IN RE: PETITIONS FOR SPECIAL HEARING, & SPECIAL EXCEPTION	*	BEFORE THE
NW/S of Reisterstown Road, 980 ft. N centerline of Cherry Valley Road	*	DEPUTY ZONING COMMISSIONER
4th Election District	*	FOR
3rd Councilmanic District **(11712-D Reisterstown Road)**	*	BALTIMORE COUNTY
Turnpike Associates, By William S. Berman, Senior Vice-President, *Legal Owners* **and**	*	CASE NO. 05-310-SPHX
Hertz Corporation, By: Ronald A. Moore, City Mgr., *Lessee Petitioners*	*	

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Hearing and Special Exception filed by the legal owner of the property, Turnpike Associates, by William S. Berman, Senior Vice-President and the Hertz Corporation, by Ronald A. Moore, lessee. The property, which is the subject of this request, is located at 11712-D Reisterstown Road in Baltimore County. The Petitioners are requesting a special hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to amend the site plan approved in Zoning Case No. 03-330-SPHX. In addition, the Petitioners are requesting a special exception pursuant to Section 230.13 of the B.C.Z.R., to permit a service garage (automobile rental office).

The property was posted with Notice of Hearing on January 21, 2005, for 15 days prior to the hearing in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on January 20, 2005, to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 502.1 of the B.C.Z.R. - *Special Exceptions*

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

ORDER RECEIVED FOR FILING
Date 2/22/05

A. Be detrimental to the health, safety or general welfare of the locality involved;
B. Tend to create congestion in roads, streets or alleys therein;
C. Create a potential hazard from fire, panic or other danger;
D. Tend to overcrowd land and cause undue concentration of population;
E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
F. Interfere with adequate light and air; [Bill No. 45-1982]
G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the sprit and intent of these Zoning Regulations; [Bill No. 45-1982]
H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

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

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

Zoning Advisory Committee Comments

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

Interested Persons

Appearing at the hearing on behalf of the special hearing request were Ronald Moore from the Hertz Corporation and William Berman for the Petitioner partnership. Richard Matz of Colbert, Matz, Rosenfelt, the engineering firm prepared the site plan of the property. David H. Karceski, Esquire represented the Petitioners. There were no citizens or protestants at the hearing. People's Counsel entered their appearance in the case.

Testimony and Evidence

Mr. Karceski proffered that the site is a small shopping center on Reisterstown Road known as the Cherryvale Plaza Shopping Center. The property is split zoned BL and BL-AS containing

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Date 2/22/05
By

approximately 7.7 acres. Existing uses include retail stores, restaurants, a bank and offices including medical offices etc.

The Petitioner Hertz would like to rent one of the retail spaces of approximately 800 sq. ft. to rent vehicles. Mr. Karceski explained that the B.C.Z.R. does not contain a specific reference to automobile rental offices, but traditionally these have been regarded as service garages under Section 101 of the B.C.Z.R. based upon the phrase "vehicle for hire" being included in the definition. Service garages are permitted by special exception in BL zones pursuant to Section 230.13. He pointed out, however, that no vehicle fueling, repair, cleaning or washing will take place on the premises as all such activities will be contracted with a nearby automobile dealership. This office would be among the more than 200 such offices in the Maryland/District of Columbia area.

Mr. Moore from Hertz indicated that Hertz operates its rental fleet differently from many other automobile agencies. Rather than having a fixed fleet of vehicles on site, they typically have a few vehicles available for immediate rental and depend on regional distribution centers to supply vehicles when and where they are needed. He noted that Hertz has 500 part-time employees whose job it is to drive vehicles to where they are needed on a continuing basis. This "floating fleet" avoids a large inventory of vehicles at each location. In addition, he indicated that 80% of this offices business will be supplying vehicles for insurance companies who provide temporary replacement vehicles for their customers. This means that Hertz will store rental vehicles at the body shop to be immediately available to customer who bring their vehicle in for repair.

In regard to parking, Mr. Karceski noted that this shopping center had been granted a parking variance in Case No. 92-244 A in which the center was allowed to have 416 parking spaces in lieu of the required 545 spaces. He indicated that the Petitioner was not asking for further parking variances and would provide 3 spaces within the special exception area for the office and 10 spaces

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for storage of rental automobiles. The office hours of operation are from 7:00 am to 6:00 pm weekly and 8:00 am to 12:00 noon on Saturday. The office would have four employees.

The shopping center is located in a commercial stretch of heavily traveled Route 140. Uses north and south of the center are all commercial. Mr. Karceski proffered that this plan met all the criteria of Section 502.1 of the B.C.Z.R. and would not adversely impact the surrounding uses at all.

At that point a general discussion of the problem with the County parking regulations was held. Many car rental agencies operate on a fixed fleet basis, which requires the storage of large numbers of vehicles on site. Based on the square footage of a service garage the parking for rental car agencies can be woefully deficient. In the instant case only 3 spaces are required for an 800 sq. ft. office. This number does not allow parking for even the four employees of the office much less their customers and vehicle storage. Fortunately, Mr. Berman, representing the shopping center, indicated that he has personal knowledge of this parking lot and that the 16 spaces outlined in red on Petitioner's Exhibit 1 are available for parking and storing rental vehicles. He committed for the owner to have these spaces available to Hertz. Again, Mr. Moore indicated that because of the Hertz "floating fleet" there will be far fewer storage spaces needed as compared to other car rental companies.

The special hearing is merely to change the site plan previously approved in Case No. 03-330-SPHX.

Findings of Fact and Conclusions of Law

The County regulations for automobile rental offices need to be changed. Listing such an office as a service garage, as is our tradition, misleads the public into thinking the request is for a place to repair damaged or poorly operating vehicles. Parking calculations based on the square footage of a service garage are woefully inadequate in view of the need for many rental car agencies to store large numbers of rental vehicles overnight on the premises. Customers of car rental agencies are not always mindful of other customers as they often are pressed for time. Picking up

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Date 2/22/05
By

and dropping off vehicles in a shopping center can be very problematic as the parking field is not designed for this feature.

Special Exception

Having said all that, I find that this request meets the criteria of Section 502.1 of the B.C.Z.R. and will not adversely affect the health, safety, or welfare of the community. Hertz operates a "floating fleet" and does not need the storage capacity required by other companies. The shopping center has committed to providing 16 spaces for Hertz in the area indicated on Exhibit 1 for Hertz storage. Consequently, I will grant the special exception.

Special Hearing

I will grant the request for special hearing to modify the site plan previously approved for the same reasons as above.

Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and for the reasons given above, the requested relief shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 22 day of February, 2005, that the Petitioners' request for special hearing filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.), to amend the site plan approved in Zoning Case No. 03-330-SPHX, be and is hereby GRANTED.

IT IS FURTHER ORDERED, that the Petitioners' request for special exception filed pursuant to Section 230.13 of the B.C.Z.R., to permit a service garage (automobile rental office), be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. No repair, fueling, washing or cleaning of rental vehicles will be permitted on the premises.

2. Parking for rental vehicles shall occur on the 3 parking spaces shown on Petitioners' Exhibit 1, which are part of the special exception and in the 16 space portion of the Center's parking field shown in red on Petitioners' Exhibit 1.

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Date 2/22/05
By

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

JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING
Date 8/22/05
By

Zoning Commissioner

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

Baltimore County

James T. Smith, Jr., County Executive
William J. Wiseman III, Zoning Commissioner

February 22, 2005

David H. Karceski, Esquire
Venable, Baetjer & Howard, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 05-310-SPHX
Property: 11712-D Reisterstown Road

Dear Mr. Karceski:

Enclosed please find the decision rendered in the above-captioned case. The petitions for special hearing and special exception have been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Ronald Moore, Hertz Corporation, 2086 Crain Highway, Waldorf, MD 20601
William Berman, Turnpike Assoc., Metropolitan Mgmt. Co., 11299 Owings Mills Blvd., Owings Mills, MD 21117
Richard Matz, P.E., Colbert, Matz, Rosenfelt, 2385 Smith Ave., Suite G, Baltimore, MD 21209
Hon. Kevin Kamenetz, Baltimore County Council

Printed on Recycled Paper

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 11712-D Reisterstown Road

which is presently zoned BL, 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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Special Hearing to amend the site plan approved in Zoning Case No. 03-330-SPHX.

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:

Hertz Corporation
Name - Type or Print By: Ronald L. Moore, City MGR.
Signature
3800 Jefferson Davis Highway 703-683-9156
Address Telephone No.
Alexandria, Virginia 22305
City State Zip Code

Legal Owner(s):

Turnpike Associates
Name - Type or Print
Signature
Metropolitan Management Company,
Name - Type or Print Managing Agent
Signature By: William S. Berman, Senior Vice President
11299 Owings Mills Blvd. 410-902-0290
Address Telephone No.
Owings Mills, Maryland 21117
City State Zip Code

Attorney For Petitioner:

David H. Karceski/Robert A. Hoffman
Name - Type or Print
Signature
Venable LLP
Company
210 Allegheny Avenue 410-494-6285
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Representative to be Contacted:

David H. Karceski
Name
210 Allegheny Avenue 410-494-6285
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By D.T. Date 12/21/04

Case No. 05-310-SPHX

ORDER RECEIVED FOR FILING
Date 12/12/05
By
REV 9/15/98

Petition for Special Exception

to the Zoning Commissioner of Baltimore Count

for the property located at 11712-D Reisterstown Road

which is presently zoned BL, BL-AS

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

Special exception to permit a service garage (automobile rental office), pursuant to Section 230.13 of the Baltimore County Zoning Regulations.

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 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:

Hertz Corporation
Name - Type or Print By: Ronald L. Moore, City Manager
Signature
3800 Jefferson Davis Highway 703-683-
Address Telephone No. 9156
Alexandria, Virginia 22305
City State Zip Code

Attorney For Petitioner:

David H. Karceski/Robert A. Hoffman
Name - Type or Print
Signature
Venable LLP
Company
210 Allegheny Avenue 410-494-6285
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

Legal Owner(s):

Turnpike Associates
Name - Type or Print
Signature
Metropolitan Management Company
Name - Type or Print Managing Agent
Signature By: William S. Berman, Senior Vice President
11299 Owings Mills Blvd. 410-902-0290
Address Telephone No.
Owings Mills, Maryland 21117
City State Zip Code

Representative to be Contacted:

David H. Karceski
Name
210 Allegheny Avenue 410 494-6285
Address Telephone No.
Towson, Maryland 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
UNAVAILABLE FOR HEARING _____

Reviewed By D.T. Date 12/21/04

Case No. 05-310-SPHX

REV 09/15/98

RECEIVED FOR FILING
Date 12/22/05
By

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners

ZONING DESCRIPTION
SPECIAL HEARING
11706 REISTERSTOWN ROAD

Beginning at a point on the northwest side of Reisterstown Road, 83 feet wide, a distance of 980 feet, more or less northerly of the centerline of Cherry Valley Road, 50 feet wide. Thence the following courses and distances:

South43 degrees 49 minutes 00 seconds East, 600.00 feet;
South 47 degrees 08 minutes 00 seconds West, 183.00 feet;
South 43 degrees 49 minutes 00 seconds East, 150.00 feet;
North 47 degrees 08 minutes 00 seconds East, 183.00 feet;
South 43 degrees 49 minutes 00 seconds East, 26.00 feet;
South 47 degrees 08 minutes 00 seconds West, 183.00 feet;
South 43 degrees 49 minutes 00 seconds East, 155.06 feet;
To the western side of Cherry Valley Road
Thence South 57 degrees 16 minutes 27 seconds West, 117.55 feet;
By a curve to the left with a radius of 700.00 feet and length of 135.50 feet;
North 43 degrees 49 minutes 00 seconds West, 799.52 feet;
North 47 degrees 08 minutes 00 seconds East, 150.00 feet;
North 43 degrees 49 minutes 00 seconds West, 100.00 feet;
North 47 degrees 08 minutes 00 seconds East, 300.05 feet;
to the Point of Beginning.

Containing 327,324 Sq. Ft. or 3.7583 Acres of land, more or less, as recorded in Deed recorded in Liber 12981, folio 608. Also known as 11706 Reisterstown Road and located in the 4th Election District.

2835 Smith Avenue, Suite G Baltimore, Maryland 21209
Telephone: (410) 653-3838 / Facsimile: (410) 653-7953

05-310-SPHX

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 441074

DATE 12/21/04

ACCOUNT 001006.150

AMOUNT $ 705.00

RECEIVED FROM: JERGER

FOR: ITEM #310 05-310-SPHX
1111-D REISTERSTOWN RD. BY D.THOMPSON

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

12/23/2004 12:31:24 11:09:06

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: #05-310-SPHX
11712-D Reisterstown Road
N/west side of Reisterstown Road, 980 ft. n/of centerline of Cherry Valley Road
4th Election District - 3rd Councilmanic District
Legal Owner(s): Turnpike Associates, William S. Berman, V.P.
Contract Purchaser: Hertz Corporation, Ronald L. Moore, City Manager

Special Exception: to permit a service garage (automobile rental office). **Special Hearing:** to amend the site plan approved in zoning case #03-330-SPHX.

Hearing: Monday, February 7, 2005 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM WISEMAN
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.

1/255 Jan. 20 36237

CERTIFICATE OF PUBLICATION

1/20/, 2005

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/20/, 2005.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 05-310-SPHX

Petitioner/Developer: HERTZ CORP.
RONALD L. MOORE

Date of Hearing/Closing: 2/7/05

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

ATTN: Kristen Matthews {(410) 887-3394}

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: 11712-D REISTERSTOWN ROAD

The sign(s) were posted on 1/21/05
(Month, Day, Year)

Sincerely,

Robert Black 1/23/05
(Signature of Sign Poster) (Date)

SSG Robert Black
(Print Name)

1508 Leslie Road
(Address)

Dundalk, Maryland 21222
(City, State, Zip Code)

(410) 282-7940
(Telephone Number)

Department of Permits and Development Management

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

Baltimore County

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

January 4, 2005

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: 05-310-SPHX
11712-D Reisterstown Road
N/west side of Reisterstown Road, 980 ft. n/of centerline of Cherry Valley Road
4th Election District – 3rd Councilmanic District
Legal Owners: Turnpike Associates, William S. Berman, V.P.
Contract Purchaser: Hertz Corporation, Ronald L. Moore, City Manager

Special Exception to permit a service garage (automobile rental office). Special Hearing to amend the site plan approved in zoning case #03-330-SPHX.

Hearing: Monday, February 7, 2005 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco
Director

TK:klm

C: David Karceski, 210 Allegheny Avenue, Towson 21204
William Berman, 11299 Owings Mills Blvd., Owings Mills 21117
Ronald L. Moore, 3800 Jefferson Davis Highway, Alexandria, Virginia 22305

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 22, 2005.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 20, 2005 Issue - Jeffersonian

Please forward billing to:
David Karceski
Venable, LLP
210 Allegheny Avenue
Towson, MD 21204

410-494-6285

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: 05-310-SPHX
11712-D Reisterstown Road
N/west side of Reisterstown Road, 980 ft. n/of centerline of Cherry Valley Road
4th Election District – 3rd Councilmanic District
Legal Owners: Turnpike Associates, William S. Berman, V.P.
Contract Purchaser: Hertz Corporation, Ronald L. Moore, City Manager

Special Exception to permit a service garage (automobile rental office). Special Hearing to amend the site plan approved in zoning case #03-330-SPHX.

Hearing: Monday, February 7, 2005 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM WISEMAN
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

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

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

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 05-310-SPHX

Petitioner: HERTZ CORP.

Address or Location: 11712-D REISTERSTOWN RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: DAVID H. KARCESKI, ESQ

Address: VENABLE LLP
210 ALLEGHENY AVE.
TOWSON, MD 21204

Telephone Number: 410-494-6285

Revised 2/20/98 - SCJ

Department of Permits and Development Management

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

Baltimore County

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

February 2, 2005

David H. Karceski
Robert A. Hoffman
Venable, LLP
210 Allegheny Avenue
Towson, Maryland 21204

Dear Mr. Karceski and Mr. Hoffman:

RE: Case Number: 05-310-SPHX , 11712 D Reisterstown Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on December 21, 2004.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards Jr.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
Turnpike Associates William S. Berman 11299 Owings Mills Blvd Owings Mills 21117
Hertz Corp. Ronald L. Moore 3800 Jefferson David Highway Alexandria VA 22305

Fire Department

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

Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

January 4, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 10, 2005

Item No.: 310

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

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

Lieutenant Franklin J. Cook
Fire Marshal's Office
(O)410-887-4881 (C)443-829-2946
MS-1102F

cc: File

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

State Highway Administration
Driven to Excel
Maryland Department of Transportation

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

Date: 1 · 3 · 05

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

RE: Baltimore County
Item No. 310 DT

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

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,

S. D. Foster

Steven D. Foster, Chief
Engineering Access Permits Division

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr JDO
DEPRM

DATE: February 3, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of January 3, 2005.

__X__ The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-305
05-306
05-308
05-309
05-310
05-312
05-313
05-316
05-317
05-317

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: January 19, 2005

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

SUBJECT: Zoning Advisory Petition(s): **Case(s)** 5-310

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

Prepared By: Mark A Cunningham

Division Chief: Lyn Lanham

MAC/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: January 21, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For January 10, 2005
Item Nos. 305, 306, 308, 309, 310,
311, 313, 314, 315, 316, 317, and
318

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

RWB:CEN:jrb

cc: File

ZAC-01-10-2005-NO COMMENT ITEMS 305-318-01212005

RE:	PETITION FOR SPECIAL HEARING AND SPECIAL EXCEPTION	*	BEFORE THE
	11712-D Reisterstown Road; NW/side Reisterstown Rd, 980' N c/line Cherry Valley Rd	*	ZONING COMMISSIONER
	4th Election & 3rd Councilmanic Districts	*	FOR
	Legal Owner(s): Turnpike Associates, William Berman, Senior Vice-President	*	BALTIMORE COUNTY
	Contract Purchaser(s): Hertz Corporation, Ronald L. Moore, City Manager	*	05-310-SPHX
	Petitioner(s)		

* * * * * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

Per.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of January, 2005, a copy of the foregoing Entry of Appearance was mailed to David H. Karceski, Esquire & Robert A Hoffman, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorneys for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

PLEASE PRINT CLEARLY

CASE NAME Turnpike Associates
CASE NUMBER 05-310-SPHX
DATE 2/7/05

PETITIONER'S SIGN-IN SHEET

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
Ronald Moore	2086 Cabin Hill Y	Waldorf, MD 20601	RMoore7430@Aol.com
William Berman	11299 Owings Mills Blvd	Owings Mills MD 21117	BBerman@mmc-mail.com
David Karczeski	210 Allegheny Ave	Towson Maryland 21204	dkarczeski@venable.com
Richard E. Matz	2835 Smith Ave, Suite G	Baltimore, MD 21209	dmatz@cmrengineers.com

NOTES

1. OWNER/APPLICANT:
   TURNPIKE ASSOCIATES,
   C/O METROPOLITAN MANAGEMENT CO.
   11299 OWINGS MILLS BLVD., SUITE 200,
   OWINGS MILLS, MD. 21117-2903

2. SITE DATA:
   COUNCIL DISTRICT 4, ELECTION DISTRICT 4
   SITE AREA: 7.7583 ACRES
   SITE AREA FOR SPECIAL EXCEPTION:
   2,326 SQUARE FEET (0.053 ACRE)
   ZONED BL, BL-AS & DR 5.5.
   ZONING MAP NO. NW-14J

3. FLOOR AREA/PARKING CALCULATIONS

USE	FLOOR AREA (S.F.)	PARKING REQ'D
BANK	2,520	9
RESTAURANT, SIT DOWN	9,593	154
RESTAURANT, CARRY OUT	1,200	6
SERVICE	4,805	16
RETAIL	52,179	261
OFFICE	2,410	8
MEDICAL OFFICE	4,958	24
HEALTH CLUB	2,977	30
AUTO RENTAL OFFICE	800	3

PARKING REQUIRED: 511 SPACES* + 10 STORAGE SPACES FOR AUTO RENTAL OFFICE

*INCLUDING 9 HANDICAP
VARIANCE CASE NO. 92-244-A: -129 SPACES
TOTAL PARKING REQUIRED: 382 SPACES + 10 STORAGE SPACES FOR AUTO RENTAL OFFICE

TOTAL PARKING PROVIDED: 409 SPACES INCLUDING 13 HANDICAP & 10 STORAGE SPACES FOR AUTO RENTAL OFFICE

4. FLOOR AREA RATIO CALCULATIONS:
   TOTAL FLOOR AREA: 81,395 SQ. FT.,
   SITE AREA: 337,951 SQ. FT.
   FLOOR AREA RATIO 0.24
   MAXIMUM F.A.R. PERMITTED: 3.0

5. ZONING HISTORY:
   IN CASE NO. 92-244-A, A PETITION FOR VARIANCE WAS FILED TO PERMIT 416 PARKING SPACES IN LIEU OF THE REQUIRED 545. THE DEPUTY ZONING COMMISSIONER APPROVED THE REQUESTED RELIEF ON JANUARY 23, 1992.

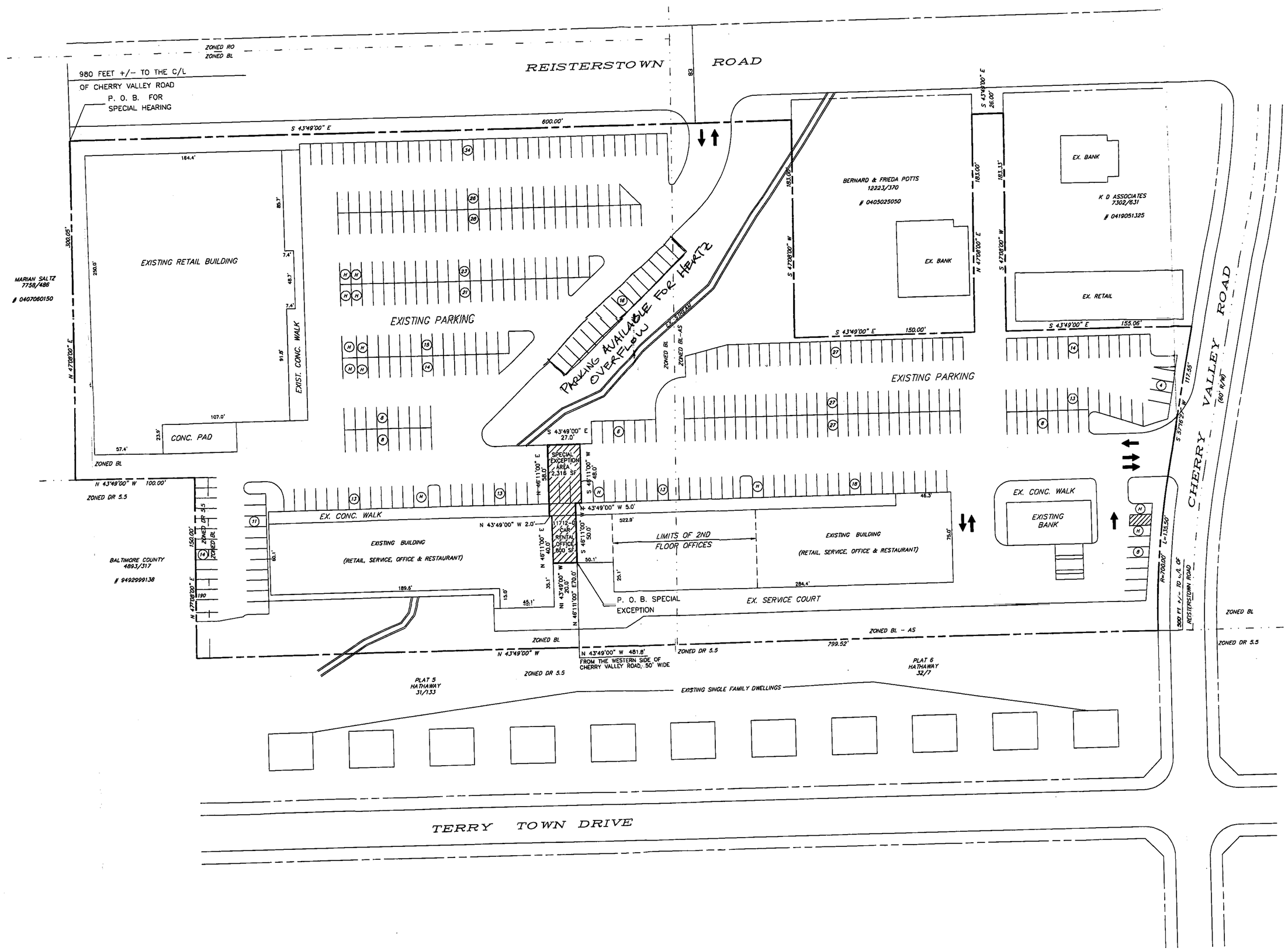
   ON JANUARY 25, 1995, THE ZONING OFFICE APPROVED A "SPIRIT AND INTENT" LETTER MODIFYING THE TENANT SPACE AT 11706 REISTERSTOWN ROAD (MARIA'S RESTAURANT) IN ORDER TO REDUCE THE SQUARE FOOTAGE FROM 2700 SQUARE FEET TO 1462.5 SQUARE FEET

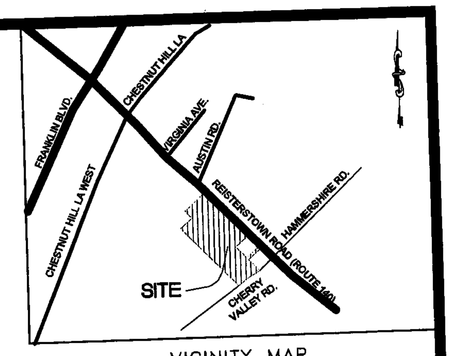
   IN CASE NO. 03-330-SPHX, A SPECIAL EXCEPTION PETITION WAS FILED FOR A COMMUNITY BUILDING (HEALTH CLUB) ON THE SUBJECT PROPERTY AND A PETITION FOR A SPECIAL HEARING WAS FILED TO AMEND THE SITE PLAN. THE DEPUTY ZONING COMMISSIONER APPROVED THE REQUESTED RELIEF ON MARCH 13, 2003.

6. SETBACKS:

	FRONT	SIDE	REAR
REQUIRED	10 FT.	0 FT.	20 FT.
PROVIDED	12.5 FT.	11.4 FT.	20.6 FT.

7. PREVIOUS COMMERCIAL PERMIT - NONE ON FILE
8. SIGNAGE WILL COMPLY WITH BCZR, SECTION 450 OR A VARIANCE WILL BE REQUESTED PURSUANT TO BCZR, SECTION 307.1.
9. THE SITE IS NOT IN THE CHESAPEAKE BAY CRITICAL AREA.
10. THE SITE IS NOT IN A HISTORIC AREA. THERE ARE NO HISTORIC BUILDINGS ON THE SITE.
11. THE SPECIAL EXCEPTION PARKING AREAS ARE FOR ILLUSTRATIVE PURPOSES ONLY AND ARE NOT INTENDED TO RESTRICT PARKING FOR THE SPECIAL EXCEPTION USE TO THE AREAS SHOWN. THE SPECIAL HEARING AREA INCLUDES A 100-YEAR FLOODPLAIN. NO NEW GRADING, PAVING OR BUILDING IS PROPOSED IN THIS AREA.





VICINITY MAP
SCALE: 1"=1000'

PLAN TO ACCOMPANY PETITION
FOR
SPECIAL EXCEPTION & SPECIAL HEARING

HERTZ CAR RENTAL

11712-D REISTERSTOWN ROAD
~~CHERRYVALLEY SHOPPING CENTER~~ CHERRYVALE PLAZA SHOPPING CENTER

4TH ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MD.

GRAPHIC SCALE
50 0 25 50 100 200
(IN FEET)
1 inch = 50 ft.

Colbert Matz Rosenfelt, Inc.
Engineers * Surveyors * Planners
2835 Smith Avenue, Suite G
Baltimore, Maryland 21209
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

STATE OF MARYLAND — KENNETH L. COLBERT — No. 13393 — PROFESSIONAL ENGINEER

2/3/05 FOR REVIEW

NO.	DATE	REVISIONS:	BY

SCALE: 1"= 50'
DATE: NOV. 30, 2004
JOB NO.: 89028
DESIGNED: KJC
DRAWN: KJC
CHECKED: JMF
FILE: 89028 HERTZ SPEC EXC.DWG
DRAWING NUMBER: ZON-1
SHEET 1 OF 1

K.JC 11/30/04

Petit #1

REQUESTED ZONING RELIEF:

1. SPECIAL EXCEPTION TO PERMIT A SERVICE GARAGE (AN AUTOMOBILE RENTAL OFFICE) PURSUANT TO BCZR, SECTION 230.13.
2. SPECIAL HEARING TO AMEND THE SITE PLAN APPROVED IN ZONING CASE NO. 03-330-SPHX.

Map Produced By Baltimore County GIS Services Scale: 1 inch equals 200 feet

Baltimore County Tile: 057C1

Pet #2