

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a special exception for a personal care establishment in an O-1 zone.

MAP 10-24
D. 24
E. 1204
F. 1204
G. 1204
H. 1204
I. 1204
J. 1204
K. 1204
L. 1204
M. 1204
N. 1204
O. 1204
P. 1204
Q. 1204
R. 1204
S. 1204
T. 1204
U. 1204
V. 1204
W. 1204
X. 1204
Y. 1204
Z. 1204

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

I, or we, agree to pay expenses above Special Exception advertising, posting, etc., upon filing of this petition, and further agree 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.

LEGAL OWNER(S):

THE BODY COMPANY, LTD.

(Type or Print Name)

By: James P. Walters

Signature: James P. Walters

Signature: James P. Walters

6504 Brinton Road

Address

Par, Maryland, 21051

City and State

Attorney for Petitioner:

Stephen J. Nolan and Nolan, Plunkoff &

(Type or Print Name) Williams

Signature: Stephen J. Nolan

Signature: Stephen J. Nolan

204 West Pennsylvania Avenue

Address

Towson, Maryland, 21204

City and State

Attorney's Telephone No.: (301) 823-7800

Address

204 West Pennsylvania Avenue, 823-7800

Address

Ordered By the Zoning Commissioner of Baltimore County, this 10 day

of 1987, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out Baltimore County, that property be posted, and that the public hearing be had before the Zoning

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 29th day of 10, 1987, at 2 o'clock

A.M.

Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING: 1/2 HR. + 1 HR.

AVAILABLE FOR HEARING: MON./TUES./WED. - NEXT TWO MONTHS

ALL OTHER

REVIEWED BY: W.C. DATE: 11/16/87

MICROFILMED

88-336-X

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 10th day of December, 1987.

James P. Walters
ZONING COMMISSIONER

Petitioner: York Lane Limited Partnership
Chairman, Zoning Plans
Attorney: Stephen J. Nolan, Esquire
Advisory Committee

MICROFILMED

LAW OFFICES
NOLAN, PLUNKOFF & WILLIAMS
OF COUNSEL
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 823-7800
RALPH E. DEITZ
3028 LIBERTY ROAD
RANDBALLETOWN, MARYLAND 21133
(301) 982-2100

November 2, 1987

HAND DELIVERY

Mr. W. Carl Richards
Baltimore County Office of
Planning and Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Exception of
York Lane Limited Partnership, et al.
Location: 7402 York Road

Dear Mr. Richards:

On behalf of the Petitioners, York Lane Limited Partnership and the Body Company, Ltd., as Lessee, I am enclosing herewith the following documents with regard to the filing of the above-captioned special exception case:

1. Three (3) signed original Petitions for Special Exception;
2. Four (4) copies of the zoning description prepared by the engineering firm of George W. Stephens and Associates, Inc.;
3. Ten (10) copies of the site plan which has also been prepared by Stephens and Associates;
4. Also enclosed is a copy of a letter dated June 16, 1987 from James E. Dyer, Zoning Supervisor, with regard to the proposed personal care establishment use in the O-1 zone. We would appreciate that that letter be made a part of the filing materials in this case; and
5. Our firm's check for \$100.00 to cover the filing fee.

In view of the fact that Mr. Dan Walter, Jr., the Vice President of The Body Company, Ltd., has been diligently reviewing this matter with the Zoning Office since early last summer, we would greatly appreciate it if a hearing could be scheduled at the earliest possible date.

Thank you for your kind assistance.

Very truly yours,
Stephen J. Nolan
Stephen J. Nolan

SJN/emd

enc.

MICROFILMED

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

November 25, 1987

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: York Lane Ltd. Partnership

Location: E/S York Road, 96.26' W. of c/l and 181.19' S. c/l
LaPaix Lane
Item No.: 182

Zoning Agenda: Meeting of 11/24/87

Gentlemen:

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

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: John F. O'Neill Noted and Approved: John F. O'Neill
Planning Group Fire Prevention Bureau
Special Inspection Division

7/31

MICROFILMED



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

November 27, 1987

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: ZAC Meeting of 11-24-87
ITEM: #182.
Property Owner: York Lane
Limited Partnership
Location: E/S York Road,
Route 45, 96.26 feet W. of
centerline and 181.10 feet
S centerline La Paix Lane
Existing Zoning: O-1
Proposed Zoning: Special
Exception for a personal care
establishment
Area: .026 acres
District: 9th Election District

Attention: Mr. James Dyer

Dear Mr. Haines:

On review of the submittal of 10-29-87 the State Highway Administration - Bureau of Engineering Access Permits finds the plan to be generally acceptable.

If you have any questions, please contact Larry Brocato of this office.

Very truly yours,
Robert L. Williams
Robert L. Williams, Jr.
Acting Chief
Bureau of Engineering
Access Permits

LB:maw

cc: Mr. J. Ogle
G.W. Stephens, Jr.

MICROFILMED

My telephone number is (301) 333-1350

383-7555 Baltimore Metro - 465-0451 D.C. Metro - 1-800-492-5062 State-wide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

DEC 2 1987

ZONING OFFICE

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-4500

June 16, 1987

Mr. Dan Walter, Jr.
Vice President
The Body Co., Ltd.
6504 Brinton Road
Park, Maryland 21051

Re: Proposed Toning Salon
O-1 Office Building Zone
7402 York Road
9th Election District

Dear Mr. Walters:

Reference is made to your letter of June 8, 1987, concerning the above-captioned matter, which you described as a new concept in body toning that enhances flexibility without strain, sweat, or increased heart rate to the user. Your proposed program, which has been proven effective in physical therapy and rehabilitation over a period of more than 10 years, does not include a whirlpool, saunas, showers, or weight training, which is usually included in fitness centers, i.e., racquetball/martial arts, spas, etc.

The floor area for your professional toning salon will require a smaller area than that required for other fitness centers and as such, you have requested that we give consideration to approving your operation as a personal care establishment permitted in an O-1 Office Building Zone.

It is my opinion that the above use can be considered as an accessory personal care establishment permitted in the O-1 Zone subject to the special exception and floor area limitation set forth in Section 204.3.C of the Baltimore County Zoning Regulations (BCZR), a copy of which is enclosed. Please note that no more than 7.5% of the

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PETITIONER'S
EXHIBIT 4

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 405
Towson, Maryland 21204
494-3554

December 2, 1987

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comment for items number 177, 178, 179, 180, 181, 182, and 183.

Very truly yours,
Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:ab

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Mr. Dan Walter, Jr.
Vice President
The Body Co., Ltd.

June 16, 1987
Page 2

Estimated gross floor area of the building may be occupied by accessory commercial use and no single accessory commercial use, other than permitting or drinking establishment, may occupy more than 1200 square feet of floor area.

If you have any questions or comments, please feel free to contact me at 494-3990.

Very truly yours,
James E. Dyer
JAMES E. DYER
Zoning Supervisor

Enclosed

MICROFILMED

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 16, 1988

COUNTY OFFICE BLDG.
131 W. Chesapeake Ave.
Towson, Maryland 21204

Stephen J. Nolan, Esquire
Nolan, Plumbhoff & Williams
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Item No. 182 - Case No. 88-336-X
Petitioner: York Lane Limited Partnership
Petition for Special Exception

Dear Mr. Nolan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER

Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

Mr. Dan Walter, Jr.
Vice President
The Body Co., Ltd.

June 16, 1987
Page 2

adjusted gross floor area of the building may be occupied by accessory commercial uses and no single accessory commercial use, other than an eating or drinking establishment, may occupy more than 1200 square feet of floor area.

If you have any questions or comments, please feel free to contact me at 494-3300.

Very truly yours,

James E. Dyer
JAMES E. DYER
Zoning Supervisor

Enclosed

Enclosure

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner
FROM: Director of Planning and Zoning

Date: January 28, 1988

SUBJECT: Zoning Petition Nos. 88-334-X and 88-336-X

This office is not opposed to the granting of the subject request.

P. David Fields
P. David Fields
Director

PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

2.4.3 - Use Regulations of O-1 Zones. [Bill No. 167, 1980.]

A. Uses permitted as of right. The following uses, only, are permitted as of right:

1. Uses permitted as of right and as limited in D.R. 5.5 zones. [Bill No. 167, 1980.]
2. Class A, Class B, or Class C office buildings. [Bill No. 167, 1980.]
3. The following accessory commercial uses within Class B or Class C office buildings (see also Paragraph C, below):
 - a. Photocopying establishments
 - b. Secretarial-service establishments
 - c. Eating or drinking establishments without dancing or live entertainment
 - d. Travel bureaus
 - e. Banks [Bill No. 167, 1980.]

4. Accessory uses not included under Item 1, above, but not any accessory commercial uses other than those listed in Item 3 (see Paragraph B, below) [Bill No. 167, 1980.]

B. Uses allowable by special exception. The following uses, only, are allowable by special exception:

1. Uses allowable by special exception and as limited in D.R. 5.5 zones; [Bill No. 167, 1980.]
2. The following accessory commercial uses within Class B or Class C, provided that the Zoning Commissioner or County Board of Appeals finds that each such use will primarily serve the principal user of the lot (see also Paragraph C, below):
 - a. Drug stores
 - b. Personal-care establishments, including hair-care, facial-treatment, manicuring, or shoe-shining establishments.
 - c. Stationery or office-supply shops [Bill No. 167, 1980.]

C. Supplementary use regulations (see also Section 206).

1. Accessory-commercial-use floor-area limitations.
 - a. No more than 7.5 per cent of the adjusted gross floor area of any office building may be occupied by accessory commercial uses. [Bill No. 167, 1980.]
 - b. No single accessory commercial use other than an eating or drinking establishment may occupy more than 1,200 square feet of floor area. [Bill No. 167, 1980.]
2. Entrances to accessory commercial uses. No exterior entrance to any accessory commercial use within an office building is permitted unless 75% of the principal uses in the building have exterior entrances. [Bill No. 167, 1980; No. 24, 1983.]

-81-

Baltimore County
Director of Planning and Zoning
Towson, Maryland 21204
4-4555

Attest:
Dennis F. Hammon
County Executive

June 16, 1987



Dennis F. Hammon
County Executive

Mr. Dan Walter, Jr.
Vice President
The Body Co., Ltd.
7402 York Road
Towson, Maryland 21204

Re: Proposed Toning Salon
O-1 Office Building Zone
7402 York Road
9th Election District

Dear Mr. Walter:

Reference is made to your letter of June 8, 1987, concerning the above-captioned matter, which you described as a new concept in body therapy that enhances flexibility without strain, sweat, or increased heart rate to the user. Your proposed program, which has been proven effective in physical therapy and rehabilitation over a period of more than 10 years, does not include a whirlpool, saunas, showers, or weight training, which is usually included in fitness centers, i.e., racquetball/tennis, etc.

The floor area for your professional toning salon will require a smaller area than that required for other fitness centers and is such, you have requested that we give consideration to approving your operation as a personal care establishment permitted in an O-1 Office Building Zone.

It is my opinion that the above use can be considered as an accessory personal-care establishment permitted in the O-1 Zone subject to the special exception and floor area limitation set forth in Section 204.3.C of the Baltimore County Zoning Regulations (BCZR), a copy of which is enclosed. Please note that no more than 7.5% of the



29 W. Sunquahanna Ave., Suite 10
Towson, Maryland 21204
825-1144

February 26, 1988

Mr. David Fields, Director
Office of Planning and Zoning
401 Bosley Avenue - Suite 406
Towson, MD 21204

Dear Mr. Fields:

I am writing to support Dan Walter's application for a zoning change for The Body Company, Ltd. at 7402 York Road, Suite 301, Towson, MD 21204.

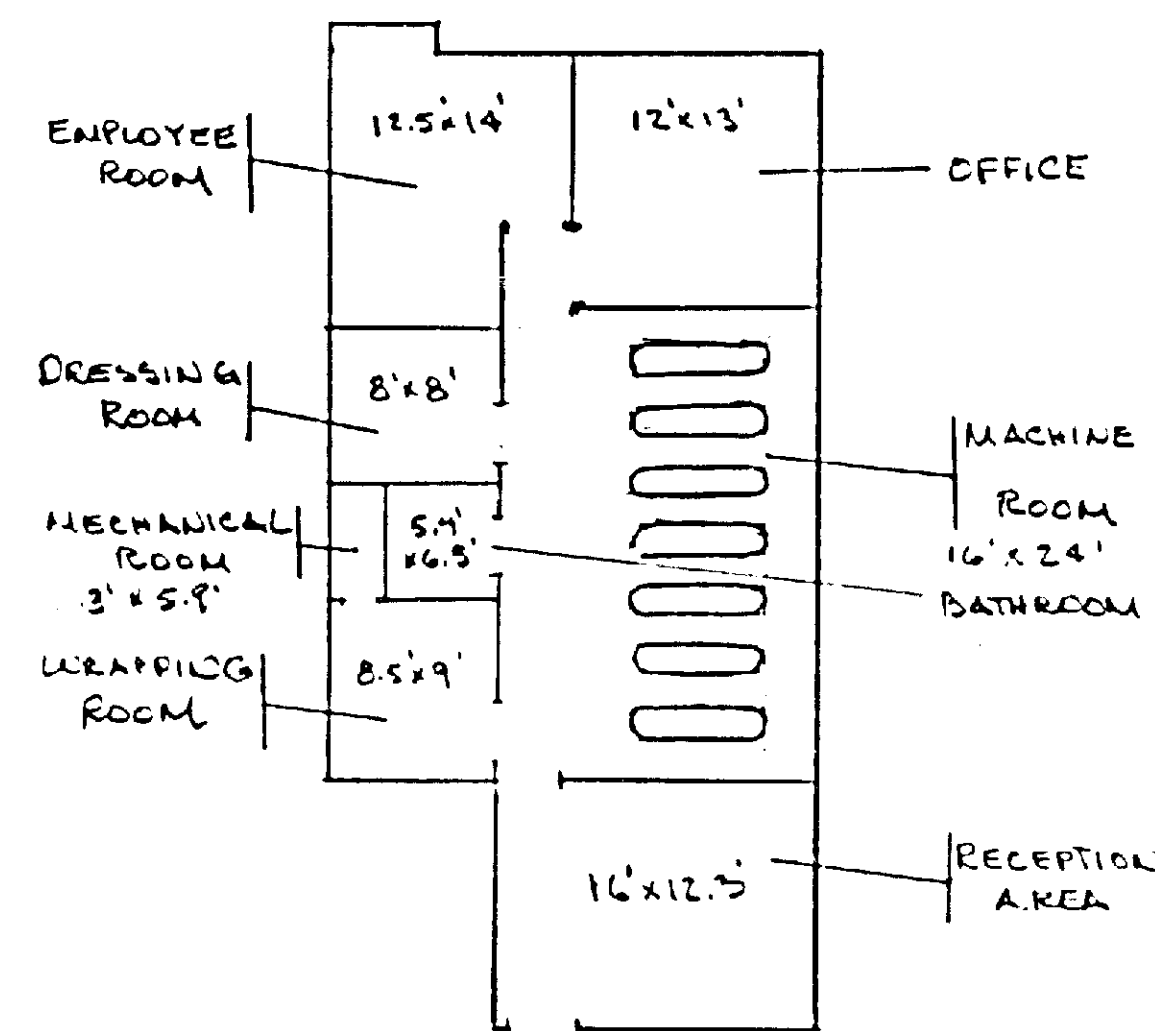
I have known Dan for approximately five years during the time he worked for Joseph Bank Clothiers and currently with the Body Company. Dan has been involved with the community for many years and is concerned about the future of Towson. He has been a member of the Towson Business Association for six months.

His business will be an asset to the Towson area and I hope you will consider his request.

Sincerely,
Jack Collano
Jack Collano
1987-88 President

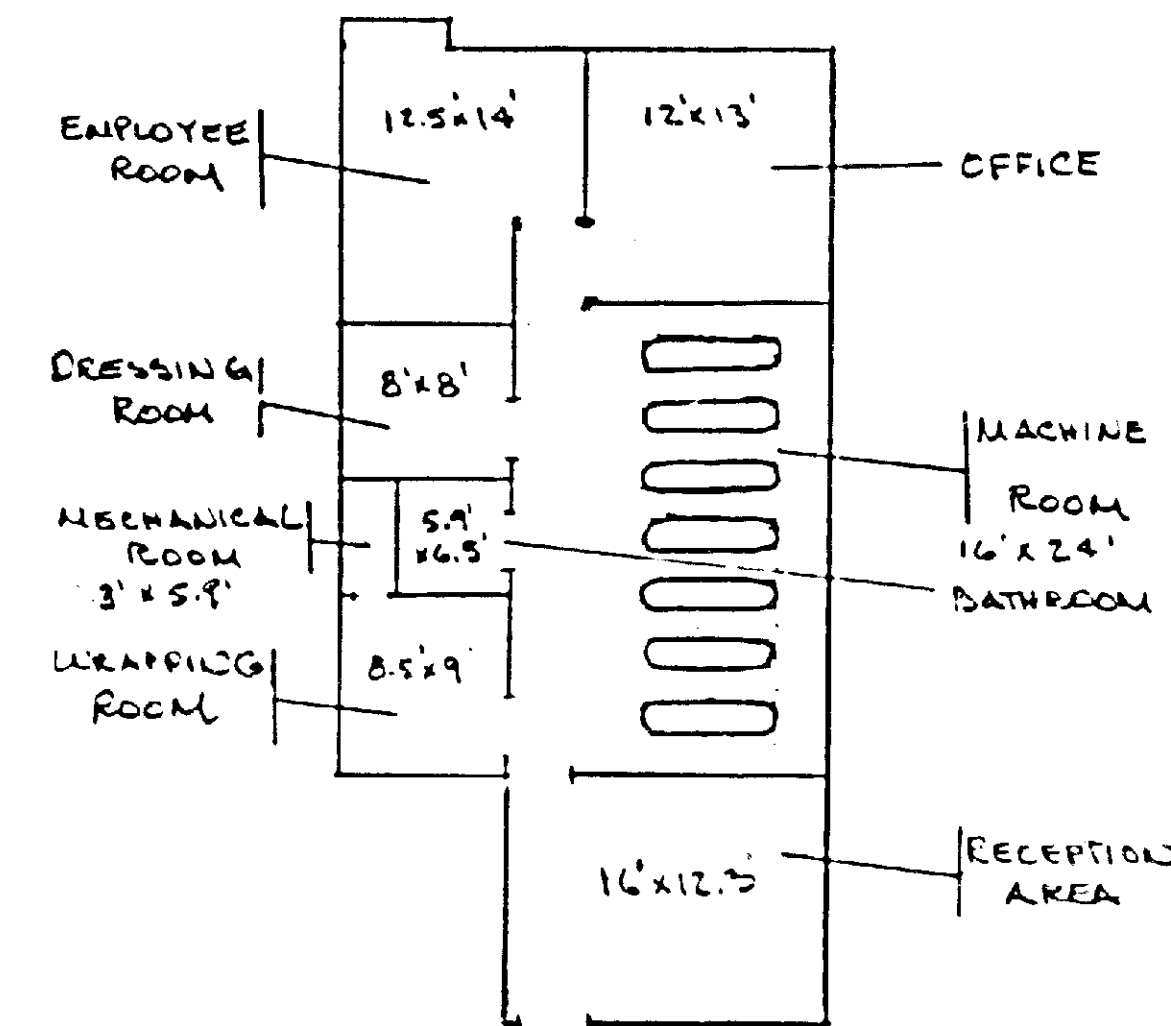
PETITIONER'S
EXHIBIT 5

VALUABLE	GEORGE WILLIAM STEPHENS, JUNIOR AND ASSOCIATES, INC.	DATE: 3-1-88
RETURN TO THE BOTH COMPANY TOWSON, MD	SUBJECT: SUITE 301	SHEET: 1 OF 1
MADE IN CONNECTION WITH:	AFTER HEARING / 88-336	COMPUTED BY:
	EXHIBIT "A"	CHECKED BY:



FLOOR PLAN - SUITE 301

VALUABLE	GEORGE WILLIAM STEPHENS, JUNIOR AND ASSOCIATES, INC.	DATE: 3-1-88
RETURN TO THE BOTH COMPANY TOWSON, MD	SUBJECT: SUITE 301	SHEET: 1 OF 1
MADE IN CONNECTION WITH:	AFTER HEARING / 88-336	COMPUTED BY:
	EXHIBIT "A"	CHECKED BY:



FLOOR PLAN - SUITE 301

TOWSON BOTH COMPANY TOWSON, MD 21204	GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC. CONSULTING ENGINEERS	B2B AIR CONDITIONING MECHANICAL ELECTRICAL PLUMBING
--	--	---

TO: Mr. John R. Haines
Zoning Commissioner
Baltimore County Zoning Office
Baltimore County, Maryland

DATE: March 1, 1988
REFERENCE: Case 88-336
7402 York Road

ATTENTION

We are:

- ☒ Submitting ☒ Herewith ☐ Under Separate Cover
☐ Forwarding
☐ Returning

COPIES DESCRIPTION

2 Copies of floor plan

☒ In accordance with your request

- ☐ For your review
☐ For processing
☐ Plans reviewed and accepted
☐ Plans reviewed and accepted as noted

- ☒ For your use
☐ Please call when ready
☐ Please return to this office
☐ Approval requested
☐ Meeting requested

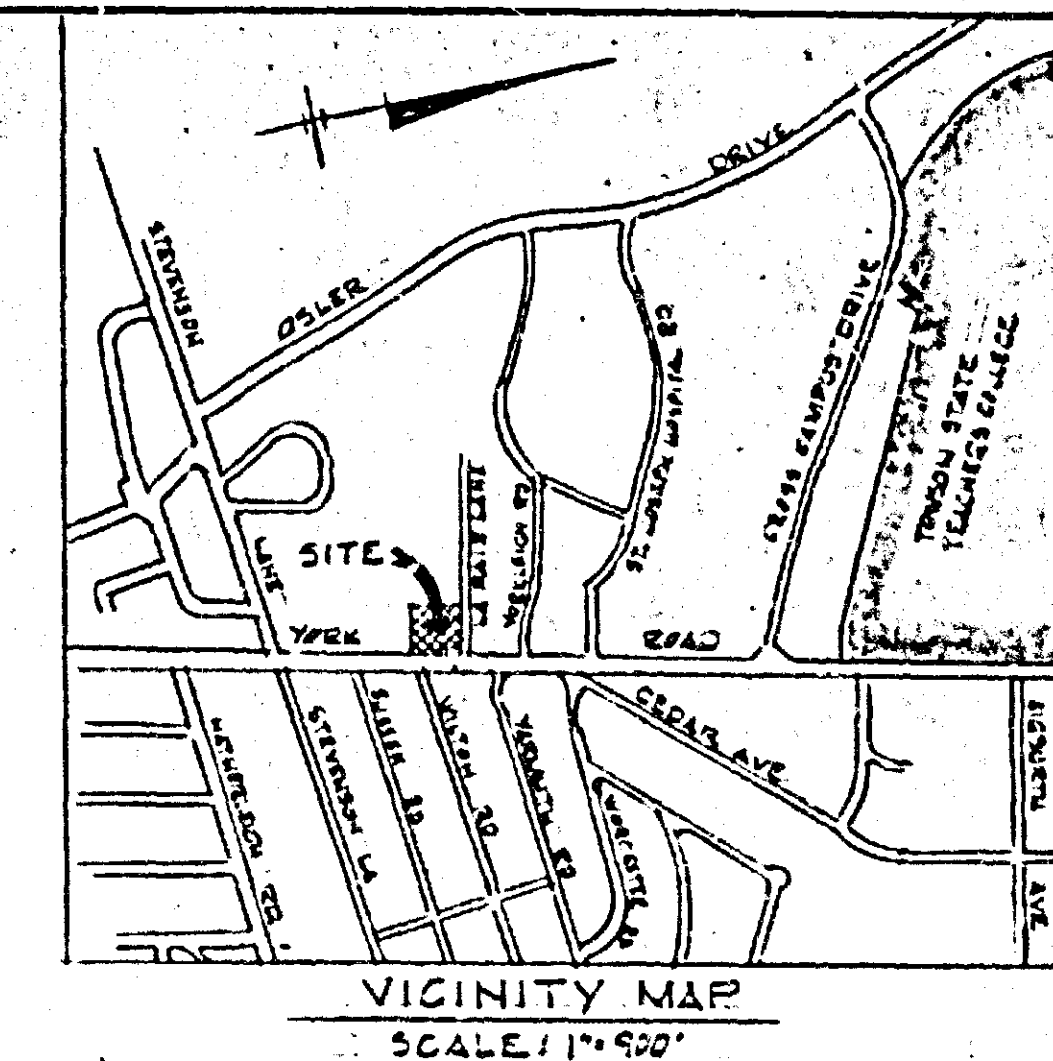
Re: JKS

For further information, please contact the writer at this office

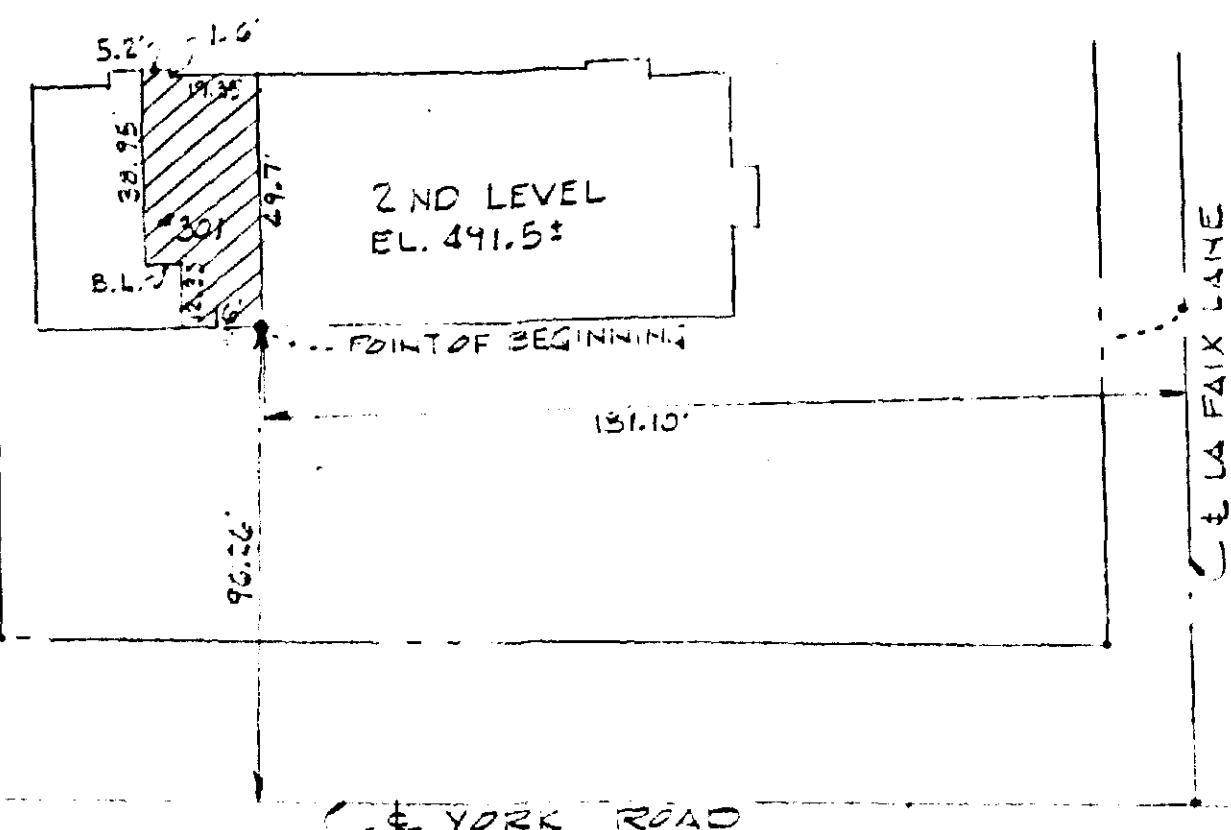
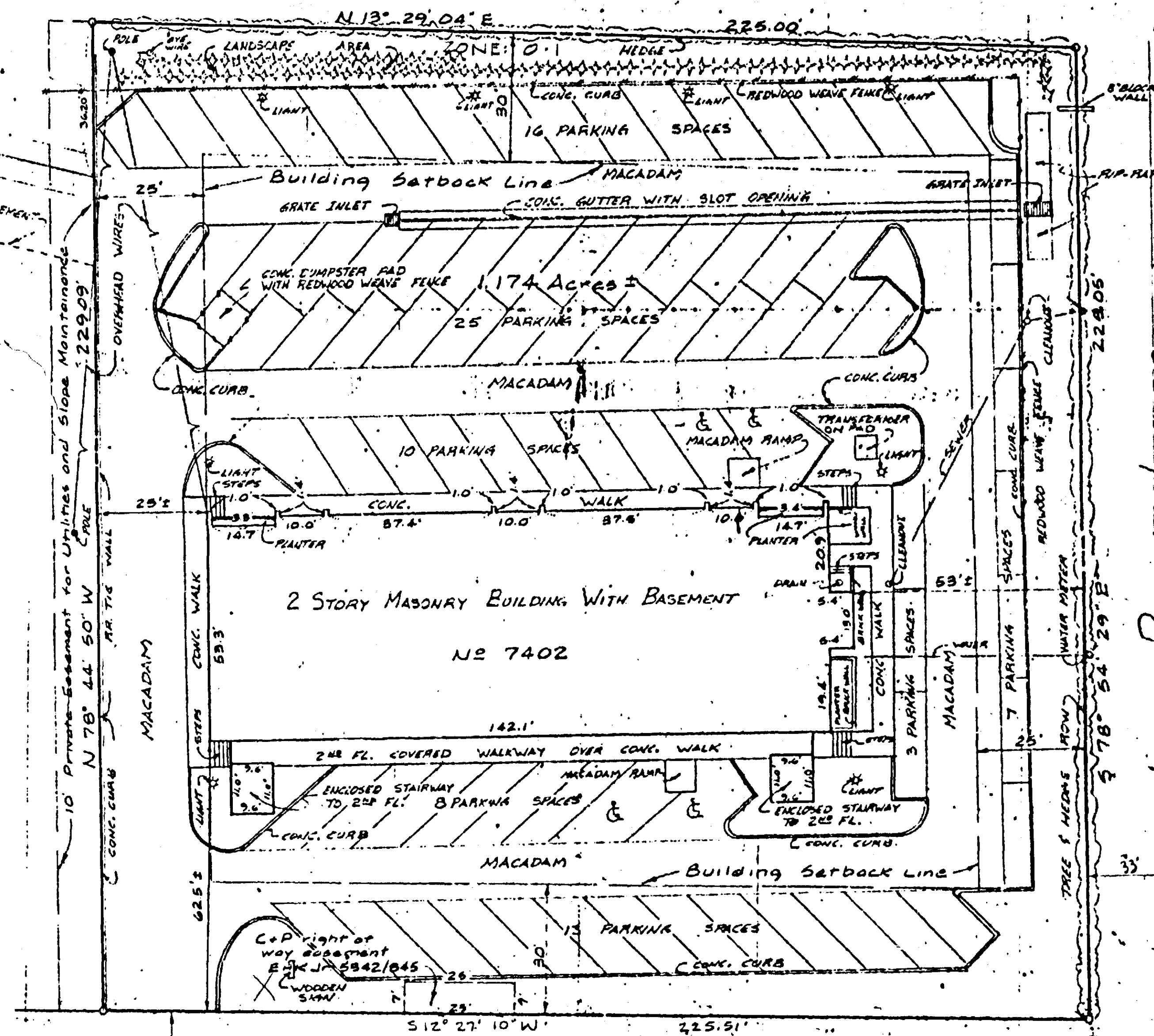
cc: Dan Walter
Steve Nolan

Sincerely yours,
Charles D. Stark
Charles D. Stark

CHARLES D. JULIO
1583/482
ZONE: DR 3.5



JOSEPH A. ARIOSA
4843/353
ZONE: O-1



LOCATION PLAN
1102 SQ. FT. PERSONAL-CARE ESTABLISHMENT
SCALE: 1" = 40'

SITE DATA:

AREA = 1.174 ACRES
FLOOR AREA - LOWER - 7321 SQ. FT.
1ST LEVEL - 7591 SQ. FT.
2ND LEVEL - 7423 SQ. FT.
TOTAL - 22135 SQ. FT.
EXISTING ZONING: O-1 (SEE X SPH 75-125)

PARKING TABULATION:

PARKING REQUIRED:
GENERAL OFFICE: 1/300 SQ. FT. - LOWER LEVEL
MEDICAL - 1/300 SQ. FT.
SERVICE - 1/300 SQ. FT.
LOWER LEVEL
GENERAL OFFICE - 3500 SQ. FT. - 6 SPACES
MEDICAL - 4500 SQ. FT. - 10 SPACES
2ND LEVEL
GENERAL OFFICE - 3500 SQ. FT. - 6 SPACES
MEDICAL - 4500 SQ. FT. - 10 SPACES
SERVICE (PERSONAL-CARE) - 1124 SQ. FT. - 4 SPACES
TOTAL SPACES REQUIRED - 64 SPACES
PARKING SPACES PROVIDED - 79 SPACES (INCLUDING 4 HANDICAP)

**PETITIONER'S
EXHIBIT 1**

PLAT TO ACCOMPANY PETITION FOR A
SPECIAL EXCEPTION FOR A PERSONAL-CARE ESTABLISHMENT

**No. 7402 York Road
Southwest Corner Of York
Road and La Paix Lane**

Balto Co., MD. Elect. Dist. No. 9
Scale: 1" = 20' MICROFILMED DATE: OCTOBER 29, 1987

A SPECIAL EXCEPTION IS REQUESTED TO PERMIT A PERSONAL-CARE ESTABLISHMENT IN A O-1 ZONE AS PER BUILDING CODES 2-2 MAXIMUM ACCESSORY COMMERCIAL USE AREA - 1000 SQ. FT. PROPOSED PERSONAL-CARE ESTABLISHMENT AREA - 1102 SQ. FT.

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS & LAND SURVEYORS
333 A. LECHENY AVE.
TOWSON, MARYLAND 21204