

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: July 5, 2001

TO: Arnold Jablon, Director
Permits & Development Management
Attn: David Duvall

FROM: Charlotte E. Radcliffe
Board of Appeals

SUBJECT: **CLOSED FILES**

00-159-SPH /Cold Bottom LLC; Kenneth Bosley
00-167-SPH /Ronald W. & Margaret E. Kapp
00-227-A /Darryl McLean, et ux
00-264-X /John Fiorini, Inc.
00-322-SPHXA /Key Point Health Service, Inc.
00-336-SPH /Hampton Reisterstown, LLC & The Berg Brother Co.
00-373-SPH /Anne Leland
00-380-SPH /KA Real Estate Associates, LLC

Since the above captioned cases have been finalized, we are hereby closing the files and returning same to your office herewith.

Attachments: Case File Nos: 00-159-SPH; 00-167-SPH; 00-227-A; 00-264-X; 00-322-SPHXA;
00-336-SPH; 00-373-SPH; and 00-380-SPH

IN THE MATTER OF
THE APPLICATION OF
KA REAL ESTATE ASSOCIATES LLC
FOR A SPECIAL HEARING ON PROPERTY
LOCATED AT 10324 SOUTH DOLFIELD
ROAD
4TH ELECTION DISTRICT
3RD COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 00-380-SPH

* * * * *

ORDER OF DISMISSAL

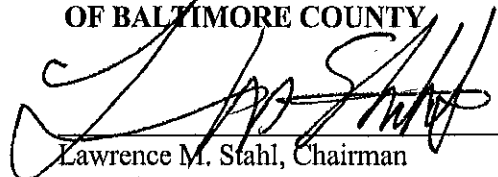
This matter comes to the Board of Appeals by way of an appeal filed by Michael L. Kovens, Chairman, Universal Security Instruments, Inc., Appellant /Protestant, from a decision of the Zoning Commissioner dated May 9, 2000, in which the Petition for Special Hearing was granted with restrictions.

WHEREAS, the Board is in receipt of a letter of withdrawal of appeal filed December 6, 2000 by Michael L. Kovens /Universal Security Instruments, Inc., Appellant /Protestant (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Appellant requests that the appeal taken in this matter be withdrawn and dismissed as of December 6, 2000;

IT IS ORDERED this 20th day of December, 2000 by the County Board of Appeals of Baltimore County that the appeal taken in Case No. 00-380-SPH be and the same is hereby **DISMISSED**.

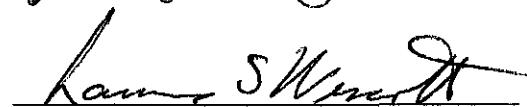
**COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY**



Lawrence M. Stahl, Chairman



Lynn Barranger



Lawrence S. Wescott



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

December 20, 2000

Michael Kovens, Chairman
Universal Security Instruments, Inc.
7-A Gwynns Mill Court
Owings Mills, MD 21117-3586

RE: In the Matter of : KA Real Estate Associates, LLC
Case No. 00-380-SPH /Order of Dismissal

Dear Mr. Kovens:

Enclosed please find a copy of the Order of Dismissal issued this date by the Board of Appeals of Baltimore County in the subject matter.

Very truly yours,

Kathleen C. Bianco

Administrator

Enclosure

c: Herbert Burgunder III, Esquire
Jeffrey H. Scherr, Esquire
KA Real Estate Associates LLC c/o Jeffrey Scherr
Richard Matz /Colbert, Matz, Rosenfelt, Inc.
Eugene L. Hux /Douron, Incorporated
Ronald W. Hux /Viper Properties and Painters Mill Properties LLC
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

Case No. 00-380-SPH

KA Real Estate Associates LLC

SPH—To approve used car sales (ltd to approx. one per month) as permitted retail sales incidental to principal use by rental car corp.

5/09//00 –Order of ZC /Hearing Officer in which Petition for Special Hearing was granted, with restrictions.

10/27/00 -Notice of Assignment sent to following; assigned for hearing on Wednesday, January 3, 2001 at 10 a.m.:

Michael L. Kovens, Chairman
Universal Security Instruments, Inc.
Herbert Burgunder III, Esquire
Jeffrey H. Scherr, Esquire
KA Real Estate Associates LLC c/o Jeffrey Scherr
Richard Matz /Colbert, Matz, Rosenfelt, Inc.
Eugene L. Hux /Douron, Incorporated
Ronald W. Hux /Viper Properties and Painters Mill Properties LLC
People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

12/06/00 –Letter of withdrawal of appeal filed by Michael Kovens, Universal Security – issues resolved. Order of Dismissal to be issued.



RECEIVED
COUNTY BOARD OF APPEALS

00 DEC -6 PM 12:49

December 4, 2000

Ms. Kathleen C. Bianco, Administrator
County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, MD 21204

RE: Case #00-380-SPH
In The Matter of KA Real Estate Associates, LLC
Appeal Date January 3, 2001

Dear Ms. Bianco:

I wish to dismiss my appeal. All concerns of mine have been satisfied.

Very truly yours,

Michael L. Kovens
Chairman

lly
1204-APPEAL

cc: Mr. Alan Cohn, KA Real Estate Associates, LLC
Mr. Steve Rosen, Abramoff, Neuberger & Linder

APPEAL

Petition for Special Hearing
10324 South Dolfield Road
4th Election District – 3rd Councilmanic District
KA Real Estate Associates, LLC - Legal Owner
Case Number: 00-380-SPH

✓ Petition for Special Hearing

✓ Description of Property

✓ Notice of Zoning Hearing (dated 3/28/00)

✓ Certificate of Posting (4/11/00 by Patrick O'Keefe)

✓ Entry of Appearance by People's Counsel (4/10/00)

✓ Zoning Advisory Committee Comments

Petitioners' Exhibits:

1. Plan to Accompany Special Hearing (dated 3/17/00)

✓ Zoning Commissioner's Order dated May 9, 2000 (granted, with restrictions)

✓ Notice of Appeal received on June 6, 2000 by Michael L. Kovens, Chairman, Universal Security Instruments, Inc.

RECEIVED
COUNTY BOARD OF APPEALS
00 JUN 26 AM 10:07

Michael Kovens, Chairman, Universal Security Instruments, Inc.,
7-A Gwynns Mill Court, Owings Mills, MD 21117-3586
KA Real Estate Associates, LLC c/l Jeffrey Scherr
KRAMON & GRAHAM, PA, One South Street, Suite 2600, Baltimore, MD 2600
Herbert Burgunder, III, Esquire, KRAMON & GRAHAM, PA
One South Street, Suite 2600, Baltimore, MD 21202
Richard Matz, Colbert, Matz, Roselfelt, Inc., 2835 Smith Avenue, Suite G, Baltimore, MD 21208
People's Counsel for Baltimore County
Lawrence Schmidt, Zoning Commissioner
Pat Keller, Director /Planning
Arnold Jablon, Director /Planning
Virginia W. Barnhart, County Attorney

EUGENE L HUX
DOURON INCORPORATED
30 NEW PLANT COURT
OWINGS MILLS MD 21117

RONALD W HUX
VIPER PROPERTIES AND
PAINTERS MILL PROPERTIES LLC
30 NEW PLANT COURT
OWINGS MILLS MD 21117



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

410-887-3391

June 23, 2000

Herbert Burgunder, III, Esquire
Kramon & Graham, P.A.
One South Street
Suite 2600
Baltimore, MD 21202

Dear Mr. Burgunder:

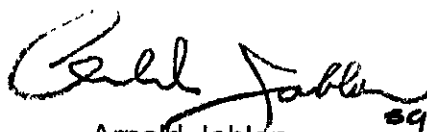
RE: Case No. 00-380-SPH, Address – 10324 South Dolfield Road

Please be advised that Michael Kovens, Chairman of Universal Security Instruments, Inc, filed an appeal of the above-referenced case in this office on June 6, 2000. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals (Board).

If you have any questions concerning this matter, please do not hesitate to call the Board at 410-887-3180.

NOTE: The subject property will be posted with the date, time, and location of the appeal hearing. If you are the person or party taking the appeal, you should notify other similarly interested parties or persons known to you of the appeal. If you are an attorney of record, it is your responsibility to notify your client.

Sincerely,


Arnold Jablon
Director

AJ:scj

C: KA Real Estate Associates, LLC, c/o Jeffrey Scherr, Kramon & Graham, P.A.,
One South Street, Suite 2600, Baltimore, MD 21202
Michael Kovens, Chairman, Universal Security Instruments, Inc., 7-A Gwynns
Mill Court, Owings Mills, MD 21117-3586
People's Counsel

RECEIVED
COUNTY BOARD OF APPEALS
00 JUN 26 AM 10:07



APPEAL

Petition for Special Hearing
10324 South Dolfield Road
4th Election District – 3rd Councilmanic District
KA Real Estate Associates, LLC - Legal Owner
Case Number: 00-380-SPH

Petition for Special Hearing

Description of Property

Notice of Zoning Hearing (dated 3/28/00)

Certificate of Posting (4/11/00 by Patrick O'Keefe)

Entry of Appearance by People's Counsel (4/10/00)

Zoning Advisory Committee Comments

Petitioners' Exhibits:

1. Plan to Accompany Special Hearing (dated 3/17/00)

Zoning Commissioner's Order dated May 9, 2000 (granted, with restrictions)

Notice of Appeal received on June 6, 2000 by Michael L. Kovens, Chairman, Universal Security Instruments, Inc.

C: Herbert Burgunder, III, Esquire, One South Street, Suite 2600, Baltimore 21202
People's Counsel of Baltimore County, MS #2010
Lawrence Schmidt, Zoning Commissioner
Arnold Jablon, Director of PDM



June 6, 2000

SENT VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Arnold Jablon
Zoning Review
111 West Chesapeake Avenue
Room 111
Towson, MD 21204

RE: Case #00-380-SPH
10324 South Dolfield Road
Owings Mills, MD 21117

Dear Mr. Jablon:

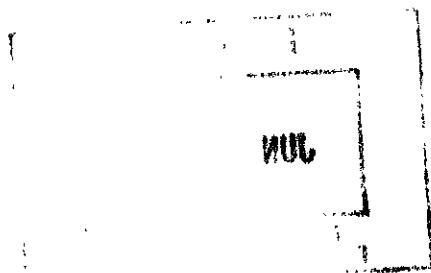
In reference to the above case, please enter an appeal to the County Board of Appeals, in the above case, from the Order of the Zoning Commissioner dated May 9, 2000. Please find enclosed my check for \$210.00.

Your attention to this matter is greatly appreciated.

Very truly yours,

Michael L. Kovens
Chairman

MLK:smb
0606ZONING



*MLK file
on 6/6/2000*

7-A GWYNNS MILL COURT ■ OWINGS MILLS, MARYLAND 21117-3586 ■ U.S.A.
TELEPHONE DIRECT DIAL: (410) 363-3000, EXTENSION 234 ■ FAX: (410) 363-2218 ■ E-MAIL: mikek@universalsecurity.com

Visit Us on the Web! www.universalsecurity.com

IN RE: PETITION FOR SPECIAL HEARING
SW/Corner South Dolfield Road and
New Plant Court
(10324 S. Dolfield Road)
4th Election District
3rd Councilmanic District

K A Real Estate Associates, LLC
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-380-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, K A Real Estate Associates, LLC, by Kenneth L. Blum, Jr., Member, through their attorney, Herbert Burgunder, III, Esquire. The Petitioners request a special hearing to approve used car sales (limited to approximately one per month), as permitted retail sales incidental to the principal use of the subject property, zoned M.L.-I.M, by a rental car corporation, pursuant to Section 253.1.F.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief requested 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 public hearing held for this case were Kenneth Blum, President of K A Real Estate Associates, LLC, property owner, Richard E. Matz, the Professional Engineer who prepared the site plan for this property, and Herbert Burgunder, Esquire and Jeffrey H. Scherr, Esquire, attorneys for the Petitioners. There were no Protestants or other interested persons present.

The subject property is roughly rectangular in shape, and contains approximately 2.0118 acres, zoned M.L.-I.M. The property is located at the southwest corner of the intersection of South Dolfield Road and New Plant Court in Owings Mills, not far from the intersection of Owings Mills Boulevard and the Northeastern Expressway.

ORDER RECEIVED FOR FILING

Date

By

The property is presently improved with a one-story brick building used as the offices/warehouse for the Rent-A-Wreck rental company. This company has franchises throughout the United States and Canada and specializes in the rental of affordable automobiles. This Zoning Commissioner is familiar with the Rent-A-Wreck operation in that there are several existing franchises operating in Baltimore County.

It was indicated at the hearing that the corporate offices for Rent-A-Wreck are located on the subject property. Occasionally, the corporation desires to sell cars formerly used in connection with the business. The sale of used vehicles would be extremely limited in scope and nature. Specifically, it was indicated that approximately one vehicle would be sold per month. Moreover, the site plan shows that of the entire parking field provided (70 spaces), only 2 spaces are designated as a display area.

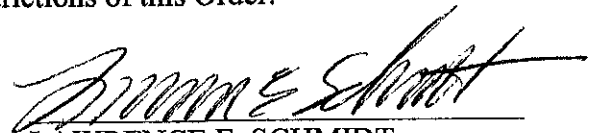
Testimony was received from Messrs. Blum and Matz which was persuasive that the proposed used car sales operation is an appropriate accessory use to the principle use of the subject property for the corporate offices/warehouse for Rent-A-Wreck. Section 101 of the B.C.Z.R. defines an accessory use. That definition requires that the use be customarily incidental and subordinate to the principal use, that it be located on the same lot as the principal use and that it contribute to the comfort, convenience, or necessity of the primary principal business. Based upon the testimony and evidence presented, I am persuaded that special hearing relief should be granted and that the proposal is a proper accessory use. It is important to recognize that the subject property will not be used as a used car lot, per se. Rather, this will be a small operation incidental to the primary use of the site, which is to provide office space for the corporate headquarters and storage facilities for the Rent-A-Wreck business. Moreover, this decision shall not be construed to limit paper transactions on site of vehicles stored elsewhere.

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 9th day of May, 2000 that the Petition for Special Hearing to approve used car sales

(limited to approximately one per month), as permitted retail sales incidental to the principal use of the subject property, zoned M.L.-I.M, by a rental car corporation, pursuant to Section 253.1.F.1 of the Baltimore County Zoning Regulations (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 building permit and be granted same upon receipt of this Order; however, 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) There will be a maximum of two parking spaces designated as a display area and no more than two cars displayed for sale at any given time.
- 3) The Petitioners shall not sell more than two vehicles per month from the subject site. This restriction is not intended to prohibit or interfere with the execution of documents on site for the sale of vehicles not located on the subject property.
- 4) When applying for a building permit, 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 5/9/00
By [Signature]



Baltimore County
Zoning Commissioner

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

May 9, 2000

Herbert Burgunder, III, Esquire
Jeffrey H. Scherr, Esquire
Kramon & Graham
One South Street, Suite 2600
Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
SW/Corner South Dolfield Road and New Plant Court
(10324 S. Dolfield Road)
4th Election District – 3rd Councilmanic District
K A Real Estate Associates, LLC - Petitioners
Case No. 00-380-SPH

Dear Messrs. Burgunder & Scherr:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing 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. Kenneth L. Blum, Jr., President
K A Real Estate Associates, LLC, 10324 S. Dolfield Road, Owings Mills, Md. 21117

Office of Planning; People's Counsel; Case File



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



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 10324 S. Dolfield Road
which is presently zoned ML-IM

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

limited (approximately 1 per month) used car sales as permitted retail sales incidental to the principal use of a rental car corporation in an ML-IM Zone, pursuant to Zoning Regulations Section 253.1.F.1. The existing use of the building being the general offices of a rental car corporation. *H.R.*

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Herbert Burgunder, III

Name - Type or Print

City

Signature

Kramon & Graham, P.A.

Company

One South Street, Suite 2600 410-752-6030

Address

Telephone No.

Baltimore, Maryland 21202

City

State

Zip Code

Legal Owner(s):

KA Real Estate Associates, LLC

Name - Type or Print By: Kenneth L. Blum, Jr., Member

Signature

Name - Type or Print

Signature

Contact through attorney *H.R.*

Address

Telephone No.

State

Zip Code

Representative to be Contacted:

Jeffrey H. Scherr

Name: Kramon & Graham, P.A.

One South Street, Suite 2600 410-752-6030

Address

Telephone No.

Baltimore, Maryland 21202

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

1 HR

UNAVAILABLE FOR HEARING

APRIL 20+21

Reviewed By

JL

Date

3/16/00

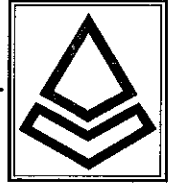
REV 9/15/98

Case No. *00 380 SPH*

ORDER RECEIVED FOR FILING

Date

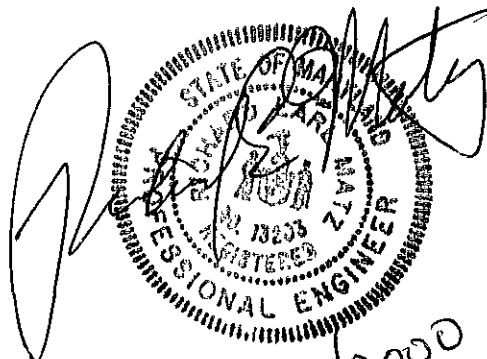
By



ZONING DESCRIPTION

Beginning at a point on the ^{south}~~north~~ side of S. Dolfield Road, which is 70 feet wide, at the distance of 30 feet west of the centerline of the nearest improved intersecting street, New Plant Court, which is 60 feet wide.

Being Parcel E-4 in the Resubdivision of Part of Parcel "E", Section 2, Owings Mills Industrial Park, as recorded in Baltimore County Plat Book #68, Folio #10, and containing 87,637 square feet (2.0118 acres). Also known as 10324 S. Dolfield Road and located in the 4th Election District.


3/15/2000

STATE OF MARYLAND
ROBERT MATZ
REGISTERED PROFESSIONAL ENGINEER
No. 13253

00-380.SPH

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 079021

DATE 8/17/00 ACCOUNT R0016150
AMOUNT \$ 250.00

RECEIVED FROM: TRU 300 302

FOR: C. SPH

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

RECEIVED
OFFICE OF BUDGET & FINANCE
BALTIMORE COUNTY, MARYLAND
DATE 8/17/00
AMOUNT \$250.00
RECEIVED FROM: TRU 300 302
FOR: C. SPH
CASHIER'S SIGNATURE
BALTIMORE COUNTY, MARYLAND

00-380-SPH

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 081498

DATE

6/14/00

ACCOUNT

6130

AMOUNT \$

210.00

RECEIVED
FROM:

Universe Property Management, Inc.

FOR:

appeal case # 00-380-SPH

10324 South Norfolk Road

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
6/15/2000	6/15/2000	10:30:50
REG 1502	CASHIER PUEL AND DEWITT	
Dept	5 520 ZONING VERIFICATION	
Receipt #	140178	081498
CP #0	081498	

Receipt Tot 210.00
210.00 OK .00 CP
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: #00-380-SPH
10324 South Doffield Road SWC Doffield Road
and New Plant Court
4th Election District - 3rd Councilmanic District
Legal Owner(s): KA Real Estate Associates, LLC

Special Hearing: to approve used car sales (limited, approximately 1 per month) as permitted retail sales incidental to the principal use of a rental car corporation.
Hearing: Wednesday, April 26, 2000 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

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

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

JT 4/6/54 April 11

C383039

CERTIFICATE OF PUBLICATION

TOWSON, MD, 4/14, 2000

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 4/11, 2000.

THE JEFFERSONIAN,
S. Wilkinson

LEGAL ADVERTISING

Case No. 00-380-SPH

KA REAL ESTATE ASSOCIATES, LLC -LO

SW/c South Dolfield Road and New Plant Court
(10324 S. Dolfield Road)

4th Election District

Appealed: 6/6/00

(See attached Plan -
Pet. Ex. No. 1)

CERTIFICATE OF POSTING

RE: Case No. 00-380 SPH

Petitioner/Developer K.A. REALTY, ETAL
% CMR / JUDY FLOAM

Date of Hearing/Closing 4/26/00
hs

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #10324 S. DOLFIELD RD
& NEW PLANT CT, SIDE (2 SIGNS) ONE ON EACH
STREET AS REQUIRED

The sign(s) were posted on 4/11/00
(Month, Day, Year)

Sincerely,

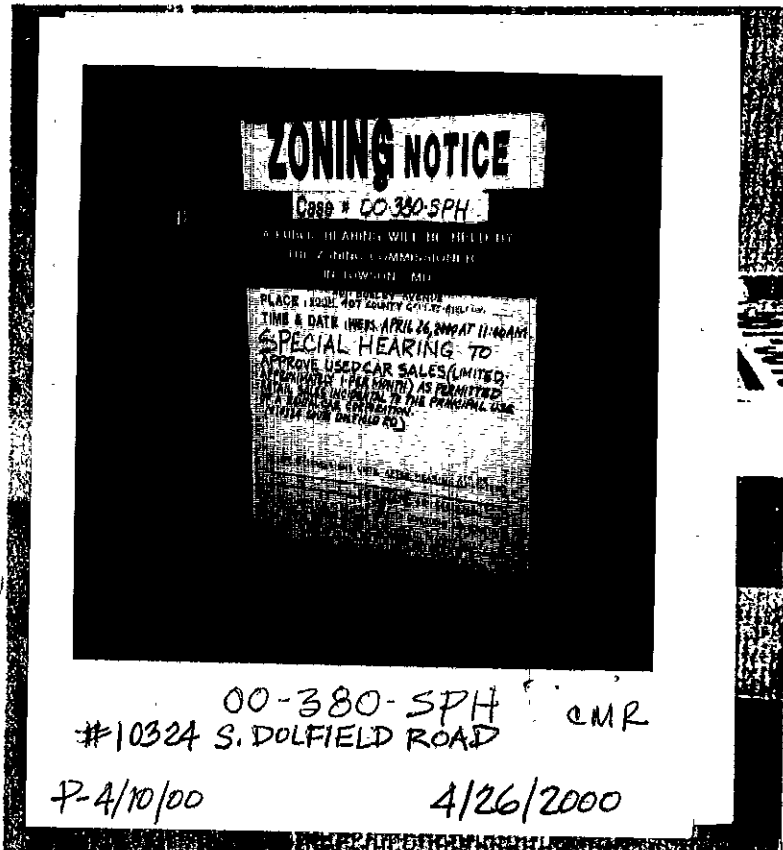
Patrick M. O'Keefe 4/12/00
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571
(Telephone Number)



CERTIFICATE OF POSTING

RE: Case No.: 00 - 380 - SPA

Petitioner/Developer: _____

KA REAL ESTATE ASSOC.

Date of Hearing/Closing: _____

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 10324 S. Dolfield
Rd.

The sign(s) were posted on 7/31/00
(Month, Day, Year)

Sincerely,

Gary C. Freund 7/31/00
(Signature of Sign Poster and Date)

GARY C. FREUND
(Printed Name)

(Address)

(City, State, Zip Code)

(Telephone Number)

**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: 380

Petitioner: KA Real Estate Associates, LLC

Address or Location: 10324 South Dolfeld Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Herbert Burgender, III

Address: Kramer & Graham One South Street, Suite 2600
Baltimore Maryland - 21202

Telephone Number: 410-752-6030

Revised 2/20/98 - SCJ

00-380-SPH

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 11, 2000 Issue – Jeffersonian

Please forward billing to:
Herbert Burgunder, III
Kramon & Graham
One South Street
Suite 2600
Baltimore, MD 21202

410-752-6030

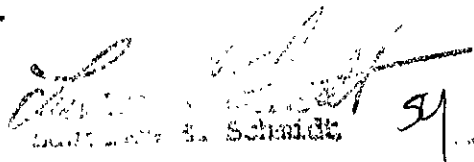
NOTICE OF ZONING HEARING

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: 00-380-SPH
10324 South Dolfield Road
SWC Dolfield Road and New Plant Court
4th Election District – 3rd Councilmanic District
Legal Owner: KA Real Estate Associates, LLC

Special Hearing to approve used car sales (limited, approximately 1 per month) as permitted retail sales incidental to the principal use of a rental car corporation.

HEARING: Wednesday, April 26, 2000 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



LAWRENCE E. SCHMIDT

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



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

March 28, 2000

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: 00-380-SPH
10324 South Dolfield Road
SWC Dolfield Road and New Plant Court
4th Election District – 3rd Councilmanic District
Legal Owner: KA Real Estate Associates, LLC

Special Hearing to approve used car sales (limited, approximately 1 per month) as permitted retail sales incidental to the principal use of a rental car corporation.

HEARING: Wednesday, April 26, 2000 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: Herbert Burgunder, III, Esquire, 1 South Street, Suite 2600, Baltimore 21202
KA Real Estate Associates, Inc., c/o Herbert Burgunder, III, Esquire
Jeffrey Scherr, Esquire, 1 South Street, Suite 2600, Baltimore 21202

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY APRIL 11, 2000.**
- (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.**





County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-3180
FAX: 410-887-3182

Hearing Room – Room 48
Old Courthouse, 400 Washington Avenue

October 27, 2000

NOTICE OF ASSIGNMENT

CASE #: 00-380-SPH

IN THE MATTER OF: KA REAL ESTATE ASSOCIATES, LLC

–Legal Owner 10324 South Dolfield Road
4th Election District; 3rd Councilmanic District

5/09/2000 –ZC's Order in which Petition for Special Hearing was Granted, with restrictions.

ASSIGNED FOR:

WEDNESDAY, JANUARY 3, 2001 at 10:00 a.m.

NOTICE: This appeal is an evidentiary hearing; therefore, parties should consider the advisability of retaining an attorney.

Please refer to the Board's Rules of Practice & Procedure, Appendix C, Baltimore County Code.

IMPORTANT: No postponements will be granted without sufficient reasons; said requests must be in writing and in compliance with Rule 2(b) of the Board's Rules. No postponements will be granted within 15 days of scheduled hearing date unless in full compliance with Rule 2(c).

If you have a disability requiring special accommodations, please contact this office at least one week prior to hearing date.

Kathleen C. Bianco
Administrator

c: Appellant /Protestant : Michael L. Kovens, Chairman
Universal Security Instruments, Inc.

Counsel for Petitioner : Herbert Burgunder III, Esquire
Jeffrey H. Scherr, Esquire

Petitioner : KA Real Estate Associates LLC c/o Jeffrey Scherr

Richard Matz /Colbert, Matz, Rosenfelt, Inc.

Eugene L. Hux /Douron, Incorporated
Ronald W. Hux /Viper Properties and Painters Mill Properties LLC

People's Counsel for Baltimore County
Pat Keller, Planning Director
Lawrence E. Schmidt, Zoning Commissioner
Arnold Jablon, Director /PDM
Virginia W. Barnhart, County Attorney

*W/D by
Appellant;
Order of Dismissal
to be
issued*





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

April 21, 2000

Attorney Herbert Burgunder
Kramon & Graham, P.A.
One South Street, Suite 2600
Baltimore MD 21202

Dear Attorney Burgunder:

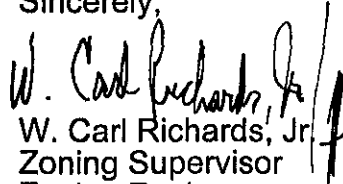
RE: Case Number 00-380-SPH , 10324 S. Dolfield Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 16, 2000.

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.

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

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



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 3-27-00

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

RE: Baltimore County
Item No. 380

J L L

Dear Ms. Jackson:

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

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

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, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: April 10, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of March 27, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
370	103 Riverton Road
372	1 Woods Court
374	323 N. Beaumont Road
375	5701 & 5709 Trumps Mill Road
376	301 Golf Course Road
378	2 Forest Drive
379	1603 Dennis Avenue
380	10324 S. Dolfield Road
334	8741-8771 Mylander Lane



Baltimore County
Fire Department

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

March 30, 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: CATHERINE A. STORMS-WHITFIELD - 370
ANNE LELAND - 373
KA REAL ESTATE ASSOCIATES, LLC -380

Location: DISTRIBUTION MEETING OF MARCH 27, 2000

Item No.: 370, 373, AND (380)

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.

** IN REFERENCE TO ITEM #370, THE FOLLOWING APPLIES:
THE VEHICLE ACCESS DRIVEWAY MUST BE AT LEAST 18' IN WIDTH FOR
FIRE DEPARTMENT ACCESS.

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

cc: File



4/26

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 4, 2000

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

APR 11

SUBJECT: 10324 S. Dolfield Road

INFORMATION:

Item Number: 380

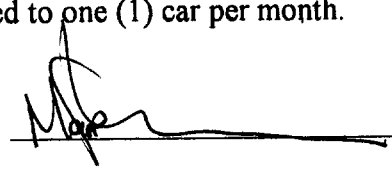
Petitioner: K.A. Real Estates Associates, LLC.

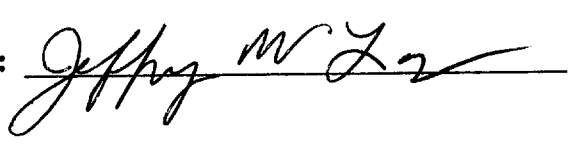
Zoning: ML-IM

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the applicant's request provided that vehicular sales are limited to one (1) car per month.

Prepared by: 

Section Chief: 

AFK:MAC:

RE: PETITION FOR SPECIAL HEARING
10324 S. Dolfield Road,
S/W cor S. Dolfield Rd and New Plant Ct
4th Election District, 3rd Councilmanic

Legal Owner: KA Real Estate Associates, LLC
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-380-SPH

* * * * *

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 10th day of April, 2000 a copy of the foregoing Entry of Appearance was mailed to Herbert Burgunder, III, Esq., Kramon & Graham, 1 South Street, Suite 2600, Baltimore, MD 21202, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



DOURON, INC.
CORPORATE FURNITURE

Corporate Headquarters
30 New Plant Court
Owings Mills, MD 21117
410-363-2600
Fax 410-363-1659
www.douron.com

Office Products
Owings Mills, MD
410-363-8350
Fax 410-363-3544

Wilmington, DE
302-429-7578
Fax 302-429-7582

Dover, DE
302-698-9216
Fax 302-698-1734

Ashburn, VA
703-858-0243
Fax 703-858-0824

Salisbury, MD
410-543-1520
Fax 410-543-2351

Waldorf, MD
301-638-2201
Fax 301-638-2202

August 8, 2000

Board of Appeals
400 Washington Avenue
Room 49
Towson, MD 21204

RE: Case #00380SPH
10324 South Dolfield Road
Owings Mills, MD 21117

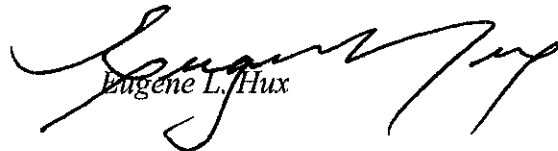
Dear Board of Appeals:

This letter is in regards to the above notice appearing on the said property which apparently is an appeal to a decision to allow Rent a Wreck to sell used cars on this property at a rate of one per month.

Since I owe a great deal of property in this area, I am quite concerned.

Therefore, I would like to be advise of this hearing date for this case.

Sincerely,
DOURON, INCORPORATED


Eugene L. Hux

Viper Properties
Painters Mill Properties
Painters Mill Enterprises

RECEIVED
COUNTY BOARD OF APPEALS
00 AUG -9 PM 2:48

Added to file

- ◆ Office Furniture
- ◆ Educational Furniture
- ◆ Custom Manufacturing
- ◆ Design Services

RECEIVED
POST-APPEAL

**VIPER PROPERTIES
30 NEW PLANT COURT
OWINGS MILLS, MD 21117
(410) 363-2600 EXT. 3005
FAX (410) 363-7922**

September 28, 2000

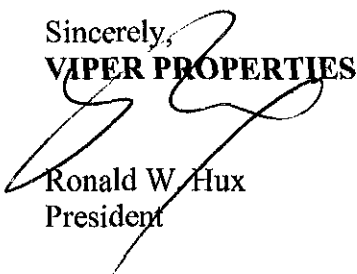
Board of Appeals
400 Washington Avenue
Room 49 Towson, MD 21204

**RE: Case #00380SPH
10324 South Dolfield Road
Owings Mills, MD 21117**

To: Board of Appeals:

This letter is in regards to the above notice appearing on 10324 South Dolfield Road. It is my understanding that this is an appeal to a decision to allow the current owner, Rent a Wreck, to sell automobiles on this property. As a property owner directly down the street from this property, I am against any allowance to sell cars on this property. The property is not zoned for retail sales and is not consistent with the use of the adjacent buildings. In addition to this, there is no room on the property for such use. Currently the facility's parking lot is overloaded, as it is my understanding there are three businesses being run out of that building. Any additional selling of automobiles will add to this confusion and adversely impact the traffic flow in or around the property. In order to protect my investment in Owings Mills, I respectfully request to be informed of any hearings on this appeal in order for me to be able to attend. Thank you.

Sincerely,
VIPER PROPERTIES


Ronald W. Hux
President

*Added
to file*

00 SEP 29 PM 1:36

RECEIVED
COUNTY BOARD OF APPEALS

PAINTERS MILL PROPERTIES, L.L.C.
30 NEW PLANT COURT
OWINGS MILLS, MD 21117
(410) 363-2600 EXT. 3005
FAX (410) 363-7922

September 28, 2000

Board of Appeals
400 Washington Avenue
Room 49 Towson, MD 21204

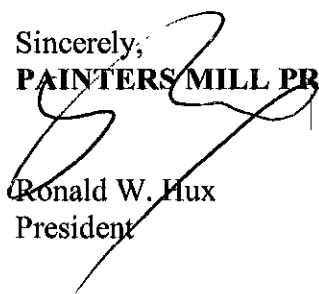
RE: Case #00380SPH
10324 South Dolfield Road
Owings Mills, MD 21117

RECEIVED
COUNTY BOARD OF APPEALS
00 SEP 29 PM 1:35

To: Board of Appeals:

This letter is in regards to the above notice appearing on 10324 South Dolfield Road. It is my understanding that this is an appeal to a decision to allow the current owner, Rent a Wreck, to sell automobiles on this property. As a property owner directly down the street from this property, I am against any allowance to sell cars on this property. The property is not zoned for retail sales and is not consistent with the use of the adjacent buildings. In addition to this, there is no room on the property for such use. Currently the facility's parking lot is overloaded, as it is my understanding there are three businesses being run out of that building. Any additional selling of automobiles will add to this confusion and adversely impact the traffic flow in or around the property. In order to protect my investment in Owings Mills, I respectfully request to be informed of any hearings on this appeal in order for me to be able to attend. Thank you.

Sincerely,
PAINTERS MILL PROPERTIES, L.L.C.


Ronald W. Hux
President

Added to file

TRANSMISSION VERIFICATION REPORT

Post-it® Fax Note

7671

Date	5/12	# of pages	3
To	Scott Kovens		
From	Zoning Commissioner		
Co./Dept.	Co. Office		
Phone #			
Fax #	410-363-3010		

TIME: 05/12/2000 11:49

NAME: ZONING COMM OFFICE

FAX : 410-887-3468

TEL :

copy of Decision Faxed

vj

05/12 11:47

FAX NO./NAME

94103633010

DURATION

00:01:59

PAGE(S)

03

RESULT

OK

MODE

STANDARD

LAW OFFICES
Kramon & Graham, P.A.
One South Street
Suite 2600
Baltimore, Maryland 21202-3201
Telephone: (410) 752-6030
Facsimile: (410) 539-1269

File
00-380-5PH

FACSIMILE COVER LETTER

Transmission Date: March 21, 2001 Client: _____
Transmission Time: _____ Client Number: 98-653

Sender: Jeffrey H. Scherr, Esquire

PLEASE TRANSMIT THE FOLLOWING PAGES TO:

NAME:	FACSIMILE NUMBER:
Lawrence E. Schmidt, Esquire	410-887-3468
cc: KA Real Estate Associates, LLC	410-581-9419

TOTAL NUMBER OF PAGES (including this cover sheet): 5 (5)

RE:	KA Real Estate Associates, LLC
Message:	

HARD COPY TO FOLLOW: ☐ YES ☒ NO

If you do not receive all pages, please call back as soon as possible to (410) 752-6030; ask for Melissa. Thank you. The information contained in this Fax message is intended only for the **PERSONAL AND CONFIDENTIAL** use of the designated recipient(s) named above. This message may be an attorney-client communication, and as such is **PRIVILEGED AND CONFIDENTIAL**. If the reader of this message is not an intended recipient or an agent responsible for delivering it to an intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail. THANK YOU!

LAW OFFICES
KRAMON & GRAHAM, P. A.ONE SOUTH STREET
SUITE 2600

BALTIMORE, MARYLAND 21202-3201

TELEPHONE: (410) 752-6030

FACSIMILE: (410) 539-1269

JEFFREY H. SCHERR

DIRECT DIAL
(410) 347-7424

www.kramonandgraham.com

March 21, 2001

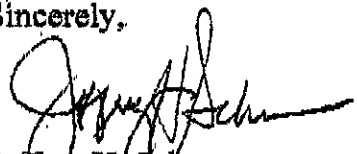
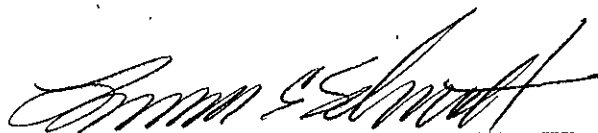
E-MAIL
jscherr@kg-law.com**BY FACSIMILE 410-887-3468**Lawrence E. Schmidt, Esquire
Zoning Commissioner for Baltimore County
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204Re: Petition for Special Hearing, Case No. 00-380-SPH, 10324 South
Dolfield Road. Petitioner: KA Real Estate Associates, LLC

Dear Commissioner Schmidt:

With reference to your Order dated May 9, 2000 (a copy of which is attached for your reference), I understand that your decision does not limit the number of automobiles that may be sold from 10324 South Dolfield Road. The only limitation is on the storage and display of used cars on the property. In other words, your Order limits use of the land and has no impact on the stream of commerce.

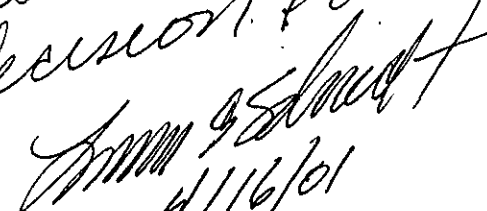
Please confirm this understanding and interpretation of your Order by signing below and returning this letter to me. Your assistance in this matter is greatly appreciated.

Sincerely,


Jeffrey H. ScherrLawrence E. Schmidt, Esquire
Zoning Commissioner

cc: KA Real Estate Associates, LLC

9865370/00013101 WRDv1

No limitation on "paper transactions". Petitioner is limited to 2 parking spaces as display spaces, per decision + order.

4/16/01

IN RE: PETITION FOR SPECIAL HEARING
SW/Corner South Dolfield Road and
New Plant Court
(10324 S. Dolfield Road)
4th Election District
3rd Councilmanic District

K A Real Estate Associates, LLC
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 00-380-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owners of the subject property, K A Real Estate Associates, LLC, by Kenneth L. Blum, Jr., Member, through their attorney, Herbert Burgunder, III, Esquire. The Petitioners request a special hearing to approve used car sales (limited to approximately one per month), as permitted retail sales incidental to the principal use of the subject property, zoned M.L.-I.M, by a rental car corporation, pursuant to Section 253.1.F.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief requested 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 public hearing held for this case were Kenneth Blum, President of K A Real Estate Associates, LLC, property owner, Richard E. Matz, the Professional Engineer who prepared the site plan for this property, and Herbert Burgunder, Esquire and Jeffrey H. Scherr, Esquire, attorneys for the Petitioners. There were no Protestants or other interested persons present.

The subject property is roughly rectangular in shape, and contains approximately 2.0118 acres, zoned M.L.-I.M. The property is located at the southwest corner of the intersection of South Dolfield Road and New Plant Court in Owings Mills, not far from the intersection of Owings Mills Boulevard and the Northeastern Expressway.

The property is presently improved with a one-story brick building used as the offices/warehouse for the Rent-A-Wreck rental company. This company has franchises throughout the United States and Canada and specializes in the rental of affordable automobiles. This Zoning Commissioner is familiar with the Rent-A-Wreck operation in that there are several existing franchises operating in Baltimore County.

It was indicated at the hearing that the corporate offices for Rent-A-Wreck are located on the subject property. Occasionally, the corporation desires to sell cars formerly used in connection with the business. The sale of used vehicles would be extremely limited in scope and nature. Specifically, it was indicated that approximately one vehicle would be sold per month. Moreover, the site plan shows that of the entire parking field provided (70 spaces), only 2 spaces are designated as a display area.

Testimony was received from Messrs. Blum and Matz which was persuasive that the proposed used car sales operation is an appropriate accessory use to the principle use of the subject property for the corporate offices/warehouse for Rent-A-Wreck. Section 101 of the B.C.Z.R. defines an accessory use. That definition requires that the use be customarily incidental and subordinate to the principal use, that it be located on the same lot as the principal use and that it contribute to the comfort, convenience, or necessity of the primary principal business. Based upon the testimony and evidence presented, I am persuaded that special hearing relief should be granted and that the proposal is a proper accessory use. It is important to recognize that the subject property will not be used as a used car lot, per se. Rather, this will be a small operation incidental to the primary use of the site, which is to provide office space for the corporate headquarters and storage facilities for the Rent-A-Wreck business. Moreover, this decision shall not be construed to limit paper transactions on site of vehicles stored elsewhere.

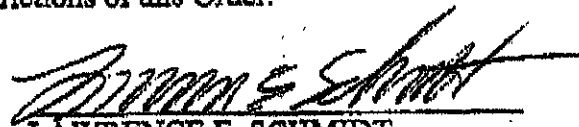
Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of May, 2000 that the Petition for Special Hearing to approve used car sales

(limited to approximately one per month), as permitted retail sales incidental to the principal use of the subject property, zoned M.L.-I.M, by a rental car corporation, pursuant to Section 253.1.F.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

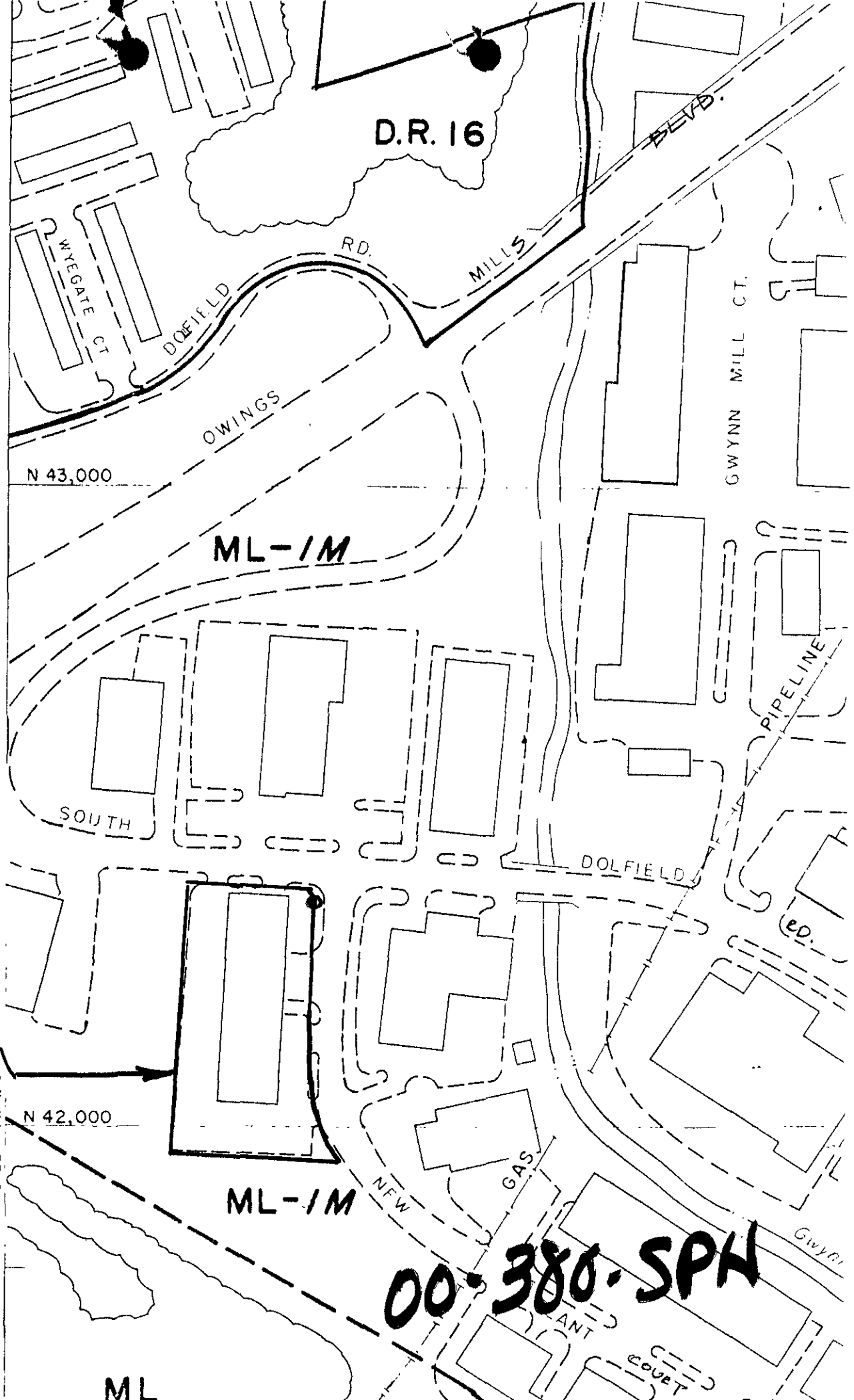
- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) There will be a maximum of two parking spaces designated as a display area and no more than two cars displayed for sale at any given time.
- 3) The Petitioners shall not sell more than two vehicles per month from the subject site. This restriction is not intended to prohibit or interfere with the execution of documents on site for the sale of vehicles not located on the subject property.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LES:bjs


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

N.W. 11-H
1"=200'

300



SITE

(SHEET NW-11-1)

00-380-SPH

