

IN THE MATTER OF
THE APPLICATION OF
RANDALL E. McMONIGLE -PETITIONER
FOR SPECIAL EXCEPTION ON PROPERTY
LOCATED ON THE NW/SIDE LILLIAN HOLT
DRIVE AND CORNER NE/S I-695
(7620 LILLIAN HOLT DRIVE)

14TH ELECTION DISTRICT
6TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* Case No. 01-022-X

* * * * *

OPINION

This matter is before the Board on an appeal from a decision of the Deputy Zoning Commissioner of the denial of a Petition for Special Exception filed by the legal owner of the subject property, Randall McMonigle. The Petitioner is requesting a special exception for property located at 7620 Lillian Holt Drive. The property is split-zoned M.L.-I.M. and M.H. The special exception is for a service garage in accordance with § 253.2.B.3 of the *Baltimore County Zoning Regulations* (BCZR).

A hearing was held before the Board on December 11, 2001. Petitioner was represented by C. William Clark, Esquire. Peter Max Zimmerman, People's Counsel for Baltimore County, appeared on behalf of the Office of People's Counsel. Public deliberation was held on January 31, 2002.

Background

Barrett Browning, the owner of Maryland Towing and Recovery, testified that he has leased the property in question at 7620 Lillian Holt Drive for approximately 3 years. Browning operates two tow trucks and has been in business for 4 years. He testified that he tows disabled vehicles from the immediate area of Perry Hall and Rosedale to the lot where they are stored. In certain instances, he performs various services on cars, replacing batteries, tires, and making oil

changes, tune-ups, and other basic repairs. Mr. Browning does not have a building with service bays where he performs these services, but evidently performs them outside. There was no indication as to what he did with the discarded tires, batteries, or oil from the cars which he has serviced. He testified that he was the only individual performing service on the cars, and if the owner had not decided what to do with the vehicle, he would store the vehicle at the lot.

Browning indicated that any vehicles left on the lot must remain there for at least 30 days before they could be disposed of.

Browning indicated that he towed vehicles from the various businesses in the area, including Golden Corral, Black and Decker, Fullerton Rescue, Schmidt's Baking Company, and the strip shopping center at Fitch Lane and Rossville Boulevard. In addition, he tows various Verizon vehicles to the company yard and has towed many disabled cars to shops and other areas.

Browning stated that he had no signed agreements with customers and gives receipts to the customers when the job is finished. He indicated that during the past year he had performed 15 to 20 oil changes.

People's Counsel introduced several photographs of the lot in question, which showed that at least half of the vehicles on the site were unlicensed. Mr. Browning also stated that, in order to reach him to perform towing services, a customer would call the site where there is a telephone jack, and the call would be transferred to his cell phone.

David Woessner of American Land Development and Engineering, Inc., testified as an expert in land planning engineering and Baltimore County zoning regulations. He indicated that he was familiar with the property and that the entrance to the property was off of Lillian Holt Drive. There was a 20-foot drop from Lillian Holt Drive to the property, and Mr. Woessner felt

that you could not see the compound where the cars were stored from Lillian Holt Drive but you might be able to see the top of the building. He was aware that Baltimore County had issued a citation for a violation of the zoning regulations for operating a service garage without a special exception. (It should be noted that this violation was not introduced into evidence.) Mr. Woessner testified with respect to the requirements of § 502.1 if the special exception were granted. He indicated, on cross-examination, that he did not take a good look at the vehicles that were parked on the lot by Maryland Towing.

People's Counsel introduced Dennis Eckard, an Officer of the Perry Hall Improvement Association, and a resident of Perry Hall for 33 to 35 years. Mr. Eckard indicated that he had visited the property and had observed the enclosed area within the wire fence. He saw eight to nine vehicles and a dog inside the fence. He observed that the vehicles were old vehicles and did not observe any with current license tags. There were no employees visible, and he did not see any buildings or trucks which were utilized by the operation. On a second visit, approximately 3 weeks to 1 month later, he observed the same vehicles on the lot that had been there when he made his first visit. There was also a boat and several other vehicles outside the fence enclosing the compound. Mr. Eckard testified that he took the photographs that were shown to the Hearing Officer.

Decision

Section 253.2 states:

Uses permitted by special exception. The uses listed in this subsection are permitted by special exception only (see Section 502).

...B. The following auxiliary services uses, provided that any such use shall be located in a planned industrial park at least 25 acres in net area or in an I.M. District; provided, further, that it is shown that any such use will

serve primarily the industrial uses and related activities in the surrounding industrial area:

1. Automotive-service stations, subject, further, to the provisions of Section 405.
2. Car washes, subject, further, to the provisions of Section 419.
3. Garages, service, including establishments for the service or repair of trucks, of truck trailers or of freight-shipping containers designed to be mounted on chassis for part or all of their transport....

The *Baltimore County Zoning Regulations*, § 101, define “service garage.” Section 101 states:

GARAGE, COMMUNITY – A structure or series of structures for the storage of automobiles of residents of the neighborhood, and not used for making repairs.

GARAGE, RESIDENTIAL – An accessory building, portion of a main building or building attached thereto used for storage of private motor vehicles.

GARAGE, SERVICE – A garage, other than a residential garage, where motor-driven vehicles are stored, equipped for operation, repaired or kept for remuneration, hire or sale.

The Board is of the opinion that § 101 contemplates that a service garage will be a building within which repairs on motor vehicles are performed. Even the definition of “garage” in *Webster’s Third New International Dictionary*, submitted by the Petitioner as Petitioner’s Exhibit #5, states: “Garage-- ...a building or compartment of a building used for housing an automotive vehicle. 2: a repair shop for automotive vehicles.” This indicates the use of a building or a shop for the maintenance and repair of vehicles.

It is clear from the testimony that any repairs on vehicles are performed by Mr. Browning outside. While he contemplates having a shop with bays to perform maintenance some day in the future, there is no specific plan proposed to the Board at this time. The site plan submitted by the Petitioner shows a number of buildings, but they are not related to the operation of

Maryland Towing and Recovery. In addition, there is no indication where any of the batteries, tires, and used oil waste are disposed of. Mr. Browning is the only individual employed by Maryland Towing and Recovery at the site, and it appears that the site is solely a towing operation and has the beginnings of a possible junkyard operation.

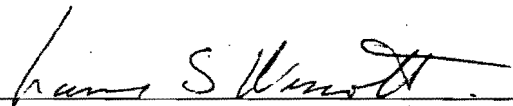
The Board sees no reason to consider whether or not the operation meets the requirements of § 502.1 of the BCZR, since this Board finds that the operation does not meet the initial requirement of a service garage under § 253.2.B.3.

ORDER

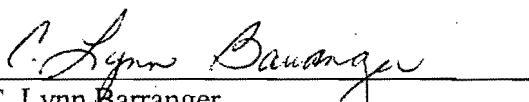
THEREFORE, IT IS ORDERED, by the Baltimore County Board of Appeals, this 4th day of March, 2002, that the Petitioner's request for special exception from § 253.2.B.3 of the *Baltimore County Zoning Regulations* for a service garage be and is hereby **DENIED**.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules*.

**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**


Lawrence S. Wescott, Panel Chairman


Margaret Worrall


C. Lynn Barranger

THOMAS J. RENNER
WILLIAM P. ENGLEHART, JR.
STEPHEN J. NOLAN*
ROBERT L. HANLEY, JR.
ROBERT S. GLUSHAKOW
DOUGLAS L. BURGESS
C. WILLIAM CLARK
CATHERINE A. POTTHAST
E. BRUCE JONES**
ROGER L. WOLFE, JR.

* ALSO ADMITTED IN D.C.
** ALSO ADMITTED IN NEW JERSEY

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED

SUITE 700, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4528
(410) 823-7800
TELEFAX: (410) 296-2765
email: npw@nolanplumhoff.com
Web: www.nolanplumhoff.com

col
pmz
JAMES D. NOLAN
(RETIRED 1980)

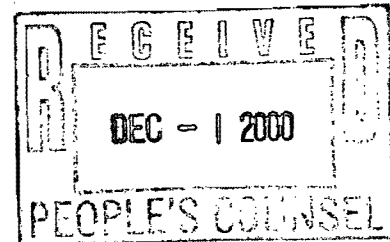
J. EARLE PLUMHOFF
(1940-1988)

RALPH E. DEITZ
(1918-1990)

WRITER'S DIRECT DIAL
(410) 823-7850

November 30, 2000

VIA HAND DELIVERY



George Zahner
Office of Zoning for Baltimore County
Room 111, County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: Petition for Special Exception - Randy McMonigle
Case Nos.01-022-X

Dear Mr. Zahner:

Enclosed herein please find an Appeal for immediate filing in connection with the above-captioned case. This firm's check in the amount of \$210.00 is accompanying the Appeal to cover the cost of filing and posting fee.

Thank you for your anticipated cooperation. If you have any questions, please do not hesitate to contact me.

Until then, I remain.

Very truly yours,

A handwritten signature in cursive script that reads "C. William Clark".

C. William Clark

CWC:kal
Enclosures
cc: Randy McMonigle

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*Thank you
in this*

IN RE: PETITION FOR SPECIAL EXCEPTION

NW/S LILLIAN HOLT DRIVE &
CORNER N/E/S 1-695

* BEFORE THE

* ZONING COMMISSIONER

14th Election District
6th Councilmanic District
(7620 Lillian Holt Drive)

* OF BALTIMORE COUNTY

* CASE No. 01-022-X

Randy McMonigle
Petitioner

* * * * *

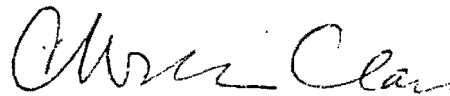
APPEAL

Randy McMonigle, Petitioner and Property Owner, by C. William Clark and Nolan, Plumhoff & Williams, Chartered, his attorneys, file this Appeal to the Board of Appeals from the decision of the Deputy Zoning Commissioner of November 3, 2000, and appeal specifically:

A. The decision denying the Special Exception Request;
and

B. A copy of the Findings of Fact and Conclusions of Law is attached hereto, marked Exhibit 1.

Respectfully submitted,



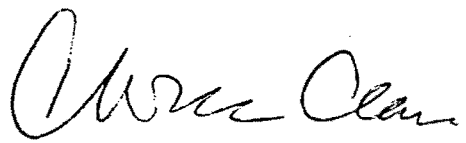
C. William Clark
Nolan, Plumhoff & Williams, Chartered
502 Washington Avenue, Suite 700
Towson, MD 21202
(410) 823-7800
Attorneys for Randy McMonigle

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this on this 30th day of November, 2000, the foregoing Appeal was mailed, first class, postage prepaid, to the following:

Randy McMonigle
7620 Lillian Holt Drive
Baltimore, MD 21237

Peter Max Zimmerman, Esquire
People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204



C. William Clark

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
NW/S Lillian Holt Drive & *
corner NE/S I-695 * DEPUTY ZONING COMMISSIONER
14th Election District *
6th Councilmanic District * OF BALTIMORE COUNTY
(7620 Lillian Holt Drive) *
*
Randall E. McMonigle *
Petitioner *

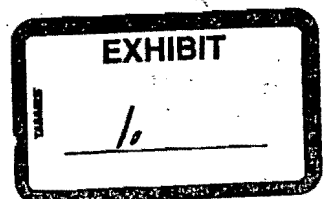
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FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owner of the subject property, Randall McMonigle. The Petitioner is requesting a special exception for property located at 7620 Lillian Holt Drive, which property is split-zoned ML-IM and MH. The special exception request is for a storage yard for towing/service garage in accordance with Section 253.2.B.3.

Appearing at the hearing on behalf of the special exception request was Randall McMonigle, owner of the property. A professional engineer, David Woessner, attended on behalf of the Petitioner. The Petitioner was represented by C. William Clark, attorney at law. There were no protestants in attendance..

Testimony and evidence indicated that the property, which is the subject of this special exception request, consists of a total area of 14,212 sq. ft. This particular area is zoned ML-IM. The Petitioner is requesting permission to approve the use of this area as a towing operation. The Petitioner testified that a business known as "Maryland Towing and Recovery" has leased the subject property and is in the process of storing automobiles, within the area shown on the site plan. These vehicles have been towed from accident scenes and/or repossessed from people who have not made payments on their vehicle. The testimony revealed that Maryland Towing



COPIED FROM BALTIMORE COUNTY FILES
Date 11/3/00
By R. Woessner

IN RE: PETITION FOR SPECIAL EXCEPTION

NW/S LILLIAN HOLT DRIVE &
CORNER N/E/S 1-695

14th Election District
6th Councilmanic District
(7620 Lillian Holt Drive)

Randy McMonigle
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE No. 01-022-X

* * * * *

NOTICE OF APPEAL

Randy McMonigle, by C. William Clark, and Nolan, Plumhoff
& Williams, Chartered, his attorneys, hereby appeals to the
Baltimore County Board of Appeals the decision of the Deputy
Zoning Commissioner of November 3, 2000.

November 30, 2000

Respectfully submitted,



C. William Clark
Nolan, Plumhoff & Williams, Chartered
Suite 700, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204
(410) 823-7800
Attorneys for Randy McMonigle



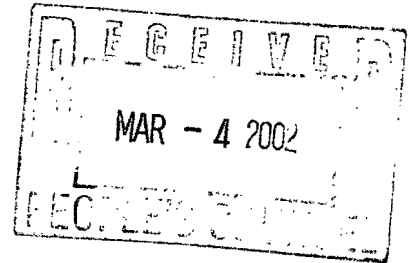
County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

DENIED

cd

March 4, 2002



C. William Clark, Esquire
NOLAN, PLUMHOFF & WILLIAMS, CHTD.
Suite 700, Nottingham Centre
502 Washington Avenue
Towson, MD 21204

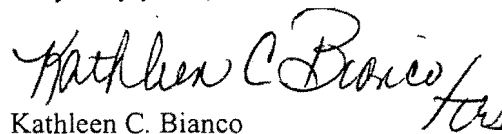
RE: *In the Matter of: Randall E. McMonigle*
Case No. 01-022-X

Dear Mr. Clark:

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

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the *Maryland Rules of Procedure*, with a **photocopy provided to this office concurrent with filing in Circuit Court. Please note that all Petitions for Judicial Review filed from this decision should be noted under the same civil action number.** If no such petition is filed within 30 days from the date of the enclosed Order, the subject file will be closed.

Very truly yours,


Kathleen C. Bianco
Administrator

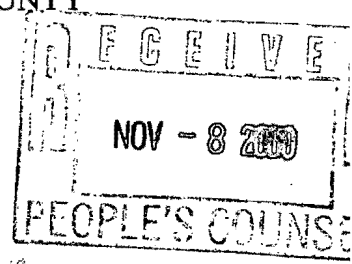
Enclosure

c: Randall E. McMonigle
David C. Woessner, P.E.
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM



11/3/00 PM2
Denial/
follow up app.

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
NW/S Lillian Holt Drive & *
corner NE/S I-695 * DEPUTY ZONING COMMISSIONER
14th Election District *
6th Councilmanic District * OF BALTIMORE COUNTY
(7620 Lillian Holt Drive) *
CASE NO. 01-022-X
Randall E. McMonigle *
Petitioner *
* * * * *



FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owner of the subject property, Randall McMonigle. The Petitioner is requesting a special exception for property located at 7620 Lillian Holt Drive, which property is split-zoned ML-IM and MH. The special exception request is for a storage yard for towing/service garage in accordance with Section 253.2.B.3.

Appearing at the hearing on behalf of the special exception request was Randall McMonigle, owner of the property. A professional engineer, David Woessner, attended on behalf of the Petitioner. The Petitioner was represented by C. William Clark, attorney at law. There were no protestants in attendance..

Testimony and evidence indicated that the property, which is the subject of this special exception request, consists of a total area of 14,212 sq. ft. This particular area is zoned ML-IM. The Petitioner is requesting permission to approve the use of this area as a towing operation. The Petitioner testified that a business known as "Maryland Towing and Recovery" has leased the subject property and is in the process of storing automobiles, within the area shown on the site plan. These vehicles have been towed from accident scenes and/or repossessed from people who have not made payments on their vehicle. The testimony revealed that Maryland Towing

ORDER RECEIVED FOR FILING
Date 11/3/00
By R. J. [Signature]

and Recovery operates 3 tow trucks, 7 days a week, 24-hours a day. Mr. McMonigle was not aware of the office hours of the towing operation.

8 - VOM
The Petitioner has requested the special exception relief pursuant to Section 253.2B.3 of the Baltimore County Zoning Regulations. That particular provision of the regulations provides for uses that are permitted within the ML zone by special exception. The actual provision from which the Petitioner is seeking relief specifically provides that a service garage, including establishments for the service or repair of trucks, truck trailers, or of freight shipping containers, designed to be mounted on chassis, for part or all of their transport, shall be permitted only by special exception. It is difficult to perceive how the Petitioner's special exception for a towing operation falls within that particular category of the zoning regulations. Furthermore, an additional requirement is necessary. In order for the Petitioner to operate at this location, it must be shown by the evidence, that the Petitioner's use will serve primarily the industrial uses and related activities in the surrounding industrial area.

The towing service in question, as described by the Petitioner at the hearing, in the opinion of this Deputy Zoning Commissioner, has not been established to service the surrounding related, industrial uses around this particular property. While much of the land surrounding the Petitioner's location is zoned ML, much of it is improved with warehouse mini storages. There appears to be no surrounding industrial use or activity that will feed business to this particular use.

In addition to the problems with the language of the particular section from which the Petitioner seeks relief, I am also concerned that the property itself does not fall into the category of a service garage. The definition itself implies that there is some type of building or structure located on the property that is actually used as a garage. During my numerous site visits to the

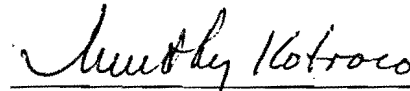
property, I did not observe any building or structure within the area shown on the site plan submitted into evidence. Therefore, I do not believe and, therefore, cannot find that the proposed use of the property as a service garage meets that definition, nor does it meet the type of service garage contemplated by Section 253.2.B.3. My observations on my six site visits to the property demonstrated that there are a row of damaged and disabled vehicles beginning to be stored in a corner of the property along the southern fence line, as shown on the site plan submitted. Weeds and brush have overgrown the area where these vehicles are stored. It was apparent to me during my visits, that these vehicles are being stored in a long term capacity. It was clear to me during my inspections, that the subject property gives the appearance of the beginnings of a junk yard. These vehicles appear to be long forgotten by their owners and should be sent on to an approved junk yard facility for proper disposal.

In addition, during my many visits to the property, I never observed any individuals on site, no office within which to inquire about a particular vehicle that was towed to the property, and no tow trucks coming and going from the property. The only living creatures observed on the property were 2 junk yard dogs roaming within the fenced in area. Based on the language contained within the Baltimore County Zoning Regulations, the definition of service garage, my many site visits to the property and my observations of this operation, I find that the special exception request must be denied and the damaged and disabled vehicles that are currently stored on the property must be removed.

THEREFORE, IT IS ORDERED this 3rd day of November, 2000, by this Deputy Zoning Commissioner, that the Petitioner's Special Exception Request from Section 253.2.B.3 of the Baltimore County Zoning Regulations, for a storage yard for towing/service garage, be and is hereby DENIED.

IT IS FURTHER ORDERED, that the damaged and disabled vehicles stored on the property must be removed within thirty (30) days from the date of this Order.

IT IS FURTHER ORDERED that any appeal of this decision must be made within thirty (30) days of the date of this Order.



TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING

DMS 11/3/00

By J.R. Johnson

Hearing 12/11

11/3/00 412
Dennis J.
Pellmar/Hoff

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
NW/S Lillian Holt Drive &		
corner NE/S I-695	*	DEPUTY ZONING COMMISSIONER
14th Election District		
6th Councilmanic District	*	OF BALTIMORE COUNTY
(7620 Lillian Holt Drive)		
	*	CASE NO. 01-022-X
Randall E. McMonigle		
Petitioner	*	
* * * * *		

NOV - 8 2000

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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ORDER RECEIVED FOR FILING
Date 11/3/00
By R. J. Jarnes



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 7620 Lillian Holt Dr.

which is presently zoned ML-IM, MH

This Petition shall be filed with the Department of Permits and 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 Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

A storage yard for towing "SERVICE GARAGE" per section 253.2.B.3.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

City

State

Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

Bh

Date

7/17/00

Case No. 01-022-X

REV 09/15/98

client advised to have an attorney at the hearing

is this the
belting
Seymour guy with
the landscaping
business?



Baltimore County
Department of Permits and
Development Management

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

August 29, 2000

Randall E. McMonigle
8 Jonathan Court
Hunt Valley, MD 21030

Dear Mr. McMonigle:

RE: Case Number: 01-022-A, 7620 Lillian Holt Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 17, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
GDZ

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: People's Counsel



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RB*
DATE: August 4, 2000
SUBJECT: Zoning Item #022
7620 Lillian Holt Drive

Zoning Advisory Committee Meeting of July 31, 2000

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☒ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
 - ☐ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
 - ☐ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Reviewer: Glenn Shaffer

Date: August 3, 2000

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 11, 2000

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 7620 Lillian Holt Drive

INFORMATION:

Item Number: 01-022

Petitioner: Randall E. McMonigle

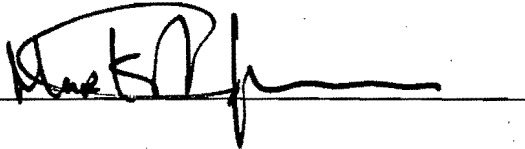
Zoning: ML-IM, MH

Requested Action: Special Exception

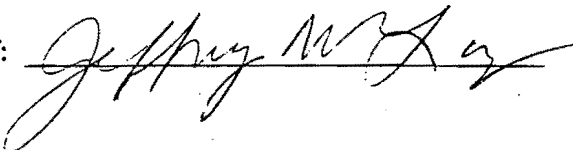
SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends that the subject site be visited by the Zoning Commissioner prior to making any final determination.

Prepared by:



Section Chief:



AFK:MAC:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 11, 2000

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 7620 Lillian Holt Drive

INFORMATION:

Item Number: 01-022

Petitioner: Randall E. McMonigle

Zoning: ML-IM, MH

Requested Action: Special Exception

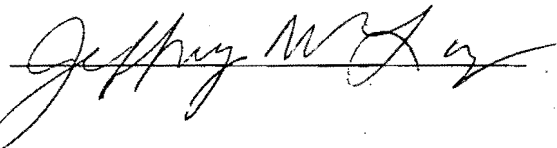
SUMMARY OF RECOMMENDATIONS:

The Office of Planning recommends that the subject site be visited by the Zoning Commissioner prior to making any final determination.

Prepared by:



Section Chief:



AFK:MAC:



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

August 8, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: RANDALL E. MCMONIGLE- 022

Location: DISTRIBUTION MEETING OF JULY 31, 2000

Item No.: 022

Dear Ms. Stephens:

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.

9. ACCESS FOR FIRE DEPARTMENT EMERGENCY APPARATUS IS NEEDED
THE ACCESS ROAD SHALL BE A MINIMUM OF 18 FEET IN WIDTH.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 17, 2000

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 7, 2000
Item Nos. 022, 023, 024, 026, 027, 028
030, 031, 032, 033, 034, 035, 036

and

00-550-A, Revised 7/14/2000

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: August 17, 2000

FROM: Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For August 7, 2000
Item No. 025

The Bureau of Development Plans Review has reviewed the subject zoning item. The developer is to dedicate the right-of-way for the cut-back of the property lines at the intersection of Taylor Avenue and Chestnut Avenue at no cost to the county.

Per the Department of Public Works' Design Manual, Road and Streets, Section II, Paragraph I, *"the minimum distance from the property line P.I. at an intersection and the property line chord points shall be a minimum of 10 feet"*.

The issue of on-site parking should be addressed.

RWB:HJO:jrb

cc: File



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 7.31.00

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

RE: Baltimore County
Item No. 022 BR

Dear Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

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, MARYLAND

INTEROFFICE MEMORANDUM

TO: ARNOLD F. "PAT" KELLER, JEFFREY LONG, MARK CUNNINGHAM
OFFICE OF PLANNING

FROM: PETER MAX ZIMMERMAN, PEOPLE'S COUNSEL PMZ

SUBJECT: PETITION FOR VARIANCE, 7620 LILLIAN HOLT DRIVE, NE/S
INTERSECTION OF LILLIAN HOLT DR AND BALTIMORE
BELTWAY, 14TH ELECTION DISTRICT, 6TH COUNCILMANIC,
RANDALL E. MCMONIGLE, PETITIONER, CASE NO. 01-22-A

DATE: NOVEMBER 6, 2001

The County Board of Appeals has scheduled for Tuesday, December 11, 2001
at 10:00 a.m. a hearing on the Petitioner's appeal of Deputy Zoning Commissioner
Tim Kotroco's November 3, 2000 decision (attached) in the above case.

Is your office interested in this case? Please call me to discuss.

PMZ/caf
Attachment



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

September 6, 2001

NOTICE OF ASSIGNMENT

CASE #: 01-022-X

IN THE MATTER OF: *Randall E. McMonigle* -- Legal Owner
7620 Lillian Holt Drive
14th Election District; 6th Councilmanic District

11/03/2000 - DZC's Order in which Petition for Special Exception was
DENIED.

ASSIGNED FOR: TUESDAY, DECEMBER 11, 2001 at 10:00 a.m.

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

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: 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).

If you have a disability requiring special accommodations, please contact this office at least one
week prior to hearing date.

Kathleen C. Bianco
Administrator

c: Counsel for Appellant /Petitioner
Appellant /Petitioner

: C. William Clark, Esquire
: Randall E. McMonigle

David C. Woessner, P.E.

People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM



Baltimore County
Department of Permits and
Development Management

We're in & answer GD

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

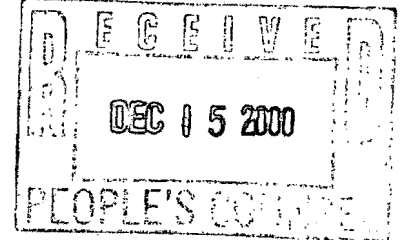
December 14, 2000

David C. Woessner, P.E.
10749 Birmingham Way
Woodstock, MD 21163

Dear Mr. Woessner:

RANDALL McMONIGLE

RE: Case No. 01-22-X, 7620 Lillian Holt Drive



Please be advised that an appeal of the above-referenced case was filed in this office on November 30, 2000 by C. William Clark, Esquire, on behalf of Randy McMonigle. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

Sincerely,

Arnold Jablon
Director

GDZ

AJ: gdz

C: C. William Clark, Esquire, Nolan, Plumhoff & Williams, Chartered, Suite 700,
Nottingham Centre, 502 Washington Avenue, Towson 21204
Randall E. McMonigle, 8 Jonathans Court, Hunt Valley 21030
People's Counsel



APPEAL

Petition for Special Exception
7620 Lillian Holt Drive
NW/S Lillian Holt Drive and corner NE/S I-695
14th Election District - 6th Councilmanic District
Randall E. McMonigle - Legal Owner
Case Number: 01-22-X

Petition for Special Exception (filed 7/17/00)

Description of Property

Notice of Zoning Hearing (dated 8/7/00)

Certification of Publication (8/22/00 – The Jeffersonian)

Certificate of Posting (8/22/00 – posted by Thomas Ogle)

Entry of Appearance by People's Counsel (dated 8/1/00)

Petitioner(s) Sign-In Sheet

Zoning Advisory Committee Comments

Petitioners' Exhibits:

- 1 Plat to Accompany Special Exception Petition for a Service Garage at
7620 Lillian Holt Drive (dated 6/22/00)

Misc. (Not Marked as Exhibits):

- ❖ Case Entry/Update from Code Enforcement file

Deputy Zoning Commissioner's Order dated 11/3/00 (Denied)

Notice of Appeal received on 11/30/00 from C. William Clark, Esquire, on behalf of
Randy McMonigle

C: C. William Clark, Esquire, Nolan, Plumhoff & Williams, Chartered
Suite 700, Nottingham Centre, 502 Washington Avenue, Towson 21204
Randall E. McMonigle, 8 Jonathans Court, Hunt Valley 21030
People's Counsel of Baltimore County, MS #2010
Timothy Kotroco, Deputy Zoning Commissioner
Arnold Jablon, Director of PDM

RE: PETITION FOR VARIANCE
7620 Lillian Holt Drive, NE/S intersection of
Lillian Holt Dr and Baltimore Beltway
14th Election District, 6th Councilmanic

Legal Owner: Randall E. McMonigle
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-22-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.

All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of August, 2000 a copy of the foregoing Entry of Appearance was mailed to Randall E. McMonigle, 8 Jonathans Court, Hunt Valley, MD 21030, Petitioner.



PETER MAX ZIMMERMAN

Baltimore County, Maryland
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 99-5644

Randall E. McMonigle

7620 Lillian Holt Drive

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW

FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer, for the Department of Permits and Development Management on 30 November 1999, for a hearing on a citation for violations under the Baltimore County Zoning Regulations for operating a service garage without obtaining a special exception on property zoned ML-IM located at 7620 Lillian Holt Drive.

John Tsigounis, code enforcement inspector, stated that the County received a complaint concerning the condition of the property. The property was inspected on 9 September 1999 and the inspector found tall grass throughout the property and a large fenced off area containing motor vehicles with a sign indicating Maryland Towing.

On 9 September 1999, the inspector issued written correction notices pursuant to §1-7(c), Baltimore County Code, which described the nature of the violations and the manner of correction. The correction notices were marked in evidence as PEx1A&B and were served on the Respondent.

On 12 October 1999, pursuant to §1-7(d), Baltimore County Code, a code enforcement citation was issued. The citation was marked in evidence as PEx2 and was legally served on the Respondent.

Post-it® Fax Note	7571	Date	# of pages 3
To	C. FISHER	From	D. TAYLOR
Co/Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

Baltimore County, Maryland
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

The citation described the violations as follows: Baltimore County Zoning Regulations, §101; 102.1; 253; operation of a "service garage" in a ML-IM zone without benefit of a special exception hearing. Further, the citation proposed a civil penalty of \$6600 to be assessed. A code enforcement hearing date was scheduled for 30 November 1999. Newton Williams, Esquire appeared on behalf of the Respondent.

Testimony and evidence presented indicates the Respondent owns 2.39 acres of land on the northwest side of Lillian Holt Drive and an additional piece of land on the east side of the Baltimore Gas and Electric right of way for high power transmission lines. The Respondent has leased a portion of the property to Maryland Towing for the storage of motor vehicles towed by the tenant and stored in the fenced in area.

The zoning regulations §101, defines "Service Garage" as "A garage, other than a residential garage, where motor driven vehicles are stored, equipped for operation, repaired or kept for remuneration, hire or sale". In a ML zone, Service Garage is permitted by special exception. See §253.2B, BCZR. The inspector testified that he searched the records and he found no special exception has been granted to the Respondent.

The attorney for the Respondent stated that he is in the process of filing for a hearing to get a special exception for a service garage. He stated that he needs 30 days or more to get the hearing.

Pursuant to the correction notice and subsequent code enforcement citation issued, and hearing held, and for the reasons set forth above, it is found as a matter of law that code violations existed from 9 September 1999, and the violations are continuing.

Baltimore County, Maryland
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

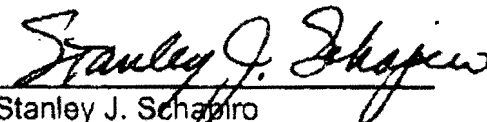
THEREFORE, IT IS ORDERED by the Code Enforcement Hearing Officer, this

9 day of December 1999, as follows:

- (1) A civil penalty is imposed in the amount of \$5000;
- (2) The civil penalty in the amount of \$5000 shall be suspended on condition the Respondent removes the service garage on or before 31 January 2000 or in the alternative :
 - (a) If the special exception is granted then the civil penalty shall be suspended.
 - (b) If the special exception is denied or denied on appeal then the Respondent shall remove the service garage from the subject property thirty days after the Order denying the special exception. If the Respondent fails to correct the violation in the time allotted, then the civil penalty imposed shall be \$5000.

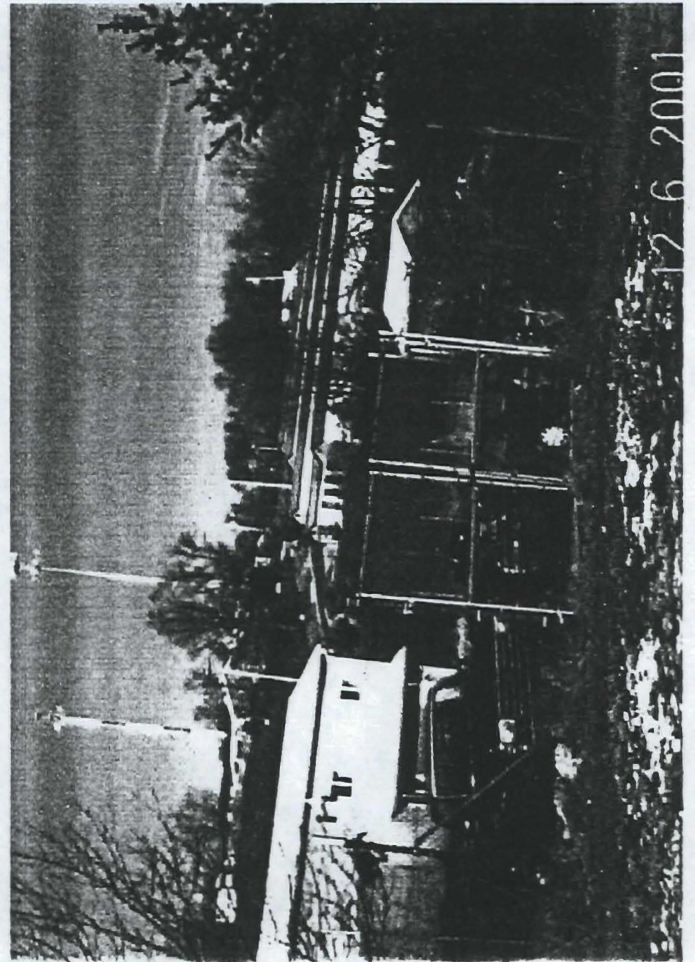
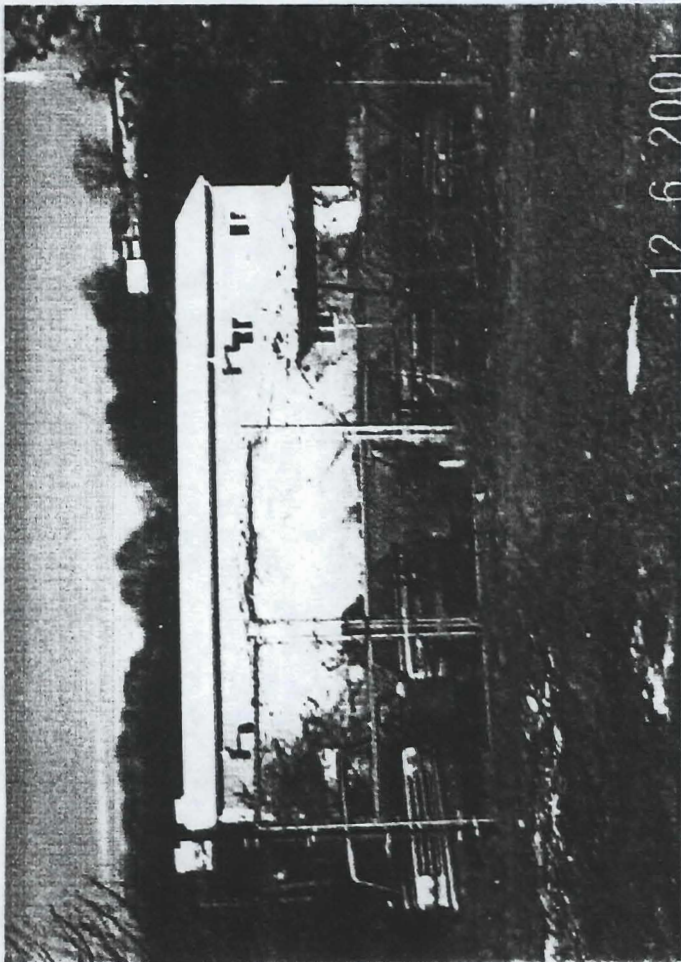
IT IS FURTHER ORDERED that the inspector, monitor the property to determine whether the violations have been corrected.

Signed:


Stanley J. Schapiro
Code Enforcement Hearing Officer

The violator is advised that pursuant to §1-7(g)(1), Baltimore County Code (effective June 6, 1997), an appeal to the Baltimore County Board of Appeals may be taken within fifteen (15) days after the date of a final Order. §1-7(g)(2) requires the filing of a petition setting forth the grounds for appeal and a filing fee of \$150. The appellant is urged to read the requirements for the appeal petition. Security in the amount of the civil penalty must be posted with the Director.

Pictures TAKEN 12/6/01, Violations still exist.
JRA.



01

Baltimore County, Maryland
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 99-5644

Randall E. McMonigle

7620 Lillian Holt Drive

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW

FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer, for the Department of Permits and Development Management on 30 November 1999, for a hearing on a citation for violations under the Baltimore County Zoning Regulations for operating a service garage without obtaining a special exception on property zoned ML-IM located at 7620 Lillian Holt Drive.

John Tsigounis, code enforcement inspector, stated that the County received a complaint concerning the condition of the property. The property was inspected on 9 September 1999 and the inspector found tall grass throughout the property and a large fenced off area containing motor vehicles with a sign indicating Maryland Towing.

On 9 September 1999, the inspector issued written correction notices pursuant to §1-7(c), Baltimore County Code, which described the nature of the violations and the manner of correction. The correction notices were marked in evidence as PEx1A&B and were served on the Respondent.

On 12 October 1999, pursuant to §1-7(d), Baltimore County Code, a code enforcement citation was issued. The citation was marked in evidence as PEx2 and was legally served on the Respondent.

Post-it® Fax Note	7571	Cste	# of pages 3
To	C. FISHER	From	D. TAYLOR
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

Case Entry/Update

Format : CASREC

Mode : CHANGE

File : PDLV0001

Notes: EXTEND PER JHT TO SPECIAL EXEMPTION HEARING, J TSIGOUNIS, EXTENSION GRANTED PER R.S.W. 8/28/00, ITEM #022, HEARING CASE # 01-022-X, HEARING 9/6/00, EXT UNTIL DECISION, OK PER RSW, J TSIGOUNIS. 9/18/00, DECISION NOT RETURNED YET WILL RECHECK 9/30/00, J TSIGOUNIS. 10/2/00, SPOKE W/ZONING COMMISS'S OFFICE, NO DECEISION RENDERED YET, EXTENSION GRANTED 10/20 00, NO ANSWER AT COMPL'S TELEPHONE #, HE SAID HE IS NOT INTERESTED ANYMORE, T TSIGOUNIS. 10/23/00, CALLED Z.C. OFFICE, NO ORDER HAS BEEN ISSUED YET PER ROBYN - MR COTROKS SECRETARY, J TSIGOUNIS. ***11/21/00, HEARING DENIED FOR STORAGE YARD FOR TOWING/SERVICE GARAGE CHECK FOR APPEALS ON 1/1/01, COMPL NOTIFIED, N PERUZOVIC.

F3=Exit
F9=Insert

F5=Refresh
F10=Entry

F6=Select format
F11=Change

DATE: 12/11/01

PEOPLE'S COUNSEL'S SIGN-IN SHEET

CASE NAME: RANDALL McMONIGIE

CASE NO.: 01-22-X

The Office of People's Counsel was created by the County Charter to participate in zoning matters on behalf of the public interest. While it does not actually represent community groups or protestants, it will assist in the presentation of their concerns, whether they have their own attorney or not. If you wish to be assisted by People's Counsel, please sign below.

[illegible]

CODE ENFORCEMENT REPORT

NCF

DATE: 09/07/99 INTAKE BY: LB CASE #: 99-5644 INSPEC: JT

COMPLAINT LOCATION: 7620 Lillian Holt Dr. (Towing Business)

ZIP CODE: 21236 DIST: _____

COMPLAINANT NAME: Paul M. Blitz PHONE #: (H) 410-574-6934 (W) _____

ADDRESS: 516 Eastern Blvd. ZIP CODE: 21221

PROBLEM: Tall grass; No screening
(Pls. contact complainant prior to inspection)

OWNER/TENANT INFORMATION: _____

TAX ACCOUNT #: _____ ZONING: _____

INSPECTION: MD Towing 859-5666

REINSPECTION: _____

REINSPECTION: _____

REINSPECTION: _____



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Code Enforcement: 410-887-3354 Extension 7249
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE VIOLATION NOTICE

VIOLATION(S) OF TITLE 3, 7, 18, 24, OR 26 OF THE
BALTIMORE COUNTY CODE, ZONING, OR OTHER
CODES, REGULATIONS, AND POLICIES AS
INDICATED BELOW:

Violation Notice No.

114868

Case No.

44-5644

Election District 14 Permit No. _____

Name (s) McMUIGLE RANDALL E

Address 1105 JUSTA LA COCKEYSVILLE MD 21030

Location of Violation (if different than address) 7620 LILLIAN HOLT DR

BALTIMORE 21234

Vehicle License No.: _____ Vehicle ID: _____

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

County Code:

§§ 22-81-82-83

§§ _____

Zoning Regulations:

§§ _____

§§ _____

Building Code (BOCA):

§§ _____

§§ _____

Livability Code (18-66):

§§ _____

§§ _____

Investment Property Act (7-66):

§§ _____

Electrical Code (NEC):

§§ _____

Plumbing Code (NSPC):

§§ _____

Dwelling (CABO):

§§ _____

Other: §§ _____ PERKINS

COMMENTS OR OTHER VIOLATIONS:

① Cut all Tall grass + WEEDS TO 3 inches OR
less + MAINTAIN Failure To comply = \$200 a DAY
FINE AND THE COUNTY MAY DO THE WORK AND LEIN
Property Tax.

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE
9/14/99 FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON
THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: 9/9/99 INSPECTOR: John Tsigounis

STOP WORK NOTICE

PURSUANT TO INSPECTION AND IDENTIFICATION OF THE FOREGOING VIOLATIONS,
YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER
PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE
INSPECTIONS AND ENFORCEMENT.

THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN: _____

DATE ISSUED: _____ INSPECTOR: _____

IMPORTANT INFORMATION ON FINES AND PENALTIES PRINTED ON REVERSE SIDE.
PLEASE READ CAREFULLY.

AGENCY _____



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Code Enforcement: 410-887-3351 Extension 7249
Building Inspection: 410-887-3953

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960

BALTIMORE COUNTY UNIFORM CODE VIOLATION NOTICE

VIOLATION(S) OF TITLE 3, 7, 18, 24, OR 26 OF THE
BALTIMORE COUNTY CODE, ZONING, OR OTHER
CODES, REGULATIONS, AND POLICIES AS
INDICATED BELOW:

Violation Notice No.

114869

Case No.:

99-5644

Election District 14 Permit No. _____

Name (s) McMUVIGLE RANDALL E

Address 1105 SUSIA LA COCKEYSVILLE MD 21030

Location of Violation (if different than address) 7620 LILLIAN HOLT DR BALT MD 21236

Vehicle License No.: _____ Vehicle ID: _____

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

County Code:

§§ _____
§§ _____

Zoning Regulations:

§§ 253.2 B 3
§§ _____

Building Code (BOCA):

§§ _____
§§ _____

Livability Code (18-66):

§§ _____
§§ _____

Investment Property Act (7-66):

§§ _____

Electrical Code (NEC):

§§ _____

Plumbing Code (NSPC):

§§ _____

Dwelling (CABO):

§§ _____

Other: §§ _____

COMMENTS OR OTHER VIOLATIONS:

① Cease THE OPERATION OF A SERVICE GARAGE
= MD TOWING, OR APPLY FOR A SPECIAL EXCEPTION
HEARING AT 111 West Chesapeake AVE. FAILURE TO COMPLY
= \$200 A DAY FINE PER VIOLATION THAT CAN BE ASSESSED
AS A PROPERTY TAX LIEN

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE
10/9/99 FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON
THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: 9/9/99

INSPECTOR: John Tsuyovins

STOP WORK NOTICE

PURSUANT TO INSPECTION AND IDENTIFICATION OF THE FOREGOING VIOLATIONS,
YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER
PERMITS OBTAINED. WORK CAN RESUME WITH THE APPROVAL OF THE DIVISION OF CODE
INSPECTIONS AND ENFORCEMENT.

THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN: _____

DATE ISSUED: _____ INSPECTOR: _____

IMPORTANT INFORMATION ON FINES AND PENALTIES PRINTED ON REVERSE SIDE.
PLEASE READ CAREFULLY.

AGENCY



Baltimore County
Department of Permits and
Development Management

Code Inspections and Enforcement
County Office Building
111 West Joppa Avenue
Towson, Maryland 21204

Code Enforcement: 410-887-3351, Extension 7299
Building Inspection: 410-887-3953
E-Mail: Pdmnforce@co.ba.md.us

Plumbing Inspection: 410-887-3620
Electrical Inspection: 410-887-3960
Pdminspect@co.ba.md.us

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CITATION

SERVE ON RESIDENT AGENT/CORPORATE OFFICER (IF APPLICABLE)

Citation/Case No.

99-5644

Name (s) McMURGLE RANDALL E

Address 1105 JUSTA LA COLLEYSVILLE MD 21030

Owner ☒ Occupant ☐ Other _____ Related Citations _____

Location and Date (s) of Violation: 7628 LILLIAN HOLT DR BAL-

MD 21230 9/9/99 Through 10/12/99 2:00 pm On

Vehicle License No.: _____ Vehicle ID: _____

IT IS FORMALLY CHARGED BY BALTIMORE COUNTY THAT THE ABOVE NAMED PERSON(S)
DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS OR REGULATIONS
(CIRCLE RELEVANT ZONE BELOW, IF APPLICABLE):

(101" GARAGE, SERVICE")

1B01(DR)	1A01(RC2)	1A02(RC3)	1A03(RC4)	1A04(RC5)
200(RAE)	202(ROA)	204(RO)	205(OR1)	206(OR2)
207(O3)	210(SE)	216(BMM)	221(BMB)	229(CB)(BLR)
230(BL)	233(BM)	236(BR)	240(MR)	247(MLR)
<u>253(ML)</u>	256(MH)			

(101, 102, 1, 4)

(253, 2 B, 3)

- 1) OPERATION OF A SERVICE GARAGE
- 2) _____
- 3) _____
- 4) _____
- 5) _____
- 6) _____
- 7) _____
- 8) _____

PETZ

(Unless otherwise noted, all references are to zoning regulations.)

IMPORTANT TO READ REVERSE FOR IMPORTANT INFORMATION AND
DIRECTIONS

AGENCY

NOTICE TO DEFENDANT

1) Pursuant to Section 1-8, Baltimore County Code, a penalty has been assessed as a result of the violation cited herein in the amount indicated:

\$ 6,500

If you do not contest this citation, you must pay this penalty by check or money order, payable to the director of finance, Baltimore County, Maryland, and return a copy of this citation with payment to:

Director of Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

2) If you contest this citation or proposed assessment of penalty, you must file a written request for a quasi-judicial hearing before the code official or designee within fifteen (15) days from the date of service of this citation. A quasi-judicial hearing has been pre-scheduled in Room 106 of the County Office Building for:

DATE: 11/30/99
TIME: 9 AM Room 112

At this hearing, you are entitled to be represented by an attorney, present witnesses and evidence, and cross-examine any witnesses against you. An attorney can be helpful to you by: (a) explaining the charges in this citation, (b) helping you at trial, and (c) helping you to get a fair penalty if found in violation.

3) This pre-scheduled hearing will be canceled if you choose to pay the assessed penalty or if you fail to request the hearing in writing within the time required. Failure to contest the citation or proposed assessment of penalty, if any, by either not paying the penalty or by not requesting the quasi-judicial hearing, shall result in the citation and its penalty becoming a non-appealable, final order of the code official. Failure to appear at the requested hearing will also result in the citation and civil penalty becoming a non-appealable, final order of the code official.

4) If you are the owner of the property, failure to pay the assessed penalty shall constitute a lien on the property and shall be collectible in the same manner and to the same extent as real estate taxes. In addition, failure to correct the violation(s) shall result in appropriate judicial action for enforcement, including civil contempt, which could result in imprisonment.

I do solemnly affirm that the contents stated above are correct to the best of my knowledge, information, and belief.

Date: 10/12/99 Inspector's Signature: [Signature]

Citation must be served by: 10/27/99

Detach and send the completed form below to:

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

Citation Number: 44-5174

NOTICE OF INTENTION TO DEFEND

I hereby elect to stand trial before the code official or designee for the violation(s) charged in this citation.

Date: _____ Defendant (Please Print Your Name and Sign): _____

Address: _____

Copy

Newton A. Williams
Thomas J. Renner
William P. Englehart, Jr.
Stephen J. Nolan*
Robert L. Hanley, Jr.
Robert S. Glushakow
Douglas L. Burgess
Robert E. Cahill, Jr.
C. William Clark
Catherine A. Potthast
E. Bruce Jones**

Law Offices
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Web: www.nolanplumhoff.com

JAMES D. NOLAN
(RETIRED 1980)

J. EARLE PLUMHOFF
(1940-1988)

RALPH E. DEITZ
(1918-1990)

*Also admitted in D.C.

**Also admitted in New Jersey

December 6, 1999

Arnold Jablon, Esq., Director

James Thompson, Zoning Enforcement Supervisor

FAX 410 887 5708

Permits and Development Management

County Office Building

Towson, Maryland, 21204

Attention: Mr. Carl Richards and James Thompson

Jim and Carl:

RE: 11445 Red Lion Road,

Case No. 00- 169- X

Thursday, December 2, 1999.

Dismissed without prejudice

We have just received an Order of Dismissal from Deputy Commissioner Kotroco in this matter.

Mr. Bull is taking steps to have the trucking firm vacate the site, but it will take a reasonable period to accomplish this move. We ask your indulgence while this move is accomplished.

With best regards of the season, I am

49-5277

Respectfully

Newton

Newton A. Williams

CC Fax or Mail

Alex Ratych, APR, 410 944 1647

Edward Bull, 13811 Pleasantville Road, PO Box 12, Baldwin, Md. 21013

Ronald Parker, Esq. Whitmarsh Business Association, Inc. , 410 335 3096

11/11/02 - next
date
Keith

Mr. Rev
R. McMonagle

Zoning Enforcement No. 99-5644

3 pgs. 12/9/99

Order / Stanley Shapiro on

Rm. 119

NOTED:
any violation order + appeal if
any
+ reinspect prop?

Dave
Taylor

FAXING ORDER
TO US TODAY 12/5
also will sched
for reinspection
on Fri. 12/7

John Tsigounis
(Segonis) inspector
x 6060

VMail x 7299

8099

Jeff Radcliffe / 8099