

TIMOTHY M. KOTROCO, Esq.

305 Washington Avenue, Suite 502

Towson, Maryland 21204

410-299-2943

Tkotroco@gmail.com

September 26, 2016

Mr. Carl Richards, Zoning Supervisor

Baltimore County PAI

111 West Chesapeake Avenue

Towson, Maryland 21204

Re: 8201 Liberty Road

**Approval to proceed with a more in keeping plan pursuant
to section 405.6.A of the BCZR**

Dear Mr. Richards:

Thank you for meeting with me and discussing the above referenced matter. I represent the owners of the property located at 8201 Liberty Road in Randallstown. The property is improved with an old Getty gas station that was approved by the Special Exception Order issued by Mr. Wilsie Adams, then Zoning Commissioner, on December 5, 1955. The subject property has been operated as an automotive service station since that time. (Photo Attached).

By way of background, this matter came before Judge John E. Beverungen as a request for Special Exception, Special Hearing and Variance for a fuel service station located at 8201 Liberty Road in Randallstown. That previous case was Case No. 2014-0238 SPHXA and his decision was rendered on July 14th, 2014. (Copy attached). At that time, the owner was represented by Donald C. Wright, Esquire.

The special exception request for the fuel service station was approved, but the variance relief was not. Attorney Wright filed an appeal of the denial of the variance request to the Board of Appeals. The special exception relief was not appealed since the applicant received a favorable decision from Judge Beverungen.

Thereafter, the applicant hired a new law firm to handle the matter. A great deal of delay ensued and the two year period of time within which to utilize the special exception expired. I was then hired to handle this matter. The Zoning office advised me that a brand new petition would have to be filed and the matter would have to begin all over again. I filed a new petition and the matter is currently scheduled before Judge Beverungen.

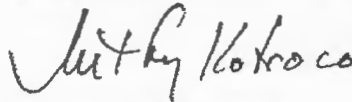
Thereafter, I investigated the history of the subject property and determined through my research that a special exception had already been approved for this automotive service station. That special exception was approved by Zoning Commissioner Wilsie Adams on December 5, 1955. (Case No. R-1955-3672-X attached) The service station was built and the special exception was vested. That service station still exists on the property today.

You requested that I present a letter to Judge Beverungen bringing this new information to his attention. Judge Beverungen reviewed my letter and attachments and issued a ruling stating that he had no objection to my client proceeding with a "more in keeping" plan with your office. (Judge Beverungen's letter is attached).

Lastly, I discussed this matter with Mr. Lloyd Moxley from the Planning Department. Mr. Moxley advised that given the prior special exception approval from 1955 coupled with the existence of the service station on the property today, that it would be more appropriate for the owner to file a new plan of development for the new service station, in accordance with section 405.6.A of the BCZR. (A copy of that section is attached.)

Therefore, I am requesting your affirmation that my client may proceed under section 405.6.A of the BCZR and ask that you indicate your approval by affixing your signature below. I thank you for your consideration of this request and look forward to your reply.

Respectfully Submitted,



Timothy M. Kotroco

TMK/tk
Attachments

By signing below, I approve of the owner of the property at 8201 Liberty Road proceeding under section 405.6.A of the BCZR based upon the facts as outlined in this letter and the attachments appended hereto.

10/6/16
Date


Mr. W. Carl Richards

TIMOTHY M. KOTROCO, Esq.

305 Washington Avenue, Suite 502
Towson, Maryland 21204
410-299-2943
Tkotroco@gmail.com

September 26, 2016

RECEIVED

SEP 27 2016

The Honorable John E. Beverungen
Administrative Law Judge for Baltimore County
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

OFFICE OF ADMINISTRATIVE HEARINGS

Re: 8201 Liberty Road
Approval to proceed with a more in keeping plan pursuant
to section 405.6.A of the BCZR

Dear Judge Beverungen:

This matter came before you as a request for Special Exception, Special Hearing and Variance for a fuel service station located at 8201 Liberty Road in Randallstown. That previous case was Case No. 2014-0238 SPHXA and your decision was rendered on July 14th, 2014. (Copy attached). The applicant was represented by Donald C. Wright, Esquire.

You approved the special exception request for the fuel service station but denied the variance relief. Attorney Wright filed an appeal of the denial of the variance request to the Board of Appeals. The special exception relief was not appealed since the applicant received a favorable decision from you.

Thereafter, the applicant hired a new law firm to handle the ongoing matter. A great deal of delay ensued and the two year time period within which to utilize the special exception that you approved expired.

I was hired in June of 2016. I checked into the status of the matter with Mr. Carl Richards of the zoning office. Mr. Richards advised me that the special exception relief was about to expire and that there was not enough time to file a petition for extension before your Honor. Mr. Richards advised that a brand new petition would have to be filed and the matter would have to begin all over again. I filed a new petition and the matter is being processed by the zoning office at this time.

Thereafter, I investigated the history of the subject property and determined through my research that a special exception has already been approved by the Zoning Commissioner for this automotive service station. That special exception was approved by Zoning Commissioner Wilsie Adams on December 5, 1955. (Case No. R-1955-3672-X attached) The service station was built and the special exception was vested. That station still exists on the property today.

Based on the above research, it was never necessary for any special exception to be filed on the property given that an approval for the service station was granted back in 1955. I discussed my findings with Mr. Richards and Mr. Lloyd Moxley from the Planning Department. Both gentlemen advised that given the prior special exception approval from 1955 coupled with the existence of the service station on the property today, that it would be appropriate for the owner to file a new plan of development for the new service station, in accordance with section 405.6.A of the BCZR. (A copy of that section is attached.)

However, Mr. Richards asked that I bring this matter to your attention and request whether you have any objection to the applicant proceeding in accordance with section 405.6.A of the BCZR. As a courtesy, Mr. Richards would like your approval since a new petition is now pending before your office. Should we be able to proceed under section 405.6.A then the petition pending before your office would be suspended and eventually dismissed.

Therefore, I am requesting your affirmation that you have no objection to the applicant proceeding under section 405.6.A of the BCZR and ask that you indicate your approval by affixing your signature below. We thank you for your consideration of this request and look forward to your reply.

Respectfully Submitted,



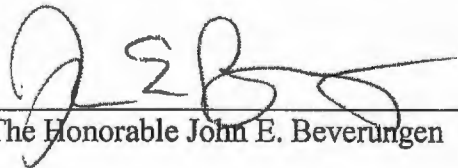
Timothy M. Kotroco

TMK/tk
Attachments

By signing below, I indicate that I have no objection to the owner of the property at 8201 Liberty Road proceeding under section 405.6.A of the BCZR based upon the facts as outlined in this letter and the attachments appended hereto.

9-27-2016

Date



The Honorable John E. Beverungen

11/25/16

IN THE MATTER OF:	*	BEFORE THE
<u>ADEELA AHMAD – LEGAL OWNER</u>		
PETITION FOR SPECIAL HEARING, SPECIAL	*	BOARD OF APPEALS
EXCEPTION AND VARIANCE FOR THE		
PROPERTY LOCATED AT 8201 LIBERTY RD	*	OF BALTIMORE COUNTY
2 ND ELECTION DISTRICT		
4 TH COUNCILMANIC DISTRICT	*	CASE NO.: 14-238-SPHXA

* * * * *

ORDER OF DISMISSAL

This matter comes before the Board on appeal of the decision of the Administrative Law Judge dated, July 15, 2014 wherein the Petition for Special Hearing was DISMISSED without prejudice as MOOT; the Petition for Special Exception to permit a fuel service station on an individual site was GRANTED; and the Petition for Variance was DENIED.

WHEREAS, on August 13, 2014, Donald C. Wright, Esquire filed the Notice of Appeal as to the variance request only; and

WHEREAS, the case file was received promptly and a Notice of Assignment was issued scheduling this matter for hearing on December 2, 2014; and

WHEREAS, on November 18, 2014 via facsimile, Mr. Wright requested a postponement of the December 2, 2014 hearing to allow time for his client, Petitioner, to find new counsel; and

WHEREAS, the Board granted the request for postponement and by letter dated November 20, 2014 advised Petitioner that this matter would be held for 30 days then rescheduled at the Board's convenience; and

WHEREAS, this matter was rescheduled for hearing on May 14, 2015; and

WHEREAS, on April 9, 2015 the hearing on May 14, 2015 was postponed by the Board because no panel was available for the scheduled date and time. A letter was sent to Petitioner requesting that Petitioner contact the Board to reschedule this matter; and

WHEREAS, on May 7, 2015 Amar Kahn, husband of Petitioner, called to advise they wish to pursue and are recently in contact with an attorney; and

WHEREAS, having received no entry of appearance from anyone and no further contact, on June 19, 2015 another status letter was sent; and

WHEREAS, on June 29, 2015 David Karceski, Esquire and Adam M. Rosenblatt, Esquire of Venable, LLP entered their appearance and requested additional time before this matter is set for a hearing; and

In the matter of: Adeela Ahmad

Case number: 14-238-SPHXA

WHEREAS, on September 17, 2015 a letter offering dates for the rescheduling of this matter was sent to Petitioner's Counsel; and

WHEREAS, on October 1, 2015 Mr. Karceski emailed to advise they are still working on having a new site plan reviewed by the relevant County agencies; and

WHEREAS, on March 10, 2016 email sent to Mr. Karceski requesting status of this matter; and

WHEREAS, on March 14, 2016 Mr. Karceski called to advise they are still working on having a new site plan reviewed by the relevant County agencies; and

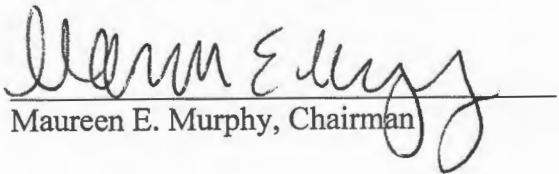
WHEREAS, on September 2, 2016 Mr. Karceski and Mr. Rosenblatt filed a line striking their appearance in this matter; and

WHEREAS, by letter dated September 7, 2016, the Board of Appeals notified the Appellant that the above-entitled matter would be dismissed for lack of prosecution after a period of 30 days; and

WHEREAS, there has been no request made for hearing in this matter, nor objection made to said dismissal;

IT IS THEREFORE ORDERED, this 25th day of November, 2016 by the Board of Appeals for Baltimore County that the above-referenced appeal in Case No.: 14-238-SPHXA, be and is hereby **DISMISSED FOR LACK OF PROSECUTION**.

**BOARD OF APPEALS
OF BALTIMORE COUNTY**


Maureen E. Murphy, Chairman



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

11/28/16
KLC

(File)

November 25, 2016

Adeela Ahmad
7003 Larrylyn Drive
Springfield, Virginia 22151

RE: In the Matter of: *Adeela Ahmad – Legal Owner*
Case No.: 14-238-SPHXA

Dear Ms. Ahmad:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the above subject matter.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*, **WITH A PHOTOCOPY PROVIDED TO THIS OFFICE CONCURRENT WITH FILING IN CIRCUIT COURT.** Please note that all **Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,

Krysundra "Sunny" Cannington
Administrator

KLC/tam
Enclosure

c: Amar Kahn
Jeff and Shirley Supick
Colleen Knopp
Khalid Azam
Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Deputy Administrative Officer and Director/PAL
Nancy C. West, Assistant County Attorney/Office of Law
Michael E. Field, County Attorney/Office of Law



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

September 7, 2016

Adeela Ahmad
7003 Larrlyn Drive
Springfield, VA 22151

Re: In the Matter of: Adeela Ahmad – Legal Owner/Petitioner
Case No.: 14-238-SPHA

Dear Ms. Ahmad:

We are in receipt of a letter from Mr. Karceski indicating that Venable is no longer representing you in the above referenced matter.

Please contact this office upon receipt of this letter if you intend to proceed with the above referenced matter. If there is no response to this letter after the expiration of 30 days from the date of this Notice, an Order of Dismissal of Petition for lack of prosecution will be entered in the above-captioned matter. Upon receipt of a request filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Sunny Cannington
Krysundra "Sunny" Cannington
Administrator

9/14/16 Adam Roserblatt called.
(Dropped off when I was at lunch.)

He wants to make sure Venable is
not copied on anything regarding
this case from this point further.
They want no further communication



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

June 19, 2015

Adeela Ahmad
8201 Liberty Road
Baltimore, MD 21244

Re: In the Matter of: Adeela Ahmad – Legal Owner/Petitioner
Case No.: 14-238-SPHA

Dear Ms. Ahmad:

On November 20, 2014 we granted your request for postponement to allow time for you to retain an attorney. When we had not received further correspondence, we scheduled this matter for a hearing, which we had to postpone due to a scheduling conflict with the Board members.

To date, the Board of Appeals has not been contacted with regards to rescheduling the matter, nor has an attorney entered his/her appearance on your behalf. This matter is still pending before the Board. Please contact this office upon receipt of this letter if you intend to proceed. If there is no response filed to this letter after the expiration of 30 days from the date of this Notice, an Order of Dismissal of Petition for lack of prosecution will be entered in the above-captioned matter. Upon receipt of a request filed at any time before 30 days after date of this Notice, the Board, for good cause, may defer entry of the Order of Dismissal for the period and on the terms it deems proper.

Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Sunny Cannington
Krysundra "Sunny" Cannington
Administrator

c: David Karceski, Esquire
Amar Kahn
Jeff & Shirley Supick
Colleen Knopp
Khalid Azam
People's Counsel for Baltimore County

APPEAL

**Petitions for Special Hearing, Special Exception and Variance
(8201 Liberty Road)
2nd Election District – 4th Councilmanic District
Legal Owner: Adeela Ahmad
Case No. 2014-0238-SPHXA¹**

Petitions for Special Hearing, Special Exception and Variance (May 13, 2014)

Zoning Description of Property

Notice of Zoning Hearing (May 30, 2014)

Certificate of Publication (The Jeffersonian – June 17, 2014)

Certificate of Posting (June 18, 2014) by Robert Black

Entry of Appearance by People's Counsel (May 22, 2014)

Petitioner(s) Sign-in Sheet – 1 Sheet (July 8, 2014)

Citizen(s) Sign-in Sheet – 1 Sheet (July 8, 2014)

Zoning Advisory Committee Comments

Petitioner(s) Exhibits

1. Site Plan
2. Color Photos
3. Aerial photo

Miscellaneous (Not Marked as Exhibits) – Correspondence (E-mail)

Administrative Law Judge Order (Variance/DENIED – July 15, 2014)

Notice of Appeal on Variance only from Donald C. Wright, Esquire

RECEIVED
AUG 15 2014

BALTIMORE COUNTY
BOARD OF APPEALS

¹ Appeal is for Variance only

Address List

Owner/Petitioner: ←

Adeela Ahmad
7003 Larrylyn Drive
Springfield, VA 22151

~~Donald S. Wright, Esquire
Wright Legal Group, LLC
200 E. Lexington Street, Suite 300
Baltimore, MD 21202~~

Rick Richardson
Richardson Engineering, LLC
30 E. Padonia Road, Suite 500
Timonium, MD 21093

Interested Persons:

Amar Kahn - *Husband*
8201 Liberty Road
Baltimore, MD 21244

Jeff & Shirley Supick
3525 N. Rolling Road
Rockdale, MD 21244

Interoffice:

Office of People's Counsel
Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney
Michael Field, County Attorney, Office of Law

~~David Karceski, Esq.
& Adam Rosenblatt, Esq.
Attys for owner~~

Colleen Knopp
100 Laurel Valley Court
Abingdon, MD 21009

Khalid Azam
5915 Clear Ridge Road
Elkridge, MD 21075

Letters of Support:

Edward Gelen, CEO/President
Liberty Ford
9311 Liberty Road
Randallstown, MD 21133

Liberty West Apartments
Attention: Manager
3526-Unit 1A Langrehr Road
Baltimore, MD 21244

Cleaners Max
Attention: Manager
8141 Liberty Road
Baltimore, MD 21240

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

August 15, 2014

RECEIVED
AUG 15 2014

Donald C. Wright, Esquire
200 E. Lexington Street, Suite 300
Baltimore, Maryland 21202

BALTIMORE COUNTY
BOARD OF APPEALS

RE: **APPEAL TO BOARD OF APPEALS**
Case No. 2014-0238-SPHXA (VARIANCE ONLY)
Location: 8201 Liberty Road

Dear Counsel:

Please be advised that an appeal of the above-referenced case was filed in this Office on August 13, 2014. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals ("Board").

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to contact the Board at 410-887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the word "Sincerely,".

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:slm

c: Baltimore County Board of Appeals
People's Counsel for Baltimore County
Jeff & Shirley Supik, 3525 N. Rolling Road, Rockdale, Maryland 21244
Colleen Knopp, 100 Laurel Valley Ct., Abingdon, Maryland 21009

DONALD C. WRIGHT

Attorney at Law
The Court Square Building, Suite 300
200 East Lexington Street
Baltimore, Maryland 21202

RECEIVED
AUG 15 2014

BALTIMORE COUNTY
BOARD OF APPEALS

Tel. (410) 685-0202
Fax. (410) 685-0444

www.donaldcwright.com
E-Mail: dcwrightlaw@gmail.com

NOTICE OF APPEAL

August 13, 2014

RECEIVED

AUG 13 2014

VIA HAND-DELIVERY

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Maryland 21204

OFFICE OF ADMINISTRATIVE HEARINGS

RE: Notice of Appeal of ALJ Denial of Petitions for Variances
Property: 8201 Liberty Road
Case No.: 2014-0238-SPHXA

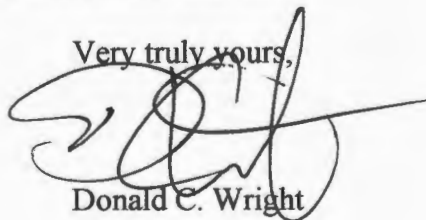
Dear Sir or Madam:

Petitioner Adeela Ahmad, by her undersigned counsel, hereby files this Notice of Appeal. Enclosed please find a check in the amount of the applicable filing fee.

Petitioner requests an appeal to the County Board of Appeals of the July 15, 2014 Opinion and Order from the Office of Administrative Hearings, which denied Petitioner's request for variance relief in the above-referenced case.¹ Petitioner seeks appellate review of the Administrative Court's erroneous conclusion that the subject property is not "unique" pursuant to Maryland law, and that in denying the variance relief, Petitioner will not experience practical difficulty and hardship. Petitioner respectfully submits to the Board of Appeals that the subject property is indeed unique, and that a denial of the variance relief will expose the Petitioner to practical difficulty and hardship.

Thank you for your attention and thoughtful consideration.

Very truly yours,



Donald C. Wright

¹ Petitioner does not request appellate relief from the Order issued under same case number pertaining to a Petition for Special Hearing, or Petition for Special Exception.

7/15/14

IN RE: PETITIONS FOR SPECIAL HEARING, *
SPECIAL EXCEPTION & VARIANCE *
(8201 Liberty Road) *
2nd Election District *
4th Councilmanic District *
Adeela Ahmad, *Legal Owner* *
Petitioner *

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2014-0238-SPHXA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of Petitions for Special Hearing, Special Exception and Variance filed by Donald C. Wright, Esquire, on behalf of Adeela Ahmad, the legal owner.

The Petition for Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), seeking to establish that a fuel service station has continuously operated at this site, and that it is therefore a lawful nonconforming use. A Petition for Special Exception was filed pursuant to B.C.Z.R. §405.2.B.1 to permit a fuel service station on an individual site. Finally, a Petition for Variance was filed pursuant to B.C.Z.R. as follows: (1) to permit a landscape strip of 4.85 ft. along Langrehr Road and 5 ft. along Liberty Road in lieu of the required 10 ft., and 11 ft. in lieu of 15 ft. on the rear property line where the adjacent residentially zoned property is less than 50 ft. from the site pursuant to §405.4.A.2.b; (2) to permit 8 fuel stacking spaces in lieu of the required 12 spaces for MPD dispensers where a convenience store is in conjunction with the fuel service station pursuant to §405.4.A.3.c.2; and (3) for a rear building setback of 6 ft. in lieu of the required 30 ft. pursuant to §238.2.

Appearing at the public hearing in support of the requests was Aman Khan and Rick Richardson, P.E., from Richardson Engineering, LLC, the firm that prepared the site plan.

ORDER RECEIVED FOR FILING

Date 7/15/14

By Sen

Donald C. Wright, Esq., appeared as counsel and represented the Petitioner. Shirley & Jeff Supick attended the hearing to express concern about the proposal.

The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Zoning Advisory Committee (ZAC) comments were submitted by the Bureau of Development Plans Review (DPR) and the Department of Planning (DOP). Both agencies oppose the relief.

According to the plan, marked and admitted as Petitioner's Ex. No.1, the subject property has a site area of approximately 1.05 acres (gross) or 0.76 acres (net). State tax records however indicate the lot size is 24,045 SF, or 0.552 acres. The property is zoned BR-AS. For many years a Getty fuel service station has operated at the site (SDAT records show the present structure was built in 1967), although there does not appear to be any prior zoning history or approvals for the property. Petitioner purchased the property from Getty in January 2014, and proposes to raze the existing improvements and construct a new fuel service station, repair facility and convenience store. To do so requires zoning relief.

SPECIAL HEARING

Given the disposition of the petition for special exception below, the petition for special hearing will be dismissed as moot. See, e.g., Purich v. Draper, 395 Md. 694, 717 (2006) ("property cannot operate where the use is both a nonconforming use and a special exception use"). As such, no determination will be made regarding whether Petitioner enjoys lawful nonconforming use status.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. Schultz v. Pritts, 291 Md. 1 (1981). The court in

ORDER RECEIVED FOR FILING

Date 7/15/14
By Sen

Schultz described the applicable test in this fashion:

We now hold that the appropriate standard to be used in determining whether a requested special exception use would have an adverse effect and, therefore, should be denied is whether there are facts and circumstances that show that the particular use proposed at the particular location proposed would have any adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone.

Id. at 22-23.

In this case, I do not believe the use would have any greater adverse impact upon the community at this location than at any other BR-AS zoned property in the County. The site is located along a busy commercial corridor, and has been used as a fuel service facility for many years. As such, the petition for special exception will be granted.

VARIANCES

Based upon the testimony and evidence presented, I will however deny the request for variance relief. To obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md. 53, 80 (2008).

The Petitioner has not met this test. Specifically, there was no testimony and/or argument that the property is "unique," as that term is used in the Maryland cases. The court in Cromwell v. Ward, 102 Md. App. 691, 711 (1995), noted that since 1927, only five reported Maryland cases have upheld the grant of variance relief (or reversed the denial of a variance petition). The court in Cromwell also held that "variances are rarely appropriate." Id. In light of this precedent, I do not believe variance relief is appropriate in this case.

THEREFORE, IT IS ORDERED this 15th day of July, 2014, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") be and is hereby DISMISSED without prejudice as MOOT;

ORDER RECEIVED FOR FILING

Date

7/15/14

By

Sen

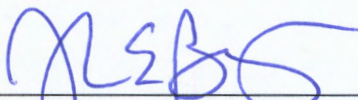
IT IS FURTHER ORDERED that the Petition for Special Exception pursuant to B.C.Z.R. §405.2.B.1, to permit a fuel service station on an individual site, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance as follows: (1) to permit a landscape strip of 4.85 ft. along Langrehr Road and 5 ft. along Liberty Road in lieu of the required 10 ft. and 11 ft. in lieu of 15 ft. on the rear property line where the adjacent residentially zoned property is less than 50 ft. from the site pursuant to §405.4.A.2.b; (2) to permit 8 fuel stacking spaces in lieu of the required 12 spaces for MPD dispensers where a convenience store is in conjunction with the fuel service station pursuant to §405.4.A.3.c.2; and (3) for a rear building setback of 6 ft. in lieu of the required 30 ft. pursuant to §238.2, be and is hereby DENIED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her 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.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh

ORDER RECEIVED FOR FILING

Date 7/15/14
By slh

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

July 15, 2014

Donald C. Wright, Esquire
200 E. Lexington Street, Suite 300
Baltimore, Maryland 21202

RE: Petitions for Special Hearing, Special Exception and Variance
Property: 8201 Liberty Road
Case No.: 2014-0238-SPHXA

Dear Counsel:

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", followed by a horizontal line.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Jeff & Shirley Supik, 3525 N. Rolling Road, Rockdale, Maryland 21244
Colleen Knopp, 100 Laurel Valley Ct., Abingdon, Maryland 21009



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 8201 Liberty Road which is presently zoned BR-AS

Deed References: 34642/180 10 Digit Tax Account # 0220450210

Property Owner(s) Printed Name(s) Adeela Ahmad

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve,

SEE ATTACHED

2. X a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

SEE ATTACHED

3. X a **Variance** from Section(s) *SEE ATTACHED FOR THE NEEDED VARIANCE REQUESTS*

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Date

Mailing Address

City

State

By

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Donald C. Wright, Esq.

Name- Type or Print

Signature

200 E. Lexington Street, Suite 300 Baltimore, MD

Mailing Address

City

State

21202

/ 410-685-0202

/ dcwrightlaw@gmail.com

Zip Code

Telephone #

Email Address

Legal Owners:

Adeela Ahmad

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

7003 Larrylyn Drive

Springfield

VA

Mailing Address

City

State

22151

/ 703-314-7710 / adeela_amar@yahoo.com

Zip Code

Telephone #

Email Address

Representative to be contacted:

Richardson Engineering, LLC, Rick Richardson

Name - Type or Print

Signature

30 E. Padonia Road, Suite 500 Timonium, MD

Mailing Address

City

State

21093 / 410-560-1502

/ rick@richardsonengineering.net

Zip Code

Telephone #

Email Address

CASE NUMBER

2014-0238-SRHX

Filing Date

5/13/14

Do Not Schedule Dates:

Reviewer

GU

Zoning Request for 8201 Liberty Road

varian { Section 405.4.A.2.b to permit a landscape strip of 4.85' along Langrehr Road and 5' along Liberty Road in lieu of the required 10', and 11' in lieu of 15' on the rear property line where the adjacent residentially zoned property is less than 50' from the site.

Section 405.4.A.3.c.2 to permit 8 fuel stacking spaces in lieu of the required 12 spaces for MPD dispensers where a convenience store is in conjunction with the fuel service station

Section 238.2 for a rear building setback of 6' in lieu of the required 30'

special
exemption

special
exception { a fuel service station on an individual site pursuant to Section 405.2.B.1

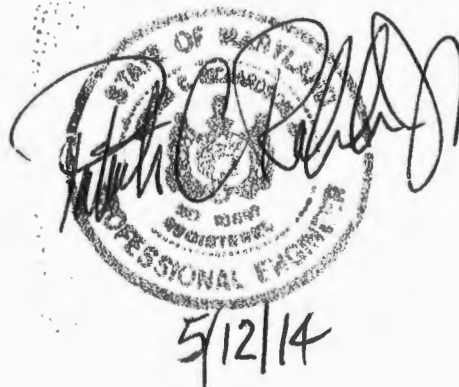
special
hearing { if needed, that an existing fuel service station continuously operated at the site.

2014-0238- ~~SPHX~~ SPHXIA

**ZONING DESCRIPTION FOR
8201 LIBERTY ROAD
2nd ELECTION DISTRICT
4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the south side right-of-way of Liberty Road (Maryland Route #26) (variable width R.O.W.) at a distance of 218 feet east of the centerline intersection of Liberty Road and Marriott Road (50 feet in width), thence leaving the south side right-of-way of Liberty Road the following courses and distances; (1) South 29 degrees 54 minutes 40 seconds West 130.55 feet, (2) South 65 degrees 14 minutes 30 seconds East 196.95 feet to a point on the west side right-of-way of Langrehr Road (50 feet in width), thence binding on Langrehr Road; (3) North 27 degrees 01 minutes 30 seconds East 115.90 feet, thence (4) North 24 degrees 19 minutes 06 seconds West 23.97 feet to a point on the south side right-of-way of Liberty Road, thence binding on the south side right-of-way of Liberty Road; (5) North 65 degrees 44 minutes 10 seconds West 171.72 feet to the point of beginning;

Containing a net area of 33,340 square feet, or 0.76 acres of land, more or less.



2014-0238-~~SPHXA~~

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighborhood 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: 2014-0238-SPHX A
Petitioner: Adeela ~~Abdullah~~ Ahmad
Address or Location: 8201 Liberty Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Adeela Ahmad
Address: 8201 Liberty Rd
Baltimore MD

Telephone Number: 703-314-7710

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

No. **110955**

Date: **5/13/14**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	200	0000		6150				1000.00

Total: **1000.00**

Rec From: **Samia Enterprises LLC**

For: **Special Hearing & Variance**

2014-0238-~~KA~~ SAHYA
8201 Liberty Road

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTUAL TIME
5/13/2014 5/13/2014 11:42:33
REG: MGS WALKIN RDG LBB
RECEIPT # 110955 5/13/2014
Dept: 5 528 ZONING VERIFICATION
CR NO: 110955
Recpt Int \$1,000.00
\$1,000.00 CR \$1.00 CA
Baltimore County, Maryland

**CASHIER'S
VALIDATION**

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

No. **9464**

Date: **8-13-14**

Fund	Dept	Unit	Sub Unit	Rev Source/Obj	Sub Rev/Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					265.00

Total: **265.00**

Rec From: Appeal from Donald C. Wright, Esq.
 For: "Variance" Only - Case No. 2614-0238-
SPHXA
8201 Liberty Pl.

DISTRIBUTION

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

PAID RECEIPT

BUSINESS ACTION TIME NEW
 8/13/2014 8:13:00 13:39:42
 DES: 8062 WRIGHT, DONALD C.
 RECEIPT # 08640 8/13/2014 0812
 REC: 5 SCH COUNTY VERIFICATION
 CENT: 08640
 Recpt Tot: 265.00
 265.00 13 4.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

June 19, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on June 17, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: # 2014-0238-SPHXA

8201 Liberty Road

S/s Liberty Road at 218 ft. e/of centerline of

Marriott Road

2nd Election District - 4th Councilmanic District

Legal Owner(s): Adeela Ahmad

Special Hearing: if needed, that an existing fuel service station continuously operated at this site. **Special Exception:** to permit a fuel service station on an individual site.

Variance: to permit a landscape strip of 4.85 ft. along Langrehr Road and 5 ft. along Liberty Road in lieu of the required 10 ft. and 11 ft. in lieu of 15 ft. on the rear property line where the adjacent residentially zoned property is less than 50 ft. from the site. 2. To permit 8 fuel stacking spaces in lieu of the required 12 spaces for MPD dispensers where a convenience store is in conjunction with the fuel service station. 3. For a rear building setback of 6 ft. in lieu of the required 30 ft.

Hearing: Tuesday, July 8, 2014 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD IARON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.
JT 6/720 June 17

983454

CERTIFICATE OF POSTING

2014-0238-SPHXA

RE: Case No.: _____

Petitioner/Developer: _____

Adeela Ahmad

July 8, 2014

Date of Hearing/Closing: _____

**Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attn: Kristen Lewis:

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: _____

8201 Liberty Rd

June 18, 2014

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

Sincerely,

June 18, 2014

(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)



TO: PATUXENT PUBLISHING COMPANY
Tuesday, June 17, 2014 Issue - Jeffersonian

Please forward billing to:
Adeela Ahmad
8201 Liberty Road
Baltimore, MD 21224

703-314-7710

NOTICE OF ZONING HEARING

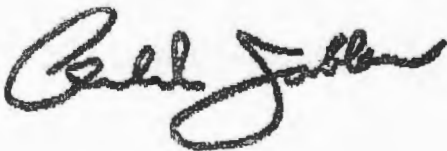
The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2014-0238-SPHXA

8201 Liberty Road
S/s Liberty Road at 218 ft. e/of centerline of Marriott Road
2nd Election District – 4th Councilmanic District
Legal Owners: Adeela Ahmad

Special Hearing if needed, that an existing fuel service station continuously operated at this site. Special Exception to permit a fuel service station on an individual site. Variance to permit a landscape strip of 4.85 ft. along Langrehr Road and 5 ft. along Liberty Road in lieu of the required 10 ft. and 11 ft. in lieu of 15 ft. on the rear property line where the adjacent residentially zoned property is less than 50 ft. from the site. 2. To permit 8 fuel stacking spaces in lieu of the required 12 spaces for MPD dispensers where a convenience store is in conjunction with the fuel service station. 3. For a rear building setback of 6 ft. in lieu of the required 30 ft.

Hearing: Tuesday, July 8, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive
May 30, 2014

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

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2014-0238-SPHXA

8201 Liberty Road

S/s Liberty Road at 218 ft. e/of centerline of Marriott Road

2nd Election District – 4th Councilmanic District

Legal Owners: Adeela Ahmad

Special Hearing if needed, that an existing fuel service station continuously operated at this site. Special Exception to permit a fuel service station on an individual site. Variance to permit a landscape strip of 4.85 ft. along Langrehr Road and 5 ft. along Liberty Road in lieu of the required 10 ft. and 11 ft. in lieu of 15 ft. on the rear property line where the adjacent residentially zoned property is less than 50 ft. from the site. 2. To permit 8 fuel stacking spaces in lieu of the required 12 spaces for MPD dispensers where a convenience store is in conjunction with the fuel service station. 3. For a rear building setback of 6 ft. in lieu of the required 30 ft.

Hearing: Tuesday, July 8, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Donald Wright, 200 E. Lexington St., Ste. 300, Baltimore 21202
Adeela Ahmad, 7003 Larrylyn Drive, Springfield VA 22151
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 18, 2014.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

September 18, 2014

NOTICE OF ASSIGNMENT

IN THE MATTER OF:

14-238-SPHXA

Adeela Ahmad – Legal Owner

8201 Liberty Road

2nd Election District; 4th Councilmanic District

Re: Petition for Variance from:

- (1) Section 405.4.A.2.b to permit a landscape strip of 4.85' along Langrehr Road and 5' along Liberty Road in lieu of the required 10', and 11' in lieu of 15' on the rear property line where the adjacent residentially zoned property is less than 50' from the site; and
- (2) Section 405.4.A.3.c.2 to permit 8 fuel stacking spaces in lieu of the required 12 spaces for MPD dispensers where a convenience store is in conjunction with a fuel service station; and
- (3) Section 238.2 for a rear building setback of 6' in lieu of the required 30'

7/15/14 Opinion and Order of Administrative Law Judge wherein the Petitions for Variances were DENIED; the Petition for Special Exception was GRANTED; and the Petition for Special Hearing was DISMISSED as MOOT.

ASSIGNED FOR:

TUESDAY, DECEMBER 2, 2014, AT 10:00 A.M.

LOCATION:

Hearing Room #2, Second Floor, Suite 206

Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

c: Counsel for Petitioner/Legal Owner
Petitioner/Legal Owner

: Donald C. Wright, Esquire
: Adeela Ahmad

Rick Richardson/Richardson Engineering
Khalid Azam
Office of People's Counsel
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Amar Kahn
Edward Gelen, CEO & President/Liberty

Jeff and Shirley Supick
Liberty West Apartments
Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law

Colleen Knopp

Cleaners Max



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

November 20, 2014

Donald C. Wright, Esquire
Wright Legal Group, LLC
200 E. Lexington Street, Suite 300
Baltimore, MD 21202

RE: *In the Matter of: Adeela Ahmad*
Case No. 14-238-SPHXA

Dear Mr. Wright:

This will acknowledge receipt of your request for postponement filed in the above reference matter, dated November 18, 2014. The continuance is granted and the Notice of Postponement is enclosed.

Please be advised that if your client retains another attorney, as indicated is possible in your letter, we need your Notice to Strike Appearance and an Entry of Appearance for the new attorney.

The Board will hold this matter for 30 days awaiting the above documents. At that time, this matter will be rescheduled for the earliest available date on the Board's docket.

Should you have any questions, please do not hesitate to contact us.

Very truly yours,

Sunny Cannington
Krysundra "Sunny" Cannington
Administrator

Enclosure

c(w/Encl.): Peter Zimmerman, People's Counsel
Adeela Ahmad
Rick Richardson
Amar Kahn
Jeff and Shirley Supick
Colleen Knopp
Khalid Azam



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

November 20, 2014

NOTICE OF POSTPONEMENT

IN THE MATTER OF:

14-238-SPHXA

Adeela Ahmad – Legal Owner
8201 Liberty Road
2nd Election District; 4th Councilmanic District

Re: Petition for Variance from:

- (1) Section 405.4.A.2.b to permit a landscape strip of 4.85' along Langrehr Road and 5' along Liberty Road in lieu of the required 10', and 11' in lieu of 15' on the rear property line where the adjacent residentially zoned property is less than 50' from the site; and
- (2) Section 405.4.A.3.c.2 to permit 8 fuel stacking spaces in lieu of the required 12 spaces for MPD dispensers where a convenience store is in conjunction with a fuel service station; and
- (3) Section 238.2 for a rear building setback of 6' in lieu of the required 30'

7/15/14 Opinion and Order of Administrative Law Judge wherein the Petitions for Variances were DENIED; the Petition for Special Exception was GRANTED; and the Petition for Special Hearing was DISMISSED as MOOT.

This matter was assigned for Tuesday, December 2, 2014 and has been postponed. It will be rescheduled to a later date.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

For further information, including our inclement weather policy, please visit our website
www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

c: Counsel for Petitioner/Legal Owner
Petitioner/Legal Owner

: Donald C. Wright, Esquire
: Adeela Ahmad

Rick Richardson/Richardson Engineering
Khalid Azam
Office of People's Counsel
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Amar Kahn

Edward Gelen, CEO & President/Liberty Ford

Jeff and Shirley Supick

Liberty West Apartments

Colleen Knopp

Cleaners Max

Lawrence M. Stahl, Managing Administrative Law Judge

Andrea Van Arsdale, Director/Department of Planning

Michael Field, County Attorney, Office of Law



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204

410-887-3180

FAX: 410-887-3182

February 20, 2015

NOTICE OF REASSIGNMENT

IN THE MATTER OF:

14-238-SPHXA

Adeela Ahmad – Legal Owner

8201 Liberty Road

2nd Election District; 4th Councilmanic District

Re: Petition for Variance from:

- (1) Section 405.4.A.2.b to permit a landscape strip of 4.85' along Langrehr Road and 5' along Liberty Road in lieu of the required 10', and 11' in lieu of 15' on the rear property line where the adjacent residentially zoned property is less than 50' from the site; and
- (2) Section 405.4.A.3.c.2 to permit 8 fuel stacking spaces in lieu of the required 12 spaces for MPD dispensers where a convenience store is in conjunction with a fuel service station; and
- (3) Section 238.2 for a rear building setback of 6' in lieu of the required 30'

7/15/14 Opinion and Order of Administrative Law Judge wherein the Petitions for Variances were DENIED; the Petition for Special Exception was GRANTED; and the Petition for Special Hearing was DISMISSED as MOOT.

This matter was postponed at the request of Petitioner's Counsel. Having received no further correspondence, this matter has been

REASSIGNED FOR:

THURSDAY, MAY 14, 2015, AT 10:00 A.M.

LOCATION:

Hearing Room #2, Second Floor, Suite 206

Jefferson Building, 105 W. Chesapeake Avenue, Towson

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

For further information, including our inclement weather policy, please visit our website www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

c: Counsel for Petitioner/Legal Owner
Petitioner/Legal Owner

: Donald C. Wright, Esquire
: Adeela Ahmad

Rick Richardson/Richardson Engineering
Khalid Azam
Office of People's Counsel
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Amar Kahn
Edward Gelen, CEO & President/Liberty Ford Liberty West Apartments

Jeff and Shirley Supick/Colleen Knopp

Cleaners Max

Lawrence M. Stahl, Managing Administrative Law Judge

Andrea Van Arsdale, Director/Department of Planning

Michael Field, County Attorney, Office of Law



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

April 9, 2015

Adeela Ahmad
7003 Larrylyn Drive
Springfield, VA 22151

Re: In the Matter of: Adeela Ahmad – Legal Owner
Case No: 14-238-SPHXA

Dear Ms. Ahmad:

Please be advised this matter was postponed in November of 2014. At that time, your attorney, Mr. Wright, indicated that he had a conflict with the date and that you were looking for a new attorney. My letter dated November 20, 2014, indicated that the matter would be held for 30 days to allow time for you to retain new counsel. On February 20, 2015 a Notice of Assignment was sent scheduling this matter for hearing on May 14, 2015.

Please be advised I have just been informed of a scheduling conflict in which we do not have a panel of three Board members available for the hearing scheduled on Thursday, May 14, 2015. Enclosed, please find a Notice of Postponement.

Since November 20, 2014, I have not received any information from you or anyone on your behalf. I kindly request that you contact this office upon receipt of this letter to reschedule this matter.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in cursive script that reads "Sunny Cannington".

Krysundra "Sunny" Cannington
Administrator

Enclosure: Notice of Postponement

cc: Donald C. Wright, Esquire
Peter M. Zimmerman, People's Counsel for Baltimore County
Rick Richardson/Richardson Engineering
Amar Kahn
Jeff and Shirley Supick
Colleen Knopp
Khalid Azam



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

April 9, 2015

NOTICE OF POSTPONEMENT

IN THE MATTER OF:

14-238-SPHXA

Adeela Ahmad – Legal Owner
8201 Liberty Road
2nd Election District; 4th Councilmanic District

Re: Petition for Variance from:

- (1) Section 405.4.A.2.b to permit a landscape strip of 4.85' along Langrehr Road and 5' along Liberty Road in lieu of the required 10', and 11' in lieu of 15' on the rear property line where the adjacent residentially zoned property is less than 50' from the site; and
- (2) Section 405.4.A.3.c.2 to permit 8 fuel stacking spaces in lieu of the required 12 spaces for MPD dispensers where a convenience store is in conjunction with a fuel service station; and
- (3) Section 238.2 for a rear building setback of 6' in lieu of the required 30'

7/15/14 Opinion and Order of Administrative Law Judge wherein the Petitions for Variances were DENIED; the Petition for Special Exception was GRANTED; and the Petition for Special Hearing was DISMISSED as MOOT.

This matter was assigned for Thursday, May 14, 2015 and has been postponed. It will be rescheduled to a later date.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix B, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

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For further information, including our inclement weather policy, please visit our website
www.baltimorecountymd.gov/Agencies/appeals/index.html

Krysundra "Sunny" Cannington
Administrator

c: Counsel for Petitioner/Legal Owner
Petitioner/Legal Owner

: Donald C. Wright, Esquire
: Adeela Ahmad

Rick Richardson/Richardson Engineering
Khalid Azam
Office of People's Counsel
Arnold Jablon, Director/PAI
Nancy West, Assistant County Attorney

Amar Kahn
Edward Gelen, CEO & President/Liberty Ford

Jeff and Shirley Supick
Liberty West Apartments
Lawrence M. Stahl, Managing Administrative Law Judge
Andrea Van Arsdale, Director/Department of Planning
Michael Field, County Attorney, Office of Law

Colleen Knopp

Cleaners Max

David H. Karceski

T 410.494.6285
F 410.821.0147
dhkarceski@venable.com

June 29, 2015

Via Hand Delivery

Krysundra "Sunny" Cannington
Board of Appeals of Baltimore County
Jefferson Building, Suite 203
105 W. Chesapeake Avenue
Towson, MD 21204

Re: In the Matter of: Adeela Ahmad – Legal Owner/Petitioner
Case No. 14-238-SPHA

Ms. Cannington:

This correspondence is in response to your June 19, 2015 letter regarding scheduling in the above-referenced matter. We were recently retained to represent the Petitioner before the Board and are in the process of revising the site plan and other materials that will be presented to the Board. We are therefore requesting some additional time before this matter is set in for a hearing so that we can properly prepare the case for our client.

Please enter our appearance in this matter and feel free to contact us with potential dates and times for the hearing. Thank you for your time and consideration,

Very truly yours,



David H. Karceski
Adam M. Rosenblatt

RECEIVED
JUN 30 2015

BALTIMORE COUNTY
BOARD OF APPEALS



Board of Appeals of Baltimore County

JEFFERSON BUILDING
SECOND FLOOR, SUITE 203
105 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND, 21204
410-887-3180
FAX: 410-887-3182

September 17, 2015

David H. Karceski, Esquire
Adam M. Rosenblatt, Esquire
Venable, LLP
210 W. Pennsylvania Avenue, Ste 500
Towson, MD 21204

RE: In the Matter of: Adeela Ahmad
Case number: 14-238-SPHA

Dear Counsel:

In order to schedule a hearing before the Board of Appeals, without conflict; I am providing dates available on the docket. The Board sits on Tuesday, Wednesday and Thursday of each week. The following dates open for assignment:

Tuesday, October 27, 2015 at 10:00 a.m.;
Tuesday, November 3, 2015 at 10:00 a.m.; and
Tuesday, November 10, 2015 at 10:00 a.m.

Please contact this office upon receipt of this letter to confirm availability. The Notice of Assignment will be issued to all parties at the time an agreeable date is established.

Thanking you in advance for your time and cooperation in this matter. Should you have any questions, please call me at 410-887-3180.

Very truly yours,

Sunny Cannington
Krysundra "Sunny" Cannington
Administrator

c: Adeela Ahmad
Amar Kahn
Jeff and Shirley Supick
Colleen Knopp
Khalid Azam
People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

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

July 3, 2014

Adeela Ahmad
7003 Larrylyn Drive
Springfield VA 22151

RE: Case Number: 2014-0238 SPHXA, Address: 8201 Liberty Road

Dear Mr. Ahmad:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 13, 2014. 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, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Donald C. Wright, Esquire, 200 E. Lexington Street, Suite 300, Baltimore MD 21202
Rick Richardson, Richardson Engineering LLC, 30 E. Padonia Road, Suite 500, Timonium MD 21093

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



Maryland Department of Transportation

James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 5/28/14

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2014-0238-SPHX
Special Exception Special Hearing Variance
Adeela Ahmad
8201 Liberty Road
MD26

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 5/19/14. A field inspection and internal review reveals that an entrance onto MD26 consistent with current State Highway Administration guidelines is required. As a condition of approval for Variance, Case Number 2014-0238-SPHX 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 Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

\cc: Mr. Michael Pasquariello, Utility Engineer, SHA
Mr. David Peake, District Engineer, SHA

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

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

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

SUBJECT: Zoning Advisory Committee Meeting
For May 26, 2014
Item No. 2014-0238

DATE: May 29, 2014

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comments.

An approved Schematic Landscape Plan is required for Development Plan approval.

With regard to the requested zoning relief, the portion of Variance 1. requesting parking setback relief along Langrehr Road should be denied since owners of properties along Langrehr currently maintain required setbacks and the request would negatively affect the character of the neighborhood. Variances 1 & 3 requesting reduction of setbacks along the rear property line should also be denied to help insure the peace and quiet enjoyment of adjacent residential uses.

An approved Final Landscape Plan, photometric lighting plan, cost estimate and security are required prior to permit approval.

DAK:CEN
cc:file

ZAC-ITEM NO 14-0238-05262014.d

7-8
1:30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: June 20, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 8201 Liberty Road

JUN 23 2014

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 14-238

Petitioner: Adeela Ahmad

Zoning: BR-AS

Requested Action: Special Hearing, Special Exception, Variance

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner is proposing to build a new 3,220 SF building with convenience store, three service bays, new canopy and fuel service with 6 MPD dispensers (2 sided). The petitioner is seeking multiple requests for variance relief and a Special Hearing if needed to allow an existing fuel service station to be continuously operated at the site. The petitioner is also seeking a Special Exception to allow a fuel service station on an individual site pursuant to Section 405.2.B.1.

The petitioner is seeking variance relief for the following:

- To permit a landscape strip of 4.85' along Langrehr Road and 5' along Liberty Road in lieu of the required 10' and 11' in lieu of 15' on the rear property line where the adjacent residentially zoned property is less than 50' from the site.
- To permit 8 fuel stacking spaces in lieu of the required 12 spaces for MPD dispensers where a convenience store in conjunction with the fuel service station.
- For a rear building setback of 6' in lieu of the required 30'.

SUMMARY OF RECOMMENDATIONS:

The subject property is in the Liberty Road Commercial Revitalization District. Any redevelopment along Liberty should have high quality design. The petitioner is making several requests that may compromise health, safety and welfare of the community. The proposed layout of the site does not meet the required landscaping buffers along Liberty and Langrehr Roads and provides almost no buffer between the proposed building and the rear property line. Due to these very tight conditions, vehicles entering the site may be hindered by the impact of the requested stacking space variance. Planning **opposes** the reduction of required stacking space and the reduction of the landscape strip along Langrehr Road.

Planning suggests the number of pumps at the site be reduced from six to four, which would eliminate the need for a stacking variance and provide the required 10' buffer along Langrehr Road as well as additional space for travel lanes.

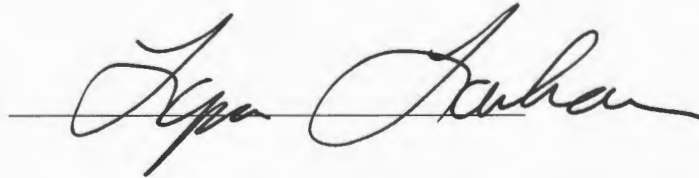
The Department of Planning does not object to the petitioner's other variance requests or Special Hearing requests subject to the following conditions:

The Department of Planning does not object to the petitioner's other variance requests or Special Hearing requests subject to the following conditions:

1. Reduce the number of pumps from six to four and provide the full 10 foot landscape buffer along Langrehr Road.
2. No more than 5 cars that are waiting to be repaired or inspected should be parked on site. Planning suggests that spaces for repaired cars should be marked on the parking lot.
3. Submit elevations of all sides of the proposed building to the Department of Planning for review. The rear building face which is only six feet away from a residential property line and faces residential property should be designed with materials that resemble the front façade. The petitioner should submit elevations showing building materials and colors
4. Show the dumpster on the proposed plan. The dumpster should be enclosed with same material and color as the proposed building. Adjust the parking calculations as required.
5. The notes indicate there is an ATM, however, the required parking space is not provided.
6. Submit a landscape and lighting plan.
7. Provide a sign detail of any proposed signage.

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

Division Chief:
DZ/LL

A handwritten signature in black ink, appearing to read "Lynn A. Acker", is written over a horizontal line.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
SPECIAL EXCEPTION AND VARIANCE	*	OF ADMINISTRATIVE
8201 Liberty Road; S/S Liberty Road,	*	HEARINGS FOR
218' E of c/line Marriott Road	*	BALTIMORE COUNTY
2 nd Election & 4 th Councilmanic Districts	*	2014-238-SPHXA
Legal Owner(s): Adeela Ahmad		
Petitioner(s)		

* * * * *

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

MAY 22 2014

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22th day of May, 2013, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 E. Padonia Road, Suite 500, Timonium, Maryland 21093 and Donald Wright, Esquire, 200 E. Lexington Street, Suite 300, Baltimore Maryland 21202, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Board of Appeals of Baltimore County

Interoffice Correspondence

Phone: 410-887-3180

Fax: 410-887-3182

To: Sunny Cannington, Administrator

From: Tammy McDiarmid, Legal Secretary

Date: May 7, 2015

Re: Adeela Ahmad – Legal Owner / Case No. 14-238-SPHXA

Amar Kahn, husband of Adeela Ahmad, Owner, called this morning in response to your letter of April 9, 2015. They are still interested in pursuing the case. They have recently spoke with an attorney about representing them. I advised him to have the attorney enter his/her appearance so we can move forward with scheduling without further conflict.



HOLD TO 6/1/15
IF NO CONTACT
SEND 30 DAY
LETTER.

5/7/15 Called to say
they spoke w/ atty to
represent them.

David H. Karceski

T 410.494.6285
F 410.821.0147
dhkarceski@venable.com

September 2, 2016

Via Hand Delivery

Krysundra "Sunny" Cannington
Board of Appeals of Baltimore County
Jefferson Building, Suite 203
105 W. Chesapeake Avenue
Towson, MD 21204

RECEIVED
SEP 02 2016
BALTIMORE COUNTY
BOARD OF APPEALS

Re: In the Matter of: Adeela Ahmad – Legal Owner/Petitioner
Case No. 14-238-SPHA

Ms. Cannington:

I am writing to confirm the current status of the above matter and to provide you with an update regarding this firm's future role.

By history, this matter was postponed in October of 2015. At present, no hearing date has been set. Going forward, the Petitioner will be proceeding without this firm's assistance. Accordingly, I have enclosed a line striking our appearance. The Petitioner's contact information is as follows:

Adeela Ahmad
7003 Larrlyn Drive
Springfield, VA 21151

Thank you for your time and consideration.

Sincerely,



David H. Karceski
Adam M. Rosenblatt

cc: Adeela Ahmad

IN THE MATTER OF
ADEELA AHMAD

(8201 Liberty Road)

2nd Election District
4th Council District

Adeela Ahmad,
Petitioner

* BEFORE THE
* BOARD OF APPEALS OF
* BALTIMORE COUNTY

*

*

Case No. 14-238-SPHA

*

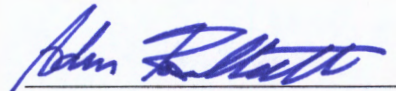
*

* * * * *

LINE STRIKING APPEARANCE

Please strike the appearance of David H. Karceski and Adam M. Rosenblatt of Venable
LLP in the above-captioned matter.

Respectfully submitted,



David H. Karceski
Adam M. Rosenblatt
Venable LLP
210 W. Pennsylvania Ave., Suite 500
Towson, Maryland 21204
(410) 494-6206

RECEIVED

SEP 02 2016

BALTIMORE COUNTY
BOARD OF APPEALS

Krysundra Cannington

From: Baltimore County Faxcom System <Faxcom@baltimorecountymd.gov>
Sent: Tuesday, November 18, 2014 3:34 PM
To: Appeals Board
Subject: Fax Received From: 4106850444
Attachments: 7571111814.PDF

This message was sent via the Baltimore County Government Faxcom fax System.

-----Fax Reception Report-----

Result: All pages received OK
Pages Received:005
Received: 11/18/14 15:32
Connect Time: 00096
Sender TSID: 4106850444
From: 4106850444
Destination DID: 4108873182

Your fax is attached below as a PDF image.

RECEIVED
NOV 19 2014

BALTIMORE COUNTY
BOARD OF APPEALS

DONALD C. WRIGHT

Attorney at Law
The Court Square Building, Suite 300
200 East Lexington Street
Baltimore, Maryland 21202

Tel. (410) 685-0202
Fax. (410) 685-0444

www.donaldcwright.com
E-Mail: dcwrightlaw@gmail.com

FACSIMILE COVER SHEET

TO: *Krysandra Cannington - Administrator*

FAX NO.:

FROM: Donald C. Wright, Esquire

DATE: *11/18/14*

SUBJECT: *Post Pouncement*

NUMBER OF PAGES (Including this page):

REMARKS:

Confidentiality Statement

The information contained in this transmission is confidential and may be legally privileged, and is intended solely for the use of the individual or entity named above. If you have received this information in error, please notify us immediately. If you are not the intended recipient of this information, you are hereby notified that any disclosure, dissemination, distribution or copying of this information or its contents is strictly prohibited. If you are not the intended recipient, please destroy these documents.

DONALD C. WRIGHT

Attorney at Law
The Court Square Building, Suite 300
200 East Lexington Street
Baltimore, Maryland 21202

Tel. (410) 685-0202
Fax. (410) 685-0444

www.donaldcwright.com
E-Mail: dcwrightlaw@gmail.com

November 18, 2014

VIA FACSIMILE - 410-887-3182

Krysundra Cannington, Administrator
Board of Appeals of Baltimore County
Jefferson Building, Second Floor, Suite 203
105 West Chesapeake Avenue
Towson, Maryland 21204

IN THE MATTER OF: Adeela Ahmad - Legal Owner
14-238-SPHXA 8201 Liberty Road
2nd Election District; 4th Councilmanic District

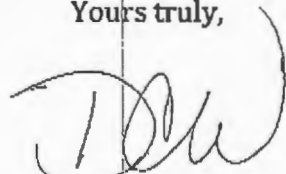
Dear Ms. Cannington:

The above-referenced case is scheduled for hearing on Tuesday, December 2, 2014 at 10:00 a.m. at Hearing Room #2, Suite 206, 105 W. Chesapeake Avenue, Towson, Maryland.

Counsel is respectfully requesting that this Hearing be postponed in that Counsel is already scheduled to appear for a separate trial in the Circuit Court for Baltimore County in the matter of *State of Maryland v. Warren Peterson*, *Case Number: - 03K14000618* (Please refer to Exhibit A). And also due to the fact that the Client is getting a new attorney to represent him at appeal, and the new attorney will need more time to prepare.

I appreciate the Administrators assistance in postponing this hearing. Thank you for your attention and thoughtful consideration.

Yours truly,



Donald C. Wright

DCW/pjm

Circuit Court of Maryland

[Go Back](#)

Case Information

Court System: **Circuit Court for Baltimore County - Criminal System**
Case Number: **03K14000618**
Title: **State of Maryland vs Warren Peterson**
Case Type: **Jury Trial Criminal** Filing Date: **02/04/2014**
Case Status: **Open/Active**

District Case No: **6C00371958**

Defendant Information

(Each Alias, Address, and Attorney for the Defendant is displayed)

Name: **Peterson, Warren**
Race: **African American**
Sex: **M** Height: **6'4"** Weight: **220** DOB: **09/17/1964**
Address: **3335 Dolfield Avenue**
City: **Baltimore** State: **MD** Zip Code: **21215 - 0000**
Attorney(s) for the Defendant

Name: **Lyons, Esq, Joseph S**
Appearance Date: **02/04/2014**
Practice Name: **Law Offices Of Joseph S Lyons**
Address: **303 W Pennsylvania Avenue**
City: **Towson** State: **MD** Zip Code: **21204**
Name: **Wright, Esq, Donald C**
Appearance Date: **07/24/2014**
Practice Name:
Address: **200 East Lexington Street**
City: **Baltimore** State: **MD** Zip Code: **21202**

Court Scheduling Information

Event Type: **Criminal Court Trial** Notice Date: **03/25/2014**
Event Date: **04/22/2014** Event Time: **09:15 AM**
Result: **Postponed** Result Date: **04/22/2014**

Event Type: **Postponement Hearing** Notice Date:
Event Date: **05/20/2014** Event Time: **09:30 AM**
Result: **Held/Concluded** Result Date: **05/20/2014**

Event Type: **Criminal Court Trial** Notice Date: **05/15/2014**
Event Date: **06/12/2014** Event Time: **09:15 AM**
Result: **Postponed** Result Date: **05/20/2014**

Event Type: **Criminal Court Trial** Notice Date: **06/26/2014**
Event Date: **07/24/2014** Event Time: **09:15 AM**
Result: **Postponed** Result Date: **07/24/2014**

Event Type: **Criminal Court Trial** Notice Date: **08/29/2014**
Event Date: **09/26/2014** Event Time: **09:15 AM**
Result: **Held/Concluded** Result Date: **09/26/2014**

Event Type: **Motion for New Trial Hearing** Notice Date:

Event Date: **12/02/2014** Event Time: **09:30 AM**

Result: Result Date:

Event Type: **Criminal Court Trial** Notice Date:

Event Date: **12/18/2014** Event Time: **09:15 AM**

Result: **Cancelled/Vacated** Result Date: **09/29/2014**

Charge and Disposition Information

(Each Charge is listed separately. The disposition is listed below the Charge)

Charge No: **1** CJIS Code: **1 4803** Statute Code: **CR.9.501**

Charge Description: **FALSE STATEMENT TO OFFICER**

Offense Date From: **10/27/2012** To: **10/27/2012**

Arrest Tracking No: **12-1001-94166-4** Citation:

Charge Amend No: **0** Sentence Version: **0** Charge Class: **M**

Disposition

Plea: **Guilty** Plea Date: **09/26/2014**

Disposition: Disposition Date:

Charge No: **2** CJIS Code: **1 4803** Statute Code: **CR.9.501**

Charge Description: **FALSE STATEMENT TO OFFICER**

Offense Date From: **10/27/2012** To: **10/27/2012**

Arrest Tracking No: **12-1001-94166-4** Citation:

Charge Amend No: **0** Sentence Version: **0** Charge Class: **M**

Disposition

Plea: Plea Date:

Disposition: **Nolle Prosequi** Disposition Date: **09/26/2014**

Sentencing Net Totals

Serve Time: Yrs: **0** Mos: **0** Days: **0** Hours: **0**

Probation: Yrs: **0** Mos: **0** Days: **0** Hours: **0**

Fine Amount: **0** Fine Due Date: CWS Hours: **0** Credit Time Served: **0**

Related Person Information

(Each Person related to the case other than the Defendant is shown)

Name: **Lexington, Corp, National Ins**

Party Type: **Bond Remitter/Bondsman**

Address: **P.O. Box 6098**

City: **Lutherville** State: **MD** Zip Code: **21094**

Name: **Phipps, David M**

Party Type: **Bond Remitter/Bondsman**

Address: **214 East Lexington Street**

City: **Baltimore** State: **MD** Zip Code: **21202**

Name: **State Of Maryland**

Party Type: **Plaintiff**

Address: **401 Bosley Avenue**

City: **Towson** State: **MD** Zip Code: **21204 - 4420**

Document Tracking

(Each Document listed. Documents are listed in Motion No./Sequence No. order)

Doc No./Seq No.: **1/0**
File Date: **02/04/2014** Entered Date: **02/04/2014**
Document Name: **Record from Dist. Ct. filed--Jury Trial**

Doc No./Seq No.: **2/0**
File Date: **02/04/2014** Entered Date: **02/04/2014**
Party Type: **Defendant** Party No.: **1**
Document Name: **Bail Bond Set**

Doc No./Seq No.: **3/0**
File Date: **02/04/2014** Entered Date: **02/04/2014**
Party Type: **Defendant** Party No.: **1**
Document Name: **Bail Bond Posted**

Doc No./Seq No.: **4/0**
File Date: **02/04/2014** Entered Date: **02/04/2014**
Party Type: **Defendant** Party No.: **1**
Document Name: **Defense Attorney Appearance Filed**
Joseph S Lyons

Doc No./Seq No.: **7/0**
File Date: **07/24/2014** Entered Date: **07/24/2014**
Party Type: **Defendant** Party No.: **1**
Document Name: **Defense Attorney Appearance Filed**
Donald C Wright

Doc No./Seq No.: **9/0**
File Date: **08/13/2014** Entered Date: **08/19/2014**
Document Name: **State's Discovery Pursuant to Rule 4-263**

Doc No./Seq No.: **12/0**
File Date: **10/06/2014** Entered Date: **10/06/2014**
Document Name: **Motion for New Trial***
Filed by Attorney: Donald C Wright Esq

This is an electronic case record. Full case information cannot be made available either because of legal restrictions on access to case records found in Maryland rules 16-1001 through 16-1011, or because of the practical difficulties inherent in reducing a case record into an electronic format.

Krysundra Cannington

From: Krysundra Cannington
Sent: Thursday, March 10, 2016 1:12 PM
To: David Karceski, Esquire
Cc: Adam Rosenblatt Esquire
Subject: Ahmad 14-238-SPHA

Good afternoon David,

Just following up with you on the Ahmad appeal. The last thing I have in the file is from October 1, 2015, where you indicated that Petitioner was working on an amended site plan.

Please advise if you are ready for us to schedule a hearing. If not, how much longer do you think is necessary?

Thank you in advance for your prompt response.

Sunny

Krysundra "Sunny" Cannington
Administrator
Board of Appeals of Baltimore County
The Jefferson Building, Suite 203
105 W. Chesapeake Avenue
Towson, MD 21204
Phone: 410-887-3180
Fax: 410-887-3182

Confidentiality Statement

This electronic mail transmission contains confidential information belonging to the sender which is legally privileged and confidential. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action based on the contents of this electronic mail transmission is strictly prohibited. If you have received this electronic mail transmission in error, please immediately notify the sender.

Krysundra Cannington

From: Karceski, David H. <DKarceski@Venable.com>
Sent: Thursday, October 01, 2015 3:31 PM
To: Krysundra Cannington
Cc: Rosenblatt, Adam M.
Subject: Case No. 14-238-SPHA
Attachments: ADEELA AHMAD.PDF

Good Afternoon Sunny

I am in receipt of your letter, dated September 17th, which provides available dates for the hearing before the Board of Appeals. Petitioner continues to prepare the exhibits for the hearing before the Board and is working with certain reviewing County agencies for their complete review of the new site plan. We are, therefore, requesting some additional time before this matter is set in for a hearing.

Thank you for your time and consideration of this request.

David

David Karceski, Esq. | Venable LLP
t [410.494.6285](tel:410.494.6285) | f [410.821.0147](tel:410.821.0147) | m [443.956.7425](tel:443.956.7425)
Towson: 210 W. Pennsylvania Avenue, Ste. 500, Towson, MD 21204
Baltimore: 750 East Pratt Street, Ste. 900, Baltimore, MD 21201

This electronic mail transmission may contain confidential or privileged information. If you believe you have received this message in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.

John Beverungen - Getty Gas Station at 8201 Liberty Road

From: Joan Bryan <jbbryan615@verizon.net>
To: <jbeverungen@baltimorecountymd.gov>
Date: 7/11/2014 2:14 PM
Subject: Getty Gas Station at 8201 Liberty Road
CC: "Shirley & Jeff Supik LRCC " <epsafehousesupik@verizon.net>

Dear Judge,

If Mr. Kahn is only working on six to seven cars per week for the Ford Company, I do not see a need for three bays; two should suffice. There also is no need for six service pumps; four is enough.

On Mr. Kahn's watch, there has been continuous police activity at his property every year since 2005 (I have a nine-page print-out!), in addition to many pending code enforcement issues. I am really troubled over Mr. Kahn's past record as manager.

We don't need another gas station in that area, and traffic will be a problem because of the pedestrian island walk there; however, if Mr. Kahn does the following, I would give him his opportunity to show he can be a responsible, community-friendly business:

- Agrees to meet all Baltimore County recommendations already on record;
- Joins the Liberty Road Business Association;
- Promises to maintain all landscaping in the future; and
- Keeps the area clean of debris.

If not, I cannot support Mr. Kahn's proposal.

Shirley Supik, President
Liberty Road Community Council

John Beverungen - ZAC Case #14-238 - 8201 Liberty Road

From: Donald Wright <dcwrightlaw@gmail.com>
To: <jbeverungen@baltimorecountymd.gov>
Date: 7/11/2014 12:42 PM
Subject: ZAC Case #14-238 - 8201 Liberty Road
CC: Amar Khan <adeela_amar@yahoo.com>, Patrick Richardson <prichardson@richa...
Attachments: 8201 Liberty Road Letters of Support.pdf

Judge Beverungen,

I am writing to follow up regarding the administrative hearing conducted in the above-referenced matter on July 8, 2014. Attached please find letters of support from neighboring business partners including the adjoining Liberty West Apartment complex, Liberty Ford, and Cleaners Max.

I am hopeful this information aids you in reaching a fair decision in this matter. Mr. Kahn and his wife look forward to the opportunity to bring much needed revitalization to this property, which we believe will benefit the entire community.

It was a pleasure appearing before you this week. Please feel free to contact me if you have any questions.

Thank you for your time and thoughtful consideration to this case.

Donald C. Wright, Esquire
Wright Legal Group, LLC
The Court Square Building, Suite 300
200 East Lexington Street
Baltimore, Maryland 21202
www.donaldcwright.com

410-685-0202 - Office
410-685-0444 - Facsimile
410-790-5132 - Mobile



9311 Liberty Road • Randallstown, MD 21133 • Phone 410-655-2000

July 10, 2014

Dear Mr. Khan:

Your proposal of executing renovations on your business, located at 8201 Liberty Road prompted me to express my support of the improvements and new service station. In correspondence to your proposal I was inclined to write this letter to help you. It has been a pleasure working with you and I am confident the community can benefit greatly as well.

Sincerely,

Edward Gelin
CEO/President

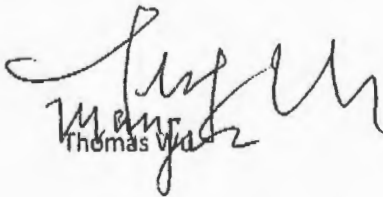
Liberty West Apartments
3526-Unit 1A Langrehr RD, Baltimore, MD 21244

July 9, 2014

Dear Ms. Ahmad,

I am writing this letter to showcase my support of the renovations that you are planning on implementing on Rockdale Getty, located at 8201 Liberty Road. As the property owner of apartments behind by your business, it will be my pleasure to work with you. This new construction plan will be a monumental improvement and beneficial to the area; it is my pleasure to proffer my support of this proposal.

Sincerely,



Thomas V. [unclear]

CLEANERS MAX
8141 Liberty Rd
Baltimore MD 21240
410-496-3288

Dear Mr. Khan:

I am writing to express my support for the improvements and new service station you are proposing on the current Rockdale Getty location at 8201 Liberty Road. As a fellow business/property owner in Liberty Road corridor, it has been my pleasure to get to know and work along side of you and your wife as you operate your family business. Your proposed new construction will be tremendous improvement and benefit to the area. It is my pleasure to offer my support to your proposal.

Sincerely,

Manager.
7/8/14
Lenny Suo.

Sherry Nuffer - 2014-238-SPHXA

From: John Beverungen
To: Debra Wiley; Sherry Nuffer
Date: 7/8/2014 3:16 PM
Subject: 2014-238-SPHXA

The hearing in this case concluded today. However, I agreed to leave the record open until this Friday (7/11/2014) to permit the community to forward to my attention any code enforcement violations or complaints regarding the property.

David

3/14/16 2:00pm

Ahmad

Engineer trying to get the
new plan reviewed by
all agencies
Will check on it.

Pete

9/17/15

10th bad

could do 3rd or 27th

3rd preferred.

~~Jane Friday -~~ 9/28

David Karceski

-Ahmad -

trying to work out w/

Planning - will send letter
or email - asking for
more time to prep

Real Property Data Search (w4)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier: District - 02 Account Number - 0220450210		
Owner Information		
Owner Name:	AHMAD ADEELA	Use: COMMERCIAL
	7003 LARRYLYN DR	Principal Residence: NO
Mailing Address:	SPRINGFIELD VA 22151-	Deed Reference: 1) /34642/ 00180 2)
Location & Structure Information		
Premises Address:	8201 LIBERTY RD 0-0000	Legal Description: .552 AC SS LIBERTY R SW COR LANGREHR RD
Map: 0077	Grid: 0023	Parcel: 0531
Sub District:	Subdivision: 0000	Section:
Block:	Lot:	Assessment Year: 2013
Plat No:	Plat Ref:	NONE
Special Tax Areas:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area
1967	1260	24,045 SF
County Use		20
Stories	Basement	Type
		SERVICE GARAGE
Exterior	Full/Half Bath	Garage
Value Information		
	Base Value	Value
		As of 01/01/2013
Land:	309,000	309,000
Improvements	99,100	98,300
Total:	408,100	407,300
Preferential Land:	0	0
		Phase-in Assessments
		As of 07/01/2013
		As of 07/01/2014
Transfer Information		
Seller: POWER TEST REALTY COMPANY	Date: 01/27/2014	Price: \$651,000
Type: ARMS LENGTH IMPROVED	Deed1: /34642/ 00180	Deed2:
Seller: GETTY OIL CO INC	Date: 03/01/1985	Price: \$290,500
Type: ARMS LENGTH IMPROVED	Deed1: /06875/ 00790	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		



DATE 7-8-2014

PETITIONER'S SIGN-IN SHEET

[illegible]

DATE _____

2014-238-SPHX

7-8-2014

CITIZEN'S SIGN - IN SHEET

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

SHIRLEY M. SUPRZ

3525 N. Rolling Rd

Rockdale, Md 21244

epsafchouse@supik@

Jeff Supik

35250 - Policy Rd.

cc'

verizon.net

Colleen Knapp

100 Landel Uly Ct

Abingdon MD 21009

Shao Chen Kong

Case No.: 2014-0238-SPHXA

Exhibit Sheet

Slr
7/15/14

Petitioner/Developer

Protestants

No. 1	Plan	
No. 2	Color photos	
No. 3	Aerial photo	
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



Address ~~3598 Langrehr Rd~~ 8200 LIBERTY RD

Address is approximate



PETITIONER'S

EXHIBIT NO. 2



Address ~~8204 MD-26~~ 8207 LIBERTY RD

Address is approximate





Address **3586 Langrehr Rd**

Address is approximate





Address ~~XXXXXXXXXX~~ 8201 LIBERTY RD

Address is approximate





Address ~~8201 LIBERTY RD~~ 8201 LIBERTY RD

Address is approximate





Address ~~8201 LIBERTY RD~~ 8201 LIBERTY RD

Address is approximate



bing 8201 Liberty Rd, Baltimore, Maryland, United States

Road Bird's eye Traffic

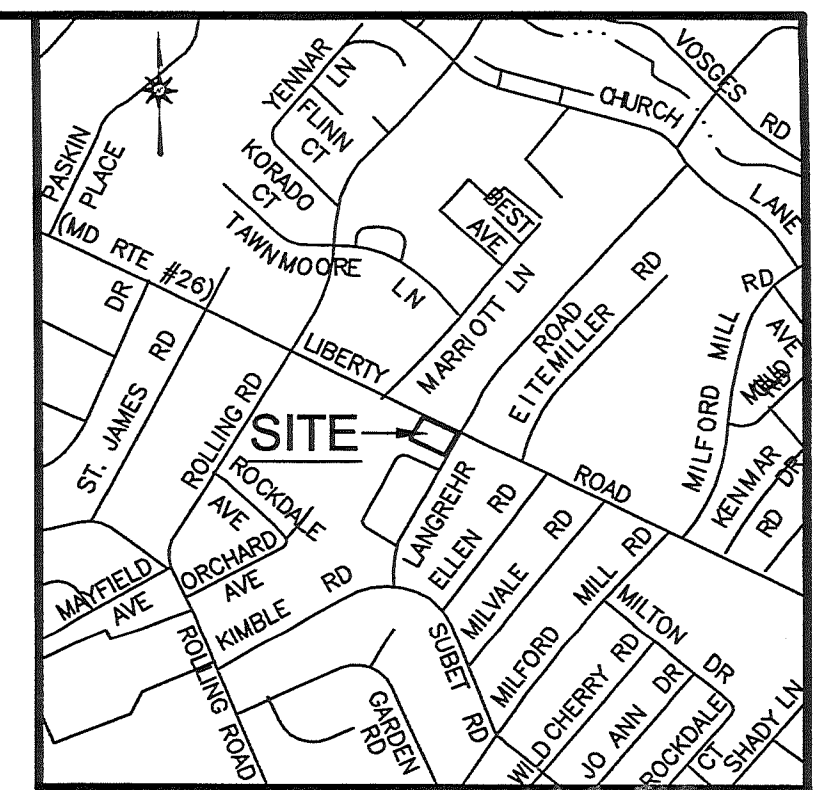
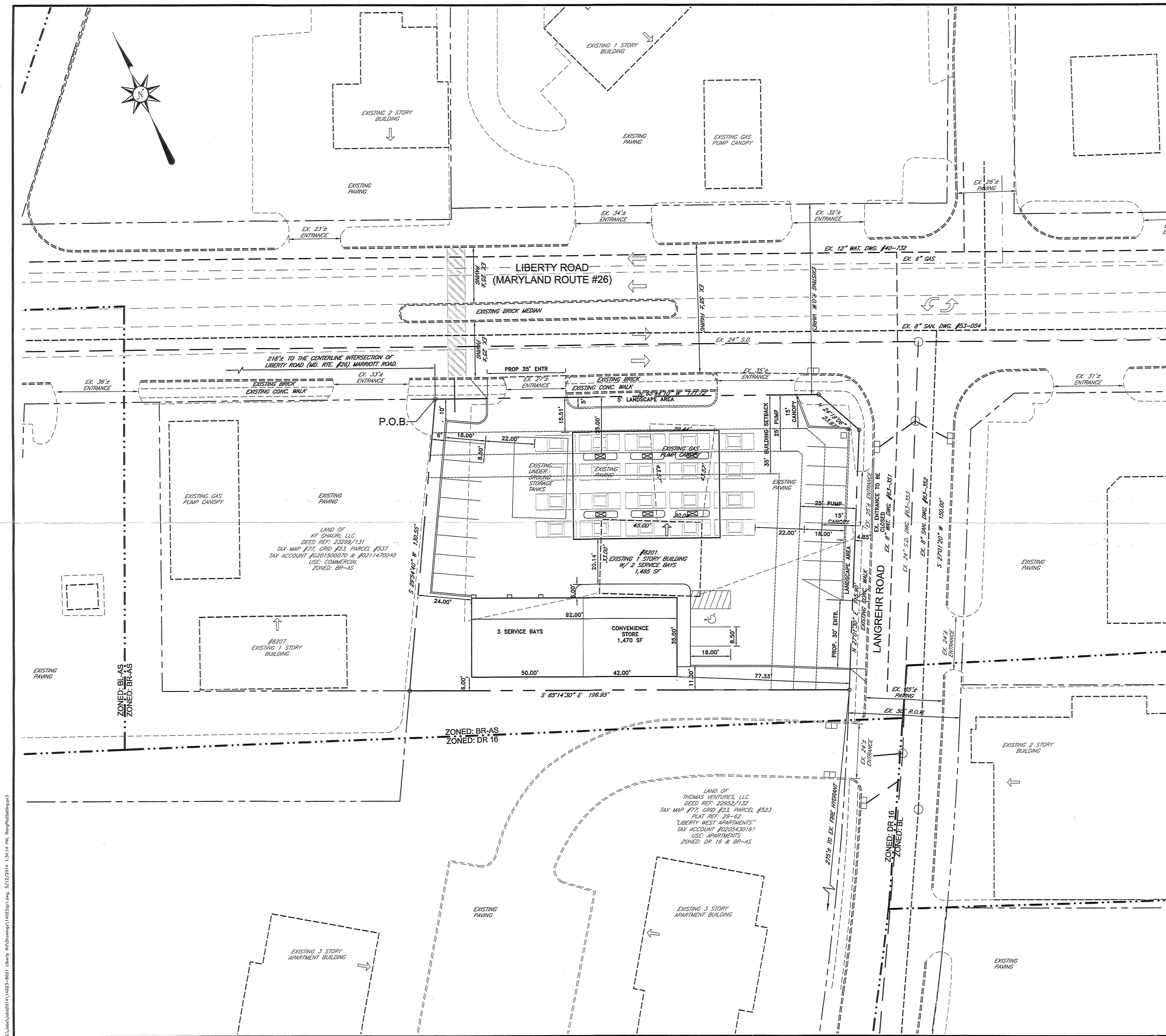
World • United States • MD • Baltimore Co.

Fullscreen Print Share



PETITIONER'S

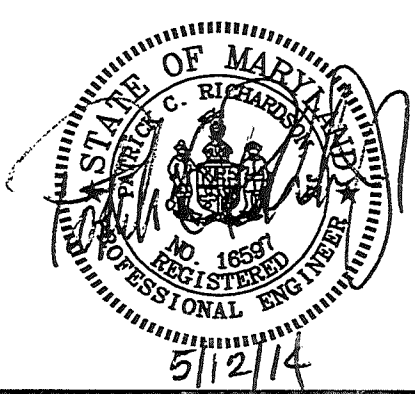
EXHIBIT NO. 3



GENERAL NOTES:

- 1. OWNER: ADELA AHMAD, 7003 LARRYLYN DRIVE, SPRINGFIELD, VA 22151
- 2. SITE AREA: GROSS: 45,894 SF or 1.05 Ac.±; NET: 33,340 SF or 0.76 Ac.±; DEED REF: 34842/180
- 3. TAX ACCOUNT: #0220450210
- 4. COUNCILMANIC DISTRICT: 4th
- 5. TAX MAP #77, GRID #23, PARCEL #531
- 6. ZONING: BR-AS (PER 1"-200' ZONING MAP 077C3)
- 7. NO PRIOR ZONING HISTORY ON FILE.
- 8. NO KNOWN PERMITS ON FILE.
- 9. THE PROPERTY AND STRUCTURES ARE NOT HISTORIC.
- 10. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- 11. EXISTING: SERVICE GARAGE (FORMER GAS STATION) PROPOSED: 3,220 SF ONE (1) STORY BUILDING WITH 3 SERVICE BAYS AND A CONVENIENCE STORE.
- 12. SITE SERVED BY PUBLIC WATER AND SEWER.
- 13. SITE LIES WITHIN ZONE "X" OF FLOOD INSURANCE RATE MAP (FIRM) PANEL #2400100360 F PANEL 360 OF 580 DATED SEPTEMBER 28, 2008. ZONE "X" IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- 14. BUILDING AREA: EXISTING: 85 SF (85 SF TO BE REMOVED); PROPOSED: 8,800 SF; TOTAL: 8,800 SF
- 15. LOT AREA: AUTOMOTIVE FUEL SERVICE STATION = 15,000 SF; C-STORE 4 X 1470 SF = 5,880 SF; SERVICE BAY: 3 X 1300 SF = 3,900 SF; ATM = 1,000 SF; TOTAL REQUIRED: 25,780 SF < 33,340 SF
- 16. FLOOR AREA RATIO (F.A.R.): MAX PERMITTED = 2.0; PROVIDED: 3,220/33,340 = 0.10
- 17. PARKING REQUIRED: C-STORE: 1470 SF @ 3/1000SF = 5 SPACES; SERVICE BAYS: 3 PER BAY = 9 SPACES; EMPLOYEE: 1/EMPLOYEE = 4 SPACES; TOTAL REQUIRED: 18 SPACES; PROVIDED: 20 SPACES (1 HANDICAPPED, 19 STANDARD)
- 18. ANY PROPOSED SIGNS ARE TO CONFORM TO THE BALTIMORE COUNTY ZONING REGULATIONS (BCZR).
- 19. BUILDING HEIGHT (SUBJECT TO HEIGHT TEXT REQUIREMENTS) PROPOSED: 20'
- 20. BASIC SERVICE MAPS: TYPE DEFICIENT (Y/N) NOTE; SEWER N; WATER N; TRANSPORTATION N
- 21. ALL EXISTING FEATURES BOTH ABOVE AND BELOW GROUND ARE TO BE PROPERLY REMOVED WITH EXCEPTION TO UTILITY CONNECTIONS.
- 22. SETBACKS FOR BR: TYPE REQUIRED PROVIDED; FRONT 35' 77'; SIDE 30' 24'; REAR 30' 6'; *SECTION 405 SETBACK FOR FRONT

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2015



Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION
FOR THE

GETTY GAS STATION
8201 LIBERTY ROAD
(MARYLAND U.S. ROUTE #26)
BALTIMORE, MARYLAND 21224

2ND ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND	
REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 20'
	DATE:	JOB NO.:	SHEET NO.:
	05-12-14	14023	1 OF 1

2014-0230-SPHX