

IN RE: **PETITIONS FOR SPECIAL HEARING * BEFORE THE**
AND SPECIAL EXCEPTION * ZONING COMMISSIONER
 SW/S Liberty Road, 235' NW of *
 Live Oak Road *
(9617 Liberty Road) * FOR
 3rd Election District * **BALTIMORE COUNTY**
 4th Council District *
 * **Case No. 2009-0095-SPHX**
 Sands Enterprises, LLC *
 Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Special Exception filed by Sands Enterprises, LLC, legal owner, through its attorney, Arnold E. Jablon, Esquire. Special Hearing relief is requested, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to confirm and amend the Order issued in Case No. 78-270-X, and to permit body and fender repairs and to permit outdoor storage of damaged or disabled vehicles behind fences, pursuant to B.C.Z.R. Section 405A. In the alternative, Petitioner requests Special Exception approval, pursuant to B.C.Z.R. Section 230.13, to permit a service garage. The subject property and requested relief are more particularly shown on the site plan, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests were Victor Zanti, the managing member of the property owner, Sands Enterprises, LLC; Thomas A. Church, a Professional Engineer with Development Engineering Consultants, Inc., who prepared the site plan of this property, and Arnold Jablon, Esquire, representing the Petitioner. Gerald L. Townsend and Bernard E. Stokes, adjacent property owners and members of the Kings Park Community, appeared as interested citizens. There were no adverse Zoning Advisory

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 Date 8-21-08
 BY [Signature]

Committee (ZAC) comments received from any of the County reviewing agencies and no one appeared as Protestants.

Within the Petition(s), relief is sought to remove restriction numbers 2 and 3 contained in the previous Order. The property, in accordance with the site plan (Exhibit 1), is designated as a two-story service garage¹ (now Garage, Service). The term Garage, Service is defined within Section 101 of the B.C.Z.R. as: "A garage, other than a residential garage, where motor-driven vehicles are stored, equipped for operation, repaired or kept for remuneration, hire or sale". As evidenced by Petitioner's Exhibits 2 and 3 (the site plan and Order in Case No. 78-270-X) approval was given by this Commission for a service garage subject to five (5) restrictions as follows:

1. Hours of operation shall be from 8:00 a.m. to 6:00 p.m., Monday through Friday, and from 8:00 a.m. to 1:00 p.m., Saturday.
2. No storage of gasoline and no outdoor storage of parts or *damaged vehicles*.
3. *No body and fender repairs*; transmission repairs only. Said repairs must be performed inside of garage.
4. Property shall be maintained in a neat and orderly condition at all times.
5. Approval of a site plan by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning."

Petitioner's Exhibit 4, an aerial photograph, indicates parking and improvements that have existed in conformance with the previously approved site plan. Sands Enterprises, LLC purchased the property in November 2002 with the intent of using the property as a full service garage with body and fender work performed on the lower level, as the unrefuted evidence revealed has historically been done for thirty (30) years.

¹ The subject property was improved with a 10,816 square foot commercial building in 1978 and has operated since that time, without structural change, by the owners primarily as a transmission repair shop on the second level with body and fender repairs performed within the ground floor or lower level.

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In an effort to improve the site, it was decided that trees should be removed that had previously bordered the lower parking lot's southern side and buffered the body and fender shop operations. Unfortunately, while improving the subject property, this brought into view the rear parking lot for those residents residing along the northwest side of Live Oak Road. With the evergreen trees removed, the day-to-day body and fender operation with attendant damaged vehicles were exposed. For these reasons, this matter came before Code Enforcement Hearing Officer Raymond S. Wisnom, Jr. (Case No. 07-10054) on September 18, 2008 for a hearing on a citation for failure to comply with the above noted restrictions. As a result of that hearing, it was ordered on September 26, 2008 that Case No. 07-10054 shall be continued to allow the construction of a landscape screening area 6' wide by approximately 100' deep - as illustrated on Petitioner's Exhibit 4. Mr. Jablon advised the Petitioner to file the instant Petitions to further legitimize service garage operations.

Testimony and evidence offered revealed that the subject property under consideration is a rectangular shaped parcel (123' wide x 355' deep) containing an existing automobile service area, storage area, office and associated parking lots, located on the southwest side of Liberty Road (MD Rte. 26), just west of Live Oak Road in Randallstown. The site contains a gross area of 1.08 acres in size, and is zoned B.L. The existing service building (52' x 104' deep) is 10,816 square feet in size (5,408 +/- square feet each floor). A total of 56 parking spaces are provided. The ground level is leased to Vince's Body Shop and the upper or second level is operated by the Petitioner t/a My Mechanic performing general automobile repairs. Testimony further revealed that a 110' wide Transcontinental Gas Company easement runs in a north to south direction along the right side of the site's joint property line separating the subject property's eastern boundary from the homes (Nos. 3722 through 3728) that face Live Oak Road. Plantings with 6' to 8' tall (Leyland Cypress or Conifers) will be placed along the Petitioner's side of this gas company

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Date 12-12-08
By [Signature]

easement as shown on Exhibits 1 and 4. These trees will grow to a height of 30 feet tall in 4 or 5 years and will be maintained by the Petitioner or its assigns. This comports with the ZAC comment received from the Office of Planning which states in pertinent part:

“The Office of Planning has reviewed the petitioner’s request, accompanying site plan, and Code Enforcement records and has also conducted a site visit.

The Office of Planning also had conversations with the petitioner’s representative and various community members. It is the understanding of the Office of Planning that agreements have been made between the petitioner and adjoining neighbors, which state the petitioner, will provide compact dense evergreen screening to mitigate the impact of the business use from the adjacent residential uses.

Provided the aforementioned screening is provided the Office of Planning does not oppose the petitioner’s request for Special Hearing or the alternative Special Exception.”

The State Highway Administration (SHA) reviewed the site plan as well as existing site conditions. As shown on the plan, access onto the property is served by two (2) full movement entrances onto Liberty Road. Mr. Church amended Exhibit 1 to assure that sidewalks and future widening of MD Rte. 26 would be compliant with the Americans with Disabilities Act (ADA) Guidelines as requested by the SHA Engineering Access Permits Division.

In the instant case, Messrs. Townsend and Stokes attended the hearing and testified to make clear the community concerns in removing restrictions 2 and 3 contained in the previous Order. Specifically, they wanted no storage of gasoline on the premises, no outdoor storage of parts or disabled vehicles on the rear parking lot, and that all body and fender repairs must be performed inside of the garage. Mr. Zanti, while appreciating these concerns, quite candidly explained that some damaged vehicles would from time to time be delivered in an inoperable condition not capable of being moved inside the garage on a daily basis pending insurance companies inspection and determination as to whether the vehicle would be deemed a total loss, etc. If the vehicle is not going to be repaired, it would be promptly removed to a salvage yard. If

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BY [Signature]

repairable, it would be moved inside the garage as soon as possible. After discussion, it was agreed that the Petitioner or his assigns would employ best efforts to bring damaged vehicles inside. This understanding included that concerted efforts would be taken in those infrequent situations to place immovable vehicles behind the row of trees while waiting to be moved inside.

Through its Petition for Special Hearing, Petitioner seeks confirmation that the special exception relief granted in Case No. 78-270-X was utilized, applies to the entire site and permits Garage, Service operations as defined. Essentially, in order for a Special Exception use to be approved, the property owner must show that the use can be carried on without detrimental impact to the health, safety and general welfare of the locale. *People's Counsel for Baltimore Co. v. Loyola College*, 406 Md. 54 (2008). In the instant case, such is the case as the Lovins family had been operating at the location since 1978 as a "service garage" without adverse impact or compliant. In my judgment, the use of the subject property for automobile body and fender repairs inside the existing building falls within the general "service garage" characterization. I find that the use is substantially similar in character and impact to uses ordinarily permitted by special exception in the B.L. zone. In sum, based on the totality of testimony and evidence offered, I am persuaded that the Petition for Special Hearing should be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of December 2008, that the Petition for Special Hearing filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), requesting confirmation of and an amendment to the Order issued in Case No. 78-270-X to permit body and fender repairs and to permit limited outdoor storage of damaged or disabled vehicles behind fences,

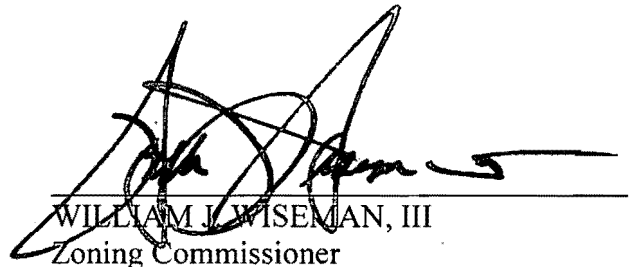
COPIES RECEIVED FOR FILING
Date 12-12-08
By [Signature]

pursuant to B.C.Z.R. Section 405A, in accordance with the Petitioner's Exhibits 1 and 4, be and is hereby GRANTED, subject to the following restrictions:

1. Petitioner shall, within one hundred twenty (120) days of the issuance of this Order, provide the agreed upon evergreen screening to mitigate the impact of the business use from the adjacent residential uses as shown on Petitioner's Exhibits 1 and 4. The initial plantings of Leyland Cypress or Conifers shall be six (6) feet to eight (8) feet tall and grow to a minimum height of thirty (30) feet and be maintained in good condition.
2. Petitioner and his assigns shall, on a daily basis, employ best efforts to move damaged and disabled vehicles from the lower parking lot and place them inside of the building prior to close of business. Concerted efforts shall be used to place any immobile vehicle not capable of being placed inside the building to a position behind the row of trees described above while awaiting their being brought inside.
3. No vehicle in a damaged or disabled state may be stored or allowed to remain on the lower lot for more than thirty (30) days.
4. Hours of operation shall be from 8:00 A.M. to 6:00 P.M., Monday through Friday, and from 8:00 A.M. to 1:00 P.M., Saturday.
5. No storage of gasoline or *outdoor* storage of car parts (including replacement assemblies referred to in the auto repair business as "front clips") shall be allowed.
6. All repairs, including mechanical and body and fender work, must be performed inside of the service garage.
7. The property including the well-being of the compact dense evergreen screening shall be maintained in a neat and orderly condition at all times.

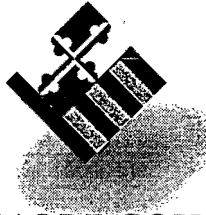
IT IS FURTHER ORDERED, that the Petition for Special Exception filed in the alternative, pursuant to Section 230.13 of the B.C.Z.R., to permit a service garage, be and is hereby DISMISSED AS MOOT.

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


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

RECEIVED FOR FILING
Date 12-12-08
By [Signature]



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

December 11, 2008

Arnold Jablon, Esquire
Venable, LLP
210 Allegheny Avenue
Towson, MD 21204

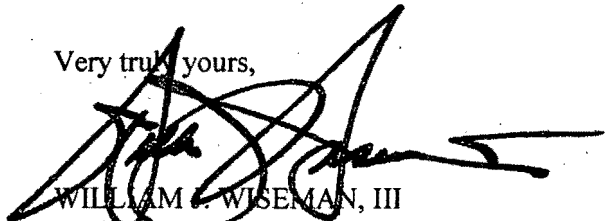
RE: PETITIONS FOR SPECIAL HEARING AND SPECIAL EXCEPTION
SW/S Liberty Road, 235' NW of Live Oak Road
(9617 Liberty Road)
3rd Election District - 4th Council District
Sands Enterprises, LLC - Petitioner
Case No. 2009-0095-SPHX

Dear Mr. Jablon:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted with restrictions and the Petition for Special Exception is dismissed as moot, 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,



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

- c: Victor Zanti, Sands Enterprises, LLC, 9617 Liberty Road, Randallstown, MD 21133
Thomas A. Church, P.E., Development Engineering Consultants, Inc., 6603 York Road,
Baltimore, MD 21212
Gerald L. Townsend, 3720 Live Oak Road, Randallstown, MD 21133
Bernard E. Stokes, 3722 Live Oak Road, Randallstown, MD 21133
Steven D. Foster, Chief, Engineering Access Permits Division, SHA, MDOT,
707 North Calvert Street, Baltimore, MD 21202
People's Counsel; Office of Planning; Code Enforcement Officer Raymond S. Wisnom, Jr.,
Div. Of Code Inspection & Enforcement, DPDM; File



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 9617 Liberty Road

which is presently zoned BL

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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

(This box to be completed by planner)

to amend the order issued in Case #78-270X, to permit body and fender repairs and to permit outdoor storage of damaged or disabled vehicles behind fences pursuant to section 405A; or, alternatively, see Petition for Special Exception filed simultaneously herewith.

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:

Arnold Jablon
Name - Type or Print _____
Signature _____
Venable, LLP
Company _____
210 Allegheny Ave. 410 494 6298
Address _____ Telephone No. _____
Towson, Maryland 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Sands Enterprises, LLC

Name - Type or Print _____
Signature _____
Name - Type or Print _____

Signature _____
9617 Liberty Road
Address _____ Telephone No. _____
Randallstown, Md 21133
City _____ State _____ Zip Code _____

Representative to be Contacted:

Arnold Jablon
Name _____
210 Allegheny Ave., 410 494 6298
Address _____ Telephone No. _____
Towson, Maryland 21204
City _____ State _____ Zip Code _____

ORDER RECEIVED FOR FILING

Date 12-12-08

By DW

OFFICE USE ONLY

Case No. 2009-0095-SPHX
REV 9/15/98

UNAVAILABLE FOR HEARING
Reviewed By D.T. Date 10/10/08

DROP OFF



Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property located at 9617 Liberty Road

which is presently zoned BL

Deed Reference: 14392 / 001 Tax Account # 0211151521

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

to permit a service garage, pursuant to Section 230.13, BCZR

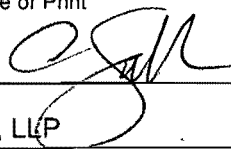
Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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.

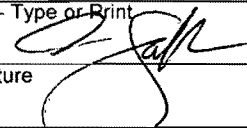
Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Arnold Jablon
Name - Type or Print _____
Signature  _____
Company **Venable, LLP**
210 Allegheny Ave., 410 494 6298
Address _____ Telephone No. _____
Towson, Maryland 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Sands Enterprises, LLC
Name - Type or Print _____
Signature  _____
Name - Type or Print _____
Signature _____
9617 Liberty Road
Address _____ Telephone No. _____
Randallstown, Md 21133
City _____ State _____ Zip Code _____

Representative to be Contacted:

Arnold Jablon
Name _____
210 Allegheny Ave 410 494 6298
Address _____ Telephone No. _____
Towson, Maryland 21204
City _____ State _____ Zip Code _____

Case No. 2009-0095-SPHX

FILED
RECEIVED FOR FILING
Date 12-12-08
By [Signature]

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By D.T. Date 10/16/08
DROP OFF

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

6603 York Road
Baltimore, Maryland 21212
(410) 377-2600
(410) 377-2625 Fax

ZONING DESCRIPTION FOR 9617 LIBERTY ROAD

BEGINNING FOR THE SAME at a point in the center of Liberty Road, 80 feet wide, said point being 235 feet more or less, northwest of the centerline of Live Oak Road, 80 feet wide, thence the following courses and distances:

- 1) North 42 degrees 53 minutes West, 123 feet
 - 2) South 41 degrees 29 minutes West, 355.65 feet
 - 3) South 43 degrees 15 minutes East, 123 feet
 - 4) North 41 degrees 29 minutes East, 353.80 feet
- to the place of beginning.

Containing 43,560 square feet or 1.0 acres of land, more or less.

Subject to a future 40 foot highway widening.

Said property being a parcel of land recorded in a deed in the Land Records of Baltimore County, Maryland, Liber SM 14392, Folio 001.

Also being known as 9617 Liberty Road, situated in the 2nd Election District



Our Contact No.: 07-126

November 13, 2007

2009-0095-SPHX

BALTIMORE COUNTY, MARYLAND
 OFFICE OF BUDGET AND FINANCE
 MISCELLANEOUS CASH RECEIPT

No. 23950
 Date 10/6/08

PAID RECEIPT

BUSINESS ACTUAL TIME TRM
 10/07/2008 10/07/2008 11:59:37 2
 REG MS02 MAIL JEVA JEE
 RECEIPT # 607177 10/07/2008 DFLH
 S 528 ZONING VERIFICATION
 D. 023953
 Recpt Tot \$705.00
 \$705.00 OK \$1.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					705.00
Total:									705.00

Rec From: _____

For: 2009-0095-SPHX
 9617 LIBERTY RD

D. THOMPSON

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

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: #2009-0095-SPHX

9617 Liberty Road

S/west side of Liberty Road, 235 feet n/west of centerline of Live Oak Road

3rd Election District - 4th Councilmanic District

Legal Owner(s): Sands Enterprises, LLC

Special Hearing: to amend the order issued in case 78-270-X, to permit body and fender repairs and to permit outdoor storage of damaged or disabled vehicles behind fences pursuant to Section 405A; or alternatively, petition filed herewith simultaneously for Special Exception. **Special Exception:** to permit a service garage.

Hearing: Tuesday, December 9, 2008 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake 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 File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/11/732 Nov. 25

189441

CERTIFICATE OF PUBLICATION

11/27, 2008

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 11/25, 2008.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 2009-0095-SPHX-X

Petitioner/Developer: _____
Sands Enterprises, LLC

Date of Hearing/Closing: Dec 9, 08

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

ATTN: 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: _____

9617 Liberty Road

The sign(s) were posted on Nov 24, 08
(Month, Day, Year)

Sincerely,

Robert Black Nov 24, 08
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2009-0095-SPHX

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

ROOM 104 JEFFERSON BUILDING.

PLACE: 105 W. CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME TUESDAY, DECEMBER 9, 2008 AT 9:00^{A.M.}

REQUEST: SPECIAL HEARING TO AMEND THE ORDER ISSUED
IN CASE 78-270-X. TO PERMIT BODY AND FENDER REPAIRS
AND TO PERMIT OUTDOOR STORAGE OF DAMAGED OR DISABLED VEHICLES
BEHIND FENCES PURSUANT TO SECTION 405 A., OR ALTERNATIVELY,

PETITION FILED HERewith SIMULTANEOUSLY FOR SPECIAL EXCEPTION.
SPECIAL EXCEPTION TO PERMIT A SERVICE GARAGE.

DISPONENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 25, 2008 Issue - Jeffersonian

Please forward billing to:
Arnold Jablon
210 Allegheny Avenue
Towson, MD 21204

410-494-6298

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: 2009-0095-SPHX

9617 Liberty Road

S/west side of Liberty Road, 235 feet n/west of centerline of Live Oak Road

3rd Election District – 4th Councilmanic District

Legal Owners: Sands Enterprises, LLC

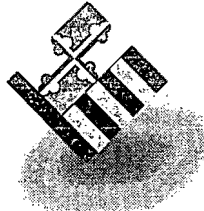
Special Hearing to amend the order issued in case 78-270-X, to permit body and fender repairs and to permit outdoor storage of damaged or disabled vehicles behind fences pursuant to Section 405A; or alternatively, petition filed herewith simultaneously for Special Exception. Special Exception to permit a service garage.

Hearing: Tuesday, December 9, 2008 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake 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.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

October 27, 2008
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

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: 2009-0095-SPHX

9617 Liberty Road

S/west side of Liberty Road, 235 feet n/west of centerline of Live Oak Road

3rd Election District – 4th Councilmanic District

Legal Owners: Sands Enterprises, LLC

Special Hearing to amend the order issued in case 78-270-X, to permit body and fender repairs and to permit outdoor storage of damaged or disabled vehicles behind fences pursuant to Section 405A; or alternatively, petition filed herewith simultaneously for Special Exception.
Special Exception to permit a service garage.

Hearing: Tuesday, December 9, 2008 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy M. Kotroco
Director

Handwritten signature of Timothy M. Kotroco in black ink.

TK:klm

C: Arnold Jablon, 210 Allegheny Avenue, Towson 21204
Sands Enterprises, LLC, 9617 Liberty Road, Randallstown 21133

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, NOVEMBER 24, 2008.**
- (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.

**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/neighbor 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.

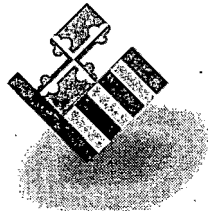
For Newspaper Advertising:

Item Number or Case Number: 2009-0095-SPHX
Petitioner: SANDS ENTERPRISE, LLC
Address or Location: 9617 LIBERTY ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ARNOLD JABLON
Address: 210 ALLEGHENY AVE
TOWSON 21284
Telephone Number: 410 494 6298

Revised 2/20/98 - SCJ



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

December 4, 2008

Arnold Jablon
Venable, LLP
210 Allegheny Ave.
Towson, MD 21204

Dear: Arnold Jablon

RE: Case Number 2009-0095-SPHX, 9617 Liberty Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 6, 2008. This letter is not an approval, but only a **NOTIFICATION**.

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 that reads "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Sands Enterprise, LLC, 9617 Liberty Rd.; Randallstown, MD 21133

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: October 22, 2008

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

SUBJECT: Zoning Advisory Committee Meeting
For October 27, 2008
Item Nos. 09-047, 080, 091, 092, 093,
094, ~~095~~ 096, 097, 098 & 099

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN:cab
cc: File
ZAC-10272008-NO COMMENTS



Martin O'Malley, Governor | Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary | Neil J. Pedersen, Administrator

Maryland Department of Transportation

October 20, 2008

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

RE: Baltimore County
Item No. 2009-0095-A
MD 26 (Liberty Road)
n/w of Live Oak Road
9617 Liberty Road
Sands Enterprises
Special Hearing and Special Exception

Dear Ms. Matthews:

Thank you for the opportunity to review the plat to accompany petition for special hearing and special exception on the subject of the above captioned, which was received on October 18, 2008. It is my understanding the applicant proposes changing the existing use to permit a service garage and vehicle storage area for the property located at 9617 Liberty Road.

We have completed a cursory review of the site plan as well as existing conditions. Access onto the property is served by two full movement entrances onto MD 26 (Liberty Road). The field assessment reveals that the existing entrances along the property fronting Liberty Road do not appear to be consistent with current State Highway Administration, Americans with Disabilities Act (ADA) Guidelines. Please be advised, that when a property owner request a change in use, expansion or redevelopment, the applicant is subject to review by SHA for compliance.

In summation, this office requests that the Zoning Reviewer Planner consider our comments as a condition of approval in the matter of Case Number 2009-0095-A.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us). Thank you for your attention.

Very truly yours,

Handwritten signature of Steven D. Foster
Steven D. Foster, Chief
Engineering Access Permits
Division

My telephone number/toll-free number is
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: December 8, 2008

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

SUBJECT: 9617 Liberty Road

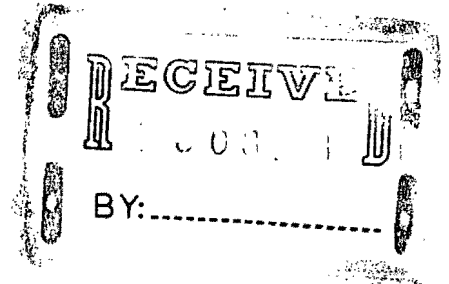
INFORMATION:

Item Number: 9-095

Petitioner: Sands Enterprise, LLC

Zoning: BL

Requested Action: Special Hearing and Special Exception



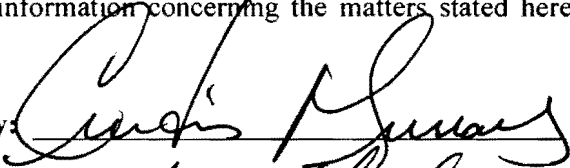
SUMMARY OF RECOMMENDATIONS:


The Office of Planning has reviewed the petitioner's request, accompanying site plan, and Code Enforcement records and has also conducted a site visit.

The Office of Planning also had conversations with the petitioner's representative and various community members. It is the understanding of the Office of Planning that agreements have been made between the petitioner and adjoining neighbors, which state the petitioner, will provide compact dense evergreen screening to mitigate the impact of the business use from the adjacent residential uses.

Provided the aforementioned screening is provided the Office of Planning does not oppose the petitioner's request for Special Hearing or the alternative Special Exception.

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

Prepared by: 

Division Chief: 
AFK/LL: CM

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED
NOV 07 2008

BY:.....



TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: November 6, 2008
SUBJECT: Zoning Item # 09-095-SPHX
Address 9617 Liberty Road
(Sands Enterprises)

Zoning Advisory Committee Meeting of October 20, 2008

X The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Reviewer: JWJ

Date: 11/6/08

From: Debra Wiley
To: Murray, Curtis
Date: 12/05/08 3:14:23 PM
Subject: Comment Needed for Bill

Hi Curtis,

Bill has a hearing scheduled Tuesday, 12/9 @ 9 AM and we are missing a comment from your office. I have provided a case description for your convenience as follows:

CASE NUMBER: 2009-0095--SPHX

9617 - Liberty Road

Location: SW side of Liberty Road, 235 feet NW of c/l of Live Oak Road.
3rd Election District, 4th Councilmanic District

Legal Owner: Sands Enterprises

SPECIAL HEARING To amend the order issued in Case #78-270-X, to permit body and fender repairs and to permit outdoor storage of damaged or disabled vehicles behind fences pursuant to Section 405A; or alternatively, see Petition for Special Exception filed simultaneously herewith.

SPECIAL EXCEPTION To permit a service-garage.

Hearings: 12092008, 12/09/08 at 9:00:00 AM Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson MD

Thanks and have a great weekend !

Debbie Wiley
Legal Administrative Secretary
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

*Missing
OP
comment
12/5*

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND SPECIAL EXCEPTION * ZONING COMMISSIONER
9617 Liberty Road: SW/S Liberty Road, *
235' NW of Live Oak Road * FOR
3rd Election & 4th Councilmanic Districts *
Legal Owner(s): Sands Enterprises, LLC * BALTIMORE COUNTY
Petitioner(s) *
* 09-095-SPHX

* * * * *

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

PETER MAX ZIMMERMAN
People’s Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People’s Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED
OCT 28 2008
L.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of October, 2008, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204 , Attorney for Petitioner(s).

Peter Max Zimmerman

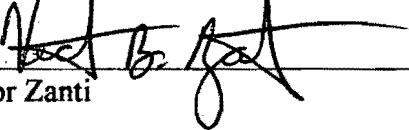
PETER MAX ZIMMERMAN
People’s Counsel for Baltimore County

Zoning Office
Department of Permits and Development Management
111 West Chesapeake Ave
Towson, Maryland 21204

Zoning Office:

Please be advised that I, the undersigned, on behalf of Sands Enterprise, LLC, have authorized Arnold Jablon, Esq., Venable, LLP, 210 Allegheny Ave., Towson, Maryland 21204, to be our attorney-in-fact and attorney-at-law and on our behalf file the attached petitions for zoning relief. We hereby understand that the relief requested is for property it owns and I hereby and herewith acknowledge our express permission for said petitions to be filed on our behalf. The petition(s) filed are for property located at 9617 Liberty Road, Randallstown, Maryland 21136, property we own.

Sands Enterprises, LLC

By: 
Victor Zanti

9-18-08 (Date)

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 07-10054

Sands Enterprises, LLC

9617 Liberty Road

Respondent

FINDINGS OF FACT AND CONCLUSION OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on September 18, 2008, for a hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) failure to comply with restrictions outlined in SPH 78-270-X.

On August 20, 2008, pursuant to §3-6-205, Baltimore County Code, Code Enforcement Officer, issued a code enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$5,000.00 (five thousand dollars).

Arnold Jablon, Esquire represented Sands Enterprises LLC.

Paul Cohen, Code Enforcement Officer presented the case for Baltimore County.


Area residents Gerald Townsend and Bernard Stokes testified what concerned them most is the lack of screening of the business from residence. A plan was submitted showing a proposed landscaping screening area 6' wide by approximately 100 feet long. Mr. Jablon stated that the LLC would install the landscape screening.

IT IS ORDERED by the Code Enforcement Hearing Officer this 26th day of September 2008 that case 07-10054 shall be continued to allow the construction of the landscape area to be completed.

IT IS FURTHER ORDERED that a Hearing may be set in for just cause.

IT IS FURTHER ORDERED that the inspector inspect the property to determine whether the violations have been corrected.

Signed


Raymond S. Wisnom, Jr.
Code Enforcement Hearing Officer

The violator is advised that pursuant to §3-6-301(a), Baltimore County Code, an appeal to the Baltimore County Board of Appeals may be taken within fifteen (15) days after the date of a final Order. §3-6-302(a)(b)(c)(d) requires the filing of a petition setting forth the grounds for appeal and a filing fee of \$150. The appellant is urged to read the requirements for the appeal petition. Security in the amount of the civil penalty must be posted with the Director.

RSW/jaf

Case No.: 2009-0095-SPHX 9617 LIBERTY RD.

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Petitioner/Developer	Protestant
No. 2	SITE PLAN	
No. 3	SITE PLAN CASE NO 78-270-X	
No. 4	Order - Case No 78-270-X	
No. 5	Aerial Photograph of Site	
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

**PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION**

78-270-1
#209

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, ~~we~~ Mr. & Mrs. Eugene Lovins legal owner 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone, for the following reasons:

MAP	7C
NO.	W-3-5
DATE	2
BY	4-3-78
FILED	
RECEIVED	88
BY	210
FINAL	1-22-78
BY	210

and (2) for a Special Exception under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for a Service Garage

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

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

ORDER RECEIVED FOR FILING

DATE December 14, 1977

~~John Howard Eng~~
~~210 Allegany Ave~~
~~2/204~~
~~John Cain Eng~~
~~Petitioner's Attorney~~
~~44 Equitable Bldg~~
~~21202~~
~~Billy 752-6169~~

Eugene Lovins
Betruce Lovins
 Legal Owner
 Address 4710 BELLE FORTÉ Rd.
Balt. MD 21208
 Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of April, 1978, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of June, 1978, at 11:00 o'clock A. M.

Arvi De Kenna
 Zoning Commissioner of Baltimore County.

(over)

Pet. No. 3

6007
X-068-8L
78-270-1

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

76-270-1
#1209

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I, or we, Mr. & Mrs. Eugene Lovins, legal owners 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone; for the following reasons:

76-270-1
#1209
1-22-78
188

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for... A Service Garage.

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

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

Eugene Lovins
Debra Lovins
Legal Owner

Contract purchaser
John Howard Day
210 Hilltop Dr
LW 204

Address 4710 Belle Forte Rd
Balt. Md. 21208

John C. W. Esch
Petitioner's Attorney

Protestant's Attorney

44 E. 10th St. Bldg 10-609
2102

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day

of April, 1978, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th day of June, 1978, at 11:00 o'clock A.M.

Eric R. Hanna
Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING

DATE Dec 24 1977

Administrative Assistant
Baltimore County

76-270-1
RE: PETITION FOR SPECIAL EXCEPTION BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
SW/S of Liberty Road
NW of Live Oak Road
EUGENE LOVINS, Petitioner
Case No. 78-270-X

ORDER TO ENTER APPEARANCE

Mr. Commissioner

Pursuant to the provisions contained in Section 524.1 of the Baltimore County Charter, I hereby advise you of this proceeding. You are requested to appear at any hearing held on this matter on any day or hereafter designated therefor and of the passage of any Order in connection therewith.

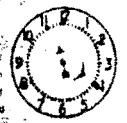
Peter Max Z...

John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on the 11th day of May, 1978, a copy of the foregoing Order was served on the Petitioner, Eugene Lovins, 4710 Belle Forte Road, Baltimore, Maryland.

John W. Hession, III

MAY 31 78 PM



608-4
PETITIONER'S EXHIBIT 3



Microsoft Virtual Earth™

20 yds

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Advertise | Webmasters | Developers | Help | Feedback

Done Internet 8:25 AM

Start Live Search Maps - ...

PETITIONER'S
 EXHIBIT NO. 4

9617 LIBERTY ROAD
 1" = 50' ±
 12/03/08
 07-126⁰⁷

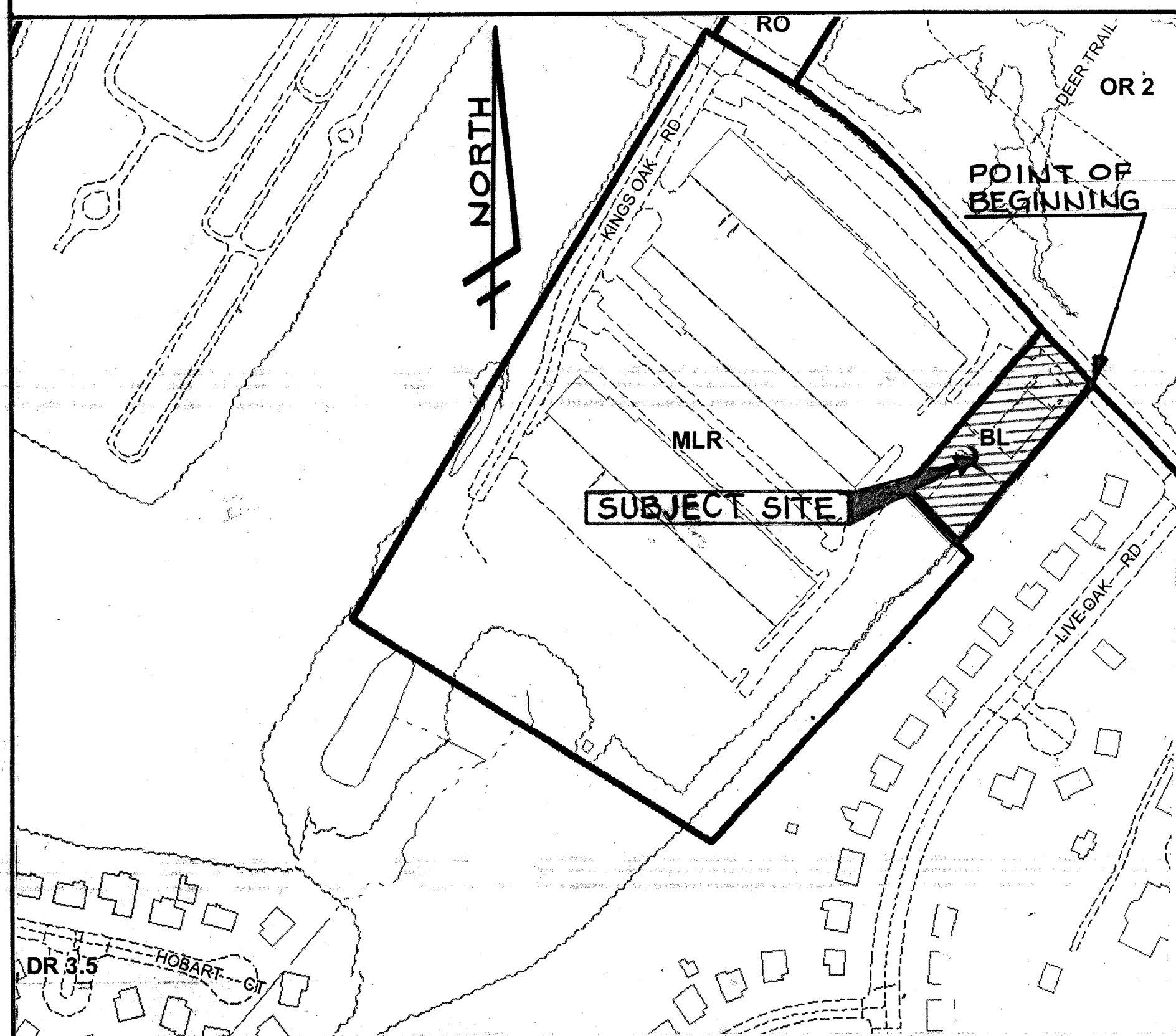
PLAT TO ACCOMPANY PETITION FOR ZONING: SPECIAL HEARING SPECIAL EXCEPTION

BUILDING AREA TABULATION
 LOWER LEVEL (USE: BODY SHOP) = 52' X 104' = 5,408 S.F.
 +UPPER LEVEL (USE: AUTO SERVICE) = 52' X 104' = 5,408 S.F.
 TOTAL = 10,816 S.F.

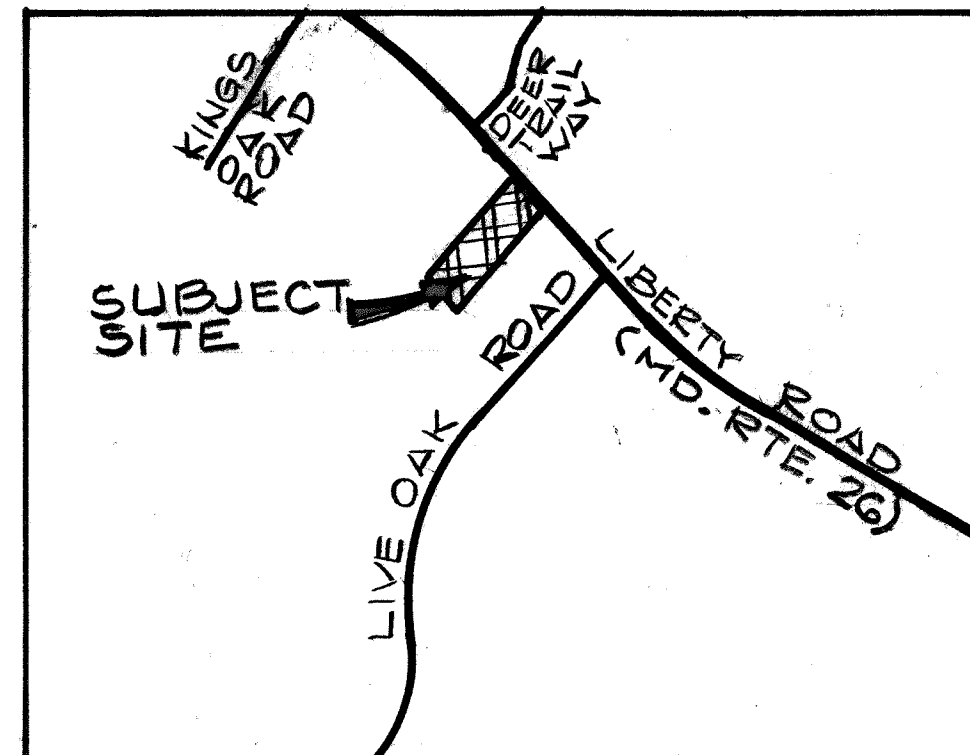
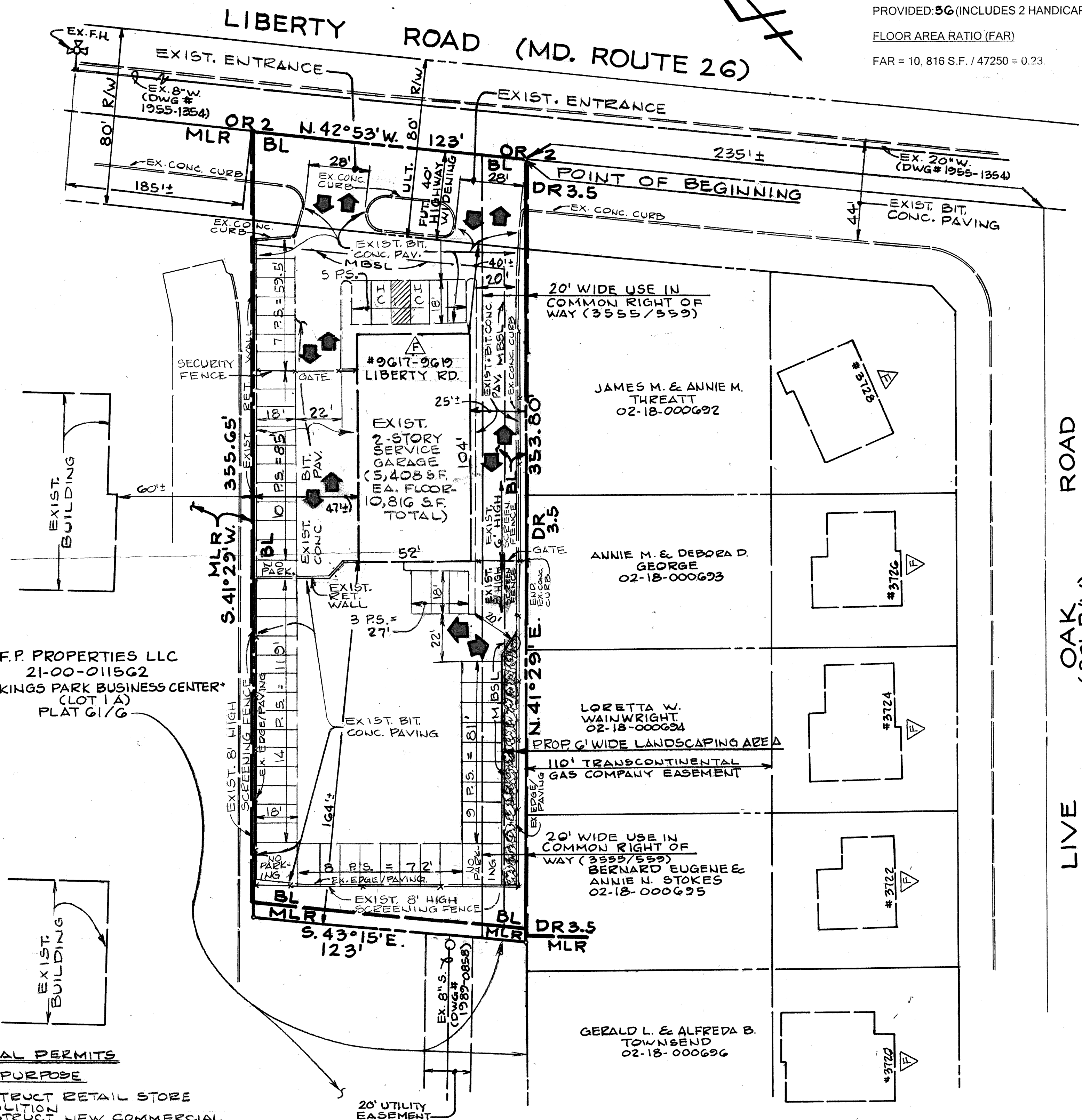
PARKING DATA
 REQUIRED: (USE: SERVICE GARAGE)
 3.3 X 10,816 S.F. / 1,000
 35692.80 / 1,000 = 35.7 P. S. (USE 36 P. S.)

PROVIDED: 56 (INCLUDES 2 HANDICAPPED PARKING SPACES)

FLOOR AREA RATIO (FAR)
 FAR = 10,816 S.F. / 47250 = 0.23



ZONING MAP (REFERENCE) MAP 076C1
 SCALE: 1"=200'



VICINITY MAP
 SCALE: 1"=1000'

LOCATION INFORMATION

ELECTION DISTRICT #: 2
 COUNCILMANIC DISTRICT #: 4
 1"=200' SCALE MAP #: 076C1
 ZONING: BL
 LOT AREA:
 NET=43,560 S.F.=1.00AC±
 GROSS=47,250 S.F.=1.08AC±

PUBLIC PRIVATE
 SEWER:
 WATER:

CHEESAPEAKE BAY CRITICAL AREA
 PRIOR ZONING HEARINGS: 78-270-X
 PREVIOUS COMMERCIAL PERMIT: (SEE SEPARATE LIST THIS SHEET)

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #
D.T.	0095	2009-0095-SPHX

PROPERTY INFORMATION
 OWNER: SANDS ENTERPRISES, LLC
 9617 LIBERTY ROAD
 RANDALLSTOWN, MD, 21133-2405
 410-922-2700
 TAX ACCOUNT: 02-11-151521
 DEED REFERENCE: 14392/001
 PLAT REFERENCE: N/A

NOTE: THE SUBJECT SITE IS NOT AFFECTED BY A 100 YEAR FLOODPLAIN.

LEGEND
 MINIMUM BUILDING SETBACK LINE
 TRAFFIC FLOW ARROW
 FRONT ORIENTATION OF BUILDING
 ZONING LINE
 PROPERTY LINE

ZONING ORDER-CASE#78-270-X

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met, the Special Exception for a service garage should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of December, 1978, that the herein Petition for Special Exception for a service garage should be and the same is GRANTED, from and after the date of this Order, subject to the following restrictions:

- Hours of operation shall be from 8:00 a.m. to 6:00 p.m., Monday through Friday, and from 8:00 a.m. to 1:00 p.m., Saturday.
- No storage of gasoline and no outdoor storage of parts or damaged vehicles.
- No body and fender repairs; transmission repairs only. Said repairs must be performed inside of garage.
- Property shall be maintained in a neat and orderly condition at all times.
- Approval of a site plan by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning.

PREVIOUS COMMERCIAL PERMITS

CONTROL NO.	USE/PURPOSE
475-71	CONSTRUCT RETAIL STORE
504-77	DEMOLITION
504-77	DEMOLITION NEW COMMERCIAL
712-77	DEMOLITION OF EXISTING STRUCTURES
1386-77	INSTALLATION OF TANK

REASONS FOR HEARING

- Special hearing to amend the order issued in Case #78-270X, to permit body and fender repairs and to permit outdoor storage of damaged or disabled vehicles behind fences pursuant to section 405A, or, in alternative, see special exception petition filed simultaneously.
- Special exception to permit a service garage.

ORDER RECEIVED FOR FILING
 DATE: Dec 14, 1978
 BY: [Signature]

Zoning Commissioner of Baltimore County

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
 SITE ENGINEERS & SURVEYORS
 6603 YORK ROAD 410-371-2600 BALTIMORE, MARYLAND 21212

APPLICANT
 SANDS ENTERPRISES, LLC
 9617 LIBERTY ROAD
 RANDALLSTOWN, MD, 21133-2405
 410-922-2700

PLAT TO ACCOMPANY PETITION FOR SPECIAL HEARING & SPECIAL EXCEPTION
9617 LIBERTY ROAD
 ELECTION DISTRICT 2 COUNCILMANIC DISTRICT 4 BALTIMORE COUNTY, MARYLAND

SHEET 1 OF 1
 DATE: Nov 14, 2007
 REV: 02/20/08
 SCALE: 1"=30'
 CONTRACT NUMBER: 07-126



PLAT TO ACCOMPANY PETITION FOR ZONING: ~~X~~ SPECIAL HEARING ~~X~~ SPECIAL EXCEPTION

BUILDING AREA TABULATION

LOWER LEVEL (USE: BODY SHOP) = 52' X 104' = 5,408 S.F.
 + UPPER LEVEL (USE: AUTO SERVICE) = 52' X 104' = 5,408 S.F.
 TOTAL = 10,816 S.F.

PARKING DATA

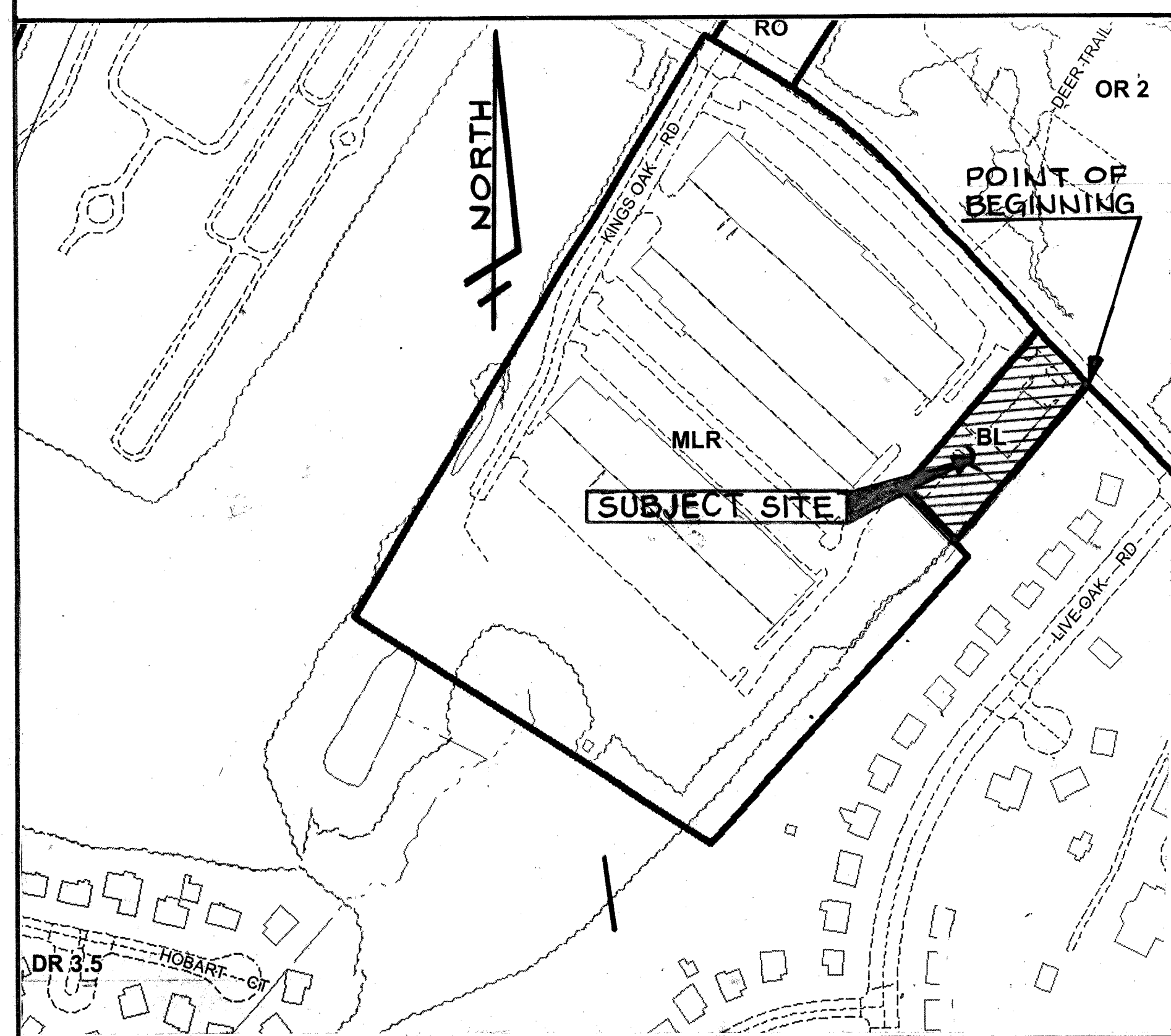
REQUIRED: (USE SERVICE GARAGE)

33 X 10, 816 S.F. / 1,000
 35692.80 / 1,000 = 35.7 P. S. (USE 36 P. S.)

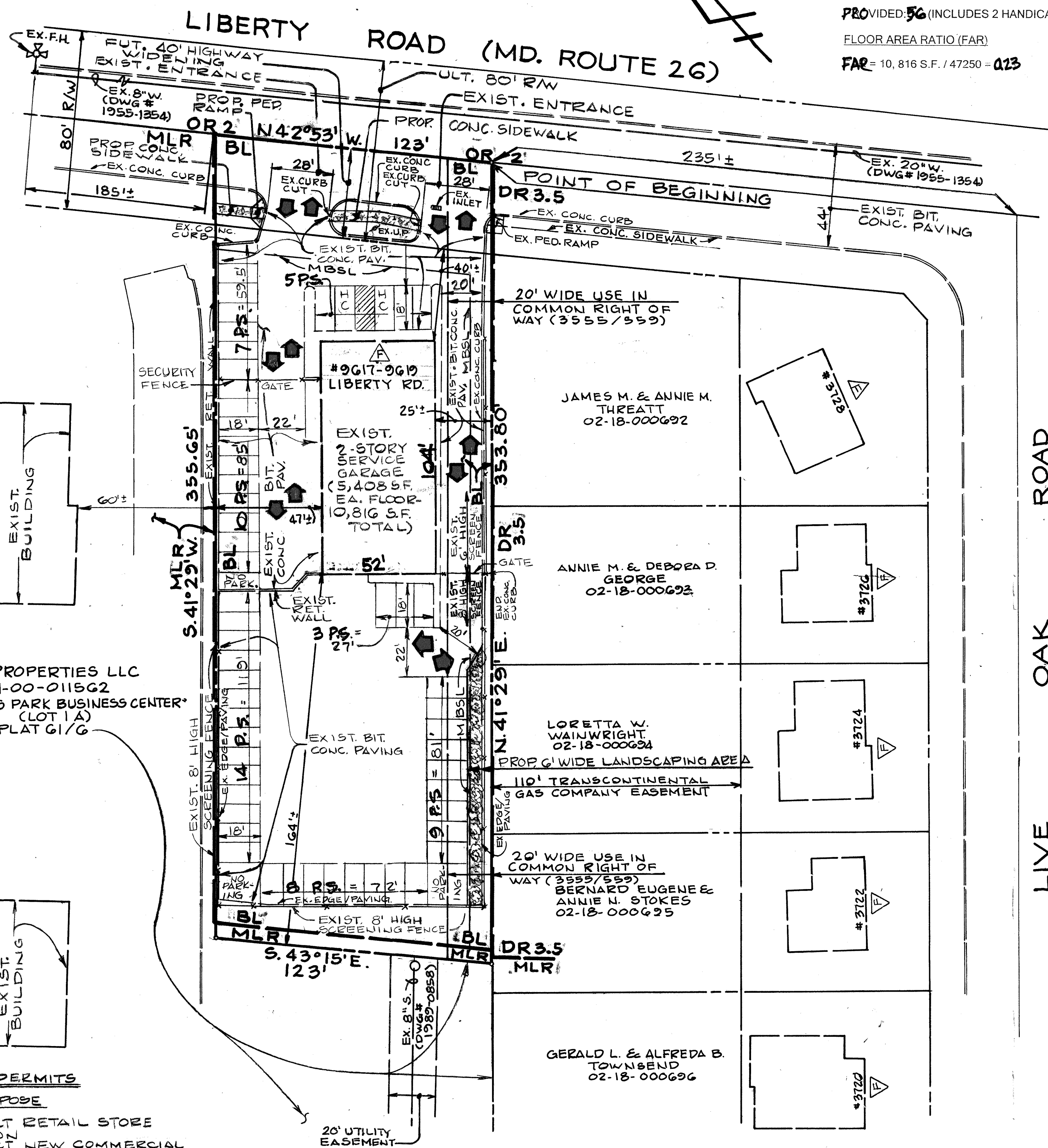
PROVIDED: 56 (INCLUDES 2 HANDICAPPED PARKING SPACES)

FLOOR AREA RATIO (FAR)

FAR = 10,816 S.F. / 1,7250 = .627



ZONING MAP (REFERENCE MAP 076C1)
 SCALE: 1" = 200'



F.P. PROPERTIES LLC
 21-00-0115G2
 "KINGS PARK BUSINESS CENTER"
 (LOT 1A)
 PLAT G1/G

PREVIOUS COMMERCIAL PERMITS

CONTROL NO.	USE/PURPOSE
475-71	CONSTRUCT RETAIL STORE
169-77	CONSTRUCTION
304-77	CONSTRUCTION OF NEW COMMERCIAL BUILDING
712-77	RECONSTRUCTION OF EXISTING STRUCTURES
1386-77	INSTALLATION OF TANK

ZONING ORDER-CASE# 78-270-X

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met, the Special Exception for a service garage should be granted.

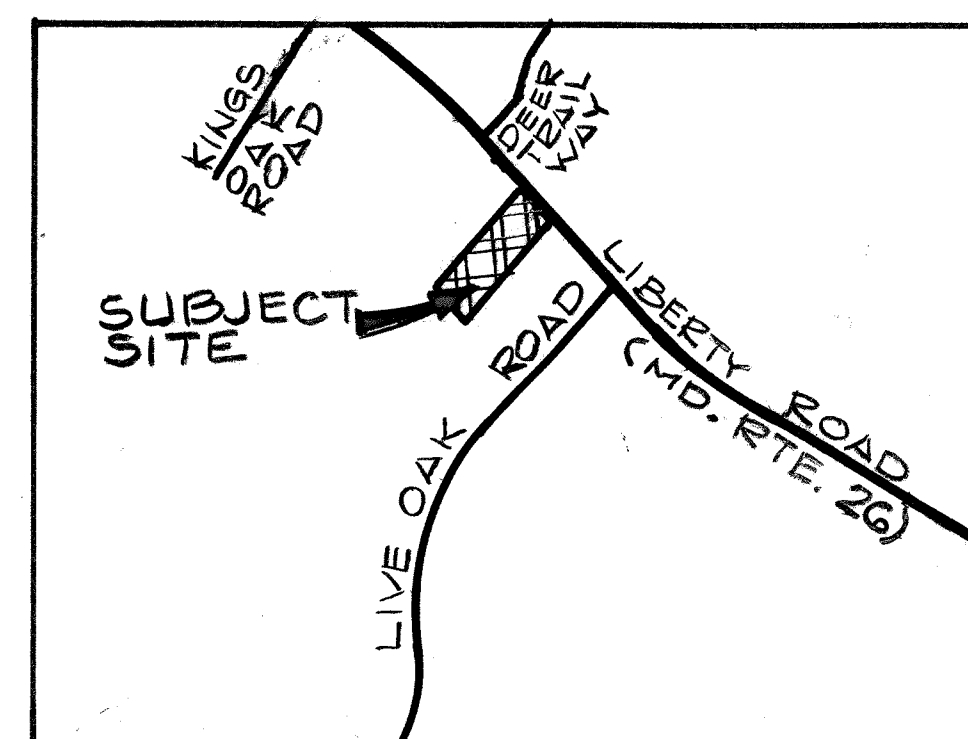
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- No storage of gasoline and no outdoor storage of parts or damaged vehicles.
- No body and fender repairs; transmission repairs only. Said repairs must be performed inside of garage.
- Property shall be maintained in a neat and orderly condition at all times.
- Approval of a site plan by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning.

[Signature]
 Zoning Commissioner of Baltimore County

REASONS FOR HEARING

- Special hearing to amend the order issued in Case #78-270X, to permit body and fender repairs and to permit outdoor storage of damaged or disabled vehicles behind fences pursuant to section 405A, or, in alternative, see special exception petition filed simultaneously.
- Special exception to permit a service garage.



VICINITY MAP
 SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT #: 2
 COUNCILMANIC DISTRICT #: 4
 1" = 200' SCALE MAP #: 076C1
 ZONING: BL
 LOT AREA:
 NET = 43,560 S.F. = 1.00 AC. ±
 GROSS = 47,250 S.F. = 1.08 AC. ±

PUBLIC PRIVATE
 SEWER:
 WATER:
 CHESAPEAKE BAY CRITICAL AREA:
 PRIOR ZONING HEARINGS: 78-270-X
 PREVIOUS COMMERCIAL PERMIT: (SEE SEPARATE LIST THIS SHEET)

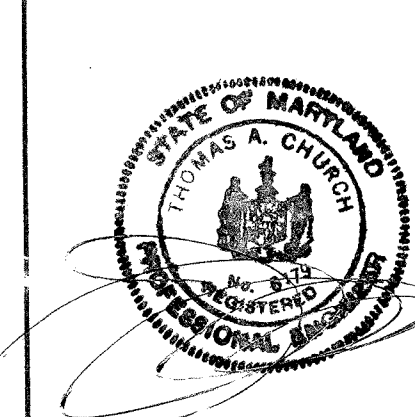
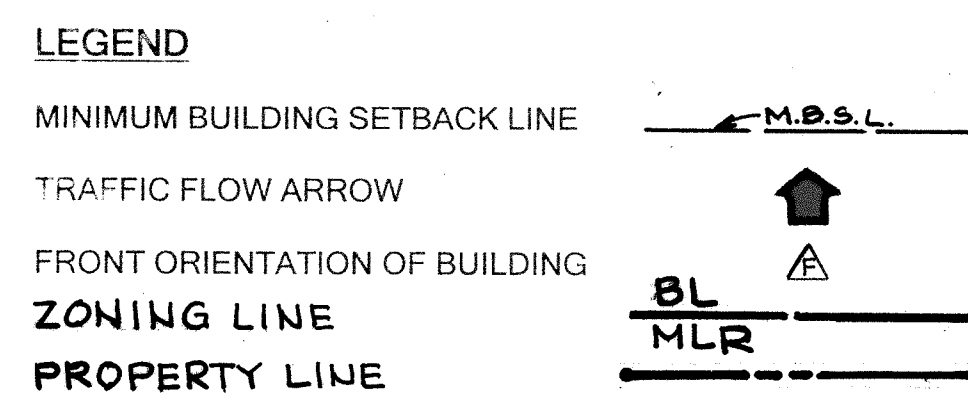
ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #

PROPERTY INFORMATION

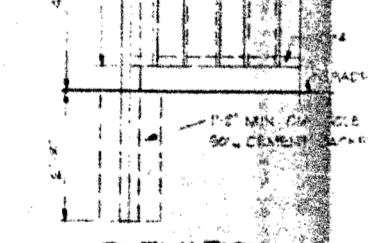
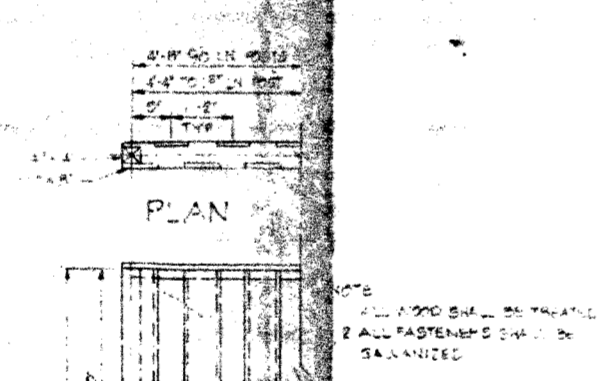
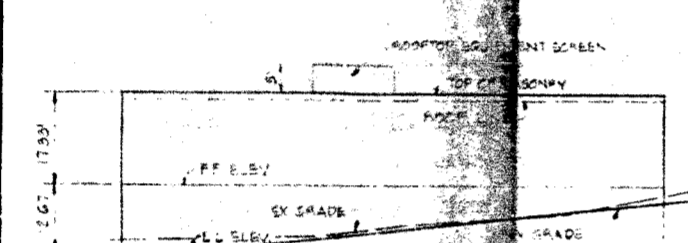
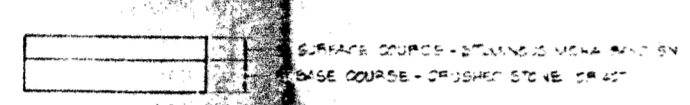
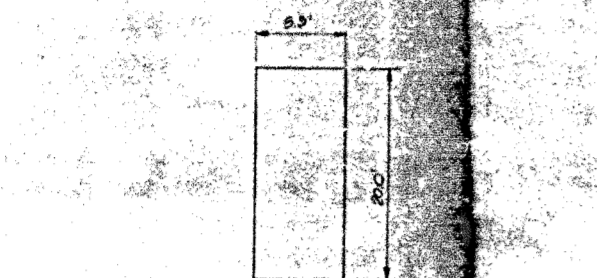
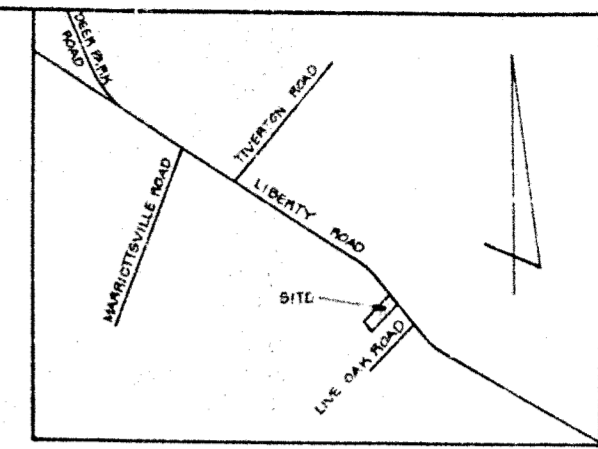
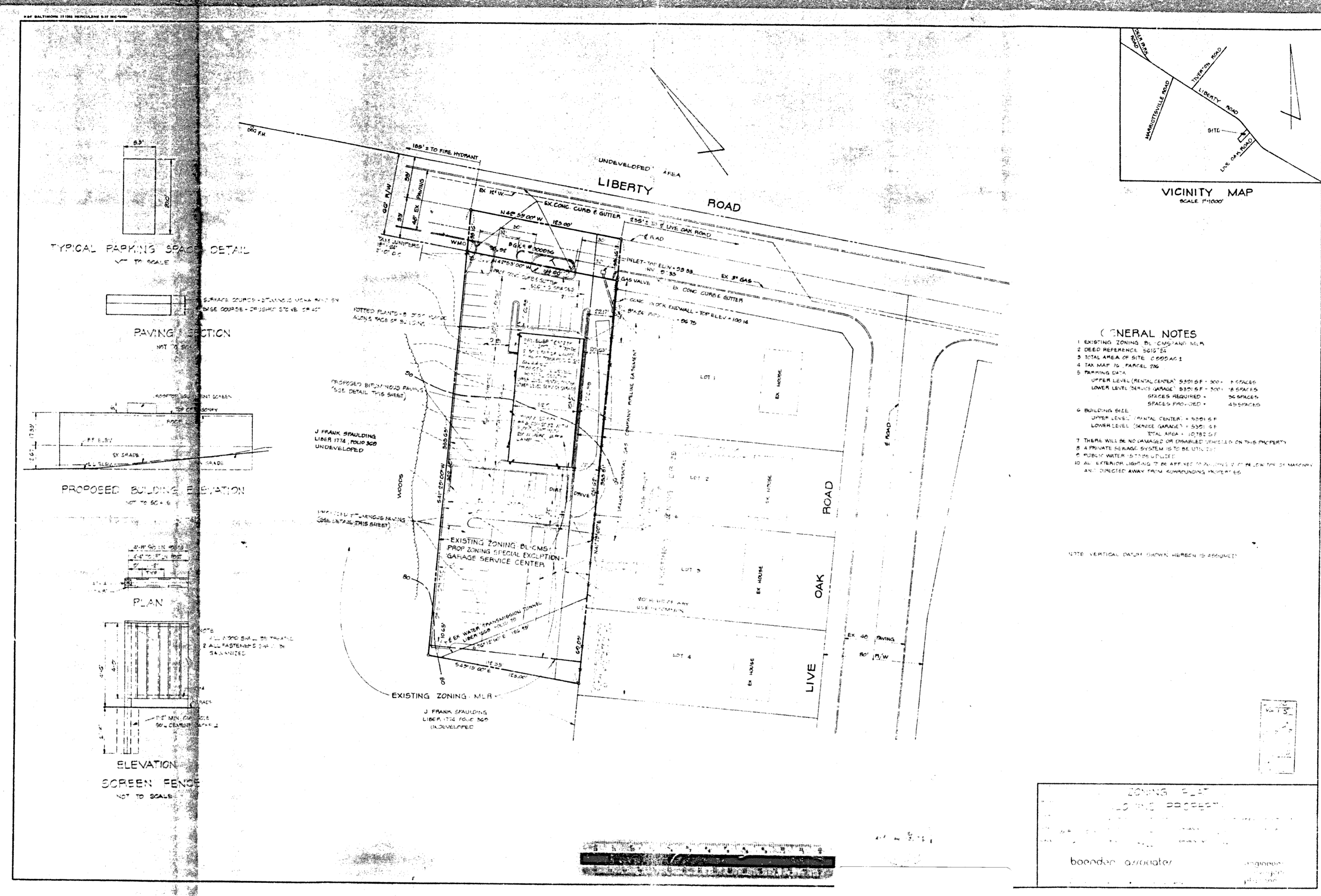
OWNER: SANDS ENTERPRISES, LLC
 9617 LIBERTY ROAD
 RANDALLSTOWN, MD, 21133-2405
 410-922-2700
 TAX ACCOUNT: 02-11-151521
 DEED REFERENCE: 14392/001
 PLAT REFERENCE: N/A

NOTE: THE SUBJECT SITE IS NOT AFFECTED BY A 100 YEAR FLOODPLAIN.



CASE No: 2009-0095 SPHX

ORDER RECEIVED FOR FILING
 DATE: 10/22/08
 BY: [Signature]



- GENERAL NOTES**
- EXISTING ZONING BY CONSTANT M.L.R.
 - DEED REFERENCE: 80121
 - TOTAL AREA OF SITE: 0.030 AC
 - TAX MAP IS PARCEL 206
 - PARKING DATA:
UPPER LEVEL (RENTAL CENTER) 500 SF - 300 FT SPACES
LOWER LEVEL (SERVICE GARAGE) 850 SF - 300 FT SPACES
TOTAL AREA - 1350 SF
SPACES REQUIRED - 600 FT SPACES
SPACES PROVIDED - 45 SPACES
 - BUILDING SIZE:
UPPER LEVEL (RENTAL CENTER) - 500 SF
LOWER LEVEL (SERVICE GARAGE) - 850 SF
TOTAL AREA - 1350 SF
 - THERE WILL BE NO DAMAGED OR CHANGED UTILITIES ON THIS PROPERTY.
 - A PRIVATE SEWAGE SYSTEM IS TO BE UTILIZED.
 - PUBLIC WATER IS TO BE UTILIZED.
 - ALL EXTERIOR LIGHTING IS TO BE APPLIED TO ALL LOTS 2' BELOW THE SIDEWALK AND DIRECTED AWAY FROM ADJACENT PROPERTIES.

NOTE: VERTICAL DATUM SHOWN HEREIN IS ASSUMED.

ZONING PLAN
FOR THE PROJECT

boender architect

PETITIONER'S EXHIBIT 2

MAR 01 1979

18-270-X