IN RE: PETITION FOR ZONING VARIANCE
SW/S Liberty Road, 15' NW of
the c/l of Chapman Road
(9301 Liberty Road)
2nd Election District
2nd Councilmanic District

AutoMaster, Inc.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-436-A
*

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Zoning Variance filed by the Legal Owner of the subject property, AutoMasters, Inc., by and through its attorney, Robert D. Sellers, Esquire, in which the Petitioner requests relief from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side setback of 7 feet and a rear setback of 15 feet, both in lieu of the required 30 feet for each, and from Section 409.4.B to permit parking with access to a driveway in lieu of the required aisle, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitioner was John M. Schmitz, Sr., President. Also appearing on behalf of the Petition was Calvin K. Kobsa. There were no Protestants.

Testimony indicated that the subject property, known as 9301 Liberty Road, consists of 23,298 sq.ft., zoned B.R.C.S.-2, and is improved with a two-bay auto repair shop. The Petitioner is desirous of adding a 50' x 29' addition onto the existing structure to provide three additional bays in which to perform automobile repairs. The addition will hold the existing front and rear setbacks required; however, due to the expansion, the requested variances are necessary. Testimony indicated the Petitioner discussed the proposed improvements with adjoining property owners who had

ORDER RECEIVED FOR FILING
Date 6-30
By

no objections to their plans, as evidenced by Petitioner's Exhibit 3, a letter from the adjacent Cal Bitner's Restaurant. Cal Bitner's Restaurant would be the most affected property owner in the area as it is situated immediately adjacent to the proposed addition.

Pursuant to comments submitted by the Bureau of Traffic Engineering, the Petitioner agreed to eliminate one of two entranceways to Liberty Road which currently exist on the subject site. The Petitioner agreed to close off the entrance to the property which is closest to the intersection of Liberty Road and Chapman Road by installing curb and gutter along this 35-foot wide section of their property. Also, further to the comments submitted by the Bureau of Traffic Engineering, the Petitioner has agreed to reduce the entranceway to Chapman Road to 30 feet as opposed to the existing 40 feet and submitted a revised site plan depicting these modifications. Said revised plan has been incorporated into the case file and marked Revised Petitioner's Exhibit 1.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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Date 6-30
By

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30th day of June, 1992 that the Petition for Zoning Variance requesting relief from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side setback of 7 feet and a rear setback of 15 feet, both in lieu of the required 30 feet for each, and from Section 409.4.B to permit parking with access to a driveway in lieu of the required aisle, in accordance with Revised Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

ORDER RECEIVED FOR FILING
Date 6-30
By

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Prior to the issuance of any permits, Petitioner shall close off the Liberty Road entrance to its property which is closest to the intersection of Liberty Road with Chapman Road by installing curb and gutter along this 35-foot wide section to ensure that there will be no access to Liberty Road from this location. The Petitioner shall also install curb and gutter to reduce the entrance on Chapman Road to 30 feet in accordance with Revised Petitioner's Exhibit 1.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 6-30
By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 30, 1992

Robert D. Sellers, Esquire
401 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
SW/S Liberty Road, 15' NW of the c/l of Chapman Road
(9301 Liberty Road)
2nd Election District - 2nd Councilmanic District
AutoMaster, Inc. - Petitioner
Case No. 92-436-A

Dear Mr. Sellers:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

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 Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Timothy Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

ORDER RECEIVED FOR FILING
Date 6-30
By

469

Petition for Variance

92-436-A

to the Zoning Commissioner of Baltimore County

for the property located at 9301 Liberty Road 21133

which is presently zoned BR CS2

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

$238.2 to permit a 7 foot side setback in lieu of 30 feet, to permit 15 foot setback in rear in lieu of 30 feet, and from L 409.4.B. to permit parking with access to driveway in lieu of aisle

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

site limitations as existing service garage

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:
(Type or Print Name)
Signature
Address
City State Zipcode

Attorney for Petitioner:
Robert D. Sellers
(Type or Print Name)
401 Washington Ave
Signature
Towson, Md 21204
Address Phone No. 583-1712
City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):
AutoMaster, Inc
(Type or Print Name)
By: John M. Schmitz, Sr. Pres
Signature
(Type or Print Name)
Signature
Address Phone No.
City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted:
Name
Address Phone No.

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING 1 hr.
unavailable for Hearing
the following dates Next Two Months
ALL OTHER
REVIEWED BY: MTK DATE 5/1/92

ORDER RECEIVED FOR FILING
Date 6-30
By

469
92-436-A

BEGINNING AT A POINT OF INTERSECTION OF THE WESTERNMOST SIDE OF LIBERTY ROAD (66 FEET WIDE) AND THE NORTHWEST SIDE OF CHAPMAN ROAD (30 FEET WIDE), THENCE THE FOLLOWING COURSES AND DISTANCES:

SOUTH 36 DEGREES 30 MINUTES WEST, 100.0 FEET; NORTH 54 DEGREES 17 MINUTES WEST, 159.2 FEET; NORTH 36 DEGREES 51 MINUTES EAST, 100.0 FEET; SOUTH 54 DEGREES 17 MINUTES EAST 158.3 FEET TO THE POINT OF BEGINNING AS RECORDED IN DEED LIBER 9032, FOLIO 413

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

92-436-A

District 2nd Date of Posting May 28-92
Posted for: Variance
Petitioner: Auto Master, INC.
Location of property: S.W/S of Liberty Road 15' N.W. of the S/W of Chapman Road, 9301 Liberty Road
Location of Signs: Entrance of 9301 Liberty Road

Remarks:
Posted by R. J. Arata Date of return: May 29-92
Number of Signs: 1

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 92-436-A
SW/S Liberty Road, 15' NW of of Chapman Road
9301 Liberty Road
2nd Election District
2nd Councilmanic
Petitioner(s):
AutoMaster, Inc.
Hearing Date: Monday, June 15, 1992 at 2:30 p.m.

Variance: to permit a 7 foot side yard setback in lieu of 30 feet; to permit a 15 foot setback in rear in lieu of 30 feet; and to permit parking with access to driveway in lieu of aisle.

LAWRENCE E. SCHMIDT,
Zoning Commissioner of
Baltimore County

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

5/312 May 28.

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 28, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 28, 1992

THE JEFFERSONIAN,

Publisher

$42.25

Baltimore County
Zoning Commisioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

Account: R-001-6150
Number

PAID PER HAND-WRITTEN RECEIPT DATED 5/11/92

5/13/92 H9200469

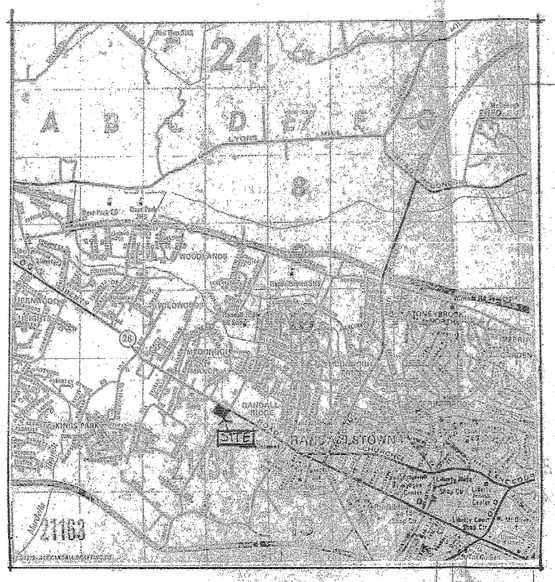
PUBLIC HEARING FEES	QTY	PRICE
020 -ZONING VARIANCE (OTHER)	1 X	$250.00
	TOTAL:	$250.00

LAST NAME OF OWNER: SCHMITZ

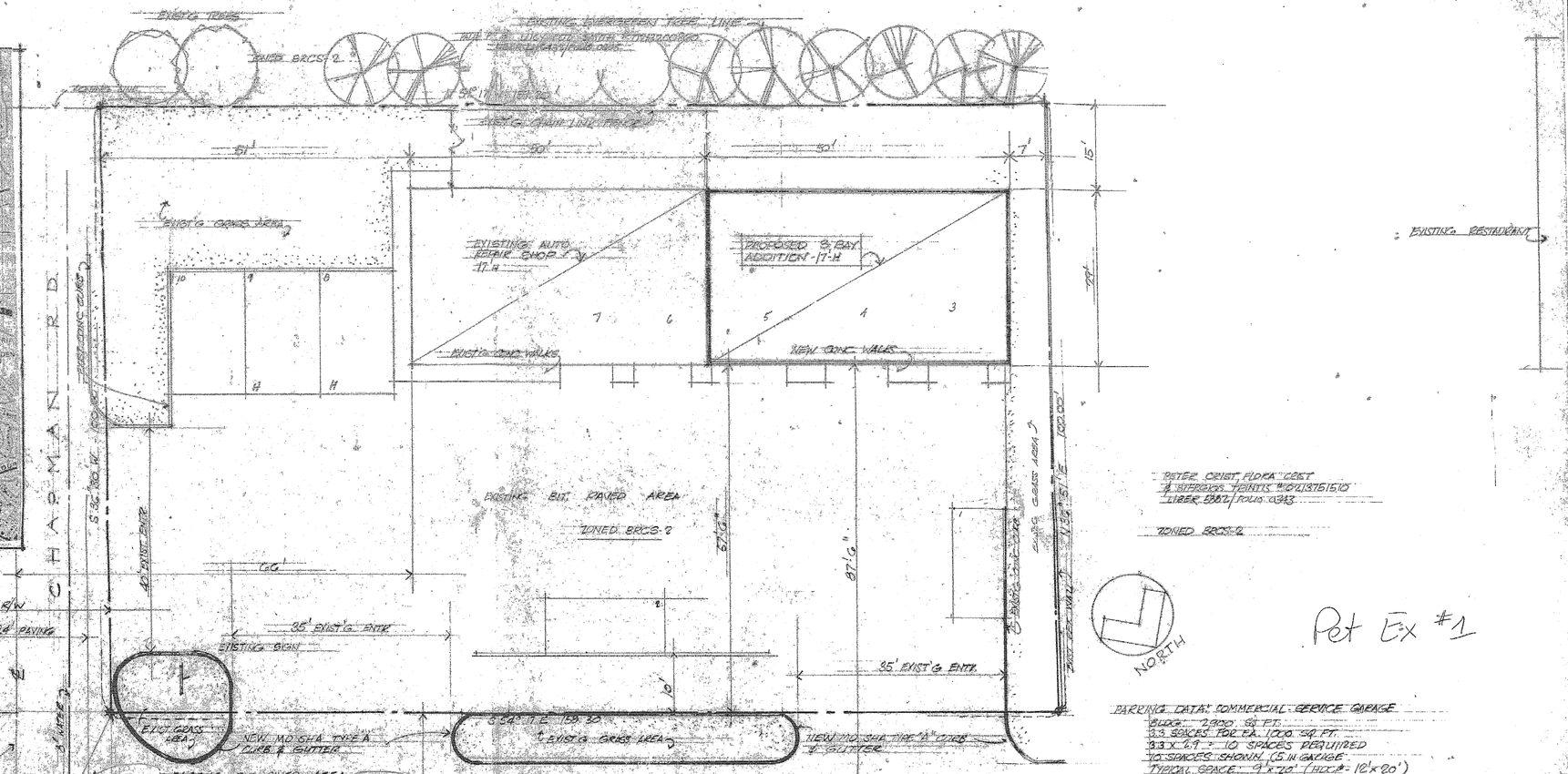
Please Make Checks Payable To: Baltimore County

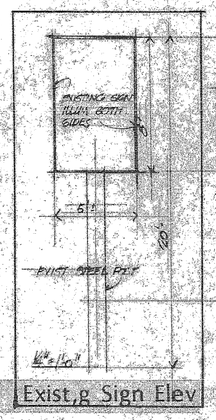
Cashier Validation

92-436-A



Vicinity Map





Exist,g Sign Elev

SITE PLAN 1"=10'

PLAT TO ACCOMPANY PETITION FOR VARIANCE

OWNER: AUTOMASTERS, INC (TAX AC # 02-07-830020)
LIBER 9032 FOLIO 43

ZONED BRCS-2

WM T KNOX & OLIVER DEARDEN #0203000360
LIBER 6729 / FOLIO 0657

PETER CRIST, FLORA CRIST
& STERGIOS TEINTIS #0213751510
LIBER 5882 / FOLIO 0343

ZONED BRCS-2

NORTH

Pet Ex #1

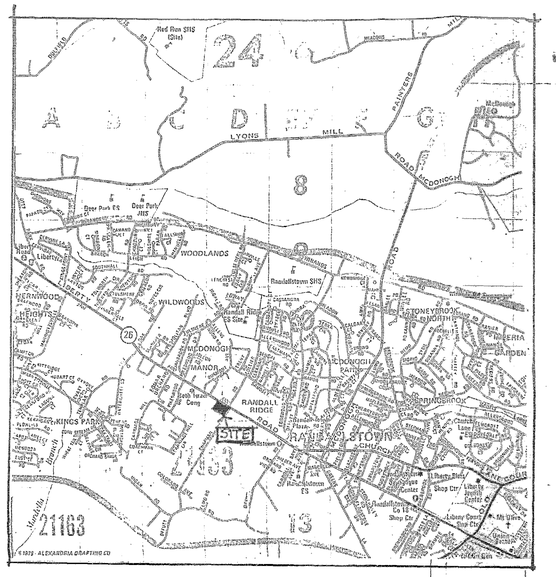
PARKING DATA: COMMERCIAL SERVICE GARAGE
BLDG: 2900 SQ FT.
3.3 SPACES FOR EA. 1000 SQ FT.
3.3 X 2.9 = 10 SPACES REQUIRED
10 SPACES SHOWN (5 IN GARAGE
TYPICAL SPACE: 9' x 20' (HDCP - 12' x 20')
PAVING: MACADAM (EXISTING)

92-436-A

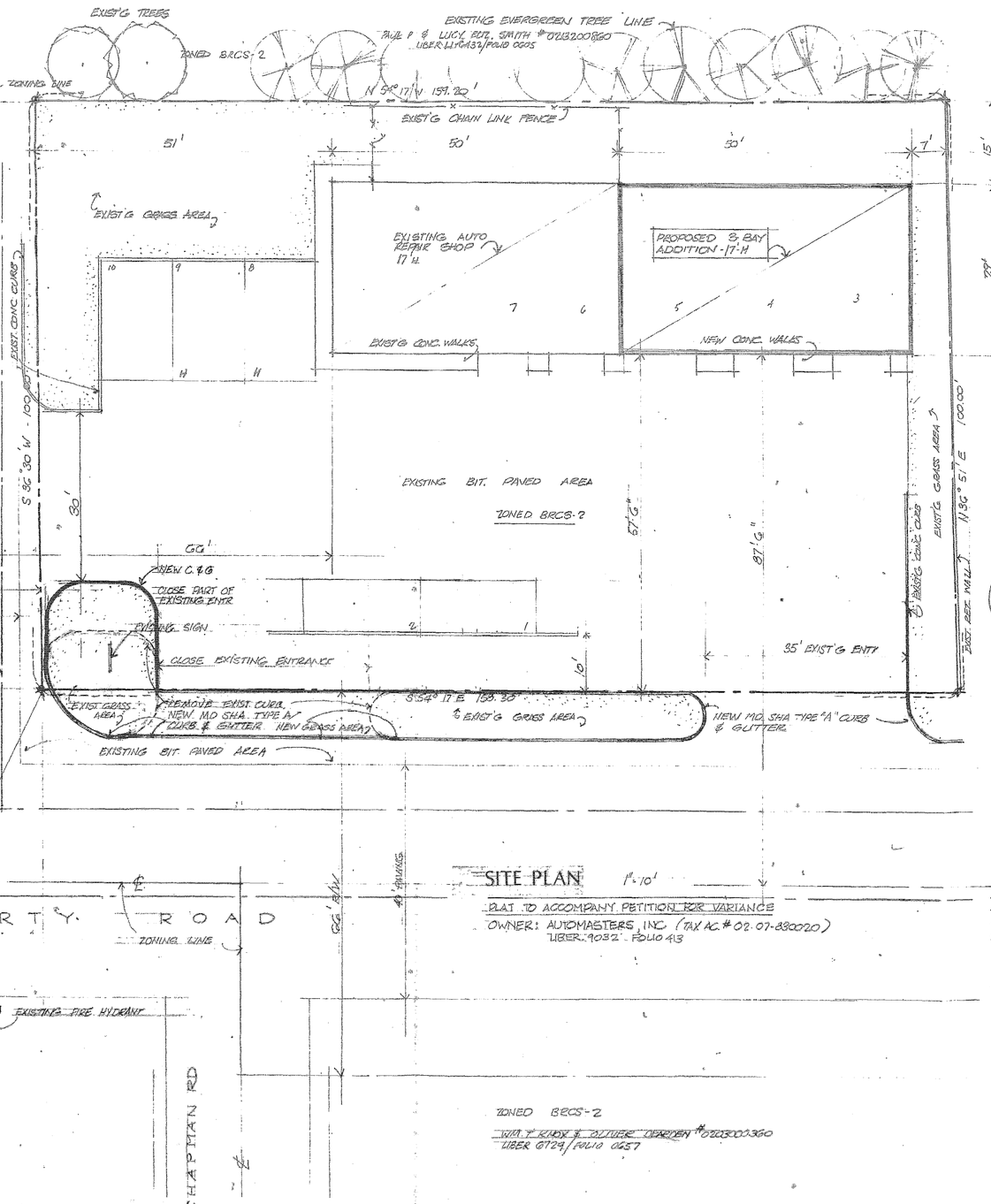
- PROPERTY ZONED: BRCS-2
- 2ND ELECTION DISTRICT
- 2ND COUNCILMANIC DISTRICT
- PROPERTY ADDRESS: 9301 LIBERTY RD. 21207
- PREVIOUS COMMERCIAL PERMITS
  - 1.29.66 - ALTERATIONS
  - 1.61.72 - BRK'R FACING & ROOF OVERHANG
  - 1335.83 - REPLACE FENCE
- PREVIOUS ZONING HEARINGS
  - #1317-T FOR ADDITIONAL STRUCTURE
  - (SIGN) N.W. CORNER LIBERTY RD & CHAPMAN RD
  - GRANTED, 12 NOV. 1948
  - #2189 - FOR CHANGING FROM RESIDENTIAL TO COMMERCIAL GRANTED 7 MAR 1952
- FLOOR AREA RATIO:
  - GROSS FLOOR AREA: 100 X 29 = 2900 SF
  - GROSS SITE AREA: 23,208 SF
  - RATIO: .125
- A.O.S.: NONE REQUIRED

469

174
173
174 & 133



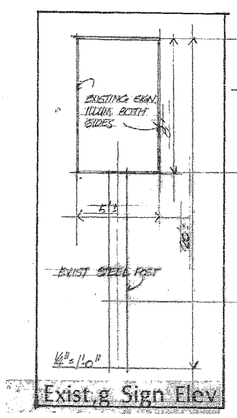
Vicinity Map



SITE PLAN 1" = 10'

PLAT TO ACCOMPANY PETITION FOR VARIANCE

OWNER: AUTOMASTERS, INC (TAX AC. # 02-07-890020)
LIBER: 9032 - FOLIO 413



Exist'g Sign Elev

EXISTING RESTAURANT

Revised plan C.K.
RJF 1/25/92

PETER CRIST FLORA CRIST & STERGIOS TSINTIS #02.1375.510
LIBER 5887/FOLIO 0343

ZONED BRCS-2

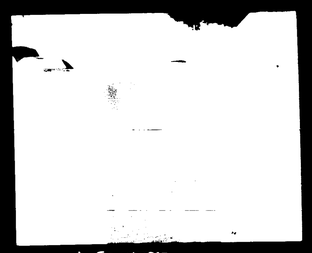
PARKING DATA: COMMERCIAL - SERVICE GARAGE
BLDG: 2,900 SQ FT
3.3 SPACES FOR EA. 1000 SQ. FT
3.3 x 2.9 = 10 SPACES REQUIRED
10 SPACES SHOWN (5 IN GARAGE
TYPICAL SPACE: 9' x 20' (HCP - 12' x 20')
PAVING: MACADAM - (EXISTING)

Revised Petitioner's Exhibit #1.
TML

- PROPERTY ZONED: BRCS-2
- 2ND ELECTION DISTRICT
- 2ND COUNCILMANIC DISTRICT
- PROPERTY ADDRESS: 9201 LIBERTY RD 21207
- PREVIOUS COMMERCIAL PERMITS
  - 1-29-66 - ALTERATIONS
  - 9-61-72 - BRICK FACING & ROOF OVERHANG
  - 1335-83 - REPLACE FENCE
- PREVIOUS ZONING HEARINGS
  - 91317-T - FOR ADDITIONAL STRUCTURE (SIGN) - N.W. CORNER - LIBERTY RD & CHAPMAN RD GRANTED 12 NOV. 1948
  - #2189 - FOR CHANGING FROM RESIDENTIAL TO COMMERCIAL - GRANTED 7 MAR 1952
- FLOOR AREA RATIO:
  - GROSS FLOOR AREA: 100 x 29 = 2900 S.F
  - GROSS SITE AREA: 23,208 S.F
  - RATIO: .125
- O.S.: NONE REQUIRED

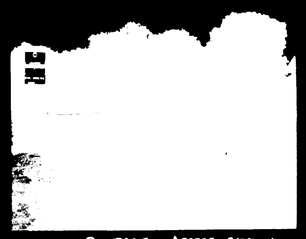
REV. 6/23/92
REVISED 6/19/92 IN ACCORDANCE W/ ZONING COMMISSIONER

SITE 9301 LIBERTY ROAD Pet Ex 2A



1. SOUTHWEST

2. SOUTH - EXISTING BUILDING



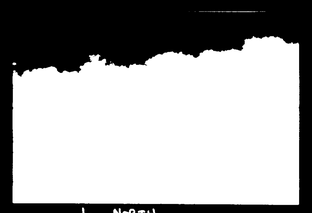
3. EAST - ACCESS CHAPMAN RD. PAVED AREA

4. SOUTH WEST

5. SOUTHWEST - SITE OF PROPOSED ADDITION

6. SOUTH - WESTERN PROP. LINE RETAINING WALL

VICINITY 9301 LIBERTY ROAD Pet Ex 2B



1. NORTH
BUS TURN AROUND

2. WEST

3. SOUTH
PARKING AREA

4. NORTH EAST

Pet Ex 3

June 4, 1992

Zoning Commissioner
For Baltimore County

RE: Automaster's
Variance
9301 Liberty Road

We are the owners of Cal Bitner's, a restaurant located on Liberty Road in Randallstown directly adjacent to Automaster's Auto Repair. We are aware that Automaster's has requested a variance of rear and side setbacks in order to add several bays to their facility. We have no objection to the granting of the variances or to Automaster's plans to expand.

Yours,

Pete A. Christ

MATTAVIA P. S.
T/A CAL BITNER'S
9307 LIBERTY RD.
RANDALLSTOWN, MD. 21133

92-436-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 123483

DATE 5/11/92 ACCOUNT 01-615

AMOUNT $ 250.00

RECEIVED FROM: John Schmitz

FOR: Zoning Variance

04A04#0103MICHRC $250.00
~~04A04#0111MICHRC 11-92~~
VALIDATION OR SIGNATURE OF CASHIER

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

MICROFILMED

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

6/18/92 hearing

Date

92-436

Account: R-001-6150
Number

6-18-92

PUBLIC HEARING FEES 030 $100.00
POSTING SIGNS / ADVERTISING 1 X $77.25
TOTAL: $177.25
LAST NAME OF OWNER: SCHMITZ

MICROFILMED

04A04#0015MICHRC $77.25
BA C002:52PM06-18-92
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: _____

AutoMasters, Inc.
9301 Liberty Road
Randallstown, Maryland 21133

RE:
CASE NUMBER: 92-436-A
SW/S Liberty Road, 15' NW of c/l Chapman Road
9301 Liberty Road
2nd Election District - 2nd Councilmanic
Petitioner(s): AutoMasters, Inc.

Dear Petitioner(s):

Please be advised that $ 77.25 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or zoning order, immediate attention to this matter is suggested.

ARNOLD JABLON
DIRECTOR

cc: Robert D. Sellers, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 19, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-436-A
SW/S Liberty Road, 15' NW of c/l Chapman Road
9301 Liberty Road
2nd Election District - 2nd Councilmanic
Petitioner(s): AutoMasters, Inc.
HEARING: JUNE 18, 1992 at 2:00 p.m.

Variance to permit a 7 foot side yard setback in lieu of 30 feet; to permit a 15 foot setback in rear in lieu of 30 feet; and to permit parking with access to driveway in lieu of aisle.

Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County

cc: AutoMaster, Inc.
Robert D. Sellers, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

June 2, 1992

Robert D. Sellers, Esquire
401 Washington Avenue
Towson, MD 21204

RE: Item No. 469, Case No. 92-436-A
Petitioner: AutoMaster, Inc, et al
Petition for Variance

Dear Mr. Sellers:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this

11th day of May, 1992.

ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards, Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: AutoMaster, Inc., et al

Petitioner's Attorney: Robert D. Sellers

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 26, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for May 25, 1992
Item 469

The Developers Engineering Division has reviewed the subject zoning item and we feel that this site is probably subject to Division II of the Development Regulations.

Robert W. Bowling/DAK
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:s

RECEIVED
JUN 2 1992
ZONING OFFICE

MICROFILMED

DPW/Developers Engineering Division (Public Services) 06/01/92
Development Review Committee Response Form
Authorized signature _____ Date 6/1/92

File Number	Project Name / Waiver Number	Zoning Issue	Meeting Date	
✓	Phillip And Carol Faulkenklous	461	5-18-92	NC
DED DEPRM RP STP TE				
✓	August J. And Elsie W. Seifert	464		Comment
DED DEPRM RP STP TE				
✓	Francis D. And Suzanne L. Bovle	465		NC
DED DEPRM RP STP TE				
✓	Robert N. And Joan M. Greene	466		NC
DED DEPRM RP STP TE				
✓	Joseph P. And Gloria G. Connore	467		NC
DED DEPRM RP STP TE				
✓	Kilmarnock Associates	468		Comment
DED DEPRM RP STP TE				
✓	Automaster, Inc.	469		Comment
DED DEPRM RP STP TE				
✓	Douglas And Mary Holschneider	470		Comment
DED DEPRM RP STP TE				
✓	Reisterstown Bible Church	471		Comment
DED DEPRM RP STP TE				
✓	Pikesville Partnership	472		Comment
DED DEPRM RP STP TE				
✓	Batimore Gas And Electric Company	475		Comment
DED DEPRM RP STP TE				
✓	Charles R. Carroll	476		Comment
DED DEPRM RP STP TE				

MICROFILMED

6-12-92 92-436-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
New Courts Bldg - 401 Bosley Avenue, Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Office of Planning and Zoning

DATE: June 2, 1992

SUBJECT: Automasters Inc.

INFORMATION:
Item Number: 469

Petitioner: John M. Schmitz, Sr.

Property Size:

Zoning: BR-CS-2

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:
The petitioner is requesting a variance to permit side yard variances of 7 feet and 15 feet in lieu of the required 20 feet and 30 feet and to permit parking with access to a driveway in lieu of the aisle.

The Office of Planning and Zoning supports the petitioners request for a variance with the following condition.

Residential development abuts this property on the south side of the "existing evergreen tree line" that is shown on the plan is very sparse. The Office of Planning recommends that a 6 foot high wooden fence be installed along this property line with additional evergreen screening on the residential side of the fence.

Prepared by:

Division Chief: Eric McDonald

FM:rdn

469.ZAC/ZAC1 Pg. 1

92-436-A 6-

6/1/92 8 6/25-92 JW

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: May 22, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: May 18, 1992

ITEM NUMBER: 469

✓1. The existing 40 ft. access off Chapman Road needs to be reduced to 24 ft. access, the proposed curb along Chapman Road needs to be extended westerly away from Liberty Road to form the 24 ft. access.

2. Access to Liberty Road should be limited to one access only. It is desirable to eliminate the one closest to Chapman Road.

✓3. The proposed parking spaces #1 and 2 need to be relocated.

4. The appropriate R.O.W. for Liberty Road and Chapman Road need to be dedicated.

5. Access to Liberty Road is subject to S.H.A. approval.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/dm

Department of Environmental Protection & Resource Management 06/01/92
Development Review Committee Response Form
Authorized signature R. Bruce Seely Date 6-1-92

Project Name / File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Joseph F. And Gloria G. Connore		467	5-18-92
DED DEPRM RP STP TE			No Comments
✓ Kilmarnock Associates		468	NO COMMENTS
DED DEPRM RP STP TE			
✓ Automaster, Inc.		469	NO COMMENTS
DED DEPRM RP STP TE			
Douglas And Mary Holschneider		470	IN PROCESS
DED DEPRM RP STP TE			
✓ Reisterstown Bible Church		471	NO COMMENTS
DED DEPRM RP STP TE			
Pikesville Partnership		472	IN PROCESS
DED DEPRM RP STP TE			
Batimore Gas And Electric Company		475	IN PROCESS
DED DEPRM RP STP TE			
Charles R. Carroll		476	IN PROCESS
DED DEPRM RP STP TE			
Alonzo G. And Virginia G. Decker		473	IN PROCESS
Variance DED DEPRM RP STP TE			

COUNT 13

Huntington Development Corporation (Hunting Tweed Drive)		442	5-4-92
DEPRM			IN PROCESS

COUNT 1

FINAL TOTALS
COUNT 21

Baltimore County Government
Fire Department

6/1/92 8 6080-92 JW

700 East Joppa Road Suite 901
Towson, MD 21204-5500 (301) 887-4500

MAY 22, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: AUTOMASTER, INC.

Location: #9301 LIBERTY ROAD

Item No.: +469 (MJK) Zoning Agenda: MAY 18, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Capt. Jerry Feiser Noted and Approved
Planning Group
Special Inspection Division Fire Prevention Bureau

JP/KEK

RECEIVED
MAY 26 1992
ZONING OFFICE

Department of ~~Recreation and Parks~~
Development Review Committee Response Form
Authorized signature W.P.K. Date 6/1/92

Project Name / File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Phillip And Carol Faulkenklous		461	5-18-92
DED DEPRM RP STP TE		No Comments	
✓ August J. And Elsie W. Seifert		464	
DED DEPRM RP STP TE		No Comments	
✓ Francis D. And Suzanne L. Bovle		465	
DED DEPRM RP STP TE		No Comments	
✓ Robert N. And Joan M. Greene		466	
DED DEPRM RP STP TE		No Comments	
✓ Joseph F. And Gloria G. Connore		467	
DED DEPRM RP STP TE		No Comments	
✓ Kilmarnock Associates		468	
DED DEPRM RP STP TE		No Comments	
✓ Automaster, Inc.		[illegible]	
DED DEPRM RP STP TE		No Comments	
✓ Douglas And Mary Holschneider		470	
DED DEPRM RP STP TF		No Comments	
✓ Reisterstown Bible Church		471	
DED DEPRM RP STP TE		No Comments	
✓ Pikesville Partnership		472	
DED DEPRM RP STP TE		No Comments	
✓ Batimore Gas And Electric Company		475	
DED DEPRM RP STP TE		No Comments	
✓ Charles R. Carroll		476	
DED DEPRM RP STP TE		No Comments	

71-JRW

ZONING CASE
92-436-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Wirth / SWM (2)
Mr. Powell / EIRD
Mr. Seeley / W&S
Mr. Rascoe / ZADM (2)
Mr. Richards / Zoning
Mr. Bowling / DED (2)
Mr. Famili / Traffic
Mr. Weiss / Sanitation
Mr. Beaumont / Land Acquisition
Ms. Lutz / House Numbers
Capt. Pfeifer/ Fire Department
Mr. Kincer / Recreation & Parks
Ms. Blank / SHA
Mr. McDaniel/Strategic Planning/Development Review (3)

DATE: September 17, 1992

FROM: Susan Wimbley
Bureau of Public Services

SUBJECT: Project Name: Auto Masters 9301 LIBERTY RD
District: 2c2
Project Number: 922442
ZADM Number:
Engineer: Robert Sellers
Phone Number: 583-1712

TO: JLL
RECEIVED
SEP 23 1992
By sej

ACTION REQUESTED:
___ Waived CRG Meeting
___ CRG Plan Refinement
___ CRG Non-Material Amendment
X Limited Exemption (26-171.b.9)
___ Waived Hearing Office Hearing

Please review the plan for compliance with current regulations and return comments to our office by 10-8-92. If you have no comments or do not need to review this plan, please indicate by placing your initials here _____ . (This procedure is similar to the waived C.R.G. meeting procedure.)

Thank you for your attention to our request.

SDW:
cc: File (3)

ROBERT D. SELLERS
ATTORNEY AT LAW
SUITE 303
401 WASHINGTON AVENUE
TOWSON, MD 21204
(410) 583-1712

RECEIVED
JUN 26 1992
ZONING COMMISSIONER

June 26, 1992

Timothy Kotroco
Zoning Commissioner
Old Court House
Towson, Maryland 21204

RE: Zoning Matter 469
Automasters, Inc.

Dear Commissioner Kotroco:

Pursuant to your instructions at the conclusion of the Variance Hearing in the above-referenced matter on June 18, 1992, I have had several discussions with Mr. Famili in Traffic Engineering regarding the entrances on both Liberty Road and Chapman Road. As you may recall, my client had hoped to retain the 40 foot wide entrance along Chapman Road because of his use of that entrance for towed vehicles. Unfortunately, Mr. Famili was adamant that that entrance be shortened to a maximum of 30 feet. That change has now been made on the revised drawing dated 6/23/92, and approved by Mr. Famili on 6/25/92. I have enclosed a copy of the new drawing containing his approval and signature.

Mr. Famili has not made any request that any property be dedicated for future right of ways for either of the roads impacted.

Based on my understanding of the matters we discussed at the zoning hearing, my client has now complied with all conditions imposed. I would greatly appreciate if you would review the revised drawing and issue the appropriate order. If you have any questions or wish any further information, please do not hesitate to contact me.

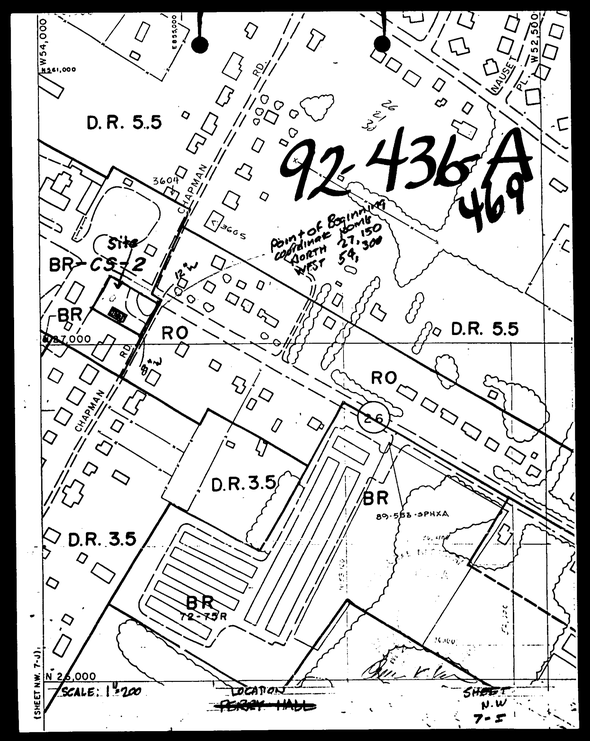
Yours,
Robert D. Sellers
Robert D. Sellers

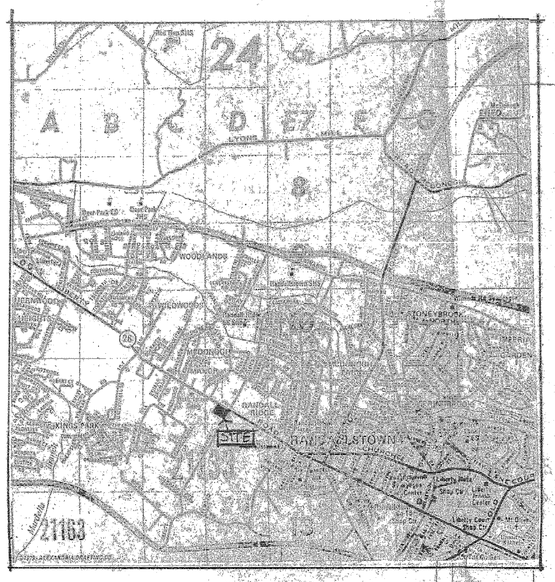
RDS/jpg
cc: John Schmitz

PLEASE PRINT CLEARLY

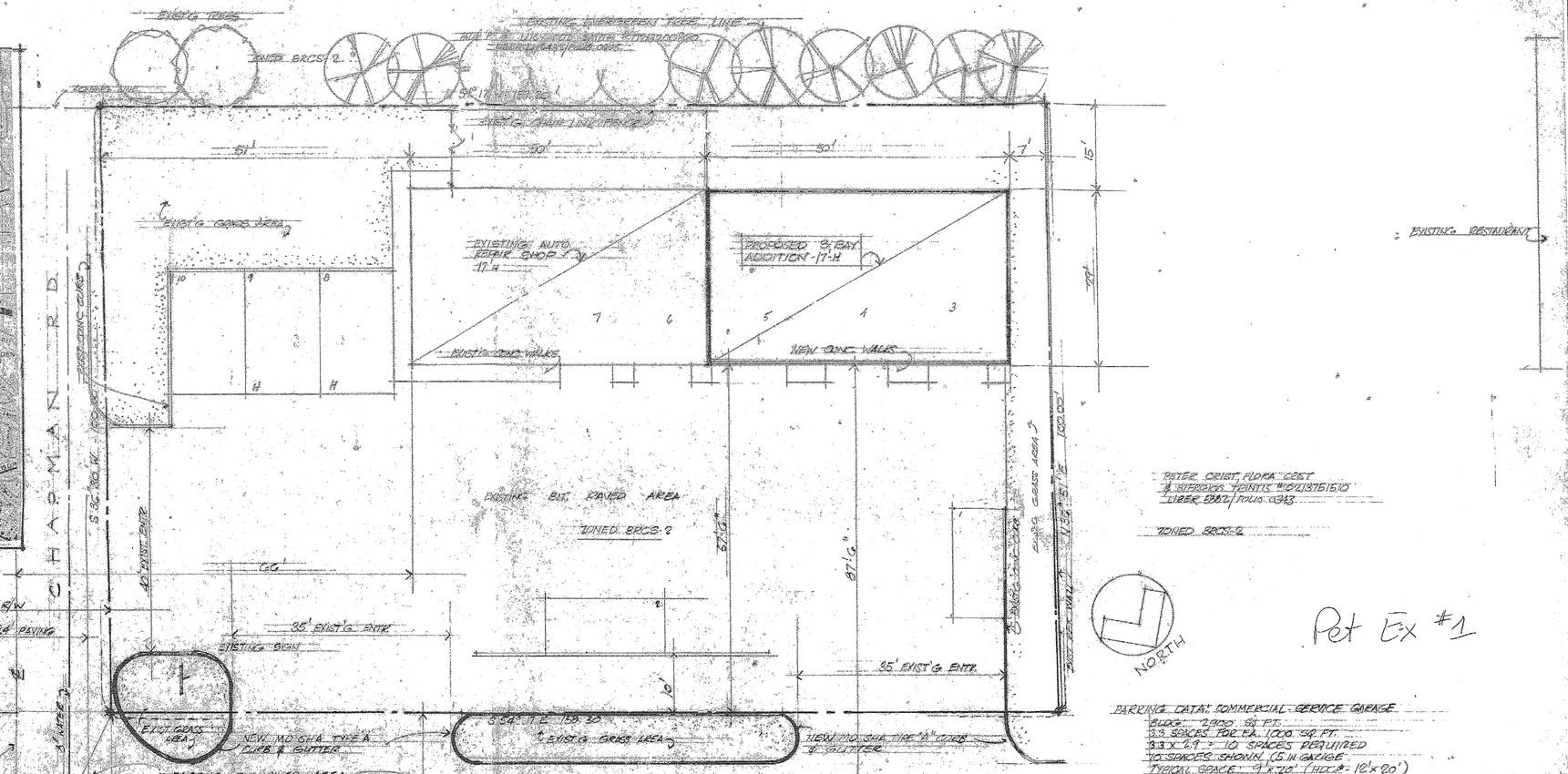
PETITIONER(S) SIGN-IN SHEET

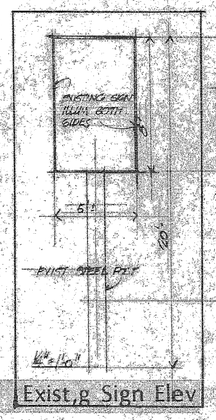
NAME	ADDRESS
Robert Sellers	401 Washington Ave 21204
John M. Schmitz Sr	9301 Liberty Rd
Calvin K. Kabot	111 W. Monument St. 21201





Vicinity Map





Exist,g Sign Elev

SITE PLAN 1"=10'

PLAT TO ACCOMPANY PETITION FOR VARIANCE

OWNER: AUTOMASTERS, INC (TAX AC # 02-07-830020)
LIBER 9032 FOLIO 43

PETER CRIST, FLORA CRIST
& STERGIOS TEINTIS #0213751510
LIBER 5882 / FOLIO 0343

ZONED BRCS-2

Pet Ex #1

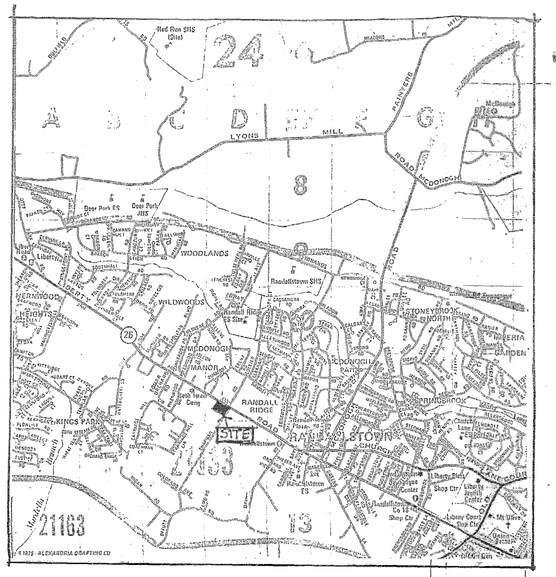
PARKING DATA: COMMERCIAL SERVICE GARAGE
BLDG: 2900 SQ FT.
3.3 SPACES FOR EA. 1000 SQ FT.
3.3 X 2.9 = 10 SPACES REQUIRED
10 SPACES SHOWN (5 IN GARAGE
TYPICAL SPACE: 9' x 20' (HDCP - 12' x 20')
PAVING: MACADAM (EXISTING)

92-436-A

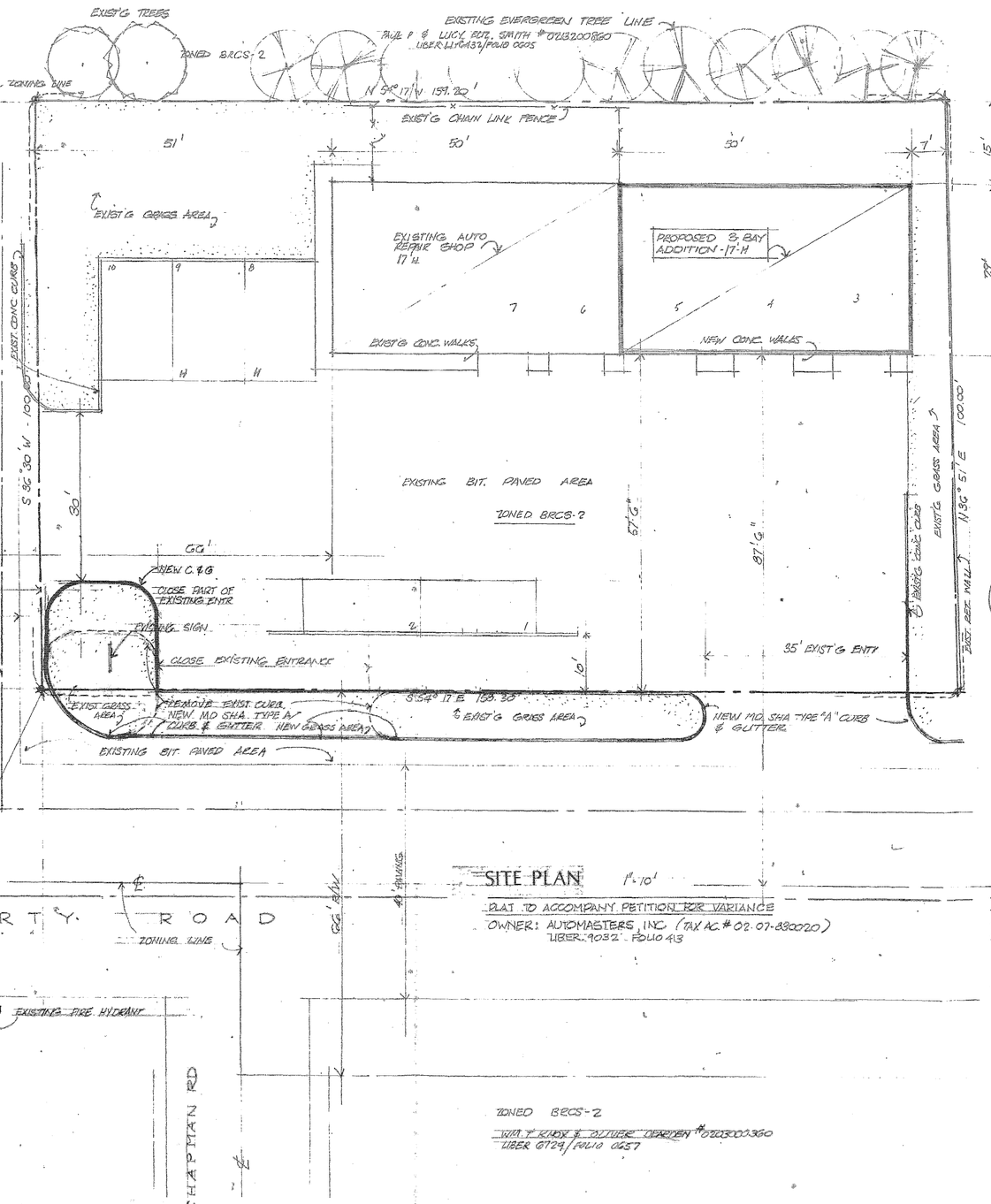
- PROPERTY ZONED: BRCS-2
- 2ND ELECTION DISTRICT
- 2ND COUNCILMANIC DISTRICT
- PROPERTY ADDRESS: 9301 LIBERTY RD. 21207
- PREVIOUS COMMERCIAL PERMITS
  - 1.29.66 - ALTERATIONS
  - 1.61.72 - BRK'R FACING & ROOF OVERHANG
  - 1.335.83 - REPLACE FENCE
- PREVIOUS ZONING HEARINGS
  - #1317-T FOR ADDITIONAL STRUCTURE
  - (SIGN) N.W. CORNER LIBERTY RD & CHAPMAN RD
  - GRANTED, 12 NOV. 1948
  - #2189 - FOR CHANGING FROM RESIDENTIAL TO COMMERCIAL GRANTED 7 MAR 1952
- FLOOR AREA RATIO:
  - GROSS FLOOR AREA: 100 X 29 = 2900 SF
  - GROSS SITE AREA: 23,208 SF
  - RATIO: .125
- A.O.S.: NONE REQUIRED

469

174
173
174 & 133



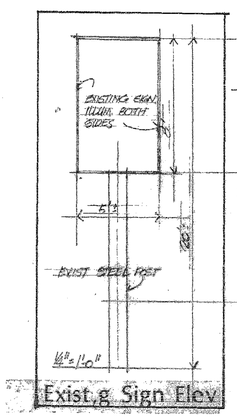
Vicinity Map



SITE PLAN 1" = 10'

PLAT TO ACCOMPANY PETITION FOR VARIANCE

OWNER: AUTOMASTERS, INC (TAX AC. # 02-07-890020)
LIBER: 9032 - FOLIO 413



Exist'g Sign Elev

EXISTING RESTAURANT

Revised plan C.K.
RJF 1/25/92

PETER CRIST FLORA CRIST & STERGIOS TSINTIS #02.1375.510
LIBER 5887/FOLIO 0343

ZONED BRCS-2

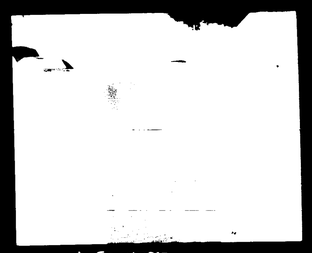
PARKING DATA: COMMERCIAL - SERVICE GARAGE
BLDG: 2,900 SQ FT
3.3 SPACES FOR EA. 1000 SQ. FT
3.3 x 2.9 = 10 SPACES REQUIRED
10 SPACES SHOWN (5 IN GARAGE
TYPICAL SPACE: 9' x 20' (HCP - 12' x 20')
PAVING: MACADAM - (EXISTING)

Revised Petitioner's Exhibit #1.
TML

- PROPERTY ZONED: BRCS-2
- 2ND ELECTION DISTRICT
- 2ND COUNCILMANIC DISTRICT
- PROPERTY ADDRESS: 9201 LIBERTY RD 21207
- PREVIOUS COMMERCIAL PERMITS
  - 1-29-66 - ALTERATIONS
  - 9-61-72 - BRICK FACING & ROOF OVERHANG
  - 1335-83 - REPLACE FENCE
- PREVIOUS ZONING HEARINGS
  - 91317-T - FOR ADDITIONAL STRUCTURE (SIGN) - N.W. CORNER - LIBERTY RD & CHAPMAN RD GRANTED 12 NOV. 1948
  - #2189 - FOR CHANGING FROM RESIDENTIAL TO COMMERCIAL - GRANTED 7 MAR 1952
- FLOOR AREA RATIO:
  - GROSS FLOOR AREA: 100 x 29 = 2900 S.F
  - GROSS SITE AREA: 23,208 S.F
  - RATIO: .125
- O.S.: NONE REQUIRED

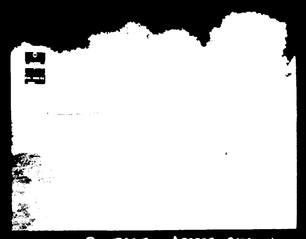
REV. 6/23/92
REVISED 6/19/92 IN ACCORDANCE W/ ZONING COMMISSIONER

SITE 9301 LIBERTY ROAD Pet Ex 2A



1. SOUTHWEST

2. SOUTH - EXISTING BUILDING



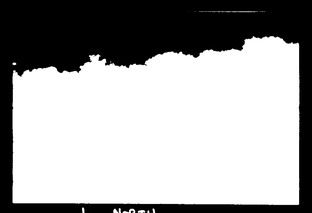
3. EAST - ACCESS CHAPMAN RD. PAVED AREA

4. SOUTH WEST

5. SOUTHWEST - SITE OF PROPOSED ADDITION

6. SOUTH - WESTERN PROP. LINE RETAINING WALL

VICINITY 9301 LIBERTY ROAD Pet Ex 2B



1. NORTH
BUS TURN AROUND

2. WEST

3. SOUTH
PARKING AREA

4. NORTH EAST

Pet Ex 3

June 4, 1992

Zoning Commissioner
For Baltimore County

RE: Automaster's
Variance
9301 Liberty Road

We are the owners of Cal Bitner's, a restaurant located on Liberty Road in Randallstown directly adjacent to Automaster's Auto Repair. We are aware that Automaster's has requested a variance of rear and side setbacks in order to add several bays to their facility. We have no objection to the granting of the variances or to Automaster's plans to expand.

Yours,

Pete A. Christ

MATTAVIA P. S.
T/A CAL BITNER'S
9307 LIBERTY RD.
RANDALLSTOWN, MD. 21133

IN RE: PETITION FOR ZONING VARIANCE
SW/S Liberty Road, 15' NW of
the c/l of Chapman Road
(9301 Liberty Road)
2nd Election District
2nd Councilmanic District

AutoMaster, Inc.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-436-A
*

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Zoning Variance filed by the Legal Owner of the subject property, AutoMasters, Inc., by and through its attorney, Robert D. Sellers, Esquire, in which the Petitioner requests relief from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side setback of 7 feet and a rear setback of 15 feet, both in lieu of the required 30 feet for each, and from Section 409.4.B to permit parking with access to a driveway in lieu of the required aisle, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitioner was John M. Schmitz, Sr., President. Also appearing on behalf of the Petition was Calvin K. Kobsa. There were no Protestants.

Testimony indicated that the subject property, known as 9301 Liberty Road, consists of 23,298 sq.ft., zoned B.R.C.S.-2, and is improved with a two-bay auto repair shop. The Petitioner is desirous of adding a 50' x 29' addition onto the existing structure to provide three additional bays in which to perform automobile repairs. The addition will hold the existing front and rear setbacks required; however, due to the expansion, the requested variances are necessary. Testimony indicated the Petitioner discussed the proposed improvements with adjoining property owners who had

ORDER RECEIVED FOR FILING
Date 6-30
By

no objections to their plans, as evidenced by Petitioner's Exhibit 3, a letter from the adjacent Cal Bitner's Restaurant. Cal Bitner's Restaurant would be the most affected property owner in the area as it is situated immediately adjacent to the proposed addition.

Pursuant to comments submitted by the Bureau of Traffic Engineering, the Petitioner agreed to eliminate one of two entranceways to Liberty Road which currently exist on the subject site. The Petitioner agreed to close off the entrance to the property which is closest to the intersection of Liberty Road and Chapman Road by installing curb and gutter along this 35-foot wide section of their property. Also, further to the comments submitted by the Bureau of Traffic Engineering, the Petitioner has agreed to reduce the entranceway to Chapman Road to 30 feet as opposed to the existing 40 feet and submitted a revised site plan depicting these modifications. Said revised plan has been incorporated into the case file and marked Revised Petitioner's Exhibit 1.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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Date 6-30
By

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30th day of June, 1992 that the Petition for Zoning Variance requesting relief from Section 238.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side setback of 7 feet and a rear setback of 15 feet, both in lieu of the required 30 feet for each, and from Section 409.4.B to permit parking with access to a driveway in lieu of the required aisle, in accordance with Revised Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

ORDER RECEIVED FOR FILING
Date 6-30
By

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Prior to the issuance of any permits, Petitioner shall close off the Liberty Road entrance to its property which is closest to the intersection of Liberty Road with Chapman Road by installing curb and gutter along this 35-foot wide section to ensure that there will be no access to Liberty Road from this location. The Petitioner shall also install curb and gutter to reduce the entrance on Chapman Road to 30 feet in accordance with Revised Petitioner's Exhibit 1.

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 6-30
By

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 30, 1992

Robert D. Sellers, Esquire
401 Washington Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
SW/S Liberty Road, 15' NW of the c/l of Chapman Road
(9301 Liberty Road)
2nd Election District - 2nd Councilmanic District
AutoMaster, Inc. - Petitioner
Case No. 92-436-A

Dear Mr. Sellers:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

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 Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Timothy Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

ORDER RECEIVED FOR FILING
Date 6-30
By

469

Petition for Variance

92-436-A

to the Zoning Commissioner of Baltimore County

for the property located at 9301 Liberty Road 21133

which is presently zoned BR CS2

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

$238.2 to permit a 7 foot side setback in lieu of 30 feet, to permit 15 foot setback in rear in lieu of 30 feet, and from L 409.4.B. to permit parking with access to driveway in lieu of aisle

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

site limitations as existing service garage

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:
(Type or Print Name)
Signature
Address
City State Zipcode

Attorney for Petitioner:
Robert D. Sellers
(Type or Print Name)
401 Washington Ave
Signature
Towson, Md 21204
Address Phone No. 583-1712
City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):
AutoMaster, Inc
(Type or Print Name)
By: John M. Schmitz, Sr. Pres
Signature
(Type or Print Name)
Signature
Address Phone No.
City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted:
Name
Address Phone No.

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING 1 hr.
unavailable for Hearing
the following dates Next Two Months
ALL OTHER
REVIEWED BY: MTK DATE 5/1/92

ORDER RECEIVED FOR FILING
Date 6-30
By

469
92-436-A

BEGINNING AT A POINT OF INTERSECTION OF THE WESTERNMOST SIDE OF LIBERTY ROAD (66 FEET WIDE) AND THE NORTHWEST SIDE OF CHAPMAN ROAD (30 FEET WIDE), THENCE THE FOLLOWING COURSES AND DISTANCES:

SOUTH 36 DEGREES 30 MINUTES WEST, 100.0 FEET; NORTH 54 DEGREES 17 MINUTES WEST, 159.2 FEET; NORTH 36 DEGREES 51 MINUTES EAST, 100.0 FEET; SOUTH 54 DEGREES 17 MINUTES EAST 158.3 FEET TO THE POINT OF BEGINNING AS RECORDED IN DEED LIBER 9032, FOLIO 413

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

92-436-A

District 2nd Date of Posting May 28-92
Posted for: Variance
Petitioner: Auto Master, INC.
Location of property: S.W/S of Liberty Road 15' N.W. of the S/W of Chapman Road, 9301 Liberty Road
Location of Signs: Entrance of 9301 Liberty Road

Remarks:
Posted by R. J. Arata Date of return: May 29-92
Number of Signs: 1

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 92-436-A
SW/S Liberty Road, 15' NW of of Chapman Road
9301 Liberty Road
2nd Election District
2nd Councilmanic
Petitioner(s):
AutoMaster, Inc.
Hearing Date: Monday, June 15, 1992 at 2:30 p.m.

Variance: to permit a 7 foot side yard setback in lieu of 30 feet; to permit a 15 foot setback in rear in lieu of 30 feet; and to permit parking with access to driveway in lieu of aisle.

LAWRENCE E. SCHMIDT,
Zoning Commissioner of
Baltimore County

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

5/312 May 28.

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 28, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 28, 1992

THE JEFFERSONIAN,

Publisher

$42.25

Baltimore County
Zoning Commisioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date

Account: R-001-6150
Number

PAID PER HAND-WRITTEN RECEIPT DATED 5/11/92

5/13/92 H9200469

PUBLIC HEARING FEES	QTY	PRICE
020 -ZONING VARIANCE (OTHER)	1 X	$250.00
	TOTAL:	$250.00

LAST NAME OF OWNER: SCHMITZ

Please Make Checks Payable To: Baltimore County

Cashier Validation

92-436-A

92-436-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 123483

DATE 5/11/92 ACCOUNT 01-615

AMOUNT $ 250.00

RECEIVED FROM: John Schmitz

FOR: Zoning Variance

04A04#0103MICHRC $250.00
~~04A04#0111MICHRC 11-92~~
VALIDATION OR SIGNATURE OF CASHIER

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

MICROFILMED

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

6/18/92 hearing

Date

92-436

Account: R-001-6150
Number

6-18-92

PUBLIC HEARING FEES 030 $100.00
POSTING SIGNS / ADVERTISING 1 X $77.25
TOTAL: $177.25
LAST NAME OF OWNER: SCHMITZ

MICROFILMED

04A04#0015MICHRC $77.25
BA C002:52PM06-18-92
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: _____

AutoMasters, Inc.
9301 Liberty Road
Randallstown, Maryland 21133

RE:
CASE NUMBER: 92-436-A
SW/S Liberty Road, 15' NW of c/l Chapman Road
9301 Liberty Road
2nd Election District - 2nd Councilmanic
Petitioner(s): AutoMasters, Inc.

Dear Petitioner(s):

Please be advised that $ 77.25 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or zoning order, immediate attention to this matter is suggested.

ARNOLD JABLON
DIRECTOR

cc: Robert D. Sellers, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 19, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-436-A
SW/S Liberty Road, 15' NW of c/l Chapman Road
9301 Liberty Road
2nd Election District - 2nd Councilmanic
Petitioner(s): AutoMasters, Inc.
HEARING: JUNE 18, 1992 at 2:00 p.m.

Variance to permit a 7 foot side yard setback in lieu of 30 feet; to permit a 15 foot setback in rear in lieu of 30 feet; and to permit parking with access to driveway in lieu of aisle.

Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County

cc: AutoMaster, Inc.
Robert D. Sellers, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

June 2, 1992

Robert D. Sellers, Esquire
401 Washington Avenue
Towson, MD 21204

RE: Item No. 469, Case No. 92-436-A
Petitioner: AutoMaster, Inc, et al
Petition for Variance

Dear Mr. Sellers:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this

11th day of May, 1992.

ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards, Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: AutoMaster, Inc., et al

Petitioner's Attorney: Robert D. Sellers

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 26, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for May 25, 1992
Item 469

The Developers Engineering Division has reviewed the subject zoning item and we feel that this site is probably subject to Division II of the Development Regulations.

Robert W. Bowling/DAK
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:s

RECEIVED
JUN 2 1992
ZONING OFFICE

MICROFILMED

DPW/Developers Engineering Division (Public Services) 06/01/92
Development Review Committee Response Form
Authorized signature _____ Date 6/1/92

File Number	Project Name / Waiver Number	Zoning Issue	Meeting Date	
✓	Phillip And Carol Faulkenklous	461	5-18-92	NC
DED DEPRM RP STP TE				
✓	August J. And Elsie W. Seifert	464		Comment
DED DEPRM RP STP TE				
✓	Francis D. And Suzanne L. Bovle	465		NC
DED DEPRM RP STP TE				
✓	Robert N. And Joan M. Greene	466		NC
DED DEPRM RP STP TE				
✓	Joseph P. And Gloria G. Connore	467		NC
DED DEPRM RP STP TE				
✓	Kilmarnock Associates	468		Comment
DED DEPRM RP STP TE				
✓	Automaster, Inc.	469		Comment
DED DEPRM RP STP TE				
✓	Douglas And Mary Holschneider	470		Comment
DED DEPRM RP STP TE				
✓	Reisterstown Bible Church	471		Comment
DED DEPRM RP STP TE				
✓	Pikesville Partnership	472		Comment
DED DEPRM RP STP TE				
✓	Batimore Gas And Electric Company	475		Comment
DED DEPRM RP STP TE				
✓	Charles R. Carroll	476		Comment
DED DEPRM RP STP TE				

MICROFILMED

6-12-92 92-436-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
New Courts Bldg - 401 Bosley Avenue, Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Office of Planning and Zoning

DATE: June 2, 1992

SUBJECT: Automasters Inc.

INFORMATION:
Item Number: 469

Petitioner: John M. Schmitz, Sr.

Property Size:

Zoning: BR-CS-2

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:
The petitioner is requesting a variance to permit side yard variances of 7 feet and 15 feet in lieu of the required 20 feet and 30 feet and to permit parking with access to a driveway in lieu of the aisle.

The Office of Planning and Zoning supports the petitioners request for a variance with the following condition.

Residential development abuts this property on the south side of the "existing evergreen tree line" that is shown on the plan is very sparse. The Office of Planning recommends that a 6 foot high wooden fence be installed along this property line with additional evergreen screening on the residential side of the fence.

Prepared by:

Division Chief: Eric McDonald

FM:rdn

469.ZAC/ZAC1 Pg. 1

92-436-A 6-

6/1/92 8 6/25-92 JW

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: May 22, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: May 18, 1992

ITEM NUMBER: 469

✓1. The existing 40 ft. access off Chapman Road needs to be reduced to 24 ft. access, the proposed curb along Chapman Road needs to be extended westerly away from Liberty Road to form the 24 ft. access.

2. Access to Liberty Road should be limited to one access only. It is desirable to eliminate the one closest to Chapman Road.

✓3. The proposed parking spaces #1 and 2 need to be relocated.

4. The appropriate R.O.W. for Liberty Road and Chapman Road need to be dedicated.

5. Access to Liberty Road is subject to S.H.A. approval.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/dm

Department of Environmental Protection & Resource Management 06/01/92
Development Review Committee Response Form
Authorized signature R. Bruce Seely Date 6-1-92

Project Name / File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Joseph F. And Gloria G. Connore		467	5-18-92
DED DEPRM RP STP TE			No Comments
✓ Kilmarnock Associates		468	NO COMMENTS
DED DEPRM RP STP TE			
✓ Automaster, Inc.		469	NO COMMENTS
DED DEPRM RP STP TE			
Douglas And Mary Holschneider		470	IN PROCESS
DED DEPRM RP STP TE			
✓ Reisterstown Bible Church		471	NO COMMENTS
DED DEPRM RP STP TE			
Pikesville Partnership		472	IN PROCESS
DED DEPRM RP STP TE			
Batimore Gas And Electric Company		475	IN PROCESS
DED DEPRM RP STP TE			
Charles R. Carroll		476	IN PROCESS
DED DEPRM RP STP TE			
Alonzo G. And Virginia G. Decker		473	IN PROCESS
Variance DED DEPRM RP STP TE			

COUNT 13

Huntington Development Corporation (Hunting Tweed Drive)		442	5-4-92
DEPRM			IN PROCESS

COUNT 1

FINAL TOTALS
COUNT 21

Baltimore County Government
Fire Department

6/1/92 8 6080-92 JW

700 East Joppa Road Suite 901
Towson, MD 21204-5500 (301) 887-4500

MAY 22, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: AUTOMASTER, INC.

Location: #9301 LIBERTY ROAD

Item No.: +469 (MJK) Zoning Agenda: MAY 18, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Capt. Jerry Feiser Noted and Approved
Planning Group
Special Inspection Division Fire Prevention Bureau

JP/KEK

RECEIVED
MAY 26 1992
ZONING OFFICE

Department of ~~Recreation and Parks~~
Development Review Committee Response Form
Authorized signature W.P.K. Date 6/1/92

Project Name / File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Phillip And Carol Faulkenklous		461	5-18-92
DED DEPRM RP STP TE		No Comments	
✓ August J. And Elsie W. Seifert		464	
DED DEPRM RP STP TE		No Comments	
✓ Francis D. And Suzanne L. Bovle		465	
DED DEPRM RP STP TE		No Comments	
✓ Robert N. And Joan M. Greene		466	
DED DEPRM RP STP TE		No Comments	
✓ Joseph F. And Gloria G. Connore		467	
DED DEPRM RP STP TE		No Comments	
✓ Kilmarnock Associates		468	
DED DEPRM RP STP TE		No Comments	
✓ Automaster, Inc.		[illegible]	
DED DEPRM RP STP TE		No Comments	
✓ Douglas And Mary Holschneider		470	
DED DEPRM RP STP TF		No Comments	
✓ Reisterstown Bible Church		471	
DED DEPRM RP STP TE		No Comments	
✓ Pikesville Partnership		472	
DED DEPRM RP STP TE		No Comments	
✓ Batimore Gas And Electric Company		475	
DED DEPRM RP STP TE		No Comments	
✓ Charles R. Carroll		476	
DED DEPRM RP STP TE		No Comments	

71-JRW

ZONING CASE
92-436-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Wirth / SWM (2)
Mr. Powell / EIRD
Mr. Seeley / W&S
Mr. Rascoe / ZADM (2)
Mr. Richards / Zoning
Mr. Bowling / DED (2)
Mr. Famili / Traffic
Mr. Weiss / Sanitation
Mr. Beaumont / Land Acquisition
Ms. Lutz / House Numbers
Capt. Pfeifer/ Fire Department
Mr. Kincer / Recreation & Parks
Ms. Blank / SHA
Mr. McDaniel/Strategic Planning/Development Review (3)

DATE: September 17, 1992

FROM: Susan Wimbley
Bureau of Public Services

SUBJECT: Project Name: Auto Masters 9301 LIBERTY RD
District: 2c2
Project Number: 922442
ZADM Number:
Engineer: Robert Sellers
Phone Number: 583-1712

TO: JLL
RECEIVED
SEP 23 1992
By sej

ACTION REQUESTED:
___ Waived CRG Meeting
___ CRG Plan Refinement
___ CRG Non-Material Amendment
X Limited Exemption (26-171.b.9)
___ Waived Hearing Office Hearing

Please review the plan for compliance with current regulations and return comments to our office by 10-8-92. If you have no comments or do not need to review this plan, please indicate by placing your initials here _____ . (This procedure is similar to the waived C.R.G. meeting procedure.)

Thank you for your attention to our request.

SDW:
cc: File (3)

ROBERT D. SELLERS
ATTORNEY AT LAW
SUITE 303
401 WASHINGTON AVENUE
TOWSON, MD 21204
(410) 583-1712

RECEIVED
JUN 26 1992
ZONING COMMISSIONER

June 26, 1992

Timothy Kotroco
Zoning Commissioner
Old Court House
Towson, Maryland 21204

RE: Zoning Matter 469
Automasters, Inc.

Dear Commissioner Kotroco:

Pursuant to your instructions at the conclusion of the Variance Hearing in the above-referenced matter on June 18, 1992, I have had several discussions with Mr. Famili in Traffic Engineering regarding the entrances on both Liberty Road and Chapman Road. As you may recall, my client had hoped to retain the 40 foot wide entrance along Chapman Road because of his use of that entrance for towed vehicles. Unfortunately, Mr. Famili was adamant that that entrance be shortened to a maximum of 30 feet. That change has now been made on the revised drawing dated 6/23/92, and approved by Mr. Famili on 6/25/92. I have enclosed a copy of the new drawing containing his approval and signature.

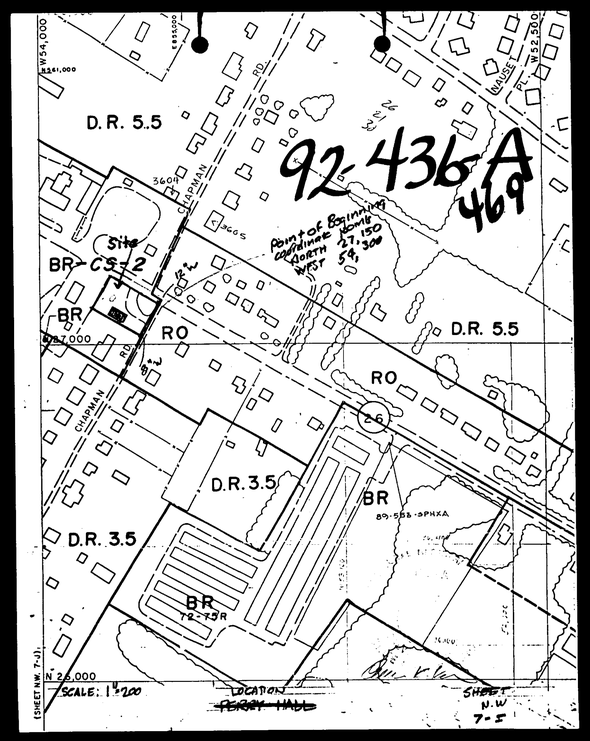
Mr. Famili has not made any request that any property be dedicated for future right of ways for either of the roads impacted.

Based on my understanding of the matters we discussed at the zoning hearing, my client has now complied with all conditions imposed. I would greatly appreciate if you would review the revised drawing and issue the appropriate order. If you have any questions or wish any further information, please do not hesitate to contact me.

Yours,
Robert D. Sellers
Robert D. Sellers

RDS/jpg
cc: John Schmitz

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Robert Sellers	401 Washington Ave 21204
John M. Schmitz Sr	9301 Liberty Rd
Calvin K. Kabot	111 W. Monument St. 21201