(00 Ao. 217) N

979-75

118

304" N of

THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, SAVES, JESSE W. BAUBLITZ legal owner.\_\_cf the property tuate in Baltimore County and which is described in the description and lat attached hereto and made a part hereof, hereby petition for a Special earing Under Section 500.7 of the Zoning Regulations of Baltimore County, determine whether or not the Zoning Commissioner and/or Deputy Zoning ommissioner 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

Property is to be posted and expenses of above Special Hearing advertising, 1, EXCLUS, 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.

Jone W. Baublet

Address Owings mills md

Zoning Commissioner of Baltimore County

Bet 185

Protestant's Attorney

Legal Owner

Contract Purchaser

William M. Mauler Petitioner's Attorney

Masonic Temple Bldg. Reisterstown, Md. 21136

Va Kenua

JM 24 75 AM

OFFICE OF PLANNES & ZENORG

(over)

August 18, 1975

William M. Manke, Esquire Masonic Temple Building Reisterstown, Maryland 2:136

RE: Petition for Special Hearing NE/S of Reisterstown Road, N Of Maryland Rt. 30 - 4th Election 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 sald Order is attached

S. ERIC DI NENNA

SED, ecw

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

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

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 Eevelyn Duggins, as tenant of Jesse Baublits, leased and operated a used car lot on the subject premises then ceased said operation; Roland Baublits followed as tenant and attempted to obtain a license but was uncossful, said efforts continuing until October, 1974: Al Landsman susceeded to the rights of Mr. Baublits and continued to seek a license; April, 1975 Mr. Landsman trading as Landsman Motors, wax still apllying for said license; Mr. Jesse Baublitz recently learned that Mr. Landsman was denied a license because the subject premises was not properly soned.

## ARGUMENT

The law as stated refers to aban It is argued that neither element is present in this case as there never was an abandonment or discontinuation by the Owner. The narties 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.

> ARespectfully submitted William m. Marker William M. Manko Attorney at Law Masomic Temple Bldg. Reisterstown, Md. 21136

BACTIMORE COUNTY, MARTLAND

INTER-OFFICE CORRESPONDENCE

TO. S. Eric DiNenna, Zoning Commissioner Date July 22, 1975.... FROM William D. Fromm, Director of Planning

SURJECT 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 Macon William D. Fromm Director of Planning

WOF -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.

JESSE W. BAUBLITZ

. ZONING COMMISSIONED

Case No. 76-26-SPH. Item # 217

OPOER TO ENTER APPEARANCE

Mr. Commissione

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.

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this  $_{12}$ day of July, 1975 to William M. Manko, Esquire, Masonic Temple Building. erstown, Maryland 21136, Attorney for Petitioner.

1

ZONING DEPARTMENT

I will not attend. JWH.

July 25, 1975

To when it may concern:

7/15/75 watery publica

I. Mergan Gies, of Westminster Rd. Reisterstewn, Nd. De attest to the fellowings

The preperty in question, 24 Westminster Read or used car let, was bought by my father in approximately 1920 and has had an operating service station and or garage, and dealership of used or new cars since 1922. Mr. Baublitz bought this property approx. 10 years ago and has kept a good clean used car lot since then. I am in favor of keeping this business going as usual.

morgan S. Les

Beginning for the same at a point on the northeast side of Reisterstown Road (US.Rte. 140), said point being N47'00' w 304' from the intersection of U.S. Rte. 140 and Md. Rte. 30. thence from said point of beginning and thence running N47°00' W 100' to a pointtience running N46°36' W 75' to a point, thence running N 44°00' E 200', thence S 46° 36' E 32.50', thence 13° 30' w 87' to a stone, thence S 85° 00' E 101.80' to a point, thence running 8 05° 00' W 24.70' to a point, thence running S 43° 43' W 160.80' to the beginning

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 26, 1975

Courte Crick Bollotto
Ill W. Chetapeake Avenue
Towson, Raryland 21204 \*\*\*\*\*\*\*\*\*\*

Franklin T. MINERS. HUALTH DITARTHOUP

PONTAU OF BEFARMENT OF WAFFIC PAGINGERS STATE STORMAY

BUTEAU OF ENG STEPING

DEVALUES NO DECICE OF THE

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

RE: Petition for Special Hearing Item 217 Jesse W. Baublits - 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 you June 12, 1975 referenced subject.

Very truly yours,

Franklint Hogars Jo Chairman, Zoning Plans Advisory Committee

FTH:JD

Enclosure

ila

# Balttmore County, Maryland Bepartment Of Bubite Borks

COUNTY OFFICE BUILDING OWBON, MARYLAND 2120 June 16, 1975

Server of Deplecation

Mr. S. Eric DiMenna Zoning Commissioner County Office Building Towson, Maryland 2120h

Item #217 (1974-1975) Item #217 (1971-1975)
Property Owner: Jesse W. Baublitz
N/ES of Westminster Rd. (U.S. 110) 30h\* W. of Md. N/ES of Westminster Rd. (U.S. 140) 3Cu w. of Rd. Route 30 Hanner Rd. Existing Zoniag: Bell. Proposed Zoniag: Special Hearing to approve the legal non-conforming use of a used car lot. No. of Acres: 175 160.80 ZEG 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

## Highways:

Westminster Road (U.S. Mho) 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.

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.

Provisions for accommodating storm water or drainage have not been indicated on

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 Patitioner must provide mocessary drainage facilities (temporary or permanent) to prevent creating any maisances or demages to adjacent properties, especially by the concentration of surface waters. Correction of any probles which may result, the to improper grading or improper installation of drainage facilities, would be the full responsibility of the Patitioner.

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 85-0-115, File 1. Such an extension would require acquisition of a drainage and utility essent from offsite property. However, this property would be tributary to the Gayman Falls Sewerage System which is subject to State Health Department imposed moratorium restrictions.

Very truly yours.

ELISIORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END-EAM-FWR-se

S. Bellestri W. Munchel

X-SE Key Sheet oh NW hl Pos. Sheet NW 16 K Topo h8 Tax Map

PETITION AND SITE PLAN

BALTIMORE COUNTY

**ZONING PLANS** 

ADVISORY COMMITTEE

**EVALUATION COMMENTS** 

M. Manho, Eng.

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

Your Petition has been received and accepted for day of 19748

filing this 24th

Petitioner Jesse W. Bemblits

Reviewed by Syanklin T. Hogans Jr. Chairman, Zoning Plans Advisory Committee Petitioner's Attorney\_

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 25, 1975 COUNTY OFFICE BUILDING 111 M. Chesapeake Avenue Towson, Maryland 21204

\*\*\*\*\*

Franklin T.

NUMBERS ZONING ADMINISTRATION HEALTH DEPARTMENT

BUREAU OF DEPARTMENT OF TRAFFIC ENGINEERIS

STATE HICHWAY PUREAU OF ENGINEERING

PROJECT AND DEVELOPMENT PLANN IN

BOARD OF EDUCATION STRICE 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

This office is in receipt of revised plans and/or descriptions which reflect the required changes of the participating agency(s) 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. Hogans 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.

WM. T. MELZER

June 9, 1975

Mr. S. Eric DiNenna Zoning Commissioner County Office Building

Re: Item No. 217 - ZAC - May 27, 1975
Property Owner: Jesse W. Baublitz
Location: NP's of Reinterstown Rd. (US Rtc. 140) 304'
W. f. Md. Rtc. 40
Existing Zoning: B.
Proposed Zoning: Special Hearing to approve the legal
non-conforming use of a used car lot.

No. of Acres: 175 160.80

Dear Mr. DiNenna

No major increase in traffic problems are expected by the requestion

michaell. Hourson Michael S. Flanigan

MSF/bza

**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

Property Owner: Jesse N. Baublitz
Location: NE/S of Reisterstown Rd. (U.S. Rte. 40) 304' N. of Md. Rte. 40

District: No. Acres:

Dear Mr. DiNenna:

No bearing on student population,

Very truly yours. 16. hide Fetward

WNP/m1

W. Nick Petrovich., Field Pepresentative

H EMSLIE PARKS, PRESIDENT JOSEPH N. M. DOWAN MRS PODLAT L BENNEY JOSHUA R WHEELER SATE THAT

NICHARD W TRACTY VMD MRS RICHARD & WHITE

HONING ADMINISTR BEALTH DEPARTMENT PUNEAU --

STATE HE DANG

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MARKET ALL ALLES 

June 12, 1975

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

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

Dear Mr. Manko:

The Zoning Plans Advisory Committee has The Zoning Plans 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 northeast side of Reisterstown Road (Mestminster Pike), 304 feet west of Reisterstown Road (Main Street). The petitioner is requesting a Special Hearing to determine the existence of a legal non-conforming use of this property for the sale of used cars.

This site plan must be revised in accordance with the comments of the State Highway Administra-

This petition is being withheld from a hearing date until such time as revised plans are received

William M. Manko, Esq. June 12, 1975 Page 2

that reflect the comments above, and any comments from other departments as requested.

Very truly yours,

PRANKLIN T. HOGANS. JR. . Chairman, Zoning Plans Advisory Committee

PTH:JD Enclosure



June 9, 1975

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

Dear Mr. Di Nenna

Comments on Item #217, Zoning Advisory Committee Meeting, May 27, 1975, are as follows:

Property Owner: Jesse W. Baublitz Location: NE/S of Reisterstown Road (US Rte 140) 304' W of Md. Rte. 40 Location: NLC 5 of Resistertown Robal (UP are 140) 304 W of Ma. Ret. 40
Existing Zoning: B.L.
Proposed Zoning: Special Hearing to approve the legal non conforming use of a used car lot
No. of Acres: 174 X 160.80
Z46 Z00

This office has reviewed the subject petition and offers the following comments. These c amments 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

This plan has been reviewed and there are no site-planning factors requiring comment.

John 2 Wimbley John L. Wimbley

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE AREA CODE SOL PLANNING 494-3211 ZONING 494-3351

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

Att: Mr. Franklin Hogans

Property Owner: Jesse a. Baublitz Location: NE/S of Reisterstown Road (US Route 140) j04" W of Md. Route 30 Existing 4oning: AL Proposed Zoning: Spec. Hearing to approve the legal non-conforming use of a Used car lot No. of Acres: 175 160.80 District: 4th

Re: Z.A.C. meeting May 2/, 1975

Dear Sir:

The plan must indicate existing entrances and curbing. An inspection at the site revealed that there is no barrier between the lit and the Right of May of Mestmister Road. There's Mide opening at the east end of the property. Vehicles pull into this populing and park against the building. This situation requires backers the site onto the highway, thereby creating a traffic hazard. The mastem permitted width for a commercial entrance is 35 ft. The existing opening about the beduced in width by extending the roadside curb. The parking should be rearranged as that it is not necessary to back out. The plan should be revised accordingly.

A sign was noted within the State Highway Administration Might of Way that should be removed.

The 1974 average daily traffic on this section of Westminster Road is ... 11.900 vehicles.

Very truly yours.

Charles Lee, Chief Bureau of Engineering Access Permit by: John E. Mevers

CL . JEW. NA

114

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

# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-



JEFFERSON BUILDING

May 21, 1975

DONALD J. ROOP, M.D., M.P.H.

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

Dear Mr. DiNenna

Comments on Item #217, Zoning Advisory Committee Meeting, May 27, 1975, are as follows:

> Property Owner: Jesse W. Baublitz Location: NE/S of Reisterstown Rd, (US Rte. 140) 304' W of Md. Rte. 140. Existing Zoning:

Existing Zoning: BL
Proposed Zoning: Special Hearing to approve the legal No. of Acres: 175 x 160.80

District: 4th

Water and sewer exist.

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

Very truly yours,

Thomas N Klypha Thomas H. Devlin, Director BUREAU OF ENVIRON ENTAL SERVICES

# CERTIFICATE OF PUBLICATION

TOWSON, MD.,....July 10 ......, 1975 THIS IS TO CERTIFY, that the annexed advertisement was ished in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each appearing on the \_\_\_\_\_lOth\_day of \_\_\_\_\_July\_\_ 19.75...

THE JEFFERSONIAN.

Cost of Advertisement, \$\_\_

# OCOMMUNITE IMES

RANDALLSTOWN, MD. 21133

THIS IS TO CENTIFY, that the annexed advertisement of

PETITION - MORTHEAST SIDE OF REISTERSTOWN HOAD was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one seconds weeks before the 28th, day of July 1975 that is to say, the same was inserted in the issues of July 9,1975

STROMBERG PUBLICATIONS, Inc.

1-5,6N

76-26 SPH

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORS COUNTY Townen, Maryland

District 4 0	Date of Posting July 12, 19
Posted for Petition For SP	CIAL HEARING
Petitioner Jesse W. BAUBL	17-
Location of property NE/S oF Reis	TERSTOWN Rd 304 N OF
MARYLAND RT.	30
la cation of Signs. FRONT 24 WE	30 STAIN STER AKE (US RT 140)
- 11	
Remarks	
Posted by Llouis F. Ralaced	Date of return Voky 17, 1975

By a Carran

HVB/pj

May 22, 1975

Bernard M. Evan

P	Orig late	inal by	Dupl date	by	date	b <sub>f</sub>	200 date	Si
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## BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received \* this 9 th day of May 1975. Item • \_\_\_\_\_\_.

Petitioner Jear W. R. Mits Submitted by Jesce W. Bandlitz

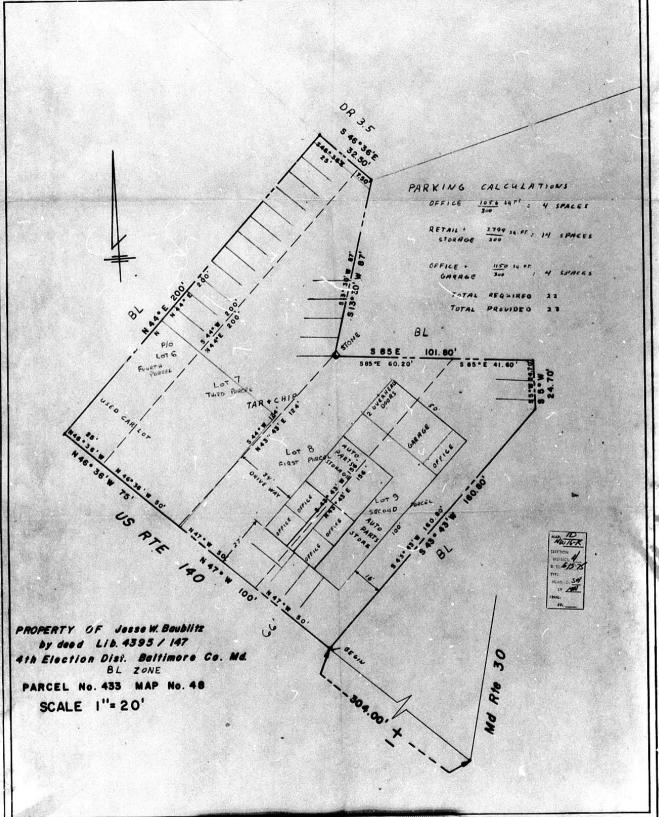
Zoning Commissioner

Petitioner's Attorney W. H. A. H. Manko Reviewed by Kunglanderer

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

21699 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE July 28, 1975 ACCOUNT 01-662 AMOUNT \$48.50 DISTRIBUTION Joses V. Baublita Park Heights Ave. Owings Mills, Md. 21117 Advertising and posting of property -- \$76-26-1391 Cast

20274 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE May 9, 1975 ACCOUNT 01-662 AMOUNT \$25.00 DISTRIBUTION WHITE - CASHIER Petition for Special Hea ring for Jease V Saublity W1935 & 12 25.00 MSE



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