



1. Condition and restriction No. 3 of said Order is hereby amended to read as follows:

There shall be no exit or entrance from the subject property to La Paix Lane and certain trees along La Paix Lane, which shall reasonably be determined by the builder to be diseased, shall be removed. Some of these trees exist along the northern property, as well as within the street right-of-way line. The developer will expeditiously notify appropriate departments in Baltimore County regarding said tree removal.

2. Condition and restriction No. 6 of said Order is hereby amended to read as follows:

Vehicle parking shall be substantially designated as on Exhibit A, attached to the Amendment to Agreement, dated March 25, 1980, and considered a part hereof by incorporation by reference hereto. The exterior of the building and surrounding areas shall be lighted substantially as follows:

- Four lights along the western line of the parking lot, located either on the curb or on the inside of the curb, having a maximum height above the parking lot of five feet. These lights shall be shielded along the tops and sides.
- Four lights, one at each corner of the building, having a maximum height of four feet. These lights shall be shielded and emit a soft light.
- Three lights, one at each entrance way along the western side of the building, located six feet above the entrance threshold, each having a seventy-five watt maximum aluminum and each shielded so that the light flows downward only.

3. Condition and restriction No. 9 of said Order is hereby amended to read as follows:

There shall be no retaining wall along the western boundary or any other boundary of the subject property. Along the western boundary line of the property, the builder shall cause a fence of redwood construction to be erected. This fence shall be six feet high, constructed immediately adjacent to the outside of the parking lot curb, and shall connect with the existing fence on the lot immediately adjacent to the south of the subject property. The builder will also cause a similar fence to be erected along the La Paix Lane side of the subject property, immediately adjacent to the outside of the parking lot curb. This fence shall extend from the fence along the western boundary line to a point directly in line with the rear or westernmost building line of the improvements constructed by the builder.

4. Condition and restriction No. 10 of said Order is hereby amended by adding thereto as follows:

The fence line located adjacent to the western side of the fence along the La Paix Lane lot shall be a woven plastic with trees and shrubs to be planted in the area designated.

It is FURTHER ORDERED that all of the other terms, provisions, and restrictions of the Order of the Board of Appeals, dated November 29, 1977, not herein amended, as well as the terms, provisions, and agreements of the respective parties contained in the Restrictive Covenants Agreement, dated November 23, 1977, recorded as aforesaid, and not amended by the Amendment to Agreement, dated March 25, 1980, shall remain in full force and effect, as if fully incorporated herein, as conditions and restrictions in this Order, subject, however, to the following:

- A revised site plan shall be submitted, incorporating therein or thereon the conditions and restrictions contained herein as amendments to the Order of the Board of Appeals, dated November 29, 1977.
- Said revised site plan shall be approved by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

*George - Please read carefully*

RE: PETITION FOR SPECIAL EXCEPTION for Office and Office Building and SPECIAL HEARING for Off-Street Parking in a residential zone 5 1/2 corner of York Road and LaPaix Lane 9th District

ON REMAND FROM THE CIRCUIT COURT FOR BALTIMORE COUNTY AT LAW Mlc. 10/378/6253 Zoning File #75-125-XSPH

**OPINION**

This case came before the Board on an appeal from the Order of the Zoning Commissioner, which granted the special exception for offices and office building and the requested off-street parking in a residential zone. From that decision both the Petitioner and Protestants appealed.

This case was heard before the Board of Appeals of Baltimore County, at which time substantial evidence was produced on behalf of the Petitioner and the Protestants to the subject proposal. Following the hearing, an Opinion and Order thereon was handed down by this Board on the 26th of April, 1977.

Subsequently, this case, on a timely appeal, was heard by the Circuit Court for Baltimore County, The Honorable John E. Rains, Jr. presiding. From that tribunal the case has been remanded to this Board by Judge Rains for clarification of its aforesaid Order, and the taking of any additional appropriate testimony.

This case was scheduled for hearing on October 13, 1977, at which time counsel for all parties entered into a stipulation that all differences had been resolved by entering into an agreement containing covenants which were mutually acceptable to all interested parties; said covenants which are or are intended to be recorded among the land records of Baltimore County. At the time of the hearing, a revised development plan to accompany the agreement between all parties of this case was submitted to the Board, and will be referred to as the Board's Exhibit A. Additionally, a list of proposed conditions which had been agreed upon by the parties to this case were submitted to the Board, which encompassed those conditions contained in our Order of April 26, 1977, as well as additional

William F. Chew, et al - 10/378/6253

Although this Board is not controlled nor directly affected by covenants between Petitioners and Protestants, it is impressed by those proposed in this case and agreed to by the Petitioners. Accordingly, the Board will amend its Order of April 26, 1977, by retreating the conditions imposed therein and by adding conditions as stipulated by the parties hereto.

- ORDER**
- For the reasons set forth in the foregoing Opinion, it is this 29th day of November, 1977, by the County Board of Appeals, ORDERED that we reaffirm our decision of April 26, 1977 as for as granting the special exception and denying the special permit for parking. The conditions and restrictions imposed in the aforementioned Order shall be amended to read as follows:
- The maximum height of the building must be thirty-five (35) feet.
  - The maximum square footage of said building shall not exceed 10,000 square feet per floor.
  - There shall be no entrance or exit from LaPaix Lane onto the subject property, and the trees existing within the street right-of-way shall not be destroyed by the Petitioner or subsequent developer.
  - A site plan must be approved by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning.
  - The building shall:
    - Be located on the lot as shown on the plot entitled "Exhibit A Plot to Accompanying Special Agreement," which plot is attached hereto and labeled Exhibit A.
    - Be predominantly of brick construction, with such brick being of either a brownish hue or approximately the same shade as those bricks contained in the adjacent building known as 7400 York Road. The building window frames are to be of steel or anodized aluminum with single or multiple glass panes. Windows are to be spaced on north and west sides as shown on plot entitled "Window Layout For Proposed 3-Story Office Building, York Road and LaPaix Lane, Baltimore County, Maryland."

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD. May 5, 1978

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on May 5, 1978.

THE JEFFERSONIAN, Susan L. Street, Publisher

37-50

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD. May 7, 1978

THIS IS TO CERTIFY that the annexed advertisement was published in THE TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on May 4, 1978.

THE TOWSON TIMES, Susan L. Street, Publisher

58.00

William F. Chew, et al - 10/378/6253

August 30, 1977, which plot is attached hereto and labeled Exhibit B; provided, however, there shall be allowed a variance of plus or minus two feet in such spacing. The windows shall be of the approximate size as shown on such plot.

- Be of a height, including the parapet along the roof, not to exceed 35' above elevation of 477.5' at west side of proposed building and not to exceed 32.5' above elevation of 480' at east side of proposed building, all as shown on Exhibit A.
- Have that exterior air conditioning equipment situated on the roof placed as close as possible to the center of the roof.

Vehicle parking areas shall be as delineated on Exhibit A and possibly in front of the building and shall not be lighted.

The parking lot shall contain a sufficient number of storm water drains so as to assure that there is no more surface water runoff onto LaPaix Lane or into properties located contiguous to the subject property than presently runs off.

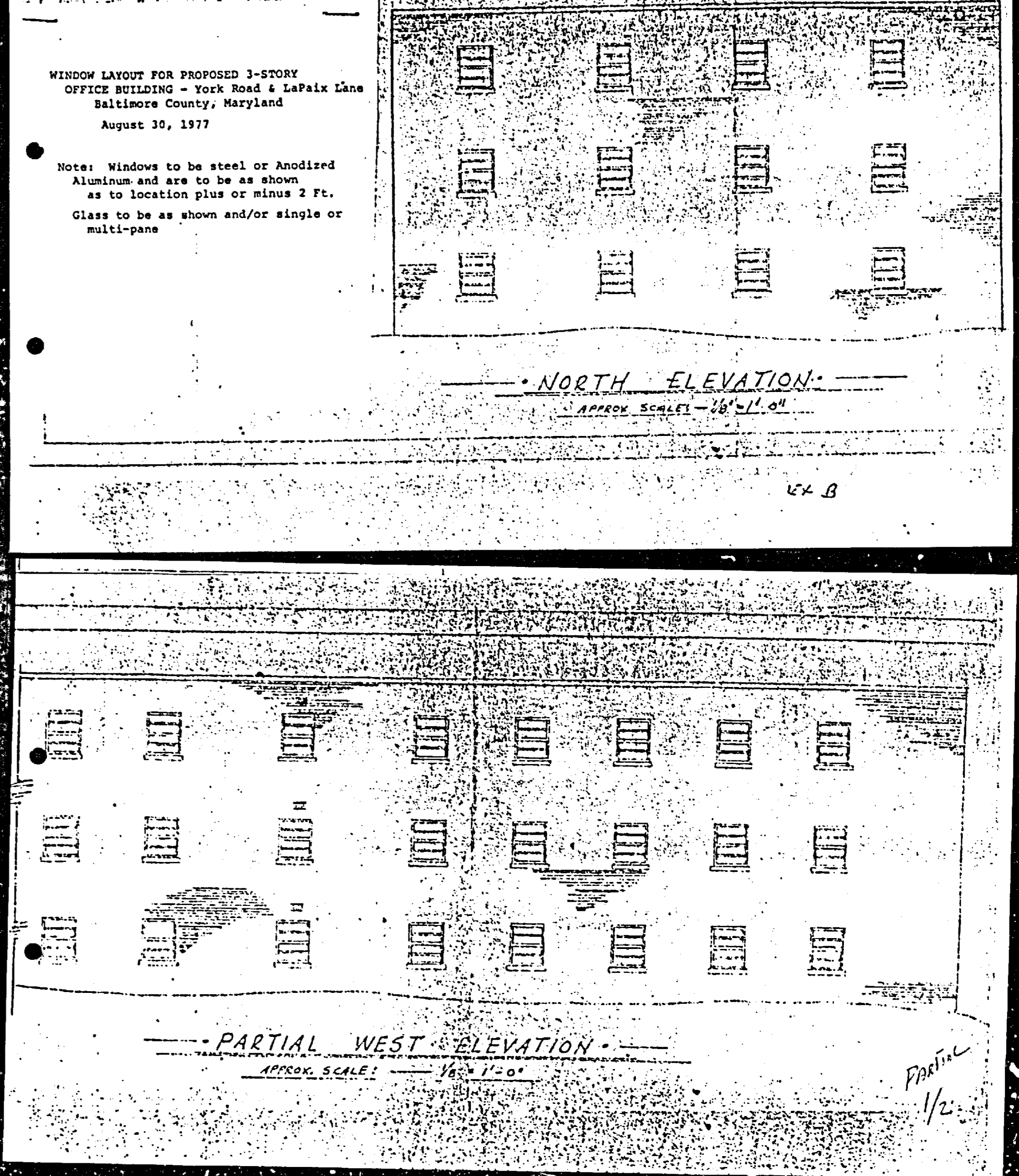
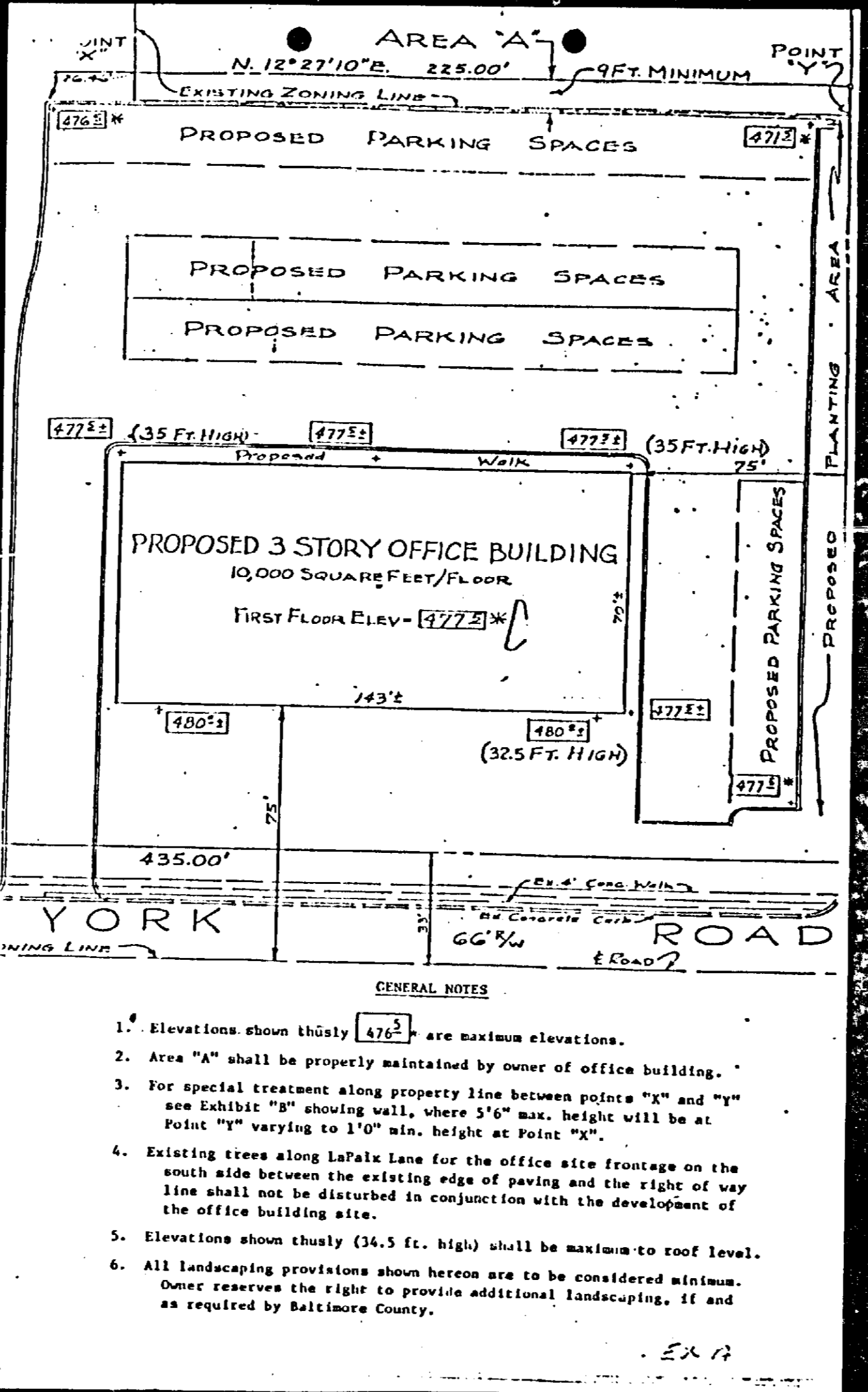
- Trash collection bins or dumpsters shall be located near the subject lot's southern property line no closer than sixty (60) feet to the westernmost property line.
- There shall be a retaining wall of brick construction along the western edge of the proposed parking area as described in paragraph number 3 of the General Notes as shown on Exhibit A. There shall be constructed atop the retaining wall a 5' high redwood weave fence. The retaining wall and the five foot redwood weave fence shall be properly maintained by the owner of the proposed office building.
- Screening along the west lot line of "Area A" and the north lot line in the area labeled "Proposed Planting Area" to a point adjacent to the northeastern corner of the area labeled "Proposed Parking Spaces" north of the proposed office building, all as shown on Exhibit A, shall be one of the following:
  - Canadian hemlock, Leyland cypress, American arbutus, nipa arbutus or feclay arbutus,
 which screen trees shall be of a minimum height of five feet to six feet and the trunks of which shall be on two and one-half to three foot centers.

William F. Chew, et al - 10/378/6253

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Walter A. Keller, Chairman  
Robert L. Gilliam  
Robert A. Davis



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

Date: MAY 10 1988

Mr. Joseph A. Warfield  
MacFarlane & Associates  
2793 N. Jones Road  
Lakewood, Maryland 21093



Dennis F. Rasmussen  
County Engineer

Re: Petition for Zoning Variance  
Case Number: 88-461-A  
1/8 York Road, 96.26' W of c/l and 181.10' S of c/l of La Paix Lane  
(7402 York Road)  
4th Election District - 4th Councilmanic District  
Petitioner(s): York Lane Limited Partnership

Dear Mr. Warfield:

Please be advised that \$12.50 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland (15) minutes before

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 52743

DATE: 5/24/88 ACCOUNT: 201-615-000

AMOUNT: \$ 112.50  
FROM: York Lane Limited Partnership

RECEIVED FOR: J. Robert Haines  
5/24/88 Hearing

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: PTH Date of Posting: 5/16/88  
Posted for: Variance  
Petitioner: York Lane Limited Partnership  
Location of property: E/S York Rd. 96.26' W of c/l and 181.10' S of c/l of La Paix Lane  
7402 York Rd.  
Location of Sign: York Lane Limited Partnership  
Remarks: As per J. Robert Haines  
Posted by: J. Robert Haines Date of return: 5/18/88  
Number of Signs: 1



Maryland Department of Transportation  
State Highway Administration

3-16-88-D

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

March 10, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204  
Attn: James Dyer

RE: Baltimore County  
York Road Limited  
Partnership  
W/S York Road  
Maryland Route 45  
South of La Paix Lane  
Item #306

Dear Mr. Haines:

After reviewing the submittal for a variance to permit a sideyard set back of 25' in lieu of the required 33', the State Highway Administration-Bureau of Engineering Access Permits finds the site plan generally acceptable.

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

Very truly yours,

Creton J. Mills, Jr.  
Acting Chief-Bureau of  
Engineering Access Permits

LB/es

cc: G.W. Stephens, Jr. and Associates  
J. Ogle

RECEIVED  
MAY 15 1988  
ZONING OFFICE

My telephone number is (301) 333-1350

Telephone for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 490-482-5062 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

88-461-A

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  
day of March, 1988.

J. Robert Haines  
ZONING COMMISSIONER

Petitioner: York Lane Limited  
Partnership  
Attorney: Stephen J. Nolan, Esquire  
Received by: James E. Dyer  
Chairman, Zoning Plans  
Advisory Committee

LAW OFFICES  
NOLAN, PLUMHOFF & WILLIAMS  
CHARTERED

J. EARLE PLUMHOFF  
NEWTON A. WILLIAMS  
WILLIAM W. HENSON, JR.  
THOMAS J. BENNER  
WILLIAM P. ENGLISH, JR.  
STEPHEN J. NOLAN  
ROBERT L. HANLEY, JR.  
ROBERT S. OLUSHANOV  
DOUGLAS L. BURDESS  
LOUIS S. CLARK, III  
THOMAS R. ALDERMAN  
\*ALSO ADMITTED IN D.C.\*

SUITE 1108, HAMPTON PLAZA  
300 EAST JOPPA ROAD  
TOWSON, MARYLAND 21204-3012

OF COUNSEL:  
RALPH E. DEITS  
9026 LIBERTY ROAD  
RANDALLSTOWN, MARYLAND 21133  
(301) 922-8181

TELEPHONE 828-2788

TELETYPE 828-2788

TELEFAX 101-828-2788

January 26, 1988

Mr. W. Carl Richards  
Zoning Development Control Section  
County Office Building  
Towson, Maryland 21204

Re: 7402 York Road -  
REQUEST TO CONSOLIDATE PETITION  
FOR ZONING VARIANCES WITH SPECIAL  
Exception Case No. 88-336X  
Hearing Date: February 29, 1988 @ 2:00 P.M.

Dear Mr. Richards:

I am enclosing herewith for filing three signed copies of a Petition for Zoning Variance on behalf of York Lane Limited Partnership. Also enclosed are the requisite site plans and zoning description as prepared by the firm of George W. Stephens and Associates.

This petition is directly related to the petition for special exception filed by The Body Company, Ltd. which is case no. 88-336X and is scheduled to be heard on February 29, 1988 at 2:00 p.m.

We respectfully request that these two cases be immediately consolidated and heard at the same time on February 29. I believe that this approach was discussed during our last meeting with Mr. Dyer and Mr. Dan Walter of The Body Company, Ltd. Substantial hearing time and other resources will be conserved if these matters are promptly consolidated and advertised for hearing at the same time.

Thank you for your kind assistance.

Very truly yours,  
Stephen J. Nolan

SJN/emd  
enc.  
cc: Mr. James E. Dyer  
Zoning Supervisor

cc: Robert J. Aumiller, Esquire  
Senior Vice President  
Mackenzie and Associates

Mr. Joseph A. Warfield  
Charles E. Fick, P.E.

Mr. Daniel Walter, Jr., Vice President  
The Body Company, Ltd.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines  
TO: Zoning Commissioner  
Date: April 13, 1988  
FROM: P. David Fields  
Director and Planning and Zoning  
Zoning Petition Nos. 88-461-A,  
88-447-A, 88-449-A, 88-450-A,  
SUBJECT: 88-552-A, 88-553-A, 88-461-A, 88-463-A

There are no comprehensive planning factors requiring comment on this petition.

P. David Fields  
Director

PDF:JCH:md

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

RECEIVED  
APR 15 1988  
ZONING OFFICE

cc: Stephen J. Nolan, Esq.  
4/15/88

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 6, 1988

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

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Stephen J. Nolan, Esquire  
Suite 1105, Hampton Plaza  
300 East Joppa Road  
Towson, Maryland 21204

RE: Item No. 306 - Case No. 88-461-A  
Petitioner: York Lane Limited Partnership  
Petition for Zoning Variance

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. 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:dt

Enclosures

cc: George William Stephens, Jr.  
and Associates, Inc.  
303 Allegheny Avenue  
Towson, Maryland 21204

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

March 21, 1988

NOTICE OF HEARING



Dennis F. Rasmussen  
County Engineer

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
Case Number: 88-461-A  
E/S York Road, 96.26' W of c/l and 181.10' S of c/l of La Paix Lane  
(7402 York Road)  
4th Election District - 4th Councilmanic District  
Petitioner(s): York Lane Limited Partnership  
HEARING SCHEDULED: TUESDAY, MAY 24, 1988 at 10:00 a.m.

Variance to permit a side yard setback of 25 feet in lieu of the required 33.0 feet which is the average height of the building and from Section 204.4 B-3 to permit an area of 17.5% (.205 Act) for open space in lieu of the required 20% (.235 Act).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: Stephen J. Nolan, Esq.  
Joseph A. Warfield/Mackenzie & Associates  
File

Baltimore County  
Fire Department  
Towson, Maryland 21204-2546  
494-4500

Paul H. Reinke  
Chief

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

March 10, 1988

Re: Property Owner: York Lane, Ltd. Partnership

Location: E/S York Rd., 96.26' W. of c/l 181.10' S c/l La Paix Ln.

Item No.: 306 Zoning Agenda: Meeting of 3/8/88

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.

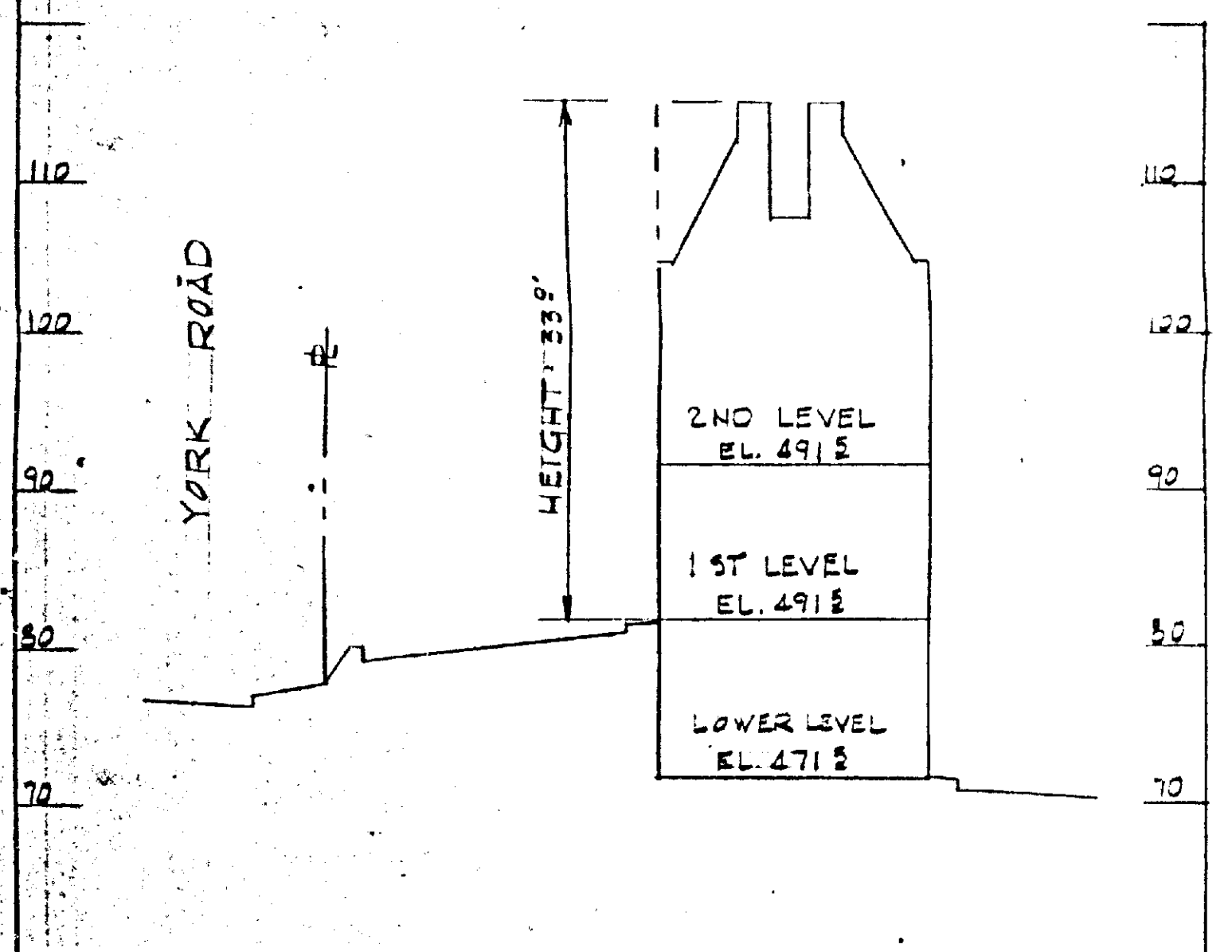
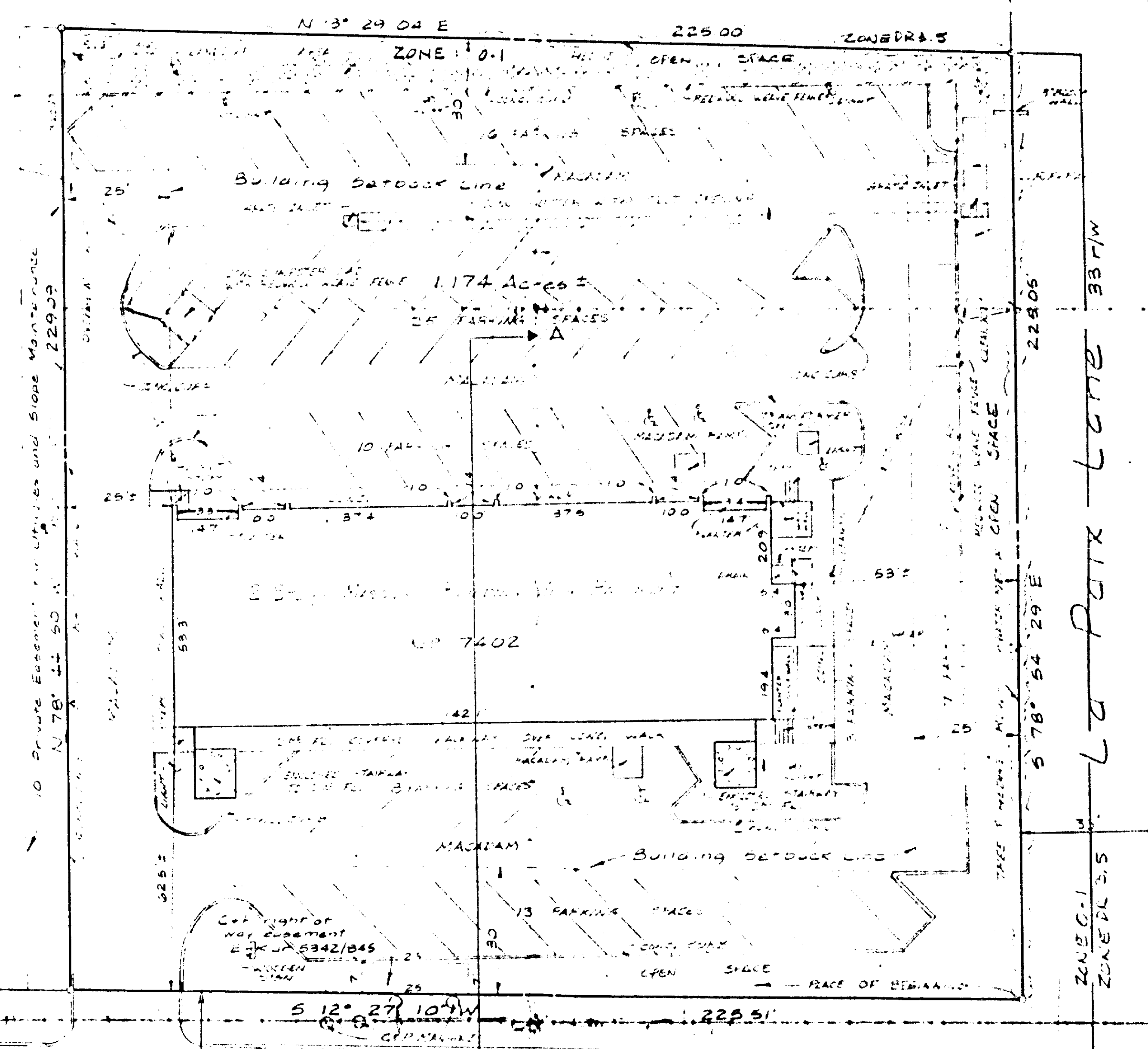
- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 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: [Signature] Noted and Approved: [Signature]  
Special Inspection Division Fire Prevention Bureau

1/1

CHARLES D. JULIO  
1583/442  
ZONE - DR 3.5

JOSEPH A. ARIOSA  
4893/353  
ZONED: 0-1



**SITE DATA**

AREA: 1.174 ACRES  
EXISTING ZONING: 0-1 (SEE X OPH 75-125)  
EXISTING BUILDING:  
FLOOR AREA - LOWER - 7321 SQ. FT.  
FLOOR AREA - 1ST LEVEL - 7391 SQ. FT.  
FLOOR AREA - 2ND LEVEL - 7422 SQ. FT.  
TOTAL - 22135 SQ. FT.

**PARKING TABULATION**

**PARKING REQUIRED:**  
GENERAL OFFICE: 1/300 SQ. FT. - LOWER LEVEL  
1/500 SQ. FT. - 1ST AND 2ND LEVELS  
MEDICAL: 1/300 SQ. FT.  
SERVICE: 1/300 SQ. FT.  
LOWER LEVEL: 7321 SQ. FT. = 24 SPACES  
1ST LEVEL: 7391 SQ. FT. = 24 SPACES  
2ND LEVEL: 7422 SQ. FT. = 24 SPACES  
TOTAL SPACES REQUIRED: 69 SPACES

**PROVIDED:**  
GENERAL OFFICE: 3552 SQ. FT. = 5 SPACES  
MEDICAL: 1392 SQ. FT. = 10 SPACES  
SERVICE: 1154 SQ. FT. = 4 SPACES  
TOTAL SPACES PROVIDED: 79 SPACES  
(INCLUDING 4 HANDICAP)

TYPICAL SPACE: 9'x15'  
TYPICAL HANDICAP: 12'x15'

FLOOR AREA RATIO: 21135 / 51130 = 0.43

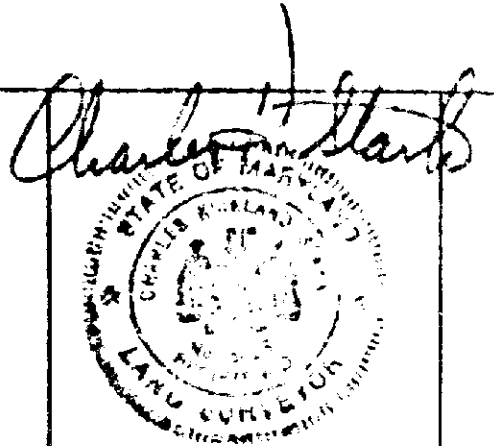
OPEN SPACE REQUIRED: 20% = 0.235 AC.  
OPEN SPACE PROVIDED: 17.5% = 0.206 AC.

- NOTES:**
1. REQUEST FOR VARIANCE TO 204.4 B-1 TO PERMIT A SIDE SETBACK OF 25 FEET IN LIEU OF THE REQUIRED 33.0 FEET WHICH IS THE AVERAGE HEIGHT OF THE BUILDING.
  2. REQUEST FOR VARIANCE TO 204.4 B-3 TO PERMIT AN AREA OF 17.5% (0.206 AC.) FOR OPEN SPACE IN LIEU OF THE REQUIRED 20% (0.235 AC.).

York Road 66' RW  
ZONE 0-1  
ZONE DR 3.5

Petitioner Exhibit No 1 #306

**GW**  
GEORGE WILLIAM STEPHENS, JR.  
AND ASSOCIATES, INC.  
CIVIL ENGINEERS & LAND SURVEYORS  
303 ALLEDON AVENUE  
TOWSON, MARYLAND 21284  
(410) 283-8820



PLAN TO ACCOMPANY PETITION FOR VARIANCE TO MAKE A NON-CONFORMING USE CONFORM TO THE PRESENT 0-1 ZONING  
NO 7402 YORK ROAD  
9TH ELECTION DISTRICT - BALTIMORE COUNTY, MD.