

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, LARRY E. KNIGHT, legal owner... of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the property be changed from RE-3.5 to RE-3.5 (S.E. TO EXIST. PORTION) HERE TO BE AN in the Zoning Law of Baltimore County, from RE-3.5 (S.E. TO EXIST. PORTION) here to be an

...name, for the following reason:

Attached hereto and made a part hereof is a Memorandum.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for... a diagnostic automotive repair shop

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser

Larry E. Knight, Legal Owner

Address: 500 Main Street

Reisterstown, Md. 21136

Petitioner's Attorney

Bernhardt L. Trout

Address

102 West Pennsylvania Avenue

Towson, Md. 21204

ORDERED BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY, this 2nd day

of July, 1974, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out Baltimore County, that property be posted, and that the public hearing be had before the Zoning

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 14th day of September, 1974, at 11:00 o'clock

of the year.

James B. Byrnes, III

Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Bernhardt L. Trout, Esq.
102 West Pennsylvania Avenue
Towson, Maryland 21204

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

Your Petition has been received and accepted
for filing this 2nd day of July, 1974.

St. Eric DiNenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner Larry E. Knight

Petitioner's Attorney Bernhardt L. Trout

Reviewed by James B. Byrnes, III

cc: W. T. Sadler, Inc.
458 Main Street
Reisterstown, Maryland 21136

Item 23 - 7th Cycle

Bernhardt L. Trout, Esq.
102 West Pennsylvania Avenue
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted
for filing this 2nd day of July, 1974.

St. Eric DiNenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner Larry E. Knight

Petitioner's Attorney Bernhardt L. Trout

Reviewed by James B. Byrnes, III

cc: W. T. Sadler, Inc.
458 Main Street
Reisterstown, Md. 21136

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 1, 1974

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

Bernhardt L. Trout, Esq.
102 West Pennsylvania Avenue
Towson, Maryland 21204

James B. Byrnes, III
Chairman

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

RECEIVED

PLANNING AND ZONING

DEPARTMENT

Bernhardt L. Trout, Esq.
102 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 23 - 7th Cycle
Reclassification Cycle VII
Larry E. Knight - Petitioner

Dear Mr. Trout:

The above referenced Reclassification request additionally included a request(s) for Special Exception(s) and/or Variance(s).

Section 506.2b of the Baltimore County Zoning Regulations requires that a hearing be scheduled on these types of requests no sooner than thirty (30) and no later than ninety (90) days after its approval for filing by this Committee. The enclosed blue slip indicates the date of approval and is to advise you that the additional request(s) will be considered at the same time as the Reclassification request.

Very truly yours,

James B. Byrnes, III
JAMES B. BYRNES, III
Chairman,
Zoning Advisory Committee

JBB:JD

Enclosure

cc: W. T. Sadler, Inc.
458 Main Street
Reisterstown, Maryland 21136

Bernhardt L. Trout, Esquire
Page 2
April 30, 1974

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petition, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to Monday, June 3, 1974, in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between September 1, 1974 and October 15, 1974, will be forwarded to you well in advance of the date and time.

Very truly yours,

James B. Byrnes, III
JAMES B. BYRNES, III, Chairman
Zoning Advisory Committee

JBB, III/sv

Enclosure

cc: W. T. Sadler, Inc.
458 Main Street
Reisterstown, Maryland 21136

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

James B. Byrnes, III
JAMES B. BYRNES, III, Esq.

April 25, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #23 (Cycle VII - April to October 1974)
Property Owner: Larry E. Knight
SAC Reisterstown Rd., 15101 S/E of Ritters Lane
Existing Zoning: D.S. 3.5 and D.S. 15
Proposed Zoning: D.L., Special Exception for service garage
No. of Acres: 1.6 District: 1th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Reisterstown Road is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Storm Drains and Sediment Control:

Attached is a copy of the comment regarding the open stream flow through this property which was previously furnished on March 15, 1974 with reference to grading of the subject site. In addition, the Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Waters:

Public water exists in Reisterstown Road along the frontage of this site and this property is included within the area designated as "existing" on the Baltimore County Comprehensive Water Map.

Item #23 (Cycle VII - April to October 1974)
Property Owner: Larry E. Knight
Page 2
April 25, 1974

Sanitary Sewer:

Public sanitary sewer exists within this property and the property is included within the area designated as "existing" on the Baltimore County Comprehensive Sewer Map. However, this property is located in the Gwynns Falls Drainage Basin where addition of sewage flow to existing systems is restricted in accordance with Dr. Neil Solomon's Order of September 13, 1973. Without knowing the exact sewage flow expected from the proposed automotive garage we do not know if State Health Department approval will be granted.

Very truly yours,

William N. Diver
WILLIAM N. DIVER, P.E.
Chief, Bureau of Engineering

END:RAM:REC:ias

T-SW Key Sheet
NW 12 T Topo
L7 NW 33 Pos. Sheet

Attachment

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 30, 1974

Bernhardt L. Trout, Esquire
102 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Reclassification
Larry E. Knight - Petitioner
Item No. 23
Seventh Zoning Cycle

Dear Mr. Trout:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on-site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the southwest side of Reisterstown Road, approximately 1510 feet southeast of Ritters Lane, in the Fourth Election District of Baltimore County.

It is presently improved by two (2) two-story frame buildings and an existing one-story frame auto repair garage. Residential uses abut the property to both the northwest and southeast along the southwest side of Reisterstown Road.

The petitioner requests a Reclassification to Business, Local (B. L.) with a Special Exception for a Service Garage. A 9,400 square foot building is proposed with off-street parking provided for 48 vehicles.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of

the above Reclamation should be had, and it further appearing that by reason of

a Special Exception for a should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of 1974 that the herein described property or area should be and the same is hereby reclassified; from a zone to a zone, and/or a Special Exception for a should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 1974 that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a zone; and/or the Special Exception for a be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS DATE: March 15, 1974

FROM: Eileen M. H. Hays, P.E. Chief, Bureau of Engineering

PROJECT NAME: MD. #23-76 Larry Knight Repair Shop

PROJECT NUMBER: 1

LOCATION: W/S Reisterstown Road, 1510' E. of Ritters Lane

DISTRICT: 4th

PRELIMINARY PLAN 2

TENTATIVE PLAN

DEVELOPMENT PLAN

FINAL PLAN

The subject plan for grading a composite of three residentially zoned lots reflects proposed development in conflict with the existing zoning. Comments relative to such development can only be made pursuant to a proper application for rezoning. The subject application should be rejected.

Should a proper application for grading be made in conformity with a legitimate land use the Applicant should be aware that his property is located on a highway a shown constituting the intent of the State. A drainage study will be required to establish the area of the site presently subject to inundation by a 100-year storm. No grading or improvements will be permitted within the area subject to such inundation which would increase the depth of flow to any upstream or adjacent property or contribute the flow to any downstream property nor contribute to any change in course or direction of flow as it affects any other property. The establishment of a drainage reservation would be required for the area subject to the influence of a 100-year storm (50-foot minimum). Should any improvement be possible within this area which does not adversely influence the property of others as noted above, minimum slopes for graded areas subject to the influence of such flow are 5:1 with the type of stabilization (seed, straw mulch over seed, rip-rap or concrete paving) determined by the velocity of flow to be realized.

Regardless of land use a sediment control plan approved by the Department of Public Works and the Soil Conservation District is required prior to the issuance of a grading permit. The plan must include the following elements for approval:

1. Proposed finished grading and drainage control.
2. Proposed finished and interim soil stabilization drainage and sediment control measures. (Supplementary computation sheets where necessary to the design and justification of some measures)
3. Proposed sequence and timing of operations.
4. Certification by the owner that the plan for the development of the property will be followed.

MD. #23-76
Larry Knight Repair Shop
Page 2
March 15, 1974

These comments are relative to requirements of the Baltimore County Building Code and any applicable without regard to land use. All further comments are reserved for either a proper rezoning application or grading or building permit application in conformance with a legitimate land use.

Eileen M. Hays

EILEEN M. HAYS, P.E.
Chief, Bureau of Engineering

cc: File
Camm

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

ROBERT J. CLIFFORD, P.E. Wm. T. Miller
DIRECTOR DEPUTY TRAFFIC ENGINEER

April 30, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 23 - Cycle Zoning 7 - April 1974 through October 1974
Property Owner: Larry E. Knight
SW/S Reisterstown Road, 1510 feet SE of Ritters Lane
B.L., Special Exception for service garage
District 4

Dear Mr. DiNenna:

The subject petition is requesting a change from D.R. 3.5 and D.R. 16 to B.L. of 1.6 acres. This should increase the trip density from 200 to 750 trips per day. This increase is undesirable since present capacity problems exist along Reisterstown Road, particularly at the interchange of the Beltway and Reisterstown Road.

Very truly yours,

Robert J. Clifford
C. Richard Moore
Assistant Traffic Engineer

CRH/pk



April 25, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attention: Mr. James Byrnes

Dear Sir:

The proposed entrances into the subject site must have a minimum width of 25 ft. The proposed roadside curb must be 28' from the centerline of Reisterstown Road, and not 33', as indicated on the plan.

There is an 80' right of way that must be indicated. The plan should be revised prior to the hearing. Neither the petitioner nor the engineer contacted this office relative to what is to be indicated on the plan.

The 1973 Average Daily Traffic Count on this section of Reisterstown Road is ... 24,000 vehicles.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits
John E. Meyers

CLJ:JEH:bk

Baltimore County Fire Department



J. Austin Deitz
Chief

Towson, Maryland 21204

878-7710

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Larry E. Knight

Location: SW/S Reisterstown Road, 1510' SE of Ritters Lane

Item No. 23 Zoning Agenda April 2, 1974

Gentlemen:

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

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an minimum size approved road in accordance with Baltimore County Standards (Main 30) as published by the Department of Public Works.
- (x) 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 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 "The Life Safety Code", 1970 Edition prior to occupancy.
- (x) 6. Site plans are approved as drawn (Appl. Standard #83 for repair garage from
- () 7. The Fire Prevention Bureau has no comments at this time. National Fire Code-Vol. 2)

Reviewer: *James M. Byrnes Jr.*
Planning Group
Special Inspection Division

Noted and Approved: *Paul H. Rinecke*
Deputy Chief
Fire Prevention Bureau

mls
4/16/74

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 9, 1974

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on the following item, Zoning Advisory Committee Meeting April 2, 1974, are as follows:

Property Owner: Larry E. Knight
Location: SW/S Reisterstown Rd., 1510' SE of Ritters La.
Existing Zoning: D.R. 3.5 & D.R. 16
Proposed Zoning: B.L., Special Exception for service garage
No. of Acres: 1.6
District: 4

Metropolitan water is available. Sanitary sewer must be extended to this site.

Water Resources Administration: If lubrication work and oil changes are performed at this location, revised plans must be submitted showing method providing for the elimination of waste oil in accordance with Water Resources Administration requirements.

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and all fuel burning and processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

A moratorium was placed on new sewer connections in the Gwynne Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on September 13, 1973; therefore, approval may be withheld for this connection.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB/ca

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 16, 1974

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Re: Item 23

Property Owner: Larry E. Knight

Location: SW/S Reisterstown Road, 1510' S.E. of Ritters Lane

Present Zoning: D.R. 3.5 & D.R. 16

Proposed Zoning: B.L., Special Exception for service garage

District: 4th

No. Acres: 1.6

Dear Mr. DiNenna:

Would only result in a loss of 1 or 2 pupils and would have no adverse effect on student population.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich,
Field Representative.

H. EMILIE PARKS, President
EDITH C. HEND, Vice President
MRS. ROBERT L. BERRY

MARION D. WATKINS
ROBERT M. WATKINS, Vice President
ALVIN L. WATKINS

E. GARY WATKINS
WATKINS WATKINS, Vice President
WATKINS WATKINS, Vice President



May 20, 1974

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #23, Zoning Cycle VII, April 1974, to October, 1974, are as follows:

Property Owner: Larry E. Knight
Location: SW/5 Reisterstown Road, 1510' SE of Ritters Lane
Existing Zoning: D.R.3.5 and D.R.16
Proposed Zoning: B.L. Special Exception for service garage
No. of Acres: 1.6
District: 4th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The Reisterstown Road widening must be indicated on the site plan and the parking setback must be from the widening line.

Screening must be provided in accordance with Sections 405A and 409 of the Zoning Regulations.

Very truly yours,

John L. Wimbley

John L. Wimbley
Planning Specialist II
Project and Development Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA 6000 301 PLANNING 204 3011 ZONING 400 3021

classification to a D.R.16 classification with the remainder of the property in a D.R.3.5 classification. This is indicative of a County Council study of the general area and, unless the Petitioner is able to prove error beyond this fact, the Comprehensive Zoning Map is presumed to be correct and the burden is upon the Petitioner to prove otherwise.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of January, 1975, that the Reclassification be and the same is hereby DENIED and that the subject property be and the same is hereby continued as and to remain D.R.16 and D.R.3.5 Zones, and, by necessity, the Special Exception for a service garage is hereby DENIED.

R. L. H.
Zoning Commissioner of
Baltimore County

-2-

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 16 and D.R. 3.5 to B.L.; :
SPECIAL EXCEPTION for : COUNTY BOARD OF APPEALS
Service Garage :
SW/5 of Reisterstown Road 1510 feet : OF
SE of Ritters Lane : BALTIMORE COUNTY
4th District :
Larry E. Knight : No. 75-29-RX
Petitioner :
: : : : :
: : : : :

ORDER OF DISMISSAL

Petition of Larry E. Knight for reclassification from D.R. 16 and D.R. 3.5 zone to B.L. zone, on property located on the southwest side of Reisterstown Road 1510 feet southeast of Ritters Lane, in the 4th Election District of Baltimore County.

WHEREAS, the Board of Appeals notified all parties of record in the above entitled matter that this Board considers said case to be moot (copy of said letter is attached hereto).

THEREFORE, this Board, on its own Motion, will dismiss the within named appeal.

IT IS HEREBY ORDERED, this 24th day of January, 1977, that said petition be and the same is declared moot and the petition dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr.
Walter A. Reiter, Jr., Chairman
Robert L. Gilland
Robert L. Gilland

Harbert A. Davis
Harbert A. Davis

496-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

December 21, 1976

Bernhardt L. Trout, Esq.
112 Churchville Road
Bel Air, Md. 21014

Re: File No. 75 - 29- RX
Larry E. Knight

Dear Mr. Trout:

As the Petitioner, or representative thereof, in the above referenced case, you are hereby advised that said case now pending before the Board of Appeals is considered moot. This decision is based on an opinion of the Baltimore County Solicitor's office concluding that any reclassification case pending before this Board on the date of the adoption of new comprehensive zoning maps (i.e. 10/15/76) is moot.

Therefore, unless you present written objection and/or an amended appeal, where applicable, to the Board within thirty (30) days from the date hereof, an Order of Dismissal shall be executed by this Board.

Very truly yours,

Walter A. Reiter, Jr.
Walter A. Reiter, Jr., Chairman

cc: Mr. Larry E. Knight
Ms. Claire Bailey
Ms. Alice LaGrand
John W. Heslan, III, Esq.

PETITION FOR ZONING :
RECLASSIFICATION FROM : BEFORE THE ZONING COMMISSION
DR16 and DR3.5 to BL : OF BALTIMORE COUNTY
LARRY E. KNIGHT :
Petitioner :
: : : : :
: : : : :

MEMORANDUM

Petitioner, Larry E. Knight, by Bernhardt L. Trout, his attorney, pursuant to the requirements of the zoning regulations of Baltimore County, Maryland assigns the following reasons in support of its petition for Zoning Reclassification:

1. The subject property binds on Reisterstown Road (U. S. Route #140), has high traffic and heavy commercial traffic and is across from a large tract of land zoned DR16 for which an application has been received and a hearing has been had on the request for a change to commercial zoning reclassification to allow for a shopping center. The status of that reclassification request is that there was no adverse comment at the hearing except that the Zoning Commissioner is holding the case sub-curia because an abutting apartment development owner wanted to make some joint venture proposal relative to this property which seemed to be looked upon with favor by all the parties concerned. Therefore, because of the large concentration of apartment development in the area and because of the proposed shopping center, the subject property is not suitable for DR16 or DR3.5 development; and it was error to so zone the property in that manner, as well as the pending and completed changes in the area would justify a reclassification.

2. The subject property is located approximately 165 feet from BL zoning on the West side of Reisterstown Road to the South and BL zoning to the North approximately 500 feet away

from the subject property. In both cases the commercial zoning continues in a strip fashion along that side of Reisterstown Road for some length. The Petitioner feels that it would be appropriate to make this approximately 1000 foot strip BL to conform to the other BL zoning on that side of Reisterstown Road in that area, and the zoning map (March 24, 1971) was in error to so zone the subject property DR16 and DR3.5.

3. The general topography of the properties in this area and the subject property is such that it would not lend itself to residential use. You will note that the plats submitted with the Petitioner's Petition show a stream running through the length of the property along the west portion of the property, and it is noted that there is a steep grade on both sides of that stream, especially on the west side of the stream so that any development of any kind on the west side of the stream within 250 feet of the proposed diagnostic automotive repair shop would not be possible. Therefore, it was error to zone the subject property DR3.5 and DR16.

4. The commercial nature of the general area, the heavy traffic on Reisterstown Road (U. S. Route #140), and the already highly developed shopping center and apartment complexes in the area, as well as the proposed complex across the street from the subject property prevent an economically reasonable development of the subject property in its present DR3.5 and DR16 classifications. Unless the subject property is reclassified to BL with a special exception to allow for the proposed diagnostic automotive repair shop to be built on the subject property, such failure to reclassify will amount to a confiscation of the subject property and a violation of the Constitution of the United States and the Constitution and the Bill of Rights

RE: PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION : BEFORE THE
SW/5 of Reisterstown Road, 1510' : ZONING COMMISSIONER
SE of Ritters Lane - 4th Election :
District : OF
Larry E. Knight - Petitioner : BALTIMORE COUNTY
NO. 75-29-RX (Item No. 23) :
: : : : :
: : : : :

The Petitioner requests a Reclassification from D.R. 16 and D.R. 3.5 Zones to a B.L. Zone and a Special Exception for a diagnostic automotive repair shop, namely a service garage. The property is located on the southwest side of Reisterstown Road, 1510 feet southeast of Ritters Lane, in the Fourth Election District of Baltimore County, and contains 1.6 acres of land, more or less.

Evidence on behalf of the Petitioner indicated that the present structure is currently operated as a service garage. It was alleged by the Petitioner that said use had a nonconforming status. The Petitioner, through testimony, indicated that the County Council erred in classifying the subject property in its present classification. It was also indicated that the State will be acquiring the present structure on the subject property if and when Reisterstown Road is widened.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner, the Petitioner has failed to show error in the Comprehensive Zoning Map or substantial changes in the character of the neighborhood to justify the granting of this Petition.

Prior to the recent adoption of the Comprehensive Zoning Map of March 24, 1971, the subject property was classified R. 10. With the adoption of this map, a major portion of the subject property was reclassified from the R. 10

of the State of Maryland.

5. In addition, at the time of the hearing on the Petition, the Petitioner will state such other and further errors in the zoning map as may be relevant to the Petition and such changes as may have occurred in the neighborhood related to the proposed reclassification.

6. The granting of the Petitioner's request will benefit the community by providing a needed diagnostic auto service center for the area and adjoining community.

7. For such other good and sufficient reasons to be submitted at the time of the hearing.

Bernhardt L. Trout, Esquire
Bernhardt L. Trout, Esquire
Attorney for Petitioner
102 West Pennsylvania Avenue
Towson, Maryland 21204
301-296-1434

PROPERTY DESCRIPTION TO ACCOMPANY PETITION FOR ZONING RECLASSIFICATION
LOCATION: 10714 and 10716 Reisterstown Road, 4th Election District, Baltimore County, Maryland
APPLICANT: Larry E. Knight
DATE: March 6, 1974 (Revised March 30, 1974)
DESCRIPTION:

All that tract or parcel of ground situate, lying and being in the Fourth Election District, Baltimore County, Maryland, located on the Southwest side of Reisterstown Road (U. S. Route 140), south of Ritters Lane and more particularly described as follows:
Beginning for the same at a point on the Southwest side of Reisterstown Road approximately 1510 feet southeast of the intersection of the Southwest side of Reisterstown Road and the center of Ritters Lane, said point also being South 35 degrees 46 minutes East 207.58 feet along the Southwest side of Reisterstown Road from the Southeast corner of that lot of ground conveyed by John B. Reese to The School Commissioners of Baltimore County by deed dated August 6, 1860 and recorded among the Land Records of Baltimore County in Liber G.H.C. 31, folio 236 and said point of beginning also being the beginning point of the first described parcel in a deed from Ella Violet Fox to Larry E. Knight dated April 3, 1972 and recorded among the Land Records of Baltimore County in Liber 5258, page 744, thence running and binding along the Southwest side of Reisterstown Road and with the line of the said deed from Fox to Knight,
South 35 degrees 46 minutes East 60 feet to a point, thence leaving said road and running with the second line of the first described parcel in the deed from Fox to Knight
South 52 degrees 14 minutes West 80.14 feet to a point at the beginning of the secondly described parcel in the above-referenced deed from Fox to Knight, thence continuing with the outlines of said second parcel
South 52 degrees 30 minutes West 103.2 feet to a point in the center of a stream and

North 36 degrees 22 minutes West 62.44 feet to a point at the end of the first or South 52 degrees 30 minutes West 103.2 feet line of a lot of ground which by deed dated July 28, 1973 was conveyed by Ira K. Kimmel, Guardian for Lenore B. Gayley, et al, to Larry E. Knight, thence leaving the outlines of the above-referenced secondly described parcel of ground conveyed from Fox to Knight and running with the outlines of said conveyance from Kimmel to Knight,

North 35 degrees 46 minutes West 42 feet to a point
South 52 degrees 30 minutes West 56 feet to a point
North 36 degrees 22 minutes West 195.5 feet to a point
North 26 degrees 26 minutes East 176.47 feet to a point
South 39 degrees 34 minutes East 110.5 feet to a point and
North 50 degrees 26 minutes East 82.55 feet to a point on the Southwest side of Reisterstown Road, thence running along the Southwest side of said road and with the last line of the aforesaid deed from Kimmel to Knight
South 35 degrees 46 minutes East 207.58 feet to the place of beginning. Containing 1.6 acres of land, more or less.
Being known and designated as 10714 and 10716 Reisterstown Road and being all those lots conveyed to Larry E. Knight by the following deeds:

1. From Ella Violet Fox dated April 3, 1972 and recorded among the Land Records of Baltimore County in Liber 5258, page 744.
2. From Ira K. Kimmel, Guardian for Lenore B. Gayley, and William W. Gayley, dated July 28, 1973.

The above-described property being subject to a ten foot easement for sanitary sewer as shown on Baltimore County Department of Public Works, Bureau of Land Acquisition drawing R/W 68-152-3.
The foregoing description has been compiled from deeds and records.



By *William T. Sadler* Date: *3/30/74*
William T. Sadler P.L.S. 7730

BALTIMORE COUNTY, MARYLAND No. 16921
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Oct. 2, 1974 ACCOUNT: 01-662
AMOUNT: \$188.20
DISTRIBUTION: WHITE - CASHIER, YELLOW - CUSTOMER
Kingfish Realty
500 Main Street
Reisterstown, Md. 21136
Advertising and posting of property for Larry Knight
\$75-29-RX

BALTIMORE COUNTY, MARYLAND No. 14747
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: April 19, 1974 ACCOUNT: 01-662
AMOUNT: \$50.00
DISTRIBUTION: WHITE - CASHIER, YELLOW - CUSTOMER
Bernhardt L. Trout
102 W. Penna. Ave.
Towson, Md. 21204
Petition for Reclassification and Special Exception for
Larry E. Knight
\$75-29-RX

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *4th* Date of Posting: *AUG. 15, 1974*
Posted for: *PETITIONS FOR RECLASSIFICATION (C) SPECIAL EXCEPTION*
Petitioner: *LARRY E. KNIGHT*
Location of property: *SW/4S OF REISTERSTOWN RD. 1510' SE OF RITTERS LANE*
Location of Sign: *FRONT 10714 AND 10716 REISTERSTOWN RD.*
Remarks:
Posted by: *Thomas F. Poland* Signature Date of return: *AUG. 16, 1974*

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map date by	Original date by	Duplicate date by	Tracing date by	200 Sheet date by
Descriptions checked and outline plotted on map					
Petition number added to outline					
Denied					
Granted by ZC, BA, CC, CA					
Reviewed by: <i>JPB</i>		Revised Plans: Change in outline or description			
Previous case:		Map #			

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chasapeake Avenue
Towson, Maryland 21204

Your Petition has been received this *10th* day of *April* 1974.

H. D. Nenna
Zoning Commissioner

Petitioner: *Knight* Submitted by:

Petitioner's Attorney: *JPB* Reviewed by: *JPB*

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

Maryland Department of Transportation
State Highway Administration

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Dear Mr. DiNenna:

We have been advised that a trader's license has been approved by your office for the subject site. It was our understanding that your office was to check with us prior to approving a license for a site on a State Highway. In this case, it was not done.

For the past year, an automobile repair operation has been underway. Prior to that time, and for the previous nine years, there was no evidence of this type of operation; therefore, it would appear that a change of occupancy permit is in order.

Although the petition for special exception for service garage, was denied by order dated January 6, 1975, it is our understanding that the operation was permitted by virtue of their having a non-conforming use. We do not understand how this could be since there was no evidence of an auto repair operation from 1965 to 1975, as mentioned above.

We are concerned because the main entrance into the site is unpared and not curbed and as a result, it is causing problems to the State Highway Administration.

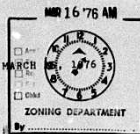
We would appreciate any action that you can take toward having a proper entrance constructed. We would also appreciate having the opportunity to review future applications for traders licenses for sites on State Highways.

CL:gc

Very truly yours,

cc: Mr. C. Elmer Hopert
Buildings Engineer
County Office Building
Towson, Md. 21204

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203



Re: LARRY KNIGHT PROPERTY
W/L Reisterstown Road
(Rt. 140) north of
Tollgate Road

(301) 870-8945

BERNHARDT L. TROUT
COUNSELLOR AT LAW
116 CHICAGO AVENUE
BETH AIR, MARYLAND 2104

February 3, 1975

S. Eric DiNenna,
Zoning Commissioner
Baltimore County Office
of Planning & Zoning
11 West Chesapeake Avenue
Towson, Maryland 21204

Re: Appeal from denial of
Petition for Reclassification
and Special Exception, SW/8
of Reisterstown Road, 1510'
SE of Ritters Lane - 4th Elec.
Dist., Larry E. Knight, Petitioner
No. 75-29-RX (Item No. 23)

Dear Mr. DiNenna:

Enclosed is an appeal in the above captioned matter,
along with check for filing fees and cost of posting.

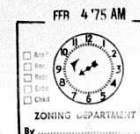
Yours very truly,

BERNHARDT L. TROUT

BLT:mtg

Enc.

cc Mr. Larry E. Knight



1-Sign

75-29-RX

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *4th* Date of Posting: *FEB. 15, 1975*
Posted for: *APPEAL*
Petitioner: *LARRY E. KNIGHT*
Location of property: *SW/8 OF REISTERSTOWN RD. 1510' SE OF RITTERS LANE*
Location of Sign: *FRONT 10714 REISTERSTOWN RD.*
Remarks:
Posted by: *Thomas F. Poland* Signature Date of return: *FEB. 21, 1975*

DISTRICT - A/C NO. *4*
FORMERLY
SOCIAL SECURITY ON
FEDERAL TAX NUMBER
Garage
VALUE OF STOCK
SUPERVISOR OF ASSESSMENTS
OFFICE OF FINANCE (PERSONAL PROPERTY TAX)
PAID UNPAID

STATE OF MARYLAND
BALTIMORE COUNTY
APPLICATION FOR BUSINESS LICENSE
THIS APPLICATION IS SUBJECT TO THE LOCATION TO BE LICENSED. IT IS YOUR RESPONSIBILITY TO FURNISH THIS APPLICATION TO THE PROPER AUTHORITY FOR SIGNATURE AND REVENUE.

DATE OF ISSUE
MO DA YR
3-11-75

XXXXXX
NEW LICENSE NO.

1974

Business purchase of license after May 31 is subject to 10% penalty plus 2% each month thereafter.

ISSUING FEE: 1.00
TOTAL: 1.75

Signature of Owner, Partner or Corp. Officer: *James E. Knight*

4-Signs

75-29-RX

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *4th* Date of Posting: *AUGUST 24, 1974*
Posted for: *PETITIONS FOR RECLASSIFICATION (C) SPECIAL EXCEPTION*
Petitioner: *LARRY E. KNIGHT*
Location of property: *SW/8 OF REISTERSTOWN RD. 1510' SE OF RITTERS LANE*
Location of Sign: *FRONT 10714 AND 10716 REISTERSTOWN RD.*
Remarks:
Posted by: *Thomas F. Poland* Signature Date of return: *AUGUST 30, 1974*

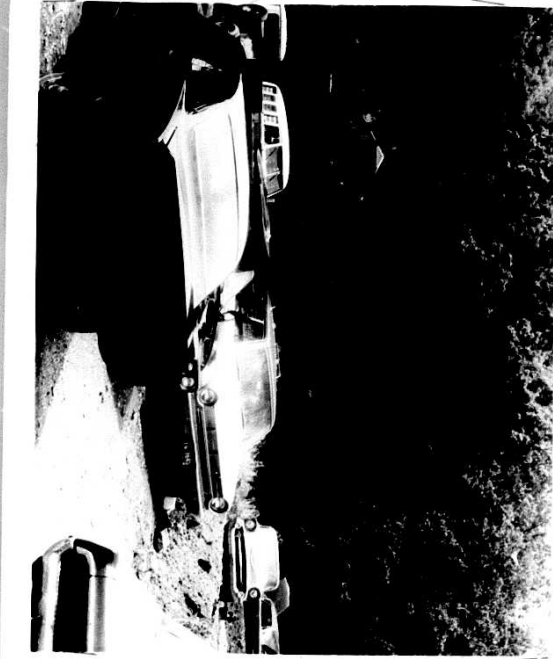
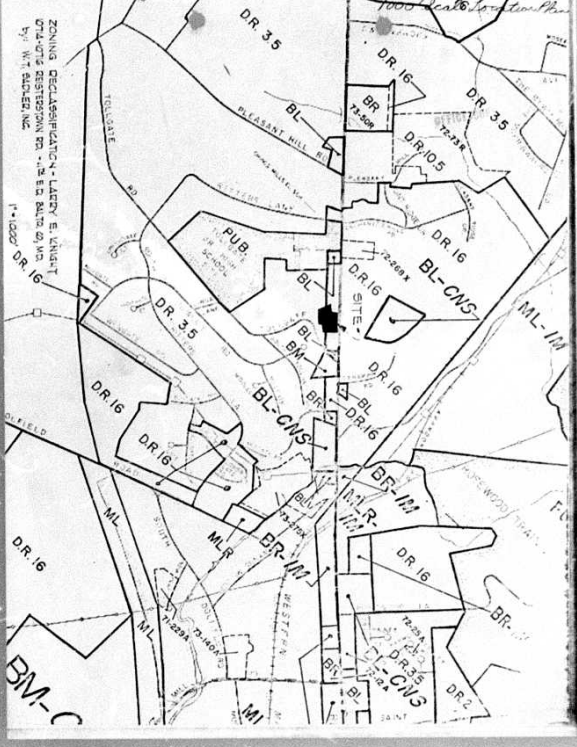
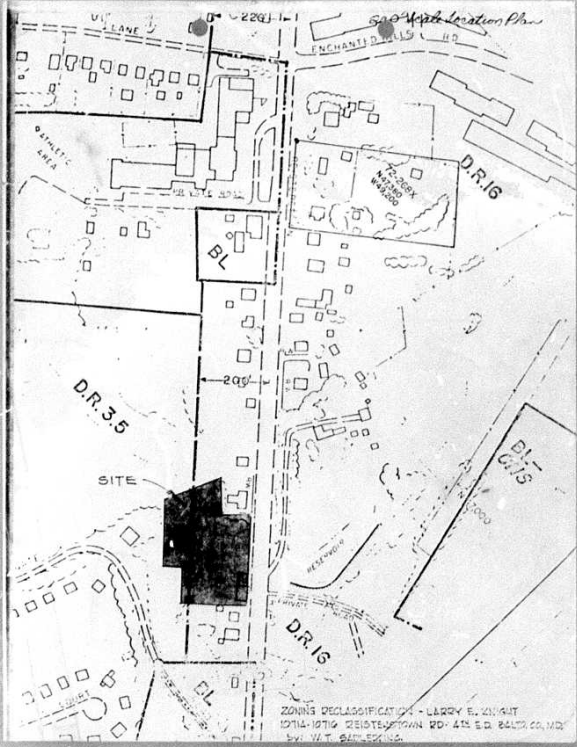
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 17488

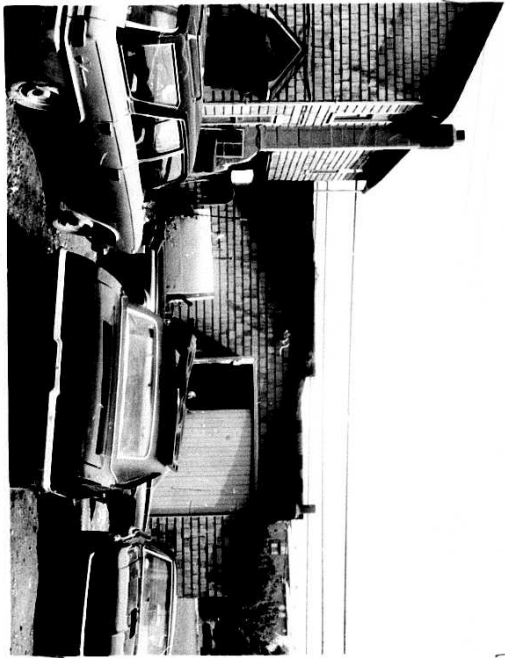
DATE February 4, 1975. ACCOUNT 01-662 7500

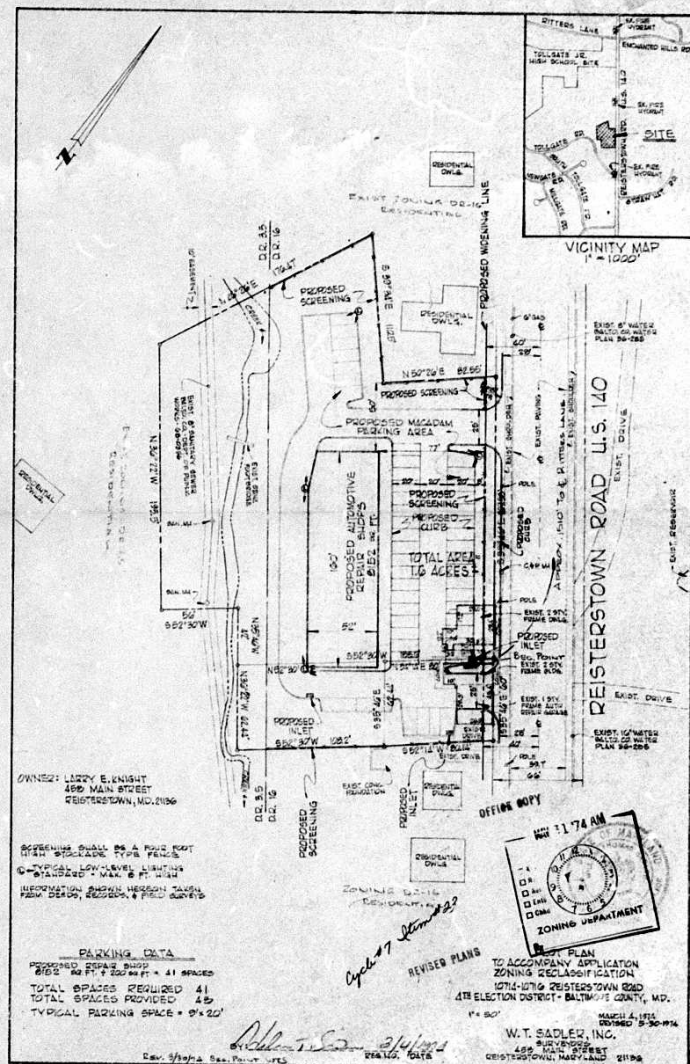
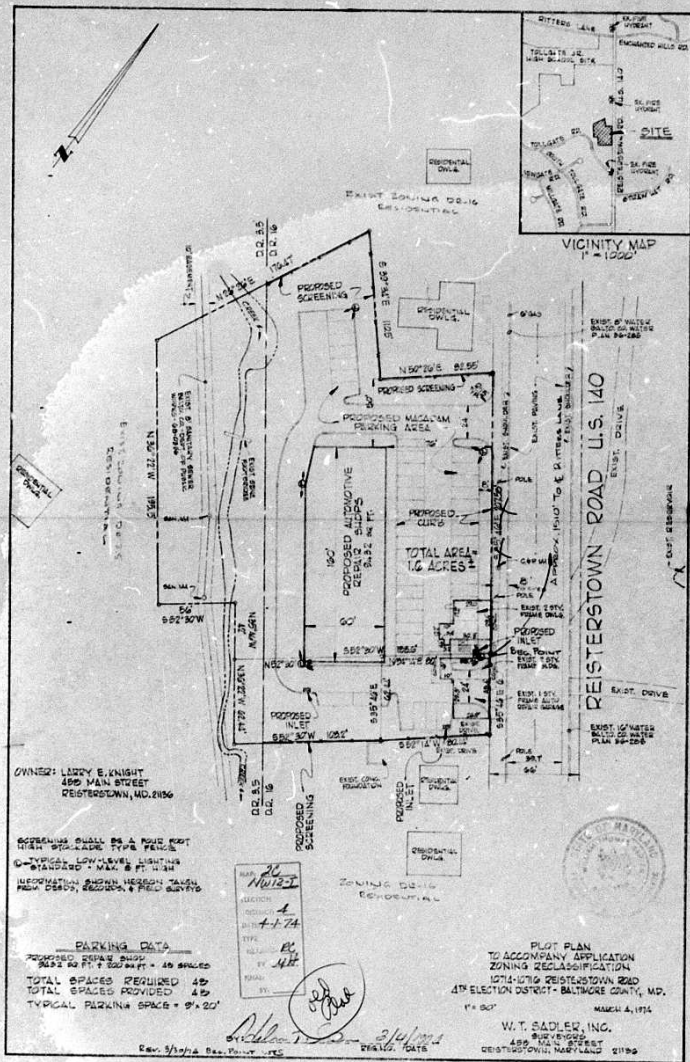
AMOUNT \$75.00

DISTRIBUTION
WHITE - CARRIER
BERNARD L. TROUT, ESQUIRE
COST OF FILING OF AN APPEAL AND POSTING OF PROPERTY ON
CASE NO. 75-29-RX (ITEM NO. 23)
SW/S of Reisterstown Road, 1510' SE of Ritters Lane -
4th Election District
Larry E. Knight - Petitioner



#75-29-RX

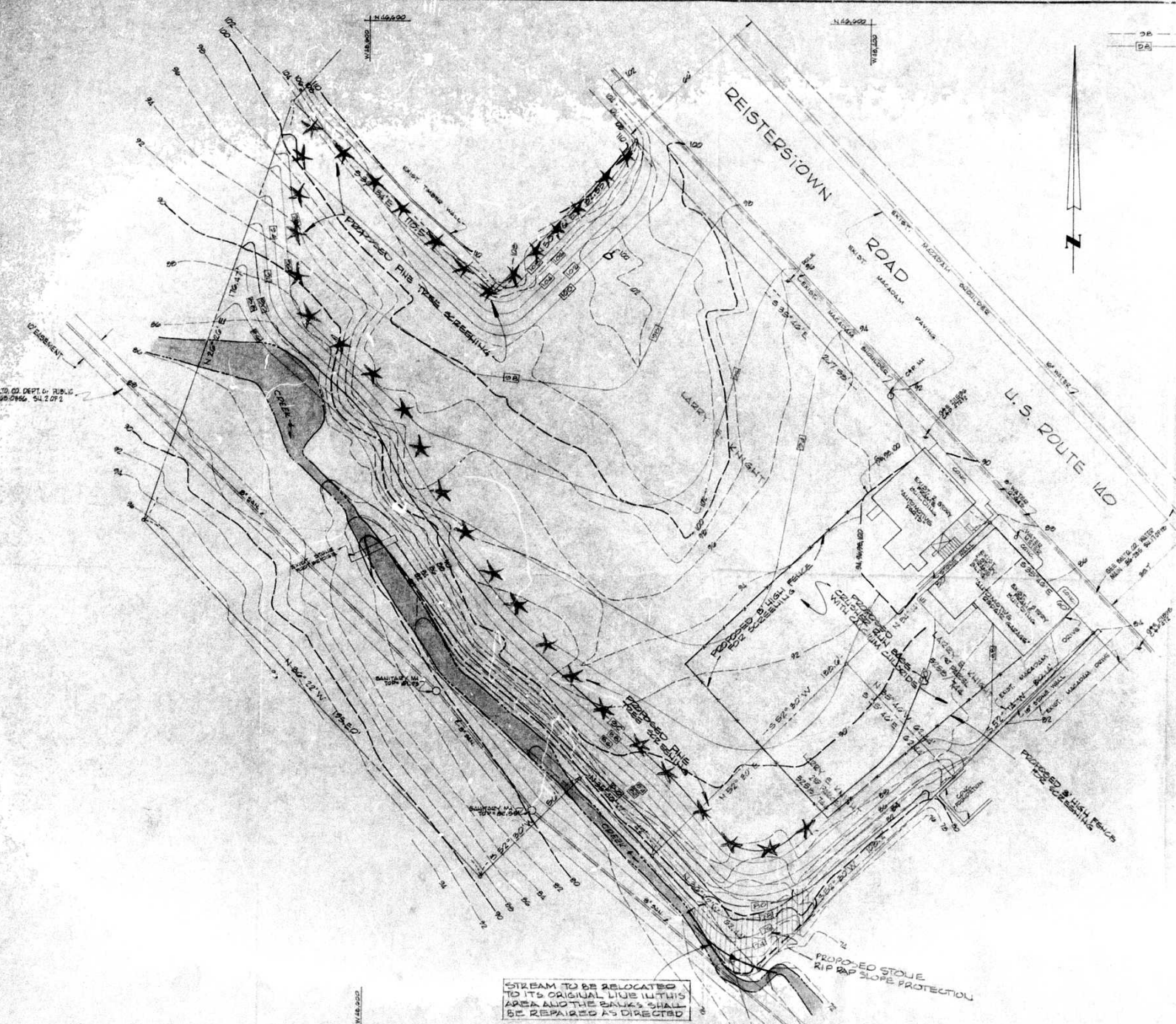






VICINITY MAP
1" = 1000'

— 25 — EXISTING GRADE CONTOUR
— 25 — FINISHED GRADE CONTOUR



GENERAL NOTES

1. All debris in the existing streambed shall be removed and disposed of in an acceptable manner.
2. All grading operations and methods shall be done in accordance with the Sediment Control Plan and as directed. All swales shall be seeded.
3. All construction methods for this grading project including clearing and grubbing, removal of existing topsoil, excavation, embankment, topsoiling, seeding and mulching, seeding, slope protection, etc., shall be done in accordance with the applicable sections of the Maryland State Highway Administration Specifications unless otherwise specified or directed.

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *[Signature]*
DATE: 7-29-84

PROPERTY OF
LARRY E. KNIGHT
10714-10716 REISTERSTOWN ROAD
ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20' AUGUST 14, 1984

W. T. SADLER, INC.
SURVEYORS
480 MAIN STREET
REISTERSTOWN, MARYLAND 21156

NOTE: PROPERTY LINES ARE COMPILED FROM DEEDS
TOPOGRAPHY BASED ON FIELD SURVEYS 2-26-1974
ELEVATIONS ARE ASSUMED DATUM

STREAM TO BE RELOCATED
TO ITS ORIGINAL LINE IN THIS
AREA AND THE BANKS SHALL
BE REPAIRED AS DIRECTED

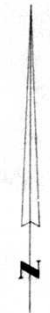
MICROFILMED





VICINITY MAP
1" = 1000'

— DB — EXISTING GRADE CONTOUR
— DA — FINISHED GRADE CONTOUR



GENERAL NOTES

1. All debris in the existing streambed shall be removed and disposed of in an acceptable manner.
2. All grading operations and methods shall be done in accordance with the Sediment Control Plan and as directed. All swales shall be sodded.
3. All construction methods for this grading project including clearing and grubbing, removal of existing topsoil, excavation, embankment, topsoiling, seeding and mulching, sodding, slope protection, etc., shall be done in accordance with the applicable sections of the Maryland State Highway Administration Specifications unless otherwise specified or directed.

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *[Signature]*
DATE: 6/29/76

PROPERTY OF
LARRY E. KNIGHT
10714-10716 REISTERSTOWN ROAD
43 ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20' AUGUST 14, 1976

W. T. SADLER, INC.
SURVEYORS
480 MAIN STREET
REISTERSTOWN, MARYLAND 21156

STREAM TO BE RELOCATED
TO ITS ORIGINAL LINE IN THIS
AREA AND THE BANKS SHALL
BE REPAIRED AS DIRECTED

NOTE: PROPERTY LINES ARE COMPILED FROM DEEDS
TOPOGRAPHY BASED ON FIELD SURVEYS 2-26-1974
ELEVATIONS ARE ASSUMED DATUM



— 20 — EXISTING GRADE CONTOUR
— 25 — FINISHED GRADE CONTOUR



VICINITY MAP
1" = 1000'

GENERAL NOTES

1. All debris in the existing streambed shall be removed and disposed of in an acceptable manner.
2. All grading operations and methods shall be done in accordance with the Sediment Control Plan and as directed. All slopes shall be sodded.
3. All construction methods for this grading project including clearing and grubbing, removal of existing topsoil, excavation, embankment, topsoiling, seeding and mulching, sodding, slope protection, etc., shall be done in accordance with the applicable sections of the Maryland State Highway Administration Specifications unless otherwise specified or directed.

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY *[Signature]*
DATE 7/5/74

PROPERTY OF
LARRY E. KNIGHT
10714-10716 REISTERSTOWN ROAD
42ND ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 20' AUGUST 14, 1974

W. T. SADLER, INC.
SUITE 202
480 MAIN STREET
REISTERSTOWN, MARYLAND 21156

NOTE: PROPERTY LINES ARE COMPILED FROM DEEDS
TOPOGRAPHY BASED ON FIELD SURVEYS 2-24-1974
ELEVATIONS ARE ASSUMED DATUM



STREAM TO BE RELOCATED
TO ITS ORIGINAL LINE IN THIS
AREA AND THE BANKS SHALL
BE REPAIRED AS DIRECTED

PROPOSED STONE
RIP RAP SLOPE PROTECTION

PROPOSED 3' HIGH FENCE
FOR SLOPE PROTECTION

PROPOSED 3' HIGH FENCE
FOR SLOPE PROTECTION

PROPOSED 3' HIGH FENCE
FOR SLOPE PROTECTION

PROPOSED 3' HIGH FENCE
FOR SLOPE PROTECTION

PROPOSED 3' HIGH FENCE
FOR SLOPE PROTECTION

PROPOSED 3' HIGH FENCE
FOR SLOPE PROTECTION

PROPOSED 3' HIGH FENCE
FOR SLOPE PROTECTION

PROPOSED 3' HIGH FENCE
FOR SLOPE PROTECTION