



JOHN A. OLSZEWSKI, JR.
County Executive

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

March 8, 2024

Edward J. Gilliss, Esquire – egilliss@rmmr.com
102 W. Pennsylvania Avenue, Suite 600
Towson, MD 21204

RE: Petitions for Special Exception and Variance
Case No. 2024-0012-XA
Property: 8523 Liberty Road

Dear Mr. Gilliss:

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

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order 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 that reads "Maureen E. Murphy".

MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:d1m

Enclosure

c: Gultekin Can – canautocare@gmail.com
Bruce E. Doak – bdoak@bruceedoakconsulting.com
Keely Vie Brock – viebrockkeely@gmail.com

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

(8523 Liberty Road)

2nd Election District

4th Council District

Autostream Car Care Center I, LLC *

Legal Owner

Can Auto Group, II, LLC

Contract Purchaser/Lessee

Petitioners

BEFORE THE

THE OFFICE

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No: 2024-0012-XA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Exception and Variance filed on behalf of Autostream Car Care Center I, LLC, legal owner, and Can Auto Group, II, LLC, lessee, (the “Petitioners”) for the property known as 8523 Liberty Road, Randallstown (the Property”). A Petition for Special Exception was filed pursuant to Baltimore County Zoning Regulations (“BCZR”), §236.2 to approve a used motor vehicle outdoor sales area with no garage, and no service, separate from sales agency building. A Petition for Variance was also filed from BCZR, §409.8 to require no additional design, screening or landscaping.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing. The Petitions were properly advertised and posted. While the Petitioner was not present at the hearing, Bruce Doak, a licensed property line surveyor of Bruce E. Doak Consulting, LLC, appeared and prepared a site plan (the “Site Plan”). (Pet. Ex. 1). Edward J. Gilliss, Esquire of Royston, Mueller, McLean & Reid, LLP, represented the Petitioner. There were no Protestants or interested parties who attended the hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) and Department of Environmental Protection and Sustainability (“DEPS”) which agencies did not oppose the requested relief. Development Plans Review (“DPR”)/Department of Public Works and Transportation (DPWT”) provided the following ZAC comment:

DPR: No comment.

DPWT: No exception taken.

Landscaping: Do not support variance to require no additional design screening or landscaping pursuant to BCZR Section 409.8. If Special Hearing and Zoning Relief is granted a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required.

Recreation & Parks: No Greenways affected.

The Property is 0.601 acres +/- (26,179 sf) and is improved with a 360 sf, 8 ft. tall, metal office building to be used as an auto sales office. (Pet. Ex. 1). It is accessed via two (2) ingress/egress points from Liberty Rd. The Property is split-zoned Business, Roadside (BR) and Business, Light (BL). As shown in the aerial photograph, it is surrounded by predominantly commercial and retail uses. (Pet. Exs. 4A). The legal owner, Autostream Car Care Center I, LLC, also owns the adjoining property where another automotive service business is operated. The Property was formerly used as a restaurant but that building has been razed. (Pet. Ex. 4B). Street view photographs depicted existing outdoor lighting around the perimeter of the Property and existing, mature landscaping including hedgerows and bushes along the front Property line abutting Liberty Rd. (Pet. Exs. 5A-5D; 6E-6K; 7L-7P). Otherwise, the Property is entirely paved. (*Id.*)

The Lessee, Can Auto Group II, LLC, intends to use the Property to sell used vehicles. There will not be any repair, service garage or maintenance activities, and no body work, painting or detailing. Can Auto Group II, LLC has a separate property in Howard County where it does repair and service work. All of the vehicles to be sold will be operational; there will be no damaged or disabled vehicles parked, stored or sold on the Property. A single freestanding enterprise sign has been erected on the Liberty Rd. frontage. (Pet. Exs. 7L, 7M, 7O, 7P).

The Site Plan indicates that the business will have no more than 2 employees working at a time. It is anticipated that no more than 4 customers will be on the Property at any one time and no more than 10 in a day. In terms of parking spaces, BCZR, §409.6 requires 6 parking spaces ($360 \text{ sf} \times 5/1000 = 1.8$ or 2 spaces; 4 spaces for customers). The parking surface is already a 'durable and dustless surface' pursuant to BCZR, §409.8.A.2. The building otherwise meets all bulk regulations.

With regard to Special Exception factors, Mr. Doak opined that the proposed use will create no greater impact at this Property than elsewhere in the BR or BL zones. As such, Mr. Doak testified that an outdoor car sales area will not be detrimental to the health, safety or general welfare of the area. It will create no more congestion in the neighboring roads or streets than any other used car outdoor business. There is no potential hazard from fire, panic or other danger as no work on vehicles is being conducted on the Property; only the sale of used vehicles. He added that this use will not tend to overcrowd the land or cause undue concentration of population any more than normally associated with a customer coming to buy a used car. Mr. Doak agreed that there will be no interference with public improvements or schools as the proposed use is not residential, nor would it interfere with adequate light and air as there are no buildings or other structures being erected to cast shadows or block flow of air. As indicated, Mr. Doak contended that the proposed

used car outdoor sales area is consistent with the BR/BL zoning. Mr. Doak acknowledged that there is no impact on impermeable surface or vegetative retention provisions.

SPECIAL EXCEPTION

Under Maryland law, a special exception use enjoys a presumption that it is in the interest of the general welfare, and therefore, valid. *Schultz v. Pritts*, 291 Md. 1, 11 (1981). The *Schultz* standard was revisited in *Attar v. DMS Tollgate, LLC*, 451 Md. 272 (2017), where the court of appeals discussed the nature of the evidentiary presumption in special exception cases. The court again emphasized a special exception is properly denied only when there are facts and circumstances showing that the adverse impacts of the use at the particular location in question would be above and beyond those inherently associated with the special exception use.

Based on the uncontroverted evidence, I find that the proposed use meets all of the Special Exception factors in BCZR, §502.1. The fact that the Property is zoned BR/BL is persuasive evidence that a used motor vehicle sales business is an appropriate use for the Property. Specifically, I find that the use will not be detrimental to the health, safety or general welfare of the locality as it is surrounded by other commercial properties. The Property is already improved with a modest sized, metal sales building and paved parking areas. There will be no repair or service garage uses. The outdoor motor vehicle sales use will not create congestion along Liberty Rd. as it has 2 ingress and egress points for customers to use. As a result, there is no evidence that traffic will back up onto Liberty Rd. if used vehicles are sold from the Property. BCZR does not require a specific number of parking spaces for an outdoor used car area. Further, the sale of used cars does not create a hazard from fire, panic or other danger. The use will not overcrowd the land or cause undue concentration of population in that the more intense restaurant use had previously existed on the Property. This is not a residential use and therefore it would not interfere with

provisions for schools, parks, water, sewer or transportation. There is no interference with light or air as the building is an 8-ft. tall sales building located in the center of the Property and will not cast shadows onto adjacent properties. In regard to consistency with impermeable surface and vegetative retention provisions, and environmental resources on the Property and vicinity, DEPS had no ZAC comment to contribute, and there are no environmental areas on the Property. The Property is already built-out including paved areas.

For all these reasons, the Special Exception will be granted.

VARIANCES

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

As described above, the Property is unique due to its irregular shape as shown on the Site Plan. In regard to DPR/DPWT landscaping comment, the Property already has mature vegetation of hedgerows and bushes along the Liberty Rd. frontage. It also has plenty of existing lighting on the entire perimeter of the Property as shown in the street view photographs. The abutting uses are all automotive related or commercial uses which do not provide any more landscaping or lighting than this Property. Given those facts, I find that in this particular case, the requirement to provide a Landscape Plan or a Lighting Plan comes with it unnecessary expense for a small used automotive sales business, which, in the end, would accomplish what already exists. As such, I find that the Petitioner will suffer practical difficulty and hardship if the Variance relief is denied.

I find that the Variance relief is within the spirit and intent of the BCZR and that it will not harm the public health, safety or welfare, particularly in light of the lack of opposition.

THEREFORE, IT IS ORDERED this 8th day of **March, 2024**, by this Administrative Law Judge, that the Petition for Special Exception filed pursuant to BCZR, §236.2 to approve a used motor vehicle outdoor sales area with no garage, and no service, separated from sales agency building, be, and it is hereby **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, §409.8 for no additional design, no additional screening and no additional landscaping, and no additional lighting, be, and it is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. The Site Plan (Pet. Ex. 1) is attached hereto and incorporated herein.
3. Petitioners, and all subsequent owners and/or lessees shall maintain the existing landscaping including without limitation, replanting and/or replacement if necessary.
4. Petitioners, and all subsequent owners and/or lessees shall maintain the existing lighting including without limitation, repair and/or replacement of all existing lights when necessary whether on a building or freestanding.
5. No damaged or disabled vehicles will be parked or stored on the Property at any time. The Property shall not otherwise be used as a parking lot for vehicles not associated with the used automotive sales agency business.
6. There shall not be any repair, alteration, painting, detailing, fixing, servicing and/or maintenance of any kind of the motor vehicles on the Property. There shall be no loading, service or any use other than as a used motor vehicle outdoor sales area.

7. The Petitioner may park motor vehicles in the front yard up to a distance of 15 ft. of the front building line of 8523 Liberty Rd. in accordance with BCZR, §238.4.
8. All signs shall comply with BCZR, §450.

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



MAUREEN E. MURPHY
Chief Administrative Law Judge
for Baltimore County

MEM:dlm

GENERAL INFORMATION

- Ownership: Autostream Car Care Center 1 LLC
1035 West 41st Street Baltimore, MD 21211
- Address: 8523 Liberty Road Randallstown, MD 21233
- Deed references: JLE 47194/369 Parcel 1
- Area: 26,179 SF / 0.601 AC (per Deed & SDAT)
- Tax Map / Parcel / Tax account #: 77 / 812 / 17-00-014518
- Election District: 2 Councilmanic District: 4
- ADC Map: GIS title: 07782 Position sheet: 23NW31
- The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS title 07782 and the information provided by Baltimore County on the internet.
- Improvements: 1 building & a parking lot. The existing building and the parking lot will remain.

OFFICE OF ZONING

Zoning: BR & BL

Zoning Case History: R1949-1521, R1951-2049 & R1953-2672

Parking Calculations per section 409.6A.1 8CZR

Proposed:
Sales office
Customers
360 sf X 5/1000 = 1.8 = 2 required parking spaces
4 parking spaces

Mechanical and body services are not provided on the subject property.

Total required parking spaces: 6
Total parking spaces provided: 6

New and used cars being displayed do not need to meet the parking design per Sect. 409 BCZR

BR Setbacks for Commercial Buildings (per Sect. 238 BCZR)

Front: 50 feet from property line on a dual Highway
Side / Rear: 30 feet from property line

FAR:

360 sf enclosed area / 26,179 sf (subject property) = 0.014

ENVIRONMENTAL IMPACT

Watershed: Patapsco River / Ewynus Falls URDL land type: 1

- The existing building is tied into public water and sewer from Liberty Road.
- There are no underground storage tanks on the subject property.
- The subject property is not in the Chesapeake Bay Critical Area.
- The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

Regional Planning District: Lochearn District Code: 319

Commercial Revitalization District: Liberty Road

- The subject improvements are not historic. The subject property is not in a historic district.

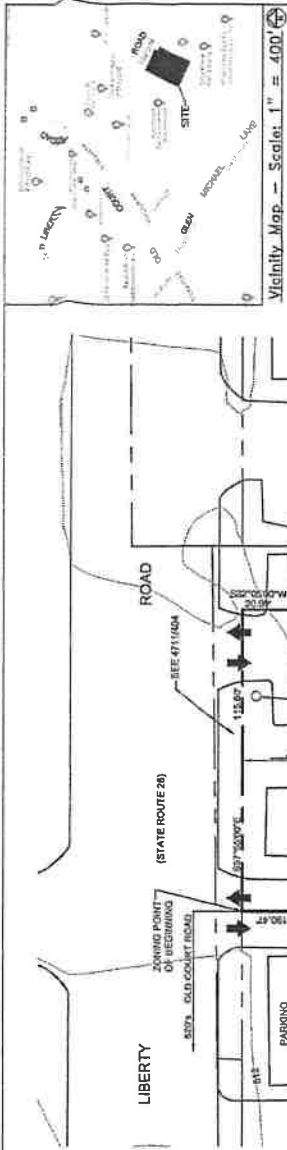
OFFICE OF PLANNING

To utilize the existing building and parking lot for a new and used car dealership.

The car dealership will show up to 100 cars at any one time.

The car dealership will have (2) employees working at the same time.

The car dealership expects no more than (4) customers at any one time and (10) in a day.



Vicinity Map - Scale: 1" = 400'

8523 LIBERTY ROAD
AUTOSTREAM CAR CARE CENTER, LLC
47194/369
#17-00-014518

8523 LIBERTY ROAD
JAL SANOY PROPERTIES LLC
1377825
#03-19-25100

8523 LIBERTY ROAD
VENUS OLD MARYLAND INC.
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Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Old Liberty Road
Baltimore, MD 21211
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BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

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

DATE: February 6, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0012-XA
Address: 8523 LIBERTY RD
Legal Owner: Autostream Car Care Center 1, LLC

Zoning Advisory Committee Meeting of February 6, 2024.

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

Additional Comments:

Reviewer: Earl D. Wrenn

**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 fifteen (15) 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: 2024-0012-XA

Property Address: 8523 LIBERTY ROAD

Property Description: 0.601 AC SOUTHWEST SIDE OF LIBERTY ROAD
520'± SOUTHEAST OF CENTERLINE OF OLD COURT ROAD

Legal Owners (Petitioners): AUTOSTREAM CAR CARE CENTER I, LLC

Contract Purchaser/Lessee: CAN AUTO GROUP II LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: EDWARD J. GILLIS

Company/Firm (if applicable): ROYSTON

Address: 102 W. PENNSYLVANIA AVE. SUITE 600
TOWSON MD 21204

Telephone Number: 410-823-1800

Revised 5/20/2014

TC 23-1108



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 8523 Liberty Road which is presently zoned BR
Deed References: 47194/369 10 Digit Tax Account # 1 7 0 0 0 1 4 5 1 8
Property Owner(s) Printed Name(s) Autostream Car Care Center I, 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
2. X a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for used vehicle sales. See attached.
3. X a **Variance** from Section(s) See attached.

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:

Can Auto Group II, LLC

Name- Type or Print

Signature Gultekin Can

3270 W. Springs Road Ellicott City MD

Mailing Address City State

21043 / 302-312-5929 canautocare@gmail.com

Zip Code Telephone # Email Address

Attorney for Petitioner:

Edward J. Gilliss

Name- Type or Print

Signature

102 W. Pennsylvania Ave, Ste 600, Towson, MD

Mailing Address City State

21204 / 410-823-1800 / egilliss@rmmr.com

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Autostream Car Care Center I, LLC

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

1035 W. 41st Street Baltimore MD

Mailing Address City State

21211

Zip Code Telephone # Email Address

Representative to be contacted:

Edward J. Gilliss

Name - Type or Print

Signature

102 W. Pennsylvania Ave, Ste. 600, Towson, MD

Mailing Address City State

21204 / 410-823-1800 / egilliss@rmmr.com

Zip Code Telephone # Email Address

CASE NUMBER 2024-0012-XA Filing Date 1 / 8 / 24

Do Not Schedule Dates: _____

Reviewer TC

ATTACHMENT
TO
PETITION FOR ZONING HEARING

Owner: Autostream Car Care Center I, LLC
Lessee: Can Auto Group, II, LLC
Re: 8523 Liberty Road
Tax ID No.: 1700014518
Current Zoning: BR

The Owner and Lessee 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

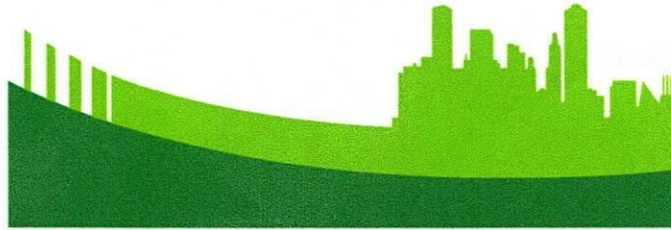
Special Exception

A used motor vehicle outdoor sales area with no garage and no service, separated from sales agency building pursuant to BCZR Section 236.2

Variance

To require no additional design, screening or landscaping pursuant to BCZR Section 409.8

2024-0012-XA



Zoning Description

8523 Liberty Road- 0.601 of an Acre
Second Election District Fourth Councilmanic District
Baltimore County, Maryland

Beginning at a point on the southwest side of Liberty Road, said point being 520 feet, more or less, southeasterly from the centerline of Old Court Road, thence leaving said point of beginning and running on the southwest side and running with and binding on the outlines of the subject property, the six following courses and distances, viz.

- 1) South 57 degrees 55 minutes 00 seconds East 115.80 feet,
- 2) South 32 degrees 05 minutes 00 seconds West 20.00 feet,
- 3) South 57 degrees 55 minutes 00 seconds East 24.32 feet, thence leaving Liberty Road
- 4) South 31 degrees 44 minutes 00 seconds West 169.60 feet,
- 5) North 58 degrees 16 minutes 00 seconds West 140.00 feet and
- 6) North 31 degrees 44 minutes 00 seconds East 190.47 feet to the point of beginning.

Containing 0.601 of an acre of land, more or less.

Saving and excepting all of the land described in the deed to the State Roads Commission of Maryland dated December 6, 1966 and recorded in Liber 4711, folio 404.

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

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



2024-0012-XA

**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 fifteen (15) days before the hearing.

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Case Number: 2024-0012-XA

Property Address: 8523 LIBERTY ROAD

Property Description: 0.601 AC SOUTHWEST SIDE OF LIBERTY ROAD
520'± SOUTHEAST OF CENTERLINE OF OLD COURT ROAD

Legal Owners (Petitioners): AUTOSTREAM CAR CARE CENTER I, LLC

Contract Purchaser/Lessee: CAN AUTO GROUP II LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: EDWARD J. GILLIS

Company/Firm (if applicable): ROYSTON

Address: 102 W. PENNSYLVANIA AVE. SUITE 600
TOWSON MD 21204

Telephone Number: 410-823-1800

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
--------------------------	--	--

Special Tax Recapture: None

Account Identifier: District - 02 Account Number - 1700014518

Owner Information

Owner Name: AUTOSTREAM CAR CARE CENTER I LLC Use: COMMERCIAL
Principal Residence: NO

Mailing Address: 1035 WEST 41ST STREET
BALTIMORE MD 21211- Deed Reference: /47194/ 00369

Location & Structure Information

Premises Address: 8523 LIBERTY RD
RANDALLSTOWN 21133- Legal Description: 26179 SQ FT
SWS LIBERTY RD
492 FT SE OF OLD COURT RD

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0077	0015	0812	10000.04	0000				2022	Plat Ref:

Town: None

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
			26,179 SF	24

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
							/

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2022	07/01/2023	07/01/2024
Land:	216,100	216,100		
Improvements	19,500	14,400		
Total:	235,600	230,500	230,500	230,500
Preferential Land:	0	0		

Transfer Information

Seller: COHEN ESTELLE G	Date: 07/26/2022	Price: \$1,350,000
Type: ARMS LENGTH MULTIPLE	Deed1: /47194/ 00369	Deed2:
Seller: COHEN ALAN K	Date: 02/08/1989	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /08097/ 00413	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments: Class		07/01/2023	07/01/2024
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2024-0012-XA

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

No. 229496

Date: 1/8/24

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				1,000

Total: 1,000

Rec

From: ROYSTON MUELLER McLEAN/Reid LLP

For: 8523 Liberty Road

TC-23-1108

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

CASHIER'S
VALIDATION

TZ

ROYSTON MUELLER McLEAN & REID LLP
ATTORNEY TRUST ACCOUNT
102 W PENNSYLVANIA AVE SUITE 600
TOWSON, MD 21204-4510

Sandy Spring Bank
sandyspringbank.com

17132

65-109/550

CHECK ARMOR

12/5/2023

PAY TO THE
ORDER OF

Baltimore County, Maryland

\$ **1,000.00

One thousand and 00/100

DOLLARS

MEMO

40267-0001



AUTHORIZED SIGNATURE

017132 055001096

1818749102

2024-0012-XA

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: February 7, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0012-XA

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

DPR: No comment.

DPW-T: No Exception taken

Landscaping: Do not support variance to require no additional design screening or landscaping pursuant to BCZR Section 409.8. If Special Hearing and Zoning Relief is granted a Landscape Plan is required per the requirements of the Landscape Manual. A Lighting Plan is also required.

Recreations & Parks: No Greenways affected.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 2/7/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0012-XA

INFORMATION:

Property Address: 8523 Liberty Road
Petitioner: Autostream Car Care Center I, LLC
Zoning: BR/BL
Requested Action: Special Exception/Variance

The Department of Planning has reviewed the petition for the following:

Special Exception -

1. For a used motor vehicle outdoor sales area with no garage and no service, separated from sales agency building pursuant to BCZR Section 236.2

Variance(s) -

1. To require no additional design, screening or landscaping pursuant to BCZR Section 409.8
2. For such other and further relief as may be required by the Administrative Law Judge for Baltimore County.

The proposed site is a 26,179-sf property zoned BR/BL. It is surrounded by predominantly commercial and retail uses. The site has multiple previous Zoning histories, and is not located in a historic district.

The existing land use is currently a commercial property. The requested zoning relief, as said in above request, appears to have no adverse impacts on adjacent properties or the public right of way. The proposed use will be a motor vehicle outdoor sales area, which will be used to support the adjacent auto car care center to the west. It is understood that the used cars for sale will be parked in the designated sales areas located along the perimeter of the front, rear, and sides of the lot. There are no specific County requirements that indicates the parking area must be striped. The applicant would like to retain the existing condition of the lot, without providing additional design, screening or landscaping. There will be an 8' high, 18'x 20' metal office building on site which will be used for the auto dealership. There will be a designated striped area for customer (4) and employee (2) parking at the west side of the site. It is understood that both properties at 8523 & 8525 Liberty Road are under the same ownership. The proposal for the subject site accommodates and complements the adjacent Autostream Car Care Center located at 8525 Liberty Road.

The Department has no objections in granting the relief as requested above.

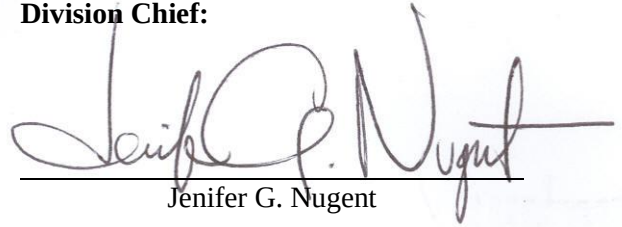
For further information concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

Prepared by:



Krystle Patchak

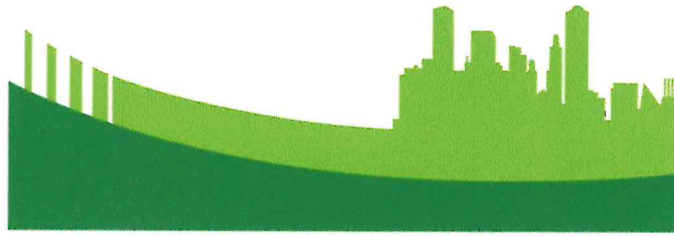
Division Chief:



Jenifer G. Nugent

SL/JGN/KP

Edward J. Gilliss, Esquire
Alexandra Laham, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County



CERTIFICATE OF POSTING

February 12, 2024

_____ amended for second inspection

Re:

Zoning Case No. 2024-0012-XA

Legal Owner: Autostream Car Care Center I, LLC

Hearing date: March 04, 2024

Baltimore County Department of Permits, Approvals & Inspections

County Office Building

111 West Chesapeake Avenue, Room 111

111 West Chesapeake Avenue Towson, MD 21204

Attention: Jeff Perlow

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the two necessary signs required by law were posted conspicuously on the property located at **8523 Liberty Road**.

The signs were initially posted on **February 12, 2024**.

The subject property was also inspected on _____.

Sincerely,

A handwritten signature in blue ink, appearing to read "B. E. Doak".

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheets for the photos of the posted signs

Bruce E. Doak Consulting, LLC

3801 Baker Schoolhouse Road

Freeland, MD 21053

410-419-4906 cell / 443-900-5535 office

bdoak@bruceedoakconsulting.com

ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

CASE # 2024-0012-XA

8523 Liberty Road Randallstown, MD 21133 (SW/S of Liberty Rd., SE centerline Old Court Rd.) Council District 4, Election District 2

Legal Owners: Autostream Car Care Center I, LLC
Contract Purchaser: Can Auto Group II, LLC

PETITION REQUEST: SPECIAL EXCEPTION: FROM BALTIMORE COUNTY ZONING REGULATIONS (BCZR) 236.2 TO APPROVE A USED MOTOR VEHICLE OUTDOOR SALES AREA WITH NO GARAGE AND NO SERVICE, SEPARATED FROM SALES AGENCY BUILDING. VARIANCE: FROM BALTIMORE COUNTY ZONING REGULATIONS (BCZR) 409.8 TO REQUIRE NO ADDITIONAL DESIGN, SCREENING OR LANDSCAPING.

Hearing Date: Monday, March 04, 2024 at 10:00 a.m.

If an in-person hearing has been requested in writing and granted, the hearing location is: The Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 205, Towson, MD 21204. Please hearing format at the phone number or email address shown below.

Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103, Towson, Maryland 21204 Phone 410-887-1800, ext. 103
Email: administrativehearings@balto.org balto@balto.org

HANDICAPPED ACCESSIBLE

ZONING HEARING

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

CASE # 2024-0012-XA

8523 Liberty Road Randallstown, MD 21133 (SW/S of Liberty Rd., SE centerline Old Court Rd.) Council District 4,
Election District 2

Legal Owners: Autostream Car Care Center I, LLC

Contract Purchaser: Can Auto Group II, LLC

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Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103 / Towson, Maryland 21204 / Phone 410-887-3868, ext.103 and 1003

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Hearing Date: Monday, March 04, 2024 at 10:00 a.m.

If an in-person hearing has been requested in writing and granted, the hearing location is: The Jefferson Building, 105 W. Chesapeake Ave., Hearing Room 304. Contact the case manager for more information.

The Administrative Law Judge of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a hearing virtually via WebEx, and/or in-person upon request (see below) for the Property identified herein as follows:

CASE # 2024-0012-XA

8523 Liberty Road Randallstown, MD 21133 (SW/S of Liberty Rd., SE centerline Old Court Rd.) Council District 4, Election District 2

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Office of Administrative Hearings

105 West Chesapeake Avenue, Suite 103 / Towson Maryland 21204 Phone 410-887-5868, ext.0

Email: administrativehearing@baltimorecountymd.gov

GENERAL INFORMATION

1. Ownership: Autostream Car Care Center 1 LLC
1035 West 41st Street Baltimore, MD 21211
2. Address: 8523 Liberty Road Randallstown, MD 21233
3. Deed references: JLE 47194/369 Parcel 1
4. Area: 26,179 SF / 0.601 AC (per Deed & SDAT)
5. Tax Map / Parcel / Tax account #: 77 / 812 / 17-00-014518
6. Election District: 2 Councilmanic District: 4
ADC Map: GIS tile: 077B2 Position sheet: 23NW31
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 077B2 and the information provided by Baltimore County on the internet.
8. Improvements: 1 building & a parking lot. The existing building and the parking lot will remain.

OFFICE OF ZONING

Zoning: BR & BL

Zoning Case History: R1949-1521, R1951-2049 & R1953-2672

Parking Calculations per section 409.6A.1 BCZR

Proposed-

Sales office 360 sf X 5/1000 = 1.8 =2 required parking spaces
Customers 4 parking spaces

Mechanical and body services are not provided on the subject property.

Total required parking spaces: 6
Total parking spaces provided: 6

New and used cars being displayed do not need to meet the parking design per Sect. 409 BCZR

BR Setbacks for Commercial Buildings (per Sect. 238 BCZR)

Front: 50 feet from property line on a dual highway
Side / Rear: 30 feet from property line

FAR:

360 sf enclosed area / 26,179 sf (subject property) = 0.014

ENVIRONMENTAL IMPACT

Watershed: Patapsco River / Gwynns Falls URDL land type: 1

1. The existing building is tied into public water and sewer from Liberty Road.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

Regional Planning District: Lochearn District Code: 319

Commercial Revitalization District: Liberty Road

1. The subject improvements are not historic. The subject property is not in a historic district.

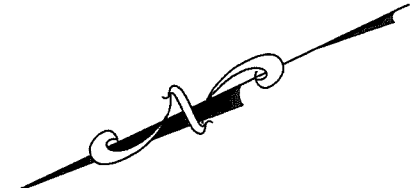
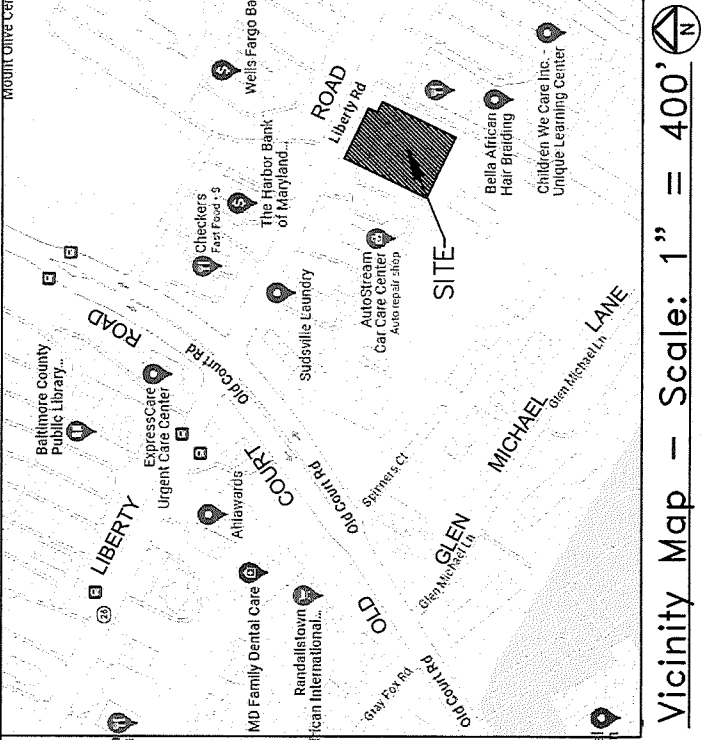
OFFICE OF PLANNING

To utilize the existing building and parking lot for a new and used car dealership.

The car dealership will show up to 100 cars at any one time.

The car dealership will have (2) employees working at the same time.

The car dealership expects no more than (4) customers at any one time and (10) in a day.

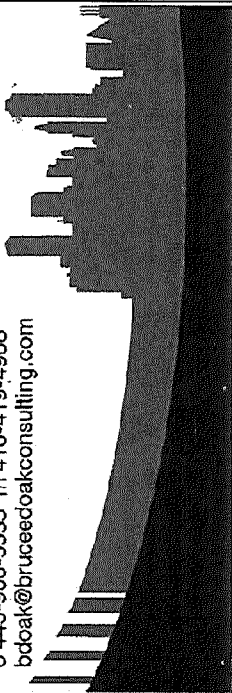


#8511 - #8521 LIBERTY ROAD
JMJ SAVOY PROPERTIES LLC
13737/625
#02-19-321690

#8525 LIBERTY ROAD
AUTOSTREAM CAR CARE CENTER I, LLC
47194/369
#17-00-014519

#5305 OLD COURT ROAD
VERIZON MARYLAND INC.
3285/298
#02-03-230183

Bruce E. Doak Consulting, LLC
Land Use Expert and Surveyor
3801 Baker Schoolhouse Road
Pikesville, MD 21075
O:410-900-5555 M:410-419-4906
bdoak@bruceedoakconsulting.com



PLAN TO ACCOMPANY
A ZONING PETITION
FOR
#8523 LIBERTY ROAD

REVISION
1/13/24 LABELLING ADDED
PER ZONING REVIEW

BALTIMORE COUNTY, MARYLAND
2nd ELECTION DISTRICT 4th COUNCILMANIC DISTRICT

Date: 11/11/23
Scale: 1"= 30'

GENERAL INFORMATION

1. Ownership: Autostream Car Care Center 1 LLC
1035 West 41st Street Baltimore, MD 21211
2. Address: 8523 Liberty Road Randallstown, MD 21233
3. Deed references: JLE 47194/369 Parcel 1
4. Area: 26,179 SF / 0.601 AC (per Deed & SDAT)
5. Tax Map / Parcel / Tax account #: 77 / 812 / 17-00-014518
6. Election District: 2 Councilmanic District: 4
ADC Map: GIS tile: 077B2 Position sheet: 23NW31
7. The boundary shown hereon is from the deed recorded in the Land Records of Baltimore County. All other information shown hereon was taken from Baltimore County GIS tile 077B2 and the information provided by Baltimore County on the internet.
8. Improvements: 1 building & a parking lot. The existing building and the parking lot will remain.

OFFICE OF ZONING

Zoning: BR & BL

Zoning Case History: R1949-1521, R1951-2049 & R1953-2672

Parking Calculations per section 409.6A.1 BCZR

Proposed-

Sales office 360 sf X 5/1000 = 1.8 =2 required parking spaces
Customers 4 parking spaces

Mechanical and body services are not provided on the subject property.

Total required parking spaces: 6
Total parking spaces provided: 6

New and used cars being displayed do not need to meet the parking design per Sect. 409 BCZR

BR Setbacks for Commercial Buildings (per Sect. 238 BCZR)

Front: 50 feet from property line on a dual highway
Side / Rear: 30 feet from property line

FAR:

360 sf enclosed area / 26,179 sf (subject property) = 0.014

ENVIRONMENTAL IMPACT

Watershed: Patapsco River / Gwynns Falls URDL land type: 1

1. The existing building is tied into public water and sewer from Liberty Road.
2. There are no underground storage tanks on the subject property.
3. The subject property is not in the Chesapeake Bay Critical Area.
4. The subject property is not located within a 100 year flood plain.

OFFICE OF PLANNING

Regional Planning District: Lochearn District Code: 319

Commercial Revitalization District: Liberty Road

1. The subject improvements are not historic. The subject property is not in a historic district.

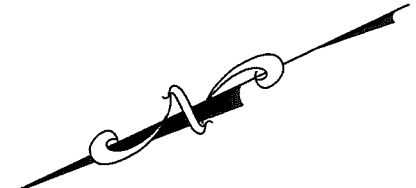
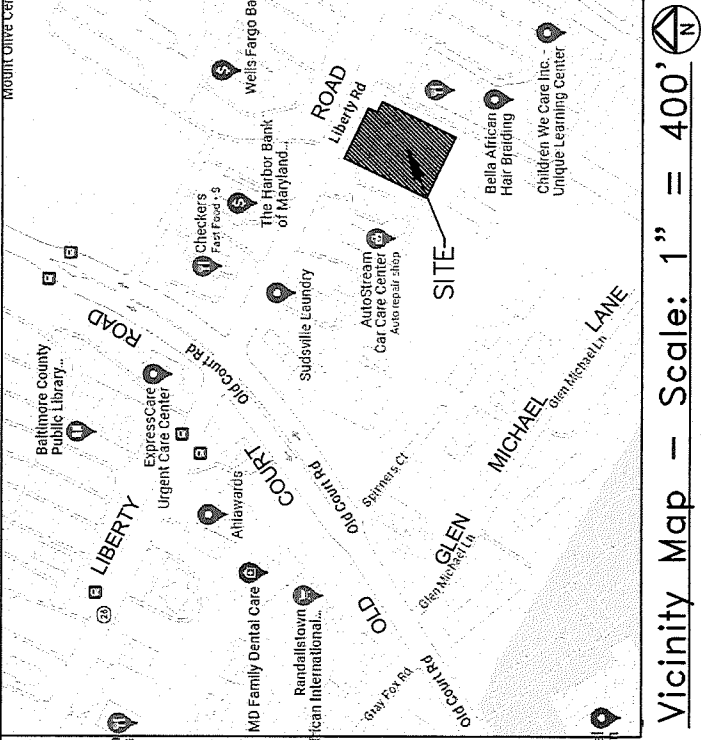
OFFICE OF PLANNING

To utilize the existing building and parking lot for a new and used car dealership.

The car dealership will show up to 100 cars at any one time.

The car dealership will have (2) employees working at the same time.

The car dealership expects no more than (4) customers at any one time and (10) in a day.

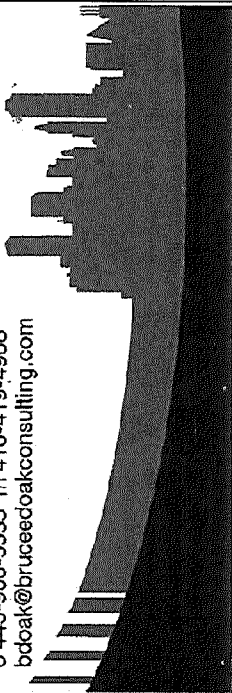


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