

IN RE: PETITION FOR SPECIAL EXCEPTION *
E/S of York Road, 70 ft. N
centerline of Cranbrook Road *
8th Election District
3rd Election District *
(32 Cranbrook Road) *

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 05-333-X

Yorktowne Plaza Associates, LLC
By: Jerry Rosenberg, Gen. Counsel, *
Legal Owner *
and *
Aruba Tanning Yorktowne, LLC, Lessee *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owner of the subject property, Yorktowne Plaza Associates, LLC, by Jerry Rosenberg, Gen. Counsel, Legal Owner and Aruba Tanning Yorktowne, LLC, lessee. The Petitioners are requesting a special exception for property located at 32 Cranbrook Road in the Cockeysville area of Baltimore County. The special exception request is to allow a community building (tanning salon) and to amend the previously approved site plan.

The property was posted with Notice of Hearing on January 10, 2005, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on January 11, 2005 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 502.1 of the B.C.Z.R. - *Special Exceptions*

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;

ORDER RECEIVED FOR FILING

1/26/05

By

- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air; [Bill No. 45-1982]
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations; [Bill No. 45-1982]
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing in support of the request were Mitch Kellman, the Zoning Consultant who prepared the Plan to Accompany, Michele Clifton, Veronica Deitz and Lori and Luke Golueke Petitioners. Lawrence E. Schmidt, Esquire represented the Petitioners. No protestants or citizens attended the hearing. Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence presented in this case indicated that this property is Unit 26 of the 11-acre Cranbrook Shopping Center that is split-zoned BL and BR. Unit 26 is in the BL portion of the property and formerly had a women's health store at this location. See Petitioner's Exhibit 1. The Petitioners propose to operate a tanning salon with 20 beds and some associated retail sales. Mr. Schmidt proffered that the County has traditionally treated these establishments as falling under the community building section, which can be granted by special exception in this BL zone. He noted that the Center is anchored by a large food store and contains many varied retail stores, restaurants, and services.

The tanning salon would operate seven days a week from 6:00 AM to 11:00 PM. Mr. Schmidt indicated that the peak hours for customers to the subject salon would be early in the morning and

1/26/05
Ray

mid-afternoon. He noted that this was compatible with the other uses of the Center which have complementary peak hours. In addition, clients to this salon would ordinarily be in the building for less than one half hour. He noted this in conjunction with the fact that 21 parking spaces would be designated for the salon as shown on Petitioner's Exhibit 1. Mr. Schmidt proffered that because there is no parking variance being requested in this case, the parking variance granted to the Center in Case No. 99-449-A would not be affected.

Mr. Schmidt proffered that this Center is fully built-out, that no external modifications are proposed as the result of this request, and this new tenant would not in any way adversely affect the surrounding community. He noted that he reviewed this petition with officers of the Greater Timonium Coordinating Council who were not opposed to the request.

Mr. Schmidt proffered that granting this special exception would meet all the criteria of Section 502.1 of the B.C.Z.R. and that the request was within the spirit and intent of the BL zoning regulations.

Findings of Fact and Conclusions of Law

I find that the requested special exception meets all the criteria of Section 502.1 of the B.C.Z.R. and will not affect the surrounding community. From all the evidence presented, this request allows a new tenant in the Center that will be complementary to the other business uses on the property. Especially pertaining to parking, the peak hours of this use will be different than those of the majority of businesses in the Center.

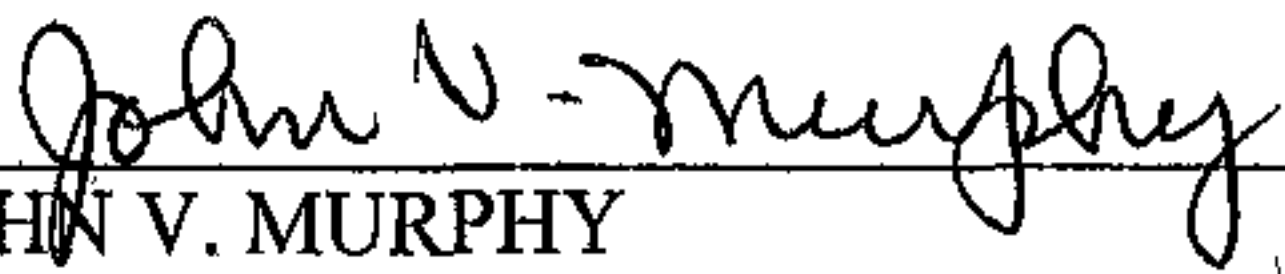
Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' request for special exception should be granted.

THEREFORE, IT IS ORDERED, this 26 day of January, 2005, by the Deputy Zoning Commissioner, that the Petitioners' request for special exception to allow a community building (tanning salon) and to amend the previously approved site plan, be and is hereby GRANTED,

subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;

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



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING

Date 1/26/05
By Raj

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
William J. Wiseman III, Zoning Commissioner

January 27, 2005

Lawrence E. Schmidt, Esquire
Gildea & Schmidt, LLC
300 E. Lombard Street, Ste. 1440
Baltimore, MD 21202-3228

Re: Petition for Special Exception
Case No. 05-333-X
Property: 32 Cranbrook Road

Dear Mr. Schmidt:

Enclosed please find the decision rendered in the above-captioned case. The petition for special exception has been granted in accordance with the enclosed Order.

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Mitch Kellman, Daft, McCune, Walker, 200 E. Pennsylvania Ave., Towson, MD 21286
Michele Clifton & Veronica Deitz, 566 Cranbrook Rd., Cockeysville, MD 21030
Lori & Luke Golueke, 3456 Emmorton Rd., Abingdon, MD 21009

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 32 Cranbrook Rd.

consisting of 4,000 SF in the Yorktown Plaza Shopping Ctr which is presently zoned BL-CCC

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

a community building (tanning salon) permitted in Section 230.15 (BCZR).

and, if necessary, to amend the previously approved site plan.

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.

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

Contract Purchaser/Lessee:

Aruba Tanning Yorktowne, LLC

Name - Type or Print

[Signature]

Signature

3456 Emmorton Road (410) 519-3899

Address

Telephone No.

Abingdon, MD 21009

City

State

Zip Code

Attorney For Petitioner:

Lawrence E. Schmidt

Name - Type or Print

[Signature]

Signature

Gildea & Schmidt, LLC

Company

300 E. Lombard Street, Suite 1440

Address

Telephone No.

Baltimore, MD 21202 (410) 234-0070

City

State

Zip Code

Legal Owner(s):

Yorktowne Plaza Associates, LLC

Name - Type or Print

[Signature]

Signature

940 Haverford Rd. (610) 552-6019

Address

Telephone No.

Bryn Mawr, PA 19010

City

State

Zip Code

Representative to be Contacted:

Thomas Pisano

Name

940 Haverford Rd. 610-552-6000

Address

Telephone No.

Bryn Mawr, PA 19010

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JF Date 1-5-05

Case No. 05-333-X

RECEIVED 09/15/98

ORDER RECEIVED FOR FILING

1/26/05

By

B- Show "A" space
for 1 space
tent

Show B space
for parking

Zoning Description

To Accompany Petition

Yorktowne Plaza & Village

East Side of York Road

Northwest and Southeast Sides of Cranbrook Road

Eighth Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

Yorktowne Plaza

Beginning at a point on the East side of York Road which is 80' wide at the distance of 70' North of the centerline of the nearest improved intersecting street, Cranbrook Road, which is 90' wide. Thence the following courses and distances: on the Northeast side of York Road, (1) Northwesterly by a line curving to the right having a radius of 60.92 feet for a distance of 31.25 feet (the arc of said curve being subtended by a chord bearing North 33 degrees 19 minutes 41 seconds West 30.91 feet) to a point of tangency, and thence North 18 degrees 37 minutes 58 seconds West 134.03 feet, thence, North 71 degrees 19 minutes 55 seconds East 194.09 feet, thence North 18 degrees 40 minutes 05 seconds West 600.41 feet to intersect the south side of Halesworth Road (60 feet wide), thence along on the south side of Halesworth Road North 71 degrees 19 minutes 55 seconds East 315.36 feet to a point of curvature, thence Northeasterly by line curving to the right having a radius of 640.00 feet for a distance of 416.90 feet (the arc of said curve being subtended by a chord bearing North 89 degrees 59 minutes 37 seconds East 409.57 feet) to a point of tangency, thence (3) South 71 degrees 20 minutes 42 seconds East 120.09 feet, thence South 29 degrees 02 minutes 06 seconds East 28.09 feet to intersect the northwest side of Cranbrook Road (variable width right-of-way), thence along the northwest

333

side of Cranbrook Road South 21 degrees 21 minutes 26 seconds West 360.09 feet to a point of curvature, thence Southwesterly by a line curving to the right having radius of 660.00 feet for a distance of 178.57 feet (the arc of said curve being subtended by a chord bearing South 29 degrees 06 minutes 30 seconds West 178.02 feet) to a point of compound curvature, thence Southwesterly by a line curving to the right having a radius of 960.00 feet, for a distance of 577.60 feet (the arc of said curve being subtended by a chord bearing South 54 degrees 05 minutes 44 seconds West 568.92 feet) to a point of tangency, thence South 71 degrees 19 minutes 55 seconds West 32.48 feet to a point of curvature, and thence Northwesterly by a line curving to the right having a radius of 65.00 feet for a distance of 64.28 feet (the arc of said curve being subtended by a chord bearing North 80 degrees 20 minutes 12 seconds West 61.69 feet) to intersect the northeast side of York Road (variable width right-of-way), thence South 41 degrees 57 minutes 40 seconds West 3.75 feet to a point of nontangency, thence to the point of beginning; containing 11.156 acres of land, more or less.

Yorktowne Village

Beginning at a point on the South side of Cranbrook Road which is 90 feet wide at the distance of 450 feet West of the centerline of the nearest improved intersecting street, York Road, which is 80 feet wide. Thence the following courses and distances: on the Southeast side of Cranbrook Road Northeasterly by a line curving to the left having a radius of 1050.00 feet for a distance of 108.53 feet (the arc of said curve being subtended by a chord bearing North 56 degrees 56 minutes 36 seconds East 108.48 feet) thence, South 36 degrees 00 minutes 18 seconds East 344.83

feet, thence South 88 degrees 23 minutes 08 seconds West 214.28 feet, and thence North 18 degrees 40 minutes 05 seconds West 229.82 feet thence to the point of beginning; containing 0.955 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYENCE. May 3, 1999
Project No. 88070.B (L88070B)



SPECIAL EXCEPTION AREA 1 – Containing 4,200 sq.ft. located at a point 190 feet northwest of the centerline of Cranbrook Road. That point is 445 feet east of the centerline of York Road.

SPECIAL EXCEPTION AREA 2 – Containing 4,400 sq.ft. located at a point 210 feet north of the centerline at Cranbrook Road. That point is 445 feet east of the centerline of York Road.

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: #05-333-X

32 Cranbrook Road

E/side of York Road at the distance of 70 ft. north of the centerline of Cranbrook Road

8th Election District — 3rd Councilmanic District

Legal Owner(s): Yorktowne Plaza Associates, LLC

Contract Purchasers: Aruba Tanning Yorktowne, LLC

Special Exception: to allow a community building (tanning salon) and to amend the previously approved site plan.

Hearing: Wednesday, January 26, 2005 at 2:00 p.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204.

WILLIAM WISEMAN

Zoning Commissioner for Baltimore County

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

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

JT 1/8/96 January 11

35806

CERTIFICATE OF PUBLICATION

1/12/, 2005

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 1/11/, 2005.

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

J. Wilkins

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 441288

DATE 1-5-05

ACCOUNT 001-006-6150

AMOUNT \$ 380.00

RECEIVED FROM LAWRENCE E. SCHMIDT

32 0708-206 PD (CAUTIONING)
FOR RETURN for Special Exception ITEM # 333

MID RECEIPT

RECEIVED BY DATE TIME

1/5/05 1:45 PM

BY KIM WILSON

RECEIVED BY DATE TIME

1/5/05 1:45 PM

BY KIM WILSON

RECEIVED BY DATE TIME

1/5/05 1:45 PM

BY KIM WILSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

Expedited
Date
Kept

FAX COVER SHEET

Date: January 7, 2005
To: Shu - Legal Advertising
Fax number: 410-825-4278
From: Kristen Matthews
Fax number: 410-887-5708
Number of pages
(including this
cover sheet): 2

CERTIFICATE OF POSTING

RE: Case No.: 05-333-X

Petitioner/Developer: ARUBA

TANNING YORKTOWNE, LLC

Date of Hearing/Closing: 1/26/05

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

ATTN: Kristen Matthews {(410) 887-3394}

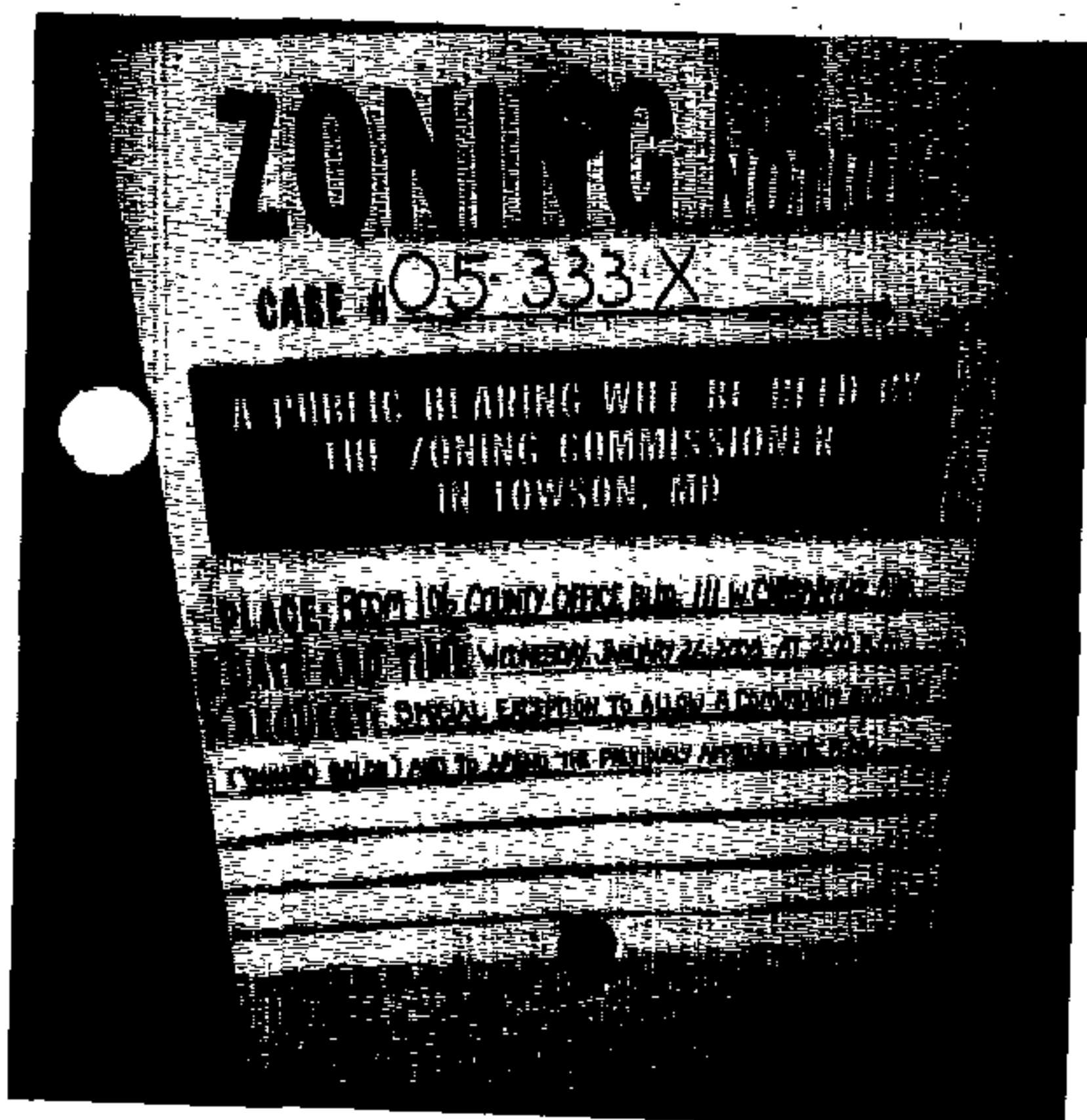
Ladies and Gentlemen:

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:

32 CRANBROOK RD

The sign(s) were posted on 1/10/05
(Month, Day, Year)

Sincerely,



Robert Black 1/26/05
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

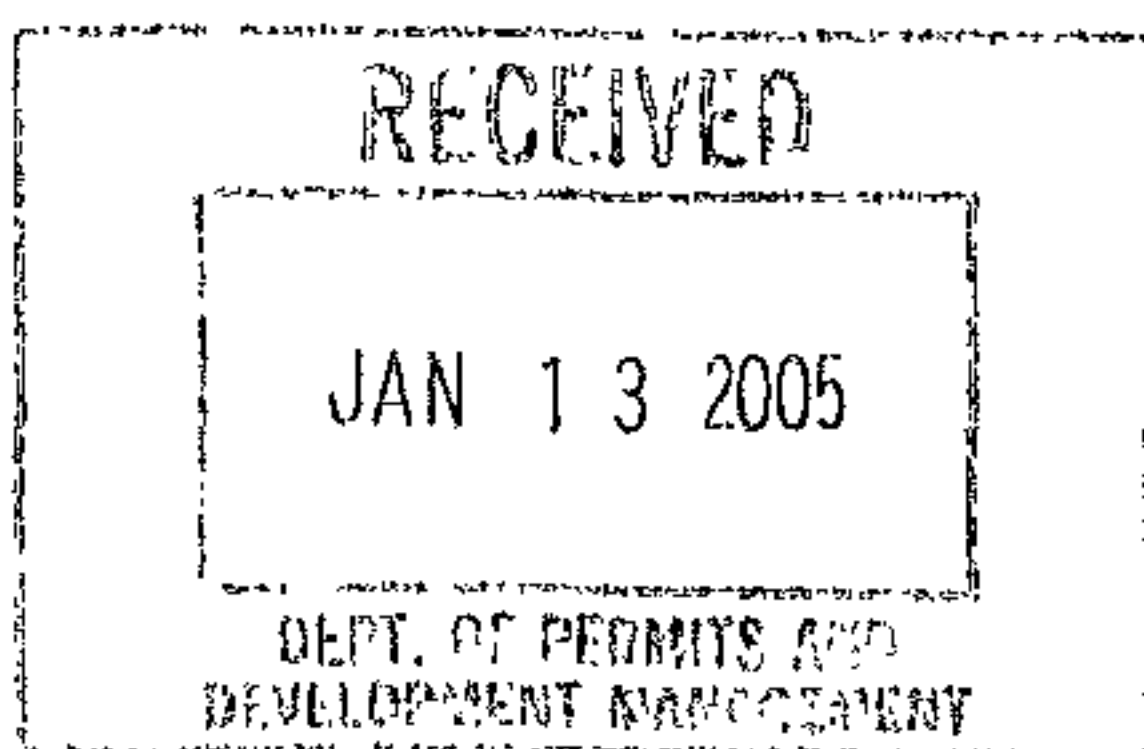
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 11, 2005 Issue - Jeffersonian

Please forward billing to:
Lawrence Schmidt
Gildea & Schmidt
300 E. Lombard St., Ste. 1440
Baltimore, MD 21202

410-234-0070

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: 05-333-X

32 Cranbrook Road

E/side of York Road at the distance of 70 ft. north of the centerline of Cranbrook Road

8th Election District – 3d Councilmanic District

Legal Owners: Yorktowne Plaza Associates, LLC

Contract Purchasers: Aruba Tanning Yorktowne, LLC

Special Exception to allow a community building (tanning salon) and to amend the previously approved site plan.

Hearing: Wednesday, January 26, 2005, at 2:00 pm in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204



WILLIAM WISEMAN
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.



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

January 7, 2005

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: 05-333-X

32 Cranbrook Road

E/side of York Road at the distance of 70 ft. north of the centerline of Cranbrook Road

8th Election District – 3d Councilmanic District

Legal Owners: Yorktowne Plaza Associates, LLC

Contract Purchasers: Aruba Tanning Yorktowne, LLC

Special Exception to allow a community building (tanning salon) and to amend the previously approved site plan.

Hearing: Wednesday, January 26, 2005, at 2:00 pm in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco", is written over the printed name.

Timothy Kotroco
Director

TK:klm

C: Lawrence Schmidt, 300 E. Lombard St., Ste. 1440, Baltimore 21202
Jerry Rosenberg, 940 Haverford Road, Bryn Mawr PA 19010
Aruba Tanning, 3456 Emmorton Road, Abingdon 21009
Thomas Pisano, 940 Haverford Road, Bryn Mawr PA 19010

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 11, 2005.**
- (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.



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/neighborhood 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 05-333-X

Petitioner: ARUBA TANNING YORKTOWNE, LLC

Address or Location: 32 CRANBROOK RD.

PLEASE FORWARD ADVERTISING BILL TO

Name: Lawrence E. Schmidt

Address 300 E. Lombard St., Suite 1440

Baltimore, MD 21202

Telephone Number: 410-234-0070

**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*

January 19, 2005

Lawrence E. Schmidt
Gildea & Schmidt, LLC.
300 E. Lombard Street, Ste. 1440
Baltimore, Maryland 21202

Dear Mr. Schmidt:

RE: Case Number: 05-333-X, 32 Cranbrook Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 5, 2005.

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
Yorktowne Plaza Associates, LLC. 940 Haverford Road Bryn Mawr PA 19010
Aruba Tanning Yorktowne, LLC. 3456 Emmorton Road Abingdon 21009
Thomas Pisano 940 Haverford Road Bryn Mawr PA 19010

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



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

January 4, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 31, 2005

Item No.: 319-333

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

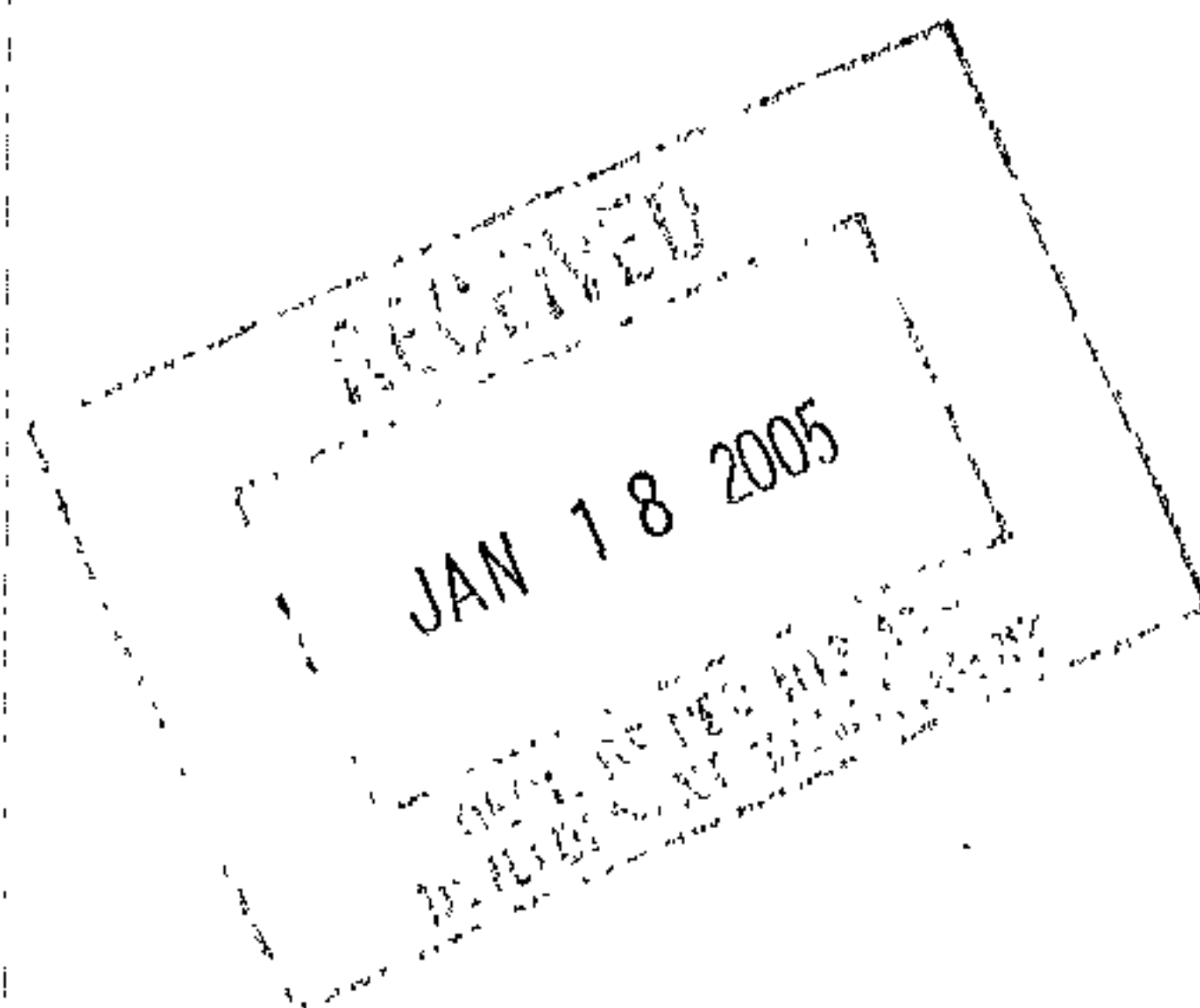
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



Printed on Recycled Paper



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 24, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For January 17, 2005
Item Nos. 319, 320, 323, 324, 325, 326,
327, 330, 331, 332, and 333

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr. JDO
DEPRM

DATE: February 3, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of January 10, 2005.

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-319

05-323

05-325

05-326

05-327

05-330

05-332

05-333

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

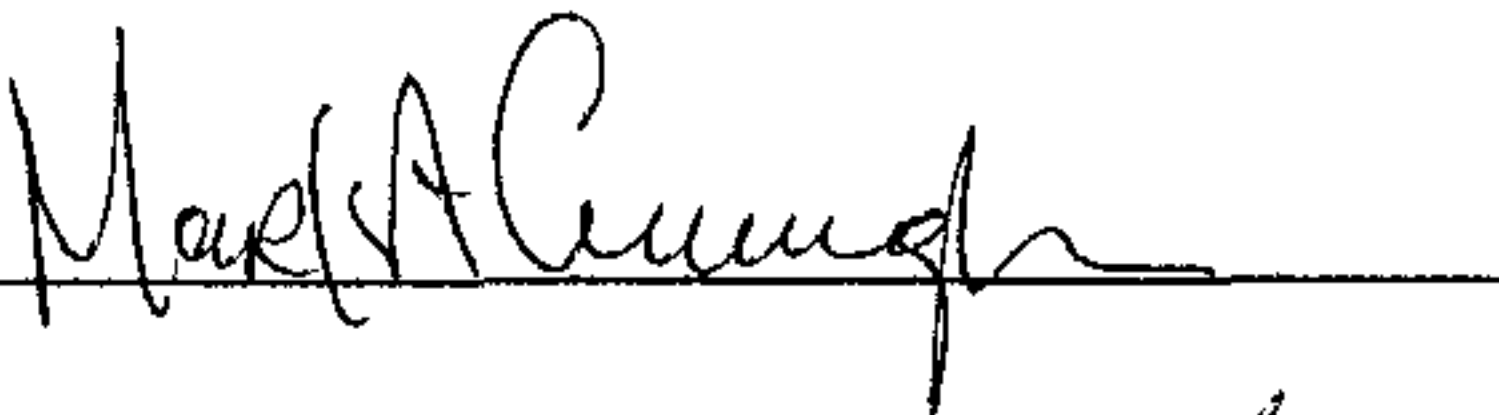
TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

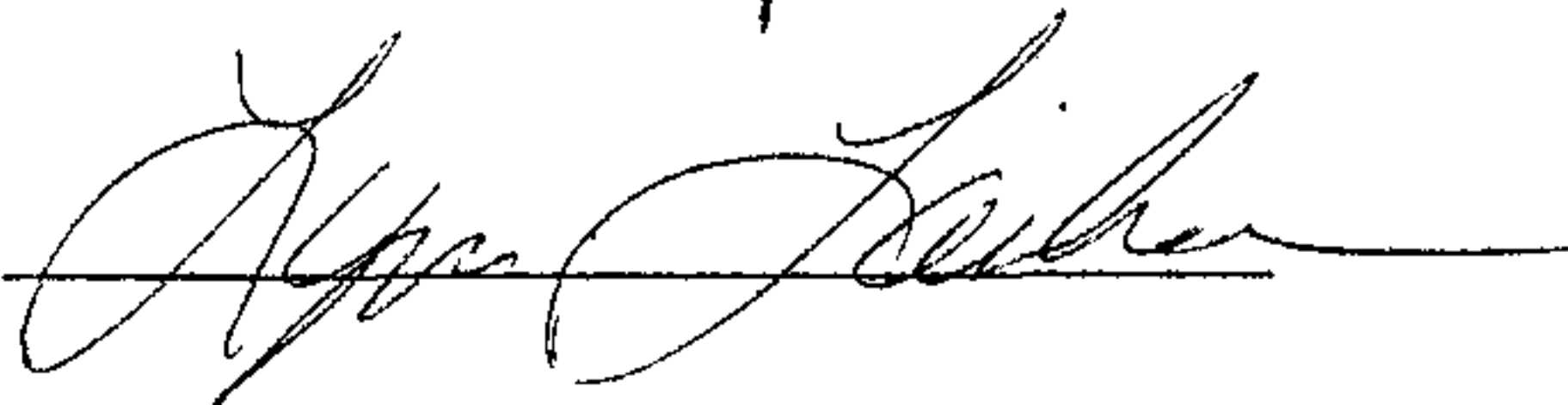
DATE: January 20, 2005

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

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-330 and 5-333

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 Cunningham in the Office of Planning at 410-887-3480.

Prepared By: 

Division Chief: 

MAC/LL

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
32 Cranbrook Road; E/side York Rd, 70' N		
c/line Cranbrook Road	*	ZONING COMMISSIONER
8 th Election & 3 rd Councilmanic Districts		
Legal Owner(s): Jerry Rosenberg, General	*	FOR
Counsel Yorktowne Plaze Associates, LLC		
Contract Purchaser(s): Aruba Tanning,	*	BALTIMORE COUNTY
Yorktowne, LLC		
Petitioner(s)	*	05-333-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of January, 2005, a copy of the foregoing Entry of Appearance was mailed Thomas Pisano, 940 Haverford Road, Bryn Mawr, PA 19010 and Lawrence E. Schmidt, Esquire, , Gildea & Schmidt LLC, 300 E. Lombard Street, Suite 1440, Baltimore, MD 21202 , Attorney for Petitioner(s).

RECEIVED

JAN 13 2005

Per *CLB*

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

Timothy M. Kotroco
TIMOTHY M. KOTROCO
DIRECTOR

BUILDING PERMIT

John R. Reisinger
JOHN R. REISINGER
BUILDINGS ENGINEER

PERMIT #: B580054 CONTROL #: C- DIST: 08 PREC: 01
DATE ISSUED: 01/05/2005 TAX ACCOUNT #: 1600010071 CLASS: 14

PLANS: CONST 0 PLOT 0 R PLAT 0 DATA 0 ELEC YES PLUM NO
LOCATION: 122 CRANBROOK RD
SUBDIVISION: NE COR YORK RD

OWNERS INFORMATION

NAME: YORKTOWNE PLAZA ASSOC.
ADDR: 940 HAVERFORD RD. BRYN MAWR, PA. 19010-3820

TENANT: ARUBA TANNING

CONTR: TENANT

ENGR:

SELLR:

WORK: INT. ALT. - DEMO + INSTALL METAL STUD DRYWALL PARTI-
TIONS, FLOORING, 4000SF; SEPARATE PERMIT REQUIRED
FOR ANY ADD'L WORK. TOILET RM SHALL BE ADA COM-
PLIANT. KEEP SEALED DRGS ON SITE. DATA SHTS WV'D-
VKD; SEE B567772; PROVISIONAL APPROVAL 1/5/05,
HEARING CASE#05-333-X.

BLDG. CODE:

RESIDENTIAL CATEGORY:

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SHOP. CTR AND NEW TENANT ALT. (TANNING SALON)
EXISTING USE: SHOP. CTR

TYPE OF IMPRV: ALTERATION

USE: STORE, MERCANTILE, RESTAURANT

FOUNDATION:

BASEMENT:

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 11.150 ACRES

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: NC/NC

SIDE STR SETB:

REAR SETB: NC



PROVISIONAL APPROVAL

PERMIT NUMBER: B 580054

Date: 1/5/05

Location: 32 CLANBROOK RD - ARUBA TANNING

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following **Conditions**:

☒ Owner has filed for a public hearing, Item # 333

☐ Owner must file for a public hearing within ___ days before the Zoning Commission requesting relief from all conflicts with the Baltimore County Zoning Regulations.

☐ Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within ___ days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above referenced permit.

However, in the event that any or all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed, or withdrawn, this provisional approval is rescinded forthwith.

Immediately thereafter, the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.

JRF
ZONING STAFF

Guillermo Kastroco
DIRECTOR, PERMITS & DEVELOPMENT MANAGEMENT

I have read the above statement and I agree to abide by the decision of the zoning commissioner, if applicable, in this matter. I also hereby certify that I, the undersigned, am in fact the owner and, if applicable, the contract purchaser and not just an agent for same.

Signed - Owner _____	Signed - Contract Purchaser <u>Lessee</u> <u>James E. Smith</u>
Printed Name _____	Printed Name <u>Attorney for</u>
Address _____	Address <u>property owners +</u>
	<u>lessee</u>
Work Phone # _____	Work Phone # <u>410-234-0070</u>
Home Phone # _____	Home Phone # _____

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAG
TOWSON, MARYLAND 21204

DATE: 12/20/04
OEA: MR/

HISTORIC DISTRICT/BLDG.

PERMIT #: B 580054
RECEIPT #: A
CONTROL #: C
XREF #:

PROPERTY ADDRESS: 32 Cranbrook Rd. Cockeysville 21030
SUITE/SPACE/FLOOR: NE Cor. York Rd.
SUBDIV: 1600010071
TAX ACCOUNT #: 8 1

FEE: 368 + 54 + 17 = 390.00
PAID: 390.00
PAID BY: app
INSPECTOR:

OWNER INFORMATION (EXISTING):
NAME: Yorktown Plaza Associates
ADDR: 140 Haverford Rd Bryn Mawr, PA 19010 - 3820
APPLICANT INFORMATION
NAME: Luke Golueke
COMPANY: Aruba Tanning Yorktowne LLC
STREET: 3456 Emmorton Rd
CITY: Abingdon MD 21030
PHONE: 410-529-3899
APPLICANT SIGNATURE: [Signature]
DR#:
PLANS: CONST 2 PLOT 0 PLAT 0 DATA 3 EL 1 PL 2
TENANT: Aruba Tanning
COND: TENANT
ENGR:
SELLR:

DOES THIS BLDG.
HAVE SPRINKLERS
YES NO

I HAVE CAREFULLY READ THIS APPLICATION
AND KNOW THE SAME IS CORRECT AND TRUE,
AND THAT IN DOING THIS WORK ALL PROVI-
SIONS OF THE BALTIMORE COUNTY CODE AND
APPROPRIATE STATE REGULATIONS WILL BE
COMPLIED WITH WHETHER HEREIN SPECIFIED
OR NOT AND WILL REQUEST ALL REQUIRED
INSPECTIONS.

TYPE OF IMPROVEMENT

- NEW BLDG CONST
- ADDITION
- ALTERATION
- REPAIR
- WRECKING
- MOVING
- OTHER

TYPE OF USE

RESIDENTIAL

- ONE FAMILY
- TWO FAMILY
- THREE AND FOUR FAMILY
- FIVE OR MORE FAMILY
(ENTER NO UNITS)
- SWIMMING POOL
- GARAGE
- OTHER

TYPE FOUNDATION

- SLAB
- BLOCK
- CONCRETE

BASEMENT

- FULL
- PARTIAL
- NONE

NON-RESIDENTIAL

- AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
- CHURCH, OTHER RELIGIOUS BUILDING
- FENCE (LENGTH HEIGHT)
- INDUSTRIAL, STORAGE BUILDING
- PARKING GARAGE
- SERVICE STATION, REPAIR GARAGE
- HOSPITAL, INSTITUTIONAL, NURSING HOME
- OFFICE, BANK, PROFESSIONAL
- PUBLIC UTILITY
- SCHOOL, COLLEGE, OTHER EDUCATIONAL
- SIGN
- STORE MERCANTILE RESTAURANT
SPECIFY TYPE: Tanning Salon
- SWIMMING POOL
SPECIFY TYPE
- TANK, TOWER
- TRANSIENT HOTEL, MOTEL (NO. UNITS)
- OTHER

TOILET ROOM SHALL BE
ADA COMPLIANT, KEEP SEM
DIGS ON SITE. DATA SHEET
WAIVED, VLD

REF: 13567772

4000 SF
separate permit
required for
any add'l
work.

TYPE OF CONSTRUCTION

- MASONRY
- WOOD FRAME
- STRUCTURE STEEL
- REINF. CONCRETE

TYPE OF HEATING FUEL

- GAS
- OIL
- ELECTRICITY
- COAL

TYPE OF SEWAGE DISPOSAL

- PUBLIC SEWER
- PRIVATE SYSTEM
- SEPTIC
- PRIVY

CENTRAL AIR: 1. 2. 4500.00
ESTIMATED COST OF MATERIALS AND LABOR

- PUBLIC SYSTEM
- PRIVATE SYSTEM

PROPOSED USE: Shopping Center + tenant alt.
EXISTING USE: Shopping Center

OWNERSHIP

- PRIVATELY OWNED
- PUBLICLY OWNED
- SALE
- RENTAL

RESIDENTIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE
#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS: 6. HIRISE

1 FAMILY BEDROOMS
GARBAGE DISPOSAL 1. YES 2. NO BATHROOMS
POWDER ROOMS KITCHENS

CLASS 14
LIBER: 11
FOLIO: 95

BUILDING SIZE: 4000 SF
FLOOR: 11.150 ac.
WIDTH: FRONT STREET
DEPTH: SIDE STREET
HEIGHT: FRONT SETBK
STORIES: SIDE SETBK
LOT #'S: SIDE STR SETBK
CORNER LOT: REAR SETBK
1. YES 2. NO ZONING: BLCCC

APPROVAL SIGNATURES
BLD INSP: [Signature]
BLD PLAN: 12:0 Final V.K. Desai
FIRE: 12:0 Final V.K. Desai
SEDI CTL: [Signature]
ZONING: 11/30 Yonahua FINAL
PUB SERV: [Signature]
ENVRMNT: 4/6 New Crabbed
PERMITS: [Signature]

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

PROVISIONAL APPROVAL 1/5/05
Hearing Case# 05-333-A

GILDEA & SCHMIDT, LLC

DAVID K. GILDEA
DAVIDGILDEA@GILDEALLC.COM

LAWRENCE E. SCHMIDT
LSCHMIDT@GILDEALLC.COM

SEBASTIAN A. CROSS
SCROSS@GILDEALLC.COM

JOSEPH R. WOOLMAN, III
JWOOLMAN@GILDEALLC.COM

D. DUSKY HOLMAN
DHOLMAN@GILDEALLC.COM

300 EAST LOMBARD STREET

SUITE 1440

BALTIMORE, MARYLAND 21202

TELEPHONE 410-234-0070

FACSIMILE 410-234-0072

www.gildeallc.com

TOWSON, MD OFFICE

220 ROSLEY AVENUE

TOWSON, MARYLAND 21204

TELEPHONE 410-337-7057

January 4, 2005

Sent Vial Facsimile & Regular Mail

Mr. W. Carl Richards, Jr.

Department of Permits and Development Management

111 W. Chesapeake Avenue

Towson, MD 21204

**Re: Aruba Tanning Yorktowne, LLC/32 Cranbrook Road
Petition for Special Exception**

Dear Mr. Richards:

As you are aware, I represent Aruba Tanning Yorktowne, LLC (Lessee) and Yorktowne Plaza Associates (Property Owner) as to the Petition for Special Exception for a community building (tanning salon) for the shopping center property located at 32 Cranbrook Road in Cockeysville. I have been advised by Mitch Kellman of Daft McCune Walker that his office has prepared the required plat to accompany the Petition for Special Exception for this matter. Mr. Kellman has advised that the Petition for Special Exception, plat and associated documents were filed with Baltimore County on Thursday, December 30, 2004.

The purpose of this letter is to request your assistance for the release of a permit for interior renovations for the space leased by Aruba Tanning Yorktowne, LLC. As you may be aware, Yorktowne Tanning, LLC previously obtained certain permits (B567772, P569766 and E571986) for interior plumbing and electrical renovations of the premises. These renovations were necessary for the conversion of the existing space in order to accommodate the proposed tanning salon. Although these permits were released by Baltimore County, a permit for additional interior renovations was withheld because the applicant had not obtained special approval for a community building/tanning salon. In that the Petition for Special Exception for such approval has been filed and accepted, I would appreciate the County now issuing a conditional permit to allow these interior improvements to be constructed.

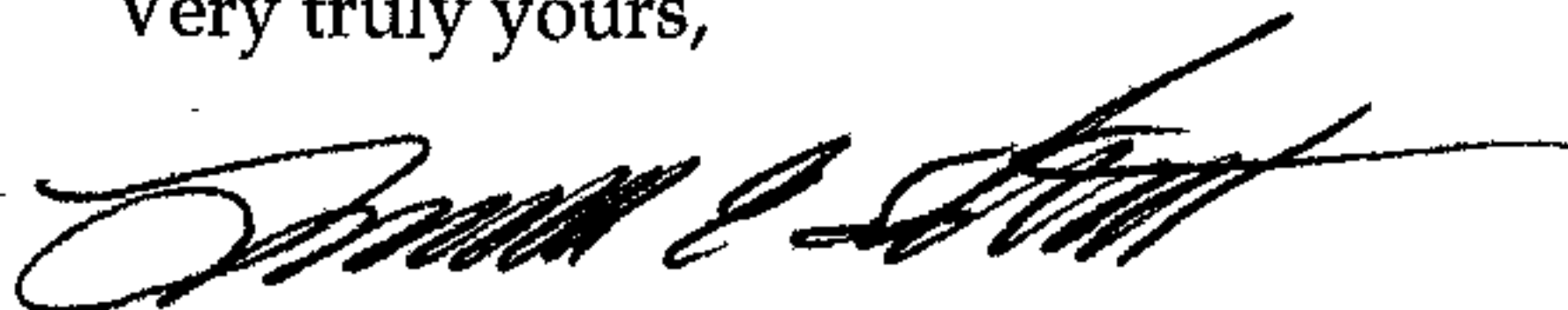
My client understands and this is to confirm that the permit will be issued on an "at risk" basis. That is, my client understands that the issuance of the permit does not confer any final authority for the operation of the tanning salon and that the work will be done at my

W. Carl Richards, Jr.
January 4, 2005
Page 2

client's expense and risk. Nonetheless, withholding of the permit will impose significant hardship on Aruba Tanning Yorktowne, LLC. Specifically, the company has already entered into a binding lease with the Landlord, made significant expenditures for renovations and equipment, and its peak business season will begin on February 1, 2005. Therefore, your assistance in releasing the permit and scheduling this matter for a hearing as soon as possible would be appreciated.

Please do not hesitate to contact me should you wish to discuss this matter further.
With kind regards, I am

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", with a long horizontal flourish extending to the right.

Lawrence E. Schmidt

LES: dls

Cc: Luke Golueke, Aruba Tanning Yorktowne, LLC (sent regular mail only)
Mitch Kellman, Daft McCune Walker, Inc. (sent regular mail only)
Sebastian A. Cross, Esquire

GILDEA & SCHMIDT, LLCDAVID K. GILDEA
DAVIDGILDEA@GILDEALLC.COMLAWRENCE E. SCHMIDT
LSCHMIDT@GILDEALLC.COMSEBASTIAN A. CROSS
SCROSS@GILDEALLC.COMJOSEPH R. WOOLMAN, III
JWOOLMAN@GILDEALLC.COMD. DUSKY HOLMAN
DHOLMAN@GILDEALLC.COM

300 EAST LOMBARD STREET

SUITE 1440

BALTIMORE, MARYLAND 21202

TELEPHONE 410-334-0070

FACSIMILE 410-334-0072

www.gildeallc.com

TOWSON, MD OFFICE
220 BOSLEY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE 410-837-7057

January 4, 2005

Sent Vial Facsimile & Regular MailMr. W. Carl Richards, Jr.
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, MD 21204Re: Aruba Tanning Yorktowne, LLC/32 Cranbrook Road
Petition for Special Exception

Dear Mr. Richards:

As you are aware, I represent Aruba Tanning Yorktowne, LLC (Lessee) and Yorktowne Plaza Associates (Property Owner) as to the Petition for Special Exception for a community building (tanning salon) for the shopping center property located at 32 Cranbrook Road in Cockeysville. I have been advised by Mitch Kellman of Daft McCune Walker that his office has prepared the required plat to accompany the Petition for Special Exception for this matter. Mr. Kellman has advised that the Petition for Special Exception, plat and associated documents were filed with Baltimore County on Thursday, December 30, 2004.

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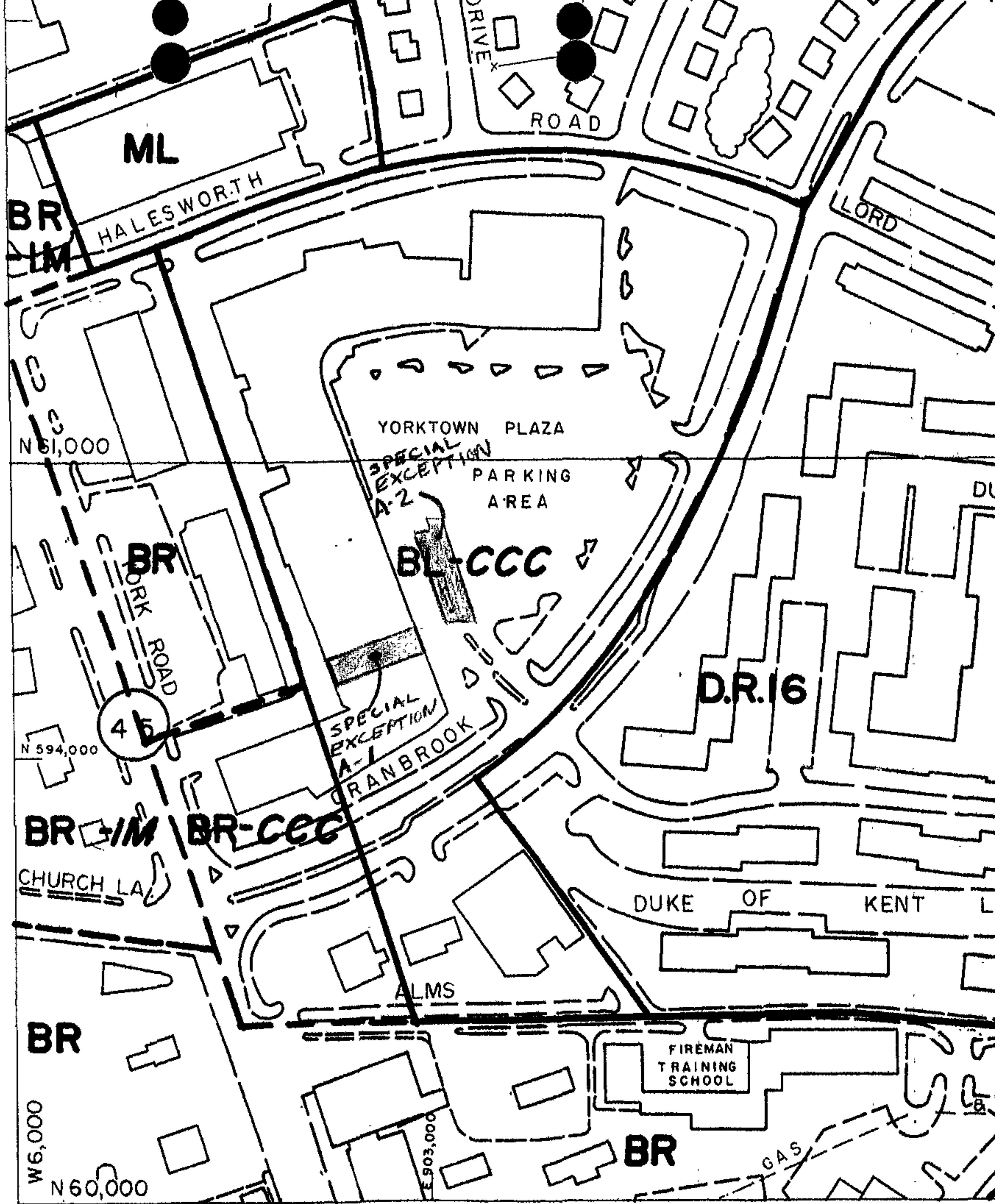
My client understands and this is to confirm that the permit will be issued on an "at risk" basis. That is, my client understands that the issuance of the permit does not confer any final authority for the operation of the tanning salon and that the work will be done at my

*Tom -
Carl suggested
I go to the
top! I
saw Roscoe
but he
said see
you.
Call me
when
you
can
Larry
1/10/05
917-
7797*

CASE NAME 05-333-X
CASE NUMBER ARUBA TRAINING
DATE

PETITIONER'S SIGN-IN SHEET

[illegible]



NW 16-A

2000 COMP

V-SE	U-SW	333	THE BALTI
S-NE	R-NW		Bill Nos. 87-00, 88-00

Chair

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

Ref No 2

This letter is to acknowledge that I am aware that Aruba Tanning Yorktowne, LLC has filed a petition for special exception, Case #05-333-A, to allow a community building (tanning salon) to be located within a shopping center zoned BL-CCC (Yorktowne Plaza).

By signing below as an owner/manager of an existing business located in the Yorktowne Plaza, I welcome Aruba Tanning Yorktowne, LLC to the Shopping Center.

Joey Chiu
Signed

Bamboo House
Business Name

Wanda J. Gennill
Signed

BLOCKBUSTER
Business Name

Ted Kolm
Signed

CRANBROOK LIQUORS
Business Name

Patricia Ann
Signed

TIMONIUM LIQUORS / LINEN LOCK
Business Name

Robert D. Green
Signed

GNC
Business Name

IN RE: PETITION FOR SPECIAL EXCEPTION *
E/S of York Road, 70 ft. N
centerline of Cranbrook Road *
8th Election District
3rd Election District *
(32 Cranbrook Road) *

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 05-333-X

Yorktowne Plaza Associates, LLC
By: Jerry Rosenberg, Gen. Counsel, *
Legal Owner *
and *
Aruba Tanning Yorktowne, LLC, Lessee *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception filed by the legal owner of the subject property, Yorktowne Plaza Associates, LLC, by Jerry Rosenberg, Gen. Counsel, Legal Owner and Aruba Tanning Yorktowne, LLC, lessee. The Petitioners are requesting a special exception for property located at 32 Cranbrook Road in the Cockeysville area of Baltimore County. The special exception request is to allow a community building (tanning salon) and to amend the previously approved site plan.

The property was posted with Notice of Hearing on January 10, 2005, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on January 11, 2005 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 502.1 of the B.C.Z.R. - *Special Exceptions*

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

- A. Be detrimental to the health, safety or general welfare of the locality involved;
- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;

ORDER RECEIVED FOR FILING

1/26/05

By: Ray

- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air; [Bill No. 45-1982]
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations; [Bill No. 45-1982]
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing in support of the request were Mitch Kellman, the Zoning Consultant who prepared the Plan to Accompany, Michele Clifton, Veronica Deitz and Lori and Luke Golueke Petitioners. Lawrence E. Schmidt, Esquire represented the Petitioners. No protestants or citizens attended the hearing. Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Testimony and evidence presented in this case indicated that this property is Unit 26 of the 11-acre Cranbrook Shopping Center that is split-zoned BL and BR. Unit 26 is in the BL portion of the property and formerly had a women's health store at this location. See Petitioner's Exhibit 1. The Petitioners propose to operate a tanning salon with 20 beds and some associated retail sales. Mr. Schmidt proffered that the County has traditionally treated these establishments as falling under the community building section, which can be granted by special exception in this BL zone. He noted that the Center is anchored by a large food store and contains many varied retail stores, restaurants, and services.

The tanning salon would operate seven days a week from 6:00 AM to 11:00 PM. Mr. Schmidt indicated that the peak hours for customers to the subject salon would be early in the morning and

1/26/05
Ray

mid-afternoon. He noted that this was compatible with the other uses of the Center which have complementary peak hours. In addition, clients to this salon would ordinarily be in the building for less than one half hour. He noted this in conjunction with the fact that 21 parking spaces would be designated for the salon as shown on Petitioner's Exhibit 1. Mr. Schmidt proffered that because there is no parking variance being requested in this case, the parking variance granted to the Center in Case No. 99-449-A would not be affected.

Mr. Schmidt proffered that this Center is fully built-out, that no external modifications are proposed as the result of this request, and this new tenant would not in any way adversely affect the surrounding community. He noted that he reviewed this petition with officers of the Greater Timonium Coordinating Council who were not opposed to the request.

Mr. Schmidt proffered that granting this special exception would meet all the criteria of Section 502.1 of the B.C.Z.R. and that the request was within the spirit and intent of the BL zoning regulations.

Findings of Fact and Conclusions of Law

I find that the requested special exception meets all the criteria of Section 502.1 of the B.C.Z.R. and will not affect the surrounding community. From all the evidence presented, this request allows a new tenant in the Center that will be complementary to the other business uses on the property. Especially pertaining to parking, the peak hours of this use will be different than those of the majority of businesses in the Center.

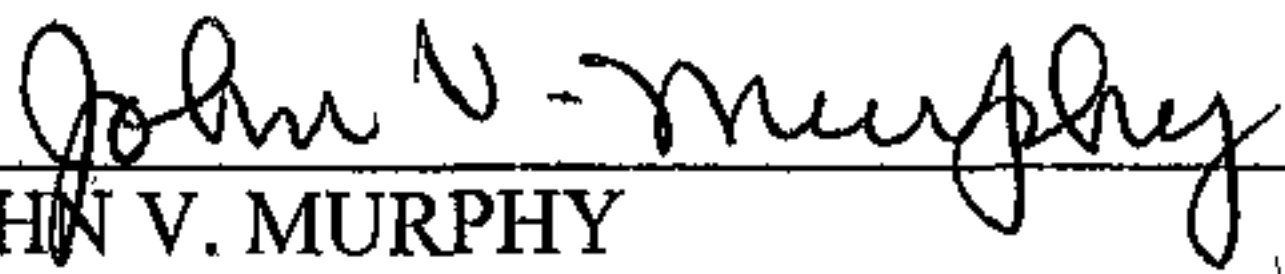
Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' request for special exception should be granted.

THEREFORE, IT IS ORDERED, this 26 day of January, 2005, by the Deputy Zoning Commissioner, that the Petitioners' request for special exception to allow a community building (tanning salon) and to amend the previously approved site plan, be and is hereby GRANTED,

subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition;

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



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING

Date 1/26/05
By Raj

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
William J. Wiseman III, Zoning Commissioner

January 27, 2005

Lawrence E. Schmidt, Esquire
Gildea & Schmidt, LLC
300 E. Lombard Street, Ste. 1440
Baltimore, MD 21202-3228

Re: Petition for Special Exception
Case No. 05-333-X
Property: 32 Cranbrook Road

Dear Mr. Schmidt:

Enclosed please find the decision rendered in the above-captioned case. The petition for special exception has been granted in accordance with the enclosed Order.

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner

JVM:raj
Enclosure

c: Mitch Kellman, Daft, McCune, Walker, 200 E. Pennsylvania Ave., Towson, MD 21286
Michele Clifton & Veronica Deitz, 566 Cranbrook Rd., Cockeysville, MD 21030
Lori & Luke Golueke, 3456 Emmorton Rd., Abingdon, MD 21009

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 32 Cranbrook Rd.

consisting of 4,000 SF in the Yorktown Plaza Shopping Ctr which is presently zoned BL-CCC

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

a community building (tanning salon) permitted in Section 230.15 (BCZR).

and, if necessary, to ~~approve~~ ^{AMEND} the previously approved site plan.

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.

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

Contract Purchaser/Lessee:

Anuba Tanning Yorktowne, LLC
Name - Type or Print

[Signature]
Signature

3456 Emmorton Road (410) 519-3899
Address Telephone No.

Abingdon, MD 21009
City State Zip Code

Attorney For Petitioner:

Lawrence E. Schmidt
Name - Type or Print

[Signature]
Signature

Gildea & Schmidt, LLC
Company

300 E. Lombard Street, Suite 1440
Address Telephone No.

Baltimore, MD 21202 (410) 234-0070
City State Zip Code

Legal Owner(s):

Yorktowne Plaza Associates, LLC
Name - Type or Print

[Signature]
Signature

[Signature]
Name - Type or Print

940 Haverford Rd. (610) 552-6019
Address Telephone No.

Bryn Mawr, PA 19010
City State Zip Code

Representative to be Contacted:

Thomas Pisano
Name

940 Haverford Rd. 610-552-6000
Address Telephone No.

Bryn Mawr, PA 19010
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JF Date 1-5-05

Case No. 05-333-X

RECEIVED 09/15/98

ORDER RECEIVED FOR FILING

1/26/05
By [Signature]

B- Show "A" space
for 1 space
tent

Show B space
for parking

Zoning Description

To Accompany Petition

Yorktowne Plaza & Village

East Side of York Road

Northwest and Southeast Sides of Cranbrook Road

Eighth Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

Yorktowne Plaza

Beginning at a point on the East side of York Road which is 80' wide at the distance of 70' North of the centerline of the nearest improved intersecting street, Cranbrook Road, which is 90' wide. Thence the following courses and distances: on the Northeast side of York Road, (1) Northwesterly by a line curving to the right having a radius of 60.92 feet for a distance of 31.25 feet (the arc of said curve being subtended by a chord bearing North 33 degrees 19 minutes 41 seconds West 30.91 feet) to a point of tangency, and thence North 18 degrees 37 minutes 58 seconds West 134.03 feet, thence, North 71 degrees 19 minutes 55 seconds East 194.09 feet, thence North 18 degrees 40 minutes 05 seconds West 600.41 feet to intersect the south side of Halesworth Road (60 feet wide), thence along on the south side of Halesworth Road North 71 degrees 19 minutes 55 seconds East 315.36 feet to a point of curvature, thence Northeasterly by line curving to the right having a radius of 640.00 feet for a distance of 416.90 feet (the arc of said curve being subtended by a chord bearing North 89 degrees 59 minutes 37 seconds East 409.57 feet) to a point of tangency, thence (3) South 71 degrees 20 minutes 42 seconds East 120.09 feet, thence South 29 degrees 02 minutes 06 seconds East 28.09 feet to intersect the northwest side of Cranbrook Road (variable width right-of-way), thence along the northwest

333

side of Cranbrook Road South 21 degrees 21 minutes 26 seconds West 360.09 feet to a point of curvature, thence Southwesterly by a line curving to the right having radius of 660.00 feet for a distance of 178.57 feet (the arc of said curve being subtended by a chord bearing South 29 degrees 06 minutes 30 seconds West 178.02 feet) to a point of compound curvature, thence Southwesterly by a line curving to the right having a radius of 960.00 feet, for a distance of 577.60 feet (the arc of said curve being subtended by a chord bearing South 54 degrees 05 minutes 44 seconds West 568.92 feet) to a point of tangency, thence South 71 degrees 19 minutes 55 seconds West 32.48 feet to a point of curvature, and thence Northwesterly by a line curving to the right having a radius of 65.00 feet for a distance of 64.28 feet (the arc of said curve being subtended by a chord bearing North 80 degrees 20 minutes 12 seconds West 61.69 feet) to intersect the northeast side of York Road (variable width right-of-way), thence South 41 degrees 57 minutes 40 seconds West 3.75 feet to a point of nontangency, thence to the point of beginning; containing 11.156 acres of land, more or less.

Yorktowne Village

Beginning at a point on the South side of Cranbrook Road which is 90 feet wide at the distance of 450 feet West of the centerline of the nearest improved intersecting street, York Road, which is 80 feet wide. Thence the following courses and distances: on the Southeast side of Cranbrook Road Northeasterly by a line curving to the left having a radius of 1050.00 feet for a distance of 108.53 feet (the arc of said curve being subtended by a chord bearing North 56 degrees 56 minutes 36 seconds East 108.48 feet) thence, South 36 degrees 00 minutes 18 seconds East 344.83

feet, thence South 88 degrees 23 minutes 08 seconds West 214.28 feet, and thence North 18 degrees 40 minutes 05 seconds West 229.82 feet thence to the point of beginning; containing 0.955 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYENCE. May 3, 1999
Project No. 88070.B (L88070B)



SPECIAL EXCEPTION AREA 1 – Containing 4,200 sq.ft. located at a point 190 feet northwest of the centerline of Cranbrook Road. That point is 445 feet east of the centerline of York Road.

SPECIAL EXCEPTION AREA 2 – Containing 4,400 sq.ft. located at a point 210 feet north of the centerline at Cranbrook Road. That point is 445 feet east of the centerline of York Road.

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: #05-333-X

32 Cranbrook Road

E/side of York Road at the distance of 70 ft. north of the centerline of Cranbrook Road

8th Election District — 3rd Councilmanic District

Legal Owner(s): Yorktowne Plaza Associates, LLC

Contract Purchasers: Aruba Tanning Yorktowne, LLC

Special Exception: to allow a community building (tanning salon) and to amend the previously approved site plan.

Hearing: Wednesday, January 26, 2005 at 2:00 p.m. in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 21204.

WILLIAM WISEMAN

Zoning Commissioner for Baltimore County

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

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

JT 1/8/96 January 11

35806

CERTIFICATE OF PUBLICATION

1/12/, 2005

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 1/11/, 2005.

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



LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 441288

DATE 1-5-05

ACCOUNT 001-006-6150

AMOUNT \$ 380.00

RECEIVED FROM LAWRENCE E. SCHMIDT

32 0708-206 PD (CAUTIONING)
FOR RETURN for Special Exception ITEM # 333

MID RECEIPT

RECEIVED BY DATE TIME

1/5/05 1:45 PM

BY KIM WILSON

RECEIVED BY DATE TIME

1/5/05 1:45 PM

BY KIM WILSON

RECEIVED BY DATE TIME

1/5/05 1:45 PM

BY KIM WILSON

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

Expedited
Date
Kept

FAX COVER SHEET

Date: January 7, 2005
To: Su - Legal Advertising
Fax number: 410-825-4278
From: Kristen Matthews
Fax number: 410-887-5708
Number of pages
(including this
cover sheet): 2

CERTIFICATE OF POSTING

RE: Case No.: 05-333-X

Petitioner/Developer: ARUBA

TANNING YORKTOWNE, LLC

Date of Hearing/Closing: 1/26/05

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

ATTN: Kristen Matthews {(410) 887-3394}

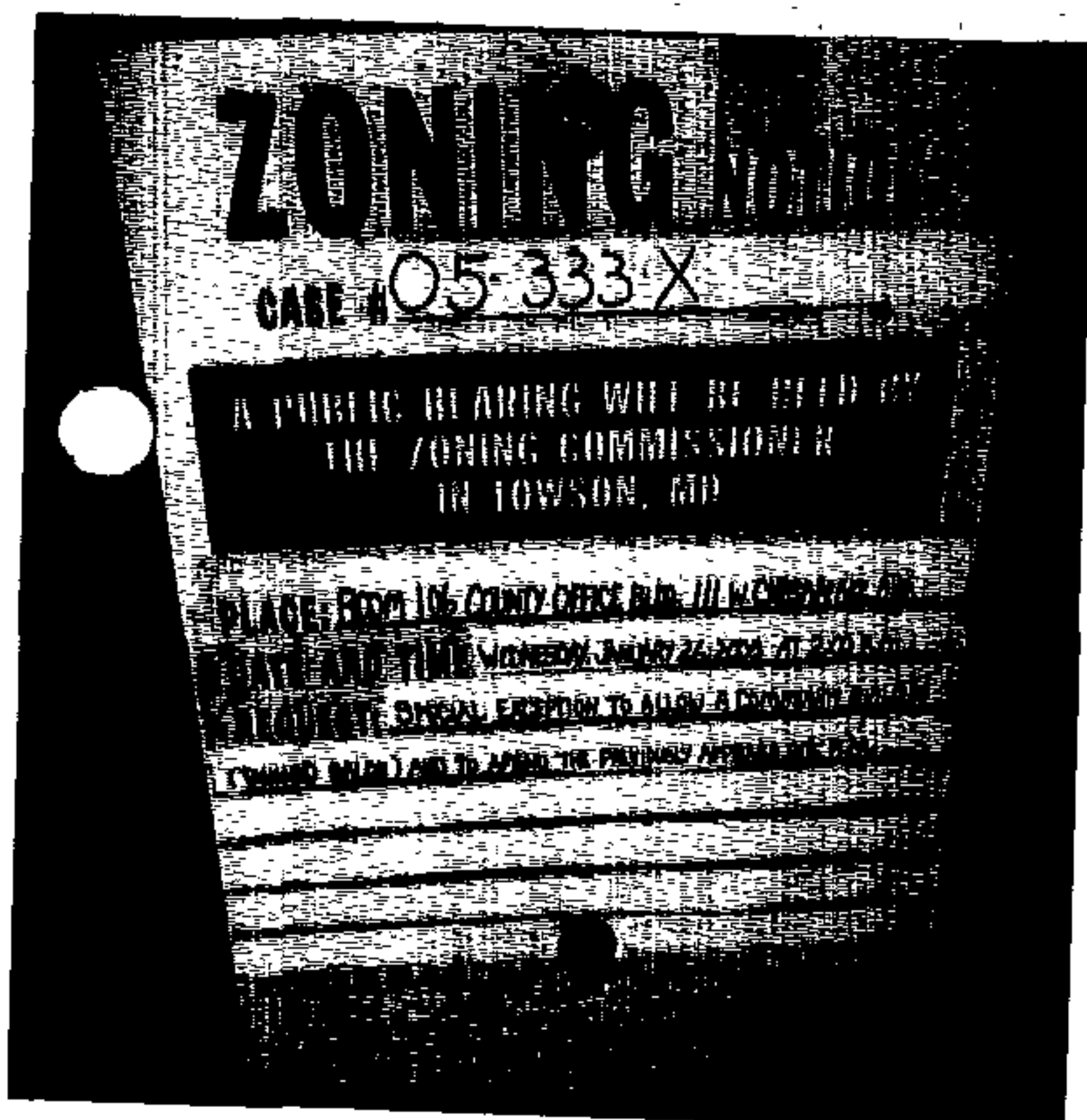
Ladies and Gentlemen:

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:

32 CRANBROOK RD

The sign(s) were posted on 1/10/05
(Month, Day, Year)

Sincerely,



Robert Black 1/26/05
(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)

RECEIVED

JAN 13 2005

DEPT. OF PERMITS AND
DEVELOPMENT MANAGEMENT

TO: PATUXENT PUBLISHING COMPANY
Tuesday, January 11, 2005 Issue - Jeffersonian

Please forward billing to:
Lawrence Schmidt
Gildea & Schmidt
300 E. Lombard St., Ste. 1440
Baltimore, MD 21202

410-234-0070

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: 05-333-X

32 Cranbrook Road

E/side of York Road at the distance of 70 ft. north of the centerline of Cranbrook Road

8th Election District – 3d Councilmanic District

Legal Owners: Yorktowne Plaza Associates, LLC

Contract Purchasers: Aruba Tanning Yorktowne, LLC

Special Exception to allow a community building (tanning salon) and to amend the previously approved site plan.

Hearing: Wednesday, January 26, 2005, at 2:00 pm in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204



WILLIAM WISEMAN
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.



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

January 7, 2005

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: 05-333-X

32 Cranbrook Road

E/side of York Road at the distance of 70 ft. north of the centerline of Cranbrook Road

8th Election District – 3d Councilmanic District

Legal Owners: Yorktowne Plaza Associates, LLC

Contract Purchasers: Aruba Tanning Yorktowne, LLC

Special Exception to allow a community building (tanning salon) and to amend the previously approved site plan.

Hearing: Wednesday, January 26, 2005, at 2:00 pm in Room 106, County Office Building,
111 W. Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Timothy Kotroco", is written over the printed name and title.

Timothy Kotroco
Director

TK:klm

C: Lawrence Schmidt, 300 E. Lombard St., Ste. 1440, Baltimore 21202
Jerry Rosenberg, 940 Haverford Road, Bryn Mawr PA 19010
Aruba Tanning, 3456 Emmorton Road, Abingdon 21009
Thomas Pisano, 940 Haverford Road, Bryn Mawr PA 19010

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, JANUARY 11, 2005.**
- (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.



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/neighborhood 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 05-333-X

Petitioner: ARUBA TANNING YORKTOWNE, LLC

Address or Location: 32 CRANBROOK RD.

PLEASE FORWARD ADVERTISING BILL TO

Name: Lawrence E. Schmidt

Address 300 E. Lombard St., Suite 1440

Baltimore, MD 21202

Telephone Number: 410-234-0070

**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*

January 19, 2005

Lawrence E. Schmidt
Gildea & Schmidt, LLC.
300 E. Lombard Street, Ste. 1440
Baltimore, Maryland 21202

Dear Mr. Schmidt:

RE: Case Number: 05-333-X, 32 Cranbrook Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 5, 2005.

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
Yorktowne Plaza Associates, LLC. 940 Haverford Road Bryn Mawr PA 19010
Aruba Tanning Yorktowne, LLC. 3456 Emmorton Road Abingdon 21009
Thomas Pisano 940 Haverford Road Bryn Mawr PA 19010

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



Fire Department

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



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

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

January 4, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: January 31, 2005

Item No.: 319-333

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

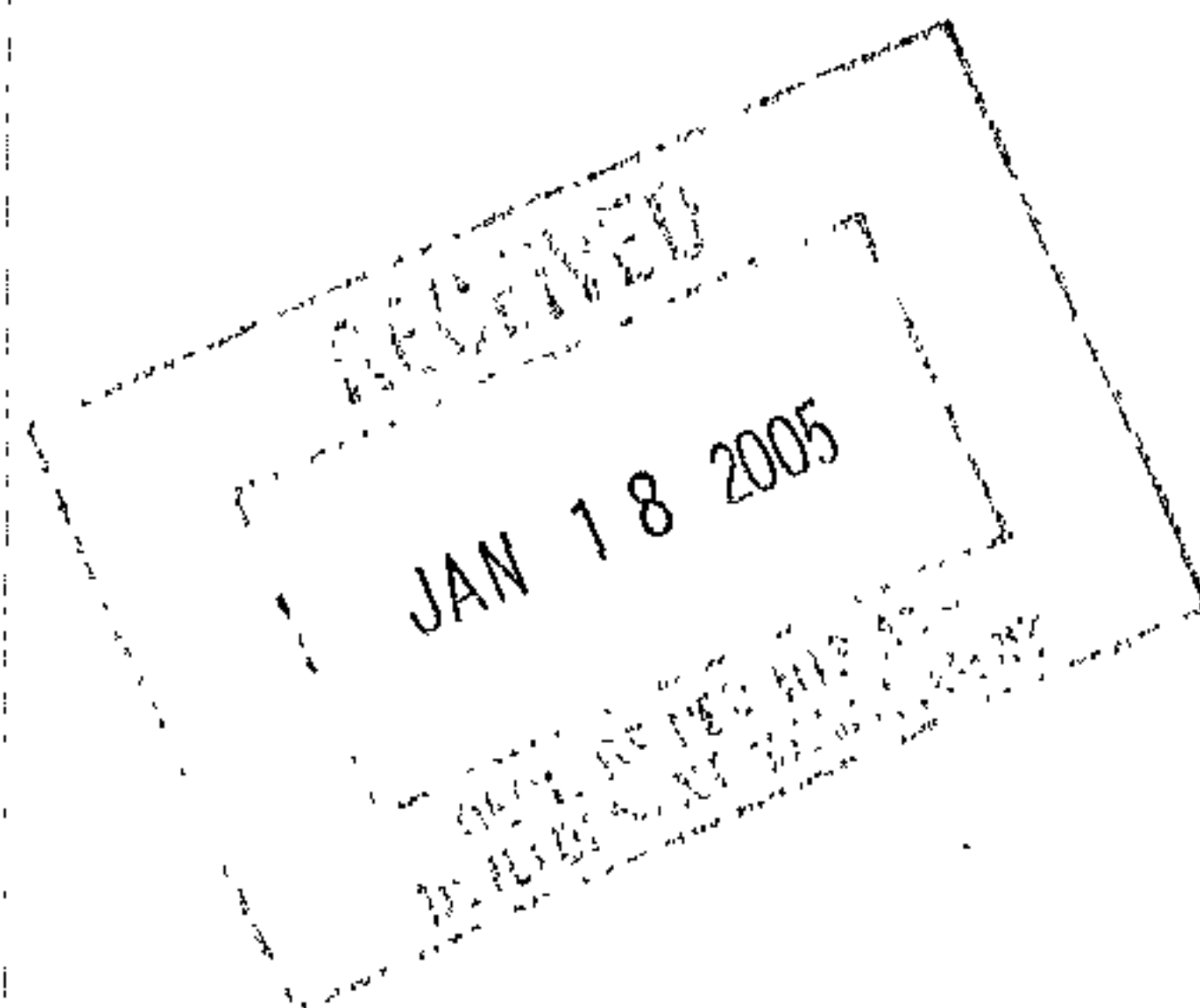
Lieutenant Franklin J. Cook
Fire Marshal's Office
(O) 410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

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



Printed on Recycled Paper



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: January 24, 2005

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

SUBJECT: Zoning Advisory Committee Meeting
For January 17, 2005
Item Nos. 319, 320, 323, 324, 325, 326,
327, 330, 331, 332, and 333

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

RWB:CEN:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Tim Kotroco
PDM

FROM: John D. Oltman, Jr. JDO
DEPRM

DATE: February 3, 2005

SUBJECT: Zoning Items # See List Below

Zoning Advisory Committee Meeting of January 10, 2005.

X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

05-319

05-323

05-325

05-326

05-327

05-330

05-332

05-333

Reviewers: Sue Farinetti, Dave Lykens

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

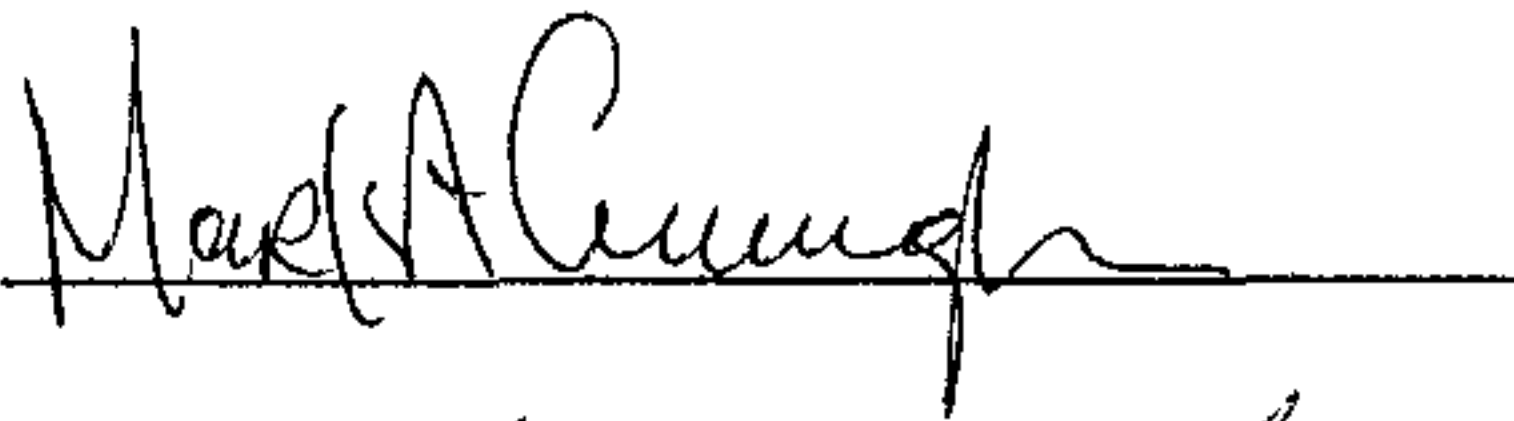
DATE: January 20, 2005

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

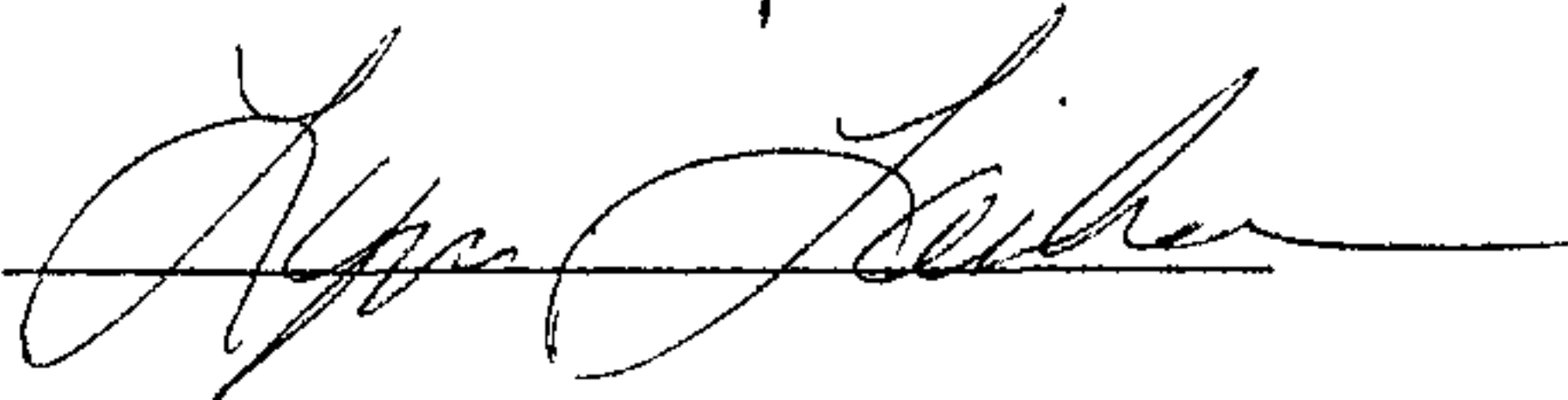
SUBJECT: Zoning Advisory Petition(s): Case(s) 5-330 and 5-333

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 Cunningham in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:



MAC/LL

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
32 Cranbrook Road; E/side York Rd, 70' N *
c/line Cranbrook Road * ZONING COMMISSIONER
8th Election & 3rd Councilmanic Districts *
Legal Owner(s): Jerry Rosenberg, General * FOR
Counsel Yorktowne Plaze Associates, LLC *
Contract Purchaser(s): Aruba Tanning, * BALTIMORE COUNTY
Yorktowne, LLC *
Petitioner(s) * 05-333-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of January, 2005, a copy of the foregoing Entry of Appearance was mailed Thomas Pisano, 940 Haverford Road, Bryn Mawr, PA 19010 and Lawrence E. Schmidt, Esquire, , Gildea & Schmidt LLC, 300 E. Lombard Street, Suite 1440, Baltimore, MD 21202 , Attorney for Petitioner(s).

RECEIVED

JAN 13 2005

Per *CLB*

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

Timothy M. Kotroco
TIMOTHY M. KOTROCO
DIRECTOR

BUILDING PERMIT

John R. Reisinger
JOHN R. REISINGER
BUILDINGS ENGINEER

PERMIT #: B580054 CONTROL #: C- DIST: 08 PREC: 01
DATE ISSUED: 01/05/2005 TAX ACCOUNT #: 1600010071 CLASS: 14

PLANS: CONST 0 PLOT 0 R PLAT 0 DATA 0 ELEC YES PLUM NO
LOCATION: 122 CRANBROOK RD
SUBDIVISION: NE COR YORK RD

OWNERS INFORMATION

NAME: YORKTOWNE PLAZA ASSOC.
ADDR: 940 HAVERFORD RD. BRYN MAWR, PA. 19010-3820

TENANT: ARUBA TANNING

CONTR: TENANT

ENGR:

SELLR:

WORK: INT. ALT. - DEMO + INSTALL METAL STUD DRYWALL PARTI-
TIONS, FLOORING, 4000SF; SEPARATE PERMIT REQUIRED
FOR ANY ADD'L WORK. TOILET RM SHALL BE ADA COM-
PLIANT. KEEP SEALED DRGS ON SITE. DATA SHTS WV'D-
VKD; SEE B567772; PROVISIONAL APPROVAL 1/5/05,
HEARING CASE#05-333-X.

BLDG. CODE:

RESIDENTIAL CATEGORY:

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: SHOP. CTR AND NEW TENANT ALT. (TANNING SALON)
EXISTING USE: SHOP. CTR

TYPE OF IMPRV: ALTERATION

USE: STORE, MERCANTILE, RESTAURANT

FOUNDATION:

BASEMENT:

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 11.150 ACRES

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: NC/NC

SIDE STR SETB:

REAR SETB: NC



PROVISIONAL APPROVAL

PERMIT NUMBER: B 580054

Date: 1/5/05

Location: 32 CLANBROOK RD - ARUBA TANNING

The issuance of this permit in no way grants or implies approval of any matter relating to this property which is in conflict with the Baltimore County Zoning Regulations.

The issuance of this permit is subject to the following **Conditions**:

☒ Owner has filed for a public hearing, Item # 333

☐ Owner must file for a public hearing within ___ days before the Zoning Commission requesting relief from all conflicts with the Baltimore County Zoning Regulations.

☐ Owner/contract purchaser must submit a complete revised site development plan and requested accompanying information within ___ days resolving all possible conflicts with the Baltimore County Zoning Regulations.

The owner/contract purchaser may proceed at his own risk with the construction indicated in the above referenced permit.

However, in the event that any or all of the above conditions are not completed as stipulated, and/or the petition for relief has been denied, dismissed, or withdrawn, this provisional approval is rescinded forthwith.

Immediately thereafter, the owner/contract purchaser must return the property to the condition it was in prior to the beginning of said construction and accepts full financial liability in the matter.

JRF

ZONING STAFF

Guillermo Kofroco

DIRECTOR, PERMITS & DEVELOPMENT MANAGEMENT

I have read the above statement and I agree to abide by the decision of the zoning commissioner, if applicable, in this matter. I also hereby certify that I, the undersigned, am in fact the owner and, if applicable, the contract purchaser and not just an agent for same.

Signed - Owner _____

Printed Name _____

Address _____

Work Phone # _____

Home Phone # _____

Signed - Contract Purchaser Lessee _____

Printed Name Attorney for _____

Address property owners + _____

Work Phone # 410-234-0070 _____

Home Phone # _____

APPLICATION FOR PERMIT
BALTIMORE COUNTY MARYLAND
DEPARTMENT OF PERMITS & DEVELOPMENT MANAG
TOWSON, MARYLAND 21204

DATE: 12/20/04
OEA: MR/

HISTORIC DISTRICT/BLDG.

PERMIT #: B 580054
RECEIPT #: A
CONTROL #: C
XREF #:

PROPERTY ADDRESS: 32 Cranbrook Rd. Cockeysville 21030
SUITE/SPACE/FLOOR: NE Cor. York Rd.
SUBDIV: 1600010071
TAX ACCOUNT #: 8 1

FEE: 368 + 54 + 17 = 390.00
PAID: 390.00
PAID BY: app
INSPECTOR:

OWNER INFORMATION (EXIST. BLDG.):
NAME: Yorktown Plaza Associates
ADDR: 140 Haverford Rd Bryn Mawr, PA 19010 - 3820
DOES THIS BLDG. HAVE SPRINKLERS YES NO

I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS.

APPLICANT INFORMATION
NAME: Luke Golueke
COMPANY: Aruba Tanning Yorktowne LLC
STREET: 3456 Emmorton Rd
CITY: Abingdon MD 21030
PHONE: 410-529-3899
APPLICANT SIGNATURE: [Signature]
DR#

TYPE OF IMPROVEMENT

1. NEW BLDG CONST
2. ADDITION
3. ALTERATION
4. REPAIR
5. WRECKING
6. MOVING
7. OTHER

PLANS: CONST 2 PLOT 0 PLAT 0 DATA 3 EL 1 PL 2
TENANT: Aruba Tanning
COND: TENANT
ENGR:
SELLR:

TYPE OF USE

RESIDENTIAL

01. ONE FAMILY
02. TWO FAMILY
03. THREE AND FOUR FAMILY
04. FIVE OR MORE FAMILY (ENTER NO UNITS)
05. SWIMMING POOL
06. GARAGE
07. OTHER

NON-RESIDENTIAL

08. AMUSEMENT, RECREATION, PLACE OF ASSEMBLY
09. CHURCH, OTHER RELIGIOUS BUILDING
10. FENCE (LENGTH HEIGHT)
11. INDUSTRIAL, STORAGE BUILDING
12. PARKING GARAGE
13. SERVICE STATION, REPAIR GARAGE
14. HOSPITAL, INSTITUTIONAL, NURSING HOME
15. OFFICE, BANK, PROFESSIONAL
16. PUBLIC UTILITY
17. SCHOOL, COLLEGE, OTHER EDUCATIONAL
18. SIGN
19. STORE MERCANTILE RESTAURANT
20. SWIMMING POOL SPECIFY TYPE
21. TANK, TOWER
22. TRANSIENT HOTEL, MOTEL (NO. UNITS)
23. OTHER

TYPE FOUNDATION

1. SLAB
2. BLOCK
3. CONCRETE
BASEMENT
1. FULL
2. PARTIAL
3. NONE

TYPE OF CONSTRUCTION

1. MASONRY
2. WOOD FRAME
3. STRUCTURE STEEL
4. REINF. CONCRETE

TYPE OF HEATING FUEL

1. GAS
2. OIL
3. ELECTRICITY
4. COAL

TYPE OF SEWAGE DISPOSAL

1. PUBLIC SEWER EXISTS PROPOSED
2. PRIVATE SYSTEM
SEPTIC EXISTS PROPOSED
PRIVY EXISTS PROPOSED

CENTRAL AIR: 1. 2. ESTIMATED COST: \$4500.00
OF MATERIALS AND LABOR

1. PUBLIC SYSTEM EXISTS PROPOSED
2. PRIVATE SYSTEM EXISTS PROPOSED

PROPOSED USE: Shopping Center + tenant alt.
EXISTING USE: Shopping Center

OWNERSHIP

1. PRIVATELY OWNED 2. PUBLICLY OWNED 3. SALE 4. RENTAL

RESIDENTIAL CATEGORY: 1. DETACHED 2. SEMI-DET. 3. GROUP 4. TOWNHSE 5. MIDRISE
#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS/CONDOS: 6. HIRISE

1 FAMILY BEDROOMS
GARBAGE DISPOSAL 1. YES 2. NO BATHROOMS CLASS 14
POWDER ROOMS KITCHENS LIBER 11 FOLIO 95

BUILDING SIZE: 4000 SF
FLOOR: 11.150 ac.
WIDTH: FRONT STREET
DEPTH: SIDE STREET
HEIGHT: FRONT SETBK
STORIES: SIDE SETBK
LOT #'S: SIDE STR SETBK
CORNER LOT: REAR SETBK
1. YES 2. NO ZONING: BLCCC

APPROVAL SIGNATURES
BLD INSP: [Signature]
BLD PLAN: 12:0 Final V.K. Desai 12/20/04
FIRE: 12:0 Final V.K. Desai 12/20/04
SEDI CTL: [Signature]
ZONING: 11/30 Yonahda FINAL 1/5/05
PUB SERV: [Signature]
ENVRMNT: 4/6 New Crabbedy
PERMITS: [Signature]

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND -- NO PERMIT FEES REFUNDED

PROVISIONAL APPROVAL 1/5/05
Hearing Case# 05-333-A

GILDEA & SCHMIDT, LLC

DAVID K. GILDEA
DAVIDGILDEA@GILDEALLC.COM

LAWRENCE E. SCHMIDT
LSCHMIDT@GILDEALLC.COM

SEBASTIAN A. CROSS
SCROSS@GILDEALLC.COM

JOSEPH R. WOOLMAN, III
JWOOLMAN@GILDEALLC.COM

D. DUSKY HOLMAN
DHOLMAN@GILDEALLC.COM

300 EAST LOMBARD STREET

SUITE 1440

BALTIMORE, MARYLAND 21202

TELEPHONE 410-234-0070

FACSIMILE 410-234-0072

www.gildeallc.com

TOWSON, MD OFFICE

220 ROSLEY AVENUE

TOWSON, MARYLAND 21204

TELEPHONE 410-337-7057

January 4, 2005

Sent Vial Facsimile & Regular Mail

Mr. W. Carl Richards, Jr.

Department of Permits and Development Management

111 W. Chesapeake Avenue

Towson, MD 21204

**Re: Aruba Tanning Yorktowne, LLC/32 Cranbrook Road
Petition for Special Exception**

Dear Mr. Richards:

As you are aware, I represent Aruba Tanning Yorktowne, LLC (Lessee) and Yorktowne Plaza Associates (Property Owner) as to the Petition for Special Exception for a community building (tanning salon) for the shopping center property located at 32 Cranbrook Road in Cockeysville. I have been advised by Mitch Kellman of Daft McCune Walker that his office has prepared the required plat to accompany the Petition for Special Exception for this matter. Mr. Kellman has advised that the Petition for Special Exception, plat and associated documents were filed with Baltimore County on Thursday, December 30, 2004.

The purpose of this letter is to request your assistance for the release of a permit for interior renovations for the space leased by Aruba Tanning Yorktowne, LLC. As you may be aware, Yorktowne Tanning, LLC previously obtained certain permits (B567772, P569766 and E571986) for interior plumbing and electrical renovations of the premises. These renovations were necessary for the conversion of the existing space in order to accommodate the proposed tanning salon. Although these permits were released by Baltimore County, a permit for additional interior renovations was withheld because the applicant had not obtained special approval for a community building/tanning salon. In that the Petition for Special Exception for such approval has been filed and accepted, I would appreciate the County now issuing a conditional permit to allow these interior improvements to be constructed.

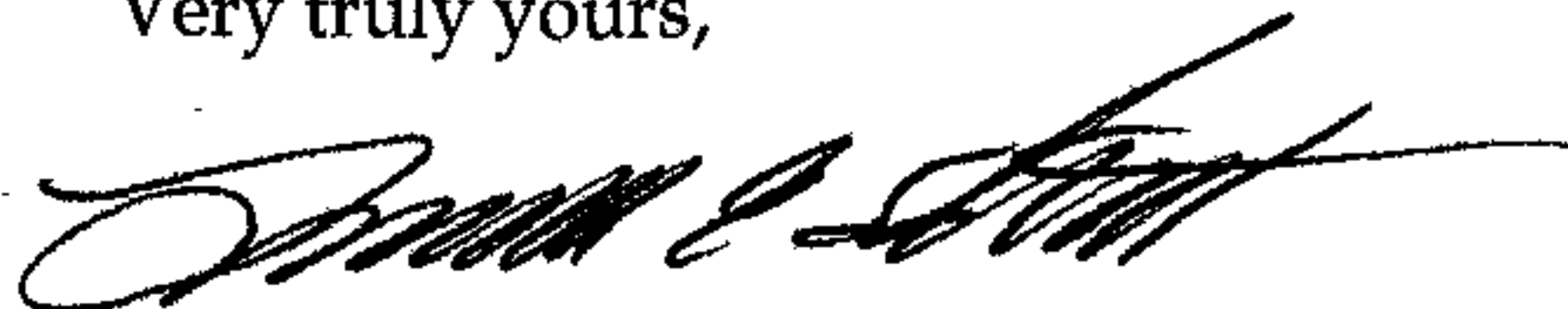
My client understands and this is to confirm that the permit will be issued on an "at risk" basis. That is, my client understands that the issuance of the permit does not confer any final authority for the operation of the tanning salon and that the work will be done at my

W. Carl Richards, Jr.
January 4, 2005
Page 2

client's expense and risk. Nonetheless, withholding of the permit will impose significant hardship on Aruba Tanning Yorktowne, LLC. Specifically, the company has already entered into a binding lease with the Landlord, made significant expenditures for renovations and equipment, and its peak business season will begin on February 1, 2005. Therefore, your assistance in releasing the permit and scheduling this matter for a hearing as soon as possible would be appreciated.

Please do not hesitate to contact me should you wish to discuss this matter further.
With kind regards, I am

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", with a long horizontal flourish extending to the right.

Lawrence E. Schmidt

LES: dls

Cc: Luke Golueke, Aruba Tanning Yorktowne, LLC (sent regular mail only)
Mitch Kellman, Daft McCune Walker, Inc. (sent regular mail only)
Sebastian A. Cross, Esquire

GILDEA & SCHMIDT, LLCDAVID K. GILDEA
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TOWSON, MD OFFICE
220 BOSLEY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE 410-837-7057

January 4, 2005

Sent Vial Facsimile & Regular MailMr. W. Carl Richards, Jr.
Department of Permits and Development Management
111 W. Chesapeake Avenue
Towson, MD 21204Re: Aruba Tanning Yorktowne, LLC/32 Cranbrook Road
Petition for Special Exception

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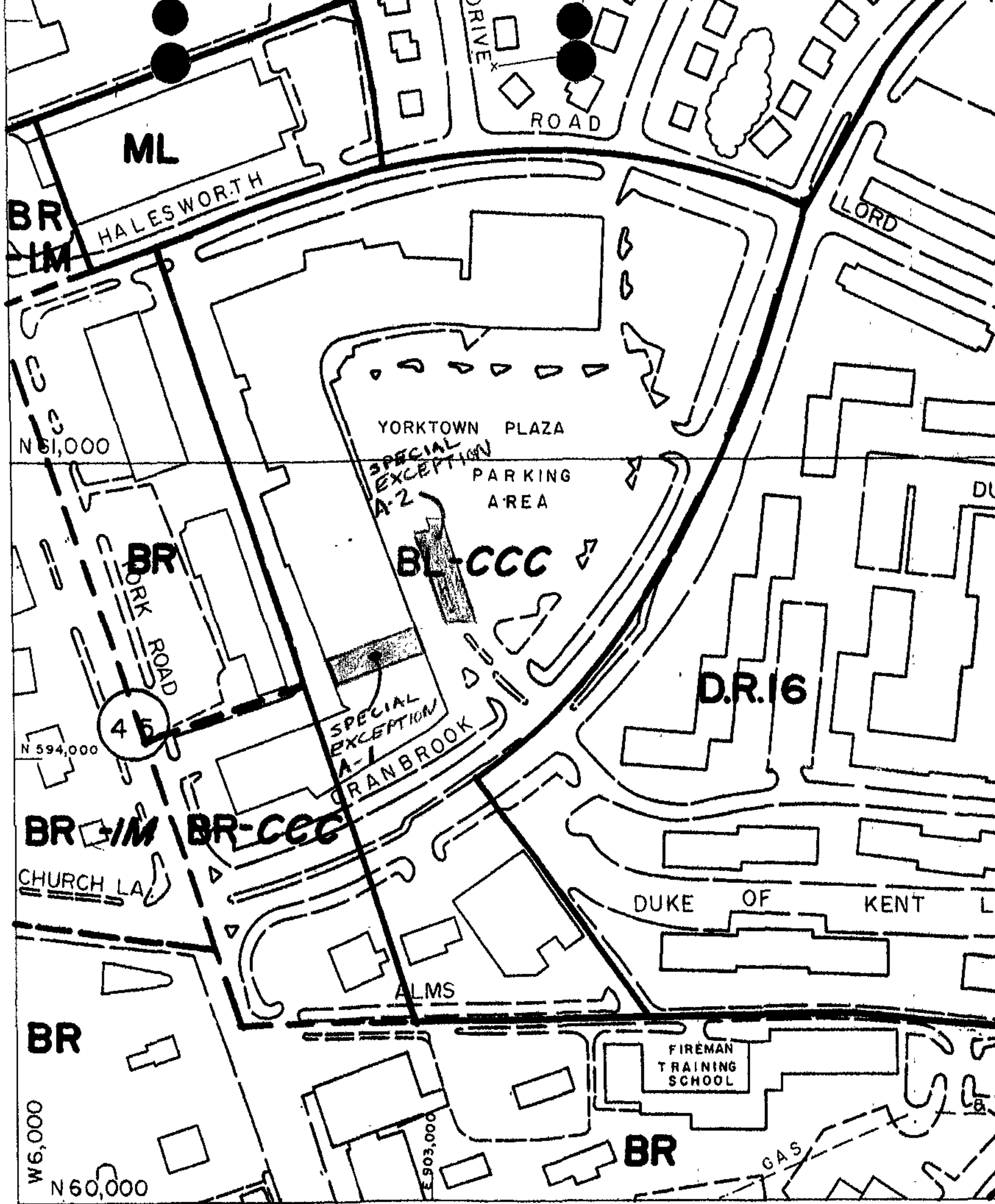
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*Tom -
Carl suggested
I go to the
top! I
saw Roscoe
but he
said see
you.
Call me
when
you
can
Larry
1/10/05
917-
7797*

CASE NAME 05-333-X
CASE NUMBER ARUBA TRAINING
DATE

PETITIONER'S SIGN-IN SHEET

[illegible]



NW 16-A

2000 COMP

V-SE U-SW

S-NE R-NW

333

THE BALTIMORE

OC

Bill Nos. 87-00, 88-00

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

[Signature]
Chairman

Ref No 2

This letter is to acknowledge that I am aware that Aruba Tanning Yorktowne, LLC has filed a petition for special exception, Case #05-333-A, to allow a community building (tanning salon) to be located within a shopping center zoned BL-CCC (Yorktowne Plaza).

By signing below as an owner/manager of an existing business located in the Yorktowne Plaza, I welcome Aruba Tanning Yorktowne, LLC to the Shopping Center.

Joey Chiu
Signed

Bamboo House
Business Name

Wanda J. Gennill
Signed

BLOCKBUSTER
Business Name

Ted Kolm
Signed

CRANBROOK LIQUORS
Business Name

Patricia Ann
Signed

TIMONIUM LIQUORS / LINEN LOCK
Business Name

Robert D. Green
Signed

GNC
Business Name

