



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

July 9, 2015

Payless Motors LLC Car Dealership
7110 Liberty Road
Baltimore, Maryland 21207
Attn: Zulfiker Shah-President of PAK US CO

Dear Zulfiker Shah:

RE: Used Car Dealership
7110 Liberty Road
Spirit and Intent, Zoning Case No. 2009-0211-X

This refers to your recent letter and a site plan for the proposed addition, received by Permits, Approvals, and Inspections on 6/26/2015. In your letter, you requested a zoning S&I (Spirit and Intent) verification that the proposed addition is in compliance with the S&I as in Zoning Case #2009-0211-X. As noted, the proposed addition contains 1800 square feet in area which is more or less 106% addition to the existing building.

After consultation with Mr. John Beverungen, the Administrative Law Judge, Mr. Beverungen has determined that the proposed new addition is not within the Spirit and Intent of the Zoning Case # 2009-0211-X. A new Special Hearing is required to amend the previous approved Special Exception zoning case, and, a variance may also be required for the building side yard setback for the proposed extension/addition. Please find enclosed the petition forms and a check list for your use should you decide to proceed with the Special Hearing and Variance petition.

A development plan is required to be submitted to the Development Review Committee (DRC) for review and approval by the County agencies.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Tsui".
Aaron Tsui
Planner II, Zoning Review

File: 15-210
Zoning Case no.2009-0211-X

**IN RE: PETITION FOR SPECIAL
EXCEPTION**

NE side of Liberty Road, 250 feet NW
of the c/l of Essex Road
2nd Election District
4th Councilmanic District
(7110 Liberty Road)

PAK US CO
Petitioner

* BEFORE THE DEPUTY
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* **Case No. 2009-0211-X**

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Exception filed by Zulfikar Shah, President of PAK US CO, the legal owner of the subject property. Petitioner requests special exception approval to use the subject property for the sale of used motor vehicles, in addition to the present use as a service garage. Petitioner also requests confirmation that the side yard setback variance of 15 feet in lieu of the required 30 feet, approved by the Deputy Zoning Commissioner in Case No. 03-099-A, will be applicable to the use of the property for the sale of used motor vehicles as well as for the existing service garage. The subject property and requested relief are more fully described on the site plan, which was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested relief were Zulfikar Shah, President of Petitioner PAK US CO, as well as Keith Heindel and Gary Ganjon with Professional Surveys, LLC, the firm that prepared the site plan. Michael L. Snyder, Esquire, appeared and represented Petitioner. There were no Protestants or other interested persons in attendance at the public hearing.

Testimony and evidence offered revealed that the subject property is square-shaped and contains approximately 23,775 square feet or 0.546 acre, more or less, zoned primarily B.R.

PAK US CO
5-6-09
[Signature]

(22,257 square feet) with a strip of B.L.R. (1,518 square feet) on the western end of the property. This commercial property is located on the north side of Liberty Road near the intersection of Essex Road, less than a mile east of Interstate 695 in the Lochearn area of Baltimore County. Petitioner submitted an aerial photograph of the subject property that was marked and accepted into evidence as Petitioner's Exhibit 4. The photograph reveals that the property is improved with a one-story service garage that is surrounded by several commercial buildings that line the northern side of Liberty Road. Petitioner also submitted a series of photographs of the subject property and surrounding area. The photographs, which were marked and accepted into evidence as Petitioner's Exhibits 2A through 2J, reveal that the property to the west contains a fast food establishment, and the properties to the east respectively are used as a pawn shop, grocery/convenience store, and fuel service station. Across the street from the subject property is a residential area that is setback from Liberty Road with a tall dividing wall and service road.

Further testimony and evidence revealed that Mr. Zulfikar purchased the subject property approximately three years ago and has operated a business known as Payless Auto Services on a lot that was formerly used as a Meineke Service Center. The company performs minor auto repairs such as oil changes, brake and muffler repairs, and general automobile tune-ups. Petitioner does not perform any paint or body repair work, and testified that he does not intend to expand the services offered by his business even if the special exception is granted.

The requested special exception is to enable Petitioner to sell a small number of used cars in conjunction with his auto repair business. Mr. Zulfikar testified that his customers often ask him where to purchase a reliable used car, and he realizes that he could improve his business by adding a small auto sale component to the repair business, while also benefiting his customers with safe, reliable transportation. As the site plan indicates, Petitioner is not proposing to expand

the existing structure or facilities, and the only change to the property would be a planting area that would add a strip of landscaping to the front of the property. Each of the existing parking spaces is labeled on the site plan as either service or sales parking, and the parking meets the requirements of the B.C.Z.R. Petitioner submitted a supportive letter from the Liberty Road Business Association, an association that represents the interests of businesses in the vicinity of the subject property. The letter, which was marked and accepted into evidence as Petitioner's Exhibit 3, states that the area is in need of a facility that sells good quality used cars, and that the local association supports this request for special exception.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated March 30, 2009 which indicate that the site is located within a Master Plan 2010 designated Revitalization District; however, the proposed use as a service garage and used car sales location is too intense of a use for the subject site. The site plan provided does not clearly delineate parking for sales, service, etc. The Office of Planning recommends denial of the subject request.

After considering all of the testimony and evidence presented at the public hearing, I am convinced that the requested special exception should be granted.¹ It should be noted, however, that Petitioner will not be permitted to run free with his request to sell used cars, as this approval will be subject to several conditions that address the Office of Planning's concerns regarding the intensity of the proposed use on the property. That said, the uncontradicted testimony of Keith Heindel, the professional surveyor who assisted in the preparation of the site plan for Petitioner, has convinced me that this request, when subjected to several limiting conditions, meets the criteria contained in Section 502.1 of the B.C.Z.R.

¹ For clarification, this Petition does not affect the variance that was approved in Case No. 03-099-A for Special Exception. Petitioner will still retain the variance with the added use granted in this Petition.

Specifically, as indicated by the testimony and evidence, I find that the request will not be detrimental to the health, safety or general welfare of the locality involved, as the proposed use will be at most complimentary to a small business located in a commercial Revitalization District along a commercial corridor of Liberty Road. The request will not tend to create congestion in the roads, streets or alleys therein as Petitioner expects primarily to sell used cars to his existing customers. There is no evidence that the relief would create a potential hazard from fire, panic or other danger, or tend to overcrowd land and cause undue concentration of the population. In fact, the request will not have any effect on the density of the property, and the relief will be conditioned so as to limit the number of cars that can remain on the property.

This Petition also will have no effect on the existence of adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements, and will not interfere with adequate light and air on the property. The request will not be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations, nor would it be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in a resource conservation zone.

Finally, I find that this request is consistent with the purposes of the property's zoning classification and the relief is consistent with the spirit and intent of the B.C.Z.R. The property is located in a commercial Revitalization District, and this request will assist a small, local business, while being conditioned to prevent any negative impact on the surrounding locale. It is no secret that the dire economic conditions faced throughout the country have drastically reduced the number of new cars being purchased. Indeed, the secondary market has become even more important to consumers these days. I find that permitting Petitioner's local auto repair business

~~RECEIVED FOR FILE~~
5.6.09


to sell a limited number of used cars would provide an increasingly important service to the local community while fulfilling the spirit and intent of the commercial Revitalization District. Accordingly, after considering all of the evidence and testimony presented at the public hearing, I am convinced that the requested special exception should be granted.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 6th day of May, 2009, that the Petition for Special Exception to use the subject property for the sale of used motor vehicles, in addition to the present use as a service garage be and is hereby GRANTED; and

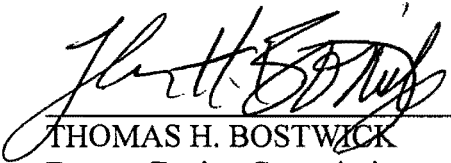
IT IS FURTHER ORDERED that Petitioner's request for confirmation that the side yard setback variance of 15 feet in lieu of the required 30 feet, approved by the Deputy Zoning Commissioner in Case No. 03-099-A, will be applicable to the use of the property for the sale of used motor vehicles as well as for the existing service garage, be and is hereby GRANTED.

The Special Exception shall be subject to the following restrictions which are conditions precedent to the relief granted herein:

1. Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner is only permitted to store or maintain up to ten (10) vehicles for sale on the property at any one time. If Petitioner exceeds this number, he will be subject to the civil fines and penalties prescribed by the Baltimore County Code and the B.C.Z.R.

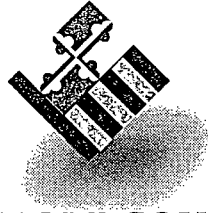
3. Petitioner may not perform any body repair or paint work on the premises and may not expand the repair services already offered by Payless Auto Service.
4. Petitioner must store all replacement parts kept on the premises inside the existing one-story service center.
5. Petitioner's hours of operation are limited to 9:00 am to 5:00 pm Monday through Saturday. Petitioner will not be open for business on Sundays.
6. Petitioner must complete the landscaping in the front of the property that is designated as a planting area on the site plan.
7. Petitioner must obtain all necessary permits or licenses from the MVA before selling automobiles on the premises.
8. Petitioner must ensure that the property remains in compliance with all local fire department regulations.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

RECEIVED FOR FILING
5.6.09
PM



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

May 6, 2008

MICHAEL L. SNYDER, ESQUIRE
COADY & FARLEY
400 ALLEGHENY AVENUE
TOWSON MD 21204

Re: Petition for Special Exception
Case No. 2009-0211-X
Property: 7110 Liberty Road

Dear Mr. Snyder

Enclosed please find the decision rendered in the above-captioned case.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas H. Bostwick", written over the printed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Zulfiker Shah, President, PAK US CO, 12216 Statewood Road, Baltimore MD 21136
Keith Heindel and Gary Ganjon, Professional Surveys LLC, 1711 Hughes Shop Road, Westminster MD 21157



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

7110 Liberty Road
for the property located at Baltimore, MD 21207

which is presently zoned BR

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for the sale of used motor vehicles, in addition to the present use as a service garage. ~~The property is currently used as a service garage for the repair of motor vehicles. The Petitioner intends to purchase used motor vehicles, repair them at the property, if necessary, and offer them for sale to the public at the property. Both of the uses, sales of used vehicles and the service garage, are owned and operated by the Petitioner, and shall continue to be operated and owned by the same person or entity unless approved by a Special Hearing. This Petition requests approval to operate both uses over the entire property.~~ The Petitioner also requests confirmation that the side yard setback variance approved by the Deputy Zoning Commissioner of Baltimore County in Case No. 03-099-A, of 15 feet in lieu of the required 30 feet, is applicable to the use of the property for the sales of used motor vehicles, as well as for a service garage.

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:

Michael L. Snyder

Name - Type or Print

Signature

Coady & Farley

Company

400 Allegheny Avenue

410-337-0200

Address

Towson

MD

Telephone No.

21204

City

State

Zip Code

Case No. 2009-0211-X

REC'D 09/15/98

Legal Owner(s):

PAK US CO, a Maryland corporation

Name - Type or Print

By:

Signature Zulfikar Khan, President

Name - Type or Print

Signature

12216 Statewood Road

443-220-3373

Address

Baltimore

MD

Telephone No.

21136

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

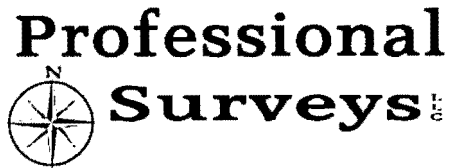
OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Date 2.11.09



1711 Hughes Shop Road
Westminster, MD 21158
Ph: 410-751-8795
Fax: 410-751-8796

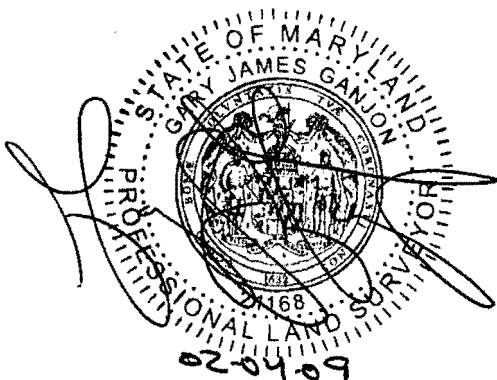
ZONING DESCRIPTION
#7110 LIBERTY ROAD, BALTIMORE MD
January 07, 2009

Beginning at a point on the north side of Liberty Road which is a 100 foot(right-of-way) wide at the distance of 250 feet +/- west of the centerline of Essex Road which is 50 foot(right-of-way) wide. Thence the following courses and distances:

1. North 65°24'00" West – 25.00'
2. North 24°36'00" East – 10.00'
3. North 65°24'00" West – 125.00'
4. North 24°36'00" East – 150.00'
5. South 65°24'00" East – 150.00'
6. South 24°36'00" West – 160.00' to the place of beginning as recorded in Deed Liber 0025567, folio 530.

Being Lot #2 in Villa Nova Shopping Center as recorded in Baltimore County Plat Book #W.J.R. 26, Folio #125, containing 22,750 square feet more or less. Also know as 7110 Liberty Road and located in the 2nd Election District.

This description is based on current deeds of record and State Highway right-of-way plats and does not represent an actual boundary survey by Professional Surveys, LLC.



**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: 0211

Petitioner: PAK US CO

Address or Location: 7110 Liberty Road, Baltimore, MD 21207

PLEASE FORWARD ADVERTISING BILL TO:

Name: PAK US CO

Address: 12216 Statewood Road

Baltimore, MD 21136

Telephone Number: 443-220-3373

Revised 2/20/98 - SCJ

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: # 2009-0211-X

7110 Liberty Road

N/east side of Liberty Road, 250 feet +/- n/west of centerline of Essex Road

2nd Election District-4th Councilmanic District

Legal Owner(s): PAK US Co., Zulfikar Shah, President

Special Exception: for used motor vehicles; and the petitioner also requests confirmation that the side yard setback variance approved by the Deputy Zoning Commissioner of Baltimore County in case 03-099-A, of 15 feet in lieu of the required 30 feet, is applicable to the use of the property for the sales of used motor vehicle, as well as for a service garage.

Hearing: Tuesday, April 14, 2009 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/3/800 Mar. 31

197760

CERTIFICATE OF PUBLICATION

4/21, 2009

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 3/31, 2009.

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

S. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No 2009-211-X

Petitioner/Developer MICHAEL
SNYDER

Date Of Hearing/Closing: 4/14/09

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

Attention:

Ladies and Gentlemen

This letter is to certify under penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property
at 7110 LIBERTY RD

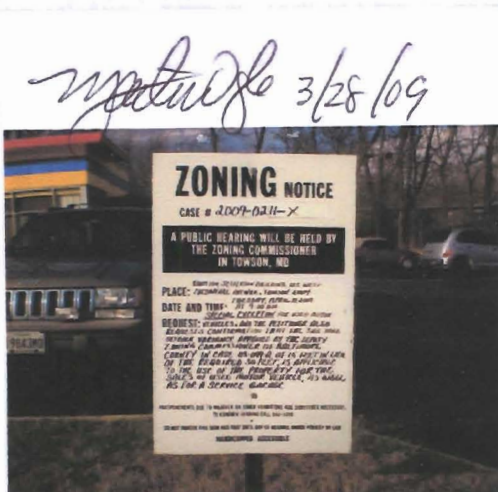
This sign(s) were posted on March 28, 2009
Month, Day, Year

Sincerely,

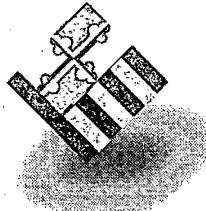
Martin Ogle 3/28/09

Signature of Sign Poster and Date

Martin Ogle
60 Chelmsford Court
Baltimore, Md, 21220
443-629-3411



03/28/2009



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

March 4, 2009
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: 2009-0211-X

7110 Liberty Road

N/east side of Liberty Road, 250 feet +/- n/west of centerline of Essex Road

2nd Election District – 4th Councilmanic District

Legal Owners: PAK US Co., Zulfikar Shah, President

Special Exception for used motor vehicles; and the petitioner also requests confirmation that the side yard setback variance approved by the Deputy Zoning Commissioner of Baltimore County in case 03-099-A, of 15 feet in lieu of the required 30 feet, is applicable to the use of the property for the sales of used motor vehicle, as well as for a service garage.

Hearing: Tuesday, April 14, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: Michael Snyder, Coady & Farley, 400 Allegheny Ave., Towson 21204
Zulfikar Shah, PAK US, 12216 Statewood Road, Baltimore 21136

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, MARCH 30, 2009.**
- (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, March 31, 2009 Issue - Jeffersonian

Please forward billing to:
PAK US Co.
12216 Statewood Road
Baltimore, MD 21136

443-220-3373

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: 2009-0211-X

7110 Liberty Road

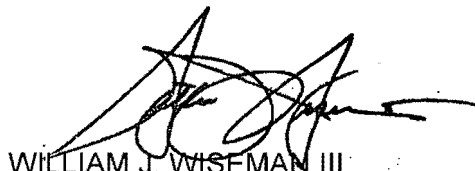
N/east side of Liberty Road, 250 feet +/- n/west of centerline of Essex Road

2nd Election District – 4th Councilmanic District

Legal Owners: PAK US Co., Zulfikar Shah, President

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Hearing: Tuesday, April 14, 2009 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.

COADY & FARLEY

ATTORNEYS AND COUNSELLORS AT LAW

400 ALLEGHENY AVENUE

TOWSON, MARYLAND 21204

(410) 337-0200

FACSIMILE (410) 337 0164

Email: general@coadyandfarley.com

MICHAEL L. SNYDER
PATRICIA O'C.B. FARLEY
THOMAS J. RYAN
KELLIE M. GOMBESKI

JOHN T. COADY, EMERITUS

CHARLES P. COADY (1868-1934)
JOHN A. FARLEY (1893-1958)
CHARLES P. COADY, JR. (1901-1983)
JOHN A. FARLEY, JR. (1921-2005)

THOMAS J. CARACUZZO (1914-1994)

Telefax No. (410) 337-0164

TELEFAX COVER SHEET

If you have any problems with transmission, please call us at (410) 337-0200.

Date: 2/11/09TO: KEISTEN

Fax # _____

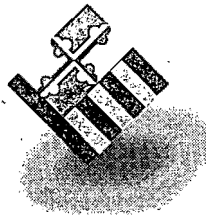
FROM: MIKE SNYDERNumber of pages (including cover sheet) 1

Original being sent by mail: Yes _____ No _____

Message: RE: CASE NO. 2009-0211X FOR 7110LIBERTY ROAD. WHEN YOU SCHEDULETHE HEARING, PLEASE DO NOT SCHEDULEIT BETWEEN 3/13/09 - 3/24/09THANK YOUCONFIDENTIALITY NOTICE

This information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you have received this information in error, notify us immediately by calling our operator at (410) 337-0200. Send the original transmission to us by mail. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited.

Representing Our Clients In The Practice of Law For More Than 100 Years
Est. 1894



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
April 8, 2009

Michael L. Snyder
Coady & Farley
400 Allegheny Ave.
Towson, MD 21204

Dear: Michael L. Snyder

RE: Case Number 2009-0211-X, 7110 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 February 11, 2009. 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,

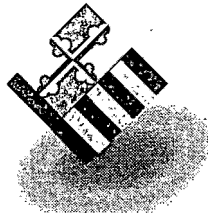
A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Pak US Co; 12216 Statewood Rd.; Baltimore, MD 21136



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

March 9, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 2, 2009

Item Numbers 0211, 0213, 0219

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.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

TB 4/14
9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: March 30, 2009

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

RECEIVED

SUBJECT: 7110 Liberty Road

APR 01 2009

INFORMATION:

ZONING COMMISSIONER

Item Number: 9-211

Petitioner: Pak US Co

Zoning: BR and BLR

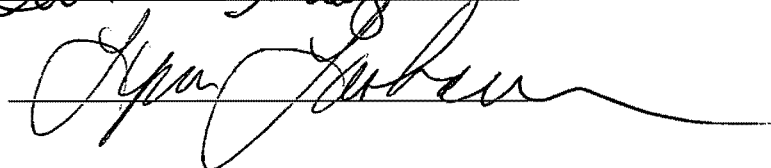
Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The subject site is located within a *Master Plan 2010* designated Revitalization District. The proposed use as a service garage and used car sales location is too intense of a use for the subject site. The site plan provided does not clearly delineate parking for sales, service etc... Nonetheless, the Office of Planning recommends denial of the subject request.

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

Prepared by: 

Division Chief: 
AFK/LL: CM

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



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

Maryland Department of Transportation

March 11, 2009

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

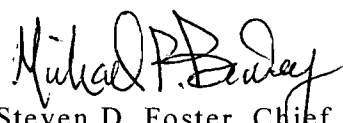
RE: Baltimore County
Item No. 2009-0211-X
MD 26 (Liberty Road)
North West of Essex Road
7110 Liberty Road
Pak US CO Property
Special Exception- Sale of used motor
vehicles & service garage

Dear Ms. Matthews:

We have reviewed the plan to accompany special hearing request on the subject of the above captioned, which was received on March 3rd. A field inspection reveals that the existing entrances onto MD 26 (Liberty Road) are adequate and consistent with current State Highway Administration requirements. Based on available information this office has no objection to Pak US CO Property at 7110 Liberty Road, Case Number 2009-0211-X approval.

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 (m Bailey@sha.state.md.us). Thank you for your attention.

Very truly yours,


for Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. Gary J. Ganjon, Engineer, Professional Surveys, LLC
Mr. David Malkowski, District Engineer, SHA
PAK US CO, Owner

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



RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
7110 Liberty Road; NE/S of Liberty Road, * ZONING COMMISSIONER
250' NW c/line of Essex Road *
2nd Election & 4th Councilmanic Districts *
Legal Owner(s): Pak US Co by Zulfikar Shan* FOR
Petitioner(s). * BALTIMORE COUNTY
* 09-211-X

* * * * *

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 and documentation filed in the case.

RECEIVED

MAR 11 2009

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of March, 2009, a copy of the foregoing Entry of Appearance was mailed to Michael Snyder, Esquire, Coady & Farley, 400 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Debra Wiley - Re: DPR Comments Needed - 4/14 & 4/17 Hearings (2009-0211-X & 2009-0215-SPH)

From: Dennis Kennedy
To: Wiley, Debra
Date: 04/14/09 7:57 AM
Subject: Re: DPR Comments Needed - 4/14 & 4/17 Hearings (2009-0211-X & 2009-0215-SPH)
CC: Richards, Carl

Deb:
We have no comments on either of these items.
Dennis

>>> Debra Wiley 4/10/2009 12:40 PM >>>
Hi Dennis,

Tom Bostwick has scheduled before him 2009-0211-X (4/14 @ 9 AM) and 2009-0215-SPH (4/17 @ 11 AM), and unfortunately no comments were found in either file folder from your office. I have provided a case description below for your convenience as follows:

CASE NUMBER: 2009-0211--X

7110 Liberty Road
Location: NE side of Liberty Road, 250 feet NW of the c/l of Essex Road.
2nd Election District, 4th Councilmanic District
Legal Owner: Pak US CO, a Maryland Corporation

SPECIAL EXCEPTION For used motor vehicles and the petitioner also requests confirmation that the side yard setback variance approved by the Deputy Zoning Commissioner in case no. 03-099-A, of 15 feet in lieu of the required 30 feet, is applicable to the use of the property for the sales of used motor vehicles, as well as for a service garage.

Hearing: Tuesday, 4/14/2009 at 9:00:00 AM Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

CASE NUMBER: 2009-0215--SPH

2003 Belfast Road
Location: SE Side of Belfast Road, 2450 feet East of Joyce Lane.
8th Election District, 3rd Councilmanic District
Legal Owner: Harry and Marian Randall

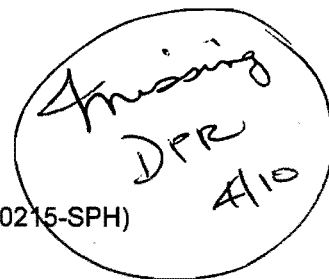
SPECIAL HEARING The non-density transfer of a RC-2 zoned 9.96 acres parcel from the Randall property to the adjacent Hamilton property.

Hearing: Friday, 4/17/2009 at 11:00:00 AM Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

Thanks for your usual cooperation and have a wonderful holiday 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

From: Debra Wiley
To: Kennedy, Dennis
Date: 04/10/09 12:40:58 PM
Subject: DPR Comments Needed - 4/14 & 4/17 Hearings (2009-0211-X & 2009-0215-SPH)



Hi Dennis,

Tom Bostwick has scheduled before him 2009-0211-X (4/14 @ 9 AM) and 2009-0215-SPH (4/17 @ 11 AM), and unfortunately no comments were found in either file folder from your office. I have provided a case description below for your convenience as follows:

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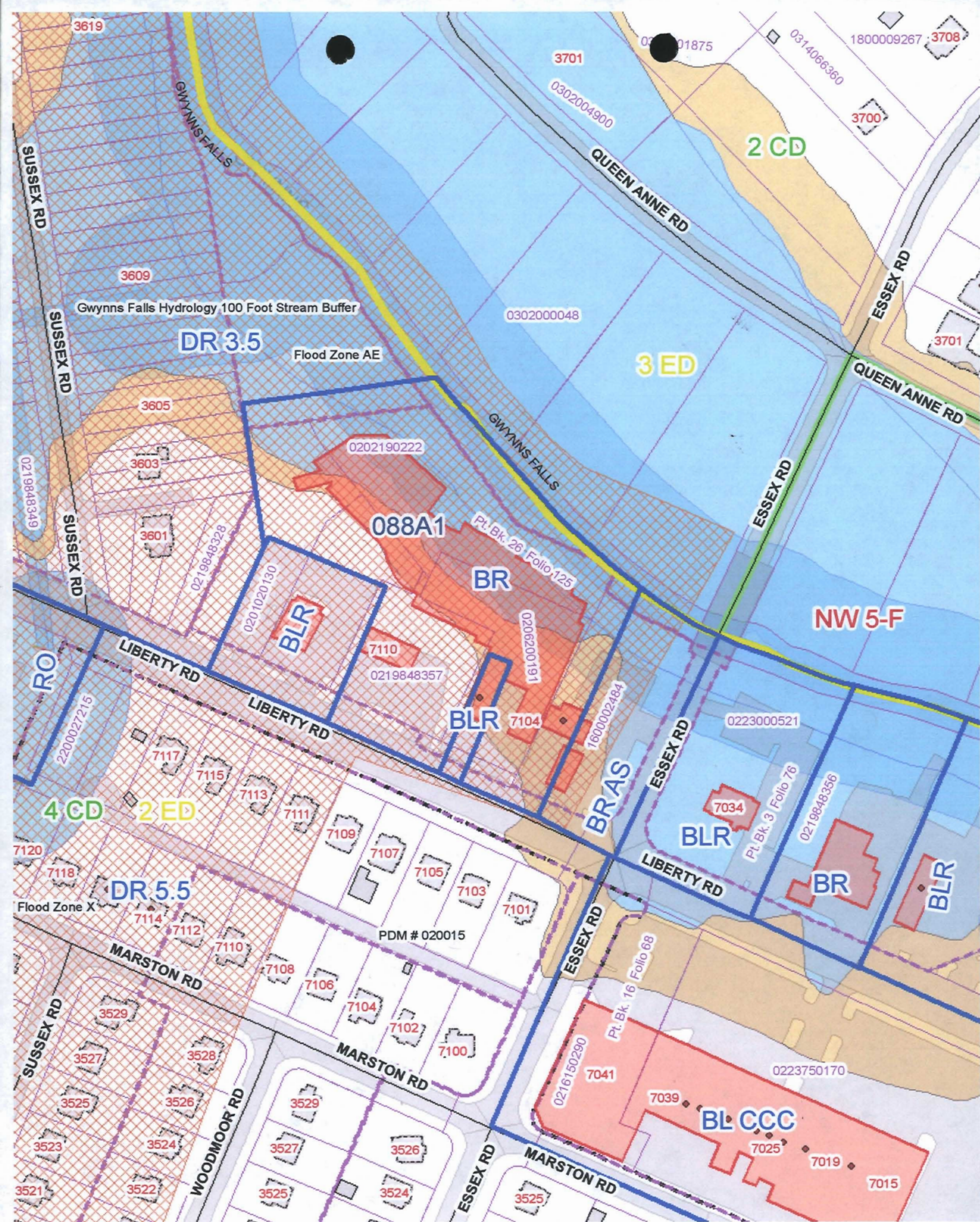
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Thanks for your usual cooperation and have a wonderful holiday weekend !

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



CASE NAME _____
CASE NUMBER _____
DATE 4/14/09
ET _____

CASE NAME _____
CASE NUMBER _____
DATE 4/14/09
ET _____

[illegible]

Case No.:

2009-0211-X

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2 (A-J)	Photographs	
No. 3	Support letter from Liberty Business Association	
No. 4	Aerial photograph	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



A



B

PETITIONER' S

EXHIBIT NO. 2A-2

SUBJECT PROPERTY



C



D



E



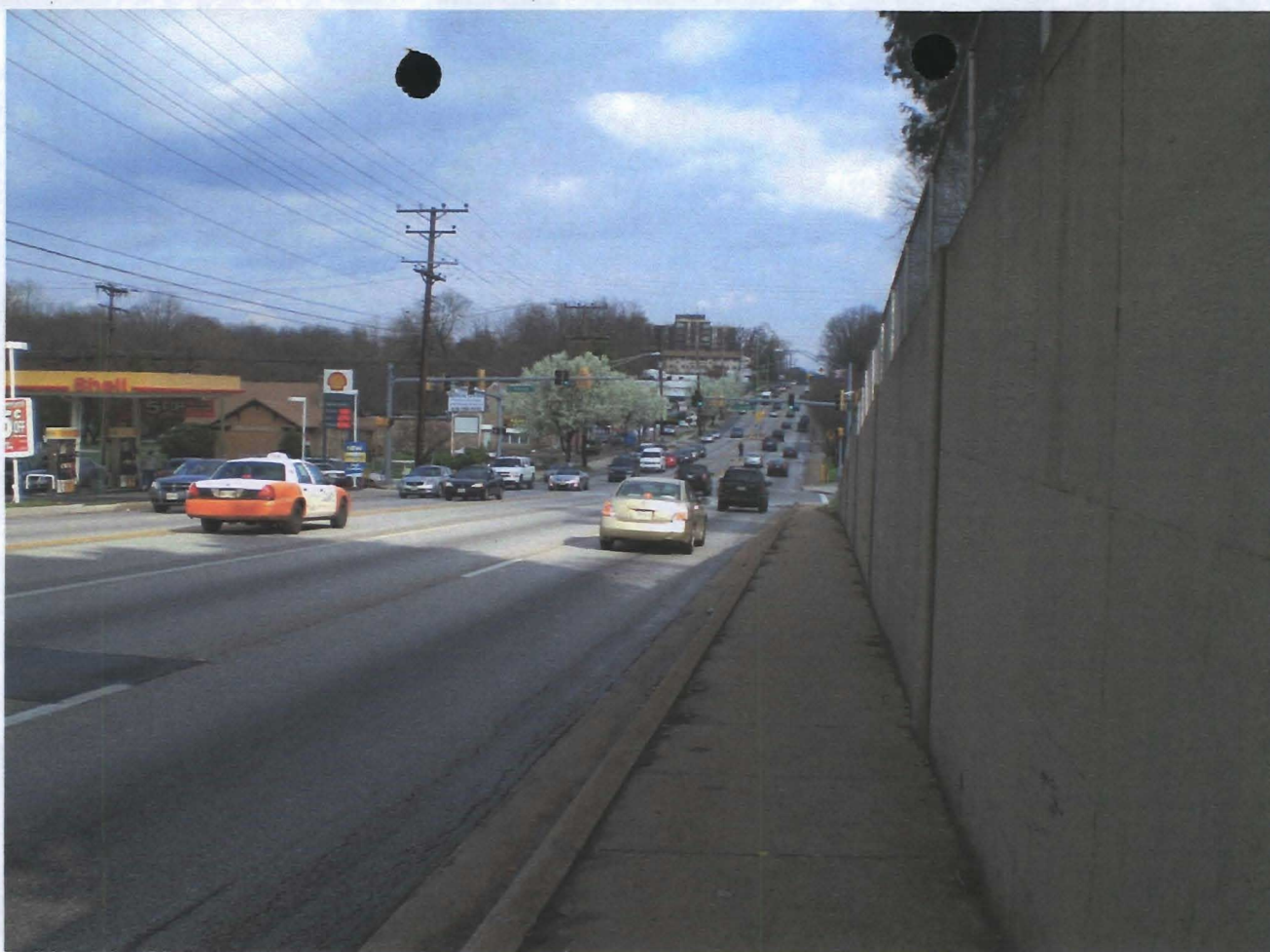
F



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04/11/2009



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04/11/2009



I



P4110492.JPG
04/11/2009

Jan. 7, 2009 1:08PM Coady & Farley

No. 1468 P. 3

January 7, 2009

Mr. William J. Wiseman, III,
Zoning Commissioner Baltimore County
Suite 405, County Courts Building
401 Bosley Avenue
Towson, MD 21204

Re: Payless Auto Service
7110 Liberty Road
Baltimore, MD 21207

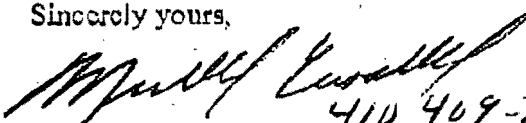
Dear Commissioner Wiseman:

Please accept this letter on behalf of the Liberty Road Business Association. The Liberty Road Business Association is an association of businesses operating in the Liberty Road corridor.

In 2008, Mr. Zulfikar Shah, the owner of the property known as 7110 Liberty Road, Baltimore County, Maryland, met with the Association regarding his Petition for a Special Exception for zoning for this property. This property is currently used for the business of general automobile repairs. Mr. Shah is filing a Petition for Special Exception to allow this property to also be used for the sale of used cars. Mr. Shah has indicated that this area is in need of a facility that sells good quality used cars.

We have reviewed his request, and we are very familiar with the area surrounding this property. The Liberty Road Business Association is pleased to support this Petition for Special Exception.

Sincerely yours,


410 409-7345

Michael Cassell, CRB, CRS, GRI, CRA,
on behalf of the Liberty Road
Business Association

PETITIONER'S

EXHIBIT NO.

3



PETITIONER'S

EXHIBIT NO.

4

