

January 25, 2012

Lionel van Dommelen  
Code Inspections and Enforcement  
County Office Building  
111 W Chesapeake Ave  
Towson, MD 21204

Re: 11819 Belair Rd, Tax ID 1107059000, G&M Auto (zoned RC-5)

Dear Mr. van Dommelen,

I am writing once again to request that action be taken to prevent the owner from using this residential property for business purposes. The most recent case (#104431) was closed last week but the violations continue. I trust that you are assigning this to a new inspector who can take this on as a major "project" and get the problems corrected. If so, I request the opportunity to speak with that inspector to ensure that all the relevant documents and previous actions are available.

Previous actions that are significant are the following:

- Code Enforcement hearing order, Case 03-6308, March 17, 2004
- Board of Appeals order, Case CBA-04-139/Citation 03-6308, December 2, 2004
- Consent Agreement dated October 6, 2004
- Consent Agreement dated January 7, 2005
- Case #96356 (my letter of June 20 and follow-up September 22)
- Case #104431 (my letter of December 21)

To reiterate some of the history which I wrote in my December 21 letter: Although zoned RC5, this property is being used by the adjacent service garage and used car lot for business purposes for the display of vehicles for sale. George Majchrzak, Inc. purchased this property in 2001, and attempts to upzone it to BM were denied during both the 2004 and 2008 CZMP, so the owner is well aware of its current RC5 zoning.

**March 17, 2004**, Code Enforcement hearing. Order stated that:

- "no activities other than activities associated with the single-family dwelling may take place"
- "Storage of vehicles associated with the business next door must cease."
- "Any commercial activity ... must receive zoning approval before initiating the activity including used car sales."

**June 30, 2004**, Code Enforcement hearing. Ordered to cease business use.

**October 7, 2004**, appeal heard, BoA Final Order of December 2, 2004, case CBA-04-139, stated that:

2. "no activity other than activities associated with the single family dwelling shall take place on the subject property known as 11819 Belair Road"
3. "the storage of any and all vehicles associated with the service garage business carried on next door to said subject property, shall cease"
5. "Appellant George Majchrzak, Inc shall seek a zoning variance for any commercial activity that he desires to pursue on the subject property"

The Order included a signed consent agreement of October 6, 2004 (done by Kevin Keene) which stated the same.

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**January 7, 2005**, Code Enforcement hearing. Prior to hearing, Consent Agreement made with Assistance County Attorney on 5 January 2005 (by Larry Schmidt) which states:

Whereas, "GMI has stated its intention to comply with all applicable provisions of the BCZR"

2. "GMI shall comply with the Order of the County Board of Appeals, Case CBA-04-139, dated December 2, 2004"

3. No more than four dealer-tagged vehicles may be parked on the Property at any one time, provided that it is understood and agreed that GMI may affix to any dealer-tagged vehicles, window stickers offering the vehicle for sale."

6. "Violations of any provision of this agreement by GMI may cause and shall be grounds for the County immediately filing for injunctive or other available relief in a court of competent jurisdiction."

The agreement did not, and should not, allow open selling of vehicles on this property, such as posting of signs or inviting customers to examine those vehicles.

Since the latest case was closed last week, there have often been more than 4 vehicles parked on this property (without proper tags) much of the time. The photos below show four vehicles today, without tags visible on their fronts, and there is a fifth parked on the side by the garage with a dealer tag showing.

Further, the clear and obvious business related use continues, including the auto with "For Sale" painted on the windshield and a customer or employee opening the hood. All of these vehicles are shown on the G&M web site.

I again request that action be taken to limit G&M Auto's use of this property to what the BCZR allows in RC5 and what the agreement and order stated, and nothing more. This means no more than 4 vehicles with dealer tags, none with evidence of being for sale except for a "window sticker", no association with adjoining business, and no vehicles without tags at any time.

Thank you for your assistance in this matter. Please let me know when I can discuss this case with a new inspector.

Regards,

Michael Pierce  
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