



JOHN A. OLSZEWSKI, JR.
County Executive

PAUL M. MAYHEW
Managing Administrative Law Judge
MAUREEN E. MURPHY
Administrative Law Judge

October 19, 2023

Arnold Jablon, Esquire- ajablon@comcast.net
3717 Lanamer Road
Randallstown, MD 21133

RE: Petitions for Special Hearing & Variance
Case No. 2023-0152- SPHA
Property: 6300 Baltimore National Pike

Dear Mr. Jablon:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), "a person aggrieved or feeling aggrieved" by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink that reads "Maureen E. Murphy". The signature is written in a cursive style.

MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM:dIm
Enclosure

c: Loannis and Triantafilos Korolgos, Koros, Inc. –
6300 Baltimore National Pike, Catonsville, MD 21228

IN RE: **PETITIONS FOR SPECIAL HEARING *
AND VARIANCE**

(6300 Baltimore National Pike) *

1st Election District

1st Council District *

Ioannis Korologos &

Triantafilos Korologos *

Koros, Inc.

Legal Owners *

Petitioners *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2023-0152-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) for consideration of Petitions for Special Hearing and Variance filed by Ioannis and Triantafilos Korologos, legal owners, and Koros, Inc., lessee (collectively the “Petitioners”) for the property located at 6300 Baltimore National Pike, Catonsville (the “Property”). The Petitioner for Special Hearing relief is filed pursuant to Baltimore County Zoning Regulations (“BCZR”), §500.7 to approve a modified parking plan under BCZR, §409.12B. Additionally, Variance relief is requested from the BCZR, §409.6.A.2 to permit a Variance for 104 parking spaces in lieu of the required 179 spaces.

An in-person and virtual Hearing was conducted on September 28, 2023 at 10:00 a.m., at 105 W. Chesapeake Avenue, Hearing Room 205, Towson, Maryland. The Petition was properly advertised and posted. Ioannis Korologos, representative of the Petitioners, appeared in support of the Petition along with Matthew S. Sichel, PE of KCI Technologies, Inc., the civil engineering firm who prepared and sealed a site plan (the “Site Plan”) and an Amended Site Plan (the “Amended Site Plan”). (Pet. Exs. 2, 8). Arnold Jablon, Esquire represented the Petitioner. There were no Protestants or interested citizens in attendance at the hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”) and Department of Environmental Protection and Sustainability (“DEPS”) which agencies did not oppose the relief requested. During the hearing, it became apparent that, prior to the hearing, Department of Public Works & Transportation (“DPWT”) had not provided a ZAC comment required under BCZR, §409.4.C regarding the design of the particular parking facility providing for the safe and efficient circulation and maneuvering of vehicles. As a result, after the hearing, DPR, on behalf of DPWT, provided a comment dated October 13, 2023 which reads:

Please find attached revised plan submitted by Mr. Matthew Sichel (KCI) for above subject project.
Relocated Handicapped parking space’s locations are satisfactory to Mr. John Bryan, Building Engineer.
Attached modified parking plan is in satisfactory condition for internal circulation.

Thanks,
Vishnu

Vishnu Desai, PE
Development Plans Review
Permits, Approvals and Inspections
111 W. Chesapeake Ave. Room 107
Towson, MD 21204
vdesai@Baltimorecountymd.gov
410-887-3751

The Property is 1.447 acres +/- (63,031 sf) and is improved with a restaurant and parking lot known as the “Double T Diner.” (Pet. Ex. 5). The Property is located on the corner of Rt. 40 and North Rolling Rd. It is zoned Business, Roadside, Automotive Service District (BR-AS). (Pet. Ex. 4). While the Property is located within a failing ‘F’ intersection, it is located within a Commercial Revitalization District and is therefore exempt from the Basic Services Map. (BCZR, § 4A02.4.E.1.i). The Amended Site Plan reveals that the Property has, in the past, received

Variance approvals including approval for reduced setbacks. (Pet. Ex. 8). The physical characteristics of the Property have not changed. The unique baseball diamond shape and topography are the same. (Pet. Ex. 5). Street view photographs show the restaurant, parking lot, and adjoining car dealership properties. (Pet. Exs. 6(a)-6(h)).

The current restaurant use will remain. Petitioners are proposing to construct a 435-sf addition for a carryout to be located in the front of the building which will provide better ingress and egress to customers. Petitioners are also constructing an addition for a new restroom (360 sf) on the side of the building. With those improvements, the amount of available parking spaces will be reduced. Currently, there are 111 on-site spaces. Petitioners also leases 26 spaces along North Rolling Rd. frontage from the Maryland Department of Transportation ("MDOT"). (Pet. Ex. 7). With the construction of the proposed additions, 7 spaces will be lost whereby the Petitioner can provide 104 on-site spaces and 26 MDOT leased spaces, for a total of 130 spaces. As calculated on the Amended Site Plan, the existing restaurant (9,970 sf) and proposed restroom addition (360 sf) or 10, 330 sf requires 166 spaces, the second-floor office space (2,943 sf) requires 10 spaces, and the new carryout addition (977 sf) requires 3 spaces, for a total of 179 required spaces.

The Amended Site Plan also shows the two-way drive aisles are not 22 ft wide in all locations. (Pet. Ex. 8). That fact notwithstanding, DPWT has opined that the drive aisles still provide for efficient circulation of vehicles. (See File). There is also a retaining wall along the rear of the Property line due to the steep topography. The proffered evidence was that the reduced number of parking spaces will not adversely impact the health, safety or general welfare of the surrounding community. The additions will improve the efficiency of the customer experience.

SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). And, "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing would be compatible with the community and generally consistent with the spirit and intent of the regulations." *Kiesling v. Long*, Unreported Opinion, No. 1485, Md. App. (Sept. Term 2016).

A modified parking plan under BCZR, §409.12.B has been requested:

§ 409.12. - Other requirements.

A. The off-street parking requirements in Section 409 shall supersede any off-street parking requirements adopted pursuant to the authority of Section 504.

B. If the requirements for parking space or loading space in Section 409 would create an undue hardship, the Zoning Commissioner may approve a modified plan upon petition and after a public hearing, the procedure for which is set forth in Section 409.8.B.1 above.

Based on the uncontroverted evidence here, I find that the requirements for parking spaces in BCZR, §409 would create an undue hardship on the Petitioners, that a modified parking plan is within the spirit and intent of the BCZR and should be granted. Moreover, based on the

recommendation of DPR on behalf of DPWT, the two-way drive aisles which are less than the required 22 ft in width under BCZR, §409.4.C, still provide for safe and efficient internal circulation.

VARIANCE

A variance request involves a two-step process, summarized as follows:

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The Property was previously adjudicated to be unique in Case No.: 01-138-A; Case No.: 02-396-A; Case No.: 85-173-A; and Case No.: 60-4835-XA due to its baseball diamond shape and steep topography requiring a retaining wall. As a result, the Property's physical characteristics have not changed, that factual finding is applicable to this Case under the doctrine of collateral estoppel. *Garrity v. Maryland State Bd. of Plumbing*, 447 Md. 359, 368 (2016). (See also *Colandrea v. Wilde Lake Community Ass'n, Inc.*, 361 Md. 391 (2000); *Washington Suburban Sanitary Commission v. TKU Associates*, 281 Md. 1, 18-19 (1977)). I further find that the Petitioner would suffer a practical difficulty and unreasonable hardship if the Variance for a reduced parking spaces (104) was not granted because neither of the 'much-needed' additions for a carryout and new bathroom could be constructed. The Petitioners have been, and will continue to lease, 26 parking spaces from MDOT which brings the total parking spaces provided to 130. While the 2nd floor office space requires 10 parking spaces, this is not a standard office building but rather an space where work pertaining to the restaurant/carryout can be conducted. The Property is limited in size with the building located in the center, was constructed in 1959, leaving

the amount of parking space as shown on the Amended Site Plan. I also find that the requested Variance relief can be granted in strict harmony with the spirit and intent of the BCZR and without injury to the health, safety or general welfare, particularly in light of the lack of opposition.

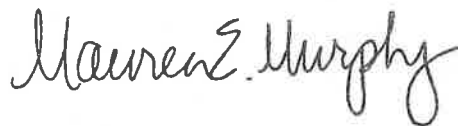
THEREFORE, IT IS ORDERED this 19th day of **October, 2023** by this Administrative Law Judge that the Petition for Special Hearing from BCZR, §409.12.B to approve a modified parking plan for 104 on-site parking spaces and 26 leased spaces for a total of 130 spaces in lieu of the required 179 spaces be, and it is hereby, **GRANTED**; and

IT IS FURTHER ORDERED, that the Petition for Variance relief from BCZR §409.6.A.2 to permit a variance for 104 parking spaces in lieu of the required 179, be, and it is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. The Amended Site Plan (Pet. Ex. 8) which is attached hereto is incorporated herein in its entirety.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



MAUREEN E. MURPHY
Administrative Law Judge
for Baltimore County

MEM/dlm



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 6300 Baltimore National Pike, Catonsville 21228 which is presently zoned BR-AS

Deed References 7369/757

10 Digit Tax Account # 010119640563

Property Owner(s) Printed Name(s) Ioannis Korologos and Triantafilos Korologos

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. X a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve
See attached

2. a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a **Variance** from Section(s)
See attached

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Petitioners:

Koros, Inc., Tenant by Ioannis Korologos, President

Name- Type or Print

Ioannis Korologos
Signature

6300 Baltimore National Pike, Catonsville, Maryland

Mailing Address City State

21228 //
Zip Code Telephone # Email Address

Attorney for Petitioner:

Arnold Jablon

Name- Type or Print

Arnold Jablon
Signature

3717 Lanamer Road, Randallstown, Md

Mailing Address City State

21133/ 443 250 6455 /ajablon@comcast.net/
Zip Code Telephone # Email Address

Legal Owners:

Ioannis Korologos

Triantafilos Korologos

Name #1 - Type or Print

Name #2 - Type or Print

Ioannis Korologos
Signature #1

Signature #2

6300 Baltimore National Pike, Catonsville, Maryland

Mailing Address City State

21228
Zip Code Telephone # Email Address

Representative to be contacted:

Arnold Jablon

Name - Type or Print

Arnold Jablon
Signature

3717 Lanamer Road, Randallstown, Md

Mailing Address City State

21133 /443 250 6455 ajablon@comcast.net
Zip Code Telephone # Email Address

CASE NUMBER 2023-0152-SHA Filing Date 7/17/2023 Do Not Schedule Dates: _____ Reviewer msjk

AFFIDAVIT IN SUPPORT OF SPECIAL HEARING
AND/OR IN THE ALTERNATIVE OF A VARIANCE

Attachment 1

This Petition for Special Hearing is filed pursuant to §§500.7 and 409.12.8 of the Baltimore County Zoning Regulations to approve a modified parking plan for the subject property and/or in the alternative a variance to permit 104 parking spaces in lieu of the required 179 as required by §409.6.A.2.

The subject property is located at 6300 Baltimore National Pike, Catonsville, Maryland 21228, on which there is a restaurant known as the Double T Diner. The Petitioners propose an addition of 435.s.f. +/- to the restaurant for the purpose of providing carry out access as an alternative to its main entrance for its sit-down customers. Also, they propose to add and upgrade its restroom facilities and propose a 360 s.f. +/- addition for new restrooms. These proposals would require 7 existing parking spaces to be removed, as more particularly shown on the accompanying site plan.

The Double T diner has been located on this site since 1959. The site is located on the southeast corner of Rolling Road and Baltimore National Pike. The property consists of the restaurant and its accessory parking. The subject property to the northeast and northwest and west is bordered by a new car dealership and there is a high retaining wall separating the 2 properties. The property consists of approximately 1.447 ac or 63,031 sf +/- . The site is unique in its shape and in its location. The State Highway Administration owns a right of way adjoining the subject property to the southeast of the property and on the northwest side of Baltimore National Pike and extending around the corner onto and down Rolling Road.

There are 111 parking spaces existing on the Petitioners' property and they lease from the State Highway Administration an additional 26 parking spaces.

The requested relief is proposed to bring the property into compliance with current standards.

Attachment 2

409.12.B, BCZL Special Hearing

1. To approve a modified parking plan to confirm existing conditions, and/or

409.6.A.2, BCZL Variance

2. To permit a variance for 104 parking spaces in lieu of the required 179.

Attachment 3

General Notes

1. Area of property: 63,031 sf
2. Existing Zoning of Property: BR-AS
3. Existing Use of Property: commercial restaurant
4. Proposed zoning of property: BR-AS
5. Proposed Use of Property: same
6. Property served by public water and sewer
7. Petitioner's requesting special hearing to approve modified parking plan pursuant to §409.12.B and/or in the alternative a parking variance to permit 107 parking spaces in lieu of the required 179.
8. Existing structure constructed on or about 1959
9. Existing property's zoning history: see attached site plan
10. There are no code violations.



ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS
936 Ridgebrook Road • Sparks, MD 21152 • Phone 410-316-7800 • Fax 410-316-7853

THE ZONING HEARING PROPERTY DESCRIPTION

ZONING PROPERTY DESCRIPTION FOR 6300 Baltimore National Pike

Beginning at a point on the west side of Rolling Road which is 90' wide at the distance of 430' north of the centerline of the nearest improved intersecting street Maryland Route 40, which is varying in width. Thence the following courses and distances: (1st Point Of Call – "POC") S. 15 30' 15" W. 74.53', (2nd POC) S. 63 08' 39" W. 258.68', (3rd POC) N. 71 41' 28" W. 139.75', (4th POC) N. 20 56' 48" E. 130.0', (5th POC) N. 20 56' 48" E. 139.48', (6th POC) S. 69 34' 27" E. 306.30', back to the point of beginning as recorded in Deed Liber 6116, Folio 157, containing 1.526 acres. Located in the 1st Election District and the 1st Councilmanic District.



2023-0152-SPHA

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2023-0152-SPHA

Petitioner: KOROS, INC

Address or Location: 6300 BALHORN NATIONAL PIKE, CATONSVILLE, MD
21228

PLEASE FORWARD ADVERTISING BILL TO:

Name: ARNOLD JABLON

Address: 3717 LANHAMER RD

BAWDALSTOWN, MD 21133

Telephone Number: 443 250 6455



September 19, 2023

Arnold Jablon
3717 Lanamer Road
Randallstown, MD 21133

RE: Case Number: 2023-0152-SPHA, 6300 Baltimore National Pike

To Whom It May Concern:

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 17, 2023. This letter is not an approval, but only a NOTIFICATION.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. There have not been any comments submitted from these agencies. If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink that reads "Jeffrey Perlow". The signature is written in a cursive style with a large, stylized "J" and "P".

Jeff Perlow
Supervisor
Department of Zoning

KI

C: Koros, Inc, 6300 Baltimore National Pike, Catonsville 21228

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: July 31, 2023

SUBJECT: DEPS Comment for Zoning Item # 2023-0152-SPHA
Address: 6300 BALTIMORE NATIONAL PIKE
Legal Owner: Ioannis & Triantafilos Korologos, Koros, Inc.

Zoning Advisory Committee Meeting of July 31, 2023.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Additional Comments:

Reviewer: Earl D. Wrenn

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 8/7/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2023-0152-SPHA

INFORMATION:

Property Address: 6300 Baltimore National Pike
Petitioner: Ioannis Korologos/Triantafilos Korologos
Zoning: BR-AS
Requested Action: Special Hearing/Variance

The Department of Planning has reviewed the petition for the following:

Special Hearing -

1. Pursuant to Sections 500.7 and 409.12.8 of the Baltimore County Zoning Regulations to approved a modified parking plan for the subject property and/or in the alternative;

Variance –

1. To permit 104 parking spaces in lieu of the required 179 parking spaces as required by BCZR Section 409.6.A.2.

The proposed site is a 1.447ac property zoned BR-AS that is surrounded by predominantly commercial uses. The proposed site has multiple previous zoning cases.

The existing land use is currently a restaurant, known as Double T Diner. The requested variance relief, as said in above request, does not impose adverse impacts on adjacent properties or the public right of way. The petitioners propose a 435sf addition that will be for carry out access and a 360sf addition for new restrooms. It is understood that the State Highway Administration owns a right of way adjoining the subject property to the southeast of the property and on the northwest side of Baltimore National Pike and extending around the corner onto and down Rolling Road. There are 111 parking spaces existing on the Petitioners' property and they lease from State Highway Administration an additional 26 parking spaces. The Petitioners will only be removing 7 parking spaces and will relocate the ADA parking spaces that are proposed to be removed per the additions. The removal of 7 parking spaces will not disturb the establishments ability to accommodate patrons.

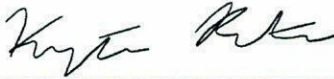
The Department has no objections in granting of the requested relief to provide 104 parking spaces in lieu of 179 parking spaces subject to the follow conditions:

1. Coordinate with the Department of Public Works & Transportation confirming that the drive aisle and parking located at the rear of the property adjacent to the loading area are safe and adequate for vehicular movements.

2. Ensure the site complies with all other use/setback regulations and guidelines for BR-AS zoned property.
3. Comply with any additional conditions set forth by the Administrative Law Judge.

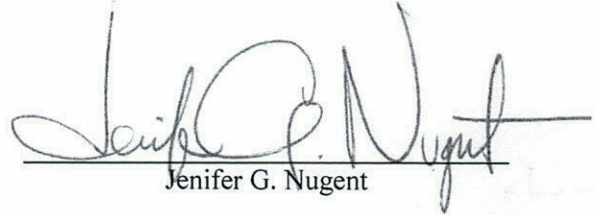
For further information concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN

Arnold Jablon
Sophie Kotzker, Community Planner
Ngone Seye Diop, Community Planning Division Chief
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

CERTIFICATE OF POSTING

2023-0152-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Ioannis & Triantafilos Korologos, Inc.

September 28, 2023

Date of Hearing/Closing: _____

Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Kristen Lewis:

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: _____

6300 Baltimore National Pike ***SIGN 2***

September 8, 2023

The sign(s) were posted on _____
(Month, Day, Year)



Sincerely,

September 8, 2023

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

CERTIFICATE OF POSTING

2023-0152-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

Ioannis & Triantafilos Korologos, Inc.

September 28, 2023

Date of Hearing/Closing: _____

**Baltimore County Department of
Permits, Approvals and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204**

Attn: Kristen Lewis:

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: _____

6300 Baltimore National Pike ***SIGN 1***

September 8, 2023

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

 September 8, 2023

(Signature of Sign Poster) _____ (Date) _____

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 8/7/2023

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
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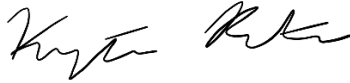
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1. Coordinate with the Department of Public Works & Transportation confirming that the drive aisle and parking located at the rear of the property adjacent to the loading area are safe and adequate for vehicular movements.

2. Ensure the site complies with all other use/setback regulations and guidelines for BR-AS zoned property.
3. Comply with any additional conditions set forth by the Administrative Law Judge.

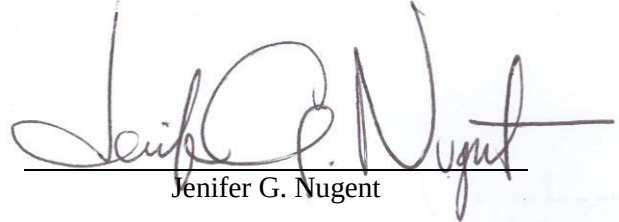
For further information concerning the matters stated herein, please contact Brett M. Williams at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN

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Ngone Seye Diop, Community Planning Division Chief
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Paul M. Mayhew; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: July 31, 2023

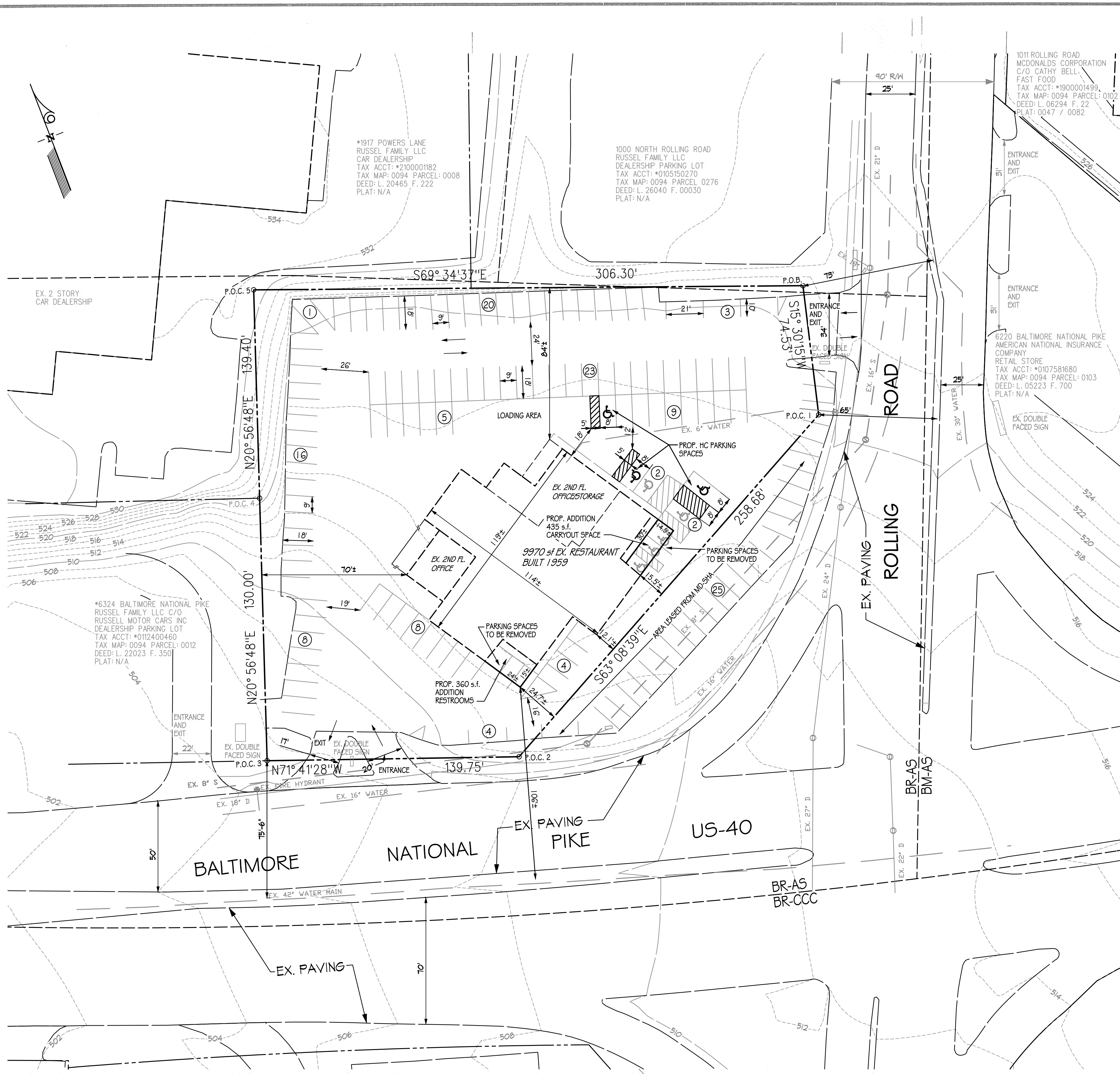
SUBJECT: DEPS Comment for Zoning Item # 2023-0152-SPHA
Address: 6300 BALTIMORE NATIONAL PIKE
Legal Owner: Ioannis & Triantafilos Korologos, Koros, Inc.

Zoning Advisory Committee Meeting of July 31, 2023.

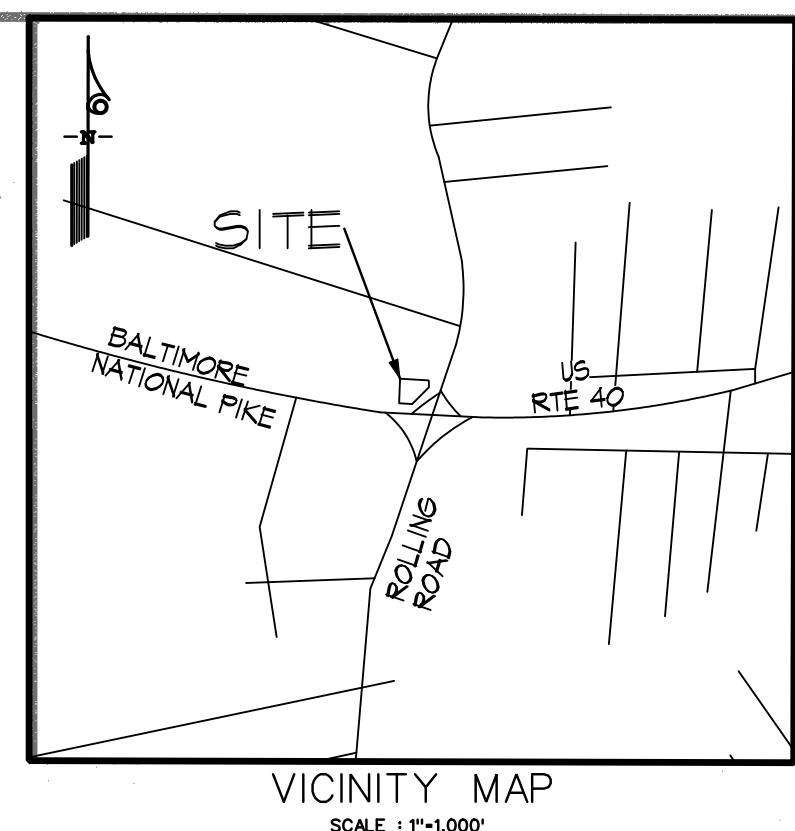
X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Additional Comments:

Reviewer: Earl D. Wrenn



- LEGEND**
- PROPERTY LINE.....
 - LIMIT MACADAM PAVING.....
 - EX. CONCRETE CURB.....
 - EX. BUILDING.....
 - EX. ZONING LINE.....
 - EX. SANITARY SEWER.....
 - EX. WATER MAIN.....
 - UTILITY POLE.....
 - LIGHTS.....
 - SCREEN FENCE.....



SITE DATA

1. NET SITE AREA =	63,031 sf 1.447 ac
2. GROSS SITE AREA =	73,177 sf 1.679 ac
3. CURRENT ZONING:	BR-AS
4. OWNER:	TRIANTAFILOS KOROLOGOS & IOANNIS KOROLOGOS 6300 BALTIMORE NATIONAL PIKE CATONSVILLE, MARYLAND 21228
5. PROPERTY ADDRESS:	6300 BALTIMORE NATIONAL PIKE CATONSVILLE, MARYLAND 21228
6. DEED REFERENCE:	LIBER 17369 FOLIO 757 TAX MAP 94 PARCEL 10 1/0119640563
7. TAX ACCOUNT No.	RESTAURANT (Class B Liquor License)
8. EXISTING USE:	RESTAURANT
9. PROPOSED USE:	RESTAURANT
10. EXISTING RESTAURANT 1ST FLOOR AREA	9,303 sf
11. EXISTING OFFICE 2ND FLOOR TOTAL	2,943 sf
12. EXISTING 2ND FL ENCLOSED STAIRWAY	450 sf
13. PROPOSED BUILDING AREA	795 sf
14. FLOOR AREA RATIO	TOTAL ADJUSTED FLOOR AREA
15. EXISTING	GROSS AREA OF SITE
16. PROPOSED	12,246 sf = 16.73%
17. DISTURBED AREA	73,177 sf
18. PARKING DATA	13,041 sf = 17.82%
19. PARKING CALCULATION:	1,500 sf = 0.034 ac
20. RESTAURANT 16 SPACES X 10,333 sf	= 166 SPACES
21. 2ND FLOOR OFFICE 2.3 SPACES X 2943 sf	= 10 SPACES
22. CARRYOUT 5 SPACES X 977 sf	= 3 SPACES
23. PARKING REQUIRED INCLUDING HANDICAPPED	= 179 SPACES
24. PARKING PROVIDED INCLUDING HANDICAPPED	= 130 SPACES
25. PARKING PROVIDED ON SITE	= 104 SPACES
26. PARKING PROVIDED WITHIN SHA R/W LEASED FROM SHA IN 3502/3739	= 26 SPACES
27. HANDICAPPED PARKING REQUIRED	= 5 SPACES
28. HANDICAPPED PARKING PROVIDED	= 5 SPACES
29. DIMENSION OF STANDARD PARKING SPACE: 8.5' X 18'	
30. DIMENSION OF HANDICAPPED PARKING SPACE: 12' X 18'	
31. DIMENSION OF HANDICAPPED PARKING SPACE: 8.5' X 18' WITH A ADJACENT 5' X 18' ACCESS AREA, CAN BE SHARED BY TWO SPACES	
32. 10. EXISTING PAVING IS A DURABLE DUSTLESS SURFACE OF BITUMINOUS CONCRETE AND IS PERMANENTLY STRIPED PER BCZR SECTION 409	

- GENERAL NOTES**
1. 1ST ELECTION DISTRICT, 1ST COUNCILMANIC DISTRICT, CENSUS TRACT 4519, DISTRICT 9, PRECINCT 14.
 2. THIS SITE DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN.
 3. SITE HAS EXISTING PUBLIC WATER AND PUBLIC SEWER.
 4. THERE ARE NO KNOWN WETLANDS, HISTORIC BUILDINGS, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS UNDERGROUND STORAGE TANKS OR HAZARDOUS MATERIAL SITES ON THIS PROPERTY.
 5. EXISTING FIRE HYDRANT IS LOCATED ON THE SOUTH WEST CORNER OF THE SITE.
 6. EXISTING EXTERIOR LIGHTING SHINES DOWN, THERE ARE NO RESIDENTIAL DWELLINGS ADJACENT TO OR ACROSS STREET. CLOSEST RESIDENTIAL DWELLING IS 600 FEET NORTHWEST OF THE SITE.
 7. ALL SIGNS SHALL CONFORM TO BCZR SECTION 450.
 8. ENTIRE FACILITY TO BE PROTECTED BY AUTOMATIC FIRE SPRINKLERS.

- ZONING, DEVELOPMENT & BUILDING PERMIT HISTORY**
1. DRC NO. 051272 LIMITED EXEMPTION UNDER SECTION 26-171(A)(7) GRANTED ON 5/16/1997 BY DRC. FOR A 2756 sf ADDITIONS TO THE EXISTING RESTAURANT.
 2. BUILDING PERMIT NO. B318467, TO CONSTRUCT A ONE STORY ADDITION ON THE SIDE 20' X 37' = 745 sf TO EXTEND DINING AREA FOR SMOKING AND CONSTRUCT A ONE STORY KITCHEN ADDITION ON REAR 35' X 30' = 760 sf. ISSUED 10/23/1997.
 3. ZONING VARIANCE CASE NO. 01-138-A TO ALLOW A 5' FRONT YARD SETBACK IN LIEU OF THE REQUIRED 50' SETBACK, FOR A PROPOSED PORCH ENCLOSURE, GRANTED ON 11/21/2000.
 4. BUILDING PERMIT NO. B437212, TO ENCLOSE EXISTING ENTRANCE TO RESTAURANT TO EXTEND VESTIBULE WITH GLASS BLOCK TOWER. ISSUED 03/18/2002.
 5. ZONING VARIANCE CASE NO. 02-398-A TO ALLOW A 30' AND 42' FRONT YARD SETBACK IN LIEU OF THE REQUIRED 50' SETBACK, FOR A 297 sf PROPOSED ADDITION TO THE EXISTING SMOKING LOUNGE, GRANTED ON 08/10/2002.
 6. DRC NO. 042103A LIMITED EXEMPTION UNDER SECTION 26-171(A)(7) GRANTED ON 4/21/2003 BY DRC. FOR AN OFFICE ADDITION TO THE 2ND FLOOR OF THE EXISTING RESTAURANT.
 7. NOTE: THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY OR ENVIRONMENTAL SURVEY.
 8. ZONING VARIANCE CASE NO. 85-173-X TO ALLOW FOR A SINGLE AND DOUBLE-FACED ILLUMINATED OUTDOOR 12' X 25' ADVERTISING STRUCTURE, GRANTED ON 01/08/1985.
 9. ZONING VARIANCE CASE NO. 60-4835-XA TO ALLOW FOR THE ERECTION OF A ROOF SIGN OF 80 SQUARE FEET IN ADDITION TO THE IDENTIFICATION SIGN AT CURB OF 66 SQUARE FEET GRANTED ON 01/05/1980.
 10. SPECIAL EXCEPTION CASE NO. 58-4414-X TO ERECT A TEMPORARY SIGN, GRANTED ON 05/14/1958 SUBJECT TO APPROVAL OF THE STATE ROADS COMMISSION.
 11. ZONING RECLASSIFICATION AND SPECIAL EXCEPTION CASE NO. 57-4126-X TO USE CHANGE THE ZONE FROM A BUSINESS LOCAL TO A BUSINESS MAJOR ZONE AND TO USE THE PROPERTY FOR A MOTEL. THE ZONING RECLASSIFICATION WAS DENIED ON 05/07/1957.
 12. THE SPECIAL EXCEPTION IS GRANTED ON 05/07/1957.
 13. SPECIAL EXCEPTION CASE NO. 54-3037-X TO USE THE PROPERTY FOR A NURSING HOME, GRANTED ON 05/24/1954.
 14. 30. TEMPORARY USE PERMIT CASE NO. 50-1783-X TO ERECT (2) ADVERTISING STRUCTURE 12' X 25' EACH, GRANTED ON 08/25/1950 FOR TWO (2) YEARS.
 15. 31. ZONING RECLASSIFICATION CASE NO. 40-0077 FOR A COMMUNITY AND TRANSIT NEED, CLASSIFICATION APPROVED 06/17/1940.

- BASIC SERVICES MAPS**
32. LOCATED IN COMMERCIAL REVITALIZATION AREA
 33. THE TRANSPORTATION LEVEL OF SERVICE IS F FOR THE AREA.
- SETBACK REQUIREMENTS**
34. MINIMUM FRONT SETBACK: 25' FROM FRONT PROPERTY LINE; 50' FROM THE STREET CENTER LINE
 35. MINIMUM REAR SETBACK: 30'
 36. MINIMUM SIDE SETBACK: 30'
 37. PROVIDED FRONT SETBACK: 10' FROM PROPERTY LINE; 90' FROM THE STREET CENTER LINE
 38. PROVIDED REAR SETBACK: 150' FROM PROPERTY LINE
 39. PROVIDED SIDE SETBACK: 65' FROM PROPERTY LINE
 40. PREVIOUS BUILDING PERMIT: B542171 12/18/2003
 41. 36. ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.

SPECIAL HEARING AND VARIANCE REQUEST

PETITIONER REQUESTS A VARIANCE TO SECTION 409.6.A.2 OF THE BCZR FOR ALLOWANCE OF 104 PARKING SPACES IN LIEU OF THE REQUIRED 179 AND PETITIONER IS ASKING TO PERMIT A MODIFIED PARKING PLAN PURSUANT TO 409.12.B.

ANY OTHER RELIEF AS THE ZONING OFFICER DEEMS NECESSARY

PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 28935 EXPIRATION DATE: 1/15/25

998 Rosewood Road
Stamards (410) 366-7800
Fax (410) 366-7888

ENGINEERS
PLANNERS
SCIENTISTS
CONSTRUCTION MANAGERS

KCI
TECHNOLOGIES

NO.	DATE	DESCRIPTION
7	1-24-05	REVISE RESTROOMS
6	3-5-05	OFFICE ADDITION
5	3-18-02	297 sq. ft. ADDITION
4	12-14-00	N.B.T.C.
3	9-2-0-00	V.A.R.I.A.N.C.E
2	10-10-97	Zoning Information

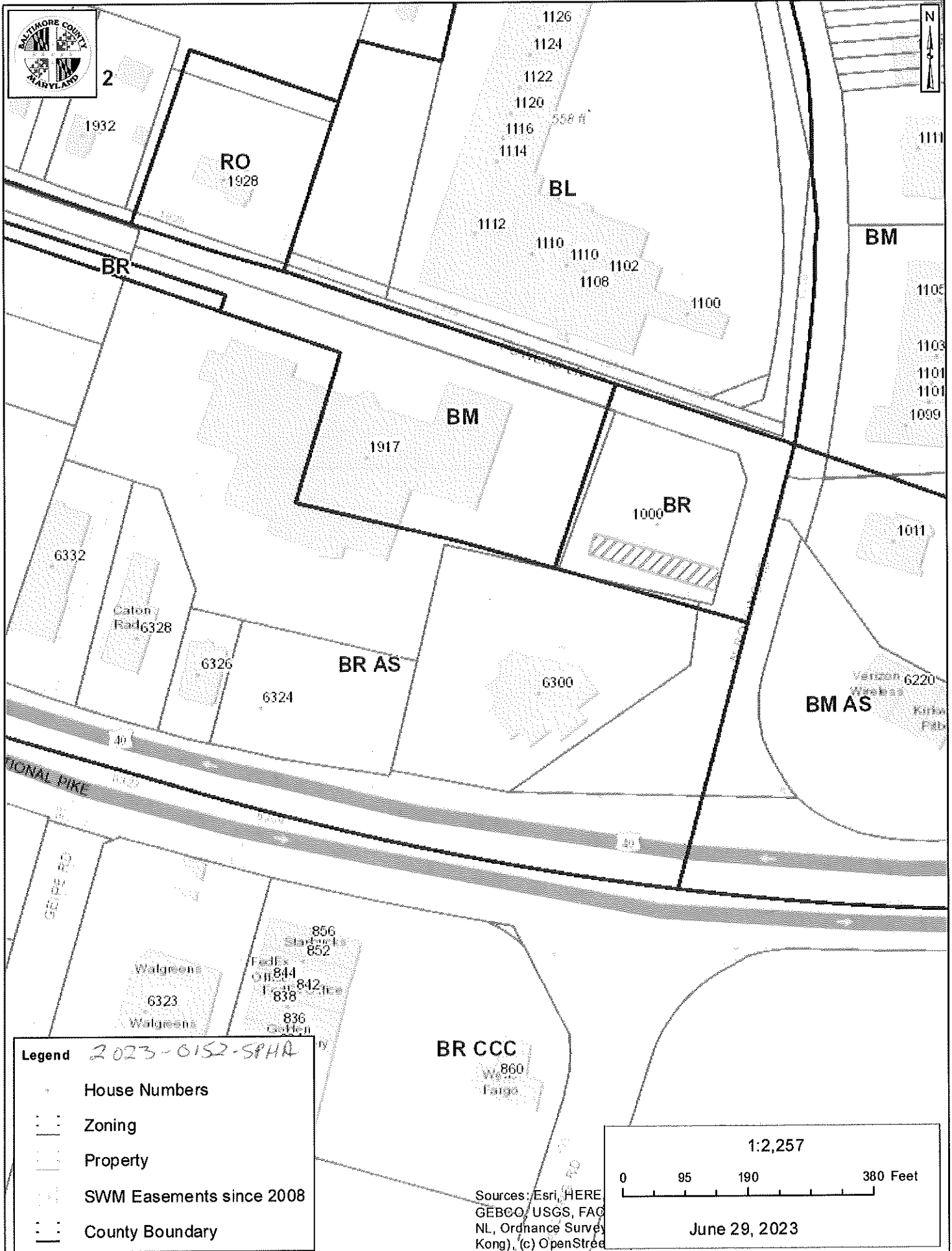
THE DOUBLE "T" DINER COMPANY
6300 BALTIMORE NATIONAL PIKE
CATONSVILLE, MD 21228
PLAN TO ACCOMPANY PETITION FOR
VARIANCE AND SPECIAL HEARING
1ST ELECTION DISTRICT

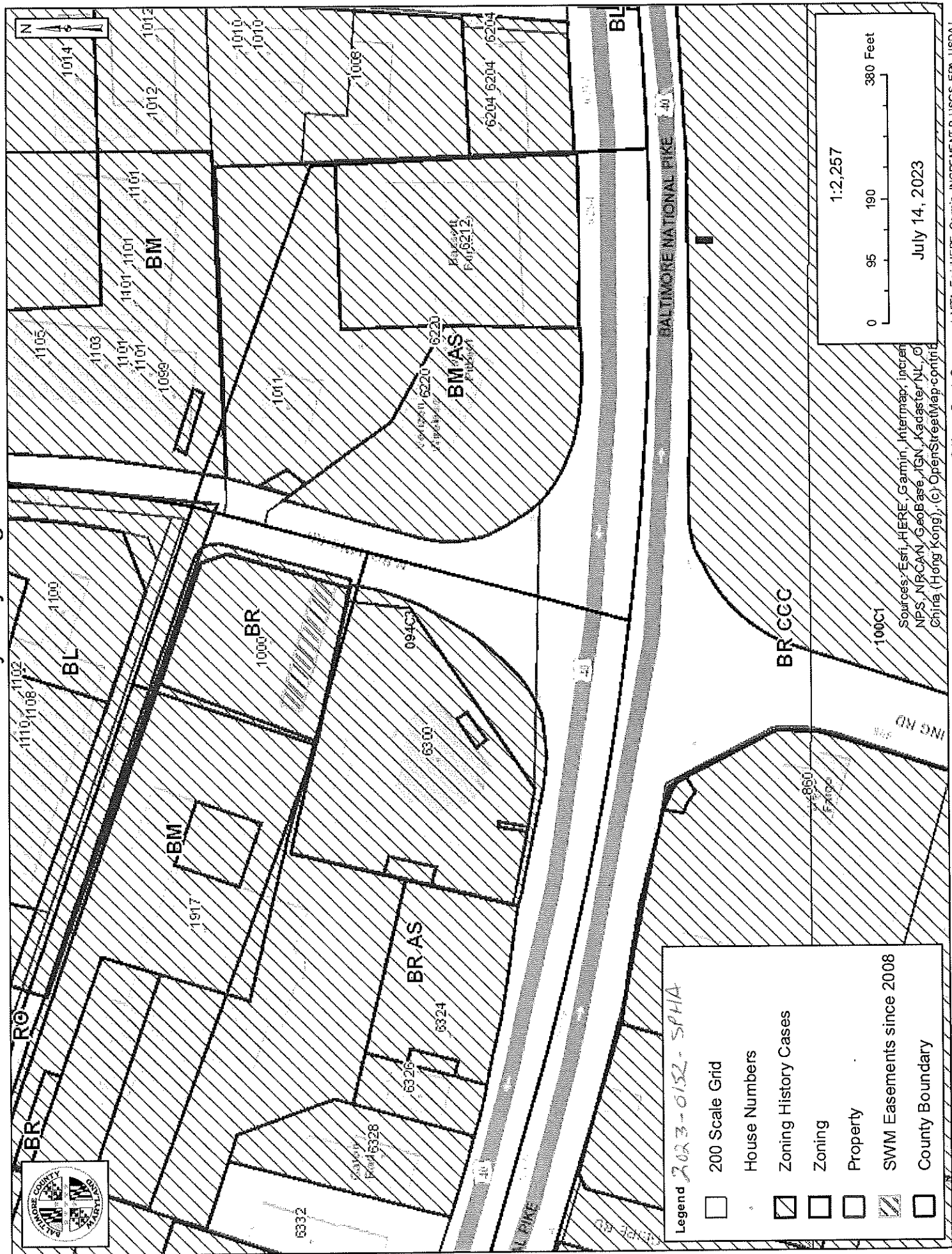
DATE: 6/7/2023 SCALE: 1"= 30'

DES. BY: DWG. BY: CHK. BY:

SHEET
1 OF 1

Double T Diner Zoning





Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#)

[View GroundRent Redemption](#)

[View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 01 Account Number - 0119640563

Owner Information

Owner Name: KOROLOGOS IOANNIS Use: COMMERCIAL
KOROLOGOS TRIANTAFILOS Principal Residence: NO
Mailing Address: 6300 BALTIMORE NATIONAL PIKE Deed Reference: /07369/ 00757
BALTIMORE MD 21228-3901

Location & Structure Information

Premises Address: 6300 BALTO NATL PIKE Legal Description: 1.447 AC NS
BALTIMORE 21228- BALTO NATL PIKE
NW COR ROLLING RD

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0094 0024 0010 30000.04 0000 2021 Plat Ref:

Town: None

Primary Structure Built Above Grade	Living Area	Finished Basement Area	Property Land Area	County Use
1959	10,950 SF		63,031 SF	24

Stories Basement Type	Exterior Quality Full/Half Bath	Garage	Last Notice of Major Improvements
RESTAURANT /	C4		

Value Information

	Base Value	Value	Phase-in Assessments	
		As of	As of	As of
		01/01/2021	07/01/2022	07/01/2023
Land:	677,000	677,000		
Improvements	979,200	942,500		
Total:	1,656,200	1,619,500	1,619,500	1,619,500
Preferential Land:	0	0		

Transfer Information

Seller: DOXANAS THOMAS FANGIKIS	Date: 12/31/1986	Price: \$1,000,000
JOHN		
Type: ARMS LENGTH IMPROVED	Deed1: /07369/ 00757	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments:	Class	07/01/2022	07/01/2023
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2023-0152-SPHA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **221295**

Date: **7/17/2023**

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
601	806	0000		6150					\$1,000

Total: **\$1,000**

Rec
From:

Koros Inc. (Double T Dircc)

For:

Zoning Variance & Special Hearing
6300 Balt. Mt. Pike
Zoning Cax 2023-0152-SPHA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

