

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
SE side of Pulaski Hwy, 2090 feet NE	*	DEPUTY ZONING
of Ebenezer Road		
11 th Election District	*	COMMISSIONER
5 th Councilmanic District		
(11021 Pulaski Highway)	*	FOR BALTIMORE COUNTY
Denger Family, LLC	*	
<i>Petitioner</i>		
Town and Country Automotive		
<i>Lessee</i>	*	Case No. 2008-0230-SPHA

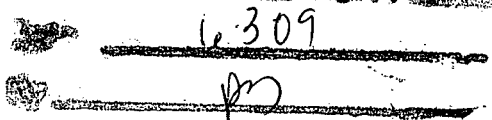
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by Denger Family, LLC, the legal owner of the subject property, and Town and Country Automotive, the lessee. The Special Hearing request was filed in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve an amended plan for the property from zoning Case No. 83-54-XSPHA. The Variance request is from Sections 238.2 and 255.1 of the B.C.Z.R. to permit a side yard setback of 10 feet between two structures and a rear yard setback of 27 feet in lieu of the required 60 feet and 30 feet, respectively. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requested special hearing and variance relief was Petitioner Vlad Lumelsky, owner of Town and County Automotive, and Rick Richardson with Richardson Engineering, LLC, the professional engineer who prepared the site plan. There were no Protestants or other interested persons in attendance at the hearing.

It should be noted that this matter is currently the subject of an active violation case (Case No. 08-2240) in the Division of Code Inspections and Enforcement. A citation for code violation

6309


was issued alleging that Petitioner failed to obtain a building permit for the garage structure and failed to comply with the site plan in Case No. 83-54-XSPHA. The fact that a code enforcement citation has been issued is generally not relevant to the decision to be made in the underlying zoning case. This means that on the one hand, Petitioner cannot use the fact that a structure has been built or a use is ongoing in order to set a precedent in order to allow it to continue. Nor does the fact that a structure may be costly to remove or modify or that a discontinued use may impact Petitioner financially come into consideration of the zoning case. On the other hand, the fact that a structure may have been built or a use occurred which is contrary to the Regulations is also not held against Petitioner as some sort of 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. Such is not the purview of this office.

Testimony and evidence offered revealed that the subject property is rectangular in shape, containing 3.32 acres, more or less, zoned M.L. and B.R. The majority of the property has the M.L. (manufacturing, light) zoning, with a small portion at the southern corner of the property zoned B.R. (business, roadside). As shown on the site plan, this commercial property is located on the southeast side of Pulaski Highway (U.S. 40), north of Ebenezer Road, in the White Marsh area of Baltimore County. The property is improved with an existing two-story building consisting of approximately 900 square feet, an existing one-story garage consisting of 780 square feet with two bays, and an existing one-story storage garage consisting of 576 square feet. Also within the southeast property line is a portion of the terminus of Bird River.

The property is situated in a commercial area of Pulaski Highway, surrounded by other commercial businesses, including a large automotive junkyard located immediately adjacent to the subject property. Petitioner currently owns and operates Town & Country Automotive and has

leased the subject property for the last 2½ years from the owner, Denger Family, LLC. Previously, the property was the subject of zoning relief. In Case No. 83-54-XSPHA, the property owner and lessee requested a special exception for a motor vehicle outdoor sales area, a special hearing for the dismantling of cars as an accessory use to a service garage, and a variance from Section 238.2 of the B.C.Z.R. to permit a rear yard setback of 5 feet in lieu of the required 30 feet. On March 18, 1983, the Deputy Zoning Commissioner granted the requested relief. The case was appealed to the Board of Appeals only on the issue of whether the special hearing request to approve dismantling of autos was indeed an accessory use to a service garage or whether it constituted a "junkyard" use. On September 8, 1983, the Board of Appeals issued an Order affirming the Deputy Zoning Commissioner's decision. The case was then appealed to the Circuit Court and on April 25, 1984, Judge Austin Brizendine issued an Opinion affirming the judgment of the Board of Appeals. Copies of the foregoing were marked and accepted into evidence collectively as Petitioner's Exhibit 2. Thereafter, for almost 30 years, the property was used as a used car dealership operating as Town & Country Van City.

Petitioner is now before this Commission requesting the aforesaid relief as a result of an anonymous email complaint received by the Division of Code Inspection and Enforcement. The complaint indicated that a full service automotive shop was operating when there was no automotive shop before, there is new blacktop on two thirds of the property that is considered watershed critical bay area, there is a pole barn building with a concrete pad, and the location is advertising as a full automotive shop in the Pennysaver circular. Petitioner then filed for the instant special hearing and variance relief.

In support of the requested relief, Petitioner indicates he purchased the used car dealership from Town & Country Van City in 2006 and has been only selling vehicles at the location since

STANDARD RECEIVED FOR FILING

6-3-09

that time. At the time he purchased the dealership and began selling cars at the subject property, the two-story building located near the front of the property already existed and has been utilized by Petitioner as a sales office. As shown on the aerial photograph that was marked and accepted into evidence as Petitioner's Exhibit 3, the large macadam parking area on the property also existed previously and is used by Petitioner for parking his inventory of used vehicles and for customer parking. The storage building was also pre-existing. In order to provide Petitioner with an area for washing cars and "prepping" them for sale, Petitioner then built the two-bay garage building. This building is located almost parallel with the existing storage building to the side yard property line. Both buildings have a setback of 27 feet.

Because the newer garage building changes the site plan approved in the 1983 case, Petitioner is in need of special hearing relief to approve the existing buildings, which predated Petitioner's use of the property, and to approve the garage building. Moreover, because of the location of the garage building, Petitioner is in need of variance relief from the rear yard setback of 27 feet in lieu of the required 30 feet, and the building-to-building setback between two structures of 10 feet in lieu of the required 60 feet. The need for variance relief is driven by the fact that over half of the area is wooded, and that portions of Bird River are located within the property. There is also an existing 15 foot wide utility right-of-way that effectively splits the property in half. As a result, the sales office, prepping garage, and storage building improvements must be clustered fairly close together.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Department of Environmental Protection and Resource Management dated April 8, 2009 which indicates that the property must comply with the Chesapeake Bay Critical Area Regulations, and that the property is within an Intensely

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JUN 30 2009
PM

Developed Area of the Chesapeake Bay Critical Area and must comply with the 10% pollutant reduction requirements.

In regard to the special hearing request, based on the testimony and evidence, I am persuaded to grant the relief. In my view, the addition of the two-bay garage does not alter or change the nature or extent of the relief granted in 1983, and is within the spirit and intent of the Zoning Regulations. The property was previously used as a used car dealership as well as a service garage that included the ability to dismantle cars on site. At this juncture, Petitioner's business is limited to retail selling of used vehicles and does not involve extensive auto repairs, body work, or dismantling of vehicles. I believe such a use is appropriate vis-à-vis the relief that was approved previously and, as such, shall approve Petitioner's Exhibit 1 as an amendment to the plan from the previous 1983 zoning case.

In regard to the variance requests, considering all the testimony and evidence presented, I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requests. I agree with Petitioner that the requests are driven by the existing environmental constraints and the presence of the utility right-of-way that runs across the property. Hence, I find the property unique in a zoning sense. Finally, I find that the variance requests can be granted in strict harmony with the spirit and intent of said regulations and in a manner so as to grant relief without injury to the public health, safety and general welfare.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 3rd day of June, 2009 that Petitioner's request for Special Hearing relief filed

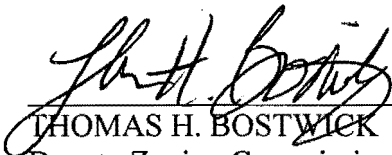
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6-30-09
pm

in accordance with Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve an amended plan (Petitioner's Exhibit 1) for the property from zoning Case No. 83-54-XSPHA be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's requests for Variance from Sections 238.2 and 255.1 of the B.C.Z.R. to permit a side yard setback of 10 feet between two structures and a rear yard setback of 27 feet in lieu of the required 60 feet and 30 feet, respectively, be and are hereby GRANTED, subject to the following:

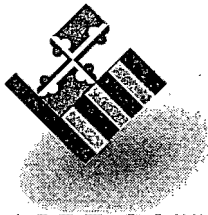
1. Petitioner may apply for permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004 and other Sections of the Baltimore County Code).
3. The property is within an Intensely Developed Area of the Chesapeake Bay Critical Area and must comply with the 10% pollutant reduction requirements.

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


THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

ORIGINAL FILED FOR FILING
6-3-09

BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

THOMAS H. BOSTWICK
Deputy Zoning Commissioner

June 3, 2009

VLAD LUMELSKY
TOWN AND COUNTY AUTOMOTIVE
11021 PULASKI HIGHWAY
WHITE MARSH MD 21162

Re: Petition for Special Hearing and Variance
Case No. 2009-0230-SPHA
Property: 11021 Pulaski Highway

Dear Mr. Lumelsky:

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 black ink, appearing to read "Th. H. Bostwick", written over the typed name.

THOMAS H. BOSTWICK
Deputy Zoning Commissioner
for Baltimore County

THB:pz

Enclosure

c: Denger Family LLC, Charles Denger, 11021 Pulaski Highway, White Marsh MD 21162
Rick Richardson, Richardson Engineering LLC, 30 East Padonia Road #500, Timonium MD 21093



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 11021 Pulaski Highway

which is presently zoned ML & BR

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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

(This box to be completed by planner)

To approve an amended plan for the property from Zoning Case 83-S4-XSPHA

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:

Town & Country Automotive VLAD LUMELSKY

Name - Type or Print

Signature

11021 Pulaski Highway

Address

White Marsh

MD

Telephone No.

21162

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

Denger Family LLC

Name - Type or Print

Signature

CHARLES Denger

Name - Type or Print

Signature

11021 Pulaski Highway

Address

White Marsh

MD

Telephone No.

21162

City

State

Zip Code

Representative to be Contacted:

Richardson Engineering, LLC

Name

30 E. Padonia Road, St 500 410-560-1502

Address

Timonium

MD

Telephone No.

21093

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Case No. 2009-0230-SPHA

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By

BR

Date

3/6/09

COPIES FOR FILE

6-3-09



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 11021 Pulaski Highway
which is presently zoned ML & BR

Deed Reference: 18872 / 324 Tax Account # 1116045275

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)

see attached

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.)

Reasons to be presented at the hearing.

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:

Town & Country Automotive VLAD LUMELSKY
Name - Type or Print
Signature
11021 Pulaski Highway
Address
White Marsh MD 21162
City State Zip Code

Attorney For Petitioner:

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

Legal Owner(s):

Denger Family LLC
Name - Type or Print
Signature
Charles Dengler
Name - Type or Print
Signature
11021 Pulaski Highway
Address Telephone No.
White Marsh MD 21162
City State Zip Code

Representative to be Contacted:

Richardson Engineering, LLC
Name
30 E. Padonia Road, Suite 500 410-560-1502
Address Telephone No.
Timonium MD 21093
City State Zip Code

Case No. 2009-0230-SPA

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by BR Date 3/6/09

REV 8/20/07

6-3-09
pm

Sections 238.2 and 255.1 (BCZR) to permit a side yard setback of 10 ft. between two structures and a rear yard setback of 27 ft. in lieu of the required 60 ft. and 30 ft., respectively.

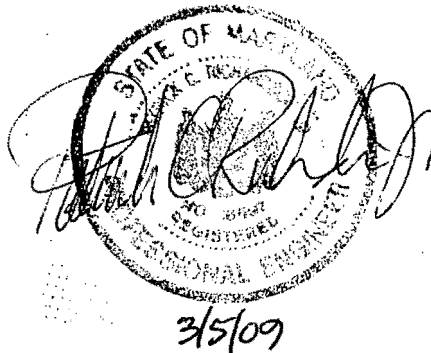
30 East Padonia Road, Suite 500
Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

**ZONING DESCRIPTION
11021 PULASKI HIGHWAY
11TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point on the Southeast side of Pulaski Highway, 150 feet wide; at a distance of 2,090 feet, more or less, as measured Northeasterly along said Southeast side of Pulaski Highway from its intersection with the center line of Ebenezer Road; thence leaving said Southeast side of Pulaski Highway and running the following courses and distances, (1) South 35 degrees 33 minutes 47 seconds East 538.30 feet, (2) North 35 degrees 54 minutes 48 seconds East 268.98 feet, (3) North 35 degrees 26 minutes 47 seconds West 497.92 feet a point on the Southeast side of Pulaski Highway; thence binding on said Southeast side of Pulaski Highway, (4) South 44 degrees 27 minutes 13 seconds West 260.00 feet to the point of beginning as recorded in the Land Records in Deed Liber 18872, Folio 324,

Containing an area of 137,116 square feet or 3.148 acres of land, more or less.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **35202**

Date: **3/6/09**

PAID RECEIPT

BUSINESS NUMBER / TIME / DAY
 1/04/2009 3/05/2009 02:32:17
 PFG 0002 WALKIN JAMES JEE
 RECEIPT # 623510 3/05/2009 0510
 5 528 ZIPPIN VERIFICATION
 01. 03502

Fund	Dept	Unit	Sub Unit	Rev Source/	Sub Rev/	Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6750					\$ 650.00

Receipt for \$471.00
 \$450.00 CR \$21.00 CA
 Baltimore County, Maryland

Total: **\$ 650.00**

Rec From: **Town & County Ant. & Tech Center Inc.**

For: **Spa. Ref. for my 4 kids**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

152m 4.0930

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: # 2009-0230-SPHA

11021 Pulaski Highway

S/east of Pulaski Highway, 2,090 feet n/east of Ebenezer Road

11th Election District, 5th Councilmanic District

Legal Owner(s): Denger Family, LLC

Special Hearing: to approve an amended plan for the property from zoning case 83-54-XSPHA. **Variance:** to permit a side yard setback of 10 feet between two structures and a rear yard setback of 27 feet in lieu of the required 60 feet and 30 feet respectively.

Hearing: Monday, May 11, 2009 at 9:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

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.

4/18/09 Apr. 23

199629

CERTIFICATE OF PUBLICATION

4/23/2009

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 4/23/2009.

☒ The Jeffersonian

☐ Arbutus Times

☐ Catonsville Times

☐ Towson Times

☐ Owings Mills Times

☐ NE Booster/Reporter

☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: 2009-0230-SPHA

Petitioner/Developer: _____

Denger Family, LLC

Date of Hearing/closing May 11 2009

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

Attn : Kristin Matthews:

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, _____
11021 Pulaski Highway

The sign(s) were posted on _____ April 26 2009
(Month, Day, Year)

Sincerely,

Robert Black April 28 2009
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2009-0230-SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: Room 104 JEFFERSON BUILDING
105 W. CHEESAPEAKE AVE TOWSON 21204

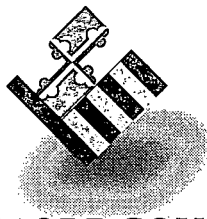
DATE AND TIME: MONDAY, MAY 11, 2009 AT 9:00 A.M.

REQUEST: SPECIAL HEARING TO APPROVE AN AMENDED
PLAN FOR THE PROPERTY FROM ZONING CASE 83-54-XSPA. VARIANCE
TO PERMIT A SIDE YARD SETBACK OF 10 FEET BETWEEN TWO STRUCTURES
AND A REAR YARD SETBACK OF 27 FEET IN LIEU OF THE REQUIRED
60 FEET AND 30 FEET RESPECTIVELY.

TO CONFIRM HEARING CALL 827-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

March 31, 2009
TIMOTHY M. KOTROCO, *Director*
*Department of Permits and
Development Management*

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: 2009-0230-SPHA

11021 Pulaski Highway
S/east of Pulaski Highway, 2,090 feet n/east of Ebenezer Road
11th Election District – 5th Councilmanic District
Legal Owners: Denger Family, LLC

Special Hearing to approve an amended plan for the property from zoning case 83-54-XSPHA.
Variance to permit a side yard setback of 10 feet between two structures and a rear yard setback of 27 feet in lieu of the required 60 feet and 30 feet respectively.

Hearing: Monday, May 11, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Timothy Kotroco
Director

TK:klm

C: Vlad Lumelsky, Town & Country Auto, 11021 Pulaski Highway, White Marsh 21162
Charles Denger, 11021 Pulaski Highway, White Marsh 21162
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, APRIL 26, 2009.**
- (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
Thursday, April 23, 2009 Issue - Jeffersonian

Please forward billing to:

Vlad Lumelsky
Town & Country Automotive
11021 Pulaski Highway
White Marsh, MD 21062

410-335-6009

NOTICE OF ZONING HEARING

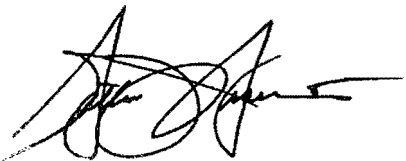
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11021 Pulaski Highway
S/east of Pulaski Highway, 2,090 feet n/east of Ebenezer Road
11th Election District – 5th Councilmanic District
Legal Owners: Denger Family, LLC

Special Hearing to approve an amended plan for the property from zoning case 83-54-XSPHA.
Variance to permit a side yard setback of 10 feet between two structures and a rear yard setback of 27 feet in lieu of the required 60 feet and 30 feet respectively.

Hearing: Monday, May 11, 2009 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
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 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.

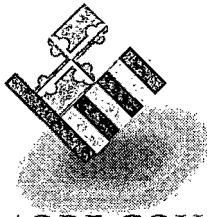
For Newspaper Advertising:

Item Number or Case Number: 2009-0230-SPHA
Petitioner: TOWN & COUNTRY AUTOMOTIVE
Address or Location: 11021 PULASKI HIGHWAY

PLEASE FORWARD ADVERTISING BILL TO:

Name: VLAD LUMELSKY
Address: TOWN & COUNTRY AUTOMOTIVE
11021 PULASKI HIGHWAY
WHITE MARSH, MD 21062
Telephone Number: 410-335-6009

Revised 7/11/05 - SCJ



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management
May 7, 2009

Charles Denger
Denger Family, LLC
11021 Pulaski Highway
White Marsh, MD 21162

Dear: Charles Denger

RE: Case Number 2009-0230-SPHA, 11021 Pulaski Highway

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 6, 2009. This letter is not an approval, but only a **NOTIFICATION**.

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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Richardson Engineering, LLC; 30 E. Padonia Rd., Ste. 500; Timonium, MD 21093
Town & Country Automotive; 11021 Pulaski Highway; White Marsh, MD 21162



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

March 18, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 16, 2009

Item Numbers 0223,0224,0230,0235 and 0236

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

March 23, 2009

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

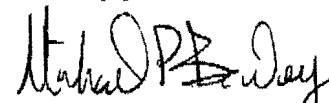
RE: Baltimore County
Item No.2009-0230-SPHA
US 40 (Balto. Nat. Pike)
11021 Pulaski Highway
Town & Country Auto &
Truck Center Property
Special Hearing and Variance

Dear Ms. Matthews:

We have reviewed the site plan to accompany special hearing and request for variance on the subject of the above captioned, which was received on March 19th. A field inspection reveals that the existing entrance onto US 40 (Baltimore National Pike) is adequate and consistent with current State Highway Administration requirements. Based on available information this office has no objection to Town & Country Auto & Truck Center at 11021 Pulaski Highway, Case Number 2009-0230-SPHA approval.

Should you have any questions regarding this matter feel free to contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us). Thank you for your attention.

Very truly yours,


For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA





Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary
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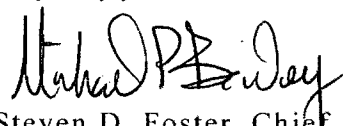
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for Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA
Mr. Michael Pasquariello, Utility Engineer, SHA

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



TB 5/11
9 am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

APR 09 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination *DL*

DATE: April 8, 2009

SUBJECT: Zoning Item # 09-230-SPHA
Address 11021 Pulaski Highway
(Denger Family, LLC)

Zoning Advisory Committee Meeting of March 16, 2009

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

The property is within an Intensely Developed Area (IDA) of the Chesapeake Bay Critical Area and must comply with the 10% pollutant reduction requirements.

Reviewer: Regina Esslinger

Date: March 30, 2009

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
11021 Pulaski Highway; SE of Pulaski * ZONING COMMISSIONER
Highway, 2,090' NE of Ebenezer Road *
11th Election & 5th Councilmanic Districts * FOR
Legal Owner(s): Dfenger Family, LLC *
Contract Purchaser(s): Town & Country Auto * BALTIMORE COUNTY
Petitioner(s) *
09-230-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.

RECEIVED

MAR 25 2009

.....LW.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of March, 2009, a copy of the foregoing Entry of Appearance was mailed to Richardson Engineering, LLC, 30 Padonia Road, Suite 500, Timonium, MD 21093, Representative for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

09-0230

DIVISION OF CODE INSPECTIONS AND ENFORCEMENT

ACTIVE VIOLATION CASE DOCUMENTS

**CO-0042974 (08-2240)
11021 PULASKI HWY**

BALTIMORE COUNTY MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: March 25, 2009

TO: W. Carl Richards, Jr.

FROM: Meghan Ferguson, Chief
Division of Code Inspections & Enforcement

SUBJECT: Item No: 2009-0230-SPHA
Legal Owner/Petitioner: Dfenger Family, LLC
Contract Purchaser: Town and Country Automotive
Property Address: 11021 Pulaski Hwy
Location Description: South East of Pulaski Hwy; 2,090 feet North
East of Ebenezer Rd

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:

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:

Case No: CO-0042974 (08-2240)
Complaint letter/memo/email/fax (if applicable)
Complaint Intake form/ code Enforcement Officer's reports and notes
State Tax Assessment printout
Photographs
Correction Notice/Code Violation Notice
Citation
Final Order of the Code Official/Hearing Officer (if applicable)
Complete Chronology of Events, beginning with the first complaint through the Billing Notice/Property Lien Sheet (if Applicable)

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Christina Moscati in Room 213 in order that the appropriate action may be taken relative to the violation case.

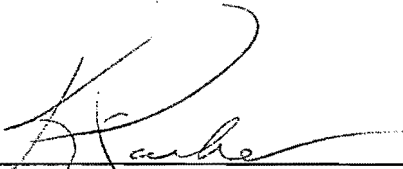
MF/cm
C: Keith Parker, Code Enforcement Officer

PHOTOGRAPHIC RECORD

Complaint Number: CO 0042974 Facility Number: FA0064885
Property Address: 11021 Pulaski Hwy
Date of Photographs: 12/29/08



I HEREBY CERTIFY that I took the 1 (number of photos) photographs set out above, and that these photographs fairly and accurately depict the condition of the property that is the subject of the above-referenced complaint number on the date set out above.


Code Enforcement Officer



CODE ENFORCEMENT & INSPECTIONS CITATION

CASE NUMBER 08-2240	PROPERTY TAX ID 1116045275	ZONE M1-
NAME(S): Denger Family LLC		
MAILING ADDRESS: 11021 Pulaski Hwy		
CITY White Marsh	STATE md.	ZIP CODE 21162
VIOLATION ADDRESS: 11021 Pulaski Hwy		
CITY White Marsh	STATE MARYLAND	ZIP CODE 21162
VIOLATION DATES: 3/24/08 thru 5/5/08		

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

BCZR 500.9
BCC 35-2-301, 32-3-102

- ① failure to obtain building permit.**
- ② Failure to comply with site plan.**

Pursuant to Section 1-2-217, Baltimore County Code, civil penalty has been assessed, as a result of the violation(s) cited herein, in the amount indicated:

\$ **8400.00**

A quasi-judicial hearing has been pre-scheduled in room 116, 111 W. Chesapeake Ave, Towson, Maryland, 21204, for:

DATE: **6/3/08**

TIME: **9:00 A.M.** / P.M.

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

Inspector Printed Name: **Keith Parker**

INSPECTOR SIGNATURE: **Keith Parker** Date: **6/18/08**

PRINT NAME

AGENCY

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

In the Matter of:

Civil Citation No. 08-2240

Dengler Family LLC
White Marsh MD 21162

11021 Pulaski Highway

Respondent

**FINDINGS OF FACT AND CONCLUSION OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER**

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on July 10, 2008, for a hearing on a citation for violations under the Baltimore County Code §35-2-301, for failure to obtain building permits prior to construction on property zoned ML known as 11021 Pulaski Hwy, 21162.

On June 18, 2008, pursuant to §3-6-205, Baltimore County Code, Code Enforcement Officer, issued a code enforcement citation. The citation was legally served on the Respondents.

The citation proposed a civil penalty of \$8,400.00 (eight thousand four hundred dollars).

Dengler Family LLC appeared represented by Victor W. Fuentealba, Esq.

K. Parker, Code Enforcement Officer presented the case for Baltimore County.

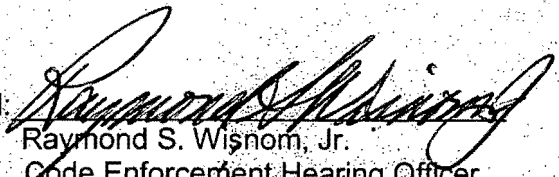
Evidence shows two structures on the property without having traversed the building permit process. Respondent has begun the permit application process by filing for the requisite meeting with the Development Review Committee.

IT IS ORDERED by the Code Enforcement Hearing Officer this 16th day of July 2008 case is continued to allow permit application process time to unfold.

IT IS FURTHER ORDERED that if the permits can not or are not issued then the buildings must be removed.

IT IS FURTHER ORDERED that the inspector review the file in sixty days.

Signed:


Raymond S. Wisnom, Jr.
Code Enforcement Hearing Officer

The violator is advised that pursuant to §3-6-301(a), Baltimore County Code, an appeal to the Baltimore County Board of Appeals may be taken within fifteen (15) days after the date of a final Order. §3-6-302(a)(b)(c)(d) requires the filing of a petition setting forth the grounds for appeal and a filing fee of \$150. The appellant is urged to read the requirements for the appeal petition. Security in the amount of the civil penalty must be posted with the Director.

KEITH PARKER
CODE ENFORCEMENT OFFICER
111 W. CHESAPEAKE AVE. TOWSON, MD. 21204

CITATION NO.

08-2240

VIOLATION ADDRESS:

11021 Pulaski Hwy, White Marsh, Md. 21162

ZONE:

M1-

VIOATION: BCC-

35-2-301, 32-3-102

Failure to obtain building Permit
Failure to comply with Site Plan.

BCZR

500.9 - Failure to comply with Site Plan.

ORIGIN OF COMPLAINT:

Anonymous - E mail

COMPLAINT:

In Part - Full service automotive shop on
Property. Pole Building with concrete Pad.

PROPERTY OWNERSHIP:

Dengler Family, LLC - Resident Agent,
Victor W. Fuentetaja (IN F.I.E)

INITIAL INSPECTION:

3/24/08 - No Permit found, property zoned
M1. Correction Notice issued for service
garage activity. Photo

SECOND INSPECTION:

4/25/08 - left message with co-worker for
Manager to obtain permit for Garage.
Spoke with Mr. Linselski in our office
last week, he thought that he met all
requirements.

SUBSEQUENT INSPECTIONS:

5/5/08 - no bldg. Permit, obtained.
Moved to citation.
6/3/08 - Hearing held - Respondent failed
to appear.
6/18/08 - Copy of citation, updated and
sent to resident agent.

CITATION:

issued on 6/18/08. Hearing on
7/10/08.

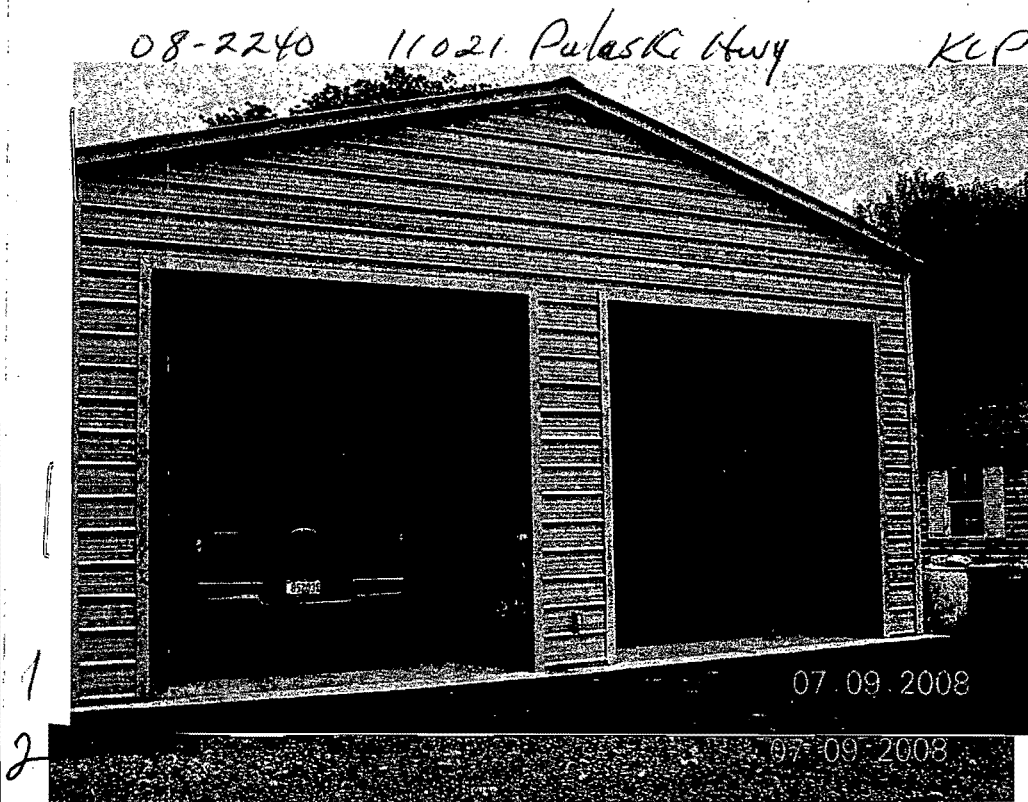
INSPECTION BEFORE HEARING:

7/9/08 - Accessory structures remaining
on property. No permits were obtained.
Photos Taken.

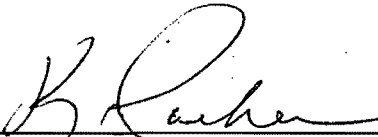
PHOTOGRAPHIC RECORD

Citation/Case No.: 08-2240

Date of Photographs: 7/9/08



I HEREBY CERTIFY that I took the 2 photographs set out above, and that these photographs
(number of photos)
fairly and accurately depict the condition of the property that is the subject of the above-referenced
citation/case number on the date set out above.


Enforcement Officer

08-2240

11021 Pulaski Hwy.

Property Search - Microsoft Internet Explorer

Property Search

Map created with ArcGIS - Copyright (C) 1992-2005 ESRI Inc.

Zoom In

start | Internet | AS/400-A | Mantran | http://www | Mantran | Property | 2:21 PM

Layers

Visible/Active

- ☒ Road Names
- ☒ Roads
- ☒ County Outline
- ☐ MET Boundary
- ☐ URDL
- ☒ Parcels
- ☒ Address Points
- ☒ Spot Elevation
- ☐ Contours
- ☐ Buildings
- ☐ Zoning
- ☐ Cycle Amends Water
- ☐ Cycle Amends Sewer
- ☒ Lakes and Ponds
- ☐ Streams and Rivers
- ☐ Water Plan
- ☐ Sewer Plan
- ☐ Geology
- ☐ Soils
- ☒ Image

Refresh Map

2 Garages currently erected here. NO permit on Record.

P/U Date		Closed Date		Gary F to update
Anonymous Complaint	Complainant Updated	Updated by voice message	Unable to update	Update not necessary
		RATS		Yes

Rec. ID

42974

Richardson Engineering, LLC

30 E. Padonia Road, Suite 500
Timonium, MD 21093

tel. 410-560-1502
fax 443-901-1208

June 20, 2008

Case# 08-2240

Mr. Vlad Lumelsky
Town & Country Auto and Truck Center
11021 Pulaski Highway
White Marsh, Maryland 21162

Reference: Building Addition
Baltimore County, Maryland

Dear Mr. Lumelsky:

Pursuant to your request, Richardson Engineering, LLC is pleased to submit our proposal to provide you with engineering services for the above-referenced project. In this proposal we have included a summary of the scope of services required and the proposed fee for our services.

SCOPE OF SERVICES

Under this proposal Richardson Engineering, LLC will prepare and file a request for a Limited Exemption to the Development Review Committee (DRC). The limited exemption would allow you to avoid the full development process for Baltimore County. We will request an 'a' exemption that will allow you to proceed to building permit. If a 'b' exemption is granted, then we would need to process a Development Plan, which if required, we would prepare a separate proposal at that time. It is not likely that a 'b' exemption would be required.

After the DRC approves the Limited Exemption, we would prepare the building permit plan for the site. Since it appears that the site will have a disturbed area less than 5,000 square feet, it will be exempt from stormwater management requirements. We will need to prepare a variance to the Forest Conservation requirements since the site is greater than 40,000 square feet. We will file the building permit with plans that you obtain from the building fabricator.

COMPENSATION

Compensation for our services will be based on the herein-described scope of services to be invoiced on a lump sum basis amount of:

DRC application, Plan and attend meeting	\$1,200.00
Building Permit Plan/ File Permit	\$ 800.00

Direct expenses, such as overnight postage, mileage, and reproductions will be invoiced at cost. Should any additional services be required other than those outlined herein, a separate cost proposal will be submitted for your approval prior to proceeding with the work.

Any hourly work included in this proposal or extra work, which we are requested to perform, will be billed at the following hourly rates:

Senior Project Manager/Project Manager	\$160.00 per hour
Senior Engineer/Landscape Architect	\$125.00 per hour
Project Engineer/Landscape Architect	\$ 100.00 per hour
Project Designer/CADD Designer	\$ 90.00 per hour
Administrative /Drafter/Permit Processor	\$ 75.00 per hour

The rate schedule quoted is our standard rate schedule used in cost estimates and budgeting and is generally applicable to hourly work performed by Richardson Engineering. These rates are subject to periodic review and prospective change. Changes in our standard rate schedule will be reflected in your monthly invoices.

AUTHORIZATION

You may indicate your acceptance of this proposal by signing and returning the original copy to my attention. Your verbal authorization for Richardson Engineering to proceed with the work acknowledges your acceptance of the terms of this proposal and applicability of the conditions and general provisions attached hereto. A deposit of \$500.00 is required with the return of this proposal. The deposit will be credited to the last invoice.

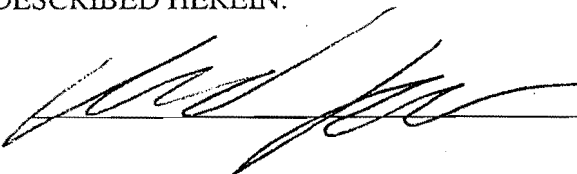
Thank you for giving us this opportunity of presenting this proposal. Please call me at your convenience, if you have any questions.

Very truly yours,



Patrick C. Richardson, Jr., PE

ACCEPTANCE AND AUTHORIZATION TO PROCEED WITH THE SCOPE OF SERVICES
AS DESCRIBED HEREIN.

By:  Date: 06/30/08

UPDATE/MESSAGE FORM

Date: 6/18/08

Time: _____

Inspector: K. PARKER

Case No: 08-2240

Address: 11021 Pulaski Hwy. white marsh 21162

Comments: Citation sent to Resident Agent,
victor w. Fwenstealba. Hearing schedule
for 7/10/08. Hearing will be heard once
again to hear what will be done to correct
the violation. This will be allowed per
RSW. Check before hearing. KCP

P/U 7/8/08.

Law Offices

VICTOR W. FUENTEALBA *VP-1*

SUITE 805, COURT SQUARE BLDG.

200 E. LEXINGTON STREET

BALTIMORE, MD 21202

FAX:

(410) 234-0624

TELEPHONE:

(410) 539-5115

June 11, 2008

Keith L. Parker
Codes Inspection and Enforcement
111 W. Chesapeake Ave., Room 213
Towson, MD 21204

Re: Case No. 08-2240
11021 Pulaski Highway

Dear Mr. Parker:

I received your letter today informing me of the correction notice, hearing date and Final Order concerning the above-mentioned property.

Until I received your telephone call yesterday, I was not aware of the alleged violations, the correction notice, or the Final Order.

The records of the SDAT will show that I am the Resident Agent for the Dengler Family LLC, owner of the property in question and the violation notice and subsequent documents should have been sent to my office.

After your telephone call yesterday, I immediately contacted Charles Dengler, Jr., the principal operating officer of the Dengler LLC and he too advised me that he was not aware of the alleged violations or subsequent communications.

It appears that the notice and other communications were mailed to the address of the property, which is occupied by a tenant, who apparently failed to inform my client or forward the documents,

The tenant has been advised to obtain the necessary permits immediately and I understand that he will be traveling to Towson today for that purpose.

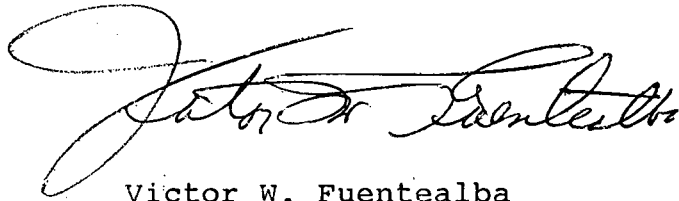
I can assure you that my client will cooperate fully with your office in making certain that the tenant rectifies this situation as quickly as possible.

However, it is my opinion, and am requesting, that the civil penalty of \$8,400.00 should be waived due to the fact that I, as Resident Agent was never notified of the alleged violations nor was Mr. Dengler.

K. L. Parker
6/11/08
P. 2

Please contact my office if you have any questions.

Very truly yours,

A handwritten signature in cursive script, reading "Victor W. Fuentealba". The signature is fluid and elegant, with a large initial "V" and a long, sweeping underline.

Victor W. Fuentealba

VWF/DW

Law Offices

VICTOR W. FUENTEALBA

SUITE 805, COURT SQUARE BLDG.

200 E. LEXINGTON STREET

BALTIMORE, MD 21202

FAX:

(410) 234-0624

TELEPHONE:

(410) 539-5115

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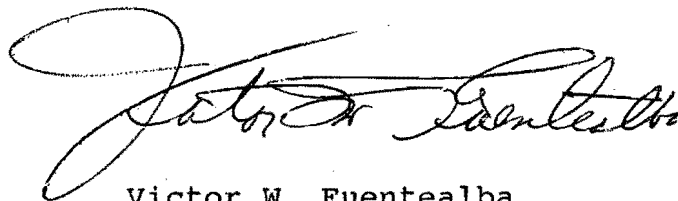
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Victor W. Fuentealba

VWF/DW

facsimile transmittal

To: Victor W. Fuentealba

Fax: 410-234-0624

From: Keith L. Parker

Date: 06/11/08

Re: 11021 Pulaski Hwy.

Pages: 4

CC:

☐ Urgent

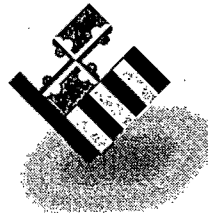
☒ For Review

☐ Please Comment

☐ Please Reply

☐ Please Recycle

Notes:



BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

June 11, 2008

Victor W. Fuentealba, Esquire
Suite 805
200 E. Lexington Street
Baltimore, Maryland

Re: Case No. 08-2240
11021 Pulaski Hwy.

Dear Mr. Fuentealba:

A correction notice was issued for the above-referenced property on March 24, 2008, with non-compliance. Subsequently, a citation was issued with a scheduled hearing date of June 3, 2008.

Attached please find the Final Order for failure to obtain a building permit and comply with site plan.

If you have any further questions I can be contacted at 410-887-3351.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith L. Parker".

Keith L. Parker
Code Inspections and Enforcement

KLP/lmh

Attachment (s)

**Maryland Department of Assessments and Taxation****Taxpayer Services Division**

301 West Preston Street W Baltimore, MD 21201 (2007 vw2.3)

[Main Menu](#) | [Security Interest Filings \(UCC\)](#) | [Business Entity Information](#)
([Charter/Personal Property](#)) [New Search](#) | [Rate Stabilization Notices](#) | [Get Forms](#) | [Certificate of Status](#) | [SDAT Home](#)

Taxpayer Services Division

Entity Name: THE DENGLE FAMILY LLC
Dept ID #: W07390024

General Information Amendments Personal Property Certificate of Status

Principal Office SUITE 850
(Current): 200 E. LEXINGTON STREET
BALTIMORE, MD 21202

Resident Agent VICTOR W. FUENTEALBA
(Current): SUITE 850
200 E. LEXINGTON STREET
BALTIMORE, MD 21202

Fax - 410-234-0624

Status: ACTIVE

Good Standing: Yes

Business Code: Other

Date of Formation or Registration: 05/02/2003

State of Formation: MD

Stock/Nonstock: N/A

Close/Not Close: Unknown

Link Definition

General Information	General information about this entity
Amendments	Original and subsequent documents filed
Personal Property	Personal Property Return Filing Information and Property Assessments
Certificate of Status	Get a Certificate of Good Standing for this entity

DATE: 06/03/2008

STANDARD ASSESSMENT INQUIRY

TIME: 13:44:21

PROPERTY NO. DIST GROUP CLASS OCC. HISTORIC DEL LOAD DATE
 11 16 045275 11 1-0 06-00 N NO 05/02/08
 DENGEL FAMILY LLC
 11021 PULASKI HWY
 DESC-1.. IMPS3.22 AC SES
 DESC-2.. 2000 NE EBENEZER RD
 PREMISE. 11021 PULASKI HWY

00000-0000

WHITE MARSH MD 21162-1813 FORMER OWNER: DENGELER CHARLES E

----- FCV ----- PHASED IN -----

	PRIOR	PROPOSED		CURR FCV	CURR ASSESS	PRIOR ASSESS
LAND:	282,200	422,100				
IMPV:	71,400	64,200	TOTAL..	442,066	442,066	397,833
TOTL:	353,600	486,300	PREF...	0	0	0
PREF:	0	0	CURT...	0	0	0
CURT:	0	0	EXEMPT.		0	0
DATE:	09/03	09/06				

---- TAXABLE BASIS ---- FM DATE
 ASSESS: 442,066 11/15/06
 ASSESS: 397,833
 ASSESS: 0

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

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

In the Matter of

Civil Citation No. 08-2240

Denger Family LLC

11021 Pulaski Highway

Respondent

FINDINGS OF FACT AND CONCLUSION OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on June 3, 2008, for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 345-2-301, 32-3-102; failure to obtain building permits, Baltimore County Zoning Regulations (BCZR) section 500.9; failure to comply with site plan on property zoned ML known as 11021 Pulaski Highway, 21162.

On May 5, 2008, pursuant to § 3-6-205, Baltimore County Code, a Code Enforcement citation was issued. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$8,400.00 (eight thousand four hundred dollars).

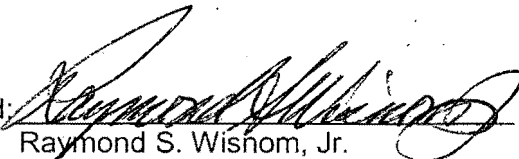
The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

Structures erected without required permit.

IT IS ORDERED by the Code Enforcement Hearing Officer this 4th day of June 2008 that a civil penalty be imposed in the amount of \$8,400.00 (eight thousand four hundred dollars).

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

Signed:



Raymond S. Wishom, Jr.
Code Enforcement Hearing Officer

RSW/jaf

KEITH PARKER
CODE ENFORCEMENT OFFICER
111 W. CHESAPEAKE AVE. TOWSON, MD. 21204

CITATION NO.

08-2240

VIOLATION ADDRESS:

11021 Palaski Hwy White Marsh, Md. 21162

ZONE:

ML

VIOATION: BCC-

35-2-301 ; 32-3-102

Failure to obtain building Permit.

BCZR

BCZR 500.9

Failure to comply with Site Plan

ORIGIN OF COMPLAINT:

Anonymous letter

COMPLAINT:

Full service auto shop. Erected Pole building
with concrete pad.

PROPERTY OWNERSHIP:

Denger Family LLC
11021 Palaski Hwy
White Marsh, Md. 21162

INITIAL INSPECTION:

3/24/08 - Observed Service garage activity
performed in garage erected without
permit. Photo Taken, Correction Notice
Issued.

SECOND INSPECTION:

4/25/08 - left message with co-worker
for Manager/owner to obtain building
permit for garage. Spoke with Mr.
Lumelski the previous week. He thought
that he met all the requirements.

RTA

SUBSEQUENT INSPECTIONS:

5/5/08 - No building permit obtained,
moved to citation.

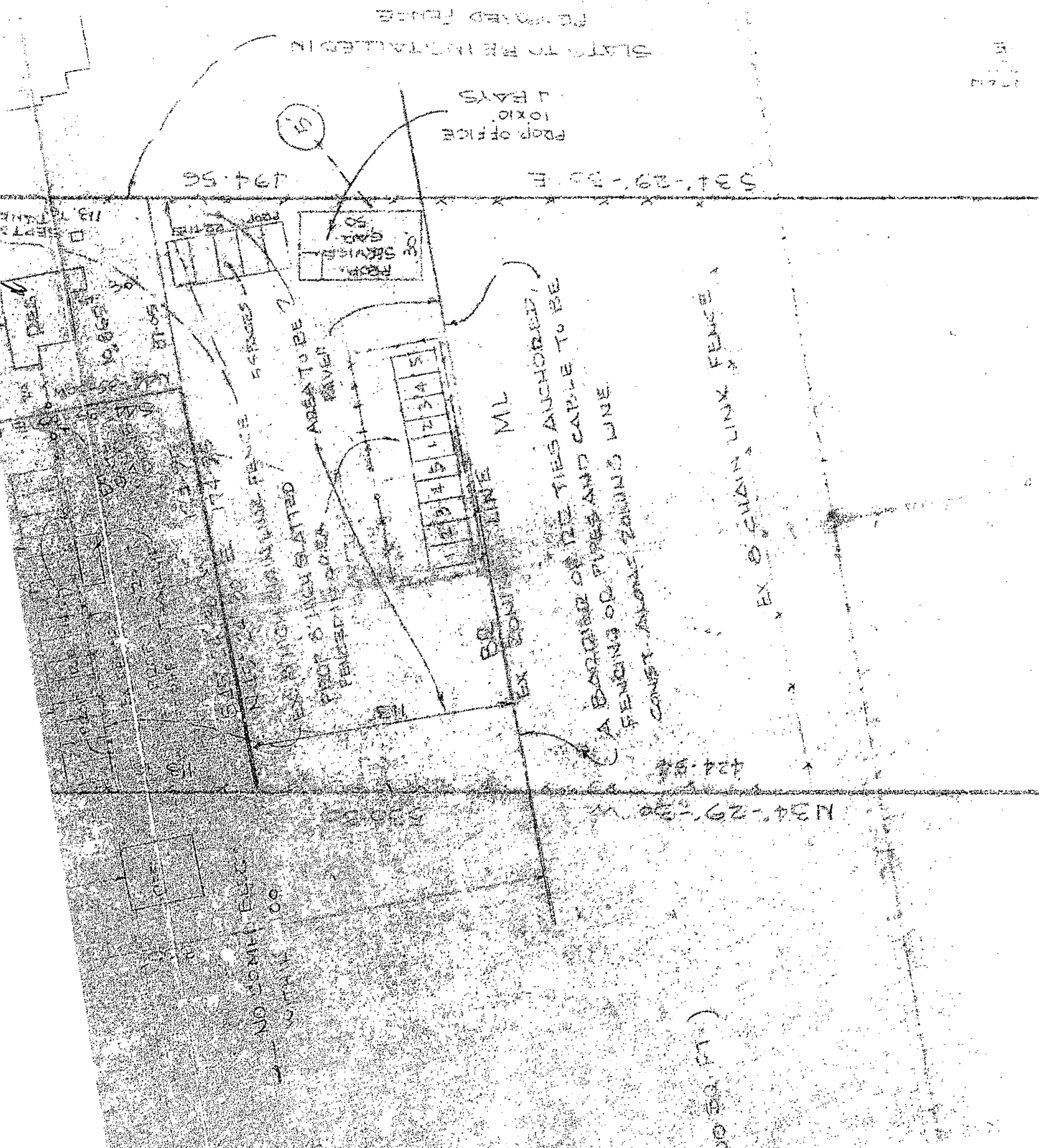
CITATION:

Issued on 5/5/08, Mailed to
owner.

INSPECTION BEFORE HEARING:

6/2/08 - Data base for Tracking
Permits does not show a permit
being obtained.

0422-80





CODE INSPECTIONS AND ENFORCEMENT CORRECTION NOTICE

CASE NUMBER 08-2240	PROPERTY TAX ID 1116045275	DATE ISSUED 3/24/08
NAME(S): Donger Family LLC		
MAILING ADDRESS 11021 Pulaski Hwy		
CITY White Marsh	STATE MD	ZIP CODE 21162
VIOLATION ADDRESS Same		
CITY BALTIMORE	STATE MARYLAND	ZIP CODE

DID UNLAWFULLY VIOLATE THE FOLLOWING BALTIMORE COUNTY LAWS:

RESIDENTIAL ZONE CLASSIFICATION:

- ☐ DR1 ☐ DR2 ☐ DR3.5 ☐ DR5.5 ☐ DR10.5 ☐ DR16
☐ RC2(1A01) ☐ RC4(1A03) ☐ RC20 & 50 (1A05) ☐ RC6(1A07)
☐ RC3(1A02) ☐ RC5(1A04) ☐ RCC (1A06) ☐ RC7 (1A08)
☐ OTHER:

NON-RESIDENTIAL CLASSIFICATION

- ☐ BL (230) ☐ BR (236) ☐ BM (233)
☐ MR (240) ☒ ML (253) ☐ MH (256)
☐ OTHER:

BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.)

AUTHORITY TO ENFORCE ZONING REGULATIONS: 32-3-102; 32-3-602; 32-3-603; 32-4-114

- ☒ 101; 102.1: Definitions; general use
☐ 1B01.1: DR Zones-use regulations
☐ 428: License/ Remove all untagged/ inoperative or damaged/ disabled motor vehicle(s)
☐ 1B01.1D: Remove open dump/ junk yard
☐ 431: Remove commercial vehicle(s)
☐ 101; 102.1: Remove contractors equip. storage yard
☒ 101; 102.1; ZCPM: Cease service garage activities
☐ 402: Illegal conversion of dwelling
☐ 101; 102.1; ZCPM: Illegal home occupation
☐ 415A: License/ remove untagged recreation vehicle
☐ 415A: Improperly parked recreation vehicle
☐ 415A: One recreational vehicle per property
☐ 410: Illegal Class II trucking facility
☐ 400: Illegal accessory structure placement.
☐ 1B02.1; 270; 421.1: Illegal kennel. Limit 3 dogs
☐ 102.5: Residential site line violation/ obstruction
☐ 408B: Illegal rooming/ boarding house
☐ BCC: 32-3-102; 500.9 BCZR; ZCPM:
Violation of commercial site plan and/or zoning order

BALTIMORE COUNTY CODE (B.C.C.)

- ☐ 13-7-112: Cease all nuisance activity
☐ 13-7-115: County to abate nuisance & lien costs
☐ 13-7-310: Remove all trash & debris from property
☐ 13-7-312: Remove accumulations of debris, materials, etc
☐ 13-7-201(2): Cease stagnant pool water
☐ 12-3-106: Remove animal feces daily
☐ 35-5-208(a)(c): Seal exterior openings from rodents & pests
☐ 13-4-201(b)(d): Store garbage in containers w/tight lids
☒ 35-2-301: Obtain building/ fence/ sign permit
☐ 18-2-601: Remove all obstruction(s) at street, alley, road
☐ 13-7-310(2): Remove bird seed / other food for rats
☐ 32-3-102: Violation of development plan/ site plan
☐ IBC 115; BCBC 115: Remove/ Repair unsafe structure board and secure all openings to premise
☐ 13-7-401; 13-7-402; 13-7-403: Cut & remove all tall grass and weeds to three (3) inches in height

OWNER OCCUPIED HOUSING (B.C.C.)

- ☐ 35-5-302(a)(1): Unsanitary conditions.
☐ 35-5-302(a)(3): Cease infestation from prop.
☐ 35-5-302(b)(1)(2): Repair decorative trim, cornices, etc
☐ 35-5-302(b)(1)(4): Repair chimney & similar extensions
☐ 35-5-302(b)(1)(6): Repair defective door(s) / window(s)
☐ 35-5-302(a)(2): Store all garbage in trash cans
☐ 35-5-302(b)(1): Repair exterior structure
☐ 35-5-302(b)(1)(3): Repair exterior extensions
☐ 35-5-302(b)(1)(5): Repair metal/wood surfaces
☐ 35-5-302(b)(1)(7): Repair defective fence

INVESTMENT PROPERTY (B.C.C.)

- ☐ 35-2-404(a)(1)(i): Remove hazardous or unsafe condition
☐ 35-2-404(a)(1)(iii): Repair roof or horizontal members
☐ 35-2-404(a)(1)(v): Repair ext. plaster or masonry
☐ 35-2-404(a)(1)(vii): Repair exterior construction (see below)
☐ 35-2-404(a)(1)(3): Repair /remove defective exterior sign(s)
☐ 35-2-404(a)(1)(ii): Repair ext. walls / vertical members
☐ 35-2-404(a)(1)(iv): Repair exterior chimney
☐ 35-2-404(a)(1)(vi): Waterproof walls/ roof /foundations
☐ 35-2-404(a)(1)(2): Remove trash, rubbish, & debris
☐ 35-2-404(a)(4)(i)(ii): Board & secure. Material to match building color of structure

OTHER VIOLATIONS OR REMARKS:

NOTICE POSTED AND MAILED

POTENTIAL FINE: ☒ \$200 ☐ \$500 ☐ \$1000 per day, per violation and to be placed as a lien upon your tax bill.

COMPLIANCE DATE: **4/23/08**

INSPECTOR NAME: **K. Palker**

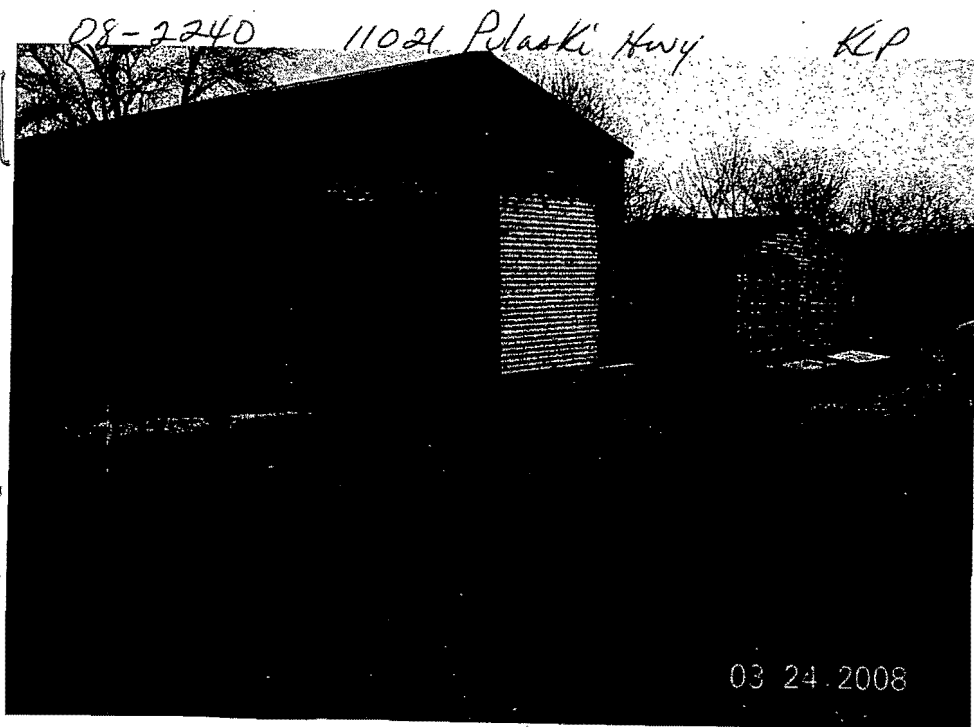
PRINT NAME (Rev 9/05)

AGENCY

PHOTOGRAPHIC RECORD

Citation/Case No.: 08-2240

Date of Photographs: 3/24/08



I HEREBY CERTIFY that I took the 1 photographs set out above, and that these photographs
(number of photos)
fairly and accurately depict the condition of the property that is the subject of the above-referenced
citation/case number on the date set out above.

K. Parker

Enforcement Officer

CODE ENFORCEMENT REPORT

DATE: 3/20/08 INTAKE BY: C.J. CASE NO: 08-2240
INSPEC: _____ DIST: _____ AREA: 11

COMPLAINANT NAME: Anon-email
ADDRESS: _____
ZIP CODE: _____
PHONE NO (H) _____ (W) _____

COMPLAINT LOCATION: 11021 Palaski Hwy 21162

PROBLEM: service garage (permits?)

also sent to sediment control for pavement on
watershed area.

TAX ACCOUNT NO: 11-16-045275

OWNER INFORMATION: Denger Family LLC

PREVIOUS CASE d (SS)

DATE: 03/19/2008

STANDARD ASSESSMENT INQUIRY (1)

TIME: 14:21:31

PROPERTY NO.	DIST	GROUP	CLASS	OCC.	HISTORIC	DEL	LOAD DATE
11 16 045275	11	1-0	06-00	N	NO		02/15/08
DENGEL FAMILY LLC				DESC-1.. IMPS3.22 AC SES			
				DESC-2.. 2000 NE EBENEZER RD			
11021 PULASKI HWY				PREMISE. 11021 PULASKI HWY			

00000-0000

WHITE MARSH MD 21162-1813 FORMER OWNER: DENGELER CHARLES E

----- FCV -----			----- PHASED IN -----			
	PRIOR	PROPOSED		CURR	CURR	PRIOR
				FCV	ASSESS	ASSESS
LAND:	282,200	422,100				
IMPV:	71,400	64,200	TOTAL..	442,066	442,066	397,833
TOTL:	353,600	486,300	PREF...	0	0	0
PREF:	0	0	CURT...	0	0	0
CURT:	0	0	EXEMPT.		0	0
DATE:	09/03	09/06				

---- TAXABLE BASIS ----		FM DATE
ASSESS:	442,066	11/15/06
ASSESS:	397,833	
ASSESS:	0	

ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

PDM Enforce - Web-Code Enforcement Complaint

X4804

From: <webform@baltimorecountymd.gov>
To: <pdm enforce@baltimorecountymd.gov>
Date: 3/14/2008 10:54 AM
Subject: Web-Code Enforcement Complaint

Complaint Location: Town & County Auto
11021 Pulaski Highway
White Marsh, MD 21162

Complaint Location Zip Code: 21162

Description of Problem: There is a full service automotive shop on property that zoning is in question when there was no automotive shop before.
There is new black top on 2/3 of property that is considered watershed area, critical bay area.
There is a pole building with concrete pad, never saw zoning hearing sign.
I am a concerned Chesapeake Bay advocate.
They are advertising as a Full automotive shop in Pennysaver. Wondering if they have zoning & permits to be an automotive shop this close to watershed.

Email:

Name:

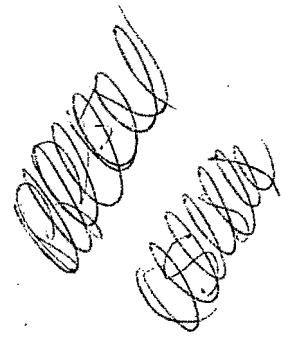
Address:

Zip Code:

Home Phone Number:

Work Phone Number:

Additional Information:



TB

Patricia Zook - Re: Case 2009-0230-SPHA - hearing on Monday, May 115-11-09
9AM

From: Dennis Kennedy
To: Zook, Patricia
Date: 5/11/2009 8:12 AM
Subject: Re: Case 2009-0230-SPHA - hearing on Monday, May 11
CC: Richards, Carl

Patti:
We had no comment on this item.
Dennis Kennedy

>>> Patricia Zook 5/8/2009 9:55 AM >>>
Good morning Dennis -

I just received the below-described case file and it is missing comments from your office. If you have no comment, feel free to just respond to this e-mail and I'll place it in the case file.

CASE NUMBER: 2009-0230--SPHA
11021 Pulaski Highway
Location: SE side of Pulaski Hwy., 2090 feet NE of Ebenezer Road.
11th Election District, 5th Councilmanic District
Legal Owner: Denger Family, LLC
Contract Purchaser: Town and Country Automotive

SPECIAL HEARING To approve an amended plan for the property from zoning Case No. 83-54-XSPHA.

VARIANCE To permit a side yard setback of 10 feet between two structures and a rear yard setback of 27 feet in lieu of the required 60 feet and 30 feet, respectively.

Hearing: Monday, 5/11/2009 at 9:00:00 AM Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

Thanks for your help.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

Patricia Zook - Case 2009-0230-SPHA - hearing on Monday, May 11

From: Patricia Zook
To: Kennedy, Dennis
Date: 5/8/2009 9:55 AM
Subject: Case 2009-0230-SPHA - hearing on Monday, May 11

Good morning Dennis -

I just received the below-described case file and it is missing comments from your office. If you have no comment, feel free to just respond to this e-mail and I'll place it in the case file.

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Thanks for your help.

Patti Zook
Baltimore County
Office of the Zoning Commissioner
105 West Chesapeake Avenue, Suite 103
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

TB
5/11
9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 17, 2009

RECEIVED

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

APR 23 2009

ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 09-230- Special Hearing and Variance**

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

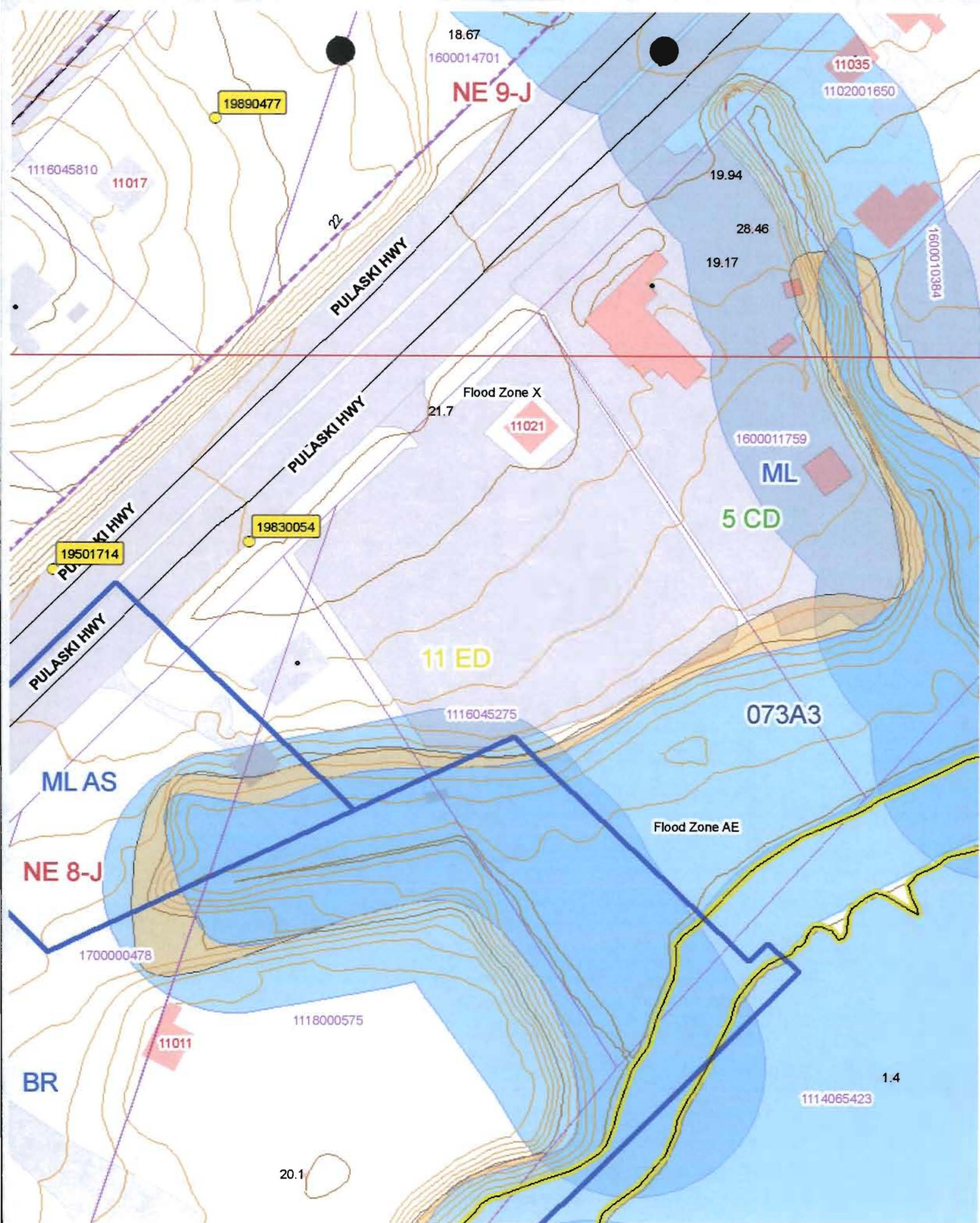
For further questions or additional information concerning the matters stated herein, please contact Donnel Zeigler in the Office of Planning at 410-887-3480.

Prepared By:

Curtis Murray /ms

Division Chief:
CM/LL

[Signature]



CASE NAME TOWN & COUNTRY MOTORS
CASE NUMBER 2009-230-SPHA
DATE 5/11/09

[illegible]

Case No.:

2009-0230-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	1983 Order	
No. 3	Aerial Photograph	
No. 4	Site Plan from 1976	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

83-54-XSPHA

Pursuant to the advertisement, posting of property, and a public hearing on the petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners, the Variance should be had; and, it further appears that the granting of the Variance requested will not adversely affect the health, safety, and general welfare of the community, and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 18th day of March, 1983, that the Petition for Variance to permit a rear yard setback of five (5) feet in lieu of the required thirty (30) feet, in accordance with Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the terms, provisions, and conditions contained in the accompanying Special Exception and Special Hearing Orders.

Jean M. H. Jung
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE March 18, 1983

BY Richard L. Lawrence

ADMINISTRATIVE ASSISTANT

PETITIONER'S

EXHIBIT NO. 2

ORDER RECEIVED FOR FILING

#83-54-XSPHA

Special Exception
Decision

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 18th day of March, 1983, that the herein Petition for Special Exception for a used motor vehicle outdoor sales area separated from a sales agency building, as shown on the site plan prepared by Frank S. Lee, revised May 17, 1982, and marked Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The two (2) designated parking spaces shall be available for customer parking at all times.
2. The sales area, including the display area and customer or employee parking, shall not encroach onto the area designated for residential use on Petitioner's Exhibit 1.
3. The Bird River tributary and any accompanying flood plain, as well as gates and drives to the residence and service garage, shall be indicated on the site plan.
4. Compliance with the comments submitted by the Department of Health, dated August 10, 1982.
5. The existing fence in front of the residence may be removed.
6. A revised site plan, incorporating the restrictions set forth above, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning, together with a detailed landscaping and screening plan being submitted for approval by the Current Planning and Development Division.

ORDER RECEIVED FOR FILING

DATE March 18, 1983BY Richard P. Lee, ckt

ADMINISTRATIVE ASSISTANT

Jan M. H. Jones
Deputy Zoning Commissioner of
Baltimore County.

ORDER RECEIVED FOR FILING

DATE March 18, 1983

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 83-54-XSPHA

This case comes before the Board of Appeals on appeal from a decision of the Deputy Zoning Commissioner granting a special exception for a motor vehicle outdoor sales area, a special hearing for the dismantling of cars as an accessory use to the service garage and the requested rear yard variance from Section 238.2 (setbacks) of the Baltimore County Zoning Regulations. The subject property is located on the southeast side of Pulaski Highway, 2,100 feet and 2,255 feet east of Ebenezer Road in the Fifteenth Election District of Baltimore County.

It was stipulated by all present that there was no appeal as to the special exception or the variance. The issue to be decided by this Board is whether the dismantling of autos is indeed an accessory use to a service garage or whether it, in fact, constitutes a "Junk Yard" use. The inherent danger of such a blanket ruling is readily apparent to this Board. If the dismantling of autos is permitted as an accessory use to a service garage, all service garages could immediately become junk yards or semi-junk yards regardless of their size, scope, area or other considerations. Section 101 of the Baltimore County Zoning Regulations defines accessory use as follows:

"Accessory use or structure: A use or structure which-(a) is customarily incident and subordinate to and serves a principal use or structure; (b) is subordinate in area, extent, or purpose to the principal use or structure; (c) is located on the same lot as the principal use or structure served; and (d) contributes to the comfort, convenience, or necessity of occupants, business, or industry in the principal use or structure served. . . ."

With regard to (a) of the above quoted Section, the dismantling operation proposed herein, and agreed to by Petitioner, involves only the use of one bay of a four bay service garage and could well be viewed as incidental to the repair and sales of autos on the site. With respect to (b), the proposed dismantling operation is certainly subordinate in area to the

principal use of the site, whether the principal use be considered the auto sales area or the service garage area or a combination of both, and is certainly subordinate in extent as evidenced by the use designations on the plat. There is no controversy regarding (c) since the entire operation is contained on the subject site, and (d) - the proposed dismantling operation could well contribute to the convenience of the business conducted on the site.

There are, in addition, several other extenuating circumstances that warrant consideration in this case. The dismantling operation will be conducted entirely on the rear area of the site and will be totally screened from all surrounding properties and Pulaski Highway. The autos being dismantled and the autos awaiting dismantling will be stored in a screened-in separate area.

After consideration of all the testimony and evidence introduced in this case, the Board is of the opinion that, in this specific case under the conditions agreed to by the Petitioner, this proposed dismantling operation should be considered an accessory use to the principal use on the site and will so order.

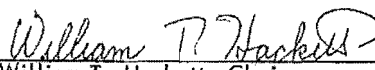
ORDER

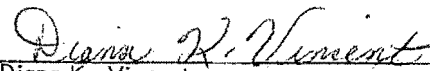
For the reasons set forth in the foregoing Opinion, it is this 8th day of September, 1983, by the County Board of Appeals, ORDERED that the Order of the Deputy Zoning Commissioner, dated March 18, 1983, be affirmed, and that the dismantling operation be considered an accessory use to the principal use on the subject property. Therefore, the petition for special hearing is hereby GRANTED, subject to the following restrictions:

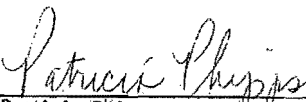
1. That the number of autos designated in Restriction #1 of the Order of the Deputy Zoning Commissioner be increased from six (6) to ten (10), as presented in direct testimony.
2. Compliance with all other restrictions contained in the Deputy Zoning Commissioner's Order.

Any appeal from this decision must be in accordance with Rules B-1 thru
B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


William T. Hackett, Chairman


Diana K. Vincent


Patricia Phipps

IN THE MATTER OF THE
APPLICATION OF
CHARLES DENGLER, et al.
FOR SPECIAL EXCEPTION,
SPECIAL HEARING AND
VARIANCE FROM THE
BALTIMORE COUNTY
ZONING REGULATIONS,
SE/S Pulaski Hwy., 2,100'
& 2,255' E of Ebenezer Rd.
15th District

Zoning File No. 83-54-XSPHA

* * * * *

OPINION

The decision of the County Board of Appeals that the proposed dismantling operation on the property located on the southeast side of Pulaski Highway, 2,100 feet and 2,255 feet east of Ebenezer Road in the Fifteenth Election District of Baltimore County be considered an accessory use to the principal use on the site, subject to the restrictions that 1) the number of autos designated in Restriction #1 of the Order of the Deputy Zoning Commissioner be increased from six (6) to ten (10), and 2) compliance be had with all other restrictions contained in the Deputy Zoning Commissioner's Order is AFFIRMED.

The reasons set out in the opinion of the County Board of Appeals are amply supported by evidence in the record before the Board.

Being satisfied the conclusion which was reached was based upon substantial evidence, and that the issue before the Board was fairly debatable, and that reasoning minds could reasonably reach the same conclusion, the Court cannot substitute its judgment for that of the Board and must, therefore, affirm.

Dated April 25, 1984

Austin W. Brizendine
AUSTIN W. BRIZENDINE, Judge

Copies sent to:

Peter Max Zimmerman, Esquire
Robert J. Romadka, Esquire

1055

FILED APR 25 1984

Rec'd 4/27/84
12:56 PM

CATEGORY

IN THE MATTE
APPLICATION
CHARLES DENG
FOR SPECIAL
SPECIAL HEAR
VARIANCE FRC
BALTIMORE CC
REGULATIONS,
SE/S Pulaski
2,255' E of
15th District

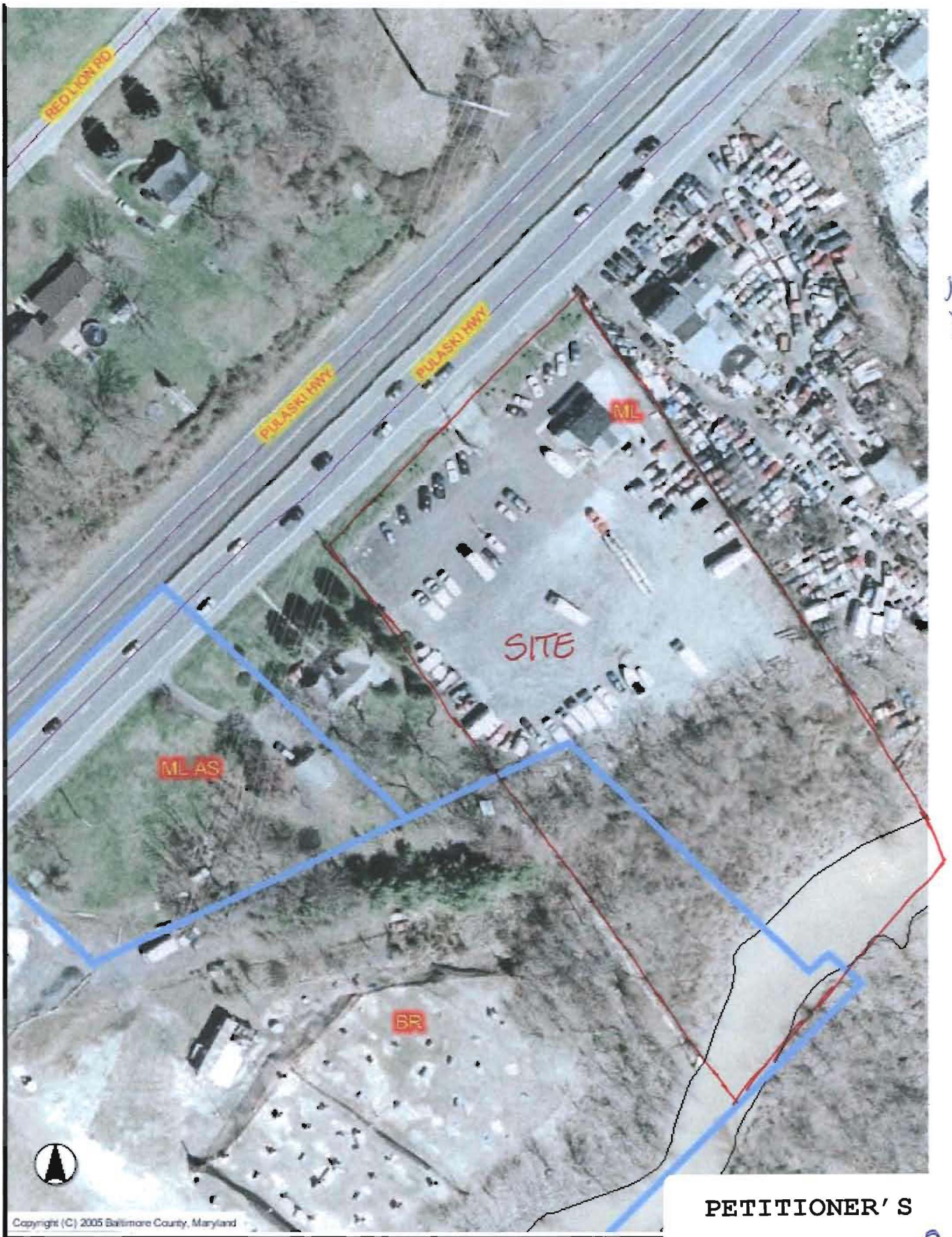
Zoning file
THE PEOPLE'S

COUNTY BOARD
BALTIMORE CO

BEN H. MACK
CHARLES DEN
LINWOOD DAN
Appell

- (1) October 6, 1983
Appeals of Baltim
- (2) Oct. 6, 1983 -
- (3) Oct. 18, 1983
Transcript of Pr
1983 fd. (CHH)
- (4) Oct. 24, 1983 -
Appellees and Sam
November 15, 1983
- (5) Nov. 28, 1983
Court Granting
- (6) Dec. 27, 1983
- (7) Dec. 27, 1983
- (8) Jan. 24, 1984
- (9) Feb. 23, 1984
- March 29, 1984
Appellants ap
of Baltimore
- (10) April 25, 1984

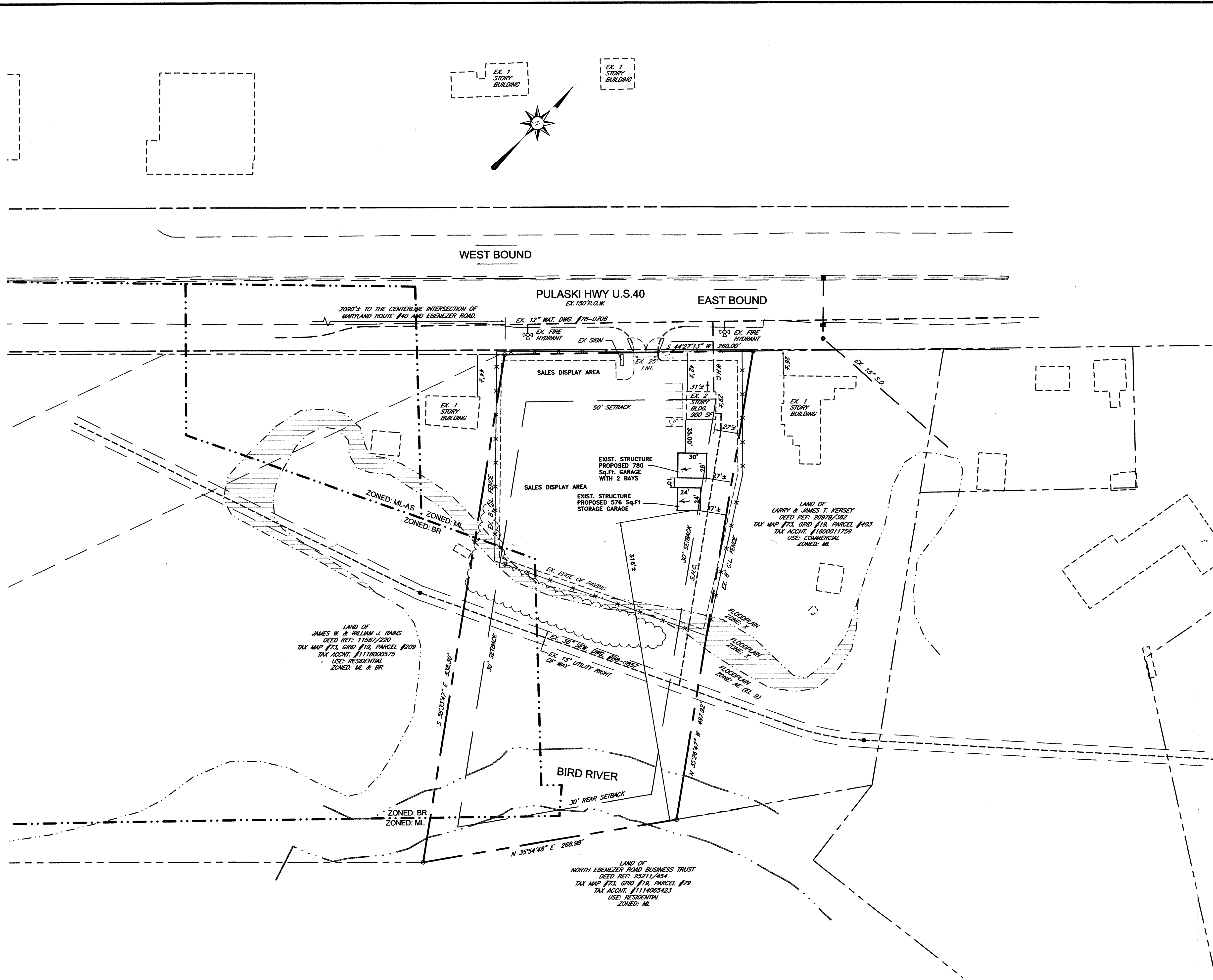
DOCKET



PETITIONER'S

EXHIBIT NO.

3



GENERAL NOTES:

- OWNER: DINGER FAMILY, LLC
11021 PULASKI HIGHWAY
WHITE MARSH, MARYLAND 21162-1813
- SITE AREA:
GROSS: 144,907 Sq.Ft. or 3.327 Ac.±
NET: 137,118 Sq.Ft. or 3.148 Ac.±
- BUILDING AREA:
EXISTING (2 STORY): 900 Sq.Ft.
PROPOSED (1 STORY): 1,356 Sq.Ft.
TOTAL: 2,256 Sq.Ft.
- UTILITIES
WATER: PUBLIC
SEWER: PUBLIC
- THE SITE LIES WITHIN ZONES "X", "AE 9" & "X" AS SHOWN ON F.I.R.M. #2400100295F, PANEL # 295 OF 580 DATED SEPTEMBER 26, 2008.
ZONE "X" IS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
ZONE "AE 9" IS BASE FLOOD ELEVATIONS DETERMINED.
ZONE "X" IS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.
- PARKING CALCULATIONS
REQUIRED:
SALES OFFICE: 5 SPACES PER 1,000 GROSS FLOOR AREA (900 Sq.Ft. FLOOR AREA) = 5 SPACES.
PROVIDED:
SPACES (1 HANDICAPPED, 4 REGULAR)
- SETBACKS:

	REQUIRED	PROVIDED
FRONT	50'	42'± (EXISTING)
SIDE	30'	27'± (EXISTING)
REAR	30'	300'±
- HEIGHT OF STRUCTURE:
MAX. PERMITTED: 40'
PROVIDED: EXISTING: 30' PROPOSED: 20'
- DEED REF: 18872/324
- TAX ACCOUNT: #1116045275
- COUNCILMANIC DISTRICT: 5th
- REGIONAL PLANNING DISTRICT: 322B
- CENSUS TRACT: 4517.02
- WATERSHED: BIRD RIVER
- ZONING: ML & BR
(PER 1"-200' ZONING MAP 073A3)
- TAX MAP #73, PARCEL #234
- PREVIOUS ZONING CASES:
#83-54-XSPHA GRANTED ON MARCH 18, 1983, FOR A SPECIAL EXCEPTION FOR USED MOTOR VEHICLE OUTDOOR SALES AREA SEPARATED FROM A SALES AGENCY BUILDING, AND TO PERMIT A REAR YARD OF 5 FEET IN LIEU OF THE REQUIRED 30 FEET. CASE WENT TO BOARD OF APPEALS TO DETERMINE IF DISMANTLING OF CARS CONSTITUTED A JUNK YARD, WHICH IT FOUND TO BE AN ACCESSORY USE TO THE USED VEHICLE SALES.
- NO PREVIOUS PERMITS ON FILE
- FLOOR AREA:
EXISTING: 900 + 144,907 = .006
PROPOSED: 2,256 + 144,907 = .016
- NO SIGNS ARE PROPOSED.
- THE ENTIRE SITE LIES WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.
- PREVIOUS DRC 0714081 IS TABLED AT THIS TIME.
- VIOLATION CASE CO 0042974

PETITIONER'S

EXHIBIT NO.

Richardson Engineering, LLC

30 East Padonia Road, Suite 500
Timonium, Maryland 21093
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY
SPECIAL HEARING & VARIANCE PETITION
FOR

TOWN & COUNTRY
AUTO & TRUCK CENTER
11021 PULASKI HIGHWAY

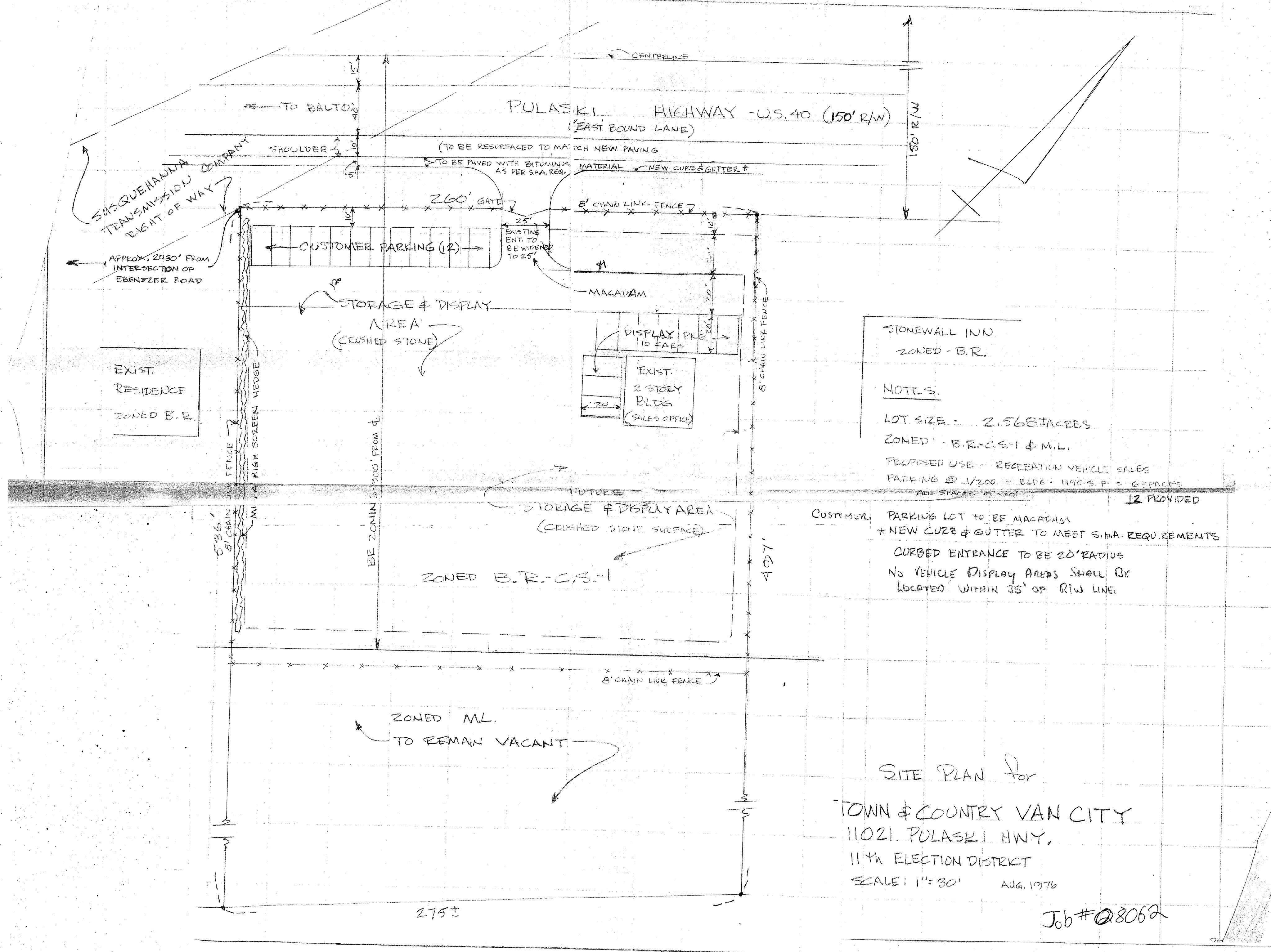
11TH ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

REVISIONS	DRAWN BY:	DESIGNED BY:	SCALE:
	CND	PCR	1" = 60'
	DATE:	JOB NO.:	SHEET NO.:
	12-05-08	08062	1 OF 1

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME, AND
THAT I AM A DULY LICENSED PROFESSIONAL
ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND, LICENSE NUMBER 16597,
EXPIRATION DATE: 08-15-2009





STONEWALL INN
ZONED - B.R.

NOTES:

LOT SIZE - 2.568 ACRES
ZONED - B.R.-C.S.-1 & M.L.
PROPOSED USE - RECREATION VEHICLE SALES
PARKING @ 1/200 = BLDG - 1190 S.F. = 6 SPACES
12 PROVIDED

CUSTOMER PARKING LOT TO BE MACADAM
* NEW CURB & GUTTER TO MEET S.H.A. REQUIREMENTS
CURBED ENTRANCE TO BE 20' RADIUS
NO VEHICLE DISPLAY AREAS SHALL BE
LOCATED WITHIN 35' OF R/W LINE

SITE PLAN for
TOWN & COUNTRY VAN CITY
11021 PULASKI HWY.
11th ELECTION DISTRICT
SCALE: 1" = 30' AUG. 1976
Job #28062