

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing and Variance filed by the legal owners of the subject property, Ramji-Krupa, Inc., by and through Yeswant Patel, its president. The Petitioner is requesting a variance for property they own at 5701 Baltimore National Pike. The subject property is zoned BM-CCC. The Petition was filed by Michael P. Tanczyn, attorney at law, representing the Petitioner.

Appearing at the hearing on behalf of the special hearing and variance request were Yeswant Patel, John Mellama, Jr. and Michael Tanczyn, attorney at law. Also attending the hearing was Mr. Ken Harn, a representative from the State Highway Administration. There were no protestants in attendance.

As stated previously, the Petitioner is requesting a special hearing to approve an existing free standing sign as a legally non-conforming use pursuant to Baltimore County Zoning Regulations (B.C.Z.R.) 450.8 (c).1.(a) and (c) 2 and (c) 6. In addition, the Petitioner is requesting a variance from Section 409.6 (a) 1 of the B.C.Z.R. to allow 172 parking spaces in lieu of the required 269 for a combination hotel/motel and restaurant. The property which is the subject of this request is situated at the southwest corner of the intersection of Baltimore National Pike and Ingleside Avenue in the Catonsville area of Baltimore County. The subject property is improved with a seven-story brick hotel/motel known as the "Best Inn". The subject

1/20/2000
R. J. J. J. J.

hotel has existed on the property for many years. Formerly existing on the property was a one-story restaurant building which consisted of approximately 7,626 sq. ft. The subject restaurant was destroyed by fire and the structure itself razed. The Petitioner has filed this special hearing and variance request in order that he may reconstruct the former restaurant on site.

The Petitioner is the owner and operator of the Best Inn Hotel, and is preparing to market the property in hopes of finding a restaurant operator. The subject restaurant was previously operated as a Howard Johnson's and the free standing sign which advertised the Howard Johnson's still exists on the property. At this time, the Petitioner wishes to convert the old sign to an identification sign for his Best Inn Hotel. Once a restaurant tenant is found for the property, the sign would be converted for use with the restaurant business. However, in order to market the property, the Petitioner is requesting a variance to approve the number of parking spaces provided on the site and also confirmation to continue to utilize the sign in question.

As stated previously, no one appeared in opposition to the Petitioner's request. Furthermore, the petition was reviewed by the Office of Planning. The Planning Office recommends approval of the request conditioned upon certain restrictions being imposed upon the Petitioner. After considering the testimony and evidence offered at the hearing, I find that the Petitioner's variance to allow 172 parking spaces in lieu of the required 269 should be granted. The parking spaces provided on site are more than adequate to handle the needs of both the hotel/motel use and that of a future restaurant. It can be anticipated that shared parking between these uses will occur on the property.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and their property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

03257-100-100-100-100
Dec 1/20/2000
By R. Johnson

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

In addition, the Petitioner is requesting special hearing relief to allow the existing sign to remain on the property. Testimony and evidence offered at the hearing demonstrated that the sign in question is a legally non-conforming sign and may continue to exist on the property subject to the maintenance requirements of Section 450.6 (c) and the abatement requirements of Section 450.8(d).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the special hearing were not granted. In addition, the relief requested will not be detrimental to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

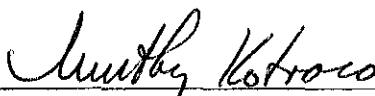
Pursuant to the advertisement, posting of the property, and public hearing on these petitions held, and for the reasons given above, the special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 20th day of January, 2000, that the Petitioner's Request for Special Hearing to approve an existing free standing sign as a legally non-conforming use pursuant to Sections 450.8 (c).1.(a) and (c) 2 and (c) of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby GRANTED.

IT IS FURTHER ORDERED, that Petitioner's request for variance from Section 409.6

(a) 1 of the B.C.Z.R., to allow 172 parking spaces in lieu of the required 269 for a combination hotel/motel and restaurant, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner may apply for their building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioner shall be required to submit a landscape plan to Mr. Avery Harden, Landscape Architect for Baltimore County, for his review and approval prior to the issuance of any building permits. Said landscaping plan shall take into consideration the landscaping and beautification efforts currently under way for this area of Baltimore National Pike.
- 3) The Petitioner shall be required to submit elevation drawings of the proposed restaurant to the Office of Planning for their review and approval prior to the issuance of any building permits.
- 4) At the time that a use permit is issued for the operation of a restaurant on the property, the subject parking lot shall be used by the patrons and employees of the Best Inn and the restaurant tenant only. The practice of automobile storage from any automobile dealership shall cease and desist at the time of the issuance of a use permit for any future restaurant.
- 5) When applying for any use and building permits, the site plan/landscape plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

January 20, 2000

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Suite 106
Towson, Maryland 21204

Re: Petitions for Special Hearing & Variance
Case No 00-218-SPHA
Property: 5701 Baltimore National Pike

Dear Mr. Tanczyn:

Enclosed please find the decision rendered in the above-captioned case. The Requests for Special Hearing and Variance have been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

Copies to:

Mr. Yeswant Patel, President
Ramji-Krupa, Inc.
5709 Baltimore National Pike
Catonsville, Maryland 21228

Mr. John Mellema
John C. Mellema, Sr., Inc.
✓ 5409 East Drive
Baltimore, Maryland 21227

Mr. Ken Harn
SHA - D4 Traffic
2323 W. Joppa Road
Towson, Maryland 21286



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 5701 Baltimore National Pike
which is presently zoned BM CCC

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

That the existing free standing sign be a legally non-conforming sign pursuant to Baltimore County Zoning Regulations 450.8(c)1(a) and (c)2 and (c) 6 pursuant to Section 500.7 of the Zoning Regulations.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Michael P. Tanczyn, Esq.
Name - Type or Print _____
Signature *Michael P. Tanczyn* _____
Law Offices of Michael P. Tanczyn
Company _____ 410-296-8823
606 Baltimore Avenue, Suite 106
Address _____ Telephone No. _____
Towson, MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

Ramji-Krupa, Inc.
Name - Type or Print _____
Signature _____
Yeswant Patel, President
Name - Type or Print _____
Signature *Yeswant Patel* _____
5709 Baltimore National Pike
Address _____ Telephone No. _____
Catonsville MD 21228
City _____ State _____ Zip Code _____

Representative to be Contacted: 410-747-8900
John Mellema
John C. Mellema, Sr., Inc.
Name _____
5409 East Drive 410-247-7488
Address _____ Telephone No. _____
Baltimore, MD 21227
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By UCI Date 11-19-99

REV 9/15/98

DROP OFF

NO REVIEW



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 5701 Baltimore Nat'l Pike

which is presently zoned BM CCC

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

To permit a variance from Section 409.6(a)1 of the Zoning Regulations to allow 172 parking spaces (167 regular and 5 handicapped), in lieu of the required 269 spaces for a combination hotel/motel and restaurant. (See attached sheet.)

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

See attached sheet.

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

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

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Michael P. Tanczyn, Esq.

Name - Type or Print

Signature

Law Offices of Michael P. Tanczyn

Company

600 Baltimore Ave., Ste. 106

Address

Telephone No.

Towson, MD

21204

City

State

Zip Code

Legal Owner(s):

Ramji-Krupa, Inc.

Name - Type or Print

Signature

Yeswant Patel, President

Name - Type or Print

Signature

5709 Baltimore National Pike

Address

Telephone No.

Catonsville

MD

21228

City

State

Zip Code

410-747-8900

Representative to be Contacted:

John Mellema

John C. Mellema, Sr., Inc.

Name

5409 East Drive

410-247-7488

Address

Telephone No.

Baltimore, MD 21227

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By hce

Date 11-19-99

Case No. 00-218-SPHA

REV 9/15/98

DROP OFF

No Review

ATTACHMENT TO PETITION FOR VARIANCE FOR PROPERTY:

5701 Baltimore National Pike

From Section 450 pursuant to Section 450.5.B.4.d to allow a freestanding double faced illuminated sign with 110.6 square feet on each side and existing pole 30.8 feet inches above grade maximum elevation in lieu of the one hundred (100) square feet permitted with a maximum permitted height of twenty-five (25) feet as an enterprise sign for the existing combination motor lodge and proposed restaurant.

(Indicate hardship or practical difficulty)

For reasons to be presented at the hearing and in addition to the following:

As to parking variance, the property is located on mass transit line and shared use factors are applicable for the motor lodge and proposed restaurant and also because patrons of the motor lodge may be expected to patronize the restaurant for one or more meals per day.

John C. Mellema, Sr. Inc.
5409 East Drive
Baltimore, Maryland 21227
November 18, 1999

00-218-SPHA

ZONING DESCRIPTION FOR HOWARD JOHNSON 5701 BALTIMORE NATIONAL PIKE
Property being at the southwest intersection of Baltimore National
Pike and Ingleside Ave.

Note: Description prepared from land records available, and does not
represent the results of a field run survey.

Beginning for the same at a point in the first or South 0
degrees 15 minutes East 244.65 foot line in a Deed from Mary E.
Kirwan to Augustus C. Wurtzer and Mary Kirwan Wurtzer, his wife,
recorded among the land records of Baltimore County, Maryland in
Liber RJS No. 1409, folio 335, said beginning being South 04 degrees
31 minutes 40 seconds East 4.83 feet from the beginning of the
aforesaid first line, thence on same and binding on the Westerly line
of Ingleside Avenue South 04 degrees 31 minutes 40 seconds East
239.82 feet to a point at the end of said first line, thence leaving
the westerly line of Ingleside Avenue and binding on the second,
third, fourth and part of the fifth lines of the aforesaid conveyance
South 82 degrees 21 minutes 20 seconds West 200 feet to a point,
thence continuing same course South 82 degrees 21 minutes 20 seconds
West 214.20 feet to a point, thence north 04 degrees 31 minutes 40
seconds West 233.79 feet to a point in the Southerly line of Old
Frederick Road, thence binding on same and part of the aforesaid
fifth line North 80 degrees 51 minutes 30 seconds East 336.99 feet to
a point in the right-of-way line of the Baltimore National Pike,
thence leaving said fifth line and the Southerly line of Old
Frederick Road and binding on the right-of-way line of the Baltimore
National Pike the two following courses, thence South 17 degrees 44
minutes 20 seconds East 4.20 feet to a point, thence North 81 degrees
21 minutes 20 seconds East 76.97 feet to the place of beginning. The
improvements thereon being known as No. 5701 Baltimore National Pike

Saving and Excepting the property that was conveyed by deed
dated August 16, 1976 by and between Howard Aronson, et al. and
Baltimore County, Maryland recorded among the land records of
Baltimore County in liber EHK JR.5727, folio 773.



218

Jim
1/5

CERTIFICATE OF PUBLICATION

NOTICE OF ZONING HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #00-218-SHPA
5701 Baltimore National Pike
SWC Baltimore National Pike
and Ingleside Avenue
1st Election District
1st Councilmanic District
Legal Owner(s):

Ramji-Krupa, Inc.
Special Hearing: to approve the existing, free-standing sign to be a legally non-conforming sign. **Variance:** to allow 172 parking spaces in lieu of the required 260 spaces.
Hearing: Wed., January 5, 2000 at 2:00 p.m. in Room 407 County Courts Building, 401 Bosley Ave.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

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

JT/12/649 Dec. 21 C369376

TOWSON, MD, 12-28, ~~20~~ 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-21, ~~20~~ 1999

THE JEFFERSONIAN,

TIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **074350**

DATE 11/19/99 ACCOUNT 001-6150

AMOUNT \$ 500.00 (LKR)

RECEIVED FROM: Michael Janczyn

FOR: 00 (218) - SPHA

5701 Balto Natl Pike Drop-off
No Rev

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS	ACTUAL	TIME
11/23/1999	11/23/1999	11:12:27
REG 4805	CASHIER MSTE M.S. DRAWE	5
Dept	5	528 ZONING VERIFICATION
Receipt #	133087	OPEN
CR NO.	074350	
Receipt Tot	500.00	
500.00	OK	00 00
Baltimore County, Maryland		

CASHIER'S VALIDATION

TIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **074350**

DATE 11/19/99 ACCOUNT 001-6150

AMOUNT \$ 500.00 (LKR)

RECEIVED FROM: Michael Janczyn

FOR: 00 (218) - SPHA

5701 Balto Natl Pike Drop-off
No Rev

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS	ACTUAL	TIME
11/23/1999	11/23/1999	11:12:27
REG 4805	CASHIER MSTE M.S. DRAWE	5
Dept	5	528 ZONING VERIFICATION
Receipt #	133087	OPEN
CR NO.	074350	
Receipt Tot	500.00	
500.00	OK	00 00
Baltimore County, Maryland		

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 00-218-SPHA
PETITIONER/DEVELOPER
(Ramji-Krupa, Inc.)
DATE OF Hearing
(Jan 5, 2000)

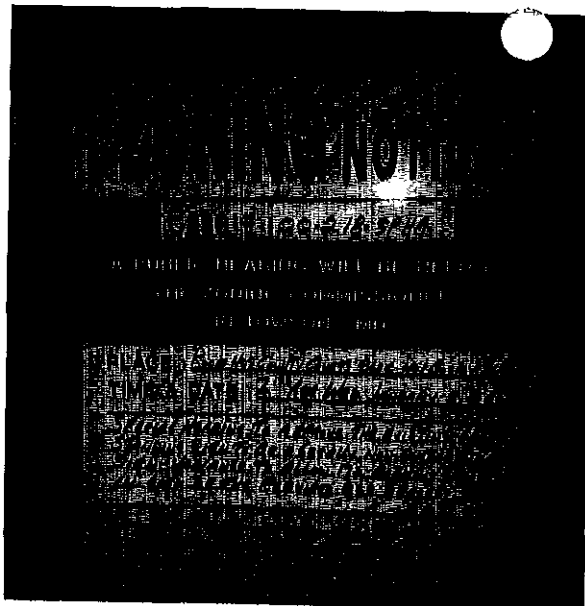
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
5701 Baltimore National Pike Baltimore, Maryland 21228—

The sign(s) were posted on 12-20-99
(Month, Day, Year)



Sincerely,

Thomas P. Ogle, Sr. 12/20/99
(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. ____

____ 325 Nicholson Road ____

____ Baltimore, Maryland 21221 ____

____ (410)-687-8405 ____
(Telephone Number)

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
5701 Baltimore National Pike, SWC
Balto. Nat'l Pike and Ingleside Ave
1st Election District, 1st Councilmanic

Legal Owner: Ramji-Krupa, Inc.
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 00-218-SPHA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

29th

I HEREBY CERTIFY that on this 29th day of December, 1999 a copy of the foregoing Entry of Appearance was mailed to Michael P. Tanczyn, Esq., 606 Baltimore Avenue, Suite 106, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



Baltimore County -
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

December 8, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-218-SPHA
5701 Baltimore National Pike
SWC Baltimore National Pike and Ingleside Avenue
1st Election District – 1st Councilmanic District
Legal Owner: Ramji-Krupa, Inc.

Special Hearing to approve the existing freestanding sign to be a legally non-conforming sign. Variance to allow 172 parking spaces in lieu of the required 269 spaces.

HEARING: Wednesday, January 5, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: Michael Tanczyn, Esquire, 600 Baltimore Avenue, Suite 106, Towson 21204
Ramji-Krupa, Inc., Yeswant Patel, President, 5709 Baltimore National Pike,
Catonsville 21228
John Mellema, Sr., Inc., 5409 East Drive, Baltimore 21227

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY DECEMBER 21, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY
Tuesday, December 21, 1999 Issue – Jeffersonian

Please forward billing to:

Michael P. Tanczyn, Esquire
Law Offices of Michael P. Tanczyn
600 Baltimore Avenue
Suite 106
Towson, MD 21204

410-247-7488

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-218-SPHA
5701 Baltimore National Pike
SWC Baltimore National Pike and Ingleside Avenue
1st Election District – 1st Councilmanic District
Legal Owner: Ramji-Krupa, Inc.

Special Hearing to approve the existing freestanding sign to be a legally non-conforming sign. Variance to allow 172 parking spaces in lieu of the required 269 spaces.

HEARING: Wednesday, January 5, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

December 30, 1999

Michael Tanczyn, Esq.
Law Offices of Michael P. Tanczyn
606 Baltimore Avenue, Ste 106
Towson, Maryland 21204

Dear Mr. Tanczyn:

RE: Case Number 00-218-SPHA , 5701 Baltimore National Pike

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on 11/14/99.

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

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

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:rsj

Enclosures

c: John Mellema
Ramji-Krupa, Inc.



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: December 10, 1999

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

RECEIVED JAN 06 2000

SUBJECT: Zoning Advisory Committee Meeting
for December 6, 1999
Item Nos. 206, 207, 209, 210, 211,
212, 213, 217, and (218)

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

RWB:HJO:jrb

cc: File

ZAC12699.NOC



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
December 17, 410-887-4880

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

RECEIVED JAN 06 2000

ATTENTION: Gwen Stephens

RE: Property Owner: See Below

Item No.: 206, 208, 209, 210, 212, 214, 215, 218

Dear Ms. Stephens:

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

The Fire Marshal's Office has no comments at this time.

Cc: file

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: December 7, 1999

TO: Larry E. Schmidt
Zoning Commissioner

FROM: James H. Thompson - LW
Code Enforcement Supervisor

SUBJECT: ITEM NO.: 218
PETITIONER: Ramji-Krupa, Inc.

VIOLATION CASE NO.: 99-2052

LOCATION OF VIOLATION: SWC of Baltimore National Pike and Ingelside
Avenue (5701 Baltimore National Pike)

DEFENDANT(S): Ramji-Krupa, Inc.

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME

ADDRESS

David Kelly

520 Caring Cross Road
Baltimore, MD 21229

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/lw/lmh

*Copy of hearing
notice sent
to Mr. Kelly
on 12/10/99 scj*

Sept
15

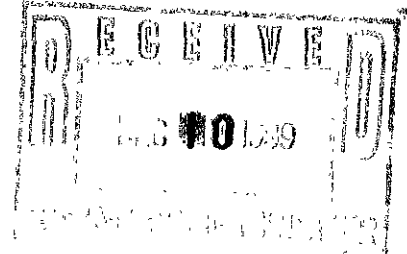
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: December 10, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning



SUBJECT: 5701 Baltimore National Pike

INFORMATION:

Item Number: 218

Petitioner: Ramji-Krupa, Inc.

Zoning: BM-CCC

Requested Action: Special Hearing & Variance

SUMMARY OF RECOMMENDATIONS:

The subject property, 5701 Baltimore National Pike, is improved with an existing 7 story, 147 unit motor lodge, formerly known as Howard Johnson's, now known as Best Inn and Suites.

Formerly, a one-story restaurant was located on the western part of this site; it was destroyed by fire. The parking variance is necessitated by a proposal to reconstruct the restaurant in approximately the same area as the former location. The requested parking variance is for 172 parking spaces instead of the required 269 parking spaces. This office supports the requested variance as it can be anticipated that shared parking between the uses will occur. The redevelopment of the site is also consistent with on-going revitalization efforts along the Rt. 40 West commercial corridor.

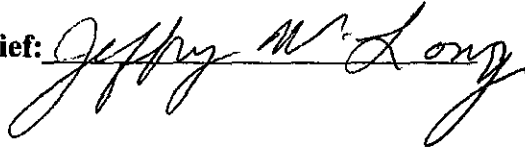
The property is located in an area where the State Highway Administration and Baltimore County are involved with streetscape beautification efforts. As for the Special Hearing for non-conforming sign, this office has some concerns about the size and scale of the free-standing sign as depicted on the plan dated October 1999. The sign at 30 feet and 221 square feet in area is not consistent with streetscape beautification efforts. This office would prefer an updated sign that is lower in height and smaller in area.

Lastly, at the time of a site visit by planning staff on 12/6/99, it appeared that cars owned by Musselman's Dodge were stored on the western portion of the site in the vicinity of the

proposed restaurant. The Office of Planning's support of the petitioner's request is conditioned upon the following:

1. A landscape plan showing street trees and plantings that are compatible with Rt. 40 West beautification efforts should be submitted to Avery Harden, County Landscape Architect for review and approval prior to issuance any building permits.
2. Elevation drawings for the proposed restaurant should be submitted to the Office of Planning for review and approval prior to issuance of any building permits.
3. At the time of the construction of the restaurant, the parking lot should be used for patrons and employees of the Best Inn and restaurant only; the practice of car storage by any automobile dealership should be discontinued.

Section Chief:

A handwritten signature in cursive script, appearing to read "Jeffery M. Long", written over a horizontal line.

AFK/JL

LAW OFFICES
MICHAEL P. TANCZYN, P.A.

Suite 106, 606 Baltimore Avenue
Towson, Maryland 21204
(410) 296-8823 • (410) 296-8824
Fax: (410) 296-8827 • Computer Fax: (410) 296-2848

20-218-SPM

November ⁸4, 1999

Hand Delivered

Office of Zoning
Attn: Ms. Sophie Jennings
Room 109, County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Re: 2701 Baltimore National Pike Variance and Special Hearing Petition of Ramji-Krupa, Inc.

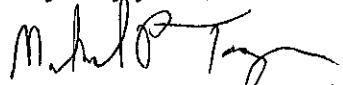
Dear Sophie:

Enclosed herewith for drop off you will find the following with regard to the above property:

1. Ten copies of the plat for a parking variance and special hearing concerning a legal nonconforming sign.
2. Three sealed descriptions for the property.
3. Three signed Petitions for Variance and three signed Petitions for Special Hearing.
4. Our check for filing costs.

Please notify us of the hearing date once this has been accepted.

Very truly yours,


Michael P. Tanczyn, Esquire

MPT/gr
Enclosures

cc: Mr. Yeswant Patel
John Mellema Land Surveyors

218

9-12

TO SUE

410 226 3502

226 3212

FROM GEORGE

410 887-3391

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

Ken HARN - SHA - D4TRAFFIC

2323 W. Joppa Rd.



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

Weds January 5, 2010
Case 00-218 SPHA
5701 Baltimore Natl Pub

NAME

ADDRESS

Michael R. Tarriff

5701 606 Baltimore Ave Towson Md 21204

John C. Mellen M

5409 EAST DR. BALTO. CO. MD. 21227

YESWANT PATEL

5701 BALTIMORE NATL. PKE BALTIMORE MD 21201

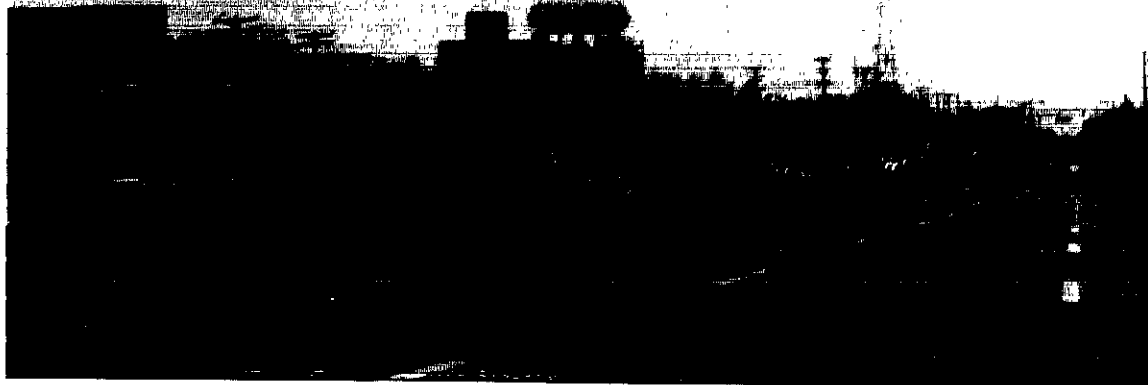
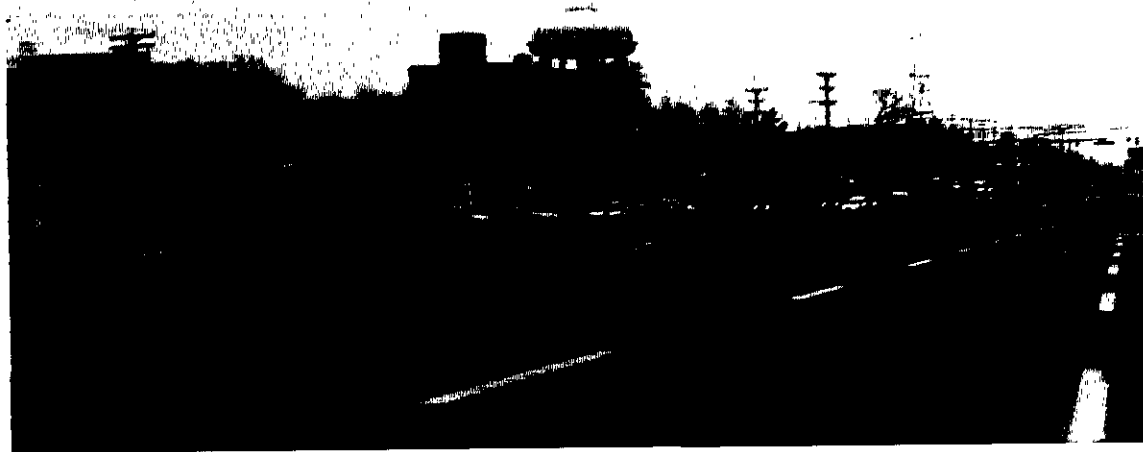




Pat Ex *[Signature]*
Jan 4, 2000

Petitioner's Exhibit 3

JANUARY 4, 2000







PETITIONER'S Exhibit 5

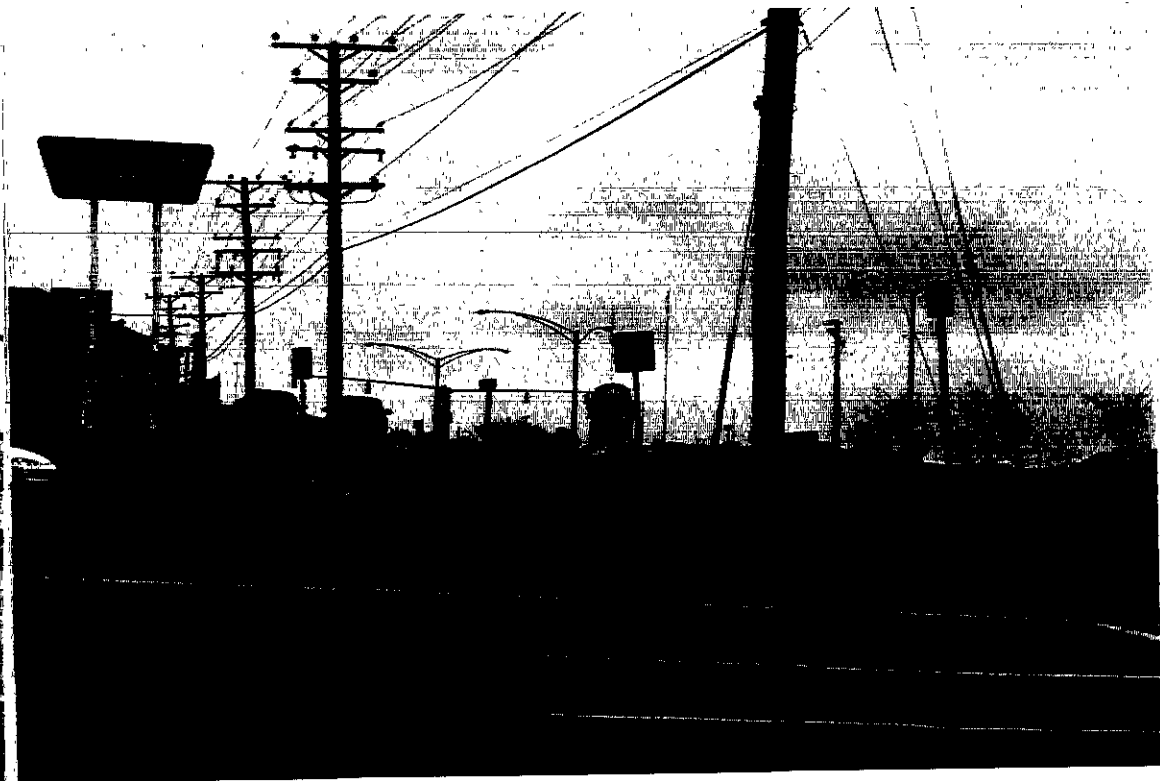
JANUARY 4, 2000





PETITIONER'S Exhibit 6

JANUARY 4, 2000







MEETING AND
BANQUET SPACE
AVAILABLE



PETITIONER'S Exhibit 7

JANUARY 4, 2000





PETITIONER'S Exhibit 4

JANUARY 4, 2000





PETITIONER'S Exhibit 3

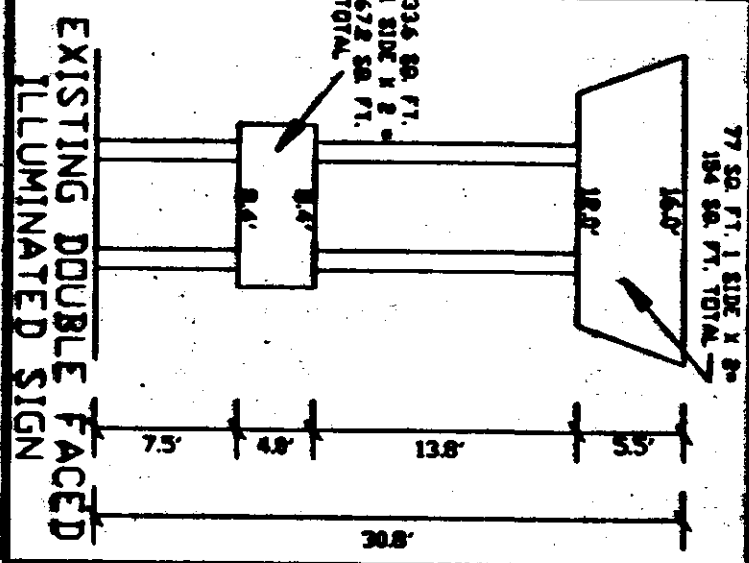
JANUARY 4, 2000



BALCONY CHART	
THIRD AND FOURTH FLOOR	A-C-E-G-I-K-N-O-R-S-U
SIXTH AND SEVENTH FLOOR	B-D-F-H-J-L-N-P-R-T

PLAT TO ACCOMPANY ZONING ☒ VARIANCE ☒ SPECIAL HEARING

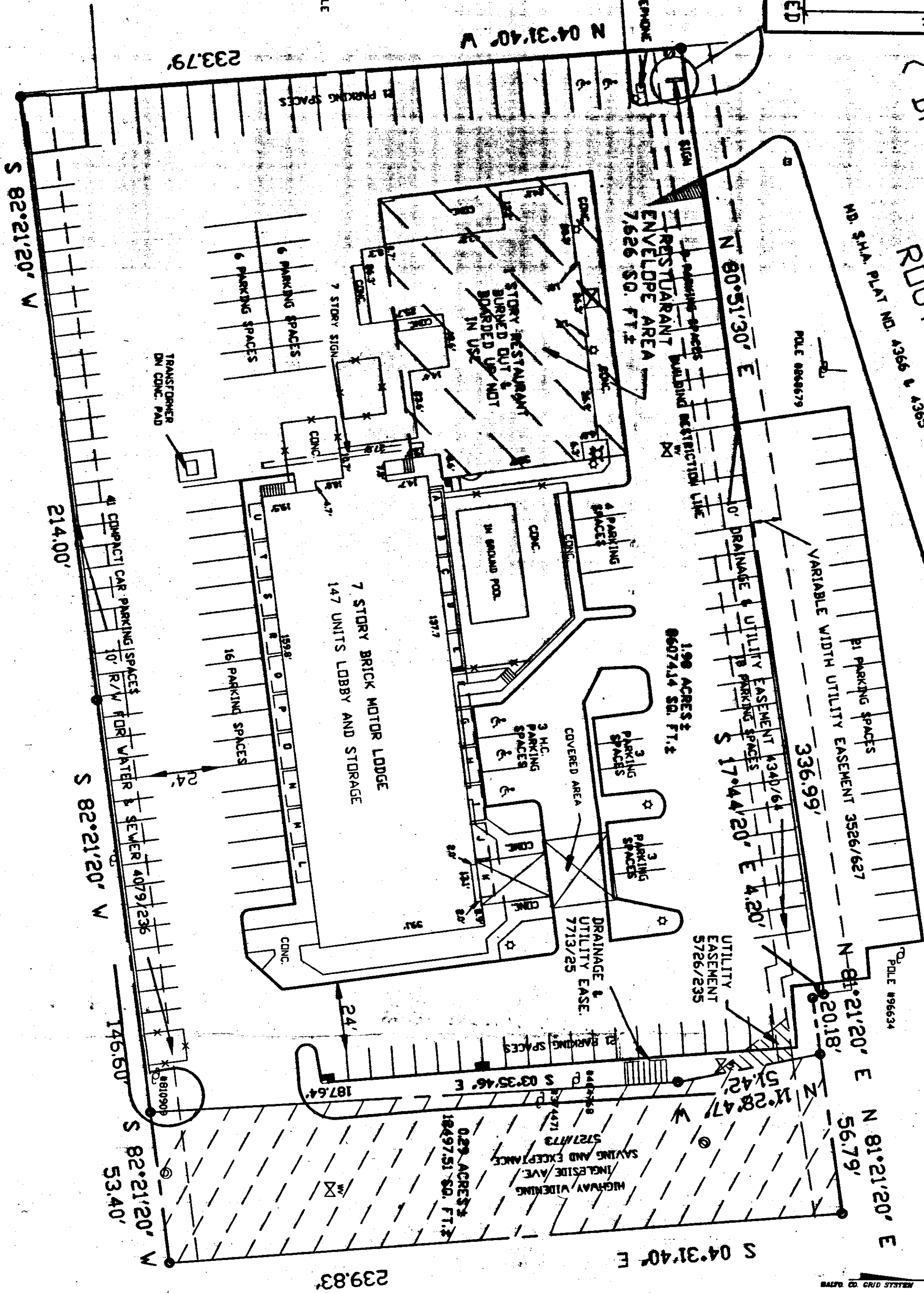
BALTIMORE NATIONAL PIKE
ROUTE 40
MD SHA PLAT NO. A366 & A365



NOTE: SQUARE FOOTAGE OF SIGN TO REMAIN THE SAME

LEGEND

- UTILITY POLE
- WATER VALVE
- FIRE HYDRANT
- SANITARY MANHOLE
- STORM DRAIN MANHOLE
- HANDICAP PARKING
- LIGHT POLE



PARKING TABULATION
HOTEL AREA (147 UNITS) 1 PER UNIT=147 SPACES
RESTAURANT 16 SPACES PER 1000 SQ. FT.
TOTAL SPACES REQUIRED = 122 SPACES
TOTAL SPACES AVAILABLE = 172 SPACES
167 REGULAR
5 HANDICAP

PREPARED BY:
JOHN C. HELLENA SR., INC.
LAND SURVEYORS
8409 EAST DRIVE, BALTO. CO. MD. 21287
PHONE: 410-647-7400 FAX: 410-647-2807

NOTE: THIS VARIANCE DOES NOT REMOVE ANY OPEN SPACE



VICINITY MAP
SCALE 1"=200'

LOCATION INFORMATION

COUNCILMANIC DIST. FIRST
ELECTION DIST. FIRST
ZONING: BM-CCC
1"=200' SCALE MAP=SW 1F
LOT SIZE:

PUBLIC PRIVATE
SEWER: ☒ ☐
WATER: ☒ ☐

CHESAPEAKE BAY
CRITICAL AREA: ☐ ☒ YES NO

SUBDIVISION NAME: N/A

DEED REFERENCE: 11891/296

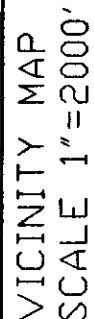
OWNER: RAMJI-KRUPA INC.
5701 BALTIMORE
NATIONAL PIKE

TAX ID NO: 0123157040
DATE: OCTOBER, 1999
SCALE: 1"=30'

ZONING OFFICE USE ONLY

REVIEWED BY: **218** CASE: 00-218-
DATE: OCTOBER, 1999

#5701 BALTIMORE NATIONAL PIKE
BEST INN & SUITES
MOTOR LODGE AND RESTAURANT
1ST. ELEC. DIST. BALTO. CO. MARYLAND
SCALE 1"=30' DATE: OCTOBER, 1999
JOB NO. 97157



LOCATION INFORMATION

COUNCILMANIC DIST.: FIRST
ELECTION DIST.: FIRST
ZONING: BM-CCC
1"=200' SCALE MAP=SW 1F

LOT SIZE:

PUBLIC PRIVATE

SEWER:

WATER:

YES NO

☐ CHESAPEAKE BAY
☐ CRITICAL AREA

SUBDIVISION NAME: N/A

DEED REFERENCE:11891/296

OWNER: RAMJI-KRUPA INC.
5701 BALTIMORE
NATIONAL PIKE

TAX ID NO: 0123157040

DATE: OCTOBER, 1999
SCALE: 1"=30'

ZONING OFFICE USE ONLY

REVIEWED BY:	ITEM#	CASE#

#5701 BALTIMORE NATIONAL PIKE
BEST INN & SUITES
MOTOR LODGE AND RESTAURANT
1ST. ELEC. DIST. BALTO. CO. MARYLAND
SCALE 1"=30' DATE: OCTOBER, 1999

JOB NO. 97157

PLAT TO ACCOMPANY ZONING	VARIANCE	SPECIAL HEARING
☐	☐	☐

BALCONY CHART	
THIRD AND FOURTH FLOOR	A-C-E-G-I-K-M-O-Q-R-S-U
SIXTH AND SEVENTH FLOOR	B-D-F-H-J-L-N-P-R-T-

SIXTH AND SEVENTH FLOOR
BUTLER CENTER
BALTIMORE NATIONAL PIKE
BALTIMORE ROUTE 40
266 & 4365

COPIE
A365

DM.D. SH.A. PLAT

EXISTING DOUBLE FACED
ILLUMINATED SIGN

NOTE: SQUARE FOOTAGE OF SIGN TO REMAIN THE SAME

LEGEND

FENCE	UTILITY POLE	SANITARY MANHOLE
WATER VALVE	STORM DRAIN MANHOLE	
FIRE HYDRANT	HANDICAP PARKING	
	LIGHT POLE	

PARKING TABULATION

HOTEL AREA (147 UNITS) 1 PER UNIT=14/ SPACES
RESTAURANT 16 SPACES PER 1000 SQ. FT.
RESTAURANT AREA = 7626 SQ.FT. = 122 SPACES
TOTAL SPACES REQUIRED = 269 SPACES
TOTAL SPACES AVAILABLE = 172 SPACES
167 REGULAR
5 HANDICAP

PREPARED BY :
JOHN C. MELLEMA SR., INC.
LAND SURVEYORS
5409 EAST DRIVE BALTO. CO. MD.
PHONE: 410-247-7488 FAX: 410-247-

NOTE: THIS VARIANCE DOES NOT REMOVE ANY OPEN SPACE



