

with vehicular traffic and that the proposed uses would only further exacerbate this situation.

Protestant's testimony also indicated that the residents of the nursing home located to the rear of the subject property would be adversely affected by the 24 hour operation of the mini-storage facility.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare. Therefore, the relief requested, pursuant to the Petition for Special Hearing, shall be granted.

The Petitioner has also filed a Petition for Zoning Variance, more specifically set forth above.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

-3-

- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 13 day of April, 1990 that a special hearing to approve and confirm an amendment of the car wash special exception granted in case No. 89-553-SPHXA as shown on the site plan herein is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 238.2 to permit side or rear yard setback of 0 feet in lieu of the required 30 feet and a front or side yard of 0 feet and a side yard of 3 feet from special exception

-4-

lines in lieu of the required 25 feet front and 30 feet side, in accordance with Petitioner's Exhibit No. 5, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall comply with all restrictions set forth in zoning case No. 89-553-SPHXA as if set forth in their entirety herein.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner for
Baltimore County

JRH:mmm
cc: Peoples Council
cc: Current Planning

ORDER RECEIVED FOR FILING
Date 4/13/90
By M. J. [unclear]

#205
PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-348-SPHA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve and confirm an amendment of the car wash special exception granted in Case No. 89-553-SPHXA as shown on the site plan herein.

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.

Contract Purchaser:	Legal Owner(s):	MAP 11327E
(Type or Print Name)	RANDY L. COHEN	FE-1
Signature	<i>Randy L. Cohen</i>	DATE 11/22/89
Address	(Type or Print Name)	200
City and State	Signature	1000
Attorney for Petitioner:	7315 Industry Lane	50
Newton A. Williams, Esquire	Frederick, Maryland 21701	
(Type or Print Name)	City and State	
Nolan, Plumbhoff & Williams, Chfd.	Name, address and phone number of legal owner, contract purchaser or representative to be contacted	
Signature	Newton A. Williams, Esquire	
700 Court Towers	Name	
210 W. Pennsylvania Avenue	700 Court Towers	823-7800
Towson, Maryland 21204	Address	Phone No.
Attorney's Telephone No.: 823-7800		

ORDERED By The Zoning Commissioner of Baltimore County, this 10 day of January, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13 day of March, 1990, at 11 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

E.C.O.-No. 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE 3-2-90

Randy L. Cohen
7315 Industry Lane
Frederick, Maryland 21701

Re: Petitions for Special Hearing and Zoning Variance
CASE NUMBER: 90-348-SPHA
50/5 of Liberty Road, 79' S21/2 of Chapman Road
9131 Liberty Road
2nd Election District - 2nd Councilmanic
Petitioner(s) Randy L. Cohen
HEARING: TUESDAY, MARCH 13, 1990 at 11:00 a.m.

Dear Mr. Cohen:

Please be advised that \$136.53 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE FILED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

cc: Newton A. Williams, Esq.
File

NOTE:
(If "PHASE II" of the "SLOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3351 to confirm hearing date.)

#205
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-348-SPHA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 238.2 to permit side or rear yard setback of zero (0) feet and a side yard of thirty (30) feet and a front or side yard of zero (0) feet and a side yard of three (3) feet from special exception lines in lieu of the required twenty-

1. That the zero (0) side or rear yard is actually from a technical lot line, and the buildings will be at least 29 feet apart, and the special exception lines are merely technical lines on the ground.
2. That the requested variances are required as a result of an earlier order in Case No. 89-553-SPHXA, and will make the side a more open better landscaped site.
3. That without the requested variances, the Petitioner will sustain practical difficulty and unreasonable hardship, and the requested variances are in harmony with the spirit and intent of the Regulations.

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

I, or we, agree to pay expenses of above Variance 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.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	RANDY L. COHEN
Signature	<i>Randy L. Cohen</i>
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	7315 Industry Lane
Newton A. Williams, Esquire	Address
(Type or Print Name)	Frederick, Maryland 21701
Nolan, Plumbhoff & Williams, Chfd.	City and State
Signature	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
700 Court Towers	Newton A. Williams, Esquire
210 W. Pennsylvania Avenue	Address
Towson, Maryland 21204	700 Court Towers
City and State	210 W. Pennsylvania Avenue
Attorney's Telephone No.: 823-7800	Towson, Maryland 21204
	Address
	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 12 day of January, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13 day of March, 1990, at 11 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

(over)

LEON A. PODOLAK AND ASSOCIATES
SURVEYING AND CIVIL ENGINEERING
63 EAST MAIN STREET, P.O. BOX 266
WESTMINSTER, MARYLAND 21157
TELEPHONES: WESTMINSTER 848-2229 BALTIMORE 876-1226

DESCRIPTION FOR SPECIAL HEARING AND VARIANCE 90-348-SPHA

Beginning for the same on the Southwest Right-of-Way line of Liberty Road (Maryland Route 26) 791 feet Southeast of the centerline of Chapman Road, thence leaving said place of beginning and running the six following courses and distances, viz: South 60° 02' 32" East 403.12 feet, thence South 33° 14' 20" West 479.64 feet, thence North 59° 14' 01" West 245.25 feet, thence South 36° 39' 20" West 174.02 feet, thence North 62° 31' 16" West 82.00 feet, and thence North 27° 28' 44" East 652.38 feet to the place of beginning.

Containing 3.8349 Acres of land, more or less, in the 2-nd Election District.

Westminster, this 4-th day of December, 1989

Leon A. Podolak
Leon A. Podolak, Prof. L.S. #4799



LEON A. PODOLAK AND ASSOCIATES
SURVEYING AND CIVIL ENGINEERING
63 EAST MAIN STREET, P.O. BOX 266
WESTMINSTER, MARYLAND 21157
TELEPHONES: WESTMINSTER 848-2229 BALTIMORE 876-1226

DESCRIPTION FOR SPECIAL EXCEPTION FOR A CAR WASH 90-348-SPHA

Beginning for the same at a point 59.00 feet Southwest of the Southwest Right-of-Way line of Liberty Road (Maryland Route 26) and 1031.63 feet Southeast of the centerline of Chapman Road, thence leaving said place of beginning and running the eight following courses and distances, viz: South 29° 57' 28" West 249.01 feet, thence North 29° 57' 28" East 167.23 feet, thence North 29° 19' 35" East 83.03 feet, thence South 60° 02' 32" East 59.15 feet, thence North 29° 57' 28" East 11.97 feet, thence South 60° 02' 32" East 88.00 feet, thence North 29° 57' 28" East 154.01 feet, and thence South 60° 02' 32" East 21.00 feet to the place of beginning.

Containing 0.4238 Acres of land, more or less, in the 2-nd Election District.

Westminster, this 4-th day of December, 1989

Leon A. Podolak
Leon A. Podolak, Prof. L.S. #4799



Baltimore County Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21284

Account: R-001-6150
 Number: 783

Date: 12/21/89

119600705

DESCRIPTION	QTY	PRICE
PUBLIC HEARING FEES		
CEO - ZONING VARIANCE (OTHER)	1 X	\$175.00
CEO - SPECIAL HEARING (OTHER)	1 X	\$175.00
TOTAL		\$350.00

LAST NAME OF OWNER: COHEN

#205

8 BDC*****3500018 2215E
 Please make checks payable to: Baltimore County

Baltimore County Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 (301) 887-3353

J. Robert Haines
 Zoning Commissioner

January 29, 1990

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing and Zoning Variance
 CASE NUMBER: 90-348-SPHA
 SW/S of Liberty Road, 79' SEly of Chapman Road
 9131 Liberty Road
 2nd Election District - 2nd Councilmanic
 Petitioner(s): Randy L. Cohen
 HEARING: TUESDAY, MARCH 13, 1990 at 11:00 a.m.

Special Hearings To confirm an amendment of the car wash special exception granted in CASE NUMBER 89-553-SPHA as shown on the site plan herein.
 Variance: To permit side or rear yard setback of zero feet in lieu of the required 30 ft. and a front or side yard of zero ft. and a side yard of 3 ft. from special exception lines in lieu of the required 25 front and 30 ft. side.

In the event that this Petition 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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert Haines
 J. ROBERT HAINES
 ZONING COMMISSIONER
 BALTIMORE COUNTY, MARYLAND

cc: Randy L. Cohen
 Newton A. Williams, Esq.
 File

Baltimore County Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 (301) 887-3353

J. Robert Haines
 Zoning Commissioner

May 29, 1990

Baltimore County Board of Appeals
 County Office Building, Room 315
 Towson, Maryland 21204

RE: Petition for Special Hearing and Zoning Variance
 SW/S of Liberty Road, 79' SEly of Chapman Road
 (9131 Liberty Road)
 2nd Election District, 2nd Councilmanic District
 RANDY L. COHEN - Petitioner
 Case No. 90-348-SPHA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on May 8, 1990 by People's Counsel. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

J. Robert Haines
 J. ROBERT HAINES
 Zoning Commissioner

JRH:cer
 Enclosures

cc: Randy L. Cohen
 Newton A. Williams
 People's Counsel of Baltimore County
 Rm. 304, County Office Bldg., Towson, Md. 21204
 File 62:1111 1C ANH06
 57W3J4Y 3D 0300B ANH00
 04M5223

Baltimore County Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

Account: R-001-6150
 Number: 1694

Date: 07/13/90

119600917

DESCRIPTION	QTY	PRICE
PUBLIC HEARING FEES		
CEO - HEARING STORES / ADVERTISING	1 X	\$135.00
TOTAL		\$135.00

LAST NAME OF OWNER: COHEN

90-348

8 BDC*****1305518 3134F
 Please make checks payable to: Baltimore County

APPEAL

Petition for Special Hearing and Zoning Variance
 SW/S of Liberty Road, 79' SEly of Chapman Road
 (9131 Liberty Road)
 2nd Election District - 2nd Councilmanic District
 RANDY L. COHEN - Petitioner
 Case No. 90-348-SPHA

Petitions for Special Hearing and Zoning Variance
 Description of Property
 Certificate of Posting
 Certificate of Publication
 Entry of Appearance of People's Counsel
 Zoning Plans Advisory Committee Comments
 Director of Planning & Zoning Comments
 Petitioner's Exhibits: 1. - 4. C.R.G. Development Plans
 5. & 6. C.R.G. Development Plan
 7. Drawing of Liberty World
 8. Drawing of site

Zoning Commissioner's Order dated April 13, 1990 (Granted with restrictions)
 Notice of Appeal received May 8, 1990 from People's Counsel

cc: Randy L. Cohen, 7315 Industry Lane, Frederick, MD 21701
 Newton A. Williams, Esquire - Nolan, Plumbhoff & Williams, Chtd.
 700 Court Towers, 210 W. Pennsylvania Avenue, Towson, MD 21204
 People's Counsel of Baltimore County
 Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
 Patrick Keller, Director of Planning & Zoning
 J. Robert Haines, Zoning Commissioner
 Ann M. Nastarowicz, Deputy Zoning Commissioner
 James E. Dyer, Zoning Supervisor
 W. Carl Richards, Jr., Zoning Coordinator
 Docket Clerk
 Arnold Jablon, County Attorney

Baltimore County Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 (301) 887-3353

J. Robert Haines
 Zoning Commissioner

March 6, 1990

Newton A. Williams, Esquire
 Nolan, Plumbhoff & Williams, Chtd
 700 Court Towers
 210 W. Pennsylvania Avenue
 Towson, MD 21204

Dennis F. Rasmussen
 County Executive

RE: Item No. 205, Case No. 90-348-SPHA
 Petitioner: Randy L. Cohen
 Petition for Zoning Variance and
 Special Hearing

Dear Mr. Williams:

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. 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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE. ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
 JAMES E. DYER
 Chairman
 Zoning Plans Advisory Committee

JED:je
 Enclosures

cc: Mr. Randy L. Cohen
 7315 Industry Lane
 Frederick, MD 21701

Baltimore County Fire Department
 700 East Joppa Road, Suite 901
 Towson, Maryland 21204-5500
 (301) 887-4500

Paul H. Reincke
 Chief

JANUARY 11, 1990

J. Robert Haines
 Zoning Commissioner
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, MD 21204

Dennis F. Rasmussen
 County Executive

RE: Property Owner: RANDY L. COHEN
 Location: #9131 LIBERTY ROAD
 Item No.: 205 Zoning Agenda: JANUARY 9, 1990

Gentlemen:

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

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", 1988 edition prior to occupancy.

REVIEWER: *Ch. W. Kelly* 1-11-90 Noted and Approved
 Planning Group Fire/Prevention Bureau
 Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
 INTER OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: January 19, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
 for January 9, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 198, 199, 200, 201, 202, 204, 207, 208, 210 and 212.

For Items 203, 205, and 206 the County Review Group Comments for each item still apply

Robert W. Bowling
 ROBERT W. BOWLING, P.E., Chief
 Developers Engineering Division

RWB:a

Maryland Department of Transportation
 State Highway Administration

Richard H. Trainor
 Secretary
 Hal Kassoff
 Administrator

January 12, 1990

Mr. J. Robert Haines
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Baltimore County
 Liberty World
 Zoning Meeting of 1-9-90
 S/S Liberty Road (MD 26)
 791' East of Chapman Rd.
 (Item #205)

Dear Mr. Haines:

After reviewing the submittal for a special hearing to approve and confirm an amendment of the carwash Special Exception granted in case #89-553-SPHA. We find the concept of this plan acceptable, however, prior to issuance of building permits, an access permit must be applied for with the posting of a bond or letter of credit to guarantee construction of all work within SEA right of way.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,
Charles Rose
 Charles Rose, Acting Chief
 Engineering Access Permits
 Division

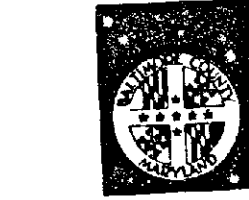
LB:maw
 cc: Leon A. Podolak & Assoc.
 Mr. J. Ogle

RECEIVED
 JAN 19 1990
 ZONING OFFICE

My telephone number is (301) 333-1350 (Fax #333-1041)
 Teletypewriter for Impaired Hearing or Speech
 383-7655 Baltimore Metro - 865-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
 707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
10th day of January, 1989.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

Newton A. Williams
Chairman, Zoning Plans Advisory Committee

Petitioner: Randy L. Cohen
Petitioner's Attorney: Newton A. Williams

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Townson, Maryland 21204
(301) 887-3354



Dennis F. Rasmussen
County Executive

January 11, 1990

J. Robert Haines
Zoning Commissioner
County Office Building
Townson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 198,
199, 200, 201, 202, 203, 204, 209, 206, 207, 208, 210 and 212.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan,
Traffic Engineer Assoc. II

MSF/lab

RECEIVED
JAN 11 1990
COUNTY OFFICE

3/13/90

File

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: March 7, 1990
Zoning Commissioner
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: RANDY L. COHEN, ITEM 205
ZONING PETITION NO. 90-348 SPHA

Please be advised that a staff report regarding the subject case
will be submitted prior to the scheduled hearing. Chris Rorke, of
our Current Planning Section, has contacted the Petitioner's attorney
regarding this matter.

If there should be any further questions or if this office can
provide additional information, please contact Jeffrey Long in the
Office of Planning and Zoning at 887-3211.

PK:JL:gs1
cc: See attached list.
2P90348S/TXTGGL

3/12/90 called re PH late comment (red)

JAN 12 1990

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT
Date: 1/7/90
JAN 12 1990
Zoning Commissioner
Office of Planning and Zoning
County Office Building
Townson, Maryland 21204
Zoning Item # 205, Zoning Advisory Committee Meeting of January 9, 1990
Property Owner: Randy L. Cohen
Location: 9131 Liberty Road District: 2
Water Supply: metric Sewage Disposal: metric
COMMENTS ARE AS FOLLOWS:
() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment
for any existing or proposed food service facility, complete plans and specifications must be submitted
to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
() Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality
Management, 887-3775, to obtain requirements for such installation(s) before work begins.
() A permit to construct from the Bureau of Quality Management is required for such items as spray paint
processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or
process which exhausts into the atmosphere.
() A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation
which has a total cooking surface area of five (5) square feet or more.
() Prior to approval of a Building Permit Application for renovations to existing or construction of new
health care facilities, complete plans and specifications of the building, food service area and type
of equipment to be used for the food service operation must be submitted to the Plans Review and Approval
Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for
review and approval.
() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse,
saunas, whirlpools, hot tubs, water and sewerage facilities or other appliances pertaining to health
and safety: two (2) copies of plans and specifications must be submitted to the Baltimore County Department
of Environmental Protection and Resource Management for review and approval. For more complete information,
contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 887-6500 x 315.
() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations.
For more complete information, contact the Division of Maternal and Child Health.
() If lubrication work and oil changes are performed at this location, the method providing for the elimination
of waste oil must be in accordance with the State Department of the Environment.
() Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management
at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
() Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the
contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior
to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
() Soil percolation tests, have been _____, must be _____ conducted.
() The results are valid until _____
() Soil percolation test results have expired. Petitioner should contact the Division of Water
and Sewer to determine whether additional tests are required.
() Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore
County Standards must be drilled.
() In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
() shall be valid until _____
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property
and approval of Building Permit Applications.
() Prior to occupancy approval, the potability of the water supply must be verified by collection of bacterio-
logical and chemical water samples.
() If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental
Effects Report must be submitted. For more information contact the Division of Environmental Management
at 887-3980.
() In order to subdivide this property, the owner or developer will be required to comply with the subdivision
regulations of the State of Maryland and Baltimore County. If there are any questions regarding the
subdivision process, please contact the Land Development Section at 887-2762.
() Others: Drainage from interior service bays of auto service
facility must be directed to metric sewer via oil separator.

UNCLM
BUREAU OF WATER QUALITY AND RESOURCES

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE : OF BALTIMORE COUNTY
SW/S Liberty Rd., 791' SE of Chapman Rd. (9131 Liberty Rd.)
2nd Election District
2nd Councilmanic District
RANDY L. COHEN, Petitioner : Case No. 90-348-SPHA

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 304, County Office Building
Townson, Maryland 21204
887-2188

I HEREBY CERTIFY that on this 26th day of February, 1990, a copy
of the foregoing Entry of Appearance was mailed to Newton A. Williams,
Esquire, Nolan, Plumhoff & Williams, Chtd., 700 Court Towers, 210 W.
Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
(301) 887-3353



Dennis F. Rasmussen
County Executive

April 11, 1990

Newton Williams, Esquire
Nolan, Plumhoff & Williams
700 Court Towers
210 W. Pennsylvania Avenue
Townson, Maryland 21204

RE: Petition for Special Hearing
and Zoning Variance
Randy Cohen, Petitioner
Case No. 90-348-SPHA

Dear Mr. Williams:

Enclosed please find the decision rendered in the above captioned
case. The Petitions for Special Hearing and Zoning Variances have been
granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please
be advised that any party may file an appeal within thirty (30) days of the
date of the Order to the County Board of Appeals. If you require
additional information concerning filing an appeal, please feel free to
contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:mm
att:
cc: Peoples Counsel

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3160

Hearing Room -
Room 301, County Office Bldg. January 9, 1991

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND
SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE
IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO
POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS
OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH
RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 90-348-SPHA RANDY L. COHEN
SW/S Liberty Rd., 791' SE of Chapman
Road (9131 Liberty Road)
2nd Election District
2nd Councilmanic District

SPH-Amend SE in #89-553-SPHXA;
VAR-Setbacks
4/13/90 -Z.C.'s Order GRANTING Petition
with restrictions.

ASSIGNED FOR: TUESDAY, JANUARY 22, 1991 AT 9:00 a.m.

cc: Newton A. Williams, Esquire Counsel for Petitioner

Mr. Randy L. Cohen
People's Counsel for Baltimore County Appellant
P. David Fields
Pat Keller
Public Services - out per Paula 2/26/91
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

LindaLee M. Kuszmaul
Legal Secretary

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3160

Hearing Room -
Room 301, County Office Bldg. January 9, 1991

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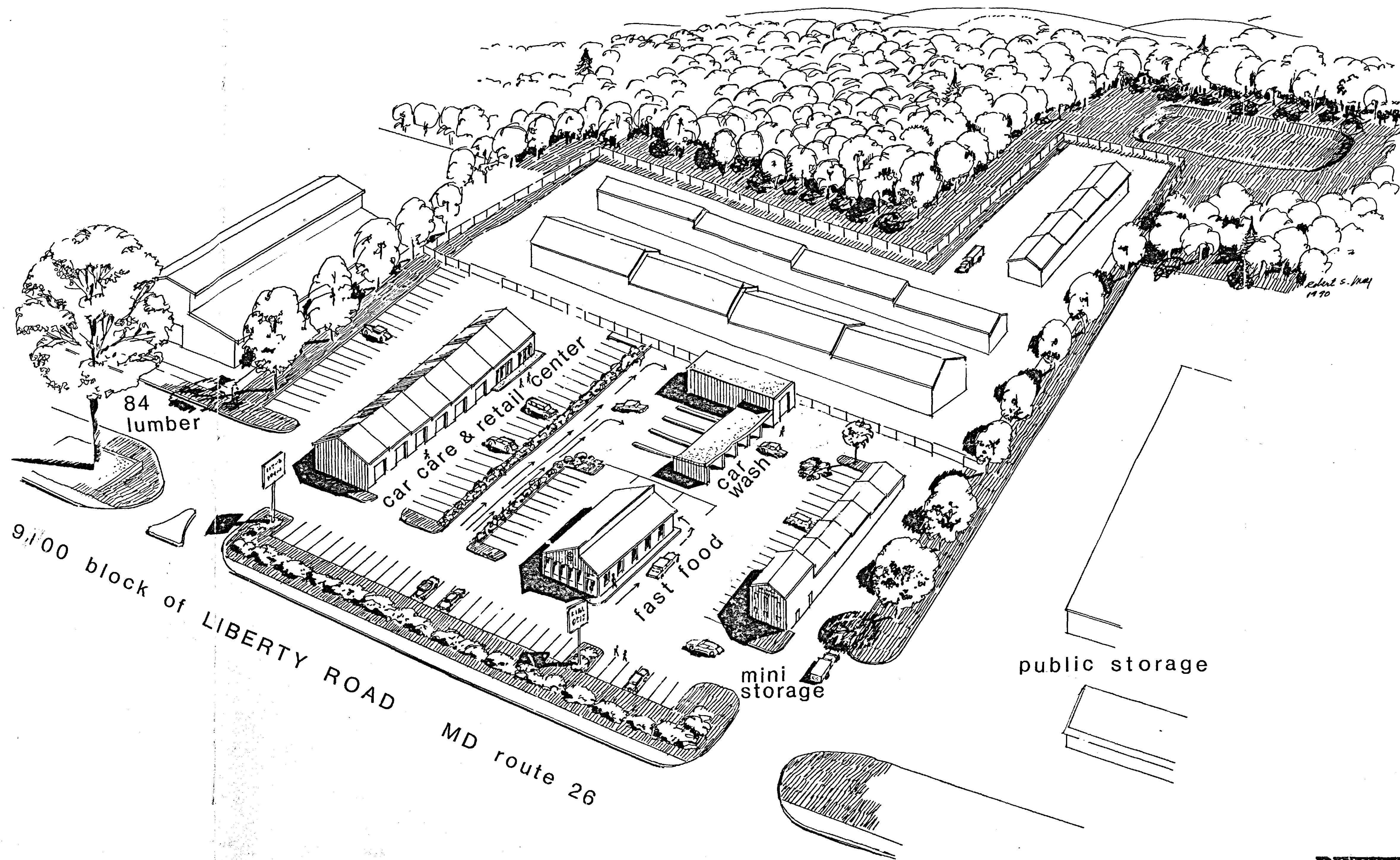
ASSIGNED FOR: TUESDAY, JANUARY 22, 1991 AT 9:00 a.m.

cc: Newton A. Williams, Esquire Counsel for Petitioner

Mr. Randy L. Cohen
People's Counsel for Baltimore County Appellant
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

LindaLee M. Kuszmaul
Legal Secretary

Yes or no ✓



**PETITIONER'S
EXHIBIT 7**

90-3485PHA

LIBERTY WORLD

for RANDY COHEN
randalistown, maryland

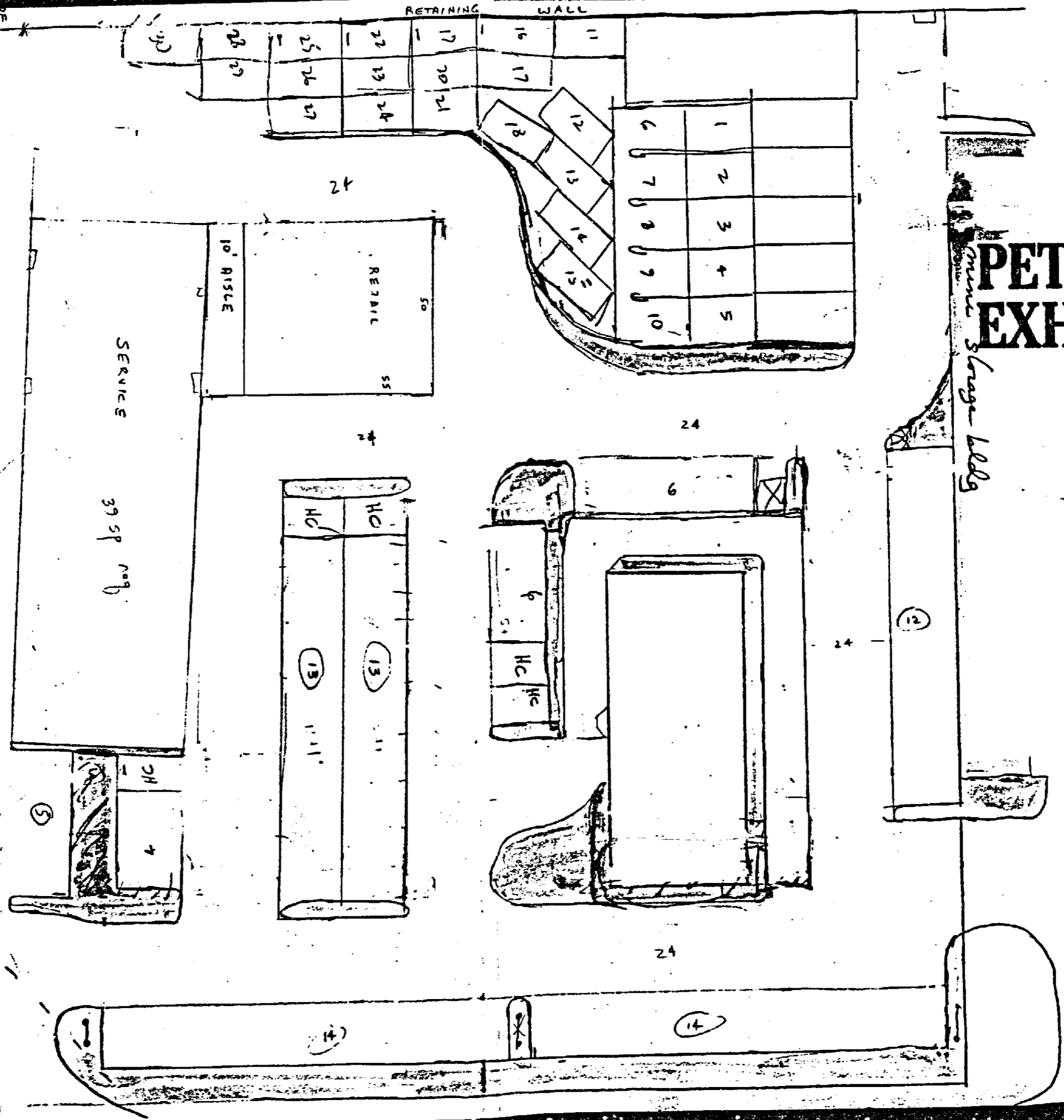
PETITIONER'S EXHIBIT 8

90-348 SPHA

39
22
111 + one for
carwash

112 provided
inc 5 HC

mini storage bldg



LANDSCAPE AREA

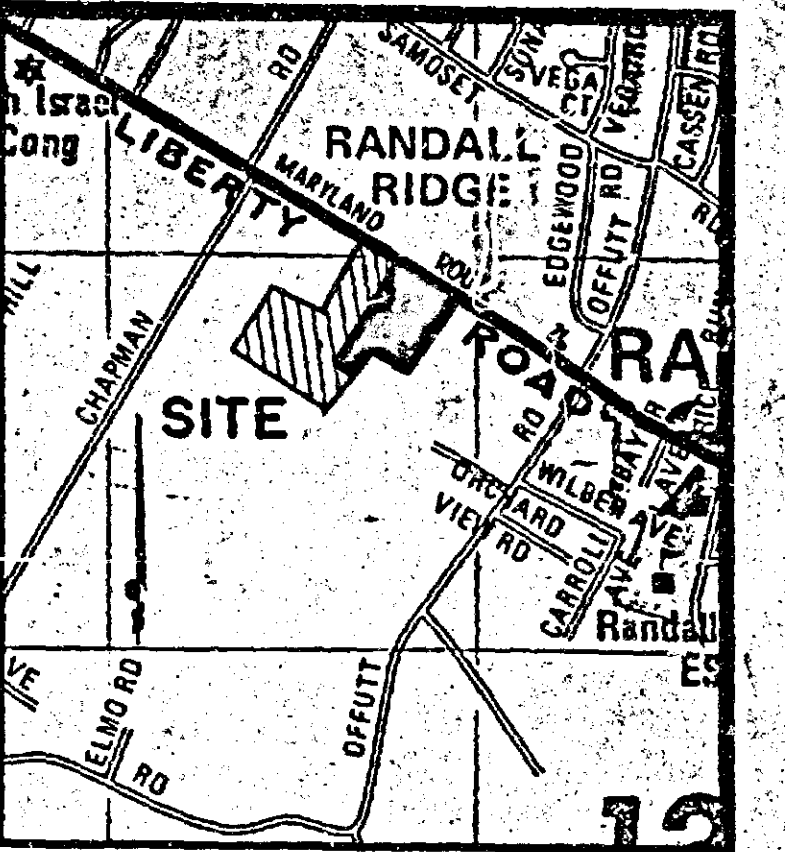
EX
DRIVE

SOILS TYPES AND LIMITATIONS (BALTIMORE COUNTY SOIL SURVEY MAP #32)					
AREA (ACRES)	SOIL SYMBOL	SOIL TYPE	HYDROLOGIC GROUP	BUILDINGS	STREET AND PARKING LOTS
2.85	GcC2	Glenelg loam	B	Moderate Slopes	Severe Slopes
0.62	GcB2	Glenelg loam	B	Slight	Moderate Slopes
0.31	GmB	Glenville Silt Loam	C	Severe: High Water Table	Severe: High Water Table
0.56	RaB	Rails Silt Loam	D	Severe: High Water Table	Severe: High Water Table

RECOMMENDED SEVERE SOIL CONDITION MITIGATIVE MEASURES

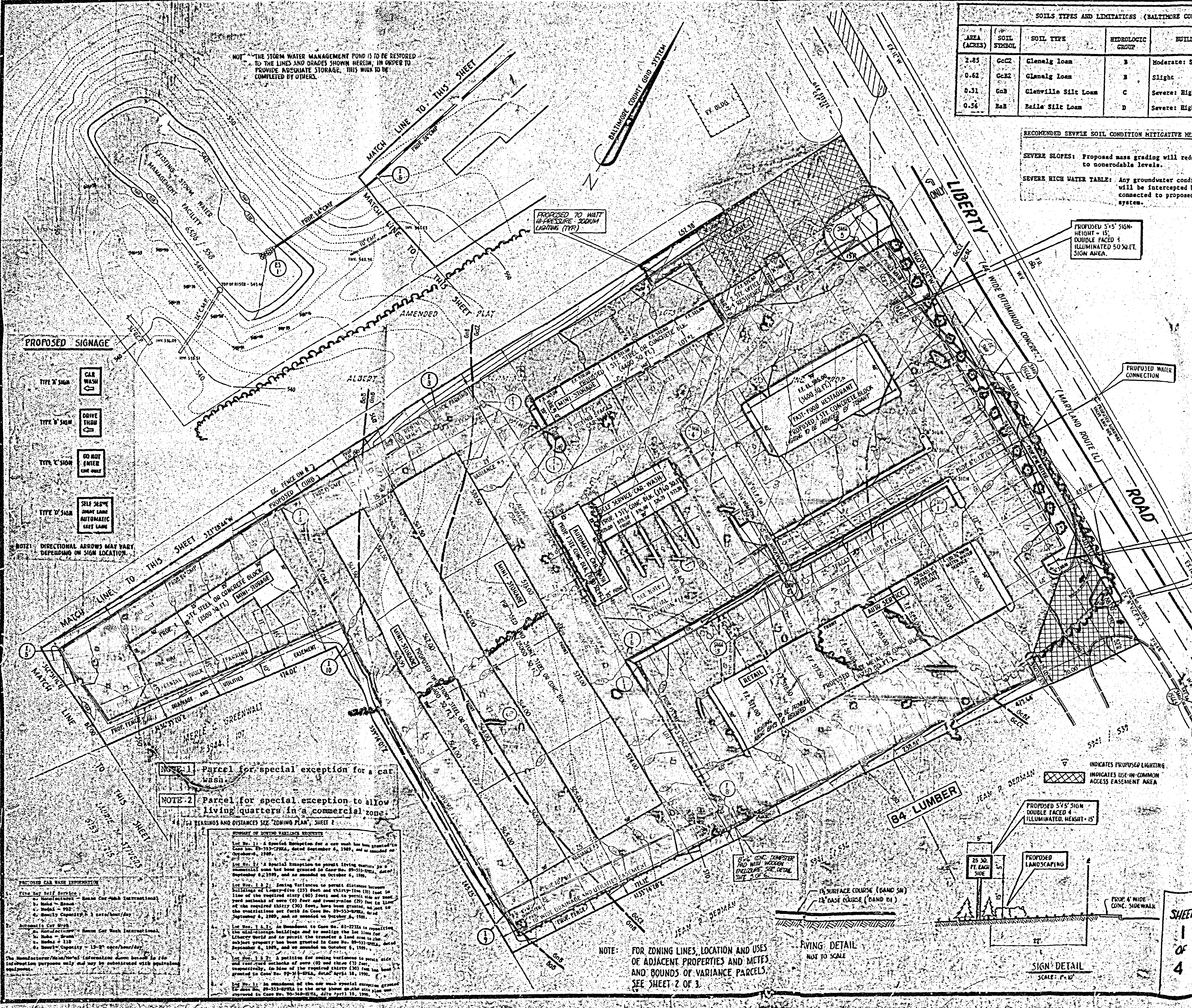
SEVERE SLOPES: Proposed mass grading will reduce slopes to nonerodible levels.

SEVERE HIGH WATER TABLE: Any groundwater condition encountered will be intercepted by underdrain system connected to proposed closed storm drain system.



GENERAL NOTES

- Owner: Randy L. Cohen, 7315 Industrious Lane, Frederick, Maryland 21705. Deed Reference: Liber E.H.K.Jr. 6985 folio 43; Liber E.H.K.Jr. 6506 folio 559.
- Area Subdivided: Lot #1 = 2.810 Acres, Lot #2 = 2.512 Acres, Total Area = 4.322 Acres.
- Electron Records: 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.
- Building Area: Lot #1 = 2740 sq. ft., Lot #2 = 5140 sq. ft., Total = 7880 sq. ft.
- Parking Space Requirements: Lot #1 = 30 spaces, Lot #2 = 300 spaces, Total = 330 spaces.
- Other notes regarding zoning, setbacks, and utility easements.



C.R.G. DEVELOPMENT PLAN OF LIBERTY WORLD
RESUBDIVISION OF LOT 1A OF AMENDED PLAT OF LOTS 1 and 2 - ALBERT KERMISCH AND SAVOY EAST APTS. INC. PROPERTY - FORMERLY RECORDED IN PLAT BOOK E.H.K. JR. 51 FOLIO 1

9131 LIBERTY ROAD, RANDALLSTOWN, MD. 21133
 NO ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
OWNER: MR. RANDY L. COHEN, 7315 INDUSTRIUS LANE, FREDERICK, MD. 21701, PHONE: 301-615-8850

TAX ACCOUNT NO. Z00013034, TAX MAP NO. 77, BLOCK NO. 7, PARCEL NO. 133, LOT NO. 1A.

LEON A. PODOLAK AND ASSOCIATES
 SURVEYING AND CIVIL ENGINEERING
 43 EAST MAIN ST. WESTMINSTER, MD 21157, 948-2229, P.O. BOX 2648, 974-1224

Leon A. Podolak
 Date: OCTOBER 21, 1998, Scale: 1" = 20'

PROJECT # 11-215

- PROPOSED SIGNAGE**
- TYPE 'A' SIGN: CAR WASH
 - TYPE 'B' SIGN: DRIVE THRU
 - TYPE 'C' SIGN: DO NOT ENTER ONE WAY
 - TYPE 'D' SIGN: SLEEVE SHIRT LAUNDRY, AUTOMATIC SLEEVE LAUNDRY
- NOTE: DIRECTIONAL ARROWS MAY VARY DEPENDING ON SIGN LOCATION.

NOTE-1: Parcel for special exception for a car wash.

NOTE-2: Parcel for special exception to allow living quarters in a commercial zone.

BEARINGS AND DISTANCES SEE "ZONING PLAN", SHEET 2

SUMMARY OF ZONING VARIANCE REQUESTS

Lot No. 1: A Special Exception for a car wash has been granted in Case No. 99-352-0274A, dated September 6, 1989, and as amended on October 6, 1989.

Lot No. 2: A Special Exception to permit living quarters in a commercial zone has been granted in Case No. 99-352-0274A, dated September 6, 1989, and as amended on October 6, 1989.

Lot No. 3: A Special Exception to permit a drive-thru building of twenty-five (25) feet and thirty-five (35) feet in height of the required sixty (60) feet and to permit use of mass yard setbacks of zero (0) feet and construction (20) feet in height of the required thirty (30) feet, have been granted, in part to the restrictions set forth in Case No. 99-352-0274A, dated September 6, 1989, and as amended on October 6, 1989.

Lot No. 4: A Special Exception to permit a drive-thru building of twenty-five (25) feet and thirty-five (35) feet in height of the required sixty (60) feet and to permit use of mass yard setbacks of zero (0) feet and construction (20) feet in height of the required thirty (30) feet, have been granted, in part to the restrictions set forth in Case No. 99-352-0274A, dated September 6, 1989, and as amended on October 6, 1989.

Lot No. 5: In compliance of the site plan approved in Case No. 99-352-0274A, dated April 18, 1990.

Lot No. 6: In compliance of the site plan approved in Case No. 99-352-0274A, dated April 18, 1990.

PROPOSED CAR WASH INFORMATION

File for Self Service

- Manufacturer's Name: Car Wash International
- Model: 100
- Monthly Capacity: 3 cars/hour/day
- Manufacturer's Name: Car Wash International
- Model: 110
- Monthly Capacity: 12-20 cars/hour/day

The manufacturer's Name/Model information shown herein is for information purposes only and may be substituted with equivalent equipment.

NOTE: FOR ZONING LINES, LOCATION AND USES OF ADJACENT PROPERTIES AND METES AND BOUNDS OF VARIANCE PARCELS, SEE SHEET 2 OF 3.

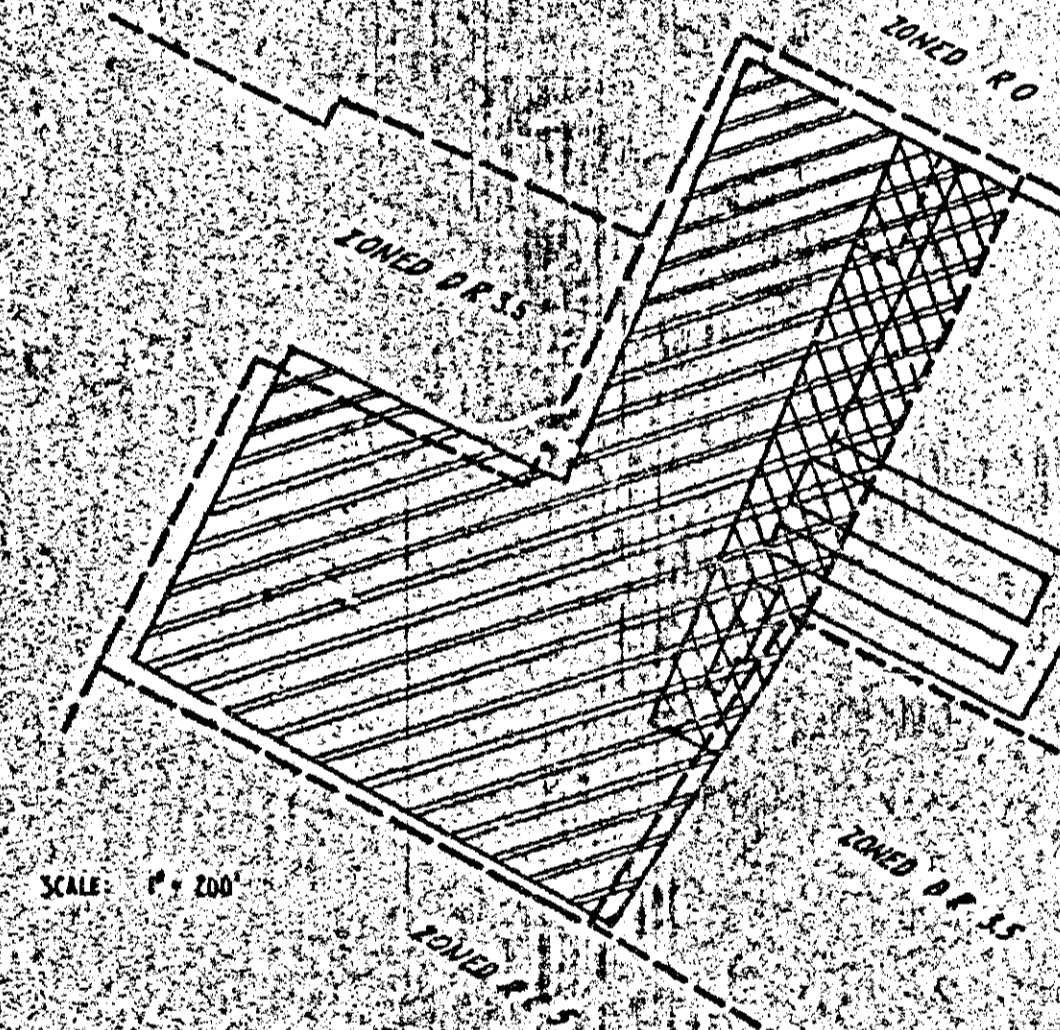
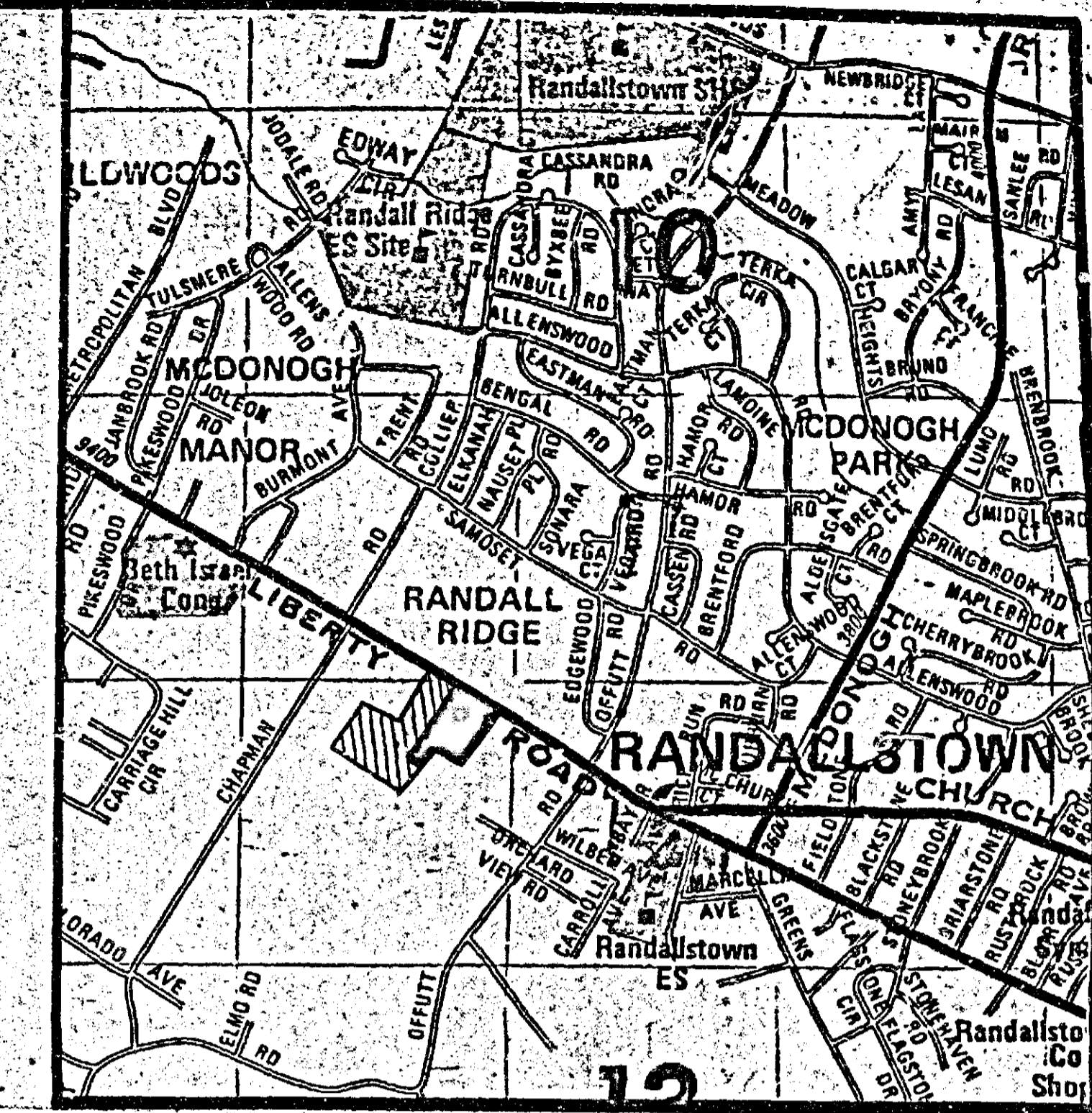
PLACING DETAIL
 NOT TO SCALE

SIGN DETAIL
 SCALE: 1" = 10'

The Petition for Special Exception and Variance #81-223-2A (Item No. 183) dated August 31, 1981, allows for a manager's apartment for security of the proposed mini-warehouse and change of the minimum distance between buildings to 25 feet with the following restrictions:

Restrictions

- Compliance with the comments submitted by the Maryland Department of Transportation, dated April 27, 1981, the Department of Permits and Licenses, dated April 24, 1981, the Fire Department, dated April 22, 1981, the Department of Health, dated June 4, 1981, unless the petitioners are relieved in writing of the requirements to extend the metropolitan sewer facilities, and the Office of Planning and Zoning, dated June 9, 1981, regarding the application of the Baltimore County subdivisions regulations.
- The point of access of the subject site, as well as the remaining land immediately southeast thereof, shall be designed and constructed as a common driveway in order to negate the necessity for another access. All potential purchasers of either or both tracts shall be informed of same by inclusion of such a requirement in any contract of sale or lease.
- The parking facilities of more than five vehicles, including recreational vehicles, shall be contained either within buildings or be subject to the provisions of Section 409.2.4 of the Baltimore County Zoning Regulations.
- Establish a procedure for periodic inspection of the leased storage spaces, including the recreational vehicles, to insure compliance with the terms and provisions of the Lease Agreement (Petitioner's Exhibit 3) and the Rules and Regulations (Petitioner's Exhibit 6).
- All lighting shall be directed toward the mini-warehouse structures in order to minimize illumination, glare, and intensity beyond the subject site.
- Retain the natural growth, to the extent possible, along or near the westernmost property line and plant additional shrubbery and screening as required by the Current Planning and Development Division.
- The subject site shall be enclosed by a six-foot chain link fence with an electrically controlled gate at the entrance as shown on the Petitioner's Exhibit 3.
- A revised site plan, incorporating the applicable restrictions set forth above, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening required for approval by the Current Planning and Development Division.



- INDICATES THE ORIGINAL AREA SUBJECT TO SPECIAL EXCEPTION AND VARIANCE CASE #81-223-2A
- INDICATES LOCATIONS OF SPECIAL EXCEPTION AND VARIANCE CASE #81-223-2A TO BE DELETED FROM LIBERTY WORLD SITE

SUMMARY OF VARIANCE #81-223-2A

Total Area of Liberty World	4.5322 Acres
Area of Liberty World in variance	1.6956 Acres
Total area of Lot #1	2.2510 Acres
Area of Lot #1 in variance	0.4155 Acres
Total area of Lot #2	2.2812 Acres
Area of Lot #2 in variance	1.2801 Acres

SUMMARY OF ZONING VARIANCE REQUESTS

Lot No. 1: A special exception for a car wash has been granted by Case No. 89-553-SP21A, dated September 6, 1989, and as amended on October 6, 1989.

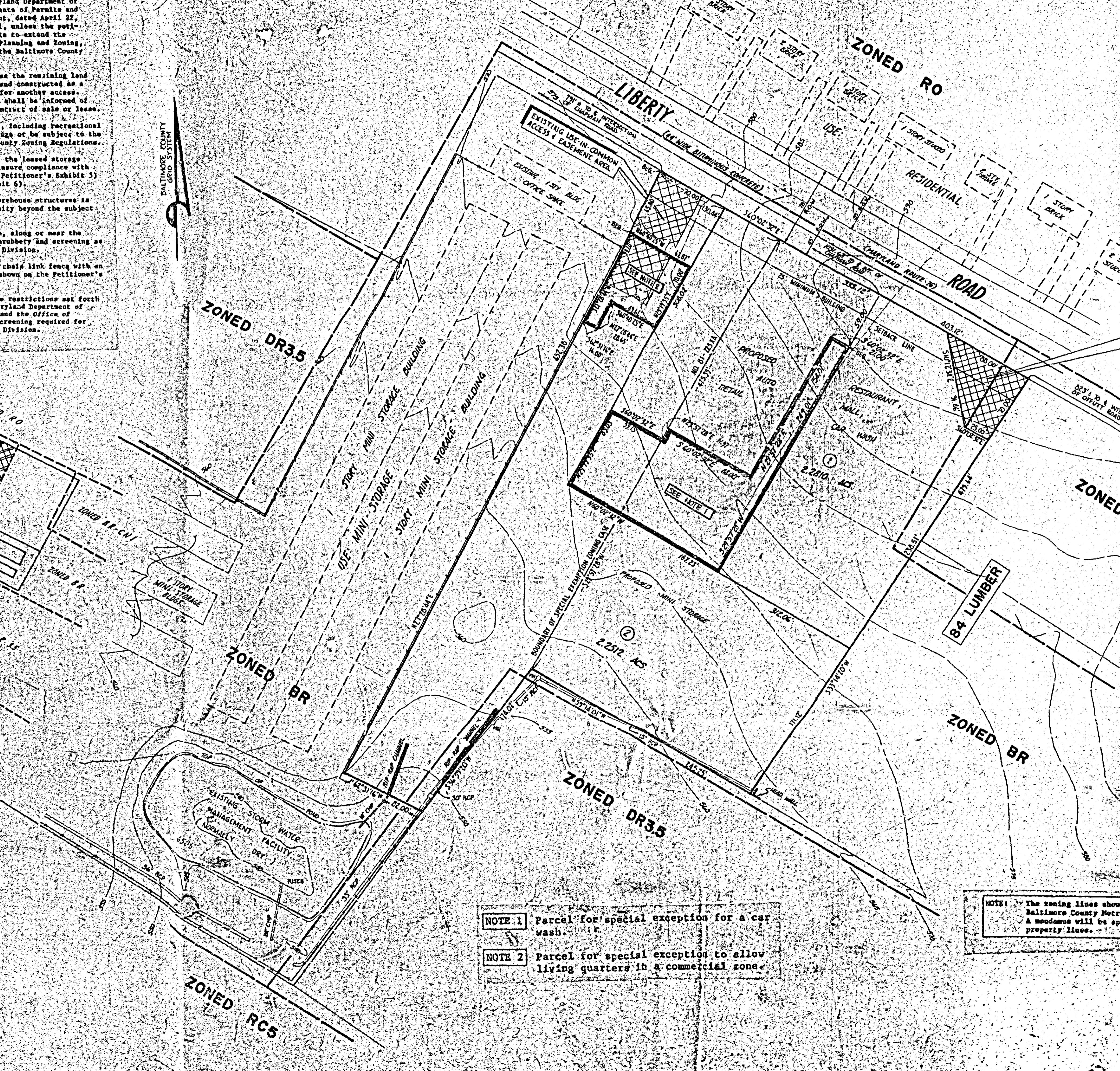
Lot No. 2: A special exception to permit living quarters in a commercial zone has been granted in Case No. 89-553-SP21A, dated September 6, 1989, and as amended on October 6, 1989.

Lot No. 1 & 2: Zoning Variance to permit distances between buildings of twenty-five (25) feet and thirty (30) feet in lieu of the required sixty (60) feet and to permit a lot area setback of zero (0) feet and twenty-nine (29) feet in lieu of the required thirty (30) feet. These have been granted, subject to the restrictions set forth in Case No. 89-553-SP21A, dated September 6, 1989, and as amended on October 6, 1989.

Lot No. 1 & 2: An Amendment to Case No. 81-223-2A to reposition the mini-warehouse buildings and to change the lot lines for Liberty World and to permit the transfer of a land area to the subject property has been granted in Case No. 89-553-SP21A, dated September 6, 1989, and as amended on October 6, 1989.

Lot No. 1 & 2: A petition for zoning variance to permit side and rear yard setbacks of zero (0) and three (3) feet, respectively, in lieu of the required thirty (30) feet has been granted in Case No. 89-553-SP21A, dated April 18, 1990.

Lot No. 1: An amendment of the use with special exception granted in Case No. 89-553-SP21A to the area shown on the site plan was approved in Case No. 89-318-SP21A, dated April 18, 1990.



NOTE 1 Parcel for special exception for a car wash.

NOTE 2 Parcel for special exception to allow living quarters in a commercial zone.

NOTE: The zoning lines shown herein are plotted by coordinating using the Baltimore County Metropolitan Grid System and appear to be shifted. A mandamus will be applied for to match the zoning lines with the property lines.

C.R.G. DEVELOPMENT PLAN
OF
LIBERTY WORLD
RESUBDIVISION OF LOT 1A OF AMENDED PLAT OF
LOTS 1 and 2 - ALBERT KERMISCH AND SAVOY
EAST APTS. INC. PROPERTY - FORMERLY RECORDED
IN PLAT BOOK E.H.K. JR. 51 FOLIO 1

516 LIBERTY ROAD
RANDALLSTOWN, MD. 21133

2ND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

OWNER
MR. RAOUL L. COHEN
1315 INDUSTRIAL LANE
FREDERICK, MD. 21701
PHONE: 301-635-0620

TAX ACCOUNT NO. 200013034 TAX MAP NO. 11 BLOCK NO. 7 PARCEL NO. 133 LOT NO. 1A

LEON A. PODOLAK AND ASSOCIATES

SHEET 2 OF 4

SURVEYING AND CIVIL ENGINEERING
43 EAST HARM ST. WESTMINSTER, MD. 21157 646-2229
P.O. BOX 2468 676-2226

Leon A. Podolak

DATE: 12/15/89 DRAWING NO. 216