

IN RE: PETITIONS FOR SPECIAL HEARING *
AND VARIANCE

(9329 Liberty Road) *

2nd Election District *

4th Council District *

Dennis K. & Elizabeth J. Agboh *

Legal Owners *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2014-0239-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Variance filed on behalf of the legal owners. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) permit fifty (50) vehicles on the subject property in lieu of the thirty (30) allowed per Case No. 03-147-X; and (2) to permit a 24 ft. x 24 ft. one (1) story metal garage building to be constructed and used for mechanical repair services to cars being sold from the subject property only. The variance petition seeks relief from B.C.Z.R. §§ 409.4.B.2, 409.C and 409.8.A.4 as follows: (1) to permit up to twenty (20) spaces for sales vehicles that do not have direct access to an aisle; (2) to permit one way directional drive aisles with a width of 15 ft. in lieu of the required 22 ft.; and (3) to allow parking spaces 1.0 ft. from a right-of-way of a public street, in lieu of the required 10 ft.

The subject property and requested relief is more fully depicted on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1. Appearing at the public hearing in support of the requests was Dennis Agboh. Bruce E. Doak, from Bruce E. Doak Consulting, LLC (whose firm prepared the site plan) appeared on behalf of the Petitioners. John and Barb Ness, both of whom operate a business on property adjoining that owned by Petitioners, attended the hearing to express certain concerns regarding the operation of their business. The

ORDER RECEIVED FOR FILING

Date

12/3/14

By

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Petition was advertised and posted as required by the Baltimore County Zoning Regulations. Substantive Zoning Advisory Committee (ZAC) comments were submitted by the Department of Planning (DOP) dated July 3, 2014 and the Bureau of Development Plans Review (DPR) dated June 2, 2014.

The petition for special hearing first seeks to permit 50 cars on the site, in lieu of the 30 as allowed in Case No. 03-147-X. In that case, special exception relief was granted for a "used motor vehicle outdoor sales area" on the B.R. zoned property, per B.C.Z.R. §236.2. What Petitioners seek is in fact an amendment to the special exception previously granted, which in my opinion would require a petition for special exception, which was not filed in this case.

In addition, I do not believe that it would be in the public interest to permit more than 30 vehicles on the site. The property contains only 20,000 square feet which is a small parcel on which to display for sale 50 vehicles, especially when taking into account the additional traffic generated by customers, suppliers, etc. The DOP also opposed the request. In fact, that agency opined in its ZAC comment that the 2003 special exception order "already allowed an over intensification of the site."

The second aspect of the petition for special hearing seeks to permit construction of a 24' x 24' building for mechanical repairs to cars being sold from the property. This would seem to be permitted by right in the B.R. zone, which permits all uses allowed in the B.M. zone per B.C.Z.R. §236.1.A. One such use is a service garage, per B.C.Z.R. §233.1.B. As such, I believe the building and proposed use are permitted by right (provided all B.R. zone height and area regulations are satisfied) at the subject property, although I will grant the petition for special hearing to prevent confusion on the point.

The final issue involves the "5 or less automobiles to be rented," as described on the site plan. A "neighborhood car rental agency" is a permitted use in the B.L. zone (B.C.Z.R.

ORDER RECEIVED FOR FILING

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§230.1.A.9), and is therefore permitted in the B.R. zone. While what Petitioners propose is actually the rental of motor vehicles as an accessory use, the regulations would nonetheless permit such rentals even if they were the "principal use of land." As such, this use is permitted on the property, and both the B.L. and B.M. zones (and therefore the B.R. zone as well) permit the "combination of uses" on the same property. B.C.Z.R. §§230.1.A.10 and 233.1.C.

Based upon the testimony and evidence presented, I will also grant the petition for variance, although on slightly different terms than requested in the original petition. The Petition sought approval for a 1 foot setback for parking spaces along the front (Liberty Road) of the site. The County's landscape architect requested that planter boxes with a vegetative buffer be installed along the front of the site, as shown on the revised site plan marked as Petitioners' Ex. No. 6. To accommodate this landscaping, the parking spaces will be situated at least 4 feet from the public street right-of-way.

To obtain variance relief a petitioner must show:

- (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).

Petitioners have met this test. The Petitioners must contend with existing site conditions on a lot that is narrow and deep. As such the property is unique. Petitioners would experience a practical difficulty if the regulations were strictly interpreted, since they would be unable to continue operating their business in its current configuration. Finally, I believe the relief can be granted without harm to the health, safety and welfare of the public.

THEREFORE, IT IS ORDERED this 3rd day of December, 2014, by this Administrative Law Judge, that the Petition for Special Hearing filed pursuant to § 500.7 of the Baltimore County

ORDER RECEIVED FOR FILING

Date

12/3/14

By

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Zoning Regulations ("B.C.Z.R.) to permit fifty (50) vehicles on the subject property in lieu of the thirty (30) allowed per Case No. 03-147-X, be and is hereby DENIED.

IT IS FURTHER ORDERED that the Petition for Special Hearing to permit a 24 ft. x 24 ft. one (1) story metal garage building to be constructed and used for mechanical repair services to cars being sold from the subject property only, be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Variance pursuant to B.C.Z.R. §§ 409.4.B.2, 409.C and 409.8.A.4 as follows: (1) to permit up to twenty (20) spaces for sales vehicles that do not have direct access to an aisle; (2) to permit one way directional drive aisles with a width of 15 ft. in lieu of the required 22 ft.; and (3) to allow parking spaces 4.0 ft. from a right-of-way of a public street, in lieu of the required 10 ft., be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

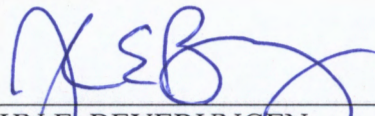
1. Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioners may keep on the premises no more than thirty (30) vehicles total, including those offered for sale, rent and/or awaiting repair.
3. Petitioners may store and display on site not more than five (5) vehicles offered for rental. These vehicles must be stored separately from the vehicles offered for sale, and must be clearly labeled "for rent" in a conspicuous manner. Petitioners must also comply with B.C.Z.R. §408A in conducting the car rental operation.
4. Petitioners must, prior to issuance of permits, construct a 6' high board stockade fence along the rear property line. Petitioners must also provide planter boxes with appropriate vegetation (as determined in the sole discretion of the Baltimore County landscape architect) along the Liberty Road frontage of the property.

ORDER RECEIVED FOR FILING

Date

By

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/sln

ORDER RECEIVED FOR FILING

Date

12/3/14

By

sln



KEVIN KAMENETZ
County Executive

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

December 3, 2014

Dennis and Elizabeth Agboh
116 Nob Hill Park
Reisterstown, Maryland 21136

RE: Petition for Variance
Property: 9329 Liberty Road
Case No. 2014-0239-A

Dear Mr. and Mrs. Agboh:

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 Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: Bruce E. Doak, 3801 Schoolhouse Road, Freeland, Maryland 21053

IN RE: PETITIONS FOR SPECIAL HEARING *

AND VARIANCE

(9329 Liberty Road) *

2nd Election District *

4th Council District *

Dennis K. & Elizabeth J. Agboh *

Legal Owners *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2014-0239-SPHA

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

Now pending is a Motion for reconsideration, filed in a timely fashion by Baltimore County. Therein, the County requests that the Administrative Law Judge (ALJ) reconsider its Order granting zoning relief dated December 3, 2014.

In its motion, Baltimore County alleges that the Petitioner's "repeated noncompliance" with conditions imposed in a prior zoning Order has jeopardized the "public safety and welfare." Baltimore County also notes that a new code violation citation has been served on Petitioners, which is scheduled for hearing on January 28, 2015.

In these circumstances, it appears that the zoning relief in the December 3, 2014 Order was improvidently granted.

THEREFORE, IT IS ORDERED this 21st day of January, 2015, by this Administrative Law Judge, that the Special Hearing and Variance relief granted in the Order dated December 3, 2014, be and hereby is **RESCINDED**, and the Petitions for Special Hearing and Variance filed in the above case, be and hereby are **DENIED**.

ORDER RECEIVED FOR FILING

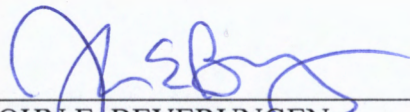
Date

1/21/15

By

sen

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/sln

ORDER RECEIVED FOR FILING

Date 11/21/15

By sln



KEVIN KAMENETZ
County Executive

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

January 21, 2015

Dennis and Elizabeth Agboh
116 Nob Hill Park
Reisterstown, Maryland 21136

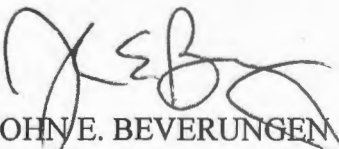
RE: Petition for Variance- **MOTION FOR RECONSIDERATION**
Property: 9329 Liberty Road
Case No. 2014-0239-A

Dear Mr. and Mrs. Agboh:

Enclosed please find a copy of the decision rendered in the Motion for Reconsideration.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: R. Brady Locher, Assistant County Attorney, Permits, Approvals and Inspections
Bruce E. Doak, 3801 Schoolhouse Road, Freeland, Maryland 21053

RECEIVED

JAN 05 2015

**In Re: Petition for Special Hearing
And Variance**

(9329 Liberty Road)
2nd Election District
2nd Council District

Dennis K. & Elizabeth J. Agboh
Legal Owners

BEFORE THE

OFFICE OF ADMINISTRATIVE HEARINGS

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 2014-0239-SPHA

MOTION FOR RECONSIDERATION

Baltimore County, a body corporate and politic of the State of Maryland, (hereinafter the "County") by its attorneys, Michael E. Field, County Attorney, and R. Brady Locher, Assistant County Attorney, and pursuant to Rule 4(K) of Appendix G to the Baltimore County Zoning Regulations, files this motion to respectfully request this Court to reconsider its Order issued on December 3, 2014, in the above captioned case, whereby Petitioners were granted a Petition for Variance.

Petitioners sought both a petition for special hearing and a petition for variance aimed at further intensifying the permitted uses on the subject property. Included among the petition for special hearing was a request to increase the thirty (30) vehicle restriction on the property to a fifty (50) vehicle restriction. However, Petitioners repeatedly violated the thirty (30) vehicle restriction before and since this Court denied Petitioners an amendment to the vehicle restriction. In fact, the County is presenting evidence of a second citation to this Court on January 28, 2015. The citation, if proven, would be in addition to the violation for which a \$1000.00 civil penalty was imposed by this Court on July 21, 2014. It should be noted that this Court suspended all but \$50 of the civil penalty to incent compliance from Petitioner.

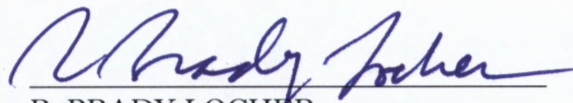
As this Court noted its Order, the thirty (30) vehicle restriction must remain in place because it is necessary to protect the public interest. Yet, from Petitioners' repeated noncompliance with a restriction imposed to protect the public safety and welfare, a reasonable inference may be drawn. Namely, that the on-site business was, and still is, over-utilizing the property to the risk of the public safety and welfare.

The County requests this Court to apply its same well-reasoned logic to the requested variance. As the Court of Appeals held in *McLean v. Soley*, a local zoning authority must consider "whether relief can be granted in such fashion that the spirit of the ordinance will be observed and the public safety and welfare secured." 270 Md. 208, 214-15 (1973). Here, the approved variance allows Petitioners to compact the storage and movement of thirty (30) vehicles closer to Liberty Road. The variance should be denied because it further intensifies an already over-intensified site, and consequently, further endangers the public safety and welfare.

The County is aware of the burden that the restriction places on Petitioners. However, "a burden on the owner is permissible so long as it is justified by the public health safety and welfare." *Kennerly v. Mayor of Balt.*, 247 Md. 601, 606-07 (1967). Here, the variance allows for Petitioners to move a clustered fleet of vehicles that much closer to the high-speed traffic passing on Liberty Road. Avoiding this public risk justifies Petitioners burden born by a property that is no more unique than other auto related businesses in the area. The County respectfully requests this Court to reconsider the requested variance in the same light that it examined the vehicle restriction and deny the petition for variance.

Respectfully submitted,

Michael E. Field
County Attorney

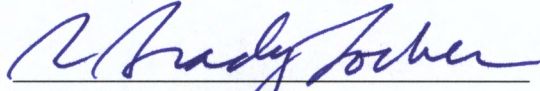
A handwritten signature in blue ink, appearing to read "R. Brady Locher", is written over a horizontal line.

R. BRADY LOCHER
Assistant County Attorney
Dept. Permits, Approvals & Inspections

CERTIFICATE OF SERVICE

I hereby certify on this 2nd day of January, 2014, that a copy of the foregoing
Motion for Reconsideration was delivered by U.S. Mail postage prepaid to:

Dennis K. Agboh & Elizabeth J. Agboh
116 Nob Hill Park
Reisterstown, MD 21136-4609


R. BRADY LOCHER
Assistant County Attorney



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 9329 LIBERTY ROAD which is presently zoned BR-45
Deed References: SM 13748 / 682 10 Digit Tax Account # 0216000291
Property Owner(s) Printed Name(s) DENNIS K. & ELIZABETH J. AGGON

(SELECT THE HEARING(S) BY MARKING ☒ 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. ☒ 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 SHEET

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

3. ☒ a Variance from Section(s)

SEE ATTACHED SHEET

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)

SEE ATTACHED SHEET

TO BE PRESENTED AT THE HEARING

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

Mailing Address City State

Zip Code Telephone # Email Address

Attorney for Petitioner:

Name- Type or Print

Date

Signature

By

Mailing Address City State

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

DENNIS K. AGGON / ELIZABETH J. AGGON

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

116 NOB HILL PARK REISTERSTOWN MO

Mailing Address City State

(BRUCE D.)
21136 / 410-419-4906 /

Zip Code Telephone # Email Address

Representative to be contacted:

BRUCE E. DOAK
BRUCE E. DOAK CONSULTING, LLC

Name - Type or Print

Signature

3801 BAKER SCHOOLHOUSE ROAD FREELAND, MD

Mailing Address City State

21053 / 410-419-4906 /

Zip Code Telephone # Email Address

BDOAK@BRUCEEDOAKCONSULTING.COM

CASE NUMBER 2014-0239-SP41A Filing Date 5/15/14

Do Not Schedule Dates: Reviewer B.H.

2-AS

PETITION

VARIANCE

1. TO ALLOW A VARIANCE FROM SECTION 409.4.B.2 OF THE B.C.Z.R. TO PERMIT UP TO TWENTY SPACES FOR SALES VEHICLES THAT DO NOT HAVE DIRECT ACCESS TO AN AISLE.
2. TO ALLOW A VARIANCE FROM SECTION 409.C OF THE BCZR TO PERMIT ONE DIRECTIONAL DRIVE AISLES WITH A WIDTH OF 15' IN LIEU OF THE REQUIRED 22'.
3. TO ALLOW PARKING SPACES 1.0 FEET FROM A RIGHT OF WAY OF A PUBLIC STREET, IN LIEU OF THE REQUIRED 10 FEET. PER SECTION 409.8.A.4.

SPECIAL HEARING

1. TO PERMIT FIFTY VEHICLES ON THE SUBJECT PROPERTY IN LIEU OF THE THIRTY ALLOWED PER ZONING CASE NO. 03-147-X SPECIAL EXCEPTION.
2. TO PERMIT A 24' x 24' ONE STORY METAL GARAGE BUILDING TO BE CONSTRUCTED AND USED FOR MECHANICAL REPAIR SERVICES TO CARS BEING SOLD FROM THE SUBJECT PROPERTY ONLY.

Bruce E. Doak
Land Use Expert
3801 Baker Schoolhouse
Freeland, MD 21053
o 443-900-5535 m 4
bdoak@bruceedoak.com

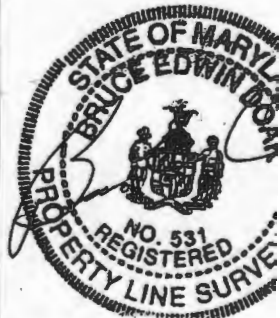
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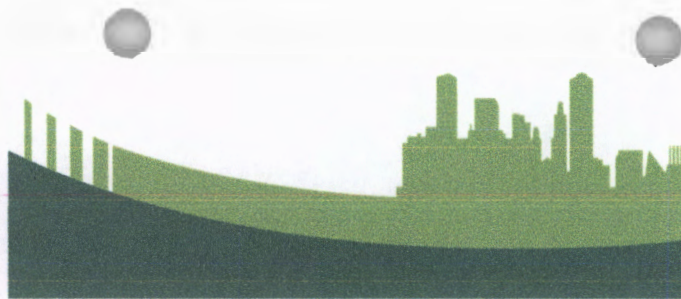
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PLAN TO AC
VARIANCES

AGE
932

2nd ELECTION DIST
BALTIM





Zoning Description

9329 Liberty Road- 19,640 Sq. Ft. / 0.451 Acres
Second Election District Second Councilmanic District
Baltimore County, Maryland

Beginning at a point on the southwest right of way line of Liberty Road, being approximately 110 feet +/- southeasterly of the centerline of Burmont Road and approximately 30 feet +/- southwesterly from the center of Liberty Road, thence leaving Liberty Road and running on the outlines of the subject property, the three following courses and distances, viz 1) South 49 degrees 36 minutes West 200 feet, 2) South 51 degrees 17 1/2 minutes East 100 feet, and 3) North 49 degrees 36 minutes East 200 feet to the southwest right of way line of Liberty Road, thence running on the southwest right of way line of Liberty Road and continuing to run on the outlines of the subject property 4) North 51 degrees 17 1/2 minutes West 100 feet to the place of beginning.

Containing 19,640 square feet or 0.451 of an acre of land, more or less.

This description is part of a zoning hearing petition and is not intended for any conveyance purposes.

LICENCE RENEWS 2/22/15



Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office

2014- 0239- SPHA

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2014-0239-SPHA
Petitioner: DENNIS K. & ELIZABETH J. AGBOH
Address or Location: 9329 LIBERTY ROAD

PLEASE FORWARD ADVERTISING BILL TO:

Name: LONDON AUTO SALES
Address: 9329 LIBERTY ROAD
RANDALLSTOWN, MD 21133

Telephone Number: 443-272-7706

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

No. 110961

Date: 5/15/14

PAID RECEIPT

BUSINESS ACTUAL TIME
5/16/2014 5/15/2014 10:35:07
RECEIPT # 51048 5/15/2014
5 520 ZONING VERIFICATION
\$1,000.00 CK \$1,000.00
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6 150					1000.00

Total: 1000.00

Rec From: London Auto Sales, LLC

For: 9329 Liberty

2014 0239 SPHA

DISTRIBUTION

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

CASHIER'S
VALIDATION

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

November 5, 2014

Re:

Case Number: 2014- 0239-SPHA

Petitioner / Developer: Dennis & Elizabeth Agboh

Date of Hearing: November 24, 2014

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

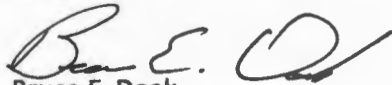
Attention: Kristen Lewis

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 **9329 Liberty Road**.

The sign(s) were posted on **November 3, 2014**.

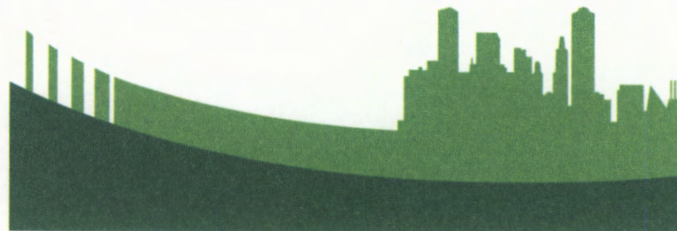
Sincerely,



Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor

ZONING NOTICE

CASE NO. 2014-0239-SPHA

**A PUBLIC HEARING WILL BE HELD BY THE
ADMINISTRATIVE LAW JUDGE IN TOWSON MARYLAND**

**PLACE: Room 205 JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MD 21204**

DATE&TIME: Monday November 24, 2014, 10:00 AM

REQUEST:

**SPECIAL HEARING TO PERMIT FIFTY (50) VEHICLES ON THE SUBJECT
PROPERTY IN LIEU OF THE THIRTY (30) ALLOWED PER ZONING CASE
NO. 03-147-X SPECIAL EXCEPTION. 2. TO PERMIT A 24 FT. X 24 FT.
ONE (1) STORY METAL GARAGE BUILDING TO BE CONSTRUCTED AND
USED FOR MECHANICAL REPAIR SERVICES TO CARS BEING SOLD
FROM THE SUBJECT PROPERTY ONLY.**

**VARIANCE TO ALLOW A VARIANCE FROM SECTION 400.4.B.2 OF THE
BCZR TO PERMIT UP TO TWENTY (20) SPACES FOR SALES VEHICLES
THAT DO NOT HAVE DIRECT ACCESS TO AN AISLE. 2. TO ALLOW A
VARIANCE FROM SECTION 400.C OF THE BCZR TO PERMIT ONE WAY
DIRECTION DRIVE AISLES WITH A WIDTH OF 15 FT. IN LIEU OF THE
REQUIRED 22 FT. 3. TO ALLOW PARKING SPACES 1.0 FT. FROM A
RIGHT-OF-WAY OF A PUBLIC STREET, IN LIEU OF THE REQUIRED 10
FT.**

**POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES
NECESSARY. TO CONFIRM THE HEARING CALL 410-287-3391.**

**DO NOT REMOVE THIS SIGN AND POST UNTIL THE DAY OF THE HEARING UNDER
PENALTY OF LAW.**

THE HEARING IS HANDICAPPED ACCESSIBLE

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

June 22, 2014

Re:

Case Number: 2014- 0239-SPHA

Petitioner / Developer: Dennis & Elizabeth Agboh

Date of Hearing: July 9, 2014

Baltimore County Department of Permits, Approvals & Inspections
County Office Building
111 West Chesapeake Avenue, Room 111
111 West Chesapeake Avenue Towson, MD 21204

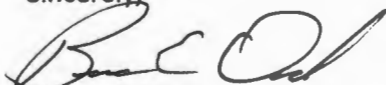
Attention: Kristen Lewis

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 **9329 Liberty Road**.

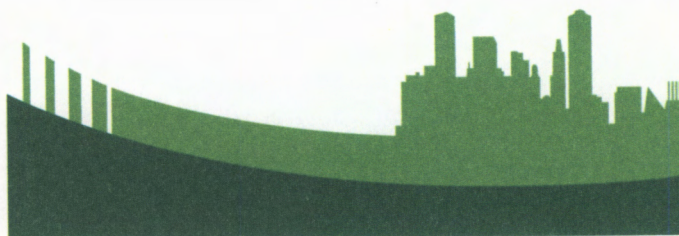
The sign(s) were posted on **June 17, 2014**.

Sincerely,



Bruce E. Doak
MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor



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 19, 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: # 2014-0239-SPHA

9329 Liberty Road

SW/s Liberty Road, 110 ft. SE of centerline of Burmont Road

2nd Election District - 4th Councilmanic District

Legal Owner(s): Dennis & Elizabeth Agboh

Special Hearing: to permit fifty (50) vehicles on the subject property in lieu of the thirty (30) allowed per zoning case No. 03-147-X. **Special Exception:** 2. To permit a 24 ft. x 24 ft. one (1) story metal garage building to be constructed and used for mechanical repair services to cars being sold from the subject property only. **Variance:** to allow a variance from Section 409.4.B.2 of the BCZR to permit up to twenty (20) spaces for sales vehicles that do not have direct access to an aisle. 2. To allow a variance from Section 409.C of the BCZR to permit one way directional drive aisles with a width of 15 ft. in lieu of the required 22 ft. 3. To allow parking spaces 1.0 ft. from a right-of-way of a public street, in lieu of the required 10 ft.

Hearing: Wednesday, July 9, 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 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, 6/302 June 19 983558



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

November 6, 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 November 4, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: # 2014-0239-SPHA

9329 Liberty Road

SW/s Liberty Road, 110 ft. SE of centerline of Burmont Road

2nd Election District - 4th Councilmanic District

Legal Owner(s): Dennis & Elizabeth Agboh

Special Hearing to permit fifty (50) vehicles on the subject property in lieu of the thirty (30) allowed per zoning case No. 03-147-X Special Exception. 2. To permit a 24 ft. X 24 ft. one (1) story metal garage building to be constructed and used for mechanical repair services to cars being sold from the subject property only.

Variance: to allow a variance from Section 409.4.B.2 of the BCZR to permit up to twenty (20) spaces for sales vehicles that do not have direct access to an aisle. 2. To allow a variance from Section 409.C of the BCZR to permit one way directional drive aisles with a width of 15 ft. in lieu of the required 22 ft. 3. To allow parking spaces 1.0 ft. from a right-of-way of a public street, in lieu of the required 10 ft.

Hearing: Monday, November 24, 2014 at 10:00 a.m., 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 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 11/662 November 4

2811220



KEVIN KAMENETZ
County Executive

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

June 2, 2014

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: 2014-0239-SPHA

9329 Liberty Road

SW/s Liberty Road, 110 ft. SE of centerline of Burmont Road

2nd Election District – 4th Councilmanic District

Legal Owners: Dennis & Elizabeth Agboh

Special Hearing to permit fifty (50) vehicles on the subject property in lieu of the thirty (30) allowed per zoning case No. 03-147-X Special Exception. 2. To permit a 24 ft. X 24 ft. one (1) story metal garage building to be constructed and used for mechanical repair services to cars being sold from the subject property only. **Variance** to allow a variance from Section 409.4.B.2 of the BCZR to permit up to twenty (20) spaces for sales vehicles that do not have direct access to an aisle. 2. To allow a variance from Section 409.C of the BCZR to permit one way directional drive aisles with a width of 15 ft. in lieu of the required 22 ft. 3. To allow parking spaces 1.0 ft. from a right-of-way of a public street, in lieu of the required 10 ft.

Hearing: Wednesday, July 9, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Arnold Jablon
Director

AJ:kl

C:Mr. & Mrs. Agboh, 116 Nob Hill Park, Reisterstown 21136
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES:** (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, JUNE 19, 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.**

TO: PATUXENT PUBLISHING COMPANY
Thursday, June 19, 2014 Issue - Jeffersonian

Please forward billing to:
London Auto Sales
9329 Liberty Road
Randallstown, MD 21133

443-272-7706

NOTICE OF ZONING HEARING

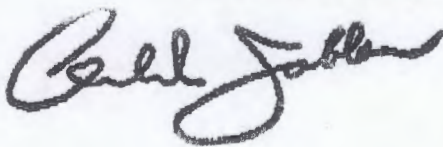
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2nd Election District – 4th Councilmanic District
Legal Owners: Dennis & Elizabeth Agboh

Special Hearing to permit fifty (50) vehicles on the subject property in lieu of the thirty (30) allowed per zoning case No. 03-147-X Special Exception. 2. To permit a 24 ft. X 24 ft. one (1) story metal garage building to be constructed and used for mechanical repair services to cars being sold from the subject property only. **Variance** to allow a variance from Section 409.4.B.2 of the BCZR to permit up to twenty (20) spaces for sales vehicles that do not have direct access to an aisle. 2. To allow a variance from Section 409.C of the BCZR to permit one way directional drive aisles with a width of 15 ft. in lieu of the required 22 ft. 3. To allow parking spaces 1.0 ft. from a right-of-way of a public street, in lieu of the required 10 ft.

Hearing: Wednesday, July 9, 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

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

October 28, 2014

NEW 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: 2014-0239-SPHA

9329 Liberty Road
SW/s Liberty Road, 110 ft. SE of centerline of Burmont Road
2nd Election District – 4th Councilmanic District
Legal Owners: Dennis & Elizabeth Agboh

Special Hearing to permit fifty (50) vehicles on the subject property in lieu of the thirty (30) allowed per zoning case No. 03-147-X Special Exception. 2. To permit a 24 ft. X 24 ft. one (1) story metal garage building to be constructed and used for mechanical repair services to cars being sold from the subject property only. **Variance** to allow a variance from Section 409.4.B.2 of the BCZR to permit up to twenty (20) spaces for sales vehicles that do not have direct access to an aisle. 2. To allow a variance from Section 409.C of the BCZR to permit one way directional drive aisles with a width of 15 ft. in lieu of the required 22 ft. 3. To allow parking spaces 1.0 ft. from a right-of-way of a public street, in lieu of the required 10 ft.

Hearing: Monday, November 24, 2014 at 10:00 a.m., Rm. 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:Mr. & Mrs. Agboh, 116 Nob Hill Park, Reisterstown 21136
Bruce Doak, 3801 Baker Schoolhouse Road, Freeland 21053

- NOTES:** (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, NOVEMBER 4, 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.**

TO: PATUXENT PUBLISHING COMPANY
Tuesday, November 4, 2014 Issue - Jeffersonian

Please forward billing to:
London Auto Sales
9329 Liberty Road
Randallstown, MD 21133

443-272-7706

NOTICE OF ZONING HEARING

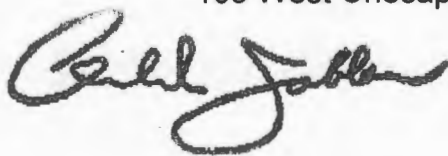
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9329 Liberty Road
SW/s Liberty Road, 110 ft. SE of centerline of Burmont Road
2nd Election District – 4th Councilmanic District
Legal Owners: Dennis & Elizabeth Agboh

Special Hearing to permit fifty (50) vehicles on the subject property in lieu of the thirty (30) allowed per zoning case No. 03-147-X Special Exception. 2. To permit a 24 ft. X 24 ft. one (1) story metal garage building to be constructed and used for mechanical repair services to cars being sold from the subject property only. **Variance** to allow a variance from Section 409.4.B.2 of the BCZR to permit up to twenty (20) spaces for sales vehicles that do not have direct access to an aisle. 2. To allow a variance from Section 409.C of the BCZR to permit one way directional drive aisles with a width of 15 ft. in lieu of the required 22 ft. 3. To allow parking spaces 1.0 ft. from a right-of-way of a public street, in lieu of the required 10 ft.

Hearing: Monday, November 24, 2014 at 10:00 a.m., Rm. 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.

M E M O R A N D U M

DATE: February 24, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0239-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on February 20, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

MEMORANDUM

DATE: January 5, 2015
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0239-SPHA – Appeal Period Expired

The appeal period for the above-referenced case expired on January 2, 2015. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

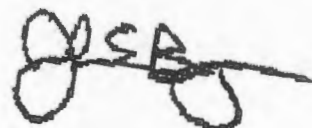
MEMORANDUM

TO: Kristen Lewis
Office of Zoning Review

FROM: John E. Beverungen, Administrative Law Judge
Office of Administrative Hearings

DATE: July 10, 2014

SUBJECT: Case No. 2014-0239-SPH (Scheduled for July 9, 2014)



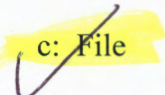
As you are aware, the above-referenced case was scheduled before the undersigned on July 9, 2014 at 1:30 PM in Room 205 of the Jefferson Building. By letter dated July 7, 2014, Bruce Doak requested a postponement in order to have time to work with the Department of Planning (DOP) regarding their ZAC comment.

Deb Wiley contacted Bruce Doak as well as Mike Snyder, Esq. and advised that the undersigned granted the postponement request and that our office would hold onto the case file in the event anyone appeared for the hearing -- which no one was in attendance.

Mr. Doak will contact you after he has worked with DOP for rescheduling and processing. Thanks.

JEB:dlw

c: File



RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND VARIANCE		
9329 Liberty Road; SW/S of Liberty Road,	*	OF ADMINISTRATIVE
110' SE c/line Burmont Road		
2 nd Election & 4 th Councilmanic Districts	*	HEARINGS FOR
Legal Owner(s): Dennis & Elizabeth Agboh	*	BALTIMORE COUNTY
Petitioner(s)	*	
	*	2014-239-SPHA

* * * * *

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.

RECEIVED

MAY 30 2014

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of May, 2014, a copy of the foregoing Entry of Appearance was mailed to Bruce Doak, 3801 Baker Schoolhouse Road, Freeland, Maryland 21053, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2015-

4 0239-SPHA

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
6/2/14	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	C
6/26/14	DEPS (if not received, date e-mail sent _____)	N/C
	FIRE DEPARTMENT	
7/3/14	PLANNING (if not received, date e-mail sent _____)	C
6/2/14	STATE HIGHWAY ADMINISTRATION	NO Obj
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 11/4/14	
SIGN POSTING	Date: 11/3/14 by Doak	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

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

In the Matter of

Civil Citation No. 1400371

Dennis Agboh
Elizabeth Agboh
116 Nob Hill Park
Reisterstown, MD 21136

9329 Liberty Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on July 15, 2014 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) 200.9 ZCPM, Baltimore County Code (BCC) section 32-3-102: Violation of commercial site plan and/ or zoning Order.

On June 3, 2014, pursuant to BCC § 3-6-205, Inspector Keith Parker issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$6,000.00 (Six thousand dollars).

The following persons appeared for the Hearing and testified: Bruce Stoke, Respondent, and Keith Parker, Baltimore County Code Enforcement Officer. - 410 887-7751

Evidence was presented that upon a citizen complaint, an inspection of the subject property, a commercial car lot was carried out on 3/11/14, revealing the presence of more than thirty vehicles, in violation of the permitted site plan of the property as well as section 500.9 of the Policy Manual. A Correction Notice was issued. Successive re-inspections noting a continuing violation of the number of permitted vehicles resulted in the issuance, mailing and posting of a Citation on 6/3/14.

The Respondent has previously appeared before me and was granted a brief continuance in order to appear before the Office Of Administrative Hearings to obtain a zoning variance to allow the additional vehicles on the property. He again appeared on this date and informed the Court that the zoning hearing had been postponed to allow for additional consultations between all concerned parties.

Under the circumstances, the continued violation is unacceptable and needs to be resolved, either by compliance with the existing site plan or by a variance.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$1,000.00 (One thousand dollars).

IT IS FURTHER ORDERED that \$950.00 of the \$1,000.00 civil penalty be suspended, with an immediate \$50.00 fine imposed at this time.

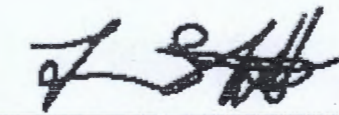
IT IS FURTHER ORDERED that the remaining \$950.00 civil penalty will be imposed if the subject property is not brought into compliance by September 15, 2014.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$950.00 civil penalty will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

ORDERED this ____21____ day of July 2014

Signed: _____



Lawrence M. Stahl
Managing Administrative Law Judge

NOTICE: Pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent or Baltimore County may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$225.00 and the posting of security in the amount of the penalty assessed.



KEVIN KAMENETZ
County Executive

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

July 3, 2014

Dennis K. & Elizabeth J. Agboh
116 Nob Hill Park
Reisterstown MD 21136

RE: Case Number: 2014-0239 SPHA, Address: 9329 Liberty Road

Dear Mr. & Ms. Agboh:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 15, 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 that reads "W. Carl Richards, Jr." The signature is fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Bruce E. Doak, Bruce E. Doak Consulting, 3801 Baker Schoolhouse Road, Freeland MD 21053

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



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

Date: 6/2/14

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

RE: Baltimore County
Item No. 2014-0239-SPHA
Special Hearing Variance
Dennis & Elizabeth J. Agboh
9329 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 5/28/14. A field inspection and internal review reveals that an entrance onto MD26 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance. Case Number 2014-0239-SPHA.

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 email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Zeller".
Steven D. Foster, Chief
Development Manager
Access Management Division

SDF/raz

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

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

Sherry Nuffer

From: Sherry Nuffer
Sent: Wednesday, December 03, 2014 9:01 AM
To: 'John.Ness@Navy.MIL'
Subject: 2014-0239-SPHA 9329 Liberty Road
Attachments: 20141203083940505.pdf

Per Judge Beverungen attached please find a copy of the Opinion and Order in reference to the above mentioned case.

If you have any questions, please do not hesitate to contact me at the number listed below.

Thank you,

Sherry

Debra Wiley - Postponement for 7/9 @ 1:30 PM

From: Debra Wiley
To: Lewis, Kristen
Date: 7/8/2014 2:00 PM
Subject: Postponement for 7/9 @ 1:30 PM
CC: Nuffer, Sherry; bdoak@bruceedoakconsulting.com
Attachments: 20140708132358061.pdf

Hi Kristen,

Per our telephone conversation, Case No. 2014-0239-SPHA scheduled for tomorrow @ 1:30 PM has been granted a postponement by Judge Beverungen. There is no need for anyone to put on the record this request. Attached please find a copy of Mr. Doak's postponement request.

Telephone calls were placed to both Bruce Doak and Mike Snyder indicating the above and that our office would hold onto the file in the event anyone showed. After the scheduled hearing, the file will be returned to you and not scheduled until after Mr. Doak works out some details with the Department of Planning.

Thanks.

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

>>> <officeofhearings@baltimorecountymd.gov> 7/8/2014 1:23 PM >>>
This E-mail was sent from "zoneprt1" (Aficio MP 2852).

Scan Date: 07.08.2014 13:23:57 (-0400)
Queries to: officeofhearings@baltimorecountymd.gov

NB 7-9-14

JULY 7, 2014

RECEIVED

JUL 07 2014

Re: ZONING CASE # 2014-239

OFFICE OF ADMINISTRATIVE HEARINGS

DEAR MR. BEVERUNGEN,

I WOULD LIKE TO REQUEST THAT THE HEARING FOR THIS CASE TO BE HELD ON WEDNESDAY JULY 9TH BE POSTPONED. THE REASON FOR MY REQUEST IS THE NEED FOR MORE TIME IN WORKING WITH THE OFFICE OF PLANNING.

I WILL ATTEND THE HEARING TO REQUEST THE POSTPONEMENT IF YOU FEEL IT IS NECESSARY. PLEASE EMAIL ME DECISION AND REQUIREMENTS ON MY REQUEST.

WITH REGARDS AND APPRECIATION,

B. E. D.
BRUCE E. DOAK

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com



To: Baltimore County Zoning Office

To Whom It May Concern:

Please accept this letter in lieu of my personal testimony as follows:

1. I am the owner of Liberty Ford, a Ford vehicle dealership located at 9311 Liberty Road, Randallstown, Maryland.
2. I am in total opposition to the zoning variance being requested by the owners of the property known as 9329 Liberty Road, Randallstown, Maryland.
3. The 9329 Liberty Road owners and tenants have operated the 9329 Liberty Road property with total disregard for my property and their other adjoining property owners. They have continually trespassed onto our properties with their motor vehicles, trucks, deliveries, etc. I have repeatedly requested that they cease these trespasses, without any cooperation.
4. I am also the owner of the property located on Liberty Road immediately adjoining to the west of the 9329 Liberty Road property.
5. For several years I have witnessed these trespasses onto the Uhler property at 9323 Liberty Road. These trespasses have been a total disruption to my business and the Uhler business.
6. At no time have I ever given the 9329 Liberty Road property owners or tenants permission to use any of my properties for any purpose.

Thank you for your consideration of my testimony. If you wish to contact me my telephone number is 410-655-2000.

WITNESS:

Brenda C. Parks

LIBERTY FORD

By: Ed Gelin
Ed Gelin, President

Date: 7/3/14

STATE OF Maryland, Baltimore COUNTY, to wit:

I HEREBY CERTIFY that on this 3rd day of July, 2014, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared ED GELIN, PRESIDENT OF LIBERTY FORD, known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument, who acknowledged the foregoing to be his act under oath.

AS WITNESS my hand and Notarial Seal.



Kelly A. Koelber
Notary Public

My Commission Expires: 12/1/14

MICHAEL L. SNYDER

ATTORNEY AT LAW
5930 Glen Falls Road
Reisterstown, MD 21136
410-337-0200

December 15, 2014

Arnold Jablon, Director
Department of Permits,
Approvals and Inspections
County Office Building
111 W. Chesapeake Avenue
Suite 105
Towson, MD 21204

RECEIVED

DEC 18 2014

OFFICE OF ADMINISTRATIVE HEARINGS

Re: London Auto Sales,
9329 Liberty Road
Randallstown, MD 21133

Dear Mr. Jablon:

I represent Mr. and Mrs. Bernard Uhler, the owners of the property located at 9323 Liberty Road. For many years Mr. and Mrs. Uhler have operated Uhlers Trash Hauling from this property. Their property is shown as Parcel 840 on Tax Map 77. The purpose of this letter is to seek your assistance to remedy an untenable situation between the Uhlers and the adjoining property occupied by London Auto Sales.

The London property, at 9329 Liberty Road, is owned by Mr. and Mrs. Dennis Agboh, and it is leased to London Auto Sales. This property is shown as Parcel 853 on Tax Map 77.

Each of these properties have road frontage on the south side of Liberty Road. In this area the properties slope to the south and away from Liberty Road.

The problems began approximately 3 years ago when London Auto Sales became the tenant of the 9329 Liberty Road property. The London property is very small in size, being approximately one-half acre. The London operation quickly occupied the property with approximately 50 vehicles. The property is improved by a small building used as their office. Problems began when customers and other visitors of London continually parked on the Uhler property because of the congestion on the London property. This prohibited the Uhler trash trucks from turning onto the Uhler property from Liberty Road. Requests by the Uhlers that this practice be discontinued were met with rude and uncooperative responses from London.

Arnold Jablon, Director
December 15, 2014
Page 2

On June 3, 2014 Baltimore County Code Enforcement Inspector, Keith Parker, issued a citation on the London property. On July 15, 2014 Judge Lawrence Stahl held a hearing concerning the continuing violations of the number of permitted vehicles on the London property. A copy of Judge Stahl's Order is enclosed herewith. Judge Stahl imposed a \$1,000 civil penalty but suspended \$950 with the understanding that the property would be brought into compliance by September 15, 2014. This compliance never happened.

Over the past 2 years there have been many instances of water draining from the London property onto and across the Uhler driveway and parking lot. The source of this water included broken pipes in the London building, hoses and spigots being left on overnight, and commercial car washing being performed by London. This condition is intolerable to the Uhlers as in the cold weather this water freezes making the Uhler driveway and parking lot a sheet of ice. Numerous times this unsafe condition prohibited Uhler drivers from accessing their trucks, and the trucks being unable to pull the driveway hill to Liberty Road. This also prevents the Uhlers from completing their daily trash routes under contract for Baltimore County. Numerous complaints have been made of these conditions to London and to Baltimore County Code Enforcement. However, this condition has continued even as recently as this past week.

Last week a water pipe broke at the London building causing water to continuously flow onto the Uhler property. Inspector Keith Parker told us that Baltimore City came to the London property and repaired the pipe to stop the water. During this time, apparently there was no water service to the London building, and apparently employees did not have a toilet facility, and simply used the outside rear of the building for their bathroom needs. Mr. Uhler has photographs which are enclosed showing the sewage and paper waste on the property.

A few months ago, oil was leaking from a 55 gallon oil drum on the London property. The Maryland Department of the Environment visited the property, and apparently warned London about such conditions.

As a result of the constant trespasses by London customers, delivery men, etc. onto the Uhler property, the Uhlers employed a surveyor who marked the line between the two properties. The survey showed that many of the London vehicles were parked over the dividing line and onto the Uhler property. As a result of the survey, the Uhlers constructed jersey walls on their property to prevent further trespasses.

The Liberty Ford auto dealership owns Parcels 838 and 922, known as 9311 and 9331 Liberty Road. The President of Liberty Ford, Mr. Ed Galin, has also experienced similar trespass problems with the London operation.

Arnold Jablon, Director
December 15, 2014
Page 3

Also enclosed please find the Opinion and Order dated December 3, 2014, by Administrative Law Judge, John E. Beverungen. In this Order, Judge Beverungen denied London's request to permit more than 30 vehicles on the site. In that Order he states that Baltimore County in its ZAC comments commented that there is already an over intensification of this site.

As a result of complaints by Mr. and Mrs. Uhler to Code Enforcement, we have had discussions with Inspector Keith Parker. In response to our complaints regarding water from commercial car washes by London intruding onto the Uhler property, Inspector Parker says that water flowing from these car washes is permitted because of the topography. WE STRONGLY DISAGREE WITH MR. PARKER. IT IS INCONCEIVABLE THAT A PROPERTY OWNER CAN RUN A COMMERCIAL BUSINESS WHICH PERMITS ITS WATER TO INTRUDE ONTO NEIGHBORING PROPERTIES. ANY COMMERCIAL BUSINESS SUCH AS THIS MUST CONTAIN ITS WATER FROM CAR WASHING OR SIMILAR OPERATIONS WHOLLY WITHIN ITS OWN PROPERTY. WE URGE YOU TO EDUCATE CODE ENFORCEMENT IN THIS REGARD.

The entire situation has caused much anguish to Mr. and Mrs. Uhler, their family and their employees for too long a period of time. We respectfully request your assistance in resolving it. The Uhlrs have requested that I send this letter directly to you and respectfully request your reply.

Very truly yours,



Michael L. Snyder

MLS/ap
Enclosures

cc: Adam Rosenblatt
Department of Permits,
Approvals and Inspections
County Office Building
111 W. Chesapeake Avenue
Suite 105
Towson, MD 21204

Arnold Jablon, Director
December 15, 2014
Page 4

cc: Office of Code Enforcement
County Office Building, Room 213
111 W. Chesapeake Avenue
Towson, MD 21204

Kevin Kamenetz
Executive's Office
400 Washington Avenue
Towson, MD 21204

Judge Lawrence M. Stahl
Office of Administrative Hearings
For Baltimore County
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

Judge John E. Beverungen
Office of Administrative Hearings
For Baltimore County
105 W. Chesapeake Avenue, Suite 103
Towson, MD 21204

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053

Mr. and Mrs. Bernard Uhler
9323 Liberty Road
Randallstown, MD 21133

Dennis A. Kennedy
Development Plans Review Supervisor
County Office Building
111 W. Chesapeake Avenue
Suite 119
Towson, MD 21204

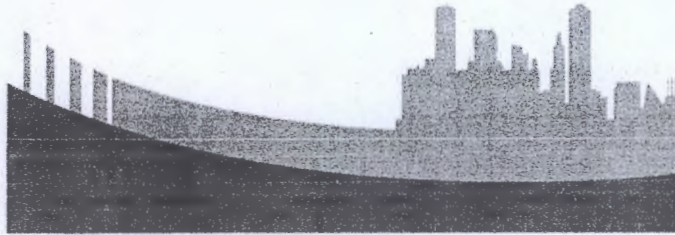
Arnold Jablon, Director
December 15, 2014
Page 5

cc: Andrea Van Arsdale, Director
Department of Planning Overview
Suite 101, The Jefferson Building
105 W. Chesapeake Avenue
Towson, MD 21204

Mr. and Mrs. Dennis Agboh
116 Nob Hill Park
Reisterstown, MD 21136

Ed Gelin, President
Liberty Ford
9311 Liberty Road
Randallstown, MD 21133

Mr. Matt Gawel
Sediment Control (PAI)
Baltimore County Office Building
111 W. Chesapeake Avenue, Room G21
Towson, MD 21204



November 17, 2014

Mike Snyder

Re: London Auto Sales Zoning Hearing

Dear Mike,

This letter is to put in writing all of the things we discussed the other day. My clients are requesting from Baltimore County:

- 50 vehicles in lieu of the allowed 30 to be sold or rented
- To permit a garage to perform mechanical repairs
- To permit 20 spaces for sales vehicles without direct access to an aisle
- To permit one way drive aisles
- To permit a setback of 1' from a public street right of way

The owners are agreeing to do the following as conditions to be placed by the administrative law judge for the approval of the above requests.

- To only use the neighbor's driveway for access to the adjoining property while the lease is in place. There will never be any parking on the neighbor's driveway.
- To only use the garage for the maintenance of vehicles sold or rented by London Auto Sales. No maintenance will occur outside of the garage.
- To construct and plant wooden boxes along Liberty Road on either side of the drive aisles.
- Agreement that if any of these conditions are not adhered to, the approvals can be rescinded.

We hope that these agreed upon conditions will allow your clients not to protest the zoning petitions. Please feel free to call me if you have any questions or if you need anything else.

With regards,

Bruce E. Doak

Bruce E. Doak Consulting, LLC
3801 Baker Schoolhouse Road
Freeland, MD 21053
410-419-4906 cell / 443-900-5535 office
bdoak@bruceedoakconsulting.com

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 3, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 9329 Liberty Road

JUL 07 2014

INFORMATION:

Item Number: 14-239

OFFICE OF ADMINISTRATIVE HEARINGS

Petitioner: Dennis K. Agboh

Zoning: BR-AS

Requested Action: Special Hearing, Variance

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The petitioner is seeking multiple Special Hearing and Variance requests. The petitioner is seeking a Special Hearing to:

- Permit fifty vehicles on the subject property in lieu of the thirty allowed per zoning case 03-147-X Special Exception.
- Permit a 24' by 24' one story metal garage building to be constructed and used for mechanical repair services to cars being sold from the subject property.

The petitioner is seeking a Variance to:

- Permit up to twenty spaces for sales vehicles that do not have direct access to an aisle.
- Permit one directional drive aisles with a width of 15' in lieu of the required 22'.
- Allow parking spaces 1 foot from a right-of-way of a public street in lieu of the required 10 feet.

SUMMARY OF RECOMMENDATIONS:

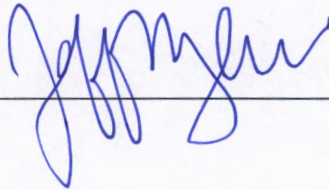
The Department of Planning objects to the petitioner's Special Hearing request to amend the Zoning Commissioner's 2003 Special Exception order. The previous order already allowed an over intensification of the site and now the petitioner's new plan further intensifies the use of the lot. The petitioner's new request cannot provide adequate landscaping, lighting or space for a dumpster enclosure and creates internal circulation conflicts. The reduced landscaping buffer along Liberty Road also does not meet the standards of the adopted Liberty West Community Plan which calls for increased landscape buffers to give pedestrians greater protection from traffic along Liberty Road. The site provides only three small landscape islands to separate the lot's parking lot and Liberty Road.

The petitioner's request also does not address that the plan shows spaces for car rentals. The combination of used car sales in combination with a service garage would require another Special Hearing request that the Planning Department would not support.

*For all of the reasons cited above, the Planning Department **does not** support any of the petitioner's Special Hearing and Variance requests.

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

Deputy Director:
AVA/LL

A handwritten signature in blue ink, appearing to be "Donnell Zeigler", is written over a horizontal line.

7-9
1:30

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED



JUN 26 2014

OFFICE OF ADMINISTRATIVE HEARINGS

TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: June 26, 2014

SUBJECT: DEPS Comment for Zoning Item # 2014-0239-SPHA
Address 9329 Liberty Road
(Agboh Property)

Zoning Advisory Committee Meeting of May 26, 2014.

X The Department of Environmental Protection and Sustainability has no comment on the above-referenced zoning item.

Reviewer: *Jeff Livingston – Development Coordination*

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 02, 2014
Item No. 2014-0239

DATE: June 02, 2014

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

We disagree with allowing variance # 3, because the adjacent properties are observing the 10' setback. We have no objection to granting the other requests. A landscape plan will be required for the building permit.

DAK: CEN.
Cc: file.
ZAC-ITEM NO 14-0239-06022014.doc

Real Property Data Search (w1)

Guide to searching the database

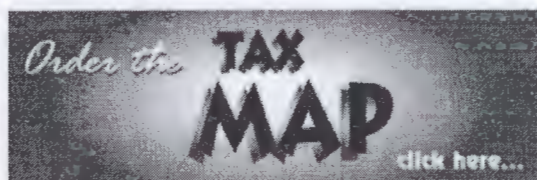
Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 02 Account Number - 0216000291			
Owner Information					
Owner Name:	AGBOH DENNIS K AGBOH ELIZABETH J		Use:	COMMERCIAL	
Mailing Address:	116 NOB HILL PARK REISTERSTOWN MD 21136-4609		Principal Residence:	NO	
			Deed Reference:	/13748/ 00682	
Location & Structure Information					
Premises Address:		9329 LIBERTY RD 0-0000		Legal Description:	SWS LIBERTY RD 9329 LIBERTY RD W CHAPMAN RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0077	0007	0853		0000	
Block:	Lot:	Assessment Year:	Plat No:	Plat Ref:	
		2013			
Special Tax Areas:			Town:	NONE	
			Ad Valorem:		
			Tax Class:		
Primary Structure Built	Above Grade Enclosed Area	Finished Basement Area	Property Land Area	County Use	
1964	1786		20,000 SF	24	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
		RETAIL STORE			
Value Information					
	Base Value	Value As of 01/01/2013	Phase-in Assessments		
			As of 07/01/2014	As of 07/01/2015	
Land:	210,000	210,000			
Improvements	33,500	33,500			
Total:	243,500	243,500	243,500	243,500	
Preferential Land:	0			0	
Transfer Information					
Seller: GRIMM JOSEPH M, JR		Date: 05/14/1999	Price: \$175,000		
Type: ARMS LENGTH IMPROVED		Deed1: /13748/ 00682	Deed2:		
Seller: PARKS ANDREW C PARKS WM D, ET AL		Date: 12/16/1988	Price: \$252,000		
Type: ARMS LENGTH IMPROVED		Deed1: /08055/ 00412	Deed2:		
Seller:		Date:	Price:		
Type:		Deed1:	Deed2:		
Exemption Information					
Partial Exempt Assessments:	Class		07/01/2014	07/01/2015	
County:	000		0.00		
State:	000		0.00		
Municipal:	000		0.00 0.00	0.00 0.00	
Tax Exempt:	Special Tax Recapture:				
Exempt Class:	NONE				
Homestead Application Information					
Homestead Application Status: No Application					

New Search (<http://sdat.resiusa.org/RealProperty>)

[illegible]

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).



(<http://imsweb05.mdp.state.md.us/website/mosp/>)

 Loading... Please Wait. Loading... Please Wait.

PLEASE PRINT CLEARLY

CASE NAME Agboh
CASE NUMBER 2014-0239-SPTA
DATE 11-24-14

CITIZEN'S SIGN - IN SHEET

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

PLEASE PRINT CLEARLY

CASE NAME AGBOU
CASE NUMBER 2014-0239-SP4A
DATE 11/24/14

DATE 11/24/14

DATE 11/24/14

PETITIONER'S SIGN-IN SHEET

[illegible]

Case No.: 2014 - 0239 - SPHA

Exhibit Sheet

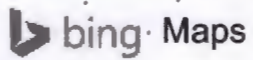
Petitioner/Developer

1-5-15

Protestants

Aln
12/3/14

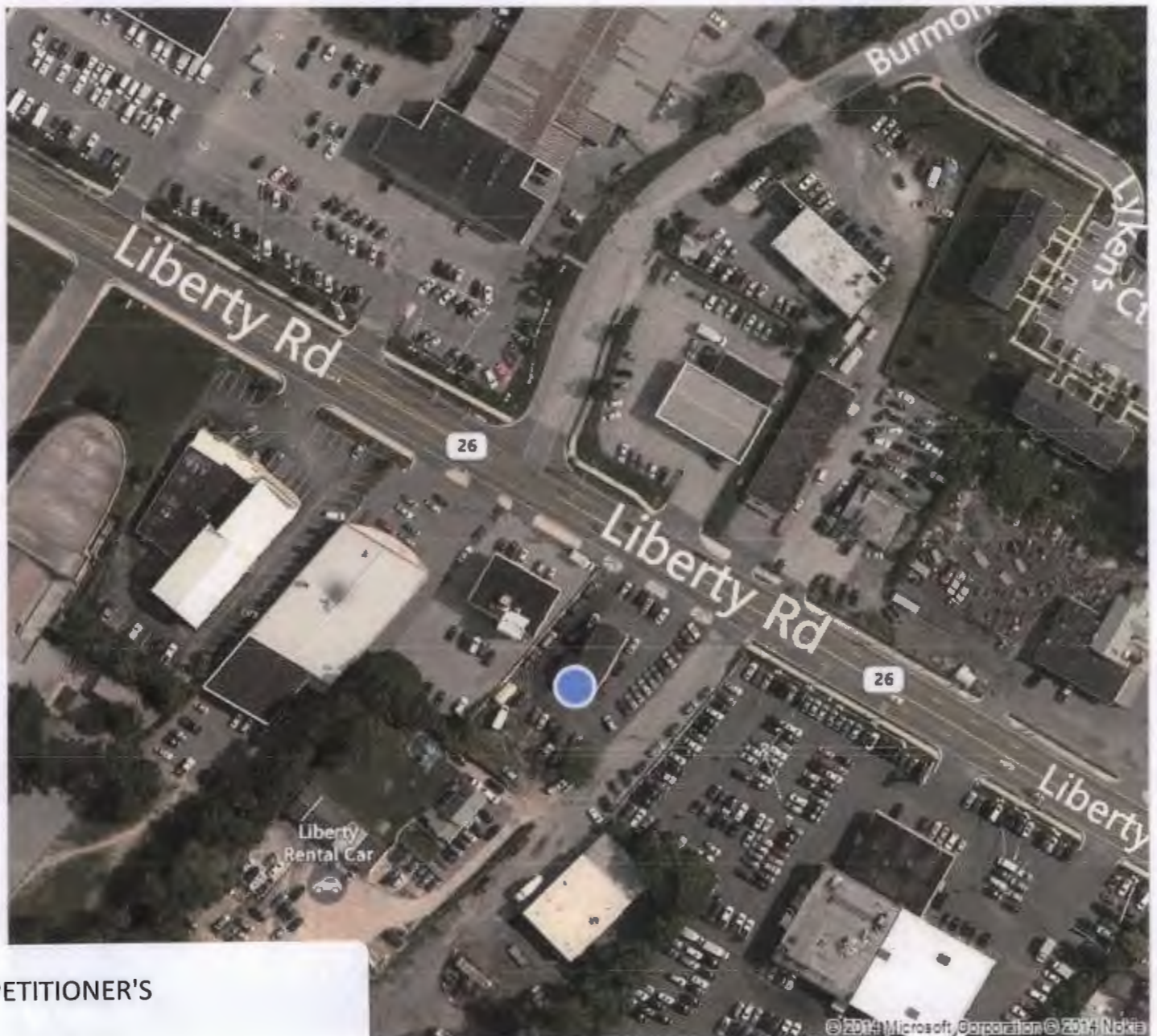
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No. 2	Bing Aerial photo	
No. 3	My Neighborhood Zoning Map	
No. 4	Plan to Accompany Photos	
No. 5	SA-5E Color photos	
No. 6	Colored Site Plan	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



9329 Liberty Rd, Randallstown, MD 21133

Aerial photo from Bing Maps showing surrounding area

On the go? Use **m.bing.com** to find maps, directions, businesses, and more



PETITIONER'S

EXHIBIT NO. 2

EXHIBIT NO. 3

Printed 11/24/2014



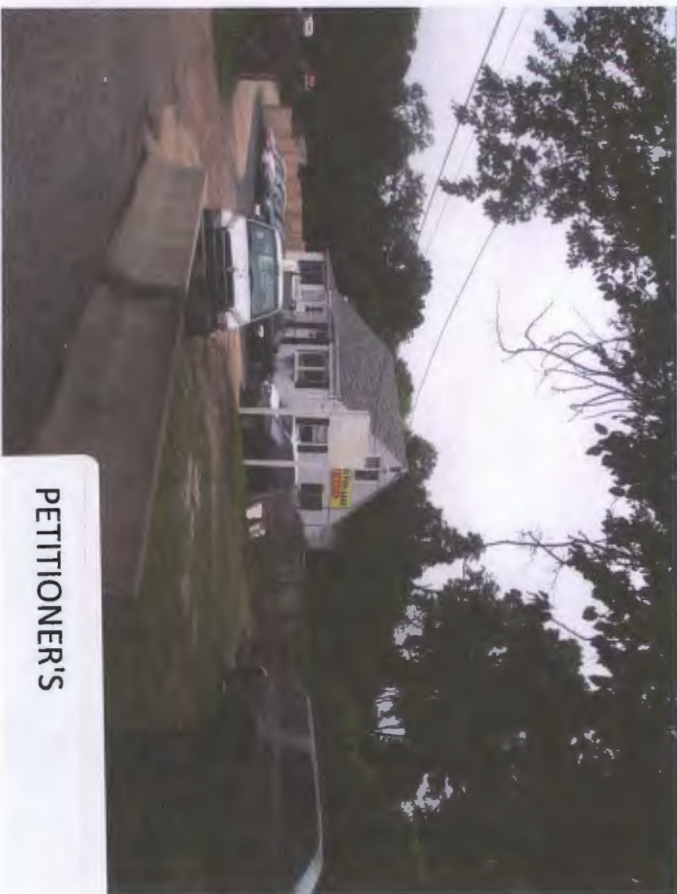
A



B



C



D

PETITIONER'S

EXHIBIT NO. 54-E



17



18



19



20



(M)



(N)



(O)



(P)



3



3



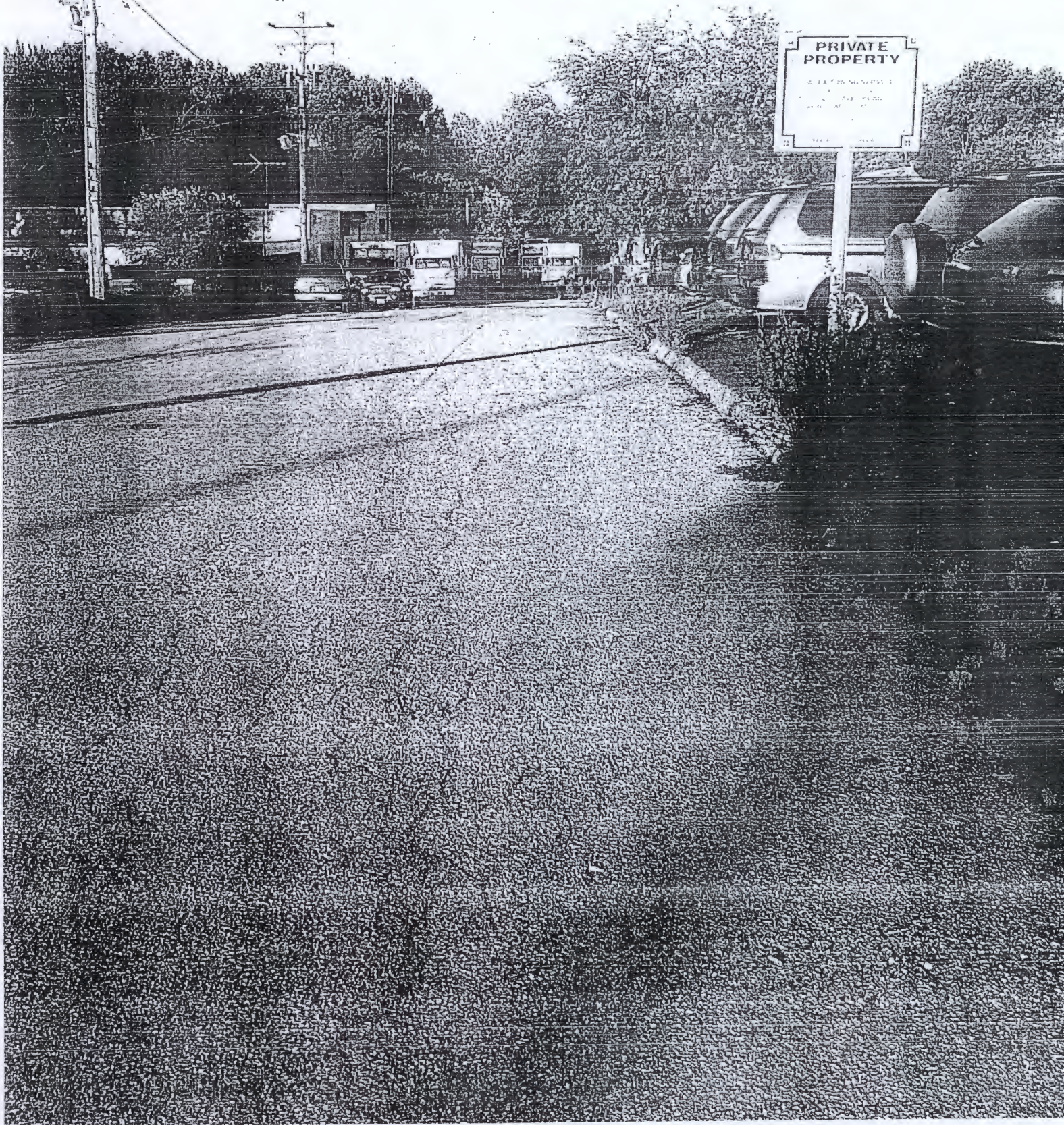
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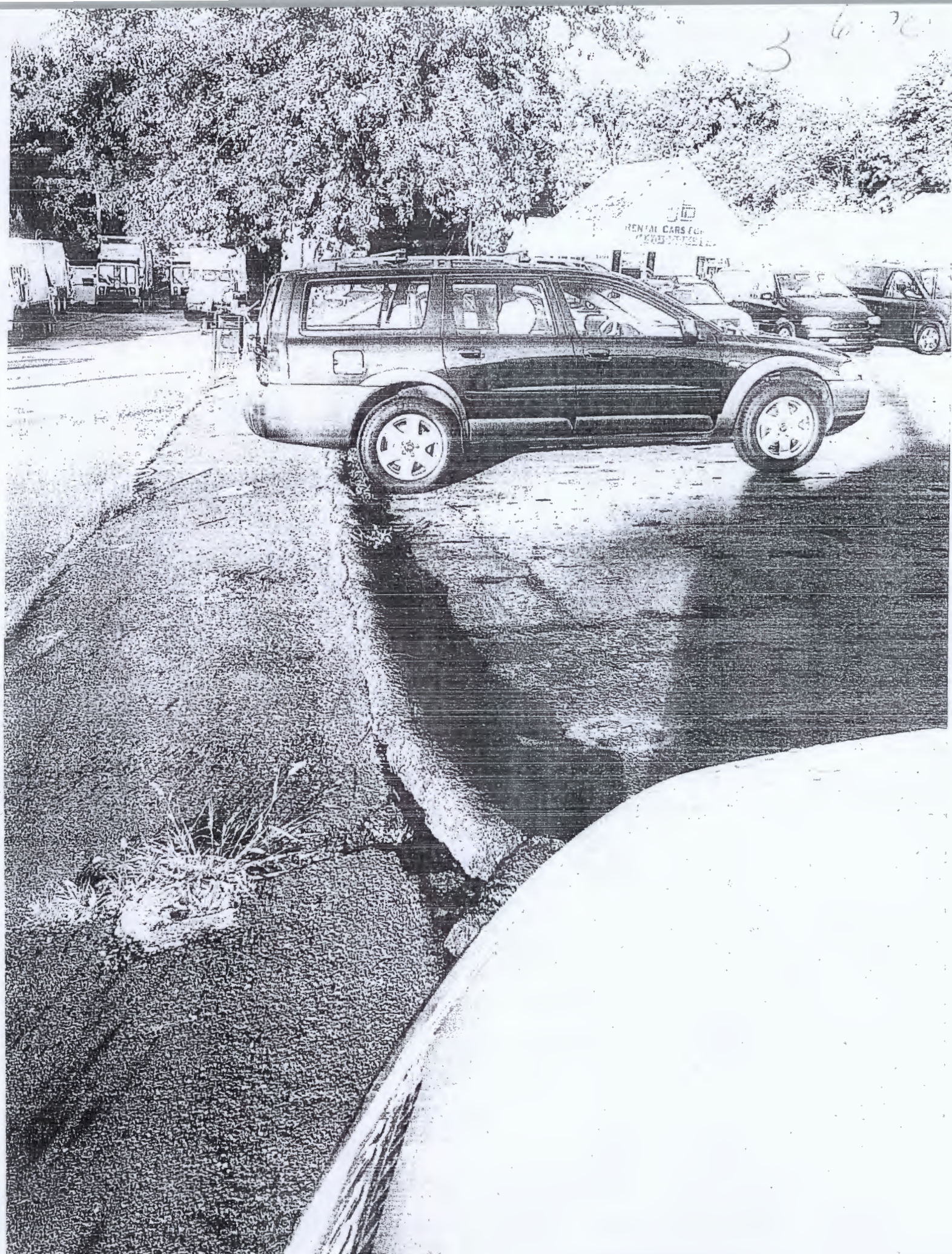
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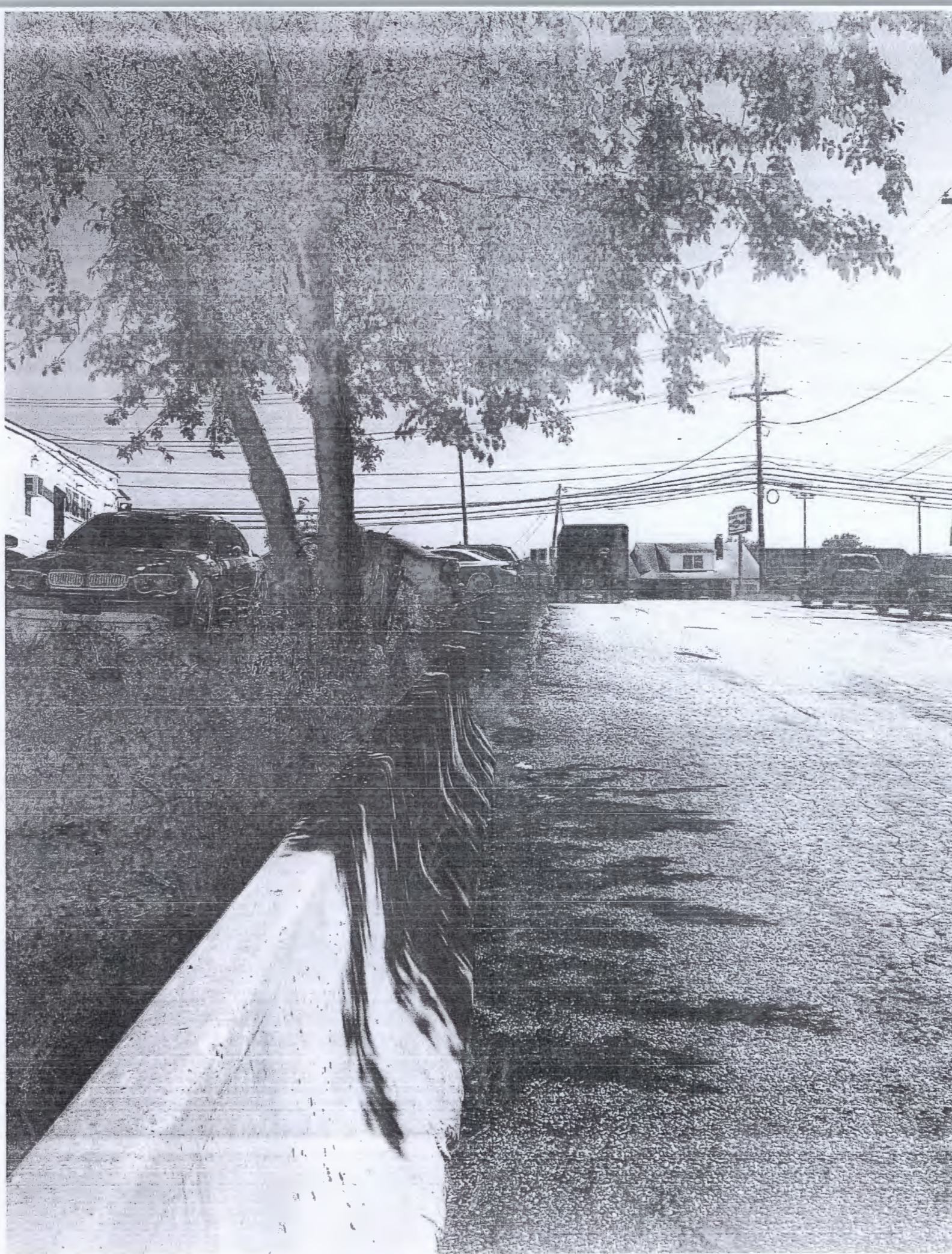


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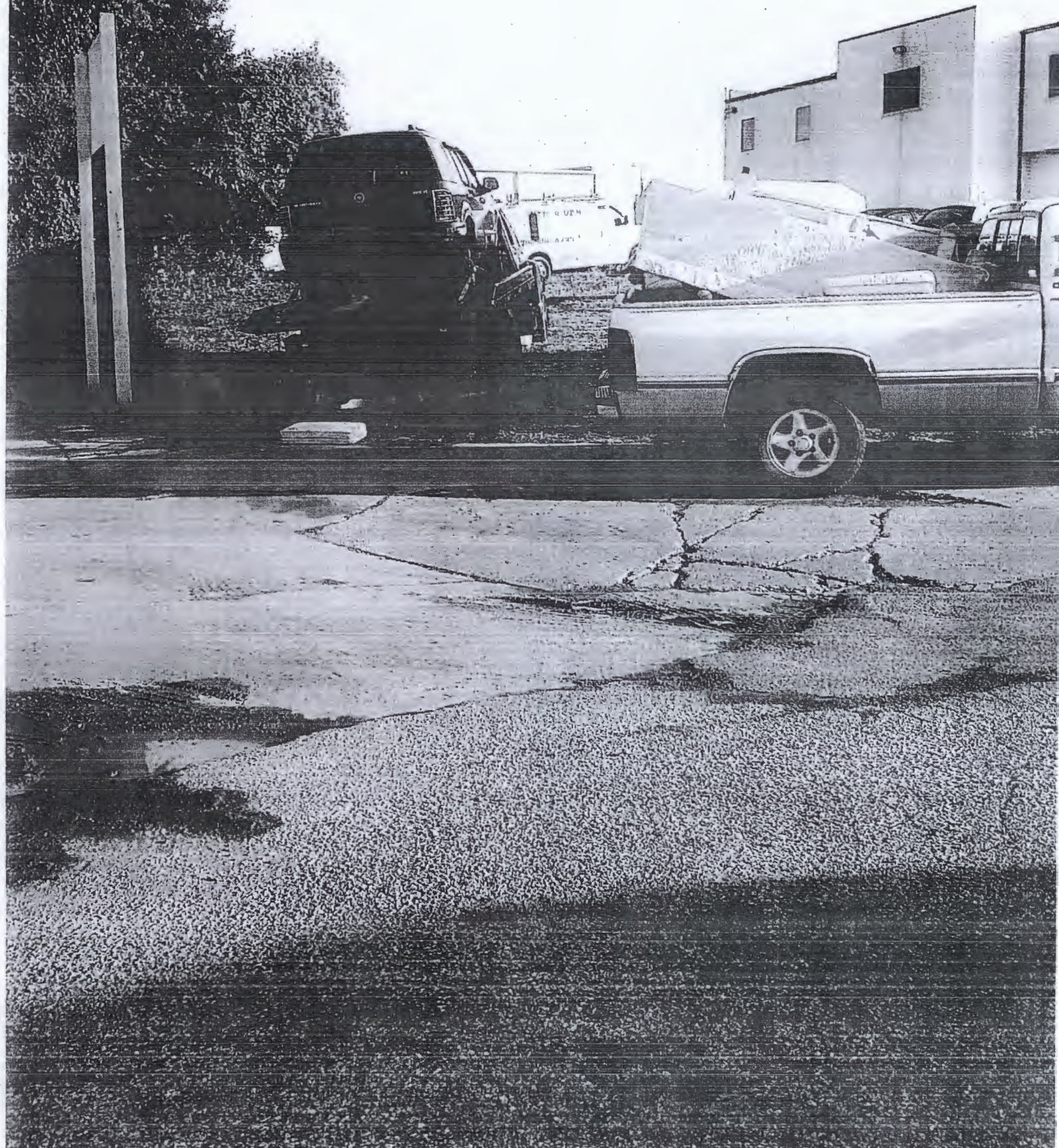
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5A

6-20



SB

6-12



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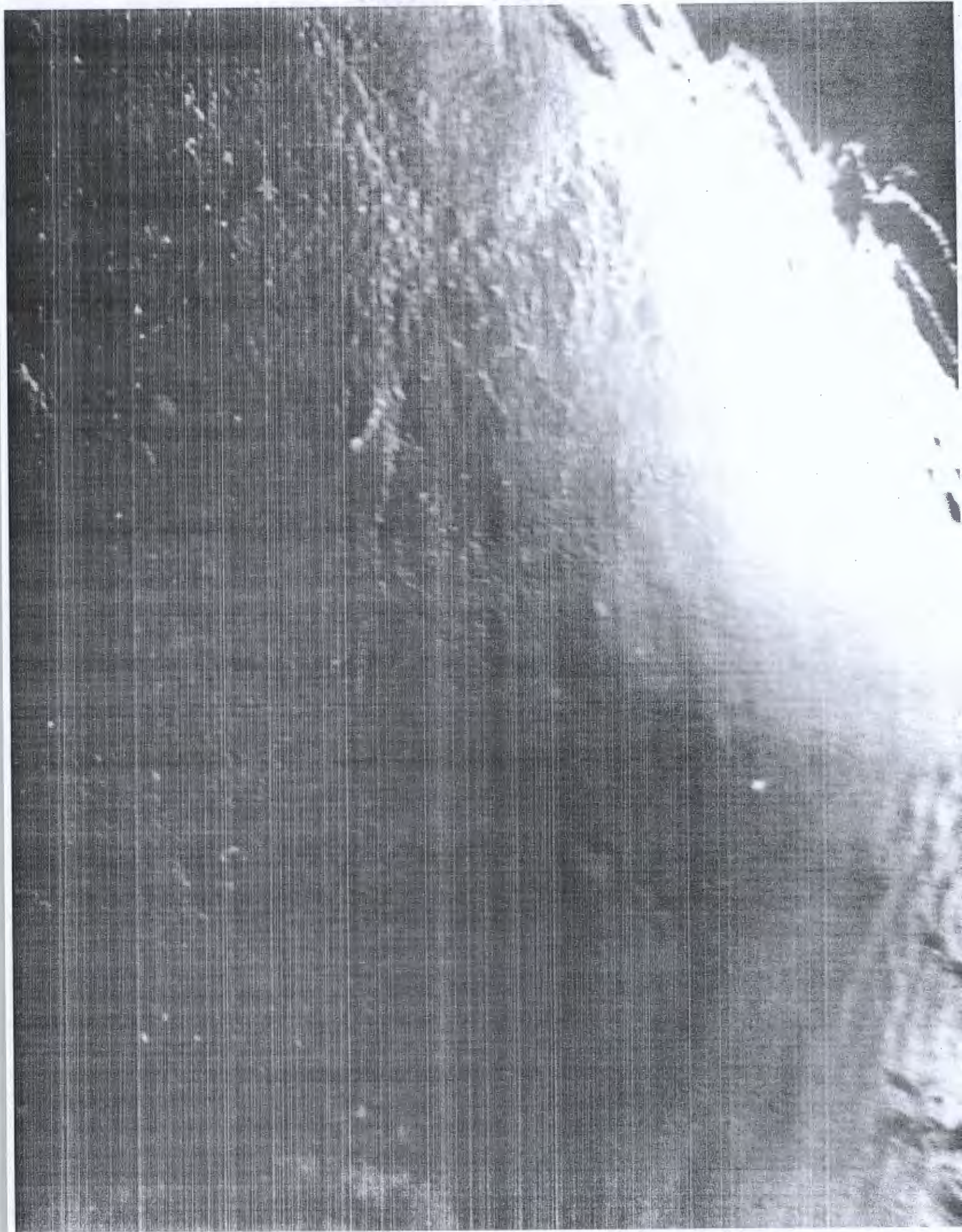
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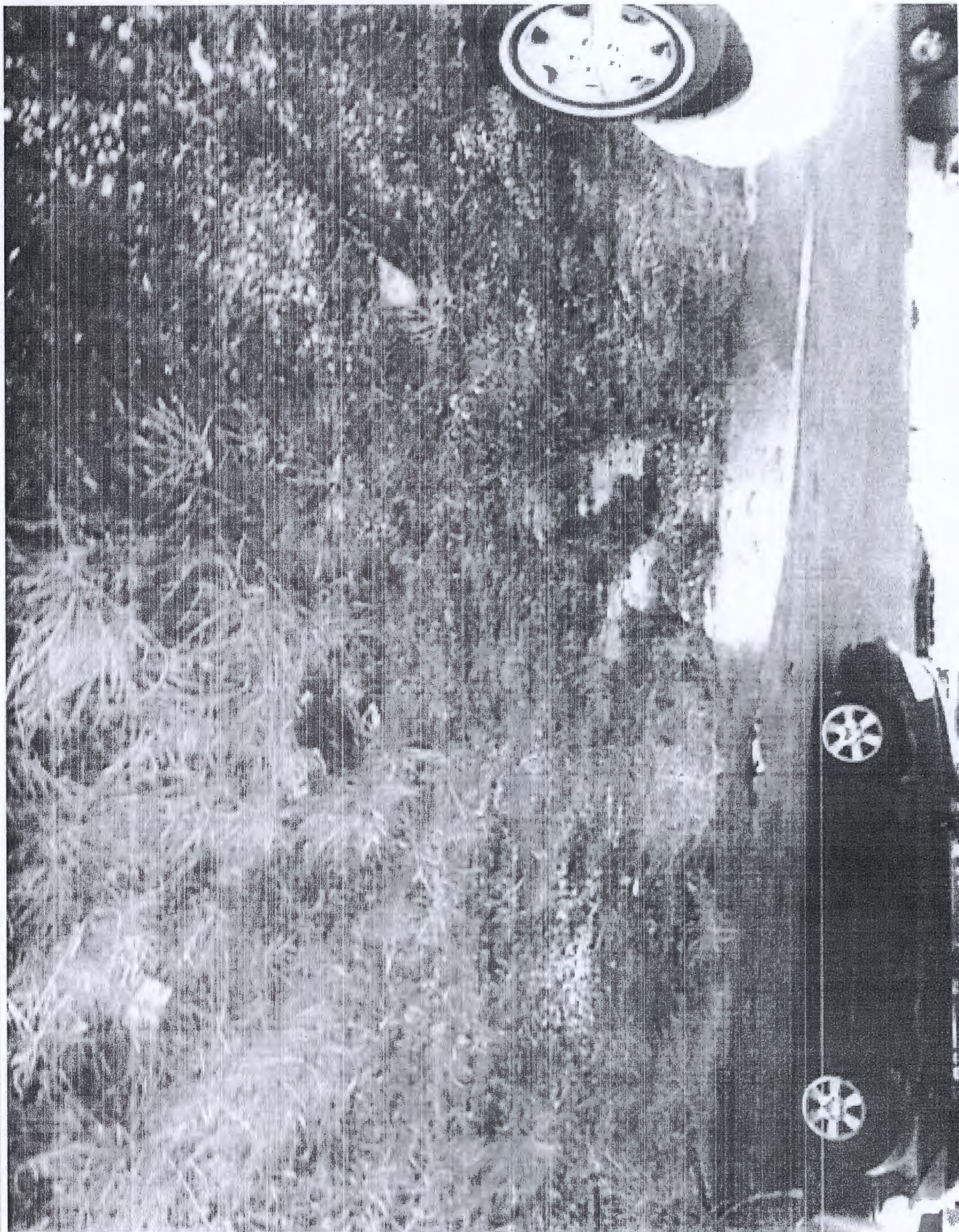


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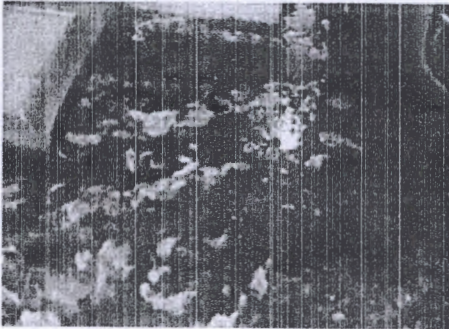
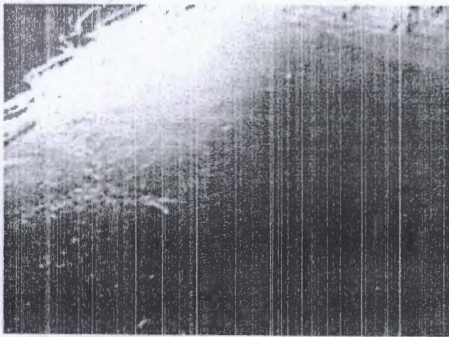












IMG_0712.jpg
115K

— Mrs. / Mrs. d



Sandra Uhler <sandrauhler@gmail.com>

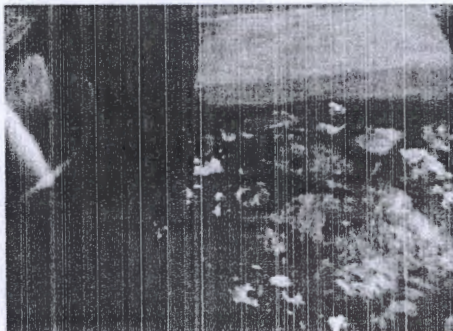
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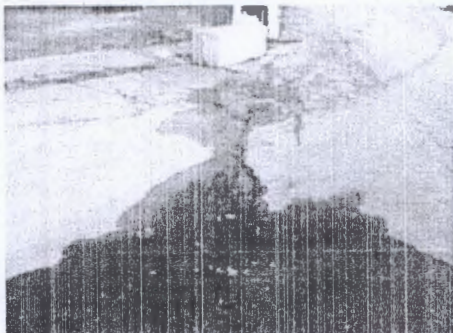
Sandra Uhler <sandrauhler@gmail.com>
To: sandrauhler@gmail.com

Sat, Dec 13, 2014 at 1:34 PM

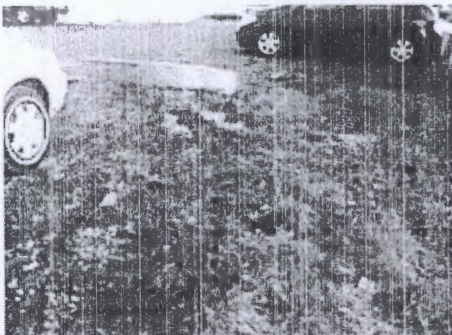
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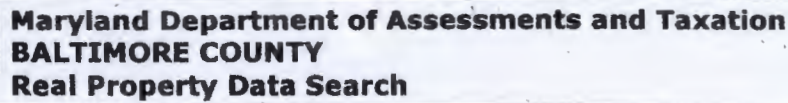


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IMG_0714.jpg
139K

IMG_0713.jpg
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**Go
View
New**

P.398

P.399

9411

P.28

P.113

P.29

9339

M.77-

P.839

MAP 77-

P.840

HILL APTS

2

4

REC AREA

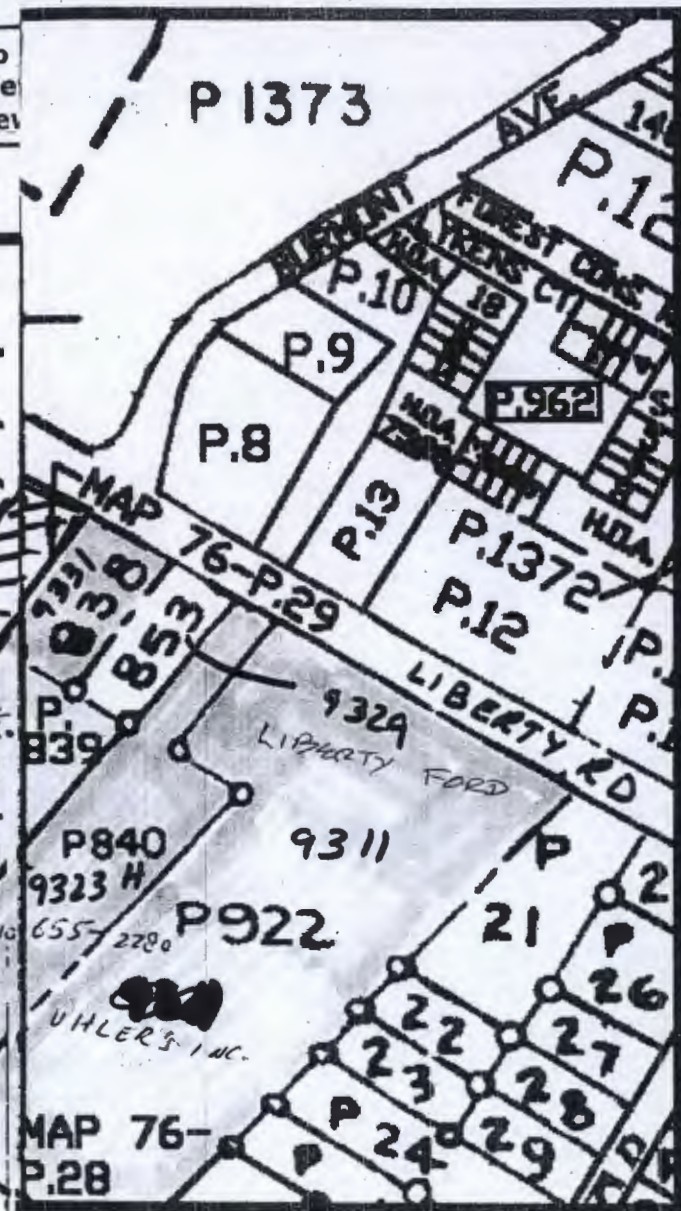
CARRIAGE HILL

CARRIAGE HILL

P 299

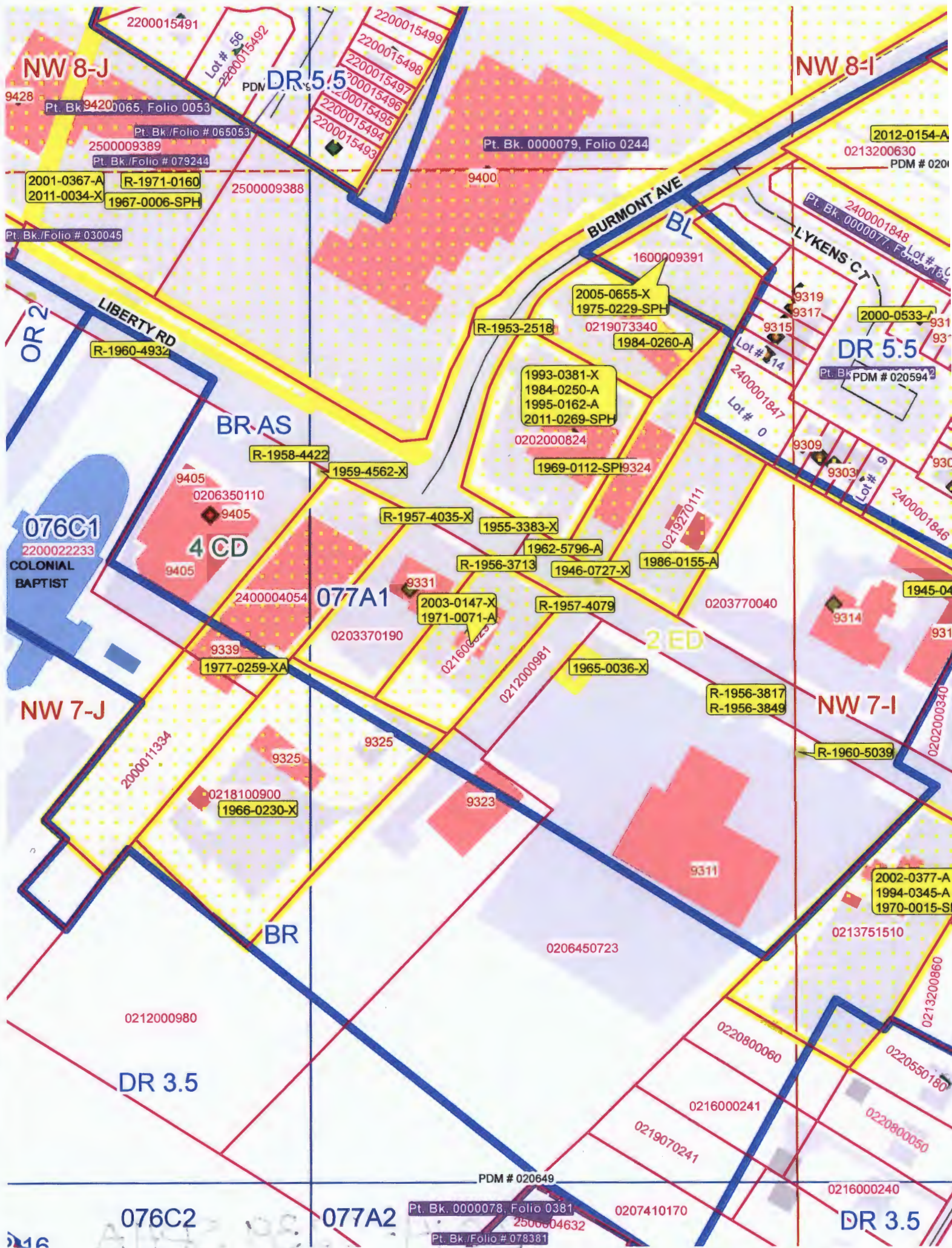
Bernard Uhler

410-833-6837



ADC 29-CH

the Maryland Department of Planning ©2004.
applications, visit the Maryland Department of Planning
state.md.us/webcom/index.html



NW 8-J

NW 8-I

2001-0367-A
2011-0034-X

R-1971-0160
1967-0006-SPH

Pt. Bk. 0000079, Folio 0244

2012-0154-A
0213200630
PDM # 0201

BURMONT AVE
BL

2400001848
Pt. Bk. 0000077, Folio 0189

DR 5.5

LIBERTY RD
R-1960-4932

BR-AS

R-1958-4422

1959-4562-X

076C1

COLONIAL
BAPTIST

4 CD

077A1

NW 7-J

NW 7-I

DR 3.5

076C2

077A2

DR 3.5

Pt. Bk. 0000078, Folio 0381

Pt. Bk./Folio # 078381

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PDM # 020649

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0219070241

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0213751510

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1994-0345-A
1970-0015-S

R-1960-5039

R-1956-3817
R-1956-3849

1965-0036-X

R-1957-4079

R-1956-3713

1962-5796-A

1955-3383-X

R-1957-4035-X

1969-0112-SPI9324

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1995-0162-A
2011-0269-SPH

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1984-0260-A

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2000-0533-X
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9317
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Lot # 9

1945-04

9314

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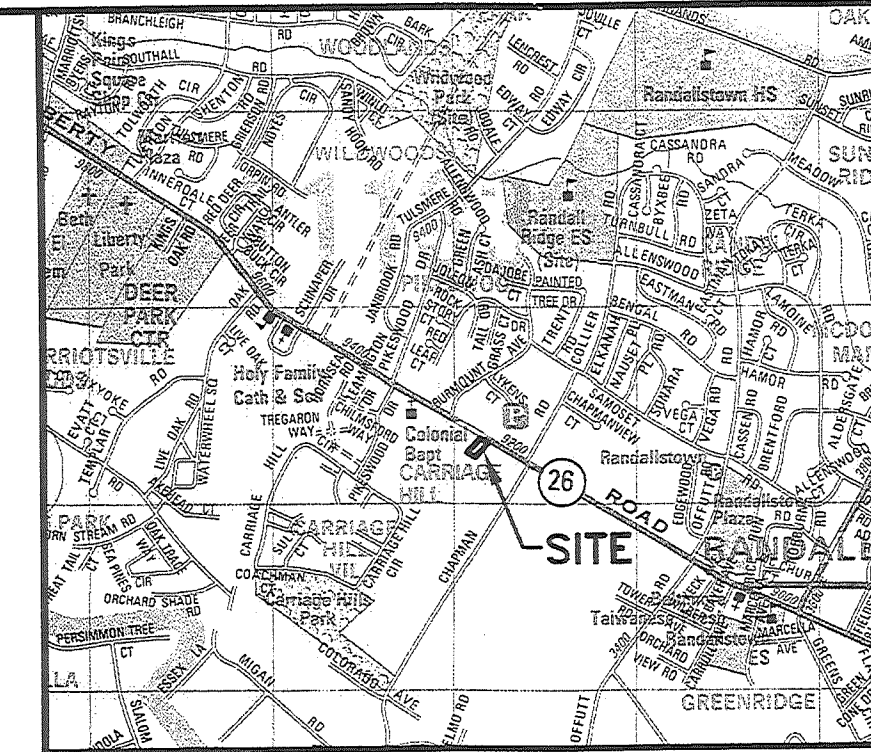
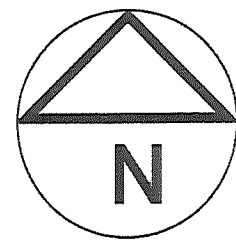
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0202000340



Vicinity Map - Scale: 1" = 2000'
ADC The Map People - Permitted Use # 20612205

GENERAL NOTES

1. OWNER: DENNIS K. AGBOH & ELIZABETH J. AGBOH 116 NOB HILL PARK REISTERSTOWN MD 21136
2. BUSINESS: LONDON AUTO SALES
9329 LIBERTY ROAD
RANDALLSTOWN, MD 21133
443-272-7706
3. TAX ACCOUNT No. 02-16-000291
4. TITLE DEED LIBER S.M. 13748 FOLIO 682 TOTAL AREA = 19,640 Sq. Ft. / 0.451 Ac.±
5. THE PROPERTY IS ZONED BR-AS.
6. 200' SCALE ZONING MAP No. NW 7J.
7. THE BOUNDARY SHOWN HEREON IS FROM THE TITLE DEED,
8. A BOUNDARY WAS NOT PERFORMED BY GERHOLD CROSS & ETZEL LTD.
9. FEATURES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY GIS PANELS 76 C1 & C2, 77 A1 & A2
10. CENSUS TRACT 4025.03 A.D.C. MAP & GRID 24 C & D11 SCHOOL DISTRICT 3 REGIONAL PLANNING DISTRICT 312 9.
11. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
12. THIS SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
13. PARKING:
PARKING SPACES REQUIRED: 5 per 1000 SQ.FT.
BUILDING AREA BUILDING AREA=2000 SQ.FT. 2 x 5 = 10 SPACES

PRIOR ZONING CASES

CASE NO. 03-147-X SPECIAL EXCEPTION (APPROVED)
TO ALLOW A USED MOTOR VEHICLE OUTDOOR SALES AREA, SEPARATED FROM THE SALES AGENCY BUILDING PER BCZR SECTION 236.4.

CASE # 2014-0239-SPHA

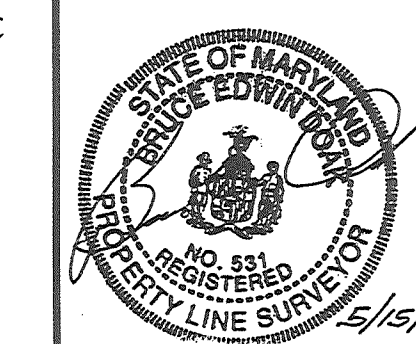
Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Freeland, MD 21053
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

DRAFTED BY: **Tesseract**
Tesseract Systems, Inc.
401 Washington Ave., Suite 200
Baltimore, MD 21201
P: 410.321.7800
F: 410.321.7800

PLAN TO ACCOMPANY A PETITION FOR VARIANCES & A SPECIAL HEARING

OF THE
AGBOH PROPERTY
9329 LIBERTY ROAD
2nd ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Date: 5/15/2014
Scale: 1"=30'
PETITIONER'S
EXHIBIT NO. 1



LEGEND

- BUILDING
- ZONING DIVISION LINE
- BOUNDARY LINE
- WATER
- OVERHEAD UTILITY
- SANITARY SEWER
- STORM DRAIN
- FIRE HYDRANT
- MANHOLE
- UTILITY POLES
- GAS OR WATER VALVE
- PROPOSED PARKING SPACES



PROPOSED BUSINESS PRACTICES & USES

- USED AUTOMOBILES TO BE SOLD: 35 OR LESS
THE DAILY PLACEMENT AND MOVEMENT WILL BE DONE BY EMPLOYEES ONLY. THE AUTOMOBILES ARE USUALLY SOLD IN 90 DAYS OR LESS.
- AUTOMOBILES TO BE REPAIRED AND THEN SOLD ON SITE: 10 OR LESS
THE PROPOSED TWO BAY GARAGE WILL BE UTILIZED BY EMPLOYEES OF THE BUSINESS ONLY FOR THE REPAIR OF AUTOMOBILES THAT WILL BE SOLD ON SITE. NO BODY WORK OR PAINTING WILL BE PERFORMED IN THIS FACILITY.
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- PROPOSED IMPROVEMENTS (IF PETITION IS APPROVED)
CHANGE THE GRAVEL PARKING AREA TO MACADAM
BUILD A 24' x 24' METAL GARAGE.
CONSTRUCT A 6' HIGH BOARD STOCKADE FENCE

PETITION

VARIANCE

1. TO ALLOW A VARIANCE FROM SECTION 409.4.B.2 OF THE B.C.Z.R. TO PERMIT UP TO TWENTY SPACES FOR SALES VEHICLES THAT DO NOT HAVE DIRECT ACCESS TO AN AISLE.
2. TO ALLOW A VARIANCE FROM SECTION 409.C OF THE BCZR TO PERMIT ONE DIRECTIONAL DRIVE AISLES WITH A WIDTH OF 15' IN LIEU OF THE REQUIRED 22'.
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SPECIAL HEARING

1. TO PERMIT FIFTY VEHICLES ON THE SUBJECT PROPERTY IN LIEU OF THE THIRTY ALLOWED PER ZONING CASE NO. 03-147-X SPECIAL EXCEPTION.
2. TO PERMIT A 24' x 24' ONE STORY METAL GARAGE BUILDING TO BE CONSTRUCTED AND USED FOR MECHANICAL REPAIR SERVICES TO CARS BEING SOLD FROM THE SUBJECT PROPERTY ONLY.



Vicinity Map - Scale: 1" = 2000'
ADC The Map People - Permitted Use # 20612205

GENERAL NOTES

1. OWNER: DENNIS K. AGBOH & ELIZABETH J. AGBOH 116 NOB HILL PARK REISTERSTOWN MD 21136
2. BUSINESS: LONDON AUTO SALES
9329 LIBERTY ROAD
RANDALLSTOWN, MD 21133
443-272-7706
3. TAX ACCOUNT No. 02-16-000291
4. TITLE DEED LIBER S.M. 13748 FOLIO 682 TOTAL AREA = 19,640 Sq. Ft. / 0.451 Ac.±
5. THE PROPERTY IS ZONED BR-AS.
6. 200' SCALE ZONING MAP No. NW 71.
7. THE BOUNDARY SHOWN HEREON IS FROM THE TITLE DEED.
8. A BOUNDARY WAS NOT PERFORMED BY GERHOLD CROSS & ETZEL LTD.
9. FEATURES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY GIS PANELS 76 C1 & C2, 77 A1 & A2.
10. CENSUS TRACT 4025.03 A.D.C. MAP & GRID 24 C & D11 SCHOOL DISTRICT 3 REGIONAL PLANNING DISTRICT 312.9.
11. THIS SITE IS SERVICED BY PUBLIC WATER AND SEWER.
12. THIS SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
13. PARKING:
PARKING SPACES REQUIRED: 5 per 1000 SQ.FT.
BUILDING AREA BUILDING AREA=2000 SQ.FT. 2 x 5 = 10 SPACES

PRIOR ZONING CASES

CASE NO. 03-147-X SPECIAL EXCEPTION (APPROVED)
TO ALLOW A USED MOTOR VEHICLE OUTDOOR SALES AREA, SEPARATED FROM THE SALES AGENCY BUILDING PER BCZR SECTION 236.4.

Plan to Accompany Photos

CASE # 2014-0239-SPHA

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3901 Baker Schoolhouse Road
Frederick, MD 21033
o 443-900-5535 m 410-419-4906
bdoak@bruceedoakconsulting.com

DRAFTED BY: **Tesseract**
Tesseract Systems, Inc.
100 Chesapeake Drive
Arlington, VA 22204

PLAN TO ACCOMPANY A PETITION FOR
VARIANCES & A SPECIAL HEARING
OF THE
AGBOH PROPERTY
9329 LIBERTY ROAD
2nd ELECTION DISTRICT 2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Date: 5/15/2014
Scale: 1"=30'

PETITIONER'S

EXHIBIT NO. 4

LEGEND

BUILDING



ZONING DIVISION LINE



BOUNDARY LINE



WATER



OVERHEAD UTILITY



SANITARY SEWER



STORM DRAIN



FIRE HYDRANT



MANHOLE



UTILITY POLES



GAS OR WATER VALVE



PROPOSED PARKING SPACES



PROPOSED BUSINESS PRACTICES & USES

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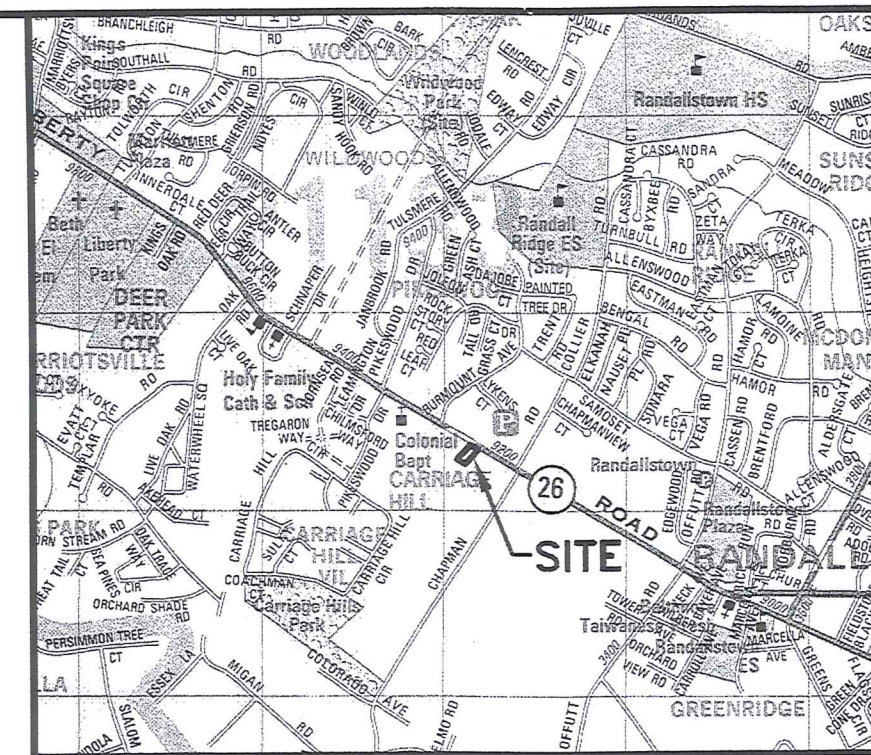
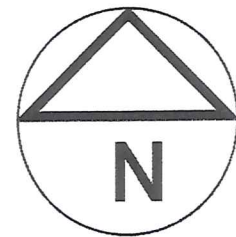
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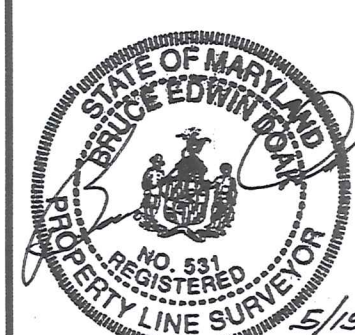
PLAN TO ACCOMPANY A PETITION FOR VARIANCES & A SPECIAL HEARING OF THE

AGBOH PROPERTY
9329 LIBERTY ROAD

2nd ELECTION DISTRICT - 2nd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

Date: 5/15/2014

Scale: 1"=30'



PETITIONER'S

EXHIBIT NO. 6

LEGEND

- BUILDING
- ZONING DIVISION LINE
- BOUNDARY LINE
- WATER
- OVERHEAD UTILITY
- SANITARY SEWER
- STORM DRAIN
- FIRE HYDRANT
- MANHOLE
- UTILITY POLES
- GAS OR WATER VALVE
- PROPOSED PARKING SPACES



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