

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
 SPECIAL EXCEPTION & VARIANCE - * ZONING COMMISSIONER
 S/S Golden Ring Road, N/S Kelso Drive, *
 E/S I-695 (Parcel 209, Tax Map 90) * OF BALTIMORE COUNTY
 15th Election District *
 7th Council District * Case No. 01-284-SPHXA
 CSX Realty Development, LLC, Owners; *
 Fit-Tech Fitness Club, Contract Lessee *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owners of the subject property, CSX Realty Development, LLC, and the Contract Lessee, Fit-Tech Fitness Club, through their attorney, John B. Gontrum, Esquire. The Petitioners request a special exception for a commercial recreational facility on property zoned M.L.R.-I. M. and M.L.-I.M., pursuant to Sections 248.4.A and 253.2.D.4 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, the Petitioner requests a special hearing to approve commercial parking in a residential zone, pursuant to Section 409.8.B.1 of the B.C.Z.R. Lastly, the Petitioners request variance relief from the B.C.Z.R. as follows: From Sections 255.2 and 243.1 to permit a front yard setback of 33 feet in lieu of the required 75 feet; from Section 250.3 to permit a rear yard setback of 30 feet in lieu of the required 40 feet; from Section 250.6 to permit a parking setback from an internal residential zone line of 0 feet in lieu of the required 25 feet; from Section 250.4 to permit a building to be as close as 17 feet to the nearest residential zone line, in lieu of the required 100 feet; from Section 409.5 to permit 19 small car spaces for a commercial recreational facility in lieu of the none allowed to count for parking total; from Section 409.4 to allow parking spaces along vehicular travelways with direct access to same; from Section 409.6.A.4 to permit 131 parking spaces in lieu of the required 179 spaces, or, 150 parking spaces in lieu of the required 179 spaces, if the small car variance is granted; and, from Sections 1.B01.1.B.1.c and 1B01.1.B.1.e to permit Residential Transition Area

ORDER RECEIVED FOR FILING
 Date 3/3/19
 By [Signature]

(RTA) setbacks of as close as 10 feet, and buffers as small as 10 feet, in lieu of the required 75 feet and 50 feet, respectively. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests were Troy Schweiger, a principal of Fit-Tech Fitness Club, the Contract Purchaser of the subject property, and John B. Gontrum, Esquire, attorney for the Petitioner. Also appearing in support of the requests were Donald E. Hicks and Jacob E. Evans, Professional Engineers who prepared the site plan for this property, and Dr. Ross Z. Pierpont. There were no Protestants or other interested persons present.

The subject property is a unique, pie-shaped lot, located between Golden Ring Road and Kelso Drive, just east of the Baltimore Beltway (I-695) in Rossville. In fact, Kelso Drive actually bisects a portion of the property, thereby separating the overall tract into two parcels, which have been identified as Parcels 209 and 1153 on Tax Map 90, Grid 13. Parcel 209 is the subject of the instant requests. Parcel 209 contains approximately 2.67 acres in area and is split zoned M.L.-I.M., M.L.R.-I.M., and D.R.5.5. The characteristics of the property result in limited opportunities for any reasonable development thereon. In addition to its unusual shape and multiple zoning classifications, the property is located immediately adjacent to I-695. Moreover, it was indicated that the property also contains wetlands and a number of other site constraints, which limit development. Thus, the property has historically been vacant and has been frequently used as a dumping ground.

The Petitioners propose development of the site, which will no doubt present an upgrade to both the property and immediate area. Mr. Schweiger is the proprietor of the Fit-Tech Fitness Club chain. Presently, there are two Fit-Tech Fitness centers in Baltimore County. These centers feature gymnasium/spa type facilities, including cardiovascular equipment, free weights, nautilus, etc. Mr. Schweiger proposes developing the subject site with a third center. The proposed facility will be a one-story building, featuring a mezzanine level. The building will be 200 feet deep by 90 feet wide, for a total area of 18,000 sq.ft. In addition to the building, the site will also be improved

ORDER RECEIVED FOR FILING
Date 3/13/01
By [Signature]

with the installation of a parking field to accommodate clients of the fitness center. The plan also shows that the primary access to the Center will be by way of a curb cut along Kelso Drive; however, a driveway entrance on the opposite sides of the property at Golden Ring Road will also be provided. It is anticipated that most traffic will arrive via Kelso Drive.

Section 101 of the B.C.Z.R. defines "commercial recreational facilities" as, "facilities whose principle purpose is to provide space and equipment for non-professional athletic activities." The definition then goes on to describe examples of those particular uses which occur at a commercial recreational facility. Based on the testimony offered at the hearing, it is clear that the proposed use falls within that definition. Additionally, although Sections of the Zoning Commissioner's Policy Manual suggest that the use may be permitted as of right, Sections 248.4.A and 253.2.D.4 provide that the proposed use is permitted by special exception in the M.L.R.-I.M. and M.L.-I.M. zones, respectively.

In regard to the Petition for Special Exception, it is clear that the proposed use is appropriate at this location. Moreover, although there are some residences in the immediate vicinity, the property is near a large industrial/business area. Mr. Schweiger anticipates that many of his clients will come to the site on their way to or from work. The evidence was persuasive that the proposed use will not be detrimental to the health, safety and general welfare of the locale and complies with the requirements of Section 502.1 of the B.C.Z.R. Indeed, the proposal represents an upgrade to the property and appears entirely appropriate for the site.

Special Hearing relief is requested to allow a portion of the parking lot to be located in that part of the tract zoned D.R.5.5, which is a residential zoning classification. Approval for commercial parking in the D.R.5.5 zone is permitted under Section 409.8.B.1. Testimony and evidence presented was persuasive that special hearing relief should be granted. The uniqueness of the site in terms of its width drives the need for a portion of the parking lot to be located within the residential zone. It is also to be noted that the site plan shows that the lot will be set back from the property line to allow a reasonable buffer between the use and adjacent residences. Based on all of these factors, I find that the Petition for Special Hearing should be granted.

A series of zoning variances have been requested as set out above. Two of the variances relate to the number of parking spaces proposed. Based on the square footage of the proposed building, 179 spaces are required. The Petitioner can provide 150 spaces, 19 of which are for small/compact vehicles. Variance relief is therefore requested to permit a reduced number of spaces and to allow the small car spaces to be counted towards the total number of spaces provided. The other variances requested are more particularly highlighted on the plan. They relate to insufficient setbacks for the building and parking lot. Although the variances are numerous in number, it is clear that the need for same is driven by the unusual shape of the property. In my judgment, the Petitioners have sited the building on the property appropriately and that variance relief is warranted. I find that the property is unique by virtue of its shape and topographical features. Moreover, development of the property would be prohibited if strict compliance with the regulations were required. Thus, a practical difficulty upon the Petitioners is determined. Lastly, I am persuaded that there will be no detrimental impacts by the proposed development and variance relief upon adjacent properties.

In terms of restrictions, the Department of Environmental Protection and Resource Management (DEPRM) noted within their Zoning Advisory Committee (ZAC) comments that the property must comply with their regulations regarding the protection of water quality, streams, wetlands and floodplains. Such a restriction is appropriate. Additionally, it appears that some measure of screening should be provided along the east side of the property to buffer its use from the adjacent residence at 7141 Golden Ring Road. Whether this landscaping should include a fence and evergreen screen shall be determined by the Petitioners in consultation with the County's Landscape Architect, Mr. Avery Harden. Nonetheless, some type of screen is appropriate to buffer that residence and the residential community adjacent thereto from the lights, sounds and other impacts associated with this development.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested shall be granted.

ORDER RECEIVED FOR FILING
Date 3/13/17
By [Signature]

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of March, 2001 that the Petition for Special Exception for a commercial recreational facility in the M.L.R.-I. M. and M.L.-I.M. zones, pursuant to Sections 248.4.A and 253.2.D.4 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to approve commercial parking in a residential zone, pursuant to Section 409.8.B.1 of the B.C.Z.R., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Sections 255.2 and 243.1 to permit a front yard setback of 33 feet in lieu of the required 75 feet; from Section 250.3 to permit a rear yard setback of 30 feet in lieu of the required 40 feet; from Section 250.6 to permit a parking setback from an internal residential zone line of 0 feet in lieu of the required 25 feet; from Section 250.4 to permit a building to be as close as 17 feet to the nearest residential zone line, in lieu of the required 100 feet; from Section 409.5 to permit 19 small car spaces for a commercial recreational facility in lieu of the none allowed to count for parking total; from Section 409.4 to allow parking spaces along vehicular travelways with direct access to same; from Section 409.6.A.4 to permit 150 parking spaces in lieu of the required 179 spaces, if the small car variance is granted; and, from Sections 1.B01.1.B.1.c and 1B01.1.B.1.e to permit Residential Transition Area (RTA) setbacks of as close as 10 feet, and buffers as small as 10 feet, in lieu of the required 75 feet and 50 feet, respectively, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Advisory Committee (ZAC) comment submitted by the Department of Environmental Protection and Resource

ORDER RECEIVED FOR FILING

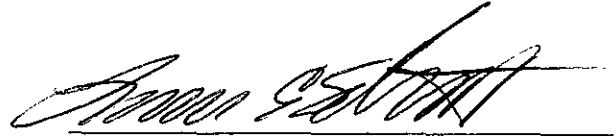
Date

By

Management (DEPRM), dated February 5, 2001, a copy of which is attached hereto and made a part hereof.

- 3) Prior to the issuance of any permits, the Petitioners shall submit a landscape plan for review and approval by the County's Landscape Architect, Mr. Avery Harden. Said plan shall provide for screening on the east side of the property to buffer the proposed use from the adjacent residence known as 7141 Golden Ring Road.
- 4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.6.A.4 to permit 131 parking spaces in lieu of the required 179 be and is hereby DISMISSED AS MOOT.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 3/3/01
By [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

March 14, 2001

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin, P.A.
814 Eastern Avenue
Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
S/S Golden Ring Road, N/S Kelso Drive, E/S of the Baltimore Beltway (I-695)
(Parcel 209, Tax Map 90, Grid 13)
15th Election District – 7th Council District
CSX Realty Development, LLC, Owners; Fit Tech Fitness Club, Contr. Pur. - Petitioners
Case No. 01-284-SPHXA

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Betty D. Jones, Director of Sales Support, CSX Realty Development, LLC
32 South Street, Baltimore, Md. 21202
Mr. Troy Schweiger, Fit-Tech Fitness Club
12204 Darney View Road, Kingsville, Md. 21087
Messrs. Donald Hicks & Jacob Evans, 200 E. Joppa Road, #402, Towson, Md. 21286-3160
Dr. Ross Pierpont, 215 Redwood Forest Court, Timonium, Md. 21093
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

TAX MAP 90; PARCEL 209 N. SIDE OF
for the property located at KELSO DRIVE, E. SIDE OF I-695
which is presently zoned DR 5.5; ML-IM
& MLR-IM

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

Special Hearing to allow commerical parking in residential zone; B.C.Z.R. Section 409.8.B.1.

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:

Troy Schweiger
Name - Type or Print
Signature *Troy Schweiger*
Fit-Tech Fitness Club
12204 Darney View Road 410-866-1111
Address Telephone No.
Kingsville MD 21087
City State Zip Code

Attorney For Petitioner:

John B. Gontrum, Esq.
Name - Type or Print
Signature *John B. Gontrum*
Romadka, Gontrum & McLaughlin, P.A.
Company
814 Eastern Avenue 410-686-8274
Address Telephone No.
Essex MD 21221
City State Zip Code

Legal Owner(s):

CSX REALTY DEVELOPMENT, LLC
Name - Type or Print
Signature *Betty D. Jones*
DIRECTOR OF SALES SUPPORT
BETTY D. JONES 1-904-633-4517
Name - Type or Print
Signature
32 South Street 410-613-6155
Address Telephone No.
Baltimore MD 21202
City State Zip Code

Representative to be Contacted:

Romadka, Gontrum & McLaughlin, P.A.
John B. Gontrum, Esq.
Name
814 Eastern Avenue 410-686-8274
Address Telephone No.
Essex MD 21221
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 DAY

UNAVAILABLE FOR HEARING —

Reviewed By JL Date 1/18/01

Case No. 01-284 SPHX A

221 9/15/98

ORDER RECEIVED FOR FILING

Date

By

JAN 08 '01 14:20



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

N. SIDE OF KELSO DRIVE, E. SIDE OF I-695

Tax Map 90; Parcel 209

for the property located at Kelso Drive & MLR-IM

which is presently zoned DR 5.5; ML-IM/

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

Special Exception to allow commercial recreational facilities in a MLR-IM zone, B.C.Z.R. Section 248.4.A. and in a ML-IM zone, B.C.Z.R. Section 253.2D,4.

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

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Troy Schweiger
Name - Type or Print
Signature *Troy Schweiger*
Fit-Tech, Fitness Club
12204 Darney View Road 410-866-1111
Address Telephone No.
Kingsville MD 21087
City State Zip Code

Attorney For Petitioner:

John B. Gontrum; Esq.
Name - Type or Print
Signature *John B. Gontrum*
Romadka, Gontrum & McLaughlin, P.A.
Company
814 Eastern Avenue 410-686-8274
Address Telephone No.
Essex MD 21221
City State Zip Code

Legal Owner(s):

CSX REALTY DEVELOPMENT, LLC
Name - Type or Print
Signature *Betty D. Jones*
DIRECTOR OF SALES SUPPORT
BETTY D. JONES 1-904-633-4517
Name - Type or Print
Signature
32 South Street 410-613-6155
Address Telephone No.
Baltimore MD 21202
City State Zip Code

Representative to be Contacted:

Romadka, Gontrum & McLaughlin, P.A.
John B. Gontrum, Esq.
Name
814 Eastern Avenue 410-686-8274
Address Telephone No.
Essex MD 21221
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 DAY
UNAVAILABLE FOR HEARING

Reviewed By VL Date 1/18/01

ORDER RECEIVED FOR FILING

Date 3/13/01
By [Signature]
Case No. 01-284-SPHXA
220 09/15/98



PETITION FOR VARIANCE

to the Zoning Commissioner of Baltimore County

for the property located at TAX MAP 90; PARCEL 209 N. SIDE OF
KELSO DRIVE, E. SIDE OF I-695

which is presently zoned DR 5.5; ML-IM
& MLR-IM

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 Variance from Section(s)

SEE ATTACHMENT 'A'

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Due to the unique configuration of the parcel and the fact that the property is tri-sected by three zoning classifications, creates a practical difficulty in use of the property as zoned.

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

I, or we, agree to pay expenses of above Variance, 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:

Troy Schweiger
Name - Type or Print
Signature *Troy Schweiger*
Fit-Tech, Fitness Club
12204 Darney View Road 410-866-1111
Address Telephone No.
Kingsville MD 21087
City State Zip Code

Attorney For Petitioner:

John B. Gontrum; Esq.
Name - Type or Print
Signature *John B. Gontrum*
Romadka, Gontrum & McLaughlin, P.A.
Company
814 Eastern Avenue 410-686-8274
Address Telephone No.
Essex MD 21221
City State Zip Code

Legal Owner(s):

CSX REALTY DEVELOPMENT, LLC
Name - Type or Print
Signature *Betty D. Jones*
DIRECTOR OF SALES SUPPORT
BETTY D. JONES 1-904-633-4517
Name - Type or Print
Signature
32 South Street
Address Telephone No.
Baltimore MD 21202
City State Zip Code

Representative to be Contacted:

Romadka, Gontrum & McLaughlin, P.A.
John B. Gontrum, Esq.
Name
814 Eastern Avenue 410-686-8274
Address Telephone No.
Essex MD 21221
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 1 DAY

UNAVAILABLE FOR HEARING
Reviewed By JL Date 1/18/01

ORDER RECEIVED FOR FILING
Date 1/13/01
By [Signature]

Case No. 01-284-SPHXA

REV 9/13/98

ATTACHMENT 'A'

PETITION FOR VARIANCE

RE: PROPERTY LOCATED AT
KELSO DRIVE ON THE EAST SIDE
OF INTERSTATE ROUTE 695 -
BALTIMORE BELTWAY.

CASE NO. _____

PLAT
ITEM NO.

PETITION

- 3 VARIANCE TO B.C.Z.R. SECTION 255.2 AND B.C.Z.R. SECTION 243.1, TO PERMIT 33 FEET FRONT YARD, IN LIEU OF REQUIRED 75 FEET.
- 4 VARIANCE TO B.C.Z.R. SECTION 250.3 TO PERMIT A 30 FEET REAR YARD, IN LIEU OF REQUIRED 40 FEET REAR YARD.
- 5 VARIANCE TO B.C.Z.R. SECTION 250.6 TO PERMIT A ZERO FOOT PARKING SETBACK, IN LIEU OF 25 FEET SETBACK, FROM AN INTERNAL RESIDENTIAL ZONE LINE.
- 6 VARIANCE TO ALLOW BUILDING TO BE AS CLOSE AS 17 FEET, IN LIEU OF 100 FEET, TO NEAREST RESIDENTIAL ZONE LINE, B.C.Z.R. SECTION 250.4.
- 7 VARIANCE TO B.C.Z.R. SECTION 409.5 TO PERMIT NINETEEN SMALL CAR SPACES FOR A COMMERCIAL RECREATIONAL FACILITY, IN LIEU OF NONE ALLOWED TO COUNT FOR PARKING TOTAL.
- 8 VARIANCE TO B.C.Z.R. SECTION 409.4 TO ALLOW PARKING SPACES ALONG VEHICULAR TRAVELWAYS WITH DIRECT ACCESS TO SAME.
- 9 VARIANCE FROM B.C.Z.R. SECTION 409.6.A.4 TO PERMIT 131 PARKING SPACES, IN LIEU OF REQUIRED 179 SPACES, OR 150 PARKING SPACES, IN LIEU OF REQUIRED 179 SPACES, IF SMALL CAR VARIANCE IS GRANTED.
- 10 VARIANCE TO PERMIT RESIDENTIAL TRANSITION AREA (R.T.A.) SETBACKS AS CLOSE AS 10 FEET, AND BUFFERS AS SMALL AS 10 FEET, IN LIEU OF THE REQUIRED 75 FEET AND 50 FEET, RESPECTIVELY, B.C.Z.R. SECTION 1.B01.1.B.1.c AND B.C.Z.R. SECTION 1 B01.1.B.1.e.

284



HICKS ENGINEERING COMPANY, INC.

01-284-SPHXA

AREA OF SPECIAL HEARING
AND MISCELLANEOUS VARIANCES
DESCRIPTION OF DR 5.5 ZONE
GOLDEN RING ROAD
TAX MAP 90; P/O PARCEL NO. 209
COUNCIL MANIC DISTRICT 7
ELECTION DISTRICT 15
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point in the center of Golden Ring Road, thirty feet wide right of way, said point being located approximately 835 feet from the centerline intersection of the said Golden Ring Road with the centerline of Kelso Drive, seventy feet wide right of way, thence leaving the Point of Beginning and running with the eastern boundary of Parcel 209,

- 1) South 15 degrees 46 minutes 49 seconds East 255.98 feet to intersect the DR 5.5 and the LM-IM zone line, thence leaving said eastern boundary line and running with the said zone line in, through, over and across the said parcel 209, the following two courses and distances,
- 2) South 89 degrees 28 minutes 06 seconds West 86.74 feet to intersect the MLR-IM and the DR 5.5 zone line thence leaving the said point and running with the MLR-IM and the DR 5.5 zone line,
- 3) North 00 degrees 26 minutes 19 seconds West 246.96 feet to the centerline of Golden Ring Road and the intersection of the said MLR-IM and the DR 5.5 zone line with the ML-IM zone line thence, running with the centerline of Golden Ring Road and the MLR-IM and DR 5.5 zone line,
- 4) North 87 degrees 30 minutes 16 seconds East 22.04 feet to the Point of Beginning.

CONTAINING 13,475.20 square feet or 0.31 acres, more or less.



Civil Engineers • Surveyors • Land Planners



HICKS ENGINEERING COMPANY, INC.

ZONING SITE DESCRIPTION
KELSO DRIVE & GOLDEN RING ROAD
TAX MAP 90; PARCEL NO. 209
COUNCILMANIC DISTRICT 7
ELECTION DISTRICT 15
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point in the center of Golden Ring Road, thirty feet wide right of way, said point being located approximately 835 feet from the centerline intersection of the said Golden Ring Road with the centerline of Kelso Drive, seventy feet wide right of way, thence, leaving the Point of Beginning and running the following nine (9) courses and distances to describe the boundary outline of Parcel 209:

- 1) South $15^{\circ}46'49''$ East 294.50 feet, thence
- 2) South $23^{\circ}04'14''$ East 236.29 feet to the northern right of way line of Kelso Drive, thence running with the said right of way line,
- 3) South $50^{\circ}40'32''$ West 122.24 feet to the east right of way line of Interstate Route 695-Baltimore Beltway, thence
- 4) North $39^{\circ}19'28''$ West 315.00 feet, thence continuing with the east right of way line,
- 5) North $34^{\circ}10'54''$ West 225.91 feet, thence
- 6) North $40^{\circ}02'03''$ East 166.34 feet, thence
- 7) South $85^{\circ}55'34''$ West 30.00 feet, thence
- 8) North $04^{\circ}04'26''$ West 14.98 feet to the centerline of Golden Ring Road, thence with the said centerline,
- 9) North $87^{\circ}30'16''$ East 172.57 feet to the Point of Beginning, as recorded in Liber 6501 at Folio 454.

CONTAINING 116,248.03 square feet or 2.67 acres, more or less.



Civil Engineers • Surveyors • Land Planners



HICKS ENGINEERING COMPANY, INC.

**AREA OF SPECIAL EXCEPTION
AND MISCELLANEOUS VARIANCES**

DESCRIPTION OF ML-IM ZONE

KELSO DRIVE

TAX MAP 90; P/O PARCEL NO. 209

COUNCIL MANIC DISTRICT 7

ELECTION DISTRICT 15

BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point on the north right of way line of Kelso Drive, seventy feet wide right of way, said point being located approximately 800 feet along the north right of way line from the centerline of Golden Ring Road, thirty feet wide right of way, thence leaving said point and running with the north right of way line of Kelso Drive,

- 1) South 50 degrees 40 minutes 32 seconds West 122.24 feet to the west boundary line of Parcel 209 and the east right of way line of Interstate Route 695 - Baltimore Beltway, thence running with the west boundary line and said right of way line of Interstate Route 695, the following two courses and distances,
- 2) North 39 degrees 19 minutes 28 seconds West 315.00 feet to a point, thence
- 3) North 34 degrees 10 minutes 54 seconds West 105.90 feet to intersect the ML-IM and the MLR-IM zone line, thence leaving said point and running with and binding on the said zone line in, through, over and across the said Parcel 209,
- 4) North 89 degrees 28 minutes 06 seconds East 165.67 feet to a point at the end of the ML-IM and the MLR-IM zone line and the beginning of the ML-IM and the DR 5.5 zone line and thence, continuing the same course for the ML-IM and the DR 5.5 zone line,
- 5) North 89 degrees 28 minutes 06 seconds East 86.74 feet to a point on the east boundary line of Parcel 209, thence leaving said point and running with and binding along the east boundary line, the following two courses and distances,
- 6) South 15 degrees 46 minutes 49 seconds East 38.52 feet to a point, thence
- 7) South 23 degrees 04 minutes 14 seconds East 236.29 feet to the point of Beginning

CONTAINING 58,370.40 square feet or 1.34 acres, more or less.





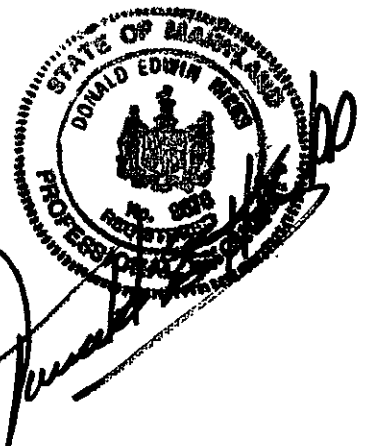
HICKS ENGINEERING COMPANY, INC.

AREA OF SPECIAL EXCEPTION
AND MISCELLANEOUS VARIANCES
DESCRIPTION OF MLR-IM ZONE
GOLDEN RING ROAD
TAX MAP 90; P/O PARCEL NO. 209
COUNCIL MANIC DISTRICT 7
ELECTION DISTRICT 15
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point in the center of Golden Ring Road, thirty feet wide right of way, said point being located approximately 857.04 feet from the centerline intersection of the said Golden Ring Road with the centerline of Kelso Drive, seventy feet wide right of way, thence leaving said point and running with the DR 5.5 and the MLR-IM zone line in, through, over and across the said Parcel 209, the following two courses and distances,

- 1) South 00 degrees 26 minutes 19 seconds East 246.96 feet to intersect the ML-IM zone line, thence leaving said point and running with the MLR-IM and the ML-IM zone line,
- 2) South 89 degrees 28 minutes 06 seconds West 165.67 feet to intersect the North 34 degrees 10 minutes 54 seconds West 225.91 feet western boundary line of Parcel 209, said line also being the eastern right of way line of Interstate Route 695 - Baltimore Beltway, thence leaving said point and running with the western boundary line,
- 3) North 34 degrees 10 minutes 54 seconds West 120.01 feet to the end thereof, thence
- 4) North 40 degrees 02 minutes 03 seconds East 166.34 feet to a point, thence
- 5) South 85 degrees 55 minutes 34 seconds West 30.00 feet to a point, thence
- 6) North 04 degrees 04 minutes 26 seconds West 14.98 feet to a point in the centerline of said Golden Ring Road and the MLR - IM and ML-IM zone line, thence running with the centerline of Golden Ring Road and said zone line,
- 7) North 87 degrees 30 minutes 16 seconds East 150.53 feet to the Point of Beginning.

CONTAINING 44,402.43 square feet or 1.02 acres, more or less.



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

204 JUL

No. 90625

DATE 1/18/01 ACCOUNT R0016150
AMOUNT \$ 650.00

RECEIVED FROM: FIT TECH OF BALTO.

FOR: SPHXA FILING.

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT
PAYMENT ACTUAL TIME
1/18/2001 1/18/2001 10:15:44
REG 1005 CASHIER NOTE REC 00000 15
DEPT 5 EMB FURNING VERIFICATION
RECEIPT # 10000000000000000000
OR BL 00000000000000000000
Receipt Tot 576.00
650.00 OK 100 OK
Baltimore County, Maryland

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: #01-284-SPHXA

Kelso Drive

N/S Kelso Drive at E/S I-695

15th Election District - 7th Councilmanic District

Legal Owner(s): CSX Realty Development LLC

Contract Purchaser: Fit-Tech Fitness Club

Special Hearing: to allow commercial parking in a residential zone **Special Exception:** to allow commercial-recreational facilities in a M.L.R.-1.M. zone and in a M.L.-1.M. zone. **Variance:** to permit a 33-foot front yard in lieu of the required 75 feet; to permit a 30-foot rear yard in lieu of the required 40 feet; to permit a zero foot parking setback in lieu of 25 feet; to allow building to be as close as 17 feet in lieu of 100 feet to the nearest residential zone line; to permit 19 small car spaces in lieu of none allowed; to allow parking spaces along vehicular travelways with direct access to same; to permit 131 parking spaces in lieu of required 179 spaces or 150 parking spaces in lieu of required 179 spaces; and to permit RTA setbacks as close as 10 feet and buffers as small as 10 feet in lieu of the required 75 and 50 feet. **Hearing: Wednesday, March 7, 2001 at 2:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.**

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

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

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

JT/2/690 Feb. 20

C451674

CERTIFICATE OF PUBLICATION

TOWSON, MD, 2/22/, 2001

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/20/, 2001.

THE JEFFERSONIAN,
S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE Case No. 01-284-SPHXA

Petitioner/Developer CSX, ETAL

RMG-LAW FIRM

JOHN GONTRUM, ESQ.

Date of Hearing/Closing 3/7/01

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

Attention: Ms. Gwendolyn Stephens

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 N/S - KELSO DR. @ E/S I-695

The sign(s) were posted on

2/12/01

(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe, Sr. 2/14/01

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

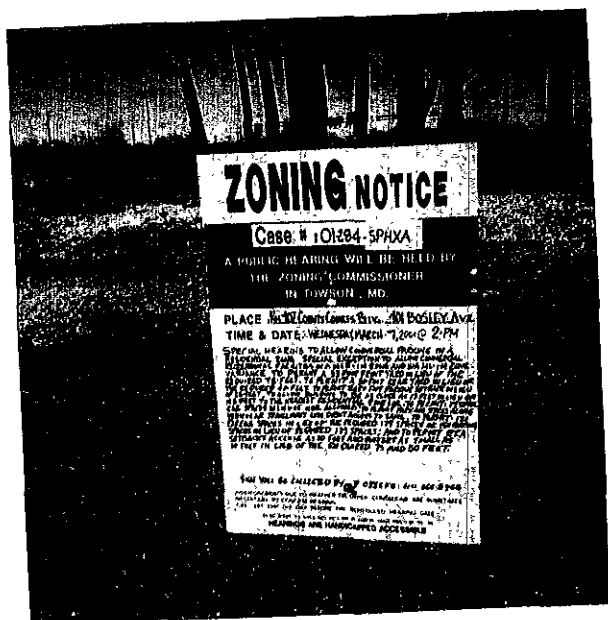
(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)



RE: PETITION FOR SPECIAL HEARING
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE

Kelso Drive, N/S Kelso Dr at E/S I-695
15th Election District, 7th Councilmanic

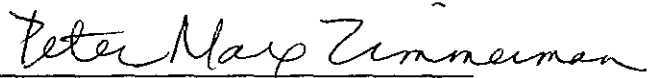
Legal Owner: CSX Realty Development, LLC
Contract Purchaser: Fit-Tech Fitness Club
Petitioner(s)

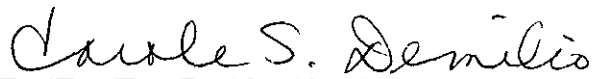
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 01-284-SPHXA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of 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


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 31st day of January, 2001 a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

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

January 31, 2001

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: 01-284-SPHXA
Kelso Drive
N/S Kelso Drive at E/S I-695
15th Election District – 7th Councilmanic District
Legal Owner: CSX Realty Development LLC
Contract Purchaser: Fit-Tech Fitness Club

Special Hearing to allow commercial parking in a residential zone. Special Exception to allow commercial recreational facilities in a M.L.R.-1.M. zone and in a M.L.-1.M. zone. Variance to permit a 33-foot front yard in lieu of the required 75 feet; to permit a 30-foot rear yard in lieu of the required 40 feet; to permit a zero foot parking setback in lieu of 25 feet; to allow building to be as close as 17 feet in lieu of 100 feet to the nearest residential zone line; to permit 19 small car spaces in lieu of none allowed; to allow parking spaces along vehicular travelways with direct access to same; to permit 131 parking spaces in lieu of required 179 spaces or 150 parking spaces in lieu of required 179 spaces; and to permit RTA setbacks as close as 10 feet and buffers as small as 10 feet in lieu of the required 75 and 50 feet.

HEARING: Wednesday, March 7, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon". To the right of the signature is a small handwritten mark that looks like "C.D.Z."

Arnold Jablon
Director



C: John B Gontrum Esq., Romadka Gontrum & McLaughlin PA, 814 Eastern Ave, Essex 21221

Betty D Jones, CSX Realty Development LLC, 32 South Street Baltimore 21202

Troy Schweiger, Fit-Tech Fitness Club, 12204 Darney View Road, Kingsville 21087

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 20, 2001.**
- (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.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 20, 2001 Issue – Jeffersonian

Please forward billing to:

John B Gontrum Esq
Romadka Gontrum & McLaughlin PA
814 Eastern Avenue
Essex MD 21221

410 686-8274

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: 01-284-SPHXA

Kelso Drive

N/S Kelso Drive at E/S I-695

15th Election District – 7th Councilmanic District

Legal Owner: CSX Realty Development LLC

Contract Purchaser: Fit-Tech Fitness Club

Special Hearing to allow commercial parking in a residential zone. Special Exception to allow commercial recreational facilities in a M.L.R.-1.M. zone and in a M.L.-1.M. zone. Variance to permit a 33-foot front yard in lieu of the required 75 feet; to permit a 30-foot rear yard in lieu of the required 40 feet; to permit a zero foot parking setback in lieu of 25 feet; to allow building to be as close as 17 feet in lieu of 100 feet to the nearest residential zone line; to permit 19 small car spaces in lieu of none allowed; to allow parking spaces along vehicular travelways with direct access to same; to permit 131 parking spaces in lieu of required 179 spaces or 150 parking spaces in lieu of required 179 spaces; and to permit RTA setbacks as close as 10 feet and buffers as small as 10 feet in lieu of the required 75 and 50 feet.

HEARING: Wednesday, March 7, 2001 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

692

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

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

March 2, 2001

John B Gontrum Esquire
Romadka Gontrum & McLaughlin PA
814 Eastern Avenue
Essex MD 21221

Dear Mr. Gontrum:

RE: Case Number: 01-284-SPHXA, Kelso Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 18, 2001.

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,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Betty D Jones, CSX Realty Development LLC, 32 South Street, Baltimore 21202
Troy Schweiger, Fit-Tech Fitness Club, 12204 Darney View Rd, Kingsville 21087
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** March 7, 2001

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

SUBJECT: Zoning Advisory Committee Meeting
For February 5, 2001
Item No. 284

The Bureau of Development Plans Review has reviewed the subject zoning item.

The entrance locations are subject to approval by the Bureau.

Entrances shall be a minimum of 24 feet and a maximum of 35 feet wide, shall have 10-foot minimum radii curb returns, shall be located a minimum of 15 feet from any property line, and shall be constructed in accordance with Baltimore County standards as the developer's total responsibility.

Prior to removal of any existing curb for entrances, the developer shall obtain a permit from the Bureau of Highways of the Department of Public Works.

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 developer's cost responsibilities include the acquiring of easements and right-of-way both onsite and offsite and the deeding in-fee of said right-of-way at no cost to the county. Preparation of all construction, right-of-way and easement drawings, engineering and surveys, and payment of all actual construction costs including the county overhead both within and outside the development are also the responsibilities of the developer.

Also, per record drawing number 89-0367, there is a storm drain inlet located just west of the proposed entrance on KELSO DRIVE.

The developer is responsible for damages to the county facilities, such as curb and gutter and inlets along his development frontage with public roads.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

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

January 31, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF January 29, 2001

Item No.: See Below

Dear Ms. Stephens:

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

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

279, 280, 283, AND 284

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: R. Bruce Seeley *RBS*
DATE: February 5, 2001
SUBJECT: Zoning Item #284
Fit-Tech Gym (Kelso Drive)

Zoning Advisory Committee Meeting of January 29, 2001

- _____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- _____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- X Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
- _____ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
- _____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Reviewer: Glenn Shaffer

Date: February 5, 2001

As
3/7

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: February 5, 2001

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

FEB - 6

SUBJECT: Zoning Advisory Petition(s): **Case(s) 01-284**

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

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. Long

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 1-31-01

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

RE: Baltimore County
Item No. 289 | JLL

Dear Ms. Jackson:

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,

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

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Jacob E. Evans, P.E.

5706 Arnhem Rd. Balto. MD 21206

DONALD E. HICKS, P.E.

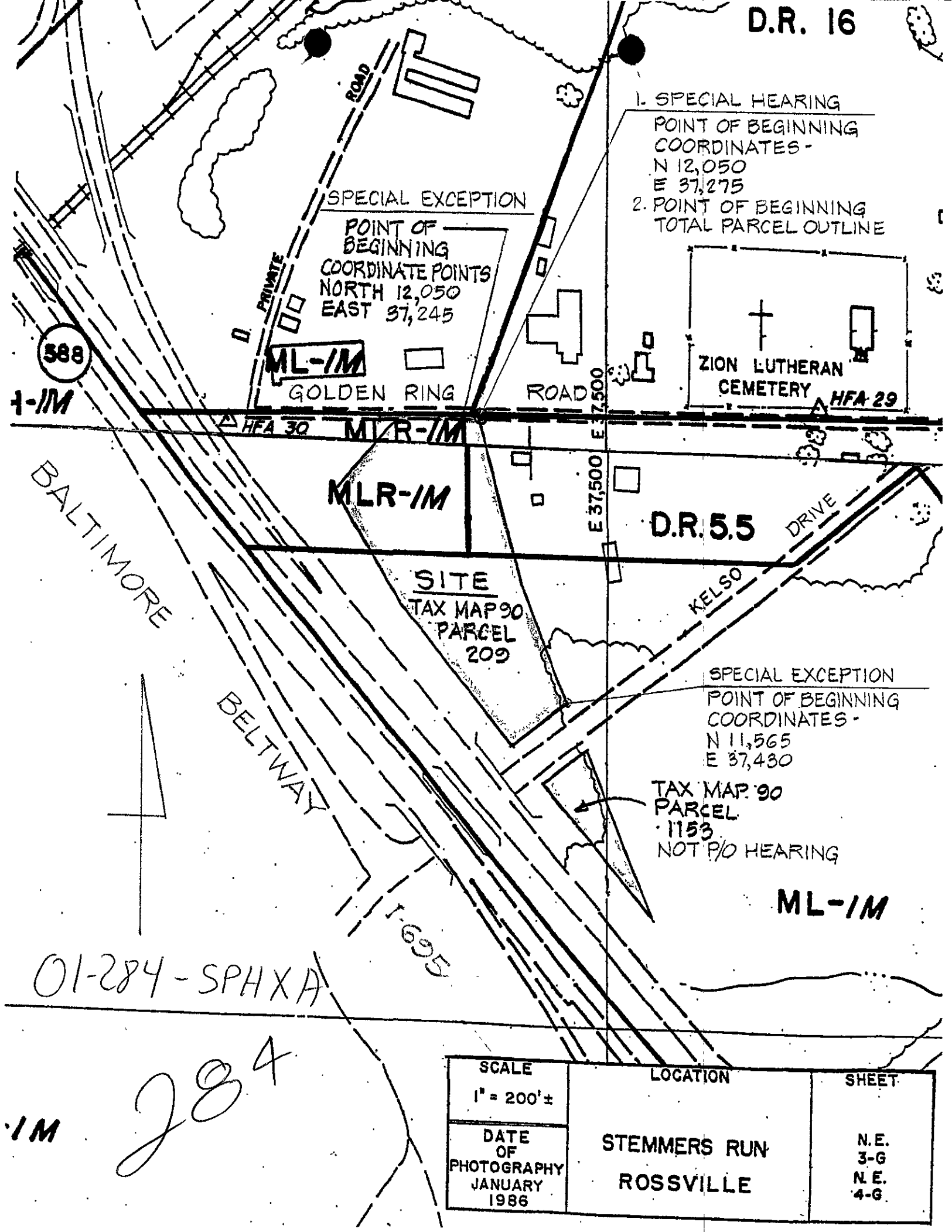
HICKS ENGINEERING
CO., INC. 410.494.8001

Miss J. Berpant MD

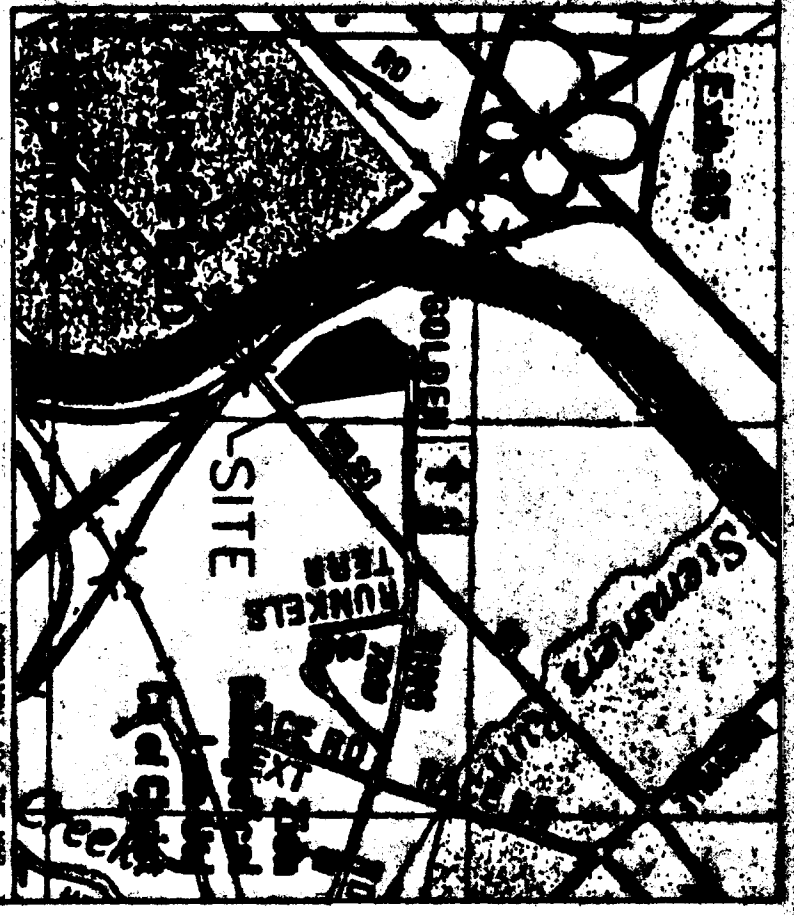
215 Belmont Front Ct. Lummerville
MD
21093

John Gortman -





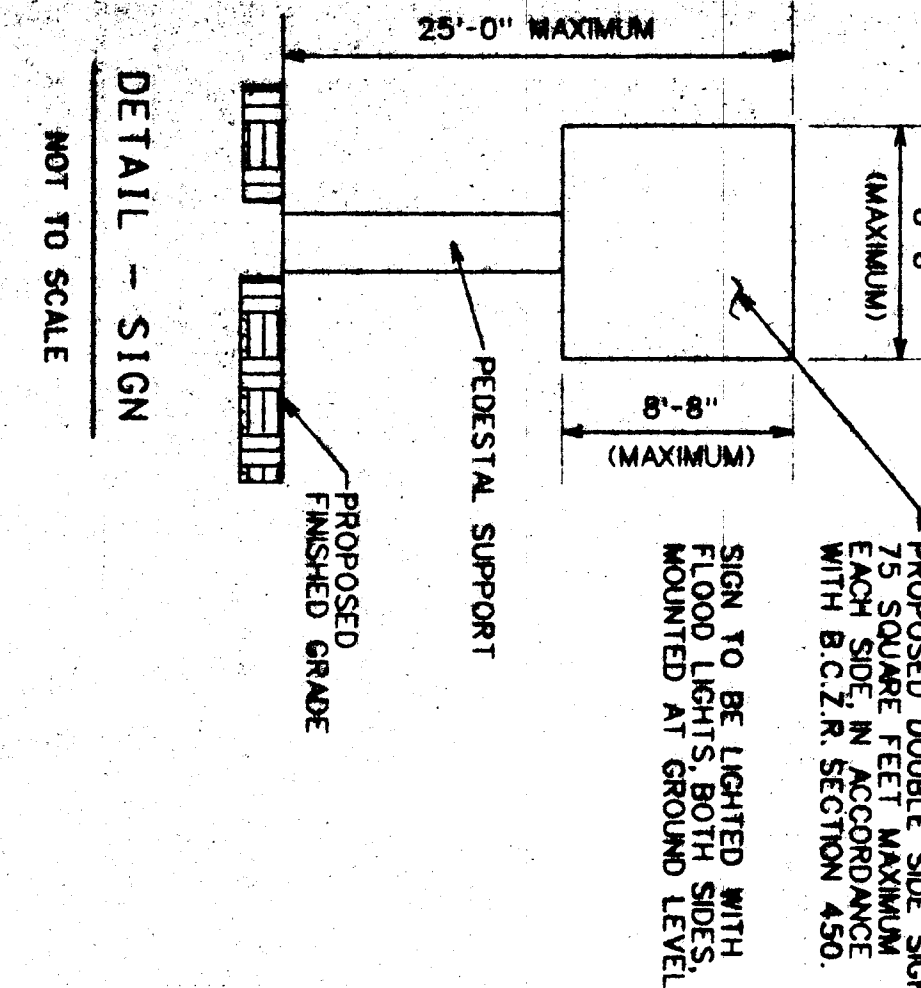
PARKING TABULATION			
USE	REQUIRED PARKING	SQUARE FEET	SPACES REQUIRED
MEMBERS ONLY - PHYSICAL THERAPY FACILITY	4.5 SPS. PER 1000 SQ. FT.	700	2 SPACES
OFFICE	3.3 SPS. PER 1000 SQ. FT.	900	3 SPACES
MEMBERS ONLY - HEALTH PRODUCTS SHOP	5 PER 1000 SQ. FT.	350	2 SPACES
CHILD CARE	1 PER EMPLOYEE ON LARGEST SHIFT BUT NOT LESS THAN 2	450	2 SPACES
ATHLETIC CLUB/HEALTH SPA	10 SPCS. PER 1000 SQ. FT.	17,000	170 SPACES
		19,400	179 SPACES



SITE DATA

- EXISTING ZONING: ML-R-1M; ML-1M & DR-5.5
- PROPERTY DATA:
 - PARCEL NO. 209 - TAX MAP 90 - GRID 13
 - ACCOUNT NO. 1900008890
 - PARCEL NO. 1153 - TAX MAP 90 - GRID 13
 - ACCOUNT NO. 1900008891
- AREA OF PARCELS:
 - A. PARCEL NO. 209: 2.67 ACRES.
 - B. PARCEL NO. 1153: 0.34 ACRES.
 - NOT PART OF THIS HEARING.
- DEED REFERENCE:
 - PARCEL NO. 209 L. 6501, F. 454, PARCEL 2
 - PARCEL NO. 1153 L. 6501, F. 454, PARCEL 3
 - BALTIMORE, MD 21202
- PREVIOUS ZONING CASES: NONE
- PREVIOUS COMMERCIAL PERMITS: NONE
- EXISTING USE - VACANT LAND.
- PREVIOUS ZONING CASES: NONE
- INPUT MEETINGS AND WAIVERS: NONE
- PARKING DATA:
 - REGULAR SPACES: 131 (INCLUDES 6 HANDICAP SPACES)
 - COMPACT SPACES: 19
 - TOTAL NO. OF SPACES PROVIDED: 150
 - TOTAL NO. OF REQUIRED SPACES: 179 (SEE PARKING TABULATION THIS PLAT).

- Any conditions not listed above which, in the judgment of the Planning Commission, are necessary for the proper development and use of the property, shall be deemed to be a condition of the zoning permit.
- Any conditions not listed above which, in the judgment of the Planning Commission, are necessary for the proper development and use of the property, shall be deemed to be a condition of the zoning permit.
- Any conditions not listed above which, in the judgment of the Planning Commission, are necessary for the proper development and use of the property, shall be deemed to be a condition of the zoning permit.
- Any conditions not listed above which, in the judgment of the Planning Commission, are necessary for the proper development and use of the property, shall be deemed to be a condition of the zoning permit.
- Any conditions not listed above which, in the judgment of the Planning Commission, are necessary for the proper development and use of the property, shall be deemed to be a condition of the zoning permit.
- Any conditions not listed above which, in the judgment of the Planning Commission, are necessary for the proper development and use of the property, shall be deemed to be a condition of the zoning permit.
- Any conditions not listed above which, in the judgment of the Planning Commission, are necessary for the proper development and use of the property, shall be deemed to be a condition of the zoning permit.
- Any conditions not listed above which, in the judgment of the Planning Commission, are necessary for the proper development and use of the property, shall be deemed to be a condition of the zoning permit.
- Any conditions not listed above which, in the judgment of the Planning Commission, are necessary for the proper development and use of the property, shall be deemed to be a condition of the zoning permit.
- Any conditions not listed above which, in the judgment of the Planning Commission, are necessary for the proper development and use of the property, shall be deemed to be a condition of the zoning permit.



ZONING PETITIONS

ITEM NO.	DESCRIPTION
----------	-------------

- SPECIAL HEARING TO ALLOW COMMERCIAL PARKING IN RESIDENTIAL ZONE, B.C.Z.R. SECTION 409.8.B.1.
- SPECIAL EXCEPTION TO ALLOW COMMERCIAL RECREATIONAL FACILITIES IN A ML-R-1M ZONE, B.C.Z.R. SECTION 248.4.A. AND IN A ML-1M ZONE, B.C.Z.R. SECTION 253.2D.4.
- VARIANCE TO B.C.Z.R. SECTION 255.2 AND B.C.Z.R. SECTION 243.1, TO PERMIT 33 FEET FRONT YARD, IN LIEU OF REQUIRED 75 FEET.
- VARIANCE TO B.C.Z.R. SECTION 250.3, TO PERMIT A 30 FEET REAR YARD, IN LIEU OF REQUIRED 40 FEET REAR YARD.
- VARIANCE TO B.C.Z.R. SECTION 250.6, TO PERMIT A ZERO FOOT PARKING SETBACK, IN LIEU OF 25 FEET SETBACK, FROM AN INTERNAL RESIDENTIAL ZONE LINE.
- VARIANCE TO ALLOW BUILDING TO BE AS CLOSE AS 17 FEET, IN LIEU OF 100 FEET, TO NEAREST RESIDENTIAL ZONE LINE, B.C.Z.R. SECTION 250.4.
- VARIANCE TO B.C.Z.R. SECTION 409.5 TO PERMIT NINETEEN SMALL CAR SPACES FOR A COMMERCIAL RECREATIONAL FACILITY, IN LIEU OF NONE ALLOWED TO COUNT FOR PARKING TOTAL.
- VARIANCE TO B.C.Z.R. SECTION 409.4 TO ALLOW PARKING SPACES ALONG VEHICULAR TRAVELWAYS WITH DIRECT ACCESS TO SAME.
- VARIANCE FROM B.C.Z.R. SECTION 409.6.A.4, TO PERMIT 131 PARKING SPACES, IN LIEU OF REQUIRED 179 SPACES, OR 150 PARKING SPACES, IN LIEU OF REQUIRED 179 SPACES, IF SMALL CAR VARIANCE IS GRANTED.
- VARIANCE TO PERMIT RESIDENTIAL TRANSITION AREA (R.T.A.) SETBACKS AS CLOSE AS 10 FEET, AND BUFFERS AS SMALL AS 10 FEET, IN LIEU OF THE REQUIRED 75 FEET AND 50 FEET, RESPECTIVELY, B.C.Z.R. SECTION 1 B01.1.B.1.G. AND B.C.Z.R. SECTION 1 B01.1.B.1.e.

- ELDER AREA RATIO (F.A.R.) - ZONE ALLOWED - PROPOSED
ML-R-1M 0.60 0.34
ML-1M 2.0 0.08
(BUILDING AREA IS 34% OF ML-R-1M ZONE. BUILDING AREA SHALL NOT BE GREATER THAN 50% OF LAND AREA.)
- BUILDING HEIGHT
40 FEET ALLOWED
30 FEET MAXIMUM PROPOSED
- BASIC SERVICES AVAILABILITY
A. TRAFFIC:
1. THIS SITE IS NOT WITHIN A TRAFFIC DEFICIENT AREA ON THE 2000 MAPS.
2. THE GOVERNING LEVEL OF SERVICE FOR THIS AREA IS A-C.
3. AN ADEQUATE PUBLIC ROAD IS AVAILABLE TO THIS SITE.
B. WATER & SEWER:
1. PUBLIC WATER IS AVAILABLE TO THIS SITE.
2. PUBLIC SEWER IS AVAILABLE TO THIS SITE.
3. THIS SITE IS WITHIN THE BALTIMORE COUNTY METROPOLITAN DISTRICT.
4. WATER AND SEWER SERVICE DESIGNATION W-1 & S-1.
- SEE DETAIL THIS PLAT.
SEE PROPOSED LOCATION THIS PLAT.
NO SIGNS TO BE ATTACHED TO BUILDING.
BUILDING LIGHTS SHALL BE NO HIGHER THAN FROM RESIDENTIAL ZONES.

CONTRACT PURCHASER:
MR. TROY SCHNEIDER,
PRESIDENT
FIT-TECH FITNESS CLUB
12204 DARNLEY VIEW ROAD
KINGSVILLE, MD 21081
TELEPHONE: 410-866-1111

HICKS ENGINEERING CO., INC.
ENGINEERS, SURVEYORS & PLANNERS
200 EAST JORDA ROAD
TOWSON, MARYLAND 21286-3160
(410) 494-0001

PROJECT TITLE:
FIT-TECH
GYM / SPA
COMMERCIAL RECREATIONAL FACILITY
COUNCILMANIC DISTRICT 15
BALTIMORE COUNTY, MD.

DRAWING TITLE:
1) PLAY TO ACCOMMODATE PETITION FOR:
SPECIAL HEARING FOR COMMERCIAL
PARKING IN RESIDENTIAL ZONE
2) CONSIDERATION OF VARIANCES
IN ML-R-1M AND ML-1M ZONES
3) MISCELLANEOUS VARIANCES:

JOB NO.: 2006/
DRAWN BY: CSD
CHECKED BY: DEH/JEE
DATE: JANUARY 16, 2001
SCALE: 1/8\"/>

101-284-SPHA