

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 N/S East Joppa Road, 250' E of Jenifer Road
 (1832 East Joppa Road) * ZONING COMMISSIONER
 9th Election District *
 6th Councilmanic District * OF BALTIMORE COUNTY

 Joseph L. Berk, et ux, Owners; * Case No. 00-146-X
 Reliable Rent-A-Car, Inc., Lessee *
 *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the owners of the subject property, Joseph L. and Patricia Berk, and the Contract Lessee, Reliable Rent-A-Car, Inc., by Roman Caperna, President, through their attorney, Stanley S. Fine, Esquire. The Petitioners request special exception approval of a service garage, as defined in Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.), on the subject property, zoned B.L.-A.S., pursuant to Section 230.13 of the B.C.Z.R. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite hearing on behalf of the Petition were Patricia M. Berk, property owner, and Roman Caperna, President of Reliable Rent-A-Car, Inc., Lessees. Appearing as interested citizens in the matter were Donna Spicer, a representative of the Loch Raven Community Council Business Association; David L. Fox, a dentist who practices next door to the subject property; and Bill and Jean Weems, neighbors.

Testimony and evidence offered revealed that the subject property is a rectangular shaped parcel, containing a gross area of 0.256 acres, more or less, zoned B.L.-A.S. The property is located along the north side of East Joppa Road in the vicinity of the North Plaza Mall in Parkville. The property is improved with a two-story brick and frame building, which was previously used as a dwelling, but is now used for office purposes. The site also features a

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 Date 12/1/99
 [Signature]

macadam-paved parking area which provides 11 parking spaces. The rear of the site, adjacent to property owned by St. Margaret's Church, is steeply sloped and heavily landscaped.

Mr. Roman Caperna, who owns Reliable Rent-A-Car, Inc., has leased a portion of the subject building and site for approximately 5 years. Apparently, the Petitioners filed the instant Petition in response to a complaint registered by Dr. David Fox with the Code Enforcement Division of the Department of Permits and Development Management (DPDM) office as to the use of the subject property. As the name of the business suggests, Mr. Caperna leases automobiles; however, the business is somewhat unique in that its services are offered to those individuals whose motor vehicles are being repaired or replaced, primarily due to accidents. In this regard, Mr. Caperna indicated that his clients chiefly are automobile dealerships in the area which are in the business of repairing motor vehicles, and agents and claims adjusters from automobile insurance carriers.

This area of East Joppa Road is a highly traveled commercial/office corridor. Dr. Fox operates a dental practice immediately adjacent to the site and other buildings formerly used as dwellings have been converted for office/retail uses. Additionally, there are several large automobile dealerships in the vicinity, including the Bob Davidson Ford Dealership across the street, and the Jerry's Chevrolet Dealership is nearby.

Insofar as the actual operation of the business, Mr. Caperna indicated that his company owns in excess of 60 motor vehicles. Obviously, they are not stored on the property in that the site is too small to accommodate this number of vehicles. Mr. Caperna has an arrangement with the Bob Davidson Ford Dealership across the street for storage of vehicles, if necessary. However, he also noted that most of his cars are in use under lease agreements each day. Typically, the company delivers a car to a customer at an automobile dealership or insurance claim office. The customer uses the vehicle while his/her own car is being repaired or replaced. When the lease is terminated, Mr. Caperna or an employee picks up the car at either the dealership or claims office.

It was also indicated that no traditional type service garage work is performed on the premises. In this regard, special exception relief is mandated because of the broad definition of a

ORDER RECORDED
Date 12/16/09
By [Signature]

service garage as set out in Section 101 of the B.C.Z.R. Therein, a service garage is defined as, "A garage other than a residential garage where motor vehicles are stored, equipped for operation, repaired, or kept for remuneration, hire or sale." The rental aspect of the operation fits within this definition.

If properly limited and restricted, I believe that special exception relief is appropriate here. The fact that the operation has existed on this site for several years without prior complaint is persuasive to a conclusion that the business does not detrimentally impact the surrounding locale. Additionally, Mr. Caperna indicated that the imposition of several restrictions upon the use of this site were appropriate. These restrictions are more fully set out in a letter from Counsel for the Petitioners to Mr. David Fox dated November 16, 1999 (Petitioner's Exhibit 4). They will be incorporated herein as conditions to the grant of the relief requested.

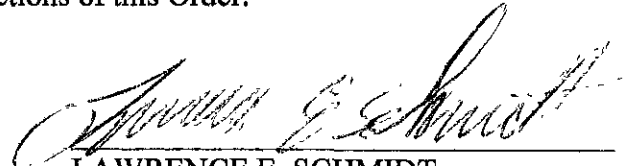
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of December, 1999 that the Petition for Special Exception for a service garage, as defined in Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.), on the subject property, zoned B.L.-A.S., pursuant to Section 230.13 of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their use permit upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall not allow the parking or storage of cars owned by the business for lease purposes on any public street in the vicinity.
- 3) The service garage use granted herein shall be restricted to the rental of motor vehicles only. That is, there shall be no automotive repair, body or fender work, or painting performed on the premises, nor the equipping of motor vehicles.

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Date 12/16/99
[Signature]

- 4) There shall be no washing or vacuuming of cars on the site.
- 5) The Petitioner shall make arrangements with Bob Davidson Ford, or a reasonable substitute, to secure space on an as needed basis for overflow parking as described in Petitioner's Exhibit 3.
- 6) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 12/16/09
By [Signature]



Baltimore County
Zoning Commissioner

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

December 6, 1999

Stanley S. Fine, Esquire
Rosenberg, Proutt, Funk & Greenberg, LLP
25 S. Charles Street
Baltimore, Maryland 21201

RE: PETITION FOR SPECIAL EXCEPTION
N/S East Joppa Road, 250' E of Jenifer Road
(1832 East Joppa Road)
9th Election District - 6th Councilmanic District
Joseph L. Berk, et ux, Owners; Reliable Rent-A-Car, Inc., Lessee - Petitioners
Case No. 00-146-X

Dear Mr. Fine:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. Joseph Berk
1021 Cowpens Avenue, Baltimore, Md. 21234
Mr. Roman Caperna, President, Reliable Rent-A-Car, Inc.
1832 East Joppa Road, Baltimore, Md. 21234
Ms. Donna Spicer, 8719 Eddington Road, Baltimore, Md. 21234
Dr. David L. Fox, 1830 E. Joppa Road, Baltimore, Md. 21234
Mr. & Mrs. Bill Weems, 1834 E. Joppa Road, Baltimore, Md. 21234
Code Enforcement Division, DPDM; People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 1832 East Joppa Road

which is presently zoned BL- AS

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

a service garage per Section 230.13 BCZR

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Reliable Rent-A-Car, Inc.
Name - Type or Print
By: [Signature]
Signature Roman Caperna, President
1832 East Joppa Road 410-882-3333
Address Telephone No.
Baltimore MD 21234
City State Zip Code

Attorney For Petitioner:

Stanley S. Fine
Name - Type or Print
[Signature]
Signature
Rosenberg Proutt Funk & Greenberg, LLP
Company
25 S. Charles Street 410-727-6600
Address Telephone No.
Baltimore MD 21201
City State Zip Code

Legal Owner(s):

Joseph L. Berk
Name - Type or Print
[Signature]
Signature
Patricia Berk
Name - Type or Print
[Signature]
Signature
1021 Cowpens Avenue 410-828-8163
Address Telephone No.
Baltimore MD 21236
City State Zip Code

Representative to be Contacted:

Stanley S. Fine
Name
25 S. Charles Street 410-727-6600
Address Telephone No.
Baltimore MD 21201
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By WCR Date 10-7-99

Drop Off - No Review

ORDER RECEIVED FOR FILING

Date 10/7/99

Case No. 00-146-X

REV 09/15/98

MATIS WARFIELD
CONSULTING ENGINEERS

August 27, 1999

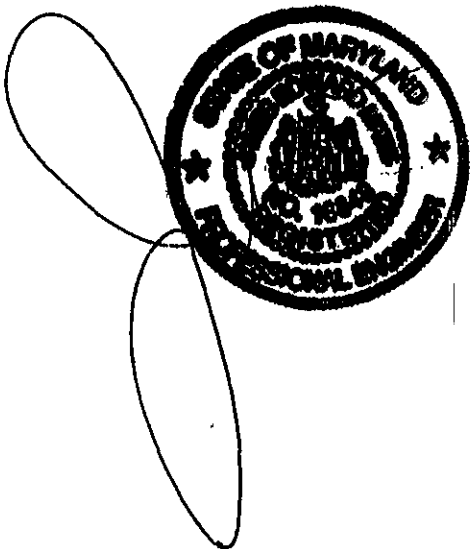
**DESCRIPTION TO ACCOMPANY ZONING PETITION FOR SPECIAL EXCEPTION
NO. 1832 EAST JOPPA ROAD
9th Election District
Baltimore County, Maryland**

BEGINNING for the same at a point on the northerly right-of-way line of East Joppa Road said point distant North 59 degrees 05 minutes East 250 feet more or less from the intersection of the centerlines of Jenifer Road and East Joppa Road thence leaving the north side of East Joppa Road and running the three following courses viz:

1. North 13 degrees 15 minutes West 205.08 feet to a point
2. North 76 degrees 44 minutes East 50.00 feet to a point
3. South 13 degrees 15 minutes East 202.54 feet to north side of East Joppa Road and running the thence along the north side of East Joppa Road
4. South 73 degrees 50 minutes West 50.06 feet to the place of beginning.

Containing 0.22 acres of land more or less

This description is intended for zoning purposes only and is not intended for use in conveyance of land.



00-146-X

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 072299

DATE 10/7/99 ACCOUNT 001-6150
AMOUNT \$ 300.00

RECEIVED FROM: Matis Warfield

FOR: 00-146-X

1832 E Joppa Rd

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
10/13/1999 10/12/1999 15:21:00
REG #304 CASHIER JKAR JLK DRAWER 5
Dept 5 528 ZONING VERIFICATION
Receipt # 097337 OFLN
CR NO. 072299

Receipt Tot 300.00
300.00 OK .00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 072299

DATE 10/7/99 ACCOUNT 001-6150
AMOUNT \$ 300.00

RECEIVED FROM: Matis Warfield

FOR: 00-146-X

1832 E Joppa Rd

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
10/13/1999 10/12/1999 15:21:00
REG #304 CASHIER JKAR JLK DRAWER 5
Dept 5 528 ZONING VERIFICATION
Receipt # 097337 OFLN
CR NO. 072299

Receipt Tot 300.00
300.00 OK .00 CR
Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

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

Case: #00-146-X
1832 E. Joppa Road
NW/4 Joppa Road, approximately 500' NE of c/l 1-695

9th Election District
6th Councilmanic District
Legal Owner(s): Patricia Berk and Joseph L. Berk
Contract Purchaser(s):

Reliable Rent-A-Car, Inc.
Special Exception: For a service garage.

Hearing: Wednesday, November 17, 1999 at 11:00 a.m. in Room 106, County Office Building, 111 W. Chesapeake 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.

10/26/99 Oct. 28 C349742

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/28, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/28, 1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: CASE # 00-146-X
PETITIONER/DEVELOPER:
[Reliable Rent-A-Car Inc.]
DATE OF Hearing
[Nov. 17, 1999]

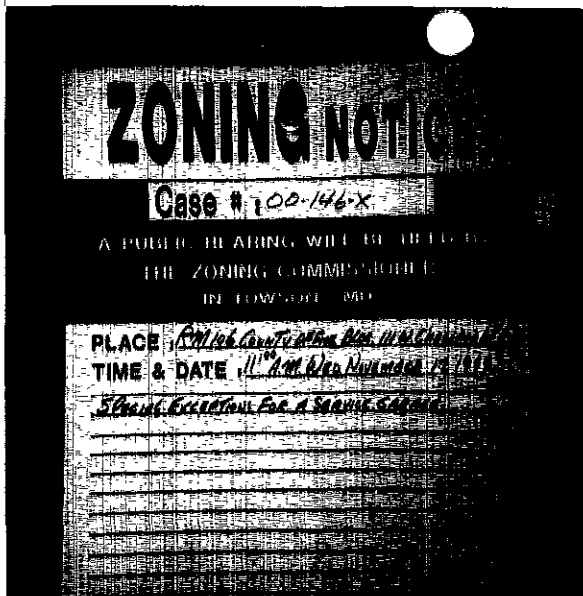
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

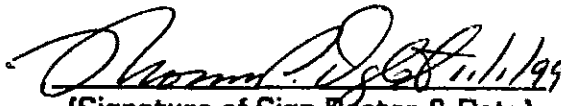
LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
1832 E. Joppa Road Baltimore, Maryland 21234__

The sign(s) were posted on _____ 11-1-99 _____
[Month, Day, Year]



Sincerely,


(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ [410]-687-8405 _____
(Telephone Number)

RE: PETITION FOR SPECIAL EXCEPTION
1832 E. Joppa Road, NW/S Joppa Rd,
appx. 500' NE of c/I I-695
9th Election District, 6th Councilmanic

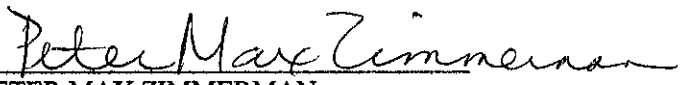
Legal Owner: Joseph L. and Patricia Berk
Contract Purchaser: Reliable Rent-A-Car, Inc.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-146-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


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 28th day of October, 1999 a copy of the foregoing Entry of Appearance was mailed to Stanley S. Fine, Esq., Rosenberg, Proutt, Funk, 25 S. Charles Street, Suite 2115, Baltimore, MD 21201, attorney for Petitioners.


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

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

October 22, 1999

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: 00-146-X

1832 E. Joppa Road

NW/S Joppa Road, approximately 500' NE of c/l I-695

9th Election District - 6th Councilmanic District

Legal Owner(s): Patricia Berk and Joseph L. Berk

Contract Purchaser(s): Reliable Rent-A-Car, Inc.

SPECIAL EXCEPTION: For a service garage.

HEARING: WEDNESDAY, NOVEMBER 17, 1999 AT 11:00 A.M. IN ROOM 106 COUNTY OFFICE
BUILDING, 111 W. CHESAPEAKE AVENUE.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Joseph and Patricia Berk
Reliable Rent-A-Car, Inc.
Stanley Fine, Esq.
Dr. David Fox

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY NOVEMBER 2, 1999.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CONTACT 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
October 28, 1999 Issue - Jeffersonian

Please forward billing to:

Stanley S. Fine, Esq.
Rosenberg Proutt Funk & Greenberg, LLP
25 S. Charles Street
Baltimore, MD 21201

410-727-6600

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: 00-146-X

1832 E. Joppa Road

NW/S Joppa Road, approximately 500' NE of c/l I-695

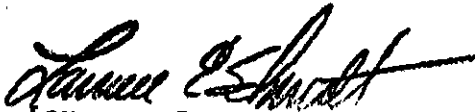
9th Election District - 6th Councilmanic District

Legal Owner(s): Patricia Berk and Joseph L. Berk

Contract Purchaser(s): Reliable Rent-A-Car, Inc.

SPECIAL EXCEPTION: For a service garage.

HEARING: WEDNESDAY, NOVEMBER 17, 1999 AT 11:00 A.M. IN ROOM 106 COUNTY OFFICE
BUILDING, 111 W. CHESAPEAKE AVENUE.



Lawrence E. Schmidt

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.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

November 12, 1999

Mr. Stanley Fine
Rosenburg Proutt Funk & Greenburg, LLP
25 S. Charles Street
Baltimore, MD 21201

Dear Mr. Fine:

RE: 00-146-X , 1832 East Joppa Road

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

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County 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 that reads "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj

Enclosures



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: November 4, 1999

FROM: *[Signature]* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for November 1, 1999
Item Nos. 130, 131, 132, 133, 134,
135, 136, 137, 138, 140, 141, 142,
144, 145, 146, 148, 149, 150, 152,
153, and 154

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

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: October 21, 1999

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - DR
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 146
PETITIONER: Patricia Berk & Joseph L. Berk

VIOLATION CASE NO.: 99-3449

LOCATION OF VIOLATION: NW/S Joppa Road, approximately 500' NE of
centerline I-695

DEFENDANT(S): Patricia Berk & Joseph L. Berk

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):

NAME

ADDRESS

Dr. David Fox

1830 E. Joppa Road
Baltimore, MD 21234

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/dr/lmh

00-146-X

11/17

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 3, 1999

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

SUBJECT: 1832 East Joppa Road

INFORMATION:

Item Number: 146

Petitioner: Reliable Rent-A-Car, Inc

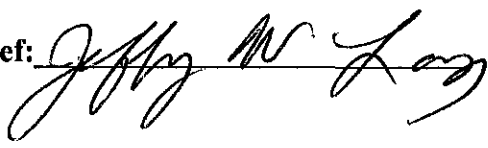
Zoning: BL-AS

Requested Action: Special Exception

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has no objections to the subject request; however, servicing or repair of vehicles should be prohibited.

Section Chief:



AFK/JL



**Maryland Department of Transportation
State Highway Administration**

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

Date: 8.25.99

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

RE: Baltimore County
Item No. 146 WCR

Dear Ms Stephens:

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

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

Very truly yours,

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

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Fire Department

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

November 29, 1999

RECEIVED JAN 06 2000

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

ATTENTION: Gwen Stephens

RE: Property Owner: MICHEL WAREHOUSEING CORP. & DON MICHEL - 132
EXXON CORPORATION - 138
ERIN GAMSE - 145
PATRICIA BERK & JOSEPH L. BERK - 146
NORMAN BERNHARDT - 153

Location: DISTRIBUTION MEETING OF OCTOBER 25, 1999

Item No.: 132, 138, 145, 146, & 153.

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

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



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 7, 2000

Stanley S. Fine, Esquire
Rosenberg, Proutt, Funk & Greenberg, LLP
25 South Charles Street
Baltimore, MD 21201

Dear Mr. Fine:

RE: Drop-Off Petition Review, Case Number 00-146-X, 1832 East Joppa Road

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

Where will the rental vehicles be stored/parked?

Add the distance to the nearest intersecting street.

Add note: "No storage of damaged/disabled vehicles on site".

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

John J. Sullivan, Jr.
Planner II
Zoning Review

Con 1-10-00
#00-146-X
I wrote my comments
10-29-99 but they were
misplaced until 1-10-00.
As spoke to ZC + AHY
JAP



DROP-OFF Petition
Comments

10/29

DD-146-X

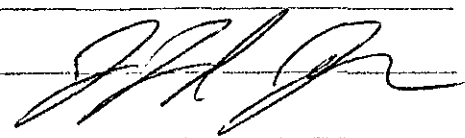
1833 E. Joppa Rd

~~Where are parking spaces for the rental vehicles to be stored/parked?~~

(1) Where ^{will} ~~are parking spaces for~~ the rental vehicles ~~to be stored/parked?~~

(2) Add the distance to the nearest intersecting street.

(3) Add note: No storage of damaged/disabled vehicles on site.



Planner II

cc: file

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

Donna
copy
please

DONNA SPICKER
COMMUNITY COUNCIL
LOCK RAVEN BUSINESS ASSN.

DAVID L. FOX DDS

Jean & Bill Weems

8719 Eddington Rd. Belts 21234

1830 E. JOPPA RD. 21234

1834 E Joppa Rd 21234



PETITIONER(S) SIGN-IN SHEET

ADDRESS

NAME
Rogers Capern
Christina M. Burk

1832 E. Toppa Rd 21234
1021 Cowpens Ave 21286



Printed with Soybean Ink
on Recycled Paper



1845 EAST JOPPA ROAD • BALTIMORE, MARYLAND • 21234-2974 • TEL: (410) 661-6400

November 16, 1999

Roman Caperna
Reliable Rent A Car
1832 E Joppa Rd.
Baltimore, MD 21234

Dear Roman,

This letter is to inform you in writing that Bob Davidson Ford, Inc. is making our parking lot available to you, on an as needed basis, for overflow parking. In addition, as agreed, we have also extended the courtesy of making parking available for your employees. If you have any questions, feel free to contact me at (410)661-6400.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce L. Schindler".

Bruce L. Schindler
President

ROSENBERG PROUTT FUNK & GREENBERG, LLP

ATTORNEYS AT LAW
A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

2115 ALLFIRST BUILDING
25 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

(410) 727-6600

FACSIMILE: (410) 727-1115

STANLEY S. FINE
E-MAIL: stanley@rpfgr.com

November 16, 1999

VIA FACSIMILE

Dr. David Fox
1830 E. Joppa Road
Baltimore, Maryland 21234

Dear Dr. Fox:

This is a follow-up of my letter to you dated November 11, 1999. This firm represents Reliable Rent-A-Car, Inc. in reference to its application before the Zoning Commissioner of Baltimore County for a Special Exception at 1832 E. Joppa Road.

Pursuant to your conversations with Mr. Roman Caperna of Reliable Rent-A-Car, Inc., Mr. Caperna agrees to the following conditions that would be part of the Special Exception, if granted by the Zoning Commissioner in this matter:

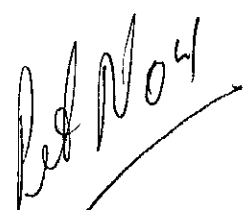
1. That the Special Exception be limited to a "rent-a-car business" and not to any other businesses associated with a service garage such as a body and repair shop, engine repair facility and oil and lubrication type of business.
2. That no washing and vacuuming of cars take place at 1832 E. Joppa Road.

We are prepared to represent to the Zoning Commissioner at the hearing Reliable's agreement to the above conditions. Please disregard the conditions as stated in my November 11, 1999 to you.

At your request, I am sending a copy of this letter to your attorney, Mr. William Wiseman.

Sincerely,


Stanley S. Fine



SSF:sac

cc: Reliable Rent-A-Car, Inc. (via facsimile)
William Wiseman, Esquire (via facsimile)

MATIS WARFIELD
CONSULTING ENGINEERS

Mr. W. Carl Richards
Baltimore County Department of
Permits and Development Management
Zoning Office
111 West Chesapeake Avenue
Towson, Maryland 21204

JUN
O.K. 10/1/99

RE: Reliable Car Rental
1832 East Joppa Road
Zoning Violation Notice 107465

September 28, 1999

Dear Mr. Richards,

I am enclosing the following:

- 3 original copies of Application Form Petition for Special Exception
- 12 copies of Zoning Plat
- 6 copies Zoning Description
- 2 copies of 200 scale Zoning Exhibit
- 1 check in the amount of \$ 300.00 application fee
- 1 previously submitted "check print package" of documents

Comments from your office have been received and have been incorporated into the zoning application. We would ask that the petition now be accepted for filing and a hearing date scheduled at the earliest opportunity.

We thank you for your kind cooperation. Please feel free to call me should you have any questions.

Very truly yours,
MATIS WARFIELD, INC.

James E. Matis, P.E.

JEM:jm

enclosures

cc: Stanley Fine, Esquire + 1 set

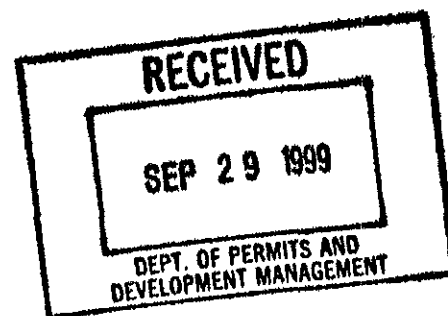
Roman Caperna + 1 set

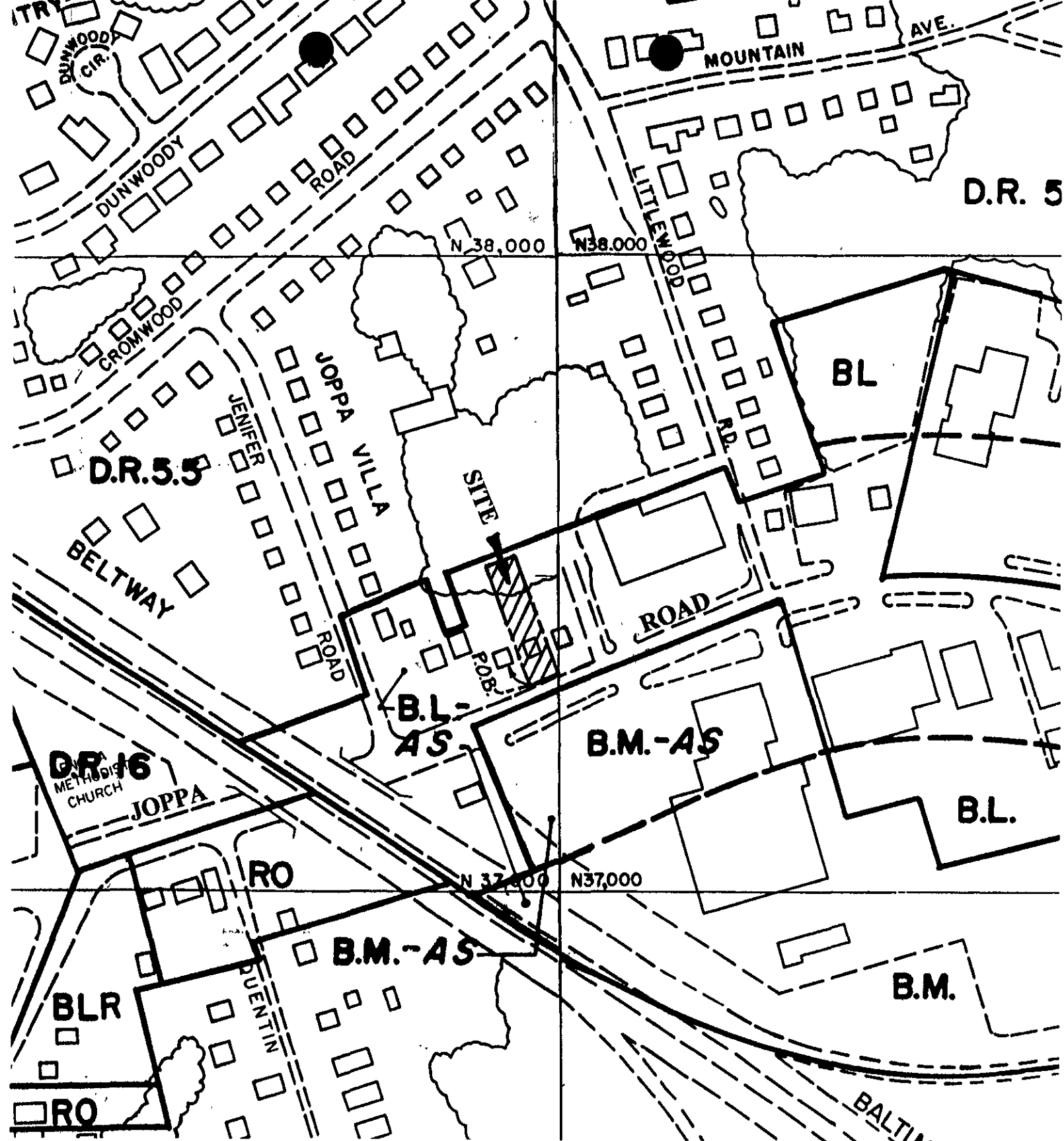
MATIS WARFIELD, INC.

6600 York Road • Suite 209 • Baltimore, Maryland 21212
Tel: 410-377-7596 • Fax: 410-377-7657

00-146X

10/4/99





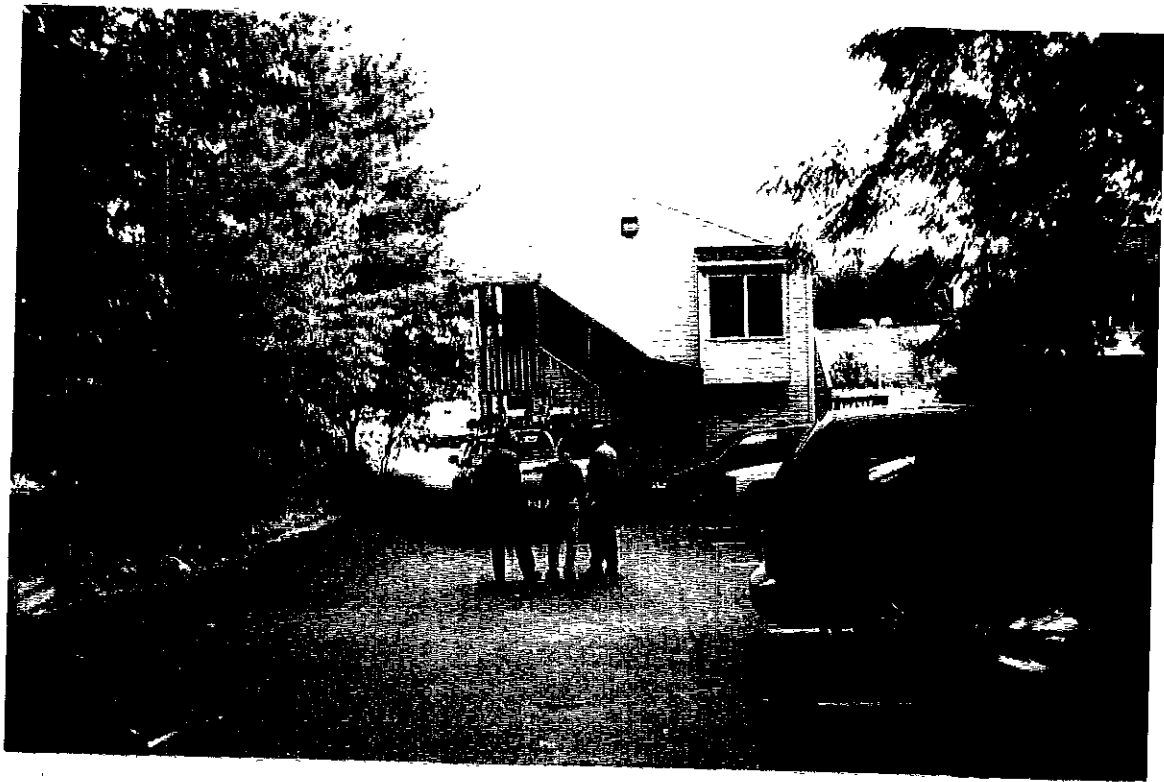
00-146-X

EXHIBIT TO ACCOMPANY
ZONING PETITION
FOR SPECIAL EXCEPTION
PART OF ZONING MAP NE 10-C
1832 EAST JOPPA ROAD
ELECTION DISTRICT NO. 9

Petitioner's
Exhibits
2A - 2G
photographs

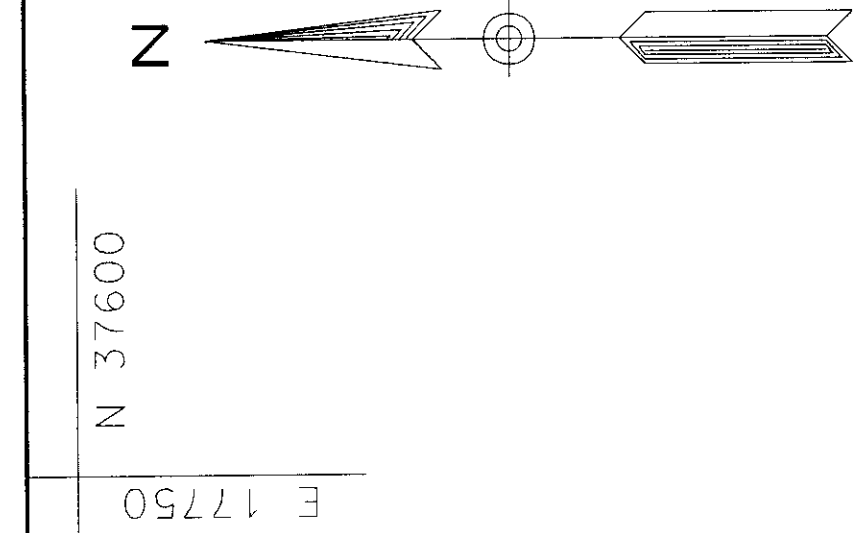
Case # 00-146-X











N 37600

E 17750

N 37600

E 18000

•1819 E. Joppa Road
Existing Use: Shopping Center
Existing Zoning: BL-AS
Owner: Joppa Associates
c/o Steven M. Weinstein
Tax Acct. #1600005268

DR 5.5 ZONE
BL-AS ZONE
N 76° 44' E 50.00'
(see deed 8034/529)

•1850 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: David L. Joann A. Fox
Tax Acct. #0902370351

•1828 E. Joppa Road
Existing Use: Frame and Masonry Building
Existing Zoning: BL-AS
Owner: Steven M. Alison C. Elliott
Tax Acct. #0923505350

•1836 E. Joppa Road
Existing Use: Shopping Center
Existing Zoning: BL-AS
Owner: Joppa Associates
c/o Steven M. Weinstein
Tax Acct. #1600005268

•1837 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1838 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1839 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1840 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1841 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1842 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1843 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1844 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1845 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

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Tax Acct. #0923350000
(see deed 8034/529)

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Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1848 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

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Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

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Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1851 E. Joppa Road
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Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1852 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1853 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

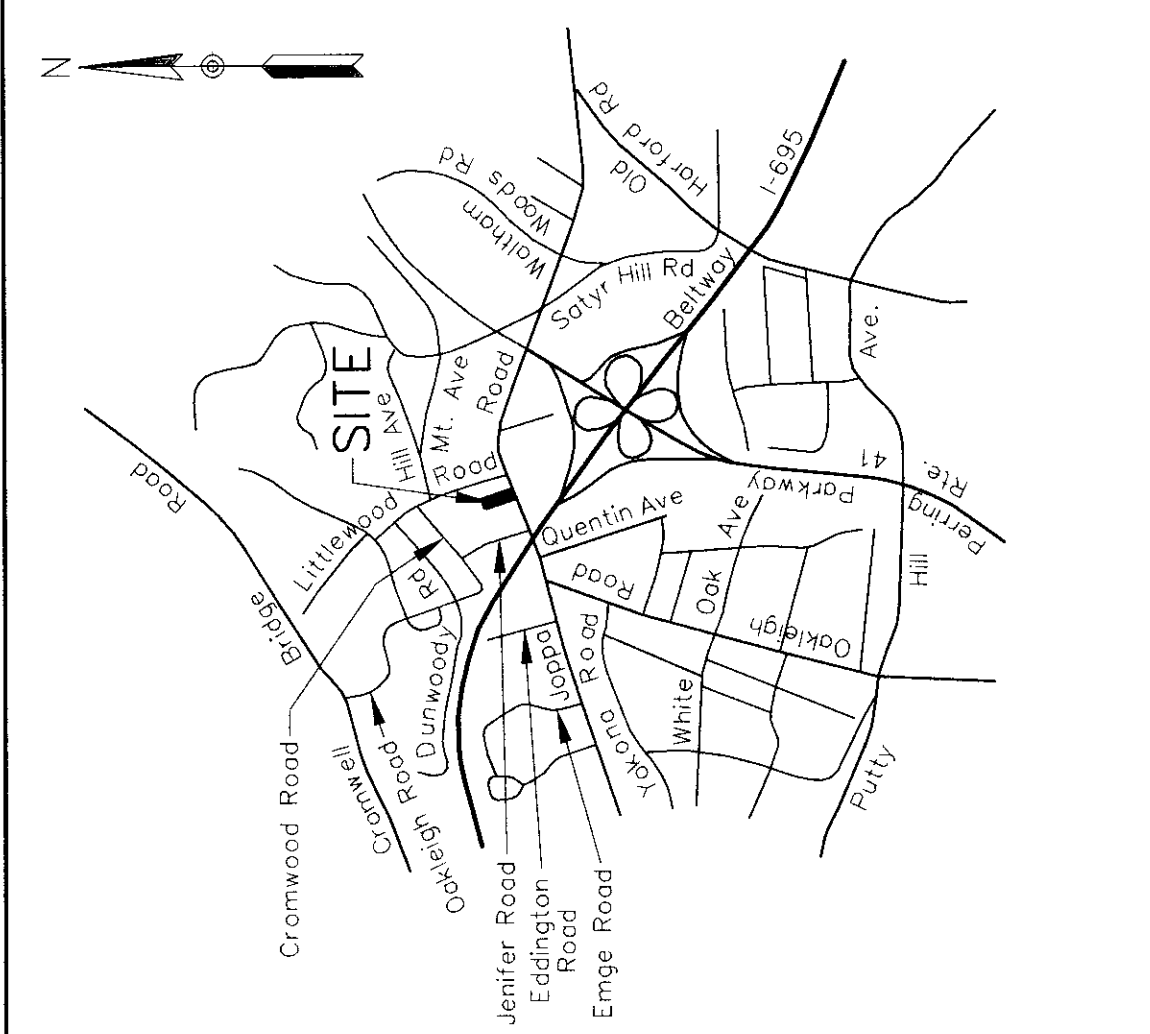
•1854 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1855 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1856 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1857 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)

•1858 E. Joppa Road
Existing Use: Frame Building
Existing Zoning: BL-AS
Owner: William H. & Jean L. Weems
Tax Acct. #0923350000
(see deed 8034/529)



VICINITY MAP

SCALE: 1" = 1,000'

SITE DATA

Gross area of site 11.129 sf = 0.256 acres +/-
(Includes 30' of East Joppa Road)
Net area of site = 9,626 sf = 0.221 acres +/-
Existing zoning - BL-AS 2 Story Brick and Block Building with basement
Present use - Existing (Commercial use)
3,060 sf +/- (general office)

Proposed use - see Parking Tabulation
Floor area ratio - 0.225 existing (less than 3.0 permitted)
Tax account # - 0912001800
Deed reference - 8034/529
Councilman's District - 11
Previous commercial permits - none
Previous zoning cases - none
Signage - None proposed at this time. All future signage to be submitted with Section 450 BZM and all zoning sign permits
Public water and sanitary sewer facilities exist.
Site is not within the 100 year floodplain.
Development approval waiver of CAC granted 6/16/88. W-88-150.
No additional lighting will be constructed on the site.

PARKING TABULATION

1832 EAST JOPPA ROAD

PARKING REQUIRED

1st Floor & Basement
(Service garage)
Reliable Rent-a-Car 2,040 sf @ 3.3 sp/1000 sf = 7 spaces
2nd Floor
(General Offices)
Reliable Insurance 510 sf @ 3.3 sp/1000 sf = 2 spaces
Pikeway towing 310 sf @ 3.3 sp/1000 sf = 2 spaces
Total Parking Provided Onsite = 11 spaces
All parking spaces to be permanently striped on a durable and dust free surface. Parking spaces 9' x 18' typ. 1 handicap parking space provided @ 12' wide x 18' long.

NOTES:

- 1) The property outline shown hereon is approximate only, as compiled from deeds and tax records and does not represent a boundary survey.
- 2) The floor space areas shown hereon are approximate only and are compiled from field measurements and rental information.

THIS PLAT IS INTENDED FOR ZONING PURPOSES ONLY
AND IS NOT INTENDED FOR USE IN ESTABLISHING
PROPERTY LINES; CONVEYANCE OF PROPERTY; OR AS
AN EXHIBIT TO ANY AGREEMENT.

20' 10' 0 20' 40'
1" = 20'-0"

A Special Exception is requested pursuant to Section 230.13 to permit a Vehicle Rental Agency (service garage) in a BL-AS zone.

MATTIS WARFIELD ENGINEERS

6600 York Road, Suite 209
Baltimore, Maryland 21212
Phone: 410-377-7596
Fax: 410-377-7657
mattiswarfield.com

OWNER

Joseph L. & Patricia Berk
1021 Cowpens Avenue
Baltimore, Maryland 21286

PETITIONER

RELIABLE RENT-A-CAR
1832 East Joppa Road, Suite 1
Baltimore, Maryland 21234
410-882-3333

PLAT TO ACCOMPANY

ZONING PETITION FOR SPECIAL EXCEPTION NO. 1832 EAST JOPPA ROAD

BALTIMORE COUNTY, MARYLAND
ELECTION DISTRICT NO. 9
AUGUST 21, 1999

ISSUE

9/28/99
REVISED FOR DROP FILE

PETITIONER'S EXHIBIT 1