

IN RE: PETITION FOR VARIANCE

N/S Mt. Carmel Road, 844' E  
centerline of Grace Road  
5th Election District  
3rd Councilmanic District  
(4800 Mt. Carmel Road)

Martin G. & Deneen M. Ziegler  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 01-244-A

\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Martin and Deneen Ziegler. The Petitioners are requesting a variance for property located at 4800 Mt. Carmel Road, which property is split-zoned RC2/RC4. The variance request is from Section 431 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the property owner to park one commercial vehicle in excess of 10,000 lbs. on residential property.

Appearing at the hearing on behalf of the variance request were Martin and Deneen Ziegler, owners of the property, William Hohman and Margaret Rosenberger, nearby property owners and Michael Paul Smith, attorney at law, representing the Petitioners. Appearing in opposition to the Petitioners' request were Janet Davis, Anna Bye, Georgia Mills and Phillip McWilliams.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 2.3344 acres, more or less, split-zoned RC2/RC4. The subject property is improved with a single-family residential dwelling wherein the Ziegler's reside. The property is located on the north side of Mt. Carmel Road, east of its intersection with Grace Road in northwest Baltimore County. In addition to the single-family residential dwelling, the Petitioners

FILED FOR THE  
3/13/01  
R. J. Jenson

have also constructed a storage building on the subject property as shown in the photographs submitted into evidence. The storage building was recently constructed and, therefore, is not shown on the site plan submitted into evidence. The purpose for the variance request is to allow Mr. Ziegler, who operates a tow truck for Ted's Towing, a towing business located at 4920 Hazelwood Road in Rosedale, Maryland, to be allowed to park his tow truck on his property on a permanent basis. Inasmuch as the tow truck weighs in excess of 10,000 lbs., a variance is necessary to permit the permanent storage of such a vehicle on residential property.

The Ziegler's moved to the subject property within the past year. The home that was constructed on the property is a new dwelling. Mr. Ziegler began parking and storing his tow truck on the subject property after moving into his residence. As a result of parking and storing the vehicle on the property, many complaints were registered with the Code Enforcement Section of Baltimore County. In an effort to mitigate the concerns and objections raised by the residents of the area, the Petitioner constructed a metal frame storage building as shown in Photograph 5-C which was entered into evidence. Mr. Ziegler is able to park the tow truck entirely within the metal building. Once parked, the vehicle is out of view from motorists passing by on Mt. Carmel Road and also adjacent property owners. After constructing the storage building, many of the residents who originally opposed the storage of the tow truck on the property changed their position and now have no objection to its storage. Mr. Ziegler testified that the only time when the tow truck is actually seen by neighbors is when he comes and goes to the property, given its storage within the building.

As stated previously, several residents from the surrounding community appeared in opposition to Mr. Ziegler's request. Ms. Janet Davis, Georgia Mills, Anna Bye and Phillip McWilliams all appeared and testified in opposition to the tow truck being stored on the

NOT RECORDED FOR FILING  
3/13/01  
R. G. Jones

property. These residents are concerned over the value of their homes and the effects that the storage of a commercial vehicle will have on the rural character of their neighborhood. The construction of the storage building did not alleviate the concerns of these nearby residents as it did for others in the community. Therefore, they remain opposed to the granting of this variance and asked that the Petitioner no longer be permitted to store the tow truck on his property.

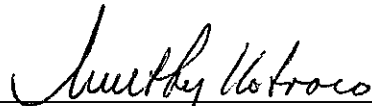
The Petitioner has done a good job of storing the tow truck out of view from nearby residents and passing motorists. However, this has not been enough to alleviate the concerns of those who appeared in opposition to this request. Aside from the testimony offered at the hearing both for and against the storage of this vehicle, I have a greater concern regarding the licensing requirements for tow truck operators in Baltimore County. The testimony indicated that Mr. Ziegler is employed by Ted's Towing whose office is located on Hazelwood Avenue in Rosedale. The truck, which is the subject of this variance request, is owned by Ted's Towing. It is my understanding that the licensing requirements would not permit the storage of this particular tow truck, which is owned by Ted's Towing, on property owned by Mr. and Mrs. Ziegler. Therefore, in order to grant the variance in this case, I would have to ignore the towing regulations as they apply to this situation. Accordingly, I find that the variance request to allow the tow truck to be stored on the Petitioners' residential property should be denied.

THEREFORE, IT IS ORDERED this 13<sup>th</sup> day of March, 2001, by this Deputy Zoning Commissioner, that the Petitioners' request for variance from Section 431 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit the storage of a commercial vehicle in excess of 10,000 lbs. on residential property, be and is hereby DENIED.

2001-03-13 13/3/01

IT IS FURTHER ORDERED, that the Petitioners shall have ninety (90) days from the date of this Order to make arrangements to park or store this commercial vehicle in accordance with the requirements of all applicable zoning and towing regulations.

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

3/13/01  
R. Johnson



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

March 13, 2001

Michael Paul Smith, Esquire  
Bodie, Nagle, Dolina, Smith & Hobbs, P.A.  
143 Main Street  
Reisterstown, Maryland 21136

Re: Petition for Variance  
Case No. 01-244-A  
Property: 4800 Mt. Carmel Road

Dear Mr. Smith:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been denied in accordance with the enclosed 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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure



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](http://www.co.ba.md.us)

Copies to:

Mr. & Mrs. Martin G. Ziegler  
4800 Mt. Carmel Road  
Hampstead, MD 21074

Mr. William H. Hohman  
4606 Mt. Carmel Road  
Hampstead, MD 21074

Ms. Marjorie Rosenberger  
1209 Wynside Lane  
Hampstead, MD 21074

Ms. Janet R. Davis  
4801 Mt. Carmel Road  
Hampstead, MD 21074

Ms. Anna M. Bye  
4723 Mt. Carmel Road  
Hampstead, MD 21074

Ms. Georgia Mills  
4709 Mt. Carmel Road  
Hampstead, MD 21074

Mr. Phillip McWilliams  
4807 Mt. Carmel Road  
Hampstead, MD 21074



# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 4800 MT. Carmel Road

which is presently zoned RC2/RC4

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 Variance from Section(s)

Baltimore County Zoning Regulation 431 to permit the property owner to park one commercial vehicle in excess of 10,000 lbs in lieu of the required cap of 10,000 lbs.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

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

I, or we, agree to pay expenses of above Variance, 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:

Michael Paul Smith  
Name - Type or Print

Signature

Bodie, Nagle, Dolina, Smith & Hobbs, PA  
Company

145 Main St.

Address

Telephone No.

Reisterstown, MD 21136

City

State

Zip Code

Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

## Legal Owner(s):

Martin George Ziegler

Name - Type or Print

Martin George Ziegler  
Signature

Deneen Marie Ziegler

Name - Type or Print

Deneen Marie Ziegler  
Signature

4800 Mt. Carmel Road

Address

410-239-2601

Telephone No.

City

State

Zip Code

## Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

Zoning Commissioner of Baltimore County

CASE NO.

01-244-A

Reviewed By

TAG

Date

12-13-00

Estimated Posting Date

12-24-00

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 4800 Mt. Carmel Road  
Address  
Hampstead, MD 21084  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

See attached.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Martin George Ziegler  
Signature

Martin George Ziegler  
Name - Type or Print

Deneen Marie Ziegler  
Signature

Deneen Marie Ziegler  
Name - Type or Print

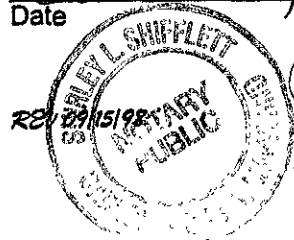
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 17<sup>th</sup> day of October, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MARTIN ZIEGLER AND DENEEN ZIEGLER  
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

October 17, 2000  
Date



Paula Marie Protani  
Notary Public

My Commission Expires May 1, 2002

PAULA MARIE PROTANI  
NOTARY PUBLIC  
CITY OF BALTIMORE  
MY NOTARY EXPIRES  
MAY 01 2002

Although zoned residential, the section of Mt. Carmel Road where this property is situated differs from most residential roadways in that it is far more heavily traveled. Mt. Carmel Road is a heavily traveled shortcut for commuters traveling between Interstate 83 and Route 30 and other areas of northern Baltimore County.

The property owners are the parents of a child diagnosed with a severe neurological condition. Because of that condition, the mother and daughter are at home a great deal of the time. The father has a tow truck and is an operator of same. He often is required to come home during his work day in his tow truck to assist his wife with their child. As such, the operation of section 431 on this particular property and the party's situation is unique and creates a hardship.

**Zoning Description**  
for 4800 Mount Carmel Road  
Hampstead, MD 21074

Beginning at a point on the north side of Mt. Carmel Road which is 60 feet wide at the distance of 844 feet east of the centerline of Grace Road which is the nearest improved intersecting street which is 30 feet wide. Being Lot #2 as laid out and shown on the "Plat of Section One Cooper Valley" as recorded among the Land Records of Baltimore County in Plat Book 40 Page 56 and containing 2.3344 acres. Also known as 4800 Mount Carmel Road, Hampstead, MD 21074 and located in the 5th Election District and 3rd Councilmanic District.

June 20, 2000

G:\WORD\DRS\PROJECT\99325D00.WPD

01-244A

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No.

20122

DATE 12-13-00 ACCOUNT 2001-6150

AMOUNT \$ 50.00

RECEIVED FROM: Eddie Nangle Dolina Smith & Hilde

FOR: Vacation 4900 P.H. Casual

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

**NOTICE OF ZONING  
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #01-244-A  
4800 Mt. Carmel Road  
N/S Mt. Carmel Road, 844'  
E of centerline Grace Road  
5th Election District  
3rd Councilmanic District  
Legal Owner(s): Deneen M.  
& Martin G. Ziegler

**Administrative Variance:**  
to permit one commercial  
vehicle in excess of 10,000  
lbs. in lieu of the required  
cap of 10,000 lbs.

**Hearing:** Wednesday, Feb-  
ruary 14, 2001 at 10:00  
a.m. in Room 407, County  
Courts Building, 401 Bes-  
ley Avenue.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are  
Handicapped Accessible, for  
special accommodations  
Please Contact the Zoning  
Commissioner's Office at  
(410) 887-4386.

(2) For information con-  
cerning the File and/or  
Hearing, Contact the Zoning  
Review Office at (410) 887-  
3391

JT/1/797 Jan. 30 C447358

## CERTIFICATE OF PUBLICATION

TOWSON, MD, 2/1/, 2001

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 1/30/, 2001.

THE JEFFERSONIAN,  
*S. Wilkinson*

LEGAL ADVERTISING

RE: Case No.: 01-244-A

Petitioner/Developer: Martin Zeigler

Date of Hearing/Closing: Jan. 8, 2001

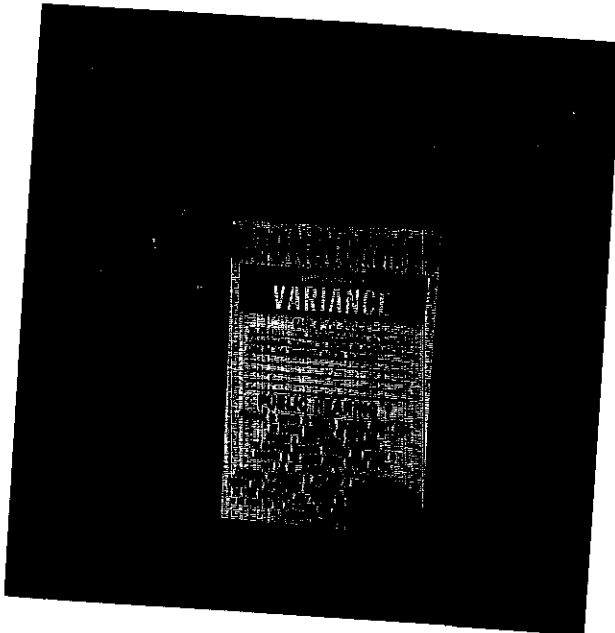
Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

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 4800 Mt. Carmel Rd.  
Hampstead, MD 21074

The sign(s) were posted on December 18, 2000  
(Month, Day, Year)



Sincerely,

Shannon Baum 12/19/00  
(Signature of Sign Poster and Date)

Shannon Baum  
SHANNON BAUM SIGNS INC.  
105 COMPETITIVE GOALS DR.  
ELDERSBURG, MD. 21784  
(Address)

(City, State, Zip Code)  
410.781.4000  
(Telephone Number)

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**Case Number 01- 244 -AAddress 4800 Mt. Carmel Rd.Contact Person: Terry Gibson  
Planner, Please Print Your Name

Phone Number: 410-887-3391

Filing Date: 12-13-00Posting Date: 12/24/00Closing Date: 1-8-01

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

**Petitioner: This Part of the Form is for the Sign Poster Only****USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**Case Number 01- 244 -AAddress 4800 Mt. Carmel Rd.Petitioner's Name Martin ZeiglerTelephone 410-239-2601Posting Date: 12-24-00Closing Date: 1-8-01

Wording for Sign: To Permit the property owner to park one commercial vehicle in excess of 10,000 lbs in lieu of the required cap of 10,000 lbs.

# CERTIFICATE OF POSTING

RE: Case No.: 01-244-A

Petitioner/Developer: \_\_\_\_\_

Martin Zeigler

Date of Hearing/Closing: 2-14-01

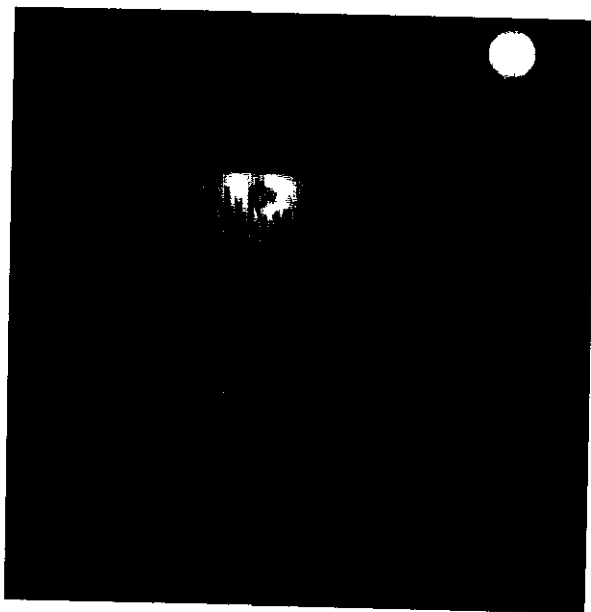
Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

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 4800 Mt. Carmel Road  
Hampstead, MD 21074

The sign(s) were posted on January 24, 2001  
(Month, Day, Year)



Sincerely,

Stacy Gardner 1-24-01  
(Signature of Sign Poster and Date)

Stacy Gardner  
(Printed Name)

SHANNON-BAUM SIGNS INC.  
105 COMPETITIVE GOALS DR.  
ELDERSBURG, MD. 21784  
(City, State, Zip Code)

210-781-4000  
(Telephone Number)



Baltimore County  
Department of Permits and  
Development Management

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

January 11, 2001

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-244-A  
4800 Mt. Carmel Road  
N/S Mt. Carmel Road, 844' E of centerline Grace Road  
5<sup>th</sup> Election District – 3rd Councilmanic District  
Legal Owners: Deneen M. & Martin G. Ziegler

Administrative Variance to permit one commercial vehicle in excess of 10,000 lbs. In lieu of the required cap of 10,000 lbs.

HEARING: Wednesday, February 14, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon". Below the signature, the initials "GDZ" are printed in a small, sans-serif font.

Arnold Jablon  
Director



C: Michael P. Smith, Bodie, Nagle, Dolina, Smith & Hobbs, PA, 143 Main Street,  
Reisterstown 21136  
Deneen M. & Martin G. Ziegler, 4800 Mt. Carmel Road, Hampstead 21074  
Mark Herman, 4712 Mt. Carmel Road, Baltimore 21074  
Sam Davis, 4809 Mt. Carmel Road, Hampstead 21074  
Philip McWilliams, 4807 Mt. Carmel Road, Hampstead 21074  
Georgia Mills, 4709 Mt. Carmel Road, Hampstead 21074  
Janet R Davis, 4801 Mt. Carmel Road, Hampstead 21074  
Anna M. Bye, 4723 Mt. Carmel Road, Hampstead 21074

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 30, 2001.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY  
Tuesday, January 30, 2001 Issue – Jeffersonian

Please forward billing to:

Martin G. Ziegler  
4800 Mt. Carmel Road  
Hampstead MD 21084

410 239-2601

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## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 01-244-A

4800 Mt. Carmel Road

N/S Mt. Carmel Road, 844' E of centerline Grace Road

5<sup>th</sup> Election District – 3rd Councilmanic District

Legal Owners: Deneen M. & Martin G. Ziegler

Administrative Variance to permit one commercial vehicle in excess of 10,000 lbs. In lieu of the required cap of 10,000 lbs.

HEARING: Wednesday, February 14, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

GJZ

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

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

February 12, 2001

Martin & Deneen Ziegler  
4800 Mt Carmel Road  
Hampstead MD 21074

Dear Mr. & Mrs. Ziegler:

RE: Case Number: 01-244-A, 4800 Mt Carmel Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 13, 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.*

W. Carl Richards, Jr. 622  
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Michael P Smith, Bodie Nagle Dolina Smith & Hobbs PA, 143 Main Street,  
Reisterstown 21136  
People's Counsel

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

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

DATE: January 18, 2001

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

SUBJECT: Zoning Advisory Committee Meeting  
For January 2, 2001  
Item Nos. 233, 234, 235, 236, 238, 239,  
240, 241, 244, 246, 247, 248, 249, and 250

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

RWB:HJO:jrb

cc: File



Baltimore County  
Fire Department

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

December 27, 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: SEE BELOW

Location: DISTRIBUTION MEETING OF December 26, 2000

Item No.: See Below

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.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

231, 233, 234, 235, 236, 237, 238, 240, 241, 243, 244,  
245, 246, 247, 249, and 250

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

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *Ac/RBS*

DATE: January 18, 2001

SUBJECT: Zoning Petitions  
Zoning Advisory Committee Meeting of December 26, 2000

DEPRM has no comments for the following zoning petitions:

| Item # | Address                      |
|--------|------------------------------|
| 231    | 8100 Salt Lake Drive         |
| 233    | 1305 Lincoln Woods Drive     |
| 234    | 3 Arrowhead Court            |
| 235    | 1223 Lake Falls Road         |
| 238    | Oak Grove Parcel B           |
| 239    | Crondall Corner              |
| 241    | 10 McCormick Avenue          |
| 242    | 1324 & 1325 Chippendale Road |
| 243    | Pikesville Giant             |
| 244    | 4800 Mt. Carmel Road         |
| 245    | 6 Aston Court                |
| 246    | 3700 Essex Road              |
| 247    | 7163 E. Baltimore Street     |
| 248    | 113 Westminster Road         |
| 250    | 10002 & 10002A Lodge Road    |

AV  
1/8

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

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

**DATE:** December 28, 2000

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

**SUBJECT:** 4800 Mt. Carmel Road

JAN 12

### INFORMATION:

**Item Number:** 244

**Petitioner:** Martin George Ziegler and Deneen Marie Ziegler

**Zoning:** RC 2 & RC 4

**Requested Action:** Administrative Variance

### SUMMARY OF RECOMMENDATIONS:

The Office of Planning has consistently recommended denial of requests to store commercial vehicles—in excess of 10,000 pounds—on residentially zoned properties. However, given the petitioners' personal situation with respect to their child's medical condition, this office **supports** the requested administrative variance and any reasonable condition that the Zoning Commissioner may impose.

**Section Chief:**



AFK:JL



**Maryland Department of Transportation**  
**State Highway Administration**

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

Date: 1.3.01

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

RE: Baltimore County  
Item No. 244 TAG

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](mailto:lgredlein@sha.state.md.us)).

Very truly yours,

/s/ 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  
Zoning Commissioner

June 14, 2001

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

Michael Paul Smith, Esquire  
Bodie Nagle, Dolina, Smith & Hobbs  
143 Main Street  
Reisterstown, Maryland 21136

RE: PETITION FOR VARIANCE  
4800 Mt. Carmel Road  
Case No. 01-244-A

Dear Mr. Smith:

In response to your letter dated June 11, 2001 to Deputy Commissioner Timothy Kotroco, and our follow-up telephone conversation on the subject matter, the following comments are offered.

I have agreed to extend the 90-day period granted by Mr. Kotroco's Order of March 13, 2001 during which time your client was to make other arrangements for the storage of his tow truck. As noted in your letter, that 90-day period was due to expire yesterday, June 13, 2001. However, within your letter, you requested that Mr. Kotroco grant your client an additional 90 days until after an upcoming violation hearing on the same matter, scheduled for July 18, 2001, before Stanley Shapiro, Code Enforcement Hearing Officer in the Department of Permits and Development Management. Inasmuch as Mr. Kotroco will be out of town until Monday, June 25, 2001, I agreed to an extension of until Wednesday, June 27, 2001 by which time Mr. Kotroco will have had an opportunity to make a decision on your request.

In the event you have any further questions or need additional assistance in the matter, please do not hesitate to call me.

Very truly yours,

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

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Deputy Commissioner Kotroco  
Case File





Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

June 25, 2001

Michael Paul Smith, Esquire  
Bodie, Nagle, Dolina, Smith & Hobbs  
143 Main Street  
Reisterstown, Maryland 21136

Re: Petition for Variance  
Case No. 01-244-A  
Property: 4800 Mt. Carmel Road

Dear Mr. Smith:

I have reviewed your letter of June 11, 2001 and Mr. Schmidt's response thereto dated June 14, 2001, and I am writing to advise you that I will grant an extension of time to store the tow truck until after the upcoming violation hearing before Stanley Schapiro scheduled for July 18, 2001. In the event of an unfavorable decision by Mr. Schapiro, the tow truck will have to be moved immediately.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj





Baltimore County  
Office of Law

400 Washington Avenue  
Towson, Maryland 21204  
410-887-4420  
Fax: 410-296-0931

August 14, 2001

**HAND DELIVERED**

Timothy M. Kotroco  
Deputy Zoning Commissioner  
401 Bosley Avenue  
M.S. 3401  
Towson, Maryland 21204

AUG 14

Re: Letter Requesting Reconsideration of  
Denial of Petition for Variance  
Case No. 01-244-A  
Property: 4800 Mount Carmel Road

Dear Mr. Kotroco:

The Baltimore County Department of Permits and Development Management respectfully opposes the Letter of March 27, 2001, requesting reconsideration of your Findings of Fact and Conclusions of Law, dated March 13, 2001, in which you ordered that Petitioners' request for variance from Section 431 of the Baltimore County Zoning Regulations, to permit the storage of a commercial vehicle in excess of 10,000 pounds on residential property, be denied.

Ted's Towing is the holder of Baltimore County Towing License No. 13, which expires December 31, 2001. A copy of the license is attached. Pursuant to that license, Ted's Towing operates under certain restrictions, including but not limited to, the requirements that "towing vehicles are to be dispatched from the premises shown on the license or from the fenced-in storage lot," Baltimore County Code § 24-226 (d), and that, "no licensee shall dispatch a tow vehicle from any location other than what is indicated on his license or from fenced-in storage facilities within view of the business shown on the license." Baltimore County Code § 24-229 (b). The location of the business, the premises shown on the license, is 4920 Hazelwood Avenue, Rosedale, Maryland 21237. Furthermore, BCZR §§ 101, 102.1 and 431, prohibit any person from illegally parking a commercial vehicle on a residential lot, such as that at 4800 Mount Carmel Road.



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](http://www.co.ba.md.us)

The polestar of statutory construction is first of all to ascertain and effectuate the intent of the legislative body. *Oaks v. Connors*, 339 Md. 24, 35 (1995); *Jones v. State*, 336 Md. 255, 260 (1994). While a court ordinarily will consider the statutory language, *State v. Pagano*, 341 Md. 129, 133 (1996), and give the statutory language "its natural and ordinary meaning," *Montgomery County v. Buckman*, 333 Md. 516, 523 (1994) to ascertain that legislative intent, the plain meaning rule "does not ... compel a literal construction of a statutory provision." *Abington Center Assoc. Ltd. Partnership v. Baltimore County*, 115 Md. App. 580, 603 (1997). The court also must avoid a construction that is "illogical, unreasonable, or inconsistent with common sense." *Fraternal Order of Police, Montgomery County Lodge No. 35 v. Mehrling*, 343 Md. 155, 174 (1996).

Thus, to ascertain the legislative intent, a statute must be read as a whole, so that all provisions are considered together and, to the extent possible, reconciled and harmonized. *Blitz v. Beth Isaac Adas Israel Congregation*, 352 Md. 31, 40 (1998). Thus, when a court construes one part of a statute or ordinance, it must consider and give effect to every other part of the statute or ordinance. *Brzowski v. Maryland Home Improvement Comm'n*, 114 Md. App. 615, 627, *cert. denied*, 346 Md. 238 (1997). In this way, no "word, clause, sentence or phrase is rendered superfluous or nugatory." *Chesapeake & Potomac Tel. Co. v. Director of Finance*, 343 Md. 567, 579 (1996).

Applying the cited statutory and regulatory provisions, *supra*, it is clear that the tow truck may only be dispatched from the location of the business, namely, 4920 Hazelwood Avenue, or the fenced-in lot (if such lot has a different address) that is within sight of the business identified on the license.

The intent of the provisions regulating tow trucks, such as that operated by Mr. Ziegler, is that commercial tow vehicles are to be stored at the business or on the lot within clear view of the business identified on the license. Moreover, construing the Code provisions in a manner consistent with Petitioners' argument, by separating the dispatch of the tow truck from its storage, would result in the cited sections having a meaning that is "illogical, unreasonable, or inconsistent with common sense." Indeed, it strains credulity to contend that Mr. Ziegler would drive a heavy, large, super-duty tow truck that virtually guzzles fuel, everyday, roundtrip from 4800 Mount Carmel Road, a pastoral, bucolic section of the County far removed from the primary catchment area of Ted's Towing, to 4920 Hazelwood Avenue in Rosedale, before ever he receives a telephone or radio call dispatching him to respond to such-and-such a location. The more probable scenario is that Mr. Ziegler would receive a telephone call at his home on Mount Carmel Road for towing assistance and would leave from that location without ever coming within sight of the location of the

Deputy Zoning Commissioner Timothy M. Kotroco  
August 14, 2001  
Page 3

business of Ted's Towing. Such a scenario would result not only in the dispatch of the tow truck from a location other than the business identified on the license or the fenced-in storage lot within sight of that business, but also the infestation of a residential neighborhood by commercial activity and noise, as well as the impractical, if not impossible, dilemma for code enforcement personnel of ascertaining the origin of dispatch of the tow truck.

If Ted's Towing wishes to provide transportation for Mr. Ziegler, a fuel allowance would serve essentially the same purpose. The purpose of this variance request, however, is not to provide Mr. Ziegler transportation to and from 4920 Hazelwood Avenue, but is to widen the response area and thereby increase the business for Ted's Towing by making it easier to respond to calls received outside of normal hours, without the necessity of having personnel on duty at the location of the towing business license. Granting this variance request not only would abrogate the statutory scheme, but also would inject inappropriate urban activity into a rural area of the County. The County Council did not intend such a result, and therefore, the Deputy Zoning Commissioner should reject the request for reconsideration and reaffirm his original March 13, 2001, order denying the variance request.

Very truly yours,



C. Robert Loskot  
Assistant County Attorney

Attachment

cc: Anna M. Bye  
Janet R. Davis  
William H. Hohman  
Philip McWilliams  
Georgia Mills  
Marjorie Rosenberger  
Michael Paul Smith, Esquire  
Raymond S. Wisnom, Jr.

AUG 14 2001

LICENSE NO. 13

BALTIMORE COUNTY TOWING LICENSE

BALTIMORE COUNTY  
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
410-887-3616



LICENSE IS HEREBY GRANTED TO:

**\*CONDITIONALLY**

NAME TED'S TOWING SERVICE INC  
(Proprietor, Partner or Officer of Corporation)

T/A

SAME

ADDRESS 4920 HAZELWOOD AVE

CITY/STATE

BALTO MD

ZIP CODE

21206

To operate TOWING VEHICLES within the bounds of Baltimore County in accordance with the terms and provisions of Article VI, TOWING BUSINESS, Sec. 24.226 through 24-235 of the Baltimore County Code, as amended and any Rules and Regulations from the Department of Permits and Development Management in accordance with Section 24-223.

Director of Permits and Development Management

AUGUST 2, 2001

Date Issued

LICENSE EXPIRES DECEMBER 31, 2001

\*\*\*\*\*  
\* NO TOW TRUCKS ARE ALLOWED TO BE STORED IN ANY RESIDENTIAL ZONE PURSUANT TO VARIANCE CASE 01-244-A  
\*\*\*\*\*

I hereby certify that this is a true copy of the original license issued on 8/2/01.

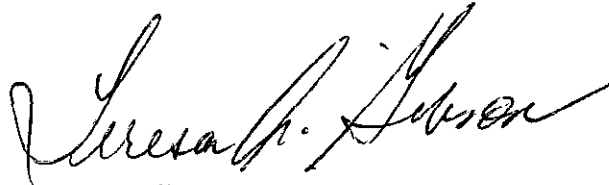
Deborah L. Kendall, Supervisor  
Miscellaneous Permits and Licenses

REV 11/98

## NOTE TO FILE

When the petitioner came to file for the variance, I specifically asked if he received a violation notice, and if so he could not file for an administrative variance. He told me he had not received a violation notice. I then allowed him to file the administrative variance. Subsequently, it has been brought to my attention that he did, in fact, receive a violation for parking a commercial vehicle at his home.

Therefore any additional time or fees required are to be attributed directly to the petitioner for his misleading statement regarding the violation notice.

A handwritten signature in black ink, appearing to read "Teresa Gibson". The signature is fluid and cursive, with a large initial "T" and "G".

Teresa Gibson  
Planner I

BALTIMORE COUNTY MARYLAND  
INTER-OFFICE CORRESPONDENCE

DATE: August 17, 2000

TO: W. Carl Richards, Jr.  
Zoning Review Supervisor

FROM: Rick Wisnom, Chief  
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 023  
Legal Owner/Petitioner: Martin George & Deneen Marie Ziegler  
Contract Purchaser: NA  
Property Address: 4800 Mt. Carmel Rd.  
Location Description: N/S of Mt. Carmel Rd., 834 ft E of centerline of Grace Rd.

VIOLATION INFORMATION: Case No.: 00-3737  
Defendants: Martin George & Deneen Marie Ziegler

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

| NAME        | ADDRESS                                  |
|-------------|------------------------------------------|
| Mark Herman | 4712 Mt. Carmel Rd., Hampstead, MD 21074 |

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

1. Complaint letter/memo/email/fax (if applicable)
- x 2. Complaint Intake Form/Code Enforcement Officer's report and notes
- x 3. State Tax Assessment printout
4. State Tax Parcel Map (if applicable)
5. MVA Registration printout (if applicable)
6. Deed (if applicable)
7. Lease-Residential or Commercial (if applicable)
8. Photographs including dates taken
- x 9. Correction Notice/Code Violation Notice
10. Citation and Proof of Service (if applicable)
11. Certified Mail Receipt (if applicable)
12. Final Order of the Code Official/Hearing Officer (if applicable)
13. Office of Budget & Finance Billing Notice/Property Lien Sheet (if applicable)
14. Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if applicable).
- x 15. Other: General Permit Application Data

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/co  
C: Hunter Rowe



Baltimore County  
Department of Permits and  
Development Management

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

Code Enforcement: 410-887-3351  
Building Inspection: 410-887-3933

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

## BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

|                                                          |                                             |                        |
|----------------------------------------------------------|---------------------------------------------|------------------------|
| Citation/Case No.<br><b>01-3737</b>                      | Property No.<br><b>1403 005140</b>          | Zoning<br><b>BL-AS</b> |
| Name(s):<br><b>William Bonnet (Ted's Towing Svc Inc)</b> | <b>5404 Biddison Ave 4920 Hazelwood Ave</b> |                        |
| Address:<br><b>Balto MD 21206</b>                        | <b>Balto Md. 21206</b>                      |                        |
| Violation Location:<br><b>4920 Hazelwood Ave 21206</b>   |                                             |                        |

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

1. Cease the storage and/or the dispatching of Tow Vehicles from properties other than the premises shown on the licence or from a storage facility that does not comply with the Baltimore County Zoning Regulations and Fencing Requirements.

Note: Tow Vehicle is currently being stored at 4800 Mt Carmel Rd Hampstead Md 21074.

Balto County Code 24-226 (c)(d) 24-229-(b)

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE:

|                                 |                                |
|---------------------------------|--------------------------------|
| On or Before:<br><b>4/13/01</b> | Date Issued:<br><b>3/30/01</b> |
|---------------------------------|--------------------------------|

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$300, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: **Wasilowski**

INSPECTOR:

## STOP WORK NOTICE

PURSUANT TO INSPECTION 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:

|                 |              |
|-----------------|--------------|
| Not Later Than: | Date Issued: |
|-----------------|--------------|

INSPECTOR:

AGENCY

2/14/01 Hearing  
3/13/01 - Permitted  
#01-244-A

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

DATE: December 20, 2000

TO: W. Carl Richards, Jr.  
Zoning Review Supervisor

FROM: Rick Wisnom, Chief  
Division of Code Inspections & Enforcement

SUBJECT: Item No.: 244 (01-244-A)  
Legal Owner/Petitioner: Deneen Marie Ziegler & Martin George Ziegler  
Contract Purchaser: N/A  
Property Address: 4800 Mt. Carmel Road  
Location Description: N/S Mt. Carmel Road, 844' E of centerline Grace Road

VIOLATION INFORMATION: Case No.: ~~01-244-A~~ 00-3737  
Defendants: Martin & Deneen Ziegler

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME

Mark Herman

ADDRESS

4712 Mt. Carmel Road, Baltimore 21074

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

- Complaint Intake Form/Code Enforcement Officer's report and notes
- State Tax Assessment printout
- Code Violation Notice
- Automated Permit Tracking System – Permit Number B-400833
- Memo to W. Carl Richards, Jr. from Rick Wisnom dated 8/17/00 advising that zoning item 023 is the subject of an active violation case

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

RSW/scj

C: Code Enforcement Officer Gawel

# CODE ENFORCEMENT REPORT

N/E

DATE: 5/30/00 INTAKE BY: CF CASE #: 00-3737 INSPEC: 11

COMPLAINT LOCATION: 4718 Mount Carmel Rd  
4800 ZIP CODE: 21074 DIST: \_\_\_\_\_

COMPLAINANT NAME: NAZK H. GHAZALI PHONE #: (H) 410-239-4103 (W) 410-947-5038  
ADDRESS: 1712 Mount Carmel Rd ZIP CODE: 21074

PROBLEM: COMMERCIAL VEHICLE ON PROPERTY

OWNER/TENANT INFORMATION: \_\_\_\_\_

TAX ACCOUNT #: N/A ZONING: \_\_\_\_\_

INSPECTION: 08-15-00 — Re-open Case -  
Tractor trailer is there more after  
than not — Evening Insp After 6:30  
PM off

REINSPECTION: \_\_\_\_\_

REINSPECTION: \_\_\_\_\_

REINSPECTION: \_\_\_\_\_

Code Enforcement - Closing Report

Inspector - ROWE, H                      Activity                      Date Closed 10/19/2000  
Area Case #   Location                      Apt   Zip                      Date Rec                      Reinsp Dt  
011   00-3737   4800                      MT CARMEL RD                      21074   8/16/2000   10/15/2000

Tax Acct #: 1800004572

Complainant Name: (Last) HERMAN                      (First) MARK  
                    Addr: 4712                      MT CARMEL RD  
                    Str #                      Dir                      Street Name                      Type                      Apt  
                    BALTIMORE                      MD 21074  
                    City                      ST                      Zip  
                    Phone: (Home)                      (Work)

Problem: REOPEN; COMM VEH AGAIN

MAP: 5 B 7

Notes: 00-3737, 4800 MOUNT CARMEL RD  
8/16 CALLED COMPLIANANT & INFORMED HIM I NEEDED PICTURES OR  
DATE & TIMES WHEN TRUCK IS THERE. P/U 8/24 (H.R). 8/28 WAITIN  
G FOR PICTURES. P/U 9/5 (H.R) 9/22 ITEM# 023. FILED FOR A V  
ARIANCE. CHECK FOR RESULT OF HEARING. P/U 10/15 (L.W) 10/1  
9 NO VIOLATION SEEN. CLOSE CALLED COMPL. TO UP DATE (M.G)

DATE: 06/01/2000  
TIME: 09:44:10

ASSESSMENT TAXPAYER SERVICE

RA1001F

|              |      |       |       |          |                 |            |           |
|--------------|------|-------|-------|----------|-----------------|------------|-----------|
| PROPERTY NO. | DIST | GROUP | CLASS | OCC.     | HIST            | DEL        | LOAD DATE |
| 18 00 004572 | 05   | 2-2   | 04-00 | N        | NO              |            | 04/25/00  |
|              |      |       |       | DESC-1.. | 2.3344 AC       |            |           |
|              |      |       |       | DESC-2.. | COOPER VALLEY   |            |           |
|              |      |       |       | PREMISE. | 00000 MT CARMEL | RD         |           |
|              |      |       |       |          |                 | 00000-0000 |           |

LINTHICUM

MD 21090-2037 FORMER OWNER: ABBOTT PAUL E, SR

|               |        |                         |                  |                   |                |
|---------------|--------|-------------------------|------------------|-------------------|----------------|
| -----FCV----- |        | -----TRANSFER DATA----- |                  | ---PROPERTY ID--- |                |
|               | PRIOR  | PROPOSED                | NUMBER.....      | 177373            | LOT..... 2     |
| LAND:         | 40,320 | 40,320                  | DATE.....        | 11/15/99          | BLOCK....      |
| IMPV:         | 0      | 0                       | PURCHASE PRICE.. | 71,500            | SECTION.. 1    |
| TOTL:         | 40,320 | 40,320                  | GROUND RENT..... | 0                 | PLAT.....      |
| PREF:         | 0      | 0                       | DEED REF LIBR..  | 14153             | BOOK..... 0040 |
| CURT:         | 0      | 0                       | DEED REF FOLIO.. | 232               | FOLIO.... 0056 |
| DATE: 10/95   |        | 12/97                   | YEAR BUILT.....  |                   | MAP..... 0019  |
|               |        |                         | NEW CONSTR YR... |                   | GRID..... 0006 |
|               |        |                         |                  |                   | PARCEL... 0076 |

|                |        |             |                   |
|----------------|--------|-------------|-------------------|
| TAXABLE BASIS  |        |             |                   |
| 00/01          | 16,120 | LOT WIDTH.. | 159.66            |
| 99/00          | 16,120 | LOT DEPTH.. | .00               |
| 98/99          | 16,120 | LAND AREA.. | 2.330 A           |
| ENTER-INQUIRY1 |        | PA1-PRINT   | PF4-MENU PF5-QUIT |

SB  
WB  
SS  
WD



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 7292  
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.

119782

Case No.:

00-3737

Election District \_\_\_\_\_ Permit No. \_\_\_\_\_

Name (s) MARTIN & DENISE ZIEGLER

Address 4900 MT CARMEL Rd. HAMPSHIRE MD

Location of Violation (if different than address) 21074

Vehicle License No. \_\_\_\_\_ Vehicle ID. \_\_\_\_\_

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

County Code:

§§ \_\_\_\_\_  
§§ \_\_\_\_\_

Building Code (BOCA):

§§ \_\_\_\_\_  
§§ \_\_\_\_\_

Investment Property Act ( 7-66).

§§ \_\_\_\_\_

Plumbing Code (NSPC).

§§ \_\_\_\_\_

Other: §§ \_\_\_\_\_

Zoning Regulations:

§§ 101, 102.1, 180.1A  
§§ 431

Livability Code ( 18-66):

§§ \_\_\_\_\_  
§§ \_\_\_\_\_

Electrical Code (NEC):

§§ \_\_\_\_\_

Dwelling (CABO):

§§ \_\_\_\_\_

COMMENTS OR OTHER VIOLATIONS.

① CEASE PARKING of COMMERCIAL  
VEHICLE IN RESIDENTIAL ZONE

YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE  
6/14/00 FAILURE TO COMPLY WILL RESULT IN THE PENALTIES DESCRIBED ON  
THE REVERSE SIDE OF THIS VIOLATION NOTICE.

DATE ISSUED: 6/11/00

INSPECTOR: Rowe

#### 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

TIME: 09:12:29  
DATE: 05/31/2000

AUTOMATED PERMIT TRACKING SYSTEM  
GENERAL PERMIT APPLICATION DATA

PANEL BP1003M  
LAST UPDATE 12/27/1999  
PDM 12:26:46

PERMIT #: B400833      PROPERTY ADDRESS  
RECEIPT #: A401599      4800 MT CARMEL RD  
CONTROL #: NR      SUBDIV: COOPER VALLEY  
XREF #: B400833      TAX ACCOUNT #: 1800004572      DISTRICT/PRECINCT 05 01  
OWNERS INFORMATION (LAST, FIRST)  
FEE: 45.00      NAME: ZIEGLER, MARTIN & DENEEN  
PAID: 45.00      ADDR:  
PAID BY: APPL

DATES      APPLICANT INFORMATION  
APPLIED: 12/27/1999      NAME: SUSAN FEESER  
ISSUED: 01/06/2000      COMPANY: MASONRY HOMES INC  
OCCPNY: 04/05/2000      ADDR1: 4219 HANOVER PIKE  
ADDR2: MANCHESTER MD 21102  
INSPECTOR: 05B      PHONE #: 410-239-8330      LICENSE #:  
NOTES: TLB/TLM

PASSWORD :

-----  
ENTER - PERMIT DETAIL      PF3 - INSPECTIONS      PF7 - DELETE      PF9 - SAVE  
PF2 - APPROVALS      PF4 - ISSUE PERMIT      PF8 - NEXT PERMIT      PF10 - INQRY

TIME: 09:12:35      AUTOMATED PERMIT TRACKING SYSTEM      PANEL BP1004M  
DATE: 05/31/2000      BUILDING DETAIL 1      LAST UPDATE 12/27/1999  
PDM      12:37:11

PERMIT # B400833      PLANS: CONST 02      PLOT 9      PLAT 0      DATA 0      EL 1      PL 1  
TENANT  
BUILDING CODE: 1      CONTR: MASONRY HOMES INC  
IMPRV 1      SFD      ENGNR:  
USE 01      SFD      SELLR: ABBOTT, PAUL E SR.4810 MT CARMEL

FOUNDATION      BASE      WORK: CONSTRUCT SINGLE FAMILY DWELLING W/3 BEDROOMS  
3      W/COVERED FRONT PORCH.NO FIREPLACE.  
CONSTRUC FUEL SEWAGE WATER      44'X35'X24'=2450SF.THIS PERMIT CANCELS &  
2      3      2E      2E      REPLACES B399144-CHANGE IN SITE & CONSTRUCTION  
CENTRAL AIR 1      PLANS.

ESTIMATED COST  
75,000.00      PROPOSED USE: SFD  
OWNERSHIP: 1      EXISTING USE: VACANT

RESIDENTIAL CAT: 1

#EFF:      #1BED:      #2BED:      #3BED:      TOT BED:      TOT APTS:  
1 FAMILY BEDROOMS: 3      PASSWORD:

ENTER - NEXT DETAIL      PF2 - APPROVALS      PF7 - PREV. SCREEN      PF9 - SAVE  
PF1 - GENERAL PERMIT      PF3 - INSPECTIONS      PF8 - NEXT SCREEN      CLEAR - MENU

# ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 01-244-A

Date Completed/Initials

12-20-00

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing, post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file, make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder, file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter, make appropriate copies; mail original and copies, send copy to zoning commissioner, file copy in hearing file, update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date, make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample, file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file, make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

GEORGE,

RE: CASE NO. 01-244-A  
ZIEGLER PROPERTY  
4800 MT. CARMEL RD.

PLEASE SET THE ABOVE-CAPTIONED CASE IN FOR A HEARING. THIS CASE WAS ORIGINALLY SCHEDULED AS AN ADMINISTRATIVE VARIANCE REQUEST WITH A DEADLINE OF JANUARY 8, 2001. ON THIS DATE (1/8/01), SEVERAL RESIDENTS OF THE SURROUNDING AREA DELIVERED A SIGNED PETITION OPPOSING PETITIONER'S REQUEST FOR VARIANCE. AFTER REVIEWING THE FILE, TIM KOTROCO HAS DECIDED THAT A HEARING IS APPROPRIATE FOR THIS REQUEST.

PLEASE SEND A COPY OF ALL CORRESPONDENCE TO THOSE PERSONS LISTED ON THE ATTACHED PETITION, MAKING SURE THEY ARE ALL NOTIFIED OF THE HEARING DATE. SEND THIS OFFICE A COPY OF ANY ADDITIONAL CORRESPONDENCE ALSO.

WE WILL NEED TO MAKE SURE THAT THE SIGN IS POSTED FOR THE REQUIRED 15 DAYS.

THANKS FOR YOUR ATTENTION TO THIS MATTER.

ROBIN JAMESON  
1/9/01

*Ziegler Property  
4800 Mt. Carmel Rd.  
Returned to  
George to set in  
for hearing. 1/9/01  
rjs*

# BodieNagle

ATTORNEYS AT LAW

MICHAEL PAUL SMITH

1/8/01 AY  
2/14  
BODIE, NAGLE, DOLINA, SMITH & HOBBS, P.A.

REISTERSTOWN OFFICE:

143 MAIN STREET

REISTERSTOWN, MD 21136

410.833.1221

410.833.0026 FAX

WEB SITE: <http://www.bodienagle.com>

e-mail: [MPSMITH@BODIENAGLE.COM](mailto:MPSMITH@BODIENAGLE.COM)

January 5, 2001

Lawrence E. Schmidt, Zoning Commissioner  
County Courts Building  
401 Bosley Avenue  
Towson, MD 21204

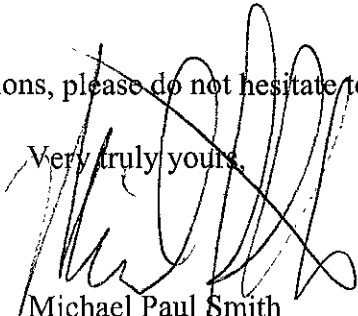
**RE: Case No. 01-244-A,  
Martin George Ziegler**

Dear Mr. Schmidt:

I have been contacted by the Office of the People's Council, Carol Demilio, in reference to the above Petition. Ms. Demilio is of the position that the requested relief is not appropriate through an administrative variance and would like this matter set for a public hearing and the property posted in connection therewith. In light of her position, it is my request, on behalf of my clients, that you exercise your discretion to order that the matter be set in for a public hearing and the property re-posted in connection with said hearing. I have reviewed this issue with my clients and they are amenable to same. Therefore, if you could sign and Order ordering that this matter proceed as stated above it would be appreciated. Thank you for your cooperation and consideration of this request.

If you have any other questions, please do not hesitate to contact me.

Very truly yours,

  
Michael Paul Smith

MPS/cd

cc: Carol Demilio

Deneen M. and Martin G. Ziegler

March 27, 2001

Timothy M. Kotroco, Deputy Zoning Commissioner  
County Courts Building  
401 Bosley Avenue, Suite 405  
Towson, MD 21204

**RE: Motion for Reconsideration of  
Denial of Petition for Variance  
Case No.: 01-244-A  
Property: 4800 Mt. Carmel Road**

Dear Deputy Commissioner Kotroco:

On behalf of Martin and Deneen Ziegler, I respectfully request that you reconsider your decision dated March 13, 2001. Specifically, your opinion states, "It is my understanding that the licensing requirements (for the towing business) would not permit the storage of this particular tow truck, which is owned by Ted's Towing, on the property owned by Mr. and Mrs. Ziegler. Therefore, in order to grant the variance in this case, I would have to ignore the towing regulations as they apply to this situation." With respect to same, it is my position that the Baltimore County Code is clear with respect to this issue. The County Code provides in Section 24-226(d), in pertinent part, "...towing vehicles are to be dispatched from the premises shown on the license or from the fenced-in storage lot." It is my opinion that Code Enforcement has misinterpreted this section to stand for the proposition enunciated in your opinion, that is the storage of a tow truck is not permitted anywhere other than the premises shown on the license or from the fenced-in storage lot. The word, "dispatched", however, has particular meaning and is not synonymous with storage.

Webster's Third International Dictionary, Unabridged, 1971, defines "dispatch" as "send off or away (as to a special destination) with promptness or speed often as a matter of official business." As the Baltimore County Code only requires that the tow trucks be sent to towing sites from the licensed premises or storage facilities, the Code section does not dictate where a tow truck may or may not be stored.

Wherefore, Petitioners respectfully request that you reconsider your decision and grant the variance previously requested.

Page Two

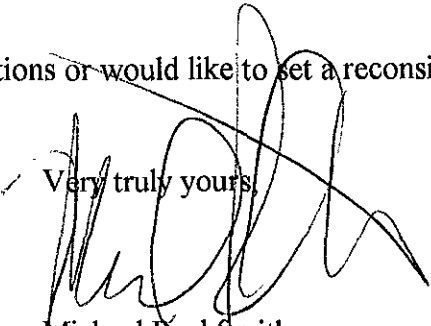
Timothy M. Kotroco, Deputy Zoning Commissioner

March 27, 2001

It is my understanding from speaking to your office that the time for filing an appeal of your decision is stayed pending the resolution of this reconsideration. If my understanding is incorrect, if your office could write me in connection with same. Thank you for your consideration

If you have any other questions or would like to set a reconsideration hearing, please do not hesitate to contact me.

Very truly yours,

  
Michael Paul Smith

MPS/cd

cc: Martin and Deneen Ziegler

Mr. William H. Hohman  
4606 Mt. Carmel Road  
Hampstead, MD 21074

Ms. Marjorie Rosenberger  
1209 Windside Lane  
Hampstead, MD 21074

Ms. Janet R. Davis  
4801 Mt. Carmel Road  
Hampstead, MD 21074

Ms. Anna M. Bye  
4723 Mt. Carmel Road  
Hampstead, MD 21074

Ms. Georgia Mills  
4709 Mt. Carmel Road  
Hampstead, MD 21074

Mr. Philip McWilliams  
4807 Mt. Carmel Road  
Hampstead, MD 21074

# BodieNagle

ATTORNEYS AT LAW

MICHAEL PAUL SMITH

June 11, 2001

JUN 14

## HAND-DELIVERED

Timothy M. Kotroco , Deputy Zoning Commissioner  
County Courts Building  
401 Bosley Avenue, Suite 405  
Towson, MD 21204

**RE: Motion for Reconsideration of  
Denial of Petition for Variance  
Case No.: 01-244-A  
Property: 4800 Mt. Carmel Road**

Dear Deputy Commissioner Kotroco:

On March 23, 2001, I wrote you in connection with a request for reconsideration of your opinion and decision dated March 13, 2001. Specifically, your denial of a request for variance was based upon an interpretation of the towing business licensing statute. I have a hearing scheduled for July 18, 2001, before Stanley Shapiro involving the very issue which is the subject of your opinion. This citation involves Martin Ziegler's tow truck. It is my request that you extend the ninety (90) days in which Mr. Ziegler has to make arrangements to store this vehicle in another manner as provided in your opinion. It is respectfully requested that you give Mr. Ziegler an additional ninety (90) day extension so that I may be able to receive a decision from Mr. Shapiro with regard to the interpretation of the towing statute and then submit that information to you as part of my request for reconsideration. Thank you for your consideration of this request.

I you have any other questions, please do not hesitate to contact me.

Very truly yours,

Michael Paul Smith

MPS/cd

cc: Kathy Connelly  
Martin and Deneen Zielger

BODIE, NAGLE, DOLINA, SMITH & HOBBS, P.A.

A PROFESSIONAL ASSOCIATION

REISTERSTOWN OFFICE  
143 MAIN STREET  
REISTERSTOWN, MD 21136  
410 833.1221  
410 833.0026 FAX

21 W SUSQUEHANNA AVE  
TOWSON, MD 21204-5279  
410 823 1250  
410 296 0432 FAX

JHARFORD COUNTY OFFICE  
112 W PENNSYLVANIA AVE  
SUITE 103  
BEL AIR, MD 21014  
410 836 8943  
410.893 9701 FAX

WEB SITE <http://www.bodienagle.com>  
E-MAIL [mprsmith@bodienagle.com](mailto:mprsmith@bodienagle.com)

# BodieNagle

ATTORNEYS AT LAW

MICHAEL PAUL SMITH

September 21, 2001

SEP 25

Timothy M. Kotroco , Deputy Zoning Commissioner  
County Courts Building  
401 Bosley Avenue, Suite 405  
Towson, MD 21204

**RE: Motion for Reconsideration of  
Denial of Petition for Variance  
Case No.: 01-244-A  
Property: 4800 Mt. Carmel Road**

Dear Deputy Commissioner Kotroco:

On behalf of Martin and Deneen Ziegler, I have previously written you to reconsider your decision dated March 13, 2001, in reference to the above-captioned matter. In that opinion, you stated "It is my understanding that the licensing requirements (for the towing business) would not permit the storage of this particular tow truck, which is owned by Ted's Towing, on the property owned by Mr. and Mrs. Ziegler. Therefore, in order to grant the variance in this case, I would have to ignore the towing regulations as they apply to this situation." After the hearing on July 18, 2001, Hearing Officer Stanley Shapiro ruled that Code Enforcement had misinterpreted the regulations and that storage was different from dispatched. Based on this ruling, I ask that you to reconsider your decision on my clients' request for a variance.

On August 14, 2001, the Baltimore County Department of Permits and Development Management, through Assistant County Attorney C. Robert Loskot, filed a letter opposing the Motion for Reconsideration. In this letter, counsel stated it would be illegal to park a commercial vehicle at 4800 Mount Carmel Road. Although that is true, this is precisely why a variance was requested in this case.

Counsel also argues that the intent of the towing regulations is that commercial tow vehicles are to be stored at the business or on a lot within clear view of the business identified on the license. Not only is this in direct conflict to the opinion of Hearing Officer Stanley Shapiro, it also is not consistent with the Baltimore County Code. Baltimore County Code §24-222

BODIE, NAGLE, DOLINA, SMITH & HOBBS, P.A.

A PROFESSIONAL ASSOCIATION

REISTERSTOWN OFFICE  
143 MAIN STREET  
REISTERSTOWN, MD 21136  
410.833.1221  
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21 W SUSQUEHANNA AVE  
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HARFORD COUNTY OFFICE  
112 W PENNSYLVANIA AVE  
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BEL AIR, MD 21014  
410 836 8943  
410 893 9701 FAX

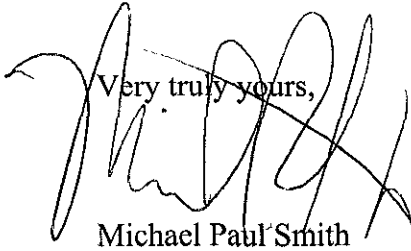
WEB SITE <http://www.bodienagle.com>  
E-MAIL [mpsmith@bodienagle.com](mailto:mpsmith@bodienagle.com)

Timothy M. Kotroco, Deputy Zoning Commissioner  
September 21, 2001

Definitions: "Disabled vehicle means a motor vehicle which has been damaged or rendered inoperative **as the result of a collision or accident and not as a result of wear and tear or mechanical failure.**" That same section states, "Towing means the moving or removing or the preparation thereof of a **disabled vehicle** by another vehicle for which service is made, either directly or indirectly. A charge made indirectly refers to dues or other charges of bona fide dues or associations which provide towing services." Under this section, a commercial vehicle used to tow vehicles that are inoperable because of mechanical failure or wear and tear would not be covered by the towing regulations and those vehicles could be stored anywhere not otherwise prohibited by the Code or zoning regulations.. Obviously, it was not the intent of the Code to limit the places where some tow trucks could be stored but not others.

Finally, counsel raises the question of code enforcement for county personnel. In this regard, my clients would be happy to agree to a restriction that limits the vehicle to three (3) entrances or exits from the property per day between the hours of 7:00 AM and 8:00 PM. In that regard, any issue of code enforcement would be covered.

If you have any other questions or would like to set a reconsideration hearing, please do not hesitate to contact me.

Very truly yours,  
  
Michael Paul Smith

MPS/cd

cc: Martin and Deneen Ziegler  
William H. Hohman  
Marjorie Rosenberger  
Janet R. Davis  
Anna M. Bye  
Georgia Mills  
Philip McWilliams  
C. Robert Loskot, Assistant County Attorney

4723 Mt. Carmel Rd.  
Hampstead, MD 21074  
February 17, 2001

Baltimore County Courts Building  
Suite 405  
401 Bosley Avenue  
Towson, MD 21204

FEB 20

Dear Mr. Kotroco,

Since I was nervous the morning during the hearing of case number 01-244-A, it was difficult for me to completely express my feelings. As I have lived here almost twenty years, I feel the zoning should not be changed. Evidently, the real estate company made an error regarding no restrictions.

Are you aware this is their second request for a zoning change and they have been here less than a year? To me, the building, which is referred to as a "barn", resembles garages seen on commercial property. Also, I am concerned about the value of my property, as I am now a widow.

During the hearing as I was looking through the submitted signed affidavits, I noticed most of them were NOT from citizens living in the immediate area. The man, who spoke on their behalf, does NOT live directly across from them or as close as the rest of us.

Truck traffic on Mt. Carmel Road is NOT as it was described. Yes, there are trucks but NOT a steady flow, which was implied. In fact, the truck traffic has eased since the opening of Interstate 795.

I am sorry about the handicapped child but why should that fact make a difference in zoning? Please consider the current neighbors that have never been involved in any type of problem like this before. Thank you for your time regarding this matter.

Sincerely,

*Anna M. Bye*  
Anna M Bye

JK  
2/14/01



***Ted's Towing  
4920 Hazelwood Ave.  
Baltimore, MD 21206***

*#01-244-A*

February 2, 2002

Attention: Mr. Leonard Wasilewski  
Code Inspector -- Enforcement Section

In reference to our conversation on 1/31/01. Any Ted's Towing vehicles parked at 4800 Mt. Carmel Road, Hampstead, Md. 21074 during the night and weekend is not there for the purpose of responding of State Police calls.

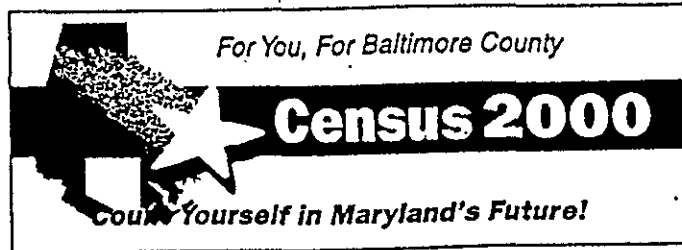
Any further questions feel free to contact us.

Sincerely,

*Stephen Baxter*  
Stephen Baxter



FAX COVER SHEET



Date: 8/7/01

Number of Pages including cover sheet: 7

To: Rick Skisnom

Phone:

Fax # 410-887-2894

C:

From: Robin Jameson

Phone:

Fax #

REMARKS: ☐ Urgent ☐ For your review ☐ Reply ASAP ☐ Please comment

Re: Biegler  
Copy of Findings of Fact  
& Smith's Motion for Recon

\*\*\*\*\*  
\*\*\*\*\* ACTIVITY REPORT \*\*\*\*\*  
\*\*\*\*\*

TRANSMISSION OK

|                |             |
|----------------|-------------|
| TX/RX NO.      | 0951        |
| CONNECTION TEL | 2824        |
| CONNECTION ID  |             |
| START TIME     | 08/07 11:27 |
| USAGE TIME     | 02'27       |
| PAGES          | 7           |
| RESULT         | OK          |

*Ziegler Property*  
4800 Mt. Carmel Rd.  
1/8/01 AV

January 4, 2001

Ms. Robin Jameson  
Office of the Zoning Commissioner  
Courts Building  
401 Bosely Avenue Room 405  
Towson, Maryland 21204

Dear Ms. Jameson,

01-244-A

SUBJECT: ADMINISTRATIVE VARIANCE 02-144A

The undersigned are residents of northern Baltimore County who are concerned about the Administrative Variance 02-144A which addresses parking a large commercial vehicle in this quiet rural area. We are very familiar with the vehicle in question since it has been parked on the property from time to time, over the past few months. In this picturesque area of farms and single-family homes on one to five acre lots, this vehicle would be a visual eye sore and would look completely out of place. To allow this vehicle to remain on this property will have a significant impact on the surrounding property values.

We sincerely hope that you decline the request for this Administrative Variance so that the rural character of this area can be maintained. Baltimore County has successfully protected this area through its zoning regulations. To approve this variance would significantly impact the quality of the rural setting that the zoning regulations were meant to preserve.

Name Sam Davis

Signature *Sam Davis*

Address 4809 Mt Carmel Rd  
Hampstead MD

Name Philip McWilliams

Signature *Philip J McWilliams*

Address 4807 Mt. Carmel Rd.  
Hampstead, MD 21074

Name GEORGIA MILLS

Signature *Georgia J. Mills*

Address 4709 MT. CARMEL RD  
HAMPSTEAD, MD 21074

January 4, 2001

Name Janet R. Davis  
Address 1801 Mt. Carmel Rd  
Hampstead, Md 21074

Signature Janet R. Davis

Name ANNA M BYE  
Address 4723 MT. CARMEL RD  
HAMPSTEAD MD 21074

Signature Anna M. Bye

Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_

TO WHOM IT MAY CONCERN:

I support the Zieglers' Petition for a variance to allow them to park one commercial vehicle in excess of 10,000 lbs provided that it is parked within the newly constructed barn. I live at 4606 MT CARMEL RD 21074, which is approximately 1,000 feet from the Ziegler property.

If you have any questions, please do not hesitate to contact me.

Date: 2/11/01

Edmund H. Holman

Judith Holman

②

3A

**TO WHOM IT MAY CONCERN:**

I support the Zieglers' Petition for a variance to allow them to park one commercial vehicle in excess of 10,000 lbs provided that it is parked within the newly constructed barn. I live at 4805 Mount Carmel Road, which is approximately 200 feet from the Ziegler property.

If you have any questions, please do not hesitate to contact me.

Date: 02/09/2001

Walter A. Ryzh

Walt A. Ryzh

TO WHOM IT MAY CONCERN:

I support the Zieglers' Petition for a variance to allow them to park one commercial vehicle in excess of 10,000 lbs provided that it is parked within the newly constructed barn. I live at 4108 MT. CARMEL RD, which is approximately 1/4 mile feet from the Ziegler property.

If you have any questions, please do not hesitate to contact me.

Date: 2-11-01

Charles E. Mason

TO WHOM IT MAY CONCERN:

I support the Zieglers' Petition for a variance to allow them to park one commercial vehicle in excess of 10,000 lbs provided that it is parked within the newly constructed barn. I live at 101 1/2 1st Street NE, which is approximately 1/2 mile feet from the Ziegler property.

If you have any questions, please do not hesitate to contact me.

Date:

2/11/01

Virginia L. Kellam  
402-376-4008

**TO WHOM IT MAY CONCERN:**

I support the Zieglers' Petition for a variance to allow them to park one commercial vehicle in excess of 10,000 lbs provided that it is parked within the newly constructed barn. I live at 4713 Mt Cardone, which is approximately 70 feet from the Ziegler property.

If you have any questions, please do not hesitate to contact me.

Date: 2-7-01

Dominic M Cardone

**TO WHOM IT MAY CONCERN:**

I support the Zieglers' Petition for a variance to allow them to park one commercial vehicle in excess of 10,000 lbs provided that it is parked within the newly constructed barn. I live at 4810 Mt. Carmel Rd, which is approximately 600 feet or less from the Ziegler property.

If you have any questions, please do not hesitate to contact me.

Date: Feb. 6, 2001

Emily A. Abbott

**TO WHOM IT MAY CONCERN:**

I support the Zieglers' Petition for a variance to allow them to park one commercial vehicle in excess of 10,000 lbs provided that it is parked within the newly constructed barn. I live at 4714 NE Carmel, which is approximately 500' feet from the Ziegler property.

If you have any questions, please do not hesitate to contact me.

Date:

2/6/01

Mark Loy  
Mark Loy

**TO WHOM IT MAY CONCERN:**

I support the Zieglers' Petition for a variance to allow them to park one commercial vehicle in excess of 10,000 lbs provided that it is parked within the newly constructed barn. I live at 4707 Mt. Carmel Rd., which is approximately 350' feet from the Ziegler property.

If you have any questions, please do not hesitate to contact me.

Date: 03/06/01

Thomas E. Werryman

**TO WHOM IT MAY CONCERN:**

I support the Zieglers' Petition for a variance to allow them to park one commercial vehicle in excess of 10,000 lbs provided that it is parked within the newly constructed barn. I live at 4710 Mt Carmel Rd, which is approximately 750 feet from the Ziegler property.

If you have any questions, please do not hesitate to contact me.

Date:

2/4/01

Wanda J. Pearce Jr.

**TO WHOM IT MAY CONCERN:**

I support the Zieglers' Petition for a variance to allow them to park one commercial vehicle in excess of 10,000 lbs provided that it is parked within the newly constructed barn. I live at 5001 Mt Carmel Rd, which is approximately 1200 feet N/S from the Ziegler property.

If you have any questions, please do not hesitate to contact me.

Date: Feb 6, 2001

Ernest G. Cooper

**TO WHOM IT MAY CONCERN:**

I support the Zieglers' Petition for a variance to allow them to park one commercial vehicle in excess of 10,000 lbs provided that it is parked within the newly constructed barn. I live at 4716 Mt Carmel Rd, which is approximately 150 feet from the Ziegler property.

If you have any questions, please do not hesitate to contact me.

Date: 2/7/01

*Tilda Yarns*

**TO WHOM IT MAY CONCERN:**

I support the Zieglers' Petition for a variance to allow them to park one commercial vehicle in excess of 10,000 lbs provided that it is parked within the newly constructed barn. I live at 4708 Mt. Carmel Rd., which is approximately 366 feet from the Ziegler property.

If you have any questions, please do not hesitate to contact me.

Date: 2-7-01

Elizabeth Hession

**TO WHOM IT MAY CONCERN:**

I support the Zieglers' Petition for a variance to allow them to park one commercial vehicle in excess of 10,000 lbs provided that it is parked within the newly constructed barn. I live at 5703 Mt Carmel Rd, which is approximately \_\_\_\_\_ feet from the Ziegler property.

If you have any questions, please do not hesitate to contact me.

Date: 2/11/01

Suzanne Stoner



PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

James R. Davis  
Lenna M. Bye  
Georgia Mills  
Philip M. Williams

4801 Mt. Carmel Rd  
4723 Mt Carmel Rd.  
4709 Mt. Carmel Rd.  
4807 Mt. Carmel Rd., Hampstead MD  
21074

४०६

८३

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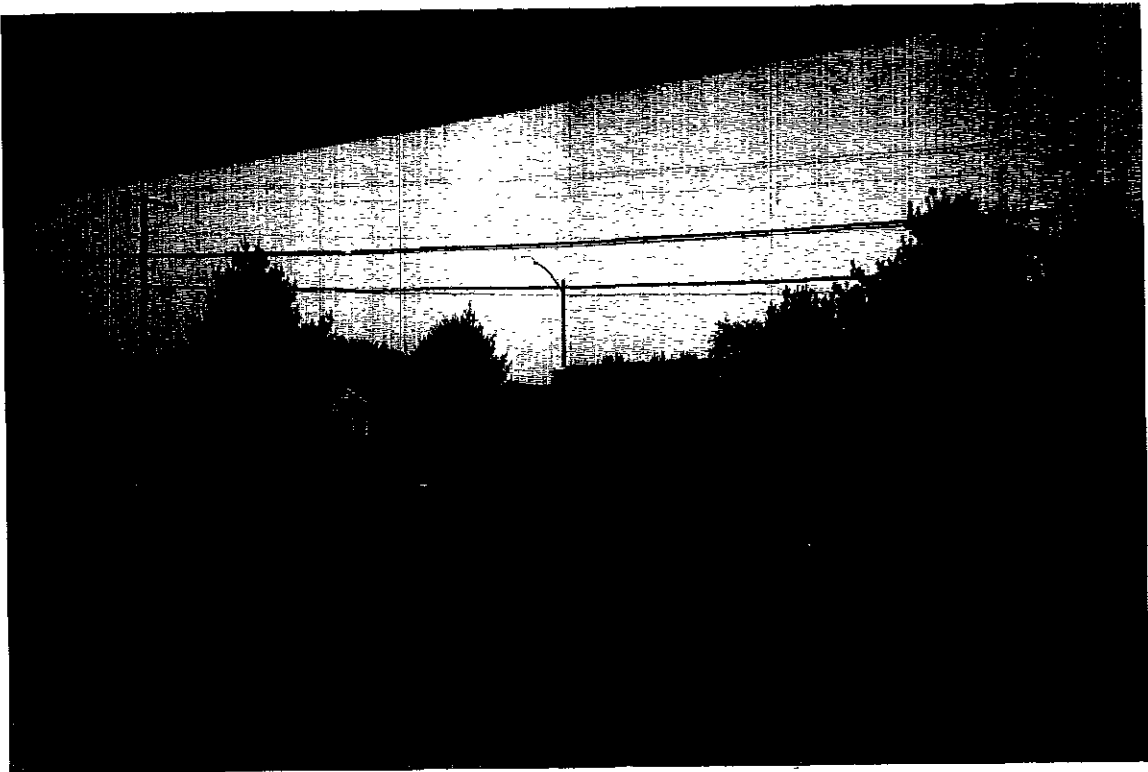
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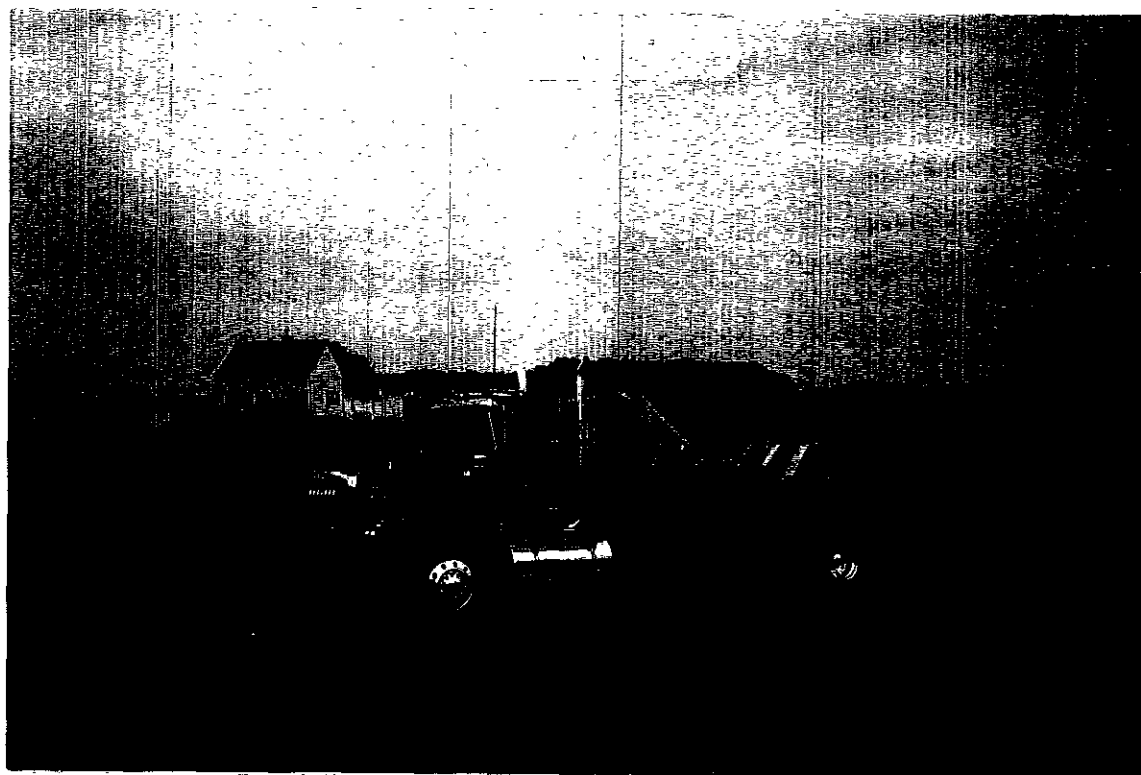
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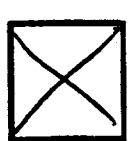


Baltimore County Zoning Commissioner  
Office of Planning  
Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204

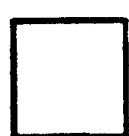
*Photographs  
# 01-244-A*







# Variance

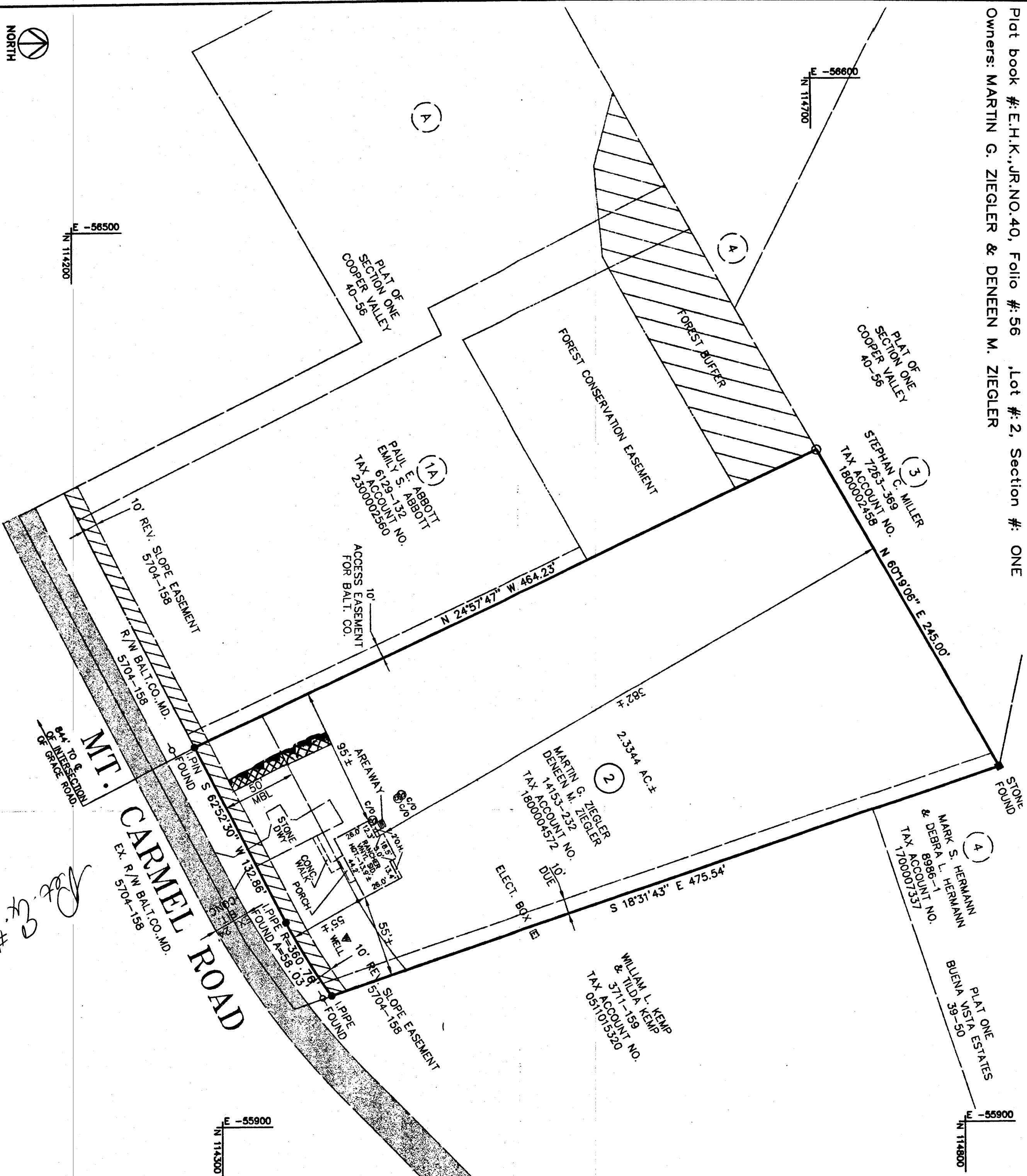


# Special Hearing

PROPERTY ADDRESS: 4800 MOUNT CARMEL ROAD HAMPSTEAD, MD 21074

Subdivision Name: COOPER VALLEY

Plat book #: E.H.K., JR. NO. 40, Folio #: 56 , Lot #: 2, Section #: ONE  
Owners: MARTIN G. ZIEGLER & DENEEN M. ZIEGLER



**VICINITY MAP**  
**SCALE: 1" = 1000'**

## LOCATION INFORMATION

Election District: 5 TH

Councilmanic District: 3

1"=200' Scale map #: N W-29 J

**Zoning: R.C.2**

Lot Sizes: 2.3344 101,686

| Acreage | Square feet |
|---------|-------------|
| 1       | 43,560      |
| 2       | 87,120      |
| 3       | 130,680     |
| 4       | 174,240     |
| 5       | 217,800     |
| 6       | 261,360     |
| 7       | 304,920     |
| 8       | 348,480     |
| 9       | 392,040     |
| 10      | 435,600     |
| 11      | 479,160     |
| 12      | 522,720     |
| 13      | 566,280     |
| 14      | 609,840     |
| 15      | 653,400     |
| 16      | 696,960     |
| 17      | 740,520     |
| 18      | 784,080     |
| 19      | 827,640     |
| 20      | 871,200     |
| 21      | 914,760     |
| 22      | 958,320     |
| 23      | 1,001,880   |
| 24      | 1,045,440   |
| 25      | 1,089,000   |
| 26      | 1,132,560   |
| 27      | 1,176,120   |
| 28      | 1,219,680   |
| 29      | 1,263,240   |
| 30      | 1,306,800   |
| 31      | 1,350,360   |
| 32      | 1,393,920   |
| 33      | 1,437,480   |
| 34      | 1,481,040   |
| 35      | 1,524,600   |
| 36      | 1,568,160   |
| 37      | 1,611,720   |
| 38      | 1,655,280   |
| 39      | 1,698,840   |
| 40      | 1,742,400   |
| 41      | 1,785,960   |
| 42      | 1,829,520   |
| 43      | 1,873,080   |
| 44      | 1,916,640   |
| 45      | 1,960,200   |
| 46      | 2,003,760   |
| 47      | 2,047,320   |
| 48      | 2,090,880   |
| 49      | 2,134,440   |
| 50      | 2,178,000   |
| 51      | 2,221,560   |
| 52      | 2,265,120   |
| 53      | 2,308,680   |
| 54      | 2,352,240   |
| 55      | 2,395,800   |
| 56      | 2,439,360   |
| 57      | 2,482,920   |
| 58      | 2,526,480   |
| 59      | 2,570,040   |
| 60      | 2,613,600   |
| 61      | 2,657,160   |
| 62      | 2,700,720   |
| 63      | 2,744,280   |
| 64      | 2,787,840   |
| 65      | 2,831,400   |
| 66      | 2,874,960   |
| 67      | 2,918,520   |
| 68      | 2,962,080   |
| 69      | 3,005,640   |
| 70      | 3,049,200   |
| 71      | 3,092,760   |
| 72      | 3,136,320   |
| 73      | 3,179,880   |
| 74      | 3,223,440   |
| 75      | 3,267,000   |
| 76      | 3,310,560   |
| 77      | 3,354,120   |
| 78      | 3,397,680   |
| 79      | 3,441,240   |
| 80      | 3,484,800   |
| 81      | 3,528,360   |
| 82      | 3,571,920   |
| 83      | 3,615,480   |
| 84      | 3,659,040   |
| 85      | 3,702,600   |
| 86      | 3,746,160   |
| 87      | 3,789,720   |
| 88      | 3,833,280   |
| 89      | 3,876,840   |
| 90      | 3,920,400   |
| 91      | 3,963,960   |
| 92      | 4,007,520   |
| 93      | 4,051,080   |
| 94      | 4,094,640   |
| 95      | 4,138,200   |
| 96      | 4,181,760   |
| 97      | 4,225,320   |
| 98      | 4,268,880   |
| 99      | 4,312,440   |
| 100     | 4,356,000   |

Public Private

SEWER: ☐ ☒

WATER: ☐ ☒

Area: ☐ YES ☒ NO

Chesapeake Bay Critical Area:

Prior Zoning Hearings: N/A

01-0234

**JUN 20 2000**

**PRINT MADE**

**BY D.R.S**

**Zoning Office USE ONLY !**

Reviewed by:

ITEM #

CASE #

~~2998~~  
TAG

244

01-244-A



|                     |  |          |  |       |  |
|---------------------|--|----------|--|-------|--|
| SCALE               |  | LOCATION |  | SHEET |  |
| 1" = 200' ±         |  | WEST OF  |  | N. W. |  |
| DATE OF PHOTOGRAPHY |  | ARMACOST |  | 29-J  |  |
| JANUARY 1986        |  |          |  |       |  |

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP