

IN RE: PETITION FOR SPECIAL EXCEPTION	* BEFORE THE
S/S Ashland Road, 197' E of the c/l	
York Road (Ashland Marketplace,	* ZONING COMMISSIONER
11121 York Road, Suite E)	
8 th Election District	* OF BALTIMORE COUNTY
3 rd Council District	
	* Case No. 04-340-X
Melrose Associates, LLC, Owners;	
James D. Fisher, Contract Lessee	*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the owners of the subject property, Melrose Associates, LLC, and the Contract Lessee, Beach Club Tanning, LLC, trading as Beach Club, through their attorney, Michael P. Tanczyn, Esquire. The Petitioners request a special exception to permit a tanning facility on the subject property, zoned B.L., pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and requested relief are more particularly described on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Mark Mueller, on behalf of Melrose Associates, LLC, property owners; James D. Fisher with Beach Club Tanning LLC, Contract Lessees; Joseph Larson of Spellman, Larson & Associates, Inc., the consultants who prepared the site plan; and Michael P. Tanczyn, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.

The property under consideration relates to a large irregularly shaped parcel located at the southeast corner of the intersection of York Road and Ashland Road in Hunt Valley. The property contains a gross area of 7.54 acres, more or less, zoned B.L. and is improved with a strip shopping center, known as the Ashland Marketplace. The development plan for the shopping center was approved on May 11, 1998, pursuant to the Order issued by then Deputy Zoning

ORDER RECEIVED FOR FILING

Date

By

3/23/04
[Signature]

Commissioner Timothy M. Kotroco in Case No. VIII-404. The site has since been developed with a one-story brick building, which contains a total retail floor area of 73,250 sq.ft. In addition to the strip center complex, there is also a freestanding bank building and a large parking field containing 446 parking spaces. When the site was initially developed, the anchor tenant was identified as a Metro Food Store, which opened; however, had a relatively short life span and that large space is now vacant. There are several other commercial and retail tenants which have remained, however, including a Hair Cuttery, a Blockbuster Video rental, and a Mexican restaurant.

The Petitioner is desirous of leasing approximately 3,000 sq.ft. of space for use as a tanning salon. Mr. Fisher and his LLC presently operate a tanning salon trading as the Beach Club in the Parkville area of Baltimore County and propose an expansion with a second facility at the subject location. There will be 18 beds and the tanning salon will have hours of operation similar to other uses within the shopping center. It is anticipated that the salon will be open from 9:00 AM to 10:00 PM, Monday through Friday and 9:00 AM to 6:00 PM, Saturdays and Sundays. In addition to the 18 tanning beds, the salon will also sell products incidental to the tanning business, including skin lotions and beachwear.

Baltimore County's policy for such a use is to consider same as a community building or use devoted to civic, social, recreational and educational activities (emphasis added). Such a use is permitted in the B.L. zone by special exception, pursuant to Section 230.13 of the B.C.Z.R. Additionally, the site plan shows a shared parking arrangement with other tenants of the shopping center. There appears to be more than sufficient spaces to accommodate all of the uses, particularly since the main area is unoccupied. However, even if ultimately occupied, there is sufficient parking on-site, given that the peak hours of use of the tanning salon will be at different times than the other uses. For example, customer traffic for the Mexican restaurant would be after the tanning salon is closed.

Based upon the testimony and evidence offered, I am easily persuaded that the special exception should be granted. The use is consistent with the predominant use of the subject

ORDER RECEIVED FOR FILING

Date

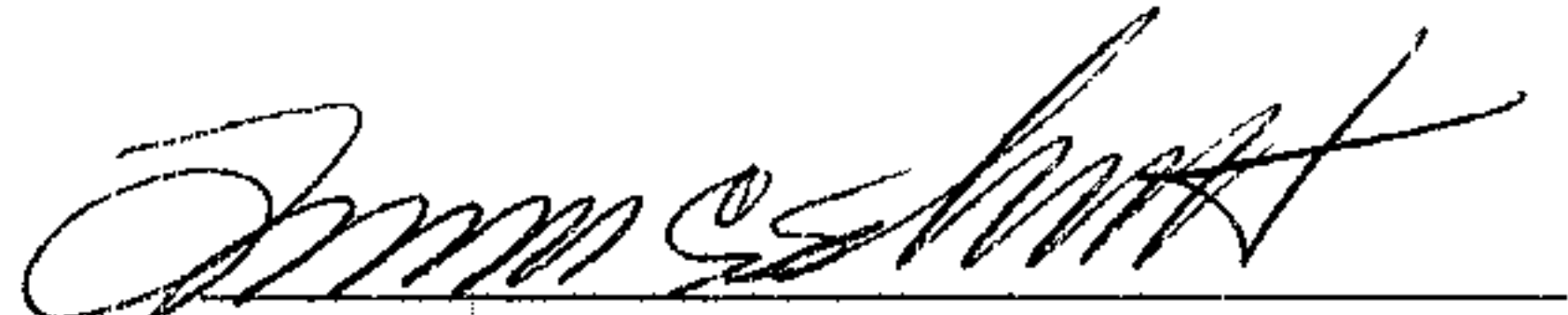
By

property and the commercial nature of the surrounding locale. In fact, the proposed use will provide a benefit in that it will help fill an otherwise largely vacant retail property.

Pursuant to the advertisement, posting of the property and public hearing on this petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of March 2004 that the Petition for Special Exception to permit a tanning facility on the subject property, zoned B.L., pursuant to Section 230.13 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

3/23/04

By



Zoning Commissioner

Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Tel: 410-887-3868 • Fax: 410-887-3468



Baltimore County

James T. Smith, Jr., County Executive
Lawrence E. Schmidt, Zoning Commissioner

March 23, 2004

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Suite 102
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
S/S Ashland Avenue, 197' E of the c/l York Road
(Ashland Marketplace, 11121 York Road, Suite E)
8th Election District – 3rd Council District
Melrose Assoc., LLC, Owners; Beach Club Tanning, LLC t/a Beach Club, C.P. - Petitioners
Case No. 04-340-X

Dear Mr. Tanczyn:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Mark Mueller, Melrose Associates, LLC, c/o KLNB Mgmt.
364 Point to Point Road, Bel Air, Md. 21015
Mr. James D. Fisher, 5063 Springhouse Circle, Baltimore, Md. 21237
Mr. Joseph P. Larson, Spellman, Larson Assoc., Inc.
Jefferson Bldg., #406, Towson, Md. 21204
People's Counsel; Case File

Visit the County's Website at www.baltimorecountyonline.info





Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 11121 York Road, Suite E

which is presently zoned BL

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 Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

Special Exception to permit a tanning facility pursuant to Section 230.13 of the Baltimore County 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 Exception, 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.

JAMES FISHER

Contract Purchaser/Lessee:

443-756-9727

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

ATTORNEY REQUIRED AT HEARING

Case No. 04-340-X

REV 09/15/98

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):

Melrose Associates LLC

Name - Type or Print C/O KENB Management LLC

Signature

Charles C.D. McGill

By: Charles C.D. McGill, Chairman

Name - Type or Print

Signature

1430 JOH Avenue, Suite A (410) 429-3940

Address

Baltimore, Maryland

Telephone No.

21227

City

State

Zip Code

Representative to be Contacted:

Name

Suite 406 Jefferson Bldg

Address

Towson MD 21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

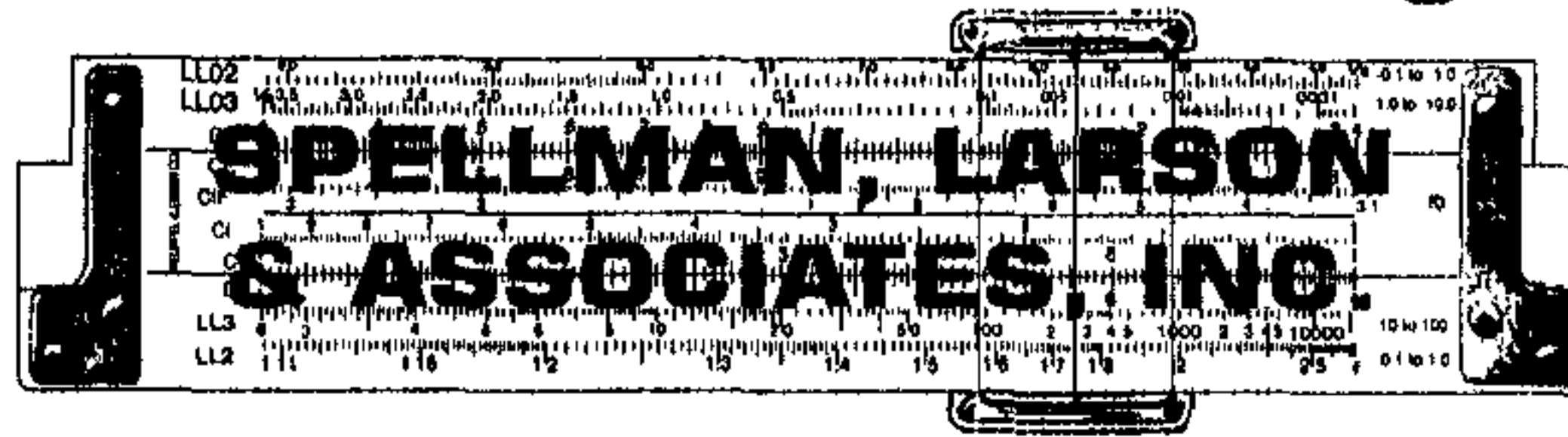
UNAVAILABLE FOR HEARING _____

Reviewed By STW Date 01-27-04

ORDER RECEIVED FOR FILING

Date

By



ROBERT E. SPELLMAN P L S
JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / FAX (410) 825-5215

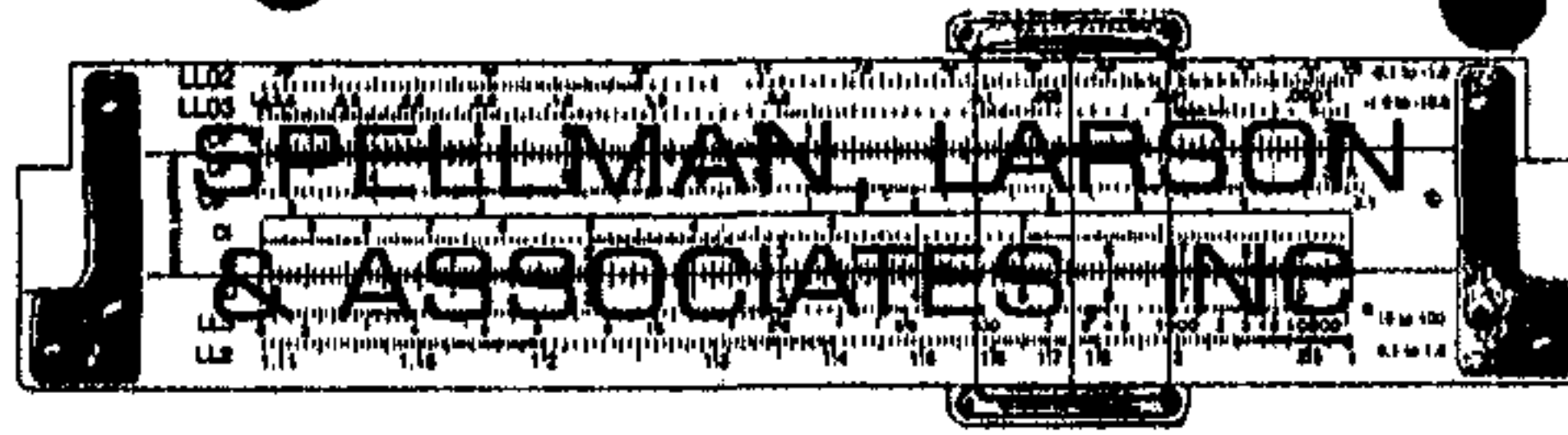
**ZONING DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION,
SUITE E 11121 YORK ROAD, ASHLAND MARKETPLACE**

BEGINNING for the same at a point on the south side of Ashland Road 197 feet +/- easterly along the south side of Ashland Road from the southeast corner of Ashland Road and York Road thence running for a line of division southerly across the property of Ashland Marketplace 166 feet +/- to a point within the parking lot of Ashland Marketplace thence easterly 197 feet +/- to and through the existing shopping center building on the subject property to intersect a point on the rear or east face of wall of the subject shopping center building thence northerly along the face of the east or rear wall of the subject shopping center building 26 feet +/- to a point on the face of the east or rear wall of the subject shopping center building and thence westerly continuing through the shopping center building 154 feet +/- to a point in the existing parking lot of the shopping center thence northerly 148 feet +/- to a point on the south side of Ashland Road and thence westerly 45 feet +/- along the south side of Ashland Road to the place of beginning.

CONTAINING 11,315 square feet more or less or 0.26 acres more or less.

THE subject property being the supporting area for the Special Exception for the Tanning Salon within the subject property.

November 21, 2003



ROBERT E. SPELLMAN, P. L. S.
JOSEPH L. LARSON

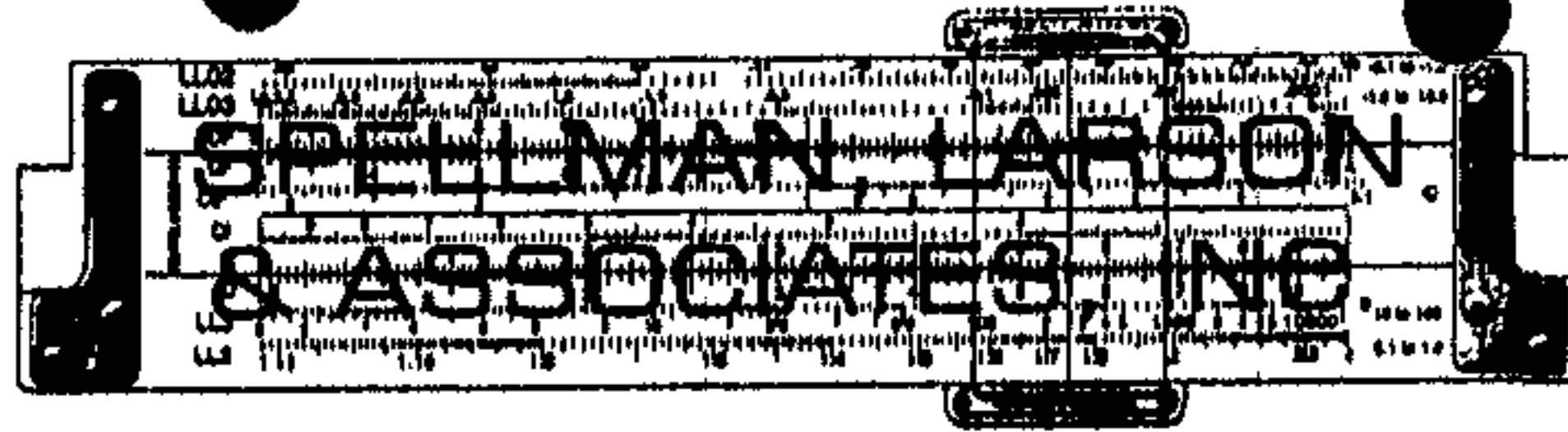
CIVIL ENGINEERS AND LAND SURVEYORS

SUITE 406 - JEFFERSON BUILDING
106 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / (410) 823-3539
FAX (410) 825-5215

DESCRIPTION OF MELROSE ASSOCIATES, LLC PROPERTY,
YORK ROAD AND ASHLAND ROAD,
EIGHTH DISTRICT, BALTIMORE COUNTY, MARYLAND.

Beginning for the same at a bar set on the southeast side of Ashland Road, as widened and on the northeast side of York Road, 66 feet wide, and as shown on the State Highway Administration Plat No. 13467 said widening being conveyed to the State of Maryland by a deed dated March 17, 1956 and recorded among the Land Records of Baltimore County in Liber GLB No. 2893, folio 520 by Arthur Y. Pindell, Sr. and running thence and binding on the southeast side of Ashland Road, as widened and as shown on said Plat North 33 degrees 26 minutes 34 seconds East 89.73 feet to a bar set North 59 degrees 05 minutes 00 seconds East 150.00 feet to a bar set and North 30 degrees 55 minutes 00 seconds West 30.00 feet to a nail set in Ashland Road and to intersect the third line of that parcel of land first herein referred to and running thence binding on the center line of Ashland Road and reversely along said third line and continuing along a part of the fourth line of that parcel of land which by deed dated

04-340-X



ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

SUITE 408 - JEFFERSON BUILDING
106 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / (410) 823-3538
FAX (410) 825-5215

DESCRIPTION OF MELROSE ASSOCIATES, LLC PROPERTY,
YORK ROAD AND ASHLAND ROAD,
EIGHTH DISTRICT, BALTIMORE COUNTY, MARYLAND.

Page 2

September 4, 1952 and recorded among the aforesaid Land Records in Liber GLB No. 2169, folio 530 was conveyed by John W. Hessian, III to Elizabeth Denison Pindell, North 59 degrees 58 minutes 09 seconds East 382.66 feet thence leaving the center line of Ashland Road and running for lines of division across said parcels of land South 18 degrees 55 minutes 07 seconds East 647.59 feet South 71 degrees 04 minutes 56 seconds West 329.00 feet and South 71 degrees 23 minutes 30 seconds West 258.00 feet to the northeast side of York Road, 66 feet wide, herein referred to and running thence and binding on the northeast side of York Road North 18 degrees 55 minutes .00 seconds West 457.12 feet to the place of beginning.

Containing 7.754 acres of land, more or less.

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

NO. 32623

DATE

01/27/04

ACCOUNT

RECEIVED

AMOUNT

\$ 580.00

RECEIVED

RECEIVED

FOR

COMMERCIAL STREET COLLECTION

DISTRIBUTION

PINK - AGENCY

YELLOW - CUSTOMER

01/27/04

DATA RECEIPT

RECEIPT

1/23/2004 1/27/2004 15:29:37

RECEIPT 1 31825 1/27/2004

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CASHIER'S VALIDATION

**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: #04-340-X
11121 York Road, Suite E
(Ashland Market Place)

SE/Corner of Ashland Road,
197 feet east of York Road,
8th Election District

3rd Councilmanic District
Legal Owner(s):

Melrose Association, LLC,
Charles McGill, Chairman
Contract Purchaser: James Fisher
Special Exception: to per-
mit a tanning facility.

Hearing: Monday, March
15, 2004 at 11:00 a.m. in
Room 407, County Courts
Building, 401 Bayley Avenue.

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 con-
cerning the File and/or
Hearing, Contact the Zoning
Review Office at (410) 887-3381.
2/354 Feb. 26 C65-152

CERTIFICATE OF PUBLICATION

2/26/2004

THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each of 1 successive weeks, the first publication appearing
on 2/26/2004.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Williams

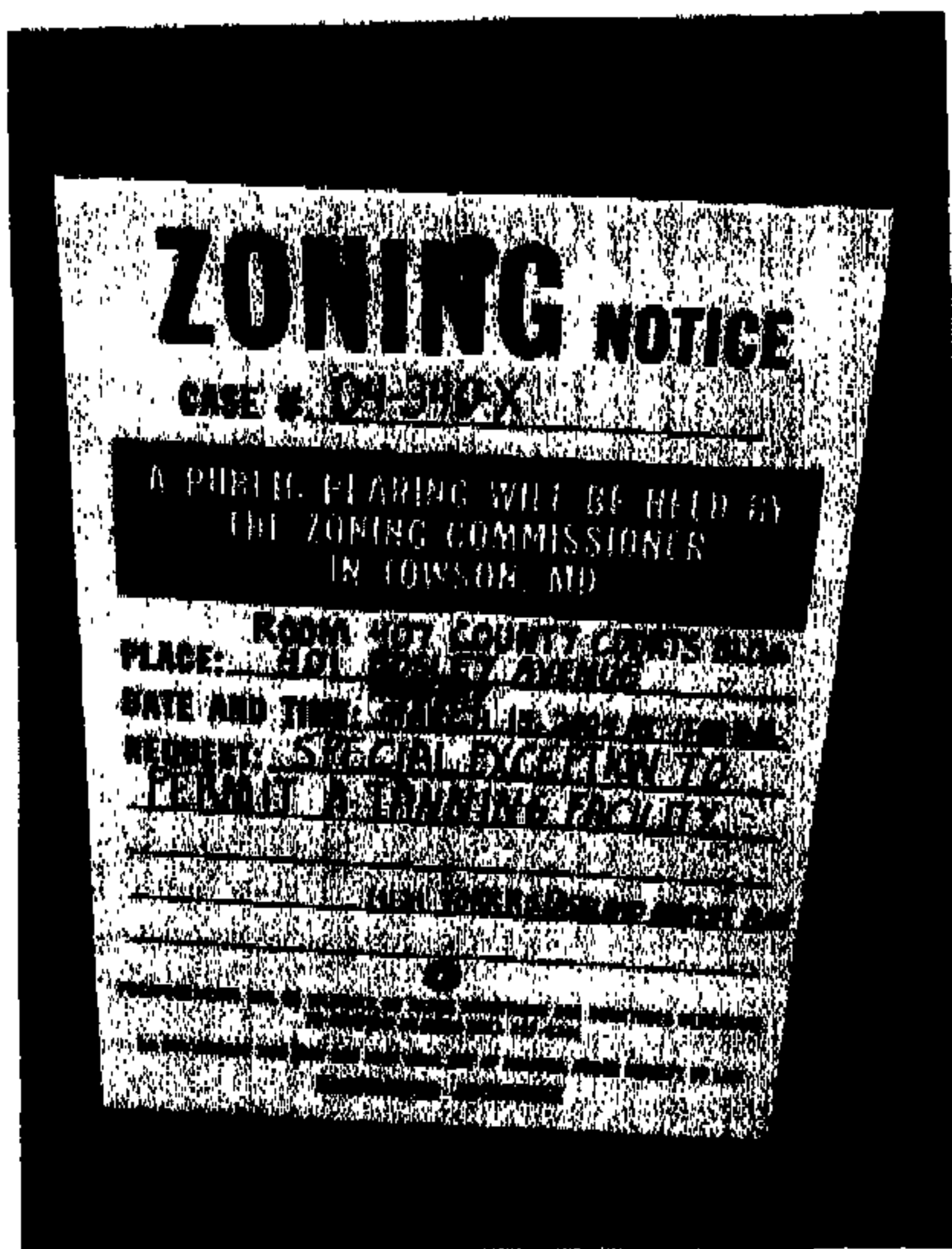
LEGAL ADVERTISING

CERTIFICATE OF POSTINGDate March 12, 2004

RE: Case Number 04-340-X
Petitioner/Developer JAMES FISHER/JOE LARSON ETAL
Date of Hearing/Closing March 15, 2004

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 1121 YORK ROAD

The sign(s) were posted on February 28, 2004
Sign was fixed on Feb. 29, 2004



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley Maryland 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)

CERTIFICATE OF POSTING

ATTENTION: BECKY HART

Date:

3/5/04

RE: Case Number

04-340-X

Petitioner/Developer:

JAMES FISHER / JOE LARSON ETAL

Date of Hearing/Closing:

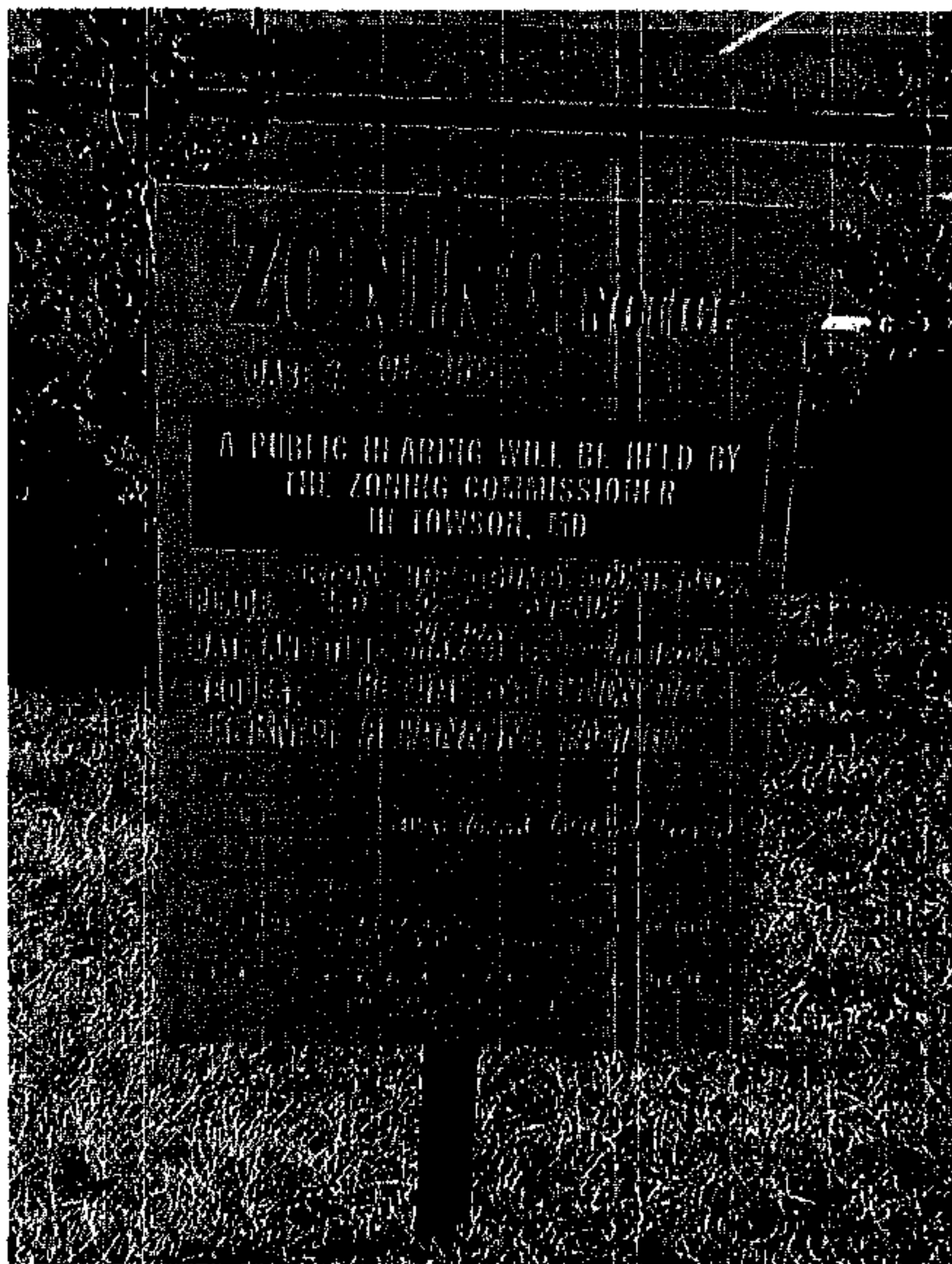
March 15, 2004

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at

11121 YORK ROAD

The sign(s) were posted on

February 28, 2004
(Month, Day, Year)



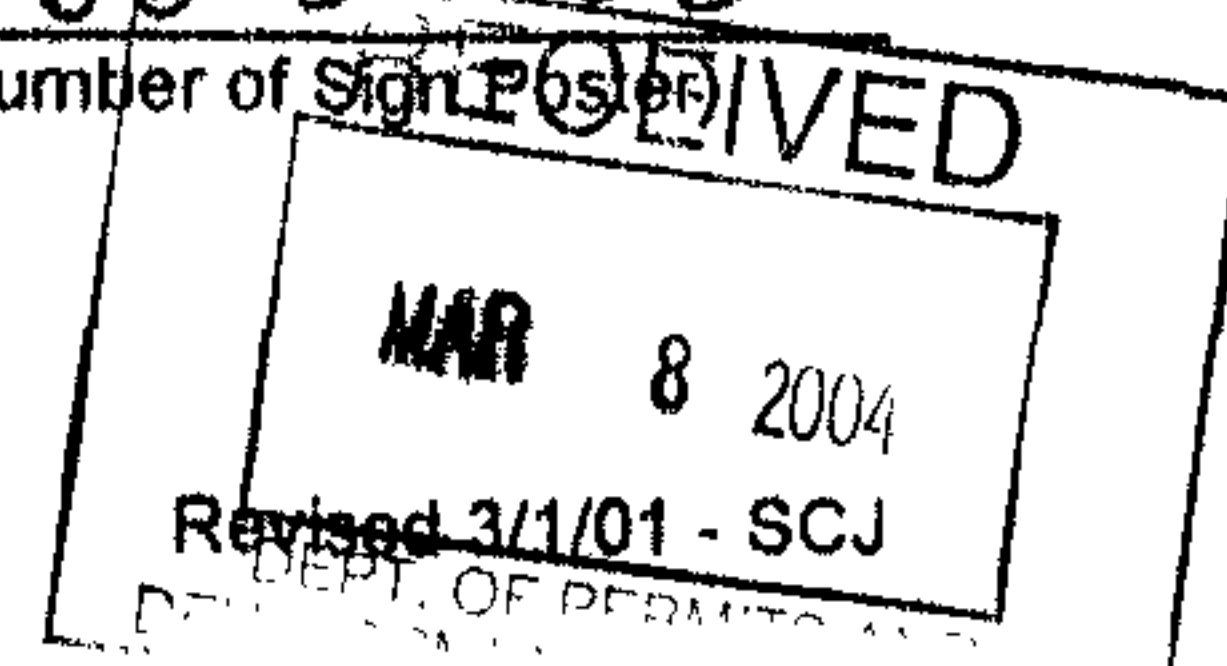
Linda O'Keefe
(Signature of Sign Poster)

LINDA O'KEEFE
(Printed Name of Sign Poster)

523 PENNY LANE
(Street Address of Sign Poster)

HUNT VALLEY MD 21030
(City, State, Zip Code of Sign Poster)

410-666-5366
(Telephone Number of Sign Poster)



IN RE:
PETITION FOR SPECIAL
EXCEPTION

TANNING CLUB
LEGAL OWNER:
MELROSE ASSOC., INC.

* BEFORE THE ZONING
* COMMISSIONER
* OF
* BALTIMORE COUNTY
* CASE 04-340X
*

* * * * *

ENTRY OF APPEARANCE

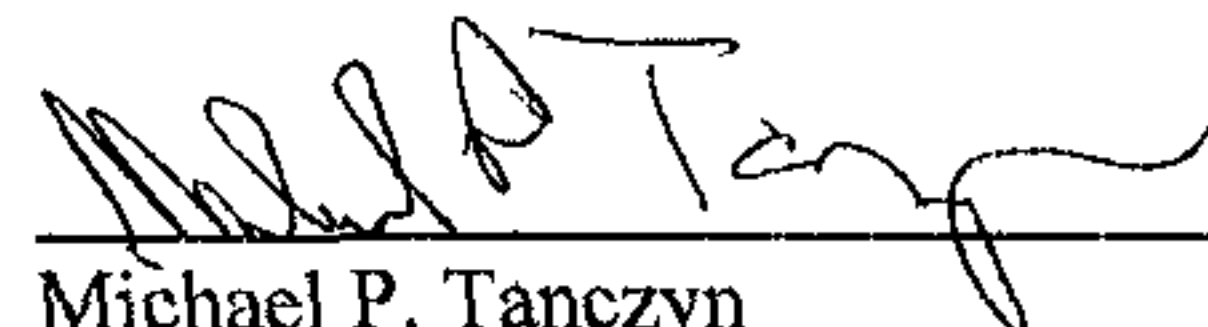
Please enter the appearance of Michael P. Tanczyn, Esquire as Counsel for the Petitioner, Melrose Associates, Inc. and Beach Club Tanning, LLC, t/a The Beach Club.



Michael P. Tanczyn
Suite 106, 606 Baltimore Avenue
Towson, Maryland 21204
(410) 296-8823
Attorney for the Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY this 15th day of March, 2004, that a copy of the foregoing Entry of Appearance was mailed to Peter Max Zimmerman, People's Counsel for Baltimore County, Room 48, Old Courthouse, 400 Washington Avenue, Towson, MD 21204.



Michael P. Tanczyn
Suite 106, 606 Baltimore Avenue
Towson, Maryland 21204
(410) 296-8823
Attorney for the Petitioner

TO: PATUXENT PUBLISHING COMPANY
Thursday, February 26, 2004 Issue - Jeffersonian

Please forward billing to:
James Fisher
5063 Springhouse Circle
Rosedale, MD 21237

443-756-9727

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: 04-340-X

11121 York Road, Suite E (Ashland Market Place)
SE/side of Ashland Road, 197 feet east of York Road
8th Election District – 3rd Councilmanic District
Legal Owner: Melrose Association, LLC, Charles McGill, Chairman
Contract Purchaser: James Fisher

Special Exception to permit a tanning facility.

Hearing: Tuesday, March 15, 2004 at 11:00 a.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.

**Department of Permits and
Development Management**



Baltimore County

*James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director*

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

February 10, 2004

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: 04-340-X

11121 York Road, Suite E (Ashland Market Place)
SE/side of Ashland Road, 197 feet east of York Road
8th Election District – 3rd Councilmanic District
Legal Owner: Melrose Association, LLC, Charles McGill, Chairman
Contract Purchaser: James Fisher

Special Exception to permit a tanning facility.

Hearing: ~~Tuesday~~ ^{Manday}, March 15, 2004 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: Charles McGill, 1430 Joh Avenue, Ste. A, Baltimore 21227
James Fisher, 5063 Springhouse Circle, Rosedale 21237
Joe Larson, 105 W. Chesapeake Ave., Ste. 406, Towson 21204

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, FEBRUARY 28, 2004.**
- (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.

Visit the County's Website at www.baltimorecountyonline.info



**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/neighboring 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: 04-340-X
Petitioner: BESCH CLUB TANNING
Address or Location: ASHLAND MARKETPLACE
11121 YORK RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: JIM FISHER
Address: 5063 SPRINGHOUSE CIRCLE
ROSGDALE MD 21237
Telephone Number: 443-756-0727

Revised 2/20/98 - SCJ

04-340-V

**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

March 9, 2004

Melrose Associates, LLC.
Charles C.D. McGill
1430 JOH Avenue Ste. A
Baltimore, Maryland 21227

Dear Mr. McGill:

RE: Case Number: 04-340-X, 11121 York Road, Suite E

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 27, 2004 .

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel
James D. Fisher 5063 Springhouse Circle Rosedale 21237
Joe Larson Suite 406 Jefferson Building 105 W. Chesapeake Avenue Towson 21204

Visit the County's Website at www.baltimorecountyonline.info



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

February 4, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: February 2, 2004

Item No.: 337, 340

Dear Ms. Hart:

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.

4. The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

LIEUTENANT JIM MEZICK
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

DATE: February 10, 2004

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

SUBJECT: Zoning Advisory Committee Meeting
For February 9, 2004
Item Nos. 329, 330, ~~331~~, 335, 336,
337, 338, 339, and 340

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

RWB:CEN:jrb

cc: File

AP
3/15

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: February 3, 2004

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

RECEIVED

FEB - 5 2004

SUBJECT: Zoning Advisory Petition(s): Case 4-328 and 4-340

ZONING COMMISSIONER

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared By: Mark A. Cunningham

Section Chief: Katrina Schlabach

AFK/LL



Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor

State Highway Administration
Driven to Excel

Robert L. Flanagan, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 2 . 3 . 0 4

Ms. Rebecca Hart
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 340 J R A

Dear Ms. Hart:

We have reviewed the referenced item and have no objection to approval. Our review has determined that no construction is required within the State Highway Administration's right-of-way.

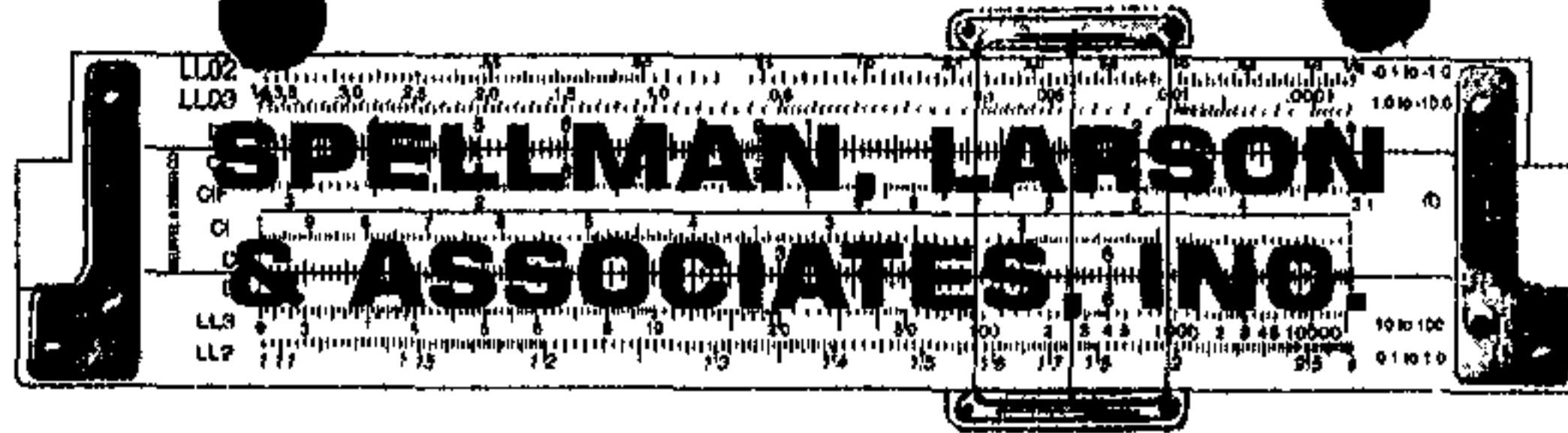
Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

 Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com



04-340-X
FILE

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / FAX (410) 825-5215

Mr. Carl Richards, Supervisor
Office of Zoning
Department of Permits and Development Management
Baltimore County

February 4, 2004

Re: Ashland Marketplace
Case No.04-340-X
Job No. 203089

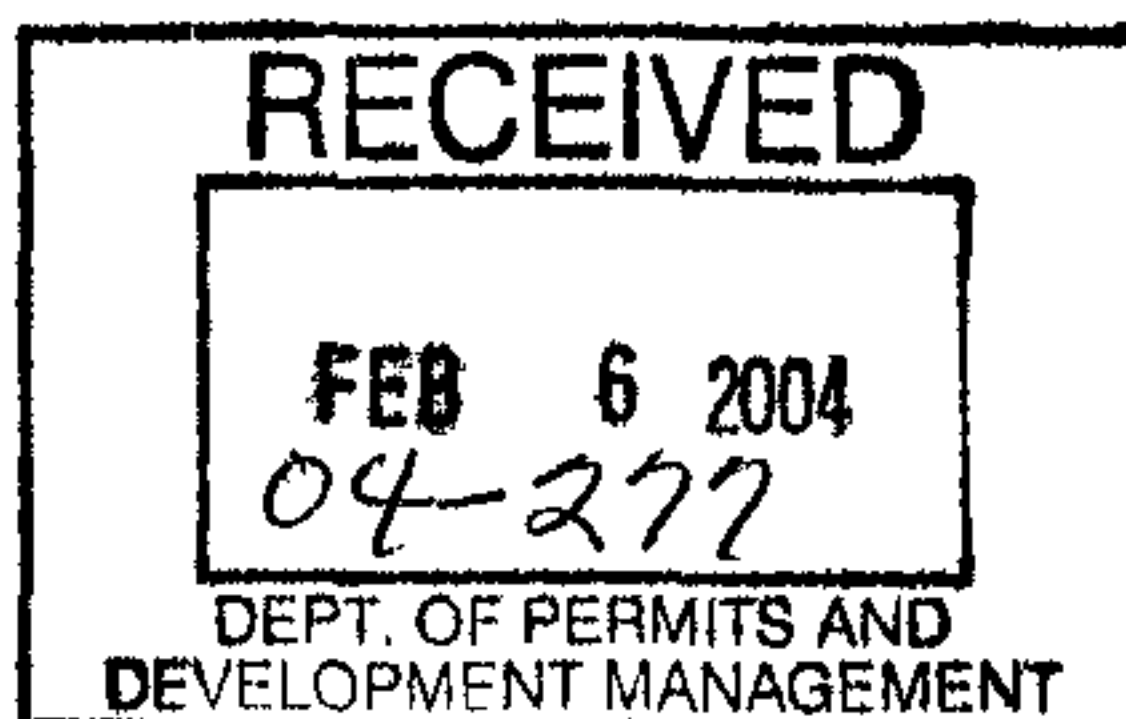
Dear Carl,

We have a Zoning Petition filed for Special Exception for the above captioned property identified as Case No. 04-340-X. Unfortunately, this Case was originally to be filed back before the Holidays but a parking problem had to be resolved, which we were originally not expecting to be a problem. The Case is now filed and we are waiting for a Hearing date and I am requesting of your office whatever cooperation and courtesy you could afford us in order to expedite this Hearing Date. The delays that have plagued this project are creating a considerable hardship for the tenant, due to financing and leasing commitments.

Please be advised that our concerns and problems regarding our delays are certainly nothing that has been caused by your office.

In any case, we are looking to hopefully get this Hearing scheduled as quickly as possible.

Should you have any questions with regard to the project please feel free to contact me at any time



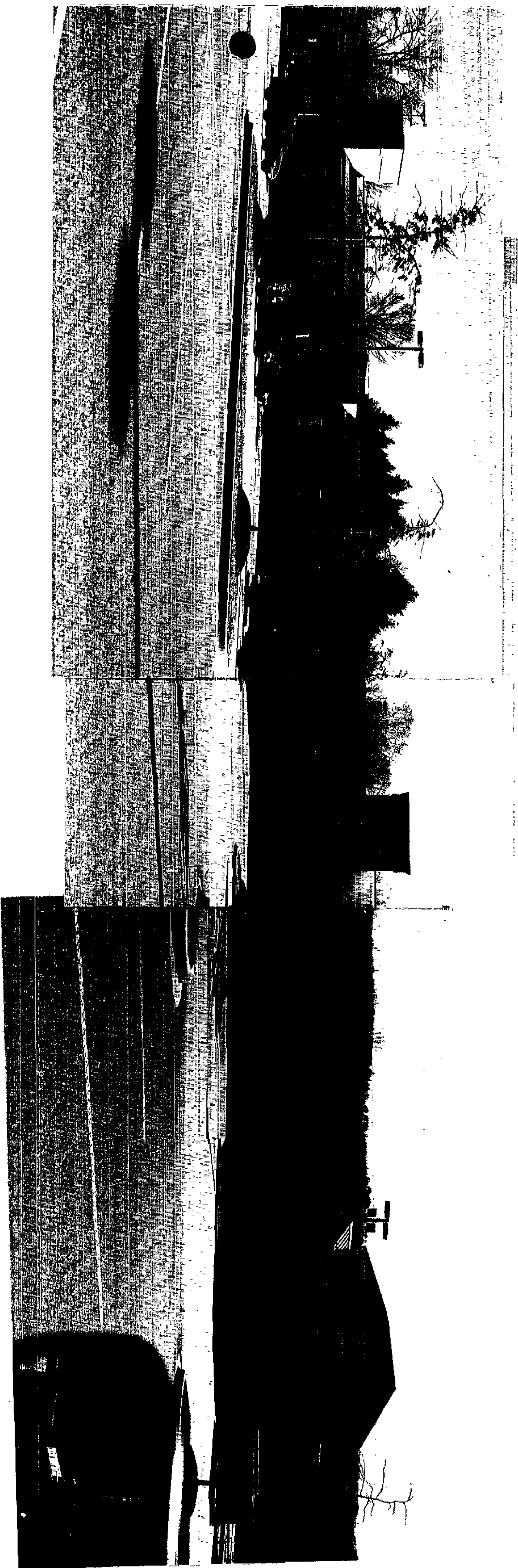
Very truly yours,

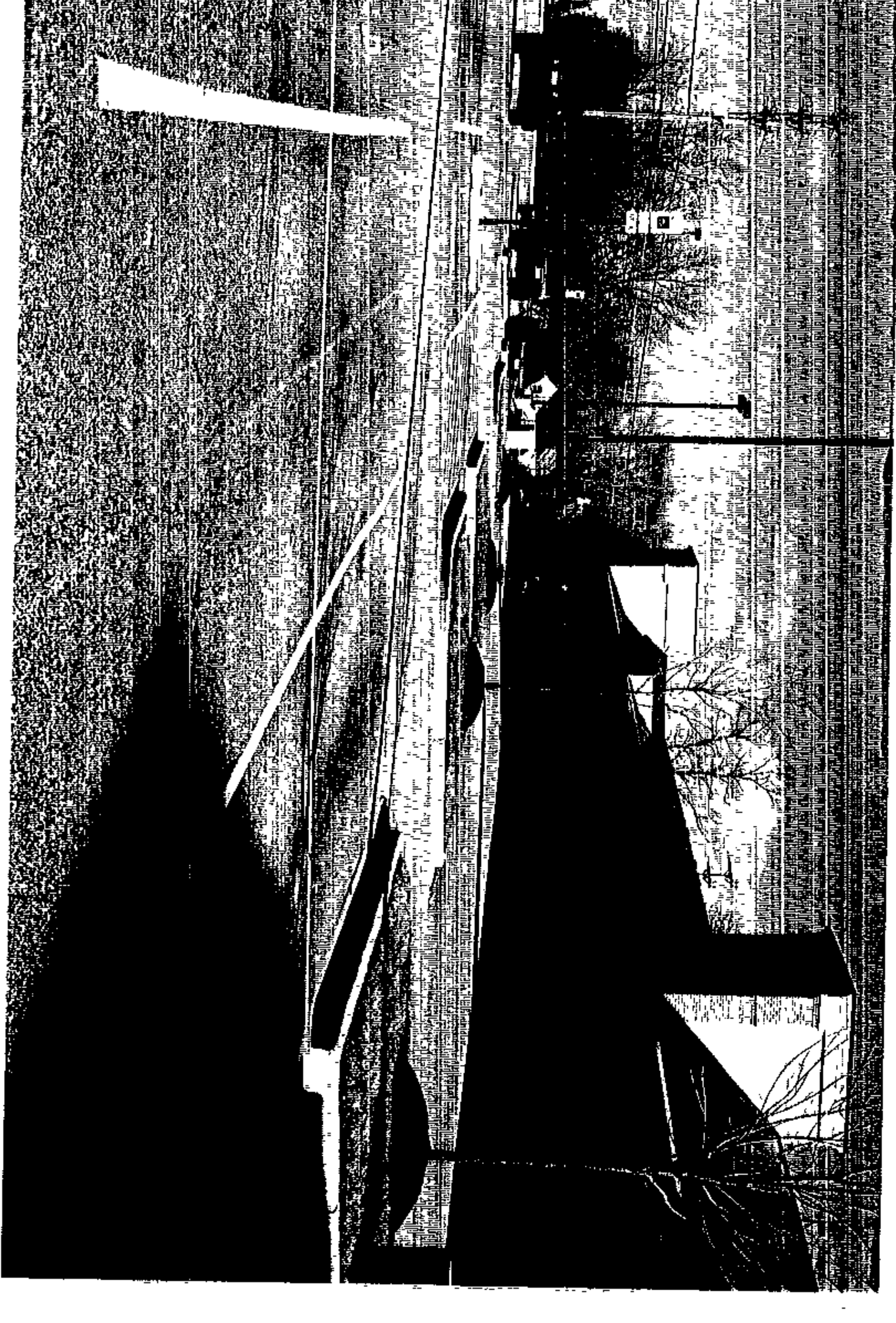
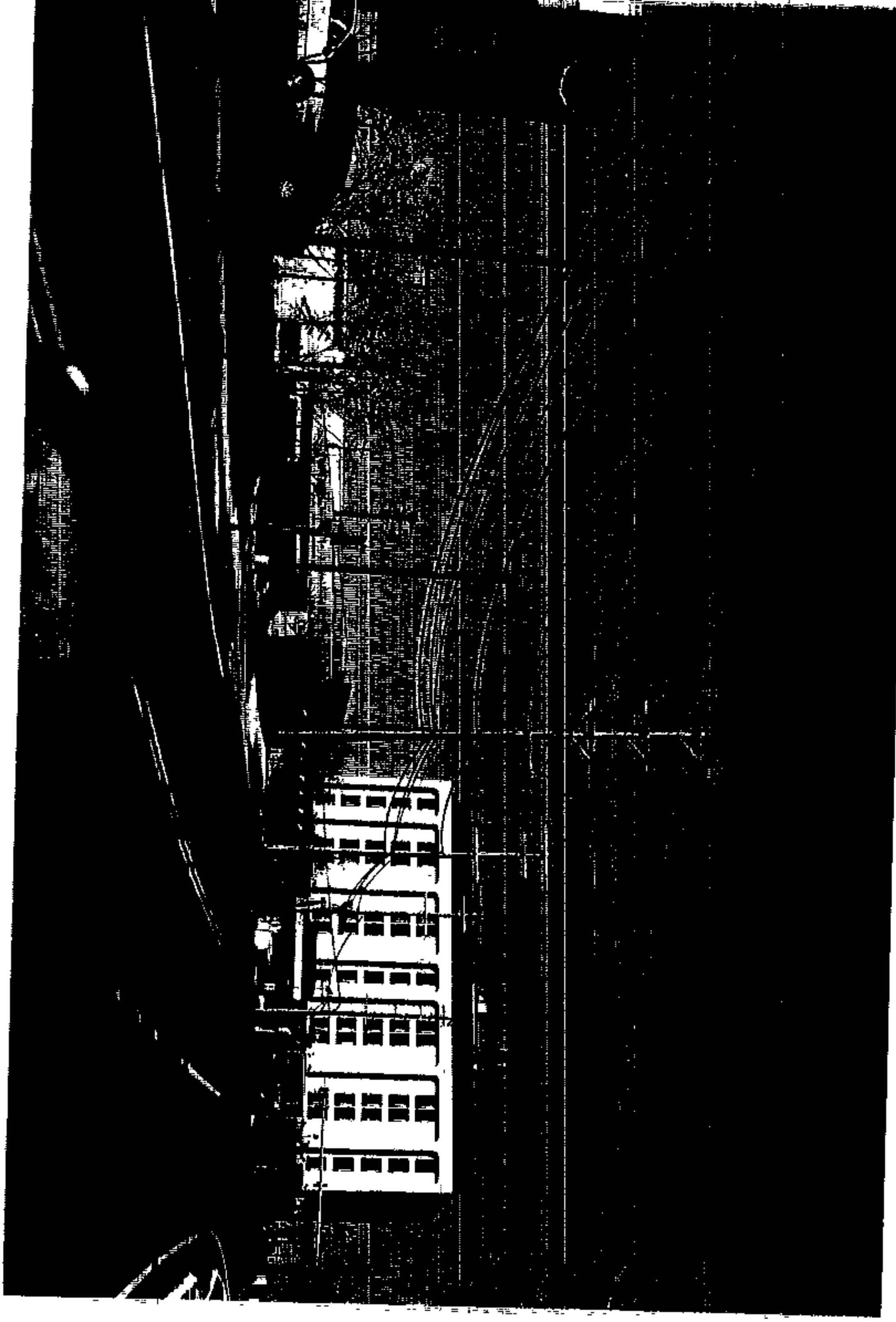
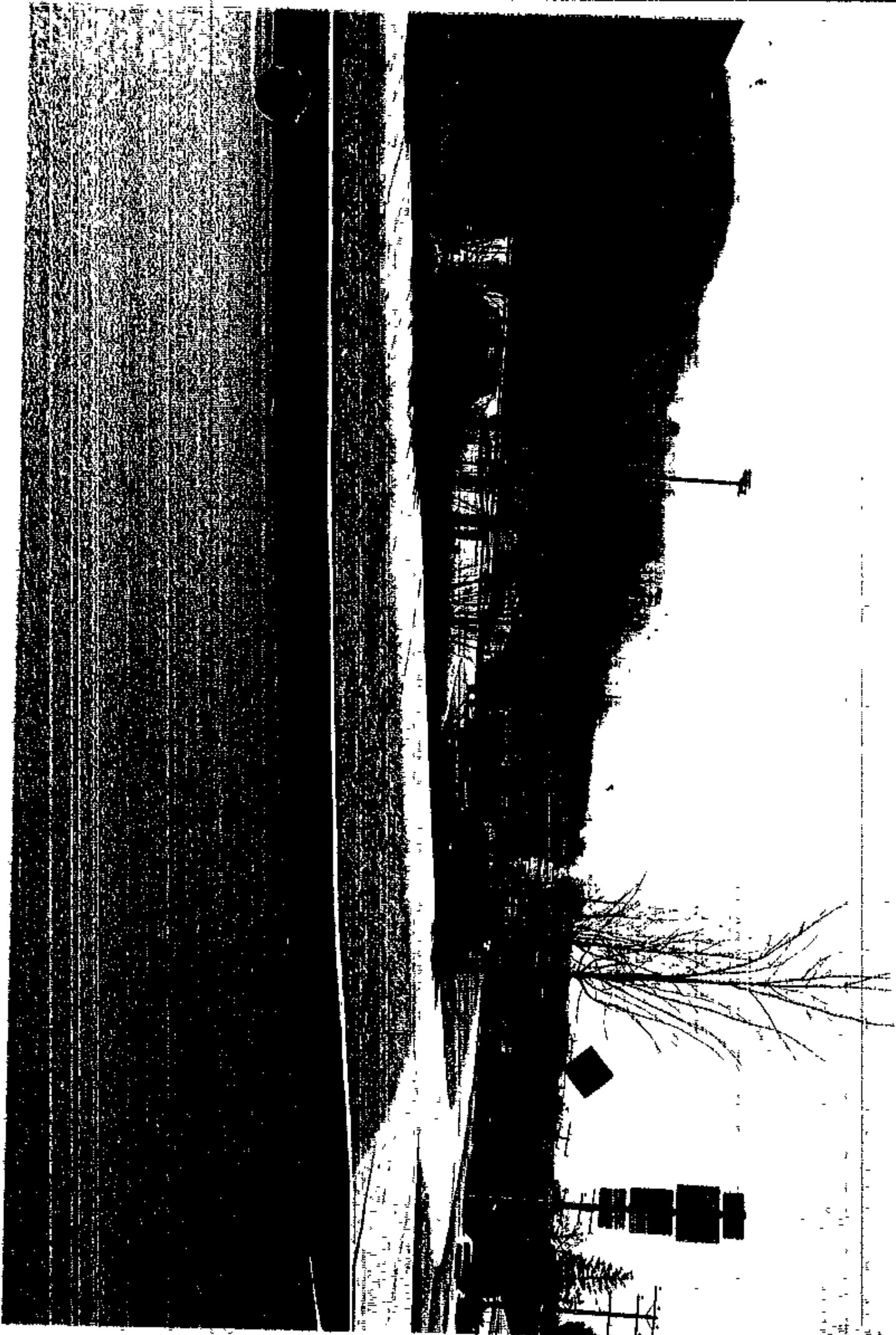
[Signature]
Joseph L. Larson, President
SPELLMAN, LARSON & ASSOC., INC.

cc: Jim Fisher
Chuck McGill

Pl 84

2





102 FD
 3

CASE NAME GA MAROSE ASSOC LLC
CASE NUMBER 04-3470 X
DATE Mar 15, 2004

PETITIONER'S SIGN-IN SHEET

[illegible]

04-340-X

R.C. 4

ZONING MAP
N.W. 18-B

SCALE 1" = 200'

BR

RC. 4

BL-
AS

45

BR-AS

BR-IM

BL

SUBSTATION

ML-IM

BR

0006 W

BALTIMORE

BALTIMORE

CITY

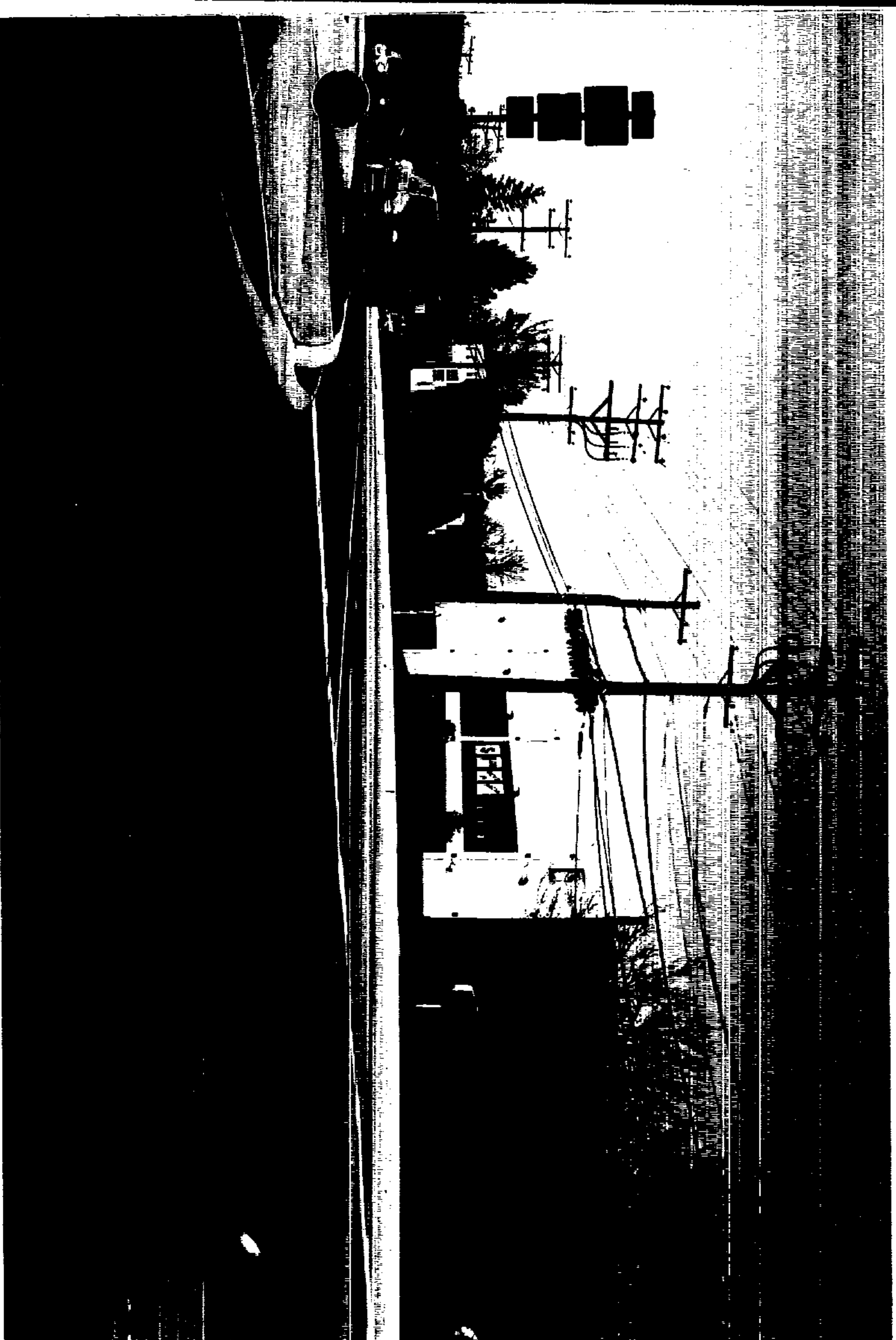
COUNTY

PROP.

ASHLAND

YORK

AVENUE



**ARTICLES OF ORGANIZATION
OF
BEACH CLUB TANNING, LLC T/A BEACH CLUB**

THIS IS TO CERTIFY:

That the undersigned, James Fisher, whose Post Office address is 5063 Springhouse Circle, Baltimore, Maryland, 21237, being of full legal age and a citizen of the State of Maryland and of the United States, and being authorized to execute and file these Articles of organization for record with the Maryland State Department of Assessments and Taxations, hereby certifies that:

FIRST: The name of the limited liability company (hereinafter referred to as "Company") is "Beach Club Tanning, LLC T/A Beach Club".

SECOND: The object and purpose for which, and for any of which this Company is formed and the business to be carried on or promoted by it are to do any or all of the following things:

(A) To conduct business in any state for any lawful purpose to the fullest extent set forth in § 4A-201 of the Corporations and Associations Article of the Annotated Code of Maryland, as amended from time to time (the "Code").

THIRD: The address of the principal office of the Company in this State is 5063 Springhouse Circle, Baltimore, Maryland, 21237.

FOURTH: The name and address of the Resident Agent of the Company is James Fisher, 5063 Springhouse Circle, Baltimore, Maryland, 21237.

Said Resident Agent is a citizen of Maryland who resides in Maryland.

FIFTH: The authority of the members to act for the Company solely by virtue of their being members is limited.

SIGNATURES ON NEXT PAGE

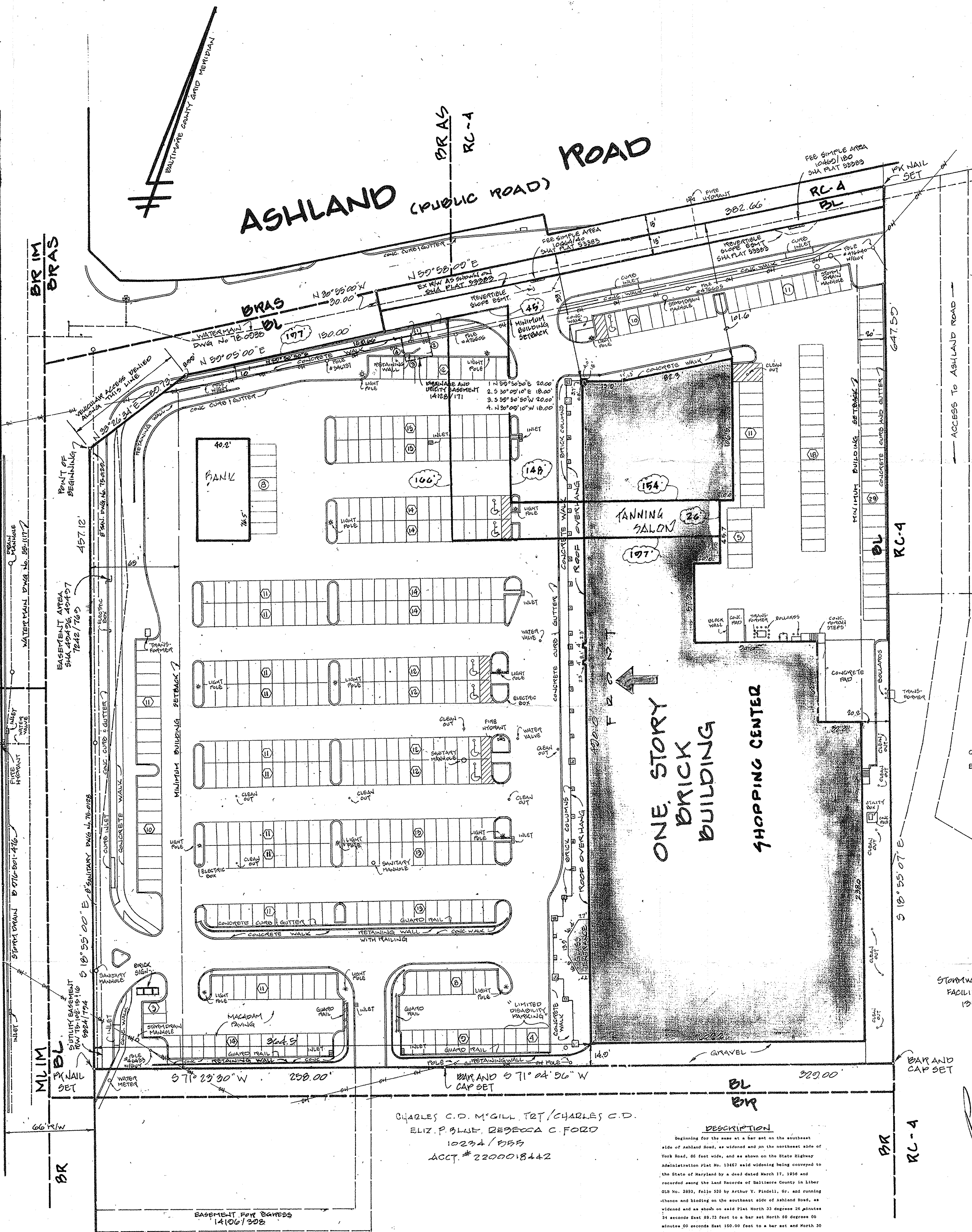
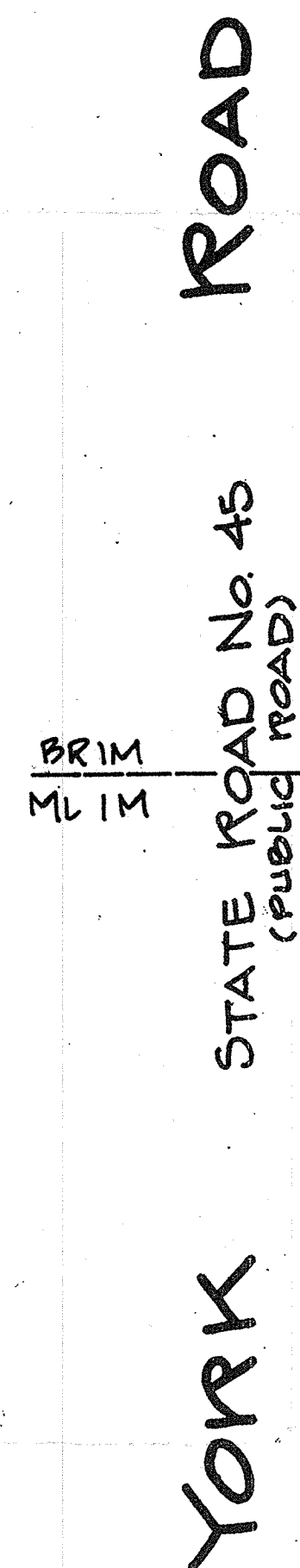
Beach No 5

1. THE SUBJECT SITE DOES NOT LIE WITHIN THE CHESAPEAKE
BAY CRITICAL AREA.
2. THERE ARE NO ARCHEOLOGICAL SITES ON THE SUBJECT
PROPERTY.
3. THERE ARE NO HISTORICAL BUILDINGS OR LANDMARKS
ON THE SUBJECT PROPERTY.
4. THERE ARE NO FLOODPLAIN AREAS ON THE SUBJECT
PROPERTY.
5. UTILITIES : WATER -- PUBLIC -- EXISTING
SEWER -- PUBLIC -- EXISTING

PARIZING CALCULATIONS

* REFER TO SHARED PARKING SCHEDULE

THIS PLAT ACCOMPANIES A ZONING PETITION FOR SPECIAL EXCEPTION TO ALLOW A TANNING SALON IN A PL ZONE.



ZONING CERTIFICATION NOTE:
FOR ZONING CERTIFICATION REFER TO
LETTER DATED 11/24/09 FROM THE
BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT

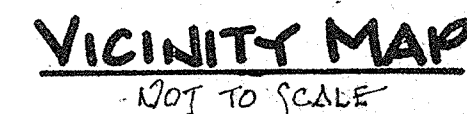
CHARLES C.D. MCGILL TRT / CHARLES C.D
ELIZ. P. BLUE, DEBECCA C. FORD
10234 / DSS
ACCT. # 2200018442

[illegible]

Being that part of land which by the Land Records of February 27, 1799 and recorded among the Land Records of Baltimore County in Liber No. 12466, Folio 294 was conveyed by Charles C. D. McGill, Trustee, et al. to Melrose Associates, LLC.

Together with the benefit of said irrevocable, perpetual and non-exclusive easement for the settlement and maintenance of utility lines and structures established by a Deed of Easement dated February 27, 1799 and recorded among the Land Records of Baltimore County in Liber 13324, Folio 629 and by between Charles C. D. McGill, Trustee, Charles C. D. McGill, Easementor, P. Blue and Rebecca F. Wood and Melrose Associates, LLC.

Together with the benefit of an easement for energy established by Easement Agreement by and among Josiah J. Crenwell, II, Christopher C. Crenwell, Easementor, D. Fendel, Charles C. D. McGill, Trustee, Charles C. D. McGill, Easementor, P. Blue, Rebecca F. Wood, Charles C. D. McGill and Josiah J. Crenwell, II, Trustees of the Tenements Trust under the Will of Asahel V. Fendel, Jr., Charles C. D. McGill and Charles T. Bowyer, Trustees of Elizabeth D. Fendel, Jr. Descendants, Trust and Melrose Associates, LLC dated February 27, 1999 and 2002 recorded among the Land Records of Baltimore County in Liber 14126 Folio 299 and 2002



SITE DATA

DEED REFERENCE 12466 / 224
TAX ACCOUNT No. 2300000267
EXIST. ZONING (N.W. 18-B) BL
COUNCILMANIC DISTRICT 3
CENSUS TRACT 4000
SITE AREA 7.754 AC.

LEGEND

BOUNDARY LINE
WATER MAIN
SANITARY SEWER
STORM DRAIN
CONCRETE CURB
FIRE HYDRANT
ZONING LINE
EASEMENT LINE
OVER HEAD WIRES
No. PARKING SPACES

CHARLES CR MCGILL
ELIZ. P. BLUES, TRUSTEES
8062/577
ACCT. # 0816045375

CHARLES C.D. MCGILL, TRT/CHARLE C.D
ELIZ. P. BLUE, REBECCA C. FORD
10234/BBS
ACCT. # 2200018242

OWNER

MELROSE ASSOCIATES LLC
% KLN MANAGEMENT, LLC
1430 JOH AVE STE A
GALTA, MD. 21227

		REVISIONS	
NO.	DATE	DESCRIPTION	
SPELLMAN, LARSON & ASSOCIATES, INC. CIVIL ENGINEERS AND LAND SURVEYORS SUITE 406, JEFFERSON BLDG., TOWNSON, MD 21204 PHONE: 332-3535			
PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION			
ASHLAND - MARKETPLACE YORK ROAD - ASHLAND ROAD 1121 YORK RD. SUITE E ELECTION DIST. NO. 8 BALTIMORE CO., MD			
SCALE: 1" = 30'		DES. BY:	
DATE: 11-1-82		DRAWN BY:	
		SHT. 1 OF	

203089
04-340 X