IN RE: PETITIONS FOR SPECIAL EXCEPTION *

& SPECIAL HEARING

W/Side of S Marlyn Avenue, N Side

Of Martin Road

15th Election District

7th Councilmanic District

(516-518 South Marlyn Avenue)

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 06-213-SPHX

Michael G. Murphy, Legal Owner

and

Gary Bittner, Lessee

Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as Petitions for Special Exception and Special Hearing filed by the legal owners of the subject property, Michael G. Murphy, Legal Owner, and Gary Bittner, Lessee. The Petitioners are requesting special exception and special hearing relief for property located at 516-518 South Marlyn Avenue in the Essex area of Baltimore County. The Special Exception request is to use the property for a community building (tanning salon) in a B.L. zone. In addition, the Special Hearing request is to determine whether or not the Zoning Commissioner should approve in the alternative, if the Special Exception is denied, the principal use of a tanning salon "by right" as a beauty salon in a B.L. zone, pursuant to Section 500.7 of the B.C.Z.R.

A Notice of Zoning hearing scheduled for December 5, 2005 was published in "The Jeffersonian" newspaper on November 17, 2005 to notify any interested persons of the scheduled hearing date. However, the property was not posted as required and the case was set for another hearing date, December 28, 2005. No citizens or protestants appeared at the December 5, 2005 Thereafter, the property was posted with notice of the December 28, 2005 hearing on December 13, 2005.

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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;
- 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 sprit 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]

Section 500.7 of the B.C.Z.R. Special Hearings

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

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 on behalf of the special exception and special hearing requests were Janice Walker, George Amend, Jr., Nicole Hammond, Melissa Hammond, Shirley Wilson, Joanne Monroe, Carol Perkins, Kimberly Perkins, Kelly Perkins, Chuck Connelly, Robert Fraser, and Gary Bittner, Lessee. Rick Richardson of Richardson Engineering, LLC, who prepared the site

plan, was also in attendance. John B. Gontrum, Esquire represented the Petitioners. No protestants or interested citizens attended the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Code Enforcement Comments

This matter is currently the subject of an active violation case (Case No. 05-3140) in the Division of Code Inspections and Enforcement. A citation for code violation has been issued in this matter due to the fact that use of property as an open dump and requested to remove all furniture, trash, junk and debris from rear of property.

It should be noted, for the record, that the fact that a zoning violation is issued is simply ignored in this zoning case. This means that the Petitioner cannot use the fact that a use has been operated in the past to set a precedent in order to allow it to continue. Nor does the fact that a use may be costly to stop or modify come into consideration of the zoning case. The reason for this is that this condition is clearly self-imposed and as such cannot be a basis for the hardship or practical difficulty required by Section 307 of the B.C.Z.R. Conversely, the fact that something may have been done which could violate the law is not held against the Petitioner as some sort of an additional punishment. Zoning enforcement is conducted by the Department of Permits and Development Management, which has the authority to impose fines and other penalties for violation of law. This is not the province of this office.

Testimony and Evidence

Mr. Gontrum explained that the Petitioners have operated a tanning salon on the subject property under the trade name of Shirley's Tan and Tone for several years. This property contains approximately 0.5 acres and is zoned BL with three (3) addresses on South Marlyn Avenue: #516 - a leased single-family dwelling; #518 – the subject portion of the property; and #522 – leased to Gabco Plumbing and Heating Company. See Petitioner's Exhibit 1 for the overall layout of this small commercial strip and for the area of the requested special exception. Apparently, someone

 complained to the County about the tanning spa who, in turn, notified the Petitioners that they would need to apply for a special exception in order to keep open.

Mr. Gontrum indicated that he filed alternative petitions. First, he argued that the zoning regulations never contemplated tanning salons as there is no mention of them in the regulations. He recognized however that the Zoning Commissioner's Policy Manual under Section 230.13 lists tanning facilities as a subset of "other recreational facilities" which the Zoning Office has interpreted falls under Community Building category. These uses require a special exception. On the other hand, he filed for a special hearing to determine that a tanning facility is allowed in a BL zone by right. He argued that beauty salons and other personal service establishments are allowed by right in BL and CD zones. Consequently, a tanning facility should likewise be allowed in this zone by right being similar in nature. In regard to the special exception case, he noted that the uses on the property require 19 parking spaces whereas 21 are provided. The existing tanning facility, which has 12 beds, operates 24 hours each day seven (7) days a week. No parking is allowed on the rear lot between midnight and 6 AM in deference to the residences on Martin Road behind the center. See Photograph 21.

Mr. Gontrum presented a 41-page petition in support of continuing the tanning spa, Exhibit 3, and a letter from Delegate Michael Weir extolling the work done on the site to clean up a previously neglected property. See Exhibit 4.

Mr. Gontrum noted that the property has the L&B Tavern as a neighbor to the north for which parking on Martin Road possibly was the cause of the anonymous complaint. He opined that there was ample parking during the day and few customers after midnight so that even if the back lot is off limits, there is adequate parking on site. However, he emphasized that the part of the County still has many shift workers who need to use the facility after midnight. Ms. Wilson indicated that she often takes the midnight shift to clean the beds and interior of the facility. She also noted that there was adequate parking day or night. She recalled that police come to the

facility to check on things from time to time after midnight. Mr. Amend, who lives across South Marlyn Avenue from the facility, indicated that he is a customer who regularly comes for a tan between 1 and 2 AM. He has seen no problem with keeping the facility open 24 hours a day.

Findings of Fact and Conclusions of Law

Special Hearing

I certainly agree with Mr. Gontrum that the zoning regulations are woefully inadequate in regard to tanning facilities. The regulations simply do not recognize this legitimate business use along with country clubs, gyms, health clubs, etc. as listed in Section 230.13, Zoning Commissioner's Policy Manual. I hope the County Council will consider adding these uses to the regulations.

That said, traditionally the Zoning Office and this Commission has treated these uses under the special exception category rather than recognize their existence by right as Mr. Gontrum requests in the special hearing. If the Council were to recognize the uses listed in the Policy Manual, I am sure some would be placed in the regulations by right. It may well be that the Council would include tanning facilities along with beauty salons as uses by right in BL zones. However, I do not believe that this Commission has the authority to simply dictate this result without legislation. It could also happen, if the Council addressed this issue, that they would recognize the long-standing practice of this Commission and the Zoning Office to treat these as requiring special exceptions. As such, I will deny the Petitioner's special hearing request.

Special Exception

I find that the proposed use of a portion of the property as a tanning facility meets each criteria of Section 502.1 of the B.C.Z.R. and that the use will not adversely affect the community. I also find the use within the spirit and intent of the BL zoning regulations. From the evidence presented, this property had been badly neglected in the past and the Petitioner invested much time and money into improving its appearance and uses.

The only problem I have with this case is the fact that the facility operates 24 hours a day, seven (7) days a week. I can imagine this must take its toll on the Petitioners as well as the neighbors. Ordinarily, I would restrict the hours of operation to 6 AM to Midnight, which acknowledges the few customers one would expect and need for rest by all concerned. In addition, I worry that Ms. Wilson is in the facility all night long by herself. She could be a target for robbery or worse.

However, whatever the complaint which triggered this case, was not presented at the hearing. I have no evidence on the record of this case, which indicates operating between midnight and 6 AM has an adverse impact on the neighborhood. On the contrary, Mr. Amend who lives directly across South Marlyn Avenue, says that being open after midnight is a valuable and needed service to the community. I have nothing in the record to offset this testimony and so will not restrict the hours of operation. That said, I strongly recommend the Petitioner's voluntarily limit the hours of operation after midnight. I will require the Petitioner have an employee present while the facility is open.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' requests for special exception should be granted with conditions and special hearing denied.

THEREFORE, IT IS ORDERED, this Oday of January 2006, by the Deputy Zoning Commissioner, that the Special Exception request, to use the property for a community building (tanning salon) in a B.L. zone, be GRANTED subject to the following conditions:

- 1. The tanning facility shall be open for business only when an employee is actually present on site to supervise the operation of the facility; and
- 2. The Petitioners may apply for a use and occupancy 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;

IT IS FURTHER ORDERED THAT the Special Hearing request to determine whether or not the Zoning Commissioner should approve in the alternative, if the Special Exception is denied, the principal use of a tanning salon "by right" as a beauty salon in a B.L. zone, pursuant to Section 500.7 of the B.C.Z.R., is DENIED as moot;

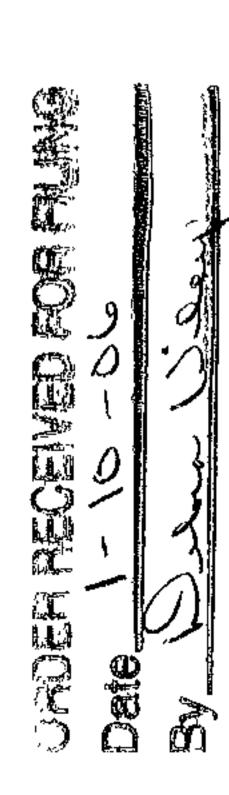
Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:dlw





JAMES T. SMITH, JR. County Executive

WILLIAM J. WISEMAN III Zoning Commissioner

January 10, 2006

John B. Gontrum, Esquire Whiteford, Taylor & Preston, LLP 210 West Pennsylvania Avenue Towson, Maryland 21204

> Re: Petition for Special Exception and Special Hearing Case No. 06-213-SPHX

Property: 516-18 South Marlyn Avenue

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above-captioned case.

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,

John V. Murphy

Deputy Zoning Commissioner

for Baltimore County

JVM:dlw Enclosure

Michael G. Murphy, c/o Hilltop Grocery, Highway 69 and FM 255, Colmesneil, TX 75938-0295 Gary Bittner, 518 South Marlyn Avenue, Baltimore, MD 21221 Rick Richardson, Richardson Engineering, LLC, 110 Old Padonia Rd., Suite LC,

Cockeysville, MD 21030

Janice Walker, 810 Brunswick Road, Apt. 2B, Baltimore, MD 21221

George Amend, Jr., 517 S. Marlyn Avenue, Baltimore, MD 21221

Nicole Hammond, Melissa Hammond, Shirley Wilson, and Gary Bittner, 930 Thompson Blvd., Baltimore, MD 21221

Joanne Monroe, 7238 Oliver Beach Road, Baltimore, MD 21220

Carol Perkins, Kimberly Perkins, Kelly Perkins, 921 Martin Road, Baltimore, MD 21221

Chuck Connelly, 2 Thurmont Ct., Baltimore, MD 21236

Robert Fraser, 12 Weber Avenue, Baltimore, MD 21221 People's Counsel; Case File j Cooke November 1988



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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at	516-518	South	Marlyn	Ave.
	presently zo			

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 Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve in the attendative, if the special englished, the use of a tanning salon as a beauty salon in a B.L. zone

"by right"

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

I, or we, agree to pay expenses of above Special Hearing, 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: Legal Owner(s): Michael G. Murphy Gary Bittner Name Type or Print Name - Type or Print Signature 410-977-4049 South Marlyn Ave. Address Name - Type or Print Telephone No. Baltimore, 21221 MDZip Code City Signature c/o Hilltop Grocery State Highway 69 and FM 255 409-837-2485 **Attorney For Petitioner:** Telephone No. Address 75938-0295 John B. Gontrum, Esquire Colmesneil, Zip Code Name - Type or Print City State Representative to be Contacted: Signature John B. Gontrum, Esquire Whiteford, Taylor & Preston LLP Name Company W. Pennsylvania Ave. 410-832-2055 210 W. Pennsylvania Ave. 410-832-2055 Address Telephone No. Address Telephone No. 21204 Towson, 21204 MD MD Towson, Zip Code Zip Code City State State OFFICE USE ONLY ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING Reviewed By REV 9715/98



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CACHE RECEIVED FO

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 516-518 South Marlyn Ave.

which is presently zoned B.L.

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 in a B.L. zone (tanning salor)

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 salemnly 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.

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Contract Purchaser/Lessee:	Legal Owner(s):
Gary Bittner	Michael G. Murphy
Name - Type or Print Signature Name - Type or Print Name - Type	Signature Signature
518 South Marlyn Ave. 410-977-4049 Address Telephone No.	Name - Type or Print
Baltimore, Maryland 21221 City State Zip Code	Signature c/o Hilltop Grocery
Attorney For Petitioner:	Highway 69 and FM 255 409-837-2485
John B. Gontrum, Esquire	Colmesneil , TX 75938-0295
Name - Type or Print City	Representative to be Contacted:
Signature Whiteford, Taylor & Preston LLP	John B. Gontrum, Esquire
Company 210 W. Pennsylvania Ave. 410-832-2055	
Address Telephone No. Towson, Maryland 21204	Address Towson, Maryland 21204
City Zip Code	City State Zip Code
Case No. <u>06 2/3 SPHX</u> REV/09/15/98	OFFICE USE ONLY ESTIMATED LENGTH OF HEARING

110 Old Padonia Road, Suite LC Cockeysville, Maryland 21030

410-560-1502, fax 410-560 0827

SPECIAL EXCEPTION AND SPECIAL HEARING ZONING DESCRIPTION TANNING SALON 514 - 518 SOUTH MARLYN AVENUE 15TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the North side of Martin Road measured from the centerline intersection of South Marlyn Avenue; southwesterly along the centerline of Martin Road for the following course and distance: South 77 degrees 00 minutes 00 seconds West 107.5 feet, and North 13 degrees 05 minutes 00 seconds West 25.0 feet, to the point of beginning for the area of special exception. Thence, (1) South 77 degrees 00 minutes 00 seconds West 53.84 feet, (2) North 12 degrees 34 minutes 00 seconds West 82.13 feet, (3) North 76 degrees 51 minutes 08 seconds East 99.16 feet, (4) South 13 degrees 00 minutes 53 seconds East 47.42 feet, (5) South 76 degrees 54 minutes 57 seconds West 46.01 feet, (6) South 13 degrees 05 minutes 03 seconds East 34.90 feet, to the point of beginning.

Containing an area of 6,577 square feet or 0.151 acres, more or less.

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BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE ACCOUNT AMOUNT \$ 1/0 00 1/15 April 18 April 1	(1) 計画 (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	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: #06-213-8PHX
516-518 South Maryla Avenue
107.5 feet west side of South Marlyn Avenue at north side of Martin Road
15th Flection District — 7th Councilmants Plates

15th Election District — 7th Councilmanic District
Legal Owner(s): Michael G. Murphy
Special Hearing to approve in the alternative, if the special exception is denied, the principal use of a tenning salon by right as a beauty salon in a B.L. zone. Special Exception to allow a community building (tanning salon) in a B.L. zone.

Hearing Manufacture in community building (tanning salon)

Hearing: Monday, December 5, 2005 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J, WISEMAN, III

Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handleapped 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.

11/217 Nov. 17

CERTIFICATE OF PUBLICATION

1117, 2005
THIS IS TO CERTIFY, that the annexed advertisement was published
n the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
once in each ofsuccessive weeks, the first publication appearing on 1117 _,2005.
☐ Arbutus Times ☐ Catonsville Times ☐ Towson Times ☐ Owings Mills Times ☐ NE Booster/Reporter ☐ North County News
P Wilkings

I SCAL ADVERTISING

CERTIFICATE OF POSTING

	RE: Case No.: 06-213-3PHX
	Petitioner/Developer: MICHIEC
	G. MURDAY
	Date of Hearing/Closing: DEC 282
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue	
Towson, Maryland 21204	101 C 2000
ATTN: Kristen Matthews {(410) 887-3.	394}
Ladies and Gentlemen:	• •
This letter is to certify under the penaltic posted conspicuously on the property loc	es of perjury that the necessary sign(s) required by law were sated at:
	TARLYN AVE
	·
The sign(s) were posted on	12-13-05
	(Month, Day, Year)
	Sincerely,
	Rank Black (2-13-05) (Signature of Sign Poster) (Date)
	(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)

516-518 S. MARLYN AVE

£*

DEC 15 2005

Department of Permits and Development Management

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



Baltimore County

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

November 30, 2005

NEW 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: 06-213-SPHX

516-518 South Marlyn Avenue

107.5 feet west side of South Marlyn Avenue at north side of Martin Road

15th Election District – 7th Councilmanic District

Legal Owner: Michael G. Murphy

Special Hearing to approve in the alternative, if the special exception is denied, the principal use of a tanning salon by right as a beauty salon in a B.L. zone. Special Exception to allow a community building (tanning salon) in a B.L. zone.

Hearing: Wednesday, December 28, 2005 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: John Gontrum, 210 W. Pennsylvania Avenue, Towson 21204 Michael Murphy, Highway 69 and FM 255, Colmesneil, TX 75938-0295 Gary Bittner, 518 South Marlyn Avenue, Baltimore 21221

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 13, 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.



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

Department of Permits and Development Management

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





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

November 4, 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: 06-213-SPHX

516-518 South Marlyn Avenue

but the Kotroco

107.5 feet west side of South Marlyn Avenue at north side of Martin Road

15th Election District – 7th Councilmanic District

Legal Owner: Michael G. Murphy

Special Hearing to approve in the alternative, if the special exception is denied, the principal use of a tanning salon by right as a beauty salon in a B.L. zone. Special Exception to allow a community building (tanning salon) in a B.L. zone.

Hearing: Monday, December 5, 2005 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: John Gontrum, 210 W. Pennsylvania Avenue, Towson 21204
Michael Murphy, Highway 69 and FM 255, Colmesneil, TX 75938-0295
Gary Bittner, 518 South Marlyn Avenue, Baltimore 21221

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, NOVEMBER 19, 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.



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

TO: PATUXENT PUBLISHING COMPANY

Thursday, November 17, 2005 Issue - Jeffersonian

Please forward billing to:

John Gontrum Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, MD 21204

410-832-2055

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: 06-213-SPHX

516-518 South Marlyn Avenue

107.5 feet west side of South Marlyn Avenue at north side of Martin Road

15th Election District – 7th Councilmanic District

Legal Owner: Michael G. Murphy

Special Hearing to approve in the alternative, if the special exception is denied, the principal use of a tanning salon by right as a beauty salon in a B.L. zone. Special Exception to allow a community building (tanning salon) in a B.L. zone.

Hearing: Monday, December 5, 2005 at 11:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204

WILLIAM J WISEMAN III

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 ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: <u>06</u> 2/3 SPHX
Petitioner: MURPHY
Address or Location: #5 5/6-5/8 S. MARLYN AVE
PLEASE FORWARD ADVERTISING BILL TO:
Name: JOHN B. GOWTRUM
Address: 210 W. PENNSYLVANIA AVE
AND WHITEFORD, TAYLOR & PRESTON LLP
(ATTN JOHN GONTRAM) TOWSON MD. 21204
Telephone Number: 410 832 2055
\mathbf{I}

Revised 7/11/05 - SCJ

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

December 5, 2005

John B. Gontrum Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue Towson, Maryland 21204

Dear Mr. Gontrum:

RE: Case Number: 06-213-SPHX, 516-518 South Marlyn Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on October 21, 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,
U. Call Rahal S.

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

c: People's Counsel Michael G. Murphy Hilltop Grocery Highway 69 and FM 255 Colmesneil TX 75938 Gary Bittner 518 S. Marlyn Avenue Baltimore 21221



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

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

DATE: November 9, 2005

TO:

Timothy M. Kotroco, Director

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For October 31, 2005

Item, Nos. 204, 205, 206, 208, 209, 211,

213, 214, 215, 216,

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

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-11092005.doc



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

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

November 2, 2005

ATTENTION: Zoning Review planners

Distribution Meeting of: October 24, 2005

Item No.: 20

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 J.D.Mezick Fire Marshal's Office 410-887-4880 MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

DATE: November 3, 2005

NOV = 4 2005

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case(s) 6-213- Special Hearing

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 Curtis Murray in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

10.31.05

Bal more County

Maryland Department of Transportation

Date:

RE:

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

Dear. Ms. Matthews:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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,

Steven D. Foster, Chief

1. 1. Arch

Engineering Access Permits Division

RE:	PETITION FOR SPECIAL HEARING
	AND SPECIAL EXCEPTION
	516-518 South Marlyn Avenue; 107.5'
	W/S S Marlyn Avenue, N/S Martin Rd
	15 th Election & 7 th Councilmanic Districts
	Legal Owner(s): Michael Murphy
	Contract Durchagor(a): Cory Rittner

*

Contract Purchaser(s): Gary Bittner Petitioner(s) BEFORE THE

ZONING COMMISSIONER *

FOR

BALTIMORE COUNTY

06-213-SPHX

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/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

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 28th day of October, 2005, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, 210 W Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

DATE:

November 18, 2005

TO:

W. Carl Richards, Jr.

Zoning Review Supervisor

FROM:

Rick Wisnom, Chief

Division of Code Inspections & Enforcement

SUBJECT:

Item No.: 213

Legal Owner/Petitioner: Michael G. Murphy

Contract Purchaser: Gary Bittner

Property Address: 516 South Marlyn Avenue

Location Description: 107.5 feet west side of South Marlyn Avenue at north side of

Martin Road

VIOLATION INFORMATION:

Case No.: 05-3140

Defendants: Michael G. Murphy

Please be advised that the aforementioned petition is the subject of an active violation case.

In addition, please find attached a duplicate copy of the following pertinent documents relative to the violation case, for review by the Zoning Commissioner's Office:

Complaint Intake Form
State Tax Assessment printout

Correction Notice/Code Violation Notice

Other: data entry printout

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Lisa Henson in Room 213 in order that the appropriate action may be taken relative to the violation case.

RSW/

c: Robyn Clark

Inspector -

CLARK

Area Case # Location

Zip Date Rec Reinsp Dt Apt

003

05-3140 516 MARLYN AVE S

4/21/2005 10/20/2005 21221

Tax Acct #: 1507410211

Owner: MURPHY MICHAEL G, PO BOX 295, COLMESNEIL TX 75938-0295

Complainant Name: (Last) ANON FAX

(First)

Addr:

Str #

Dir Street Name

Type Apt

City

Zip ST

Phone: (Home)

(Work)

Problem: OD, PLUMBING BUSINESS, ILLEGAL TANNING BUSINESS. 24 HRS.

Notes:

4/25/05 OPEN DUMP SITUATION INREAR. TANNING BUSINESS INSIDE BLDG. DOING RESEARCH ON ZONING. ISSUED A NOTICE. P/U ON 5/1/ 05. RC/SS ***5/4/05, ISSUED NOTICE FO R SPECIAL EXCEPTION, P/U 6/5/05 TO SEE IF APPLIED, ANONYMO US COMPL, RC/CP*** 9/7/05 PAPERWORK FOR S.E. DOWN STAIRS WI JEFF ON HOLIDAY P/U 10/20/05 TH JEFF PERLOW WILL CHECK WITH STATUS IN 30 DAYS P/U 10/7/05

Filed applications. Beaus met sel get No 11-5.05 for date

P/U // 5.05			Closed Date			Gary F to update		
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Executive office Complaint	Yes	No		If Yes is Exe memo attac		Yes	\$	No

Inspector -

CLARK

Area Case # Location

Reinsp Dt Date Rec Zip Apt

05-3140 516 003

MARLYN AVE S

4/21/2005 11/05/2005 21221

Tax Acct #: 1507410211

TX 75938-0295 MURPHY MICHAEL G, PO BOX 295, COLMESNEIL Owner:

Complainant Name: (Last) ANON FAX

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Addr:

Str #

Dir Street Name

Type Apt

City

(Home) Phone:

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Notes:

Problem:

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Executive office Complaint	Yes	No		If Yes is Exe		Yes	S	No

Inspector -

CLARK

Area Case # Location

Date Rec Reinsp Dt Zip Apt

003

05-3140 516 MARLYN AVE S

21221 4/21/2005 11/05/2005

Tax Acct #: 1507410211

MURPHY MICHAEL G, PO BOX 295, COLMESNEIL TX 75938-0295 Owner:

Complainant Name: (Last) ANON FAX

(First)

Addr:

Str # Dir Street Name

Type Apt

City

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Phone: (Home)

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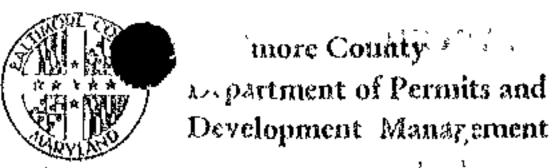
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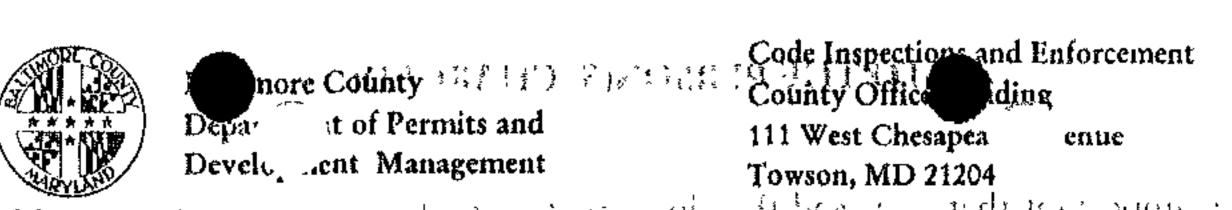
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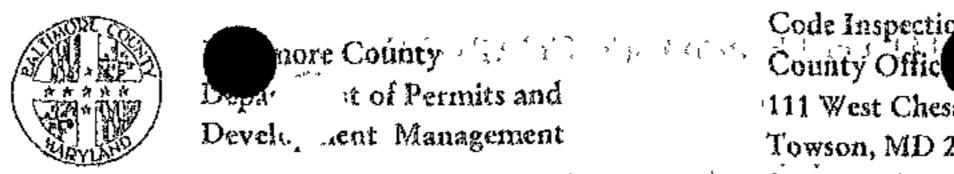
gniblic County 111 West Chesapeake Avenue

more County of the Control of Code Inspect and Enforcement Department of Permits and Development Management ' Development Management Towson, MD 21204 Code Enforcement: 410-887-3351 Plumbing Inspection: 410-887-3620 Electrical Inspection: 410-887-3960 **Building Inspection:** 410-887-3953 BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE Citation/Case No. Property No. Zoning: Name(s): _ 31 Address: Violation Location:

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Code Inspections and Enforcement ding 111 West Chesapea enue Towson, MD 21204

and a great of the contract the state of the Plumbing Inspection: 3-34 0-410-887-3620 Code Enforcement: 410-887-3351 Electrical Inspection: Building Inspection: 410-887-3960 410-887-3953 BALTIMORE COUNTY UNIFORM CODE ENFORCEMENT CORRECTION NOTICE Citation/Case No. Zoning: Property No. or normalisticistics Address: Violation Location: THE ROLLOWING BALTIMORE COUNTY 1 130 m The steam of the matter than the man the state of the YOU ARE HEREBY ORDERED TO CORRECT THESE VIOLATION(S) ON OR BEFORE: On or Before: Date Issued: FAILURE TO COMPLY WITH THE DEADLINE STATED IS A MISDEMEANOR. -A CONVICTION FOR EACH VIOLATION SUBJECTS YOU TO POTENTIAL FINES OF \$200, \$500, OR \$1000 PER DAY, PER VIOLATION, DEPENDING ON VIOLATION, OR 90 DAYS IN JAIL, OR BOTH. Print Name INSPECTOR: STOP WORK NOTICE PURSUANT TO INSPECTION OF THE FOREGOING VIOLATIONS, YOU SHALL CEASE ALL WORK UNTIL THE VIOLATIONS ARE CORRECTED AND/OR PROPER PERMITS OBTAINED WORK CAN RESUME-WITH THE APPROVAL OF THE DIVISION OF CODE INSPECTIONS AND ENFORCEMENT. THESE CONDITIONS MUST BE CORRECTED NOT LATER THAN: Not Later Than: Date Issued:

DATE: 04/20/2005

ANDARD ASSESSMENT INQUIRY (***)

NO

TIME: 09:02:35

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OCC. HISTORIC CLASS PROPERTY NO. DIST GROUP

06-00

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LOAD DATE DEL

02/15/05

MURPHY MICHAEL G

DESC-1.. IMPSLT WS MARLYN AVE

DESC-2.. 860 S OF PLATINUM AVE

PO BOX 295

15

MARLYN PREMISE. 00516

AVE 00000-0000

COLMESNEIL

TX 75938-0295 FORMER OWNER: DEPOITIERS EDWARD H

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> 11/20/04 ASSESS: 273,600

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ENTER-INQUIRY2 PA1-PRINT PF4-MENU PF5-QUIT PF7-CROSS REF

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COMPLAINANT And Fox	PHONE #: (H)	27-8416 (W)
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MICHAEL H. WEIR, JR. 6th Legislative District
Baltimore County

Environmental Matters Committee Chesapeake Bay Commission



Annapolis Office
305 Lowe House Office Building
410-841-3328
1-800-492-7122 Ext 3328
E-Mail michael_weir@house.state.md.us

District Office
418 Eastern Boulevard
Baltimote, MD 21221
410-391-7800
Fax 410-391-7803

The Maryland House of Delegates

Annapolis, Maryland 21401-1991

December 23, 2005

Mr. Timothy M. Kotroco, Director Department of Permits and Development Management County Office Building, Room 105 111 West Chesapeake Avenue Towson, Maryiand 21204

DEC 2 2005

Make 1

Re: CASE NUMBER 06-213-SPHX 516 - 518 South Marlyn Avenue

Dear Mr. Kotroco,

I am writing to express my support for Gary Bittner and Shirley Wilson's request for a special exception allowing a tanning salon in a B.L zone.

Ms. Wilson's business, Shirley's Tan & Tone is located in a building that was once neglected and unsightly. The parking lot was littered with an abandoned vehicle, trash and dangerous drug paraphernalia. Mr. Bittner and Ms. Wilson have spent large sums of money improving the building and cleaning up the parking lot. The property is now well maintained and attractive. The parking lot is clean and safe. Thanks to Mr. Bittner and Ms. Wilson, this former eyesore is now home to thriving businesses nurtured by local owners and employing local people.

Shirley Wilson is proud to have built a business that has the support of both the greater community and the surrounding neighborhood. Mr. Bittner and Ms. Wilson have worked hard to be good neighbors and in fact, many of Ms. Wilson's customers reside in nearby homes.

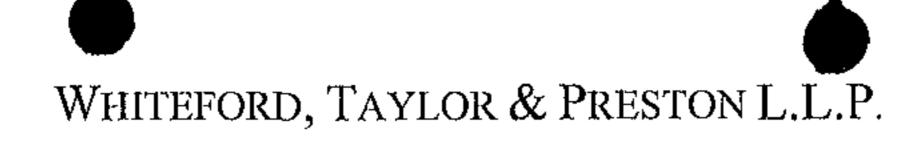
Just as the community supports Shirley's Tan & Tone, Shirley Wilson gladly gives back to the community by sponsoring local athletic teams, supporting local schools and donating to charities. Shirley's Tan & Tone has become an asset to the community and I hope a special exception will be granted.

Thank you for your consideration.

Michael H. Weir, Jr.

Delegate

Sincerely,



SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER 10420 LITTLE PATUXENT PARKWAY SUITE 495 COLUMBIA, MARYLAND 21044-3528 TELEPHONE 410 884-0700 FAX 410 884-0719

JOHN B. GONTRUM

DIRECT NUMBER

410-832-2055

JGontrum@wtplaw.com

210 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204-4515 410 832-2000 FAX 410 832-2015 www.wtplaw.com 1025 CONNECTICUT AVENUE, NW WASHINGTON, D.C 20036-5405 TELEPHONE 202 659-6800 FAX 202 331-0573

115 ORONOCO STREET
ALEXANDRIA, VIRGINIA 22314-1685
TELEPHONE 703 836-5742
FAX 703 836-3558

October 17, 2005

Via Hand Delivery

Mr. John Lewis
Department of Permits & Development Management
Room 111
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Drop-Off Filing: Petition for Special Hearing & Petition for Special Exception

516-518 South Marlyn Avenue

Dear Mr. Lewis:

As you may recall, I met with you a couple of weeks ago on the above-referenced filings. You requested certain changes to the Zoning Descriptions and the Plat. The changes have been made pursuant to your recommendations.

Therefore, enclosed for filing for the above-referenced property, please find the following:

- (3) Petition for Special Exception;
- (3) Zoning Description
- (3) Petition for Special Hearing;
- (3) Zoning Description;
- (1) Zoning Map;
- (12) Plats;
- (1) Check in the amount of \$325.00 made payable to Baltimore County; and
- (1) Check in the amount of \$380.00 made payable to Baltimore County.

Please contact me at the number noted above if you have any questions or concerns.

John B. Gontrum

JBG:ac Enclosures 345491

001 17 2005 05-3006 KEEP 1 SONING FILE 06-213-5PHX

FREQUENT FLYER ATTORNEYS DROP OFF ZONING PETITIONS POLICY PROCEDURES

The following zoning policy is related to the filing of zoning petitions and is aimed at expediting the petition filing process with this office:

- 1. The Director of the Office of Permits and Development Management (PDM) allows zoning attorneys who frequently file for zoning hearings and who are capable of filing petitions that comply with <u>all</u> technical aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of an appointment for review by zoning personnel.
- 2. Any attorney using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner may deny the petition due to errors or incompleteness. All petitions filed in this manner will receive a cursory review and if necessary they will be commented on by zoning personnel prior to the hearing. A corrective memo by zoning review may be placed in the hearing file to be considered by the Hearing Officer.
- 3. When a petition has been dropped off by the attorney, it will only be reviewed for very basic necessary input, logging, and distribution information.

SOME PLAN ISSUES REVENUED AT PROCESSING DROP OFF ARE "

1) THE TOTAL # OF PARKING SPACES USED

TO SUPPORT THE TANNING SALOW ARE NOT LOCATED

3/22/05 JLL/rjc

IN THE SPECIAL EXCEPTION AREA

- THE CONTRACT PURCHASERS ADDRESS ON PETITION FORM DOES NOT AGRES WITH PLAN.
 - 3) THE PLAN OTHER THAN IN THE TITLE HAS NO REFERENCES TO THE ALTERNATIVE SPECIAL HEARING.
 - a) completed ADVIERTISING FORM NOT PROVIDED.
 - 5) THE ADDRESS ON PLAN: 516-518 VS, 518

TRANSMISSION OK

TX/RX NO.	5276
CONNECTION TEL	94108322015
CONNECTION 1D	W.T.& P.
START TIME	11/30 13:31
USACE TIME	00'37
PAGES	.1.
RESULT	OK

WHITEFORD, TAYLOR & PRESTON L.L.P.

5EVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202.
1626
TELEPHONE 410 347-8700
FAX 410 752-7092

30 COLUMBIA CORPORATE CENTER 10440 LITTLE PATUXENT PARKWAY COLUMBIA, MARYLAND 21044 TELEPHONE 410 884-0700 FAX 410-884-0719 210 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204-4515 410 832-2000

FAX 410 832-2015

1025 CONNECTICUT AVENUE, NW WASHINGTON, D.C. 20036-5405 TELEPHONE 202 659 6800 FAX 202-331-0573

1317 KING STREET ALEXANDRIA, VIRGINIA 22314-2926 TELEPHONE 703 636-5742 FAX 703 836-0265

TELECOPY TRANSMITTAL

Total Pages (inclu	tding cover sheet):	1	Date:	11, 29/05
Fax Number:	410-887-3468	· ····································	File No.:	80/483.1
Firm Name:	Zoning Commissi	ioner's Office		
Attention:	Debbie			
From:	Sandy Rippon (41 Gontrum, Esquire	0-832-2111), Adın	inistrative A	Assis ant to John B.
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PRIVILEGED AND CONFIDENTIAL - All information transmitted hereby is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the above address is a the U.S. mail

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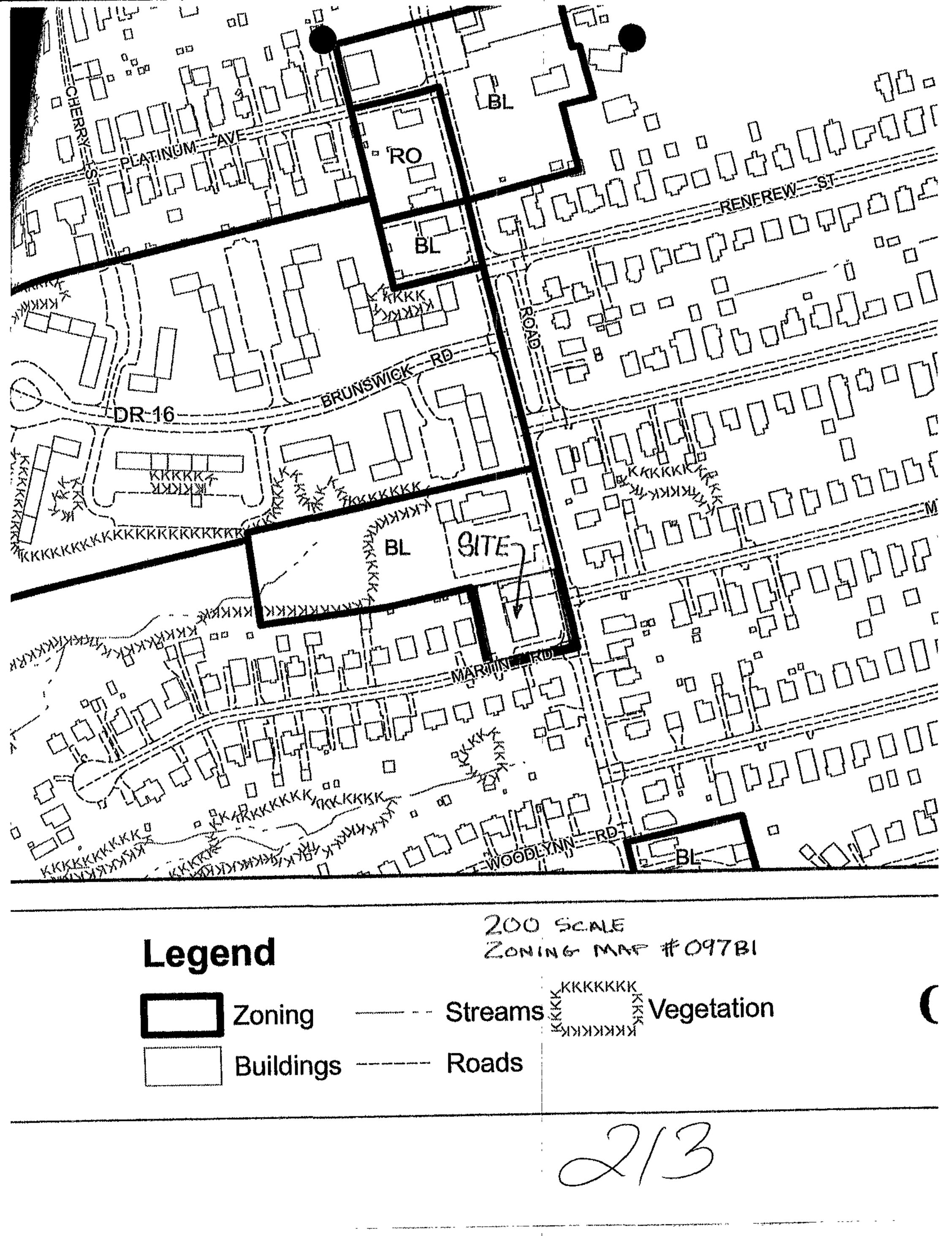
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PETITIONER'S SIGN-IN SHEET

E- MAIL																	
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NAME	Janice Walker	Search My mends	NICOLE HAMMOND	MELISSO HAMMOND	Shily W1152	Gary Bither	Joseph Michael	Card Park	KIMBERLY PERVINS	Kelly Perking	Buck Comelles	ROBERT HARER					



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)

Yorktowne Plaza Associates, LLC By: Jerry Rosenberg, Gen. Counsel,

Legal Owner

and

Aruba Tanning Yorktowne, LLC, Lessee **Petitioners**

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 05-333-X

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:

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

- 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 sprit 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

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 36 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

Section 230 Business, Local (B.L.) Zone Use Regulations [BCZR 1955]

The following uses only are permitted (see Section 230.12):

- Uses permitted and as limited in the residential zone immediately adjoining, except that animal boarding place, Class A, is permitted only as a special exception and kennel is prohibited. [Bill No. 85-1967]
- 230.2 Convalescent home.
- 230.3 Tourist home, boarding or rooming houses.
- Fast-food, drive-through-only restaurant, carry-out restaurant, fast-food restaurant, and standard restaurant, tearoom, convenience store and dairy barn, except that a special exception is required for a fast-food, drive-through-only restaurant or a fast-food restaurant that is located on property that is zoned BM-CT and is adjacent to the property line of any residentially used property in the Towson Commercial Revitalization District. [Bill Nos. 40-1967; 110-1993; 86-1994; 27-2003]
- 230.5 Bank, building and loan association.
- 230.6 Offices and office buildings.
- Private colleges, dancing schools, conservatory for music and the arts, dormitories and fraternity and sorority houses. [Resolution, November 21, 1956; Bill No. 47-1985]
- 230.8 Business and trade schools.
- 230.9¹ Alcoholic beverage package store

Amusement devices, subject to the provisions of Section 422 [Bill No. 29-1982]

Antique shop

Arcade, subject to the provisions of Section 423.A [Bill No. 29-1982]

Automobile accessory shop

Automobile parking lot

Bakery, but goods baked on the premises must be sold only at retail on the premises

Barbershops and beauty shops [Bill No. 9-1999]

Billiard and pool rooms [Bill Nos. 61-1967; 85-1967]

Bowling alley [Resolution, November 21, 1956; Bill Nos. 58-1957; 85-1967]

Camera, photo-supply or film-processing shops or pickup stations (including "drive-by" facilities) [Bill No. 43-1970]

Candy store, but goods made on the premises must be sold only at retail on the premises

Clothing and accessory stores

Commercial film production, subject to Section 435 [Bill No. 57-1990]

Dairy products store

Editor's Note: Of the entries which follow, the ones without bracketed historical information were reenacted without substantive amendment by Bill No. 58-1957, and again by Bill No. 9-1999.

Department store

Dressmaking and millinery establishments

Drugstore

Dry cleaning establishment, coin-operated, or retail store plant, etc. (as regulated by the Baltimore County Building Code, Baltimore County Fire, Health and Police Regulations) [Bill Nos. 142-1962; 85-1967]

Dry cleaning pickup station

Duplicating service business [Bill No. 117-1983]

Electrical contractors and appliance repair shop [Bill Nos. 58-1957; 85-1967]

Florist

Food store

Fortune-telling establishments [Bill No. 124-1978]

Fuel service stations in a planned shopping center or drive-in cluster only, subject to Section 405 [Bill No. 172-1993]²

Furniture and upholstery stores

Garden center [Bill No. 41-1992]

Gift shop

Hand laundry employing not more than five persons

Hardware store

Helistop [Bill No. 85-1967]

Hobby shop

Household appliance store

Jewelry store

Laundromat or self-service laundry

Laundry-pickup station

Medical clinic [Bill No. 37-1988]

Parking lot [Resolution, November 21, 1956; Bill No. 85-1967]

Pet shop

Photographic studio

Picnic grove [Resolution, November 21,1956; Bill No. 85-1967]

Public utility service center

Radio shop

Radio studio

Rail passenger stations, subject to Section 434 [Bill No. 91-1990]

Residential art salon [Bill No. 85-1967]

Shoe repair shop

Social clubs and fraternal organizations

Sporting goods store

Stationery store

Swimming pool

Tailor shop

Tavern [Bill Nos. 43-1963;³ 85-1967]

² Editor's Note: "Funeral establishments," which followed this item, was repealed by Bill No. 43-1970.

Editor's Note: Bill No. 43-1963 erroneously indicates that this entry was listed in this Section in BCZR 1955 and repealed by Bill No. 58-1957. Actually, the entry was originally listed only in Section 233.2; the entry was, however, erroneously deleted from the latter section as printed in the 1957 published edition of the amended zoning regulations.

§ 230

ZONE AND DISTRICT REGULATIONS

§ 230

Television shop Television studio

(Cont'd on page 2-53)

2-52.1 7-15-2003

Temporary or occasional outdoor sales of cut flowers or live plants (not in connection with florists' establishments), provided that the sales area does not exceed 200 square feet and that the sales are carried on for no more than 120 days per year. Before approving an application for any license required, the Zoning Commissioner must approve a site plan for the premises, showing the sales area and the dates on which flowers or plants are to be sold. Any provision of these regulations to the contrary notwithstanding, the Zoning Commissioner's approval of such a license shall expire one year after its issuance; however, such a license may be reapproved annually upon request of the licensee [Bill No. 174-1981]

Transit facilities [Bill No. 91-1990]

Variety and dry goods store

Veterinarian's office [Bill No. 85-1967]

Veterinarium [Bill No. 85-1967]

Wireless telecommunications antennas or wireless telecommunications towers, subject to Section 426. [Bill Nos. 64-1986; 30-1998]

- 230.10 Combinations of the above uses. [Bill No. 111-1968]
- Accessory uses or structures, including signs (see Section 450), garages and parking spaces for the use of owners, employees, tenants and invitees. A maximum of six coin-operated children's rides are permitted as an accessory use. [Bill Nos. 111-1968; 29-1982; 89-1997]
- 230.12 All the above uses in Section 230 are subject to the following conditions:
 - A. They shall be contained, except for signs, restaurants, swimming pools, outdoor sales or display areas, parking lots, helistops or picnic groves within completely enclosed buildings. [Bill No. 85-1967]
 - B. Not more than five persons shall be engaged in the repair or fabrication of goods on the premises.
 - C. Not more than five horsepower shall be employed in the operation of any one machine used in repair or fabrication, and not more than 15 horsepower in the operation of all such machines.
 - D. Storage and display of materials, vehicles and equipment are permitted in the front yard, but not more than five feet in front of the required front building line.
 - E. In case any property line of a commercially zoned corner lot abuts a residential zone on a side street, no separate and distinct commercial use may be made of that portion of the lot which abuts on the side street unless a site plan for the entire corner lot as a commercial unit shall have been approved by the Baltimore County Office of Planning and the Baltimore County Bureau of Engineering, Department of Public Works. Any division of ownership of such lots shall be a subdivision and require approval of the Office of Planning. [Resolution, November 21, 1956]
 - F. Where the requirements in Section 230.12.A, B or C would create an undue hardship, the Zoning Commissioner may approve a modified plan upon petition and public hearing thereon.

230.13 Special exceptions. The following uses when permitted as special exceptions (see Sections 270 and 502):

Animal boarding place, Class A [Bill No. 85-1967]

Arcade, subject to the provisions of Section 423B [Bill No. 29-1982]

Automotive-service station, subject to the provisions of Section 405 [Bill Nos. 40-1967; 85-1967]

Boatyard [Bill Nos. 64-1963; 85-1967]

Car wash [Bill Nos. 108-1964; 85-1967]

Commercial beach; with provision of adequate parking area, and permitting dressing facilities, snack bar, picnic area and boat rental [Bill Nos. 64-1963; 85-1967]

Community building, swimming pool or other structural or land use devoted to civic, social, recreational and educational activities, including use of the building as a catering hall [Bill Nos. 64-1963; 85-1967; 26-1988; 110-1993]

Community care center [Bill No. 91-1974]

Drive-in restaurant [Bill Nos. 40-1967; 85-1967]

Dry-cleaning plant (see Section 416) [Bill Nos. 133-1958; 85-1967]

Excavations, controlled (see Section 403)²⁰

Funeral establishment, except that any funeral establishment which was a legal use immediately prior to this provision's taking effect²¹ and which has since remained continuously in operation is a conforming use, permitted as of right; as such, it may be expanded or otherwise changed in the same manner as any other use permitted as of right. Such funeral establishments shall be a permitted use without the necessity of obtaining a special exception, provided said site was either owned or leased for a term in excess of 15 years by a funeral director who is duly registered as such in accordance with state law, prior to April 9, 1970 and provided said ownership or lease is either as an individual person or in the name of a corporation, the majority of the common stock of which is owned by said registered funeral director or together with a spouse as joint owners, or joint lessees, or as tenants in common or joint lessees by virtue of a partnership or joint venture with one or more other duly registered funeral directors; and provided further said registered funeral director files with the Zoning Commissioner of Baltimore County no later than December 31, 1970 satisfactory evidence of ownership or leasehold interest as outlined above [Bill Nos. 43-1970; 105-1970]

Garage, service

Golf course, country club or other outdoor recreational clubs; also quasi-public camp, including day camps, but no such uses shall be located on less than five acres, and no building, parking lot or out-of-water marine craft storage thereon shall be located within 60 feet of any residential property line [Bill Nos. 64-1963; 85-1967]

Golf driving range, miniature golf and baseball batting range Heliport, Type II [Bill No. 85-1967]

Editor's Note: "Filling station," which followed this item, was repealed by Bill No. 40-1967.

²¹ Editor's Note: This provision became effective on April 9, 1970.

Hotel

Laboratory

Living quarters in a commercial building

Marina [Bill Nos. 64-1963; 85-1967]

Motel or motor court

Public utility uses other than those noted in Sections 200.11²² and 230.9 (see Section 411)

Signs, outdoor advertising (see Section 450) [Bill No. 89-1997]

Sludge disposal facility – co-landfilling (see Section 412A.2.A) [Bill No. 46-1982]

Sludge disposal facility – composting (see Section 412A.2.B) [Bill No. 46-1982] Sludge disposal facility – handling in general (see Section 412A.2.C) [Bill No. 46-1982]

Sludge disposal facility – incineration (see Section 412A.2.D) [Bill No. 46-1982] Sludge disposal facility – landspreading (see Section 412A.2.E) [Bill No. 46-1982]

Theater, excluding drive-in

Volunteer fire company

Wireless telecommunications towers, subject to Section 426 [Bill Nos. 61-1967; 85-1967; 64-1986; 30-1998]

Section 231 B.L. Zone Height Regulations²³ [Bill No. 7-1962²⁴]

A. Purpose and intent. The intent of the following method of height determination is to permit maximum flexibility in proportioning height and bulk in the architectural design and functional planning of buildings in commercial zones, while assuring that a new building will not deprive existing or potential adjacent buildings of adequate light and air circulation. Terms placed in quotation marks are not found as definitions in Section 101 and apply specifically to this section only. The regulations impose a flexible height "tent" within which the building may rise. Along a street, alley or other public way, such "tent" extends upward at a forty-five-degree angle toward the subject property from the opposite side of the street or alley along its front, side or rear. The height may be averaged; that is, some portions of the building may project above the "tent," provided other portions, equal in total area, stay proportionately below it. From any rear or side lot line which does not adjoin a street, alley or other

Editor's Note: Section 200.11 [BCZR 1955] was repealed by Bill No. 100-1970. It read as follows:

[&]quot;Public utility uses as follows:

[&]quot;a. Telephone and telegraph lines.

[&]quot;b. Electric light and power lines, including transformers and transformer banks, when located on poles, on or contiguous to public highways, alleys, rear lot lines, railroad rights-of-way or if carrying less than 35,000 volts.

[&]quot;c. Conduits, cables; gas, sewer, storm drain, and water mains, all located underground.

[&]quot;d. Railroad."

²³ Editor's Note: See also Appendix I of this volume.

Editor's Note: This bill also repealed the former provisions of this section, derived from BCZR 1995.

ZONING COMMISSIONER'S POLICY MANUAL

SECTION

230.13 SPECIAL EXCEPTION USES

OTHER RECREATION FACILITIES including one or several of the following uses:

COUNTRY CLUB
GYMS
HANDBALL COURTS
HEALTH CLUB/SPA
RACQUETBALL COURTS
RELAXATION TANKS
TANNING FACILITY
TENNIS COURTS
WEIGHTLIFTING OR RESISTANCE EQUIPMENT
WHIRLPOOL SPA

See the following case: 83-151 XSPH

FUNERAL ESTABLISHMENT A crematorium is not allowed by right or by special exception in any zone, but is permitted by hearing as an accessory use to the principal use of a funeral establishment.

See the following cases: 71-243-X

85-003-SPH

90-156

NAME

ADDRESS

PHONE

1 Sandra M. Simmons 611 Hyde Park Rd. 601 410-686-8642 N
2 howard White \$13 Walnut Shove 410.682.9047 \ 3 polyberon 3 Kock a. Court BALTO MD 1221 No
3 be Denor 3 Kock & Court BALTO MD 175" N-
4 Amanda Motthews 112 Essex Ave Batt met 21221 -4-
5 Beth Marks 324 River Side DR 2102 238-7516
6 Jannie Stamm 309 Grooge Ave 2122/ 08/80/2
7 Shawne Boyd 1105 Baucea yourdere 21221 - N
8-1000 FETGUSON 45 TLAROSE DRIVE 410-238-2653 -4
9 Ashley Jogcreit 1412 (101100 Rd 410-686-8555
10 Christina Schappell 6/15 Fait thre 4/09/11/3033 N
11 Debbie Mquaid 9723 Conmar rd. 410 574-8310
12 Rose Dean 426 Hornel St 410-6331776
13 alicia Jones 15 Gyro Dr. 410-574-4252
14 Deborah Pollhammer 9731 Bird River 4105743963
15 Kara Diffeferno 25 Monteux et 410 529.2134
16/10 Jone 5 Polo C/212,443927-5378
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1 Jessica Walton 1983 Berk 410-925-1382 N
2 Sharon Guten 706 Grantwood Rd N
3 Wanda Board 9820 Sapelo Rd 21220 N
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5 TiNA Venter 3020 Liberty Place 21221 410-284-8098
6 Jekki Caffield 34 Warnen Rd 21221 443-772-9898
7 Muchelle Sayfield 54 Women Rel 21221 443-772-9878
8 Dana J. Fleischmann 219 Helena Rd 410-391-8247
9 Krissy Lawrence 938 WrollynnRd 410:391-9544
10 Lois lawrence 938 woodlypp let 410.3919544
11 Kaya lawrence 938 wood Junn Rd 410-3919544
12 Kathi Taylor 400 KOSOOK RD 443-465-5161-4
13 ROB MCCORMICK 443-653-1136
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15 Shely Jones 3/8 Stemmers Ren Red 2/2/
16 anna Fritzais 2 Hedgeford Ct. 410-55990331 N
Page 2 OF 4

ADDRESS

PHONE

1 Heather Hagerman 794 Plat Ave. 410-574-8839 V.
2 Marl Luciones Williams 410 574-1867
3 Rénée White 4250 Baylis CT 575-73355
4 Many Muller 45 Drift wood Ct leble 4010
5 Valene Smith 48 Driftwood Ct. Lelle-4416
6 Sephie Akur & Many Lewil
7 Morgan 9 Lisan 7102 Olivanion Rd. 335-8869
8 Dawn Locke 1717 Manon Rd 4102889374
9 Evin Smith 2301 TUVKey At Rd (410)391-7825 N
10 January atertical 1449 (Kent Rd. 410) 687-5136
10 Jamise Water Lie let 1449 Kent Rd. 410) 687-5136 11 Christine Leener le Pelczar ful. Baltoziny 410391 9294
12 Heather M. Smith 350 Poplar Rd. Balto MD 21221 410-391-
13 Debotah hetter 10 Belinda Ave 21206 410-905-4363 Y
14 Danvelle armetta King Richard Ct. 21237 410-375-2048N
15 Dozaldy Hendmon 613 Canalleros A Rd 410-335-3012
16 Xisa Rin 358 End Strigh Au. 21221 443 802
Page 3 OF 4

NAME

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15	Anne puggs 1531 Hopewell Are 40-780-9315 N
2	Genniger Brakefield 3949 Bayville 12d 410-3358974 N
3	Maragant Reylon 3918 Tedenrood Rd 410-591-4466
4	Bennie Kesschißly 4 Newigason Cf. 40-686 468
5	Dramb Horwood Byld Bysenius Rd (410) 457-1321 W
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7	restort Holoantes 1301 Southwell Lane. 443-465-486
8	Lue Træker 6 Right Aileron 25t (3919159)
	Marva Kapoudas 1335 Stratonway 410-008-9111
	Amanda hearns ussmeadowrd, 443-468-806
	3ritnee McGraw 14Breaker C+ 4/10-5743219
12	Dean Bladson 410-574-6926
13	5Teven 1015T 410-682 4391
14(Dariese Coppie 1018 Cherlyn ave 410 687-2677
15	Barbara Worner 319 Stemmers Run Road
16/	Barbara Woerner 319 Stemmers Run Road Disa Leach 925 Martin Rd. 4105748991 (Y)
	Page 4 OF 4

NAME

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2 Alismander 2141 Genernorwed. 410:574.7922
3 Nock Cornelly 4/0-302-6966
4 Ben Hagner 428 Rwende Dr. 410-391-0439
5 (MSter 1 len 708 Fredlast Hur 443-690-6055
6 Jammy Eady 2124 Cockspur Rd 410-686-9612 yes
7 ERIC KUMRMANN 5 PAISLEY CT 21221 4/10-780-2684
8 Guler Chamberlain 133 Third Road 21220 414687-6255
9 SaraLand 9800 Edisto Way 410-686 5084
10 Tammie Pakacki 2112 Sunnythorn Rd 391-4114
1104/RISTENIA Godwin 951 Middlewer 443-772.9824
12 Kristy Livon 100 alcock Rd 443-222.1764
13 Kelly Flynn 307 South Easten terr 410-499-546
14 Wayne Moonthead 2112 Sunnythorn 410.391-411
15 hay a Charaberlain 13/3 third RD 4/10-687-6253
16 MICOTE ECONOMAS 1535 NICOTAY WAY 410238-1535
Page 5 OF 41

NAME

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1 Spring Model 502 Boromac Ave (410) 391-1293
2 MOMM HOHMH Panc Drive 410-335.6712
3 Chris Knudsen 410-574-6142
4 Lauren Knudsen Franklin 410-574-6142
5 JEN Harris Pt Rd 2132410 687-6539
6 TAMMY CAMPAGNA IAME OF 443-740-4103
7 Jeanine Dockery 945 Foxridge In 21 443-740-5456
8 Maria 16 4 francisco 4403356712
9 Stephanie Stiffur Firethorn 443.392.6957
10 MINOCIPIX 4142 CUHUSONKRD 410-3350 3344
11 Brandie Sullivan 211 Elhroad 443.690.5856
12 Janny Krops 7184 Graythorn A.
13 Donna Dailly 7579 Berkshie Ed.
14 NUMBER STEKS 410-935-8940
15 Daw Wheeler 410 574-3674
16 Hophanie L. Sasser 410) 574-5522
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1 Jell Hilker at Dinudral Mill 410-952-5739
2) orestatere 2101 Orems Rd. River Ad-21230 443-567-8201
3 Terry Stevens Sameas Above 410-687-1735 Yes
4 Mary Alt 30 Gira Dr. Middle River 21220
5 Lauren Stevenson Sauchalcotsa 410-935-4451
6 Cindy Jon 37 Running Ct 443.392-7231 NO 7 Bonita X. Graff 2117 Sunnythorn Rd. 410.682-2567
7 Bonita K. Graff 2117 Sunnythorn Rd. 410-682-2567
8 hoked Blazelc \$1210 Sine RD Middle River MD 21220 445-286-1706
9 Patricia Foord 39 Cutter Care Ct 410-335-4544 no
10 Park Bress, 6806 hestierd 40335-6133
11 (Jonnie Burchill 612 Lanoitan RQ 410238-3773
12 Hegther McD009 d 9445 BindRiver, R (410)-284089
13 Patricia Frankhouse 1144 Quantul Way Balton, Mol 21205 410-488-1228
14 Bri (DAVIS PO BOX 3546) Balto Md 21272
15 Rita Happina 1109 Chesco ave 443-278-6541
16 StOOL Waller 1117 Foxwood Game 410-1087-7767 No
Page Q OF 4

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PHONE

APPEAR Y/N

36 East Riverside Ave. 6 WAWS 10 Barracle CT 410-780-4477 9 Andel Bevans 10 Barnacie et. 410 7804477 10 Alicia Padgett- 10500 Brown aux apt C3 No er Grace 1722 Momest Bpt CYNo 12 Kell Perkins 921 Martin 2d 410-686-86-32 13 DONNA GERKE 19 Walkerv Rd. 410-682-5187 14 Ashley Otto Transverse are 410 le 86-2797 15 Shirley Sams Transverse ave 410. 484. 2772 Olleen Swill 2134 Vailthu Pol 410-238-1578. Ves Page O OF 41

ADDRESS

PHONE

APPEAR Y/N

1 Cheistina Willig 804 Christon Point Road (443)739-0477
2BRIAN HAIDON 1/02 OAK AVE 410-574-873 Appear No 5 Center Section Ct 410-780-4202. 521 Maple Ave. 443, 928, 6303 no 8 Rev. Robert Wily DD. 2230 Old Eastern Ave. 443-413-2224 2 Parkwind ct Bait. mp 21234 418 5631 10 Brett-Denby 2 Parkwind Ct. Balt. MD 21234 443 8017 U31. 11 Melissalanatina Borightwing DR Baltino 2120 GBT-6237 Gronelel 3 Paidley Court Balto. Mc Stary Kush 919 martin Kaad Butthore, mi 21/21 687-0997 Dendene are 1101 N. marlyn are 21221 410574-2041 Stephanie Hamer 8031 Kimperly Road 21222 410 282-41011 Page 10 OF 4(

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APPEAR Y/N

Manda Kluver 8105 Dukie Ave 21222 410-288-4515 2 Devise Edwards 156 Seaway Rd-2021 4105746355 40 3 Stacey Britton 921-26 Garden Dr. 21221 410-238-1799, 1 Janua Lusson 10 adu Ré Zerry 410-574-9222 Dorothy Milly 1602 Revenuous Rens 410-687-0174 Yes Jammy Stiffler 11 Whitethow Way 410-238-2576 gps 3/24Pulaski Hury 46 2387087 jetruska 933 Renfrecust 410-682-5587 Inna Knudy 819 Browswick Rd 410 780-5339 VIS 9721 Bird River Rd 443.829.6580 yes Kehundt 9723 Bird River Rd. 410:391-4334 14/MARY ALTOBELL 904 TOBIAS Way 410 877 8480 2000 Freeman 324 Tornald 21201 4105745590 1 Kommela 120 Holly Circle 410.574.389 6 4

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1 Kose Mc James 1114 Coch St 410-6825392 NO
2 Pan Mager 734 Slawell Rel (410) 750-3556 NO
3 RAchel Ayres 3906 cutt / Sark (410)335-9341 NO
4 (aRd Robb 10 Platean Rd 410 687-6194)
4 (ard Robb 10 Platean Rd 410 (89-6-194) 5 DONNIE PLEXANDER 2020 TRED FIVEN RD 21221
6. Eve Dodd 4106877394 norsaixere Runchase Rd.
7 Pob FRASIER 12 WEBER 21221 410 238-0383 YES
8 Mai lennedy 134 Villager Circle 31888 Avail.
9 ROSINA Schuttz 1900 Middleborough Rd. 21221
10 Debbie Martin 3909 Hunt Harbor Rd 410-344-0378
11 Joynne Prott 300 upperlanding rd 400587-8618
12 Jennifer O'Mara 443 Essexwood Ct 410-687-1456 13 Tammy Kiefner 3 Marger CT 3D 410-866-7877
13 Tammy Kiefner 3 marcher CT 3D 410-866-7877
14 MARISA ROHRBAUGH BAHO, MD. 21202 410-485-3487
15 Jody Stilley 4/25 (1) in 410.391.555
16 Erika Rohrburgh 1415 Valley View Ave. Balto. MD 2006 (410) 485-3487
Page 12 OF 4

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1 1 renessationer 718/19/10/963-8788 y
2 summer AUSTRIA 2012 SUMMIT AVE 410-866-4123 4
3 Valeria Practico 1 Duchess Lt. 410-391-2952 or 410-916-5893 Y
4 havra DeWitt 808 Brunswick Rl 21 410-780-9765
5 Linda Vol2 1207 neighbors Ave 410-686-3251
6 Colie Fisher 1207 neighbor Ave 410-686-3251
7 Karen Grines 8032 Bank 40284-1532
8 Carrie Grames 8032 Bank 410-284-1532
9 Graceann Shipe 8011 Woodhaven Rd 4108665704 Y
10 Rhorda Knudsen 513 Franklin Ave. 410-574-6142 N
11 Michello So, Dert 2106 Cockspor 410-391-1976
12 Angela Somers 2108 Southorn Rd. / 21220 443:
13 magn + Cyndi Scheler 21236 (10)668-3149 N
14 Stophanie Keller Parto, Ma. 21237 410-916-7587 N
15 1) arrell Sell 90-1 40 more five
16 Naline Maduell 410-687-0892 Monday

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PHONE

1 Donna Hagerman 722 W. Kingsway RD 10860-40600 N
2 Shannon Hagerman 722 W. Kingsway RD (1864060 N
3 Liz Williams 10 oldfield Ct. 687-1784 IV
4 Heather Williams 10 oldfield Gt. 1087-1784 N
5 Kathy Drzwiecki 10 Lindsay Gt 238-1256 N
6 Valerie Baumgardner 2008 Codd Ave 410 282 9436 X
7 Stophine Baker 410-282-94360 4
8 Linda Welch 464 Stemmers Prun Rd. 410-780-4618
9 Theresa Woodruff 456 Stemmers Rd. 410-382-02002 3646.
10 Stephanie Barnes 3512 Wagantrain Rd. 410 344-vore
11 aura Corre 9014 Chuareake Ave 4104779013, NO
12 Mariano Gudhank 416-382-112-le NO
13 Millie Mayer 2101 Southorn Rd. 21220 2692
14 Minn Mart 22 Drawood have Palton MO2420 0508
15 Law alla Dynhum Rd 40 4565F79 No
16 Tracy Neumeister 237 Southeastern Gt. 918-1993
Page 14 OF 4

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APPEAR Y/N

1 Cindy Whitcomb 232 Sandhill Rd n
2 Erin Whikomh 132 Sandhill Red n
3 Nannotk Kennedy 19 HATTISON AND 687.7 Y
4 Melisso Towney 510 Carrollwood Rd Apto D
5 JAMES E. GRAZIANO 407 DORSEY AUE
6 Don THOMPSON 1447 KENTRA 410-687-5136
7 MIKENHAYSLIP 1918 ECH-Heild R. Dy10-2884794N
8 MArcia Brydge 914 M. MARLYN AVE. (410)238-2487 Y
9 DArell Duty 914N, MARLYN AVE, (410) 238-2487 Y
10 Joshua Brydge 9141N. MARLYN AVE. (410) 238-2487) Y
11 COrtney matthews 54 Blister St. (443) 777-2234 N
12 KIN HAUSER 424 PARIS PD. 410 335 7024 N
13 Haren Gates 14 Hoff Ct. Balto., mi) 21821 443 653 1755 17
14 Sandy Rappold 2921 Yorkway Dundalk mg 21222 8783
15 Darlene Graziano 401 Dorsey Ave Batto, Md 21221 1)
16 Debbie Gamble 2015 Birch Rd Balto Md 21221 604-
0229 Page 15 OF 41

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APPEAR Y/N

1 Sarah Anthony 2015 Birch Rd 443-226-6272 2 JASON MYCARTY 832 MODDLESTER PD 443-690-3239 32 19. Woodhynn 120 410-682-4911 6 10 Mandy Robertson 400 Renfrew Street, 9 Graff 8824 Blairwood C+,21236 443-802-5385 LICOLE HAMMOND 930-DIONESTAL BUD. BAND, MD 443-562-5192 YES 14 Carol Pedigins 921 Martin Rd Batto. ND 2/221 410696-1363 12 imberlu Carre 4A Beech Drive Falto, MD 21220 40-686-7848 Page 10 OF 4

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APPEAR Y/N

1 Amy Halliday 3910 misty viewed 443-992-9603 N
2-DOT HENSLEY 2106 OAKLAND AVE 410 3913918
3 Rob Penn In 231 Riverthorn Rd 4106822968
4 Bridget Rely 2704 Dunwall 410-925-8880
5 Melissa Scafe 1939 Jasmine Rd (410) 477-6417
6 Christo Menetres 1133 hoamer () 413) 791.9494
7 JAKÉ Jonés
8 MICKI Watson Woodhaven Ru 413-739-4712
9 Sara Campbell 1504 Wilson PtRd 410-687914 N
10 Brandon Bentz 1635 Riverand Rd. 4413-846-1574-
11 Nicola Pelekakis nu Fastbrook 443-801-3621
12 Krya White alosy & Biddle St 443.980.0761
13 Chelsea white 955 Sandalwood Act 391
13 Chelsea white 955 Sandalwood Bel 391 14 Kimberly Perkins 921 MAHMPd. 686-8632
15 MANNON Plansky 532 Fustlage Ave. 1087.01052 Y 16 Mary Jurner 6901 Holabird Ave. 410-282-8993
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Live Rd
1 Donna Dailey 7519 Berkshire Rd
2 terri Binko 6710 Hudson St. 410-631-7297 Y
3 him Martins Schattuck (aurt 410-371-3176 4
4 Bayl Fleming 62 sorgen Court UHB-417-7768 N
4 Bays Fleming 62 sorgen Court 48-417-7768 N 5 Angel athinson 8221 Watersedge Rd. 443-216-2588
6 John Fer Burns 7105 gastern Ave. 21224
7 Melissali atters 7660 Old Battle Grockel 443506-5142 Jes
8 Brian Fearer 702 A Pinebranch P2 410687-0327 Yes
9 RYAN METZGAR 410-530-6456
10 Melissa Alamond 4213-804-6016 423
11 Emily Beere 3107 hiberty w. 5581
12 Sin Robinson 808 Bunswick (410) 687-
14 / 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
15 2 mily 1 ay or 3107 hiberty lw.
16 April Rockett 2222 Hawthorne Rd. (448) 220-5180 Y
Page 18 OF 41

PETITION OF SUPPORT FOR SHIRLEY'S TAN & TONE

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APPEAR Y/N

1 Emily Calvert 2721 Kirkleign Rol 4109352706 Yes
, r
2 Kim Couins 1215 Rustie Ave Yes
3 / Rughn Simmous 611 Hyda Park Rd ?
4 DOKINA BARNHIU 815 MARKIN Rd
5 Mecan Tussia & Allor Chrote 445-790-0614
6 Rachel Myout 1538 Willowy Way = 3072
6 Rachel Myout 1538 Wicolay Way 3 410-238 7 AShley Smith 331 Essex Ave 443400 NO
8 TIFFANY RUTH 522 R VIRGINIA AVE 4438342746 YES
9 LISA GEORGANTAKIS 6224 GERMAN HILLRA 410-633-6996 VES
10 Pat Bosttcher 303 Savannah Rd 21221 410687-8139
11 Jusan Hacker 826 Rosedale ave 21237
11 Jusan Hacker 826 Rosedale are 21237 12 Sharron Finnerty 703 Kingston Rd. 21220 (410) 371-0721
13 Floyd Reller 215 Loub- Cove LA Yes
14 Samontra Mullag 24 COGWCOODR 410687266448
15 Jessica Rubino 4 Dutrow Court Apt 1 C 410-574-8915 Yes
160 and Hopkino 1209 Reames Pal Rald. Mb. 21220
710-1866-1260 Page 19 OF 41

PETITION OF SUPPORT FOR SHIRLEY'S TAN & TONE

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APPEAR Y/N

1 Ciny Howm 94 middlagan 40.686.9105 >
2 Chris Earline 956 havee tue
3 Autum Mallace 509 beary are 21221 Y
4 Showy Rant 410 Wolf A. 21221 V
5 Hail Blankenship 108 Margaret are 212A1 Y
6 Patricia Bournan 1814 Holly Neel Rd 2+23 903/ y
7 Mammy Meredith 529 werbrook Rd yes
8 Donna Lynn 138 Wittshure Rd 410-391-8536 N
9 Parnic Work 115-Martyn Hue 40687-7948 N
10 Kelly barnhill Batterman 410-391-1034
10 Kelly Barnfrill Ballown 410-391-1034 11 JOHN PLAINE 1547 NIGOLAY WAY 410-627-6846 Y
12 Brenda Dietsch 37Holcumb CT 4109181640 Yes
13 Millie See 935 Martin Rd 410-574-4347 Ye
14 TONI SPAGNOLO 112 NORTH MARLYN AUE 410-391-8664 YES
15 Barbara Brinkley Molsnow Berry et 410-238-5734 yes
16 MARY NOMPSON 7118 Park Heights sue N
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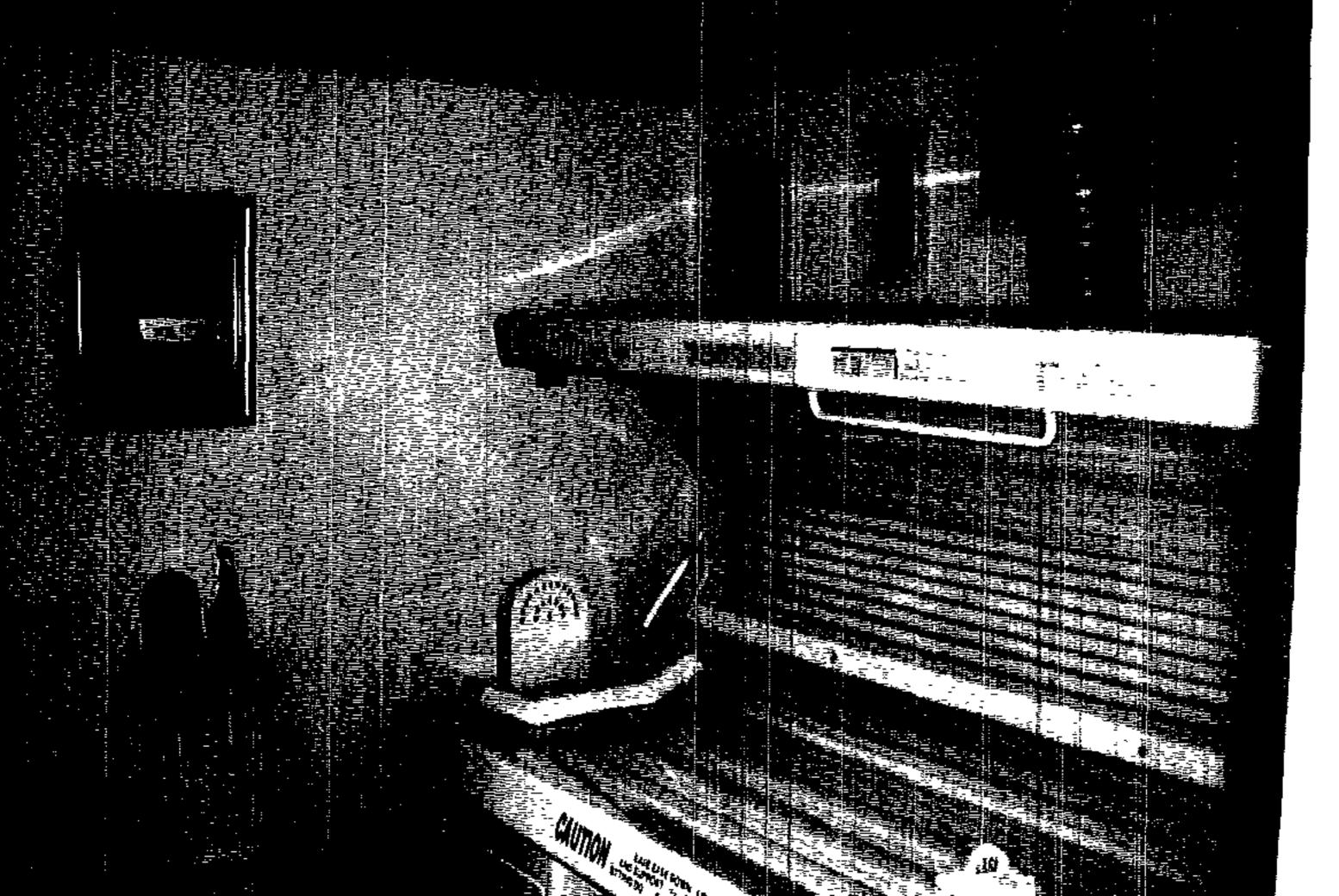
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Front Counter



Sample Tanning Room



Childrens Play Room





