

IN RE: PETITION FOR VARIANCE
NWC Liberty Road and
Burmout Avenue
2nd Election District
2nd Councilmanic District
(9400 Liberty Road)

Jacob Antwerpen
9400 Liberty Ltd. Partnership
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 01-367-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Variance filed by the legal owner of the subject property, Jacob Antwerpen. The Petitioner is requesting a variance for property he owns at 9400 Liberty Road. The variance request is from Sections 238.1 and 238.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the display of automobiles for sale not less than 4 ft. from the front property line in lieu of the required 10 ft. and 21 ft. in front of the required front building line in lieu of the permitted 15 ft.

Appearing at the hearing on behalf of the variance request were Richard Matz, professional engineer who prepared the site plan of the property, Jacob Antwerpen, the owner of the property, Stacy White and Richard Rubin, attorney at law, representing the Petitioner. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 9.55 acres, more or less, split-zoned BR, BR-AS and DR 5.5. The subject property is located on the north side of Liberty Road, between the intersections of Liberty Road and Pikeswood Drive and Liberty Road and Burmout Avenue. The subject site is the home of the Antwerpen Automobile Dealerships, whereupon the Petitioner operates his business. The longtime practice of this property owner, as well as his predecessor in title, has been to display

ORDER RECEIVED FOR FILING

Date

By

5/2/01
R. J. Gorman

automobiles for sale along the property adjacent to Liberty Road. Photographs of the manner in which these automobiles are displayed were entered into evidence as Petitioner's Exhibit No. 2. The display area is situated approximately 20 ft. from the sidewalk that is located adjacent to Liberty Road. Therefore, there is approximately a 20 ft. wide green vegetative strip between the display of these automobiles for sale and the actual sidewalk. This setback has been in existence for some time and is an appropriate manner in which the Petitioner displays his automobiles for sale. Therefore, I have no problem approving the variance to allow the practice to continue.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to 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;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient 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).

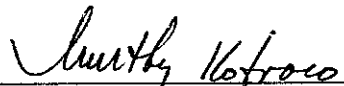
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel.

In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 7th day of May, 2001, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Sections 238.1 and 238.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the display of automobiles for sale not less than 4 ft. from the front property line in lieu of the required 10 ft. and 21 ft. in front of the required front building line in lieu of the permitted 15 ft., be and is hereby GRANTED.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 5/2/01
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

May 7, 2001

Richard Rubin, Esquire
Neuberger, Quinn, Geiler, Rubin & Gibber, P.A.
One South Street, 27th Floor
Baltimore, Maryland 21202

Re: Petition for Variance
Case No. 01-367-A
Property: 9400 Liberty Road

Dear Mr. Rubin:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

Copies to:

Richard E. Matz, P.E.
Colbert, Matz, Rosenfelt, Inc.
2835 Smith Avenue, Suite G
Baltimore, MD 21209

Mr. Jacob Antwerpen
9400 Liberty Ltd. Partnership
6440 Baltimore National Pike
Baltimore, MD 21228



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 9400 Liberty Road

which is presently zoned BR, BR-AS, DR-5.5

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

~~238.4 and~~ ^{REM} 238.4, B.C.Z.R. for storage and display of materials not less than 4 feet from the front property line in lieu of 10 ft. required. and 21 feet in front of the required front building line in lieu of permitted 15 feet *YML*
Of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

The uniqueness and peculiarity of the property causes the zoning provisions to impact disproportionately upon the property. Practical difficulty and unreasonable hardship result from the disproportionate impact of the provisions of the zoning regulations caused by the property's uniqueness.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State Zip Code

Attorney For Petitioner:

Richard Rubin, Esq.

Name - Type or Print

Signature

Neuburger, Quinn, Geiler, Rubin & Gibber, P.A.

Company

One South Street, 27th floor

410-332-8509

Address

Telephone No.

Baltimore

Md. 21202

City

State Zip Code

Legal Owner(s):

Jacob Antwerpen

Name - Type or Print

Signature

Name - Type or Print

Signature

9400 Liberty Ltd. Partnership

9400 Liberty Road

410-521-3000

Address

Telephone No.

Randallstown

Md. 21133

City

State Zip Code

Representative to be Contacted:

Richard E. Matz, P.E.

COLBERT MATZ ROSENFELT, INC. (h) 410-484-8757

2835 Smith Avenue, Suite G

410-653-3838

Address

Telephone No.

Baltimore

MD 21209

City

State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By JRF

Date 3/20/01

ORDER RECEIVED FOR FILING

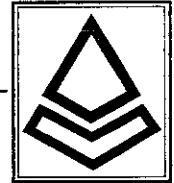
Date

By

Case No. 01-367-A

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION

Beginning at a point on the north side of Liberty Road, which is 90 feet wide, at the distance of 45 feet from the centerline of Burmont Avenue which is 60 feet wide. Thence the following courses and distances:

North 59 degrees 20 minutes 37 seconds West 516.3 feet;
North 59 degrees 38 minutes 00 seconds West 112.31 feet;
North 20 degrees 12 minutes 35 seconds West 15.45 feet;
North 19 degrees 12 minutes 50 seconds East 209.80 feet;
Thence by a curve to the right having a radius of 4025.00 feet and a length of 37.40 feet;
South 71 degrees 19 minutes 07 seconds East 120.81 feet;
South 19 degrees 12 minutes 50 seconds West 43.66 feet;
South 57 degrees 32 minutes 55 seconds East 363.65 feet;
North 30 degrees 35 minutes 01 second East 243.17 feet;
North 18 degrees 59 minutes 03 seconds East 202.72 feet;
South 77 degrees 56 minutes 06 seconds East 380.47 feet;
South 55 degrees 35 minutes 50 seconds East 181.00 feet;
Thence by a curve to the left having a radius of 300.00 feet and a length of 29.45 feet;
South 59 degrees 50 minutes 01 second West 506.40 feet;
Thence by a curve to the left having a radius of 330.00 feet and a length of 254.43 feet;
Thence by a curve to the left having a radius of 270.00 feet and a length of 34.45 feet; and
South 55 degrees 14 minutes 00 seconds West 29.79 feet, to the Point of Beginning.

Containing 7.75 acres, more or less. Also known as 9400 Liberty Road and located in the 2nd Election District.



#367

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 93037

DATE 3-20-01 ACCOUNT R-001-006-3150

AMOUNT \$ 250.00

RECEIVED FROM: Call and M-fz R-sen 6/14

2400 Liberty Rd. ITEM # 367

FOR: 220 VANDIA TAX BY JRM

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
DATE 3/20/2001 15:21:32
BY: CASHIER DMD DMD CASHIER
RECEIPT # 157648
OR L. 93037
Baltimore County, Maryland

Receipt Tot 250.00
250.00 OK JNO CR
Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #01-367-A
9400 Liberty Road
NW/Corner Liberty Road and
Burmont Avenue
2nd Election District
2nd Councilmanic District
Legal Owner(s): Jacob
Antwerpen

Variance: to permit the storage and display of materials not less than 4 feet from the front property line in lieu of the required 10 feet.

Hearing: Wednesday, May 2, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please contact the Zoning Commissioner's Office at (410) 867-4366.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 867-3391.

JT/4/786 Apr. 17 0463203

CERTIFICATE OF PUBLICATION

4/19, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/17, 2001.

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

S. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE Case No 01-367-A

Petitioner/Developer ANTWERPEN, ETAL
C.M.R.

Date of Hearing/Closing 5/2/01

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #9400 LIBERTY RD. @ N/S
BURMONT AVE (Z-SIGNS)

The sign(s) were posted on 4/9/01
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe, Sr. 4/10/01
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)



01-367-A
9400 LIBERTY

ZONING NOTICE

CASE # 01-367-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 407, COUNTY COURTS

PLACE: BLDG. - 401 BOSLEY AVENUE

WEDNESDAY

DATE AND TIME: MAY 2, 2001 AT 11:00 A.M.

REQUEST: VARIANCE TO PERMIT THE

STORAGE AND DISPLAY OF MATERIALS

NOT LESS THAN 4 FEET FROM THE

FRONT PROPERTY LINE IN LIEU OF

THE REQUIRED 10 FEET

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 867-4391

FOR THE REQUEST FOR THE DATE AND TIME OF HEARING, UNDER PENALTY OF LAW

WARRANTED NOT AVAILABLE

ZONING NOTICE

CASE # 01-367-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

ROOM 407, COUNTY COURTS

PLACE: BLDG. - 401 BOSLEY AVENUE

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TO CONFIRM HEARING CALL 867-4391

FOR THE REQUEST FOR THE DATE AND TIME OF HEARING, UNDER PENALTY OF LAW

WARRANTED NOT AVAILABLE

CERTIFICATE OF POSTING

RE: Case No.: 01-367-A

Petitioner/Developer: _____

9400 LIBERTY LTD. PARTNERSHIP

Date of Hearing/Closing: 5-2-01

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____

#9400 LIBERTY ROAD

The sign(s) were posted on APRIL 16, 2001
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring 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: 01-367-A.

Petitioner: 9400 LIBERTY LTD PARTNERSHIP.

Address or Location: 9400 LIBERTY ROAD
RANDALSTOWN, MD 21133

PLEASE FORWARD ADVERTISING BILL TO:

Name: MICHAEL ANTWERPEN

Address: 9400 LIBERTY ROAD
RANDALSTOWN, MD 21133

Telephone Number: 410-521-3000

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 17, 2001 Issue – Jeffersonian

Please forward billing to:
Michael Antwerpen
9400 Liberty Road
Randallstown MD 21133

410 521-3000

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-367-A
9400 Liberty Road
NW/Corner Liberty Road and Burmont Avenue
2nd Election District – 2nd Councilmanic District
Legal Owner: Jacob Antwerpen

Variance to permit the storage and display of materials not less than 4 feet from the front property line in lieu of the required 10 feet.

HEARING: Wednesday, May 2, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt
G172

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

April 3, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-367-A
9400 Liberty Road
NW/Corner Liberty Road and Burmont Avenue
2nd Election District – 2nd Councilmanic District
Legal Owner: Jacob Antwerpen

Variance to permit the storage and display of materials not less than 4 feet from the front property line in lieu of the required 10 feet.

HEARING: Wednesday, May 2, 2001 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon". To the right of the signature is the handwritten number "6172".

Arnold Jablon
Director

C: Richard Rubin Esquire, Neuberger Quinn Geiler Rubin & Gibber PA, One South Street, 27th Floor, Baltimore 21202
Jacob Antwerpen, 9400 Liberty Ltd Partnership, 9400 Liberty Road
Randallstown 21133
Richard E Matz PE, Colbert Matz Rosenfelt Inc, 2835 Smith Ave, Suite G,
Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 17, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 27, 2001

Richard Rubin Esquire
Neuberger Quinn Geiler Rubin & Gibber PA
One South Street, 27th Floor
Baltimore MD 21202

Dear Mr. Rubin:

RE: Case Number: 01-367-A, 9400 Liberty Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 20, 2001.

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,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Jacob Antwerpen, 9400 Liberty Ltd Partnership, 9400 Liberty Road,
Randallstown 21133
Richard E Matz PE, Colbert Matz Rosenfelt Inc, 2835 Smith Avenue, Suite G,
Baltimore 21209
People's Counsel

Mark
5/2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: April 26, 2001

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 01-367 & 01-397

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by: Mark A. Cunningham

Section Chief: Jeffrey W. G. [Signature]

AFK/JL:MAC

APR 30



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

March 29, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: David Thompson - 364, Jacob Antwerpen - 367,
H-K Real Estate Holdings, Inc. - 368, Paul A. Coberly - 369,
Paul A. Corberly - 370, Patrick Rooney - 371, and McMahon
Investments - Baltimore, LLC - 378.

Location: DISTRIBUTION MEETING OF April 2, 2001

Item No.: 364, 367, 368, 369, 370, 371, and 378

Dear Ms. Stephens:

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.

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

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 4.2.01

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

RE: Baltimore County
Item No. 367

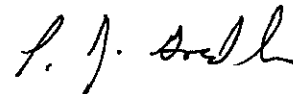
JRF

Dear Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *rc/RS*

DATE: April 9, 2001

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of April 2, 2001

DEPRM has no comments for the following zoning petitions:

Item #	Address
364	426 Sherwood Road
367	9400 Liberty Road
368	6631-6635 Baltimore National Pike
369	116 Kinship Road
370	1914 Midland Road
371	Trappe Road Lots 16-20
373	9720 Greenside Drive
377	11 Olivia Court

RE: PETITION FOR VARIANCE
9400 Liberty Road, NW/cor Liberty Rd & Burmont Ave
2nd Election District, 2nd Councilmanic

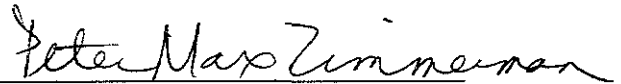
Legal Owner: Jacob Antwerpen
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-367-A

* * * * *

ENTRY OF APPEARANCE

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



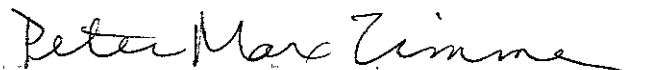
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of April, 2001 a copy of the foregoing Entry of Appearance was mailed to Richard Rubin, Esq., Neuberger, Quinn, Gieler, 1 South Street, 27th Floor, Baltimore, MD 21202, attorney for Petitioner(s).



PETER MAX ZIMMERMAN

Wireless telecommunications towers, subject to Section 426 [Bill Nos. 61-1967; 85-1967; 64-1986; 30-1998]

Section 237
B.R. Zone Height Regulations
[BCZR 1955]

Same as in B.L. Zones.

Section 238
B.R. Zone Area Regulations
[BCZR 1955]

Minimum requirements, except as provided in Article 3, shall be as follows:

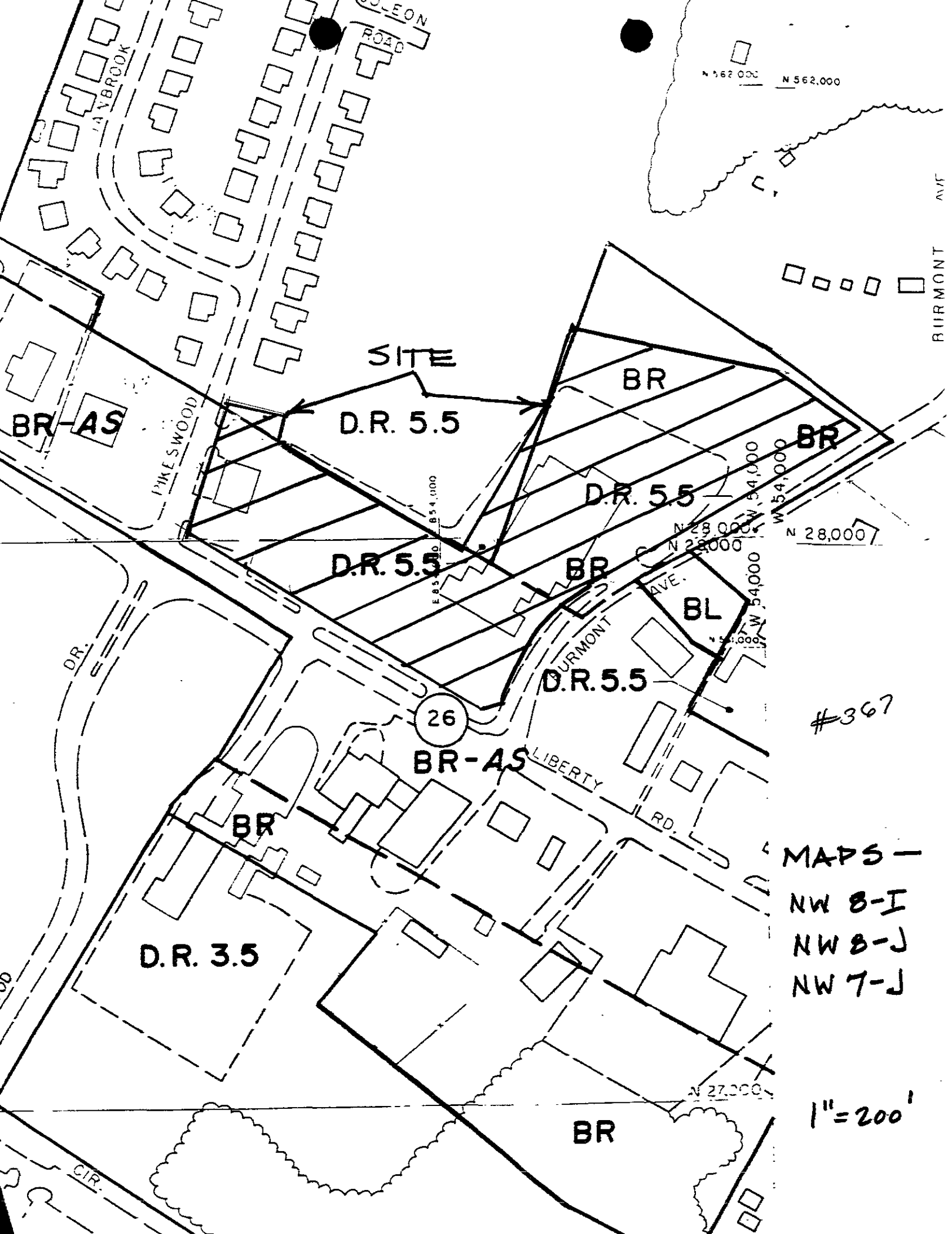
- 238.1 Front yard for residences, as in Sections 302 and 303.1; for commercial buildings the front building line shall be not less than 50 feet from the front property line if on a dual highway; and not less than 25 feet from the front property line and not less than 50 feet from the center line of any other street, except as specified in Section 303.2.
- 238.2 Side and rear yards for residences, as in Section 302; for other buildings, 30 feet.
- 238.3 Parking areas and loading space in accordance with the provisions of Section 409.
- 238.4 Storage and display of materials, vehicles and equipment are permitted in the front yard, but not more than 15 feet in front of the required front building line.
- 238.5 Floor area ratio. The maximum permitted floor area ratio for any site in a B.R. Zone, except in C.C.C. and C.T. Districts, shall be 2.0. [Bill Nos. 7-1962; 111-1968; 100-1970]

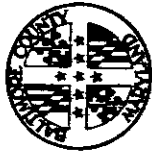
Section 238A
Special Regulations for C.C.C. Districts
[Bill Nos. 111-1968; 100-1970;⁵ 26-1988; 36-1988]

Contrary provisions of these zoning regulations notwithstanding, the regulations of this section shall apply in C.C.C. Districts superimposed upon B.R. Zones. (All aspects of matters not governed by the following provisions of this section shall be governed by all other applicable provisions of these zoning regulations.)

- 238A.1 Apartments shall be permitted, but only above the first story of a building. Elderly housing facilities shall be permitted in any story of a building.
- 238A.2 No apartment window facing a property line other than a street line shall be closer than 25 feet thereto. The minimum distance between the centers of facing windows of different apartments on the same lot shall be 50 feet.

⁵ Editor's Note: This bill redesignated former Section 238A as Section 238B.





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Photographs
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