

IN RE: PETITIONS FOR SPECIAL HEARING  
& VARIANCE  
S/S of Oakland Road, 224 ft. E  
centerline of Kenney Mill Road  
6th Election District  
3rd Councilmanic District  
(2035 Oakland Road)

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 04-482-SPHA

Donna L. & Dennis W. Zimmerman  
*Petitioners*

\*  
\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Hearing and Variance filed by the legal owners of the subject property, Donna L. and Dennis W. Zimmerman. The special hearing request is pursuant to Section 431.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a commercial vehicle exceeding 10,000 lbs. G.V.W. or Gross Combination Weight to be parked at 2035 Oakland Road for a period exceeding the time essential to the immediate use of the vehicle. In addition, a variance is requested from Sections 400.3, 101 and 431.B.3 A & C of the B.C.Z.R. to permit a detached garage of 20 ft. in height in lieu of the required 15 ft. and larger than the principal dwelling and to have a commercial vehicle to be parked in the front yard in lieu of the rear yard with freight and equipment visible.

The property was posted with Notice of Hearing on May 12, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on May 20, 2004 to notify any interested persons of the scheduled hearing date.

### Applicable Law

Section 307 of the B.C.Z.R. – Variances.

ORDER RECEIVED FOR FILING

Date

By

7/20/04  
Haj



"The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance."

Section 500.7 of the B.C.Z.R. *Special Hearings*

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

**Zoning Advisory Committee Comments**

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

**Code Enforcement Comments**

This matter is currently the subject of an active violation case (Case No. 04-1081) in the Division of Code Inspections and Enforcement. A citation for code violation has been issued in this matter due to the fact that a commercial vehicle is parked illegally.

It should be noted, for the record, that the fact that a zoning violation is issued is simply ignored in this zoning case. This means that the Petitioner can not use the fact that a structure has been built as a precedence to allow it to continue. Nor does the fact that a structure may be

COPIES RECEIVED FOR FILING  
Date 3/22/04  
By Ray



costly to remove or modify come into consideration of the zoning case. The reason for this is that this condition is clearly self-imposed and as such cannot be a basis for the hardship or practical difficulty required by Section 307 of the B.C.Z.R. Conversely, the fact that something may have been done which could violate the law is not held against the Petitioner as some sort of an additional punishment. Zoning enforcement is conducted by the Department of Permits and Development Management, which has the authority to impose fines and other penalties for violation of law. This is not the province of this hearing of this Office.

### **Interested Persons**

Appearing at the hearing on behalf of the variance request were Frank Purdum, Jr. President of the Freeland Community Association, and Donna and Dennis Zimmerman, Petitioners. Appearing as a protestant was John Gray, adjacent property owner. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

### **Testimony and Evidence**

The Petitioner proffered that this property is located nearly on the Maryland/Pennsylvania line and is zoned RC 2. The area has primarily agricultural uses which includes storage and use of heavy equipment and vehicles. The Petitioner is an independent truck owner and driver of a large tractor which pulls trailers owned by his customers. See protestant's exhibit 1-A for a photograph of the red tractor and typically loaded trailer. The loads hauled by the Petitioner are often farm related, sometimes hauling farm equipment, taking grain to elevators, or transporting produce to or from wholesale markets. However, the Petitioner also hauls general freight. The Petitioner related that depending on the time of day he would sometimes stop at home on Oakland Road with or without trailers of goods in tow.



He requests to be able to park both his tractor and customer trailers over night or for several days. He has a parking pad which leads off of Oakland Road on which he parks these vehicles. See Petitioner's Exhibit No. 1. He indicated that the tractor is over 10, 000 lbs. gross vehicle weight. He also has a garage in the rear yard which is too small to house the tractor. Consequently, he proposes to build a 30 ft. x 30 ft. addition to the garage, but because the tractor stands 13 ft. tall (for the exhaust pipes) he requests to be able to build the addition 20 ft. high. However, no trailer will fit into the garage addition and so some provision must be made to park the trailers on the parking pad occasionally if the Petitioner is to continue business as usual.

Mr. Zimmerman was assisted in presenting his case by Frank Purdum, President of the Freeland Community Association. Mr. Purdum introduced a letter of support for the requests from the association and petitions signed by area residents also in support. See Petitioner's Exhibit Nos. 3 and 4.. Mr. Purdum indicated that the Petitioner had been most helpful to the farming community in the area by hauling loads of farm goods to market and that many trucks and farming equipment were routinely stored on farms and properties in the area.

The case arose because the protestant, John Gray, filed a complaint with the County regarding the Petitioner's tractor and trailers being parked on the Petitioner's property. Remarkably, his complaint was not about any of the zoning issues such as an overweight truck, nor that the truck was parked for too long, nor that a 20 ft. high garage was too high, nor that the commercial vehicle was in the front yard. In short, he was not opposed to any of the zoning requests all of which he indicated were reasonable. His problem was that Oakland Road is a narrow country road and that when the Petitioner backs his tractor with trailer onto his property, the vehicle too often strays onto Mr. Gray's property, damaging the area near the road and also damaging the Zimmerman property and adjacent farm land to the west as well. The latter causes

ORDER RECEIVED FOR FILING  
Date 7/20/04  
By Ray



Mr. Gray problems because the disturbed earth washes onto Mr. Gray's property filling in culverts and causing sediment to build up on Mr. Gray's property. See protestants photograph Exhibit No. 2-O. Note the tire marks on the right hand side (the Petitioner's property) and on the left edge of the road ( Mr. Gray's property).

At the conclusion of testimony, a discussion ensued in which the key to solving Mr. Gray's complaint was not to have the Petitioner's trucks go onto either side of Oakland Road when backing into the pad. The question arose as to whether the Petitioner's parking pad along Oakland Road could be widened so that the tractor and trailer would always remain on paved roadway. The parties then determined to meet on site, and find a technical solution to Mr. Gray's complaints (again which did not involve zoning issues). The parties also agreed to keep the record open for a revised site plan which presumably would show a wider parking pad at Oakland Road.

In fact, Mr. Purdum, writing for the Freeland Community Association, submitted a revised plan dated June 9, 2004 which I have marked as Petitioner's Exhibit No. 6. The revised plan shows a wider entrance on Oakland Road and different angle of parking pad which Mr. Purdum asserts will be more conducive to keeping the vehicles on the parking pad and off of the adjoining properties. The new entrance would be paved with #2 stone.

Also received from protestant John Gray was a letter dated June 4, 2004 and attached sketch which outlined more definitively the area which the Petitioner's truck uses to pull off the road. Both pieces of correspondence were sent to the other party.

In response to Mr. Purdum's June 9 letter, I received a letter from Mr. Gray dated July 1, 2004 in which he states that the parking area should be paved, questions how effective Mr.

COPIES RECEIVED FOR MR. PURDUM  
DATE 7/20/04  
BY [Signature]



Purdum's amended plan would be, and again pointed out that Mr. Zimmerman was damaging the adjacent farm land with his vehicles. See protestant's photo 12.

Mr. Purdum sent a letter dated June 28, 2004 disputing that the damage shown on protestant's Photo No. 12 was caused by the Petitioner, as many farm vehicles and equipment pass through this entrance. He expressed Mr. Zimmerman's willingness to cooperate. All correspondence was made part of the record of this case. The parties never met on site to resolve their differences.

**Findings of Fact and Conclusions of Law**

In regard to the request for variance from Sections 400.3, 101 and 431.B.3 A & C of the B.C.Z.R., to permit a detached garage of 20 ft. in height in lieu of the required 15 ft., garage larger than the principal dwelling and to have a commercial vehicle to be parked in the front yard in lieu of the rear yard with freight and equipment visible, I will grant the requested variances. The Petitioner wants to have a building in which he can service his tractor. I find that it would be a hardship and practical difficulty to have to reduce the height of the exhaust pipes on the Petitioner's tractor just to be able to park inside. This requires a taller building. The 20 ft. height seems most reasonable under the circumstances. Similarly, it is most reasonable for this building to be larger than the principal dwelling and to park this commercial vehicle in the front yard. This is RC 2 zoned land which has the stated goal of preserving agriculturally zoned land and allowing this tractor to park on the parking pad supports these agricultural efforts.

I further find that the tractor may be parked at the Petitioner's address for a time that exceeds the immediate use of the vehicle. Neither Mr. Gray nor the community association object to him parking his tractor there. However, I have problems with parking trailers on the property. The protestant's evidence convinces me that these trailers are simply too long and

ORDER RECEIVED FOR FILM  
Date 7/20/04  
By Gray



awkward to be backed into the available space belonging to the Petitioner on Oakland Road. He is constrained by the culvert and utility pole adjacent to the parking pad to providing an entrance to Oakland Road which is wide enough to have these vehicles park on the property without damaging the adjacent properties. See Protestant's photograph No. 1-G. I accept and appreciate Mr. Purdum's suggested design for the parking pad as shown in Petitioner's Exhibit No. 6. However, I am convinced that even with this improvement the trailers will continue to wander onto other properties damaging them and causing water runoff problems.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioner's variance request should be granted in part and denied in part.

THEREFORE, IT IS ORDERED, this 20 day of July, 2004, by this Deputy Zoning Commissioner, that the Petitioner's request for special hearing pursuant to Section 431.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a commercial vehicle (tractor) exceeding 10,000 lbs. G.V.W. or Gross Combination Weight to be parked at 2035 Oakland Road for a period exceeding the time essential to the immediate use of the vehicle, be and is hereby APPROVED, subject, however, to the following conditions:

1. That the Petitioner construct a parking pad for said vehicle pursuant to Petitioner's Exhibit No. 6;
2. That the parking pad be paved a distance of 15 ft. from Oakland Road and otherwise constructed of #2 stone.

IT IS FURTHER ORDERED that the Petitioner's request for special hearing pursuant to Section 431.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to approve a commercial vehicle (trailer) exceeding 10,000 lbs. G.V.W. or Gross Combination Weight to be

RECEIVED FOR FILING  
Date 7/20/04  
By [Signature]



parked at 2035 Oakland Road for a period exceeding the time essential to the immediate use of the vehicle, be and is DENIED

IT IS FURTHER ORDERED, that the variance requested from Sections 400.3, 101 and 431.B.3 A & C of the B.C.Z.R. to permit a detached garage of 20 ft. in height in lieu of the required 15 ft. and larger than the principal dwelling and to have a commercial vehicle to be parked in the front yard in lieu of the rear yard with freight and equipment visible, be and is hereby GRANTED.

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

  
\_\_\_\_\_  
JOHN V. MURPHY  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING  
Date 7/20/14  
By Raj



## Zoning Commissioner

Suite 405, County Courts Building  
401 Bosley Avenue  
Towson, Maryland 21204  
Tel: 410-887-3868 • Fax: 410-887-3468



## Baltimore County

*James T. Smith, Jr., County Executive*  
*Lawrence E. Schmidt, Zoning Commissioner*

July 19, 2004

Mr. & Mrs. Dennis W. Zimmerman  
2035 Oakland road  
Freeland, Maryland 21053

Re: Petitions for Special Hearing & Variance  
Case No. 04-482-SPHA  
Property: 2035 Oakland Road

Dear Mr. & Mrs. Zimmerman:

Enclosed please find the decision rendered in the above-captioned case.

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,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy  
Deputy Zoning Commissioner

JVM:raj  
Enclosure

c: Mr. John Gray  
21515 Keeney Mill Road  
Freeland, Maryland 21053

Frank L. Purdum, Jr., President  
Freeland Community Association  
1503 Walker Road  
Freeland, Maryland 21053

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)







# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at 2035 Oakland Rd.  
which is presently zoned RC-2

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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve A COMMERCIAL VEHICLE

EXCEEDING 10,000 LBS G.V.W. OR GROSS COMBINATION WEIGHT  
TO BE PARKED AT 2035 OAKLAND RD. FOR A PERIOD  
EXCEEDING THE TIME ESSENTIAL TO THE IMMEDIATE  
USE OF THE VEHICLE (SEC. 431.31).

Property is to be posted and advertised as prescribed by the zoning regulations.  
I, or we, agree to pay expenses of above Special Hearing, 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):

DENNIS W. ZIMMERMAN  
Name - Type or Print \_\_\_\_\_  
Dennis W. Zimmerman  
Signature \_\_\_\_\_  
Donna L. ZIMMERMAN  
Name - Type or Print \_\_\_\_\_  
Donna L. Zimmerman  
Signature \_\_\_\_\_  
2035 OAKLAND RD 410-357-83  
Address Telephone \_\_\_\_\_  
FREELAND, MD 21053  
City State Zip \_\_\_\_\_

### Representative to be Contacted:

Name \_\_\_\_\_  
Address \_\_\_\_\_ Telephone \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

### OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

UNAVAILABLE FOR HEARING \_\_\_\_\_

Reviewed By SPD Date 04-27-





# Petition for Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 2035 Oakland Rd.  
which is presently zoned RC-2

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) 400.3 & 101, AND 431.33A & C. to permit a

DETACHED GARAGE 20 FT. HT. IN LIEU OF 15 FT. & LARGER THAN THE PRINCIPAL DWELLING, AND A COMMERCIAL VEHICLE TO BE PARKED IN THE FRONT YARD WITH FREIGHT & EQUIPMENT VISIBLE IN LIEU OF THE REAR YARD.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) THE TRUCK MUST BE ON HOME SITE TO PROTECT IT FROM VANDALISM & THEFT. THE GARAGE IS NEEDED TO PUT IN A CAB 13 FT. HT. TO TOP OF STARKS & STILL HAVE A ROOF PITCH. OCCASIONALLY, A FLAT BED WITH FARM EQUIPMENT IS STORED OVERNIGHT OR WEEKEND ON SITE, PENOLING DELIVERY. THE SLOPE OF THE SITE LIMITS THE LOCATION TO STORE A TRUCK.  
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:

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Company \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Legal Owner(s):

DENNIS W. ZIMMERMAN  
Name - Type or Print \_\_\_\_\_  
Dennis W. Zimmerman  
Signature \_\_\_\_\_  
Donna L. ZIMMERMAN  
Name - Type or Print \_\_\_\_\_  
Donna L. Zimmerman  
Signature \_\_\_\_\_  
2035 OAKLAND RD 410-357-8347  
Address Telephone No. \_\_\_\_\_  
FREELAND MD 21053  
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 809 Date 04-27-04



## **ZONING DESCRIPTION**

### **Zoning Description For 2035 Oakland Road**

Beginning at a point on the south side of Oakland Road, which is 60 feet wide at the distance of 224 feet east of the centerline of the nearest improved intersecting street Keeney Mill Road which is 20 feet wide. Being Lot #1, in the subdivision known as the Zimmerman Property as recorded in Baltimore County Plat Book #46, Folio# 85, containing 1.840 acres. Also known as 2035 Oakland Road and located in the 6<sup>th</sup> Election District, 3<sup>rd</sup> Councilmanic District.

04-482. SPH A



BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 85716

04-482-SPAD

DATE 04-22-04 ACCOUNT 20010066150

AMOUNT \$ 130.00

RECEIVED THOMAS STANLEY ZIMMERMAN  
FROM: ROSCILLAND RD.

FOR: RES. DADS SPECIAL HEALTHCARE

DISTRIBUTION  
WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT

BUSINESS ACTION TIME DRN  
4/22/2004 4/22/2004 12:01:20 1

REG. INFO. WALKIN JRIC JMR

>> RECEIPT # 104294 4/22/2004 CRLH

Dept. 5 520 ZIMMERMAN VERIFICATION

CR NO. 035716

Receipt Tot \$130.00

\$130.00 CR \$0.00 CR

Baltimore County, Maryland



**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: #04-482-SPHA

2035 Oakland Road

S/side of Oakland Road, 224 feet east of centerline of

Kemney Mill Road

6th Election District - 3rd Councilmanic District

Legal Owner(s): Dennis & Donna Zimmerman

**Special Hearing:** to permit a commercial vehicle exceeding 10,000 pounds G.V.W. or gross combination weight to be parked at 2055 Oakland Road for a period exceeding the time essential to the immediate use of the vehicle. **Variance:** to permit a detached garage 20 feet height in lieu of 15 feet larger than the principal dwelling, and a commercial vehicle to be parked in the front yard with freight and equipment visible in lieu of the rear yard.

**Hearing:** Friday, June 4, 2004 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley 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 concerning the file and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

5/179 May 20

5394

## CERTIFICATE OF PUBLICATION

5/20, 2004

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/20, 2004.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

*J. Wilkinson*

LEGAL ADVERTISING



# CERTIFICATE OF POSTING

ATTENTION: KRISTEN MATTHEWS

Date \_\_\_\_\_

May 15, 2004

RE: Case Number

04-482-SPHA

Petitioner/Developer

DENNIS + DONNA ZIMMERMAN.

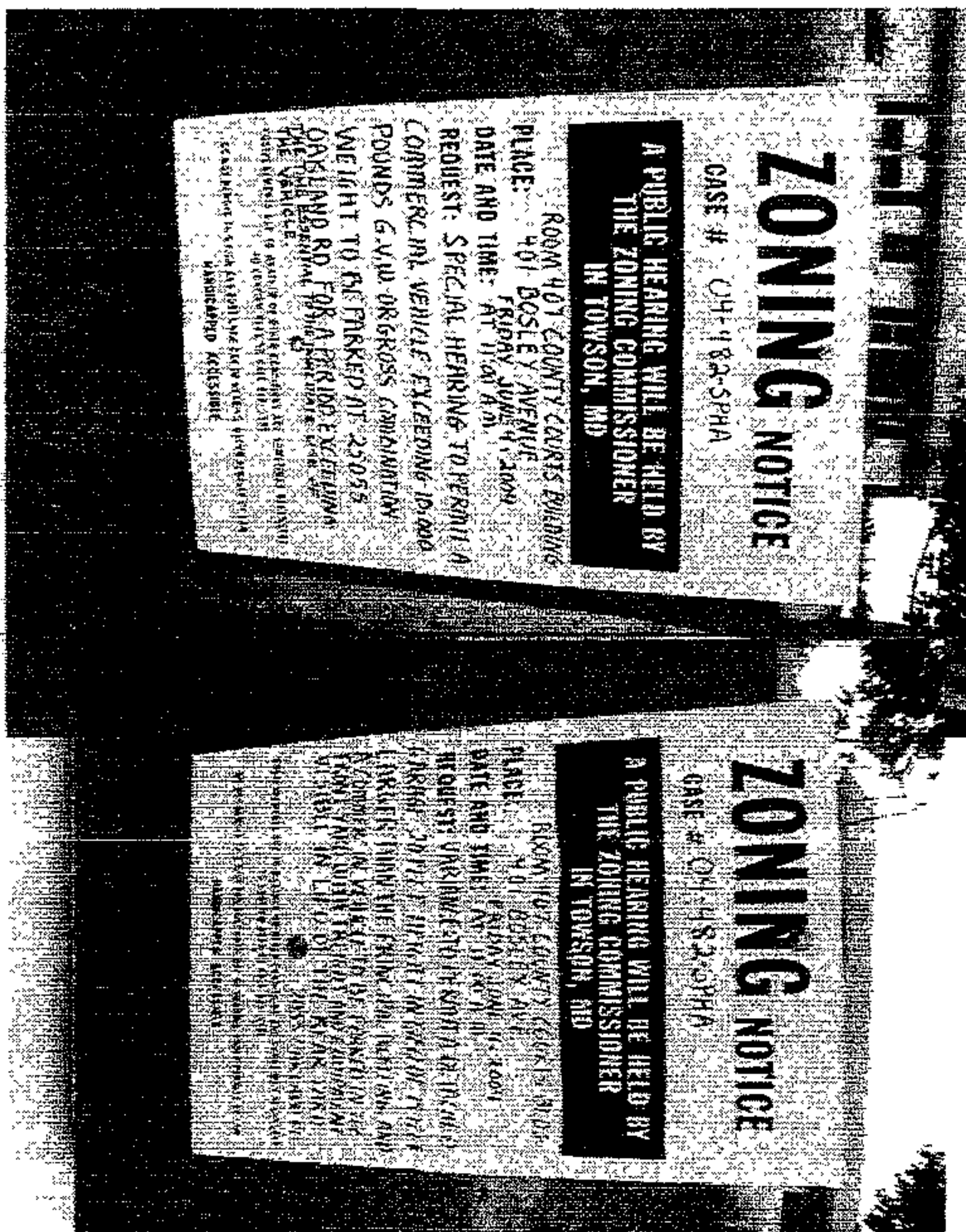
Date of Hearing/Closing

JUNE 4, 2004

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 2035 OAKLAND ROAD

The sign(s) were posted on

May 12, 2004



*Linda O Keeffe*  
(Signature of Sign Poster)

Linda O'Keefe  
(Printed Name of Sign Poster)

523 Penny Lane  
(Street Address of Sign Poster)

Hunt Valley Maryland 21030  
(City, State, Zip Code of Sign Poster)

410-666-5366  
(Telephone Number of Sign Poster)



RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
AND VARIANCE \*  
2035 Oakland Road; S/side Oakland Rd, \* ZONING COMMISSIONER  
224' E c/line of Kenney Mill Road \*  
6<sup>th</sup> Election & 3<sup>rd</sup> Councilmanic Districts \* FOR  
Legal Owner(s): Dennis & Donna Zimmerman \*  
Petitioner(s) \* BALTIMORE COUNTY  
\* 04-482-SPHA

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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 30<sup>th</sup> day of April, 2004, a copy of the foregoing Entry of Appearance was mailed to Dennis & Donna Zimmerman, 2035 Oakland Road, Freeland, MD 21053, Petitioner(s).

RECEIVED

APR 30 2004

Per.....



PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



TO: PATUXENT PUBLISHING COMPANY  
Thursday, May 20, 2004 Issue - Jeffersonian

Please forward billing to:  
Dennis Zimmerman  
2035 Oakland Road  
Freeland, MD 21053

410-357-8347

---

## 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: 04-482-SPHA**

2035 Oakland Road

S/side of Oakland Road, 224 feet east of centerline of Kenney Mill Road

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

Legal Owners: Dennis & Donna Zimmerman

Special Hearing to permit a commercial vehicle exceeding 10,000 pounds G.V.W. or gross combination weight to be parked at 2055 Oakland Road for a period exceeding the time essential to the immediate use of the vehicle. Variance to permit a detached garage 20 feet height in lieu of 15 feet larger than the principal dwelling, and a commercial vehicle to be parked in the front yard with freight and equipment visible in lieu of the rear yard.

Hearing: Friday, June 4, 2004, at 11:00 a.m. Rm. 407, County Courts Building,  
401 Bosley Avenue



Lawrence E. Schmidt

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.



**Department of Permits &  
Development Management**

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



**Baltimore County**

*James T. Smith, Jr., County Executive  
Timothy M. Kotroco, Director*

April 29, 2004

**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: 04-482-SPHA**

2035 Oakland Road

S/side of Oakland Road, 224 feet east of centerline of Kenney Mill Road

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

Legal Owners: Dennis & Donna Zimmerman

Special Hearing to permit a commercial vehicle exceeding 10,000 pounds G.V.W. or gross combination weight to be parked at 2055 Oakland Road for a period exceeding the time essential to the immediate use of the vehicle. Variance to permit a detached garage 20 feet height in lieu of 15 feet larger than the principal dwelling, and a commercial vehicle to be parked in the front yard with freight and equipment visible in lieu of the rear yard.

Hearing: Friday, June 4, 2004, at 11:00 a.m. Rm. 407, County Courts Building,  
401 Bosley Avenue

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco  
Director

TK:klm

C: Dennis & Donna Zimmerman, 2035 Oakland Road, Freeland 21053

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MAY 20, 2004.**
- (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.

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)



# DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

## ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID

---

#### For Newspaper Advertising:

Item Number or Case Number 04-482-SP4A.

Petitioner Dennis W. Zimmer

Address or Location 2035 OAKLAND RD FREELAND, md 21053

PLEASE FORWARD ADVERTISING BILL TO

Name Dennis W. Zimmer

Address 2035 OAKLAND RD FREELAND, md 21053

Telephone Number 410-357-8347

04-482-SP4A



**Department of Permits  
Development Management**

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



**Baltimore County**

*James T. Smith, Jr., County Executive  
Timothy M. Kotroco, Director*

May 24, 2004

Dennis W. Zimmerman  
Donna L. Zimmerman  
2035 Oakland Road  
Freeland, Maryland 21053

Dear Mr. and Mrs. Zimmerman:

RE: Case Number:04-482-SPHA, 2035 Oakland Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on April 22, 2004.

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,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)







Baltimore County  
Fire Department

700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4500

County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

May 10, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: May 3, 2004

Item No.: 479, (482)-487

Dear Ms. Hart:

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.

6. The Fire Marshal's Office has no comments at this time.

LIEUTENANT JIM MEZICK  
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**

**INTEROFFICE CORRESPONDENCE**

**TO:** Timothy M. Kotroco, Director  
Department of Permits &  
Development Management

**DATE:** May 18, 2004

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

**SUBJECT:** Zoning Advisory Committee Meeting  
For May 10, 2004  
Item Nos. 479, 482, 483, 484, and 485

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

RWB:CEN:jrb

cc: File



Jm  
6/4

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Timothy M. Kotroco, Director  
Department of Permits and  
Development Management

**DATE:** May 13, 2004

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

RECEIVED

MAY 14 2004

**SUBJECT:** Zoning Advisory Petition(s): Case 4-482

ZONING COMMISSIONER

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared By:

Mark A. Cunningham

Division Chief:

Anna Ferhan

MAC/LL





Robert L. Ehrlich, Jr., *Governor*  
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*  
Neil J. Pedersen, *Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 4.30.04

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

RE: Baltimore County  
Item No. 482 JRA

Dear Ms. Matthews:

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,

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

My telephone number/toll-free number is \_\_\_\_\_

*Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free*

Street Address: 707 North Calvert Street Baltimore, Maryland 21202 Phone: 410.545.0300 [www.marylandroads.com](http://www.marylandroads.com)



## Zoning Commissioner

Suite 405, County Courts Building  
401 Bosley Avenue  
Towson, Maryland 21204  
Tel: 410-887-3868 • Fax: 410-887-3468



## Baltimore County

*James T. Smith, Jr., County Executive*  
*Lawrence E. Schmidt, Zoning Commissioner*

June 15, 2004

Mr. John Gray  
21515 Keeney Mill Road  
Freeland, Maryland 21053

Re: Petitions for Special Hearing & Variance  
Case No. 04-482-SPHA  
Property: 2035 Oakland Road

Dear Mr. Gray:

For your information, enclosed herewith please find correspondence from Mr. Frank L. Purdum, Jr., President of the Freeland Community Association, as well as a revised plan in connection with the above-captioned matter.

It would be appreciated if you would review these items and let me have your thoughts regarding same within the next two weeks. Should you have any questions or require any additional information, please feel free to contact this office at 410-887-3868.

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy  
Deputy Zoning Commissioner

JVM:raj  
Enclosure

c: Dennis W. Zimmerman  
Frank L. Purdum, Jr.

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)





## Zoning Commissioner

Suite 405, County Courts Building  
401 Bosley Avenue  
Towson, Maryland 21204  
Tel: 410-887-3868 • Fax: 410-887-3468



## Baltimore County

*James T. Smith, Jr., County Executive*  
*Lawrence E. Schmidt, Zoning Commissioner*

June 22, 2004

Mr. & Mrs. Dennis W. Zimmerman  
2035 Oakland Road  
Freeland, Maryland 21053

Frank L. Purdum, Jr., President  
Freeland Community Association  
1503 Walker Road  
Freeland, Maryland 21053

Re: Petitions for Special Hearing & Variance  
Case No. 04-482-SPHA  
Property: 2035 Oakland Road

Dear Mr. & Mrs. Zimmerman and Mr. Purdum:

For your information, enclosed herewith please find correspondence and attachment from Mr. John Gray regarding the above-captioned matter.

It would be appreciated if you would review these items and let me have your thoughts regarding same within the next two weeks. Should you have any questions or require any additional information, please feel free to contact this office at 410-887-3868.

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy  
Deputy Zoning Commissioner

JVM:raj  
Enclosure

c: Mr. John Gray  
21515 Keeney Mill Road  
Freeland, Maryland 21053

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)





## Zoning Commissioner

Suite 405, County Courts Building  
401 Bosley Avenue  
Towson, Maryland 21204  
Tel: 410-887-3868 • Fax: 410-887-3468



## Baltimore County

*James T. Smith, Jr., County Executive*  
*Lawrence E. Schmidt, Zoning Commissioner*

July 9, 2004

Mr. & Mrs. Dennis W. Zimmerman  
2035 Oakland road  
Freeland, Maryland 21053

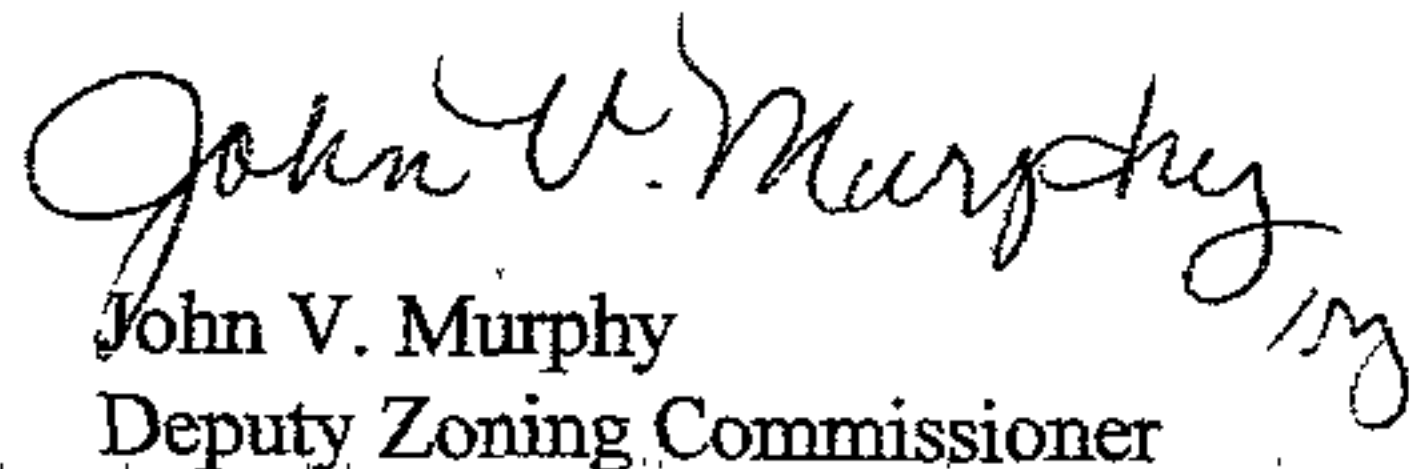
Re: Petitions for Special Hearing & Variance  
Case No. 04-482-SPHA  
Property: 2035 Oakland Road

Dear Mr. Gray:

I received the attached additional correspondence from Mr. Gray dated July 1, 2004 and Mr. Purdum dated June 28, 2004. I would like to suggest that the three of you meet at the site to see whether these issues can be resolved. I am happy to receive your correspondence, but I am not sure that this is leading to a resolution of the matter.

Thank you for your cooperation in this matter.

Very truly yours,

  
John V. Murphy  
Deputy Zoning Commissioner

JVM:raj  
Enclosure

c: Mr. John Gray  
21515 Keeney Mill Road  
Freeland, Maryland 21053

Frank L. Purdum, Jr., President  
Freeland Community Association  
1503 Walker Road  
Freeland, Maryland 21053

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)





## Zoning Commissioner

Suite 405, County Courts Building  
401 Bosley Avenue  
Towson, Maryland 21204  
Tel: 410-887-3868 • Fax: 410-887-3468



## Baltimore County

*James T. Smith, Jr., County Executive*  
*Lawrence E. Schmidt, Zoning Commissioner*

August 6, 2004

Mr. John Gray  
21515 Keeney Mill Road  
Freeland, Maryland 21053

Re: Petitions for Special Hearing & Variance  
Case No. 04-482-SPHA  
Property: 2035 Oakland Road

Dear Mr. Gray:

Thank you for your letter of July 26, 2004. I thought I would respond by letter to your question about paving 15 ft. of Mr. Zimmerman's parking pad. My intention is to have the first 15 ft. of the parking pad paved by appropriate means. Bituminous asphalt is clearly a good choice, but I cannot say that other surfaces such as concrete would not work. Perhaps there are other surfaces that would withstand the weight of the tractor as well.

Whatever the actual materials, the paving must be maintained in good condition. It would be a waste of Mr. Zimmerman's resources to pave the required area with an inferior product that would disintegrate with use or time since he would have to constantly repair the surface at great expense over time. I am sure that he would not want to expend that amount of time or money.

I hope that this answers your question.

Very truly yours,

A handwritten signature in black ink, reading "John V. Murphy". The signature is written in a cursive style.

John V. Murphy  
Deputy Zoning Commissioner

JVM:raj  
Enclosure

c: Mr. & Mrs. Dennis W. Zimmerman  
2035 Oakland road  
Freeland, Maryland 21053

Frank L. Purdum, Jr., President  
Freeland Community Association  
1503 Walker Road  
Freeland, Maryland 21053

Visit the County's Website at [www.baltimorecountyonline.info](http://www.baltimorecountyonline.info)





# CODE ENFORCEMENT REPORT

DATE: 02-13-04 INTAKE BY: AF CASE #: 04-1081 INSPEC: 6

COMPLAINT LOCATION: 2035 OAKland Rd

OAKland Rd + Keeneymill Rd ZIP CODE: 41053 DIST: \_\_\_\_\_

COMPLAINANT NAME: John Gray PHONE #: (H) 4103578882 (W) \_\_\_\_\_

ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

PROBLEM: Tractor & trailer - Car Carrier or Flatbed. Parked on Residential Property. Sometimes There, Sometimes not.

IS THIS A RENTAL UNIT? YES \_\_\_\_\_ NO \_\_\_\_\_  
IF YES, IS THIS SECTION 8? YES \_\_\_\_\_ NO \_\_\_\_\_  
OWNER/TENANT INFORMATION: \_\_\_\_\_  
Do not Close if you don't see it Right Away

TAX ACCOUNT #: 1800014858 ZONING: \_\_\_\_\_

INSPECTION: \_\_\_\_\_

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

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

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

04 482. SPH A





Baltimore County  
Department of Permits and  
Development Management

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

4-8

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

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

BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE

|                              |                               |               |
|------------------------------|-------------------------------|---------------|
| Citation/Case No.<br>04-1081 | Property No.<br>18-00-101-558 | Zoning<br>RC2 |
|------------------------------|-------------------------------|---------------|

Name(s): DENNIS W. ZIMMERMAN  
DONNA L. ZIMMERMAN

Address: 2035 OAKLAND RD. FREELAND, MD 21053

Violation: SAME  
Location: SAME

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BCZR 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

PROPERTY IS ZONED RC2. TRACTOR-  
TRAILER CAN NOT BE STORED ON THE  
PROPERTY.

MAILED

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

On or Before: 3-8-04

Date Issued: 2-17-04

FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH.

Print Name: JASON SEIGELMAN

INSPECTOR: [Signature]

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:

DEFENDANT

04-482 SPA-1



Section 431-- PARKING OF COMMERCIAL VEHICLES ON RESIDENTIAL PROPERTY. {Bill No. 70, 1988.}

18,000

A. A commercial vehicle exceeding 10,000 pounds gross vehicle weight or gross combination weight may not be parked on a residential lot for a period exceeding the time essential to the immediate use of the vehicle. {Bill No. 70, 1988.}

B. One commercial vehicle per dwelling unit may be parked on a residential lot for a period exceeding the time essential to the immediate use of the vehicle subject to the following condition: {Bill No. 70, 1988.}

1. The gross vehicle weight or gross combination weight shall not exceed 10,000 pounds. {Bill No. 70, 1988.}
2. The owner or operator of the vehicle shall reside on the lot. {Bill No. 70, 1988.}
3. The vehicle shall be parked within a fully enclosed structure or, alternatively, if not within a fully enclosed structure: {Bill No. 70, 1988.}
  - a. No materials, products, freight, or equipment shall be visible; {Bill No. 70, 1988.}
  - b. The vehicle shall display no advertising other than lettering, figures or designs located on the driver's door or front seat passenger's door; and {Bill No. 70, 1988.}
  - c. The vehicle shall be parked in a side or rear yard. {Bill No. 70, 1988.}

Cannot remove the weight must use Special Hearing can go residential fee & no sealed site plan

per Jeff, Hoyer Jan 12/10/03

~~Commercial parking can be used to carry the side of the lot a Special Hearing is required for a permit~~

20 ft. Ht.

AR

DM

Sec. 400.3  $\approx$  101

A. DETACHED GARAGE 20 FT. Ht in L.W. OF 15 FT. & LARGER THAN TRUPAC DWELLING 1 W/ L.W. OF 5 MARCH

Sec 431.3.3. A & C

B. ONE COMMERCIAL VEHICLE TO BE PARKED WITH FRONT YARD 6741/640 WITH FREIGHT & EQUIPMENT & VISIBLE IN L.W. OF REAR YARD W/ NO FREIGHT OR EQUIPMENT VISIBLE



6/4/82 JM

# Freeland Community Association

P.O. Box 52, Freeland, MD. 21053-0052

RECEIVED

JUN 14 2004

ZONING COMMISSIONER

Mr. John V. Murphy  
Deputy Zoning Commissioner Baltimore County  
Zoning Commissioner's Office  
401 Bosley Ave. Room 405  
Towson, MD. 21204

Case #: 4-482-SPHA  
June 9, 2004

Dear Mr. Murphy

Mr. And Mrs. Zimmerman, the Freeland Community Association, and myself wish to thank you for the courtesies shown to us by you during the hearing for case # 4-482-SPHA.

As requested I have met with Mr. And Mrs. Zimmerman at their property and have measured the entrance to their property, which is used by Mr. Zimmerman for his truck. I measured a distance of 25 ft. that can be used by Mr. Zimmerman and have indicated this with red lines on the attached drawings. You will also note that we have also applied more of an angle for the parking pad. This was done to make the process of backing onto the pad an easier process with less of a turn being required.

Mr. And Mrs. Zimmerman have been in touch with an excavation contractor concerning the entrance to this pad. The contractor Mike Mathews has reviewed the property and has recommended that a heavier stone will provide the necessary base to minimize/prevent stone run off from this entrance. Mr. and Mrs. Zimmerman agree to making the upgrades to their property as recommended by Mr. Mathews. But due to the expense involved Mr. and Mrs. Zimmerman would prefer to wait until they receive your ruling before having Mr. Mathews perform the upgrade of the entrance to their property.

The Zimmerman's have also been in contact with the Baltimore County Highway office for this district. A representative from this office has made an initial review and is to return with ideas as to how they, the county, can deal with the run off coming from Keeny Mill Rd. onto Oakland road and crossing the front of the Zimmerman's property.

If the Freeland Community Association or I may be of any further service please feel free to contact us.

Sincerely



Frank L. Purdum Jr.  
President Freeland Community Association  
1503 Walker Rd.  
Freeland, MD.  
21053



# *Freeland Community Association*

*P.O. Box 52, Freeland, MD. 21053-0052*

Mr. John V. Murphy  
Deputy Zoning Commissioner Baltimore County  
Zoning Commissioner's Office  
401 Bosley Ave. Room 405  
Towson, MD. 21204

RECEIVED

JUL - 6 2004

Case #: 4-482-SPHA  
June 28, 2004

ZONING COMMISSIONER

Dear Mr. Murphy

Thank you for the opportunity to respond to Mr. Gray's letter and drawing.

Having taken time to review both Mr. Gray's letter and drawing I see that Mr. Gray shows a 40 ft erosion area and a 60 ft distance to the pine trees. By this it appears he is saying that all of this is Mr. Zimmerman's responsibility and that this is Mr. Zimmerman's property. This is not the case, as 20 ft of the indicated erosion area and 40 ft of the distance to the pine trees is not Mr. Zimmerman's property. The owner of this adjacent property having planted pine trees on the property's boundaries with Oakland Rd. and Keeney Mill Rd. left the area shown as the only access. As being the only access it means that all equipment used in a normal farming operation must enter and exit the property here.. Mr. Zimmerman has packed a mix of stone on his portion of the indicated property as well as on a limited portion of the adjoining property in order to provide a solid access rather than allowing a problem to develop causing soil erosion and under mining of the road. When considering the use by tractors, combines, grain trucks, and other vehicles to support the farming operation, and the limited amount of "stone wash" being generated from this area, it would indicate that by his actions Mr. Zimmerman has been a conscientious neighbor. Another issue is that the majority of the water runoff causing Mr. Gray's concern originates on Keeney Mill Rd., and is directed onto Oakland Rd. by the banking of both roads at their intersection.

In talking with Mr. Zimmerman and Mrs. Zimmerman, they reminded me that they are willing to undertake additional actions to minimize any "stone wash" or "erosion", if they are granted the variance. They also stated that they would be willing to meet with you to resolve any outstanding issues. If you would like such a meeting please let the Zimmerman's know. If would like someone from the Association to attend I would be available any date after July the 12<sup>th</sup>.

Sincerely



Frank L. Purdum Jr.  
President Freeland Community Association  
1503 Walker Rd.  
Freeland, MD. 21053  
Day Time Phone: 410-998-1845

CC: Mr. & Mrs. Dennis Zimmerman  
Mr. John Gray



6/21/04

Te may

new footage 25 feet

- can't do that - other

- need Balto Co roads

- storm drains

he'll get hold of

Purdum



Mr. John V. Murphy  
Deputy Zoning Commissioner

Case 04-482-SPHA  
July 26, 2004

DEAR MR. MURPHY;

I RECEIVED the decision RENDERED ON  
Case 04-482-SPHA, DATED July 19, 2004.

IN writing to SEE if my understanding of  
part of your order is CORRECT OR if I'M INCORRECT  
in my interpretation. The item I HAVE in question  
is on Page 7, Condition 2, on the "Approval of parking  
the commercial vehicle (Tractor)". My UNCERTAINTY is  
the part about the parking pad to BE PAVED A  
distance of 15ft. from Oakland Rd. My interpretation  
is that the surface would be constructed of  
Bituminous Asphalt. My CONCERN is that I HAVE  
NOT MISUNDERSTOOD your decision on this matter.

Sincerely

John Gray





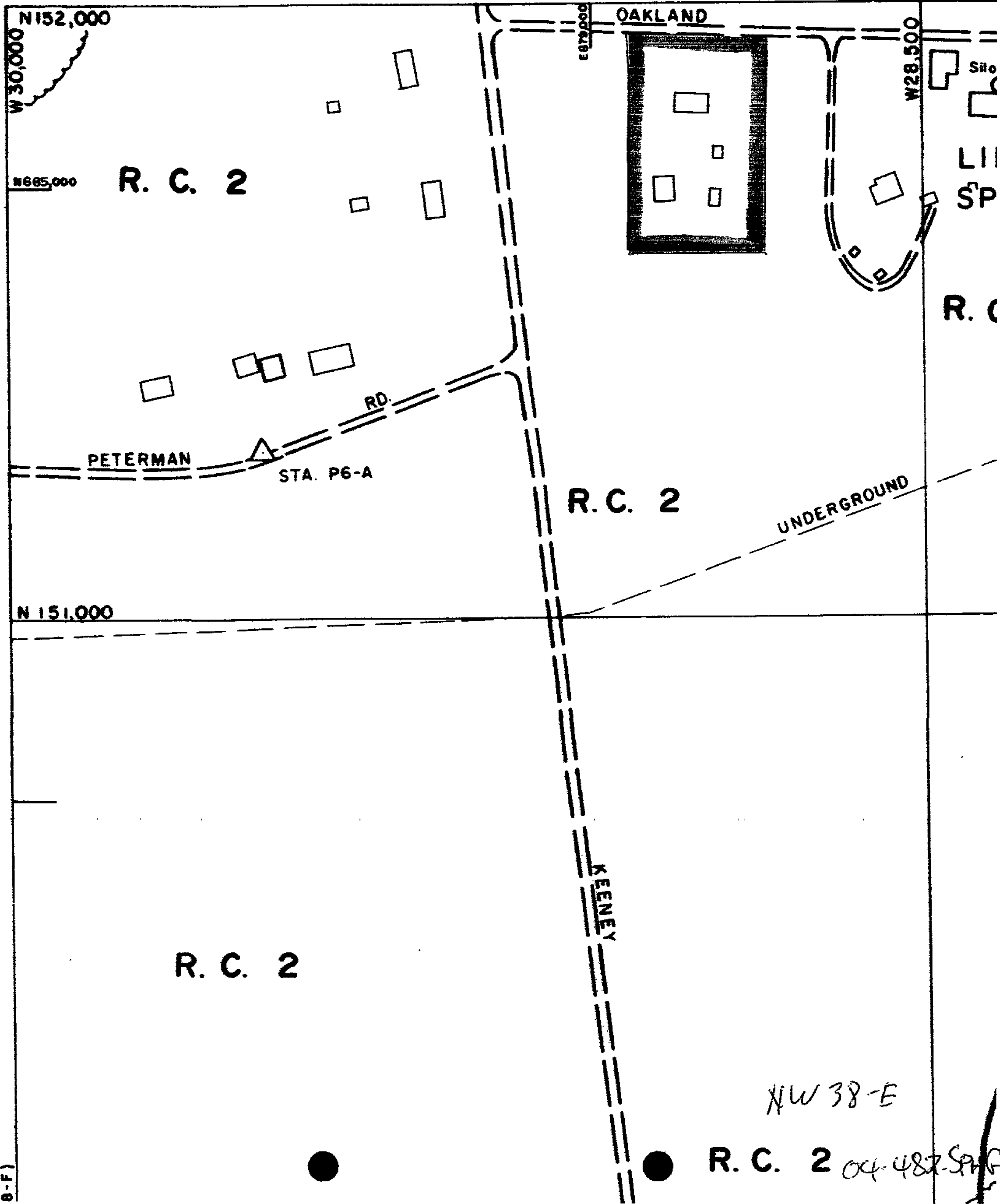


DATE \_\_\_\_\_

E-MAIL

Frederick, Md. 21053







# *Freeland Community Association*

*P.O. Box 52, Freeland, MD. 21053-0052*

Mr. Lawrence E. Schmidt  
Zoning Commissioner Baltimore County  
Towson, MD. 21204

Case #: 4-482-SPHA  
May 15, 2004

Dear Mr. Schmidt

This is to inform you that the Freeland Community Association is in support of the granting of the VARIANCE being requested by Dennis W. and Donna L. Zimmerman. At a public meeting of the Freeland Community Association held on Tuesday the 11<sup>th</sup> of May 2004 the request for this VARIANCE was discussed. As a result of this discussion the members and residents of the Freeland area unanimously voted in favor to support the Zimmerman's in their request.

The activity for which this VARIANCE is being requested is not new to this property. This activity, in various forms, has been conducted on this property prior to the implementation of the RC Zoning in the 1970's. The area is not residential in nature but is one of the last major farming operation areas in Baltimore County. Which means that it is the norm to have large equipment parked on the property and buildings to house such equipment.

Sincerely



Frank L. Purdum Jr.  
President Freeland Community Association  
1503 Walker Rd.  
Freeland, MD.  
21053

*Pet # 3*



# NOTICE OF PETITION

Dennis Wayne Zimmerman has resided at his current residence 2035 Oakland Rd., Freeland, MD 21053 from 1974 to present. Prior to which, he resided on the farm that once adjoined his property since 1956. Mr. Zimmerman is a self-employed truck driver and owns his own tractor-trailer. He has been a truck driver for 17 years and has parked his truck and/or trailer on his property when he is home without prior complaint. Furthermore, a tractor-trailer has been parked on his property regularly dating back to 1976. During this time he was unaware of any conflicts with the above actions.

The signatures below signify that the residents in his surrounding community/communities have no conflict with his truck and/or trailer to be parked at his residence. Those that have signed below also have no dispute that his property be rezoned to allow his truck, a vehicle over 10,000 lbs., to be parked at his residence.

| NAME                 | ADDRESS                                | PHONE        |
|----------------------|----------------------------------------|--------------|
| William H. Wams, Jr. | 21643 Keeney Mill Rd                   | 410-357-4103 |
| J. Bennett Rockaway  | 2019 Oakland Rd                        | 410-357-9567 |
| Donald Horne         | 1917 OAKLAND RD.                       | 410-357-5488 |
| Tom Roubey           | 1503 Walker Rd                         | 410-343-0017 |
| Mr. Edward Bowman    | 1814 Oakland Rd                        | 410-357-8478 |
| Kath Ward            | 3370 BOOSE RD.                         | 212-235-1726 |
| John J. Bowman       | 1731 Oakland Rd                        | 410-357-8910 |
| Dean E. Holloway     | 21618 New Freedom Rd                   | 410-357-8164 |
| Paul R. [unclear]    | [unclear]                              | 410-357-8410 |
| Curtis E. Tolmetsky  | 21506 Keeney Mill Rd. Freeland MD      | 410-357-8550 |
| Carl E. Miller       | 2736 West Ruhe Rd. Freeland, Md. 21053 | 410-357-4127 |
| W. Scott Spren       | 19600 Middleton Rd. Freeland MD        | 410-357-4127 |

Pet #4





**AFFIDAVIT**  
**Commonwealth of Pennsylvania**  
**County of York**

SS:

Before me, the undersigned notary public, this day personally appeared:

Clarence Edward Bull 17919 Susquehanna Trail South New Freedom PA.  
17345

to me known, who being duly sworn according to law, deposes and says:

I parked my four trucks on the property of Dennis Zimmerman, Freeland, MD. during the last part of 1978. The trucks were not parked there for more than four months waiting for a buyer from the South. At that time there were no complaints made

Sworn and subscribed to before me on

JUN 3 - 2004

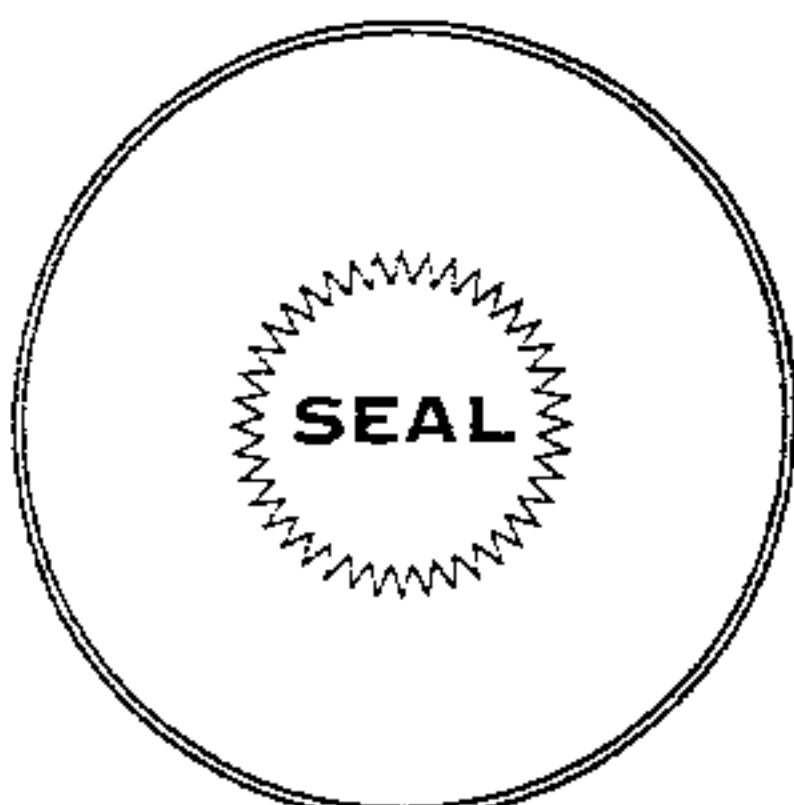
Esther D. Donahue  
Notary Public Signature

x Clarence E. Bull  
(Affiant Signature)

CLARENCE E BULL  
Print Name

(Affiant Signature)

Print Name



COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Esther D. Donahue, Notary Public  
New Freedom Boro, York County  
My Commission Expires Oct. 28, 2006

Page 5



Mr John V. Murphy  
Zoning Commissioner Balto Co  
Suite 405, 401 Bosley Ave  
Towson, Md. 21204

Case #04-482-SPHA  
Dated June 4, 2004

Dear Mr Murphy

This letter is being sent to advise that at this time I have not received any type of communication from Mr Zimmerman or Mr Pundum, to help resolve the driveway issue at 2035 Oakland Rd. I have contacted both Baltimore County "Highway Dept" and "Public Works Storm Drain" Depts. I have been advised that a driveway off a Balto. Co. Rd. next to a drainage pipe under a Balto Co. Rd. should be able to meet the requirement of: "A Dustless Durable Surface". I have also been advised that an entryway for the use of a Commercial Vehicle, should be in compliance with a "Full Depth Paving" Requirement. Find on Page 2 the footages of what the tractor trailer needed to back off the road at 2035 Oakland Rd.

Sincerely;

John Gray

21515 KEENEY MILL Rd.  
Freeland, Md.

Protestant  
#6





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

\* Photographs  
# 04-482-SPHA  
Dist. 9. # 1A-1P





Pro 1A



1# and

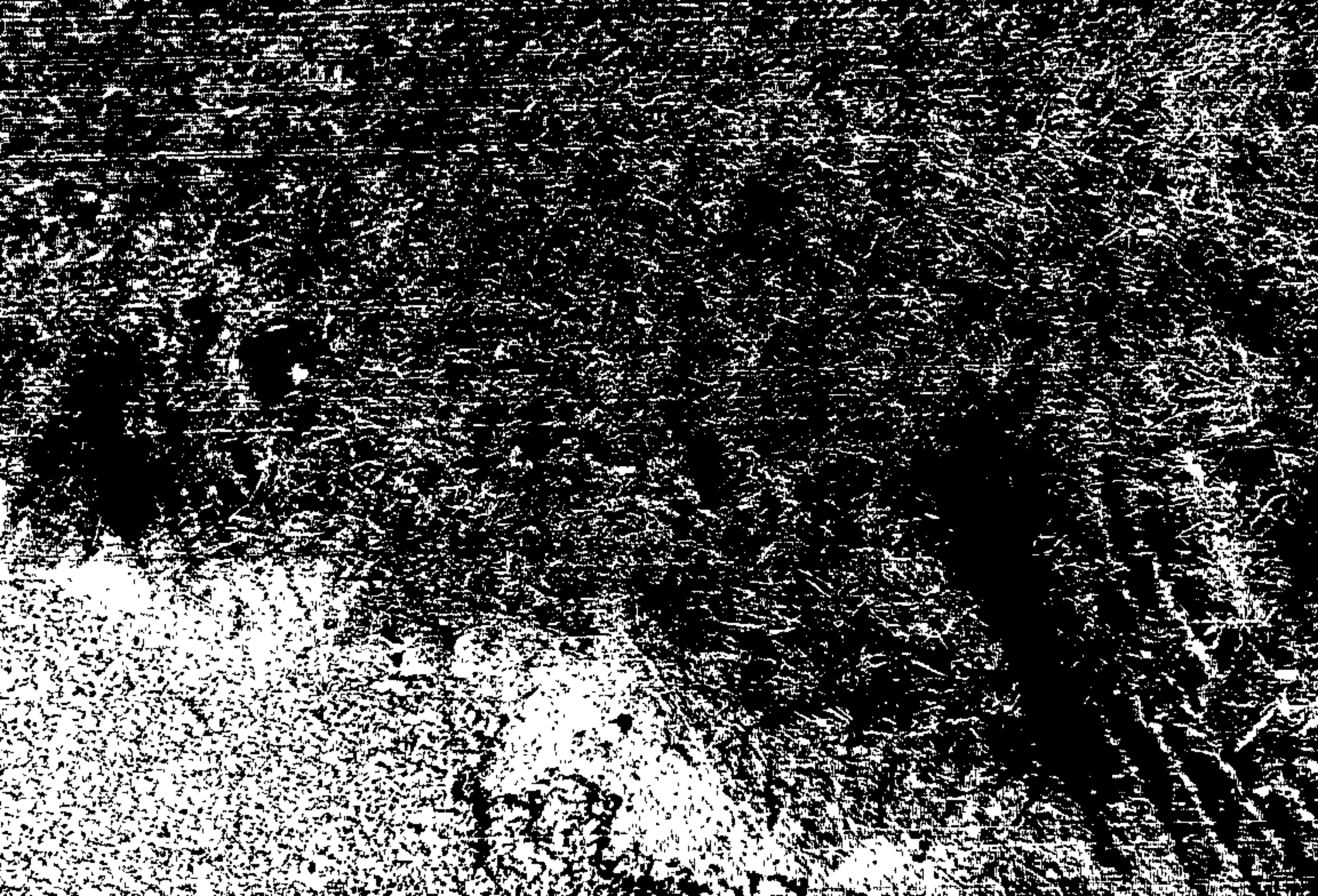
1

10

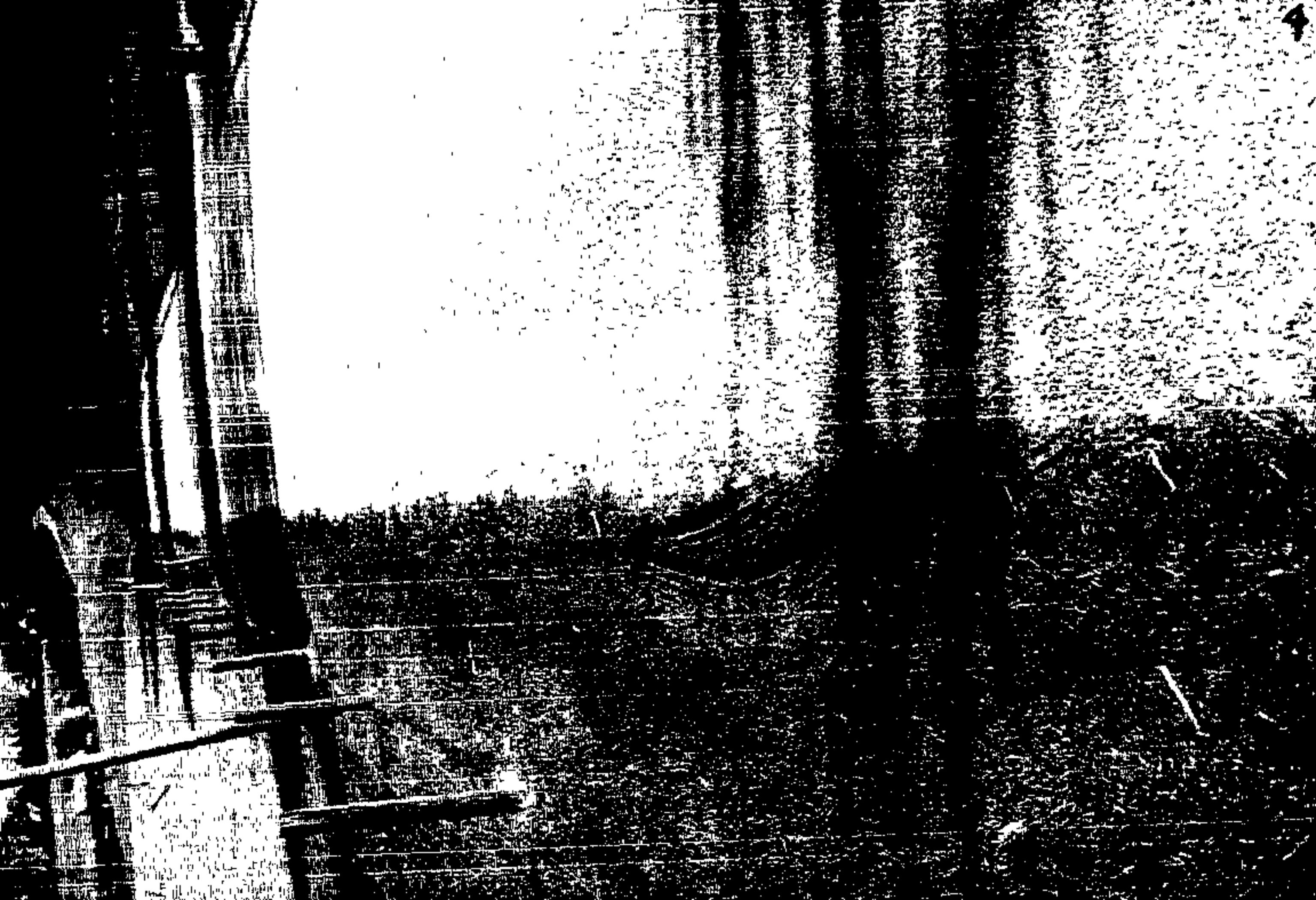




Pro  
10

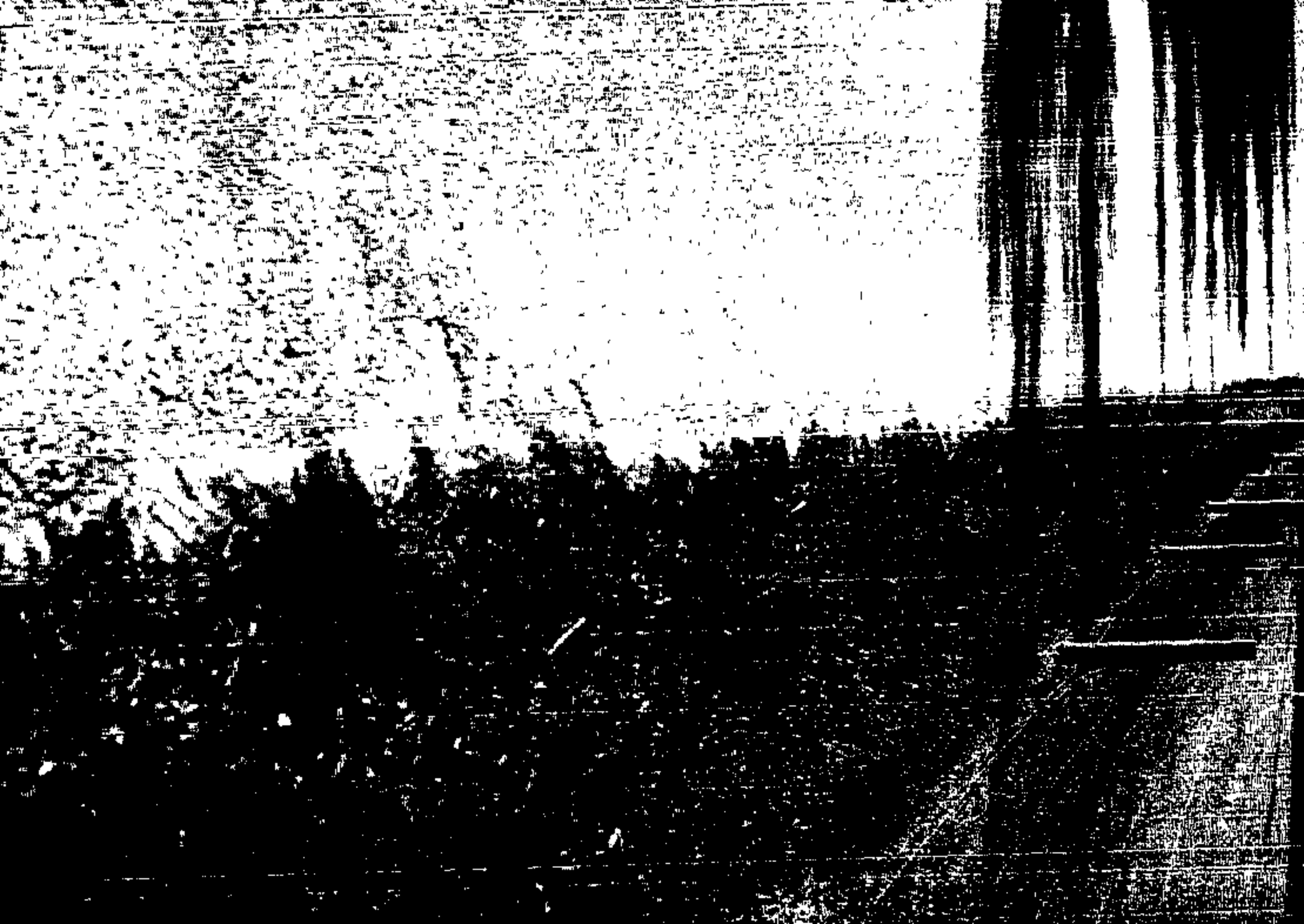


10



1D





12



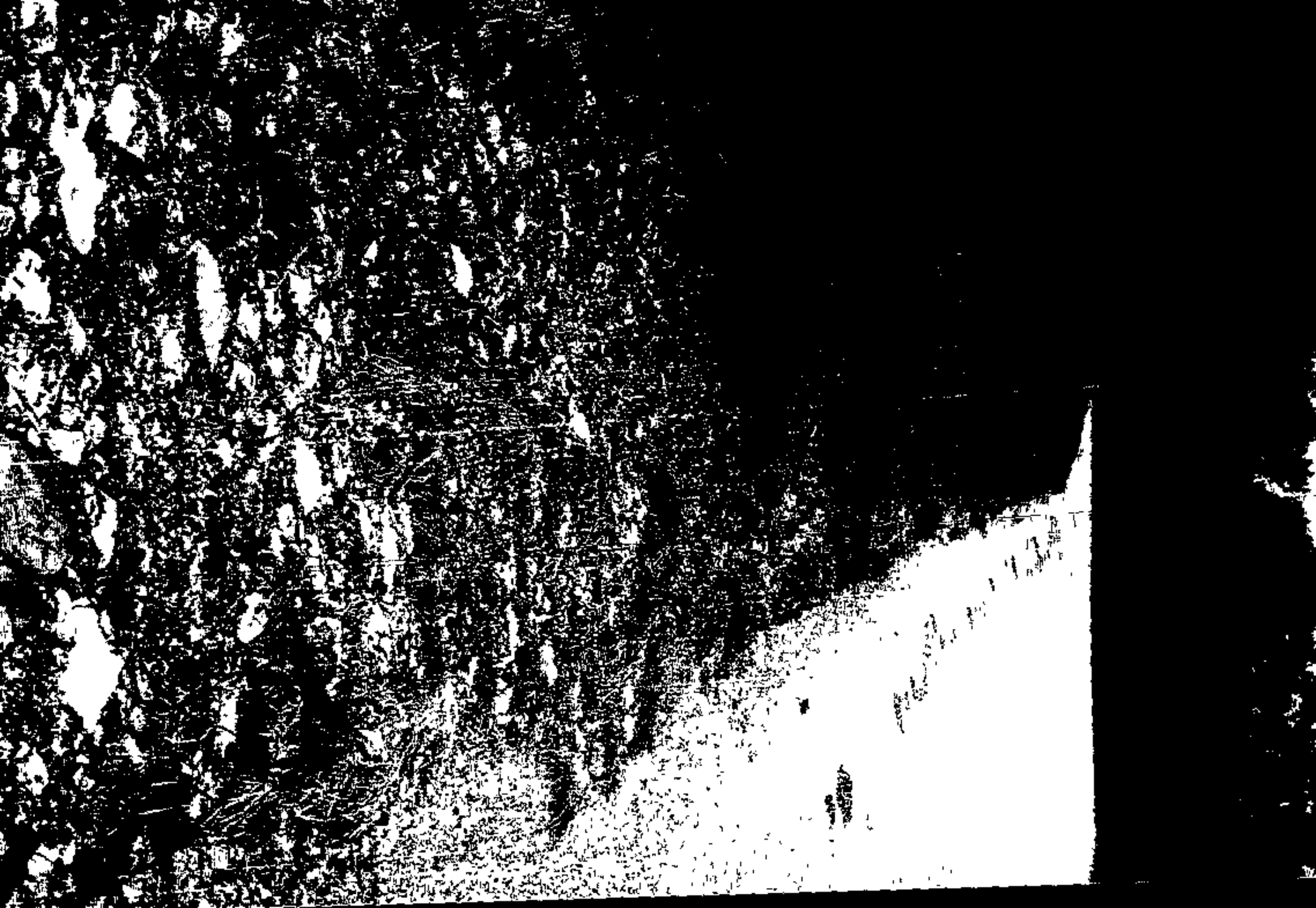
1F



5.2







14



$\frac{1}{\sqrt{e}}$

11





10

10



100

12





✓ 2



1  
2  
3

1 m



111

120





100  
100  
100  
100  
100

100



18





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

*Photographs*  
*#04-482-SPHA*

*Ret. Exs. #2A-2P*





Det #2



Oakland Rd

Pet 2B



76800





Pat  
SD



Dist  
2E



Pet  
2F





Pet 26



Ref  
24



Ref  
21





200  
25



Pet  
2K



Det  
22



Det  
2M





Pat  
2N



Plt  
20



det  
29

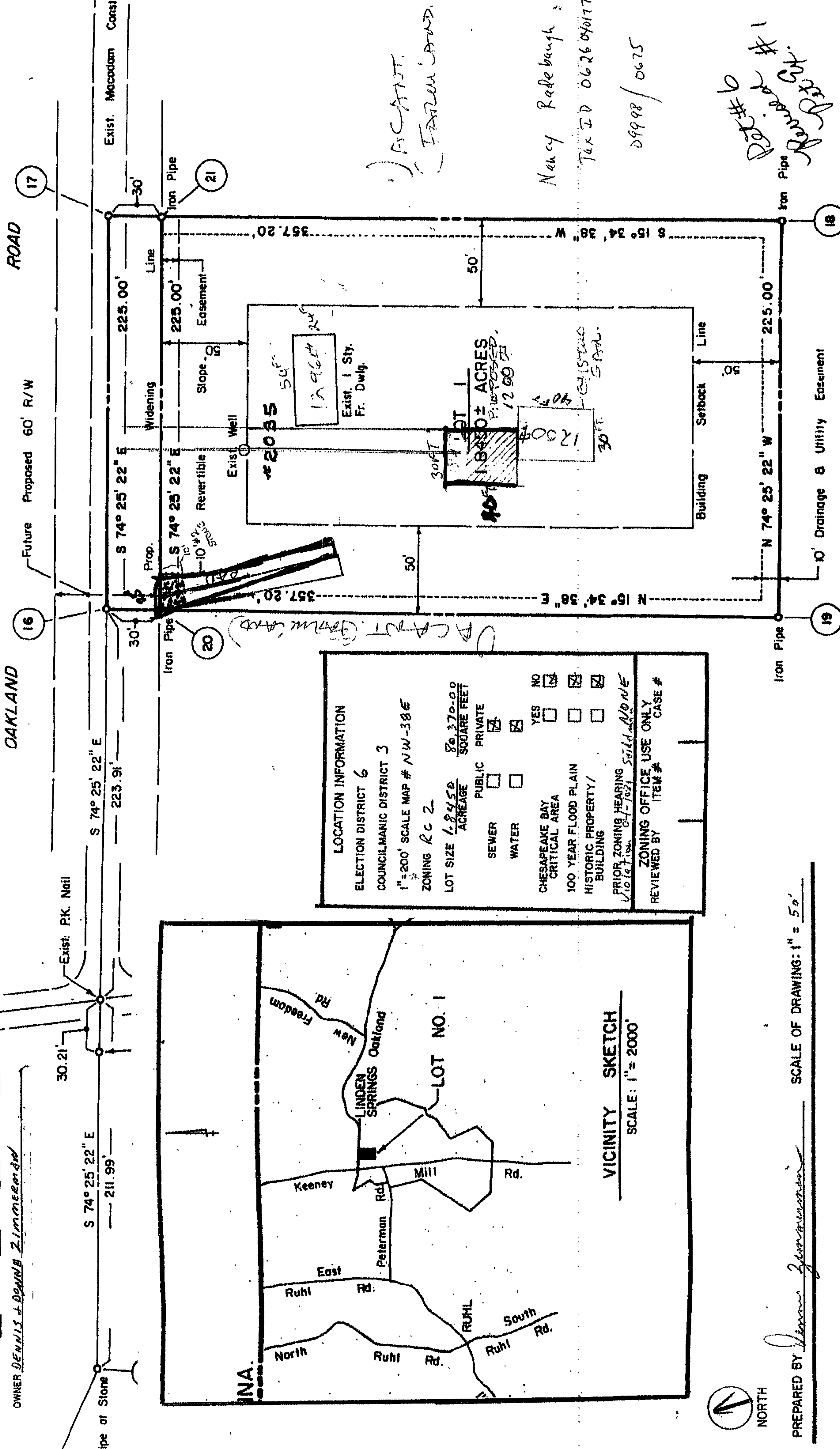




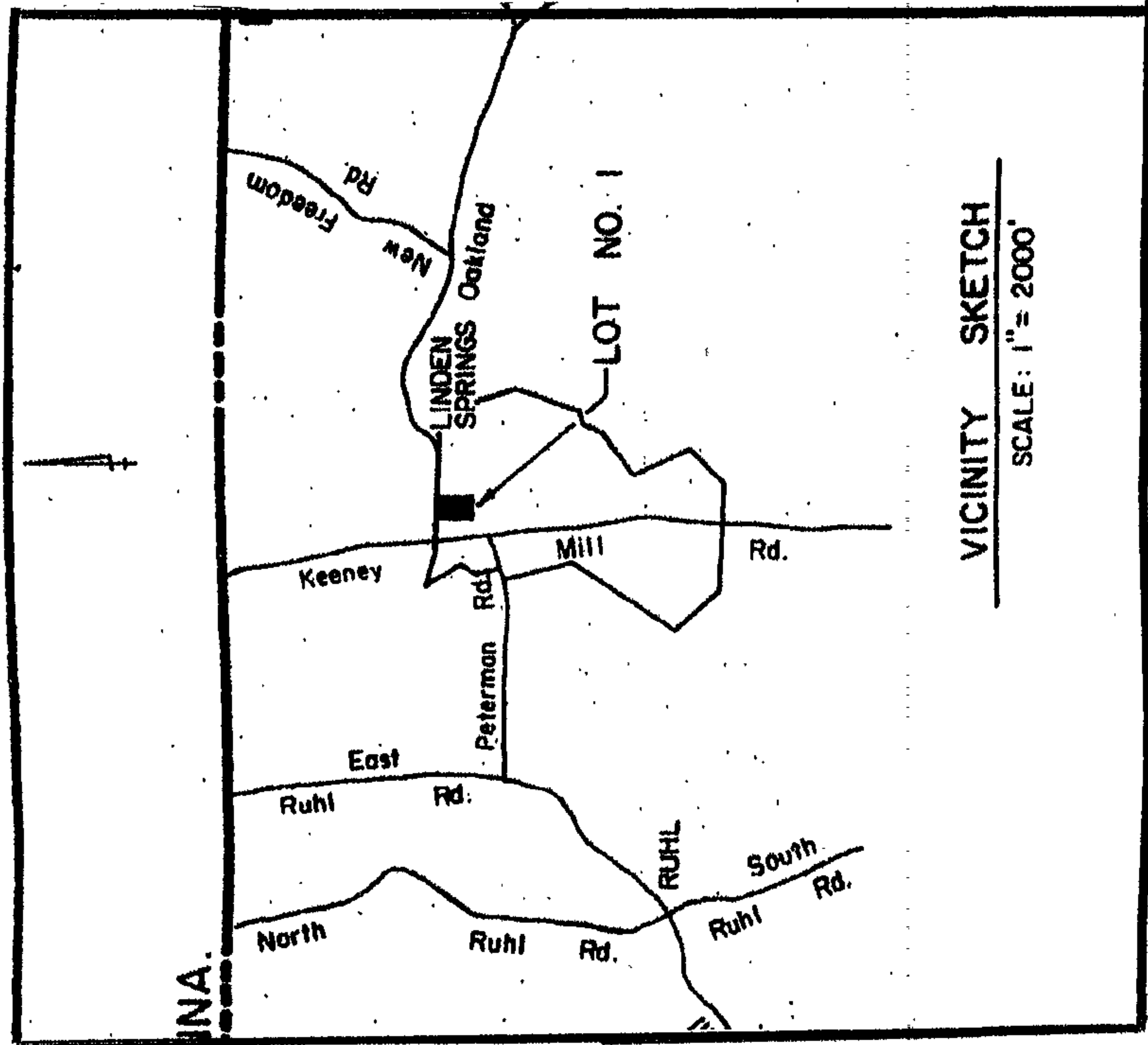
PLAT TO ACCOMPANY PETITION FOR ZONING ☒ VARIANCE ☒ SPECIAL HEARING

SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

PROPERTY ADDRESS 2035 OAKLAND RD  
SUBDIVISION NAME Zimmerman Property  
PLAT BOOK # 44 FOLIO # 83 LOT #      SECTION #       
OWNER DENNIS & DEANNA ZIMMERMAN



|                                                           |                                             |
|-----------------------------------------------------------|---------------------------------------------|
| LOCATION INFORMATION                                      |                                             |
| ELECTION DISTRICT 6                                       |                                             |
| COUNCILMANIC DISTRICT 3                                   |                                             |
| 1" = 200' SCALE MAP # NW-38E                              |                                             |
| ZONING RC 2                                               |                                             |
| LOT SIZE 1.8452 ACRES                                     | 86,370.00 SQUARE FEET                       |
| SEWER PUBLIC <input type="checkbox"/>                     | PRIVATE <input checked="" type="checkbox"/> |
| WATER <input type="checkbox"/>                            | <input checked="" type="checkbox"/>         |
| CHESAPEAKE BAY CRITICAL AREA YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/>      |
| 100 YEAR FLOOD PLAIN <input type="checkbox"/>             | <input checked="" type="checkbox"/>         |
| HISTORIC PROPERTY/BUILDING <input type="checkbox"/>       | <input checked="" type="checkbox"/>         |
| PRIOR ZONING HEARING <u>NO</u>                            | <u>NO</u>                                   |
| REVIEWED BY <u>ITEM #</u>                                 | CASE #                                      |



VICINITY SKETCH  
SCALE: 1" = 2000'



PREPARED BY Dennis Zimmerman SCALE OF DRAWING: 1" = 50'

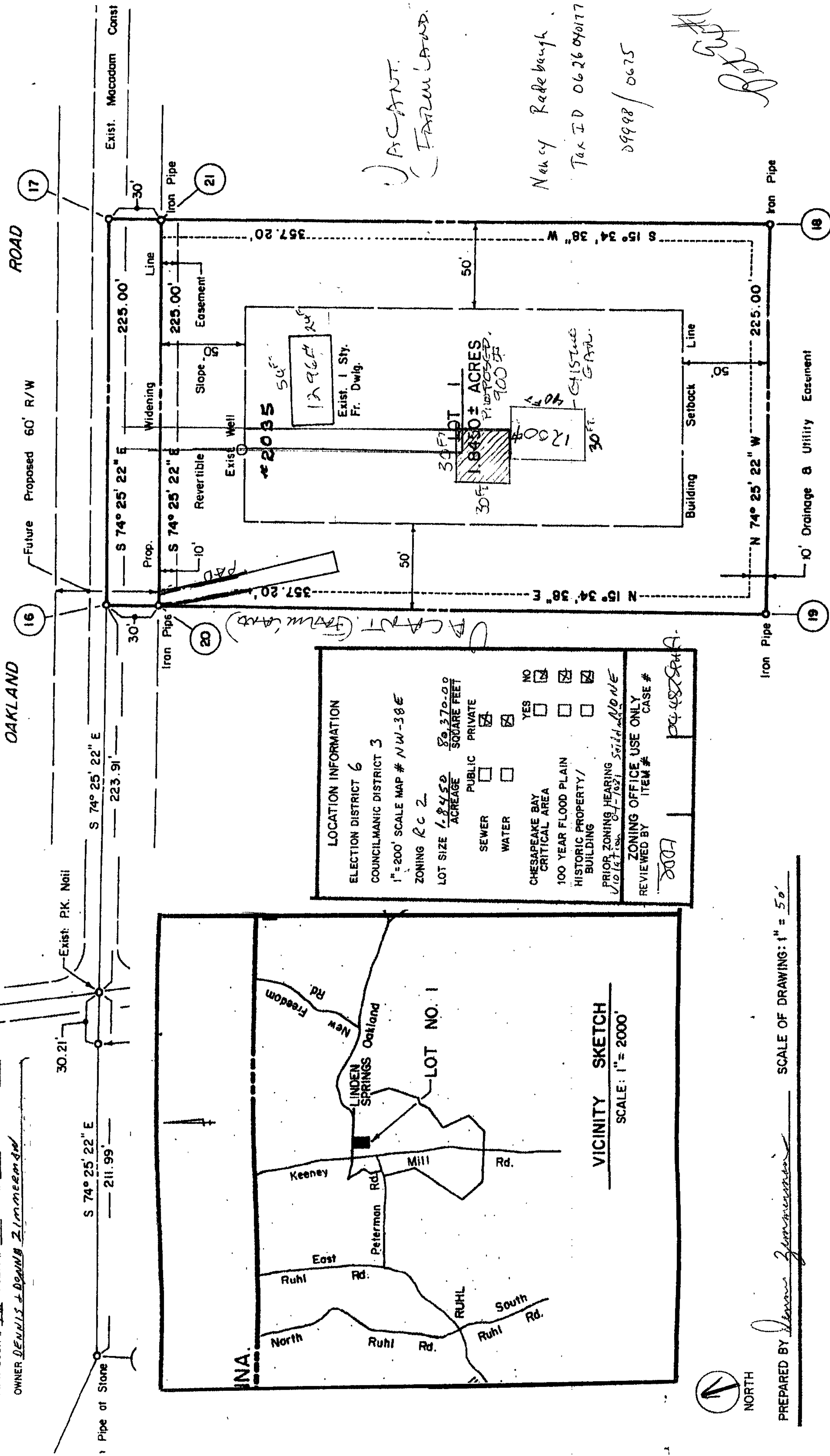
APPROVED BY: Nancy Radebaugh  
Tax ID 0626040177  
09998/0675  
PLOT # 6  
PLOT # 1  
PLOT # 2



## PLAT TO ACCOMPANY PETITION FOR ZONING

PROPERTY ADDRESS 7035 DAK/ AVALON  
SEE PAGES 5 & 6 OF THE CHECKLIST FOR ADDITIONAL REQUIRED INFORMATION

SUBDIVISION NAME Zimmerman Property  
 PLAT BOOK # 46 FOLIO # 85 LOT #      SECTION #       
 OWNER DENNIS & DONNA Zimmerman



PREPARED BY 7