

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 Law and Zoning Regulations of Baltimore County, to use the herein described property for Community building, swimming pool, or other structural land use devoted to civic, social, or recreational and educational activities; or more specifically, a women's reducing and health salon with facilities for dancing and other exercises.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound 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: DKJ Associates
(Type or Print Name)
Signature: [Signature]
Address: 6229 N. Charles Street
City and State: Baltimore, Maryland 21202
Name, address and phone number of legal owner, contractor purchaser or representative to be contacted:
Name: Robert M. Hankin
Address: 10 Light Street
City and State: Baltimore, Maryland 21202
Name: Nicholas B. Commodari
Address: 11 Warren Road
City and State: Baltimore, Maryland 21208
Attorney's Telephone No.: [Blank]

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of September, 1982, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 18th day of November, 1982, at 11:00 o'clock A. M.

[Signature]
Zoning Commissioner of Baltimore County

ACO-80-1 (over)

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
SE corner Reisterstown & Cherry Valley : OF BALTIMORE COUNTY
Rds., 4th District :
DKA ASSOCIATES, Petitioners : Case No. 83-121-1

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 224.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 26th day of October, 1982, a copy of the foregoing Order was mailed to Robert M. Hankin, Esquire, Levin, Gann & Hankin, 10 Light Street, Baltimore, Maryland 21202, Attorney for Petitioners.

John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 9, 1982

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

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Robert M. Hankin, Esquire
10 Light Street
Baltimore, Maryland 21202

RE: Item No. 46 - Case No. 83-121-X
Petitioner - DKA Associates
Special Exception Petition

Dear Mr. Hankin:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: D.S. Thuler & Associates, Inc.
11 Warren Road
Baltimore, Maryland 21208

ORDER RECEIVED FOR FILING

DATE November 22, 1982

BY [Signature]



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

September 27, 1982

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #46 (1982-1983)
Property Owner: DKA Associates
S/E corner Reisterstown Rd. & Cherry Valley Rd.
Acres: 6.96 District: 4th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved.

The comments supplied in conjunction with the Zoning Advisory Committee review of this property in connection with Item 9 Zoning Cycle III (April-October 1978) are referred to for your consideration.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 46 (1982-1983).

Very truly yours,

Robert A. Morton
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RJM:EAM:7WR:ss

cc: Jack Wimbley

T-W Key Sheet
53 NW 37 Pos. Sheet
NW 14 J Topo
57 & 58 Tax Maps

Attachment

April 20, 1978

Mr. S. Eric DiWenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #9 (Cycle III April-October 1978)
Property Owner: George C. Cursler, et al
S/W cor. Reisterstown Rd. & Cherry Valley Rd.
Existing Zoning: D.R. 15
Proposed Zoning: B.L.
Acres: 6.960 District: 4th

Dear Mr. DiWenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Comments were supplied for a portion of the overall property, of which this site is a part (see Parcel 236, Tax Map 57 and 58) in connection with the Zoning Advisory Committee review for Item #158 (1971-1972) 72-32X.

Highways:

Reisterstown Road (Md. 140) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Cherry Valley Road is a County road, improved as a 40-foot closed section roadway on a 60-foot right-of-way. No further road improvement is proposed at this time.

Meadow Road, an existing public road, is proposed to be realigned in this vicinity and improved as a 40-foot closed section roadway on a 60-foot right-of-way, as indicated. Highway right-of-way widening, including any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

The construction or reconstruction of concrete sidewalks, curb and gutter, entrances, aprons, etc. will be the full responsibility of the Petitioner.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Item #9 (Cycle III April-October 1978)
Property Owner: George C. Cursler, et al
Page 2
April 20, 1978

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drainage:

In accordance with the drainage policy, the Developer is responsible for the total actual cost of drainage facilities required to carry the storm water runoff through the property to be developed to a suitable outfall.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

There are County drainage and utility easements within this site with public storm drainage facilities and sanitary sewerage therein. No encroachment by construction of any structure, including footings, will be permitted within County rights-of-way or utility easements.

Water and Sanitary Sewer:

There are public 8-inch water mains, and 8-inch sanitary sewerage in Cherry Valley Road and also Reisterstown Road, as indicated on the submitted plan. Additional fire hydrant protection is required in the vicinity.

This property is tributary to the Gwynns Falls Sanitary Sewer System via the Roaches Run Interceptor.

Very truly yours,

Edmund W. Oliver
EDMUND W. OLIVER, P.E.
Chief, Bureau of Engineering

END:EW:WR:ss

cc: J. Trenner
W. Marshall

T-W Key Sheet
53 NW 37 Pos. Sheet
NW 14 J Topo
57 & 58 Tax Maps



Maryland Department of Transportation
State Highway Administration

Larry K. Brinkley
Secretary
H. S. Calhoun
Administrator

September 2, 1982

Mr. William Hammond
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Attention: Mr. N. Commodari

Re: ZAC Meeting of 9-14-82
Item: #46.
Property Owner: DKA Assoc.
Location: S/E corner
Reisterstown Rd. (Route 140)
& Cherry Valley Road
Existing Zoning: B.L.
Proposed Zoning: Special
Exception for Community building, swimming pool or other structural land use devoted to civic, social or recreational and educational activities (a women's reducing and health salon with facilities for dancing and other exercises).
Acres: 6.96
District: 4th

Dear Mr. Hammond:

On review of the revised site plan of August 19, 1982, and field inspection, the State Highway Administration finds the plan generally acceptable.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:GW:vr

cc: Mr. J. Wimbley

By: George Wittman

My telephone number is (301) 659-1352

*Typewriter for Impaired Hearing or Speech
363-7555 Baltimore Metro - 582-0451 D.C. Metro - 1-800-922-5262 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203-0717

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 29th day of November, 1982, that the Petition for Special Exception for a community building, swimming pool, or other structural land use devoted to civic, social, or recreational and educational activities, i.e., a women's reducing and health salon with facilities for dancing and other exercises, in accordance with the site plan prepared by D.S. Thaler & Associates, Inc., dated August 19, 1982, and marked Petitioner's Exhibit 1, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The interior layout shall follow the pattern shown on Petitioner's Exhibit 2.
2. The site plan shall note the existing facilities, pavements, curbs, and landscaping.
3. The health salon shall be for women only and shall be closed after 9:00 p.m.
4. A revised site plan, incorporating the applicable restrictions set forth above, shall be submitted for approval by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning.

John M. D. Jones
Deputy Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent
Towson, Maryland - 21204

Date: Sept. 7, 1982

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: Sept. 10, 1982

RE: Item No: 44, 45, 46
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

October 27, 1982

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #46, Zoning Advisory Committee Meeting of September 14, 1982, are as follows:

Property Owner: DKA Associates
Location: SE/Corner Reisterstown Road and Cherry Valley Road
Existing Zoning: B.L.
Proposed Zoning: Special Exception for Community building, swimming pool or other structural land use devoted to civic, social or recreational and educational activities, (a women's reducing and health salon with facilities for dancing and other exercises).
Acres: 6.96
District: 14th

Metropolitan water and sewer are available.

Prior to any new construction of a public sauna, whirlpool, hot tubs or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information contact the Recreational Hygiene Section, Division of Environmental Support Services.

Very truly yours,

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJP/aim

PETITION FOR SPECIAL EXCEPTION

4th Election District

ZONING: Petition for Special Exception
LOCATION: Southeast corner of Reisterstown Road and Cherry Valley Road
DATE & TIME: Thursday, November 18, 1982 at 11:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for community building, swimming pool, or other structural land use devoted to civic, social, or recreational and educational activities, or more specifically, a women's reducing and health salon with facilities for dancing and other exercises

All that parcel of land in the Fourth District of Baltimore County

Being the property of DKA Associates, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, November 18, 1982 at 11:00 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. RENCKE
CHIEF

October 8, 1982

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: DKA Associates

Location: SE/Cor. Reisterstown Road and Cherry Valley Road

Item No.: 46

Zoning Agenda: Meeting of September 14, 1982

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

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

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: _____
Planning Group
Special Inspection Division

Noted and
Approved: *George M. McQuinn*
Fire Prevention Bureau

/s/

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3355

WILLIAM E. HAMMOND
ZONING COMMISSIONER

November 5, 1982

Robert M. Hankin, Esquire
Levin, Gann & Hankin
10 Light Street
Baltimore, Maryland 21202

Re: Petition for Special Exception
SE/corner Reisterstown and Cherry Valley Rds.
DKA Associates - Petitioners
Case #83-121-X Item #46

Dear Mr. Hankin:

This is to advise you that \$71.70 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 113013

DATE: 11-1-82 ACCOUNT: R-01-615-000

AMOUNT: \$71.70

RECEIVED FROM: *Levin, Gann & Hankin*

FOR: *Advertising & Posting*

Case # 83-121-X

0055*****717013 P012A

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3300

TED ZALESKI, JR.
DIRECTOR

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #46 Zoning Advisory Committee Meeting are as follows:

Property Owner: DKA Associates
Location: SE/Cor. Reisterstown Road and Cherry Valley Road
Existing Zoning: B.L.
Proposed Zoning: Special Exception for Community building, swimming pool or other structural land use devoted to civic, social or recreational activities, (a women's reducing and health salon with facilities for dancing and other exercises).
Acres: 6.96
District: 14th

The items checked below are applicable:

- X A. All structure shall conform to the Baltimore County Building Code 1982/ Council Bill 1-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- B. A building and other miscellaneous permits shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-6" of lot line. A firewall is required if construction is on the lot line. See Table 101, line 2. Section 1607 and Table 1602.
- F. Requested variance conflicts with the Baltimore County Building Code, Section 1607.
- X G. A change of occupancy shall be applied for, along with an alternate permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal. From Mercantile use group M to assembly use group A-1.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed, comply with the height/area requirements of Table 505 and the required construction classification of Table 101.
- XI. Comments/Descriptions shall be indicated "for zoning purposes only, not property lines." As a division of property in this manner would be a violation of Fire separation as required by the Building Code.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of my permit. If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,
Charles E. Burman
Charles E. Burman, Chief
Plans Review

CEB:rtj
FORM 01-82

D. S. THALER & ASSOCIATES, INC.

11 WARREN ROAD • BALTIMORE, MARYLAND 21208 • (301) 481-1100

DESCRIPTION TO ACCOMPANY SPECIAL EXCEPTION FOR A FITNESS CENTER IN CHERRY VALLEY PLAZA

Beginning for the same at a point located as follows: South 04°12'31" West 416.00 feet from the intersection of the centerline of Cherry Valley Road and the Southwest right of way line of Reisterstown Road as widened to a 100 foot width, running thence from said point of beginning to include the area of special exception and required parking the six following courses viz:

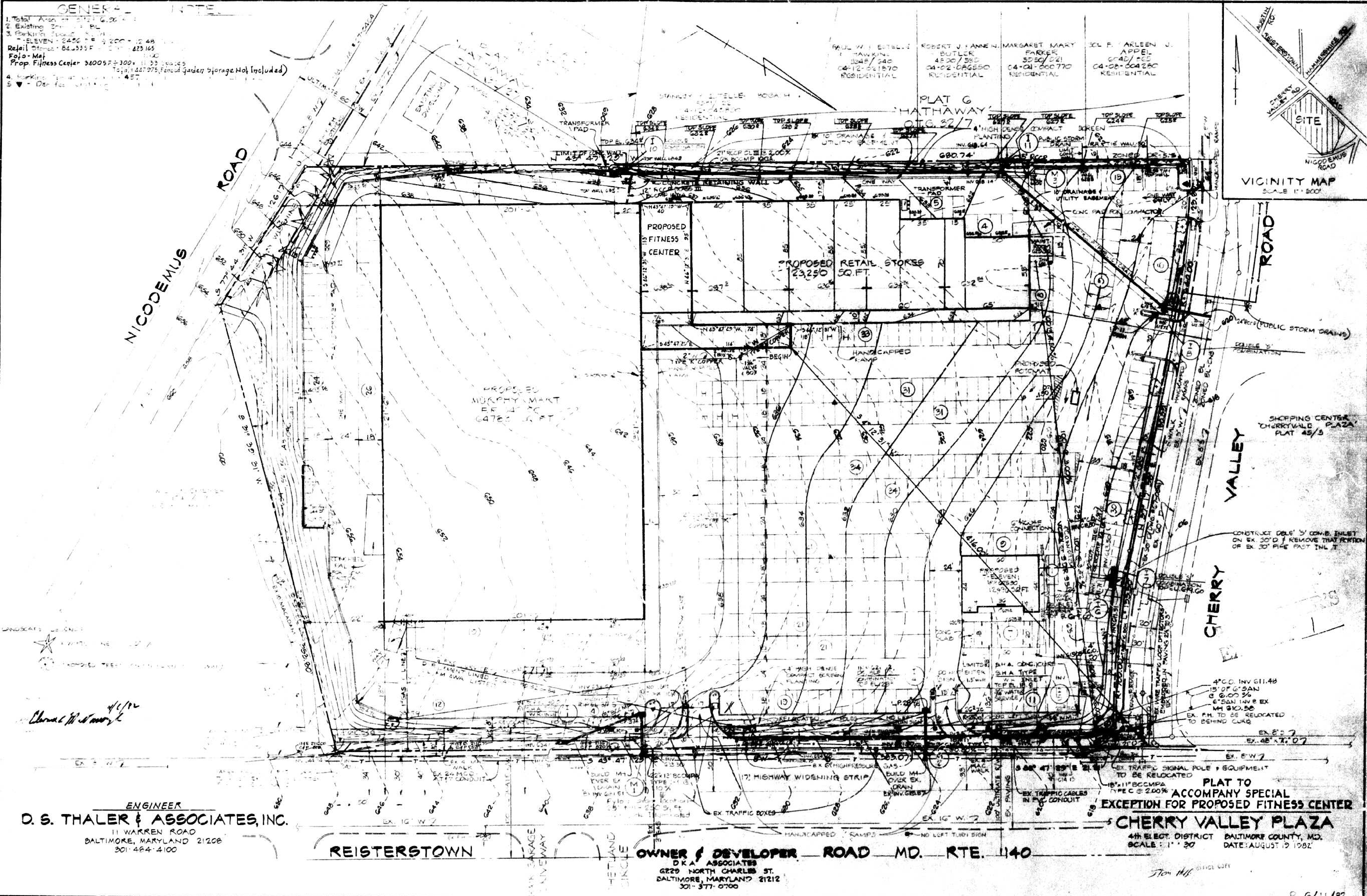
- 1) South 43°47'29" East 114 feet
- 2) South 46°12'31" West 113 feet
- 3) North 43°47'29" West 40 feet
- 4) North 46°12'31" East 95 feet
- 5) North 43°47'29" West 74 feet
- 6) South 46°12'31" West 18 feet to the place of beginning.



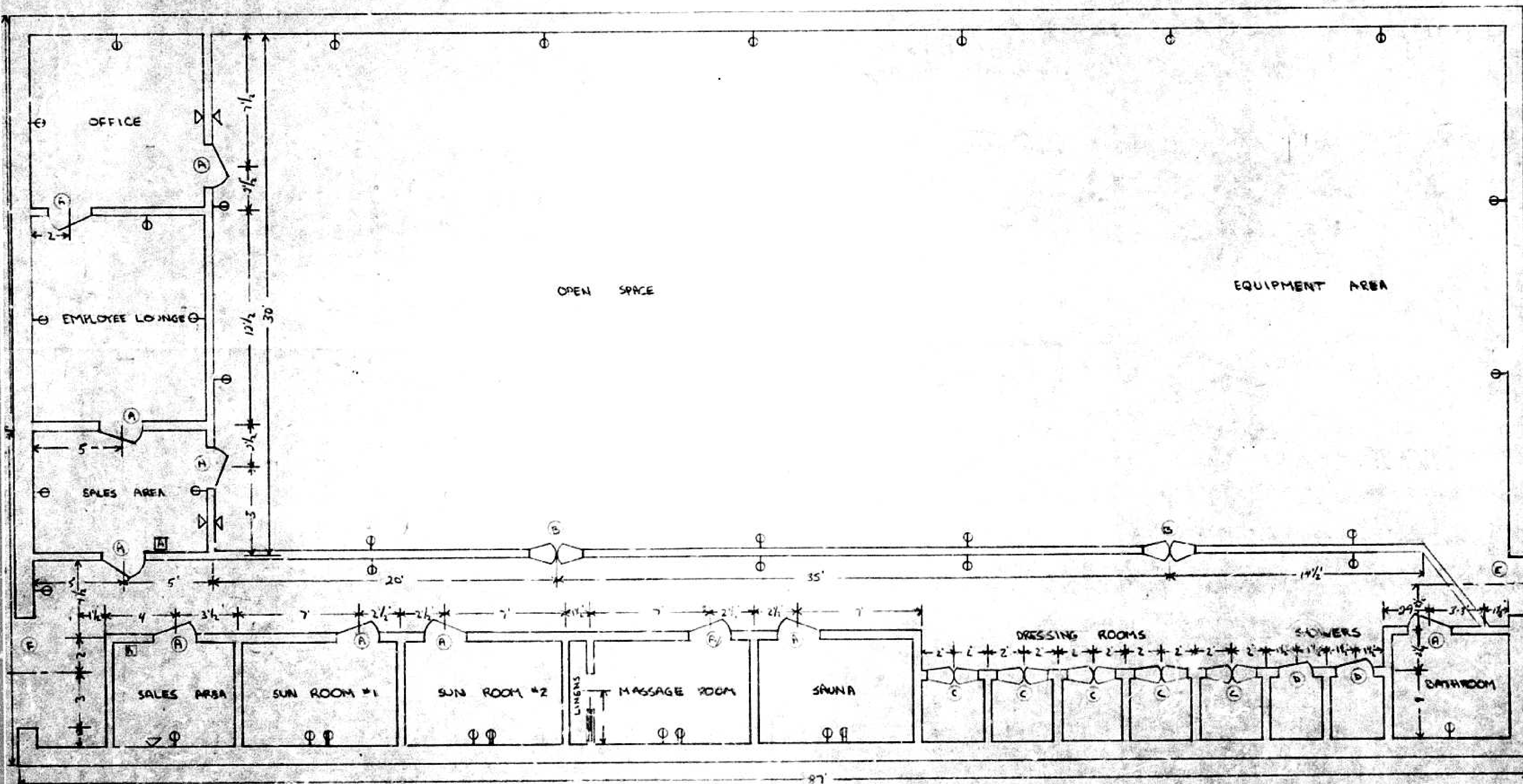
CIVIL ENGINEERS • SITE PLANNERS

GENERAL NOTE

1. Total Area: 21.27 AC.
 2. Existing: 2.00 AC.
 3. Proposed: 19.27 AC.
 4. Proposed: 19.27 AC.
 5. Proposed: 19.27 AC.
- Relief: 84,335 F. 823,165
 Folia: 84,335 F. 823,165
 Prop. Fitness Center: 34005 F. 300, 11, 33, 34, 35
 Prop. Retail Stores: 23,250 F. 50, 51, 52, 53, 54, 55
 Prop. Fitness Center: 34005 F. 300, 11, 33, 34, 35
 Prop. Retail Stores: 23,250 F. 50, 51, 52, 53, 54, 55
 Prop. Fitness Center: 34005 F. 300, 11, 33, 34, 35
 Prop. Retail Stores: 23,250 F. 50, 51, 52, 53, 54, 55



FITNESS INTERNATIONAL



DOOR LEGEND

- (A) - 2 1/2' SWINGING INTERIOR
- (B) - 3' DOUBLE SWINGING
- (C) - 3' DOUBLE SWINGING
- (D) - 3' SWINGING INTERIOR
- (E) - 3' SWINGING EXTERIOR
- (F) - 6' SWINGING EXTERIOR

SYMBOLS

- ⊕ - WALL OUTLET
- ⊕ - 220 VOLT
- △ - TELEPHONE

WALLS

ALL WALLS ARE 8'
EXCEPT FOR [A] WHICH
ARE HALF SIZE (COUNTER HIGH)

SCALE 1/4" = 1'

COMMENTS:

REVISOR'S
2

MICHAEL CHARNOFSKY 8-28-82