



KATHERINE A. KLAUSMEIER
County Executive

March 6, 2025

MAUREEN E. MURPHY
Chief Administrative Law Judge
ANDREW M. BELT
Administrative Law Judge
DEREK J. BAUMGARDNER
Administrative Law Judge

Dino La Fiandra, Esquire – dcl@lafiandralaw.com
The Law Office of Dino C. La Fiandra, LLC
100 W. Pennsylvania Avenue, Suite 305
Towson, MD 21204

RE: Petitions for Special Hearing & Variance
Case No. 2024-0254-SPHA
Property: 2301 York Road

Dear Mr. La Fiandra:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

Pursuant to Baltimore County Code § 32-3-401(a), “a person aggrieved or feeling aggrieved” by this Decision and Order may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew M. Belt", is written over a horizontal line.

ANDREW M. BELT
Administrative Law Judge
for Baltimore County

AMB:dlm
Enclosure

c: Kristy Bischoff - kbischoff@dmw.com
Mark Keeley - mkeeley@traffic-concepts.com
Bill Flax - bill.flax@ohanagp.com
Josh Beyer - josh.beyer@ohanagp.com
Sidney Baierlein - sydbaierlein@gmail.com

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE		
(2301 York Road)	*	OFFICE OF
8 th Election District		
3 rd Council District	*	ADMINISTRATIVE HEARINGS
York Road 2301, Inc.		
<i>Legal Owner</i>	*	FOR BALTIMORE COUNTY
Ohana Growth Partners, LLC		
<i>Contract Purchaser/Lessee</i>	*	
 Petitioners	 *	 Case No. 2024-0254-SPHA

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (“OAH”) as Petitions for Special Hearing and Variance filed by legal owner, York Road 2301, Inc., and the contract purchaser/lessee, Ohana Growth Partners, LLC (the “Petitioners”), for the property located at 2301 York Road, Timonium (the “Property”). A Petition for Special Hearing was filed pursuant to the Baltimore County Zoning Regulations (“BCZR”), § 409.12.B, to permit 186 parking spaces in lieu of 342 parking spaces required, as shown on the plan to accompany petition for Zoning Hearing, to approve an amendment to the approved site plan in Zoning Case No. 2012-0178 SPHA as shown on the plan, and for such other and further relief as this case may require. Variance relief was filed pursuant to BCZR, § 409, to permit 186 parking spaces in lieu of 342 parking spaces required.

A public WebEx hearing was conducted virtually in lieu of an in-person hearing on March 5, 2025. The Petition was properly advertised and posted. Petitioner’s representatives, Josh Beyer, Chief Development Officer, and Bill Flax, Director of Construction, for Ohana Growth Partners, LLC, appeared in support of the Petition along with Kristy Bischoff, PE and J. Mark Keeley, PTP. Dino La Fiandra, Esquire represented the Petitioners. There were no interested parties or Protestants who appeared at the hearing.

Zoning Advisory Committee (“ZAC”) comments were received from the Department of Planning (“DOP”), Development Plans Review (“DPR”), and State Highway Administration (“SHA”). These agencies did not oppose the requested relief.

Mr. La Fiandra proffered Petitioners’ case. The Property is approximately 6.17 acres of land located along Maryland 45 (York Road) in Timonium and is located in the MR/DR 2 zone. This property includes a Lazy Boy Furniture Store, Tile Shop and a restaurant which is located on the edge of the subject property that fronts York Road. The portion of property which was previously used for a La-Z-Boy Furniture Store is now proposed for use as a gym. (Planet Fitness) (Pet. Ex. 2) As noted on the site plan, BCZR, § 409.12.B requires that 342 parking spaces be provided. (Pet. Ex. 2) The Petitioner is proposing 186 parking spaces, with additional public parking being available on the service road that runs in front of the on-site restaurant. A previous modified parking plan was approved for 188 spaces in Zoning Case No. 2012-0178-SPHA. Mr. Keeley, who prepared a Parking Demand Study for the proposed site, confirmed that 186 parking spaces are sufficient for the needs of the site, whose current parking area is already underutilized. (Pet. Ex. 4) Mr. Keely further explained that many patrons of the restaurant make use of the public parking that is available directly adjacent to the restaurant building, while patrons of the other on-site retail uses tend to park in close proximity to the establishment which they intend to patronize. He further explained that the gym use would be most intensive in the hours before and after the average workday and not during peak traffic hours.

SPECIAL HEARING

A hearing to request special zoning relief is proper under BCZR, §500.7 as follows:

The said 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 as hereinafter provided. The power given hereunder shall include the right of any interested person to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any purported nonconforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they are affected by these regulations.

"A request for special hearing is, in legal effect, a request for a declaratory judgment." *Antwerpen v. Baltimore County*, 163 Md. App. 194, 877 A.2d 1166, 1175 (2005). And, "the administrative practice in Baltimore County has been to determine whether the proposed Special Hearing would be compatible with the community and generally consistent with the spirit and intent of the regulations." *Kiesling v. Long*, Unreported Opinion, No. 1485, Md. App. (Sept. Term 2016). Based on the Parking Demand Study conducted by Mr. Keely, the fact that the current parking area is underutilized and will continue to be so, and the fact that the most intensive patronage of the proposed gym will occur during non-peak hours, the Petitioners has provided uncontradicted evidence that 186 parking spaces will be appropriate for the proposed uses. Additionally, the existence of the additional public parking available along the service road entering the site, provides additional parking options for restaurant patrons, and further alleviates the need for additional spaces in the site's designated parking area. Accordingly, the Petitioners' request for Special Hearing relief is granted, being compatible with the community and generally consistent with the spirit and intent of the regulations.

VARIANCE

- (1) It must be shown the property is unique in a manner which makes it unlike surrounding properties, and that uniqueness or peculiarity must necessitate variance relief; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Cromwell v. Ward, 102 Md. App. 691 (1995).

The subject site is unique in its odd shape and configuration as this has been previously found to be so in prior Zoning Case No. 2012-0178-SPHA. Additionally, I find that Petitioners will experience a practical difficulty if variance relief were denied. Accordingly, Petitioners' variance requested is granted.

THEREFORE, IT IS ORDERED, this 6th day of **March 2025**, by the Administrative Law Judge for Baltimore County that the Petition for Special Hearing pursuant to BCZR Section 409.12.B, to permit 186 parking spaces in lieu of 342 parking spaces required, as shown on the plan to accompany petition for Zoning Hearing, and to approve an amendment to the approved site plan in Zoning Case No. 2012-0178-SPHA as shown on the plan, be and is hereby **GRANTED**.

IT IS FURTHER ORDERED, that the Petition for Variance from BCZR, Section 409, to permit 186 parking spaces in lieu of 342 parking spaces required. be and is hereby, **GRANTED**; and

The relief granted herein shall be subject to the following:

1. Petitioners may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioners are hereby made aware that proceeding at this time is at their own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioners would be required to return the subject property to its original condition.
2. In that the subject property is not being altered other than the nature of the use of one of its retail units, a new landscape plan is not required. In the event that additional lighting is contemplated, a new lighting plan would be appropriate.

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

AMB:dlm



ANDREW M. BELT
Administrative Law Judge
for Baltimore County



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 2301 York Road

which is presently zoned MR/DR 2

Deed References: 27573/405

10 Digit Tax Account # 2500029780

Property Owner(s) Printed Name(s) York Road 2301, Inc.

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Please see attachment.

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☒ a **Variance** from Section(s)

Please see attachment.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

To be presented at hearing.

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Ohana Growth Partners, LLC

Name- Type or Print

Signature

212 W. Padonia Road

Mailing Address

City

State

21093 / 443-4189019

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Dino C. La Fiandra, Esquire

The Law Office of Dino C. La Fiandra, LLC

Name- Type or Print

Signature

100 W. Pennsylvania Avenue, Suite 305

Towson, Maryland 21204

Mailing Address

City

State

21204 / 443-204-3473

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

York Road 2301, Inc.

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

17 Stenersen Lane

Mailing Address

City

State

21030 / 410-252-1020

Zip Code

Telephone #

Email Address

Representative to be contacted:

Dino C. La Fiandra, Esquire

The Law Office of Dino C. La Fiandra, LLC

Name- Type or Print

Signature

100 W. Pennsylvania Avenue, Suite 305

Mailing Address

City

State

21204 / 443-204-3473

Zip Code

Telephone #

Email Address

CASE NUMBER 2024-0254-SHA Filing Date 11/22/2024

Do Not Schedule Dates: _____

Reviewer CP

2301 York Road
Petition for Zoning Hearing
Continuation Sheet

Petition for Special Hearing:

1. To approve a modified parking plan pursuant to BCZR §409.12.B to permit 186 parking spaces in lieu of 342 parking spaces required, as shown on the Plan to Accompany Petition for Zoning Hearing.
2. To approve an amendment to the approved site plans in Zoning Case 2012-178-SPHA as shown on the Plan to Accompany Petition for Zoning Hearing.
3. For such further and other relief as this case may require.

Petition for Variance:

From BCZR, §409 to permit 186 parking spaces in lieu of 342 parking spaces required.

2024-0254-SPHA

Zoning Property Description for

2301 York Road (MD Rte. 45)

Baltimore County, Maryland

Beginning at a point on the east side of the York Road Service Drive which is a variable width right of way at the distance of 550 feet northwesterly of the centerline of the nearest improved intersecting street being York Road (MD Rte 45) which is 66 feet wide. Said point of beginning being a point on the South 18 degrees 30 minutes 21 seconds East 437.56 foot line as laid out and shown on a plat entitled "Stratford Industrial Site" dated June 19, 1957, and recorded among the Land Records of Baltimore County, Maryland, in Plat Book G.L.B. 24, Page 36, said point of beginning being 357.35 feet from the end of said line, thence leaving said point of beginning and binding reversely on a portion of said line of the abovementioned plat as now described, referring all courses of this description to the Maryland Coordinate System (NAD 83), (1) North 18 degrees 52 minutes 03 seconds West 80.21 feet, thence (2) Northwesterly by a line curving to the right, having a radius of 468.00 feet, for a distance of 250.78 feet (the arc of said curve being subtended by a chord bearing North 03 degrees 30 minutes 59 seconds West 247.79 feet, thence (3) Northwesterly by a line curving to the left, having a radius of 82.00 feet, for a distance of 41.84 feet (the arc of said curve being subtended

by a chord bearing of North 02 degrees 46 minutes 57 seconds West 41.39 feet), thence
(4) North 72 degrees 36 minutes 01 seconds East 630.79 feet, thence (5) South 01
degrees 41 minutes 04 seconds West 550.00 feet, thence (6) South 89 degrees 38
minutes 18 seconds West 542.61 feet to the point of beginning; containing 268,760
square feet or 6.170 acres of land, more or less, as now described by Daft-McCune-
Walker, Inc. in November 2024.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT
INTENDED TO BE USED FOR PROPERTY CONVEYANCE PURPOSES.

Project No. 05082 (L05082)



Michael David Martin 11.20.24

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Peter Gutwald, Director
Department of Permits, Approvals

DATE: December 2, 2024

FROM: Vishnu Desai, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
Case 2024-0254-SPHA

The Bureau of Development Plans Review has reviewed the subject zoning items and we have the following comments.

DPR: No comment.

DPW-T: No exception taken.

Landscaping: If Special Hearing and / or Zoning Relief is granted a Landscape Plan is required per the Baltimore County Landscape Manual and a Lighting Plan is also required for any additional proposed lighting.

Recreations & Parks: No comment LOS & No Greenways affected.



**Permits, Approvals and
Inspections**

111 W CHESAPEAKE AVE
TOWSON, MD 21204
4108873353
WWW.BALTIMORECOUNTYMD.GO
V

Cashier: Jason S.
04-Nov-2024 9:29:36A

Transaction **102595**
1 Petition Before ALJ \$1,000.00

Total \$1,000.00
CREDIT CARD SALE \$1,000.00
VISA 8825

Retain this copy for statement
validation

Station: Permit Processing - Mini

04-Nov-2024 9:29:51A
\$1,000.00 | Method: EMV
VISA CREDIT
XXXXXXXXXXXX8825
DINO LA FIANDRA
Reference ID: 430900572213
Auth ID: 08549G
MID: *****2995
AID: A0000000031010
AthNtwkNm: VISA
SIGNATURE

Clover ID: 2T2R022RYDPDE
Payment 81QGM6GFHTT1W

Clover Privacy Policy
<https://clover.com/privacy>

2024-0254-SPAA

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
ZONING REVIEW OFFICE**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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 legal owner/petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least twenty (20) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the legal owner/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:

Case Number: 2024-0254-SPHA

Property Address: 2301 York Road

Property Description: 6.17 acres ES York Road, 710 feet N Roundridge Road

Legal Owners (Petitioners): York Road 2301, Inc.

Contract Purchaser/Lessee: Ohana Growth Partners, LLC

PLEASE FORWARD ADVERTISING BILL TO:

Name: Dino C. La Fiandra, Esquire

Company/Firm (if applicable): The Law Office of Dino C. La Fiandra, LLC

Address: 100 W. Pennsylvania Avenue, Suite 305

Towson, Maryland 21204

Telephone Number: 443-204-3473

Revised 7/9/2015

CERTIFICATE OF POSTING

2024-0254-SPHA

RE: Case No.: _____

Petitioner/Developer: _____

York Road 2301, Inc.
Ohana Growth Partners, LLC

March 5, 2025

Date of Hearing/Closing: _____

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

Attn: Jeff Perlow:

Ladies and Gentlemen:

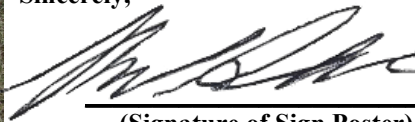
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

2301 York Road ***SIGN 1A & 1B***

February 11, 2025

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

 February 11, 2025
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

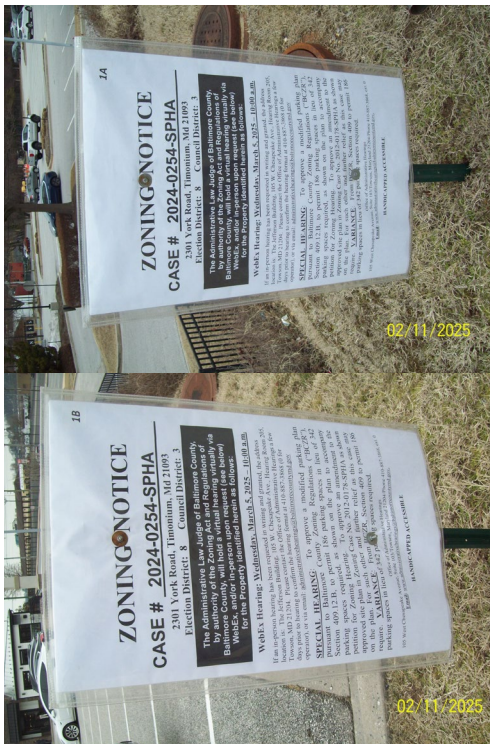
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Hon. Maureen E. Murphy; Chief Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: December 3, 2024

SUBJECT: DEPS Comment for Zoning Item # 2024-0254-SPHA
Address: 2301 YORK ROAD
Legal Owner: York Road 2301, Inc.

Zoning Advisory Committee Meeting of December 3, 2024.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Additional Comments:

Reviewer: Earl D. Wrenn

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

TO: C. Pete Gutwald
Director, Department of Permits, Approvals and Inspections

DATE: 12/4/2024

FROM: Steve Lafferty
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 2024-0254-SPHA

INFORMATION:

Property Address: 2301 York Road
Petitioner: York Road 2301, Inc
Zoning: MR/DR 2
Requested Action: Special Hearing and Variance

The Department of Planning has reviewed the petition for the following:

Special Hearing -

- i. To approve a modified parking plan pursuant to BCZR §409.12. B to permit 186 parking spaces in lieu of 342 parking spaces required, as shown on the Plan to Accompany Petition for Zoning Hearing.
- ii. To approve an amendment to the approved site plans in Zoning Case 2012-178-SPHA as shown on the Plan to Accompany Petition for Zoning Hearing.
- iii. For such further and other relief as this case may require.

Variance -

- i. From BCZR, §409 to permit 186 parking spaces in lieu of 342 parking spaces required.

The subject property is a 6.17 acres land located along Maryland Route 45 (York Road) in the Timonium area of Baltimore County. The property which was previously used for retail is proposed for gym purposes and located in the MR/DR 2 zone and surrounded by commercial development, office buildings and forest conservation to the rear.

In a prior Case 12-0128 the petitioners sought and received parking relief for 188 parking spaces. With the addition of a proposed gym, the number of spaces required once again needs relief hence the Special Hearing and Variance requests to approve a modified parking plan pursuant to BCZR §409.12. B to permit 186 parking spaces in lieu of 342 parking spaces required.

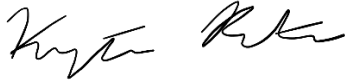
According to the applicant's representative, the site includes a total of 186 on-site parking spaces, with an additional 40 off-site spaces available to support the development. To justify the Petition for Parking Variance / Modified Parking Plan, the applicant has obtained a parking study conducted by a reputable traffic consultant with extensive experience in Baltimore County. The study concludes that the existing parking facilities are more than sufficient to meet the anticipated future parking demand when the current

furniture store is replaced by the proposed fitness center/gym. The applicant intends to present this parking study as evidence during the hearing to support their zoning petition.

The Department of Planning does not oppose the proposed request. The requested relief is consistent with previously approved parking variance request (2012-0178-SPHA) for this location.

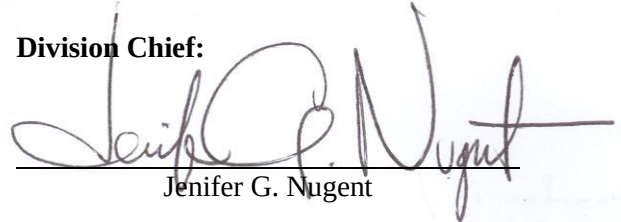
For further information concerning the matters stated herein, please contact Henry Ayakwah at 410-887-3482.

Prepared by:



Krystle Patchak

Division Chief:



Jenifer G. Nugent

SL/JGN/KP

c: Dino C. La Fiandra, Esquire
Joseph Wiley, Community Planner
Jeff Perlow, Zoning Review
Kristen Lewis, Zoning Review
Office of Administrative Hearings
People's Counsel for Baltimore County

Real Property Data Search ()
Search Result for BALTIMORE COUNTY

[View Map](#) [View GroundRent Redemption](#) [View GroundRent Registration](#)

Special Tax Recapture: None

Account Identifier: District - 08 Account Number - 2500009780

Owner Information

Owner Name: YORK ROAD 2301 INC Use: INDUSTRIAL
Principal Residence: NO

Mailing Address: 17 STENERSEN LANE Deed Reference:
COCKEYSVILLE MD 21030-

Location & Structure Information

Premises Address: 2301 YORK RD Legal Description: 6.170 AC
LUTHERVILLE MD 21093-2215 2301 YORK RD ES
GLOBAL VIEW

Map: Grid: Parcel: Neighborhood: Subdivision: Section: Block: Lot: Assessment Year: Plat No:
0051 0023 0183 20000.04 9314 4A 2023 Plat Ref: 79/ 314

Town: None

Primary Structure Built Above Grade Living Area Finished Basement Area Property Land Area County Use
2013 43,542 SF 6.1700 AC 07

Stories Basement Type Exterior Quality Full/Half Bath Garage Last Notice of Major Improvements
RESTAURANT/ C5 2013

Value Information

	Base Value	Value As of 01/01/2023	Phase-in Assessments As of As of	
			07/01/2024	07/01/2025
Land:	4,627,500	4,627,500		
Improvements	4,287,000	3,872,500		
Total:	8,914,500	8,500,000	8,500,000	8,500,000
Preferential Land:	0	0		

Transfer Information

Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments: Class	07/01/2024	07/01/2025
County: 000	0.00	
State: 000	0.00	
Municipal: 000	0.00 0.00	0.00 0.00

Special Tax Recapture: None

Homestead Application Information

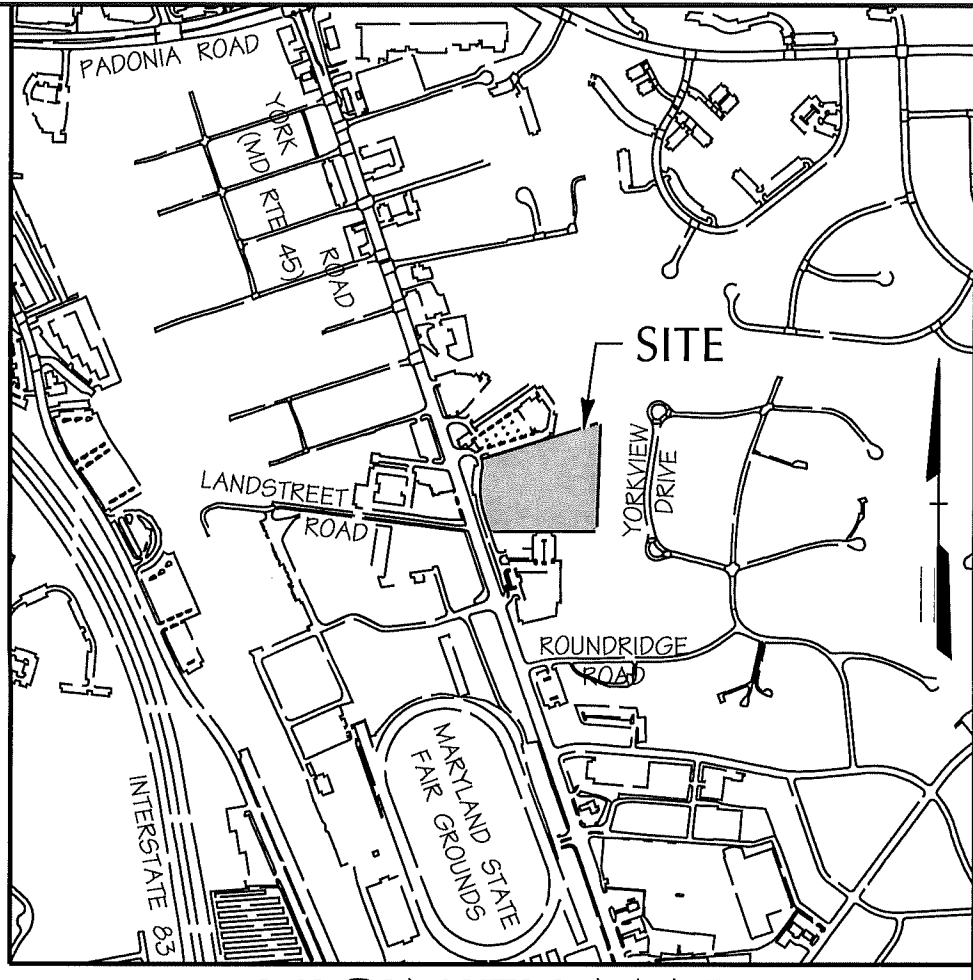
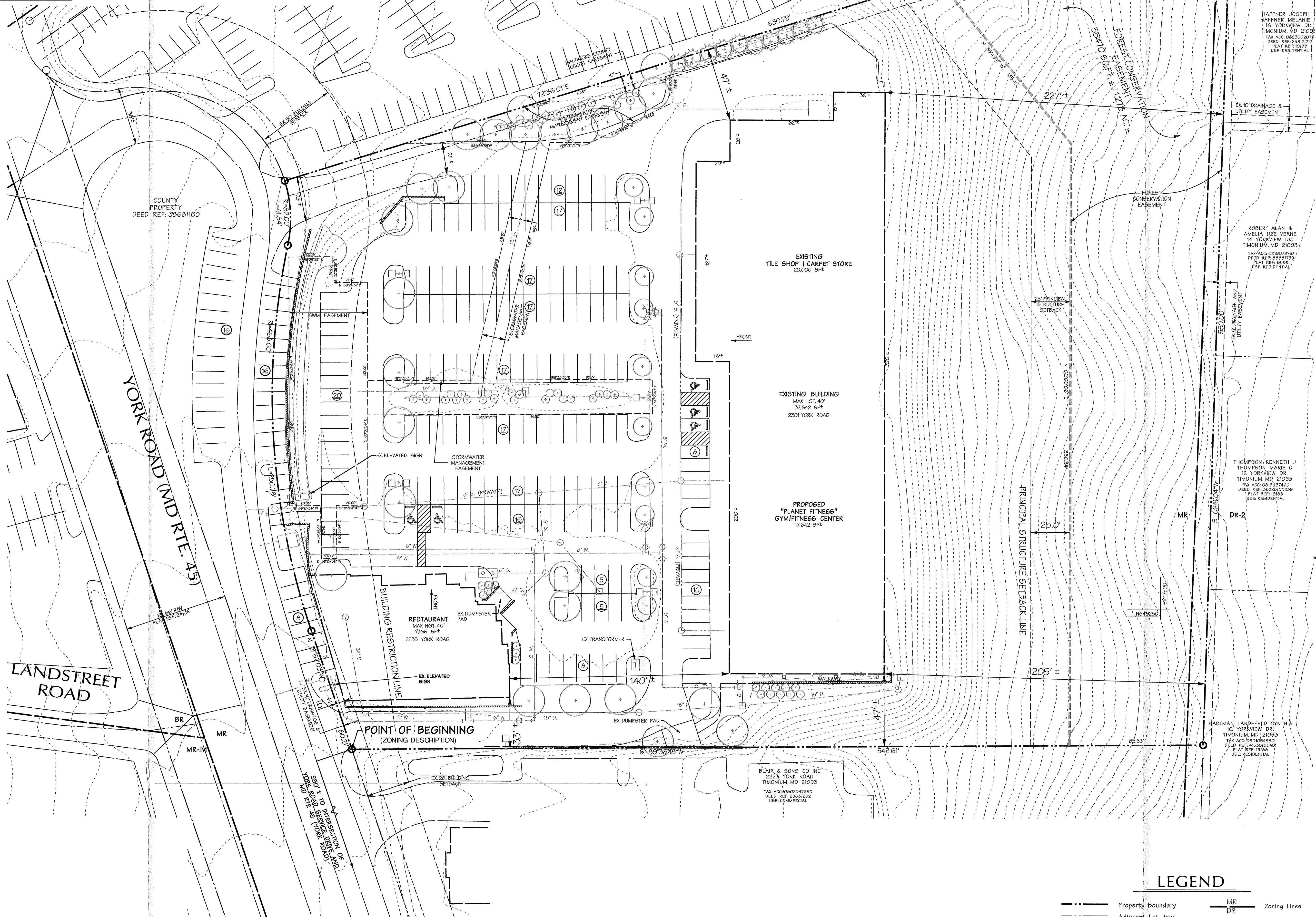
Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application Date:

2024-0254-SPHA

PERMIT #	DATE	TYPE	COMMENTS
C24-01607	10/3/2024	COMMERCIAL - ALTERATION	INTERIOR
C22-03152	12/5/2023	COMMERCIAL - ALTERATION - ENV HEALTH	EXTERIOR/INTERIOR
C23-00063	11/2/2023	COMMERCIAL - SPRINKLER	
C522-00600	1/5/2023	COMMERCIAL - SIGN	
C522-00644	12/8/2022	COMMERCIAL - SIGN	
C522-00598	12/4/2022	COMMERCIAL - SIGN	
C522-00599	11/28/2022	COMMERCIAL - SIGN	
C0022-0438	9/14/2022	COMMERCIAL - COO - ENV HEALTH	
B006666	11/22/2021	COMMERCIAL - NEW STRUCTURE/SHELL	
B977690	1/24/2021	COMMERCIAL - ALTERATION	INTERIOR
B962636	8/6/2019	COMMERCIAL - SPRINKLER	
B957142	4/30/2019	COMMERCIAL - ADDITION	
B953965	11/4/2018	COMMERCIAL - TEMPORARY TENT	
B910196	8/4/2018	COMMERCIAL - SPRINKLER	
B948908	3/7/2018	COMMERCIAL - ADDITION	
B835336	1/8/2014	COMMERCIAL - SIGN	
B833899	12/23/2013	COMMERCIAL - SPRINKLER	
B831791	12/3/2013	COMMERCIAL - ALTERATION	INTERIOR
B829995	10/24/2013	COMMERCIAL - ALTERATION	EXTERIOR
B828507	10/7/2013	COMMERCIAL - SIGN	
B819314	7/25/2013	COMMERCIAL - SPRINKLER	
B818847	6/8/2013	COMMERCIAL - SIGN	



2301 York Road Zoning History	
Zoning Case	Description
1958-3903-SPI	Petition for Special Hearing to approve a permit for the erection of a manufacturing plant in the MR Zone. Approved September 18, 1958 by the Zoning Commissioner.
1980-4939-SPI	Petition for Special Hearing to approve an addition to the existing building in the MR zone. Approved May 4, 1980 by the Deputy Zoning Commissioner.
1981-5388-SPI	Petition for Special Hearing to approve an expansion of the existing building in the MR Zone. Approved September 27, 1981 by the Zoning Commissioner.
1987-0014-R	Petition for Reclassification from MR zone to M ₂ Zone. Withdrawn by the Petitioner on July 26, 1986.
1988-0045-SPI	Petition for Special Hearing for revisions to the master development plan in the MR Zone. Approved August 22, 1987 by the Zoning Commissioner.
1988-0444-A	Petition for Variance from BCZR, §253.5 to permit a building to building setback of 15 feet in lieu of 100 feet otherwise required. Withdrawn by the Petitioner on June 11, 1990.
1991-0188-SPI	Petition for Special Hearing to approve an amendment to an approved site plan in the MR Zone. Approved by the Deputy Zoning Commissioner on October 16, 1990.
1992-0312-SPI	Petition for Special Hearing to approve an amendment to an approved site plan in the MR Zone. Approved by the Deputy Zoning Commissioner on April 9, 1992.
1995-0377-	Petition for a Special Hearing to amend previously approved site plans in Zoning Cases 1958-3903 and 1992-0312-SPI in the MR zone and Petition for Variance from BCZR, § 243.5 to permit a floor area ratio of 31% in lieu of 25% otherwise permitted. Approved by the Deputy Zoning Commissioner on June 19, 1995.
	Petition for Special Hearing to approve:
	- Abandonment of a General Development Planned Unit Development (PUD) approved in Case No. VII-858 - An amended plan in an M.R. zone to a plan approved in Zoning Case No. 95-317-SPHA - A modified parking plan for uses including a life shop - A freestanding enterprise sign of 150 square feet and 25' in height for a pad building (This request was later withdrawn)
2012-0178-SPHA	Petition for Variance, as follows:
	- From § 243.1 to permit a front building setback of 60' in lieu of the permitted 75' - From § 243.2 to permit an existing side yard setback of 47' and proposed side yard setbacks of 18' and 11' in lieu of the permitted 55', and a rear setback of 30' in lieu of 50' - From § 408.6 to permit 188 parking spaces in lieu of the required 232 parking spaces - From § 450.4 Attachment 7(d) to permit a 220 square foot freestanding joint identification sign with a 25' height in lieu of the permitted 75 square feet and 12' height maximum (This request was later amended to 150 square feet with a 20' height).
	Approved by the Administrative Law Judge on May 15, 2012.
	Petition for Variance from the BCZR, §450 as follows:
	- To permit seven (7) enterprise signs in lieu of the permitted one (1) (pursuant to BCZR § 450.4 Attachment 1.5(a)(vii)) - To permit three (3) enterprise signs on the west facade in lieu of the permitted one (1) (pursuant to BCZR § 450.4 Attachment 1.5(a)(vi)) - To permit a projecting enterprise sign which extends 6 feet from the wall to which it is attached in lieu of the maximum 4 foot extension (pursuant to BCZR § 450.5 B.3.a) - To permit a projecting enterprise sign with visible structural framework and supporting elements (pursuant to BCZR § 450.5 B.6.)
2014-0017-A	Approved on September 11, 2013 by the Administrative Law Judge.
	In response to a Motion for Reconsideration, an additional variance for a circular sign (as shown on Petitioner's Exhibit 1B) with a face area of 85 square feet, in lieu of the maximum permitted 50 square feet was approved by the Administrative Law Judge on September 25, 2013.

DATA SOURCES:
1. TOPOGRAPHIC INFORMATION SHOWN HEREON IS TAKEN FROM BALTIMORE COUNTY GIS DATED MARCH 2024.
2. BOUNDARY INFORMATION SHOWN HEREON WAS FIELD RUN BY DMW IN APRIL 2023.
3. EXISTING UTILITIES ARE TAKEN FROM BALTIMORE COUNTY CONSTRUCTION DRAWINGS, AND FROM BGE AND VERIZON PLANS ON WHICH BOTH BGE AND VERIZON WARN THAT THERE IS NO GUARANTEE OF ACCURACY. ACCORDINGLY THE CONTRACTOR MUST VERIFY ALL LOCATIONS TO THEIR OWN SATISFACTION.
4. FIRST REFINED DEVELOPMENT PLAN

GENERAL NOTES:

- Owner: York Road 2301 Inc 17 Stoner Lane Cockeysville, Maryland 21030 (410) 252-1027
- Applicant: Mr. Bill Flax, Director of Construction Chang Growth Partners, LLC 212 W. Padonia Road Timonium, Maryland 21093 443-418-3019
- Preparer of Plans: DMW, Inc. 501 Fairmount Avenue Suite 300 Towson, Maryland 21286 (410) 296-3333
- General Information:
 - Coordinate District: 3rd
 - Election District: 8th
 - Census Tract: 240020408509
 - Tax Map Reference: JM 51 Grid 23 Parcel 183
 - Tax Account Number: 0A-2500009780
 - Deed Reference: 2757000408
 - ADC Map Reference: Map 19 Grid K10
 - Watered: Jones Falls
 - MR 1 DR 2
 - Zoning Map (11-2007): 051C3
 - Topo Map: Balto Co GIS Tile # 051C3
 - Site Area: 266,760 SF ± 1.67 Ac ±
 - Floor Area Ratio: 45,000 / 266,760 = .167 or 17%
 - Max FAR: .25%
- Zone Lines: The zone lines shown hereon have been digitally located from electronic files provided by Baltimore County, dated 2024.
- Using DEPS and Maryland Department of Natural Resources Data there are no significant regulated plants or wildlife communities on the site.

- There are no streams, seeps, ponds, wetlands, or other water bodies on or within 200 feet of the development site.
- There are no known wells, septic systems, or underground storage tanks on or within 100' of this site. There is an existing underground stormwater management pipe storage system.
- Pursuant to Section 4A02 (BCZR), the basic services maps for Baltimore County indicate the following:
The site is not located in any water supply deficient area.
The site is not located in any sewerage deficient area.
The site is not located in any traffic deficient area.
The entire site is located within the Urban Rural Designation Line (URDL).
- Soil Evaluation Tests: This site is to be served by public water and sewer. Field tests are not required.
- The Maryland Historic Trust and Landmarks Preservation Commission has confirmed that there are no designated historic structures/sites or archaeological sites on or adjacent to this property.
- Existing Land Uses: Existing and proposed land uses on or within 200 feet of the proposed site are shown or referenced on this plan.
- Road Right-of-Way/Easements: All known existing and proposed rights-of-way and easements are as shown on this plan.
- The shown property is not a designated site as per the Maryland Archeological Survey.

- Parking Calculations:

Parking Required:	SF	1000 SF	Total Rq.
Gym/Fitness Center	17,642	10	177
Restaurant	7,166	10	115
Tie Shop/Carpet Store	20,000	25	50
Total	44,808		342 Required
Provided Parking			186
Offsite			40
- Local Open Space is not required. Amenity Open Space is not required.
- All signs will comply with BCZR Section 450 or variances will be obtained.
- Private parking areas and driveways are paved in accordance with the provisions of Section 408 BCZR and the zoning Policy Manual. Parking is also subject to compliance with Section 259.5F, BCZR.
- All driveways comply with section 409.4 (BCZR). All parking and maneuvering areas are paved with macadam or concrete.
- The Bureau of Traffic Engineering and Transportation Planning has confirmed that the subject site is not within a traffic deficient area.
- Residential Transition Area (RTA) does not apply to this project or site.

LEGEND

- Property Boundary
- Adjacent Lot Lines
- Existing Contours
- Existing Trees/Tree Line
- Existing Curb & Gutter
- Existing Sewer
- Existing Water
- Existing Storm Drains

- MR
- UR
- FCF
- Forest Conservation Easement
- EX FIRE HYDRANT

EX 8" S

EX 8" W

EX 15" D

11/20/2024

DAFT McCUNE WALKER INC

501 FAIRMOUNT AVENUE SUITE 300 TOWSON, MD 21286
P: 410 296 3333 F: 410 296 4705 WWW.DMW.COM

PLAN TO ACCOMPANY PETITION FOR ZONING HEARING

PLANET FITNESS

2301 York Road

8th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND

SEAL

ISSUE DATES

REVIEW: 11/20/24

BID:

PERMIT:

CONSTRUCTION:

BASE: GMD

DRAWN: ECH

DESIGNED: GMD

CHECKED BY:

DATE RECEIVED: 11/20/24

SCALE: 1"=30'

PROJECT NO.: 05082.H

DRAWING:

1 of 1

DR 3.5

DR 3.5

R-1959-4821 Pt. Bk./Folio # 042146

R-1962-5820 0911879

Pt. Bk. 00000001 PAI # 080083 146

0812000450

PAI # 080799

Pt. Bk. 0000008, Folio 0066

PAI # 080914 PAI # 080914

PAI # 080083

PAI # 080083

2002-0165-A
R-1958-4426
R-1968-0063

2300013181

1980-0244-SPHA

2002-0065-SPH

Pt. Bk./Folio # 024036

1988-0384-SPH
1964-0135-SPH

2311 0819075132

Pt. Bk. 0000024, Folio 0036

Lot # 18 0803024150

Lot # 17 0820020540

Lot # 16 0823002075

Lot # 15 0819079710

DR 2

Pt. Bk./Folio # 019088

0815037460 PAI # 080289

Lot # 14

Lot # 13 0801054880

Lot # 12 0822045100

Pt. Bk. 0000019, Folio 0088

Lot # 11 0816001980

Pt. Bk./Folio # 019029

0814966470

0813007280

Pt. Bk. 0000019, Folio 0029

BL

2323

ISSUE # 3-033

MR

3.CD

051C3

2014-0017-A
2012-0178-SPHA
R-1967-0014
1988-0444-A
1992-0312-SPH
1968-0045-SPH
1961-5368-SPH
1991-0189-SPH
1995-0377-SPHA

PAI # 080511

0802000032

PAI # 080511

1996-0435-A

R-1962-5651-X

Pt. Bk. 0000079, Folio 0314

Pt. Bk./Folio # MP12007

UP-2021-0003LM

UP-2019-0463S

PAI # 080558

PAI # 080858

Lot # 4A 2500009780

PAI # 080858

PAI # 080858

NW 14-A

1960-4939-SPH
1956-3903-SPH

2235

2015-0256-SPHA

0802047650

R-1959-4680

0810046422

PAI # 080014

PAI # 080014

1960-4881-SPH
1962-5724-SPH

BM

MR IM

0813022155

1988-0363-A
1988-0133-A
2012-0001-A

060C1

R-1961-5356
R-1961-5429-X

0802068490

0802048040

BRAS

8ED

2306

PAI # 080511

1991-0206-X
1964-0167-X

1985-0091-A

2100002944

1952-246 5-SPH
R-1955-3418-X

BR

LANDSTREET, RD

1951-1999-X

ROAD

YORKVIEW DR

YORKVIEW DR