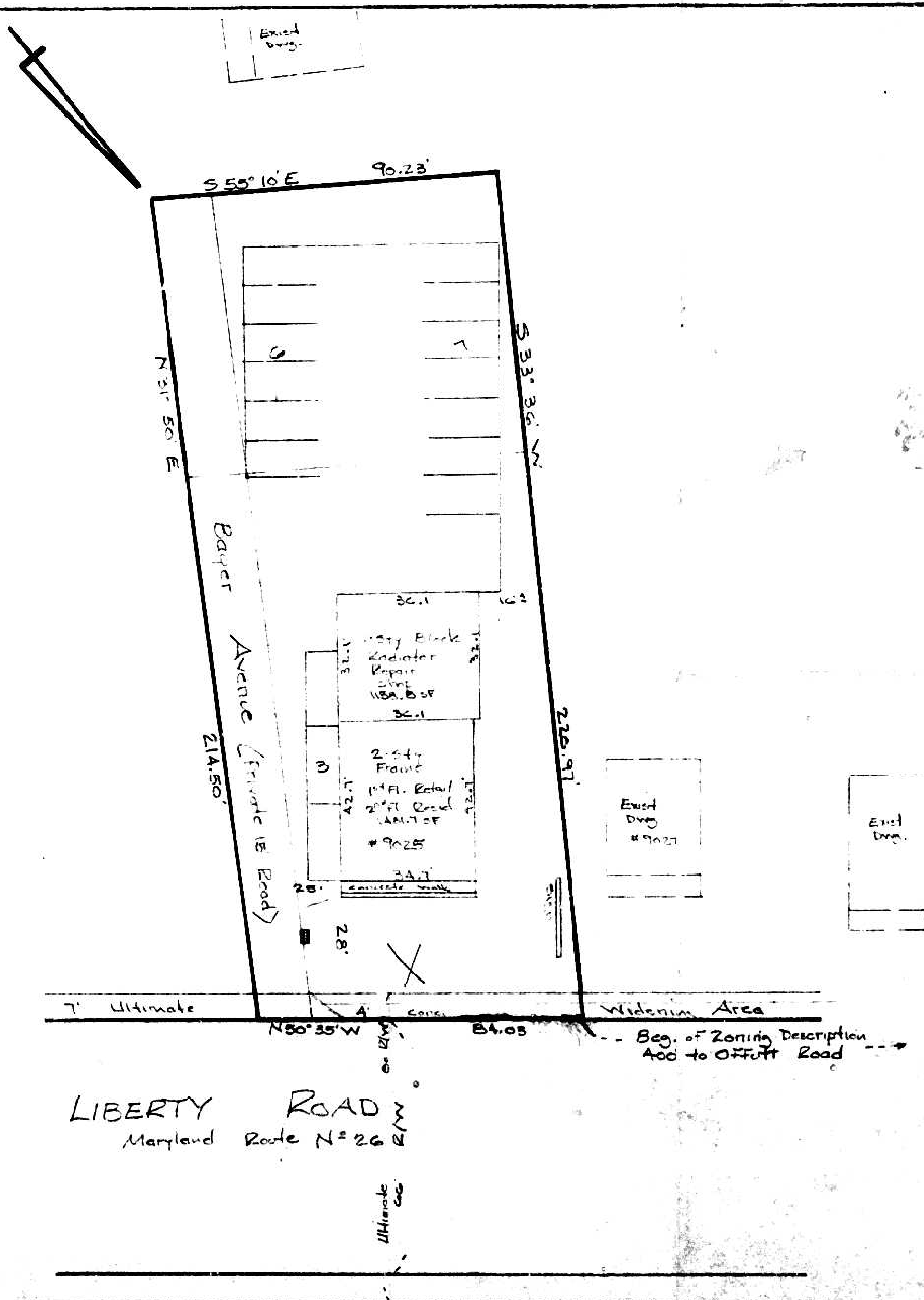
2. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.B.C.D. #117-1 - 1980) and other applicable Codes and Standards.
3. A building and other miscellaneous permits shall be required before the start of any construction.
4. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
5. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
6. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 1107, Section 1106.2 and Table 1102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
7. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
8. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.
9. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____. See Section 313.2 of the Building Code.
10. The proposed project appears to be located in a Flood Plain, Flood/Riverine. Please see the attached copy of Section 316.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

Comments: It is assumed that the three Use Groups "M" mercantile, R-2 Residential apartment use, and S-1 motor vehicle repair are in compliance with Section 103.1 as amended by Council Bill #17-85. If not, there may be some fire safety problems due to the mixture of uses. See Section 313.2.

These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, the applicant may obtain additional information by visiting Room 127 of the County Office Building at 111 Chesapeake Avenue, Towson, Maryland 21204.

Mark E. Schuman
Mr. C. E. Schuman, Chief
Building Plans Review

4/21/87



OWNER:
Hi Kappa Sigma Inc.

PETITIONER'S EXHIBIT 1

357
1 Sign
ZONING PLAT
9028 Liberty Road
4th Election District Baltimore County, Md.
Scale 1" = 20' March 6, 1987
87 495-SPH

ATTORNEY:
David S. Goldberg
107 Sudbrook Lane
Pikesville, Md. 21208
653-1090

OFFICE COPY
Michael B. Dallas
Registered Surveyor
Suite 200
24 W. Pennsylvania Ave
Towson, Md. 21204
444-0020