IN RE: PETITIONS FOR SPECIAL EXCEPTION \*

AND VARIANCE

SW/S of Liberty Road,

16 ft. E of Offutt Road

2nd Election District

4th Election District (9101-9105 Liberty Road)

ACT, LLC

By: Kimberly Parson

**Petitioners** 

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 04-422-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Exception and Variance filed by the legal owners of the subject property, ACT, LLC, by Kimberly The Petitioners are requesting a special exception for property located at 9101-9105 Liberty Road in the Randallstown area of Baltimore County. The special exception request is for a service garage for a property zoned BL, BR and BR-AS pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioner is requesting a variance from Section 409.8.A.1 of the B.C.Z.R., to allow a 2 ft. wide landscape strip between paved surfaces and

Amended Petition

lot lines in lieu of the required 6 ft.

Prior to the start of the hearing of this case, the Petitioner, in response to requests from Baltimore County, revised the Petition for Variance as follows: from Section 232.2 B to allow a 5 ft. side yard on the street in lieu of the required 10 ft.; and from Section 409.8.A.1 of the B.C.Z.R., and the Landscape Manual, Section III Condition "B" Standards 1.b to allow a 3 ft. wide landscape strip between paved surfaces and lot lines in lieu of the required 6 ft.

The property was posted with Notice of Hearing on April 17, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on April 15, 2004 to notify any interested persons of the scheduled hearing date.

# Applicable Law

Section 502.1 of the B.C.Z.R. - Special Exceptions

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air; [Bill No. 45-1982]
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the sprit and intent of these Zoning Regulations; [Bill No. 45-1982]
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

Section 307 of the B.C.Z.R. - Variances.

"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, offstreet parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of la petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or Freasons for making such variance."

# SISION FOR THE STATE OF THE STA

# **Zoning Advisory Committee Comments**

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: Comments from the Planning Office dated May 3, 2004 supporting the requests with conditions and comments from Development Plans Review dated April 2, 2004 requesting the right-of-way for Offutt Road be moved, copies of which are attached hereto and made a part hereof.

# Interested Persons

Appearing at the hearing on behalf of the variance and special exception requests were Thomas Hoff, landscape architect and Kimberly Parsons, member of Petitioner LLC. Michael Gisriel, Esquire represented the Petitioners. Pierce Macgill, representing the Office of Economic Development, appeared in support of the request. David Green, from the Office of Planning, appeared in support of the requests and to explain the Office of Planning's comments. Emily Wolfson, who usually appears on behalf of the Liberty Road Business Association, appeared as an interested citizen at the hearing and not in her official capacity as a member of the association because they had not taken a position on the matter. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

# **Testimony and Evidence**

Mr. Macgill from the Office of Economic Development appeared in support of the project. He indicated that this property is in the Liberty Road Revitalization Area, that redevelopment of this property was important in the overall revitalization of the area, that it would create 10 to 13 new jobs, and would mean a \$750,000 investment in this area. David Green from the Office of Planning indicated that his Office supported the petition but requested certain conditions be included in the Order relating primarily with landscaping. The Petitioner's representative indicated that they had reviewed the conditions and agreed to each as conditions to the Order.

Mr. Hoff, a registered landscape architect, indicated that the Petitioner had sought to raze the two vacant dwellings on the property and build an auto repair service garage with 22 service bays for auto body repair. The property, as purchased by the Petitioner, had originally 1.1 acres of land. However, several rounds of negotiation with Baltimore County would reduce the overall area to 0.76 acres. The lost property would be used by the County to improve the intersection of Offutt and Liberty Roads, which he characterized as unsafe. As can be seen on Petitioner's Exhibit No. 1, Offutt Road south of Liberty Road does not line up with Offutt Road north of Liberty Road. To correct this condition the County wants the Petitioner to give up significant land along the eastern boundary (Offutt Road south). All of the Petitioner's land zoned BR and BR-AS would be lost to the Petitioner and the special exception would apply to the smaller remaining property.

Mr. Hoff indicated that the revised plan would meet all County regulations except that the landscape buffer along the western boundary of the property (nursing home side) would only be 3 ft. wide in lieu of the required 6 ft. where the property narrows down in width. Otherwise, the western buffer widens out. The Petitioner will erect a board-on-board privacy fence along the area proposed for storing vehicles for repair. Similarly, on the Offutt Road side of the property the Petitioner can provide only 5 ft. of buffer in lieu of the required 10 ft. Mr. Hoff testified that the Petitioner requested these variances because the considerable property that would ordinarily be available to meet regulations had been taken by Baltimore County for improvements to Offutt Road.

Mr. Hoff indicated that in his opinion granting the Special Exception for an automotive service garage in this BL zone would not be detrimental to the health, safety, or welfare of the community and would not adversely affect the neighborhood listing the criteria in Section 502.1 of the B.C.Z.R. In fact, he said that because Offutt Road and Liberty Road would be improved, public safety would be aided. In his opinion, the present roadways are not aligned and this makes the existing intersection unsafe. Finally, he indicated that he believed the comment of the Plans

Review Office pertaining to the Offutt Road entrance had to do with the original filing and not the Revised Petition.

Ms. Parsons indicated that she operated the business on Offutt Road immediately to the south, which is shown on Exhibit No. 1 as "Parcel 157". She said that she operates an automobile service garage at that location and would expand her business northward onto this property by investing perhaps \$1 million to improve the property. She testified that the vehicles transporting damaged automobiles would enter the subject property from Parcel 157, whereas customers would enter from the curb cut on Liberty Road. She indicated that she agreed to implement the conditions listed in the Planning Office comments attached hereto.

Ms. Wolfson, who usually represents the Liberty Road Business Association, appeared as an interested citizen because the association had not yet taken a position in regard to this project. She generally supported the requests but expressed concern about the safety of traffic coming from the east of the property (Baltimore Beltway) that would make a left turn across the stacking left turn lane of Liberty Road at Offutt. In addition, she was concerned that these vehicles would have to stop in the fast lane of the westbound traffic on Liberty Road to make this left turn. She was also concerned about whether large tow trucks turning into the entrance to Parcel 157 would have enough room around the existing buildings to bring their loads to the subject property. Otherwise, she supported the Planning Office recommendations. Mr. Hoff assured her that there was adequate room to maneuver the tow trucks around the existing buildings on Parcel 157. He also noted that the intersection of Offutt and Liberty Roads would be completely redesigned and that this would hopefully relieve Ms. Wolfson's concern about traffic making a left turn onto the property from Liberty Road. Ms. Parsons indicated that she would give clear and specific directions to tow truck operators to enter the property only through Parcel 157.

Finally as the entrance to the property was tied so directly with access through Parcel 157, the Petitioner agreed to create an access easement from Parcel 157 to the subject property and to record this easement on the Land Records of Baltimore County.

### Findings of Fact and Conclusions of Law

I find that the special exception for an automobile service garage, as shown on Petitioners' Exhibit No. 1, will not endanger the health, safety, and welfare of the community, and that there will be no detriment to the area considering each of the criteria listed under Section 502.1 of the B.C.Z.R. However, because the access to the subject property is so tied to the access through Parcel 157, I will require that the Petitioner create and file in the Land Records for Baltimore County an access easement guaranteeing that vehicles may enter and leave the subject property through Parcel 157. Because Ms. Parsons owns both properties, this would not be a problem at the present time. However, these properties could be sold separately thereby cutting off the largest and safest means of access to the property. I shall also require that the Petitioner notify tow truck operators to use only the Offutt Road entrance and exit.

While Ms Wolfson's concerns regarding the Liberty Road entrance are genuine, as Mr. Hoff pointed out, the intersection will be redesigned. My concern is how to insure that the redesign will take Ms. Wolfson's insights into account. As I understand the problem, the left turn lane on Liberty Road for traffic going north on Offutt Road is very often backed up past the proposed Liberty Road entrance to the subject property. Traffic coming into this property from the east and making a left turn would have to cross the stacked traffic on Liberty Road and cross east bound Liberty Road traffic. All this would have to be accomplished while stopped in the fast lane of Liberty Road. I also realize that the redesign of the Offutt/Liberty intersection is not in the control of the Petitioner whose traffic uses would be only one of many in the area. I do not doubt Mr. Hoff's assertion that the comment from Plans Review concerning the entrance on Offutt Road is out

of date. Yet, I will require the Petitioner to submit Petitioner's Exhibit No. 1 to Plans Review once again along with this Order. I will also require Petitioner to secure Plans Review approval of the entrances and exits proposed by the Petitioner.

In regard to the variance requests, I find special circumstances or conditions exist that are request to the land or structure which is the subject of the variance request and that strict

In regard to the variance requests, I find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The variances are needed because Baltimore County is requiring that substantial land be taken for improvements to the Offutt/Liberty intersection. This situation is not the result of the Petitioner's action and therefore not self-imposed. Given the taking by the County, I find the property to be unique and a hardship thereby created. Furthermore, I find that these variances can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety and general welfare.

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 Petitioners, I find that the Petitioners' variance request and request for special exception should be granted.

THEREFORE, IT IS ORDERED, this <u>5</u> day of May, 2004, by the Deputy Zoning Commissioner, that the Petitioners' special exception request for a service garage in a BL zone pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED subject to the following conditions:

- 1. Compliance with the Office of Planning comments dated May 3, 2004, a copy of which is attached hereto and made a part hereof;
- 2. That the Petitioner make every good faith effort to notify and require operators of tow vehicles to use only the entrance and exit provided through Parcel 157;
- 3. That the Petitioner execute and record in the Land Records of Baltimore County an access easement across Parcel 157 in favor of the subject property; and
- 4. That the Petitioner must submit Exhibit No. 1 to the Office of Plans Review for their approval of the ingress and egress to this property.

IT IS FURTHER ORDERED, that the Petitioners request for a variance from Section 232.2.B of the B.C.Z.R., to allow a 5 ft. side yard on the street in lieu of the required 10 ft.; and from Section 409.8.A.1 of the B.C.Z.R., and the Landscape Manual, Section III Condition "B" Standards 1.b, to allow a 3 ft. wide landscape strip between paved surfaces and lot lines in lieu of the required 6 ft., be and is hereby GRANTED.

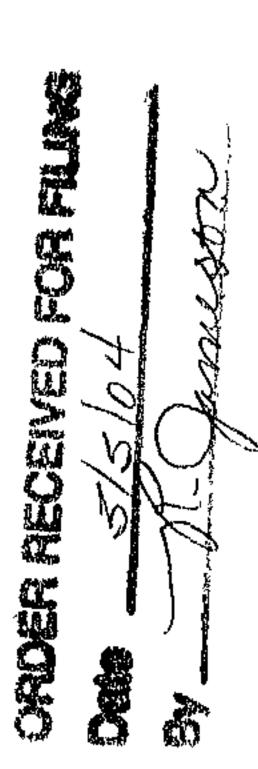
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

**DEPUTY ZONING COMMISSIONER** 

FOR BALTIMORE COUNTY

JVM:raj



# Zoning Commissioner

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468



# **Baltimore County**

James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

May 5, 2004

Michael Gisriel, Esquire Foard, Gisriel, O'Brien & Ward, LLC 29 W. Susquehanna Avenue, Suite 302 Towson, Maryland 21204

Re: Petitions for Special Exception & Variance Case No. 04-422-XA
Property: 9101-9105 Liberty Road

Dear Mr. Gisriel:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special exception and variance have 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,

John V. Murphy

Deputy Zoning Commissioner

JVM:raj Enclosure



Visit the County's Website at www.baltimorecountyonline.info

# Copies to:

Kimberly Parsons 110 Hilton Avenue Catonsville, MD 21228

Thomas J. Hoff 406 W. Pennsylvania Avenue Towson, MD 21204

Peirce Macgill 400 Washington Avenue Towson, MD 21204

Emily Wolfson 8506 Church Lane Randallstown, MD 21133



# Petition for Special Exception

to the Zoning Commissioner of Baltimore County 4

for the property located at 9101-9165

9101-9105 Liberty Road N. N

which is presently zoned BL and BR

I/We do solemnly declare and affirm, under the penalties of

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 hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

a "Service Garage", i.e. the operation of an Automotive Collision Center (auto body shop) to rebuild and restore vehicles from accident to pre-accident condition including body work, refurbishing and painting. Specifically, we are requesting zoning relief from Section 230.13, which would allow a special exception for an automotive service garage. Because Ms. Parson operates her business in an award-winning, professional and "environmentally friendly" manner

(continued on attached sheet)

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

I, or we, agree to pay expenses of above Special Exception, 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.

	perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.								
Contract Purchaser/Lessee:	Legal Owner(s):								
N/A Name - Type or Print	ACT, LLC Name - Type or Print								
Signature	Signature Kimberly Parson								
Address Telephone No.	Name - Type or Print  Signature  Name - Type or Print  Signature								
City State Zip Code  Attorney For Petitioner:	Signature  3508 Offutt Road  Address  Telephone No.								
Michael Gisriel, Esquire Name - Type or Print	Randallstown, Maryland 21133  City State Zip Code  Representative to be Contacted:								
Signature  Eoard, Eisriel, O'Brien & Ward, LLC	Michael Gisriel, Esquire								
Company 99 Susquehanna Ave, Suite 302 Godress Telephone No.	Name  29 W. Susquehanna Ave., Suite 302  Address Telephone No.								
Towson, Maryland 21204 410-296-1440 City State Zip Code	Towson, Maryland 21204 410-296-1440 City State Zip Code								
	OFFICE USE ONLY								
Deso. 04-422-XA	ESTIMATED LENGTH OF HEARINGUNAVAILABLE FOR HEARING								
T. REG 00413198	Reviewed By JUP Date 3/15/04								

(continuation of Petition for Special Exception- ACT, LLC)

and complies with all EPA standards (see article from Randallstown Times attached hereto and made a mart hereof), we believe that her Special Exception Petition for B-L District would not be inconsistent with the spirit and intent of the Baltimore County Zoning Regulations, nor would the Service Garage use be detrimental to the health, safety or general welfare of the area. Thus we believe that the subject Special Exception, i.e. the use of the subject property (2.35 acres) for a Service Garage in B-L Zone should be granted.



to Collision Technologies owner Kimberly Dreisch is the only woman who is the sole owner of a auto body shop in the state.

# atting soul into a body shop

# the makes a dent a macho world

Y BOB ALLEN

ANDALLSTOWN

Do you tend to but the ceiling or fall into a deep ask when your triendly local body shop ownereds you an estimate of \$480 to fix that little diagnous right front fender?

That little ding may not be any cheaper to fix Auto Collision Technologies Inc. of Randall-own - the only auto body shop in Maryland slely owned by a woman, according to its owner oberly Dreisch. But Dreisch and her employs pelieve they will leave you feeling a little bet a oven after your wallet's been lightened.

One of my customers recently told med should name the company Body and Soul," Dreisch replie "We really care about our customers, and

they definitely come first.

"Traditionally, the collision business has been a very greedy husiness," Dreisch says as she pinches the check of a customer's child. "Future customers — gotta keep 'em happy!" she jokes.

"A lot of people were getting rich before the insurance companies started regulating auto body repair work a little more closely," adds Dreisch, who started Automotive Collision Technologies Inc. in partnership with her brother-in-law five years ago

"I'm interested in making a probit too," she concedes. "But—Getting your car all smashed up cannot only be a major inconvenience, it can be a very terrible experience. What I try to do is make the process a little less painful by taking the time to listen to my customers and offer my advice."

Dreisch, who was a computer sales engineer for IBM for 10 years and a stuy-at-home mom for five years after that, insists that when you bring your car into her shop, you'll find a people-friendly amost here.

She and her eight employees (all men, except to the office assistant, Dawn Hamby) make a

point of thoroughly explaining what needs to be back and why.

"Someone told me just the other day, I came back here because of the way you talked to me. You're a caring person, and that even comes through over the phone," adds the Brooklynbom, Anne Arundel County-raised entrepreneut.

A single mother of two, Dreisch also balances the demands of her sole proprietorship with school field trips, baseball games, cooking dinner and helping her kids, Nicholas, 10, and Alexandra, 8, with their homowork every night.

Dreisch enthusiastically shows a visitor the new computer system in her small office. She has an extra-large monitor and software that enable her to actually show her customers detailed schematics of the repairs their vehicles need, right down to the smallest part

Dreisch, who bought out her brother-in-law and became Auto Technologies' sole owner a your and a half ago, recalls that when she started her business a few people let her know that, as a woman

See PUTTING SOUL INTO BODY SHOP Page 86

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# CTIONS

# Putting soul into body shop

Continued from Page B1

in a male-dominated industry, she was a fish out of water.

"The old-line, grouchy, eigar-smoking, whiskey-at-10 a.m. guys flat-out told me that a woman had no place in this business. And they weren't too friendly about it," she says.

According to Shiela Loftus, executive director of the Washington Metro Auto Body Association, which represents body shops in Maryland, Virginia and Washington, D.C., and publishes the monthly trade magazine "Hammer and Dolly," the body shop business is still very much a man's world.

Loftus says that the number of women body shop owners she's aware of remain minuscule, and hasn't increased much during her 21 years in the industry

If the steady stream of customers in and out of Automobile Collision Technologies' small reception area on a weekday afternoon is an indication, myone anxiously awaiting Dreisch to fall probably shouldn't hold his breath.

"God bless her, Kim's a good girl," says repeat customer Steve Petersen, who works in Woodlawn, "She's always gone out of her way to help me and my wife out. One time she even had my car lowed all the way from Harford County and she paid the bill," adds Peterson, who says he's referred numerous friends to Dreisch. "It's a man's world she's working in, but she's come a long way in a relatively short time."

Despite all the satisfied repeat customers,

competition is (ough). There are four other autobody shops within a 5-mile radius of Dreisch's garage, near the intersection of Liberty and Offull roads. Yet, for now, Dreisch's business seems to be booming. "We started out five years ago in a little tiny rented space across the street," she remembers. "Our first month we did five cars. Now we do five cars a flay."

Yet Dreisch admits that building her business to its current profitability and earning gender respect within a macho industry has at times stretched her to the limits.

"I've always wanted to own my own business. But the first year or so I was very stressed out. I drew no salary at all, and there were times when we had no work. I just had the faith that if I built it they would come "

Her seed money for the business was about \$20,000 in savings. Two years ago, she bought the property and built the building were her facility is now located. She estimates that she's currently got about \$200,000 invested in equipment and she meets a weekly payroll of \$7,500 to \$10,000.

"People dou't realize that a good body mun can earn \$1,500 a week," she says. "The first week my painter walked in the door he made \$2,100. There's very good money in this industry "

Dreisch laughs, "When I started out I didn't know a fender from a quarter panel or a tire from a rim." And she confesses that even today the most skilled task she performs in the shop is sweeping the floor

"The fact is," she adds, "if you've got good management skills and good people skills you can run just about any kind of business."

Despite the sheer enthusiasm Dreisch seems to bring to her work, she admits she never dreamed she'd end up repairing wrecked and rusted cars.

Says Dreisch, "It was just a good business opportunity that came along and I took it."

"The construction industry isn't for every-

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# Petition for Variance

# to the Zoning Commissioner of Baltimore County

for the property located at 9101-9105 Liberty Road which is presently zoned BL and BR

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 hereof, hereby petition for a Variance from Section(s)

232.2.B- Variance to allow a 5' side yard on the street side in lieu of the required 10' AND Section 409.8.A.1 & Landscape Manual, Section III, Condition 'B', Standards 1.b- Variance to allow a 3' wide landscape strip between paved surfaces and lot lines in lieu of the required 6'.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

It would be effectively impossible to have a 10' side yard on the street side or a 3' wide landscape strip between paved surfaces and lot lines due Baltimore County's planned widening project of Liberty Road, effecting the intersection of Liberty at Offutt Road.

project of Liberty Road, effecting the intersection of Liberty at Offutt Road. Property is to be posted and advertised as prescribed by the zoning regulations. I are 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. Gentract Purchaser/Lessee: Legal Owner(s): ACT, LLC Viple of Rrint Name - Type or Print Signature Kimberly Parsons Telephone No. Name - Type or Print State Zip Code Attorney For Petitioner: 3508 OffittexRoad 410-521-4770 Address Telephone No. Michael Gisriel Esquire Randallstown, 21113 Maryland Name - Type State Zip Code Representative to be Contacted: Signature Gisriel, O'Brien & Ward, LLC Foard, Michael Gisriel, Esquire Name Company Susquehanna Ave., Suite 302 Susquehanna Ave., Address Address Telephone No. Towson, Maryland 21204 State 410-296-1440 Zip Code City OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. UNAVAILABLE FOR HEARING Reviewed By \_\_\_\_\_ Date \_\_\_\_ REV 9/15/98

# THOMAS J. HOFF, INC.

Landscape Architects and Land Development Consultants
406 WEST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
410-296-3668
FAX 410-296-5326

March 11, 2004

Description of 9101 Liberty Road, to Accompany Petition for Special Exception and Variance.

**BEGINNING FOR THE SAME** at a point on the centerline of Liberty Road 16 feet more or less east of the intersection of the centerline of Liberty Road and the centerline of Offutt Road.

Thence binding on the centerline of Liberty Road,

- 1) North 57 degrees 19 minutes 25 seconds West 33.89 feet, thence leaving the centerline of Liberty Road,
- 2) South 48 degrees 46 minutes 47 seconds West 40.45 feet to the south side of Liberty Road, having an existing Right of Way of 80 feet, thence binding on the south side of Liberty Road,
- 3) North 57 degrees 32 minutes 22 seconds West 167.39 feet, thence still binding on the south side of Liberty Road,
- 4) By a curve to the left having a radius of 11,419.16 feet and a length of 24.10 feet, thence leaving the south side of Liberty Road,
- 5) South 23 degrees 23 minutes 07 seconds West 147.50, thence
- 6) South 34 degrees 48 minutes 29 seconds West 114.96, thence
- 7) South 56 degrees 47 minutes 22 seconds East 150.08 feet to the approximate centerline of Offutt Road, thence binding on the approximate centerline of Offutt Road
- 8) North 37 degrees 38 minutes 51 seconds East 17.57 feet, thence leaving the approximate centerline of Offutt Road but still running in the bed of Offutt Road
- 9) North 84 degrees 32 minutes 51 seconds East 15.82 feet, thence
- 10) North 38 degrees 15 minutes 43 seconds East 150.17 feet, thence
- 11) North 49 degrees 48 minutes 31 seconds East 130.33 feet to the place of beginning.

Containing 1.11 acres of land more or less.

Note:

This Description has been prepared for zoning purposes only.

04-422-KA

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The Zohlng Commissioner of Baltimore County, by authority of the Zohlng Act and Regulations of Baltimore County will hold a public hearing in Towson. Maryland on the property identified herein as follows: Case: #04-422-XA
9101 Liberty Road
S/west side of Liberty Road,
16 feet e/of Offutt Road
2nd Election District
4th Councilmanic District Legal Owner(s): ACT, LLC,
Kimberly Parson
Special Extention: to permit a "Service Garage."
Variance: to allow a 2 foot wide landscape strip between paved surfaces and let lines in line of the relot lines in lieu of the required 6 feet.
Hearing: Monday, May 3,
2004 at 10:00 a.m. in
Room 407, County Courts
Building, 401 Bosley Ave-

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) 887-4386;
(2) For Information concerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 8873391;
4/215 Abr. 15 C659705 4/215 Apr. 15 C659705

# CERTIFICATE OF PUBLICATION

<u> </u>
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 4/15/,2004.
The Jeffersonian
Arbutus Times  Catonsville Times
☐ Towson Times
☐ Owings Mills Times
□ NE Booster/Reporter
☐ North County News

Wilkinson

LEGAL ADVERTISING

### CERTIFICATE OF POSTING

RE: Case No. 04-422-XA
Petitioner/Developer:

ACT, LLC, Kimberly Parson

Hearing Date: May 3, 2004

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

Attention: Ms. Kristen Matthews:

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 9101 Liberty Rd.

The sign(s) were posted on 4/17/04.

 $\Lambda \mathcal{L}$ 

Sincere

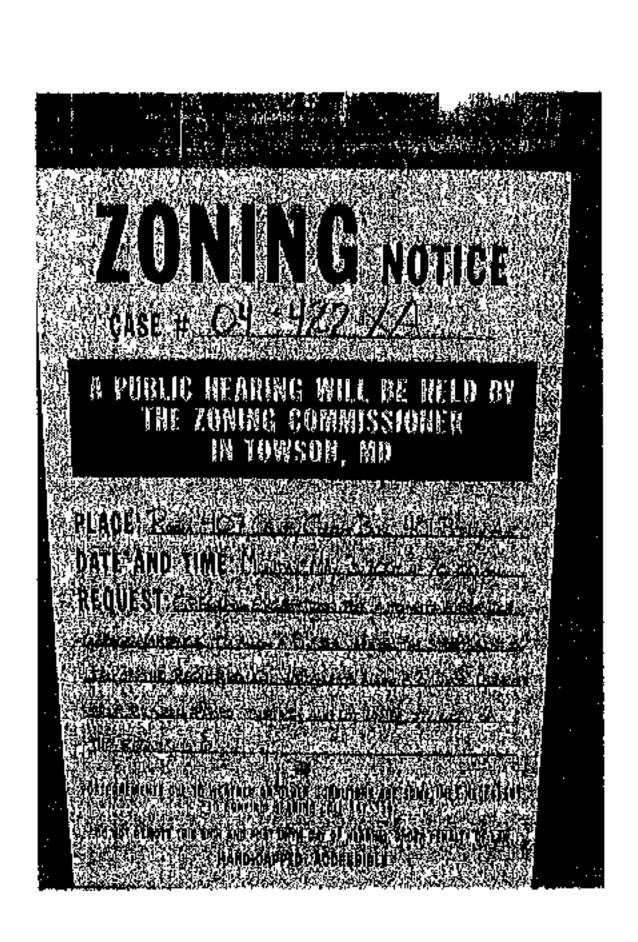
Diana Sugiuchi

Thomas J. Hoff, Inc.

406 West Pennsylvania Avenue

Towson, MD. 21204

410-296-3668



# Department of Permits an Development Management

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



# Baltimore County

James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

March 23, 2004

# **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: 04-422-XA

9101 Liberty Road
S/west side of Liberty Road, 16 feet e/of Offutt Road
2<sup>nd</sup> Election District – 4<sup>th</sup> Councilmanic District
Legal Owners: ACT, LLC, Kimberly Parson

Special Exception to permit a "Service Garage." Variance to allow a 2 foot wide landscape strip between paved surfaces and lot lines in lieu of the required 6 feet.

Hearing: Monday, May 3, 2004, at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco Director

TK:klm

C: Michael Gisriel, Foard, Gisriel, O'Brien & Ward, LLC, 29 W. Susquehanna Ave., Ste. 302, Towson 21204 ACT, LLC, Kimberly Parson, 3508 Offutt Road, Randallstown 21113

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 17, 2004.

- (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.

TO: PATUXENT PUBLISHING COMPANY

Thursday, April 15, 2004 Issue - Jeffersonian

Please forward billing to:

Michael Gisriel 29 W. Susquehanna Ave., Ste. 302 Towson, MD 21204

410-296-1440

# **NOTICE OF ZONING HEARING**

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Causell E. Schmidt

ZONING COMMISSIONER FOR BALTIMORE COUNTY

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# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

# ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 04-422-X4									
Petitioner: ACT, LLC Kimberly Parsons									
Address or Location: 9101 Liberty Road									
PLEASE FORWARD ADVERTISING BILL TO:  Name: Michael Gisriel, Esquire									
Address: 29 W. Susquehanna Avenue, Suite 302									
Towson, Maryland 21204									
Telephone Number: 410-296-1440									

Revised 2/20/98 - SCJ

# Department of Permits Development Management

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





James T. Smith, Jr., County Executive Timothy M. Kotroco, Director

April 27, 2004

Michael Gisriel, Esquire Foard, Gisriel, O'Brien & Ward, LLC 29 W. Susquehanna Avenue, Suite 302 Towson, Maryland 21204

Dear Mr. Gisriel:

RE: Case Number:04-422-XA, 9101Liberty Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 15, 2004.

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,
U. Call Rila D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

People's Counsel C: ACT, LLC Kimberly Parson 3508 Offutt Road Randallstown, Maryland 21113



# MICHAEL GISRIEL

Attorney At Law

29 W. Susquehanna Ave. Suite 302

Towson, Maryland 21204

Ph: (410) 296-1440 ext.3 Fax: (410) 823-7037

Email: mgisriel@aol.com

Peirce R. Macgill' Revitalization Specialist

Baltimore County Department of Economic Development 400 Washington Avenue Towson, Maryland 21204

410-887-3990 • Fax: 410-887-8017 E-mail: pmacgill@co.ba.md.us





www.baltimore county on line. in fo





Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor

MARYLAND DEPARTMENT OF TRANSPORTATION

Date:

3.19.04

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

RE:

**Baltimore County** 

Item No. 422

JHP

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 26. are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA 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,

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

f. f. Andl







700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

March 24, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: March 22, 2004

Item No.: 413-416, 418-423

Dear Ms. Hart:

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.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File

# BALTIMORE COUNTY, MARYLAND

# INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

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

SUBJECT:

9101 Liberty Road

INFORMATION:

Item Number:

4-422

Petitioner:

ACT, LLC.

Zoning:

BL

Requested Action:

Special Hearing/Variance

# SUMMARY OF RECOMMENDATIONS:

The Office of Planning has determined that the subject site is located at a critical intersection of the Liberty Road Revitalization Plan area. This request offers an opportunity to expand an existing business and improve the appearance of this portion of Liberty Road. As such, this office supports the petitioner's request provided a landscape plan is submitted to Avery Harden, Baltimore County Landscape Architect, and to this office for review and approval. The plan should include the following:

- 1. Provide an 8-foot board-on-board opaque fence along the western property boundary with a dense evergreen on the outside of the fences to effective screen storage and customer parking from the adjacent nursing home.
- 2. Provide evergreen shrubs and street trees along Liberty and Offutt Roads.
- 3. Provide building and sign elevations with materials indicated to the Office of Planning for review and approval.
- 4. Provide a sidewalk connection to the office entrance from the public sidewalk.

Prepared by:

Division Chief:

RECEIVED

**DATE:** May 3, 2004

AFK/LL:MAC:

MAY - 3 2004

ZONING COMMISSIONER

\\NCH\_NW\VOL3\WORKGRPS\DEVREV\ZAC\4-422.doc

# BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For March 29, 2004 Item No. 422

The Bureau of Development Plans Review has reviewed the subject-zoning item.

**DATE:** April 14, 2004

The proposed right-of-way for Offutt Road, along the property frontage, is not acceptable and shall be moved approximately 30 feet to the north. The developer is responsible for the full road improvements along the entire property frontage.

RWB:CEN:jrb

cc: File

STATESTATES OF THE STATES OF T

ZAC-03-29-2004-ITEM NO 422-04142004

RE: PETITION FOR SPECIAL EXCEPTION

AND VARIANCE

9101 Liberty Road; SW/side Liberty Road, \*

16' E of Offutt Road

2<sup>nd</sup> Election & 4<sup>th</sup> Councilmanic Districts

Legal Owner(s): ACT, LLC, Kimberly Parson

Petitioner(s)

BEFORE THE

**ZONING COMMISSIONER** 

**FOR** 

**BALTIMORE COUNTY** 

04-422-XA

\* \* \* \* \* \* \* \* \*

# ENTRY OF APPEARANCE

\*

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

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

(410) 887-2188

# CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25<sup>th</sup> day of March, 2004, a copy of the foregoing Entry of Appearance was mailed to Michael Gisriel, Esquire, Foard, Gisreal, O'Brien & Ward, LLC, 29 W Susquehanna Avenue, Suite 302, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

MAR 2 5 2004

Per.....

10/06/2003 13:54

# Liberty Road Business Association

LRBA

Henry M. Weisenberg, Executive Director 9337 Liberty Road . Randallstown, Maryland 21133 410-655-7766 (voice) . 410-655-8065 (fax)

"Your Business Is Our Business"



FAX

RECEIVED MAY - 4 2004 ZONING COMMISSIONER

TO: JACK MURPHY DEPUTY ZONING COMMISSIONER

FROM: HENRY M. WEISENBERG

SUBJECT: CASE NUMBER: 4-422-XA

COMMENTS:

form for lateness, board did not meet till
form for latences, board ded not meet tell night of 5/3/04. Thank you for your consideration in the metter.

Number of pages faxed: 2
Date: 5/4/04



# LIBERTY ROAD BUSINESS ASSOCIATION

LRBA

9337 Liberty Road • Randalistown, Maryland 21133 Tel: 410.655.7766 • Fax: 410.655.8065

May 4, 2004

RECEIVED

MAY - 4 2004

ZONING COMMISSIONER

Mr. Jack Murphy, Deputy Zoning Commissioner County Courts Building - Suite 405 401 Bosley Avenue Towson, Maryland 21204

RE: Case Number: 4-422-XA

Dear Commissioner Murphy:

The Board of Directors of the Liberty Road Business Association met at its regular Monthly Board Meeting on May 3, 2004. The Board voted to support the Special Exception Request and the Variance Request on the above captioned matter in accordance with all understandings agreed to at the Commissioner's Hearing on May 3, 2004, at 10:00 A.M.

The Association is very supportive of Automotive Collision Technologies' desire to expand its business and create new employment opportunities along the Liberty Road Corridor. ACT is a female-owned business that has been in Randallstown for a number of years. It is viewed as a positive asset by the business and residential communities.

Thank you for your understanding in this matter.

Sincerely,

President

T.McPhani:

JFM:tmb



9337 Liberty Road ♦ Randalistown, Maryland 21133 Tel: 410.655.7766 ♦ Fax: 410.655.8065

RECEIVED

Granted 5/5/14

May 4, 2004

MAY - 5 2004
ZONING COMMISSIONER

Mr. Jack Murphy, Deputy Zoning Commissioner County Courts Building - Suite 405 401 Bosley Avenue Towson, Maryland 21204

RE: Case Number: 4-422-XA

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Thank you for your understanding in this matter.

Sincerely,

John F. McPhayi, President

JFM:tmb

CASE NAME FOO CLASS PO CASE NUMBER 04-422-14 DATE 5/3/04

# CITIZEN'S SIGN-IN SHEET

E- MAIL												
CITY, STATE, ZIP	177											
	8506 Church Lane										>	
1E	Emily wolfson								M.			

PLEASE PRINT CLEARLY

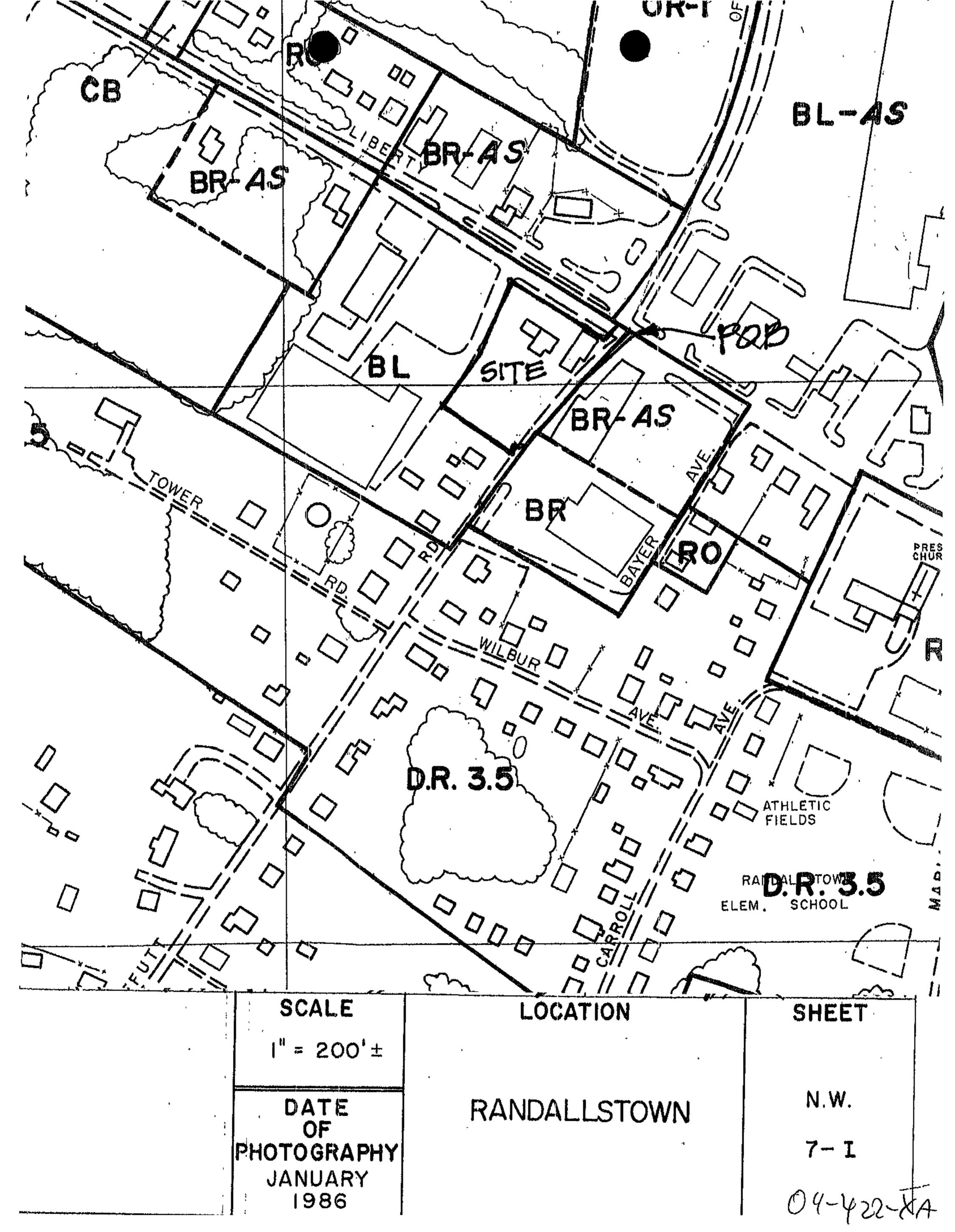
PETITIONER'S SIGN-IN SHEET

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anto tainwestaviane 3.4. M S15 RRE(Q かっく、 130 E- MAIL BMGCS JOOK 1200 1043500 M MD. 21204 21200 M CITY, STATE, ZIP 303 Atusii W. POWNSYLVAN, AAR Hith Aume 38 W. Ser ADDRESS 127661 NAME (3)





STAFF PHOTO BY JASON LEE!

ate Collision Technologies owner Kimberly Dreisch is the only woman who is the sole owner of a auto body shop in the state.

# Putting soul into a body shop

# The makes a dent n a macho world

BY BOB ALLEN,

SANDALLSTOWN

Do you tend to hit the ceiling or fall into a deep ank when your friendly local body shop owner ands you an estimate of \$480 to fix that little ding a your right front fender?

That little ding may not be any cheaper to fix a Auto Collision Technologies Inc. of Randalf-town — the only auto body shop in Maryland olely owned by a woman, according to its owner amberly Dreisch. But Dreisch and her employers believe they will leave you feeling a little betor, even after your waller's been lightened.

"One of my customers recently told me I should chame the company Body and Soul," Dreisch rights "We really care about our customers, and

they definitely come first.

"Traditionally, the collision business has been a very greedy husiness," Dreisch says as she pinches the check of a customer's child. "Future customers — gotta-keep 'em happy!" she jokes.

"A lot of people were getting rich before the insurance companies started regulating auto body repair work a little more closely," adds Dreisch, who started Automotive Collision Technologies Inc. in paitnership with her brother-in-law five years ago.

"I'm interested in making a protet, too," she concedes. "But .. Getting your car all smashed up cannot only be a major inconvenience, it can be a very terrible experience. What I try to do is make the process a little less painful by taking the time to listen to my customers and offer my advice."

Dreisch, who was a computer sales engineer for IBM for 10 years and a stay-at-home mom for five years after that, insists that when you bring your car into her shop, you'll find a people-friendly atmosphere

She and her eight employees (all men, except for her office assistant, Dawn Hamby) make a

FAX NO.

4102S12S23

point of thoroughly explaining what needs to be lixed and why.

"Someone told me just the other day, I came back here because of the way you talked to me. You're a caring person, and that even comes through over the phone;" adds the Brooklynborn, Anne Arundel County-raised entrepreneur.

A single mother of two, Dreisch also balances the demands of her sole proprietorship with school field trips, baseball games, cooking dinner and helping her kids, Nicholas, 10, and Alexandra, 8, with their homowork every night.

Dreisch enthusiastically shows a visitor the new computer system in her small office. She has an extra-large monitor and software that enable her to actually show her customers detailed schematics of the repairs their vehicles need, right down to the smallest part.

Dreisch, who bought out her brother-in-law and became Auto Technologies' sole owner a year and a half ago, recalls that when she started her business a few people let her know that, as a woman

See PUTTING SOUL INTO BODY SHOP Page 86

: Auto Collision Technologies

May. 15 2000 12:18PM P2

### RESUME

### THOMAS J. HOFF

THOMAS J. HOFF, INC.

406 West Pennsylvania Avenue Towson, Maryland 21204 410-296-3668

### **EDUCATION:**

Bachelor of Science Landscape Architecture, Magna Cum Laude West Virginia University, 1976

### **EXPERIENCE:**

January 1992 to Present. THOMAS J. HOFF, INC. Towson, Maryland

Principal - President. Responsibilities include administration, client relations, site design, project management, government agency coordination and project scheduling for all projects in the office. Project supervision of staff responsible for zoning plans, site plans, grading plans, storm water management plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

December 1986 to December 1991.
HOFF & ANTONUCCI, INC.

Lutherville, Maryland

Principal - President. Responsibilities include administration, client relations, site design, project management, government agency coordination and project scheduling for all projects in the office. Project supervision of staff responsible for zoning plans, site plans, grading plans, storm water management plans, sediment control plans, utility plans, public works plans and landscape plans for commercial, residential, industrial, and institutional sites.

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