



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
*Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections*

Date April 19, 2011

Troy Schweiger
Paradox Properties, LLC
12204 Darney View Road
Kingsville, MD 21087

RE: Case Number 2011-0264SPH, 8502 Kelso Drive

Dear Mr. Schweiger,

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 4, 2011. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:mcn

Enclosures

c: People's Counsel
Lawrence E. Schmidt, Gildea & Schmidt, LLC, 600 Washington Avenue, Ste. 200, Towson, MD 21204
GRS Fitness, LLC, 8502 Kelso Drive, Baltimore, MD 21221
Zoning Review | County Office Building
111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048
www.baltimorecountymd.gov

IN RE: PETITIONS FOR SPECIAL HEARING,
SPECIAL EXCEPTION & VARIANCE -
S/S Golden Ring Road, N/S Kelso Drive,
E/S I-695 (Parcel 209, Tax Map 90)
15th Election District
7th Council District

CSX Realty Development, LLC, Owners;
Fit-Tech Fitness Club, Contract Lessee

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

* * * * *

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

PETITIONER' S

EXHIBIT NO. 2

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.

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



REQUEST FORM

121800N

3 Copies of the Plan as Required/ Folded 8 1/2 x 11

FEE: \$ 40.00

(payable to Baltimore County and is non-refundable)

Tax No(s): 1900008890

Applicant & Engineer Name: MR. TROY SCHWEIGER, CONTRACT PURCHASER Filing Date: December 5, 2000

DONALD E. HICKS, P.E.

Address: Hicks Engineering Company, Inc.

Phone #: (410) 494-0001

200 East Joppa Road, Suite 402
Towson, MD 21286

Acreage: 3+

Project Name: FIT TECH GYM/SPA

PDM File #:

Project Address: 800 Kelso Drive

Zip Code 21221

ADC Map #: 37 A.6

Councilmanic District: 7

Election District: 15

Building Permit #:

Is this an Antenna? ☐ Yes ☒ No If "Yes" check one of the following: ☐ Cellular (CAC) ☐ Water Tower (WTC) ☐ Mono Pole (CFC)

Request:



Refinement



Limited Exemption



Waiver

(Attach letter if necessary)

Request 'B-9' Exemption

DO NOT WRITE BELOW THIS LINE!

TO BE FILLED OUT BY COUNTY

COMMITTEE ACTION:

DRC #: _____

- () Denied
- () Limited Exemption under Section 26-171 () ()
- () Material Amendment to the plan (new CRG or HOH must be scheduled)
- () Plan Refinement (submit enough plans for the agencies checked off below)
- () Waiver recommendation forwarded to Planning Board for determination
- () Waiver of Standards referred to _____
(Department)
- () Requires a zoning () Special Hearing; () Special Exception; () Variance
- () Other _____

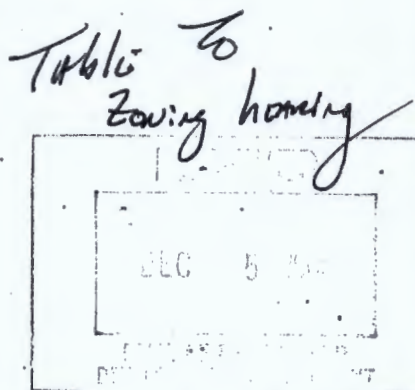
COMMITTEE COMMENTS:

Agencies to Review and Return Comments to Committee:

() DPR () PO () Zoning () DEPRM () EIR () SWM () Rec & Parks () Fire () SHA

Signature of Coordinator _____

Meeting Date: _____



3-19-01
B-9

XV-768

Baltimore County Government
Department of Permits and
Development Management



PETITIONER'S

EXHIBIT NO.

3

111 West Chesapeake Avenue
Towson, Md. 21204

410-887-3335

April 13, 2001

Hicks Engineering Co., Inc.
200 East Joppa Road, Ste. 402
Towson, MD 21286

RE: Fit Tech Gym/Spa
800 Kelso Drive
DRC Number 121800N; Dist. 15C7

Gentlemen:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland, and as provided in Section 602 (d) of the Baltimore County Charter, and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal, or modification of a license, permit, approval, exemption, waiver, or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land-use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to ensure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management.

The DRC has, in fact, met in an open meeting on March 19, 2001, and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 26-171 (B) (9).

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 18, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-264-SPH
Address 8502 Kelso Drive
(Paradox Properties, LLC/ Troy Schweiger)

Zoning Advisory Committee Meeting of March 14, 2011.

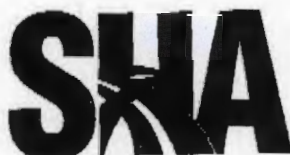
X The Department of Environmental Protection and Sustainability has no
comments on the above-referenced zoning item.

Reviewer: JWL

RECEIVED

MAR 18 2011

OFFICE OF ADMINISTRATIVE HEARINGS



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

Beverley K. Swaim-Staley, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: MARCH 15, 2011

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

RE: Baltimore County
Item No. 2011-0264-SPH
8302 KELSO DRIVE
PARADOX PROPERTIES, LLC
SPECIAL HEARING -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0264-SPH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

For Steven D. Foster, Chief
Access Management Division

SDF/mb

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410-545-0300 • www.marylandroads.com



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

March 15, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **March 14, 2011**

Item No.:

Administrative Variance: 2011-0259A-0260A,

Special Hearing: 2011-0263-SPHXA, 2011-0264-SPH

Special Exception: 2011-0257-XA

Variance: 2011-0257-XA, 2011-0261A-0262A, 2011-0263-SHPXA, 2011-0266A

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
8502 Kelso Drive; N/side Kelso Dr, 804' *
SW of c/I Golden Ring Road * ZONING COMMISSIONER
15th Election & 7th Councilmanic Districts *
FOR
Legal Owner(s): Paradox Properties, LLC *
c/o Troy Schweiger * BALTIMORE COUNTY
Contract Purchaser: GRS Fitness, LLC *
Petitioner(s) * 2011-0264-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED

MAR 11 2011

[Signature]

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of March, 2011, a copy of the foregoing Entry of Appearance was mailed to Lawrence E. Schmidt, Esquire, Smith, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



15-

BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND DEVELOPMENT
111 WEST CHESAPEAKE AVE.
TOWSON, MD 21204
410-887-3391

PETITIONER'S

EXHIBIT NO. 6

A628311

SIGN USE PERMIT

Permit Fees are Non-Refundable; Make Check Payable to "Baltimore County, Maryland"

PROPERTY ADDRESS 8502 Kelso Drive, Balto MD 21221

BUSINESS NAME PUNK FITNESS ZONING ML

OWNER'S NAME Paro Day Properties PHONE NO. 410 472 1340 HISTORIC DISTRICT: ☐ Yes ☒ No

MAILING ADDRESS 8502 Kelso Drive, Balto. MD 21221

APPLICANT/OWNER'S AGENT ALAN NOTHER PHONE NO. 443 817 0085

SIGN COMPANY NAME Cable Signs & Graphics PHONE NO. 410 255 6400

TYPE OF SIGN: TAX ACCOUNT NO. 190,000,890

☐ Temporary - Including Real Estate/Construction/Event Temporary Sign(s) in the Last Year: ☐ Yes ☐ No
☒ Permanent ☒ Changeable Copy ☒ Wall ☐ Face Change Only ☐ Non-Illuminated
☐ Freestanding ☐ Pylon ☐ Monument ☒ Illuminated (separate electrical permit required)
 Size: 75000 feet X 21.1667 feet = 148.16 square feet Height: _____ feet (freestanding signs)

Property Line/Street Right-of-Way Setbacks: front _____, sides _____ and _____, and rear _____
 NOTE: A construction plan, drawn to scale and clearly showing that all requirements have been met, must be attached; a site plan also must be attached for freestanding signs.

- PROHIBITIONS - Including roof signs (Sections 450.5.B.7 and 450.6.A, Baltimore County Zoning Regulations):
1. Signs cannot impair motorist's clear view of traffic or government signs. All signs are subject to Section 102.5, BCZR.
 2. Signs cannot imitate or resemble government signs, except for private traffic control and notice signs.
 3. Signs cannot be placed in or project into or above street right of way or government property.
 4. Sign or framework cannot obstruct window or opening for light and air or access to building, fire hydrant, or stand pipe.
 5. Vehicle cannot be parked for the purpose of displaying an attached sign.
 6. Except for flags exempted, flags, pennants, ribbons, streamers, tethered balloons, laser projections, and similar objects are prohibited.
 7. Portable signs are prohibited, except for A-frame and sandwich board signs issued a use permit in B.M. - C.T. zones.
 8. There can be no display or simulation of moving parts or message, except for an outdoor advertising sign with tri-vision, a changeable copy sign, or a thermometer, barometer, weather vane, barber pole, or clock.

Work Description (including number of signs, special conditions, materials, locations, and size):
INSTALL (1) WALL MOUNTED SIGN
7'0" X 21' 2" = 148.16 Sq. Ft.
 PLEASE PRINT OR TYPE LEGIBLY MINIMUM 15 SECOND MESSAGE ✓ CORNER LOT
PRICE TO CHANGE

OWNER/AGENT CERTIFICATION

I hereby certify, under penalty of law, that the proposed sign will be located so as not to violate any codes and that the information supplied is true, complete and correct.

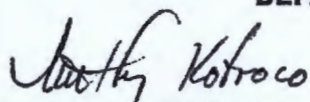
Signature Alan Notther Date 9/8/10 Print/Type Name ALAN NOTHER

Copies: White - Office; Yellow - Applicant (keep this copy for your permanent records)

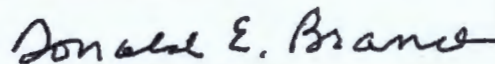
Authority under Section 500.4, BCZR PDM APPROVAL (SIGN ONLY)
 Signature [Signature] Initials JCN Date 9.8.10

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT



TIMOTHY M. KOTROCO, Director



DONALD E. BRAND, Buildings Engineer

ELECTRICAL PERMIT

PERMIT #: E746788

XREF #: B737772

DIST: 15 PREC: 01

JOB LOCATION: 8502
MAP COORDINATES 37/A6

KELSO DR

DATE ISSUED: 09/08/2010

PROPERTY OWNERS:

NAME: PARADOX PROPERTY LLC

ADDR: 8502 KELSO DR.21221

TENNANT INFORMATION

NAME: SPUNK FITNESS

ADDR:

PHONE #:

LICENSE HOLDER INFORMATION

BACHMAIER JR, FRANCIS, X

GABLE SIGNS & GRAPHICS, INC

07440 FORT SMALLWOOD RD

BALTIMORE MD 21226

PHONE #: 410-255-6400

LICENSE #: MG 10987

BGE WMS#:

EXISTING METER #:

STRUCTURE USE: COMMERCIAL

BUILDING: OLD

WORK DESCRIPTION: ADDITION

DATE POWER CO. NOTIFIED:

DESCRIPTION OF WORK

CONNECT TO 1 WALL MOUNTED SIGN FEE: 30.00

SERVICE BY AMP(A), VOLTS(V), PHASE(P)

TOTAL SERVICE AMPS 1PH: ()

TOTAL SERVICE AMPS 3PH: ()

RECEIPT #:A628602

FEE: \$30.00

PAGE 1 OF 1

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES.

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER 2011-0264-SRH
DATE 4/26/2011

PETITIONER'S SIGN-IN SHEET

[illegible]

TK 4/26
10AM**CERTIFICATE OF POSTING**

2011-0264-SPH

RE: Case No.: _____

Petitioner/Developer: _____

GRS Fitness, LLC

Date of Hearing/Closing: April 26, 2011

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

Attn: Kristen Matthews:

Ladies and Gentlemen:

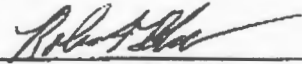
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were
posted conspicuously on the property located at: _____

8502 Kelso Drive

April 11, 2011

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

Sincerely,

 April 12, 2011
(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)

Maryland Department of Assessments and Taxation
Real Property Data Search (vw1.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[Ground Rent Report](#)
[Ground Rent Report](#)

Account Identifier: District - 15 Account Number - 1900008890

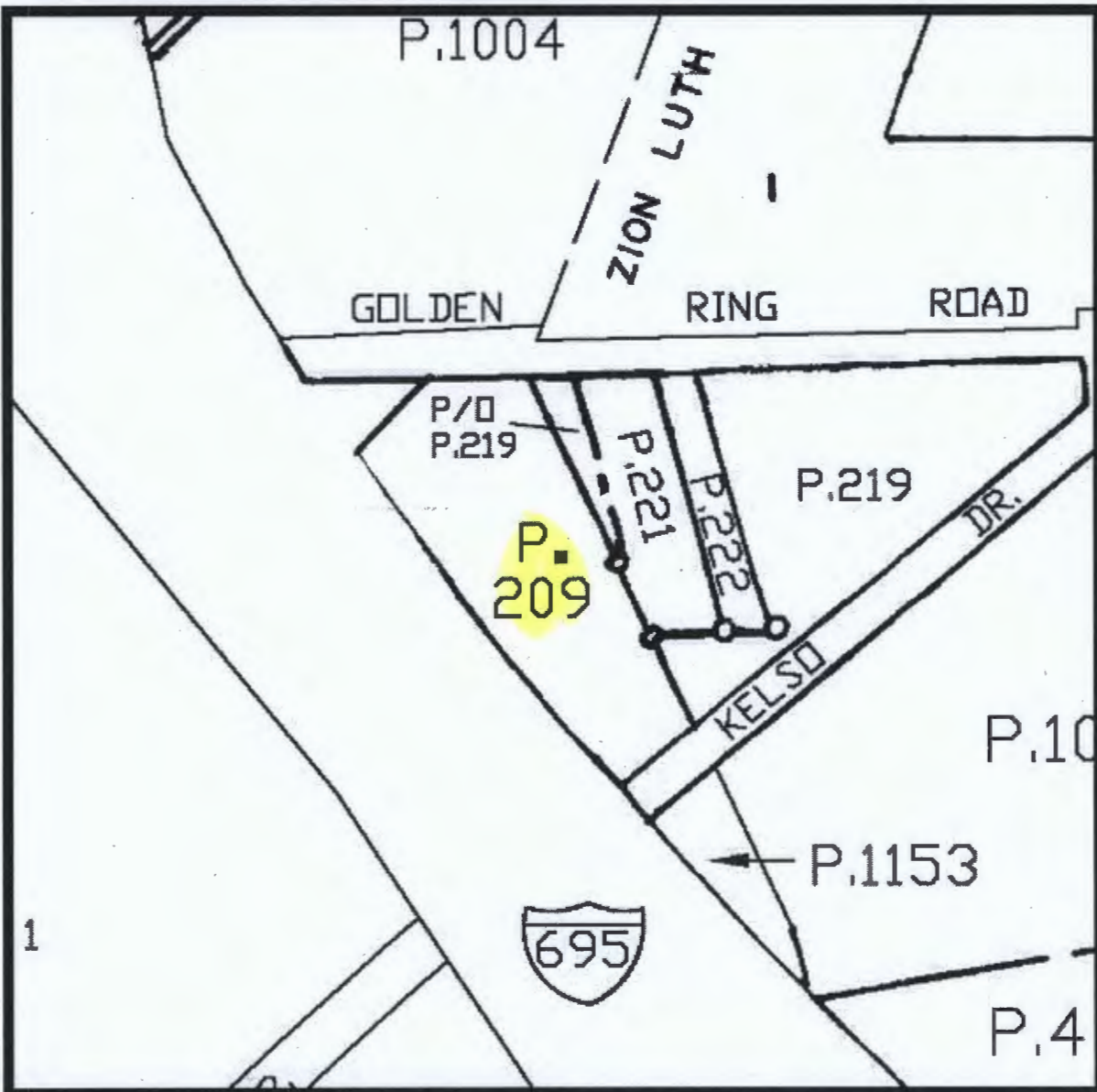
Owner Information									
Owner Name:		PARADOX PROPERTIES LLC				Use:		INDUSTRIAL	
Mailing Address:		8502 KELSO DR BALTIMORE MD 21221-3135				Principal Residence:		NO	
						Deed Reference:		1)/15860/ 0010 2)	
Location & Structure Information									
Premises Address					Legal Description				
GOLDEN RING RD 0-0000					2.67 AC SS GOLDEN RING RD 800 W KELSO DR				
Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat
0090	0013	0209		0000				3	Plat
Special Tax Areas		Town		NONE					
		Ad Valorem							
		Tax Class							
Primary Structure Built				Enclosed Area		Property Land Area		County Use	
2003				18,000 SF		2.6700 AC		07	
Stories	Basement	Type	Exterior						
		GYMNASIUM							
Value Information									
		Base Value	Value	Phase-in Assessments					
			As Of	As Of	As Of				
			01/01/2009	07/01/2010	07/01/2011				
Land		467,200	659,000						
Improvements:		1,486,800	1,300,600						
Total:		1,954,000	1,959,600	1,957,733	1,959,600				
Preferential Land:		0			0				
Transfer Information									
Seller:	CSX REALTY DEVELOPMENT CORPORATION				Date:	12/14/2001	Price:	\$300,000	
Type:	ARMS LENGTH MULTIPLE				Deed1:	/15860/ 00101	Deed2:		
Seller:	MOUNT CLARE PROPERTIES INC				Date:	02/23/1996	Price:	\$0	
Type:	NON-ARMS LENGTH OTHER				Deed1:	/00000/ 00000	Deed2:		
Seller:	REAL EST & IMPRO V CO OF BALTO CIT				Date:	03/21/1983	Price:	\$0	
Type:	NON-ARMS LENGTH OTHER				Deed1:	/06501/ 00448	Deed2:		
Exemption Information									
Partial Exempt Assessments					Class	07/01/2011	07/01/2012		
County							0.00		
State							0.00		
Municipal							0.00		
Tax Exempt:					Special Tax Recapture:				
Exempt Class:					* NONE *				



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

[Go Back](#)
[View Map](#)
[New Search](#)

District - 15 Account Number - 1900008890



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net.

Property maps provided courtesy of the Maryland Department of Planning ©2009.
 For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml

CERTIFICATE OF POSTING

2011-0264-SPH

RE: Case No.: _____

Petitioner/Developer: _____

GRS Fitness, LLC

April 26, 2011

Date of Hearing/Closing: _____

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

Attn: Kristen Matthews:

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: _____

8502 Kelso Drive

April 11, 2011

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

Sincerely,



April 12, 2011

(Signature of Sign Poster)

(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

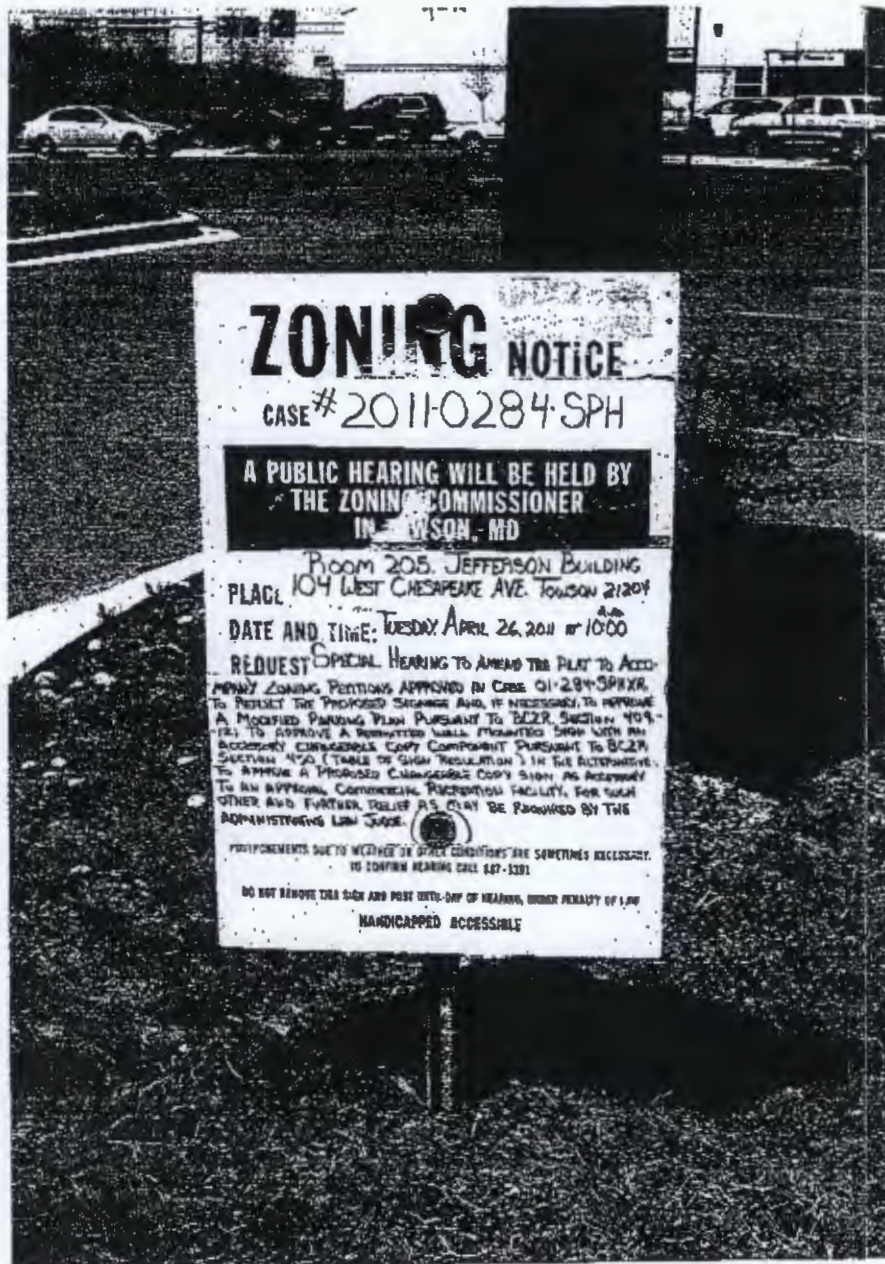
(410) 282-7940

(Telephone Number)

FROM : SSG BOB BLACK

FAX NO. : 410 282 7940

Apr. 13 2011 09:54PM P3





Debra Wiley - RE: 2011-0264-SPH - GRS Fitness, LLC

From: Jennifer Lewis <jlewis@sgs-law.com>
To: Debra Wiley <dwiley@baltimorecountymd.gov>
Date: 4/25/2011 9:17 AM
Subject: RE: 2011-0264-SPH - GRS Fitness, LLC
CC: Larry Schmidt <lschmidt@sgs-law.com>
Attachments: Certificate of Posting 4.11.11.pdf

Debbie:

Please find attached the Certificate of Posting for the above matter.

Best,

Jen

--

Jennifer K. Lewis
SMITH, GILDEA & SCHMIDT, LLC
600 Washington Avenue, Suite 200
Towson, MD 21204
(410) 821-0070
(410) 821-0071 – fax
jlewis@sgs-law.com

This email contains information from the law firm of Smith, Gildea & Schmidt, LLC which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this email in error, please notify Smith, Gildea & Schmidt, LLC by telephone immediately.

From: Debra Wiley [mailto:dwiley@baltimorecountymd.gov]
Sent: Friday, April 22, 2011 3:31 PM
To: jlewis@gildeallc.com
Subject: 2011-0264-SPH - GRS Fitness, LLC

Hi Jen,

In reviewing the case file for the above (to be heard on Tuesday, April 26th @ 10 am.), I am not seeing proof of sign posting. Please fax (410.887.3468) to us.

FYI: Since I wasn't sure if you were taking anytime off next week, I left a message in the "general" voice mail. In addition, I was going to leave you one in your "personal mailbox" but didn't know your extension and after

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: # 2011-0264-SPH

8502 Kelso Drive

N/side of Kelso Drive, 804 ft. SW of centerline of Golden Ring Road

15th Election District - 7th Councilmanic District

Legal Owner(s): Paradox Properties, LLC

Contract Purchaser: GRS Fitness, LLC

Special Hearing: to amend the plat to accompany zoning petitions approved in Case 01-284-SPHXA, to reflect the proposed signage and, if necessary, to approve a modified parking plan pursuant to BCZR, Section 409.12; to approve a permitted wall mounted sign with an accessory changeable copy component pursuant to BCZR Section 450 (Table of Sign Regulation); in the alternative, to approve a proposed changeable copy sign as accessory to an approval commercial recreation facility; for such other and further relief as may be required by the Administrative Law Judge.

Hearing: Tuesday, April 26, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS
AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

JT/4/643 April 12

272328

CERTIFICATE OF PUBLICATION

4/14/2011

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/12/2011.

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

J. Wilkinson

LEGAL ADVERTISING



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 28, 2011

NEW NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0264-SPH

8502 Kelso Drive

N/side of Kelso Drive, 804 ft. SW of centerline of Golden Ring Road

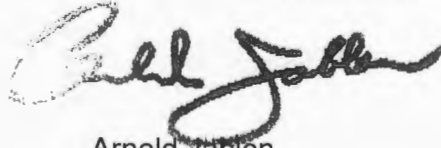
15th Election District – 7th Councilmanic District

Legal Owners: Paradox Properties, LLC

Contract Purchaser: GRS Fitness, LLC

Special Hearing to amend the plat to accompany zoning petitions approved in Case 01-284-SPHXA, to reflect the proposed signage and, if necessary, to approve a modified parking plan pursuant to BCZR, Section 409.12; to approve a permitted wall mounted sign with an accessory changeable copy component pursuant to BCZR Section 450 (Table of Sign Regulation); in the alternative, to approve a proposed changeable copy sign as accessory to an approval commercial recreation facility; for such other and further relief as may be required by the Administrative Law Judge.

Hearing: Tuesday, April 26, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
104 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director

AJ:kl

C: Lawrence Schmidt, 600 Washington Ave., Ste. 200, Towson 21204
GRS Fitness, LLC, 8502 Kelso Drive, Baltimore 21221
Paradox Properties, 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 MONDAY, APRIL 11, 2011.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 12, 2011 Issue - Jeffersonian

Please forward billing to:
Lawrence Schmidt
Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

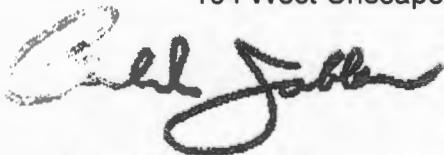
The Administrative Law Judges of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2011-0264-SPH

8502 Kelso Drive
N/side of Kelso Drive, 804 ft. SW of centerline of Golden Ring Road
15th Election District – 7th Councilmanic District
Legal Owners: Paradox Properties, LLC
Contract Purchaser: GRS Fitness, LLC

Special Hearing to amend the plat to accompany zoning petitions approved in Case 01-284-SPHXA, to reflect the proposed signage and, if necessary, to approve a modified parking plan pursuant to BCZR, Section 409.12; to approve a permitted wall mounted sign with an accessory changeable copy component pursuant to BCZR Section 450 (Table of Sign Regulation); in the alternative, to approve a proposed changeable copy sign as accessory to an approval commercial recreation facility; for such other and further relief as may be required by the Administrative Law Judge.

Hearing: Tuesday, April 26, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
104 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

SMITH, GILDEA & SCHMIDT LLC

MICHAEL PAUL SMITH
DAVID K. GILDEA
LAWRENCE E. SCHMIDT
D. DUSKY HOLMAN

LAUREN M. DODRILL
MICHAEL J. LIPPENHOLTZ
CHARLES B. MAREK, III
ELYANA TARLOW
JASON T. VETTORI
REBECCA G. WYATT

of counsel:

MICHAEL G. DEHAVEN

March 24, 2011

Sent via Facsimile Only

Kristin Lewis
Baltimore County Zoning
111 W. Chesapeake Avenue, Room 111
Towson, MD 21204

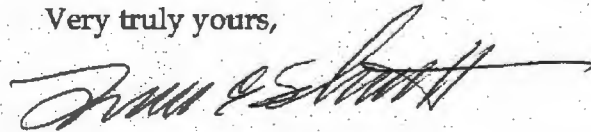
**Re: GRS Fitness, LLC/8502 Kelso Drive
Case No.: 2011-0264-SPH**

Dear Ms. Lewis:

Pursuant to your telephone conversation with Jennifer Lewis of my office, this correspondence serves as a request for postponement of the Zoning Hearing for the above referenced matter currently scheduled for Thursday, April 14, 2011. My client, who will be testifying at the hearing, will be out of town on a business trip during the week of April 11, 2011. As agreed by you, the new date is scheduled for Tuesday, April 26, 2011 at 10:00 a.m.

Please forward the new Hearing Notice to my office as soon as possible so that I can have the property posted accordingly. Should you have any questions or concerns, please do not hesitate to contact me. With kind regards, I am

Very truly yours,



Lawrence E. Schmidt

LES: jkl

CC: Kenneth J. Wells, KjWellsInc.
Bernie Caplan, GRS Fitness, LLC
Charles B. Marek, III, Esquire

SMITH, GILDEA & SCHMIDT LLC

MICHAEL PAUL SMITH
DAVID K. GILDEA
LAWRENCE E. SCHMIDT
D. DUSKY HOLMAN

LAUREN M. DODRILL
MICHAEL J. LIPPENHOLTZ
CHARLES B. MAREK, III
ELYANA TARLOW
JASON T. VETTORI
REBECCA G. WYATT

of counsel:

MICHAEL G. DEHAVEN

FACSIMILE TRANSMITTAL SHEET

TO:

Kristen Lewis

FROM:

Lawrence E. Schmidt

COMPANY:

Baltimore County Zoning

DATE:

3/24/11

FAX NUMBER:

(410) 887-3048

TOTAL NO. OF PAGES INCLUDING COVER:

2

RE:

GRS Fitness, LLC/8502 Kelso Drive - Case No.: 2011-0264-SPH

☐ URGENT

☐ FOR REVIEW

☐ PLEASE COMMENT

☐ PLEASE REPLY

☐ PLEASE RECYCLE

NOTES/COMMENTS:



501 N. Calvert Street
Baltimore, MD 21278
Legal Advertising
Fax: 410-332-6446
E-mail: Legals@Patuxent.com

Susan Wilkinson	410-332-6132
Ellen Harris	410-332-6157
	410-332-6284
Joanne Wernick	410-332-6295
Kathy Conahan	410-332-6406
Sue Thomas	410-332-6657

VERIFICATION OF CANCELLATION

TO: Kristen - Zoning

RE: Ad No. JT 3/185

Invoice No. # 270862 Run Dates: NONE

Case # 2011-0264-SPH-8502 Kelso Dr
~~Property No.~~

Amount Owed: NONE

The above ad was tentatively canceled on 3/24/11.

Please verify this cancellation by signing below and faxing this form back to us

Your written verification is necessary in order to stop charges on this a

Signature

Company



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 21, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0264-SPH

8502 Kelso Drive

N/side of Kelso Drive, 804 ft. SW of centerline of Golden Ring Road

15th Election District – 7th Councilmanic District

Legal Owners: Paradox Properties, LLC

Contract Purchaser: GRS Fitness, LLC

Special Hearing to amend the plat to accompany zoning petitions approved in Case 01-284-SPHXA, to reflect the proposed signage and, if necessary, to approve a modified parking plan pursuant to BCZR, Section 409.12; to approve a permitted wall mounted sign with an accessory changeable copy component pursuant to BCZR Section 450 (Table of Sign Regulation); in the alternative, to approve a proposed changeable copy sign as accessory to an approval commercial recreation facility; for such other and further relief as may be required by the Administrative Law Judge.

Hearing: Thursday, April 14, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
104 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Lawrence Schmidt, 600 Washington Ave., Ste. 200, Towson 21204
GRS Fitness, LLC, 8502 Kelso Drive, Baltimore 21221
Paradox Properties, 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 WEDNESDAY, MARCH 30, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

IN RE: PETITION FOR SPECIAL HEARING
N/side of Kelso Drive, 804 feet SW of centerline
of Golden Ring Road

8502 Kelso Drive

15th Election District
7th Councilmanic District

Paradox Properties, LLC - *Legal Owners*
GRS Fitness, LLC - *Contract Purchaser*

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
*
* Case No.: 2011-0264-SPH

* * * * *

SUBPOENA

Please issue a Subpoena to the following named witness to appear before the Administrative Law Judge of Baltimore County at the hearing for the matter captioned above on Tuesday, April 26, 2011, at 10:00 a.m. in Room 205, Jefferson Building, located at 105 W. Chesapeake Avenue, Second Floor, Towson, MD 21204, and continuing thereafter as necessary for such witness' testimony and scheduled by the Administrative Law Judge.

Witness: Brent Haberkam
Address: Gable Signs, Inc.
7440 Fort Smallwood Road
Baltimore, MD 21226

Requested by:

Name: Lawrence E. Schmidt
Firm: Smith, Gildea & Schmidt, LLC
Address: 600 Washington Avenue, Suite 200
Towson, MD 21204

The witness named above is hereby ORDERED to so appear before the Office of Administrative Hearings. The Board requests () the Sheriff, (X) Private Process Server, to issue the summons set forth herein.



Administrative Law Judge for
Baltimore County

RECEIVED

APR 19 2011

OFFICE OF ADMINISTRATIVE HEARINGS



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

March 28, 2011

NEW NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0264-SPH

8502 Kelso Drive

N/side of Kelso Drive, 804 ft. SW of centerline of Golden Ring Road

15th Election District – 7th Councilmanic District

Legal Owners: Paradox Properties, LLC

Contract Purchaser: GRS Fitness, LLC

Special Hearing to amend the plat to accompany zoning petitions approved in Case 01-284-SPHXA, to reflect the proposed signage and, if necessary, to approve a modified parking plan pursuant to BCZR, Section 409.12; to approve a permitted wall mounted sign with an accessory changeable copy component pursuant to BCZR Section 450 (Table of Sign Regulation); in the alternative, to approve a proposed changeable copy sign as accessory to an approval commercial recreation facility; for such other and further relief as may be required by the Administrative Law Judge.

Hearing: Tuesday, April 26, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
104 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Lawrence Schmidt, 600 Washington Ave., Ste. 200, Towson 21204
GRS Fitness, LLC, 8502 Kelso Drive, Baltimore 21221
Paradox Properties, 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 MONDAY, APRIL 11, 2011.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Tuesday, March 29, 2011 Issue - Jeffersonian

Please forward billing to:

Lawrence Schmidt
Gildea & Schmidt
600 Washington Avenue, Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2011-0264-SPH

8502 Kelso Drive

N/side of Kelso Drive, 804 ft. SW of centerline of Golden Ring Road

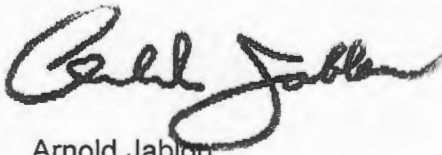
15th Election District – 7th Councilmanic District

Legal Owners: Paradox Properties, LLC

Contract Purchaser: GRS Fitness, LLC

Special Hearing to amend the plat to accompany zoning petitions approved in Case 01-284-SPHXA, to reflect the proposed signage and, if necessary, to approve a modified parking plan pursuant to BCZR, Section 409.12; to approve a permitted wall mounted sign with an accessory changeable copy component pursuant to BCZR Section 450 (Table of Sign Regulation); in the alternative, to approve a proposed changeable copy sign as accessory to an approval commercial recreation facility; for such other and further relief as may be required by the Administrative Law Judge.

Hearing: Thursday, April 14, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
104 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 21, 2011
Item No. 2011-264

DATE: March 22, 2011

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

Show arrows for traffic circulation. One-way driveways must be at least 12 feet wide. Revise the width of the driveway at the south corner of this building to comply.

Case 01-284 SPHXA allowed 150 parking spaces instead of 179. This request proposes 148 instead of 180. Please clarify.

DAK:CEN:cab
cc: File
ZAC-ITEM NO 11-264-03212011.doc

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

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

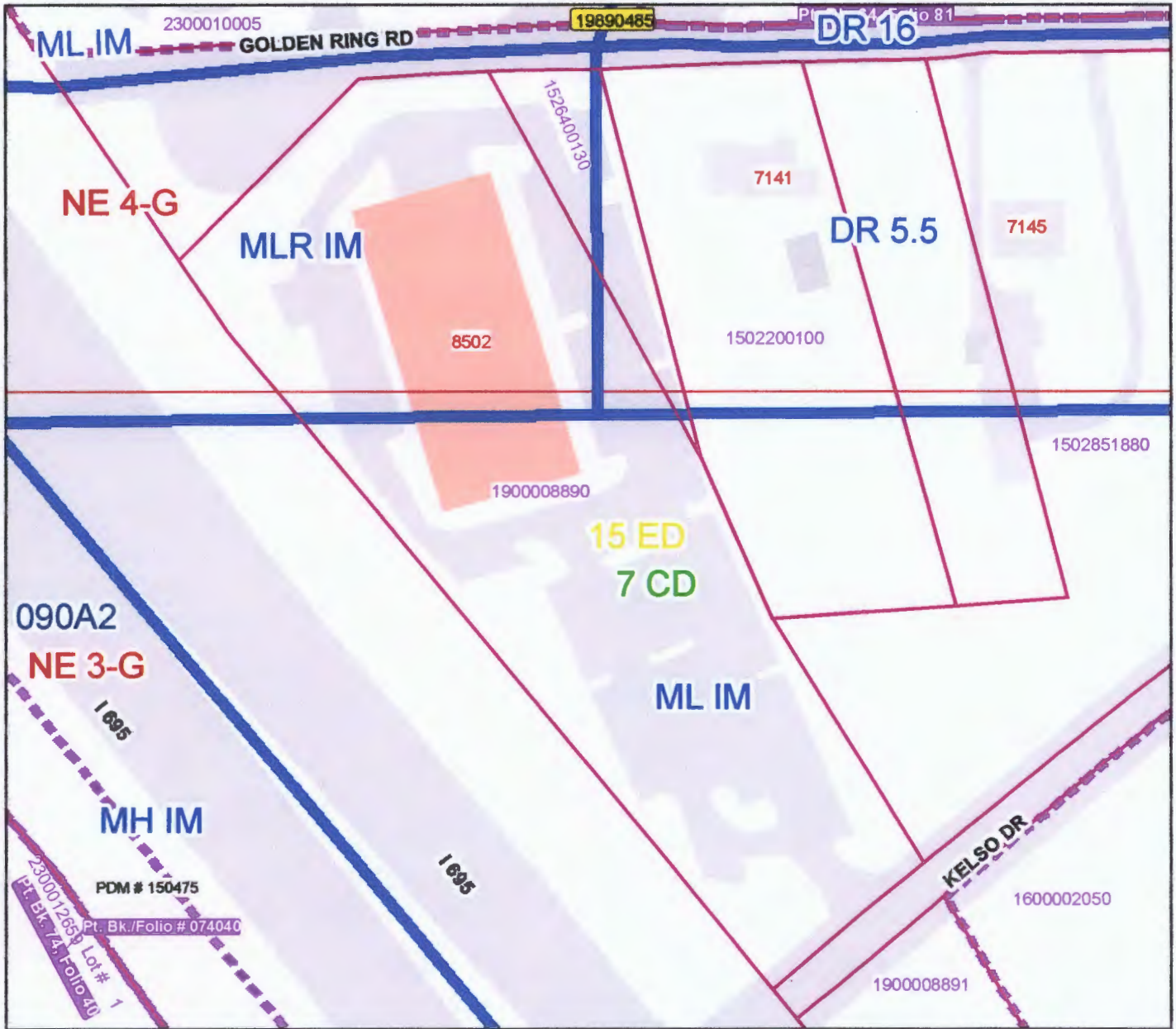
Item Number or Case Number: 2011 - 0264 - SPH
Petitioner: GNS Fitness
Address or Location: 8502 Kelso DR.

PLEASE FORWARD ADVERTISING BILL TO:

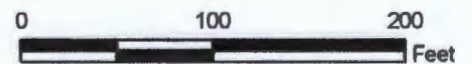
Name: Lawrence E Schmidt
Address: ~~1111~~ 600 WASHINGTON AVE
Ste 200
TOWSON, MD 21204
Telephone Number: 410-821-0070

Revised 2/17/11 DT

8502 Kelso Drive

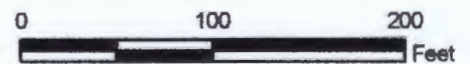


Publication Date: March 01, 2011
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



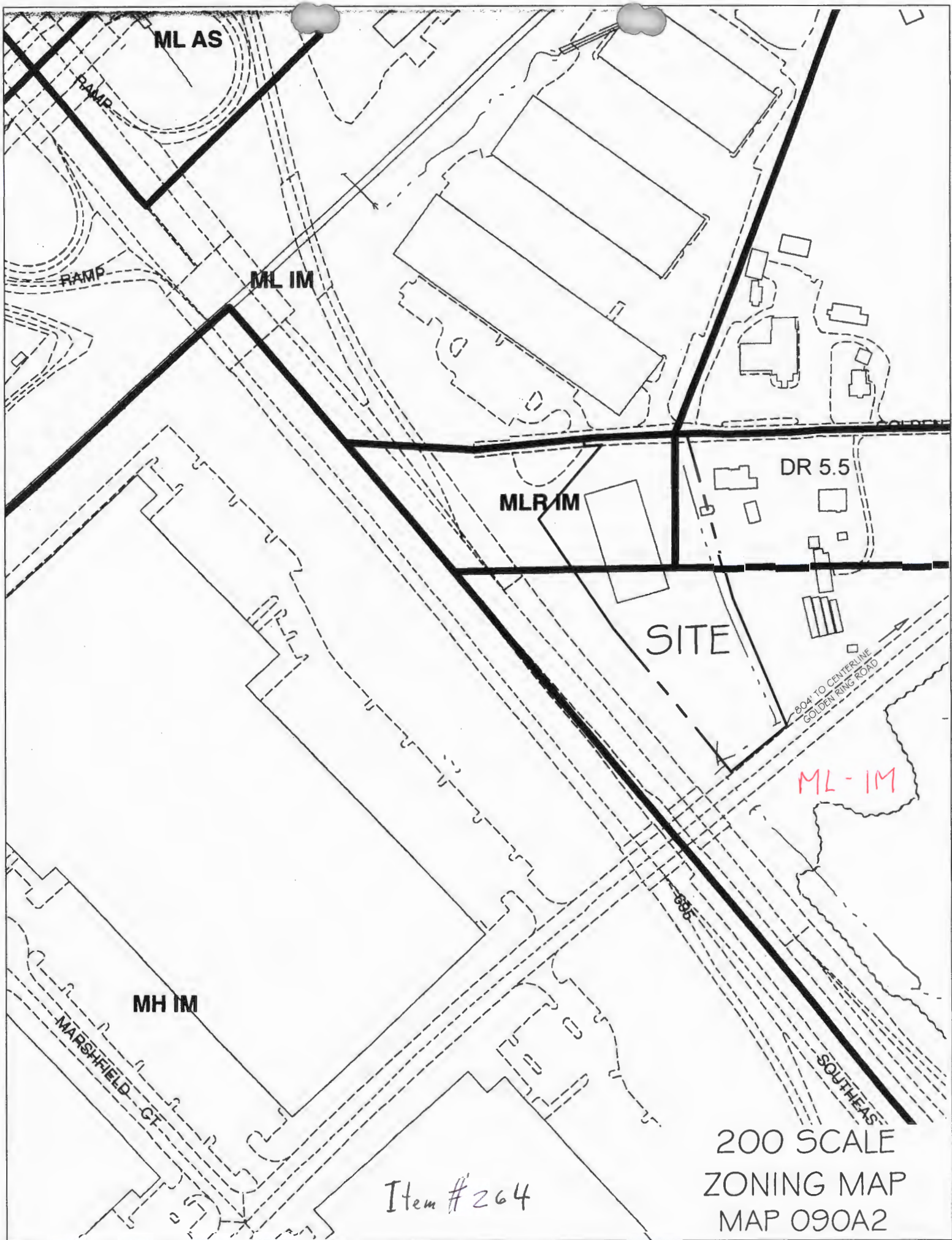
1 inch = 100 feet

Item #0264



1 inch = 100 feet

Item # 264



ML AS

RAMP

RAMP

ML IM

MLR IM

DR 5.5

SITE

ML-IM

MH IM

MARSHFIELD CT

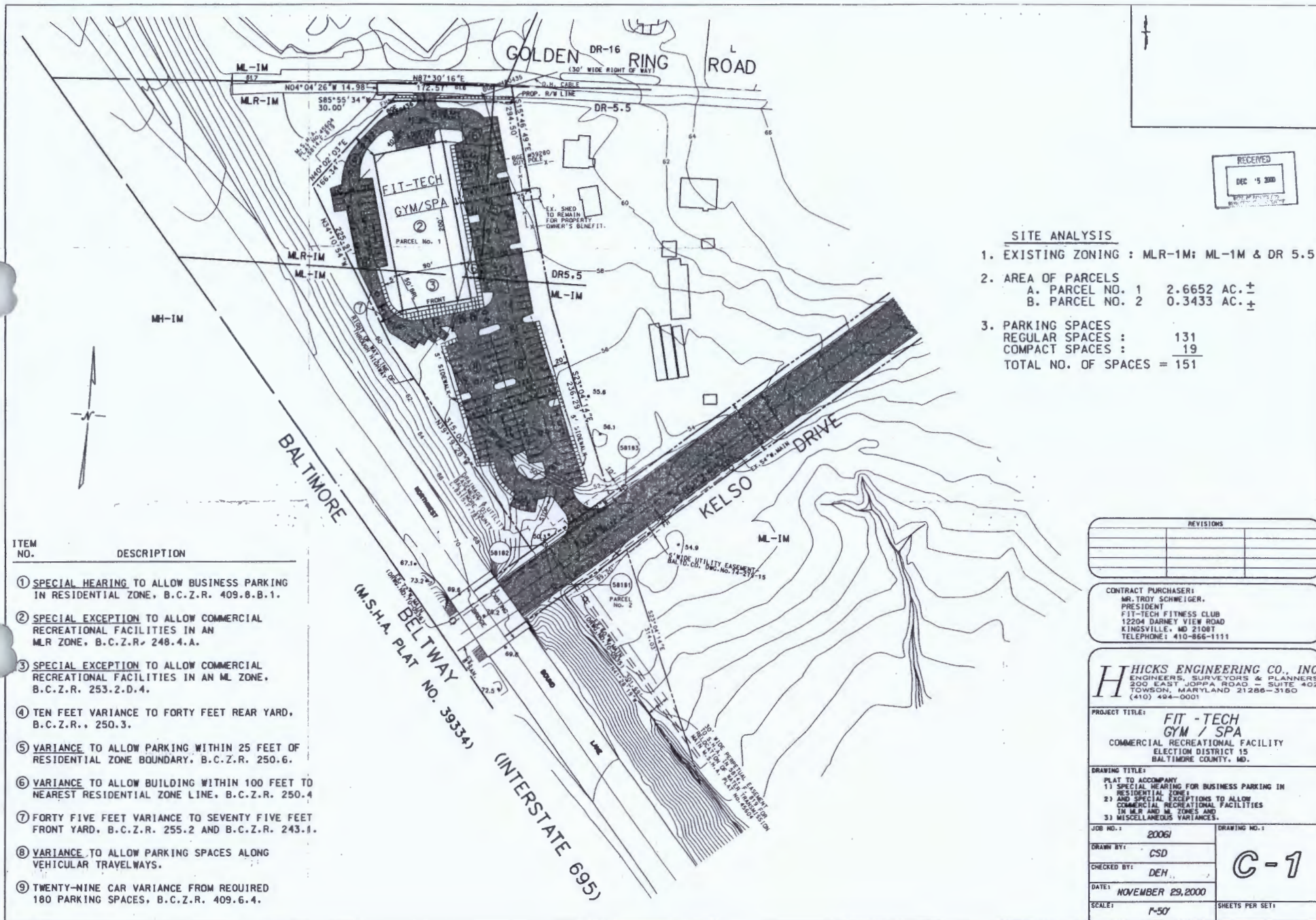
SOUTHEAST

685

804 TO CENTERLINE
GOLDEN RING ROAD

Item #264

200 SCALE
ZONING MAP
MAP 090A2



RECEIVED
DEC '5 2000

SITE ANALYSIS

- EXISTING ZONING : MLR-1M; ML-1M & DR 5.5
- AREA OF PARCELS
 - PARCEL NO. 1 2.6652 AC. $\pm$
 - PARCEL NO. 2 0.3433 AC. $\pm$
- PARKING SPACES

REGULAR SPACES :	131
COMPACT SPACES :	19
TOTAL NO. OF SPACES =	151

ITEM NO. DESCRIPTION

- SPECIAL HEARING TO ALLOW BUSINESS PARKING IN RESIDENTIAL ZONE, B.C.Z.R. 409.8.B.1.
- SPECIAL EXCEPTION TO ALLOW COMMERCIAL RECREATIONAL FACILITIES IN AN MLR ZONE, B.C.Z.R. 248.4.A.
- SPECIAL EXCEPTION TO ALLOW COMMERCIAL RECREATIONAL FACILITIES IN AN ML ZONE, B.C.Z.R. 253.2.D.4.
- TEN FEET VARIANCE TO FORTY FEET REAR YARD, B.C.Z.R., 250.3.
- VARIANCE TO ALLOW PARKING WITHIN 25 FEET OF RESIDENTIAL ZONE BOUNDARY, B.C.Z.R. 250.6.
- VARIANCE TO ALLOW BUILDING WITHIN 100 FEET TO NEAREST RESIDENTIAL ZONE LINE, B.C.Z.R. 250.4
- FORTY FIVE FEET VARIANCE TO SEVENTY FIVE FEET FRONT YARD, B.C.Z.R. 255.2 AND B.C.Z.R. 243.1.
- VARIANCE TO ALLOW PARKING SPACES ALONG VEHICULAR TRAVELWAYS.
- TWENTY-NINE CAR VARIANCE FROM REQUIRED 180 PARKING SPACES, B.C.Z.R. 409.6.4.

REVISIONS

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

HICKS ENGINEERING CO., INC.
ENGINEERS, SURVEYORS & PLANNERS
200 EAST JOPPA ROAD - SUITE 402
TOWSON, MARYLAND 21286-3160
(410) 494-0001

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

DRAWING TITLE:
PLAT TO ACCOMPANY
1) SPECIAL HEARING FOR BUSINESS PARKING IN
RESIDENTIAL ZONE
2) AND SPECIAL EXCEPTIONS TO ALLOW
COMMERCIAL RECREATIONAL FACILITIES
IN MLR AND ML ZONES AND
3) MISCELLANEOUS VARIANCES.

JOB NO. 1	20061	DRAWING NO. 1	C-1
DRAWN BY:	CSD		
CHECKED BY:	DEH		
DATE:	NOVEMBER 29, 2000		
SCALE:	1"=50'	SHEETS PER SET:	

Item # 264

Case No.: 011-264SPH

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	Site Plan	
No. 2	01-284SPHXA Order of Old Case	
No. 3	DRC approval letter	
No. 4	Pictures of property	
No. 5	Details of Sign	
No. 6	Issued sign permit	
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
84

7











































ELEVATION DETAIL 148 square feet (total w/ LED board)
SCALE: 3/8" = 1'

PETITIONER'S

EXHIBIT NO. 5

CERTIFICATE OF POSTING

2011-0264-SPH

RE: Case No.: _____

Petitioner/Developer: _____

GRS Fitness, LLC

April 26, 2011

Date of Hearing/Closing: _____

Hearing 4/26

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

Attn: Kristen Matthews:

Ladies and Gentlemen:

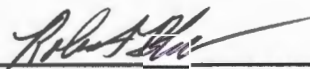
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at: _____

8502 Kelso Drive

April 11, 2011

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

Sincerely,

 April 12, 2011

(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)

IN RE: PETITION FOR SPECIAL HEARING

N/Side of Kelso Drive, 804 feet SW of
c/l of Golden Ring Road
15th Election District
7th Councilmanic District
(8502 Kelso Drive)

Paradox Properties, LLC, *Legal Owner*
GRS Fitness, LLC, *Contract Purchaser*
Petitioners

* BEFORE THE
* OFFICE OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
*
CASE NO. 2011-0264-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County pursuant to a Petition for Special Hearing for the property located at 8502 Kelso Drive in the Essex/Rossville community of eastern Baltimore County. The Petition was filed by Paradox Properties, LLC (Property Owner) and GRS Fitness, LLC (Petitioner/Lessee). Special Hearing relief is requested to amend the Plan to Accompany Zoning Petitions approved in Case No.: 01-284-SPHXA, so as to reflect the proposed signage, and if necessary, to approve modified parking plan pursuant to Baltimore County Zoning Regulations ("BCZR") § 409.12. Further, relief is requested to approve a permitted wall-mounted sign with an accessory changeable copy component pursuant to BCZR §450 (table sign regulation), or, in the alternative, to approve a proposed changeable copy sign as accessory to an approved commercial recreational facility/fitness center and for such other and further relief as may be required by the Administrative Law Judge. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the Plan to Accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was Bernie Kaplan, representative of Petitioner/Lessee. Also present was Brent Haberkam of Gable Signs and Graphics, Inc. ("Gable Signs"), and Kenneth J. Wells, licensed surveyor who prepared the site

plan. The Petitioner was represented by Lawrence E. Schmidt, Esquire of Smith, Gildea & Schmidt, LLC. There were no Protestants or other interested persons present.

Testimony and evidence established the following: The subject property under consideration is an irregularly shaped parcel, approximately 2.67 acres in gross area. The property is split zoned. The front portion of the site is zoned ML-IM and is 1.35 acres in area. The rear portion of the site is 1.01 acres in area and is zoned MLR-IM. A small portion of the property encompassing the side/rear yard is zoned DR5.5 (.31 acres). The property has frontage on Kelso Drive and is adjacent to the right-of-way to the Baltimore Beltway (I-695). Generally, as shown in an aerial photo submitted at the hearing (Petitioner's Exhibit No. 4), the neighborhood is industrial/business in character. The Golden Ring Mall is located nearby, and there are large warehouse/business park facilities in the immediate vicinity. The property is improved with an 18,000 square foot building which contains a fitness center trading as "Spunk Fitness." The building is located entirely in the ML-IM and MLR-IM zones. Additionally, there is an associated parking lot containing 148 spaces.

The subject property has a significant zoning history. On April 13, 2001, the proposed development of the subject property with a fitness center building was approved by the Baltimore County Development Review Committee ("DRC") as a limited exemption under then BCZR § 26-171(b)(9) (Petitioner's Exhibit No. 3). Later, the contemplated use was considered in Case No.: 01-284-SPHXA. Petitions for Special Hearing, Special Exception, and Variance were filed by the then-owners of the property. The Special Exception was for approval of a commercial recreational facility/fitness center in the ML-IM and MLR-IM zones pursuant to BCZR §§ 253.2.D.4 and 248.4.A. The Petitioner also requested Special Hearing relief to approve a commercial parking in the residential zone (DR5.5). Lastly, a series of variances were requested

to permit certain setbacks which were less than the minimum required for the proposed building and parking area. A variance was also requested to approve fewer parking spaces than required and residential transition area setback variances were sought. Following a public hearing, all of the relief that was requested was approved by Opinion and Order of the Zoning Commissioner of Baltimore County on March 13, 2001 (Petitioner's Exhibit No. 2). That decision was not appealed.

Following the DRC and zoning approvals, the building was constructed and the fitness center has been in operation for nearly ten (10) years. The instant case relates primarily to proposed signage on the building. Specifically, the Petitioner has constructed a permitted wall-mounted enterprise sign on the front side of the building. A series of photographs (Petitioner's Exhibit No. 4) as well as a drawing of the enterprise sign (Petitioner's Exhibit No. 5) was submitted at the hearing. The enterprise sign includes the lettering for "Spunk Fitness" and the company logo. The area of this wall-mounted enterprise sign is approximately 21 feet by 2 inches by 7 feet, or 148 square feet. As a component of the wall-mounted enterprise sign, the Petitioner proposes a small changeable copy-type sign, 3 feet 1 inch by 15 feet 2 inches. This changeable copy sign component is approximately one-third (47 sq. ft.) of the wall-mounted enterprise sign in area. The changeable copy sign will advertise special events at the club, dues specials and the like.

The Petitioners engaged the services of Gable Signs and Graphics to manufacture and install the signage and obtain the necessary permits therefore. In this regard, Mr. Haberkam of Gable Signs indicated that his office had obtained a sign use permit for the wall mounted sign (including the changeable copy part) from Baltimore County. A copy of this sign use permit was introduced into evidence (Petitioner's Exhibit No. 6). Immediately upon obtaining of the permit,

the Petitioner paid a deposit for the sign's construction and Gable Signs began manufacturing the sign.

Several weeks thereafter and before actual installation, the Petitioner was advised by Baltimore County Department of Permits and Development Management that the sign use permit was being revoked and that the instant zoning relief would be required.

This case presents a unique set of factual circumstances and requires an application of the sign regulations to the facts of this case in view of the history as briefly outlined above. The Petitioner offers two alternate theories under which it avers that the changeable copy sign is permitted. First, a wall-mounted enterprise sign is expressly permitted by the BCZR on the subject property. An enterprise sign is defined under BCZR §450 as follows: "meaning an accessory sign which displays the identity and which may otherwise advertise the products or services associated with the individual organization." A wall-mounted enterprise sign is permitted in the ML zone and the proposed signage meets the area requirements applicable thereto. The Petitioner argues that the changeable copy sign is an accessory component to the wall-mounted enterprise sign and is thus permitted on that basis. The Petitioner notes that the changeable copy component is only one-third of the total area of the wall-mounted enterprise sign and should therefore be permitted. As the Petitioner correctly notes, certain accessory uses are permitted under the BCZR which would not be allowed as principle uses. It is argued that the changeable copy component is accessory to the overall wall-mounted sign and should thus be allowed.

A second approach under which the sign in the instant case may be permitted stems from a review of the table of sign regulations located in BCZR §450. Therein, a changeable copy sign is defined as follows: "meaning an on-premises site displaying a message which may be changed periodically, manually, by electric or electronic controls or by any other means." Interestingly,

under the table of sign regulations, changeable copy signs are not restricted to certain zones as is the provided for other signs described in the regulations. Rather, the changeable copy signs are tied to specific land uses; namely, they are permitted as accessory to *business* establishments. Although located in a manufacturing zone, it is clear that Spunk Fitness is a business establishment and not a manufacturing facility. The table of sign regulations expressly states that changeable copy signs are permitted as accessory to “community buildings.” Further, the table indicates that the changeable copy signs are permitted as accessory uses to theaters, stadiums, “or similar public entertainment.”

An examination of the BCZR discloses that “fitness centers” or “gymnasiums” are not specifically defined terms within the BCZR. Historically, fitness centers have been permitted in the business zones as a “community building, swimming pool or other structural or land use devoted to civic, social, recreational, and educational activities, including use of the building as a catering hall.” (See e.g. BCZR § 230.3). In the manufacturing zones, fitness centers/gymnasiums have been permitted as commercial recreational facilities. On this ML/MLR zoned property, the fitness center was permitted pursuant to the approved Special Exception for a commercial recreational facility in Case No.: 01-284-SPHXA.

Upon consideration of the testimony and evidence, I am persuaded that the proposed changeable copy sign should be permitted. In my judgment, the request is consistent with the permitted uses under the table of sign regulations contained within BCZR §450. Specifically, the changeable copy sign proposed in this instance is clearly accessory to the existing fitness center which qualifies as a “similar use” to a community building and other such similar uses. I am persuaded that the Department of Permits and Development Management was correct in their

initial interpretation of the regulation as applied to this case, and that the signage should be permitted. Thus, the Petition for Special Hearing should be granted.

Although the signage issue was the primary matter raised in this case, the Petitioners also request relief to permit a modified parking plan. In this regard, a Zoning Advisory Committee comment was received from Development Plans Review. As is noted in that comment, the Petitioner previously received a 29 space parking Variance in Case No.: 01-284-SPHXA. Interestingly, in that case, the parking which was required was determined based on the predominate square footage of the building's use as a commercial recreational facility and a small portion attributable to a retail sales area of athletic gear and clothing. The site plan shows that there were 148 spaces available on the site, and the photographs and testimony offered was that this is easily sufficient for the building's purposes. The lot is never overcrowded and there is never an issue with parking spilling into the neighborhood. As is further shown on the site plan, 180 spaces are required if parking is tabulated based on the use of the entire building (18,000 square feet) as a recreational use. Thus, from a purely numeric standpoint, the site is 32 spaces deficient in what is required, which is three more spaces than previously authorized under the Petition for Special Hearing. A review of the layout of the parking scheme is persuasive that relief should be granted to allow the current arrangement to continue. Thus, this request for hearing approval shall also be granted for a modified parking plan in accordance with the submitted site plan.

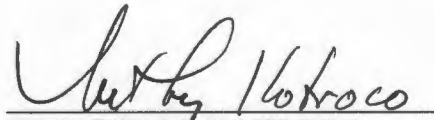
Pursuant to the advertisement, posting of the property, and public hearing on this matter held, and after considering the testimony and evidence offered, I find that Petition for Special Hearing shall be GRANTED.

THEREFORE, IT IS ORDERED by the undersigned Administrative Law Judge of Baltimore County, this 6th day of May, 2011, that the Petition for Special Hearing to allow the wall-mounted enterprise sign and accompanying changeable copy sign, and the modified parking plan, be and is hereby GRANTED.

The relief granted is subject to the following condition:

1. Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty (30) day Appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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


TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

May 6, 2011

LAWRENCE E. SCHMIDT, ESQUIRE
SMITH, GILDEA & SCHMIDT, LLC
600 WASHINGTON AVENUE, SUITE 200
TOWSON, MD 21204

Re: Petition for Special Hearing
Case No. 2011-0264-SPH
Property: 8502 Kelso Drive

Dear Mr. Schmidt:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Kotroco", is written over a horizontal line.

TIMOTHY M. KOTROCO
Administrative Law Judge
for Baltimore County

TMK/pz

Enclosure

Patricia Flood



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8502 Kelso Drive
which is presently zoned 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

See Attached.

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:

GRS Fitness, LLC

Name - Type or Print

Signature

8502 Kelso Drive

(410) 472-134

Address

Telephone No.

Baltimore

MD

21221

City

State

Zip Code

Attorney For Petitioner:

Lawrence E. Schmidt

Name - Type or Print

City

Signature

Gildea & Schmidt, LLC

Company

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

Paradox Properties, LLC

Name - Type or Print

Signature

Name - Type or Print

Signature

12204 Darney View Road

Address

Telephone No.

Kingsville

MD

21087

State

Zip Code

Representative to be Contacted:

Lawrence E. Schmidt, Gildea & Schmidt, LLC

Name

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By

Date

Case No. 2011-0264-SPH

REV 9/15/98

ATTACHMENT TO PETITION FOR SPECIAL HEARING

8502 Kelso Drive

1. To amend the plat to accompany zoning petitions approved in Case 01-284-SPHXA to reflect the proposed signage and, if necessary, to approve a modified parking plan pursuant to BCZR Section 409.12;
2. To approve a permitted wall mounted sign with an accessory changeable copy component pursuant to BCZR Section 450 (Table of Sign Regulations) ;
3. In the alternative, to approve a proposed changeable copy sign as accessory to an approved commercial recreation facility;
4. For such other and further relief as may be required by the Administrative Law Judge.

Item #0264

kjWellsInc

Land Surveying and Site Planning

Telephone: (410) 592-8800
Fax: (410) 817-4055
Email: kwells@kjwellsinc.com

7403 New Cut Road
Kingsville, Md. 21087-1132

March 4, 2011

**Zoning Description
of the
Paradox Properties, LLC Property
Baltimore County
Maryland
15th Election District
7th Councilmanic District**

Beginning at a point located on the northwest side of Kelso Drive (70 feet wide) being at the distance 804 feet of the centerline of the nearest intersecting street Golden Ring Road (width varies) thence the nine (9) following courses and distances:

- Southwest*
- 1) South 35 degrees 22 minutes 07 seconds West 122.24 feet
 - 2) North 54 degrees 37 minutes 53 seconds West 315.00 feet
 - 3) North 49 degrees 29 minutes 19 seconds West 225.91 feet
 - 4) North 24 degrees 43 minutes 38 seconds East 166.34 feet
 - 5) South 70 degrees 37 minutes 09 seconds West 30.00 feet
 - 6) North 19 degrees 22 minutes 51 seconds West 14.98 feet
 - 7) North 72 degrees 11 minutes 51 seconds East 172.57 feet
 - 8) South 31 degrees 05 minutes 14 seconds East 294.50 feet
 - 9) South 38 degrees 22 minutes 39 seconds East 236.29 feet

to the place of beginning of the first parcel of land recorded in Liber SM 15860 folio 101.
Containing 2.67 acres more or less.

Also known as 8502 Kelso Drive.



kjWellsInc

Land Surveying and Site Planning

Telephone: (410) 592-8800
Fax: (410) 817-4055
Email: kwells@kjwellsinc.com

7403 New Cut Road
Kingsville, Md. 21087-1132

March 4, 2011

Zoning Description of the Paradox Properties, LLC Property Baltimore County Maryland 15th Election District 7th Councilmanic District

Beginning at a point located on the northwest side of Kelso Drive (70 feet wide) being at the distance 804 feet of the centerline of the nearest intersecting street Golden Ring Road (width varies) thence the nine (9) following courses and distances:

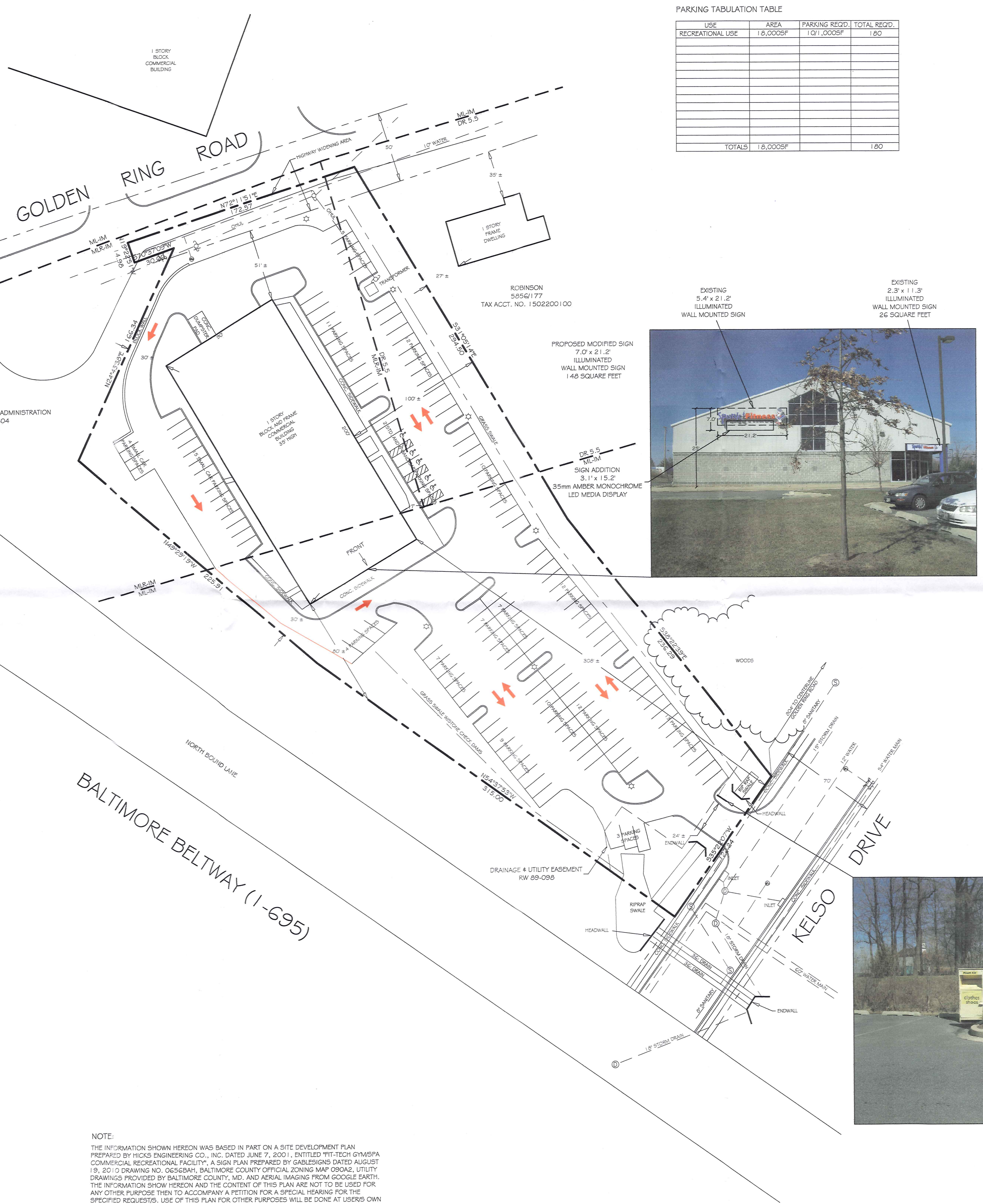
- 
- 1) South 35 degrees 22 minutes 07 seconds West 122.24 feet
 - 2) North 54 degrees 37 minutes 53 seconds West 315.00 feet
 - 3) North 49 degrees 29 minutes 19 seconds West 225.91 feet
 - 4) North 24 degrees 43 minutes 38 seconds East 166.34 feet
 - 5) South 70 degrees 37 minutes 09 seconds West 30.00 feet
 - 6) North 19 degrees 22 minutes 51 seconds West 14.98 feet
 - 7) North 72 degrees 11 minutes 51 seconds East 172.57 feet
 - 8) South 31 degrees 05 minutes 14 seconds East 294.50 feet
 - 9) South 38 degrees 22 minutes 39 seconds East 236.29 feet

to the place of beginning of the first parcel of land recorded in Liber SM 15860 folio 101.
Containing 2.67 acres more or less.

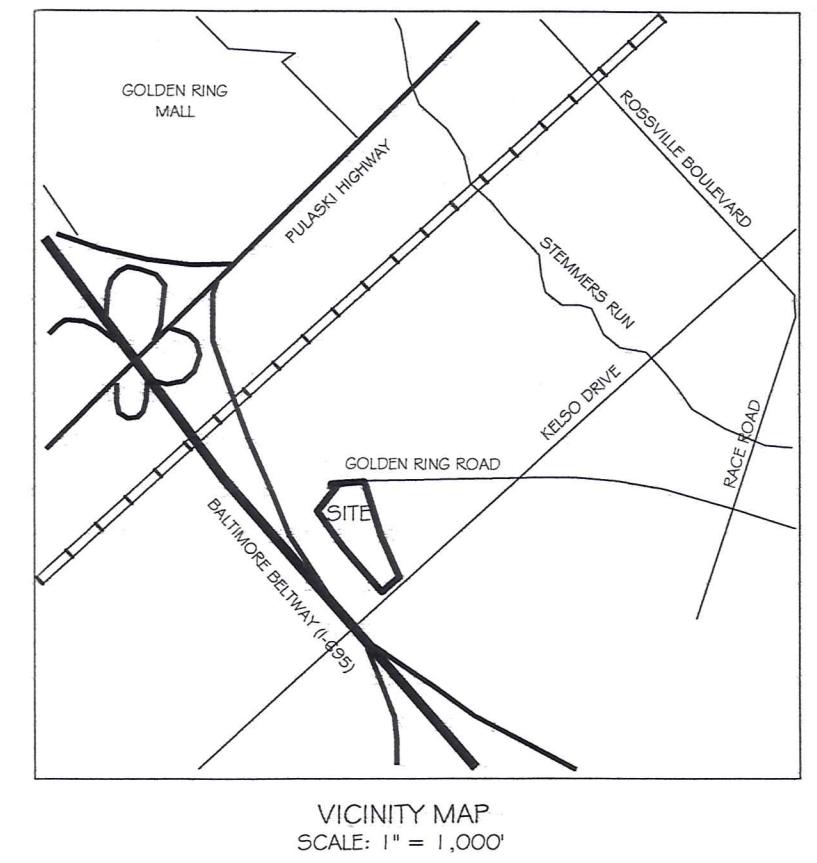
Also known as 8502 Kelso Drive.



PETITIONER' S
EXHIBIT NO. 1

[illegible]

SITE DATA:
 1) OWNERS: PARADOX PROPERTIES, LLC.
 2) OWNERS ADDRESS: 85002 KILSO DRIVE,
 BALTIMORE, MARYLAND 21221
 3) OWNERS TELEPHONE NO.: 410-977-5540
 4) TAX ACCOUNT NUMBER: 0000000000000000
 5) TAX MAP: 90 GRID: 13 PARCELS: 209
 6) DEED REFERENCES: 158601/01 (1ST PARCEL)
 7) CROSS AREA: 2.67 ACRES
 8) ZONING MAP: 090A2
 9) ZONING:
 M-LIM = 1.01 ACRES
 M-LIM = 1.35 ACRES
 DR 5.5 = 0.31 ACRES
 10) THE SUBJECT PROPERTY DOES NOT LIE WITHIN THE CBCA.
 11) THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A
 100-YEAR FLOOD PLAN PER FEMA MAP 24001 00430F.
 12) PREVIOUS HEARINGS OR PERMITS:
 SEE PREVIOUS HEARINGS NOTE BELOW
 13) NO HISTORICALLY SIGNIFICANT STRUCTURES ON THE
 SUBJECT PROPERTY.
 14) AVENUE OPEN SPACE: NONE REQUIRED
 15) P.A.R.:
 M-LIM ALLOWED = .60
 M-LIM PROPOSED = 1.34
 M-LIM ALLOWED = 2.0
 M-LIM PROPOSED = 0.08
 16) PARKING: SEE PARKING TABULATION TABLE
 PROVIDED: 146 SPACES
 17) THE SUBJECT SITE IS SERVED BY PUBLIC WATER OR SEWER.
 18) THE SUBJECT SITE DOES NOT LIE WITHIN A DEFICIENT BASIC
 SERVICE AREA.



PREVIOUS HEARING:

CASE 01-284-SPTXW

THE ORDER GRANTED THE FOLLOWING:

1) SPECIAL EXCEPTION: A COMMERCIAL RECREATIONAL FACILITY IN THE M-LR-M AND M-LM-ZONES; AND,

2) SPECIAL HEARING: COMMERCIAL PARKING IN A RESIDENTIAL ZONE; AND,

3) VARIANCES:

- A) A FRONT YARD SETBACK OF 33 FEET IN LIEU OF THE REQUIRED 75 FEET
- B) A REAR YARD SETBACK OF 30 FEET IN LIEU OF THE REQUIRED 40 FEET
- C) A PARKING SETBACK FROM AN INTERNAL RESIDENTIAL ZONE OF -0- FEET IN LIEU OF THE REQUIRED 25 FEET
- D) A BUILDING TO BE AS CLOSE AS 17 FEET TO THE NEAREST RESIDENTIAL ZONE LINE IN LIEU OF THE REQUIRED 100 FEET
- E) 19 SMALL CAR SPACES FOR A COMMERCIAL RECREATIONAL FACILITY IN LIEU OF THE NONE ALLOWED,
- F) PARKING SPACES ALONG VEHICULAR TRAVELWAYS WITH DIRECT ACCESS,
- G) 150 PARKING SPACES IN LIEU OF THE REQUIRED 179 SPACES,
- H) RESIDENTIAL TRANSITION AREA (RTA) SETBACKS OF AS CLOSE AS 10 FEET TO BUILDERS AS SMALL AS 10 FEET, IN LIEU OF THE REQUIRED 75 FEET AND 50 FEET RESPECTIVELY.

SPECIAL HEARING REQUESTS:

- 1) TO AMEND THE PLAT TO ACCOMPANY ZONING PETITIONS APPROVED IN CASE 01-284-SPHVA TO REFLECT THE PROPOSED SIGNAGE AND, IF NECESSARY, TO APPROVE A MODIFIED PARKING PLAN PURSUANT TO BCZS SECTION 429.12;
- 2) TO APPROVE A PERMITTED WALL MOUNTED SIGN WITH AN ACCESSORY CHANGEABLE COPY COMPONENT PURSUANT TO BCZS SECTION 450 (TABLE SIGN REGULATIONS);
- 3) IN THE ALTERNATIVE, TO APPROVE A PROPOSED CHANGEABLE COPY SIGN AS ACCESSORY TO AN APPROVED COMMERCIAL RECREATIONAL FACILITY;
- 4) FOR SUCH OTHER AND FURTHER RELIEF AS MAY BE REQUIRED BY THE ADMINISTRATIVE LAW JUDGE.

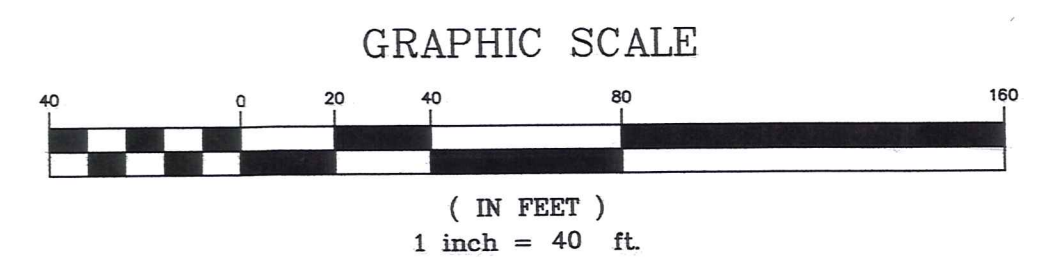
PETITIONER' S
EXHIBIT NO. 1

LEGEND:

	STORM DRAIN MANHOLE
	STORM DRAIN MANHOLE
	SANITARY SEWER MANHOLE
	UTILITY POLE
	LIGHT POLE
	WATER METER
	WATER VALVE
	FIRE HYDRANT
	OVERHEAD UTILITY LINES

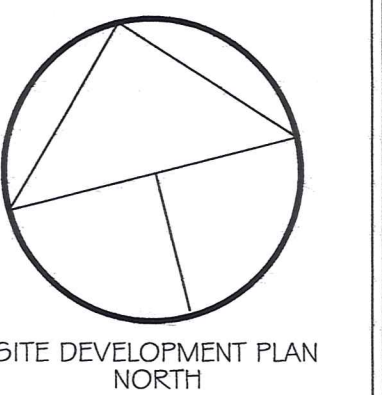
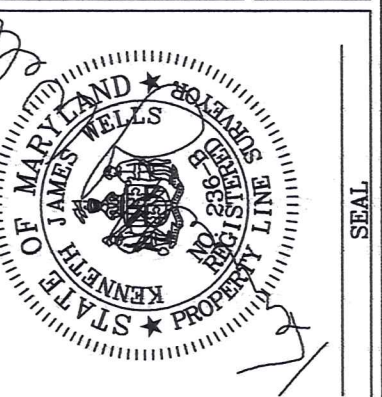
NOTE:
THE INFORMATION SHOWN HEREON WAS BASED IN PART ON A SITE DEVELOPMENT PLAN PREPARED BY HICKS ENGINEERING CO., INC. DATED JUNE 7, 2001, ENTITLED "FIT-TECH GYM/SPA COMMERCIAL RECREATIONAL FACILITY", A SIGN PLAN PREPARED BY GALESDEN/DAVID AUGUST 19, 2010 DRAWING NO. 0656EACH, BALTIMORE COUNTY OFFICIAL ZONING MAP 0804G, UTILITY DRAWS PROVIDED BY BALTIMORE COUNTY, MD, AND AERIAL IMAGING FROM GOOGLE EARTH. THE INFORMATION SHOWN HEREON AND THE CONTENT OF THIS PLAN ARE NOT TO BE USED FOR ANY OTHER PURPOSE THEN TO ACCOMPANY A PETITION FOR A SPECIAL HEARING FOR THE SPECIFIED REQUESTS. USE OF THIS PLAN FOR OTHER PURPOSES WILL BE DONE AT USER'S OWN RISK.

EXISTING
4' x 9' x 7' HIGH
DOUBLE ILLUMINATED
FREE STANDING SIGN
36 SQUARE FEET



kjwellsInc
7403 NEW CUT ROAD
KINGSVILLE, MARYLAND 21087
(410) 592-8800

Land Surveying & Site Planning



REVISIONS:

NO.	DATE
1	4/25/2011

PLAN TO ACCOMPANY A PETITION
FOR A
SPECIAL HEARING
PARADOX PROPERTIES, LLC
BALTIMORE COUNTY, MARYLAND
15th ELECTION DISTRICT 7th COUNCILMANIC DISTRICT

DRAWN BY: KJW
CHECKED BY: KJW
DATE: 3/01/2011
PROJECT NO.:
2011-003
SHEET 1 OF 1

CUSTOMER NAME Spunk Fitness	
PHONE NUMBER 410-977-5540	
SITE/STORE NAME Spunk Fitness - Golden Ring	
CITY/STATE Baltimore, MD	DRAWING DATE 08/19/10
SALES REP BAH	ACCT/PROJ MGR CMC
NAVISON NUMBER 36932-001	COMPLETION DATE

REVISION HISTORY		
0	08/19/10	0650BAH
REV. #	DRAWING DATE	DRAWING # REPLACED

ELECTRICAL REQUIREMENTS		
SIGN TYPE	AMPS	VOLTAGE
AS SHOWN	20amps	120v
TIME MANAGEMENT DEVICE		
PHOTO CELL	TIME CLOCK	NONE X

CLIENT/LANDLORD APPROVAL

☐ APPROVED	☐ APPROVED AS NOTED	☐ DIS-APPROVED REVISE & RESUBMIT
CLIENT SIGNATURE	DATE	
LANDLORD SIGNATURE	DATE	



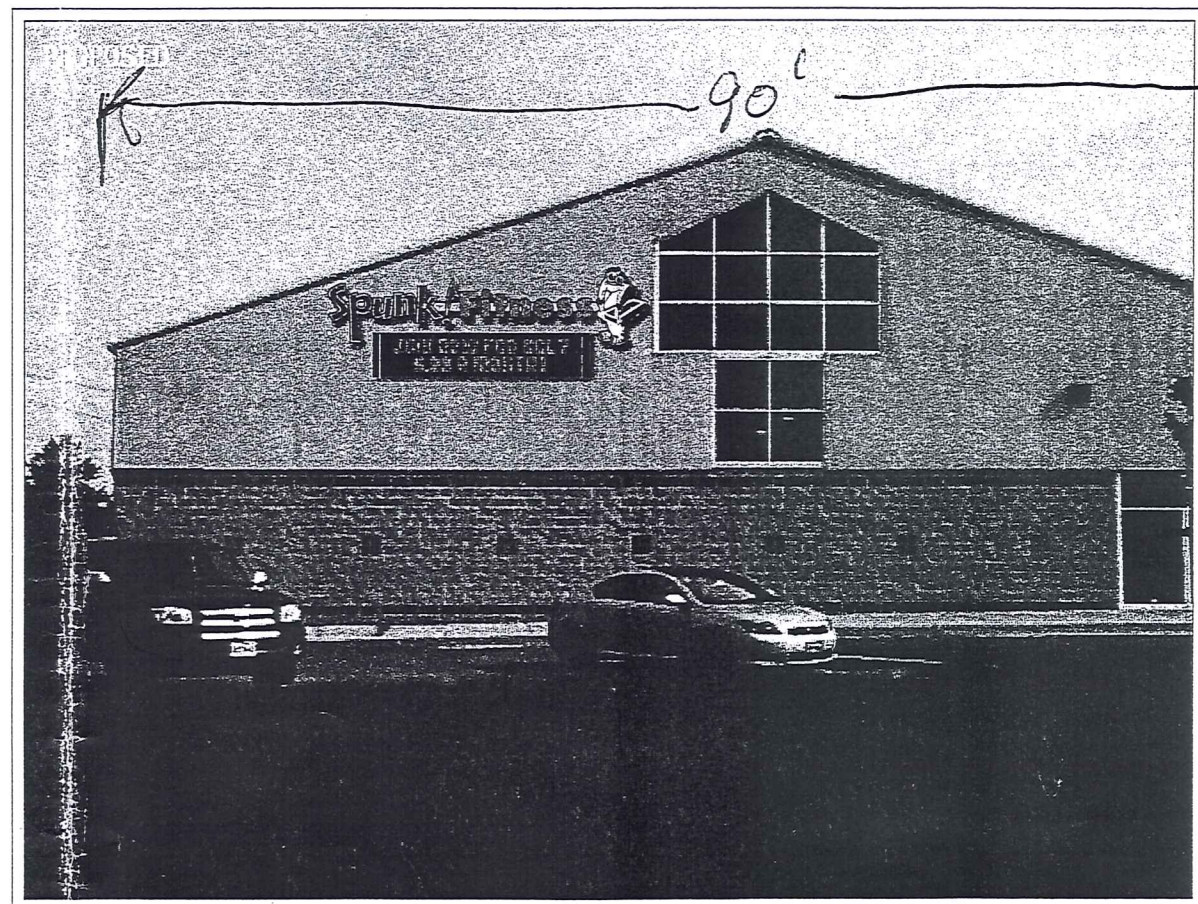
APPROVED LED Channel Letters
Sign Use Permit # A625882
Electrical Permit # E744064

PROPOSED 3'-1"h x 15'-2"w
35mm Amber Monochrome LED Display
46.75 square feet (LED Board ONLY)

ELEVATION DETAIL 148 square feet (total w/ LED board)
SCALE: 3/8" = 1'

PETITIONER'S

EXHIBIT NO. 5



ELEVATION VIEW
SCALE: NTS

SIGN TYPE LED Media Display	QTY 1
DRAWING NUMBER 0656BAH	SHEET NUMBER 1 of 1

COLORS PORTRAYED ARE REPRESENTATIONAL UNLESS NOTED; ACTUAL COLOR SAMPLES AVAILABLE UPON REQUEST.

This drawing remains the exclusive property of GableSigns & Graphics, Inc.. It is submitted for your consideration in the purchase of the product(s) manufactured according to these plans. This design cannot be copied in whole or in part, altered or exhibited in any manner without written permission of Gable Signs & Graphics, Inc.. Exceptions are previously copyrighted artwork supplied by client.