

IN RE: **PETITIONS FOR SPECIAL HEARING and*** BEFORE THE
VARIANCE – N/S Liberty Road, 108' E of
Chapman Road * ZONING COMMISSIONER
(9216 & 9218 Liberty Road)
2nd Election District * OF BALTIMORE COUNTY
4th Council District * Case No. 05-613-SPHA
Liberty Properties Management, Inc.
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by Neal L. Teitelbaum, President of Liberty Properties Management, Inc., Owners of the subject properties, through their attorney, Francis X. Borgerding, Jr., Esquire. The Petitioners request a special hearing, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve the continued commercial use of a driveway through a residential lot and to allow for the continued use of an existing garage/storage building for commercial purposes. In addition, variance relief is requested from Section 204.4.C.4 of the B.C.Z.R. to allow an existing Class A Office Building, known as 9216 Liberty Road, with a side yard setback of 15 feet in lieu of the required 20 feet from an adjacent residentially used property (9218 Liberty Road). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Neal Teitelbaum and Francis X. Borgerding, Jr., Esquire, attorney for the Petitioners. Also appearing was Bruce Doak, a Registered Property Line Surveyor who prepared the site plan for these properties. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is a roughly square shaped parcel located at the northeast corner of Liberty Road and Chapman Road in Randallstown. The property consists of two separate lots, which contain a combined gross area of 0.905 acres,

ORDER RECEIVED FOR FILING
Date 8/29/15
BY [Signature]

more or less, zoned R.O. The property known as 9216 Liberty Road is approximately 80 feet wide and 200 feet deep, and is improved with a two-story brick office building, a one-story block garage/storage building, which is used in conjunction with the business, and parking area. The property known as 9218 Liberty Road is approximately 108 feet wide and 200 feet deep, and is located immediately adjacent to the Liberty Road/Chapman Road intersection. The front portion of this parcel is improved with a two-story frame dwelling, which is used for residential purposes. Access thereto is provided via an existing driveway that leads into the property from Chapman Road. There is an additional driveway located towards the center of this parcel, which provides access to the commercial parking area on the adjacent lot from Chapman Road. It is this driveway access that is at issue in the instant case. As shown on the site plan marked as Petitioner's Exhibit 1, driveway access to the commercially used parcel is provided from both Liberty Road and Chapman Road; however, the access from Chapman Road is through the residentially used premises. Relief is requested as set forth above to legitimize the locations and uses of existing improvements on the properties.

In this regard, testimony and evidence offered indicated that the Petitioners have owned and utilized the properties in their current fashion for at least 40 years. Testimony indicated that this stretch of Liberty Road contains a mix of residential and commercial uses, including Churches, an 84 Lumber Company, and a Funeral Home, and many of the residences in the area have been converted for business use. Further testimony indicated that the variance is necessary given the unique configuration of the property and the location of existing improvements thereon. Mr. Teitelbaum acknowledged the Zoning Advisory Committee (ZAC) comment submitted by the Office of Planning, dated July 8, 2005, and agreed that approval be conditioned upon the contiguous ownership of the two properties. He further agreed that at such time as contiguous ownership ceases to exist, ownership of the commercially used driveway on the residential lot (9218 Liberty Road) would be conveyed in-fee simple to the owner of 9216 Liberty Road.

ORDER RECEIVED FOR FILING

Date

By

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. As noted above, the properties are located in an area that contains a mix of both commercial and residential uses. Moreover, the improvements and uses on the respective properties have remained the same for over 40 years. There were no adverse comments submitted by any County reviewing agency, and no one voiced any opposition to the request. Thus, I find that the relief requested is appropriate in this instance to legitimize existing conditions. I further find that the relief requested will not adversely impact adjacent uses or the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of August 2005 that the Petition for Special Hearing to approve the continued commercial use of a driveway through a residential lot and the continued use of an existing garage/storage building for commercial purposes, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

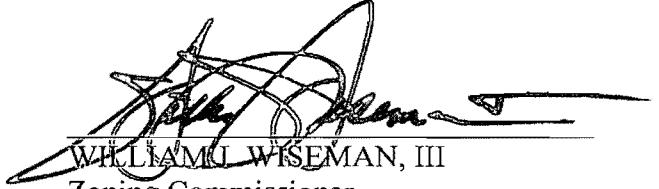
IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 204.4.C.4 of the B.C.Z.R. to allow an existing Class A Office Building, known as 9216 Liberty Road, with a side yard setback of 15 feet in lieu of the required 20 feet from an adjacent residentially used property (9218 Liberty Road), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein is conditioned upon the contiguous ownership of the subject two properties. In the event such contiguous ownership ceases, the Petitioners shall record a new deed in the Land Records of Baltimore County conveying a fee-simple interest in the bed of the commercially used driveway on the residential property for the use and benefit of the owner of the commercially used property. Failure to

ORDER RECEIVED FOR
Date 8/29/05
By [Signature]

comply with this condition shall result in a termination of the continued use of the commercial use driveway through the residential property.

- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



WILLIAM WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

ORDER RECEIVED FOR FILING
8/29/15
By 

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
William J. Wiseman III, Zoning Commissioner

August 29, 2005

Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE
N/S Liberty Road, 108' E of the c/l Chapman Road
(9216 & 9218 Liberty Road)
2nd Election District – 4th Council District
Liberty Properties Management, Inc. - Petitioners
Case No. 05-613-SPHA

Dear Mr. Borgerding:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to be "WJW", is written over the typed name.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:bjs

cc: Mr. Neal L. Teitelbaum, President, Liberty Properties Management, Inc.
9216 Liberty Road, Randallstown, Md. 21133
Mr. Bruce Doak, Gerhold Cross & Etzel
320 E. Towsontown Boulevard, Suite 100, Towson, Md. 21286
Office of Planning; People's Counsel; Case File

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





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 9216 & 9218 Liberty Road
which is presently zoned R.O.

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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

(see attached letter)

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

I, or we, agree to pay expenses of above Special Hearing, 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:

Francis X. Borgerding, Jr.

Name - Type or Print

City

Signature

Law Offices of Francis X. Borgerding, Jr.

Company

409 Washington Avenue Suite 600 (410)-296-6820

Address

Telephone No.

Towson

Maryland

21204

City

State

Zip Code

Legal Owner(s):

Liberty Properties Management, Inc.

Name - Type or Print

Neal L. Tittel

Signature

Neal L. Tittelbaum, President

Name - Type or Print

Signature

9216 Liberty Road

Address

(410)-627-6146

Telephone No.

Randallstown, Maryland

Address

State

21133

Zip Code

Representative to be Contacted:

Mike Alexander

Gerhold, Cross, & Etzel, Ltd.

Name

320 E. Towsontown Blvd. Ste. 100

Address

Telephone No.

Towson, Maryland 21286

City

State

(410)-823-4470

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

SM

Date

05-23-05

ORDER RECEIVED FOR FILING

Date 5/23/05
By REV 9/15/98

No. 05-613-SP61A

April 18, 2005

Office of the Zoning Commissioner
C/O Office of Zoning Review
Room 111
111 W. Chesapeake Avenue
Towson, MD. 21204
(410)-887-3391

Subject: Letter of Attachment to Accompany Petition for Variance and Petition for Special Hearing

Dear Sir:

I would like to petition for a Special Hearing to allow the continued commercial use of a driveway through a residential lot and to allow for the continued use of an existing Garage/Storage building for my properties at 9216 & 9218 Liberty Road.

I would also like to petition for a Variance from Section 204.4 C.4 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an existing Class A office building (9216 Liberty Road) to have a side yard setback of fifteen feet in lieu of the required twenty feet minimum setback from an adjacent residentially used property.

The building footprint as shown on the accompanying plat does not meet the current required setbacks on the northwest side, but has existed since time of purchase. I have only enclosed the porch on the southeast side of the building per permit No. B255459, since I have owned the property at 9216 Liberty Road. I have made no other additions to the building. The building has used and continues to use the said driveway.

Sincerely,

Neal L. Teitelbaum

ORDER RECEIVED FOR FILING

Date

By

OS.G13.SP 07



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND LICENSES

TOWSON, MARYLAND 21204

PERMIT NO: B255459

John P. Ringer
BUILDINGS ENGINEER

PERMISSION IS HEREBY GRANTED TO:

NAME: LIBERTY PROPERTIES MANAGEMENT INC
ADDRESS: 9216 LIBERTY RD 21133

TO USE AND OCCUPY THE LAND AND/OR BUILDINGS DESCRIBED AND LOCATED
AS FOLLOWS ON PERMIT NO. B255459

LOCATION OF PROPERTY: 9216 LIBERTY RD
DIST: 02 LOT NO: BLOCK NO.
SUBDIVISION: 1785 NE OFFUTT RD

DATE: 07/30/96
FEE PAID: 327.00

ISSUED BY THE BUILDINGS ENGINEER

J. Ringer

INSPECTOR COPY

OS-G13-SP1A

INSPECTION RECORD
(INSPECTOR'S COPY)

COMMENTS

7/25/96 G.K.20 FINAL

NOTE: Building permits must be conspicuously displayed and not removed from the premises for which it was issued. It is not transferable. It must be shown upon demand to any authorized representative of the Buildings Engineer. This permit is good only for the use and to the extent described above. Changes in use, any extension thereof, and changes in occupancy require a new permit.

OS-613-SP41 A

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: #05-613-SPHA
9216 & 9218 Liberty Road

West side of Liberty Road, corner s/east side of Chapman Road
2nd Election District - 4th Councilmanic District

Legal Owner(s): Liberty Properties Management, Inc.
Neil Teitelbaum, President

Special Hearing: to allow the non-conforming continued commercial use of a driveway through a residential lot and to allow for the continued use of an existing garage/storage building in a residential zone. Variance: to allow an existing Class A office building to have a side yard setback of 15 feet in lieu of the required 20 feet minimum setback from an adjacent residentially zoned property.

Hearing: Wednesday, July 20, 2005 at 9:00 a.m. in Room 407A County Courts Building, 4016 Bosley Avenue, Towson 21204

William J. Wiseman, III
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 filing and/or hearing, contact the Zoning Review Office at (410) 887-3391 or JT.7/604 July 5, 2005

CERTIFICATE OF PUBLICATION

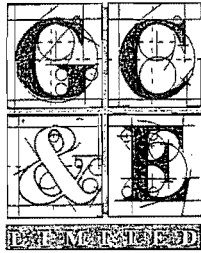
7/6/2005

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 7/5/2005.

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

S. Wilkins

LEGAL ADVERTISING



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towson Town Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

April 15, 2005

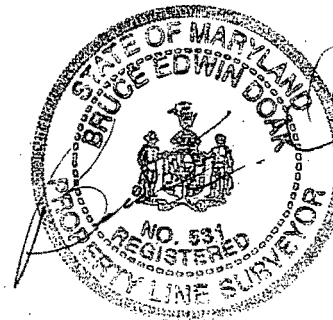
Zoning Description 9216 Liberty Road

All that piece or parcel of land situate, lying and being in the Second Election District And Fourth Councilmanic District of Baltimore County, Maryland and described as follows to wit:

Beginning for the "first" at a point on the north side of Liberty Road 66 feet wide South 59 degrees 59 minutes 13 seconds East 108.40 feet from the centerline of Chapman Road 30 feet wide along said north side of Liberty Road, thence leaving Liberty Road and running (1) North 29 degrees 31 minutes 23 Seconds East 200.00 feet, (2) South 59 degrees 59 minutes 13 seconds East 80.00 feet, and (3) South 29 degrees 31 minutes 23 seconds West 200.00 feet to the north side of Liberty Road, thence running and binding along the north side of Liberty Road (4) North 59 degrees 59 minutes 13 seconds West 80.00 feet to the point of beginning.

Containing 15,999 sq. ft. or 0.367 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance.



OS-613-SP4F1-

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

05-613-SP11A

No. 445016

DATE 05-23-05 ACCOUNT R.001.006.GISO

AMOUNT \$ 750⁰⁰

RECEIVED FROM: LIBERTY PROPERTIES LLC

FOR: PETITIONER SPECIAL HEARING
FOR 9216 & 9218 LIBERTY RD. RD.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

SDM

CASHIER'S VALIDATION

Liberty Properties Management, Inc.
9216 Liberty Road
Randallstown, Md 21133

4-96



0478

7-7301/2520
BRANCH 56

DATE 7/18/05

PAY TO THE ORDER OF Baltimore County, Maryland \$ 750⁰⁰
Seven hundred fifty 00 100 DOLLARS  Security features included. Details on back.



BANK
BALTIMORE, MARYLAND 21203-1661

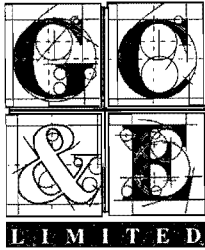
FOR

Neal Foster ^{MP}

⑆252073018⑆

0005302196⑈ 0478

05-613-SP11A



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

RE: CASE# 05-613-SPHA
PETITIONER/DEVELOPER:
Liberty Properties Management, Inc.
DATE OF HEARING: July 20, 2005

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: KRISTEN MATTHEWS

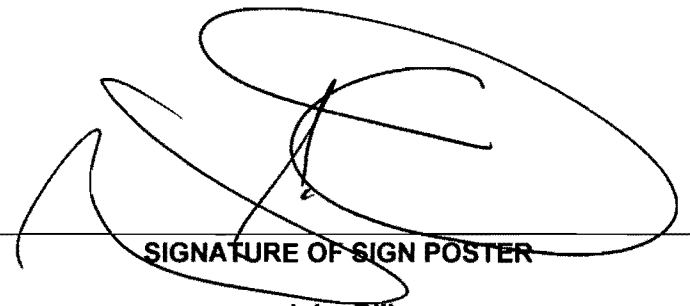
LADIES AND GENTLEMEN:

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 AT

(see page 2 for full size photo)

POSTED ON: 06/06/23/2005, photo taken 06/30/2005

LOCATION:
9216 & 9218 Liberty Road



SIGNATURE OF SIGN POSTER
John Dill

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320 EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

ZONING NOTICE

CASE # :05-613-SPHA

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

PLACE: Room 407 County Courts Building
401 Boley Avenue, Towson, MD

TIME & DATE 9:00 AM Wednesday July 20, 2005

Special Hearing to allow the non-conforming continued commercial use of a driveway through a residential lot and to allow for the continued use of an existing garage/storage building in a residential zone.

Variance to allow an existing Class A office building to have a side yard setback of 15 feet in lieu of the required 20 feet minimum setback from an adjacent residentially used property.

HEARINGS ARE HANDICAPPED ACCESSIBLE

06/30/2005



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

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

May 31, 2005

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: 05-613-SPHA

9216 & 9218 Liberty Road

N/east side of Liberty Road corner s/east side of Chapman Road

2nd Election District – 4th Councilmanic District

Legal Owners: Liberty Properties Management, Inc., Neil Teitelbaum, President

Special Hearing to allow the non-conforming continued commercial use of a driveway through a residential lot and to allow for the continued use of an existing garage/storage building in a residential zone. Variance to allow an existing Class A office building to have a side yard setback of 15 feet in lieu of the required 20 feet minimum setback from an adjacent residentially used property.

Hearing: Wednesday, July 20, 2005 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Francis Borgerding, Jr., 409 Washington Avenue, Ste. 600, Towson 21204
Neal Teitelbaum, 9216 Liberty Road, Randallstown 21133
Mike Alexander, 320 E. Towsontown Blvd., Ste. 100, Towson 21286

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JULY 5, 2005.**
- (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
Tuesday, July 5, 2005 Issue - Jeffersonian

Please forward billing to:

Liberty Properties Management, Inc.
C/o Neil Teitelbaum
916 Liberty Road
Randallstown, MD 21133

410-627-6146

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: 05-613-SPHA

9216 & 9218 Liberty Road

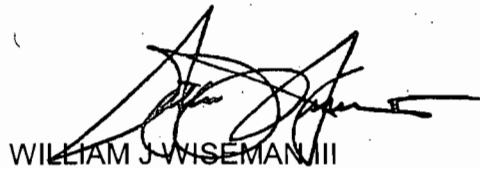
N/east side of Liberty Road corner s/east side of Chapman Road

2nd Election District – 4th Councilmanic District

Legal Owners: Liberty Properties Management, Inc., Neil Teitelbaum, President

Special Hearing to allow the non-conforming continued commercial use of a driveway through a residential lot and to allow for the continued use of an existing garage/storage building in a residential zone. Variance to allow an existing Class A office building to have a side yard setback of 15 feet in lieu of the required 20 feet minimum setback from an adjacent residentially used property.

Hearing: Wednesday, July 20, 2005 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III

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.

**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: OS - G13 - SP4A

Petitioner: Liberty Properties Management, Inc. Neal L. Teitelbaum, President

Address or Location: 9216 Liberty Road & 9218 Liberty Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Liberty Properties Management, Inc. Neal L. Teitelbaum, President

Address: 9216 Liberty Road

Randallstown, Maryland 21133

Telephone Number: (410) - 627-6146

Revised 2/20/98 - SCJ

OS - G13 - SP4A

**Department of Permits and
Development Management**

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



Baltimore County

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

July 11, 2005

Francis X. Borgerding, Jr.
Law Offices of Francis X. Borgerding
409 Washington Avenue, Ste. 400
Towson, Maryland 21204

Dear Mr. Borgerding:

RE: Case Number: 05-613-SPHA, 9216 & 9218 Liberty Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 23, 2005.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Liberty Properties Management, Inc. Neal L. Teitelbaum, President 9216 Liberty Road Randallstown 21133
Mike Alexander Gerhold, Cross & Etzel 320 E. Towsontown Blvd. Ste. 100 Towson 21286

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



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco

FROM: John D. Oltman, Jr *JOE*

DATE: June 28, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of June 6, 2005

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-611

05-613

05-615

05-617

05-618

05-619

05-620

05-621

05-622

05-624

05-628

05-629

05-631

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: June 6, 2005

FROM: Dennis A. Kennedy^{Det}, Acting Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For June 13, 2005
Item No. 613

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

The minimum right of way for all public roads in Baltimore County is 40-foot. Setback shall be modified accordingly.

DAK:CEN:clw

cc: File

ZAC-ITEM NO 613-06062005.doc

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



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

Maryland Department of Transportation

Date: 6-3-05

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

RE: Baltimore County
Item No. 613 JRA

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,

Steven D. Foster, Chief
Engineering Access Permits Division

Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Holman, Chief

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

June 2, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: **June 6, 2005**

Item No.: **595, 608-632**

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant J.D. Mezick
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: July 8, 2005

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

SUBJECT: 9216 and 9218 Liberty Road

INFORMATION:

Item Number: 5-613

Petitioner: Liberty Properties Management

Zoning: RO

Requested Action: Special Hearing

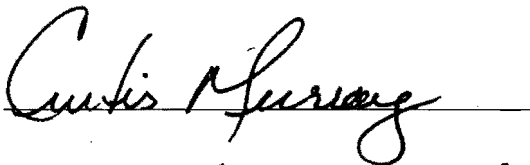
SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request to permit the continued use of a commercial driveway that crosses residential property. Additionally, the Office of Planning does not oppose the petitioner's request to permit a side yard setback of 15 feet in lieu of the required 20 feet for the existing Class A office building and to permit the use of the existing 1 story garage for the storage of office supplies.

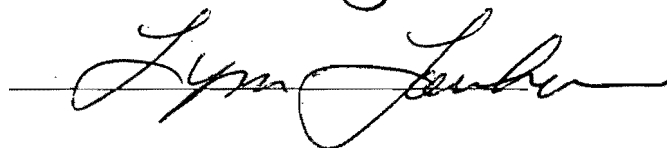
The relief granted shall be based on the condition that contiguous ownership of 9216 and 9218 Liberty Road be of Liberty Properties Management. If that contiguous ownership ceases the granted driveway use relief shall be terminated.

For further information concerning the matters stated here in, please contact Dave Green at 410-887-3480.

Prepared by:



Division Chief:



AFK/LL: CM

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
9216 & 9218 Liberty Road; NE/side Liberty * ZONING COMMISSIONER
Road corner SE/side Chapman Road *
2nd Election & 4th Councilmanic Districts * FOR
Legal Owner(s):Liberty Properties Management, Inc
Petitioner(s) * BALTIMORE COUNTY
* 05-613-SPHA

* * * * *

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.

RECEIVED

JUN - 2 2005

Per.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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 2nd day of June, 2005, a copy of the foregoing Entry of Appearance was mailed to Mike Alexander, Gerhold, Cross, & Etzel, Ltd., 320 E. Towsontowne Blvd, Suite 100, Towson, Md 21286 and Francis X. Borgerding, Jr, Esquire, 409 Washington Avenue, St 600, Towson, MD, 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME _____
CASE NUMBER 05-613-SWA
DATE 7/20/05

[illegible]

Case No.:

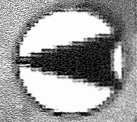
05-613 SPHA

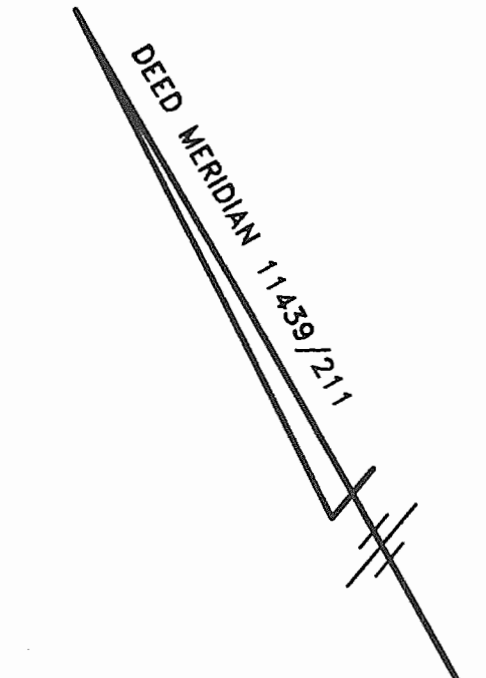
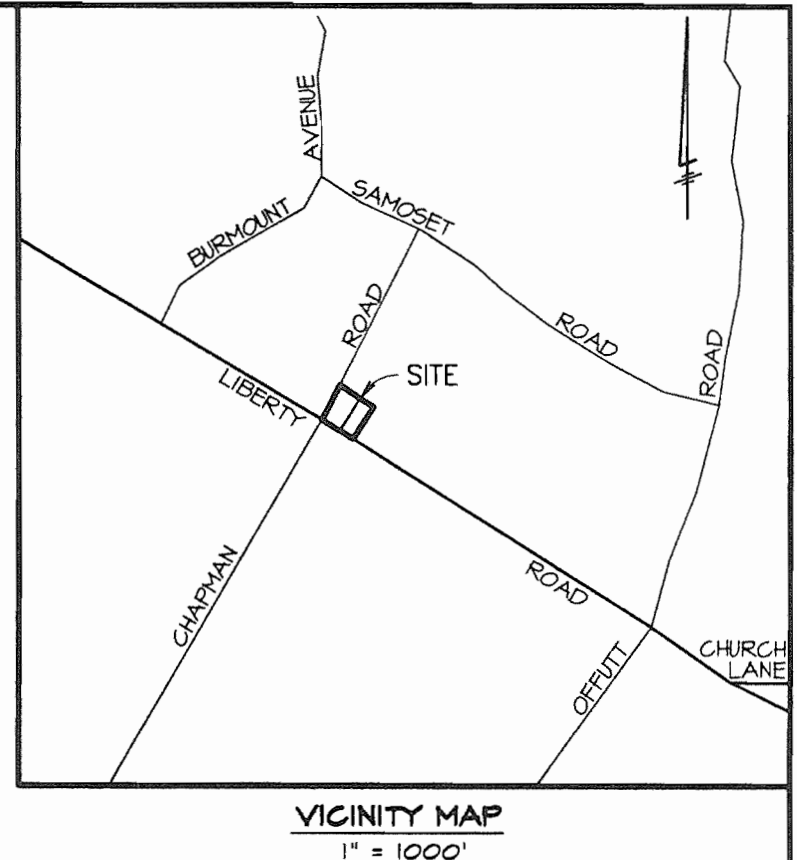
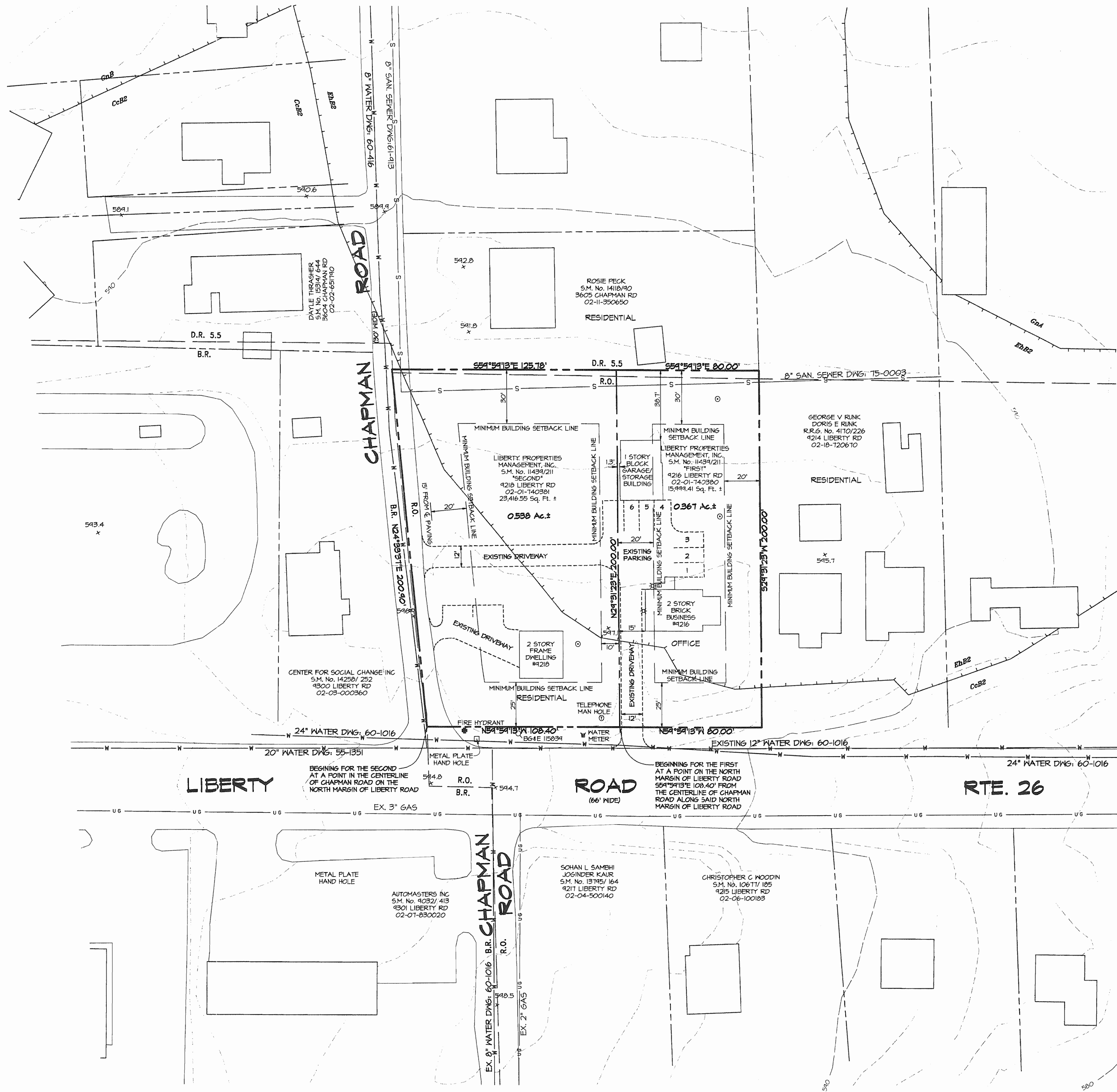
Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		





- GENERAL NOTES**
1. THE BOUNDARY SHOWN HEREON IS FROM A DEED RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 11439, FOLIO 211.
 2. THE TOPOGRAPHY SHOWN HEREON WAS TAKEN FROM BALTIMORE COUNTY 615 TILE T1A1
 3. THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP No. 32.
 4. CENSUS TRACT: 4025.06 REGIONAL PLANNING DISTRICT: 312
 5. WATERSHED: GWYNNS FALLS SUBWATERSHED: 64
 6. SCHOOL DISTRICT: ELEMENTARY - RANDALLSTOWN E.S.; MIDDLE - DEER PARK M.S.; HIGH - RANDALLSTOWN H.S.
 7. THE SUBJECT PROPERTIES ARE NOT LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA.
 8. THE SUBJECT PROPERTIES ARE NOT WITHIN A 100 YEAR FLOODPLAIN.
 9. THE SUBJECT PROPERTIES ARE SERVICED BY PUBLIC WATER AND SEWER.
 10. THE SUBJECT PROPERTIES ARE NEITHER HISTORIC NOR WITHIN A HISTORIC DISTRICT.
 11. ZONING CASE #1748-T WAS GRANTED JUNE 28, 1950 ALLOWING FOR A TEMPORARY USE ROADSIDE STAND (FARM PRODUCTS) WITHIN THE CURRENT SUBJECT PROPERTIES.
 12. FIRST LOT WAS AFFECTED BY PERMIT B-255454 TO ALLOW LIBERTY PROPERTIES MANAGEMENT, INC. 4216 LIBERTY ROAD 21133 TO USE AND OCCUPY THE LAND AND/OR BUILDINGS DESCRIBED AND LOCATED.

R.O. BUILDING SETBACKS

MAXIMUM FLOOR AREA RATIO	0.33
MAXIMUM HEIGHT OF STRUCTURE (feet)	35
MINIMUM FRONT YARD SETBACK (feet)	25 OR THE AVERAGE OF THE SETBACKS OF THE ADJACENT STRUCTURES, WHICHEVER IS LESS.
MINIMUM SIDE YARD SETBACKS (feet)	10, EXCEPT IF THE ADJACENT PROPERTY IS PREDOMINANTLY RESIDENTIALLY ZONED, RESIDENTIALLY USED, OR IS ADJACENT TO A RESIDENTIAL STREET, IN WHICH CASE THE SETBACK SHALL BE 20.
MINIMUM REAR YARD SETBACK (feet)	30

FLOOR AREA RATIO (FAR) CALCULATIONS

FLOOR AREA: 1ST FLOOR 428 Sq. Ft. 2ND FLOOR 168 Sq. Ft. TOTAL: 596 Sq. Ft. GARAGE/STORAGE: 799 Sq. Ft.	PARKING CALCULATIONS MINIMUM NUMBER OF PARKING SPACES REQUIRED 33 PER 1000 Sq. Ft. GROSS FLOOR AREA TOTAL PARKING SPACES REQUIRED = 6 (0.0033 x 1646 = 5.34) PARKING SPACES PROVIDED = 6
--	--

SPECIAL HEARING REQUEST
TO ALLOW THE CONTINUED COMMERCIAL USE OF A DRIVEWAY THROUGH A RESIDENTIAL LOT AND TO ALLOW FOR THE CONTINUED USE OF AN EXISTING GARAGE/STORAGE BUILDING.

VARIANCE REQUEST
VARIANCE FROM B.C.Z.R. SECTION 204.4 C.4. TO ALLOW AN EXISTING BUSINESS A SIDE YARD SETBACK OF 15 FEET IN LIEU OF THE REQUIRED MINIMUM 20 FEET SETBACK FROM ADJACENT RESIDENTIALLY USED PROPERTY.

PLAT TO ACCOMPANY A PETITION FOR SPECIAL HEARING AND A PETITION FOR VARIANCE PROPERTY OF LIBERTY PROPERTIES MANAGEMENT, INC.
9216 & 9218 LIBERTY ROAD
Deed Ref: S.M. No. 11439 Folio 211
Tax Account No.: 02-01-740380 & 02-01-740381
Zoned R.O.; Map NW 7-1
Tax Map 77; Grid 7; Parcel 39 & 38
2nd ELECTION DISTRICT
4th COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND



Scale: 1"=30' Date: APRIL 12, 2005

GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Towsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

PETITIONER'S EXHIBIT No. 1

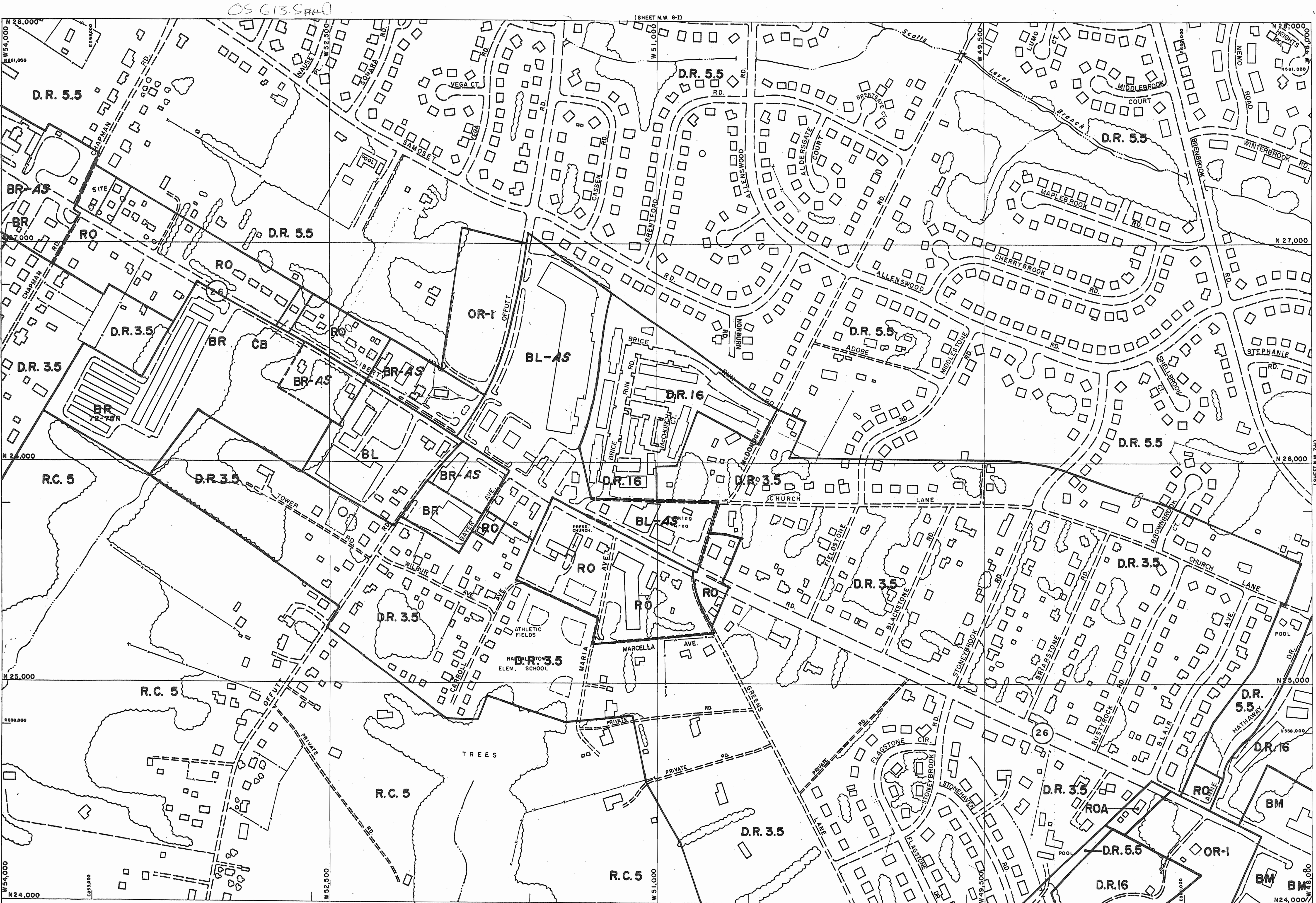
- LEGEND**
- EXISTING LAMP POST (24' HIGH)
 - EXISTING CLEANOUT
 - EXISTING BUILDING
 - SOIL LINE
 - WOODS LINE
 - EXISTING PAVING
 - PROPOSED PAVING
 - PROPERTY LINE
 - CONTOURS

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES w/BASEMENT	STREETS & PARKING
CcB2, EbB2	Slight	Slight	Moderate: slope
GnB, GnA	Severe: high water table; moderately slow permeability.	Severe: high water table	Severe: high water table

OWNER
LIBERTY PROPERTIES MANAGEMENT, INC.
9216 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
(410)-627-6146

REVISION	DATE	COMPUTED	DRAWN: K.D.B.	CHECKED: M.E.A.	FILE: X:\Telbela



P-SW

2000 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 10, 2000
Bills Nos. 87-00, 88-00, 89-00, 90-00, 91-00, 92-00, 93-00,

Joseph Bartolotta
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
RANDALLSTOWN

SHEET
N.W.
7-1

NW 71



Plan Sheet: 077A1

Note:
Section 32-3-202 of the Baltimore County, 2003 Code establishes the zoning geodatabase. This map represents the actions of the Baltimore County Council on August 31, 2004 (Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04) effective September 3, 2004.

Legend

- Zoning
- Buildings
- Streams
- Roads
- Vegetation

Baltimore County Office of Planning and Zoning Official Zoning Map

066B3	066C3	067A3	067B3	067C3
076B1	076C1	077A1	077B1	077C1
076B2	076C2	077A2	077B2	077C2

Scale

1" = 200'

0 100 200 400
Feet

1

Data Sources:
Planimetric Data - Baltimore County
OIT/GIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

OS-G13 Sp4.7