

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NW/S Washington Blvd., 150 ft.
+/- NE of Mayfield Avenue * ZONING COMMISSIONER
4620 Washington Blvd. Lot 1
13th Election District * OF BALTIMORE COUNTY
1st Councilmanic District
John G. Rotz, et ux * Case No. 97-117-A
Petitioners

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NW/S Washington Blvd., 93 ft.
+/- NE of Mayfield Avenue * ZONING COMMISSIONER
4620 Washington Blvd. Lot 2
13th Election District * OF BALTIMORE COUNTY
1st Councilmanic District
John G. Rotz, et ux et ux * Case No. 97-118-A
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

These matters came before the Zoning Commissioner for a combined hearing for cases 97-117-A and 97-118-A. Each case presents a Petition for Variance, for the property collectively known as 4620 Washington Boulevard, in Arbutus. In case No. 97-117-A, the Petitioners seek variance relief from from Section 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit side and rear setbacks for an existing building as close as 3 ft. and 16 ft., in lieu of the required 30 ft. The property at issue in case No. 97-117-A is known as lot No. 1. In case No. 97-118-A, the Petitioners seek variance relief for Lot No. 2. Specifically, a variance is also sought from Section 238.2 of the BCZR to permit side setbacks as close as 9 ft. and 3 ft. (for an existing building) in lieu of the required 30 ft. Both lots and the subject relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case were the property owners, John G. Rotz and Judith K. Rotz, and John Mildenberg, the engineer who prepared the site plan. Also appearing in support of the request was

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ORDER RECEIVED FOR FILING

Date

By

11/28/96
M. C. [Signature]

Judith A. Morris. J. Neil Lanzi, Esquire, an attorney representing the owner of an adjacent property at 1826 Winans Avenue, appeared in opposition to the requested variances.

Testimony and evidence presented on behalf of the Petitioners was that they have owned the subject property for approximately 11 years. Lot No. 1 is a rectangularly shaped property which is 107 ft. wide and approximately 150 ft. deep. Lot No. 1 fronts Washington Boulevard and abuts Lot No. 2 which is located to the southwest. Presently, Lot No. 1 is improved with an existing driveway which leads to an old barn located at the rear of the lot. This barn is 728 sq. ft. in area. Lot No. 2 is 57 ft. wide (slightly larger than lot No. 1) and 150 ft. in depth. Lot No. 2 is improved with an existing two story frame dwelling.

The Petitioners indicated that they currently reside on the property, notwithstanding the fact that both lots are zoned B.R. Apparently, the property has been in Mrs. Rotz's family for many years. The Petitioners propose to alter use of the property consistent with the property's zoning classification. Mr. Rotz is employed in the tax accounting profession and intends on operating his business from this location. The dwelling will be converted so as to accommodate mixed office and retail businesses.

The requested variances are sought to legitimize existing building conditions. There are no planned external improvements to either the dwelling or barn except for some cosmetic improvements and renovations to upgrade the barn building. Also, no additional construction on site is anticipated, but for the enlargement of the driveway. This enlargement will provide additional parking spaces to accommodate the new use.

The variances are sought for the existing buildings. Variance relief is requested for both the dwelling and the barn. It is to be noted that certain of the variance requests are related to the internal lot line

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Date 11/20/96
By J. H. H. H.

which divides Lot 1 from Lot 2. The other variances are for the tract boundary with adjacent properties.

Upon review of the testimony and evidence offered, I am persuaded that the variances should be granted. It is to be emphasized that the relief sought is to legitimize the existing structures, and that no new construction is planned. The unusual shape and small area of both lots justifies the variance relief. As was noted at the hearing, the BCZR requires a 35 ft. setback. In view of the narrowness of both properties, no building would be allowed if strict adherence to the regulations were required. Surely, the Petitioner would suffer practical difficulty if the variance relief were denied. Moreover, the variances can be granted without any detriment to the surrounding locale.

A comment is also appropriate about the objection raised by Mr. Lanzi. His client apparently owns adjacent property. As I emphasized at the hearing, the case before me only concerns the Petitioner's request for variance relief and does not relate to the proposed use of the property. These properties are zoned to permit business use. The use of the property will be governed by the use provisions of the BCZR. The Petitioners may not use the property except for those uses permitted under the B.R. zoning classification. The variance relief should not be denied because the neighbor objects to a permitted use of the property.

With all that being said, it is to be emphasized that the use of the property does not actually bear on the zoning relief. Apparently, the buildings have been at their existing location for many years. The variances are necessary whether the property continues to be used residentially or for another permitted purpose.

ORDER RECEIVED FOR FILING

Date

By

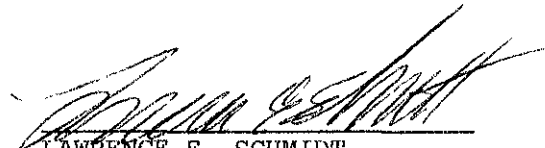
MICROFILMED

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of November, 1996 that a variance from Section 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit side and rear setbacks for an existing building as close as 3 ft. and 16 ft., in lieu of the required 30 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 238.2 of the BCZR to permit side setbacks as close as 9 ft. and 3 ft. (for an existing building) in lieu of the required 30 ft., be and is hereby GRANTED.

1. The 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.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmh

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

IN THE MATTER OF	*	BEFORE THE
THE APPLICATIONS OF	*	COUNTY BOARD OF APPEALS
JOHN G. ROTZ, ET UX	*	
FOR ZONING VARIANCES ON		
PROPERTY LOCATED ON THE NORTH-	*	OF
WEST SIDE WASHINGTON BOULEVARD		
150'+/- NORTHEAST OF MAYFIELD	*	BALTIMORE COUNTY
AVENUE (4620 WASHINGTON BLVD)		
13TH ELECTION DISTRICT	*	CASE NO. 97-117-A and
1ST COUNCILMANIC DISTRICT	*	CASE NO. 97-118-A
* * * *	*	* * * *

ORDER OF DISMISSAL

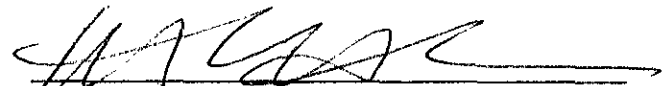
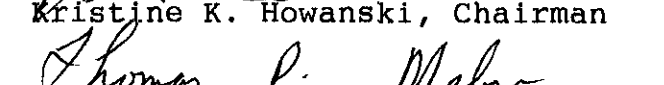
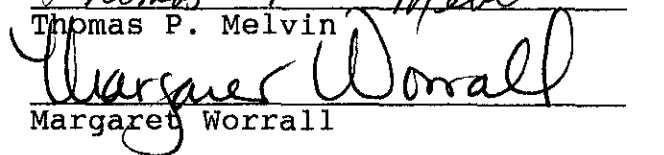
This matter comes to this Board on appeal from a decision of the Zoning Commissioner dated November 20, 1996 in which the Petitions for Variance from Section 238.2 of the Baltimore County Zoning Regulations for side and rear setbacks were granted.

WHEREAS, the Board is in receipt of a letter of withdrawal of appeal filed by J. Neil Lanzi, Esquire, Counsel for Thomas Palacorolla and Auto Dealers, Inc., Appellants /Protestants, dated August 6, 1997 and received August 11, 1997 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, Counsel for said Appellants requests that the appeals filed in this matter be dismissed as of August 6, 1997;

IT IS HEREBY ORDERED this 13th day of August, 1997 by the County Board of Appeals of Baltimore County that said appeals be and the same are hereby DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


 Kristine K. Howanski, Chairman

 Thomas P. Melvin

 Margaret Worrall

MICROFILMED

J. NEIL LANZI, P.A.

ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

(410) 337-9039

FAX: (410) 337-8932

J. Neil Lanzi

OF COUNSEL

Fred L. Coover*

*Also Admitted in District of Columbia

RECEIVED
COUNTY BOARD OF APPEALS
97 AUG 11 PM 1:52

COLUMBIA

Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towson

August 6, 1997

County Board of Appeals
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204
Attn: Robert O. Schuetz, Chairman

Re: Case No. 97-117-A, 97-118-A
In the Matter of: John G. Rotz, ET UX-Petitioner

Dear Chairman Schuetz:

On behalf of Thomas Palacorolla and Auto Dealers, Inc., Appellants in the above captioned cases, I hereby request the above Appeals be dismissed, without prejudice. The current hearing date is Wednesday, November 12, 1997.

Thank you very much for your cooperation.

Very truly yours,


J. Neil Lanzi

c.c. Mr. & Mrs. John Rotz
People's Counsel for Balto. Co.
Virginia Barnhart, County Attorney
John Mildenberg, Mildenberg, Boender & Associates
Thomas Palacorolla
Brian Isaac, Auto Dealer's, Inc.

rotzcbop.lt3

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County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

August 13, 1997

J. Neil Lanzi, Esquire
300 Allegheny Avenue
Towson, MD 21204

RE: Cases No. 97-117-A and No. 97-118-A
John G. Rotz, et ux -Petitioners

Dear Mr. Lanzi:

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

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kathleen C. Bianco", followed by a flourish.

Kathleen C. Bianco
Administrator

encl.

cc: Thomas Palacorolla
Brian Isaac, Auto Dealers, Inc.
Mr. & Mrs. John Rotz
John Mildenberg /Mildenberg, Boender & Assoc., Inc.
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

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Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 20, 1996

Mr. and Mrs. John G. Rotz
4620 Washington Boulevard
Baltimore, Maryland 21227

RE: Case Nos. 97-117-A and 97-118-A
Petitions for Zoning Variance
Property: 4620 Washington Boulevard, Lots 1 and 2

Dear Mr. and Mrs. Rotz:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Zoning Variance have been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

att.

c: J. Neil Lanzi, Esquire, 300 Allegheny Avenue, Towson, Md. 21204

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RE: PETITION FOR VARIANCE	*	BEFORE THE
4620 Washington Blvd, Lot 1, NW/S Washing-	*	ZONING COMMISSIONER
ton Blvd, 150'+/- NE of Mayfield Avenue	*	
13th Election District, 1st Councilmanic	*	OF BALTIMORE COUNTY
John G. and Judith K. Rotz	*	
Petitioners	*	CASE NO. 97-117-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to John G. and Judith K. Rotz, 4620 Washington Blvd., Baltimore, MD 21227, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4620 Washington Blvd. Lot 1
which is presently zoned BR

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 BCZR TO PERMIT

SIDE AND REAR SETBACKS (FOR AN EXISTING BUILDING) OF AS CLOSE AS 3 FT AND 16 FEET IN LIEU OF THE REQUIRED 30 FT.

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

To be determined at hearing.

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:

(Type or Print Name)

Signature

Address

Phone No.

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):

John Gregory Rotz
(Type or Print Name)

John Gregory Rotz
Signature

Judith K. Rotz
(Type or Print Name)

Judith K. Rotz
Signature

4620 Washington Blvd.
Address Phone No. 242-1778

Baltimore Co., Md.
City State Zipcode 21227

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

2 HRS

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: John

DATE

9/11/96

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Printed with Soybean Ink
on Recycled Paper

Set with item #116
Zoning Administration
Development Management

110
97-117-A

ZONING DESCRIPTION

Beginning at a point on the northwest side of Washington Boulevard which is 50 wide at the distance of 150 feet northeast of the centerline of the nearest improved intersecting street, Mayfield Avenue which is 46 feet wide. Thence the following courses and distances:

1. N 40°00'22" E 50.01 ft.,
2. N 49°59'54" W 150.00 ft.,
3. S 40°00'22" W 50.01 ft.,
4. S 49°59'54" E 150.00 ft. to the place of beginning as recorded in Deed Liber 7056, Folio 419.

Excepting prescriptive right of way in the road bed of Washington Boulevard.

Being Lot # 1, in the subdivision of Mayfield Terrace as recorded in Baltimore County Plat Book W.P.C. No. 7, Folio 3, containing 7502 square feet $\pm$. Also known as 4620 Washington Boulevard and located in the Thirteenth Election District.



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 **MILDENBERG,
BOENDER & ASSOC., INC.**

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #97-117-A
(Item 115)

4620 Washington Boulevard
Lot 1
NW/5 Washington Boulevard
157' 4" NE of Mayfield Ave.
13th Election District

1st Counsmanic
Legal Owner(s):
John Gregory Ritz and
Judith K. Ritz

Variance to permit side and rear setbacks for an existing building of as close as 3 feet and 16 feet in lieu of the required 30 feet.

Hearing: Thursday, October 24, 1996 at 2:00 p.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please call 867-3353.
(2) For information concerning the file and/or Hearing, Please call 867-3391.

10/04/96 Oct. 3

CS7721

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/3, 1996

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 10/3, 1996.

THE JEFFERSONIAN,

A. H. Emerson
LEGAL AD. - TOWSON

MICROFILMED

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

No.

#115

011050

BY VLL

DATE

9/11/96

97-117-A

ACCOUNT

R0016150

AMOUNT \$

285.00

RECEIVED
FROM:

ROT2

CV AND 1 SIGNPOSTING

PER GIVEN
THIS SIGN ALSO
ITEM 116
MICROFILMED

FOR:

4620 WASH BLVD LOT #1

CV +
SIGN

03A91#0281MICHCRC

BA 00021231MU9-11-96

\$285.00

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

No.

029877

DATE

12/27/96

ACCOUNT

R-001-1450

AMOUNT \$ 385.00

RECEIVED
FROM:

J. Neil Lanzi, Jr.

FOR:

Appeal 97-117-A + 97-118-A

MICROFILMED

01A00#0071MICHCRC

\$385.00

BA 0009122AM12-31-96

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

No.

029877

DATE

12/27/96

ACCOUNT

R-001-1450

AMOUNT \$ 385.00

RECEIVED
FROM:

J. Neil Lanzi, Jr.

FOR:

Appeal 97-117-A + 97-118-A

01A00#0071MICHCRC

\$385.00

BA 0009122AM12-31-96

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

R38

CERTIFICATE OF POSTING

RE: Case No.: 97-118A & 97-118B

Petitioner/Developer: _____

Date of Hearing/Closing: _____

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 4620 Washington

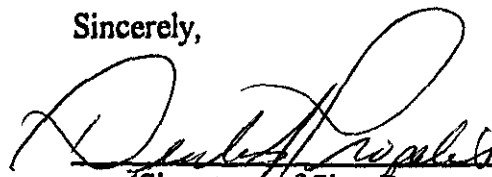
Bldg Belto MD 21227

The sign(s) were posted on

1/30/97

(Month, Day, Year)

Sincerely,



(Signature of Sign Poster and Date)

DEREK J PROPOLIS

(Printed Name)

111 W. Chesapeake Ave Room 113

(Address)

Towson MD 21204

(City, State, Zip Code)

410 887 3351

(Telephone Number)



97-117-A

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements ~~AND POSTING THE SIGN~~.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: #115

Petitioner: ROTZ

Location: 4620 Washington Blvd Lot 1

PLEASE FORWARD ADVERTISING BILL TO:

NAME: John Rotz

ADDRESS: 4620 Washington Blvd
Baltimore, Md. 21227

PHONE NUMBER: 242-1778

AJ:ggs

(Revised 04/09/93)

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TO: PUTUXENT PUBLISHING COMPANY
October 3, 1996 Issue - Jeffersonian

Please forward billing to:

John Rotz
4620 Washington Blvd.
Baltimore, MD 21227
242-1778

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-117-A (Item 115)
4620 Washington Boulevard, Lot 1
NW/S Washington Boulevard, 150'+/- NE of Mayfield Avenue
13th Election District - 1st Councilmanic
Legal Owner(s): John Gregory Rotz and Judith K. Rotz

Variance to permit side and rear setbacks (for an existing building) of as close as 3 feet and 16 feet in lieu of the required 30 feet.

HEARING: THURSDAY, OCTOBER 24, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 27, 1996

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-117-A (Item 115)
4620 Washington Boulevard, Lot 1
NW/S Washington Boulevard, 150'+/- NE of Mayfield Avenue
13th Election District - 1st Councilmanic
Legal Owner(s): John Gregory Rotz and Judith K. Rotz

Variance to permit side and rear setbacks (for an existing building) of as close as 3 feet and 16 feet in lieu of the required 30 feet.

HEARING: THURSDAY, OCTOBER 24, 1996 at 2:00 p.m. in Room 106, County Office Building.

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

Arnold Jablon
Director

cc: John and Judith Rotz

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

March 28, 1997

NOTICE OF ASSIGNMENT

CASE #: 97-117-A

IN THE MATTER OF: JOHN G. ROTZ, ET UX -Petitioner
4620 Washington Boulevard /Lot 1 13th E; 1st C
AND

CASE #: 97-118-a

4620 Washington Boulevard /Lot 2 13th E; 1st C

(Petitions for Variance GRANTED.)

ASSIGNED FOR: WEDNESDAY, JUNE 18, 1997 at 10:00 a.m.

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

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

*pp'd @ req
of Counsel for
Appellants
to 7/23/97.*

cc: Counsel for Appellants /Protestants: J. Neil Lanzi, Esquire
Appellants /Protestants: Thomas Palacorolla and
Auto Dealers, Inc.

Petitioners
John Mildenberg /Mildenberg,
Boender & Assoc., Inc.

: John G. Rotz, et ux

People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty



J. NEIL LANZI, P.A.

ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

(410) 337-9039

FAX: (410) 337-8932

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia

COLUMBIA

Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towson

April 16, 1997

County Board of Appeals
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204
Attn: Robert O. Schuetz, Chairman

**Re: Case No. 97-117-A, 97-118-a
In the Matter of : John G. Rotz, ET UX-Petitioner**

Dear Chairman Schuetz:

Please be advised that I represent Thomas Palacorolla and Auto Dealers, Inc., Appellants in the above captioned cases. The notice of assignment has been received by your office for hearing on Wednesday, June 18, 1997 at 10:00 a.m. Please be advised that I am counsel in a civil action presently pending in the Circuit Court for Baltimore County and a mandatory settlement conference has been scheduled for June 18, 1997 at 3:00 p.m. I have attached a copy of the scheduling order issued on November 12, 1996.

Accordingly, I respectfully request a postponement of the hearing and request it be set in for the next available date other than the week of July 7, 1997. I have spoken with Mr. John Rotz and he joins in this request to postpone the hearing.

Thank you very much for your consideration of this request.

Very truly yours,



J. Neil Lanzi

c.c. Mr. & Mrs. John Rotz
People's Counsel for Balto. Co.
Virginia Barnhart, County Attorney
John Mildenberg, Mildenberg, Boender & Associates

rotzcbop.ltr

MICROFILMED

pp to 7/23/97

RECEIVED
COUNTY BOARD OF APPEALS
97 APR 21 AM 9:01



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 25, 1997

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 97-117-A

IN THE MATTER OF: JOHN G. ROTZ, ET UX -Petitioner
4620 Washington Boulevard /Lot 1 13th E; 1st C
AND

CASE #: 97-118-a

4620 Washington Boulevard /Lot 2 13th E; 1st C

(Petitions for Variance GRANTED.)

which was scheduled for hearing on 6/18/97 has been POSTPONED at the request of Counsel for Appellants /Protestants, without objection by Petitioner; and has been

REASSIGNED FOR: WEDNESDAY, JULY 23, 1997 at 10:00 a.m.

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

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

*pp'd to
11/2/97 @ request
of Counsel for
Appellants, no
objection by
Petitioner.*

cc: Counsel for Appellants /Protestants: J. Neil Lanzi, Esquire
Appellants /Protestants: Thomas Palacorolla and
Auto Dealers, Inc.

Petitioners
John Mildenberg /Mildenberg,
Boender & Assoc., Inc.

: John G. Rotz, et ux

People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty



J. NEIL LANZI, P.A.

ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

(410) 337-9039

FAX: (410) 337-8932

June 20, 1997

J. Neil Lanzi

OF COUNSEL

Fred L. Coover*

COLUMBIA

Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towson

*Also Admitted in District of Columbia

County Board of Appeals
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204
Attn: Robert O. Schuetz, Chairman

**Re: Case No. 97-117-A, 97-118-a
In the Matter of : John G. Rotz, ET UX-Petitioner**

Dear Chairman Schuetz:

Please be advised that I represent Thomas Palacorolla and Auto Dealers, Inc., Appellants in the above captioned cases. The notice of postponement and reassignment date April 25, 1997 has been received indicating a new hearing date of July 23, 1997.

The purpose of this letter is to request a postponement from the July 23, 1997 hearing date. The Parties involved in this case and a related case have entered into a settlement agreement which provides for the dismissal of the above referenced appeal upon the occurrence of certain events. It is anticipated that a sixty (60) day postponement from the current hearing date will allow sufficient time for the settlement requirements to occur which should result ultimately in the dismissal of the above referenced appeal.

Accordingly, I respectfully request a postponement of the hearing for at least sixty (60) days from the current hearing date. I have spoken with Mr. John Rotz and he joins me in this request to postpone the hearing.

Thank you very much for your consideration of this request.

Very truly yours,


J. Neil Lanzi

c.c. Mr. & Mrs. John Rotz
People's Counsel for Balto. Co.
Virginia Barnhart, County Attorney
John Mildenberg, Mildenberg, Boender & Associates
Thomas Palacorolla
Brian Isaac

rotzcbop.lt2

MICROFILMED



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

June 24, 1997

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 97-117-A IN THE MATTER OF: JOHN G. ROTZ, ET UX -Petitioner
4620 Washington Boulevard /Lot 1 13th E; 1st C
AND
CASE #: 97-118-a 4620 Washington Boulevard /Lot 2 13th E; 1st C

(Petitions for Variance GRANTED.)

which was scheduled for hearing on 7/23/97 has been POSTPONED at the request of Counsel for Appellants, without objection by Petitioner; and has been

REASSIGNED FOR: WEDNESDAY, NOVEMBER 12, 1997 at 10:00 a.m.

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

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

*w/d
by Appellant
8-11-97*

cc: Counsel for Appellants /Protestants: J. Neil Lanzi, Esquire
Appellants /Protestants: Thomas Palacorolla and
Auto Dealers, Inc.

Petitioners
John Mildenberg /Mildenberg,
Boender & Assoc., Inc.

: John G. Rotz, et ux

People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty



Case No. 97-117-A

John C. Rotz, et ux
NW/4 Washington Blvd.,
150' +/- NE of Mayfield Ave
(4620 Wash. Blvd., Lot 1)

Case No. 97-118-A

John C. Rotz, et ux
NW/4 Washington Blvd.
93' +/- NE of Mayfield Ave
(4620 Wash. Blvd., Lot 2)

13th Election District

(See attached copy
of vicinity map)

Appealed: 12/16/96

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(1) SIGN BETWEEN PROPERTIES



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 18, 1996

Mr. and Mrs. John G. Rotz
4620 Washington Boulevard
Baltimore, MD 21227

RE: Item No.: 115
Case No.: 97-117-A
Petitioner: John G. Rotz, et ux

Dear Mr. and Mrs. Rotz:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 11, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: October 1, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for September 30, 1996
 Item No. 115

The Development Plans Review Division has reviewed the subject zoning item. All improvements, intersections, entrances, drainage requirements and construction affecting a State road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

A Final Landscape Plan must be approved by this office before a change of use or grading permit may be issued. Section IX.C.2.b.(3) of the Landscape Manual requires a 10-foot wide landscape strip between a parking lot and adjacent residential zone or use.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 10, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 115, 149, 151, 153, 154, 156, 158, and 159

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Long
Division Chief: Gary L. Kerns

PK/JL

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Roslyn Eubanks
 PDM

DATE: October 7, 1996

FROM: Jeffrey Long
 Planning Office

SUBJECT: ZAC

Please be advised that more time is needed to review the following petitions:

Item Nos. 115 & 116

Contact me on 887-3495 if you have any questions.

c: Gary Kerns
 JL

ZAC1/PZONE/TXTJWL

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Sep 23, 96

DATE: Sep 24, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 110

111

112

113

115

116

117

RBS:sp

BRUCE2/DEPRM/TXTSBP

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Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

9-24-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 115 (JLL)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance ~~(S)~~ onto MD/US ~~#1~~ ¹⁵ ~~are~~ acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,



Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/02/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 23, 1996.

Item No.: SEE BELOW

Zoning Agenda:

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.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 110, 111, 112, 113, 114,
115, 117 AND 118.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



IN RE: PETITION FOR Variance
4620 Washington Blvd. Lot 1 and
Lot 2, NW/S Washington Blvd.
150' +/- NE of Mayfield Ave.
13th Election District,
1st Councilmanic
John G. and Judith K. Rotz
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-117A; 97-118A
* * * * *

SUBPOENA

TO: Mr. John Lewis
Office of Permits & Development

You are hereby summoned and commanded to be and appear personally
before the Zoning Commissioner/Deputy Zoning Commissioner of Baltimore
County in Room 106

and to bring all relevant documents and a map
showing existing BR zones in this corridor of Rt. 1 between
Ridge Ave., Route 695 and Rt. 1 and S.W. Blvd.
on the 24th day of October 1996 regarding the above captioned
case, for the purpose of testifying at the request of John G. and
Judith K. Rotz.

Judith K. Rotz

Mr. Sheriff/Private Process Server:

Please process in accordance with Zoning Commissioner's Rule IV(c).

Anthony K. Brown
Zoning Commissioner/Deputy
Zoning Commissioner
for Baltimore County

Issued: 10/23/96

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 27, 1996

Mr. and Mrs. John G. Rotz
4620 Washington Boulevard
Baltimore, MD 21227

RE: Petition for Zoning
Variance
NW/S Washington Blvd.,
150 ft. +/- NE of Mayfield
Avenue
(4620 Washington Blvd.
Lot 1)
13th Election District
1st Councilmanic District
John G. Rotz, et ux
- Petitioner
Case No. 97-117-A

Dear Mr. and Mrs. Rotz:

Please be advised that an appeal of the above-referenced case was filed in this office on December 16, 1996 by J. Neil Lanzi, P.A. on behalf of Thomas Palacorolla and Auto Dealers, Inc. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over a horizontal line.

ARNOLD JABLON
Director

AJ:rye

c: People's Counsel

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 17, 1996

Mrs. Judith K. Rotz
4620 Washington Boulevard
Baltimore, MD 21227

RE: Item Nos. 115 and 116
4620 Washington Boulevard
13th Election District

Dear Mrs. Rotz:

Per your request received on September 12, 1996, you may file for a building permit at your own risk for the purpose of early review only. Final zoning approvals are conditioned upon the granting of the zoning variance public hearings under the above item numbers and subsequent revisions to your building permit site plans.

Your request for an early hearing has been forwarded to our docket clerk, who will try to set a date as soon as possible.

Please document this response on your building permit application plans.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "John L. Lewis".

John L. Lewis
Planner II
Zoning Review

JLL:rye

c: Item Nos. 115 and 116

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APPEAL

Petition for Zoning Variance
NW/S Washington Blvd., 150 ft. +/- NE of Mayfield Avenue
(4620 Washington Boulevard Lot 1)
13th Election District - 1st Councilmanic District
John G. Rotz, et ux - Petitioners
Case No. 97-117-A

Petition for Zoning Variance

Description of Property

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners and Protestants Sign-In Sheets

Subpoena for John Lewis of the Office of Permits and Development
Management

Zoning Commissioner's Order dated November 20, 1996 (Granted)

Notice of Appeal received on December 16, 1996 from J. Neil Lanzi,
P.A. on behalf of Thomas Palacorolla and Auto Dealers, Inc.

c: J. Neil Lanzi, Esquire, 300 Allegheny Avenue, Towson, MD 21204
Mr. and Mrs. John G. Rotz, 4620 Washington Boulevard, Baltimore,
Maryland 21227
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

MICROFILMED

1990

BALTIMORE COUNTY
REVENUE STATEMENT

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
(Office of Department)

15.00
0 #
15.00
15.00
0 #
10/29/90

SOURCE	ACCT. NO.	ACTUAL FY 1995	ESTIMATED FY 1998	PROJECTED FY 1997	EXPLANATION
Other Revenue					
Parade Permits	001-2660	3,070	3,500	3,600	No significant changes expected.
Residential Parking Permits	001-2530	5,838	5,838	5,900	No significant changes expected.
Auctioneer Licenses	001-2877	14,250	14,500	14,625	Issued 14 Auctioneer Licenses at \$125.00 each.
Boat Ramp Launch Permits	001-7120-45	24,180	24,500	24,562	Issued 2,072 Permits. (1,407 Annuals and 1,025 One Days).
Subtotal		47,338	48,338	48,685	
Zoning					
Zoning Violations Citations	001-3120	3,000	3,000	3,000	No significant changes expected.
Zoning Advertising/Sign Fee	001-6150	258,095	250,367	220,125	Conservative estimate. No significant changes expected.
Cycle Zoning Fee	001-6181	5,125	2,070	3,000	Change reflects one cycle zoning for FY 97.
Subtotal		26,810	26,037	26,725	
Land Acquisition					
Sale of Surplus Property	001-7190	44,000	43,000	40,245	This amount is based on revenue from the sale of Valewood School recreation and park building and a central services building being deposited into this account.
Franchise	001-7120	4,400	4,400	4,400	Estimate based on actual revenue and increased number of requests.
Road Closings	001-6185	600	250	1,000	Conservative estimate. FY 97 figure includes three additional expected requests.
Subtotal		44,400	47,650	45,645	
GENERAL FUND TOTAL		46,70,616	46,98,927	45,82,670	

WITNESS the hands and seals of said parties.

Margaret F. Ford
Witness

Margaret F. Ford
Witness

Ralph P. Stern
Ralph P. Stern (seal)

Dianne Lears Stern
Dianne Lears Stern (seal)

My Commission Expires

July 1997

RETURN TO:
Michael & Karen Helbig
1564 Jordan Sawmill Road
PARKTON, MD 21120

ZONING
ENFORCEMENT
LAND ACQ

Case No. 97-117-A VAR -To permit side and rear setbacks for existing building as close as 3' and 16' in lieu of required 30' /Lot 1.
Case No. 97-118-A VAR -To permit side setbacks as close as 9' and 3' (for an existing building) in lieu of required 30' /Lot 2.

11/20/96 -Zoning Commissioner's Order in which requested relief was GRANTED.

3/28/97 -Notice of Assignment for hearing scheduled for Wednesday, June 18, 1997 at 10:00 a.m. sent to following:

J. Neil Lanzi, Esquire
Thomas Palacorolla and
Auto Dealers, Inc.
John G. Rotz, et ux
John Mildenberg /Mildenberg,
Boender & Assoc., Inc.
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty

4/21/97 -Letter from Neil Lanzi, Esquire, requesting postponement from 6/18/97 hearing date; indicates that John Rotz has no objection to the granting of this request.

4/25/97 -Notice of PP and Reassignment sent to parties; matter rescheduled to Wednesday, July 23, 1997 at 10:00 a.m.

6/23/97 -Received letter dated 6/20/97 from J. Neil Lanzi, requesting postponement for at least 60 days of 7/23/97 hearing to allow sufficient time for settlement negotiations between parties; no objection from Petitioner to this request.

6/24/97 -Confirmed above request by telephone with Mr. and Mrs. Rotz; case to be postponed and reassigned to hearing date in October or November, as schedule permits.

- Notice of PP and Reassignment sent to parties; postponement request granted; case reassigned to Wednesday, November 12, 1997 at 10:00 a.m.

8/11/97 -Letter of withdrawal of appeal filed by J. Neil Lanzi, Esquire, on behalf of Appellants /Protestants, Thomas Palacorolla and Auto Dealers, Inc. Order of Dismissal to be issued by CBA.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 15, 1997

Mr. John G. Rotz
4620 Washington Boulevard
Baltimore, MD 21227

RE: Zoning Verification
4618 and 4620 Washington Boulevard
Zoning Cases 97-117-A & 97-118-A
13th Election District

Dear Mr. Rotz:

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Your request is for confirmation that the above referenced properties continue to enjoy nonconforming commercial use since Mr. Mitchell Kellman's letter of December 13, 1996. Zoning Cases 97-117-A and 97-118-A, granted November 20, 1996, referenced the fact that both properties are zoned B.R. (Business Roadside) and the mixed office and retail uses are proposed at both locations.

Additionally, building permits B-288446 and B-288467 to change from residential to office and retail uses were approved and issued. The Protestants' appeal of the zoning commissioner's orders (granting), have been withdrawn. You have also submitted numerous exhibits (7) including leases, security checks, photographs of existing signs, copies of traders licenses, etc. As such, the mixed office and retail uses may continue as legal being nonconforming.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Sullivan, Jr.", is written over a horizontal line.

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:rye

c: zoning cases 97-117-A & 97-118-A

Enclosure

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 10, 1998

Mr. John G. Rotz
4620 Washington Boulevard
Baltimore, Maryland 21227

Dear Mr. Rotz:

RE: 4618 and 4620 Washington Boulevard, Zoning Cases 97-117-A & 97-118-A
13th Election District

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Your request is for confirmation that the above referenced properties continue to enjoy nonconforming commercial use since Mr. John Sullivan's letter of December 15, 1997 as it referenced Mr. Mitchell Kellman's letter of December 13, 1996. Zoning Cases 97-117-A and 97-118-A were granted November 20, 1996 and, at that time, both properties were zoned B. R. (Business, Roadside) and the mixed office and retail were proposed and subsequently were established prior to the zoning change to D. R. as stated below, at both locations..

Building permits B-288446 and B-288467 to change from residential to office and retail uses were approved and issued. The Protestants' appeal of the zoning commissioner's orders (granting) have been withdrawn. You have also submitted numerous exhibits (7) including leases, security checks, photographs, copies of traders licenses, etc. As such, the mixed office and retail uses may continue as legal being nonconforming, subject to the conditions set forth on the zoning commissioner's order.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

John L. Lewis
Planner II
Zoning Review

JLL:cjs

c: zoning cases 97-117-A & 97-118-A

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Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 8, 1998
Permits & Development Management

FROM: Charlotte E. Radcliffe *CR*
County Board of Appeals

SUBJECT: Closed Files: Case No. ~~97~~-117-A and 97-118-A
John G. Rotz, Et Ux

As no further appeals have been taken in the above captioned case, we are hereby closing the file and returning same to you herewith.

Attachment (Case File Nos. 97-117-A and 97-118-A)

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 11, 2000

Mr. John G. Rotz
4620 Washington Boulevard
Baltimore, Maryland 21227

Dear Mr. Rotz:

RE: Zoning Verification, (Lots 1 and 2) 4618 and 4620 Washington Blvd., Zoning Case 97-117-A and 97-118-A, 13th Election District

Thank you for your letter of November 30, 1999, to Arnold Jablon, Director of Permits and Development Management. This correspondence has been referred to me for reply. Your request is for confirmation that the referenced properties continue to enjoy nonconforming commercial uses since Mr. Lewis' letter of December 10, 1998 as it referenced Mr. John Sullivan's letter of December 15, 1997 and my letter of December 13, 1996. Zoning cases 97-117-A and 97-118-A were granted on November 20, 1996 and at that time, both properties were zoned B.R. Mixed office and retail uses were proposed and established prior to the zoning change to D.R.

Building Permits B-288446 and B288467 which changed the residential use to office and retail were approved and issued. The protestants appeal of the Zoning Commissioner's order granting the variances were withdrawn. You have also submitted, with your request, current (1999) proof that the businesses have been continuously operating to the present date. As such, the mixed office and retail uses may continue as being legal nonconforming uses, subject to the conditions set forth within the Zoning Commissioner's order.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "M. Kellman".

Mitchell J. Kellman
Planner II
Zoning Review

MJK:kew



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

MICROFILMED

J. NEIL LANZI, P.A.

ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

(410) 337-9039

FAX: (410) 337-8932

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

December 3, 1996

*Also Admitted in District of Columbia

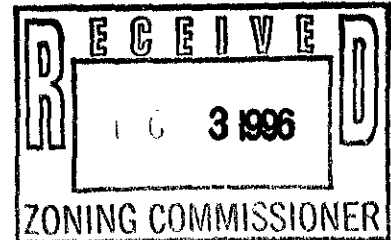
COLUMBIA

Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towson

Hand-Delivered

Lawrence E. Schmidt, Zoning Commissioner
Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204



Re: Case Nos. 97-117-A, 97-118-A
Property: 4620 Washington Blvd, Lots 1 & 2

Dear Commissioner Schmidt:

Please be advised that I represent Thomas Palacorolla, owner of the property known as 1826 Winans Avenue and Auto Dealers, Inc., contract purchaser. This property is immediately adjacent to 4620 Washington Boulevard. On their behalf, I am requesting a five (5) day extension from the thirty (30) day appeal period as provided by Section 22-32 of the Baltimore County Code. The basis for the extension is as follows.

First, the parties to the above referenced cases are the same parties involved in an Appeal, Case No. 03-C-96-006679, for the property known as 1826 Winans Avenue. The parties are attempting to resolve the Appeal before the Circuit Court and the five (5) day extension is absolutely necessary as part of the proposed settlement between the parties. The deadline for filing an Appeal of the two cases listed above is presently Thursday, December 19, 1996 and the additional five (5) days would allow sufficient time to determine if the settlement can be achieved.

Simultaneously with this letter, I will be filing a postponement request of the hearing scheduled for the Circuit Court Appeal and a Request For an Extension of Time for filing my client's reply Brief required in the Appeal. Mr. and Mrs. John G. Rotz, Petitioners in the above referenced case, join my client's in this request.

Thank you very much for your consideration.

Very truly yours,

J. Neil Lanzi
J. Neil Lanzi

C.C. Mr. & Mrs. John G. Rotz
(241-1000.1tr)

MICROFILMED

*I called
Neil, discussed
at length
the, nobleness of
signing the
order to all
check + advise
12/3/96*

*12/2/96
Going to
file an Appeal
per Lawrence E. Schmidt
m. h. h.*

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NW/S Washington Blvd., 150 ft. *
+/- NE of Mayfield Avenue * ZONING COMMISSIONER
4620 Washington Blvd. Lot 1 *
13th Election District * OF BALTIMORE COUNTY
1st Councilmaniac District *
John G. Rotz, et ux * Case No. 97-117-A
Petitioners *

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NW/S Washington Blvd., 93 ft. *
+/- NE of Mayfield Avenue * ZONING COMMISSIONER
4620 Washington Blvd. Lot 2 *
13th Election District * OF BALTIMORE COUNTY
1st Councilmanic District *
John G. Rotz, et ux et ux * Case No. 97-118-A
Petitioners *

* * * * *

ORDER

Upon consideration of the request of Thomas Palacorolla and Auto Dealers, Inc. to extend the time for filing an Appeal of the above listed cases, it is this ____ day of _____, 1996 by the Zoning Commissioner of Baltimore County,

ORDERED, that the Request be and is hereby granted and the time for filing an appeal is extended thru December 24, 1996.

Zoning Commissioner

(isaac.ord)

MICROFILMED

J. NEIL LANZI, P.A.

ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

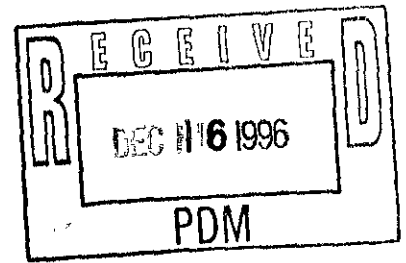
(410) 337-9039

FAX: (410) 337-8932

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia



COLUMBIA

Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towson

December 16, 1996

Hand-Delivered

Lawrence E. Schmidt, Zoning Commissioner
Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Case Nos. 97-117-A, 97-118-A
Property: 4620 Washington Blvd, Lots 1 & 2

Dear Commissioner Schmidt:

On behalf of Thomas Palacorolla and Auto Dealers, Inc., I hereby note this Appeal from Case Nos. 97-117-A and 97-118-A to the County Board of Appeals. Enclosed herewith please find the appropriate filing fee for the Appeal.

Thank you very much for your consideration.

Very truly yours,

A handwritten signature in cursive script, appearing to read "J. Neil Lanzi".

J. Neil Lanzi

c.c. Thomas Palacorolla
Auto Dealers, Inc.

(Palacomm.lt1)

MICROFILMED

Petitioner

PLEASE PRINT CLEARLY

PREPARED BY SIGN-IN SHEET

NAME
John H. Rotz
Judith Rotz
John Mendenberg
Judith A. Morris

ADDRESS
MILDENBERG BOENDER & ASSOC
5072 DORSETT HALL DR
SUITE 202
GILBERT CITY 21042

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

J. Neil Lanzi

ADDRESS

300 Allegheny Avenue Towson MD 21204



MICROFILMED

ML

3-SPH

95-905A

SELMA

93-99-A

96-146A

D.R. 5.5

PROSPECT

ML

BR-C

PENNSYLVANIA

MAGNOLIA

MAYFIELD

ML

D.R. 5.5

97-117-A

MICROFILMED

BR-
CS-1

95-454-2A

ML-

CS-1

HALETHORPE

ML

MAYFIELD
TERRACE,
LOT 1

#115

ML

ALT.

SW 7/6



A-711-70

MAILED
JAN 10
1961

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 NW/S Washington Blvd., 150 ft.
 +/- NE of Mayfield Avenue * ZONING COMMISSIONER
 4620 Washington Blvd. Lot 1
 13th Election District * OF BALTIMORE COUNTY
 1st Councilmanic District
 John G. Rotz, et ux * Case No. 97-117-A
 Petitioners

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 NW/S Washington Blvd., 93 ft.
 +/- NE of Mayfield Avenue * ZONING COMMISSIONER
 4620 Washington Blvd. Lot 2
 13th Election District * OF BALTIMORE COUNTY
 1st Councilmanic District
 John G. Rotz, et ux et ux * Case No. 97-118-A
 Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

These matters came before the Zoning Commissioner for a combined hearing for cases 97-117-A and 97-118-A. Each case presents a Petition for Variance, for the property collectively known as 4620 Washington Boulevard, in Arbutus. In case No. 97-117-A, the Petitioners seek variance relief from from Section 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit side and rear setbacks for an existing building as close as 3 ft. and 16 ft., in lieu of the required 30 ft. The property at issue in case No. 97-117-A is known as lot No. 1. In case No. 97-118-A, the Petitioners seek variance relief for Lot No. 2. Specifically, a variance is also sought from Section 238.2 of the BCZR to permit side setbacks as close as 9 ft. and 3 ft. (for an existing building) in lieu of the required 30 ft. Both lots and the subject relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case were the property owners, John G. Rotz and Judith K. Rotz, and John Mildenberg, the engineer who prepared the site plan. Also appearing in support of the request was

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Judith A. Morris. J. Neil Lanzi, Esquire, an attorney representing the owner of an adjacent property at 1826 Winans Avenue, appeared in opposition to the requested variances.

Testimony and evidence presented on behalf of the Petitioners was that they have owned the subject property for approximately 11 years. Lot No. 1 is a rectangularly shaped property which is 107 ft. wide and approximately 150 ft. deep. Lot No. 1 fronts Washington Boulevard and abuts Lot No. 2 which is located to the southwest. Presently, Lot No. 1 is improved with an existing driveway which leads to an old barn located at the rear of the lot. This barn is 728 sq. ft. in area. Lot No. 2 is 57 ft. wide (slightly larger than lot No. 1) and 150 ft. in depth. Lot No. 2 is improved with an existing two story frame dwelling.

The Petitioners indicated that they currently reside on the property, notwithstanding the fact that both lots are zoned B.R. Apparently, the property has been in Mrs. Rotz's family for many years. The Petitioners propose to alter use of the property consistent with the property's zoning classification. Mr. Rotz is employed in the tax accounting profession and intends on operating his business from this location. The dwelling will be converted so as to accommodate mixed office and retail businesses.

The requested variances are sought to legitimize existing building conditions. There are no planned external improvements to either the dwelling or barn except for some cosmetic improvements and renovations to upgrade the barn building. Also, no additional construction on site is anticipated, but for the enlargement of the driveway. This enlargement will provide additional parking spaces to accommodate the new use.

The variances are sought for the existing buildings. Variance relief is requested for both the dwelling and the barn. It is to be noted that certain of the variance requests are related to the internal lot line

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which divides Lot 1 from Lot 2. The other variances are for the tract boundary with adjacent properties.

Upon review of the testimony and evidence offered, I am persuaded that the variances should be granted. It is to be emphasized that the relief sought is to legitimize the existing structures, and that no new construction is planned. The unusual shape and small area of both lots justifies the variance relief. As was noted at the hearing, the BCZR requires a 35 ft. setback. In view of the narrowness of both properties, no building would be allowed if strict adherence to the regulations were required. Surely, the Petitioner would suffer practical difficulty if the variance relief were denied. Moreover, the variances can be granted without any detriment to the surrounding locale.

A comment is also appropriate about the objection raised by Mr. Lanzi. His client apparently owns adjacent property. As I emphasized at the hearing, the case before me only concerns the Petitioner's request for variance relief and does not relate to the proposed use of the property. These properties are zoned to permit business use. The use of the property will be governed by the use provisions of the BCZR. The Petitioners may not use the property except for those uses permitted under the B.R. zoning classification. The variance relief should not be denied because the neighbor objects to a permitted use of the property.

With all that being said, it is to be emphasized that the use of the property does not actually bear on the zoning relief. Apparently, the buildings have been at their existing location for many years. The variances are necessary whether the property continues to be used residentially or for another permitted purpose.

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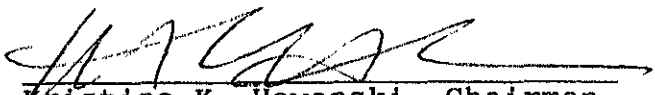
-3-

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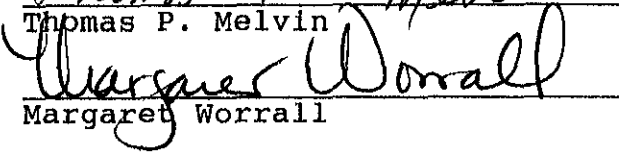
-4-

appears to be and the same are hereby affirmed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Kristine K. Howanski, Chairman


Thomas P. Melvin


Margaret Worrall

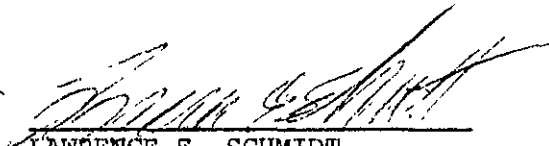
MICROFILMED

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of November, 1996 that a variance from Section 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit side and rear setbacks for an existing building as close as 3 ft. and 16 ft., in lieu of the required 30 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 238.2 of the BCZR to permit side setbacks as close as 9 ft. and 3 ft. (for an existing building) in lieu of the required 30 ft., be and is hereby GRANTED.

1. The 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.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mmnn

MICROFILMED

IN THE MATTER OF	*	BEFORE THE
THE APPLICATIONS OF		
JOHN G. ROTZ, ET UX	*	COUNTY BOARD OF APPEALS
FOR ZONING VARIANCES ON		
PROPERTY LOCATED ON THE NORTH-	*	OF
WEST SIDE WASHINGTON BOULEVARD		
150'+/- NORTHEAST OF MAYFIELD *	*	BALTIMORE COUNTY
AVENUE (4620 WASHINGTON BLVD)		
13TH ELECTION DISTRICT	*	CASE NO. 97-117-A and
1ST COUNCILMANIC DISTRICT	*	CASE NO. 97-118-A
* * * *	*	* * * *

ORDER OF DISMISSAL

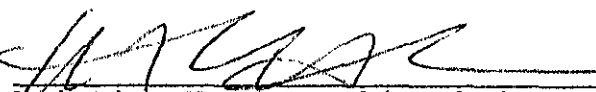
This matter comes to this Board on appeal from a decision of the Zoning Commissioner dated November 20, 1996 in which the Petitions for Variance from Section 238.2 of the Baltimore County Zoning Regulations for side and rear setbacks were granted.

WHEREAS, the Board is in receipt of a letter of withdrawal of appeal filed by J. Neil Lanzi, Esquire, Counsel for Thomas Palacorolla and Auto Dealers, Inc., Appellants /Protestants, dated August 6, 1997 and received August 11, 1997 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, Counsel for said Appellants requests that the appeals filed in this matter be dismissed as of August 6, 1997;

IT IS HEREBY ORDERED this 13th day of August, 1997 by the County Board of Appeals of Baltimore County that said appeals be and the same are hereby DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Kristine K. Howanski, Chairman


Thomas P. Melvin


Margaret Worrall

MICROFILMED

J. NEIL LANZI, P.A.

ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

(410) 337-9039

FAX: (410) 337-8932

RECEIVED
COUNTY BOARD OF APPEALS
97 AUG 11 PM 1:52

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

COLUMBIA

Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

*Also Admitted in District of Columbia

August 6, 1997

Reply to Towson

County Board of Appeals
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204
Attn: Robert O. Schuetz, Chairman

Re: Case No. 97-117-A, 97-118-A
In the Matter of: John G. Rotz, ET UX-Petitioner

Dear Chairman Schuetz:

On behalf of Thomas Palacorolla and Auto Dealers, Inc., Appellants in the above captioned cases, I hereby request the above Appeals be dismissed, without prejudice. The current hearing date is Wednesday, November 12, 1997.

Thank you very much for your cooperation.

Very truly yours,


J. Neil Lanzi

c.c. Mr. & Mrs. John Rotz
People's Counsel for Balto. Co.
Virginia Barnhart, County Attorney
John Mildenberg, Mildenberg, Boender & Associates
Thomas Palacorolla
Brian Isaac, Auto Dealer's, Inc.

rotzcbop.lt3

MICROFILMED

J. NEIL LANZI, P.A.

ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

(410) 337-9039

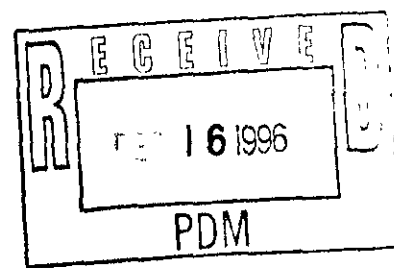
FAX: (410) 337-8932

J. Neil Lanzi

OF COUNSEL

Fred L. Coover*

*Also Admitted in District of Columbia



COLUMBIA

Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towson

December 16, 1996

Hand-Delivered

Lawrence E. Schmidt, Zoning Commissioner
Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Case Nos. 97-117-A, 97-118-A
Property: 4620 Washington Blvd, Lots 1 & 2

Dear Commissioner Schmidt:

On behalf of Thomas Palacorolla and Auto Dealers, Inc., I hereby note this Appeal from Case Nos. 97-117-A and 97-118-A to the County Board of Appeals. Enclosed herewith please find the appropriate filing fee for the Appeal.

Thank you very much for your consideration.

Very truly yours,

A handwritten signature in cursive script, appearing to read "J. Neil Lanzi".

J. Neil Lanzi

c.c. Thomas Palacorolla
Auto Dealers, Inc.

(Palacomm.1t1)

MICROFILMED



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 20, 1996

Mr. and Mrs. John G. Rotz
4620 Washington Boulevard
Baltimore, Maryland 21227

RE: Case Nos. 97-117-A and 97-118-A
Petitions for Zoning Variance
Property: 4620 Washington Boulevard, Lots 1 and 2

Dear Mr. and Mrs. Rotz:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Zoning Variance have been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

att.

c: J. Neil Lanzi, Esquire, 300 Allegheny Avenue, Towson, Md. 21204

MICROFILMED



RE: PETITION FOR VARIANCE	*	BEFORE THE
4620 Washington Blvd, Lot 2, NW/S Washing-	*	ZONING COMMISSIONER
ton Blvd, 93'+/- NE of Mayfield Avenue	*	
13th Election District, 1st Councilmanic	*	OF BALTIMORE COUNTY
John G. and Judith K. Rotz	*	
Petitioners	*	CASE NO. 97-118-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to John G. and Judith K. Rotz, 4620 Washington Blvd., Baltimore, MD 21227, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILMED

#116

97-118-A

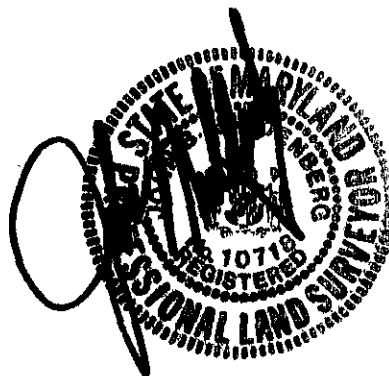
ZONING DESCRIPTION

Beginning at a point on the northwest side of Washington Boulevard which is 50 wide at the distance of 93 feet northeast of the centerline of the nearest improved intersecting street, Mayfield Avenue which is 46 feet wide. Thence the following courses and distances:

1. N 40°00'22" E 57.00 ft.,
2. N 49°59'54" W 150.00 ft.,
3. S 40°00'22" W 57.00 ft.,
4. S 49°59'54" E 150.00 ft. to the place of beginning as recorded in Deed Liber 7056, Folio 419.

Excepting prescriptive right of way in the road bed of Washington Boulevard.

Being Lot # 2, in the subdivision of Mayfield Terrace as recorded in Baltimore County Plat Book W.P.C. No. 7, Folio 3, containing 8550 square feet. Also known as 4620 Washington Boulevard and located in the Thirteenth Election District.



MICROFILMED

 **MILDENBERG,
BOENDER & ASSOC., INC.**



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4620 Washington Blvd. Lot 2
97-118-A which is presently zoned BR

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 BCZR TO

PERMIT SIDE SETBACKS OF AS CLOSE AS 9 FT. AND 3 FT.
(FOR AN EXISTING BUILDING) IN LIEU OF THE REQUIRED 30 FT.

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

To be determined at hearing.

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:

(Type or Print Name)

Signature

Address Phone No.

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):

John GREGORY ROTZ
(Type or Print Name)

John Gregory Rotz
Signature

Judith K. Rotz
(Type or Print Name)

Judith K. Rotz
Signature

4620 Washington Blvd 242-1778
Address Phone No.

Baltimore Co., Md. 21227
City State Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 HRS
unavailable for Hearing

the following dates _____ Next Two Months

ALL ☒ OTHER ☐

REVIEWED BY: [Signature] DATE 9/11/96

MICROFILMED



Printed with Soybean Ink
on Recycled Paper

SET WITH ITEM
115

NOTICE OF HEARING

The Zoning Commission 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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Court-house, 400 Washington Avenue, Towson, Maryland 21204, as follows:

Case #97-118-A
(Item 116)
4620 Washington Boulevard
Lot 2
NW/4 Washington Boulevard
93' +/- NE of Mayfield Avenue
13th Election District
1st Councilmanic
Legal Owner(s):
John Gregory Rotz and
Judith K. Rotz

Variances to permit side setbacks of as close as 9 feet and 3 feet (for an existing building) in lieu of the required 30 feet.

Hearing: Thursday, October 24, 1996 at 2:00 p.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations Please Call 887-3353.

(2) For information concerning the file and/or Hearing, Please Call 887-3391.

10/04/96 Oct. 3 C87757

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/3, 1996

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 10/3, 1996.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

MICROFILMED

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

No. #116 BYVLL 011091

DATE

2/11/96

ACCOUNT

R0016150

AMOUNT \$

250.00

RECEIVED FROM:

RETZ

MICROFILMED

FOR:

CV - SIGN IS INCLUDED ON ITEM # 115 RCT.
4620 WASH BLVD LOT #2.

CV

0249130250MICHRO
EA 00027229-11-96 #250.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

VALIDATION OR SIGNATURE OF CASHIER

YELLOW - CUSTOMER

CERTIFICATE OF POSTING

RE: Case No.: 97-117A & 97-118A

Petitioner/Developer: _____

Date of Hearing/Closing: _____

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 4620 Washington
Bldg Belts MD 21227

The sign(s) were posted on 1/30/97
(Month, Day, Year)

Sincerely,

Derek J. Propolis
(Signature of Sign Poster and Date)

DEREK J PROPOLIS
(Printed Name)

111 W. Chesapeake Ave Room 113
(Address)

Towson MD 21204
(City, State, Zip Code)

410 887 3351
(Telephone Number)



97-118-A

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor 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 and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements *AND POSTING THE SIGN*

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: # 116

Petitioner: Rotz

Location: 4620 WASHINGTON BLVD LOT 2

PLEASE FORWARD ADVERTISING BILL TO:

NAME: John Rotz

ADDRESS: 4620 Washington Blvd.
Ba Ho, Md. 21227

PHONE NUMBER: 242-1778

AJ:ggs

(Revised 04/09/93)

MICROFILMED

TO: PUTUXENT PUBLISHING COMPANY
October 3, 1996 Issue - Jeffersonian

Please forward billing to:

John rotz
4620 Washington Blvd.
Baltimore, MD 21227
242-1778

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-118-A (Item 116)
4620 Washington Boulevard, Lot 2
NW/S Washington Boulevard, 93'+/- NE of Mayfield Avenue
13th Election District - 1st Councilmanic
Legal Owner(s): John Gregory Rotz and Judith K. Rotz

Variance to permit side setbacks of as close as 9 feet and 3 feet (for an existing building) in lieu of the required 30 feet.

HEARING: THURSDAY, OCTOBER 24, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 27, 1996

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-118-A (Item 116)
4620 Washington Boulevard, Lot 2
NW/S Washington Boulevard, 93' +/- NE of Mayfield Avenue
13th Election District - 1st Councilmanic
Legal Owner(s): John Gregory Rotz and Judith K. Rotz

Variance to permit side setbacks of as close as 9 feet and 3 feet (for an existing building) in lieu of the required 30 feet.

HEARING: THURSDAY, OCTOBER 24, 1996 at 2:00 p.m. in Room 106, County Office Building.

A handwritten signature in dark ink, appearing to read 'Arnold Jablon', is written over a horizontal line.

Arnold Jablon
Director

cc: John and Judith Rotz

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



J. NEIL LANZI, P.A.

ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

(410) 337-9039

FAX: (410) 337-8932

J. Neil Lanzi

OF COUNSEL

Fred L. Coover*

*Also Admitted in District of Columbia

COLUMBIA

Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towson

April 16, 1997

County Board of Appeals
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204
Attn: Robert O. Schuetz, Chairman

Re: Case No. 97-117-A, 97-118-a
In the Matter of : John G. Rotz, ET UX-Petitioner

Dear Chairman Schuetz:

Please be advised that I represent Thomas Palacorolla and Auto Dealers, Inc., Appellants in the above captioned cases. The notice of assignment has been received by your office for hearing on Wednesday, June 18, 1997 at 10:00 a.m. Please be advised that I am counsel in a civil action presently pending in the Circuit Court for Baltimore County and a mandatory settlement conference has been scheduled for June 18, 1997 at 3:00 p.m. I have attached a copy of the scheduling order issued on November 12, 1996.

Accordingly, I respectfully request a postponement of the hearing and request it be set in for the next available date other than the week of July 7, 1997. I have spoken with Mr. John Rotz and he joins in this request to postpone the hearing.

Thank you very much for your consideration of this request.

Very truly yours,



J. Neil Lanzi

c.c. Mr. & Mrs. John Rotz
People's Counsel for Balto. Co.
Virginia Barnhart, County Attorney
John Mildenberg, Mildenberg, Boender & Associates

rotzcbop.ltr

MICROFILMED

RECEIVED
COUNTY BOARD OF APPEALS
97 APR 21 AM 9:01

PP to 7/23/97



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 25, 1997

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 97-117-A

IN THE MATTER OF: JOHN G. ROTZ, ET UX -Petitioner
4620 Washington Boulevard /Lot 1 13th E; 1st C
AND

CASE #: 97-118-a

4620 Washington Boulevard /Lot 2 13th E; 1st C

(Petitions for Variance GRANTED.)

which was scheduled for hearing on 6/18/97 has been POSTPONED at the request of Counsel for Appellants /Protestants, without objection by Petitioner; and has been

REASSIGNED FOR: WEDNESDAY, JULY 23, 1997 at 10:00 a.m.

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

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

cc: Counsel for Appellants /Protestants: J. Neil Lanzi, Esquire
Appellants /Protestants: Thomas Palacorolla and
Auto Dealers, Inc.

Petitioners
John Mildenberg /Mildenberg,
Boender & Assoc., Inc.

: John G. Rotz, et ux

People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty



J. NEIL LANZI, P.A.

ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

(410) 337-9039

FAX: (410) 337-8932

June 20, 1997

J. Neil Lanzi

OF COUNSEL

Fred L. Coover*

COLUMBIA

Suite 700, Parkside Building
10500 Little Panuxent Parkway
Columbia, Maryland 21044

Reply to Towson

*Also Admitted in District of Columbia

County Board of Appeals
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204
Attn: Robert O. Schuetz, Chairman

Re: Case No. 97-117-A, 97-118-a
In the Matter of : John G. Rotz, ET UX-Petitioner

Dear Chairman Schuetz:

Please be advised that I represent Thomas Palacorolla and Auto Dealers, Inc., Appellants in the above captioned cases. The notice of postponement and reassignment date April 25, 1997 has been received indicating a new hearing date of July 23, 1997.

The purpose of this letter is to request a postponement from the July 23, 1997 hearing date. The Parties involved in this case and a related case have entered into a settlement agreement which provides for the dismissal of the above referenced appeal upon the occurrence of certain events. It is anticipated that a sixty (60) day postponement from the current hearing date will allow sufficient time for the settlement requirements to occur which should result ultimately in the dismissal of the above referenced appeal.

Accordingly, I respectfully request a postponement of the hearing for at least sixty (60) days from the current hearing date. I have spoken with Mr. John Rotz and he joins me in this request to postpone the hearing.

Thank you very much for your consideration of this request.

Very truly yours,


J. Neil Lanzi

c.c. Mr. & Mrs. John Rotz
People's Counsel for Balto. Co.
Virginia Barnhart, County Attorney
John Mildenberg, Mildenberg, Boender & Associates
Thomas Palacorolla
Brian Isaac



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

June 24, 1997

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 97-117-A IN THE MATTER OF: JOHN G. ROTZ, ET UX -Petitioner
4620 Washington Boulevard /Lot 1 13th E; 1st C
AND
CASE #: 97-118-a 4620 Washington Boulevard /Lot 2 13th E; 1st C
(Petitions for Variance GRANTED.)

which was scheduled for hearing on 7/23/97 has been POSTPONED at the request of Counsel for Appellants, without objection by Petitioner; and has been

REASSIGNED FOR: WEDNESDAY, NOVEMBER 12, 1997 at 10:00 a.m.

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

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

*W/P by
Appellant
8-11-97, to
issue Order
of Dismissal*

cc: Counsel for Appellants /Protestants: J. Neil Lanzi, Esquire
Appellants /Protestants: Thomas Palacorolla and
Auto Dealers, Inc.

Petitioners
John Mildenberg /Mildenberg,
Boender & Assoc., Inc.

: John G. Rotz, et ux

People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 18, 1996

Mr. and Mrs. John G. Rotz
4620 Washington Boulevard
Baltimore, MD 21227

RE: Item No.: 116
Case No.: 97-118-A
Petitioner: John G. Rotz, et ux

Dear Mr. and Mrs. Rotz:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 11, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive script.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: October 1, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for September 30, 1996
 Item No. 116

The Development Plans Review Division has reviewed the subject zoning item. All improvements, intersections, entrances, drainage requirements and construction affecting a State road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

A Final Landscape Plan must be approved by this office before a change of use or grading permit may be issued. Section IX.C.2.b.(3) of the Landscape Manual requires a 10-foot wide landscape strip between a parking lot and adjacent residential zone or use.

RWB:HJO:jrb

cc: File

ZONE28D

MICROFILMED

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Roslyn Eubanks
 PDM

DATE: October 7, 1996

FROM: Jeffrey Long
 Planning Office

SUBJECT: ZAC

Please be advised that more time is needed to review the following petitions:

Item Nos. 115 & 116

Contact me on 887-3495 if you have any questions.

c: Gary Kerns
 JL

ZAC1/PZONE/TXTJWL

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Sep 24, 96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Sep 23, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 110

111

112

113

115

116

117

RBS:sp

BRUCE2/DEPRM/TXTS8P

MICROFILMED



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

9-24-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 116 (JLL)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance ~~(a)~~ onto MD/US ~~1~~ ¹⁰ ~~are~~ acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/02/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: JOHN GREGORY ROTZ & JUDITH K. ROTZ

Location: NW/S WASHINGTON BLVD., 93' +/- NE OF MAYFIELD AVE.
(4620 WASHINGTON BLVD., LOT 2)

Item No.: 116

Zoning Agenda: VARIANCE

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

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", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



IN RE: PETITION FOR Variance
4620 Washington Blvd., Lot 1 and
Lot 2, NW/5 Washington Blvd.
150' +/- NE of Mayfield Ave.
13th Election District,
1st Councilmanic
John G. and Judith K. Rotz
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-117A; 97-118A
* * * * *

SUBPOENA

TO: Mr. John Lewis
Office of Permits & Development

You are hereby summoned and commanded to be and appear personally
before the Zoning Commissioner/Deputy Zoning Commissioner of Baltimore
County in Room 106

and to bring all relevant documents and a map
showing existing BR zones in this corridor of Rt. 1 between
Ridge Ave., Route 695 and Rt. 1 and S.W. Blvd.
on the 24th day of October 1996 regarding the above captioned
case, for the purpose of testifying at the request of John G. and
Judith K. Rotz.

Judith K. Rotz

Mr. Sheriff/Private Process Server:

Please process in accordance with Zoning Commissioner's Rule IV(c).

Judith K. Rotz
Zoning Commissioner/Deputy
Zoning Commissioner
for Baltimore County

Issued: 10/23/96

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 27, 1996

Mr. and Mrs. John G. Rotz
4620 Washington Boulevard
Baltimore, MD 21227

RE: Petition for Zoning
Variance
NW/S Washington Blvd., 93
ft. +/- NE of Mayfield Ave.
(4620 Washington Blvd.
Lot 2)
13th Election District
1st Councilmanic District
John G. Rotz, et ux
- Petitioners
Case No. 97-118-A

Dear Mr. and Mrs. Rotz:

Please be advised that an appeal of the above-referenced case was filed in this office on December 16, 1996 by J. Neil Lanzi, P.A. on behalf of Thomas Palacorolla and Auto Dealers, Inc. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
Director

AJ:rye

c: People's Counsel

MICROFILMED



APPEAL

Petition for Zoning Variance
NW/S Washington Blvd., 93 ft. +/- NE of Mayfield Ave.
(4620 Washington Blvd. Lot 2)
13th Election District - 1st Councilmanic District
John G. Rotz, et ux - Petitioners
Case No. 97-118-A

Petition for Zoning Variance

Description of Property

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioner's Exhibit: 1 - Plan to Accompany Zoning Variance Petition

Zoning Commissioner's Order dated November 20, 1996 (Granted)

Notice of Appeal received on December 16, 1996 from J. Neil Lanzi,
P.A. on behalf of Thomas Palacorolla and Auto Dealers, Inc.

c: Mr. and Mrs. John G. Rotz, 4620 Washington Boulevard, Baltimore,
Maryland 21227
J. Neil Lanzi, Esquire, 300 Allegheny Avenue, Towson, MD 21204
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

MICROFILMED

41

Case No. 97-117-A VAR -To permit side and rear setbacks for existing building as close as 3' and 16' in lieu of required 30' /Lot 1.
Case No. 97-118-A VAR -To permit side setbacks as close as 9' and 3' (for an existing building) in lieu of required 30' /Lot 2.

11/20/96 -Zoning Commissioner's Order in which requested relief was GRANTED.

3/28/97 -Notice of Assignment for hearing scheduled for Wednesday, June 18, 1997 at 10:00 a.m. sent to following:

J. Neil Lanzi, Esquire
Thomas Palacorolla and
Auto Dealers, Inc.
John G. Rotz, et ux
John Mildenberg /Mildenberg,
Boender & Assoc., Inc.
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty

4/21/97 -Letter from Neil Lanzi, Esquire, requesting postponement from 6/18/97 hearing date; indicates that John Rotz has no objection to the granting of this request.

4/25/97 -Notice of PP and Reassignment sent to parties; matter rescheduled to Wednesday, July 23, 1997 at 10:00 a.m.

6/23/97 -Received letter dated 6/20/97 from J. Neil Lanzi, requesting postponement for at least 60 days of 7/23/97 hearing to allow sufficient time for settlement negotiations between parties; no objection from Petitioner to this request.

6/24/97 -Confirmed above request by telephone with Mr. and Mrs. Rotz; case to be postponed and reassigned to hearing date in October or November, as schedule permits.

- Notice of PP and Reassignment sent to parties; postponement request granted; case reassigned to Wednesday, November 12, 1997 at 10:00 a.m.

8/11/97 -Letter of withdrawal of appeal filed by J. Neil Lanzi, Esquire, on behalf of Appellants /Protestants, Thomas Palacorolla and Auto Dealers, Inc. Order of Dismissal to be issued by CBA.

MICROFILMED

Speed
Letter

In the interest of speed and
economy, we are replying to your
letter with marginal notes.
If you need more information, do
not hesitate to call or write.
Thank you for your interest.



December 13, 1996

13th Election District

Dear Mr. Rotz:

Based upon the information you have provided, please be advised that since building permits were obtained on the subject property prior to the zoning reclassification, the use (via permits) would represent a legal nonconforming use subject to Section 104 of the Baltimore County Zoning Regulations. This interpretation is conditioned upon that there are no appeals which would reverse the approval of zoning case 97-118-A. Should you decide to resolve this matter, in addition to this letter, a special hearing may be filed so that the Zoning Commissioner can make a ruling on the nonconforming use.

If you need further assistance, please contact me at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "M. J. Kellman".

Mitchell J. Kellman
Planner II
Zoning Review

MJK:rye

c: zoning case 97-118-A

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 17, 1996

Mrs. Judith K. Rotz
4620 Washington Boulevard
Baltimore, MD 21227

97-118-A

RE: Item Nos. 115 and 116
4620 Washington Boulevard
13th Election District

Dear Mrs. Rotz:

Per your request received on September 12, 1996, you may file for a building permit at your own risk for the purpose of early review only. Final zoning approvals are conditioned upon the granting of the zoning variance public hearings under the above item numbers and subsequent revisions to your building permit site plans.

Your request for an early hearing has been forwarded to our docket clerk, who will try to set a date as soon as possible.

Please document this response on your building permit application plans.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "John L. Lewis".

John L. Lewis
Planner II
Zoning Review

JLL:rye

c: Item Nos. 115 and 116

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 15, 1997

Mr. John G. Rotz
4620 Washington Boulevard
Baltimore, MD 21227

RE: Zoning Verification
4618 and 4620 Washington Boulevard
Zoning Cases 97-117-A & 97-118-A
13th Election District

Dear Mr. Rotz:

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Your request is for confirmation that the above referenced properties continue to enjoy nonconforming commercial use since Mr. Mitchell Kellman's letter of December 13, 1996. Zoning Cases 97-117-A and 97-118-A, granted November 20, 1996, referenced the fact that both properties are zoned B.R. (Business Roadside) and the mixed office and retail uses are proposed at both locations.

Additionally, building permits B-288446 and B-288467 to change from residential to office and retail uses were approved and issued. The Protestants' appeal of the zoning commissioner's orders (granting), have been withdrawn. You have also submitted numerous exhibits (7) including leases, security checks, photographs of existing signs, copies of traders licenses, etc. As such, the mixed office and retail uses may continue as legal being nonconforming.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in dark ink, appearing to read "John J. Sullivan, Jr.", is written over a horizontal line.

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:rye

c: zoning cases 97-117-A & 97-118-A

Enclosure

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 10, 1998

Mr. John G. Rotz
4620 Washington Boulevard
Baltimore, Maryland 21227

Dear Mr. Rotz:

RE: 4618 and 4620 Washington Boulevard, Zoning Cases 97-117-A & 97-118-A
13th Election District

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Your request is for confirmation that the above referenced properties continue to enjoy nonconforming commercial use since Mr. John Sullivan's letter of December 15, 1997 as it referenced Mr. Mitchell Kellman's letter of December 13, 1996. Zoning Cases 97-117-A and 97-118-A were granted November 20, 1996 and, at that time, both properties were zoned B. R. (Business, Roadside) and the mixed office and retail were proposed and subsequently were established prior to the zoning change to D. R. as stated below, at both locations..

Building permits B-288446 and B-288467 to change from residential to office and retail uses were approved and issued. The Protestants' appeal of the zoning commissioner's orders (granting) have been withdrawn. You have also submitted numerous exhibits (7) including leases, security checks, photographs, copies of traders licenses, etc. As such, the mixed office and retail uses may continue as legal being nonconforming, subject to the conditions set forth on the zoning commissioner's order.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

John L. Lewis
Planner II
Zoning Review

JLL:cjs

c: zoning cases 97-117-A & 97-118-A

Come visit the County's Website at www.co.ba.md.us

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 8, 1998
Permits & Development Management

FROM: Charlotte E. Radcliffe *CR*
County Board of Appeals

SUBJECT: Closed Files: Case No. 97-117-A and 97-118-A
John G. Rotz, Et Ux

As no further appeals have been taken in the above captioned case, we are hereby closing the file and returning same to you herewith.

Attachment (Case File Nos. 97-117-A and 97-118-A)

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 11, 2000

Mr. John G. Rotz
4620 Washington Boulevard
Baltimore, Maryland 21227

Dear Mr. Rotz:

RE: Zoning Verification, (Lots 1 and 2) 4618 and 4620 Washington Blvd., Zoning Case 97-117-A and 97-118-A, 13th Election District

Thank you for your letter of November 30, 1999, to Arnold Jablon, Director of Permits and Development Management. This correspondence has been referred to me for reply. Your request is for confirmation that the referenced properties continue to enjoy nonconforming commercial uses since Mr. Lewis' letter of December 10, 1998 as it referenced Mr. John Sullivan's letter of December 15, 1997 and my letter of December 13, 1996. Zoning cases 97-117-A and 97-118-A were granted on November 20, 1996 and at that time, both properties were zoned B.R. Mixed office and retail uses were proposed and established prior to the zoning change to D.R.

Building Permits B-288446 and B288467 which changed the residential use to office and retail were approved and issued. The protestants appeal of the Zoning Commissioner's order granting the variances were withdrawn. You have also submitted, with your request, current (1999) proof that the businesses have been continuously operating to the present date. As such, the mixed office and retail uses may continue as being legal nonconforming uses, subject to the conditions set forth within the Zoning Commissioner's order.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-3391.

Very truly yours,

Mitchell J. Kellman
Planner II
Zoning Review

MJK:kew

MICROFILMED



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 17, 1999

John G. Rotz
4620 Washington Boulevard
Baltimore, MD 21227

Dear Mr. Rotz:

RE: Written Zoning Verification Request, 4618 & 4620 Washington Boulevard

Reference is made to your letter of November 30, 1999 requesting that this office issue a written zoning verification of the above referenced property. I understand that you have been informed of the \$40.00 processing fee for written verifications. As you have not paid this fee as requested, your request has been canceled.

If you require zoning information regarding the above or any other property in Baltimore County in the future, you may visit the zoning office (counter) in Room 111, County Office Building, 111 West Chesapeake Avenue, Towson from 8:00 a.m. to 5:00 p.m., Monday through Friday, during any normal County workday. You can always receive assistance in locating properties on the zoning map, at no charge, provided that you are aware of the location and extent of the property, in addition to the address.

If you need further information or have any questions, please do not hesitate to visit this office or contact me at 410-887-3391.

Very truly yours,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Handwritten note:
\$40 Check Sent
on 1/3/00

Handwritten note:
MICROFILM



No. 076622

[illegible]

01-10-15-25

\$40.00 (MJK)

John + Judith
2012

99-3071

4/18.20 1.2206 3/1d

PINK - AGENCY

YELLOW - CUSTOMER

MICROFILMED

CASHIER'S VALIDATION

[illegible]

322



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 9, 1999

Mr. John G. Rotz
4620 Washington Boulevard
Baltimore, Maryland 21227

Dear Mr. Rotz:

RE: Zoning Verification, (Lots 1 and 2) 4618 and 4620 Washington Blvd., Zoning Case 97-117-A and 97-118-A, 13th Election District

Thank you for your letter of November 30, 1999, to Arnold Jablon, Director of Permits and Development Management. This correspondence has been referred to me for reply. Your request is for confirmation that the referenced properties continue to enjoy nonconforming commercial uses since Mr. Lewis' letter of December 10, 1998 as it referenced Mr. John Sullivan's letter of December 15, 1997 and my letter of December 13, 1996. Zoning cases 97-117-A and 97-118-A were granted on November 20, 1996 and at that time, both properties were zoned B.R. Mixed office and retail uses were proposed and established prior to the zoning change to D.R.

Building Permits B-288446 and B288467 which changed the residential use to office and retail were approved and issued. The protestants appeal of the Zoning Commissioner's order granting the variances were withdrawn. You have also submitted, with your request, current (1999) proof that the businesses have been continuously operating to the present date. As such, the mixed office and retail uses may continue as being legal nonconforming uses, subject to the conditions set forth within the Zoning Commissioner's order.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-3391.

Very truly yours,

Mitchell J. Kellman
Planner II
Zoning Review

MJK:kew

MICROFILMED



J. NEIL LANZI, P.A.

ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

(410) 337-9039

FAX: (410) 337-8932

J. Neil Lanzi

OF COUNSEL

Fred L. Coover*

December 3, 1996

*Also Admitted in District of Columbia

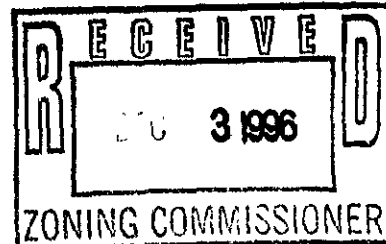
COLUMBIA

Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towson

Hand-Delivered

Lawrence E. Schmidt, Zoning Commissioner
Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204



Re: Case Nos. 97-117-A, 97-118-A
Property: 4620 Washington Blvd, Lots 1 & 2

Dear Commissioner Schmidt:

Please be advised that I represent Thomas Palacorolla, owner of the property known as 1826 Winans Avenue and Auto Dealers, Inc., contract purchaser. This property is immediately adjacent to 4620 Washington Boulevard. On their behalf, I am requesting a five (5) day extension from the thirty (30) day appeal period as provided by Section 22-32 of the Baltimore County Code. The basis for the extension is as follows.

First, the parties to the above referenced cases are the same parties involved in an Appeal, Case No. 03-C-96-006679, for the property known as 1826 Winans Avenue. The parties are attempting to resolve the Appeal before the Circuit Court and the five (5) day extension is absolutely necessary as part of the proposed settlement between the parties. The deadline for filing an Appeal of the two cases listed above is presently Thursday, December 19, 1996 and the additional five (5) days would allow sufficient time to determine if the settlement can be achieved.

Simultaneously with this letter, I will be filing a postponement request of the hearing scheduled for the Circuit Court Appeal and a Request For an Extension of Time for filing my client's reply Brief required in the Appeal. Mr. and Mrs. John G. Rotz, Petitioners in the above referenced case, join my client's in this request.

Thank you very much for your consideration.

Very truly yours,

J. Neil Lanzi
J. Neil Lanzi

C.C. Mr. & Mrs. John G. Rotz
(PA 12/3/96, ltr)

MICROFILMED

*I called
Neil, discussed
at length
the, no longer
signing the
order to all
check + advise
12/3/96*

*12/12/96
Going to
file an Appeal
per Lawrence E. Schmidt
m. h. m.*

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 NW/S Washington Blvd., 150 ft. *
 +/- NE of Mayfield Avenue * ZONING COMMISSIONER
 4620 Washington Blvd. Lot 1 *
 13th Election District * OF BALTIMORE COUNTY
 1st Councilmaniac District *
 John G. Rotz, et ux * Case No. 97-117-A
 Petitioners

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 NW/S Washington Blvd., 93 ft. *
 +/- NE of Mayfield Avenue * ZONING COMMISSIONER
 4620 Washington Blvd. Lot 2 *
 13th Election District * OF BALTIMORE COUNTY
 1st Councilmanic District *
 John G. Rctz, et ux et ux * Case No. 97-118-A
 Petitioners

* * * * * * * * * * * *

ORDER

Upon consideration of the request of Thomas Palacorolla and Auto Dealers, Inc. to extend the time for filing an Appeal of the above listed cases, it is this _____ day of _____, 1996 by the Zoning Commissioner of Baltimore County,

ORDERED, that the Request be and is hereby granted and the time for filing an appeal is extended thru December 24, 1996.

Zoning Commissioner

(isaac.ord)

MICROFILMED

J. NEIL LANZI, P.A.

ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

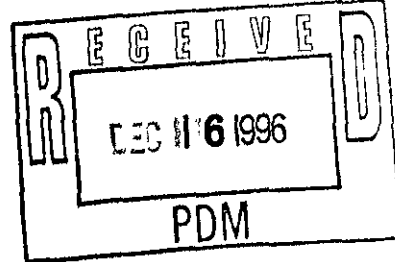
(410) 337-9039

FAX: (410) 337-8932

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia



COLUMBIA

Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towson

December 16, 1996

Hand-Delivered

Lawrence E. Schmidt, Zoning Commissioner
Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Case Nos. 97-117-A, 97-118-A
Property: 4620 Washington Blvd, Lots 1 & 2

Dear Commissioner Schmidt:

On behalf of Thomas Palacorolla and Auto Dealers, Inc., I hereby note this Appeal from Case Nos. 97-117-A and 97-118-A to the County Board of Appeals. Enclosed herewith please find the appropriate filing fee for the Appeal.

Thank you very much for your consideration.

Very truly yours,

A handwritten signature in cursive script, appearing to read "J. Neil Lanzi".

J. Neil Lanzi

c.c. Thomas Palacorolla
Auto Dealers, Inc.

(Palacomm.lt1)

MICROFILMED

November 30, 1999

Mr. Arnold Jablon, Director
Office of Zoning
Department of Permits and Planning Development
Baltimore County
Towson, Maryland 21204

Dear Mr. Jablon:

This letter is to confirm the continued use of lots 1 and 2, known as 4618 and 4620 Washington Blvd. in their non-conforming use. This non-conforming use was originally identified in a letter to you dated 11/30/96 and reaffirmed in subsequent letter of 11/15/97 and 11/23/98. The appropriate set-back valances were granted by Commissioner Larry Schmidt in a hearing dated 11/20/96.

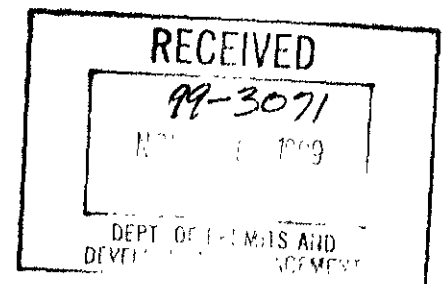
We are again submitting trader's license for mixed office and retail sales use for both lots which continue to operate as businesses. Enclosed are also copies of trader's license for retail sales and notarized bill of sale, showing that at least one of several retail transactions has occurred prior to 11/30/99. Please see copies of exhibits 1 through 5 as follows:

- | | |
|-----------|---|
| Exhibit 1 | Trader's License for Cat's Meow Trading Company (antiques, crafts & retail sales) |
| Exhibit 2 | Notarized Bill of Sale proof of continued retail sales dated 11/27/99 |
| Exhibit 3 | Photos of signs in place on lots 1 & 2 on November 28, 1999. |
| Exhibit 4 | Signed receipt indicating date film was developed. |
| Exhibit 5 | Petition granting zoning Variance by Commissioner L. Schmidt 11/20/96 |

This information indicates that we have been in business operating since November 25, 1996, following the granting of the zoning set-back variance by Commissioner Lawrence Schmidt in case numbers 97-117A and 97-118A for lots 44618 and 4620 respectively (See attached letters from Mitch Kellman and John Sullivan, Jr.). We are respectfully requesting a certificate of compliance for lots 1 & 2 at 4618 and 4620 Washington Blvd. Please mail these confirmations to me at the 4620 Washington Blvd. address. If you have any questions, please feel free to call me at 410-242-1778 or 410-582-5735. Thank you for your assistance.

Very truly yours,

John G. Rotz



MICROFILMED

11/30/99
WCH
To: Mr. K.
12/1/99
Neal
HAR - 1000
1000

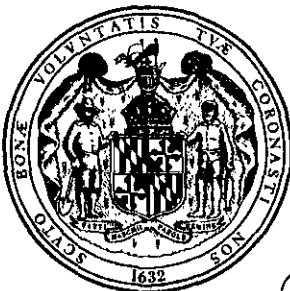
30

State of Maryland

03 294038

294038
03871537

License



ROTZ JOHN G
CATS MEOW COUNTRY TRADING CO
4620 WASHINGTON BLVD
BALTIMORE MD 21227

99

CODE	UNIT	TYPE OF LICENSE	NO OF LIC	COST
71	1.0	TRADERS	1	15.00

DATE OF ISSUE
MO. DAY YR

10/12/99

MONTHS PAID

12

ISSUING FEES 2.00

TOTAL

17.00

AMOUNT PAID

2.70

19.70

08293479

THIS LICENSE MUST BE PUBLICLY DISPLAYED
AND EXPIRES ON THE LAST DAY OF APRIL, 2000

ISSUED BY

SUZANNE MENSCH, CLERK
CIRCUIT COURT - BALTIMORE COUNTY
401 BOSLEY AVE., P.O. BOX 6754
TOWSON, MARYLAND 21285-6754

COT/ST 802



Comptroller of the Treasury
Sales and Use Tax Division
301 W. Preston Street
Baltimore, Maryland
21201-2383

William Donald Schaefer
William Donald Schaefer
Comptroller of the Treasury

MARYLAND SALES & USE TAX LICENSE

This license must be displayed prominently.
A separate license is required for each place of business.

Sales and Use Tax Registration Number

08293479

Issue Date

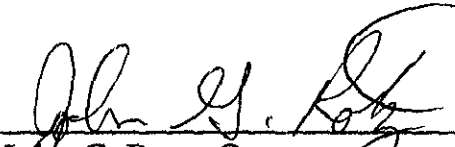
10/01/99

DUPLICATE

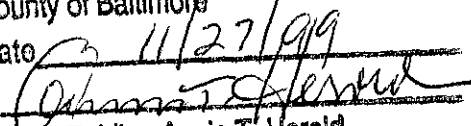
CATS MEOW COUNTRY TRADING CO
ROTZ JOHN G
4620 WASHINGTON BLVD
BALTIMORE MD 21227

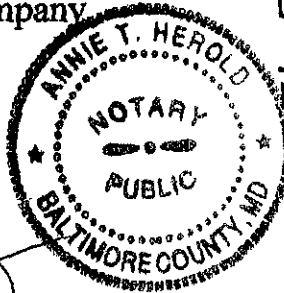
AFFIDAVID OF BILL OF SALE

This is to affirm the sale of goods from seller, Cat's Meow Country Trading Company, 4618-4620 Washington Blvd. Baltimore Maryland 21227, to Buyer Ari Schrodt of 5500 Cynthia Terrace, Baltimore, Maryland 21236, on this 27th day of November for a purchase price of \$5.00 plus tax.

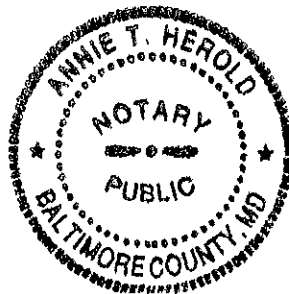

John G. Rotz, Owner
Cat's Meow Country Trading Company
4618-4620 Washington Blvd.
Baltimore, Maryland 21227

State of Maryland
County of Baltimore
Date 11/27/99

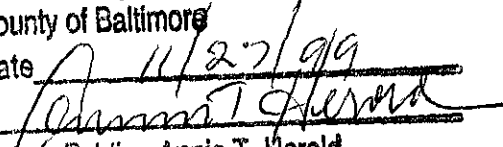

Notary Public - Annie T. Herold
My Commission Expires 11-01-2002

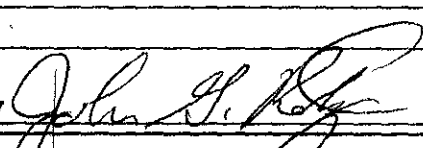



Ari Schrodt
5500 Cynthia Terrace
Baltimore, Maryland 21236



State of Maryland
County of Baltimore
Date 11/27/99


Notary Public - Annie T. Herold
My Commission Expires 11-01-2002

FORM NO. 554	
RECEIPT	Date <u>11/27/1999</u> No. <u>922526</u>
Received From	<u>Ari Schrodt</u>
Address	<u>5500 Cynthia Terrace</u>
	Dollars (\$ <u>5.25</u>)
For	<u>Baskets</u>
How Paid ☒ CASH	Balance Due <u>-0-</u>
By 	

MICROFILMED

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 NW/S Washington Blvd., 150 ft.
 +/- NE of Mayfield Avenue * ZONING COMMISSIONER
 4620 Washington Blvd. Lot 1
 13th Election District * OF BALTIMORE COUNTY
 1st Councilmanic District
 John G. Rotz, et ux * Case No. 97-117-A
 Petitioners

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
 NW/S Washington Blvd., 93 ft.
 +/- NE of Mayfield Avenue * ZONING COMMISSIONER
 4620 Washington Blvd. Lot 2
 13th Election District * OF BALTIMORE COUNTY
 1st Councilmanic District
 John G. Rotz, et ux et ux * Case No. 97-118-A
 Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

These matters came before the Zoning Commissioner for a combined hearing for cases 97-117-A and 97-118-A. Each case presents a Petition for Variance, for the property collectively known as 4620 Washington Boulevard, in Arbutus. In case No. 97-117-A, the Petitioners seek variance relief from from Section 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit side and rear setbacks for an existing building as close as 3 ft. and 16 ft., in lieu of the required 30 ft. The property at issue in case No. 97-117-A is known as lot No. 1. In case No. 97-118-A, the Petitioners seek variance relief for Lot No. 2. Specifically, a variance is also sought from Section 238.2 of the BCZR to permit side setbacks as close as 9 ft. and 3 ft. (for an existing building) in lieu of the required 30 ft. Both lots and the subject relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case were the property owners, John G. Rotz and Judith K. Rotz, and John Mildenberg, the engineer who prepared the site plan. Also appearing in support of the request was

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Judith A. Morris. J. Neil Lanzi, Esquire, an attorney representing the owner of an adjacent property at 1826 Winans Avenue, appeared in opposition to the requested variances.

Testimony and evidence presented on behalf of the Petitioners was that they have owned the subject property for approximately 11 years. Lot No. 1 is a rectangularly shaped property which is 107 ft. wide and approximately 150 ft. deep. Lot No. 1 fronts Washington Boulevard and abuts Lot No. 2 which is located to the southwest. Presently, Lot No. 1 is improved with an existing driveway which leads to an old barn located at the rear of the lot. This barn is 728 sq. ft. in area. Lot No. 2 is 57 ft. wide (slightly larger than lot No. 1) and 150 ft. in depth. Lot No. 2 is improved with an existing two story frame dwelling.

The Petitioners indicated that they currently reside on the property, notwithstanding the fact that both lots are zoned B.R. Apparently, the property has been in Mrs. Rotz's family for many years. The Petitioners propose to alter use of the property consistent with the property's zoning classification. Mr. Rotz is employed in the tax accounting profession and intends on operating his business from this location. The dwelling will be converted so as to accommodate mixed office and retail businesses.

The requested variances are sought to legitimize existing building conditions. There are no planned external improvements to either the dwelling or barn except for some cosmetic improvements and renovations to upgrade the barn building. Also, no additional construction on site is anticipated, but for the enlargement of the driveway. This enlargement will provide additional parking spaces to accommodate the new use.

The variances are sought for the existing buildings. Variance relief is requested for both the dwelling and the barn. It is to be noted that certain of the variance requests are related to the internal lot line

which divides Lot 1 from Lot 2. The other variances are for the tract boundary with adjacent properties.

Upon review of the testimony and evidence offered, I am persuaded that the variances should be granted. It is to be emphasized that the relief sought is to legitimize the existing structures, and that no new construction is planned. The unusual shape and small area of both lots justifies the variance relief. As was noted at the hearing, the BCZR requires a 35 ft. setback. In view of the narrowness of both properties, no building would be allowed if strict adherence to the regulations were required. Surely, the Petitioner would suffer practical difficulty if the variance relief were denied. Moreover, the variances can be granted without any detriment to the surrounding locale.

A comment is also appropriate about the objection raised by Mr. Lanzi. His client apparently owns adjacent property. As I emphasized at the hearing, the case before me only concerns the Petitioner's request for variance relief and does not relate to the proposed use of the property. These properties are zoned to permit business use. The use of the property will be governed by the use provisions of the BCZR. The Petitioners may not use the property except for those uses permitted under the B.R. zoning classification. The variance relief should not be denied because the neighbor objects to a permitted use of the property.

With all that being said, it is to be emphasized that the use of the property does not actually bear on the zoning relief. Apparently, the buildings have been at their existing location for many years. The variances are necessary whether the property continues to be used residentially or for another permitted purpose.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of November, 1996 that a variance from Section 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit side and rear setbacks for an existing building as close as 3 ft. and 16 ft., in lieu of the required 30 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 238.2 of the BCZR to permit side setbacks as close as 9 ft. and 3 ft. (for an existing building) in lieu of the required 30 ft., be and is hereby GRANTED.

1. The 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.

ORDER RECEIVED FOR FILING

Date

By

LES/mmn


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ML

B-SPH

#116

ML

PENNSYLVANIA

ML

ML

95-305A

SELMA

D.R. 5.5

96-446A

93-99-A

PROSPECT

WINANS

AVENUE

AVENUE

BR-C

MAGNOLIA

MAYFIELD

AVENUE

D.R. 5.5

95-454-2A

ML-

CS-1

97-118-A

BR-
CS-1

MAYFIELD
TERRACE,
LOT 2

MICROFILMED

HALETHORPE

FARMS

ALT.

Date: 11/28/99 Event: Exhibit 3

Notes: Photos of signs in place
on lots 1 & 2 on November 28, 1999

MICROFILM

J. Ratz

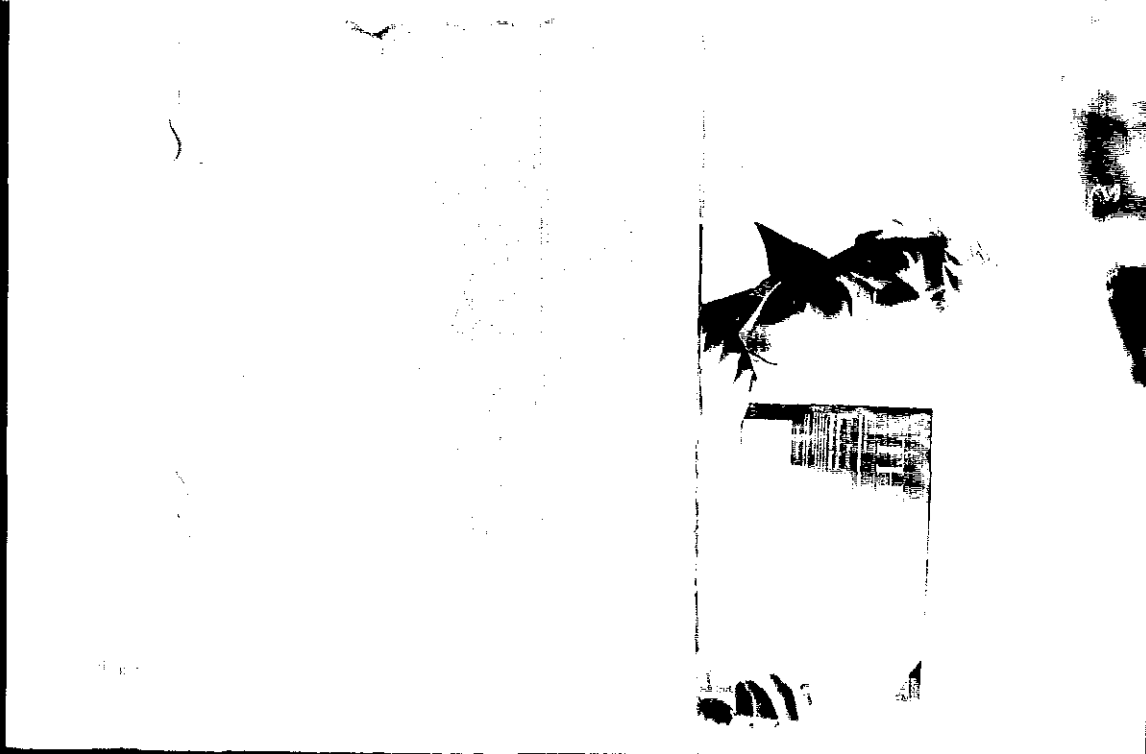
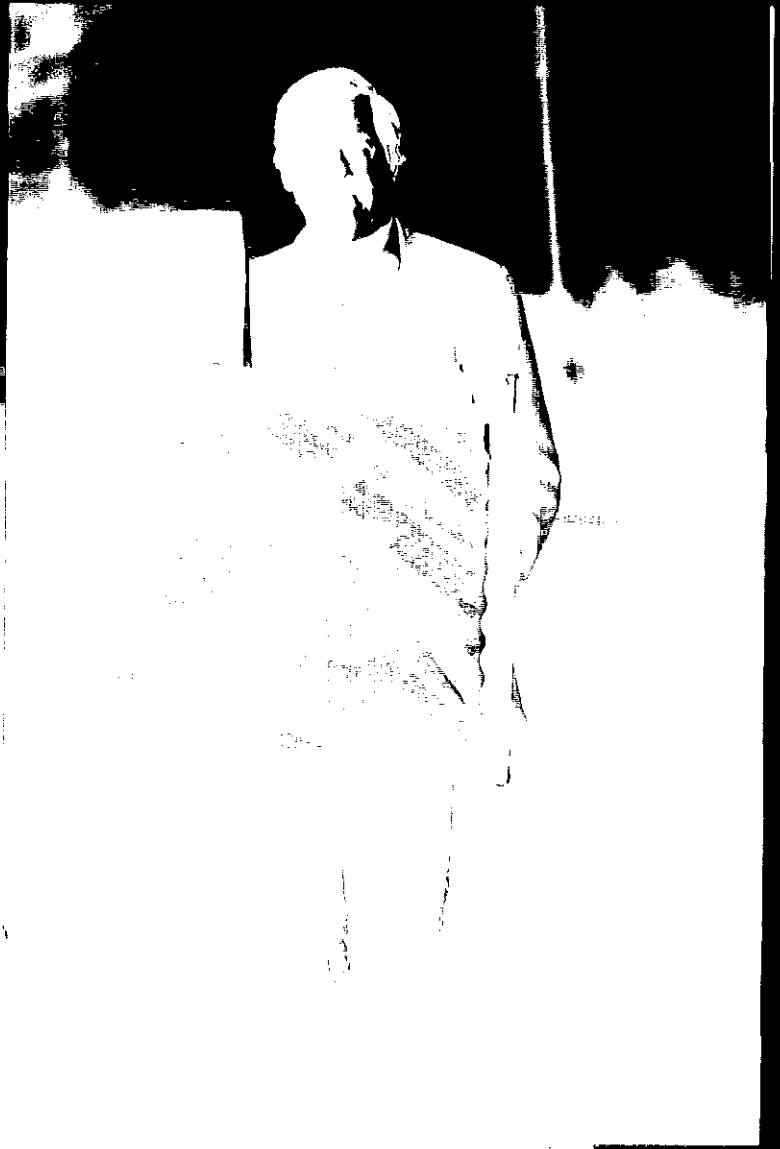
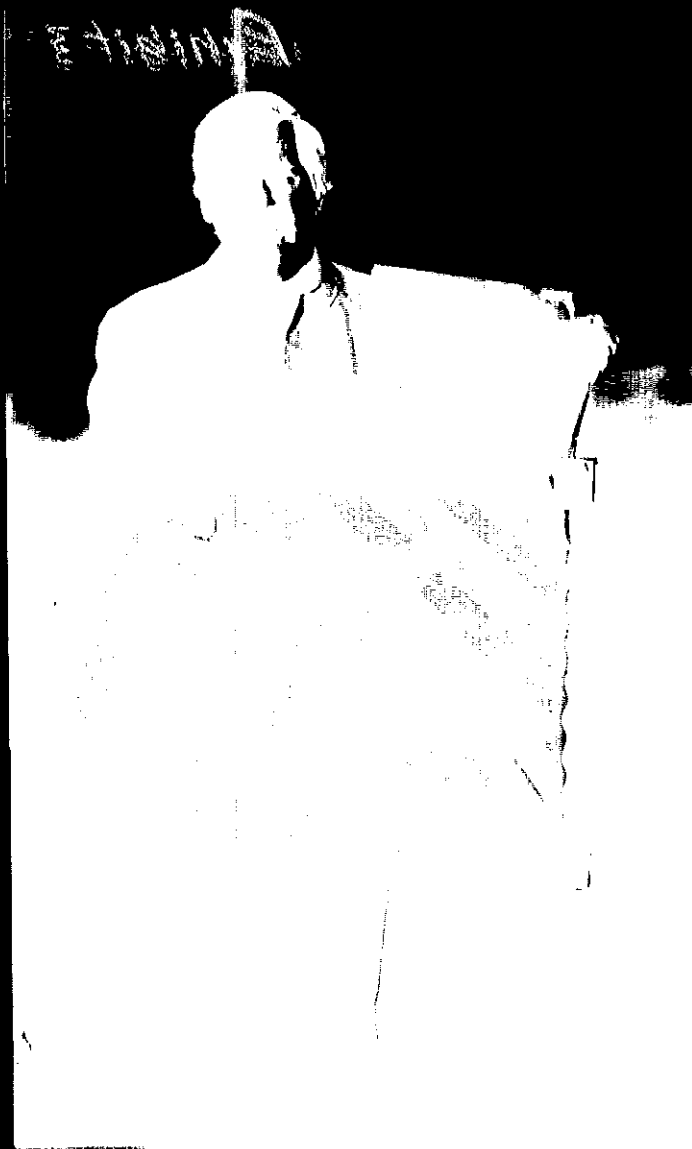


AlwaysSM



PRINTED ON
RECYCLED PAPER







DEED NORTH

1. TOTAL AREA OF SITE = 16,052 SQ. FT. = OR 0.37 ACRES ±.
2. FLOOR AREA RATIO = 2552 SQ. FT. / 16,052 SQ. FT. = 0.16.
3. CONDOMINIUM DISTRICT = FIRST.
4. PROPOSED USE = RETAIL OR BUSINESS/OFFICE.
5. BOUNDARY SURVEY BASED ON DEED NORTH.
6. SUBJECT PROPERTY CURRENTLY ZONED BR-CS-1.
7. UTILITY LOCATIONS BASED ON FIELD SURVEY CONDUCTED ON OR ABOUT AUGUST 1996.
8. SUBJECT PROPERTY UP FOR REZONING UNDER CZMP FILE # 1-1005.
9. RETAIL REDEVELOPMENT.
10. 5.0 SPACES PER 1000 SQ. FT. X 728 SQ. FT. = 4 SPACES BUSINESS/OFFICE FOR OLD BARN:
11. 3.3 SPACES PER 1000 SQ. FT. X 728 SQ. FT. = 3 SPACES UPON SALE OF EITHER LOT. AN EASEMENT WILL BE PLACED OVER THE DRIVEWAY AND PARKING LOT ALLOW USE BY LOT 1 AND 2 JOINTLY.
12. THEREFORE TOTAL REQUIRED PARKING SPACES ON-SITE = 7 SPACES.
13. NO FIRE RESISTANT COMMERCE BUILDINGS ARE WITHIN 100 FEET OF THE SIDE LOT LINES ALONG WASHINGTON BOULEVARD.
14. PAVED MACADAM PARKING AREA TO HAVE A DURABLE DUSTLESS SURFACE AND SPACES TO HAVE PERMANENT STRIPING.
15. REZONED LANDSCAPING TO BUFFER THE PARKING AREA FROM ADJACENT RESIDENTIAL LOTS TO BE SATISFIED BY EXISTING LANDSCAPED AREAS, REAR PROPERTY LINE LANDSCAPING CONSISTS OF A COMBINATION OF EVERGREEN TREES, SHADE TREES, AND DECIDUOUS SHRUBS. LANDSCAPING ALONG BOTH SIDE PROPERTY LINES CONSISTS OF HERB ROADS OF DECIDUOUS SHRUBS WITH A FEW SCATTERED SHADE TREES.

LEGEND #115

PAVED MACADAM PARKING AREA

MACADAM PARKING AREA

92-117-A

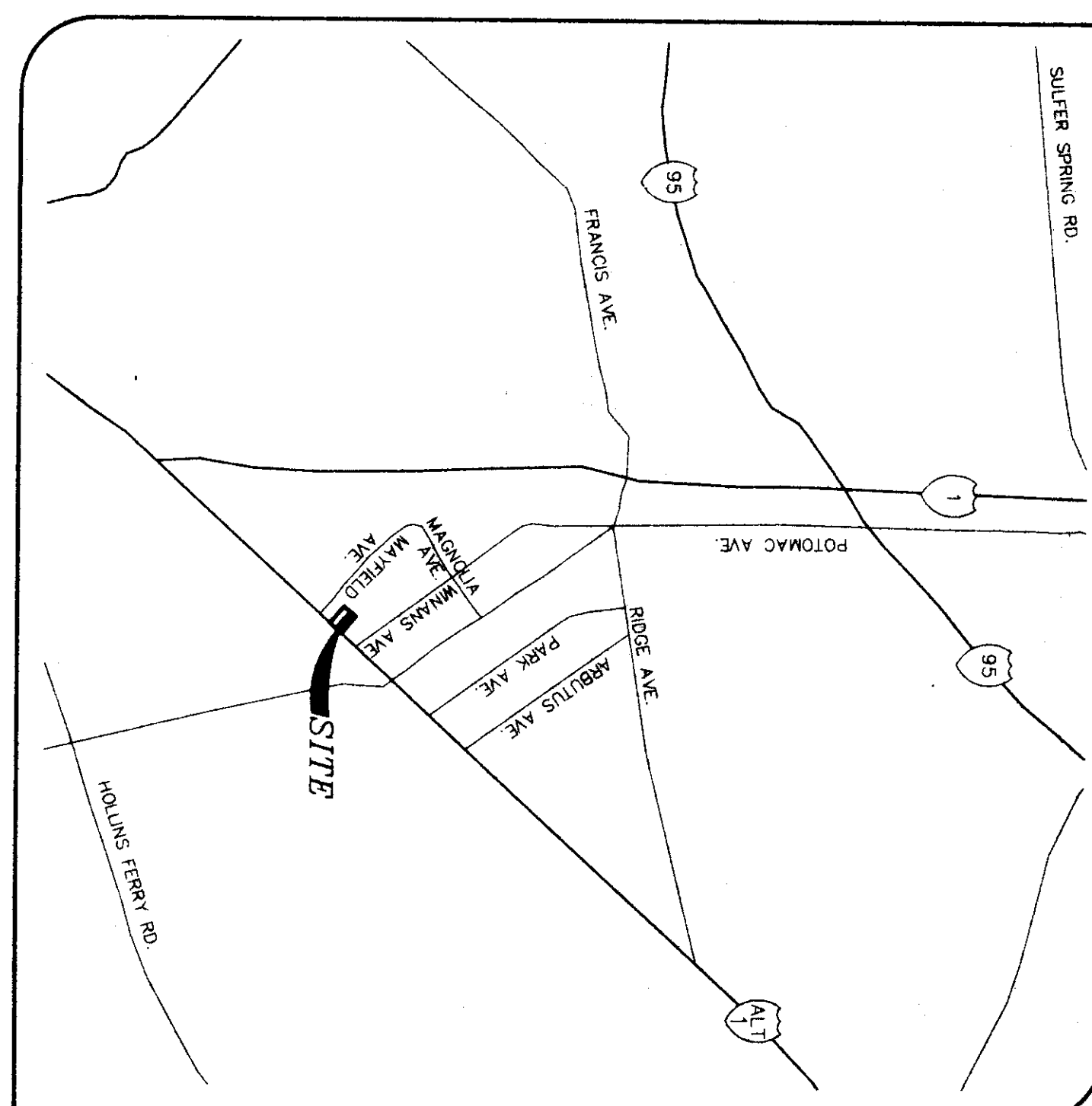
MPR

MICROFILMED

OWNER
J. GREG ROTZ AND JUDITH K. ROTZ
4620 WASHINGTON BOULEVARD
BALTIMORE, MARYLAND 21227

VICINITY MAP
SCALE · 1" = 1000'

SCALE : 1" = 1000'



SULFER SPRING RD

FRANCIS AVE

ARBU

FILE

1

ARBU

10

project	date
98060	AUG 96
illustration	engineering
SJD	-
scale	approval
1"=20'	JBM

1 = 20	JBM
--------	-----

... ..

ROTZ PROPERTY, LOT 1
4620 WASHINGTON BOULEVARD

TAX MAP 108 - P/O PARCEL 659
THIRTEENTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

PLAN TO ACCOMPANY VARIANCE PETITION



*MILDENBERG,
BOENDER & ASSOC., INC.*

Engineers Planners Surveyors

5072 Dorsey Hall Drive, Suite 202, Ellicott City, Maryland 21042
(410) 997-0296 Balt. (301) 621-5521 Wash. (410) 997-0298 Fax.

1 of 1

IN THE MATTER OF
THE APPLICATIONS OF
JOHN G. ROTZ, ET UX
FOR ZONING VARIANCES ON
PROPERTY LOCATED ON THE NORTH-
WEST SIDE WASHINGTON BOULEVARD
150' +/- NORTHEAST OF MAYFIELD
AVENUE (4620 WASHINGTON BLVD)
13TH ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY

* CASE NO. 97-117-A and
* CASE NO. 97-118-A

ORDER OF DISMISSAL

This matter comes to this Board on appeal from a decision of the Zoning Commissioner dated November 20, 1996 in which the Petitions for Variance from Section 238.2 of the Baltimore County Zoning Regulations for side and rear setbacks were granted.

WHEREAS, the Board is in receipt of a letter of withdrawal of appeal filed by J. Neil Lanzi, Esquire, Counsel for Thomas Palacorolla and Auto Dealers, Inc., Appellants /Protestants, dated August 6, 1997 and received August 11, 1997 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, Counsel for said Appellants requests that the appeals filed in this matter be dismissed as of August 6, 1997;

IT IS HEREBY ORDERED this 13th day of August, 1997 by the County Board of Appeals of Baltimore County that said appeals be and the same are hereby DISMISSED.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**

[Signature]
Kristine K. Howanski, Chairman
[Signature]
Thomas P. Melvin
[Signature]
Margaret Worrall

J. NEIL LANZI, P.A.
ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

(410) 337-9039
FAX: (410) 337-4932

August 6, 1997

J. Neil Lanzi
OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia

County Board of Appeals
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21201
Attn: Robert O. Schuetz, Chairman

Re: Case No. 97-117-A, 97-118-A
In the Matter of: John G. Rotz, ET UX-Petitioner

Dear Chairman Schuetz:

On behalf of Thomas Palacorolla and Auto Dealers, Inc., Appellants in the above captioned cases, I hereby request the above Appeals be dismissed, without prejudice. The current hearing date is Wednesday, November 12, 1997.

Thank you very much for your cooperation.

Very truly yours,
[Signature]
J. Neil Lanzi

c.c. Mr. & Mrs. John Rotz
People's Counsel for Balto. Co.
Virginia Barnhart, County Attorney
John Mildenberg, Mildenberg, Boender & Associates
Thomas Palacorolla
Brian Isaac, Auto Dealer's, Inc.

rotscbop.1.t

RECEIVED
COUNTY BOARD OF APPEALS
97 AUG 11 PM 1:52

COLUMBIA
Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044
Reply to Towson



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180

August 12, 1997

J. Neil Lanzi, Esquire
300 Allegheny Avenue
Towson, MD 21204

RE: Cases No. 97-117-A and No. 97-118-A
John G. Rotz, et ux -Petitioners

Dear Mr. Lanzi:

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

Very truly yours,

[Signature]
Kathleen C. Bianco
Administrator

encl.

cc: Thomas Palacorolla
Brian Isaac, Auto Dealers, Inc.
Mr. & Mrs. John Rotz
John Mildenberg /Mildenberg, Boender & Assoc., Inc.
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

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on Recycled Paper

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NW/8 Washington Blvd., 150 ft. * ZONING COMMISSIONER
+/- NE of Mayfield Avenue * OF BALTIMORE COUNTY
4620 Washington Blvd. Lot 1 *
13th Election District *
1st Councilmanic District *
John G. Rotz, et ux *
Petitioners * Case No. 97-117-A

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
NW/8 Washington Blvd., 93 ft. * ZONING COMMISSIONER
+/- NE of Mayfield Avenue * OF BALTIMORE COUNTY
4620 Washington Blvd. Lot 2 *
13th Election District *
1st Councilmanic District *
John G. Rotz, et ux et ux *
Petitioners * Case No. 97-118-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

These matters came before the Zoning Commissioner for a combined hearing for cases 97-117-A and 97-118-A. Each case presents a Petition for Variance, for the property collectively known as 4620 Washington Boulevard, in Arbutus. In case No. 97-117-A, the Petitioners seek variance relief from from Section 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit side and rear setbacks for an existing building as close as 3 ft. and 16 ft., in lieu of the required 30 ft. The property at issue in case No. 97-117-A is known as lot No. 1. In case No. 97-118-A, the Petitioners seek variance relief for Lot No. 2. Specifically, a variance is also sought from Section 238.2 of the BCZR to permit side setbacks as close as 9 ft. and 3 ft. (for an existing building) in lieu of the required 30 ft. Both lots and the subject relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case were the property owners, John G. Rotz and Judith K. Rotz, and John Mildenberg, the engineer who prepared the site plan. Also appearing in support of the request was

ORDER RECEIVED FOR FILING
Date *[Signature]*
By *[Signature]*

Judith A. Morris. J. Neil Lanzi, Esquire, an attorney representing the owner of an adjacent property at 1826 Winans Avenue, appeared in opposition to the requested variances.

Testimony and evidence presented on behalf of the Petitioners was that they have owned the subject property for approximately 11 years. Lot No. 1 is a rectangularly shaped property which is 107 ft. wide and approximately 150 ft. deep. Lot No. 1 fronts Washington Boulevard and abuts Lot No. 2 which is located to the southwest. Presently, Lot No. 1 is improved with an existing driveway which leads to an old barn located at the rear of the lot. This barn is 728 sq. ft. in area. Lot No. 2 is 57 ft. wide (slightly larger than lot No. 1) and 150 ft. in depth. Lot No. 2 is improved with an existing two story frame dwelling.

The Petitioners indicated that they currently reside on the property, notwithstanding the fact that both lots are zoned B.R. Apparently, the property has been in Mrs. Rotz's family for many years. The Petitioners propose to alter use of the property consistent with the property's zoning classification. Mr. Rotz is employed in the tax accounting profession and intends on operating his business from this location. The dwelling will be converted so as to accommodate mixed office and retail businesses.

The requested variances are sought to legitimize existing building conditions. There are no planned external improvements to either the dwelling or barn except for some cosmetic improvements and renovations to upgrade the barn building. Also, no additional construction on site is anticipated but for the enlargement of the driveway. This enlargement will provide additional parking space to accommodate the new use.

The variances are sought for the existing buildings. Variance relief is requested for both the dwelling and the barn. It is to be noted that certain of the variance requests are related to the internal lot line

which divides lot 1 from lot 2. The other variances are for the tract boundary with adjacent properties.

Upon review of the testimony and evidence offered, I am persuaded that the variances should be granted. It is to be emphasized that the relief sought is to legitimize the existing structures, and that no new construction is planned. The unusual shape and small area of both lots justifies the variance relief. As was noted at the hearing, the BCZR requires a 35 ft. setback. In view of the narrowness of both properties, no building would be allowed if strict adherence to the regulations were required. Surely, the Petitioner would suffer practical difficulty if the variance relief were denied. Moreover, the variances can be granted without any detriment to the surrounding locale.

A comment is also appropriate about the objection raised by Mr. Lanzi. His client apparently owns adjacent property. As I emphasized at the hearing, the case before me only concerns the Petitioner's request for variance relief and does not relate to the proposed use of the property. These properties are zoned to permit business use. The use of the property will be governed by the use provisions of the BCZR. The Petitioners may not use the property except for those uses permitted under the B.R. zoning classification. The variance relief should not be denied because the neighbor objects to a permitted use of the property.

With all that being said, it is to be emphasized that the use of the property does not actually bear on the zoning relief. Apparently, the buildings have been at their existing location for many years. The variances are necessary whether the property continues to be used residentially or for another permitted purpose.

ORDER RECEIVED FOR FILING
Date *[Signature]*
By *[Signature]*

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of November, 1996 that a variance from Section 238.2 of the Baltimore County Zoning Regulations (BCZR) to permit side and rear setbacks for an existing building as close as 3 ft. and 16 ft., in lieu of the required 30 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 238.2 of the BCZR to permit side setbacks as close as 9 ft. and 3 ft. (for an existing building) in lieu of the required 30 ft., be and is hereby GRANTED.

1. The 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.

[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date *[Signature]*
By *[Signature]*

LES:mmm



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 20, 1996

Mr. and Mrs. John G. Rotz
4620 Washington Boulevard
Baltimore, Maryland 21227

RE: Case Nos. 97-117-A and 97-118-A
Petitions for Zoning Variance
Property: 4620 Washington Boulevard, Lots 1 and 2

Dear Mr. and Mrs. Rotz:

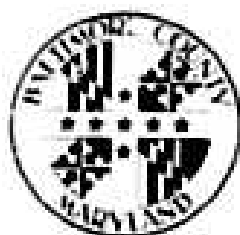
Enclosed please find the decision rendered in the above captioned case. The Petitions for Zoning Variance have been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
att.
c: J. Neil Lanzi, Esquire, 300 Allegheny Avenue, Towson, Md. 21204



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 27, 1996

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-117-A (Item 115)
4620 Washington Boulevard, Lot 1
NW/4 Washington Boulevard, 150' +/- NE of Mayfield Avenue
13th Election District - 1st Councilmanic
Legal Owner(s): John Gregory Rotz and Judith E. Rotz

Variance to permit side and rear setbacks (for an existing building) of as close as 3 feet and 16 feet to the rear of the required 30 feet.

HEARING: THURSDAY, OCTOBER 24, 1996 at 2:00 p.m. in Room 106, County Office Building.

Carl Jablon
Arnold Jablon
Director

cc: John and Judith Rotz

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 867-3391.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

March 28, 1997

NOTICE OF ASSIGNMENT

CASE #: 97-117-A IN THE MATTER OF: JOHN G. ROTZ, ET UX -Petitioner
4620 Washington Boulevard /Lot 1 13th E; 1st C
AND
CASE #: 97-118-a 4620 Washington Boulevard /Lot 2 13th E; 1st C
(Petitions for Variance GRANTED.)

ASSIGNED FOR: WEDNESDAY, JUNE 18, 1997 at 10:00 a.m.

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

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

cc: Counsel for Appellants /Protestants: J. Neil Lanzi, Esquire
Appellants /Protestants: Thomas Palacorolla and Auto Dealers, Inc.

Petitioners : John G. Rotz, et ux
John Mildenberg /Mildenberg,
Boender & Assoc., Inc.

People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty

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on Recycled Paper

J. NEIL LANZI, P.A.

ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

(410) 337-9039

FAX: (410) 337-9932

J. Neil Lanzi
OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia

April 16, 1997

COLUMBIA
Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towson

County Board of Appeals
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204
Attn: Robert O. Schuetz, Chairman

Re: Case No. 97-117-A, 97-118-a
In the Matter of : John G. Rotz, ET UX-Petitioner

Dear Chairman Schuetz:

Please be advised that I represent Thomas Palacorolla and Auto Dealers, Inc., Appellants in the above captioned cases. The notice of assignment has been received by your office for hearing on Wednesday, June 18, 1997 at 10:00 a.m. Please be advised that I am counsel in a civil action presently pending in the Circuit Court for Baltimore County and a mandatory settlement conference has been scheduled for June 18, 1997 at 3:00 p.m. I have attached a copy of the scheduling order issued on November 12, 1996.

Accordingly, I respectfully request a postponement of the hearing and request it be set in for the next available date other than the week of July 7, 1997. I have spoken with Mr. John Rotz and he joins in this request to postpone the hearing.

Thank you very much for your consideration of this request.

Very truly yours,

J. Neil Lanzi
J. Neil Lanzi

c.c. Mr. & Mrs. John Rotz
People's Counsel for Balto. Co.
Virginia Barnhart, County Attorney
John Mildenberg, Mildenberg, Boender & Associates

rotzccop.11r

RECEIVED
COUNTY BOARD OF APPEALS
97 APR 21 AM 9:01

PP to 7/23/97



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

April 25, 1997

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 97-117-A IN THE MATTER OF: JOHN G. ROTZ, ET UX -Petitioner
4620 Washington Boulevard /Lot 1 13th E; 1st C
AND
CASE #: 97-118-a 4620 Washington Boulevard /Lot 2 13th E; 1st C
(Petitions for Variance GRANTED.)

which was scheduled for hearing on 6/18/97 has been POSTPONED at the request of Counsel for Appellants /Protestants, without objection by Petitioner; and has been

REASSIGNED FOR: WEDNESDAY, JULY 23, 1997 at 10:00 a.m.

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

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

Kathleen C. Bianco
Legal Administrator

cc: Counsel for Appellants /Protestants: J. Neil Lanzi, Esquire
Appellants /Protestants: Thomas Palacorolla and Auto Dealers, Inc.

Petitioners : John G. Rotz, et ux
John Mildenberg /Mildenberg,
Boender & Assoc., Inc.

People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty

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on Recycled Paper

J. NEIL LANZI, P.A.

ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

(410) 337-9039

FAX: (410) 337-9932

June 20, 1997

COLUMBIA
Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towson

J. Neil Lanzi

OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia

County Board of Appeals
Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204
Attn: Robert O. Schuetz, Chairman

Re: Case No. 97-117-A, 97-118-a
In the Matter of : John G. Rotz, ET UX-Petitioner

Dear Chairman Schuetz:

Please be advised that I represent Thomas Palacorolla and Auto Dealers, Inc., Appellants in the above captioned cases. The notice of postponement and reassignment date April 25, 1997 has been received indicating a new hearing date of July 23, 1997.

The purpose of this letter is to request a postponement from the July 23, 1997 hearing date. The Parties involved in this case and a related case have entered into a settlement agreement which provides for the dismissal of the above referenced appeal upon the occurrence of certain events. It is anticipated that a sixty (60) day postponement from the current hearing date will allow sufficient time for the settlement requirements to occur which should result ultimately in the dismissal of the above referenced appeal.

Accordingly, I respectfully request a postponement of the hearing for at least sixty (60) days from the current hearing date. I have spoken with Mr. John Rotz and he joins me in this request to postpone the hearing.

Thank you very much for your consideration of this request.

Very truly yours,

J. Neil Lanzi
J. Neil Lanzi

c.c. Mr. & Mrs. John Rotz
People's Counsel for Balto. Co.
Virginia Barnhart, County Attorney
John Mildenberg, Mildenberg, Boender & Associates
Thomas Palacorolla
Brian Isaac

rotzccop.11r



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room - Room 48
Old Courthouse, 400 Washington Avenue

June 24, 1997

NOTICE OF POSTPONEMENT & REASSIGNMENT

CASE #: 97-117-A IN THE MATTER OF: JOHN G. ROTZ, ET UX -Petitioner
4620 Washington Boulevard /Lot 1 13th E; 1st C
AND
CASE #: 97-118-a 4620 Washington Boulevard /Lot 2 13th E; 1st C
(Petitions for Variance GRANTED.)

which was scheduled for hearing on 7/23/97 has been POSTPONED at the request of Counsel for Appellants, without objection by Petitioner; and has been

REASSIGNED FOR: WEDNESDAY, NOVEMBER 12, 1997 at 10:00 a.m.

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

No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c). For further information, see Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

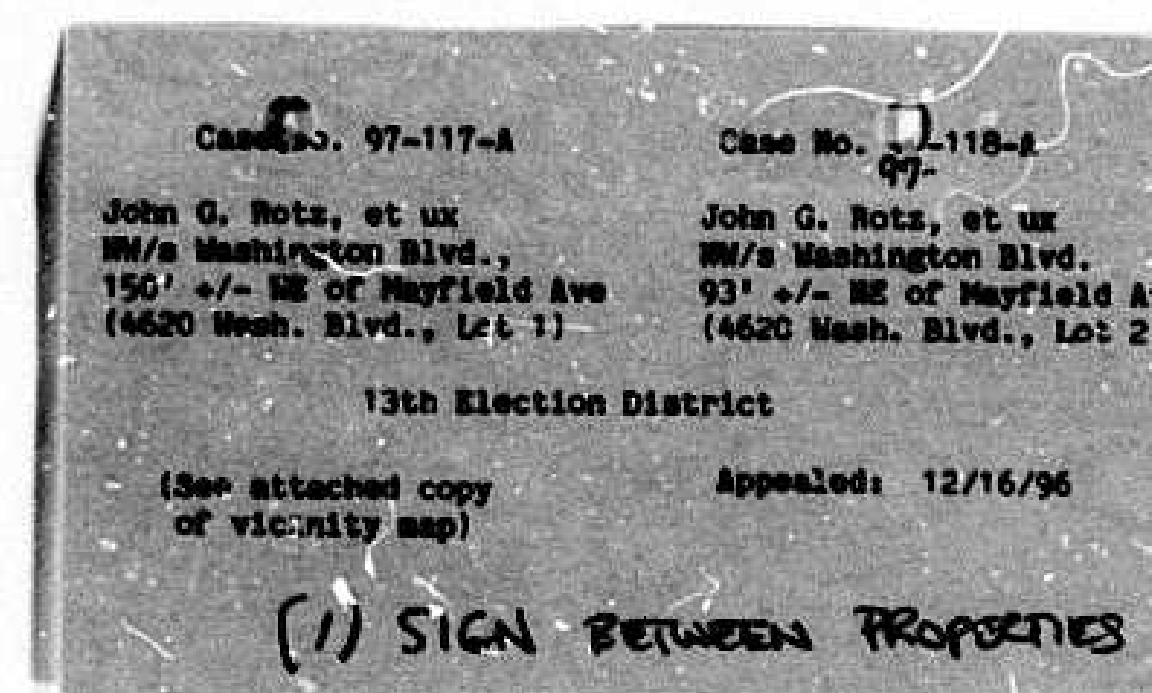
Kathleen C. Bianco
Legal Administrator

cc: Counsel for Appellants /Protestants: J. Neil Lanzi, Esquire
Appellants /Protestants: Thomas Palacorolla and Auto Dealers, Inc.

Petitioners : John G. Rotz, et ux
John Mildenberg /Mildenberg,
Boender & Assoc., Inc.

People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt
Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 18, 1996

Mr. and Mrs. John G. Rotz
4620 Washington Boulevard
Baltimore, MD 21227

RE: Item No.: 115
Case No.: 97-117-A
Petitioner: John G. Rotz, et ux

Dear Mr. and Mrs. Rotz:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 11, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Reslyn Eubanks in the zoning office (387-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

MCR/re
Attachment(s)

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management Date: October 1, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for September 30, 1996
Item No. 115

The Development Plans Review Division has reviewed the subject zoning item. All improvements, intersections, entrances, drainage requirements and construction affecting a State road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

A Final Landscape Plan must be approved by this office before a change of use or grading permit may be issued. Section IX.C.2.b.(3) of the Landscape Manual requires a 10-foot wide landscape strip between a parking lot and adjacent residential zone or use.

RWB:HJO:jrb

cc: File

ZONE23C

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management DATE: October 10, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 115, 149, 151, 153, 154, 156, 158, and 159

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey M. Long
Division Chief: Gary L. Kerns

PK/JL

ITEM115/PZONE/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Roslyn Eubanks
PDM DATE: October 7, 1996

FROM: Jeffrey Long
Planning Office

SUBJECT: ZAC

Please be advised that more time is needed to review the following petitions:

Item Nos. 115 & 116
Contact me on 887-3495 if you have any questions.

C: Gary Kerns
JL

ZAC1/PZONE/TATJWL

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM DATE: Sep 24 96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Sep 23, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 110
111
112
113
115
116
117

RBS:sp

BRUCE2/DEPRM/TXTS8P

SHA Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 115 (JL)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance onto MD/US 7 is acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 10/02/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF SEPT. 23, 1996.

Item No.: SEE BELOW

Zoning Agenda:

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.

The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 110, 111, 112, 113, 114, 115, 117 AND 118.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881. MS-1102F

cc: File

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IN RE: PETITION FOR Variance
4620 Washington Blvd., Lot 1 and
Lots, NW/4 Washington Blvd.
150' +/- NE of Mayfield Ave.
13th Election District,
1st Councilmanic
John G. and Judith K. Rotz
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 97-117A, 97-118A

TO: Mr. John Lewis
Office of Permits & Development

You are hereby summoned and commanded to be and appear personally before the Zoning Commissioner/Deputy Zoning Commissioner of Baltimore County in Room 106

and to bring all relevant documents and a map showing existing PR zones in this corridor of Rt. 1 between Ridge Ave., Route 615 and Rt. and S.W. Blvd. on the 24th day of October 1996 regarding the above captioned case, for the purpose of testifying at the request of John G. and Judith K. Rotz

Judith K. Rotz

Mr. Sheriff/Private Process Server:

Please process in accordance with Zoning Commissioner's Rule IV(c).

Jeffrey Long
Zoning Commissioner/Deputy
Zoning Commissioner
for Baltimore County

Issued: 10/23/96



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 27, 1996

Mr. and Mrs. John G. Rotz
4620 Washington Boulevard
Baltimore, MD 21227

RE: Petition for Zoning
Variance
NW/4 Washington Blvd.,
150 ft. +/- NE of Mayfield
Avenue
(4620 Washington Blvd.
Lot 1)
13th Election District
1st Councilmanic District
John G. Rotz, et ux
- Petitioner
Case No. 97-117-A

Dear Mr. and Mrs. Rotz:

Please be advised that an appeal of the above-referenced case was filed in this office on December 16, 1996 by J. Neil Lanzl, P.A. on behalf of Thomas Palacorella and Auto Dealers, Inc. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call 887-3180.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Director

AJ:rye

c: People's Counsel

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on Recycled Paper

APPEAL

Petition for Zoning Variance
NW/S Washington Blvd., 150 ft. +/- NE of Mayfield Avenue
(4620 Washington Boulevard Lot 1)
13th Election District - 1st Councilmanic District
John G. Rotz, et ux - Petitioners
Case No. 97-117-A

Petition for Zoning Variance

Description of Property

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Advisory Committee Comments

Petitioners and Protestants Sign-In Sheets

Subpoena for John Lewis of the Office of Permits and Development Management

Zoning Commissioner's Order dated November 20, 1996 (Granted)

Notice of Appeal received on December 16, 1996 from J. Neil Lanzi, P.A. on behalf of Thomas Palacorolla and Auto Dealers, Inc.

c: J. Neil Lanzi, Esquire, 300 Allegheny Avenue, Towson, MD 21204
Mr. and Mrs. John G. Rotz, 4620 Washington Boulevard, Baltimore, Maryland 21227
People's Counsel of Baltimore County, M.S. 2010

Request Notification: Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM

Case No. 97-117-A

VAR -To permit side and rear setbacks for existing building as close as 3' and 16' in lieu of required 30' /Lot 1.
VAR -To permit side setbacks as close as 9' and 3' (for an existing building) in lieu of required 30' /Lot 2.

Case No. 97-118-A

11/20/96 -Zoning Commissioner's Order in which requested relief was GRANTED.

3/28/97 -Notice of Assignment for hearing scheduled for Wednesday, June 18, 1997 at 10:00 a.m. sent to following:

J. Neil Lanzi, Esquire
Thomas Palacorolla and
Auto Dealers, Inc.
John G. Rotz, et ux
John Mildenberg /Mildenberg,
Boender & Assoc., Inc.
People's Counsel for Baltimore County
Pat Keller
Lawrence E. Schmidt

Arnold Jablon, Director /PDM
Virginia W. Barnhart, Co Atty

4/21/97 -Letter from Neil Lanzi, Esquire, requesting postponement from 6/18/97 hearing date; indicates that John Rotz has no objection to the granting of this request.

4/25/97 -Notice of PP and Reassignment sent to parties; matter rescheduled to Wednesday, July 23, 1997 at 10:00 a.m.

5/23/97 -Received letter dated 5/20/97 from J. Neil Lanzi, requesting postponement for at least 60 days of 7/23/97 hearing to allow sufficient time for settlement negotiations between parties; no objection from petitioner to this request.

6/24/97 -Confirmed above request by telephone with Mr. and Mrs. Rotz; case to be postponed and reassigned to hearing date in October or November, as schedule permits.

- Notice of PP and Reassignment sent to parties; postponement request granted; case reassigned to Wednesday, November 12, 1997 at 10:00 a.m.

8/11/97 -Letter of withdrawal of appeal filed by J. Neil Lanzi, Esquire, on behalf of Appellants /Protestants, Thomas Palacorolla and Auto Dealers, Inc. Order of Dismissal to be issued by CBA.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 17, 1996

Mrs. Judith K. Rotz
4620 Washington Boulevard
Baltimore, MD 21227

RE: Item Nos. 115 and 116
4620 Washington Boulevard
13th Election District

Dear Mrs. Rotz:

Per your request received on September 12, 1996, you may file for a building permit at your own risk for the purpose of early review only. Final zoning approvals are conditioned upon the granting of the zoning variance public hearings under the above item numbers and subsequent revisions to your building permit site plans.

Your request for an early hearing has been forwarded to our docket clerk, who will try to set a date as soon as possible.

Please document this response on your building permit application plans.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

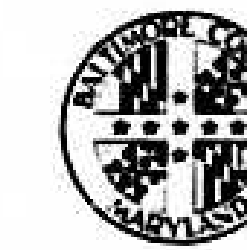
Very truly yours,

John L. Lewis
John L. Lewis
Planner II
Zoning Review

JLL:rye

c: Item Nos. 115 and 116

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 15, 1997

Mr. John G. Rotz
4620 Washington Boulevard
Baltimore, MD 21227

RE: Zoning Verification
4618 and 4620 Washington Boulevard
Zoning Cases 97-117-A & 97-118-A
13th Election District

Dear Mr. Rotz:

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Your request is for confirmation that the above referenced properties continue to enjoy nonconforming commercial use since Mr. Mitchell Kellman's letter of December 13, 1996. Zoning Cases 97-117-A and 97-118-A, granted November 20, 1996, referenced the fact that both properties are zoned B.R. (Business Roadside) and the mixed office and retail uses are proposed at both locations.

Additionally, building permits B-288446 and B-288467 to change from residential to office and retail uses were approved and issued. The Protestants' appeal of the zoning commissioner's orders (granting), have been withdrawn. You have also submitted numerous exhibits (7) including leases, security checks, photographs of existing signs, copies of traders licenses, etc. As such, the mixed office and retail uses may continue as legal being nonconforming.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

John J. Sullivan, Jr.
John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:rye

c: zoning cases 97-117-A & 97-118-A

Enclosure

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 10, 1998

Mr. John G. Rotz
4620 Washington Boulevard
Baltimore, Maryland 21227

Dear Mr. Rotz:

RE: 4618 and 4620 Washington Boulevard, Zoning Cases 97-117-A & 97-118-A
13th Election District

Your letter to Arnold Jablon, Director of Permits and Development Management, has been referred to me for reply. Your request is for confirmation that the above referenced properties continue to enjoy nonconforming commercial use since Mr. John Sullivan's letter of December 15, 1997 as it referenced Mr. Mitchell Kellman's letter of December 13, 1996. Zoning Cases 97-117-A and 97-118-A were granted November 20, 1996 and, at that time, both properties were zoned B. R. (Business, Roadside) and the mixed office and retail were proposed and subsequently were established prior to the zoning change to D. R. as stated below, at both locations..

Building permits B-288446 and B-288467 to change from residential to office and retail uses were approved and issued. The Protestants' appeal of the zoning commissioner's orders (granting) have been withdrawn. You have also submitted numerous exhibits (7) including leases, security checks, photographs, copies of traders licenses, etc. As such, the mixed office and retail uses may continue as legal being nonconforming, subject to the conditions set forth on the zoning commissioner's order.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

John L. Lewis
John L. Lewis
Planner II
Zoning Review

JLL:cjs

c: zoning cases 97-117-A & 97-118-A

Come visit the County's Website at www.co.ba.md.us

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 8, 1998
Permits & Development Management

FROM: Charlotte E. Radcliffe
County Board of Appeals

SUBJECT: Closed Files: Case No. 97-117-A and 97-118-A
John G. Rotz, Et Ux

As no further appeals have been taken in the above captioned case, we are hereby closing the file and returning same to you herewith.

Attachment (Case File Nos. 97-117-A and 97-118-A)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 11, 2000

Mr. John G. Rotz
4620 Washington Boulevard
Baltimore, Maryland 21227

Dear Mr. Rotz:

RE: Zoning Verification, (Lots 1 and 2) 4618 and 4620 Washington Blvd., Zoning Case 97-117-A and 97-118-A, 13th Election District

Thank you for your letter of November 30, 1999, to Arnold Jablon, Director of Permits and Development Management. This correspondence has been referred to me for reply. Your request is for confirmation that the referenced properties continue to enjoy nonconforming commercial uses since Mr. Lewis' letter of December 10, 1998 as it referenced Mr. John Sullivan's letter of December 15, 1997 and my letter of December 13, 1996. Zoning cases 97-117-A and 97-118-A were granted on November 20, 1996 and at that time, both properties were zoned B.R. Mixed office and retail uses were proposed and established prior to the zoning change to D.R.

Building Permits B-288446 and B-288467 which changed the residential use to office and retail were approved and issued. The Protestants' appeal of the Zoning Commissioner's order granting the variances were withdrawn. You have also submitted, with your request, current (1999) proof of the businesses have been continuously operating to the present date. As such, the mixed office and retail uses may continue as being legal nonconforming uses, subject to the conditions set forth within the Zoning Commissioner's order.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-3391.

Very truly yours,

Mitchell J. Kellman
Mitchell J. Kellman
Planner II
Zoning Review

MJK:lew

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on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

J. NEIL LANZI, P.A.
ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

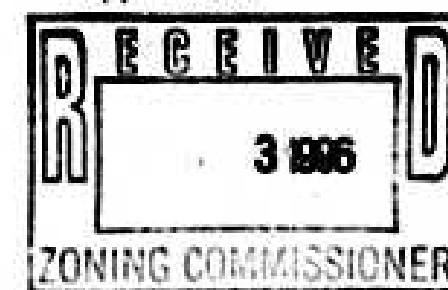
(410) 337-9039

FAX: (410) 337-8932

December 3, 1996

COLUMBIA
Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towns



Hand-Delivered
Lawrence E. Schmidt, Zoning Commissioner
Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Case Nos. 97-117-A, 97-118-A
Property: 4620 Washington Blvd, Lots 1 & 2

Dear Commissioner Schmidt:

Please be advised that I represent Thomas Palacorolla, owner of the property known as 1826 Winans Avenue and Auto Dealers, Inc., contract purchaser. This property is immediately adjacent to 4620 Washington Boulevard. On their behalf, I am requesting a five (5) day extension from the thirty (30) day appeal period as provided by Section 22-32 of the Baltimore County Code. The basis for the extension is as follows.

First, the parties to the above referenced cases are the same parties involved in an Appeal, Case No. C3-C-96-006679, for the property known as 1826 Winans Avenue. The parties are attempting to resolve the Appeal before the Circuit Court and the five (5) day extension is absolutely necessary as part of the proposed settlement between the parties. The deadline for filing an Appeal of the two cases listed above is presently Thursday, December 19, 1996 and the additional five (5) days would allow sufficient time to determine if the settlement can be achieved.

Simultaneously with this letter, I will be filing a postponement request of the hearing scheduled for the Circuit Court Appeal and a Request For an Extension of Time for filing my Client's reply Brief required in the Appeal. Mr. and Mrs. John G. Rotz, Petitioners in the above referenced case, join my client's in this request.

Thank you very much for your consideration.

Very truly yours,

J. Neil Lanzi

Mr. & Mrs. John G. Rotz

*I called
Neil Lanzi
at 11:30 AM
He, with me
signed the
letter to the
Zoning Commissioner
12/3/96*

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
RW/S Washington Blvd., 150 ft. * ZONING COMMISSIONER
+/- NE of Mayfield Avenue *
4620 Washington Blvd. Lot 1 * OF BALTIMORE COUNTY
13th Election District *
1st Councilmanic District * Case No. 97-117-A
John G. Rotz, et ux *
Petitioners *

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
RW/S Washington Blvd., 93 ft. * ZONING COMMISSIONER
+/- NE of Mayfield Avenue *
4620 Washington Blvd. Lot 2 * OF BALTIMORE COUNTY
13th Election District *
1st Councilmanic District * Case No. 97-118-A
John G. Rotz, et ux et ux *
Petitioners *

ORDER

Upon consideration of the request of Thomas Palacorolla and Auto Dealers, Inc. to extend the time for filing an Appeal of the above listed cases, it is this ____ day of _____, 1996 by the Zoning Commissioner of Baltimore County,

ORDERED, that the Request be and is hereby granted and the time for filing an appeal is extended thru December 24, 1996.

Zoning Commissioner

(Isaac.ord)

J. NEIL LANZI, P.A.
ATTORNEY AT LAW
300 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204

(410) 337-9039

FAX: (410) 337-8932

December 16, 1996

J. Neil Lanzi
OF COUNSEL
Fred L. Coover*

*Also Admitted in District of Columbia



COLUMBIA
Suite 700, Parkside Building
10500 Little Patuxent Parkway
Columbia, Maryland 21044

Reply to Towns

Hand-Delivered

Lawrence E. Schmidt, Zoning Commissioner
Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Case Nos. 97-117-A, 97-118-A
Property: 4620 Washington Blvd, Lots 1 & 2

Dear Commissioner Schmidt:

On behalf of Thomas Palacorolla and Auto Dealers, Inc., I hereby note this Appeal from Case Nos. 97-117-A and 97-118-A to the County Board of Appeals. Enclosed herewith please find the appropriate filing fee for the Appeal.

Thank you very much for your consideration.

Very truly yours,

J. Neil Lanzi

c.c. Thomas Palacorolla
Auto Dealers, Inc.

(Palacomm.121)

PLEASE PRINT CLEARLY

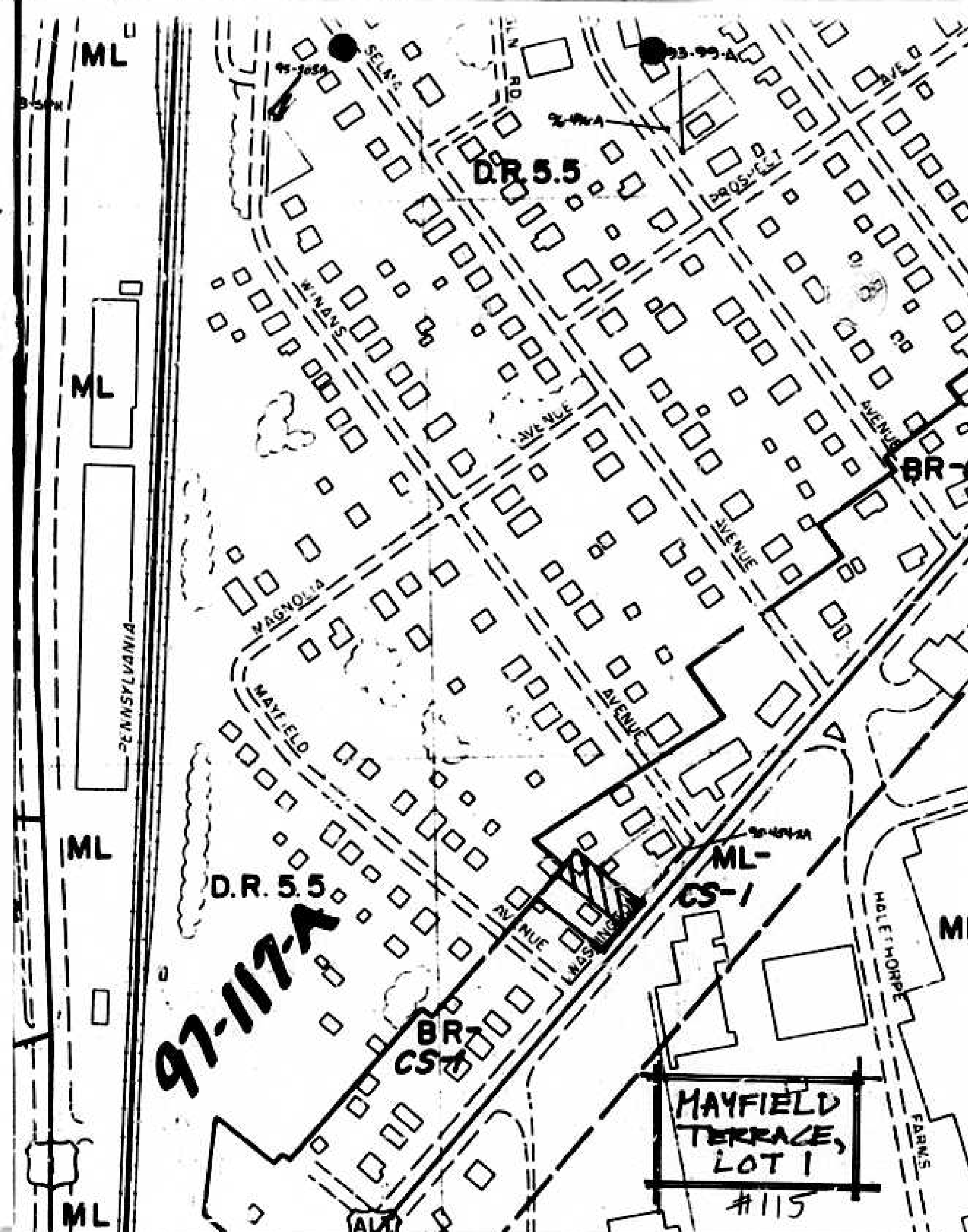
PROTESTANT(S) SIGN-IN SHEET

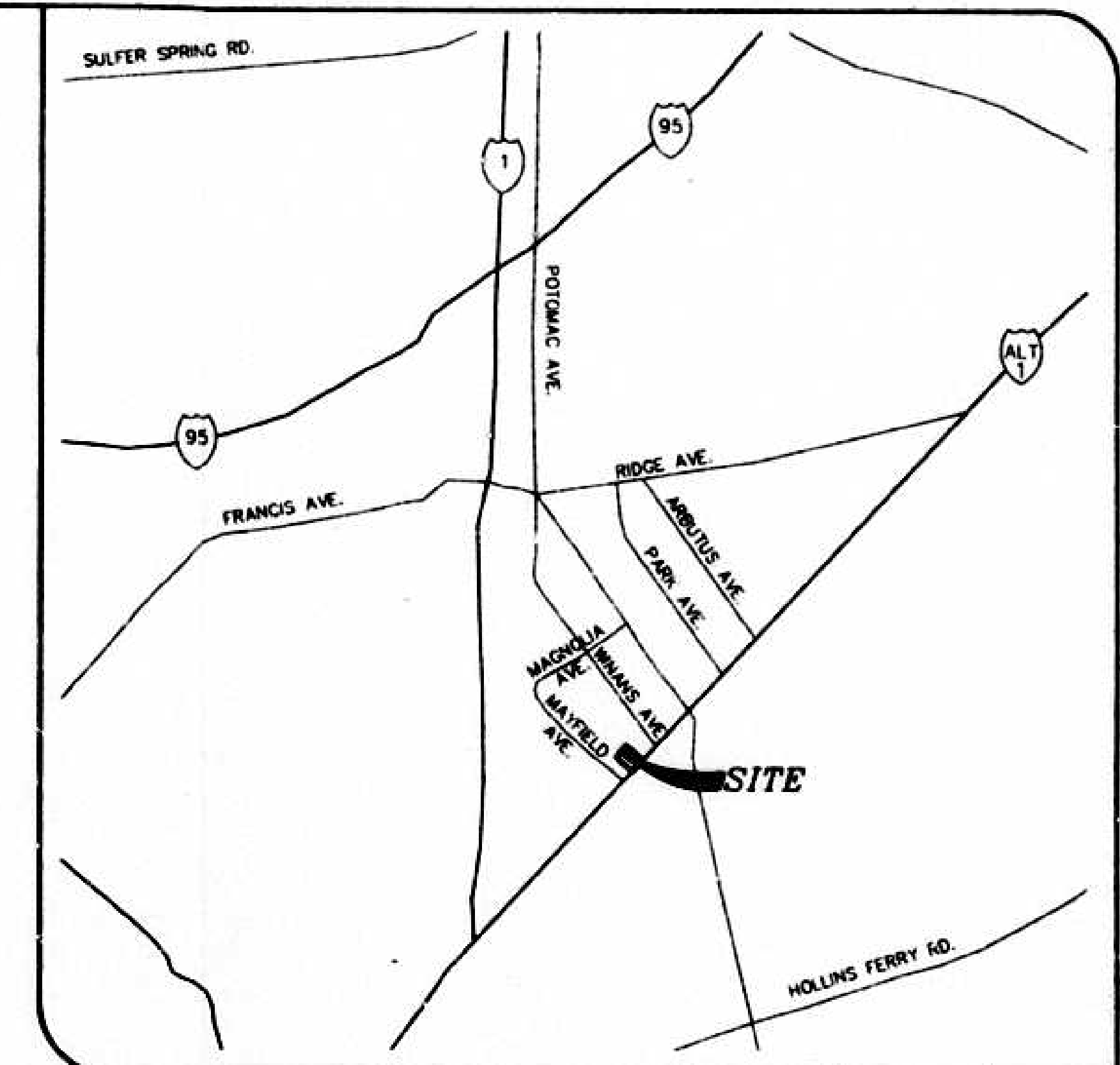
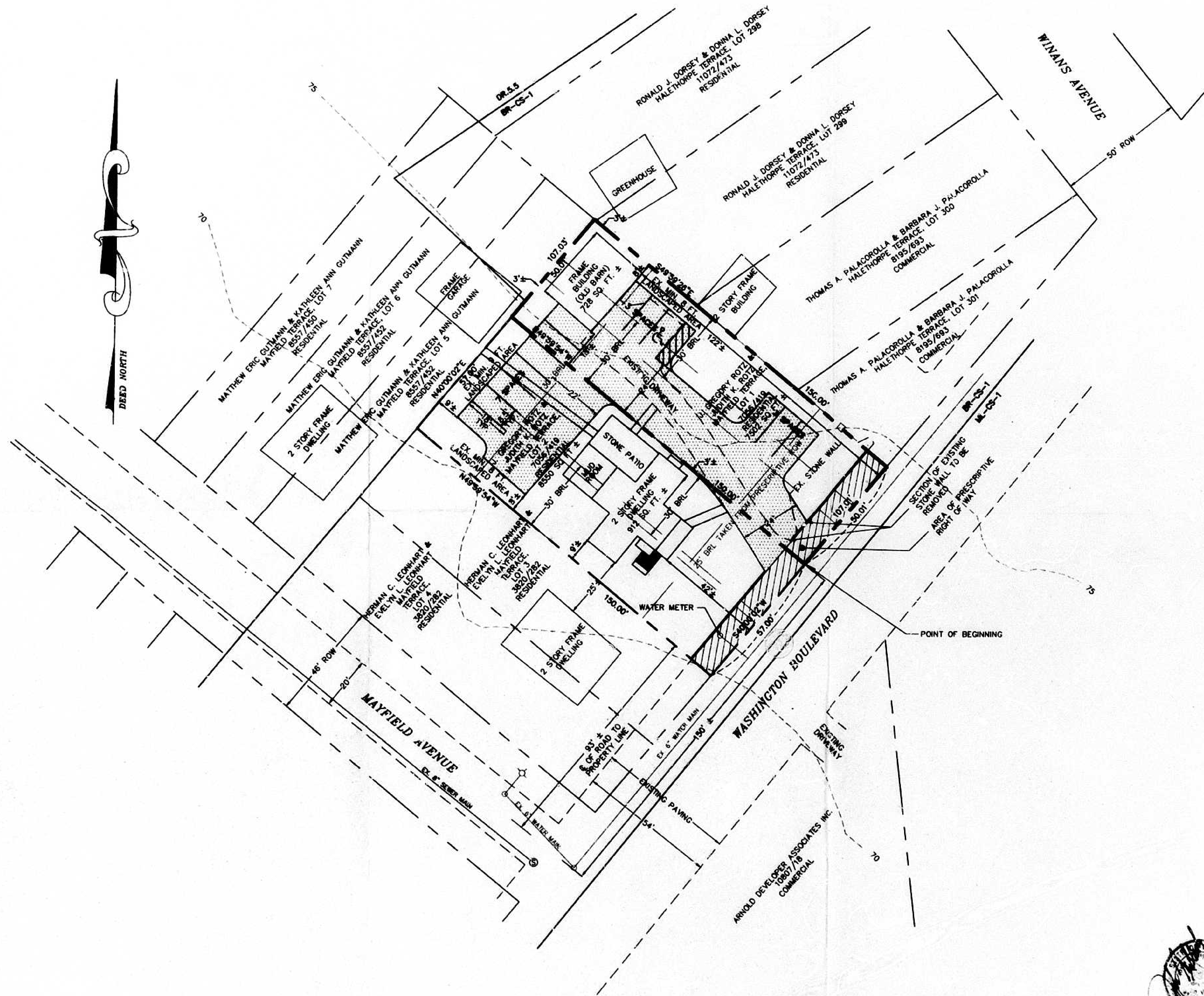
NAME

J. Neil Lanzi

ADDRESS

300 Allegheny Avenue, Towson MD 21204





VICINITY MAP
SCALE: 1" = 1000'

- GENERAL NOTES**
1. TOTAL AREA OF SITE = 16,052 SQ. FT. ± OR 0.37 ACRES ±.
 2. FLOOR AREA RATIO = 2552 SQ. FT. / 16,052 SQ. FT. = 0.16.
 3. COUNCILMANIC DISTRICT: FIRST.
 4. EXISTING USE: RESIDENTIAL.
 5. PROPOSED USE: RETAIL OR BUSINESS/OFFICE.
 6. BOUNDARY SURVEY BASED ON DEED NORTH.
 7. SUBJECT PROPERTY CURRENTLY ZONED BR-CS-1.
 8. UTILITY LOCATIONS BASED ON FIELD SURVEY CONDUCTED ON OR ABOUT AUGUST 1996.
 9. SUBJECT PROPERTY UP FOR REZONING UNDER C2MP FILE # 1-005.
 10. PARKING REQUIREMENT:
RETAIL FOR OLD BARN:
5.0 SPACES PER 1000 SQ. FT. X 728 SQ. FT. = 4 SPACES
BUSINESS/OFFICE FOR OLD BARN:
3.3 SPACES PER 1000 SQ. FT. X 728 SQ. FT. = 3 SPACES
UPON SALE OF EITHER LOT, AN EASEMENT WILL BE PLACED OVER THE DRIVEWAY AND PARKING TO ALLOW USE BY LOT 1 AND 2 JOINTLY.
 11. TAX ACCOUNT NO.: 1311890020.
 12. THERE ARE NO 100 YEAR FLOODPLAINS ON-SITE.
 13. NO FIRE RESISTANT COMMERCIAL BUILDINGS ARE WITHIN 100 FEET OF THE SIDE LOT LINES ALONG WASHINGTON BOULEVARD.
 14. PAVED MACADAM PARKING AREA TO HAVE A DURABLE, DUSTLESS SURFACE AND SPACES TO HAVE PERMANENT STRIPING.
 15. REQUIRED LANDSCAPING TO BUFFER THE PARKING AREA FROM ADJACENT RESIDENTIAL LOTS TO BE SATISFIED BY EXISTING LANDSCAPED AREAS. REAR PROPERTY LINE LANDSCAPING CONSISTS OF A COMBINATION OF EVERGREEN TREES, SHADE TREES, AND DECIDUOUS SHRUBS. LANDSCAPING ALONG BOTH SIDE PROPERTY LINES CONSISTS OF HEDGE ROWS OF DECIDUOUS SHRUBS WITH A FEW SCATTERED SHADE TREES.

LEGEND #115

- AREA OF PRESCRIPTIVE RIGHT OF WAY
- PAVED MACADAM PARKING AREA



97-117-A

OWNER
J. GREG ROTZ AND JUDITH K. ROTZ
4620 WASHINGTON BOULEVARD
BALTIMORE, MARYLAND 21227

Project: 98090

Date: AUG 98

Illustration: 3D

Scale: 1" = 20'

Drawn by: JDM

Project: 98090

Date: AUG 98

Illustration: 3D

Scale: 1" = 20'

Drawn by: JDM

ROTZ PROPERTY, LOT 1

4620 WASHINGTON BOULEVARD

TAX MAP 108 - P/O PARCEL 659

THIRTEENTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

PLAN TO ACCOMPANY VARIANCE PETITION

MILDENBERG, BOENDER & ASSOC., INC.

Engineers Planners Surveyors

5072 Deery Hill Drive, Suite 202, Ellicott City, Maryland 21042

(410) 987-4246 Fax: (410) 987-4247

1 of 1

98090/92.DWG