

M E M O R A N D U M

DATE: April 11, 2019
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2019-0044-SPHX - Appeal Period Expired

The appeal period for the above-referenced case expired on April 10, 2019. 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.'

/dlw

c: Case File
Office of Administrative Hearings



JOHN A. OLSZEWSKI, JR.
County Executive

ADMINISTRATIVE LAW JUDGE
Office of Administrative Hearings

March 11, 2019

Lawrence E. Schmidt, Esq.
Smith, Gildea & Schmidt, LLC
600 Washington Avenue, Suite 200
Towson, Maryland 21204

RE: **Motion for Reconsideration**
Petitions for Special Hearing and Special Exception
Case No. 2019-0044-SPHX
Property: 10800-10806 Liberty Road

Dear Mr. Schmidt:

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", is written over the typed name.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: William Klingelhofer, 4527 Allen Road, Randallstown, MD 21133
Jeff & Shirley Supik, 3525 N. Rolling Road, Windsor Mill, MD 21244
David Williams, 10809 Stansfield Road, Randallstown, MD 21133
Ruby Short, 4131 Holbrook Road, Randallstown, MD 21133
Mark Bollinger and Edna Erbe, 10743 Liberty Road, Randallstown, MD 21133
William Allen, 4516 Allen Road, Randallstown, MD 21133
Tim Sherrill, 4513 Allen Road, Randallstown, MD 21133
David Schloss, 10904 Liberty Road, Randallstown, MD 21133
Craig Bober, 4507 Allen Road, Randallstown, MD 21133

**IN RE: PETITIONS FOR SPECIAL HEARING *
AND SPECIAL EXCEPTION**

(10800-10806 Liberty Road)
2nd Election District
4th Council District
Worthington Family Properties, LLC
Legal Owner

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2019-0044-SPHX

Petitioner

* * * * *

**OPINION AND ORDER ON PETITIONER'S
MOTION FOR RECONSIDERATION**

Now pending is Petitioner's Motion for Reconsideration concerning the Special Hearing request in the above case. The Petition for Special Exception for a service garage was denied, and Petitioner is not seeking reconsideration of that aspect of the final order. The motion pertains only to the modified parking plan referenced in the Special Hearing request.

Petitioner notes the gravel parking lot on site has been in existence for many years. While the lot is not paved or striped, I believe that is advantageous since it reduces the amount of impervious surface in the Liberty Reservoir watershed. As such the Motion for Reconsideration will be granted subject to the conditions and restrictions noted below.

THEREFORE, IT IS ORDERED this 11th day of **March, 2019**, by this Administrative Law Judge, that the Motion for Reconsideration be and is hereby GRANTED.

IT IS FURTHER ORDERED that the Petition for Special Hearing filed in the above case seeking approval of a modified parking plan pursuant to BCZR §409.12 be and is hereby GRANTED.

The relief granted above shall be subject to the following terms and conditions:

1. No damaged, disabled or untagged motor vehicles may be kept on the subject property.

ORDER RECEIVED FOR FILING

Date

By

3/11/19
sen

2. The existing parking lot shall be permitted only as an accessory use/structure serving the current and/or future tenants located on premises.
3. All other terms and conditions set forth in the Order dated January 31, 2019 shall continue in full force and effect.

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 3/11/19
By sln



JOHN A. OLSZEWSKI, JR.
County Executive

January 30, 2019

ADMINISTRATIVE LAW JUDGE
Office of Administrative Hearings

Lawrence E. Schmidt, Esq.
Smith, Gildea & Schmidt, LLC
600 Washington Avenue, Suite 200
Towson, Maryland 21204

RE: Petitions for Special Hearing and Special Exception
Case No. 2019-0044-SPHX
Property: 10800-10806 Liberty Road

Dear Mr. Schmidt:

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,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

c: William Klingelhofer, 4527 Allen Road, Randallstown, MD 21133
Jeff & Shirley Supik, 3525 N. Rolling Road, Windsor Mill, MD 21244
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**IN RE: PETITIONS FOR SPECIAL HEARING *
AND SPECIAL EXCEPTION**

(10800-10806 Liberty Road)
2nd Election District
4th Council District
Worthington Family Properties, LLC
Legal Owner

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2019-0044-SPHX

Petitioner

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Special Exception filed on behalf of Worthington Family Properties, LLC, legal owner ("Petitioner"). The Special Hearing was filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("BCZR") for a modified parking plan to allow parking on all lots under common ownership, to allow the existing gravel lot to remain (not durable and dustless or striped), an existing one-way drive aisle to two (2) spaces with a 90 degree parking angle of as little as 11 ft. to remain and off-street loading as it exists to remain. A Petition for Special Exception seeks approval for a service garage under BCZR Section 230.3.

Peter Worthington and landscape architect Andrew Stine attended the public hearing in support of the requests. Lawrence E. Schmidt, Esq. and Jason T. Vettori, Esq. represented Petitioner. Several neighbors attended the hearing and opposed the requests. The Petition was advertised as required by the BCZR. Substantive Zoning Advisory Committee (ZAC) comments were received from the Bureau of Development Plans Review ("DPR") and the Department of Planning ("DOP"). Neither agency opposed the requests.

The subject property is approximately 1.093 acres in size and is zoned BL-CR. The

ORDER RECEIVED FOR FILING

Date 11/30/19

By Sen

property is comprised of two (2) separate lots, one of which is improved with a one-story commercial building (approximately 2,900 sq. ft.). The other lot is unimproved and has a large gravel-covered area used for parking vehicles. The commercial building is at present leased to 3 tenants, one of which operates a business that purchases and repairs/restores used motor vehicles. The cars are stored and repaired on the subject property and are later transferred to a used car operation in Howard County known as Showtime Motors. The Office of Zoning Review considered the use as described to be a "service garage," which is permitted by special exception in the BL-CR zone. BCZR § 230.3. As discussed at the hearing the BCZR contains in Section 101.1 an expansive definition of "service garage." Even so, I do not believe the operation described at the hearing would qualify as such, and thus the petition for special exception will be denied.

As noted above, the lessee which operates the business at this site also sells used cars at a dealership on Route 40 in Ellicott City. According to the proffered testimony the tenant purchases used vehicles which are then driven or towed to this site. Photos were submitted which depicted the storage of these cars, and according to neighbors some of these vehicles remain on site for several months or more. The lessee performs mechanical and body/fender repairs on these vehicles to prepare them to be sold at the Ellicott City location.

In these circumstances I believe the subject property is being used as an adjunct to the Howard County used car sales operation. Essentially, the cars stored on the subject property constitute the "inventory" of that business which will eventually be sold to customers. All of the vehicles on the subject property are owned by the lessee and may be stored on site for an indefinite period of time. As Petitioner recognizes, the storage or parking of vehicles is the primary activity or use of the premises.

The small portion (approximately 25%) of the commercial building leased by the tenant is

ORDER RECEIVED FOR FILING

2

Date

11/30/19

By

sen

not equipped with a vehicle lift, and neighbors testified repairs are performed outside or under a tent/canopy erected at the site. No evidence or testimony was presented concerning the lessee's use of the space inside the commercial building, and it would not seem as if repairs could be safely undertaken in that setting given that two other tenants operate non-automotive related businesses in the same enclosed space. In any event, it is doubtful in the circumstances of this case that small portion of the structure would qualify as a "garage" in the first instance. As such, I do not believe the use as described constitutes a service garage.

SPECIAL HEARING

In light of the denial of the petition for special exception, the petition for special hearing will be dismissed without prejudice.

THEREFORE, IT IS ORDERED this 30th day of **January, 2019**, by this Administrative Law Judge, that the Petition for Special Hearing for a modified parking plan to allow parking on all lots under common ownership, to allow the existing gravel lot to remain (not durable and dustless or striped), an existing one-way drive aisle to two (2) spaces with a 90 degree parking angle of as little as 11 ft. to remain and off-street loading as it exists to remain, be and is hereby DISMISSED without prejudice.

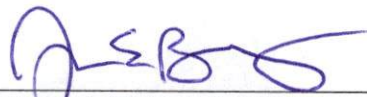
IT IS FURTHER ORDERED that the Petition for Special Exception to approve a service garage be and is hereby DENIED.

ORDER RECEIVED FOR FILING

Date 1/30/19

3 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 1/30/19

By sln



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 10800-10806 Liberty Road which is presently zoned BL-CR
Deed References: 20698/664 and 37250/72 10 Digit Tax Account # 0201350613 and 0201350611
Property Owner(s) Printed Name(s) Worthington Family Properties, LLC

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

Please see the attached.

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

Please see the attached.

3. ☐ **a Variance** from Section(s)

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)

TO BE PRESENTED AT 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:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name- Type or Print _____
Signature _____
600 Washington Avenue, Suite 200 Towson MD
Mailing Address _____ City _____ State _____
21204 (410) 821-0070 jvettori@sgs-law.com
Zip Code _____ Telephone # _____ Email Address _____

Legal Owners (Petitioners):

Authorized Representative of

Worthington Family Properties
Name #1 - Type or Print _____ Name #2 - Type or Print _____
Signature #1 _____ Signature #2 _____
4535 Allen Road Randallstown MD
Mailing Address _____ City _____ State _____
21133 _____
Zip Code _____ Telephone # _____ Email Address _____

Representative to be contacted:

Jason T. Vettori, Smith, Gildea & Schmidt, LLC

Name - Type or Print _____
Signature _____
600 Washington Avenue, Suite 200 Towson MD
Mailing Address _____ City _____ State _____
21204 (410) 821-0070 jvettori@sgs-law.com
Zip Code _____ Telephone # _____ Email Address _____

CASE NUMBER 2019-0044-SPHX Filing Date 8/10/18

Do Not Schedule Dates: _____ Reviewer AT

ATTACHMENT TO PETITION FOR ZONING HEARING

10800-10806 Liberty Road

2nd Election District

3rd Councilmanic District

Special Exception relief to approve:

1. A service garage under Section 230.3 of the Baltimore County Zoning Regulations ("BCZR"); and
2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Special Hearing relief to approve:

1. A modified parking plan pursuant to Section 409.12.B of the BCZR to allow parking on all lots under common ownership, to allow the existing gravel lot to remain (not durable and dustless or striped), an existing one-way drive aisle to two spaces with a 90 degree parking angle of as little as 11' to remain and off-street loading as it exists to remain; and
2. For such other and further relief as may be deemed necessary by the Administrative Law Judge ("ALJ") for Baltimore County.

2019-0044-SPHX

Description
To Accompany Petition
For A Special Exception
Liberty Road (Md Route 26)
Baltimore County, Maryland

Beginning for the First at the end of the second of the following two courses and distances, measured from the point formed by the intersection of the centerline of Allen Road with the centerline of Liberty Road (Md Route 26), Northwesterly 7.35 feet, more or less, thence Northeasterly 11.50 feet, more or less, to the point of beginning being situate on the northeastern right-of-way of said Liberty Road (Md Route 26), thence leaving said point of beginning and running with and binding on a portion of Liberty Road (Md Route 26), referring all courses of this description to a deed recorded among the Land Records of Baltimore County, Maryland in Liber SM 20698, Folio 664, Being Lot 4 of said deed, the four following courses and distances:

- (1) North 83 degrees 51 minutes 00 seconds West 55.00 feet, thence
 - (2) North 15 degrees 00 minutes 00 seconds East 167.60 feet, thence
 - (3) South 75 degrees 00 minutes 00 seconds East 55.00 feet, thence
 - (4) South 15 degrees 00 minutes 00 seconds West 165.83 feet, to the point of beginning;
- Containing 0.215 acres of land, more or less.

Being known as Lot #4, by deed dated July 30, 2004, and recorded among the Land Records of Baltimore County, Maryland in Liber SM 20698, Folio 664.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

Beginning for the Second at the end of the second of the following two courses and distances, measured from the point formed by the intersection of the centerline of Allen Road with the centerline of Liberty Road (Md Route 26), Northwesterly 63.00 feet, more or less, thence Northeasterly 11.14 feet, more or less, to the point of beginning being situate on the northeastern right-of-way of said Liberty Road (Md Route 26), thence leaving said point of beginning and running with and binding on a portion of Liberty Road (Md Route 26), referring all courses of this description to a deed recorded among the Land Records of Baltimore County,

2019-0044-SPHX

Maryland in Liber SM 20698, Folio 664, Being Lot 1 of said deed, the eight following courses and distances:

- (1) North 83 degrees 51 minutes 00 seconds West 65.90 feet, thence
- (2) North 15 degrees 00 minutes 00 seconds East 200.00 feet, thence
- (3) North 79 degrees 00 minutes 00 seconds West 40.00 feet, thence
- (4) North 15 degrees 00 minutes 00 seconds East 48.10 feet, to the end of the second or South 14 degrees 19 minutes 11 seconds West 58.73 foot line of a deed dated November 7, 2005, and recorded among the Land Records of Baltimore County, Maryland in Liber SM 22926, Folio 538. Thence binding the third line of said deed
- (5) South 73 degrees 20 minutes 37 seconds East 157.74 feet, thence
- (6) South 15 degrees 00 minutes 00 seconds West 73.75 feet, thence
- (7) North 75 degrees 00 minutes 00 seconds West 55.00 feet, thence
- (8) South 15 degrees 00 minutes 00 seconds West 167.60 feet, to the point of beginning;
Containing 0.503 acres of land, more or less.

Being known as Lot #1, by deed dated July 30, 2004, and recorded among the Land Records of Baltimore County, Maryland in Liber SM 20698, Folio 664.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

Beginning for the Third at the end of the second of the following two courses and distances, measured from the point formed by the intersection of the centerline of Allen Road with the centerline of Liberty Road (Md Route 26), Northwesterly 128.20 feet, more or less, thence Northeasterly 8.50 feet, more or less, to the point of beginning being situate on the northeastern right-of-way of said Liberty Road (Md Route 26), thence leaving said point of beginning and running with and binding on a portion of Liberty Road (Md Route 26), referring all courses of this description to a deed recorded among the Land Records of Baltimore County, Maryland in Liber JLE 37250, Folio 72, the four following courses and distances:

- (1) North 83 degrees 51 minutes 00 seconds West 79.62 feet, thence
- (2) North 08 degrees 17 minutes 05 seconds East 199.95 feet, thence
- (3) South 84 degrees 42 minutes 55 seconds East 83.30 feet, thence

2019-0044-SPHX

(4) South 09 degrees 18 minutes 54 seconds West 201.38 feet, to the point of beginning;
Containing 0.375 acres of land, more or less.

Being the same property which by deed dated March 3, 2016, and recorded among the
Land Records of Baltimore County, Maryland in Liber JLE 37250, Folio 72.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS
NOT INTENDED TO BE USED FOR CONVEYANCE.



2019-0044 - SPHX

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 1/6/2019

Case Number: 2019-0044-SPHX

Petitioner / Developer: JASON VETTORI, ESQ. ~ WORTHINGTON
FAMILY PROPERTIES

Date of Hearing: JANUARY 28, 2019

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

1 SET POSTED @ 10800-10806 LIBERTY ROAD

1 SET POSTED @ ALLEN ROAD - (ON-SITE)

The sign(s) were posted on: JANUARY 6, 2019

ZONING NOTICE

CASE # 2019-0044-SPHX

A PUBLIC HEARING WILL BE HELD BY
THE ADMINISTRATIVE LAW JUDGE
IN TOWSON, MD

ROOM 205, JEFFERSON BUILDING

PLACE: 105 W. CHESAPEAKE AVE, TOWSON MD 21204

DATE AND TIME: MONDAY, JANUARY 28, 2019

AT 1:30 P.M.

SPECIAL HEARING FOR A MODIFIED PARKING PLAN TO
ALLOW PARKING ON ALL LOTS UNDER COMMON
OWNERSHIP. TO ALLOW THE EXISTING GRAVEL LOT
TO REMAIN (NOT DURABLE AND DUSTLESS OR
STRIPED). AN EXISTING ONE-WAY DRIVE AISLE TWO
SPACES WITH A 90 DEGREE PARKING ANGLE OF AS
LITTLE AS 11' TO REMAIN AND OFF-STREET LOADING
AS IT EXISTS TO REMAIN. AND FOR SUCH OTHER
AND FURTHER RELIEF AS MAY BE DEEMED NECESSARY
BY THE ADMINISTRATIVE LAW JUDGE FOR BALTIMORE
COUNTY, 10800-10806 LIBERTY ROAD

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONTINUE HEARING CALL 800-339-1

DON'T RESPECT THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

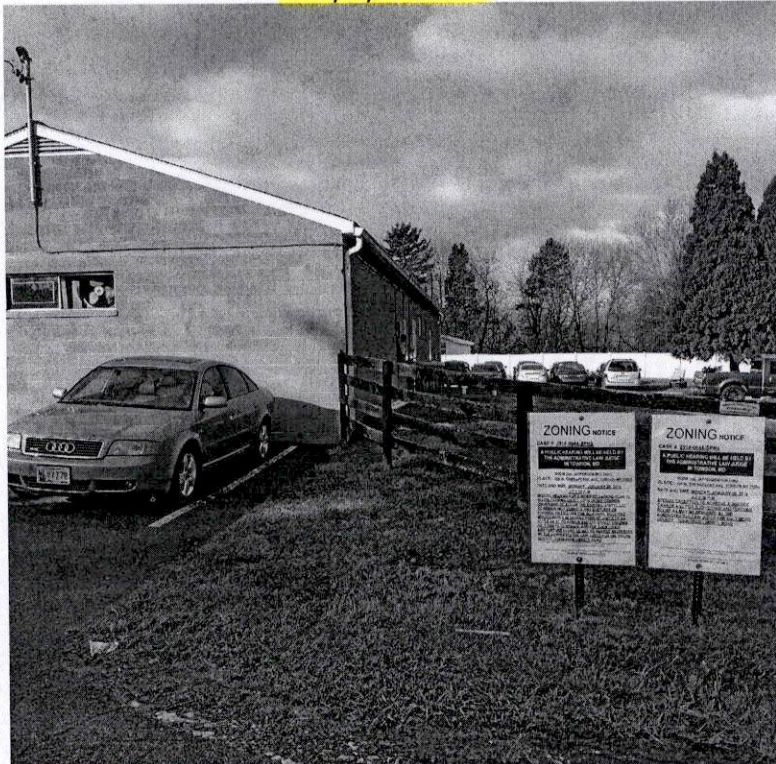
Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



Photo 2nd Sign @ Liberty Rd.
1/6/2019

Background photo 1st set Signs @ 10800-10806 Liberty Rd.
1/6/2019



Background photo 2nd set Signs @ Allen Road - (On-Site) 1/6/2019
CASE # 2019-0044-SPHX

The Daily Record

11 East Saratoga Street

Baltimore, MD 21202-2199

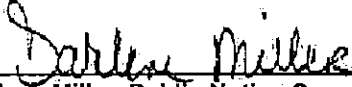
(443) 524-8100

<http://www.thedailyrecord.com>

PUBLISHER'S AFFIDAVIT

We hereby certify that the annexed advertisement was published in The Daily Record, a daily newspaper published in the State of Maryland 1 times on the following dates:

1/8/2019



Darlene Miller, Public Notice Coordinator
(Representative Signature)

Order #: 11660933
Case #: 2019-0044-SPHX
Description:

NOTICE OF ZONING HEARING CASE NUMBER:
2019-0044-SPHX

Baltimore County

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: 2019-0044-SPHX

10800-10806 Liberty Road

N/s Liberty Road, NW corner of the intersecting streets between Liberty and Allen Roads

2nd Election District - 4th Councilmanic District

Legal Owners: Worthington Family Properties

Special Hearing for a modified parking plan to allow parking on all lots under common ownership, to allow the existing gravel lot to remain (not durable and dustless or striped), an existing one-way drive aisle two spaces with a 90 degree parking angle of as little as 11' to remain and off-street loading as it exists to remain; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. Special Exception to approve a service garage and for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Monday, January 28, 2019 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.

ju8

1000

now located at the Bureau and left when you left
the "new" place. I will be glad to help you in any way
I can. I will be glad to help you in any way I can.

RE: PETITION FOR SPECIAL HEARING * BEFORE THE OFFICE
AND SPECIAL EXCEPTION *
10800-10806 Liberty Road; N/S Liberty Road,* OF ADMINISTRATIVE
NW corner of Liberty Road & Allen Road *
2nd Election & 4th Councilmanic Districts * HEARINGS FOR
Legal Owner: Worthington Family Properties *
Petitioner(s) * BALTIMORE COUNTY
* 2019-044-SPHX

* * * * *

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
AUG 23 2018

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 23rd day of August, 2018, a copy of the foregoing Entry of Appearance was mailed to Jason Vettori, Esquire, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



DONALD I. MOHLER III
County Executive

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

November 28, 2018

NEW 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: 2019-0044-SPHX

10800-10806 Liberty Road

N/s Liberty Road, NW corner of the intersecting streets between Liberty and Allen Roads

2nd Election District – 4th Councilmanic District

Legal Owners: Worthington Family Properties

Special Hearing for a modified parking plan to allow parking on all lots under common ownership, to allow the existing gravel lot to remain (not durable and dustless or striped), an existing one-way drive aisle two spaces with a 90 degree parking angle of as little as 11' to remain and off-street loading as it exists to remain; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. Special Exception to approve a service garage and for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Monday, January 28, 2019 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: Jason Vettori, 600 Washington Avenue, Ste. 200, Towson 21204
Worthington Family Properties, 4535 Allen Road, Randallstown 21133

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 8, 2019.**
- (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: THE DAILY RECORD
Tuesday, January 8, 2019 - Issue

Please forward billing to:

Jason Vettori
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

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CASE NUMBER: 2019-0044-SPHX

10800-10806 Liberty Road

N/s Liberty Road, NW corner of the intersecting streets between Liberty and Allen Roads
2nd Election District – 4th Councilmanic District

Legal Owners: Worthington Family Properties

Special Hearing for a modified parking plan to allow parking on all lots under common ownership, to allow the existing gravel lot to remain (not durable and dustless or striped), an existing one-way drive aisle two spaces with a 90 degree parking angle of as little as 11' to remain and off-street loading as it exists to remain; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. Special Exception to approve a service garage and for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Monday, January 28, 2019 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.

Kristen L Lewis

From: Alyssa Moyers <amoyers@sgs-law.com>
Sent: Friday, November 16, 2018 10:38 AM
To: Kristen L Lewis
Cc: Lawrence Schmidt; Jason Vettori; astine@ddcinc.us
Subject: RE: 10800 Liberty Road (Case No. 19-0044-SPHX)

Morning Kristen –

Based on our team's calendar, please schedule this matter during the week of January 21st or 28th.

Thank you!

- *Alyssa*

Alyssa Fiore Moyers | Paralegal
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue | Suite 200 | Towson, MD 21204 | (410) 821-0070
amoyers@sgs-law.com | www.sgs-law.com

This email contains information from the law firm of Smith, Gildea & Schmidt, LLC which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this e-mail in error, please notify Smith, Gildea & Schmidt, LLC by telephone immediately.



Please consider the environment before printing this email.

From: Kristen L Lewis [mailto:klewis@baltimorecountymd.gov]
Sent: Thursday, November 08, 2018 3:16 PM
To: Alyssa Moyers
Cc: Lawrence Schmidt; Jason Vettori; astine@ddcinc.us
Subject: RE: 10800 Liberty Road (Case No. 19-0044-SPHX)

Yes, I will remove the hold I had on December 31st. If you can provide me with non-available January dates that will be helpful, once I get Judge Beverungen's January availability confirmed. Thanks,

Kristen Lewis
PAI – Zoning Review
410-887-3391

From: Alyssa Moyers [mailto:amoyers@sgs-law.com]
Sent: Thursday, November 08, 2018 3:11 PM
To: Kristen L Lewis <klewis@baltimorecountymd.gov>
Cc: Lawrence Schmidt <lschmidt@sgs-law.com>; Jason Vettori <jvettori@sgs-law.com>; astine@ddcinc.us
Subject: 10800 Liberty Road (Case No. 19-0044-SPHX)

Kristen –

Please allow this email to confirm that the above matter will be scheduled before the ALJ sometime in January.

TO: THE DAILY RECORD
Wednesday, September 19, 2018 Issue

Please forward billing to:

Jason Vettori
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

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: 2019-0044-SPHX

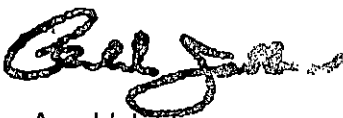
10800-10806 Liberty Road

N/s Liberty Road, NW corner of the intersecting streets between Liberty and Allen Roads
2nd Election District – 4th Councilmanic District

Legal Owners: Worthington Family Properties

Special Hearing for a modified parking plan to allow parking on all lots under common ownership, to allow the existing gravel lot to remain (not durable and dustless or striped), an existing one-way drive aisle two spaces with a 90 degree parking angle of as little as 11' to remain and off-street loading as it exists to remain; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. Special Exception to approve a service garage and for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Tuesday, October 9, 2018 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.

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2019-0044 SPHX

Property Address: 10800 - 10806 Liberty Road

Property Description: _____

Legal Owners (Petitioners): Worthington Family Properties, LLC

Contract Purchaser/Lessee: _____

PLEASE FORWARD ADVERTISING BILL TO:

Name: Jason T. Vettori, Esquire

Company/Firm (if applicable): Smith, Gildea & Schmidt, LLC

Address: 600 Washington Avenue, Suite 200

Towson, MD 21204

Telephone Number: 410-821-0070

Revised 7/9/2015

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

No. **172842**

Date: **8/10/18**

PAID RECEIPT

BUSINESS ACTUAL TIME
 8/10/2018 8/10/2018 10:16:22

REC WSD2 WALKIN JEE
 RECEIPT # 063863 8/10/2018 OFLN

Rev Sub
 Source/ Rev/

Fund	Dept	Unit	Sub Unit	Obj	Sub Obj	Dept Obj	BS Acct	Amount	Ter
001	806	0000		0150				\$1,000	

5 528 ZONING VERIFICATION
 172842
 Recpt Tot: \$1,000.00
 \$1,000.00 CK \$1.00 CA
 Baltimore County, Maryland

Total **\$1,000**

Rec
 From

For: **10800-10806 LIBERTY RD**

2019-0044-SPIX

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL MOHLER, *Director*
Department of Permits,
Approvals & Inspections

January 24, 2019

Jason Vettori
Smith, Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

RE: Case Number: 2019-0044-A, Address: 10800-10806 Liberty Road

To Whom It May Concern:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on August 10, 2018. 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, appearing to read "W. Carl Richards, Jr.", with a long, sweeping horizontal line extending to the right.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR/kl

Enclosures

c: People's Counsel
Worthington Family Properties, 4535 Allen Road, Randallstown 21133



STATE HIGHWAY
ADMINISTRATION

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

Date: 8/20/18

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

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the Case number referenced below, which was received on 8/20/18. 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 Special Hearing, Special Case Number 2019-0044-SPHX
Exception Worthington Family Properties
10800-10806 Liberty Road
MD26

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) X 2332 or by email at (rzeller@sha.state.md.us).

Sincerely,

Wendy Wolcott, P.L.A.
Metropolitan District Engineer
Maryland Department of Transportation
State Highway Administration
District 4 - Baltimore and Harford Counties

WW/RAZ

1-28-19

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: August 27, 2018

SUBJECT: DEPS Comment for Zoning Item # 2019-0044-SPHX
Address 10800-10806 Liberty Road
(Worthington Family Property)

Zoning Advisory Committee Meeting of **August 27, 2018**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



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

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: August 27, 2018

SUBJECT: DEPS' Comment for Zoning Item # 2019-0044-SPHX
Address 10800-10806 Liberty Road
(Worthington Family Property)

Zoning Advisory Committee Meeting of **August 27, 2018**.

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

Reviewer: Steve Ford

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-044



INFORMATION:

Property Address: 10800 – 10866 Liberty Road
Petitioner: Worthington Family Properties
Zoning: BL-CR
Requested Action: Special Hearing & Special Exception

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve a modified parking plan to allow parking on all lots under common ownership, to allow the existing gravel lot to not be durable and dustless, an existing one-way drive aisle to two spaces with a 90 degree parking angle of as little as 11' to remain off-street loading as it exists to remain. The Department also reviewed the petition for special exception to use the property for a service garage.

A site visit was conducted on August 29, 2018. The site is located along a section of Liberty Road located outside the URDL that is classified as a Baltimore County Scenic Route. During the site visit staff observed vehicles in various stages of repair visible from Liberty Road creating an unsightly condition.

The subject site is within the Liberty Road West Community Plan, adopted by the Baltimore County Council on December 18, 2006. Said plan has a stated goal *"to protect and preserve the rural character" of the Liberty Road area to the west of Deer Park Road*" (pg. 15). The subject property is within a Resource Preservation Area. These areas seek to preserve and protect the historical, cultural, recreational and environmental resources in the rural areas. The BL zone is overlaid by the C.R. (Commercial Rural) District which permits special exception uses provided the regulations established in BCZR §259 are met. The Baltimore County Comprehensive Manual of Development Policies (CMDP) adopted by the Baltimore County Planning Board as amended on September 20, 2006 provides guidance on development along scenic routes. A stated the benefit of a scenic program is *"Foremost ...the preservation of the character that makes Baltimore County distinctive"* (pg. 175). Design guidelines for development along scenic routes established in the CMDP include *"Use of indigenous species or ones commonly found in the area when landscaping. Planting designs should reinforce the character of the site.... Locate parking, service and storage areas at the side or rear of the building(s) and screen them from the road to reduce their visual impact."*

The Department has no objection to granting the petitioned zoning relief conditioned upon the following:

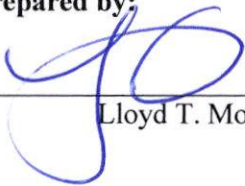
- Submit a landscape plan to the Baltimore County Landscape Architect for review and approval. Such a plan will provide landscape screening consisting of indigenous plant species and design

pursuant to the CMDP and respond the requirements of BCZR §259. Said plan will show landscaping along the Liberty Road frontage to a depth of at least the required 15 foot setback from the edge of the r-o-w for Liberty Road or the edge of the travel way if no r-o-w is established. The side and rear setbacks shall be landscaped in a similar manner. Petitioners shall work with the adjacent property owners at 10808 Liberty Road to assure adequate screening when looking east from the existing dwelling at that location.

- BCZR §230.2 and §259.3.C.7.d notwithstanding, situate all parking in the side and rear yards and replace that portion of the gravel parking area with additional landscaping to mitigate the visual impacts of the special exception use on the scenic route in order to be consistent with the spirit and intent of the CMDP scenic route requirements established through BCZR §504.2 as conditioned by BCZR §259.3.E.4 and §502.1.G.
- No additional site lighting shall be permitted.
- No temporary signage shall be permitted.
- Storage of damaged and disabled vehicles shall be pursuant to the requirements of BCZR §405A and the location thereof shall be shown on the plan.
- Petitioners shall establish to the satisfaction of the Administrative Law Judge that the special exception proposal meets the requirements of BCZR §259.3.E.5.

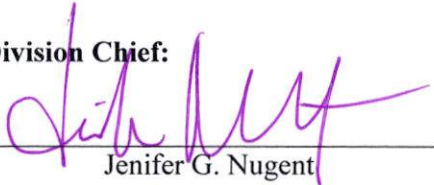
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Wally Lippincott

James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Jason T. Vettori, Smith, Gildea & Schmidt, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

RECEIVED
OCT 05 2018
DEPARTMENT OF PERMITS
APPROVALS AND INSPECTIONS
DATE: 10/3/2018

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

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 19-044

INFORMATION:

Property Address: 10800 – 10866 Liberty Road
Petitioner: Worthington Family Properties
Zoning: BL-CR
Requested Action: Special Hearing & Special Exception

The Department of Planning has reviewed the petition for special hearing to determine whether or not the Administrative Law Judge should approve a modified parking plan to allow parking on all lots under common ownership, to allow the existing gravel lot to not be durable and dustless, an existing one-way drive aisle to two spaces with a 90 degree parking angle of as little as 11' to remain off-street loading as it exists to remain. The Department also reviewed the petition for special exception to use the property for a service garage.

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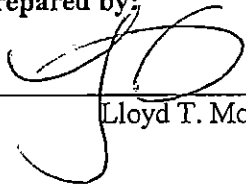
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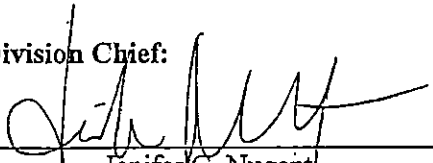
For further information concerning the matters stated herein, please contact Wally Lippincott at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Jenifer G. Nugent

AVA/JGN/LTM/

c: Wally Lippincott
James Hermann, R.L.A., Department of Permits, Approvals and Inspections
Jason T. Vettori, Smith, Gildea & Schmidt, LLC
Office of the Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

FROM:  Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 27, 2018
Item No. 2019-0044-SPHX

DATE: September 11, 2018

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

If Special Hearing and Exception are granted, a Landscape Plan is required, per the requirements of the Landscape Manual. A Lighting Plan is also required

Request for the existing gravel lot to remain in place is denied. The existing lot shall be made durable and dustless. The adjacent properties are all durable and dustless.

Submitted site plan does not show the existing right-of-way line along Liberty Road (MD Route 26).

* * * * *

VKD: cen
cc: file

SMITH, GILDEA & SCHMIDT LLC

MICHAEL PAUL SMITH
DAVID K. GILDEA
LAWRENCE E. SCHMIDT
MICHAEL G. DEHAVEN
JASON T. VETTORI

MARIELA C. D'ALESSIO*
MELISSA L. ENGLISH
DUKE MAY, V
CARMELO D. MORABITO
SARAH A. ZADROZNY
of counsel:
EUGENE A. ARBAUGH, JR.
DAVID T. LAMPTON
MARY G. LOKER
*Admitted in MD, FL, PA

September 12, 2018

Sent Via Email and First Class Mail

Kristen Lewis
Baltimore County Permits, Approvals and Inspections
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

**Re: Worthington Family Properties
10800-10806 Liberty Road
Case No. 2019-0044-SPHX**

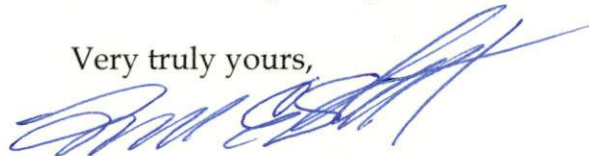
Dear Ms. Lewis,

I am in receipt of the Notice of Zoning Hearing scheduling the above matter for Tuesday, October 9, 2018 at 1:30 p.m.

Unfortunately, the engineer in this matter is scheduled to be out of the country on October 9th on a preplanned, prepaid family vacation, and as such we would appreciate this matter being postponed to a later date.

Thank you for your courtesy. I look forward to hearing from you.

Very truly yours,



Lawrence E. Schmidt

LES/amf

cc: Peter Max Zimmerman, Esquire, People's Counsel for Baltimore County
Shaun Crawford, Baltimore County Code Enforcement Inspector
Andrew Stine, DDC, Inc.
Worthington Family Properties



DONALD I. MOHLER III
County Executive

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

September 5, 2018

NOTICE OF ZONING HEARING

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CASE NUMBER: 2019-0044-SPHX

10800-10806 Liberty Road

N/s Liberty Road, NW corner of the intersecting streets between Liberty and Allen Roads

2nd Election District – 4th Councilmanic District

Legal Owners: Worthington Family Properties

Special Hearing for a modified parking plan to allow parking on all lots under common ownership, to allow the existing gravel lot to remain (not durable and dustless or striped), an existing one-way drive aisle two spaces with a 90 degree parking angle of as little as 11' to remain and off-street loading as it exists to remain; and for such other and further relief as may be deemed necessary by the Administrative Law Judge for Baltimore County. Special Exception to approve a service garage and for such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Hearing: Tuesday, October 9, 2018 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: Jason Vettori, 600 Washington Avenue, Ste. 200, Towson 21204
Worthington Family Properties, 4535 Allen Road, Randallstown 21133

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, SEPTEMBER 19, 2018.**
- (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.

SMITH, GILDEA & SCHMIDT LLC

MICHAEL PAUL SMITH
DAVID K. GILDEA
LAWRENCE E. SCHMIDT
MICHAEL G. DEHAVEN
JASON T. VETTORI

MARIELA C. D'ALESSIO*
MELISSA L. ENGLISH
DUKE MAY, V
CARMELO D. MORABITO
SARAH A. ZADROZNY
of counsel:
EUGENE A. ARBAUGH, JR.
DAVID T. LAMPTON
MARY G. LOKER
*Admitted in MD, FL, PA

September 12, 2018

Sent Via Email and First Class Mail

Kristen Lewis
Baltimore County Permits, Approvals and Inspections
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

**Re: Worthington Family Properties
10800-10806 Liberty Road
Case No. 2019-0044-SPHX**

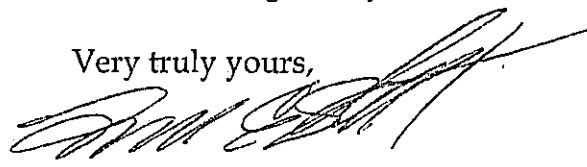
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Thank you for your courtesy. I look forward to hearing from you.

Very truly yours,



Lawrence E. Schmidt

LES/amf

cc: Peter Max Zimmerman, Esquire, People's Counsel for Baltimore County
Shaun Crawford, Baltimore County Code Enforcement Inspector
Andrew Stine, DDC, Inc.
Worthington Family Properties

Real Property Data Search (w4)

Search Result for BALTIMORE COUNTY

Pet. 3A

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 02 Account Number - 0201350613			
Owner Information					
Owner Name:		WORTHINGTON FAMILY PROPERTIES LLC		Use:	COMMERCIAL
Mailing Address:		4535 ALLEN RD RANDALLSTOWN MD 21133-1025		Principal Residence:	NO
				Deed Reference:	/20698/ 00664
Location & Structure Information					
Premises Address:		10800 LIBERTY RD 0-0000		Legal Description:	.704AC NES LIBERTY RD NW COR ALLEN RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0066	0014	0086		0000	
					Block:
					Lot:
					Assessment Year:
					2019
					Plat No:
					Plat Ref:
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1947		2100		30,655 SF	
Property Land Area		County Use			
30,655 SF		06			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
		RETAIL STORE			
Value Information					
Base Value		Value		Phase-in Assessments	
		As of		As of	
		01/01/2019		07/01/2018	
				As of	
				07/01/2019	
Land:	202,000	202,000			
Improvements	36,500	36,300			
Total:	238,500	238,300		238,500	238,300
Preferential Land:	0				0
Transfer Information					
Seller: ALLEN MARIE R		Date: 09/16/2004		Price: \$545,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /20698/ 00664		Deed2:	
Seller: ALLEN C WILLIAM		Date: 06/17/1994		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /10595/ 00586		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class	07/01/2018		07/01/2019	
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					
Homeowners' Tax Credit Application Information					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

Real Property Data Search (w4)

Pet 3B

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 02 Account Number - 0201350611			
Owner Information					
Owner Name:		WORTHINGTON FAMILY PROPERTIES LLC		Use:	COMMERCIAL
Mailing Address:		4535 ALLEN RD RANDALLSTOWN MD 21133-		Principal Residence:	NO
				Deed Reference:	/37250/00072
Location & Structure Information					
Premises Address:		10806 LIBERTY RD RANDALLSTOWN MD 21133-1009		Legal Description:	.375AC 10806 LIBERTY RD NS 2640 E WARD CHAPEL RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0066	0014	0675		0000	
					Block:
					Lot:
					Assessment Year:
					2019
					Plat No:
					Plat Ref:
Special Tax Areas:		Town:		NONE	
		Ad Valorem:			
		Tax Class:			
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
2290				Property Land Area	
				16,000 SF	
				County Use	
				07	
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
					Last Major Renovation
Value Information					
		Base Value	Value	Phase-in Assessments	
			As of	As of	As of
			01/01/2019	07/01/2018	07/01/2019
Land:		206,000	146,000		
Improvements		0	0		
Total:		206,000	146,000	206,000	146,000
Preferential Land:		0			0
Transfer Information					
Seller: MOSMILLER JOSEPH W TRUSTEE		Date: 03/04/2016		Price: \$150,000	
Type: ARMS LENGTH IMPROVED		Deed1: /37250/00072		Deed2:	
Seller: TYCOON PROPERTIES LLC		Date: 10/27/2010		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /30059/00063		Deed2:	
Seller: WORTHINGTON FAMILY PROPERTIES LLC		Date: 07/29/2005		Price: \$275,000	
Type: ARMS LENGTH IMPROVED		Deed1: /22277/00478		Deed2:	
Exemption Information					
Partial Exempt Assessments:	Class		07/01/2018	07/01/2019	
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					
Homeowners' Tax Credit Application Information					

1. This screen allows you to search the Real Property database and display property records.
2. Click [here](#) for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.
4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.

Case No.:

2019-0044-SPHX

Exhibit Sheet

Petitioner/Developer

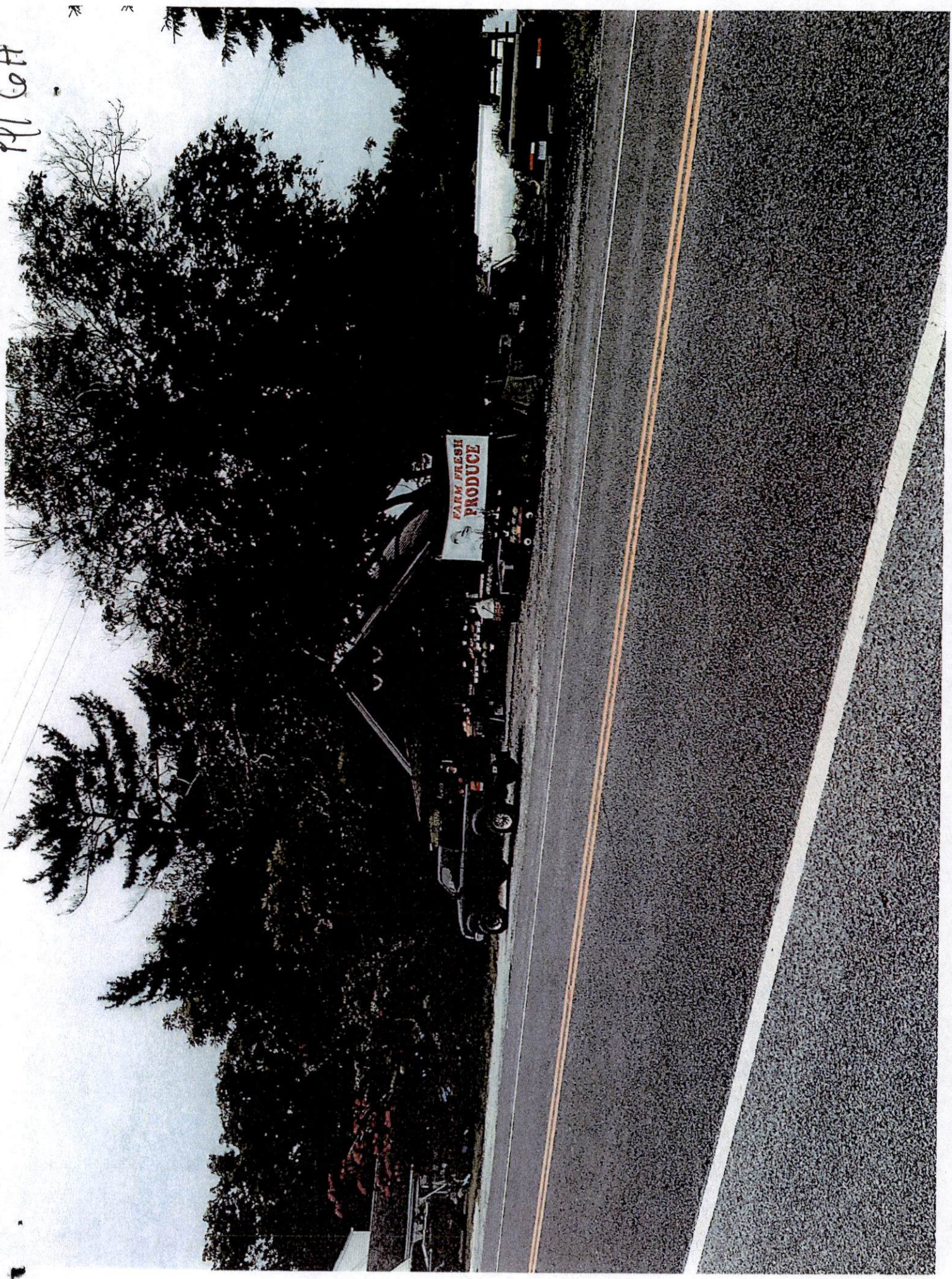
Protestant

Sen
1/30/19

100
4-11-19

No. 1	Site plan	
No. 2	Landscape plan	
No. 3	3A > SDAT records 3B >	
No. 4	4A-4C Aerial photo	
No. 5	Aerial photo	
No. 6	Photos A-T	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

pt 6A

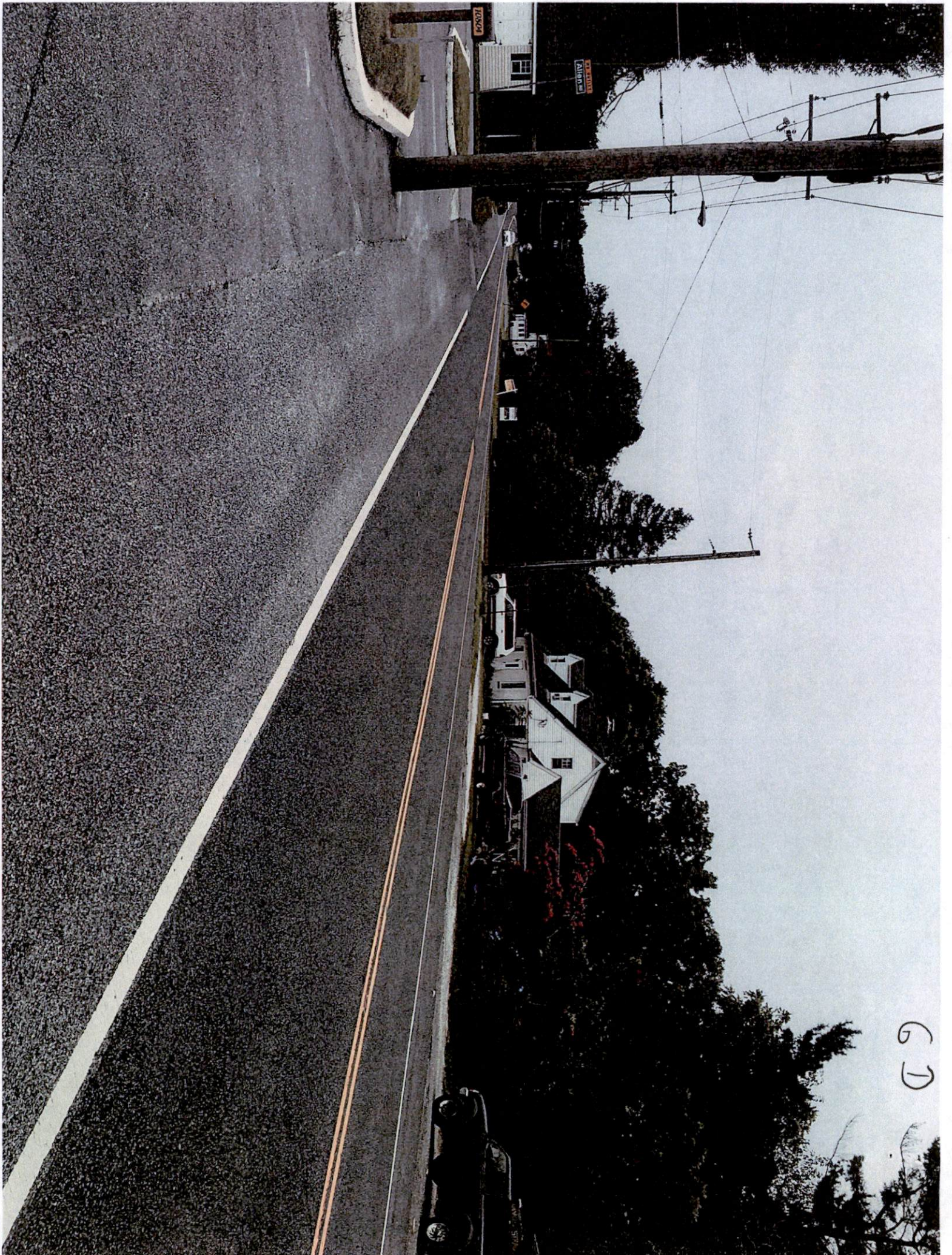




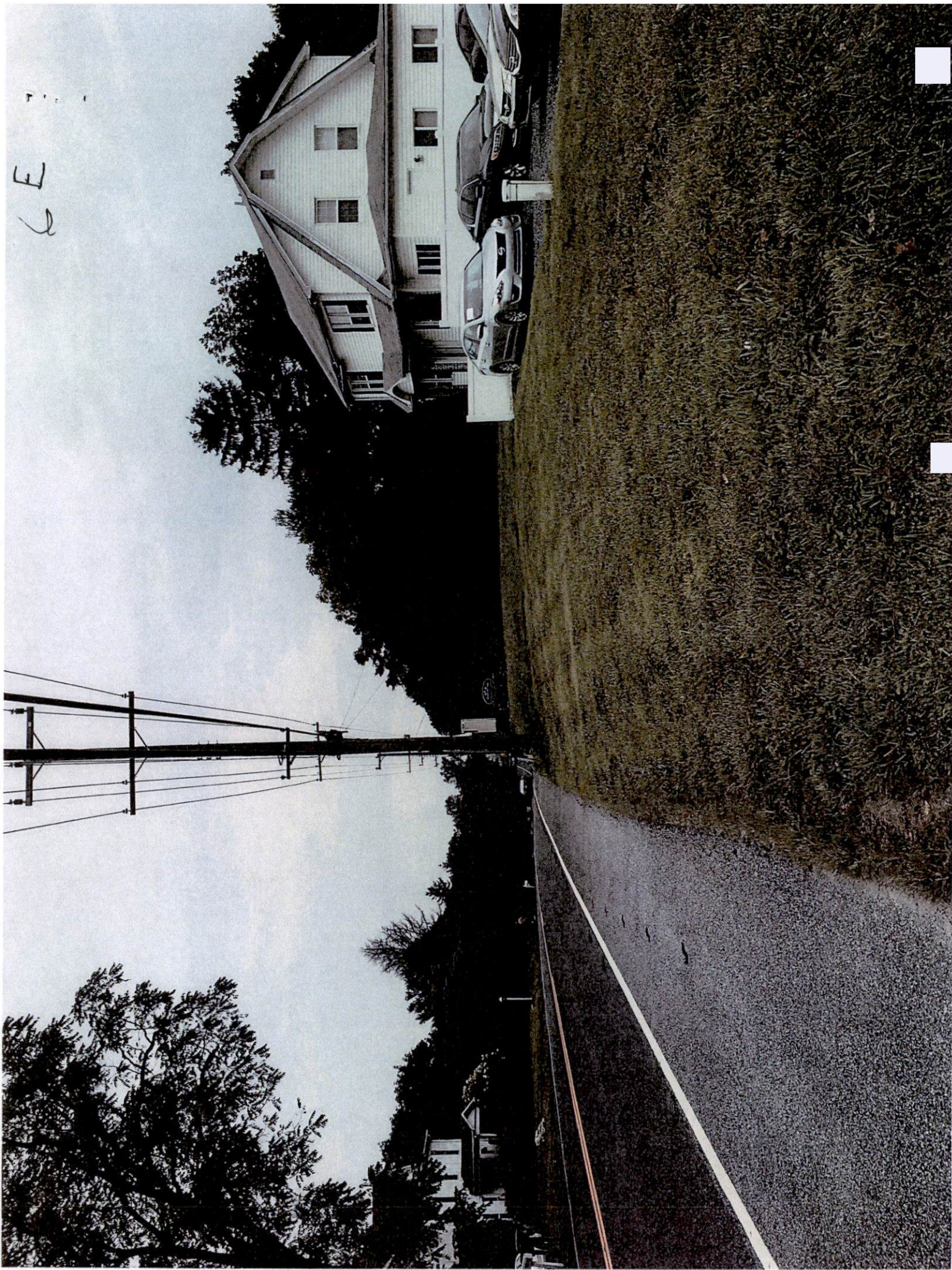
68



60



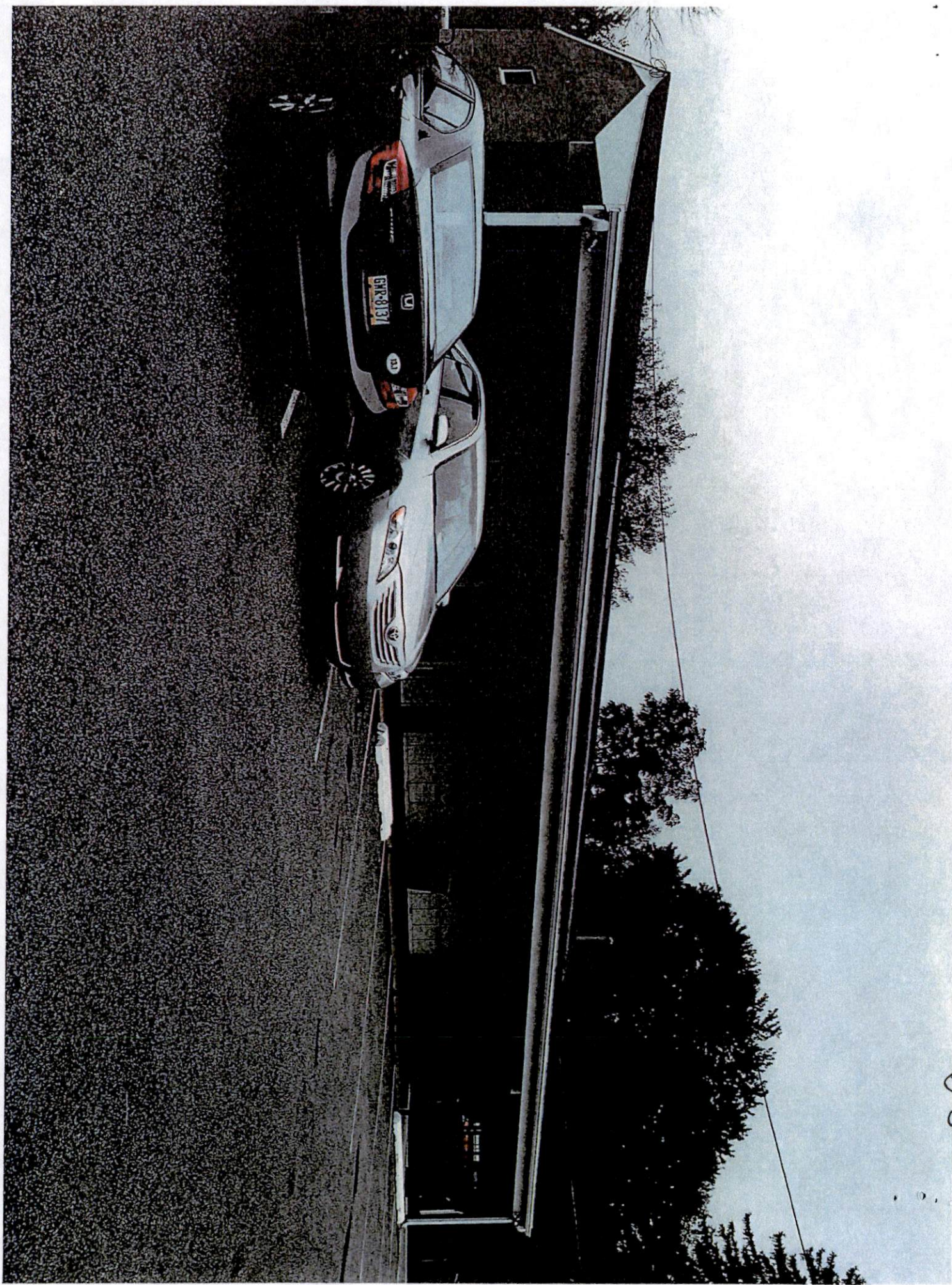
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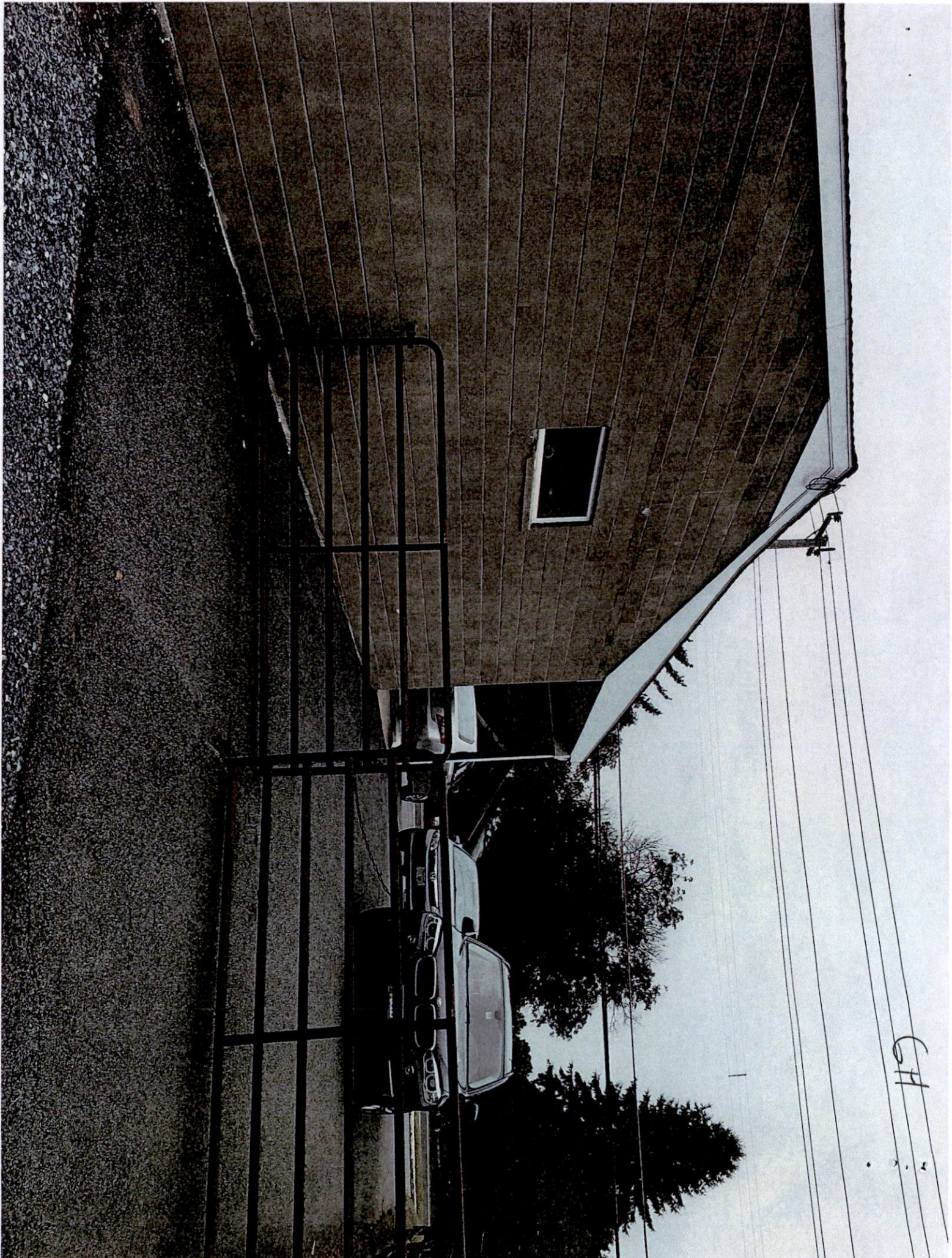


W
2

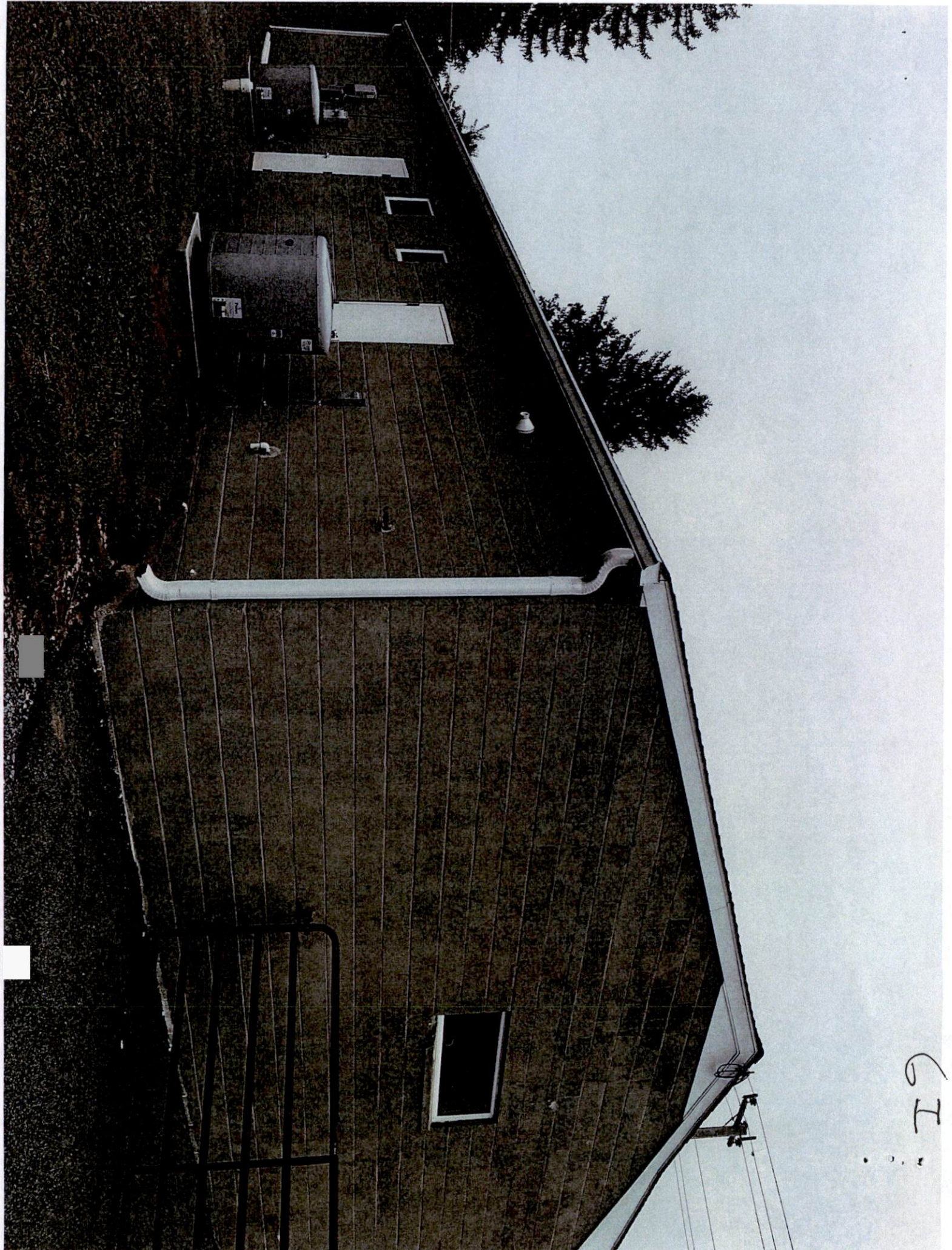
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CH

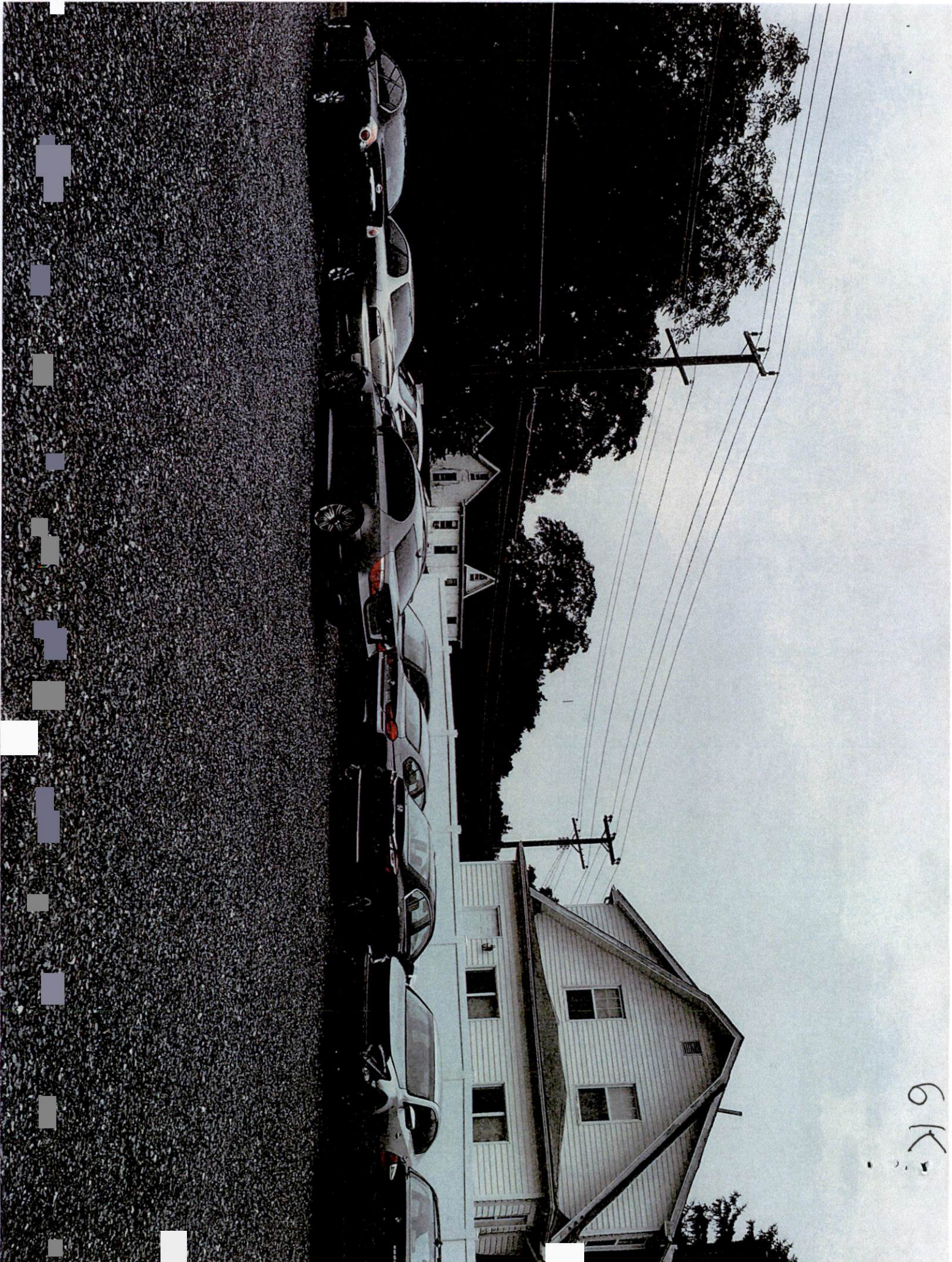


GI



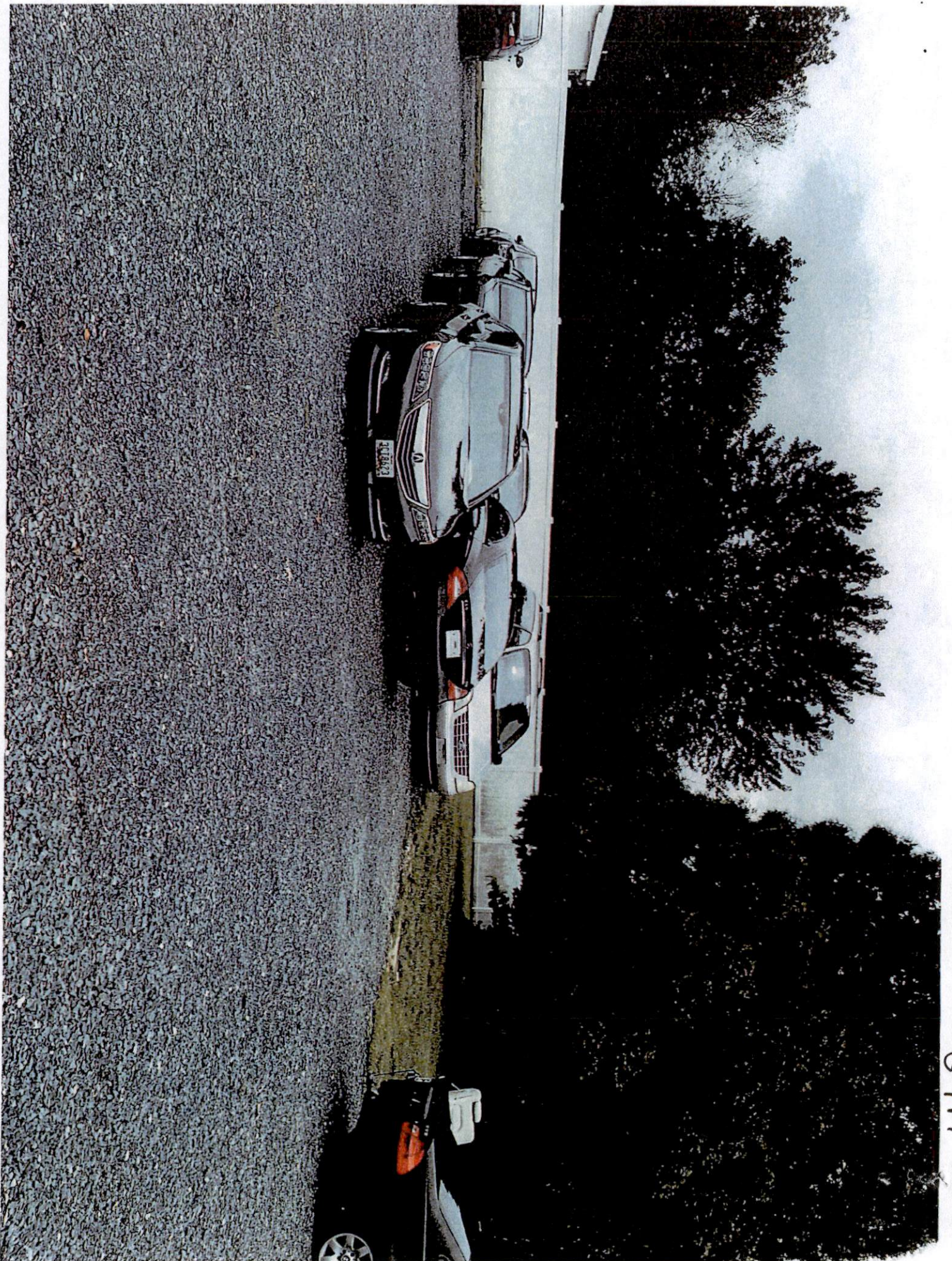
65

61K

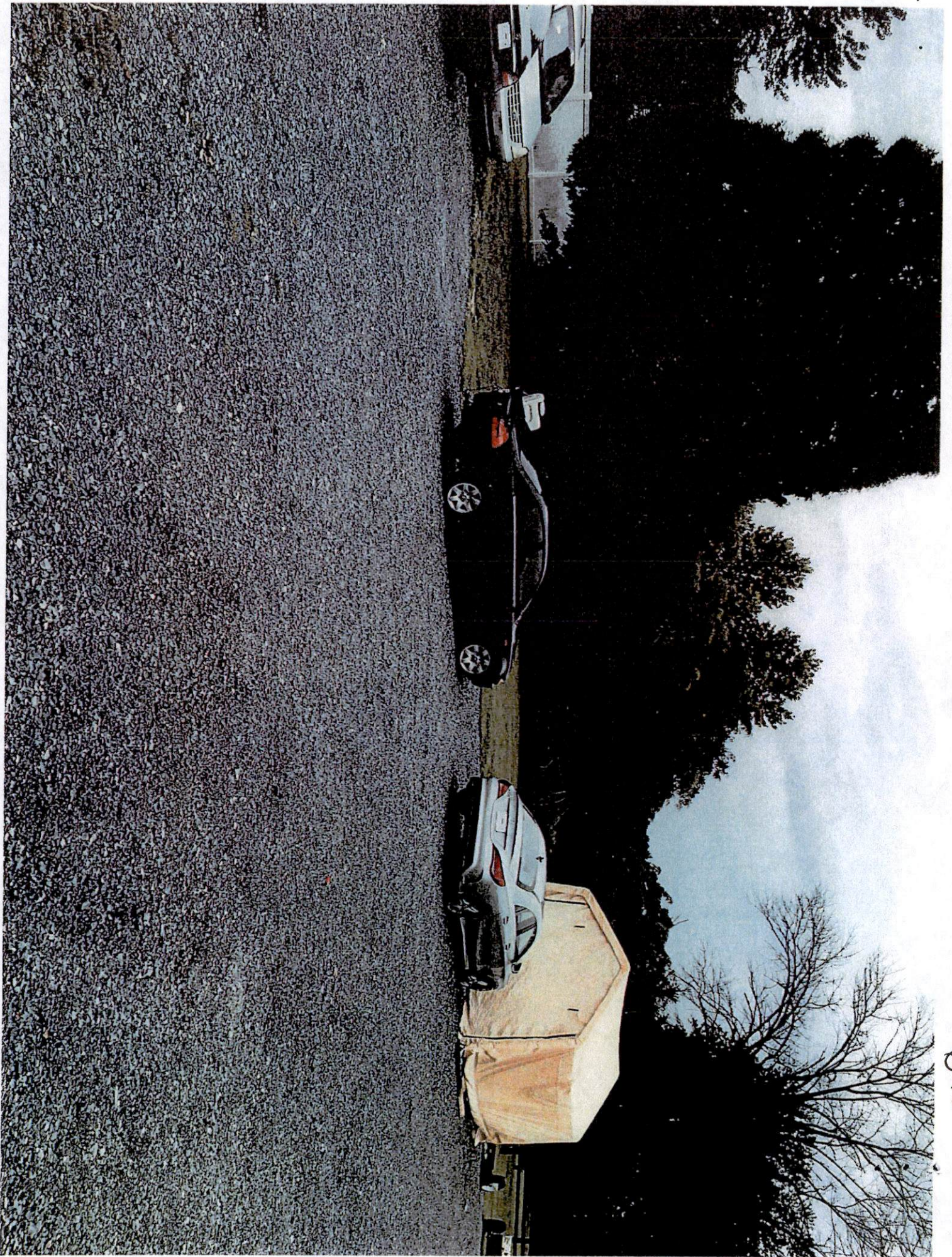




64.

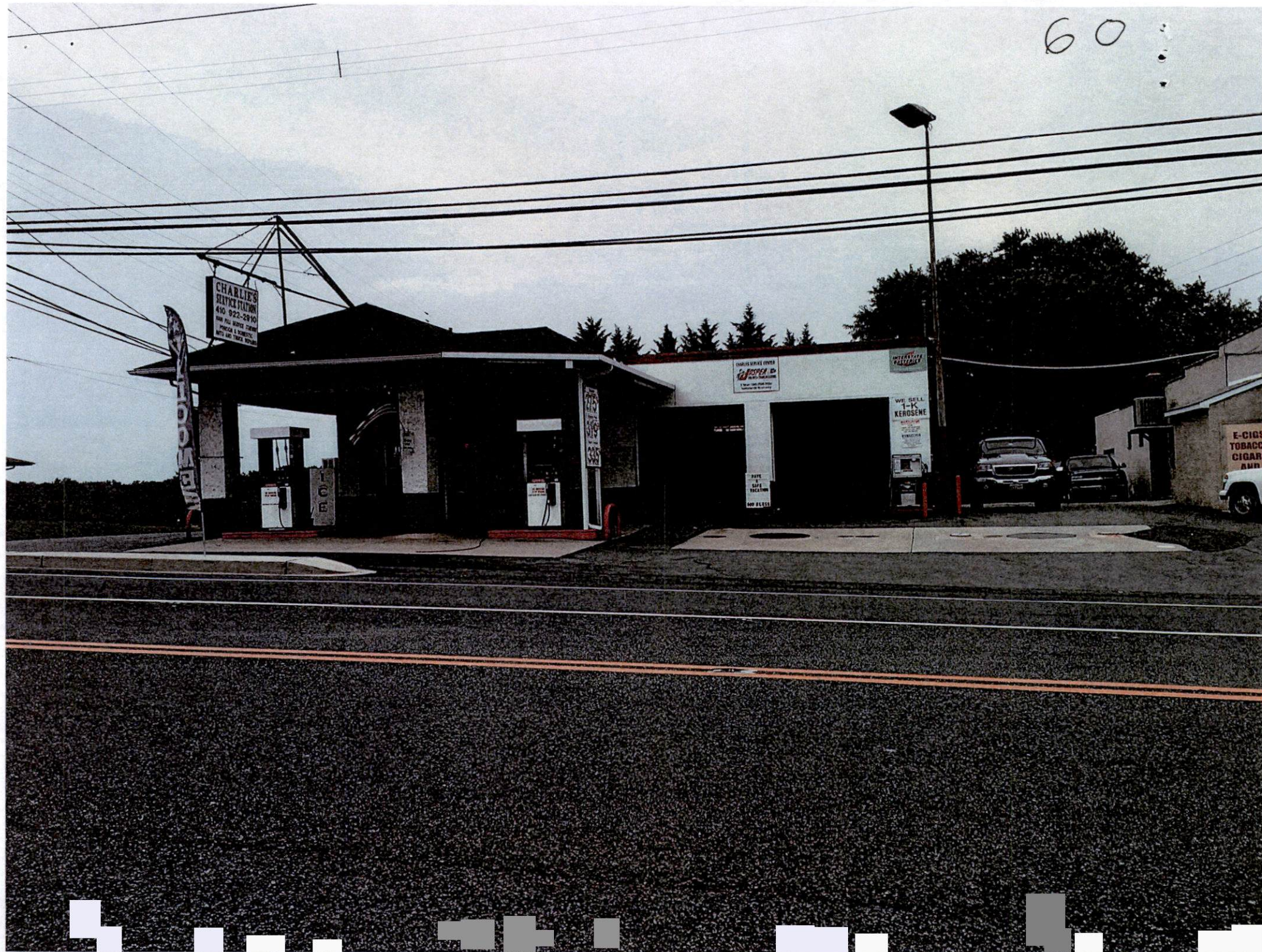


6M



62

60



67

LaScuola Motorworks
Auto Service & Repair

10917 Liberty Rd *410-655-0686*



69

Free Delivery Available

6 R





CT

IN RE: PETITIONERS FOR SPECIAL HEARING

BEFORE THE OFFICE OF
ADMINISTRATIVE HEARINGS

AND SPECIAL EXCEPTION

FOR BALTIMORE COUNTY

(10800-10806 Liberty Road

CASE NO. 2019-0044-SPHX

2d Election District

4th Councilmanic District

Worthington Family Properties, LLC

Legal Owner



REQUEST FOR HEARING

The Protestants in this case (Holbrook, Wards Chapel Association) are requesting that a hearing be held on the Petitioners Motion for Reconsideration.

William Klingelhofer, President

Holbrook Wards Chapel Association

I hereby Certify on the 3/13 day of March, 2019 that I have mailed a copy of this Request for a Hearing by first class mail to Jason T. Vettori, Esq, Smith, Gildea & Schmidt 600 Washington Ave. Suite 200 Towson, Md. 21204 and copies to the following :

Jeff and Shirley Supik

Ruby Short

William Allen

3525 N Rolling Road

4134 Holbrook Road

4516 Allen Road

Windsor Mill, Md. 21244

Randallstown, Md. 21133

Randallstown, Md. 21133

David Williams

Mark Bollinger and Edna Erbe

Tim Sherill

10809 Stansfield Road

10743 Liberty Road

4513 Allen Road

Randallstown, Md. 21133

Randallstown, Md. 21133

Randallstown, Md. 21133

David Schloss

10904 Liberty Road

Randallstown, Md. 21133

Peter Max Zimmerman, Esquire

People' Council for Baltimore County

The Jefferson Building

105 W. Chesapeake Avenue

Room 204

Towson, Md. 21204

Craig Bober

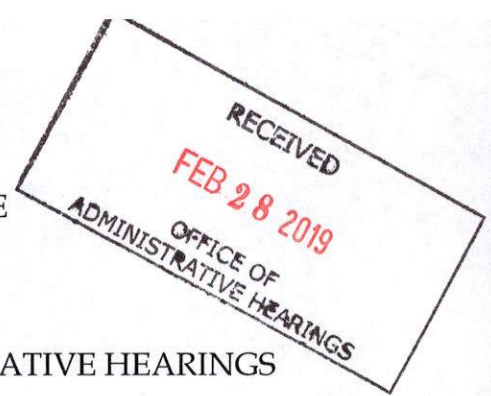
4507 Allen Road

Randallstown, Md. 21133

**IN RE: PETITIONS FOR SPECIAL HEARING*
AND SPECIAL EXCEPTION**

(10800-10806 Liberty Road)
2nd Election District
4th Councilmanic District
Worthington Family Properties, LLC
Legal Owner

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
Case No. 2019-0044-SPHX



* * * * *

PETITIONER'S MOTION FOR RECONSIDERATION

Petitioner moves for reconsideration of Administrative Law Judge ("ALJ") Beverungen's above referenced Opinion and Order dated January 30, 2019. Specifically, Petitioner only seeks reconsideration of the petition for special hearing which was dismissed without prejudice.

ALJ Beverungen's "Opinion and Order" constitutes an order and Rule K of the Rules of Practice and Procedure before the Zoning Commissioner/Hearing Officer of Baltimore County clearly and unambiguously states that "[a] party may file a motion for reconsideration of an order issued by the Zoning Commissioner." The motion raises new issues of fact that would allow the special hearing relief to be granted without the special exception relief in order to avoid manifest injustice or clear error through a potential future res judicata claim. As such, the instant motion for reconsideration is being submitted.

ALJ Beverungen found that it was doubtful that the small portion of the existing structure would qualify as a "garage" and, as such, the use does not constitute a service garage. Having denied the request for special exception relief, the special hearing relief was

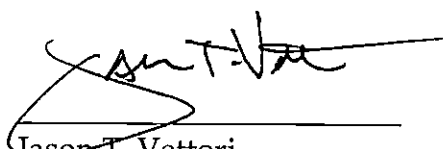
dismissed without prejudice and without a decision regarding the same on the merits. However, the Petitioner would still like to have the option to use the existing gravel parking lot. Having had the special exception relief denied, Petitioner has terminated the lease with the tenant for whom he was seeking special exception relief. The Petitioner would like to use the existing gravel lot as off-street parking for retail customers and employees of existing and/or future tenants of the building. The Petitioner would obviously like to lease the space within the existing structure which is being vacated to another tenant for a use which is permitted under Section 230 of the Baltimore County Zoning Regulations ("BCZR"), which lists the uses permitted by right on property zoned Business, Local ("BL"). It would be beneficial to lease the soon to be vacated space to a new tenant if that tenant and others could utilize the gravel parking area without having to file a new petition for zoning hearing to confirm that parking lot is permitted.

The Petition for Special Hearing sought a modified parking plan pursuant to BCZR § 409.12.B to allow parking on all lots under common ownership, to allow the existing gravel lot to remain (not durable and dustless or striped), an existing one-way drive aisle to two spaces with a 90 degree parking angle of as little as 11' to remain and off-street loading as it exists to remain. The first portion of the relief requested was for the existing gravel lot on the west side of the frontage of the BL zoned property. The testimony and evidence indicated that this parking area has been there for years. As illustrated on the plan to accompany the petition, there is an existing fence around said parking lot. The second portion of the relief requested was for a one-way drive aisle that is used to access two spaces adjoining the east side of the building and Allen Road which has been used for many years. Allen Road is not

heavily traveled and these parking spaces and the existing drive aisle has existed for some time. Lastly, the relief requested sought confirmation that the off-street loading as it exists was adequate. The existing gravel parking area has always provided adequate space for off-street parking when loading was taking place for the other uses in the existing building. None of the neighbors who appeared and testified raised any objections to the existing parking arrangement or claimed that the existing parking is detrimental to the neighborhood. Continuing to be able to use the existing parking field would continue to accommodate future employees, customers, visitors, deliveries, etc. by the current and future tenants.

The Petitioner expended significant effort into cleaning up the site after acquiring same and would like to be able to market the space which will soon become vacant to a new tenant. The community's objection was to the parking and storing of disabled/damaged vehicles on the property. That use is being terminated. The dismissal of the special hearing relief requested for the proposed modified parking plan creates an undue hardship. For the aforementioned reasons, the Petitioner requests that its Motion for Reconsideration be granted.

Respectfully submitted,



Jason T. Vettori
Smith, Gildea & Schmidt, LLC
600 Washington Avenue
Suite 200
Towson, MD 21204

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of **February, 2019**, a copy of the foregoing Motion for Reconsideration was sent via mailed first-class, postage prepaid to:

William Klingelhofer
4527 Allen Road
Randallstown, MD 21133

William Allen
4516 Allen Road
Randallstown, MD 21133

Jeff and Shirley Supik
3525 N. Rolling Road
Windsor Mill, MD 21244

Tim Sherrill
4513 Allen Road
Randallstown, MD 21133

David Williams
10809 Stansfield Road
Randallstown, MD 21133

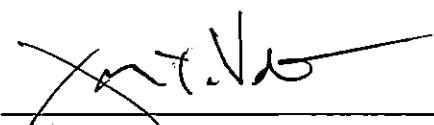
David Schloss
10904 Liberty Road
Randallstown, MD 21133

Ruby Short
4131 Holbrook Road
Randallstown, MD 21133

Craig Bober
4507 Allen Road
Randallstown, MD 21133

Mark Bollinger and Edna Erbe
10743 Liberty Road
Randallstown, MD 21133

Peter Max Zimmerman, Esquire
People's Counsel for Baltimore County
The Jefferson Building
105 West Chesapeake Ave, Room 204
Towson, MD 21204



JASON T. VETTORI

CASE NAME

DATE _____

E - MAIL

[illegible]

PLEASE PRINT CLEARLY

CASE NAME _____

CASE NUMBER _____

DATE _____

CITIZEN'S SIGN - IN SHEET

NAME _____

ADDRESS

CITY, STATE, ZIP

E - MAIL

[illegible]

Testimony of David Williams

I live at 10809 Stansfield Road which is not directly affected by the proposed changes, but I am a member of the Holbrook-Chapeldale Community Association. I'm here also representing my son, who lives at 10811 Liberty Road which is across the street from the property in question.

Before moving here to Baltimore County, I lived in Washington County where I served as President of both the Washington County Board of Zoning Appeals and the Town of Smithsburg Board of Zoning appeals, so I have been involved in this kind of cases hundreds of times. I fully understand the balancing of the wants and needs of the property owner with the wants and needs of the neighboring property owners.

In reviewing the Zoning Ordinance, I have noted nearly 80 different types of businesses that could be placed on this property with no special exception to the zoning. Some of them the neighbors feel are more appropriate, such as antique store, arborist, garden center or florist, some laughable as helistop or wireless communication tower.

The current tenant has not done the owner any favors, as they have produced noxious exterior light, noise, blockage of Allen Road, and potentially negative environmental hazards on the premises and that has been at least partially to blame for the concerns of the neighborhood.

Your honor, I ask you to please take the concerns of the neighbors into account during your deliberations, and find against the Special Exception.

Respectfully,

A handwritten signature in black ink, appearing to read 'David Williams', written in a cursive style.

David Williams

10809 Stansfield Rd.

Randallstown, MD 21133

Debra Wiley

JB 1-28-19
1:30 PM

From: Linda Okeefe <luckylinda1954@yahoo.com>
Sent: Sunday, January 27, 2019 1:37 AM
To: Administrative Hearings; Alyssa Moyers
Subject: 2nd Certification Case # 2019-0044-SPHX
Attachments: 2nd Cert. Liberty Rd. .jpeg; Allen Rd. Photo.docx

HI SHERRY,

I have attached at the 2nd Certification for Case # 2019-0044-SPHX @ 10800-10806 Liberty Road. Unfortunately the Signs were missing and the posts remained on the ground. It looks like the signs were ripped off from one of the posts bolts were on the ground and no where was there any trace of the signs. Good Note: the signs were still there on the Allen Road Side and photos are attached.
Best Wishes,

Linda

Linda O'Keefe
523 Penny Lane
Hunt Valley MD 21030
Phone # 410-666-5366
Cell# 443-604-6431
Fax# 410-666-0929
luckylinda1954@yahoo.com

SECOND CERTIFICATE OF POSTING

ATTENTION: SHERRY NUFFER

DATE: 1/26/2019

Case Number: 2019-0044-SPHX

Petitioner / Developer: JASON VETTORI, ESQ. ~ WORTHINGTON
FAMILY PROPERTIES

Date of Hearing: JANUARY 28, 2019

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

1 SET POSTED @ 10800-10806 LIBERTY ROAD

1 SET POSTED @ ALLEN ROAD - (ON-SITE)

The sign(s) were posted on: JANUARY 6, 2019

The sign(s) were re-photographed on: JANUARY 26, 2019



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)

CASE NO. 2019-

0044-SPHX

C H E C K L I S TComment
ReceivedDepartmentSupport/Oppose/
Conditions/
Comments/
No Comment

9/11/18

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

Comment

8/24/18

DEPS
(if not received, date e-mail sent _____)

NO Comment

10/3/18

FIRE DEPARTMENT

PLANNING
(if not received, date e-mail sent _____)NO objection
w/ conditions

8/20/18

STATE HIGHWAY ADMINISTRATION

TRAFFIC ENGINEERING

NO Objection

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 1/8/19

SIGN POSTING (1st) Date: 1/6/19

by O'Keefe

SIGN POSTING (2nd) Date: 1/20/19

by O'Keefe

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Account Identifier:		District - 02 Account Number - 0201350613			
Owner Information					
Owner Name:		WORTHINGTON FAMILY PROPERTIES LLC		Use:	COMMERCIAL
Mailing Address:		4535 ALLEN RD RANDALLSTOWN MD 21133-1025		Principal Residence:	NO
				Deed Reference:	/20698/ 00664
Location & Structure Information					
Premises Address:		10800 LIBERTY RD 0-0000		Legal Description:	.704AC NES LIBERTY RD NW COR ALLEN RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:
0066	0014	0086		0000	
Special Tax Areas:				Town:	NONE
				Ad Valorem:	
				Tax Class:	
Primary Structure Built		Above Grade Living Area		Finished Basement Area	
1947		2100		30,655 SF	
Property Land Area		County Use			
30,655 SF		06			
Stories	Basement	Type	Exterior	Full/Half Bath	Garage
		RETAIL STORE			
Value Information					
Base Value		Value		Phase-In Assessments	
		As of		As of	
		01/01/2019		07/01/2018	
				As of	
				07/01/2019	
Land:	202,000	202,000			
Improvements	36,500	36,300			
Total:	238,500	238,300		238,500	238,300
Preferential Land:	0				0
Transfer Information					
Seller: ALLEN MARIE R		Date: 09/16/2004		Price: \$545,000	
Type: ARMS LENGTH MULTIPLE		Deed1: /20698/ 00664		Deed2:	
Seller: ALLEN C WILLIAM		Date: 06/17/1994		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /10595/ 00586		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class		07/01/2018	
County:		000		0.00	
State:		000		0.00	
Municipal:		000		0.00/0.00	
Tax Exempt:		Special Tax Recapture:		0.00/0.00	
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					
Homeowners' Tax Credit Application Information					
Homeowners' Tax Credit Application Status: No Application					
Date:					

Real Property Data Search

Search Result for BALTIMORE COUNTY

View Map			View GroundRent Redemption			View GroundRent Registration		
Tax Exempt:			Special Tax Recapture:					
Exempt Class:			NONE					
Account Identifier:			District - 02 Account Number - 0201350611					
			Owner Information					
Owner Name:			WORTHINGTON FAMILY PROPERTIES LLC			Use:		COMMERCIAL
Mailing Address:			4535 ALLEN RD RANDALLSTOWN MD 21133-			Principal Residence:		NO
						Deed Reference:		/37250/ 00072
			Location & Structure Information					
Premises Address:			10806 LIBERTY RD RANDALLSTOWN MD 21133-1009			Legal Description:		.375AC 10806 LIBERTY RD NS 2640 E WARD CHAPEL RD
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section:	Block:	Lot:	Assessment Year:
0066	0014	0675		0000				2019
Special Tax Areas:			Town:			NONE		
			Ad Valorem:					
			Tax Class:					
Primary Structure Built		Above Grade Living Area		Finished Basement Area		Property Land Area		County Use
		2290				16,000 SF		07
Stories	Basement	Type	Exterior	Full/Half Bath		Garage	Last Major Renovation	
Value Information								
Base Value			Value			Phase-In Assessments		
			As of 01/01/2019			As of 07/01/2018		As of 07/01/2019
Land:	206,000		146,000					
Improvements	0		0					
Total:	206,000		146,000			206,000		146,000
Preferential Land:	0							0
Transfer Information								
Seller: MOSMILLER JOSEPH W TRUSTEE			Date: 03/04/2016			Price: \$150,000		
Type: ARMS LENGTH IMPROVED			Deed1: /37250/ 00072			Deed2:		
Seller: TYCOON PROPERTIES LLC			Date: 10/27/2010			Price: \$0		
Type: NON-ARMS LENGTH OTHER			Deed1: /30059/ 00063			Deed2:		
Seller: WORTHINGTON FAMILY PROPERTIES LLC			Date: 07/29/2005			Price: \$275,000		
Type: ARMS LENGTH IMPROVED			Deed1: /22277/ 00478			Deed2:		
Exemption Information								
Partial Exempt Assessments:		Class				07/01/2018		07/01/2019
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								
Homeowners' Tax Credit Application Information								
Homeowners' Tax Credit Application Status: No Application						Date:		

0207580230

RC 4

0201350610

1992-0307-SPHA

0211151302

V-1995-0275-SPH

0201350090

GROWTH TIER 4
(No New Subdivisions of 4 or More Additional Lots)

R-1954-3245

R-1960-4998

10808

R-1943-0314

R-1958-4491

0201350611

0201350612

4504

4507

0212590220

ALLEN RD

RCC

0208650210

10742

2 ED 066A2

BL CR

0201350613

10804

10800

10806-

LIBERTY RD

NW 9-L

10813

10807

R-1957-4284

10743

10739

R-1947-0877

0204200300

RC 2

10811

0211470060

0211470120

0212400140

RC 5

GROWTH TIER 3
(New Major Subs. of 4 or More Additional
Lots Req. Plan. Bd. Approval)

2019-0044-SPHX

PAI # 020736

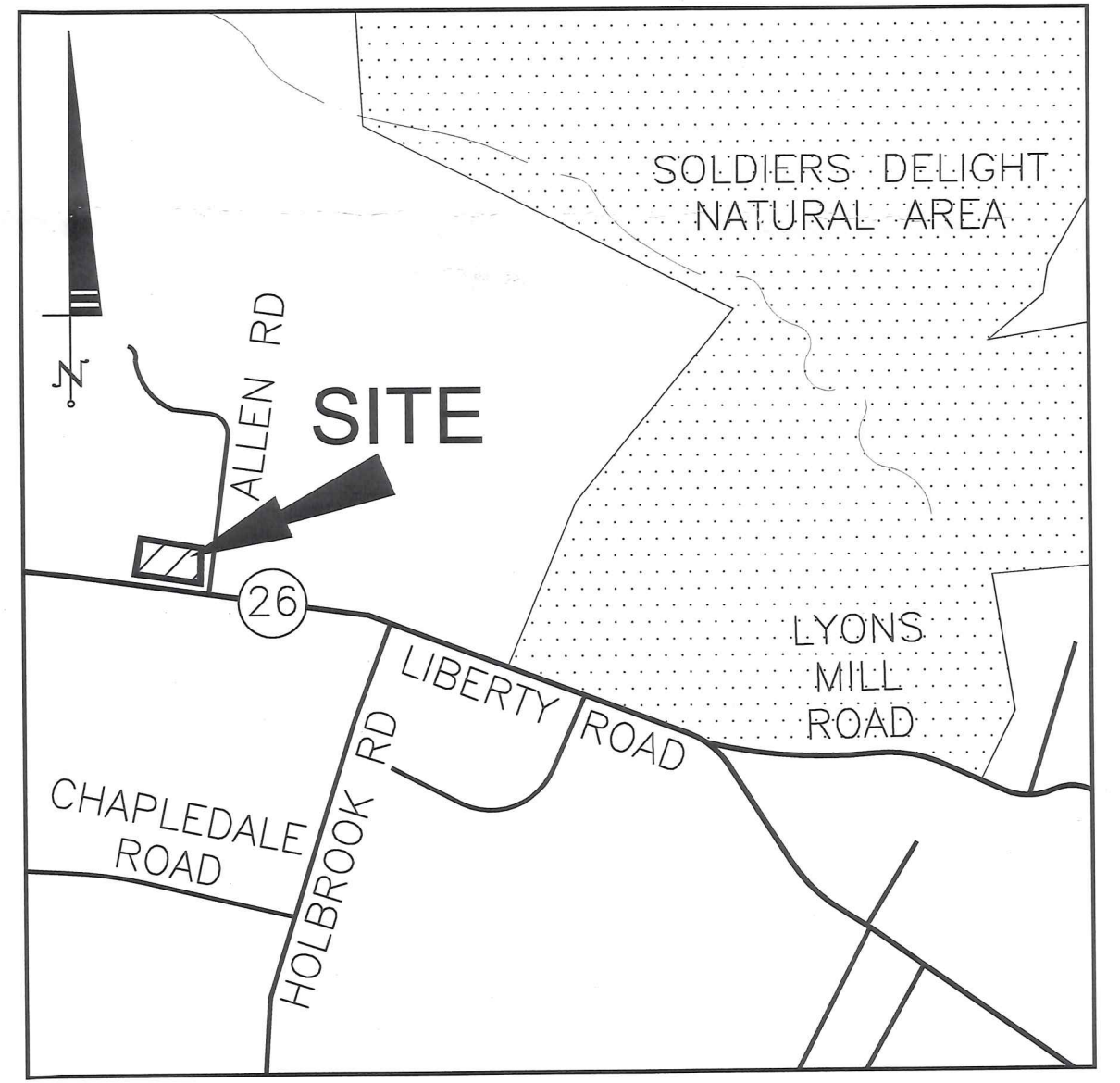
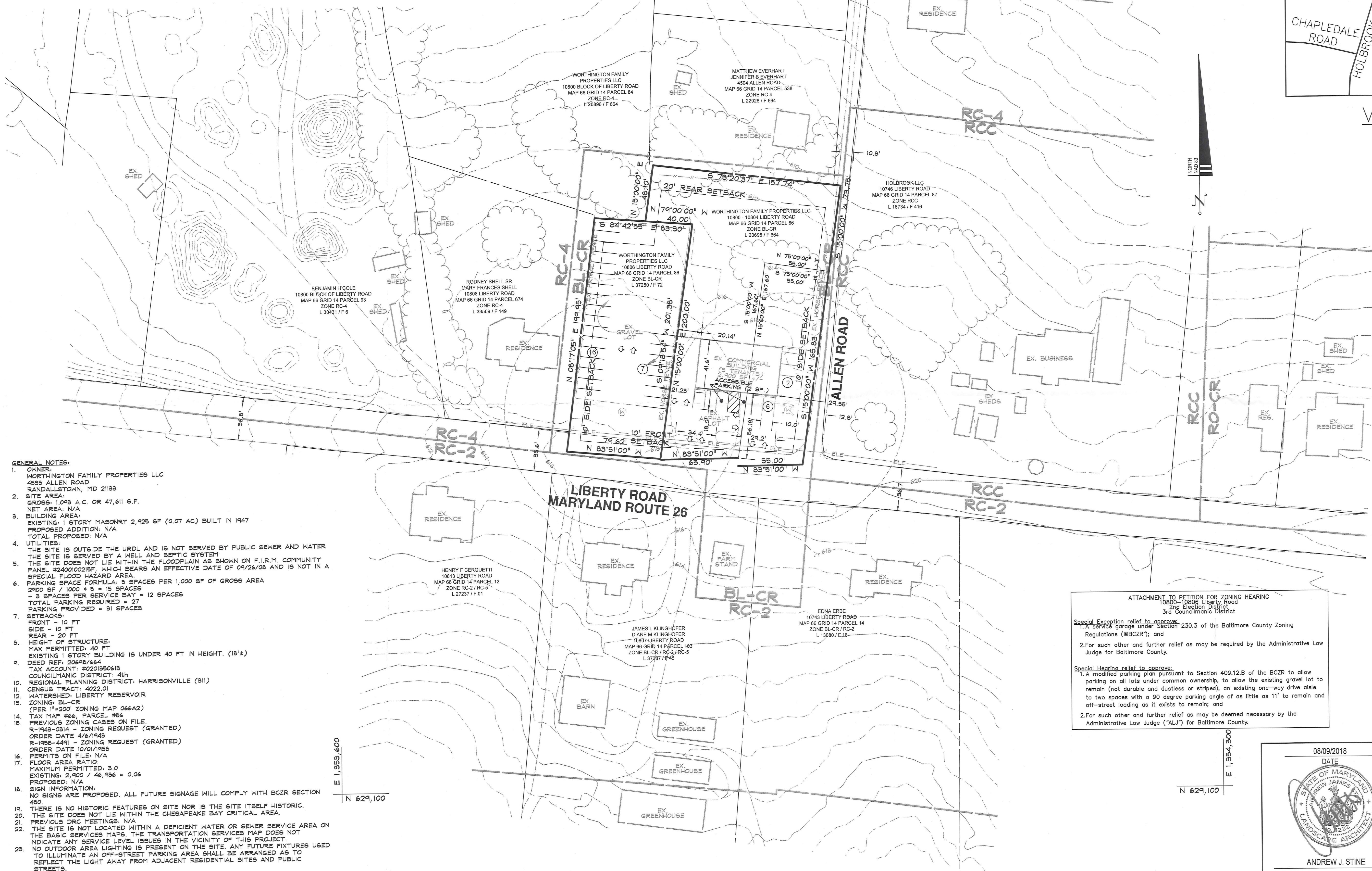
Pt. Bk. 0000028, Folio 0098

PAI # 020738 Pt. Bk./Folio # 028098

1700014258

XH92-4400-Plas

DRAWING LEGEND		
652	EXISTING MINOR CONTOUR (2' INTERVAL)	EXISTING TREES
660	EXISTING MAJOR CONTOUR (10' INTERVAL)	EXISTING FENCE(S)
100.0'	ADJACENT PROPERTY LINE	TRAFFIC DIRECTIONAL ARROWS (PLAN ONLY, NOT PAINTED ON SITE)
100.0'	EXISTING PROPERTY BOUNDARY	EXISTING WELL
EX. ROAD / EDGE OF PAVING		
EX. SEWER LINE & MANHOLES, CLEAN-OUTS		
EX. OVERHEAD ELECTRIC & UTILITY POLES		
652	PROPOSED MINOR CONTOUR (2' INTERVAL)	
660	PROPOSED MAJOR CONTOUR (10' INTERVAL)	
EX. CURB AND GUTTER/PROP. CURB & GUTTER		
EXISTING ROAD/DRIVE CENTERLINE		
EX. BUILDING		



VICINITY MAP
SCALE: 1"=1000'

DATA SOURCES:
1. PHYSICAL FEATURES, EXISTING ENVIRONMENTAL FEATURES, AND ADJACENT PARCELS SHOWN PER BALTIMORE COUNTY OIT/GIS DATA. DATE OF DOWNLOAD IS JULY 20TH, 2018. EX. PROPERTY BOUNDARY SHOWN PER BOUNDARY SURVEY BY RUXTON DESIGN CORPORATION, AND DATED MAY 25, 2008.

- GENERAL NOTES:**
- OWNER: WORTHINGTON FAMILY PROPERTIES LLC
4535 ALLEN ROAD
RANDALLSTOWN, MD 21133
 - SITE AREA:
GROSS: 1.093 A.C. OR 47,611 S.F.
NET AREA: N/A
 - BUILDING AREA:
EXISTING: 1 STORY MASONRY 2,925 SF (0.07 AC) BUILT IN 1947
PROPOSED ADDITION: N/A
TOTAL PROPOSED: N/A
 - UTILITIES:
THE SITE IS OUTSIDE THE URDL AND IS NOT SERVED BY PUBLIC SEWER AND WATER. THE SITE IS SERVED BY A WELL AND SEPTIC SYSTEM.
THE SITE DOES NOT LIE WITHIN THE FLOODPLAIN AS SHOWN ON F.I.R.M. COMMUNITY PANEL #2400002157, WHICH BEARS AN EFFECTIVE DATE OF 09/26/08 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.
 - PARKING SPACE FORMULA: 5 SPACES PER 1,000 SF OF GROSS AREA
2900 SF / 1000 * 5 = 15 SPACES
+ 3 SPACES PER SERVICE BAY = 27 SPACES
TOTAL PARKING REQUIRED = 27
PARKING PROVIDED = 31 SPACES
 - SETBACKS:
FRONT - 10 FT
SIDE - 10 FT
REAR - 20 FT
 - HEIGHT OF STRUCTURE:
MAX PERMITTED: 40 FT
EXISTING 1 STORY BUILDING IS UNDER 40 FT IN HEIGHT. (18'±)
 - DEED REF: 20698/664
TAX ACCOUNT: 8020150613
COUNCILMANIC DISTRICT: 4th
REGIONAL PLANNING DISTRICT: HARRISONVILLE (311)
 - CENSUS TRACT: 4022.01
 - WATERSHED: LIBERTY RESERVOIR
 - ZONING: BL-CR
(PER 1"=200' ZONING MAP 066A2)
 - TAX MAP #66, PARCEL #86
 - PREVIOUS ZONING CASES ON FILE:
R-1948-0914 - ZONING REQUEST (GRANTED)
ORDER DATE 4/6/1943
R-1958-4491 - ZONING REQUEST (GRANTED)
ORDER DATE 10/01/1958
 - PERMITS ON FILE: N/A
 - FLOOR AREA RATIO:
MAXIMUM PERMITTED: 3.0
EXISTING: 2,900 / 46,986 = 0.06
PROPOSED: N/A
 - SIGN INFORMATION:
NO SIGNS ARE PROPOSED. ALL FUTURE SIGNAGE WILL COMPLY WITH BCZR SECTION 450
 - THERE IS NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
 - THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
 - PREVIOUS DRC MEETINGS: N/A
 - THE SITE IS NOT LOCATED WITHIN A DEFICIENT WATER OR SEWER SERVICE AREA ON THE BASIC SERVICES MAPS. THE TRANSPORTATION SERVICES MAP DOES NOT INDICATE ANY SERVICE LEVEL ISSUES IN THE VICINITY OF THIS PROJECT.
 - NO OUTDOOR AREA LIGHTING IS PRESENT ON THE SITE. ANY FUTURE FIXTURES USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.

ATTACHMENT TO PETITION FOR ZONING HEARING
10800-10806 Liberty Road
2nd Election District
3rd Councilmanic District

Special Exception relief to approve:

- A service garage under Section 230.3 of the Baltimore County Zoning Regulations (@BCZR); and
- For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

Special Hearing relief to approve:

- A modified parking plan pursuant to Section 409.12.B of the BCZR to allow parking on all lots under common ownership, to allow the existing gravel lot to remain (not durable and dustless or striped), an existing one-way drive aisle to two spaces with a 90 degree parking angle of as little as 11' to remain and off-street loading as it exists to remain; and
- For such other and further relief as may be deemed necessary by the Administrative Law Judge ("ALJ") for Baltimore County.

08/09/2018
DATE

ANDREW J. STINE
LANDSCAPE ARCHITECT NO. 3222

DDC inc.
Development Design Consultants

Planners
Surveyors
Engineers
Landscape Architects

192 East Main Street
Westminster, MD 21157
410.386.0560
410.386.0564 (Fax)
DDC@DDCinc.us
www.DDCinc.us

OWNER:
WORTHINGTON FAMILY PROPERTIES LLC
4535 ALLEN ROAD
RANDALLSTOWN, MD 21133

DEVELOPER:
S/A OWNER

SITE ADDRESS:
10800 LIBERTY ROAD
RANDALLSTOWN, MD 21133

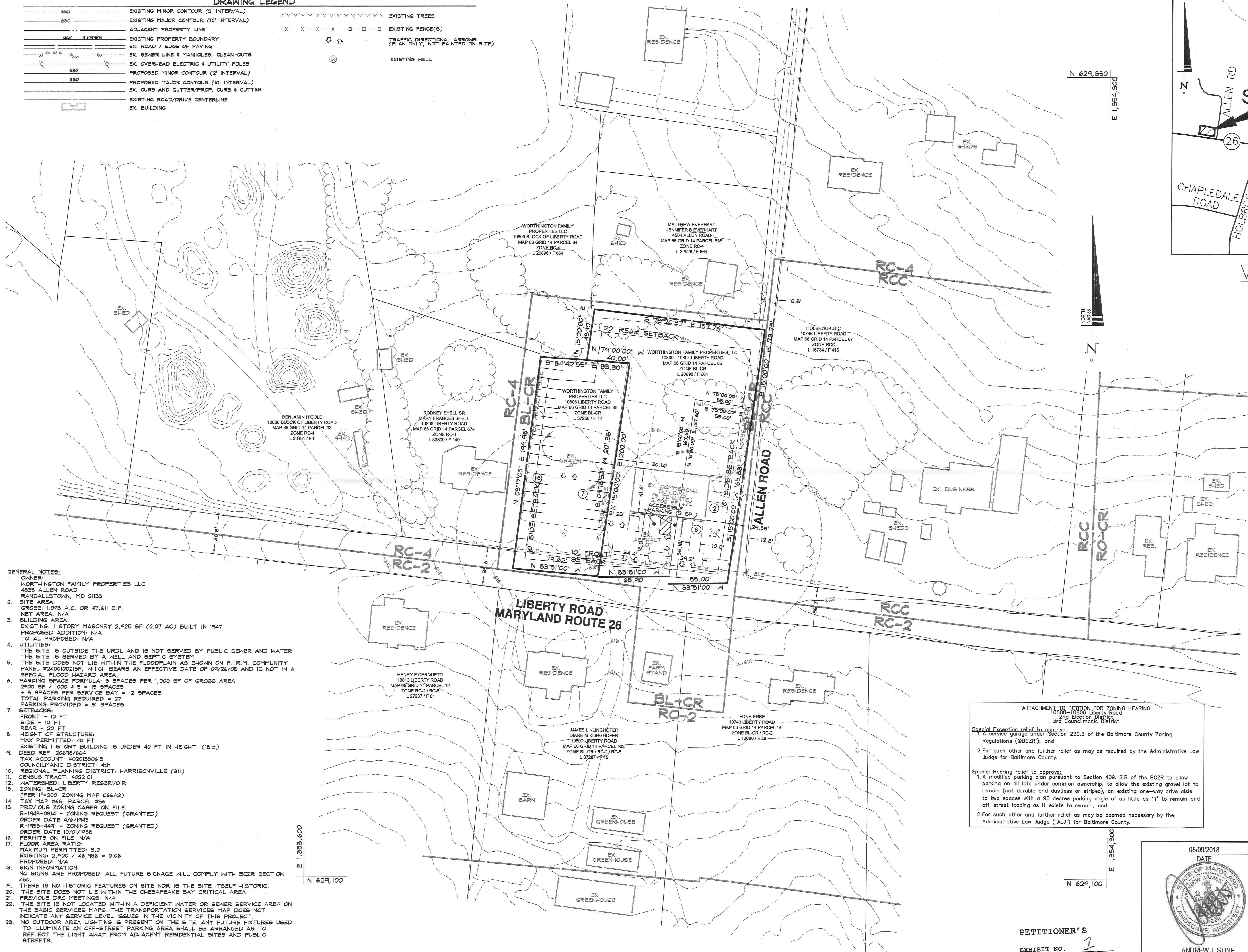
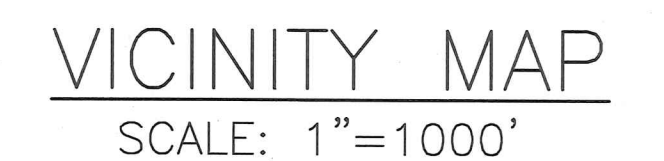
10800-10806 LIBERTY ROAD PROPERTY

PLAN TO ACCOMPANY SPECIAL EXCEPTION

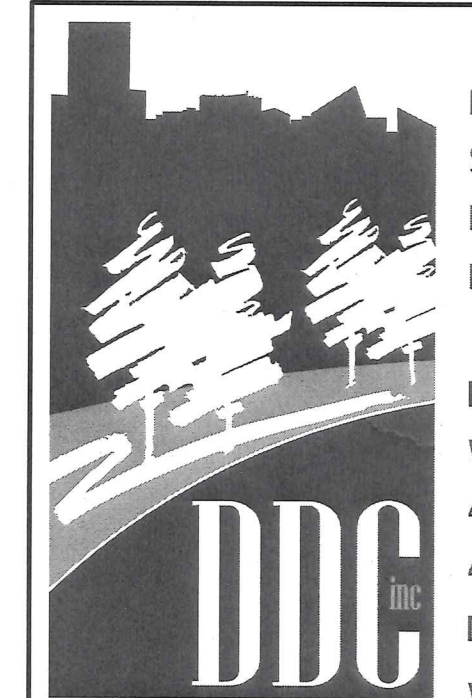
2ND ELECTION DISTRICT BALTIMORE COUNTY, MD			
REVISIONS			
NO.	DESCRIPTION OF CHANGES	DRN.	REV. DATE
CO. FILE #	N/A	DES. BY:	AJS
TAX ACC. #	02-0201350813	DRN. BY:	AJS
TAX MAP:	0066	CHK. BY:	AJS
BLOCK / GRID:	0014	DATE:	08/09/2018
PARCEL #:	0086	DDC JOB#:	18019.1
ZONE / USE:	BL-CR	SHEET NUMBER:	
DWG. SCALE:	1" = 40'		1 of 1

2019-0044 - SPHX

682	EXISTING MINOR CONTOUR (2' INTERVAL)		EXISTING TREES
680	EXISTING MAJOR CONTOUR (10' INTERVAL)		EXISTING FENCE(S)
	ADJACENT PROPERTY LINE		TRAFFIC DIRECTIONAL ARROWS (PLAN ONLY, NOT PAINTED ON SITE)
150.0' N 4°48'40" W	EXISTING PROPERTY BOUNDARY		
	EX. ROAD / EDGE OF PAVING		
EX. S ₁ S ₂	EX. SEWER LINE & MANHOLES, CLEAN-OUTS		
	EX. OVERHEAD ELECTRIC & UTILITY POLES		EXISTING WELL
682	PROPOSED MINOR CONTOUR (2' INTERVAL)		
680	PROPOSED MAJOR CONTOUR (10' INTERVAL)		
	EX. CURB AND GUTTER/PROP. CURB & GUTTER		
	EXISTING ROAD/DRIVE CENTERLINE		
	EX. BUILDING		



DATA SOURCES:
EX. PHYSICAL FEATURES, EXISTING ENVIRONMENTAL
FEATURES, AND ADJACENT PARCELS SHOWN PER
BALTIMORE COUNTY OIT/GIS DATA. DATE OF
DOWNLOAD IS JULY 30TH, 2018. EX. PROPERTY
BOUNDARY SHOWN PER BOUNDARY SURVEY BY
BOSTON DESIGN CORPORATION, AND DATED MAY 25,
2005.



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OWNER: WORTHINGTON FAMILY PROPERTIES LLC 4535 ALLEN ROAD RANDALLSTOWN, MD 21133	DEVELOPER: S/A OWNER
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SITE ADDRESS:
10800 LIBERTY ROAD
RANDALLSTOWN, MD 21133

10800-10806 LIBERTY
ROAD PROPERTY

PLAN TO ACCOMPANY SPECIAL EXCEPTION	
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2ND ELECTION DISTRICT BALTIMORE COUNTY, MD				
	REVISIONS			

REVISIONS				
NO.	DESCRIPTION OF CHANGES	DRN.	REV.	DATE
	CO. FILE # N/A	DES. BY: AJS		
	TAX ACC. #: 02-0201350613	DRN. BY: AJS		
	TAX MAP: 0066	CHK. BY: AJS		
	BLOCK / GRID: 0014	DATE: 08/09/2018		
	PARCEL # : 0086	DDC JOB#: 18019.1		
	ZONE / USE: BL-CR	SHEET NUMBER:		
	DWG. SCALE: 1" = 40'		1 of 1	

PETITIONER' S

EXHIBIT NO.

08/09/2018
DATE



ANDREW J. STINE

LANDSCAPE ARCHITECT NO. 3



- Legend**
- House Numbers
 - Zoning
 - Interstates
 - Interstate Ramps
 - Major Roads
 - Minor Roads
 - Local Roads
 - Zipcodes

1:1,128
 0 45 90 180 Feet
 0 0.0075 0.015 0.03 Miles
 January 28, 2019

10800-10806 Liberty Road

Date of capture is December of 2002

Legend

Pet 5

Google Earth

Image U.S. Geological Survey



800 ft



- Legend
- House Numbers
 - Zoning
 - Interstates
 - Interstate Ramps
 - Major Roads
 - Minor Roads
 - Local Roads
 - Zipcodes

