

IN RE: PETITION FOR SPECIAL EXCEPTION *

NE/S of Liberty Road, 45' NW of the c/line of
Burmout Avenue *

(9400 Liberty Road)

2nd Election District *

4th Council District *

9400 Liberty Limited Partnership

Petitioner *

BEFORE THE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

Case No. 2011-0034-X

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by Jacob Antwerpen, the managing member of 9400 Liberty Limited Partnership, by and through their attorney, Arnold E. Jablon, Esquire, of Venable, LLP. The Petitioner requests a special exception to permit a used motor vehicle sales area, separated from the sales agency building, pursuant to Section 236.2 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Arnold E. Jablon, Esquire, Petitioner's attorney, and Thomas A. Church, P.E., with Development Engineering Consultants, Inc., the professional engineer who prepared the site plan for this property. There were no Protestants or other interested persons present nor were there any adverse Zoning Advisory Committee (ZAC) comments received from any of the County reviewing agencies. It should be noted that the Office of Planning did not oppose the requested special exception and supports the request. See its comment, dated August 10, 2010.

Testimony and evidence offered revealed that the subject property is an irregularly shaped site, consisting of three (3) parcels, containing 9.55 gross acres, more or less, 8.17 net

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Date

10-4-10

By

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acres, zoned B.R.-A.S., B.R., and a small triangular shaped piece zoned D.R.5.5, as more particularly illustrated on Petitioner's Exhibit 1. The subject site is located on the northeast side of Liberty Road (Md. Rt. 26) between Burmont Avenue and Pikeswood Drive (northwest from the centerline of Burmont Avenue on the east and northeast of the centerline of Pikeswood Drive on the west) in Randallstown. Various Antwerpen Auto Dealerships have been located on the subject property over the past five (5) decades, all of which have closed within the past two (2) years.

The property is improved with two (2) large existing buildings, identified on the site plan as Building No. 1, located adjacent to Burmont Drive, and is 44,450 square feet. The front of Building No. 1 is a "1 story brick showroom", zoned B.R.-A.S., and the rear serves as the parts, service and body shop and is zoned B.R. Adjacent to Pikeswood Drive is Building No. 2, which is 22,258 square feet, part of which is an automobile showroom and service center, zoned B.R.-A.S., and part office and showroom, also zoned B.R.-A.S. As indicated above, the entire property had been for many years a new automobile sales facility and adjoining outdoor sales area. The two (2) buildings are separated by extensive parking areas. Parking is also provided to the front, rear and to the sides of Building No. 1 and front of Building No. 2. Customers access the site from Liberty Road leading to the parking areas. Again, it is worthy to note that there have been new automobile dealerships at this site for some 40 years.

The purpose of this petition is to seek a special exception for a used motor vehicle outdoor sales area, separated from the sales agency building, which would be located in the front of Building No. 1 as shown on Petitioner's Exhibit 1. The used vehicles would be parked as shown on the site plan in the various parking spaces provided. The vehicles would be separated from the sales agency building. The rear of Building No. 1 will serve as a service garage, which

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Date

By

is permitted as of right in the B.R. zone. The used motor vehicle outdoor sales area (as opposed to new car sales) requires a special exception in the B.R. zone. The Petitioner is seeking the special exception area as shown on the site plan for the entire site. There is more than sufficient parking (250 parking spaces required and 304 parking spaces provided).

Mr. Jablon proffered the testimony of Mr. Church, who would be accepted as an expert witness and is familiar with the site and the B.C.Z.R as it relates to the proposed use. As stated, Mr. Church prepared the site plan introduced as Petitioner's Exhibit 1. Mr. Jablon proffered and Mr. Church confirmed the site is primarily zoned B.R.-A.S. and B.R., with D.R.5.5 to the northwest and east, B.R. to the north, B.R., and B.R.-A.S., B.R. and O.R. on the south side of Liberty Road directly across from the subject site. See Petitioner's Exhibit 1 - the site plan shows the zoning designations in the immediate vicinity. See also Petitioner's Exhibit 3, an aerial of the surrounding neighborhood. Across from the subject site is located another new automobile dealership, a church as well as other commercial uses. Mr. Church confirmed that the parking calculations shown on the site plan are accurate.

In support of the requested special exception, Petitioner's attorney, Mr. Jablon, made clear that the used motor vehicle sales is permitted on the subject property by special exception in the B.R. zone. As shown on the site plan, the site is improved with existing buildings and substantial parking areas previously used for the new car dealerships, which closed approximately two (2) years ago. The site has remained dark and vacant. The Petitioner is proposing to reopen, selling used vehicles. This will enable the Petitioner to re-use the property and place it back into productive use. See Petitioner's Exhibit 2, correspondence received from David Iannucci, Director, Baltimore County Department of Economic Development, to Timothy Kotroco, Director, Department of Permits and Development Management, dated July 15, 2010.

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By

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Petitioner's Exhibit 3, the aerial, illustrates the commercial character of the area, including other car dealerships. While there are residential communities behind the subject property, it appears that the new car dealerships had no adverse impact on the residential neighborhood. In this regard, Mr. Jablon proffered, and Mr. Church, agreed, the proposed used car lot would also have no adverse impact.

Petitioner's counsel further proffered that if called to testify, Mr. Church would state the proposed used motor vehicle sales area, separated from the sales agency building, would not be detrimental to the health, safety or general welfare of the locale, nor would it have any negative impacts on the community. Mr. Church testified that the proposed use meets all criteria as set forth in Section 502.1 of the B.C.Z.R. and would be consistent with the property's zoning classification and within the spirit and intent of the B.C.Z.R. Further, Mr. Church stated that the proposed used motor vehicle facility would not have any adverse impact above and beyond those inherently associated with such a use and not create more of a problem at the subject location than the same use would have at any other location within the same zone.

Considering all the testimony and the evidence presented, I am persuaded to grant the requested relief for a used motor vehicle sales area, separated from the sales agency building, Section 236.2 of the B.C.Z.R. permits such use by special exception in the B.R. zone. In my judgment, the proposed use will not be detrimental to the community, and, based on the opinion of the Department of Economic Development, the re-opening of the site will serve as an asset to the community with new jobs provided.

I also find that the proposed use meets all of the special exception criteria set forth in Section 502.1 of the B.C.Z.R. Finally, I find that this use at the subject location will not have

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Date

10-4-10

By

103

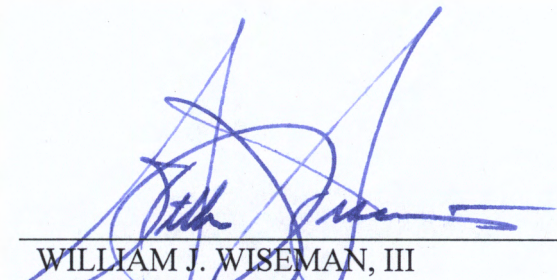
any adverse impacts above and beyond those inherently associated with such use irrespective of its location within the zone as construed in *Schultz v. Pritts*, 291 Md. 1 (1981)

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of October 2010 that the Petition for Special Exception to permit a used motor vehicle sales area, separated from the sales agency building, pursuant to Section 236.2 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following:

1. Petitioner may apply for any necessary permits and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

Any appeal of this decision must be taken within thirty (30) days in accordance with Section 32-3-401 of the Baltimore County Code (B.C.C.).


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date 10-4-10

By WJW

WJW:dlw



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

October 4, 2010

WILLIAM J. WISEMAN III
Zoning Commissioner

Arnold E. Jablon, Esquire
Venable, LLP
210 West Pennsylvania Avenue, Suite 500
Towson, MD 21204

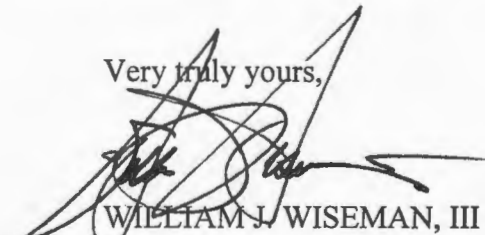
RE: **PETITION FOR SPECIAL EXCEPTION**
NE/S of Liberty Road, 45' NW of the c/line of Burmont Avenue
(9400 Liberty Road)
2nd Election District - 4th Council District
9400 Liberty Limited Partnership – Petitioner
Case No. 2011-0034-X

Dear Mr. Jablon:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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: Jacob Antwerpen, Managing Member, 9400 Liberty Limited Partnership, 6631 Baltimore National Pike, Baltimore, MD 21228
Thomas A. Church, P.E., Development Engineering Consultants, Inc., 6603 York Road, Baltimore, MD 21212
Steven D. Foster, Chief, Engineering Access Permits Division, Maryland Department of Transportation, State Highway Administration, 707 North Calvert Street, Baltimore, MD 21202
People's Counsel; Office of Planning; Fire Marshal's Office, Fire Department; File



Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property located at 9400 Liberty Road, Randallstown, Maryland

which is presently zoned BR-AS, Br

Deed Reference: 8907 / 681 Tax Account # 0402220008 937

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

pursuant to section 236.2, BCZR, to permit a used motor vehicle sales area, separated from sales agency building

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

Venable, LLP

Company

210 West Pennsylvania Ave 410 494 6298

Address

Telephone No.

Towson, Md 21204

City

State

Zip Code

Legal Owner(s):

9400 Liberty Limited Partnership

Name - Type or Print

Signature

Jacob Antwerpen, MANAGING MEMBER

Name - Type or Print

Signature

6631 Baltimore National Pike

Address

Telephone No.

Baltimore, Md 21228

City

State

Zip Code

Representative to be Contacted:

Arnold Jablon

Name

210 West Pennsylvania Ave 410 494 6298

Address

Telephone No.

Towson, Md 21204

City

State

Zip Code

Case No. 2011-0034-X

REV 07/27/2007

ORDER RECEIVED FOR FILING

Date 10-4-10

By [Signature]

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By [Signature]

Date

7/26/10



6440 Baltimore Nat'l Pike • Baltimore, MD 21228 • 410-788-6600

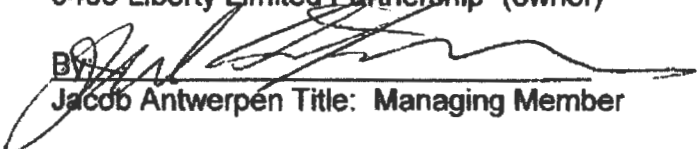
Zoning Office
Department of Permits and Development Management
111 West Chesapeake Ave
Towson, Maryland 21204

Zoning Office:

Please be advised that we, the undersigned, have authorized Arnold Jablon, Esq., 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 we own and we 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 9400 Liberty Road, property we own.

Further, the undersigned is the contract purchaser of said property, and hereby and herewith authorize Mr. Jablon to be my attorney-in-fact and attorney-at-law and represent me in this matter.

9400 Liberty Limited Partnership (owner)

BY 

Jacob Antwerpen Title: Managing Member

7/21/10 (Date)

6440 Baltimore National Pike, Baltimore, Maryland 21228
address

CHRYSLER • JEEP

2011-0034-X

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Site Engineers & Surveyors

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

ZONING DESCRIPTION

FOR

9400 LIBERTY ROAD

BEGINNING for the same at a point on the northeast side of Liberty Road, 80 feet wide, more or less, said point being 45 feet, more or less from centerline of Burmont Avenue, 60 feet wide, more or less. Thence the following courses and distances: 1) North 59 degrees 20 minutes 37 seconds West, 516.30 feet, 2) North 59 degrees 38 minutes 00 seconds West, 112.31 feet, 3) North 20 degrees, 12 minutes 35 seconds West, 15.45 feet, 4) North 19 degrees, 12 minutes 50 seconds East, 209.80 feet, 5) thence by a curve to the left having a radius of 4,025.00 feet and a length of 37.40', 6) South 71 degrees 19 minutes 07 seconds East, 120.81 feet 7) South 19 degrees 12 minutes 50 seconds West, 43.66 feet, 8) South 57 degrees 32 minutes 55 seconds East, 363.65 feet, 9) North 30 degrees 35 minutes 01 seconds East, 243.17 feet, 10) North 18 degrees 59 minutes 03 seconds East, 202.72 feet, 11) South 77 degrees 56 minutes 06 seconds East, 380.47 feet, 12) South 55 degrees 35 minutes 50 seconds East, 181.00 feet, 13) thence by a curve to the left having a radius of 300.00' and a length of 29.45 feet, 14) South 59 degrees 50 minutes 01 seconds West, 506.40 feet, 15) thence by a curve to the left having a radius of 330.00 feet and a length of 254.43 feet, 16) thence by a curve to the right having a radius of 270.00 feet and a length of 34.45', and 17) South 55 degrees 14 minutes 00 seconds West, 29.79 feet, to the point of beginning.

2011-0034-X

CONTAINING 355,885 square feet or 8.17 acres of land, more or less.

BEING the same parcels described in two separate deeds in the Land Records of Baltimore County, namely a Deed dated September 6, 1991 and recorded in Liber 8907, Folio 681, and a Deed dated August 23, 1999, and recorded in Liber 13987, Folio 446.

ALSO, known as 9400 Liberty Road, and located in the 2nd Election District of Baltimore County, Maryland.

Contract No.: 10-106

July 14, 2010



**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: 2011-0034-X
Petitioner: 9400 LIBERTY LANE PARTNERSHIP
Address or Location: 9400 LIBERTY RD, RANDALLSTOWN, MD 21133

PLEASE FORWARD ADVERTISING BILL TO:

Name: ARON DOD JABLON
Address: 210 W PENNSYLVANIA AVE
TOWSON, MD 21204
Telephone Number: 410 444 6298

Revised 2/20/98 - SCJ

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

No. **58700**

Date: **7/26/10**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 7/27/2010 7/26/2010 11:54:24 2

REG WSD2 MAIL JEVA JEE
 >> RECEIPT # 693532 7/26/2010 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				380.00

Dept 5 528 ZONING VERIFICATION
 CR NO. 058700

Recpt Tot \$380.00
 \$380.00 CK \$.00 CA
 Baltimore County, Maryland

Total: **380.00**

Rec From: **Venable LLP % Arnold Johnson**

For: **Liberty Ltd Assoc.
 9400 Liberty Rd
 Randallstown Md. 21133**

2011-0034-X

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: #2011-0034-X

9400 Liberty Road

N/east side of Liberty Road, 45 feet n/west from the centerline of Burmont Avenue

2nd Election District - 4th Councilmanic District

Legal Owner(s): 9400 Liberty Limited Partnership, Jacob Antwerpen, Managing Member

Special Exception: to permit a used motor vehicle sales area, separated from sales agency building.

Hearing: Friday, September 17, 2010 at 10:00 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.

9/04/7 September 2

252986

CERTIFICATE OF PUBLICATION

9/2/, 2010

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 9/2/, 2010.

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

J. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0034-X

RE: Case No.: _____

Petitioner/Developer: _____
9400 Liberty Limited Partnership,
Jacob Antwerpen, Managing Member

September 17, 2010
Date of Hearing/Closing: _____

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

Attn: Kristin Matthews

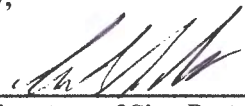
Ladies and Gentlemen:

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: _____

9400 Liberty Road

September 2, 2010
The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,



(Signature of Sign Poster) September 2, 2010
(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 # 2011-0034-X

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

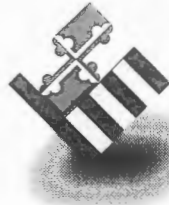
Room 104. JEFFERSON BUILDING 21204
PLACE: 105 WEST CHESAPEAKE AVE. TOWSON

DATE AND TIME: FRIDAY, SEPTEMBER 17 2010 AT 10:00 A.M.

REQUEST SPECIAL EXCEPTION TO PERMIT A USED MOTOR
VEHICLE SALES AREA. SEPARATED FROM SALES AGENCY BUILDING.

POSTPONEMENTS 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



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
August 25, 2010

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: 2011-0034-X

9400 Liberty Road

N/east side of Liberty Road, 45 feet n/west from the centerline of Burmont Avenue

2nd Election District – 4th Councilmanic District

Legal Owners: 9400 Liberty Limited Partnership, Jacob Antwerpen, Managing Member

Special Exception to permit a used motor vehicle sales area, separated from sales agency building.

Hearing: Friday, September 17, 2010 at 10:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: Arnold Jablon, 210 West Pennsylvania Avenue, Towson 21204
Jacob Antwerpen, 6631 Baltimore National Pike, Baltimore 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURS., SEPTEMBER 2, 2010.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, September 2010 Issue - Jeffersonian

Please forward billing to:

Arnold Jablon
Venable
210 W. Pennsylvania 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: 2011-0034-X

9400 Liberty Road

N/east side of Liberty Road, 45 feet n/west from the centerline of Burmont Avenue

2nd Election District – 4th Councilmanic District

Legal Owners: 9400 Liberty Limited Partnership, Jacob Antwerpen, Managing Member

Special Exception to permit a used motor vehicle sales area, separated from sales agency building.

Hearing: Friday, September 17, 2010 at 10:00 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

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

September 9, 2010

Arnold Jablon
Venable, LLP
210 West Pennsylvania Ave.
Towson, MD 21204

Dear: Arnold Jablon

RE: Case Number 20110-0034-X, 9400 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 July 26, 2010. 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,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
9400 Liberty Limited Partnership; 6631 Baltimore National Pike; Baltimore, MD 21228

BWS 9-17 10AM

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 10, 2010

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

RECEIVED

SUBJECT: 9400 Liberty Road

INFORMATION:

AUG 11 2010

Item Number: 11-034

Petitioner: 9400 Liberty Limited Partnership

ZONING COMMISSIONER

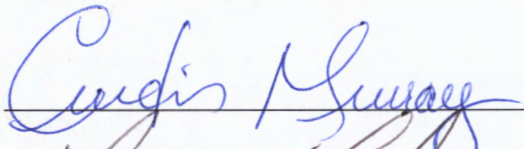
Zoning: BR-AS, BR

Requested Action: Special Exception

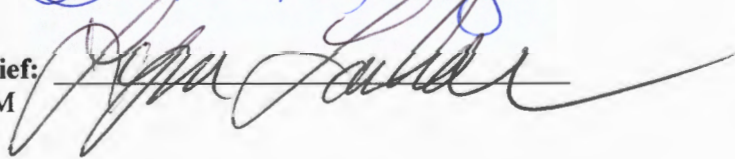
SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner requests a Special Exception to permit a used motor vehicle sales area, separated from sales agency building. The Office of Planning supports the petitioner's request as the subject property was previously used as an automobile dealership and the proposed use does not appear to be detrimental to the health, safety or general welfare of the locality surrounding the subject property.

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

SEP 07 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: September 7, 2010

SUBJECT: Zoning Item # 11-034-X
Address 9400 Liberty Road
(9400 Liberty Limited Partnership Property)

Zoning Advisory Committee Meeting of August 2, 2010

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

Reviewer: JWL Date: 9/7/10

BW
9-17-10
10 am

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 5, 2010

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For August 16, 2010
Item Nos. 2007-352, 2011- 029, 030,
031, 033, 034, 035, 036, 042, 043,
044 and 045

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-08162010 -NO COMMENTS.doc



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

August 5, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 2, 2010

Item No.: **Variance:** 2007-0352A

Special Hearing Special Exception: 2011-0033SPHX

Special Exception: 2011-0034X

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable and required to be corrected or incorporated into the final plans for the above listed properties.

Comments:

The above sites shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code having the effective date of **July 19, 2010** prior to occupancy.

Don W. Muddiman, Acting Lieutenant
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
410-887-4880
Mail Stop: 1102

cc: File



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

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: August 6, 2010

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

RE: Baltimore County
Item No. 2011-0034-X
MD 26
9400 LIBERTY ROAD
9400 LIBERTY LIMITED PARTNERSHIP
SPECIAL EXCEPTION

Dear Ms. Matthews:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 8-4-10. A field inspection and internal review reveals that an entrance onto MD26 is consistent with current State Highway Administration guidelines is required. As a condition of approval for 9400 LIBERTY LP, Case Number 2011-0034 X the applicant must contact the State Highway Administration to obtain an entrance permit.

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,

A handwritten signature in black ink that reads "Michael P. Bailey".

For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA
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.sha.maryland.gov

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
9400 Liberty Road; NE/S of Liberty Road, * ZONING COMMISSIONER
45 NW from c/line Burmont Avenue *
2nd Election & 4th Councilmanic Districts * FOR
Legal Owner(s): 9400 Liberty Limited *
Partnership *
Petitioner(s) * BALTIMORE COUNTY
* 2011-034-X

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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 all 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

AUG 06 2010

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of August, 2010, a copy of the foregoing Entry of Appearance was mailed to Arnold Jablon, Esquire, Venable, LLP, 210 West Pennsylvania Avenue, Suite 500, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Plus
9-17 10 Am



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
 Real Property Data Search (2007 vw3.1e)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 02 **Account Number -** 2200008937

Owner Information

Owner Name: 9400 LIBERTY LIMITED PARTNERSHIP **Use:** COMMERCIAL
Mailing Address: C/O ANTWERPEN AUTOMOTIVE GROUP **Principal Residence:** NO
 6631 BALTO NAT'L PIKE **Deed Reference:** 1) / 8907/ 681
 BALTIMORE MD 21228-3908 2)

Location & Structure Information

Premises Address **Legal Description**
 9400 LIBERTY RD 7.570 AC NS LIBERTY
 950 NW CHAPMAN RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
77	1	1373						1	Plat Ref:

Special Tax Areas **Town**
Ad Valorem
Tax Class

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1979	61,848 SF	7.57 AC	22
Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments		
		As Of	As Of	As Of	
		01/01/2010	07/01/2010	07/01/2011	
Land	1,514,000	1,514,000			
Improvements:	2,918,500	2,469,000			
Total:	4,432,500	3,983,000	3,983,000	3,983,000	
Preferential Land:	0	0	0	0	

Transfer Information

Seller: LARRYS ENTERPRIS ES LTD	Date: 09/09/1991	Price: \$2,957,000
Type: IMPROVED ARMS-LENGTH	Deed1: / 8907/ 681	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2010	07/01/2011
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:
 * NONE *

ZAC AGENDA

Case Number: 2011-0034-X

Primary Use: Commercial

Reviewer: LW

Type: SPECIAL EXCEPTION

Legal Owner: 9400 Liberty Limited Partnership

Contract Purchaser:

Critical Area: NO **Flood Plain:** NO **Historic:** NO **Election Dist:** 2nd **Councilmanic Dist:** 4th

Property Address: 9400 Liberty Rd

Location: North east side of Liberty Road; 45 north west feet from the centerline of Burmont Avenue.

Existing Zoning: BR-AS

Area: 8.17 Acres

Proposed Zoning: SPECIAL EXCEPTION To permit a used motor vehicle sales area, separated from sales agency building.

Attorney: Arnold Jablon

Miscellaneous:

B.R.-A.S.

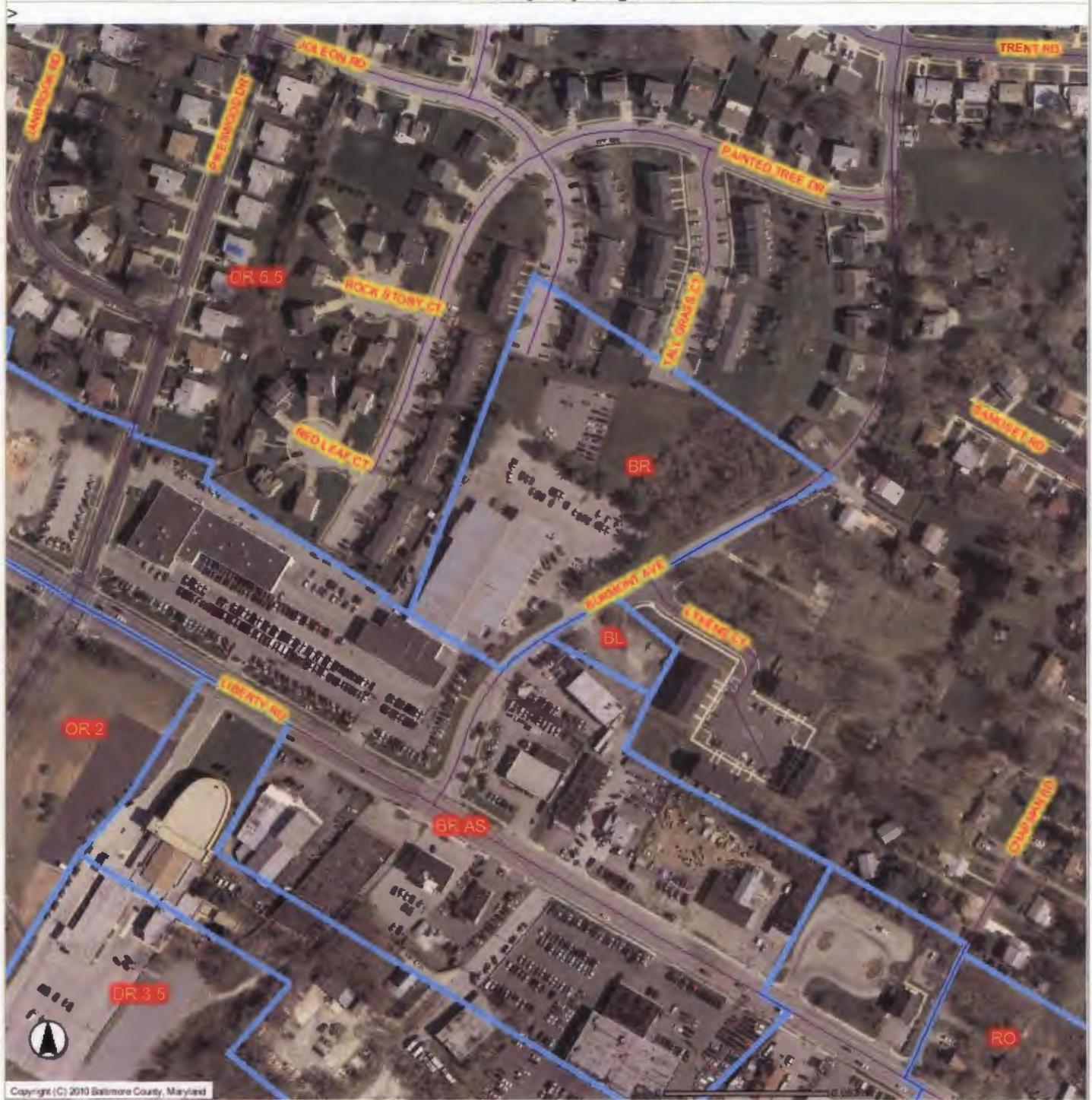
BW 9-17 10am

CASE NO. 2011- 0034-XCHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ No Comment</u>
<u>8-5</u>	DEVELOPMENT PLANS REVIEW	<u>None</u>
<u>9-7</u>	DEPRM (if not received, date e-mail sent _____)	<u>No comment</u>
<u>8-5</u>	FIRE DEPARTMENT	<u>Comment - Code compliance</u>
<u>8-11</u>	PLANNING (if not received, date e-mail sent _____)	<u>Supports</u>
<u>8-6</u>	STATE HIGHWAY ADMINISTRATION	<u>Comment - Entrance permit</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	(in file)
PRIOR ZONING	(Case No. <u>2007-0367-A, 01-367-A + 1967-0006-R</u>)	
NEWSPAPER ADVERTISEMENT	Date: <u>9-2-10</u>	
SIGN POSTING	Date: <u>9-2-10</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Baltimore County - My Neighborhood



2011-0034-X

CASE NAME 9400 Liberty Limited
CASE NUMBER 2011-0034-X Partner-
DATE 9-17-10 Ship

[illegible]

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

Jacob Antwerpen
9400 Liberty Ltd. Partnership
Petitioner

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

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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

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

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

ORDER RECEIVED FOR FILING

Date

By

2011-0034-X

Case No.: 2011-0034-X

9400 Liberty Road

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Colonized Site Plan	
No. 2	DAVID IANNUCCI Economic Benefit to Randalston	
No. 3	Aerial Photo depicting - neighborhood	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Jablon, Arnold E.

From: David Iannucci [diannucci@baltimorecountymd.gov]
Sent: Thursday, July 15, 2010 3:55 PM
To: Timothy Kotroco
Subject: Antwerpen, Randallstown

Tim

I understand that Antwerpen would like to open a used car dealership on the site of its three vacant and former new car dealerships on Liberty Road in Randallstown. Currently, there is no economic value being realized from these sites. A used car facility would employ 20 to 25 individuals, with salaries in the \$25,000 to \$50,000 range. Further, a used car dealership would make use of the existing buildings, bays, and equipment, and for practical purposes would not be different from the former uses.

I also understand that the existing zoning permits a used car lot by special exception. In order to meet the company's target for opening, they need the cooperation of the County. On behalf of the Department of Economic Development, I would urge you to consider allowing Antwerpen to open conditionally, with the understanding that should they fail to get the special exception, they would cease operation.

Given the current economy, this represents a chance to put private property back into productive use. It also would offer immediate employment to a significant number of Baltimore County citizens.

Please let me know if you have any questions.

David Iannucci

David S. Iannucci
Executive Director
Baltimore County Department of Economic Development
400 Washington Avenue
Towson, MD 21204
diannucci@baltimorecountymd.gov
www.baltimorecountymd.gov/business
Phone: 410.887.2123
Fax: 410.887.8017

PETITIONER' S

EXHIBIT NO.

2

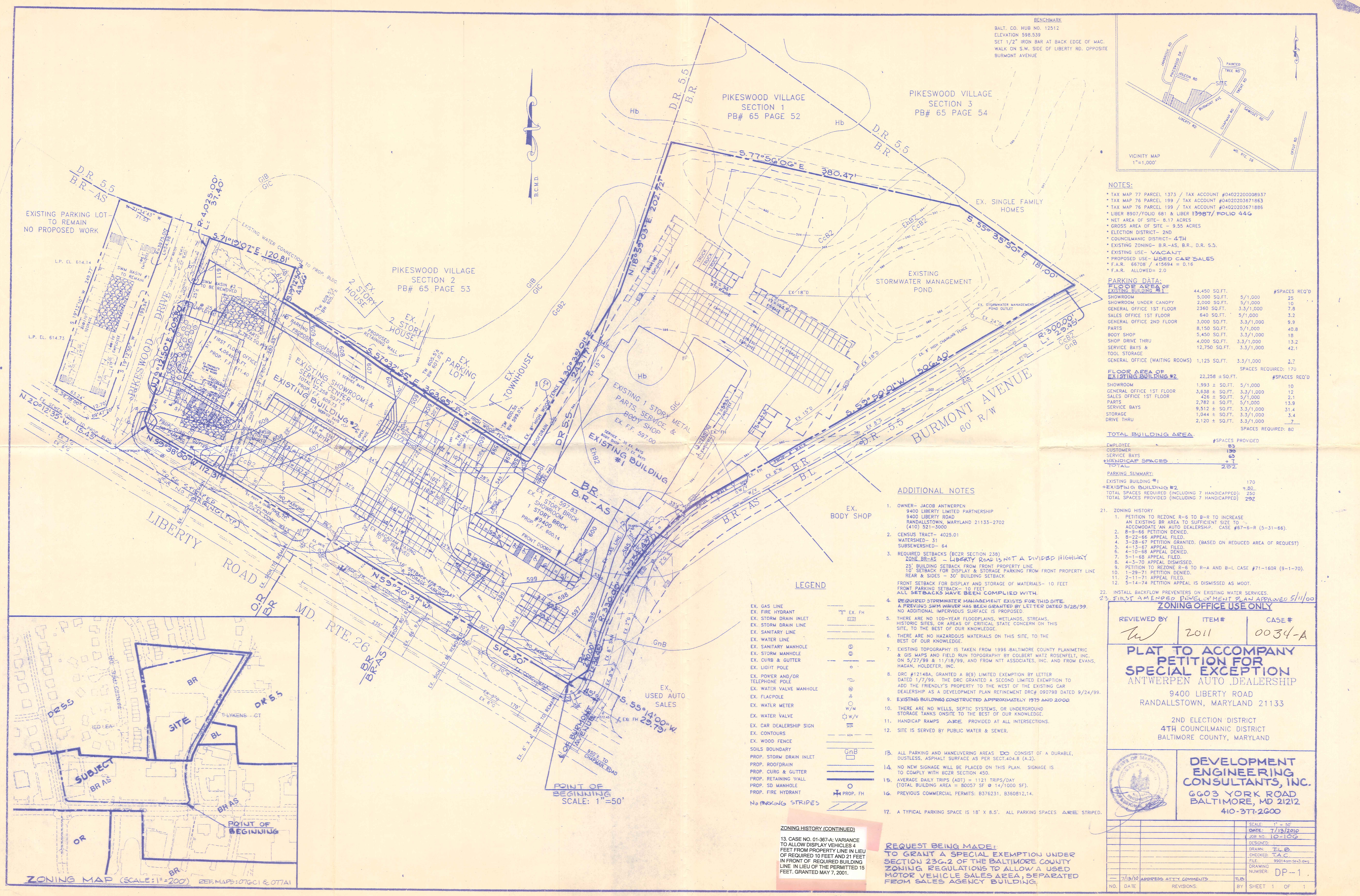
Baltimore County - My Neighborhood



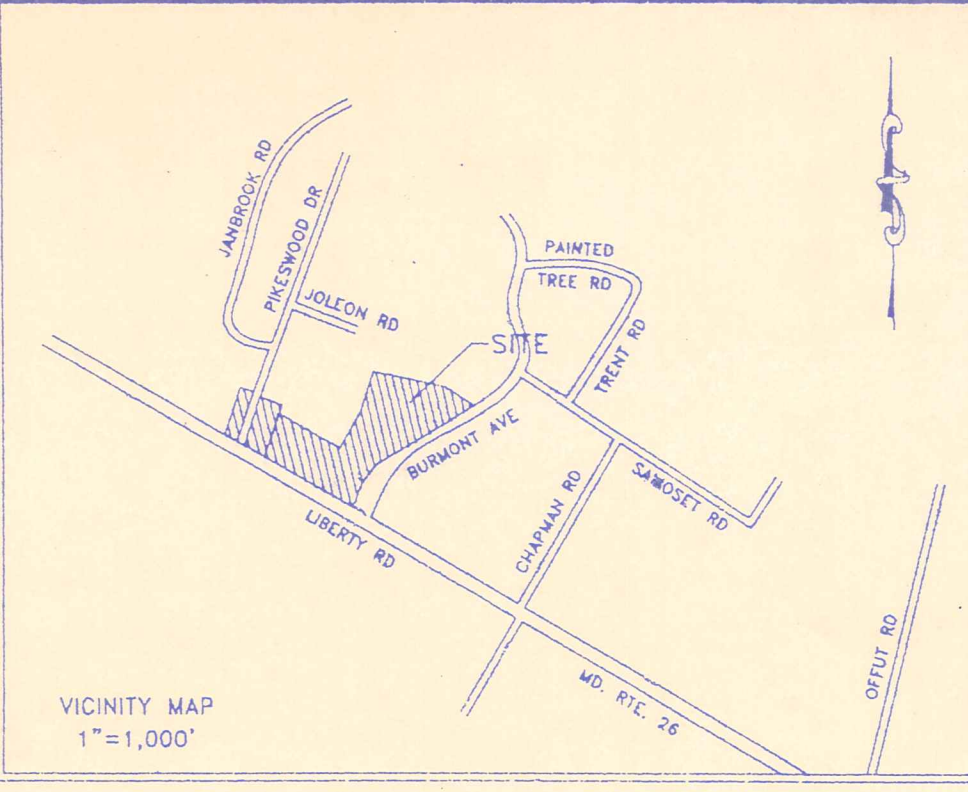
PETITIONER'S

EXHIBIT NO.

3



BENCHMARK
BALT. CO. HUB NO. 12512
ELEVATION 598.539
SET 1/2" IRON BAR AT BACK EDGE OF MAC.
WALK ON S.W. SIDE OF LIBERTY RD. OPPOSITE
BURMONT AVENUE



- NOTES:
- * TAX MAP 77 PARCEL 1373 / TAX ACCOUNT #040220008837
 - * TAX MAP 76 PARCEL 199 / TAX ACCOUNT #0402203671863
 - * TAX MAP 76 PARCEL 199 / TAX ACCOUNT #0402203671886
 - * LIBER 8907/FOLIO 681 & LIBER 13987/FOLIO 446
 - * NET AREA OF SITE - 8.17 ACRES
 - * GROSS AREA OF SITE - 9.55 ACRES
 - * ELECTION DISTRICT - 2ND
 - * COUNCILMANIC DISTRICT - 4TH
 - * EXISTING ZONING - BR-AS, B.R., D.R. 5.5
 - * EXISTING USE - VACANT
 - * PROPOSED USE - USED CAR SALES
 - * F.A.R. 66708 / 415694 = 0.16
 - * F.A.R. ALLOWED = 2.0

PARKING DATA:

FLOOR AREA OF EXISTING BUILDING #1	44,450 SQ.FT.	#SPACES REQ'D
SHOWROOM	5,000 SQ.FT.	5/1,000
SHOWROOM UNDER CANOPY	2,000 SQ.FT.	5/1,000
GENERAL OFFICE 1ST FLOOR	2,360 SQ.FT.	3.3/1,000
SALES OFFICE 1ST FLOOR	640 SQ.FT.	5/1,000
GENERAL OFFICE 2ND FLOOR	3,000 SQ.FT.	3.3/1,000
PARTS	8,150 SQ.FT.	3.3/1,000
BODY SHOP	5,450 SQ.FT.	3.3/1,000
SHOP DRIVE THRU	4,000 SQ.FT.	3.3/1,000
SERVICE BAYS & TOOL STORAGE	12,750 SQ.FT.	3.3/1,000
GENERAL OFFICE (WAITING ROOMS)	1,125 SQ.FT.	3.3/1,000

FLOOR AREA OF EXISTING BUILDING #2

	22,258 ± SQ.FT.	#SPACES REQ'D
SHOWROOM	1,993 ± SQ.FT.	5/1,000
GENERAL OFFICE 1ST FLOOR	3,638 ± SQ.FT.	3.3/1,000
SALES OFFICE 1ST FLOOR	426 ± SQ.FT.	5/1,000
PARTS	2,782 ± SQ.FT.	5/1,000
SERVICE BAYS	9,512 ± SQ.FT.	3.3/1,000
STORAGE	1,044 ± SQ.FT.	3.3/1,000
DRIVE THRU	2,120 ± SQ.FT.	3.3/1,000

TOTAL BUILDING AREA

	#SPACES PROVIDED
EMPLOYEE	83
CUSTOMER	139
SERVICE BAYS	62
HANDICAP SPACES	7
TOTAL	292

- PARKING SUMMARY:
- EXISTING BUILDING #1: 170
 - EXISTING BUILDING #2: 180
 - TOTAL SPACES REQUIRED (INCLUDING 7 HANDICAPPED): 250
 - TOTAL SPACES PROVIDED (INCLUDING 7 HANDICAPPED): 292
21. ZONING HISTORY
- PETITION TO REZONE R-6 TO B-R TO INCREASE AN EXISTING BR AREA TO SUFFICIENT SIZE TO ACCOMMODATE AN AUTO DEALERSHIP. CASE #67-6-R (5-31-66).
 - 8-9-66 PETITION DENIED.
 - 9-22-66 APPEAL FILED.
 - 3-28-67 PETITION GRANTED. (BASED ON REDUCED AREA OF REQUEST)
 - 4-13-67 APPEAL FILED.
 - 4-10-68 APPEAL DENIED.
 - 5-1-68 APPEAL FILED.
 - 4-3-70 APPEAL DISMISSED.
 - PETITION TO REZONE R-6 TO R-A AND B-L CASE #71-160R (9-1-70).
 - 29-71 PETITION DENIED.
 - 2-11-71 APPEAL FILED.
 - 5-14-74 PETITION APPEAL IS DISMISSED AS MOOT.

22. INSTALL BACKFLOW PREVENTERS ON EXISTING WATER SERVICES.

23. FIRST AMENDED DEVELOPMENT PLAN APPROVED 5/11/00

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM#	CASE#
<i>[Signature]</i>	2011	0034-A

**PLAT TO ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION**

ANTWERPEN AUTO DEALERSHIP

9400 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133

2ND ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

**DEVELOPMENT
ENGINEERING
CONSULTANTS, INC.**

6603 YORK ROAD
BALTIMORE, MD 21212
410-377-2600

SCALE: 1" = 50'
DATE: 7/13/2010
JOB NO: 10-106
DESIGNED: T.E.
DRAWN: T.A.C.
FILE: 990140m10v3.dwg
DRAWING NUMBER: DP-1

7/13/10 ADDRESS: ATTY COMMENTS
NO. DATE REVISIONS: BY SHEET 1 OF 1

ADDITIONAL NOTES

- OWNER - JACOB ANTWERPEN
9400 LIBERTY LIMITED PARTNERSHIP
9400 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133-2702
(410) 521-3000
- CENSUS TRACT - 4025.01
WATERSHED - 31
SUBWERSHED - 64
- REQUIRED SETBACKS (BCZR SECTION 238)
ZONE BR-AS - LIBERTY ROAD IS NOT A DIVIDED HIGHWAY
25' BUILDING SETBACK FROM FRONT PROPERTY LINE
10' SETBACK FOR DISPLAY & STORAGE PARKING FROM FRONT PROPERTY LINE
REAR & SIDES - 30' BUILDING SETBACK
FRONT SETBACK FOR DISPLAY AND STORAGE OF MATERIALS - 10 FEET
FRONT PARKING SETBACK - 10 FEET
ALL SETBACKS HAVE BEEN COMPLIED WITH
- REQUIRED STORMWATER MANAGEMENT EXISTS FOR THIS SITE.
A PREVIOUS SWM WAIVER HAS BEEN GRANTED BY LETTER DATED 5/28/99.
NO ADDITIONAL IMPERVIOUS SURFACE IS PROPOSED.
- THERE ARE NO 100-YEAR FLOODPLAINS, WETLANDS, STREAMS, HISTORIC SITES, OR AREAS OF CRITICAL STATE CONCERN ON THIS SITE, TO THE BEST OF OUR KNOWLEDGE.
- THERE ARE NO HAZARDOUS MATERIALS ON THIS SITE, TO THE BEST OF OUR KNOWLEDGE.
- EXISTING TOPOGRAPHY IS TAKEN FROM 1996 BALTIMORE COUNTY PLANIMETRIC & GIS MAPS AND FIELD RUN TOPOGRAPHY BY COLBERT MATZ ROSENFELT, INC. ON 5/27/98 & 11/18/99, AND FROM NTT ASSOCIATES, INC. AND FROM EVANS, HAGAN, HOLDEFER, INC.
- DRC #121484, GRANTED A B(9) LIMITED EXEMPTION BY LETTER DATED 1/7/99. THE DRC GRANTED A SECOND LIMITED EXEMPTION TO ADD THE FRIENDLY'S PROPERTY TO THE WEST OF THE EXISTING CAR DEALERSHIP AS A DEVELOPMENT PLAN REFINEMENT DRC# 090798 DATED 9/24/99.
- EXISTING BUILDINGS CONSTRUCTED APPROXIMATELY 1975 AND 2000
- THERE ARE NO WELLS, SEPTIC SYSTEMS, OR UNDERGROUND STORAGE TANKS ON SITE TO THE BEST OF OUR KNOWLEDGE.
- HANDICAP RAMP ARE PROVIDED AT ALL INTERSECTIONS.
- SITE IS SERVED BY PUBLIC WATER & SEWER.

- ALL PARKING AND MANEUVERING AREAS DO CONSIST OF A DURABLE, DUSTLESS, ASPHALT SURFACE AS PER SECT. 404.8 (A.2).
- NO NEW SIGNAGE WILL BE PLACED ON THIS PLAN. SIGNAGE IS TO COMPLY WITH BCZR SECTION 450.
- AVERAGE DAILY TRIPS (ADT) = 1121 TRIPS/DAY (TOTAL BUILDING AREA = 80057 SF @ 14/1000 SF).
- PREVIOUS COMMERCIAL PERMITS: B376231, B360812, 14.
- A TYPICAL PARKING SPACE IS 18' X 8.5'. ALL PARKING SPACES ARE STRIPED.

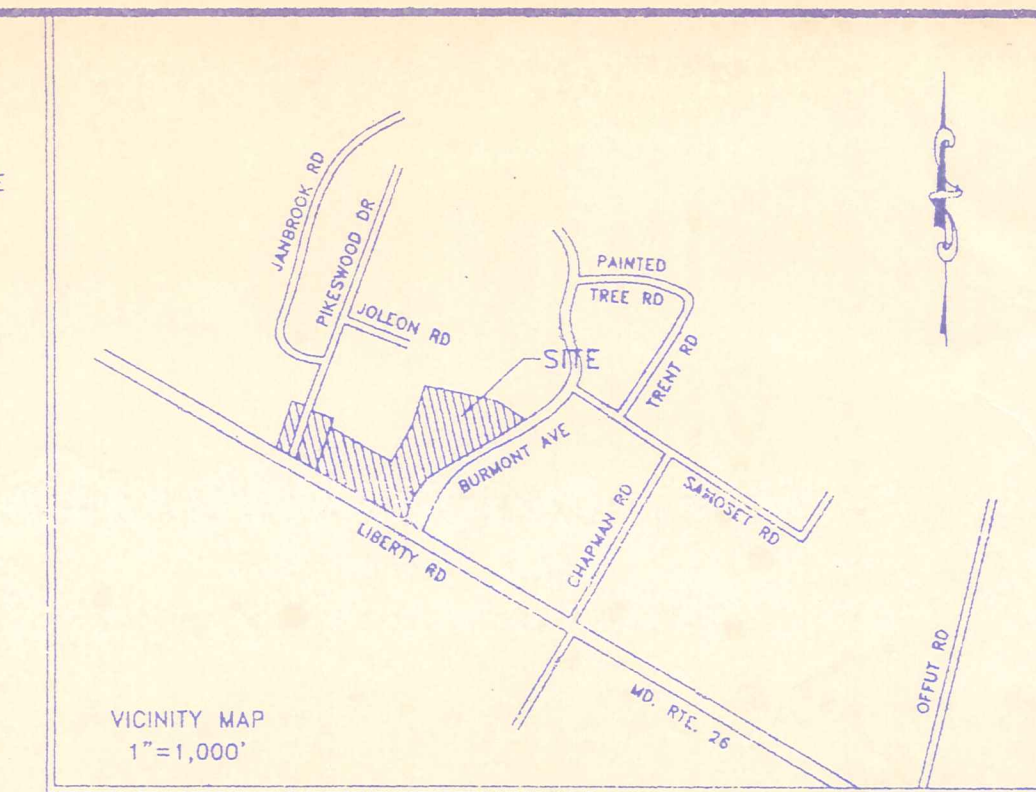
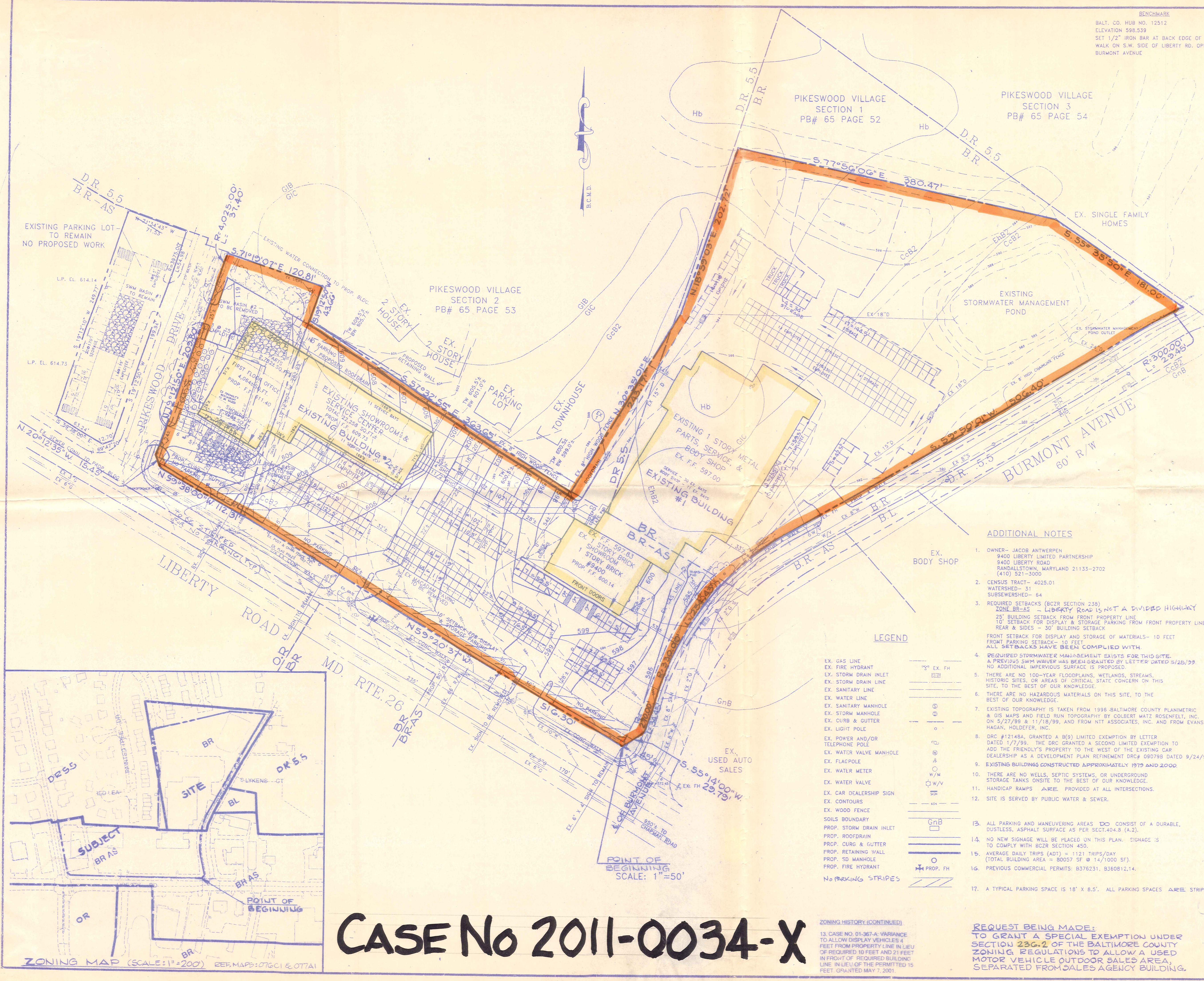
REQUEST BEING MADE:
TO GRANT A SPECIAL EXEMPTION UNDER
SECTION 236.2 OF THE BALTIMORE COUNTY
ZONING REGULATIONS TO ALLOW A USED
MOTOR VEHICLE SALES AREA, SEPARATED
FROM SALES AGENCY BUILDING.

ZONING HISTORY (CONTINUED)

13. CASE NO. 01-367-A: VARIANCE TO ALLOW DISPLAY VEHICLES 4 FEET FROM PROPERTY LINE IN LIEU OF REQUIRED 10 FEET AND 21 FEET IN FRONT OF REQUIRED BUILDING LINE IN LIEU OF THE PERMITTED 15 FEET. GRANTED MAY 7, 2001.

- LEGEND
- EX. GAS LINE
 - EX. FIRE HYDRANT
 - EX. STORM DRAIN INLET
 - EX. STORM DRAIN LINE
 - EX. SANITARY LINE
 - EX. WATER LINE
 - EX. SANITARY MANHOLE
 - EX. STORM MANHOLE
 - EX. CURB & GUTTER
 - EX. LIGHT POLE
 - EX. POWER AND/OR TELEPHONE POLE
 - EX. WATER VALVE MANHOLE
 - EX. FLAGPOLE
 - EX. WATER METER
 - EX. WATER VALVE
 - EX. CAR DEALERSHIP SIGN
 - EX. CONTOURS
 - EX. WOOD FENCE
 - SOILS BOUNDARY
 - PROP. STORM DRAIN INLET
 - PROP. ROOF DRAIN
 - PROP. CURB & GUTTER
 - PROP. RETAINING WALL
 - PROP. SD MANHOLE
 - PROP. FIRE HYDRANT
 - NO PARKING STRIPES

ZONING MAP (SCALE: 1" = 200') REF. MAPS: 076C1 & 077A1



NOTES:

- * TAX MAP 77 PARCEL 1373 / TAX ACCOUNT #0402200008937
- * TAX MAP 76 PARCEL 199 / TAX ACCOUNT #04020203671863
- * TAX MAP 76 PARCEL 199 / TAX ACCOUNT #04020203671866
- * LIBER 8907/FOLIO 681 & LIBER 13967/FOLIO 446
- * NET AREA OF SITE - 8.17 ACRES
- * GROSS AREA OF SITE - 9.55 ACRES
- * ELECTION DISTRICT - 2ND
- * COUNCILMANIC DISTRICT - 4TH
- * EXISTING ZONING - B.R.-AS, B.R., D.R. 5.5.
- * EXISTING USE - VACANT
- * PROPOSED USE - USED CAR SALES
- * F.A.R. 66708 / 415694 = 0.16
- * F.A.R. ALLOWED = 2.0

PARKING DATA:

EXISTING BUILDING #1	44,450 SQ.FT.	5/1,000	#SPACES REQ'D
SHOWROOM	5,000 SQ.FT.	5/1,000	25
SHOWROOM UNDER CANOPY	2,000 SQ.FT.	5/1,000	10
GENERAL OFFICE 1ST FLOOR	2,360 SQ.FT.	3.3/1,000	7.8
SALES OFFICE 1ST FLOOR	640 SQ.FT.	5/1,000	3.2
GENERAL OFFICE 2ND FLOOR	3,000 SQ.FT.	3.3/1,000	9.9
PARTS	8,150 SQ.FT.	5/1,000	40.8
BODY SHOP	5,450 SQ.FT.	3.3/1,000	18
SHOP DRIVE THRU	4,000 SQ.FT.	3.3/1,000	13.2
SERVICE BAYS & TOOL STORAGE	12,750 SQ.FT.	3.3/1,000	42.1
GENERAL OFFICE (WAITING ROOMS)	1,125 SQ.FT.	3.3/1,000	3.7

<u>FLOOR AREA OF</u>		<u>SPACES REQUIRED: 170</u>	
<u>EXISTING BUILDING #2</u>	22,258 ±SQ.FT.		<u>#SPACES REQ'D</u>
SHOWROOM	1,993 ± SQ.FT.	5/1,000	10
GENERAL OFFICE 1ST FLOOR	3,638 ± SQ.FT.	3.3/1,000	12
SALES OFFICE 1ST FLOOR	426 ± SQ.FT.	5/1,000	2.1
PARTS	2,782 ± SQ.FT.	5/1,000	13.9
SERVICE BAYS	9,512 ± SQ.FT.	3.3/1,000	31.4
STORAGE	1,044 ± SQ.FT.	3.3/1,000	3.4
DRIVE THRU	2,120 ± SQ.FT.	3.3/1,000	7

TOTAL BUILDING AREA

22,258 ± SQ.FT.	5/1,000	#SPACES PROVIDED
EMPLOYEE	83	83
CUSTOMER	139	139
SERVICE BAYS	63	63
TECHNICAL SPACES	1	1
TOTAL	304	304

PARKING SUMMARY:

EXISTING BUILDING #1	170
EXISTING BUILDING #2	130
TOTAL SPACES REQUIRED (INCLUDING 7 HANDICAPPED)	250
TOTAL SPACES PROVIDED (INCLUDING 7 HANDICAPPED)	304

ADDITIONAL NOTES

- OWNER - JACOB ANTWERPEN
9400 LIBERTY LIMITED PARTNERSHIP
9400 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133-2702
(410) 521-3000
- CENSUS TRACT - 4025.01
WATERSHED - 31
SUBSEWER - 64
- REQUIRED SETBACKS (BCZR SECTION 239)
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10' SETBACK FOR DISPLAY & STORAGE PARKING FROM FRONT PROPERTY LINE
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SITE, TO THE BEST OF OUR KNOWLEDGE.
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BEST OF OUR KNOWLEDGE.
- EXISTING TOPOGRAPHY IS TAKEN FROM 1998 BALTIMORE COUNTY PLANIMETRIC
& GIS MAPS AND FIELD RUN TOPOGRAPHY BY COLBERT MATZ ROSENHEIT, INC.
ON 5/27/99 & 11/18/99, AND FROM NIT ASSOCIATES, INC. AND FROM EVANS,
HAGAN, HOLDEFER, INC.
- DRC #12148A, GRANTED A B(9) LIMITED EXEMPTION BY LETTER
DATED 1/7/99. THE DRC GRANTED A SECOND LIMITED EXEMPTION TO
ADD THE FRIENDLY'S PROPERTY TO THE WEST OF THE EXISTING CAR
DEALERSHIP AS A DEVELOPMENT PLAN REFINEMENT DRC# 090798 DATED 9/24/99.
- EXISTING BUILDINGS CONSTRUCTED APPROXIMATELY 1979 AND 2000
- THERE ARE NO WELLS, SEPTIC SYSTEMS, OR UNDERGROUND
STORAGE TANKS ON SITE TO THE BEST OF OUR KNOWLEDGE.
- HANDICAP RAMP ARE PROVIDED AT ALL INTERSECTIONS.
- SITE IS SERVED BY PUBLIC WATER & SEWER.

LEGEND

- EX. GAS LINE
- EX. FIRE HYDRANT
- EX. STORM DRAIN INLET
- EX. STORM DRAIN LINE
- EX. SANITARY LINE
- EX. WATER LINE
- EX. SANITARY MANHOLE
- EX. STORM MANHOLE
- EX. CURB & GUTTER
- EX. LIGHT POLE
- EX. POWER AND/OR TELEPHONE POLE
- EX. WATER VALVE MANHOLE
- EX. FLAGPOLE
- EX. WATER METER
- EX. WATER VALVE
- EX. CAR DEALERSHIP SIGN
- EX. CONTOURS
- EX. WOOD FENCE
- SOILS BOUNDARY
- PROP. STORM DRAIN INLET
- PROP. ROOF DRAIN
- PROP. CURB & GUTTER
- PROP. RETAINING WALL
- PROP. SD MANHOLE
- PROP. FIRE HYDRANT
- NO PARKING STRIPES

ZONING HISTORY (CONTINUED)

13. CASE NO. 01-367-A: VARIANCE TO ALLOW DISPLAY VEHICLES 4 FEET FROM PROPERTY LINE IN LIEU OF REQUIRED 10 FEET AND 21 FEET IN FRONT OF REQUIRED BUILDING LINE IN LIEU OF THE PERMITTED 15 FEET. GRANTED MAY 7, 2001.

REQUEST BEING MADE:
TO GRANT A SPECIAL EXEMPTION UNDER SECTION 236.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO ALLOW A USED MOTOR VEHICLE OUTDOOR SALES AREA, SEPARATED FROM SALES AGENCY BUILDING.

ZONING OFFICE USE ONLY

REVIEWED BY	ITEM #	CASE #

PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION
ANTWERPEN AUTO DEALERSHIP
9400 LIBERTY ROAD
RANDALLSTOWN, MARYLAND 21133
2ND ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
6603 YORK ROAD
BALTIMORE, MD 21212
410-377-2600

PETITIONER'S EXHIBIT NO.

CASE No 2011-0034-X