

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, ~~XXXX~~ **JESSE W. BAUBLITZ**, legal owner 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 and/or Deputy Zoning Commissioner should approve the legal non-conforming use of a used car lot in a B.L. Zone at 24 Westminster Pike, Reisterstown, Maryland.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, ~~XXXX~~ agree to pay expenses of above Special Hearing 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
Address
William M. Manko, Esq.
Petitioner's Attorney
Masonic Temple Bldg.
Reisterstown, Md. 21136

ORDERED By the Zoning Commissioner of Baltimore County, this 24th day of June 1975, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that newspapers 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 28th day of July 1975, at 10:30 o'clock A.M.

JUN 24 75 AM
Zoning Commissioner of Baltimore County
(over)

William M. Manko, Esquire
Masonic Temple Building
Reisterstown, Maryland 21136

RE: Petition for Special Hearing
NE/S of Reisterstown Road, N
Of Maryland Rt. 30 - 4th Elec-
tion District
Jesse W. Baublitz - Petitioner
NO. 76-26-SPH (Item No. 217)

Dear Mr. Manko:

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours,

S. ERIC DINENNA
Zoning Commissioner

SED:scw

Attachments

cc: John W. Hession, III, Esquire
People's Counsel

RE: Petition by Jesse W. Baublitz, Owner,
Subject property - 24 Westminster Pike, Reisterstown, Md.
Continuation of Non-Conforming Use - Used Car Lot

MEMORANDUM

Petitioner seeks continuation of a non-conforming use which has applied to the subject premises since 1945. Petitioner purchased said property in 1964 at which time the non-conforming use was still in existence. Since that time to the present there has been no abandonment or discontinuation. The present problem was brought about when the following events took place: On or about January, 1974, one Evelyn Duggins, as tenant of Jesse Baublitz, leased and operated a used car lot on the subject premises then ceased said operation; Roland Baublitz followed as tenant and attempted to obtain a license but was unsuccessful, said efforts continuing until October, 1974; Al Landsman succeeded to the rights of Mr. Baublitz and continued to seek a license; April, 1975 Mr. Landsman trading as Landsman Motors, was still applying for said license; Mr. Jesse Baublitz recently learned that Mr. Landsman was denied a license because the subject premises was not properly zoned.

ARGUMENT

The law as stated refers to abandonment or discontinuation. It is argued that neither element is present in this case as there never was an abandonment or discontinuation by the Owner. The parties were actively seeking a renewal of license and this being an administrative procedure caused a delay in use of the premises by one other than the Owner.

Respectfully submitted
William M. Manko
Attorney at Law
Masonic Temple Bldg.
Reisterstown, Md. 21136

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric Dinenna, Zoning Commissioner Date: July 22, 1975
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #76-26-SPH. Northeast side of Reisterstown Road 304 feet North of Maryland Route 30.
Petition for Special Hearing to approve the legal non-conforming use of a used car lot in a B.L. zone.
Petitioner - Jesse W. Baublitz

4th District

HEARING: Monday, July 28, 1975 at 10:30 A.M.

The staff of the Office of Planning has reviewed the subject petition and has the following comment to offer.

There are no comprehensive planning factors requiring comment on this petition at this time.

William D. Fromm
Director of Planning

WDF:NEG:nb

RE: PETITION FOR SPECIAL HEARING
to approve the legal non-conforming use of a used car lot in a B.L. Zone. Northeast side of Reisterstown Road 304 feet North of Maryland Route 30. 4th District.
JESSE W. BAUBLITZ
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 76-26-SPH, Item # 217

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

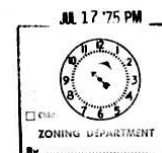
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, we hereby enter our appearance in this proceeding. You are requested to notify us of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

John W. Hession, III
People's Counsel

Charles E. Kountz, Jr.
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 17th day of July, 1975 to William M. Manko, Esquire, Masonic Temple Building, Reisterstown, Maryland 21136, Attorney for Petitioner.

John W. Hession, III



I will not attend. JWH.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 26, 1975

COUNTY OFFICE BUILDING
111 N. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

XXXXXXXXXXXXXXXXXXXX
Chairman

Franklin T. HOGANS, Jr.
Hogans, Jr.

MEMBERS
BOARD OF ADMINISTRATION
HEALTH DEPARTMENT
BOARD OF FIRE PROTECTION
DEPARTMENT OF TRAFFIC ENGINEERING
ZONING ADVISORY COMMITTEE
BOARD OF EDUCATION
BOARD OF PUBLIC UTILITIES
BOARD OF ZONING ENGINEERS

William M. Manko, Esq.
Masonic Temple Bldg.,
Reisterstown, Md. 21136

RE: Petition for Special Hearing
Item 217
Jesse W. Baublitz - Petitioner

Dear Mr. Manko:

The enclosed comments are to be included with the Zoning Plans Advisory Committee comments sent you June 12, 1975 under the above referenced subject.

Very truly yours,

Franklin T. HOGANS, Jr.
FRANKLIN T. HOGANS, JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

Morgan S. Lees
Hession
WDF:NEG:nb
notary public
JUL 19 1975

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the testimony and evidence presented during the course of the hearing, a nonconforming use of the subject property, consisting of the use of used automobiles, exists on the subject property and should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of August, 1975, that a nonconforming use, in the form of used car sales, exists on the herein described property. This Order shall be subject, however, to the submittal of a site plan within thirty (30) days from the date of this Order. Said site plan shall clearly indicate the exact use and improvement, i.e., building, paving, location of cars, entrances, etc. The site plan must be approved by the Zoning Commissioner of Baltimore County, the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning.

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

the above Special Hearing should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 196____, that the above Special Hearing be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

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

Office of Engineering
Ellisworth M. Diver, P.E., Chief

June 16, 1975

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

Re: Item #217 (1974-1975)
Property Owner: Jesse W. Baublitz
N/ES of Westminster Rd. (U.S. 140) 304' W. of Md.
Route 30 Hancock Rd.
Existing Zoning: B.L.
Proposed Zoning: Special Hearing to approve the legal
non-conforming use of a used car lot.
No. of Acres: 175 160.80
246 200
District: 4th

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:

Westminster Road (U.S. 140) 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.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Field inspection revealed that onsite drainage, waste and wash water flows from this site onto the property to the north, and that the retaining wall is deteriorating along the northwest outline of this site.

Item #217 (1974-1975)
Property Owner: Jesse W. Baublitz
Page 2
June 16, 1975

Storm Drains: (Cont'd)

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.

Water:

Public water supply exists in Westminster Road and is assumed to be serving this property. It appears that additional fire hydrant protection may be required in the vicinity.

Sanitary Sewer:

Public sanitary sewer is not available to serve this property which is assumed to be utilizing a private onsite sewage disposal system.

If there is a health problem the Petitioner's engineer should ascertain the feasibility of extension of public sanitary sewerage to this site from the existing 8-inch sanitary sewerage shown on Drawing #56-1115, File 1. Such an extension would require acquisition of a drainage and utility easement from offsite property. However, this property would be tributary to the Gwynns Falls Sewerage System which is subject to State Health Department imposed moratorium restrictions.

Very truly yours,

Ellisworth M. Diver
Ellisworth M. Diver, P.E.
Chief, Bureau of Engineering

END:RAM:FW:ss

cc: J. Somers
S. Bellartri
W. Munchel

1-SE Key Sheet
d, NW 1/4 Sec. Sheet
NW 1/4 Topo. Sheet
1/8 Tax Map

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 25, 1975

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

Chairman
Franklin T. Hoggans, Jr.

MEMBERS
ZONING ADMINISTRATION
HEALTH DEPARTMENT
BUREAU OF FIRE PREVENTION
DEPARTMENT OF TRAFFIC ENGINEERING
STATE HIGHWAY ADMINISTRATION
BUREAU OF ENGINEERING
PROJECT AND DEVELOPMENT PLANNING
INDUSTRIAL DEVELOPMENT COMMISSION
BOARD OF EDUCATION
OFFICE OF THE BUILDINGS ENGINEER

William M. Manko, Esq.
Masonic Temple Bldg.,
Reisterstown, Md. 21136

RE: Petition for Special Hearing
Item 217
Jesse W. Baublitz - Petitioner

Dear Mr. Manko:

This office is in receipt of revised plans and/or descriptions which reflect the required changes of the participating agency(ies) of the Zoning Plans Advisory Committee.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Franklin T. Hoggans, Jr.
FRANKLIN T. HOGGANS JR.
Chairman,
Zoning Plans Advisory Committee

FTH:JD
Enclosure

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. DIRECTOR
Wm. T. NELSEN DEPUTY TRAFFIC ENGINEER

June 9, 1975

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

Re: Item No. 217 - ZAC - May 27, 1975
Property Owner: Jesse W. Baublitz
Location: NE/S of Reisterstown Rd. (US Rte. 140) 304' W of Md. Rte. 40
Existing Zoning: BL
Proposed Zoning: Special Hearing to approve the legal non-conforming use of a used car lot.
No. of Acres: 175 160.80
246 x 200
District: 4th

Dear Mr. DiNenna:

No major increase in traffic problems are expected by the requestion petition.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Associate

MSF/Dea

**BOARD OF EDUCATION
OF BALTIMORE COUNTY**

TOWSON, MARYLAND - 21204

Date: May 27, 1975

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

Z.A.C. Meeting of: May 27, 1975

Re: Item 217
Property Owner: Jesse W. Baublitz
Location: NE/S of Reisterstown Rd. (U.S. Rte. 40) 304' W. of Md. Rte. 40
Present Zoning: B.L.
Proposed Zoning: Special Hearing to approve the legal non-conforming use of a used car lot.

District: 4th
No. Acres: 175 x 160.80
246 200

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative.

H. EMILIE PARKS, President
EUGENE D. HESS, Vice President
MRS. ROBERT L. BENNETT

MARCUS M. ROTHSCHILD
JOSEPH M. MIDDAMAN
ALVIN LOBECK
JOSHUA R. WHEELER, Vice President

J. HARVARD WILLIAMS, JR.
RICHARD W. TRACY, VMD
MRS. RICHARD A. WILSON

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>D.L.</u> Revised Plans: _____ Change in outline or description _____ _____ No Previous case: _____ Map # _____										

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 9th day of

May 1975. Item # _____

S. Eric DiNenna
S. Eric DiNenna,
Zoning Commissioner

Petitioner Jesse W. Banblitz Submitted by Jesse W. Banblitz

Petitioner's Attorney William H. Marko Reviewed by Douglas L. Lutz

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

BALTIMORE COUNTY, MARYLAND No. 21699
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE July 28, 1975 ACCOUNT 01-662

AMOUNT \$48.50

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER
Jesse W. Banblitz
Park Heights Ave.
Owings Mills, Md. 21117
Advertising and posting of property \$76.26

BALTIMORE COUNTY, MARYLAND No. 20274
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

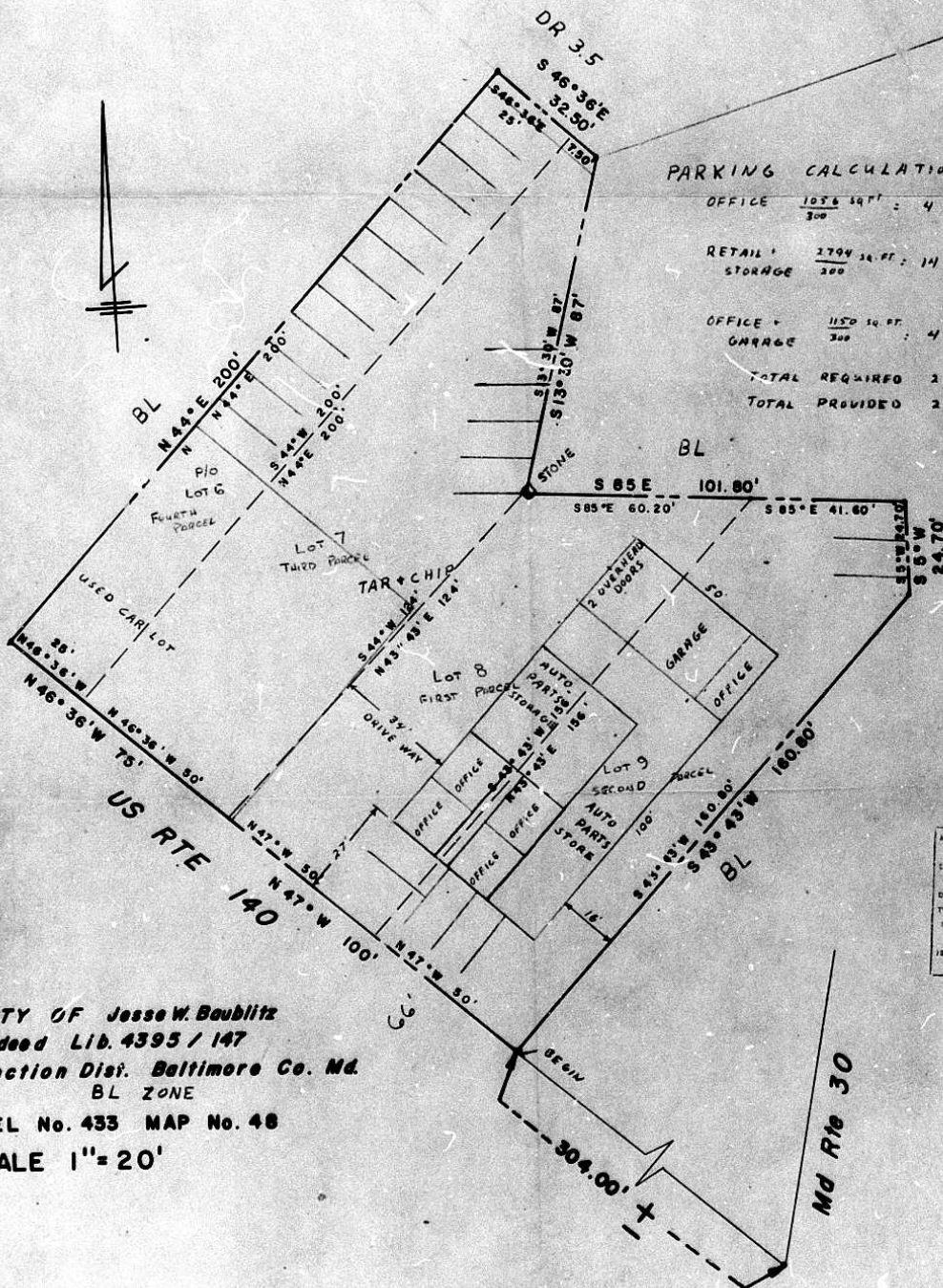
DATE May 9, 1975 ACCOUNT 01-662

AMOUNT \$25.00

WHITE - CASHIER DISTRIBUTION PINK - AGENCY YELLOW - CUSTOMER
Petition for Special Hearing for Jesse W. Banblitz
(cash)

25.00

Doc 3387

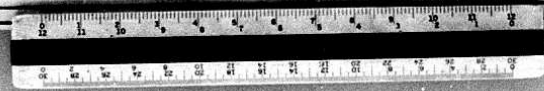


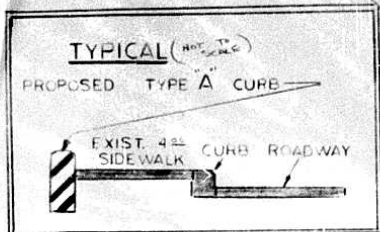
PARKING CALCULATIONS

OFFICE	1036 SQ. FT.	4 SPACES
RETAIL	2794 SQ. FT.	14 SPACES
STORAGE	200	
OFFICE + GARAGE	1150 SQ. FT.	4 SPACES
TOTAL REQUIRED	22	
TOTAL PROVIDED	22	

PROPERTY OF Jesse W. Baublitz
by deed Lib. 4393 / 147
4th Election Dist. Baltimore Co. Md.
BL ZONE
PARCEL No. 433 MAP No. 48
SCALE 1" = 20'

1D	
MUNICIPAL	
DISTRICT	4
SECTION	17
TYP.	501
SCALE	501
LY	101
TRIAL	
BY	





DR 3.5

PARKING CALCULATIONS

OFFICE $\frac{1056}{300}$ SQ. FT. = 4 SPACES

RETAIL $\frac{2794}{200}$ SQ. FT. = 14 SPACES

OFFICE & GARAGE $\frac{1150}{300}$ SQ. FT. = 4 SPACES

TOTAL REQUIRED 22

TOTAL PROVIDED 28

BL

BL

S 85° E 101.80'

S 85° E 60.20'

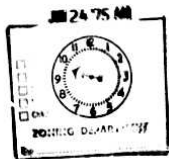
S 85° E 41.60'

S 5° W 24.70'

S 5° W 24.70'

USED CAR LOT
TAR

Baublitz
REVISED PLANS



PROPERTY OF Jesse W. Baublitz
by deed Lib. 4395 / 147
4th Election Dist. Baltimore Co. Md.

BL ZONE

PARCEL No. 433 MAP No. 48

SCALE 1" = 20'

REVISED JUNE 23, 1975

NOTE: EXISTING ENTRANCE
41" TO BE REDUCED
TO 35" MAX.

MAP	2475
SECTION	147
DATE	6/23/75
TYPE	REVISION
BY	JB
DATE	6/23/75
BY	JB

