

IN RE: **PETITION FOR VARIANCE**

N side of Baltimore National Pike;
1,275' W of the c/line of Rolling Road
1st Election District
1st Council District
(6408 Baltimore National Pike)

6408 BNP, LLC, *Legal Owner*
Enterprise RAC Company of Baltimore,
LLC, *Contract Lessee*

Petitioners

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BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR
BALTIMORE COUNTY
CASE NO. 2012-0180-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Variance filed by the legal owner, 6408 BNP, LLC, and the contract lessee, Enterprise RAC Company of Baltimore, LLC, the ("Petitioners"). The Petition for Variance seeks variance relief from Section 238.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a side yard setback of zero (0) feet in lieu of the required 30 feet. The subject property and requested relief are more fully described on the site plan that was marked and accepted into evidence as Petitioners' Exhibit 1.

Appearing at the public hearing in support of the requested relief were Jack Wright and James Gibeaut of Enterprise RAC Company of Baltimore, LLC, and Patrick C. Richardson, Jr. with Richardson Engineering, LLC, the consulting firm that prepared the site plan. Patrick Roddy, Esquire with Rifkin, Livingston, Levitan & Silver appeared as attorney for the Petitioners. There were no Protestants or other persons in attendance.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. The comments indicate no opposition or other recommendations concerning the requested relief.

ORDER RECEIVED FOR FILING

Date 3-20-12

By [Signature]

Testimony and evidence revealed that the subject property consists of 0.528 acres and is zoned BR-AS. The site is improved with a one-story commercial building which was once used as a restaurant. The property is vacant at this time. Enterprise Rent-A-Car desires to lease the building and occupy the site with a car rental business. They also seek zoning approval to enclose the canopy on the west side of the building where they intend to vacuum and wash rental vehicles when they are returned by customers. In order to enclose the canopy, variance relief is needed.

Based on the evidence presented, I find that the variance can be granted in such a manner as to meet the requirements of Section 307 of the B.C.Z.R., as established in *Cromwell v. Ward*, 102 Md. App. 691 (1995). I find based on the testimony presented that the property is unique. I also find special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and that strict compliance with the B.C.Z.R. would result in practical difficulty or unreasonable hardship upon Petitioner.

Finally, I find that the variance can be granted in harmony with the spirit and intent of the B.C.Z.R., and in such manner as to grant relief without injury to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property and public hearing held, and after considering the testimony and evidence offered, I find that Petitioners' variance request should be granted.

THEREFORE, IT IS ORDERED by the Administrative Law Judge for Baltimore County this 20th day of March, 2012 that the Petition for Variance relief from Section 238.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to permit a side yard setback of zero (0) feet in lieu of the required 30 feet, be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

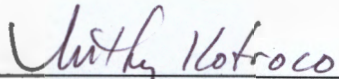
Date 3-20-12

By law

The relief granted herein is subject to the following condition:

1. Petitioner is advised that it may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of this Order has expired. If for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/dlw

ORDER RECEIVED FOR FILING

Date 3-20-12

By aw



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

March 20, 2012

Patrick H. Roddy, Esquire
Rifkin, Livingston, Levitan & Silver, LLC
600 Washington Avenue, Suite 305
Towson, Maryland 21204

RE: Petition for Variance
Case No. 2012-0180-A
(6408 Baltimore National Pike)

Dear Mr. Roddy:

Enclosed please find a copy of the decision rendered in the above-captioned matter

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in dark ink, appearing to read "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK:dlw
Enclosure



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 6408 Baltimore National Pike

which is presently zoned BR-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 Variance from Section(s)

238.2 to permit a side yard setback of 0' in lieu of the required 30'

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

Size of the building and lot, relationship of the existing building to the property line as shown on the site plan and other information that will be presented at the hearing.

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

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

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

Contract Purchaser/Lessee:

Enterprise RAC Company of Baltimore, LLC

Name - Type or Print

Signature

701 Wedeman Ave

Address

410-412-4620

Telephone No.

Linthicum,

City

MD

State

21090

Zip Code

Attorney For Petitioner:

Patrick Roddy

Name - Type or Print

Signature

Rifkin, Livingston, Levitan & Silver

Company

600 Washington Ave Suite 305

Address

Telephone No.

Towson

City

MD

State

21204

Zip Code

tel: 410-583-9433

Legal Owner(s):

6408 BNP, LLC

Name - Type or Print

Signature

Frances M. Acle

Name - Type or Print

Signature

10132 Baltimore National Pike, Suite A

Address

Telephone No.

Ellicott City,

City

MD

State

21042

Zip Code

Representative to be Contacted:

Richardson Engineering, LLC

Name

30 E. Padonia Road, Suite 500

Address

410-560-1502

Telephone No.

Timonium,

City

Maryland

State

21093

Zip Code

☐ OFFICE USE ONLY

Case No. 2012-0180-A

ESTIMATED LENGTH OF HEARING _____

ORDER RECEIVED FOR FILING
Reviewed By B.T. Date 1/26/12

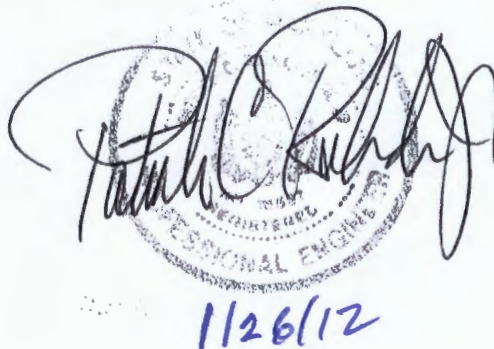
Date 3-20-12

By [Signature]

ZONING DESCRIPTION
6408 BALTIMORE NATIONAL PIKE (US ROUTE #40)
1ST ELECTION DISTRICT
1ST Councilmanic District
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the north side of Baltimore National Pike (Maryland Route #40) (150' right-of-way) at a distance of 1,275 feet west from the centerline intersection of Baltimore National Pike and Rolling Road (50' right-of-way), thence leaving the north side right-of-way of Baltimore National Pike for the following courses and distances (1) North 18 degrees 09 minutes 04 seconds East 200.00 feet, (2) North 71 degrees 50 minutes 56 seconds West 100.00 feet, (3) South 18 degrees 09 minutes 04 seconds West 200.00 feet to a point on the north side of Baltimore National Pike, thence running and binding on the north side of Baltimore National Pike right-of-way (4) South 71 degrees 50 minutes 56 seconds East 100.00 feet to the point of beginning;

Containing a total net area of 20,000 square feet or 0.46 acres of land, more or less.



1/26/12

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

No. **78960**

Date: 1/26/12

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					385. ⁰⁰

Total: 385.⁰⁰

Rec
From: RICHARDSON ENGINEERING LLC

For: 2012-0180-A
6408 BALTIMORE NATIONAL PIKE

D. THOMPSON

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

PAID RECEIPT

PAID TO: RICHARDSON ENGINEERING LLC
 FOR: 2012-0180-A
 AMOUNT: 385.00
 DATE: 1/26/12
 BY: D. THOMPSON

**CASHIER'S
 VALIDATION**

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: 2012-0180-A

Petitioner: ENTERPRISE HOLDINGS

Address or Location: 6408 BALTIMORE NATIONAL PIKE

PLEASE FORWARD ADVERTISING BILL TO:

Name: ENTERPRISE RAC COMPANY OF BALTIMORE, LLC

Address: 701 WEDEMAN AVE

LINTHICUM, MD 21090

Telephone Number: 410-412-4620

Revised 2/20/98 - SCJ

**NOTICE OF ZONING
HEARING**

The Administrative Law Judges 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: # 2012-0180-A
6408 Baltimore National Pike

N/s of Baltimore National Pike, 1,275 sq.ft. west of centerline of Rolling Road
1st Election District

1st Councilmanic District
Legal Owner(s): 6408 BNP, LLC

Contract Purchaser/Lessee: Enterprise RAC Company of Baltimore, LLC

Variance: to permit a side yard setback of 0 feet in lieu of the required 30 feet.

Hearing: Monday, March 19, 2012 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR
OF PERMITS, APPROVALS
AND INSPECTIONS FOR
BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

03/028 March 1 297996

CERTIFICATE OF PUBLICATION

3/1/, 2012

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 3/1/, 2012.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2012-0180-A

RE: Case No.: _____

Petitioner/Developer: _____

Enterprise RAC Co. of Baltimore

March 19, 2012

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

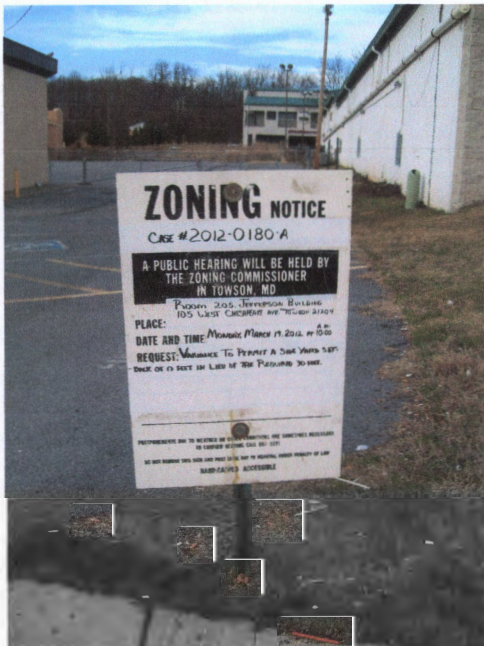
Ladies and Gentlemen:

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: _____

6480 Baltimore National Pike

March 3, 2012

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



Sincerely,

March 3, 2012

(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)

RE: PETITION FOR VARIANCE * BEFORE THE OFFICE
 6408 Baltimore National Pike; N/S of Baltimore *
 National Pike, 1,275' W of Rolling Road * OF ADMINISTRATIVE
 1st Election & 1st Councilmanic Districts *
 Legal Owner(s): Enterprise RAC Company * HEARINGS FOR
 Of Baltimore, LLC *
 Petitioner(s) * BALTIMORE COUNTY
 * 2012-180-A

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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 and all 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
 Jefferson Building, Room 204
 105 West Chesapeake Avenue
 Towson, MD 21204
 (410) 887-2188

RECEIVED

FEB 14 2012

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of February, 2012, a copy of the foregoing Entry of Appearance was mailed to Patrick Richard, Jr., Richardson Engineering, LLC, 30 E. Padonia Road, Timonium, Maryland 21093 and Patrick Roddy, Esquire, Rifkin, Livingston, Levitan & Silver, 600 Washington Avenue, Suite 305, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
 People's Counsel for Baltimore County



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections
February 21, 2012

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0180-A

6408 Baltimore National Pike

N/s of Baltimore National Pike, 1,275 sq. ft. west of centerline of Rolling Road

1st Election District – 1st Councilmanic District

Legal Owners: 6408 BNP, LLC

Contract Purchaser/Lessee: Enterprise RAC Company of Baltimore, LLC

Variance to permit a side yard setback of 0 feet in lieu of the required 30 feet.

Hearing: Monday, March 19, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the hearing information.

Arnold Jablon
Director

AJ:kl

C: Patrick Roddy, 600 Washington Avenue, Ste. 305, Towson 21204
Frances Acle, 10132 Baltimore National Pike, Ste. A., Ellicott City 21042
Enterprise RAC Co. of Baltimore, LLC, 701 Wedeman Avenue, Linthicum 21090
Richardson Engineering, 30 E. Padonia Road, Ste. 500, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 3, 2012.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 1, 2012 Issue - Jeffersonian

Please forward billing to:

Enterprise RAC Company of Baltimore, LLC
701 Wedeman Avenue
Linthicum, MD 21090

410-412-4620

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0180-A

6408 Baltimore National Pike

N/s of Baltimore National Pike, 1,275 sq. ft. west of centerline of Rolling Road

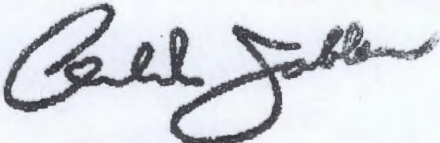
1st Election District – 1st Councilmanic District

Legal Owners: 6408 BNP, LLC

Contract Purchaser/Lessee: Enterprise RAC Company of Baltimore, LLC

Variance to permit a side yard setback of 0 feet in lieu of the required 30 feet.

Hearing: Monday, March 19, 2012 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TK 3-19
10 Am

Case No.: 2012-0180-A

Exhibit Sheet

Petitioner/Developer

Protestants

DJ 3-20-12
SA 5-21-12

No. 1	Site Plan of Property	
No. 2	Architectural Drawings of Bldg	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

Pro Zoning

for
5/14

IN RE: PETITION FOR VARIANCE
N/S Baltimore National Pike,
600' W of the c/l of Geipe Ave.
(6408 Baltimore National Pike)
1st Election District
1st Councilmanic District

Charles J. Rinaudo, Sr.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-434-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance for that property known as 6408 Baltimore National Pike, located in the vicinity of Rolling Road in Catonsville. The Petition was filed by the owner of the property, Charles J. Rinaudo, Sr., and the Contract Lessee, Jeffrey A. Lawn. The Petitioner seeks relief from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 43 existing parking spaces in lieu of the required 54 for a proposed deck. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Charles J. Rinaudo, Sr., and his wife, Patricia Rinaudo, property owners, Jeffrey A. Lawn and Brion Townshend, Contract Lessees, Elizabeth M. Lawn, and Thomas J. Connor. The Petitioners were represented by Melvin J. Kodenski, Esquire. There were no Protestants or other interested persons present.

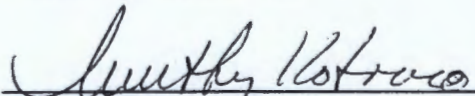
Testimony and evidence offered revealed that the subject property consists of 20,000 sq.ft. zoned B.R.-A.S., and is improved with a one-story block and stucco pub known as Appleschmidt's Pub. The Petitioners are desirous of constructing a one-story frame deck on the rear of the existing building as shown on the site plan. Testimony indicated that the proposed

After due consideration of the testimony and evidence presented, I am persuaded to grant the variance. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. Testimony revealed that the Pub has existed on the property for many years and there has never been a parking problem. Furthermore, all of those in attendance supported the request and there were no adverse comments submitted any Baltimore County reviewing agency. In my view, the proposed deck is in keeping with the Pub operation and will not adversely affect the surrounding locale.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30th day of May, 1997 that the Petition for Variance seeking relief from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 43 existing parking spaces in lieu of the required 54 for a proposed deck, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 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 such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

M E M O R A N D U M

DATE: May 21, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0180-A - Appeal Period Expired

The appeal period for the above-referenced case expired on April 19, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

CASE NAME National Pike
CASE NUMBER 2012-0180-A
DATE 3-19-12

[illegible]

3-19-12 10AM
205

AKT
CRCA
Historic

CASE NO. 2012- 0180-A

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>2-7</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
<u>3-5</u>	DEPS (if not received, date e-mail sent _____)	<u>NC</u>
_____	FIRE DEPARTMENT	_____
_____	PLANNING (if not received, date e-mail sent _____)	_____
<u>2-6</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>97-434-A</u> (attached for your convenience))	
NEWSPAPER ADVERTISEMENT	Date: <u>3-1-12</u>	
SIGN POSTING	Date: <u>3-3-12</u> by <u>Black</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

MODE = MEMORY TRANSMISSION

START=MAR-16 09:46

END=MAR-16 09:47

FILE NO.=579

STN NO.	COMM.	ONE-TOUCH/ ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	2	94105839439	003/003	00:00:25

-ZONING COMMISSIONER OFF M-

***** -

- ***** -

410 887 3468- *****



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

State Highway
Administration
Maryland Department of Transportation

Beverly K. Swinn-Staley, Secretary
Melinda B. Peters, Administrator

Date: 2-6-12

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0180-A
Variance
Enterprise RAC Co. of Baltimore
648 Baltimore National Pike, LLC

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 2-6-12. A field inspection and internal review reveals that an entrance onto US40 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2012-0180-A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

for Richard Zeller

Steven D. Foster, Chief
Access Management Division

SDF/raz

2012-0180-A		Date	3-16	# of pages	3
Post-it® Fax Note	7671	To	Liz	From	Richard Zeller
		Co./Dept.		Co.	
		Phone #	"No comment/objection"	Phone #	
		Fax #	ZAC comments	Fax #	

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 12, 2012

Frances M. Acle
10132 Baltimore National Pike
Ellicott City, MD 21042

RE: Case Number: 2012-0180, Address: 6408 Baltimore National Pike

Dear Ms. Acle:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on January 26, 2012. This letter is not an approval, but only a **NOTIFICATION**.

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

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

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Enterprise RAC Company of Baltimore LLC, 701 Wedeman Avenue, Linthicum MD 21090
Patrick Roddy, Rifkin, Livingston, Levitan & Silver, 600 Washington Avenue, Suite 305 Towson MD 21204
Richardson Engineering LLC, 30 E. Padonia Road, Suite 500, Timonium MD 21093

3-9-12
10am
Rm. 205

Debra Wiley - ZAC Comments - Distribution Mtg. of 2/6/12

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 2/6/2012 11:55 AM
Subject: ZAC Comments - Distribution Mtg. of 2/6/12

Good Morning,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0178-SPHA - 2301 York Road
(No hearing date per database 2/6/12)

2012-0179-SPH - 1127 Engleberth Road - **CBCA / Floodplain**
(No hearing date per database 2/6/12)

2012-0180-A - 6408 Baltimore National Pike
(No hearing date per database 2/6/12)

2012-0181-A - 4030 Chestnut Road - **CBCA**
(Administrative Variance - Closing Date: 2/27/12)

2012-0182-A - 100 Grist Stone Way
(Administrative Variance - Closing Date: 2/27/12)

2012-0183-SPHX - 2029 2019 Monkton Road
(No hearing date per database 2/6/12)

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 2-6-12

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2012-0180-A
Variance
Enterprise RAC Co. of Baltimore
648 Baltimore National Pike. LLC

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 2-6-12. A field inspection and internal review reveals that an entrance onto US40 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Variance, Case Number 2012-0180-A.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

for Steven D. Foster

Steven D. Foster, Chief
Access Management Division

SDF/raz

2012-0180-A

Post-it® Fax Note	7671	Date	3-16	# of pages	3
To	Liz	From	Debbie		
Co./Dept.		Co.			
Phone #	"No comment/objection"				
Fax #	ZAC comments				

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: February 7, 2012

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For February 20, 2012
Item Nos. 2012-178, 179, 180, 181, 182,
And 183

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-02202012-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 5, 2012

SUBJECT: DEPS Comment for Zoning Item # 2012-0180-A
Address 6408 Baltimore National Pike
(Enterprise RAC Co. of Baltimore, LLC Property)

Zoning Advisory Committee Meeting of February 6, 2012.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: *Jeff Livingston; Development Coordination*

RECEIVED

MAR 05 2012

OFFICE OF ADMINISTRATIVE HEARINGS

