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

December 4, 1997

James G. Boylan, Esquire 1308 Vincent Place P.O. Box 1174 McLean, Virginia 22101-1174

> RE: Zoning Verification 1721 Reisterstown Road Holiday Inn - Pikesville 3rd Election District

Dear Mr. Boylan:

This letter responds to your request dated November 7, 1997. The property is currently zoned B.L. (Business Local). That zoning was partially in place on the 1955 zoning maps. Then, as now, it required a special exception hearing to permit a hotel. Case \$5278-RX reclassified a portion of the property to B.L. and granted a special exception for a hotel. Subsequent variance hearings (5706-V and 63-123-V for a sign height variance, and 74-228-A, parking variance) for parking were granted and are still in effect within the terms of the order.

There are no current code violation citations on record in this office and to the best of our knowledge, no zoning actions or building permit applications.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely, /

John R. Alexander

Planner II Zoning Review

JRA:rye

c: zoning cases 74-228-A, 63-123-V, 5706-V, & 5278-RX

Enclosure



FEDERALMOTOR DINS, DHG. #63-123-V E/S of Reisterstown Hd. 652.32' to base line of H/W of Balto, Co. Beltway 3rd

FEDERAL MOTOR INNS, INC.

NO. 63-123-Variance

E/S Reisterstown Road 652.32' to base line of the right-of-way of the Beltway

3rd District

Variance from Section 413,5 (d)

Sept. 24, 1963 Petition filed

Nov. 26 Variance DENIED by Z.C. Dec. 18

Order of Appeal to County Board of Appeals filed by Joseph S. Kaufman, Esq., Attorney for Petitioner

Oct. 29, 1964 Variance DENIED by the Board Nov. 30

Order for Appeal to Circuit Court filed by Mr. Kaufman (Court File #3137)

Dec. 29 Called Mr. Kaufman regarding check to cover cost of certified documents. Ide stated that the appeal would be dropped,

No formal dismissal entered on Court docket. Appeal automotically dropped dueto time running out for the filing of the proceedings May 8, 1967

File closed and returned to Zoning Department

RE: PETITION FOR VARIANCE BEFORE PETITION FOR VARIANCE from Section 413.5 (d) of the Zoning Regulations E/S Reistentown Road, 652.32st to base line of the R/W of the Baltimore County Beltway 3rd District COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY Federal Motor Inns, Inc., Petitioner

No. 63-123-V

OPINION

The subject hearing arose as a result of the petitioner's request for a varian from Section 413.5 (d) of the Zoning Regulations to permit a height of 35 feet instead of the required 251, of a sign located at the Holiday Inn on Reisterstown Road near its intersection with the Baltimore County Beltway.

The petitioner contends that the Board, under its powers as granted in Section 307, should grant a variance from the Zoning Regulations of Baltimore County; that it is contended strict compliance by the petitioner would result in practical difficulty or unreasonable bardship to him

The only testimony presented before the Board as to hardship was that of Mr. John A. Scher, General Manager of the Holiday Inn, who testified to the effect that many people going past the property could not find the motel because of the obstructions to the sign. There was conflicting testimony as to the visability of the sign to the travelling motorist in seeking out a place of lodging. However, it appears to the Board that the sign can be adequately seen and does adequately advertise the business conducted on the premises. To decide otherwise in this case would put the Board in a position of being custom sign designers for each commercial enterprise along a major highway. Further, the Board forsees that if this variance were granted the adjoining businesses could then legitimately make the same request on the basis that the higher sign blocks out their sign which could, foreseeably, lead to a series of tower like structures along the road, each business seeking to elevate its sign above that of its neighbors.

Since we do not find any practical difficulty or unreasonable hardship as contemplated under Section 307 of the Zoning Regulations, we see no reason whatever to grant the requested variance.

ORDER

For the reasons set forth in the afcregoing Opinion, it is this 29 day of October, 1964 by the County Board of Appeals, ORDERED that the variance petitioned for, be and the same is hereby denied.

FEDERAL MOTOR INNS, INC., a body corporate
1721 Reisterstown Road
Fikesville, Reitimore C Fikesville, Baltimore County, Maryland

IN THE CIRCUIT COURT

BALTIMORE COUNTY

G. MITCHELL AUSTIN, W. GILES PARKER, and WILLIAM S. BALDWIN. constituting and comprising the COUNTY BOARD OF APPEALS County Office Building Towson, Maryland 21204

ORDER FOR APPEAL

MR. CLERK:

Pursuant to Rules B 2-4, inclusive, of the Maryland Rules of Procedure, please enter an appeal to the Circuit Court for Baltimore County from an Order of the County Board of Appeal dated October 29, 1964 (No. 63-123-V), denving to Pederal Motor Inas, Inc., t/a Holiday Inn, variance for the raising of its wign on Reisterstown Road.

Joseph S. Kaufman Ten Light Street Baltimore, Maryland 21202 727-2800 Attorney for Federal Motor Inns, Inc., Appellant

I HEREBY CERTIFY that a copy of this Order of Appeal was mailed to Edith T. Eisenhart, Secretary of the County Board of Appeals, County Office Building, Towson, Maryland, on the _37th day of November, 1964, in compliance with Rules B 2 and 306 (c) of the Maryland Rules of Procedure.

> Joseph S. Kaufmar Attorney for Appellant

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date. October 24, 1963

FROM Mr. George R. Gavrelis, Deputy Director

SUBJECT. #63-123-V. . Yarisase to permit a sig. height of 35 feet instead of permitted 25 feet. East side of Neistersteam Road 672,36 feet to base line of the right-of-way of the Baltimore Gounty Beltway. Being property of Federal Motor Inns,

3rd District

HEARING:

Wednesday, November 6, 1963 (17-00 4 M)

The Planning staff will offer no comment with respect to the

JAN -2'64'4 -12 MELNICOVE, ASCH. GREENBERG & KALFMA

IO LIGHT STREET
THIRTY-THIRD FLOOR
BALTIMORE, MARYLAND 21202 ZONING DEPARTMENT

December 31, 1963

Hon. John G. Rose, Zoning Commissioner Baltimore County County Office Building Towson 4, Maryland

Attention: Mrs. Harris

Re: Petition for Variance of Section 413.50 of Zoning Regulations of-aide of Reisterstown Rd. 482.23 feet from the right of way of Baltimore County Beltway. Third District, Federal Notor Inna, Inc., Petitioner, No. 43-123-4.

Dear Mrs. Harris:

Confirming our telephone conversation of today, I am consists herewith our check in the amount of \$40.00 for the cost of the appeal in the above matter. It is our understanding that you will forthwith return to see our check of \$70.00, which I formarded to your office on December 18, 1963.

Very truly yours,

opeft Stanfren JOSEPH S. KAUFMAN

JSK:bb enc.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

> COUNTY BOARD OF APPEALS OF B ALTIMORE COUNTY

& mitchell Rust

Attached is your check for \$70.00 which you paid for the appeal costs in the matter of peticion of Fideral Motor Inns, Inc.

The appeal cost for a variance to the Zoning Regulations is \$35.00 plus \$5.00 for sign for resides prompty for the appeal hearing.

Jeseph S. Kaufman, Esq., 10 Light Street Baltimere 2, Hi.

William S. Baldwin

BALTINGRE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John C, Rose, Zoning Commissioner Date October 24, 1963

FROM Mr. George E. Gerralia, Deputy Director

SUBJECT. #63-121-7. Yarianca to permit a sign beight of 35 feet instead of permitted 25 feet. East side of Mainterstern Read 652,36 feet to bas line of the right-of-way of the Baltimore On Bermy. Being property of Pederal Noters In

3rd District

HEARTING:

Wednesday, November 6, 1963 (11:00 A M.)

The Planning staff will offer no comment with respect to the

Zening Completioner

Very truly yours

January 2, 1963

Thank you for your consideration to

MELNICOVE, ASCH, GREENBERG & KAUFMAN



ember 18. 1963

Hon, John G. Rose, Zoning Commissioner Baltimore County County Office Building Towson 4, Maryland

Re: Petition for Variance of Section 413.50 of Zoning Regulations of Balilance County, Enst-sia 25 cet from the right of my of Saltimore County Beltwy, Third District, Federal Notor Inns, Inc., Petitioner, Bo. 23-23-y

On behalf of Federal Motor Inns, Inc. I do hereby appeal the decision of the Zonign Commissioner dated Movember 26, 1983, to the County Board of Appeals, pursuant to the provisions of Section 300.10 of the Baltimore County Zoning Regulations.

Enclosed herewith please find our check in the amount of \$70.00 made payable to Baltimore County, which is required und the provisions of Section 501.8.

I would appreciate your taking the necessary steps to having the papers forwarded to the Board of Appeals.

I Jawlinen JOSEPH S. KAUFMAN

No. 20129

No. 20226

JSK:bb CC: Mr. Joel Erisch CC: Mr. Jack Scher, Innkeeper

BALTIMORE COUNTY, MARYIMND

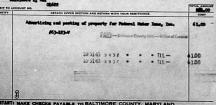
OFFICE OF FINANCE irision of Collection and Receipt COURT HOUSE TOWSON 4 MARYLAND

25.00 9-21-63 4048 . . IIL-25.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TODIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURNUPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

TELEPHONE

BALTIME COUNTY, MARYLETD OFFICE OF FINANCE



INVESTMENT MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND MAKES MAKES SECTION OF THIS BRAL WITH VOUR RESENTANCE.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE court House
TOWSON 4. MARYLAND

Me 22029

COST 1--364 8382 . . III-0.00

IMPORTANTI MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND CLASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.



Vested - your segn is partly helder la leuk of neighbor papets I should

He main reason your sign is not Correct is the your design is in Conflict with our requestions in that the realing material is too low.

I do not believe that we shall make On exception as to height when you could abortion adequately of you would elemente the lighters on top and raw your lottered sem accordingly



PRITTION FOR A RONNEY VARIANCE 2D DISTRICT.

200 DI The Zening Regulation to be excepted as follows: Zeeing Regulation to be excepted forward and the state of 25 feet at 12.5 (d)—Sign Beight of 25 feet a Zeeing Commissioner of Politimers toguithess of Ballimers Country, will a public hearing concerning all that of land in the Third District of Bal-ac Country.

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the attrexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., encockascesch November , 19.63, the first publication appearing on the 18th day of October 1963... THE JEFFERSONIAN,

Front Strukt True Copy Test:

Zoning Commissioner of Baltimore County

RS: PETITION FOR VARIANCE TO SED, halls; 6 d) of Londing Regula tions of Baltimore County - E.S. Redsters-town Read 652.32 feet from R/W of the Balto. Co., Beltsway, 3rd District -Pederal Motor Inns, Inc., Putting

ZONTHO COMPTSSTORE BATS FOR COUNTY

No. 63-123-1

The petitioner in the above matter has requested a variance to Section 413.5 (d) of the Baltimore County Zoning Regulations to pormit a height for a gion of 35 feet instead of the allowable 25 feet on more orty located on the east side of Reisterstown Road, 652.32 feet from the RA Line of the Baltimore County Beltway.

.

The variance requested is to permit a sign new existing on the subject property be increased in height. Visual inspection diser closes that the mutition/has chosen to put decorative material above the printed portion of the sign thus losing much of the effect of the printed portion of the sign. This is the choice of the petitioner and is not a hardship such as world warrant the granting of a variance.

For the above reasons the variance requested should

It is this 26+4 d . of November, 1963 by the Zoning Commissioner of Baltimore County CEDERED that the above variance be and

Zoning Commissioner of

L CHILDS & ASSOCIATES, INC. 2129 N. Chodes St. - Bahimore 18, Marchael

the distance of 82.70 feet, which arc is subtended by a chord bearing S. 51° 00' 15" W., 82.11 feet and (6) S. 62° 51' 00" W., 40.26 feet to intersect the northeast side of Reisterstown Road, 66 feet wide, as now surveyed, thence binding thereon and continuing to bind on said right-ofway line first hereinabove referred to, the three following courses and distances, namely, (1) N. 42° 09' 00" W., 38.61 feet, (2) N. 34° 24' 20" W., 126.15 feet and (3) N. 39° 17' 20" W., 98.11 feet to the place of be-

Containing 2, 8468 acres of land.

Being part of the deed from Sidney Whitehill and wife to Palmer F. C. Williams and wife, dated October 27, 1930 and recorded among the Land Records of Baltimore County in Liber L. McL. M. 858, Folio 303.

> RWR:sb 10/15/62

CERTIFICATE OF POSTER

Posted for: Patition for Yarianco to parmit a sign Height of 35: instead of the permitted 25' . Kederal Motor INs. Inc. Location of property: E/S of Metateratown Md. -653.331. to bese-line-of-the B/N of the Baltimore Go. Beltway Location of Signer on tree at entrance to motel on the N/E side of Reinterstone S Brose Date of return .. Oct .. 24, 1963

PETITION FOR ZONING VARIANCE P 20 83 FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONED OF BALTMORE COUNTY

hereby petition for a Variance from Section 413,5 (d)

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

BEING OF 35 FEET / STEEN OF THE PERSONNEL VE PER

The present sign of the Holiday Inn Motel is substantially obstructed as a result of landscaping done for the Baltisore County Beltway. In order to make the sign visible for prespective patrons and the public generally, it is necessary to raise the height of the sign. This will be in conformity with the signs in the general area.

See Attached Description

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

Low we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Ballmore County adopted pursuant to the Zoning Law For Ballmore County.

FEDERAL MOTOR INNS, INC.
Legal On 1951
Address 10 Light St., Balto Protection 12 -Attorney

Agoured Remberg

Asper Most Head wife all & Main Service

To a sour Commissioner of Ballimore County, this 24th 10 Light St., Balto. 2, Md.

September 7 1963 at 11100 clock

A. M. THESE & ZOME

· Later Man

Associates Y George W. Buildy Robert W. Crabos

Leonard M. Glass Norman E. Herrman

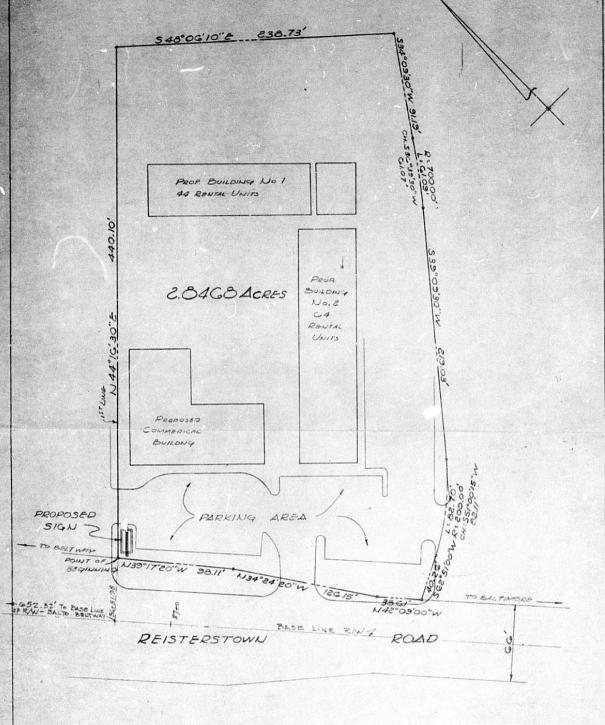
110-Aire 7-5700 DESCRIPTION 2.8468 ACRE PARCEL, PART OF PALMER F. C.

ATZ, CHILDS & ASSOCIATES, INC. Englasere - Serverere - Sie Plante

2129 N. Chales St. - Beltimer 18, Marshad

WILLIAMS PROPERTY

Beginning for the same at a point on the northeasterly right-of-way line of Reisterstown Road, as now widened and shown on the State Roads mission of Maryland Plat No. 23202, revised August 8, 1960, Contrac-No. B-635-16-420, and opposite station 36+51.98 on the Base Line of rightof-way of Reisterstown Road as shown on said plat, said station being distant 652, 32 feet as measured southeasterly along said Base Line of rightof-way trom its point of intersection with the Base Line of right-of-way of the Baltimore Beltway, said beginning point also being at the point of inter of said right-of-way line by the first line of the deed from Sidney Whitehill and wife to Palmer F. C. Williams and wife, dated October 27, 1930 and recorded among the Land Records of Baltimore County in Liber L. McL. M. 858, Folio 303; running thence binding on part of said first line, N. 44° 16' 30" E., 440, 10 feet, thence leaving said first line and running for new lines of division, the six following courses and distances; namely, (1) S. 48° 06' 10" E., 238.73 feet, (2) S. 34° 09' 30" W., 91.19 feet, (3) southwesterly, by a line curving to the right with a radius of 700.00 feet, the distance of 61.09 feet, which arc is subtended by a chord bearing S. 36* 39' 30" W., 61.07 feet, (4) S. 39* 09' 30" W., 219.03 feet, (5) southwesterly by a line curving to the right with a radius of 200,00 feet,



PLAT TO ACCOMPANY DESCRIPTION

2.84GO ACRE PARCEL

PART OF

PALMER F.C. WILLIAMS PROPERTY

3RD ELEC DIST. SCALE: 1"=50" BALTIMORE COUNTY, MD.

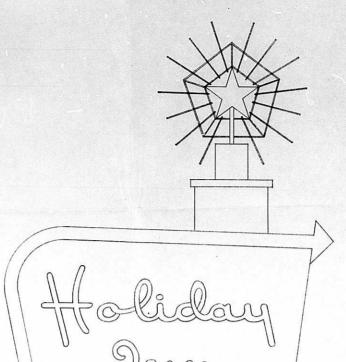


MATZ, CHILDS & ASSOCIATES

ZIED W. CHARL : 57.

BALTIMORE IS, MO.

G1-059



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OF AMERICA

THE NATION'S INNKEEPER

SCALES % . 1'-0"