

20-571

September 10, 2020

W. Carl Richards, Zoning Supervisor
Baltimore County Department
Of Permits, Approval and Inspections
Office of Zoning Review
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Request for Confirmation of Spirit and Intent
Merritt Manor Shopping Center
1115 – 1235 Merritt Boulevard

Dear Mr. Richards:

I am writing on behalf of Merritt Manor, LLC ("Merritt") regarding an intended subdivision of the above-referenced property. On August 25, 2020, the Department of Permits, Approvals and Inspections issued a letter (copy attached) granting a limited exemption under the Exemption "B-8" category for a minor development that does not exceed a total of three lots (DRC No. 082520A). Indeed, Merritt is seeking to subdivide the property into three separate lots. A site plan, labeled "Plan to Accompany DRC Request" and dated August 3, 2020, is also enclosed depicting the subdivision as it was presented to the DRC. The purpose of this letter is to confirm that this subdivision of the property is within the spirit and intent of a special exception granted and site plan approved in Case No. 2014-240-SPHX, and that no additional zoning relief and/or another public hearing will be required to record a plat consistent with the site plan filed with the Development Review Committee.

By way of brief history, in 2003, a special exception was granted for a community building (health club) in Case No. 2004-145-XA. In a subsequent zoning case, Case No. 2014-240-SPHX, Merritt sought to amend the special exception in Case No. 2004-145-XA in order to expand the area devoted to the existing health club and that relief was granted. Copies of the orders and site plans approved in these two cases are also enclosed for your convenience.

The existing development consists of a main shopping center, a fuel service station and a bank with a drive through facility. The existing fuel station will be located on a separate parcel, labeled "Lot 3" on the DRC plan, and the bank will also be on a separate parcel, labeled "Lot 1." The existing shopping center building will be on a single parcel as well (Lot 2).

W. Carl Richards
September 10, 2020
Page 2

The site plan approved in Case No. 2014-240-SPHX indicates the specific special exception area within which the health club is permitted to operate. I spoke with Joseph Merrey of the Zoning Review Office, who expressed concern that the proposed subdivision would, in some manner, divide the approved special exception area into areas subject to different ownership. As shown and indicated on the enclosed DRC Plan and Plan to Accompany Spirit and Intent Letter ("S&I Plan"), the proposed subdivision lines do not cross into the special exception area, as I explained to Mr. Merrey by telephone following the DRC meeting for the project.

At this time, I am seeking confirmation from your office by countersignature below that the intended subdivision of the property, as shown and indicated on the enclosed DRC Plan and S&I Plan, is within the Spirit and Intent of Case No. 2014-240-SPHX, and that no additional zoning relief and/or another public hearing before the ALJ will be required to record a plat consistent with the site plan filed with the DRC and assigned DRC Number 082520A.

With this letter, I have enclosed a check in the amount of \$500.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with your expedited review. If you require any additional information in order to complete your review, please feel free to give me a call.

Thank you for your assistance with this matter.

Very truly yours,

 CAR

David H. Karceski

REVIEWED AND CONFIRMED:

 9/11/20
W. Carl Richards, Zoning Supervisor



JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

August 25, 2020

Mr. Christopher W. Armstrong, P.E.
Bohler Engineering VA, LLC
901 Dulaney Valley Road, Suite 801
Towson, MD 21204

RE: Merritt Manor Shopping Center
1115-1235 Merritt Boulevard
Tracking Number: DRC-2020-00128
DRC Number: 082520A; Dist. 12C7

Dear Mr. Armstrong,

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 Sections 32-1-101, 32-3-401, and 32-3-517 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 so designated by their directors to represent their respective departments. The purpose of the DRC is to ensure compliance with Section 32-4-106 and Section 32-4-262 of the Baltimore County Code and to make recommendations to the Director, Department of Permits Approvals and Inspections (PAI).

The DRC met in an open meeting via WebEx on August 25, 2020 and has determined that your project meets the requirements of a **limited exemption under Section 32-4-106(b)(8)**. I have reviewed the recommendations carefully and it is this 25th day of August 2020 ordered and decided that the recommendations of the DRC are hereby adopted. Prior to making plan submission to Baltimore County pursuant to the instructions that follow, applicant must provide written evidence that any and all concerns on the part of PAI/Zoning review pertaining to prior zoning histories are satisfied.

In order to further process your development plan, submit two check prints, of the plan, prepared in accordance with Sections 32-4-221 through 32-4-224 of the Baltimore County Code, one completed, signed and sealed copy of the **Development Plan Checklist**, and a copy of this letter to this office to the attention of Shawn Frankton. Be advised that in addition to development plan review fees, Phase 2 review fees will apply, depending on the amount of site disturbance, and/or the requirement of a Public Works Agreement.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State or Federal regulations.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Mike D. Mallinoff', written over the word 'Sincerely,'.

Mike D. Mallinoff
Director

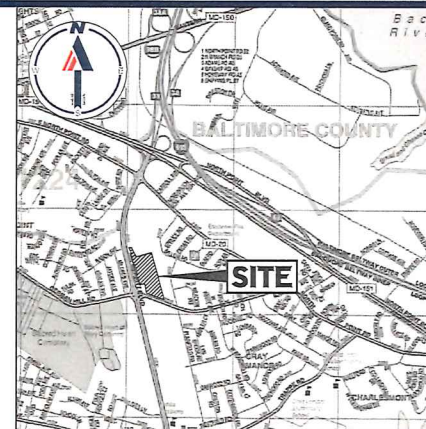
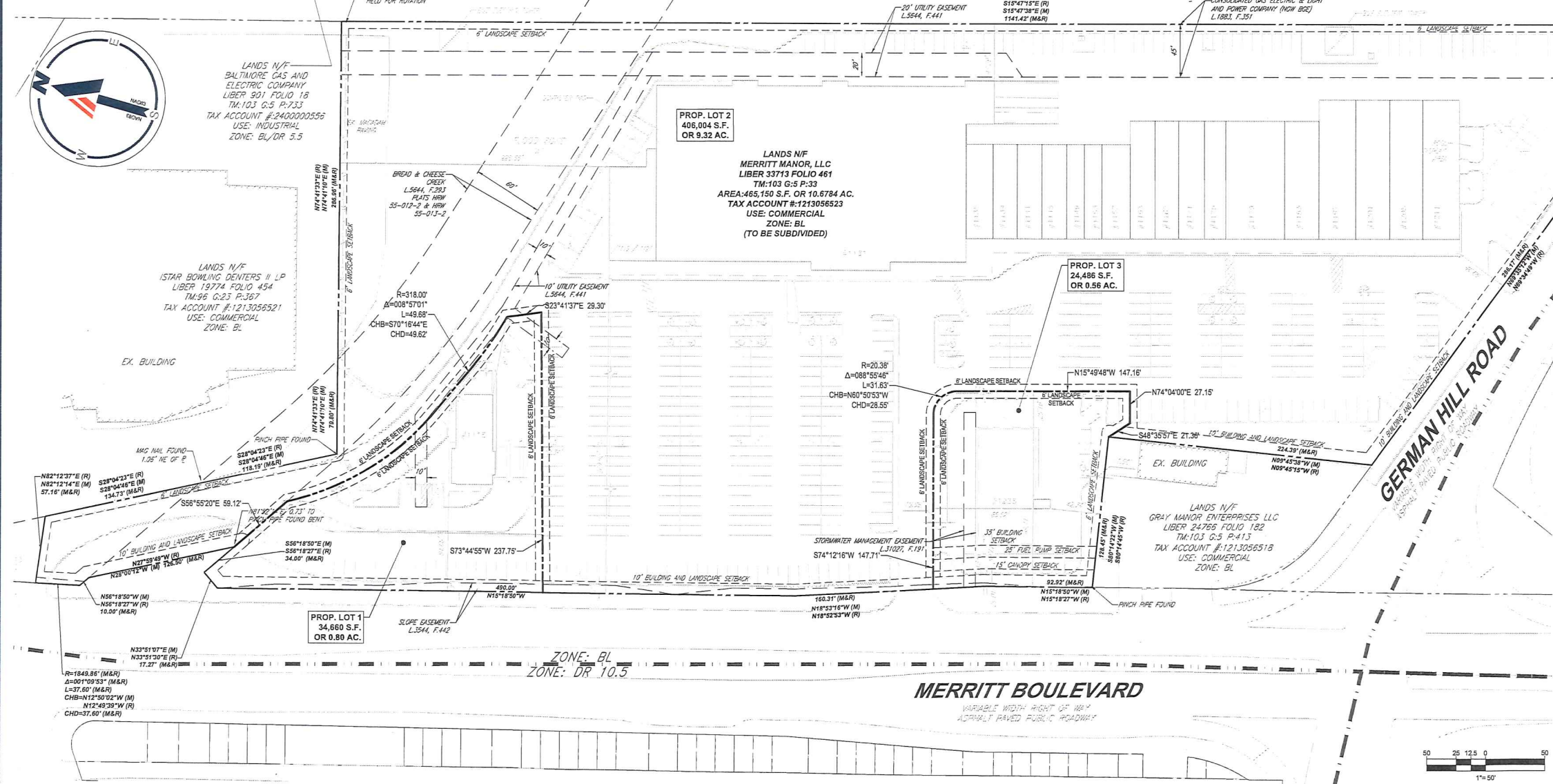
MM: LTM:ltm

C: Shawn Frankton
File

CURRENT PARKING:				
TENANT USE	LOT NO.	GROSS FLOOR AREA (S.F.)	PARKING GENERATION (SPACES PER 1,000 SF)	PARKING SPACES REQUIRED
GOLD'S GYM: WORKOUT AREA	2	28,443	10	285
GOLD'S GYM: RETAIL	2	2,200	5	11
GOLD'S GYM: OFFICE/BUSINESS	2	9,300	3.3	31
GOLD'S GYM: WORKOUT AREA	2	1,393	10	14
GOLD'S GYM: TOTAL	2	41,336	MIXED	341
LESLIE'S POOLS	2	4,130	5	21
BANK	1	2,356	3.3	8
1 SPACE PER EMPLOYEE AT LARGEST SHIFT				
GAS STATION	3	116		2
WE TREAT FEET	2	1,100	4.5	5
HAIR CUTTERY	2	1,600	5	8
SHERWIN WILLIAMS PAINTS	2	5,000	5	25
ULERY DENTAL	2	4,000	4.5	18
DOLLAR GENERAL	2	9,851	5	50
MARINER FINANCE	2	2,050	3.3	7
SPRINT PHONES	2	1,200	5	6
POLISHED NAILS	2	1,200	3.3	4
FILLET'S PIZZA	2	2,010	16	33
GNC	2	1,600	5	8
VACANT	2	1,600	5	8
STERLING LIQUORS	2	2,900	5	15
CHICKEN RICO	2	2,040	16	33
NOVACARE REHABILITATION	2	2,040	4.5	10
TOTAL	-	86,129	PER TENANT	602

2010 PARKING VARIANCE APPROVED FOR 470 SPACES IN LIEU OF 602 (78%)

LOT	REQUIRED PARKING	PROVIDED PARKING
LOT 1:	9	41
LOT 2:	592	468 (79%)
LOT 3:	2	4
TOTAL:	602	513 (PER SURVEY BY MAL, LLC)



VICINITY MAP

COPYRIGHT ADD THE MAP PEOPLE
PERMIT USE NO. 2002153-5
SCALE: 1"=200'

LEGEND

---	EX. PROPERTY LINE
---	EX. ADJACENT PROPERTY LINE
---	PROP. SUBDIVISION LINE
---	EASEMENT LINE
---	ZONING LINE



REVISIONS				
REV	DATE	COMMENT	DESIGNED BY	CHECKED BY

811
Know what's below.
Call before you dig.
ALWAYS CALL 811
It's fast. It's free. It's the law.

NOT APPROVED FOR CONSTRUCTION

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.: MD192230
DRAWN BY: CJB
CHECKED BY: CWA
DATE: 08/03/20
CAD LD: DRC-C

SITE PLAN

FOR

MERRITT MANOR SHOPPING CENTER

LOCATION OF SITE

1115-1235 MERRITT BLVD
DUNDALK, MD 21222
BALTIMORE COUNTY, MD

BOHLER

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7900
Fax: (410) 821-7987
MD@BohlerEng.com

C. W. ARMSTRONG

PROFESSIONAL ENGINEER
I, CHRISTOPHER W. ARMSTRONG, CERTIFY THAT THESE DOCUMENTS WERE PREPARED AND APPROVED BY ME, AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 3621, EXPIRATION DATE: 9/10/20

SHEET TITLE:

PLAN TO ACCOMPANY DRC REQUEST

SHEET NUMBER:

1

ORG. DATE - 08/03/20

ZONING CASE HISTORY

CASE NO. 1948-1437 - CONSTRUCT CONTRACTOR'S STORAGE SHED - DENIED MAY 16TH, 1948

CASE NO. 1950-1823 - CONSTRUCTION OF PARALLEL ELECTRIC TRANSMISSION LINE - GRANTED SEPTEMBER 29TH, 1950

CASE NO. 1950-1628 - CONSTRUCTION OF PARALLEL ELECTRIC TRANSMISSION LINE - GRANTED OCTOBER 3RD, 1950

CASE NO. 1950-1830 - CONSTRUCTION OF PARALLEL ELECTRIC TRANSMISSION LINE - GRANTED OCTOBER 3RD, 1950

CASE NO. 1951-1930 - ZONING RECLASSIFICATION FROM AN "A" RESIDENCE TO AN "E" COMMERCIAL - GRANTED JUNE 12TH, 1951

CASE NO. 1952-2392 - ZONING RECLASSIFICATION FROM A "D" RESIDENCE TO AN "E" COMMERCIAL TO PERMIT A COMMERCIAL SHOPPING CENTER - GRANTED NOVEMBER 10TH, 1952

CASE NO. 1957-4101 - SPECIAL EXCEPTION FOR A GASOLINE SERVICE STATION - DISMISSED ON APRIL 11TH, 1957

CASE NO. 1957-4119 - ZONING RECLASSIFICATION FROM BUSINESS LOCAL TO BUSINESS ROADSIDE PETITION WITHDRAWN APRIL 23RD 1957

CASE NO. 1957-4153 - ZONING RECLASSIFICATION FROM BUSINESS LOCAL TO BUSINESS ROADSIDE PETITION - GRANTED MARCH 15TH, 1957

CASE NO. 1960-4941 - SPECIAL EXCEPTION FOR A GASOLINE SERVICE STATION - APPROVED MAY 4TH, 1960

CASE NO. 1960-5051 - ZONING RECLASSIFICATION FROM AN "R-6" TO A "B-L" - AUGUST 16TH, 1960

CASE NO. 1961-5409 - TO PERMIT A SIGN 34 FEET IN HEIGHT INSTEAD OF THE REQUIRED 25 FEET, AND TO PERMIT A TOTAL AREA OF 282 SQUARE FEET INSTEAD OF THE REQUIRED 100 SQUARE FEET - GRANTED ON NOVEMBER 28TH, 1961

CASE NO. 1976-0224 - SPECIAL EXCEPTION FOR A SERVICE GARAGE - GRANTED ON MARCH 15TH, 1976

CASE NO. 1977-0088 - VARIANCE TO PERMIT A SIGN TO BE LOCATED OPPOSITE A RESIDENTIAL DISTRICT - GRANTED NOVEMBER 10TH, 1977

CASE NO. 1977-0165 - VARIANCE TO PERMIT A SIGN TO BE LOCATED OPPOSITE A RESIDENTIAL DISTRICT - GRANTED MARCH 15TH, 1977

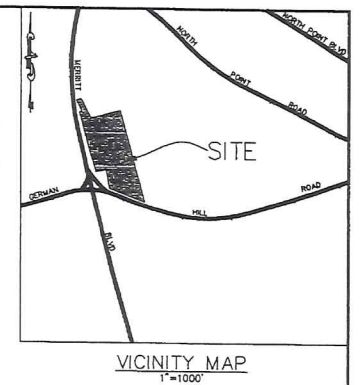
CASE NO. 2004-0145 - SPECIAL EXCEPTION FOR A "HEALTHY CLUB" AND A PARKING VARIANCE TO ALLOW 512 SPACES IN LIEU OF THE REQUIRED 542 SPACES - BOTH WERE GRANTED ON NOVEMBER 18TH, 2003

CASE NO. 2010-0104 - TO PERMIT A TOTAL OF 470 PARKING SPACES IN LIEU OF THE REQUIRED 602 SPACES, AND TO ALLOW A FREESTANDING DIRECTIONAL SIGN WITH A SIGN FACE AREA OF 9.2 SQUARE FEET IN LIEU OF THE PERMITTED 14 SQUARE FEET AND A HEIGHT OF 12 FEET IN LIEU OF THE PERMITTED 6 FEET - BOTH WERE GRANTED ON DECEMBER 11TH, 2009

CASE NO. 2014-0240 - SPECIAL EXCEPTION TO EXPAND THE EXISTING 39,938 S.F. HEALTH CLUB BY AN ADDITIONAL 1,393 S.F. FOR A TOTAL OF 41,331 S.F. PETITION FOR SPECIAL EXCEPTION FILED TO APPROVE 1,393 S.F. FOR USE AS A COMMUNITY BUILDING - JULY 11TH, 2014.

EXPLANATION OF REQUEST TO THE DRC

THE PURPOSE OF THIS DEVELOPMENT PLAN IS TO SUBDIVIDE THE EXISTING SHOPPING CENTER PARCEL INTO THREE (3) SEPARATE LOTS.



PARKING SUMMARY

TOTAL SPACES GENERATED/REQ'D.	=	542 SPACES
TOTAL SPACES EXISTING	=	512 SPACES
DEFICIT	=	30 SPACES
HANDICAP SPACES REQ'D. PER ADA (2% x 542)	=	11 SPACES
HANDICAP SPACES PROVIDED	=	20 SPACES

* 27500 S.F. ON MAIN FLOOR + 1600 S.F. ON MEZZANINE LEVEL

** PARCELS "A" AND "B" FOR ZONING PURPOSES, ARE CONSIDERED CONTIGUOUS. UPON COMPLETION OF PARCEL "A", PARCEL "B" WILL BE VACATED BY GOLD'S GYM AND REVERT TO OFFICE SPACE.

- PROPERTY OWNER: WILLIAM T. KEMPER
c/o GFS REALTY, INC. VIA DEED LIBER 5691, FOLIO 611
N.E. COR. OF MERRITT BLVD. AND GERMAN HILL RD.
(CURRENTLY KNOWN AS MERRITT MANOR SHOPPING CENTER)
BL (ZONING MAP SE 2F)
- PROPERTY LOCATION: 12-13-056523 (TAX MAP 103, GRID 5, PARCEL 33)
- PROPERTY ZONED: 465146 S.F. OR 10.6783 AC. ±
- PROPERTY TAX ACCOUNT NO.: 505796 S.F. OR 11.6115 AC. ±
- PROPERTY AREA: 86710 S.F. (SEE 'PARKING TABULATION' CHART FOR
INDIVIDUAL STORE AREAS AND USES)
- GROSS SITE AREA (GSA): 86710 S.F. (GFA) / 505796 S.F. (GSA) = 0.171
(MAXIMUM ALLOWED FAR IN BL ZONE = 3.0)
- GROSS FLOOR AREA (GFA): NONE IN BL ZONE
- FLOOR AREA RATIO (FAR):
- AMENITY OPEN SPACE REQ'D:
- THIS SITE IS NOT WITHIN THE CHESAPEAKE BAY CRITICAL AREA OR ANY HISTORIC DISTRICT
- ALL FEATURES SHOWN ON THIS PLAN, INCLUDING BUILDINGS, UTILITIES, USES (EXCEPT GOLD'S GYM),
SIGNS, PARKING CONFIGURATION, AND OTHER IMPROVEMENTS, ARE EXISTING.
- ALL BUILDINGS ARE SINGLE STORY, BLOCK CONSTRUCTION.
- OTHER THAN THE REQUEST THAT THE GOLD'S GYM PARCELS SHOWN BE PERMITTED BY
SPECIAL EXCEPTION IN THE BL ZONE, THERE ARE NO PROPOSED CHANGES TO THIS EXISTING
DISTRICT SITE AT THIS TIME. THE VARIANCE BEING REQUESTED IS TO ALLOW THE EXISTING
512 PARKING SPACES IN LIEU OF THE REQUIRED 542 SPACES.
- ADEQUATE FACILITIES EXIST ON SITE IN REGARD TO STORM DRAINAGE, STORMWATER MANAGEMENT
(UNDERGROUND FACILITY), SEWER, DOMESTIC WATER SERVICE, AND FIRE SERVICE.
- PUBLIC FIRE SERVICE (HYDRANTS) ARE ALSO IN CLOSE PROXIMITY TO THE SITE AS SHOWN.
- THE FLOODPLAIN SHOWN HEREON, ALONG THE BREAD AND CHEESE CREEK, WAS TAKEN FROM FLOOD
INSURANCE RATE MAP (FIRM) PANEL 420 OF 575, COMMUNITY-PANEL NUMBER 240010 0420 B,
EFFECTIVE DATE: MARCH 2, 1981. THE ZONE DESIGNATION ON THE MAP IS ZONE A (AREAS OF
100 YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED).

<u>ZONING CASE HISTORY</u>		
4101-X	GAS STATION	ABANDONED
4153	SERVICE STATION	ABANDONED
7786A	SIGN	
76224-X	SERVICE GARAGE	ABANDONED

PLAN TO ACCOMPANY PETITION
FOR SPECIAL EXCEPTION AND VARIANCE
GOLD'S GYM-DUNDALK
(STORE #146)
COUNCILMANIC DISTRICT 7
ELECTION DISTRICT 12 BALTIMORE COUNTY, MARYLAND
SCALE : 1"=50' DATE : SEPTEMBER 23, 2003

W. DUVAL & ASSOCIATES, INC.
 ENGINEERS . SURVEYORS . LAND PLANNERS
 530 EAST JOPPA ROAD
 TOWSON, MARYLAND 21286
 Phone: 410.583.9571
 E-mail: wduvall2@qwest.net

PREPARED FOR:	OWNER
J.R. BERNLOHR ARCHITECTS	WILLIAM T. KEMPER
613 3RD STREET	C/O GFS REALTY INC.
ANNAPOLIS, MARYLAND 21403	DEPT. 672
ATTN: JIM BERNLOHR	6300 SHERIFF RD.
PHONE: 410-990-9409	LANDOVER, MD. 20785-4303

GENERAL NOTES

- CURRENT OWNER:** Dundalk Acquisition, LLC
1115-1235 Merritt Boulevard
Dundalk, Maryland
Tax Account No.: 1213056523
Tax Map: 0103, Parcel 0033
Deed Reference: Liber 27126, Folio 286
Land Use: Commercial
- GOLD'S SITE AREA:** 39,938± Square Feet
Proposed Expansion Area: 1,393± Acres sq. ft.
Gold's Gym Total Area: 41,331± Acres sq. ft.
- ENTIRE SITE BUILDING AREA:** Existing (3 Buildings)
66,011 Sq. Ft.
Proposed Additions - NONE
- UTILITIES:**
Public Water
Public Sewer
- ZONING:** BL (Business Local)
- PROPOSED USE:** COMMUNITY BUILDING/HEALTH CLUB (Gold's Gym).
- PROPOSED SPACES TO BE PROVIDED:** 8
- EXISTING GOLD'S GYM PARKING SPACES:**
Regular Parking Spaces: 327
Handicap Parking Spaces: 2
Total Parking Spaces: 327
- HEIGHT OF STRUCTURE:**
Max. Height Permitted: 40'
Max. Height Provided: 26.2'
- REQUIRED ZONING SETBACKS:**
Front: 10'
Street Side: 10'
Side: None
Rear: None
- COUNCILMANIC DISTRICT:** 7
- CONGRESSIONAL DISTRICT:** 2
- LEGISLATIVE DISTRICT:** 6
- ELECTION DISTRICT:** 12
- CENSUS TRACT:** 420100
- WATERSHED:** BACK RIVER
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.**
- THERE ARE NO HISTORIC FEATURES ON SITE NOR IS THE SITE ITSELF HISTORIC.**

CURRENT PARKING

TENANT USE	GFA (SF)	PARKING GENERATION	REQUIRED SPACES
Gold's Gym			
Workout Area	28,443	10 SP/1000	285
Retail	2,200	5 SP/1000	11
Office/Business	9,300	3.3 SP/1000	31
Proposed Workout Area	1,393	10 SP/1000	14
Gold's Gym Total	41,331	MIXED	341
Leslie's Pools	3,656	5 SP/1000	19
Bank	2,356	3.3 SP/1000	8
Gas Station	116	1 SP Per Employee At Largest Shift	2
Doctor's Office	1,790	4.5 SP/1000	9
Hair Cuts	1,600	5 SP/1000	8
Sherwin Williams Paints	5,000	5 SP/1000	25
Ulrey Dental	4,000	4.5 SP/1000	18
Dollar General	5,000	3.3 SP/1000	17
Manner Finance	2,050	3.3 SP/1000	7
Sprint Phones	1,200	5 SP/1000	6
Polished Nails	1,200	3.3 SP/1000	4
Fillet's Pizza	2,010	16 SP/1000	33
Comfort Pharmacy	1,600	5 SP/1000	8
Edible Arrangements	1,600	5 SP/1000	8
Vacant Space	2,900	5 SP/1000	15
Vacant Space	2,040	5 SP/1000	11
Vacant Space	2,040	5 SP/1000	11
TOTAL	72,153	PER TENANT	550

PROPOSED LEASE AREA

COMMENCING from the beginning of the fourteenth (14th) line of the deed of Merritt Manor Shopping Center, which deed is recorded among the Land Records of Baltimore County, Maryland in Liber 27126 Folio 286; thence running with and binding on a portion of said 14th line South 15 degrees 47 minutes 15 seconds East a distance of 227.53 feet; thence leaving the outline of said Merritt Manor Shopping Center and running North 74 degrees 12 minutes 45 seconds West a distance of 121.95 feet to the corner of an existing block building, said corner being the PLACE OF BEGINNING; thence running

1. South 15 degrees 47 minutes 05 seconds East a distance of 40.0 feet; thence
2. South 74 degrees 12 minutes 55 seconds West a distance of 34.6 feet; thence
3. North 15 degrees 47 minutes 05 seconds West a distance 40.0 feet; thence
4. North 74 degrees 12 minutes 55 seconds East a distance of 34.6 feet to the Place of Beginning.

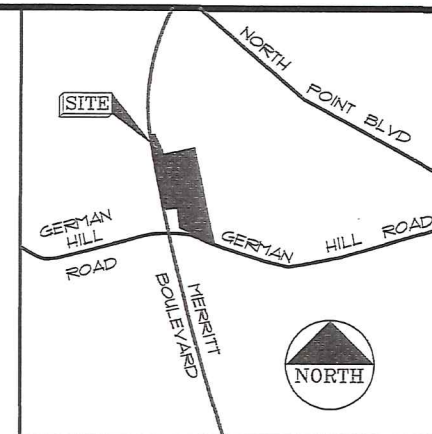
CONTAINING 1,393 square feet, more or less.

COMBINED LEASE AREA DESCRIPTION

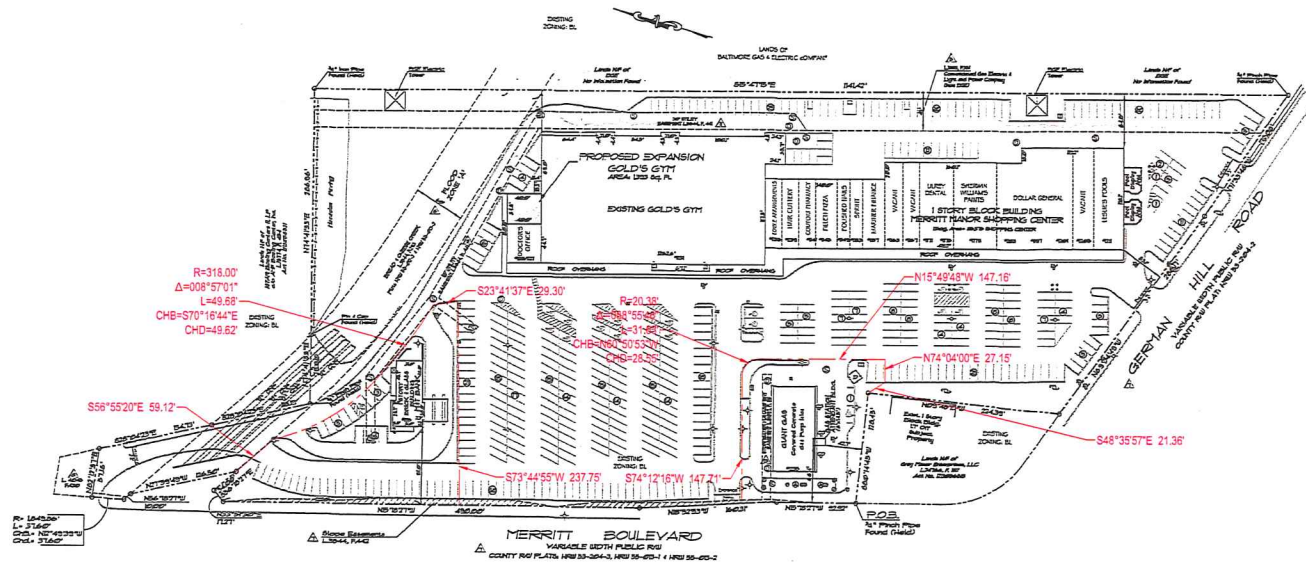
COMMENCING from the beginning of the fourteenth (14th) line of the deed of Merritt Manor Shopping Center, which deed is recorded among the Land Records of Baltimore County, Maryland in Liber 27126, Folio 286; thence running with and binding on a portion of said 14th line South 15 degrees 47 minutes 15 seconds East a distance of 267.4 feet; thence leaving the outline of said Merritt Manor Shopping Center and running North 74 degrees 12 minutes 45 seconds West a distance of 53.3 feet to the corner on an existing block building, said corner being the PLACE OF BEGINNING; thence running

1. Southeastern a distance of 64.4 feet; thence
2. Northeastern a distance of 4.4 feet; thence
3. Southeastern a distance of 21.0 feet; thence
4. Southeastern a distance of 4.4 feet; thence
5. Southeastern a distance of 55.4 feet; thence
6. Northeastern a distance of 4.3 feet; thence
7. Southeastern a distance of 21.0 feet; thence
8. Southeastern a distance of 4.3 feet; thence
9. Southeastern a distance of 100.1 feet; thence
10. Northeastern a distance of 4.5 feet; thence
11. Southeastern a distance of 24.5 feet; thence
12. Southeastern a distance of 35.7 feet; thence
13. Northwestern a distance of 24.1 feet; thence
14. Southeastern a distance of 117.3 feet; thence
15. Northwestern a distance of 262.6 feet; thence
16. Northeastern a distance of 44.7 feet; thence
17. Northwestern a distance of 39.7 feet; thence
18. Northeastern a distance of 34.6 feet; thence
19. Southeastern a distance of 39.8 feet; thence
20. Northeastern a distance of 69.0 feet to the place of beginning.

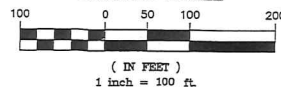
CONTAINING 41,331 square feet, more or less of Lease Area.



VICINITY MAP
SCALE: 1" = 1000'



LOCATION MAP
GRAPHIC SCALE



FLOOD CERTIFICATION

THE MAJOR PORTION OF THIS PROPERTY LIES WITHIN FLOOD ZONE 'X', AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. A SMALL PORTION OF THIS PROPERTY LIES WITHIN FLOOD ZONE 'A', NO BASE FLOOD ELEVATIONS DETERMINED. THE APPROXIMATE LOCATION OF FLOOD ZONE 'A' IS THE AREA WITHIN THE 60 FOOT WIDE EASEMENT FOR BREAD AND CHEESE CREEK AS SHOWN ON FIRM MAP No. 140010 0420 F WITH AN EFFECTIVE DATE OF 26 SEPTEMBER 2008



Robert P. Grim, C.M.A.A.
ROBERT P. GRIM DATE: 7 APRIL 2014
REGISTERED PROFESSIONAL SURVEYOR
MARYLAND REGISTRATION No. 354
DATE OF SURVEY: 15 MAY 2013
LICENSE EXPIRATION: 18 OCTOBER 2014

MAI, LLC
SURVEYORS

16951 YORK ROAD
MONKTON, MD 21111
P (410) 557-8839
F (410) 557-8727

SYMBOLS & ABBREVIATIONS

- FIRE HYDRANT - LIGHT POLE - HANDICAP PARKING - PARKING SPACES - UTILITY POLE - BUILDING HEIGHT - CONCRETE - N - S - E - W	- R/W RIGHT OF WAY - DEGREE SYMBOL - MINUTE SYMBOL - SECOND SYMBOL - P.O.B. POINT OF BEGINNING - PROPERTY LINE(S) - EASEMENT LINE(S)
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PLAN TO ACCOMPANY SPIRIT AND INTENT LETTER

FOR 1ST REVISION ONLY
C. W. ARMSTRONG

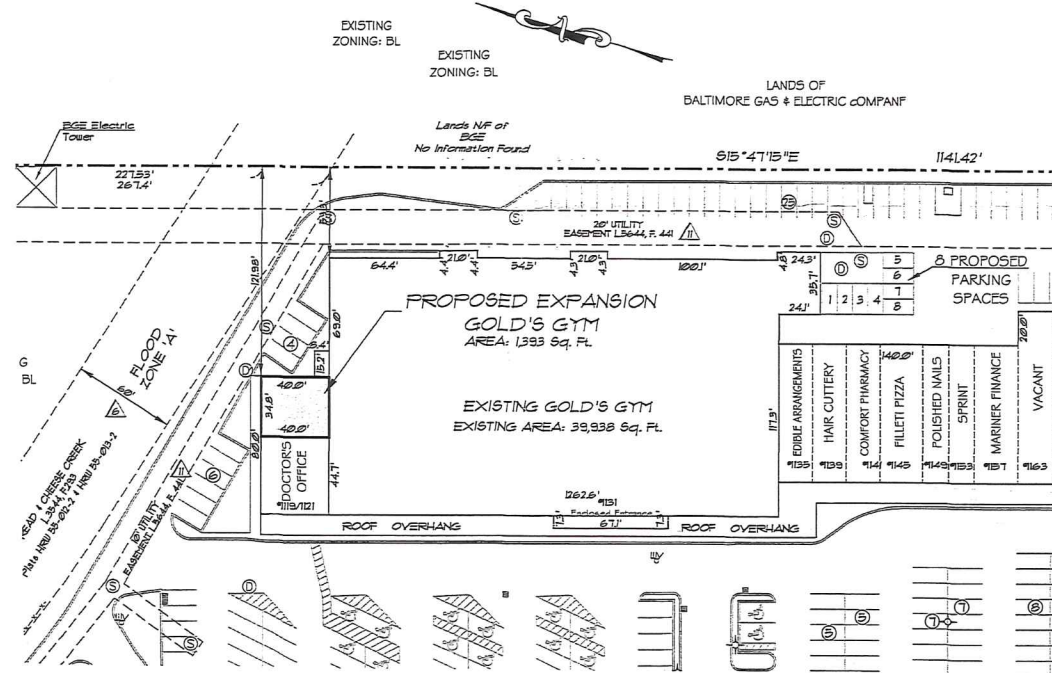
BOHLER

901 DULANEY VALLEY ROAD, SUITE 801
TOWSON, MARYLAND 21204
Phone: (410) 821-7800
Fax: (410) 821-7987
MD@BohlerEng.com

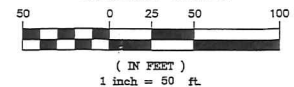
PROFESSIONAL ENGINEER
CHRISTOPHER W. ARMSTRONG, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 35521, EXPIRATION DATE: 07/02

SURVEYOR'S NOTES

1. SOME FEATURES SHOWN HEREON MAY BE DRAWN OUT OF SCALE FOR CLARITY.
2. DIMENSIONS SHOWN ON THIS PLAN ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF.
3. BEARINGS AND COORDINATES ARE REFERENCED TO FB NLP #149/15
4. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY.
5. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.
6. THERE IS NO SURFACE EVIDENCE OF CEMETERIES OR BURIAL GROUNDS ON THE PROPERTY SHOWN HEREON.



SITE MAP for GOLD'S GYM
GRAPHIC SCALE



PETITIONER'S
EXHIBIT NO. 1

7014-0840-SPHX

NO.	DATE	DESCRIPTION	BY	JOB NO.	SURVEYED BY	DRAWN BY	CHECKED	SCALE	DATE
1	09/01/2020	LOT SUBDIVISION	TMG						
PLAT TO ACCOMPANY A SPECIAL EXCEPTION REQUEST GOLD'S GYM - MERRITT MANOR SHOPPING CENTER #1131 MERRITT BOULEVARD 12th. ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND									
				14-009	T.L.H.	R.P.G.	M.D.A.	AS SHOWN	3/26/14

**IN RE: PETITIONS FOR SPECIAL HEARING *
AND SPECIAL EXCEPTION**

(1131 Merritt Blvd.)

12th Election District

7th Council District

Merritt Manor, LLC

Legal Owner

DMD Gyms, LLC d/b/a Gold's Gym

Lessee

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2014-0240-SPHX

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of Petitions for Special Hearing and Special Exception filed by Gregory E. Rapisarda, Esquire, on behalf of the legal owner, Merritt Manor, LLC and DMD Gyms, lessee ("Petitioners"). The Petition for Special Hearing was filed pursuant to §500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R."), to amend Special Exception Case No. 04-145-XA and expand the existing 39,938 sq. ft. health club (Gold's Gym) by an additional 1,393 sq. ft. for a total of 41,331 sq. ft. In addition, a Petition for Special Exception was filed to approve 1,393 sq. ft. for use as a community building (health club).

Appearing at the public hearing in support of the requests was Gregory E. Rapisarda, Esquire, from Saul Ewing, LLP. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. No Protestants or interested citizens attended the hearing, and the file does not contain any letters of opposition. No substantive Zoning Advisory Committee (ZAC) comments were received.

Special Hearing

The subject property is zoned BL, and is improved with a strip center known as Merritt Manor Shopping Center. Gold's Gym has operated a fitness facility at the location since 2003,

ORDER RECEIVED FOR FILING

Date 7/11/14

By Den

pursuant to a special exception granted in Case No. 2004-145-XA. The petition for special hearing seeks to amend the special exception granted in that earlier case, to reflect the addition of 1,393 sf. of leased area to the "special exception area." Counsel explained a dentist is vacating his office at the shopping center, and Gold's Gym will expand its "workout area" to include that space, as shown on the plan marked as Exhibit 1.

Special Exception Standards

Special exception uses are presumptively valid and consistent with the comprehensive zoning plan, People's Counsel v. Loyola College, 406 Md. 54, 77 n. 23 (2008), and no evidence was offered here to rebut the presumption. As noted, the gym has been operating as a special exception use at the location for over 10 years, and the Department of Planning indicated in its zoning comment that the "acquisition of the additional square footage will not adversely impact the health, safety and general welfare of the surrounding community." Thus, the petition will be granted.

THEREFORE, IT IS ORDERED this 11th day of July, 2014, by this Administrative Law Judge, that the Petition for Special Hearing to amend Special Exception Case No. 04-145-XA and expand the existing 39,938 sq. ft. health club (Gold's Gym) by an additional 1,393 sq. ft. for a total of 41,331 sq. ft., be and is hereby APPROVED;

IT IS FURTHER ORDERED that the Petition for Special Exception to approve 1,393 sq. ft. for use as a community building (health club) at 1131 Merritt Boulevard, Dundalk, Maryland 21222 (as shown on the site plan marked and admitted as Exhibit 1), be and is hereby GRANTED.

ORDER RECEIVED FOR FILING

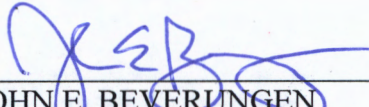
Date

By

The relief granted herein shall be subject to the following:

1. Petitioners may apply for appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date

7/11/14

By

sln

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

July 11, 2014

Gregory E. Rapisarda, Esquire
Saul Ewing, LLP
500 E. Pratt Street
Suite 800
Baltimore, Maryland 21202

RE: Petitions for Special Hearing and Special Exception
Property: 1131 Merritt Blvd.
Case No.: 2014-0240-SPHX

Dear Mr. Rapisarda:

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

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

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

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure



PETITION FOR ZONING HEARING(S)

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

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

Address 1131 Merritt Blvd., Dundalk, MD which is presently zoned BL

Deed References: 33713 / 00461 10 Digit Tax Account # 12 1305 6523

Property Owner(s) Printed Name(s) Merritt Manor LLC

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

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

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

See attached

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

See attached

3. ☐ a Variance from Section(s)

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

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

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

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

Contract Purchaser/Lessee:

DMD Gyms, LLC d/b/a Gold's Gym

Name- Type or Print

[Signature]

Signature

6324 Ritchie Hwy., Glen Burnie, MD

Mailing Address City State

21061 / 703-926-8649 / bruce@fourthstreet.us

Zip Code Telephone # Email Address

Legal Owners (Petitioners):

Merritt Manor LLC /

Name #1 - Type or Print

[Signature]

Signature #1

c/o Continental Realty Corp.

1427 Clarkview Rd., Suite 500, Balto., MD

Mailing Address City State

21209 / 410-296-4800 / genep@crcrealty.com

Zip Code Telephone # Email Address

Name #2 - Type or Print

Gene Parker, Jr., President of

Continental Realty Corp., Agent

Signature #2

Attorney for Petitioner:

Gregory E. Rapisarda

Name- Type or Print

[Signature]

Signature

Saul Ewing LLP

500 E. Pratt St., Suite 800, Balto., MD

Mailing Address City State

21202 / 410-332-8963 / grapisarda@saul.com

Zip Code Telephone # Email Address

Representative to be contacted:

Gregory E. Rapisarda

Name - Type or Print

[Signature]

Signature

Saul Ewing LLP

500 E. Pratt St., Suite 800, Balto., MD

Mailing Address City State

21202 / 410-332-8963 / grapisarda@saul.com

Zip Code Telephone # Email Address

CASE NUMBER 2014-0240-SPHX Filing Date 5/15/14

ORDER RECEIVED FOR FILING

No Not Schedule Dates:

Reviewer JS

Date 7/11/14

REV. 10/4/11

By Sen

Attachment to
Petition For Zoning Hearing
In re: 1131 Merritt Blvd., Dundalk, MD

A Petition for Special Exception to approve 1,393 sq. ft. for use as a community building (health club) at 1131 Merritt Boulevard, Dundalk Maryland 21222

A Petition for Special Hearing to amend Special Exception Case No. 04-145-XA and expand the existing 39,938 sq. ft. health club (Gold's Gym) by an additional 1,393 sq. ft., for a total of 41,331 square feet.

MAI LLC

SURVEYORS

BOUNDARY • ALTA/ACSM • TOPOGRAPHIC • CONSTRUCTION • AS-BUILT
Veteran Owned Small Business (SBE No: SB11-4811)

**PROPOSED LEASE AREA
GOLD'S GYM
1131 MERRITT BOULEVARD
12TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

COMMENCING from the beginning of the fourteenth (14th) line of the deed of Merritt Manor Shopping Center, which deed is recorded among the Land Records of Baltimore County, Maryland in Liber 27126 Folio 286; thence running with and binding on a portion of said 14th line South 15 degrees 47 minutes 15 seconds East a distance of 227.53 feet; thence leaving the outline of said Merritt Manor Shopping Center and running North 74 degrees 12 minutes 45 seconds West a distance of 121.98 feet to the corner of an existing block building, said corner being the PLACE OF BEGINNING; thence running

1. South 15 degrees 47 minutes 05 seconds East a distance of 40.0' feet; thence
2. South 74 degrees 12 minutes 55 seconds West a distance of 34.8 feet; thence
3. North 15 degrees 47 minutes 05 seconds West a distance 40.0 feet; thence
4. North 74 degrees 12 minutes 55 seconds East a distance of 34.8 feet to the Place of Beginning.

CONTAINING 1,393 square feet, more or less.

This description was prepared by the undersigned.
License Renewal: 12 April 2014

Robert P. Grim 6 MAY 14
Robert P. Grim Date



2014-0240-SP4X

MAI LLC

SURVEYORS

BOUNDARY • ALTA/ACSM • TOPOGRAPHIC • CONSTRUCTION • AS-BUILT

Veteran Owned Small Business (SBE No: SB11-4811)

LEASE AREA DESCRIPTION

GOLD'S GYM

1131 MERRITT BOULEVARD

12TH ELECTION DISTRICT

BALTIMORE COUNTY

COMMENCING from the beginning of the fourteenth (14th) line of the deed of Merritt Manor Shopping Center, which deed is recorded among the Land Records of Baltimore County, Maryland in Liber 27126, Folio 286; thence running with and binding on a portion of said 14th line South 15 degrees 47 minutes 15 seconds East a distance of 267.7 feet±; thence leaving the outline of said Merritt Manor Shopping Center and running North 74 degrees 12 minutes 45 seconds West a distance of 53.3' feet ± to the corner on an existing block building, said corner being the PLACE OF BEGINNING; thence running

1. Southeasterly a distance of 64.4 feet±; thence
2. Northeasterly a distance of 4.4 feet±; thence
3. Southeasterly a distance of 21.0 feet±; thence
4. Southwesterly a distance of 4.4 feet±; thence
5. Southeasterly a distance of 55.4 feet±; thence
6. Northeasterly a distance of 4.3 feet±; thence
7. Southeasterly a distance of 21.0 feet±; thence
8. Southwesterly a distance of 4.3 feet±; thence
9. Southeasterly a distance of 100.1 feet±; thence
10. Northeasterly a distance of 4.8 feet±; thence
11. Southeasterly a distance of 24.3 feet±; thence
12. Southwesterly a distance of 35.7 feet±; thence
13. Northwesterly a distance of 24.1 feet±; thence
14. Southwesterly a distance of 117.3 feet±; thence
15. Northwesterly a distance of 262.6 feet±; thence
16. Northeasterly a distance of 44.7 feet±; thence
17. Northwesterly a distance of 39.7 feet±; thence
18. Northeasterly a distance of 34.6 feet±; thence
19. Southeasterly a distance of 39.8 feet±; thence
20. Northeasterly a distance of 69.0 feet± to the place of beginning.

CONTAINING 41,331 square feet, more or less of Lease Area.

This description was prepared by the undersigned.
License Renewal: 12 April 2014

Robert P. Grim

Robert P. Grim

6 MAY '14

Date



2014-0240-SP4X

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: 2014-0240-SPHX
Petitioner: MERRITT MANOR, LLC
Address or Location: 1131 MERRITT BLVD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: Greg Rapisarda
Address: SauEwing LLP
500 E. Pratt St. Suite 800
Baltimore MD 21202
Telephone Number: 410-332-8963

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **110964**

Date: **5/5/14**

PAID RECEIPT

BUSINESS ACTUAL TIME
 5/15/2014 5/15/2014 10:06:06

RECEIPT WALKIN LRS LJR

RECEIPT # 510623 5/15/2014

\$ 528 ZOWING VERIFICATION

5/15/2014

Receipt for \$1,000.00

\$1,000.00 OK \$1.00 CA

Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
00	806	0000		0150				\$1000.00

Total: **\$1000.00**

Rec From: **MERRITT MANOR, LLC**

For: **2014-0740-SPHX**

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

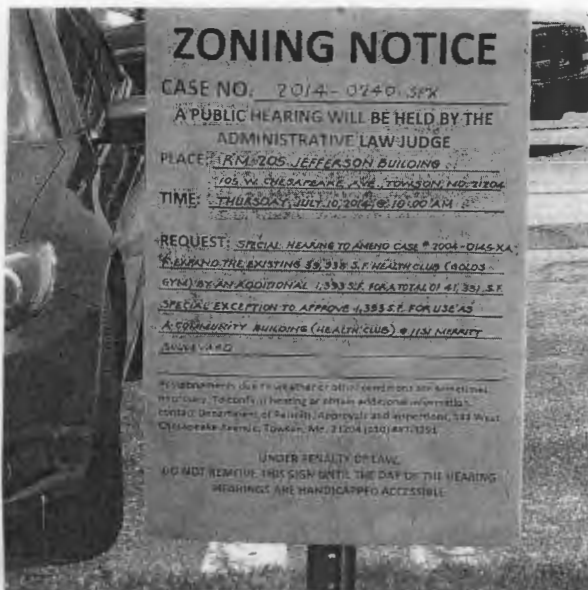
CERTIFICATE OF POSTINGDate: JUNE 18, 2014

RE: Project Name: 1131 MERRITT BOULEVARD
 Case Number /PAI Number: 2014-0240-SPHX
 Petitioner/Developer: DMD GYMS LLC dba GOLD'S GYM
 Date of Hearing/Closing: JULY 10, 2014

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 1131 MERRITT BOULEVARD

The sign(s) were posted on JUNE 18, 2014

(Month, Day, Year)



David W. Billingsley
 (Signature of Sign Poster)

CENTRAL DRAFTING AND DESIGN
 (Printed Name of Sign Poster)

601 CHARWOOD COURT
 (Street Address of Sign Poster)

EDGEWOOD, MD. 21040
 (City, State, Zip Code of Sign Poster)

(410) 879-8719
 (Telephone Number of Sign Poster)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

June 19, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on June 19, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

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: # 2014-0240-SPHX

1131 Merritt Blvd.

E/s Merritt Blvd., 515 ft. NW of intersection with German Hill Road

12th Election District - 7th Councilmanic District

Legal Owner(s): Merritt Manor, LLC

Contract Purchaser/Lessee: DMD Gyms, LLC

d/b/a Gold's Gym

Special Hearing: to amend Special Exception case 04-0145-XA and expand the existing 39,938 sq. ft. health club (Gold's Gym) by an additional 1,393 sq. ft. for a total of 41,331 sq. ft.

Special Exception: to approve 1,393 sq. ft. for use as a community building (health club) at 1131 Merritt Blvd.

Hearing: Thursday, July 10, 2014 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.

6/303 June 19

983566



KEVIN KAMENETZ
County Executive

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

June 2, 2014

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: 2014-0240-SPHX

1131 Merritt Blvd.

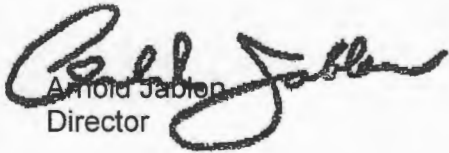
E/s Merritt Blvd., 515 ft. NW of intersection with German Hill Road
12th Election District – 7th Councilmanic District

Legal Owners: Merritt Manor, LLC

Contract Purchaser/Lessee: DMD Gyms, LLC d/b/a Gold's Gym

Special Hearing to amend Special Exception case 04-0145-XA and expand the existing 39,938 sq. ft. health club (Gold's Gym) by an additional 1,393 sq. ft. for a total of 41,331 sq. ft. Special Exception to approve 1,393 sq. ft. for use as a community building (health club) at 1131 Merritt Blvd.

Hearing: Thursday, July 10, 2014 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204


Arnold Jablon
Director

AJ:kl

C: Gregory Rapisarda, 500 E. Pratt Street, Ste. 800, Baltimore 21202
DMD Gyms, 6324 Ritchie Highway, Glen Burnie 21061
Continental Realty Corp., Gene Parker, Jr., 1427 Clarkview Rd., Ste. 500, Baltimore 21209

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JUNE 20, 2014.**
- (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
Thursday, June 19, 2014 Issue - Jeffersonian

Please forward billing to:

Greg Rapisarda
Saul Ewing, LLP
500 E. Pratt Street, Ste. 800
Baltimore, MD 21202

410-332-8963

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2014-0240-SPHX

1131 Merritt Blvd.

E/s Merritt Blvd., 515 ft. NW of intersection with German Hill Road

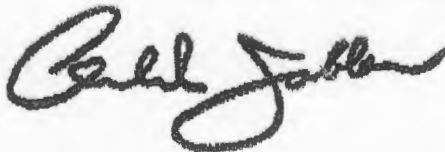
12th Election District – 7th Councilmanic District

Legal Owners: Merritt Manor, LLC

Contract Purchaser/Lessee: DMD Gyms, LLC d/b/a Gold's Gym

Special Hearing to amend Special Exception case 04-0145-XA and expand the existing 39,938 sq. ft. health club (Gold's Gym) by an additional 1,393 sq. ft. for a total of 41,331 sq. ft. Special Exception to approve 1,393 sq. ft. for use as a community building (health club) at 1131 Merritt Blvd.

Hearing: Thursday, July 10, 2014 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 ACCOMODATIONS, 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.

MEMORANDUM

DATE: August 13, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0240-SPHX – Appeal Period Expired

The appeal period for the above-referenced case expired on August 11, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND SPECIAL EXCEPTION		
1131 Merritt Boulevard; E/S Merritt Blvd,	*	OF ADMINISTRATIVE
515' NW c/line with German Hill Road	*	HEARINGS FOR
12 th Election & 7 th Councilmanic Districts	*	
Legal Owner(s): Merritt Manor, LLC	*	BALTIMORE COUNTY
Contract Purchaser(s): DMD Gyms, LLC	*	
d/b/a Gold's Gym	*	2014-240-SPHX
Petitioner(s)	*	

* * * * *

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
MAY 30 2014

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 30th day of May, 2014, a copy of the foregoing Entry of Appearance was mailed to Gregory Rapisarda, Esquire, Saul Ewing, LLP, 500 East Pratt Street, Suite 800, Baltimore, MD 21202, Attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NO. 2014-0240-SDHX

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
6/2/14	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	N/C
6/26/14	DEPS (if not received, date e-mail sent _____)	N/C
	FIRE DEPARTMENT	
6/24/14	PLANNING (if not received, date e-mail sent _____)	C
6/2/14	STATE HIGHWAY ADMINISTRATION	NO Obj
	TRAFFIC ENGINEERING	
	COMMUNITY ASSOCIATION	
	ADJACENT PROPERTY OWNERS	
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: 6/19/14	
SIGN POSTING	Date: 6/18/14	by Billingsley
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____



KEVIN KAMENETZ
County Executive

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

July 3, 2014

Merritt Manor LLC
Gene Parker, Jr., President
C/O Continental Realty Corp
1427 Clarkview Road, Suite 500
Baltimore MD 21209

RE: Case Number: 2014-0240 SPHX, Address: 1131 Merritt Boulevard

Dear Mr. Parker:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 15, 2014. 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 that reads "W. Carl Richards, Jr." The signature is stylized with a large, looped "W" and a cursive "J" at the end.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
DMD Gyms, LLC, d/b/a Gold's Gym, 6324 Ritchie Highway, Glen Burnie MD 21061
Gregory E. Rapisarda, Esquire, Saul Ewing LLP, 500 E. Pratt Street, Suite 800, Baltimore MD 21202

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



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 6/2/14

Ms. Kristen Lewis
Baltimore County Department of
Permits, Approvals & Inspections
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 2014-0240-SPHX
Special Hearing Special Exception
Merritt Manor LLC, General Partner
President of Continental Realty Corp
1131 Merritt Boulevard
MD157

Dear Ms. Lewis:

We have reviewed the site plan to accompany petition for variance on the subject of the above captioned, which was received on 5/29/14. A field inspection and internal review reveals that an entrance onto MD157 consistent with current State Highway Administration guidelines is not required. Therefore, SHA has no objection to approval for Special Exception Case Number 2014-0240-SPHX.

Should you have any questions regarding this matter feel free to contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may email him at (rzeller@sha.state.md.us). Thank you for your attention.

Sincerely,

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

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.roads.maryland.gov

May 14, 2014

W. Carl Richards, Jr.
Balto. County Zoning Review Chief
111 West Chesapeake Ave.
Towson, MD 21204

Re: DMD Gyms, LLC d/b/a Gold's Gym (Dundalk)

Dear Mr. Richards:

I represent DMD Gyms, LLC d/b/a Gold's Gym, (Gold's Gym) a lessee at 1131 Merritt Blvd., Dundalk, MD 21222 (the "Property").

Gold's Gym is seeking to expand its existing 40,000 +/- sq. ft. health club by an additional 1,393 sq. ft.

The existing 40,000 +/- sq. ft. health club was approved in 2003 under Case No. 04-145-XA.

Gold's Gym is seeking special exception approval for a 1,393 sq. ft. community building/health club. Gold's Gym is also seeking special hearing relief to add the new 1,393 sq. ft. to the existing Gold's Gym, for a total health club of 41,331 sq. ft.

Attached to this letter please find the following:

- (1) Three (3) original petition forms;
- (2) Twelve (12) plats/site plans;
- (3) Three (3) sealed property descriptions of proposed expansion;
- (4) Three (3) sealed property descriptions of total special exception area;
- (5) One (1) copy of the zoning map;
- (6) A \$500 check for special exception;
- (7) A \$500 check for special hearing; and
- (8) One (1) advertising form.

I am available if you have any questions and look forward to a hearing in the near future.

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: June 2, 2014

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For June 2, 2014
Item Nos. 2014-0240, 0241, 0242, 0243, 0244, 0246, 0247, 0248
and 0249

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

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-06022014-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

RECEIVED

JUN 26 2014



OFFICE OF ADMINISTRATIVE HEARINGS

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

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

DATE: June 26, 2014

SUBJECT: DEPS Comment for Zoning Item # 2014-0240-SPHX
Address 1131 Merritt Boulevard
(Merritt Manor, LLC Property)

Zoning Advisory Committee Meeting of May 26, 2014.

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

Reviewer: *Jeff Livingston – Development Coordination*

7-10
10:00

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: June 24, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 1131 Merritt Boulevard

INFORMATION:

Item Number: 14-240

Petitioner: Merritt Manor, LLC

Zoning: BL

Requested Action: Special Hearing, Special Exception

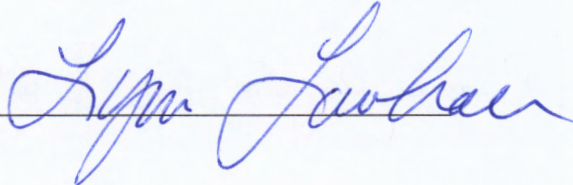
SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The requests are for a special exception to approve 1,393 SF for use as a community health building and a special hearing to amend special exception case No. 04-145-XA and expand existing 39, 938 SF health club by an additional 1,393 SF for a total of 41, 331 SF.

This department does not oppose the requests. Gold's Gym is acquiring an adjoining vacant office and expanding into that space. The proposed acquisition of the additional square footage will not adversely impact the health, safety and general welfare of the surrounding community. There will be no exterior alterations to the building. Case 04-145-XA granted Gold's Gym a parking variance on the 18th of November, 2003, stating, "I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and that strict compliance with the Zoning Regulations of Baltimore County would result in practical difficulty or unreasonable hardship".

For further information concerning the matters stated here in, please contact Matt Diana at 410-887-3480.

Division Chief:
AVA/LL



RECEIVED
JUN 26 2014
OFFICE OF ADMINISTRATIVE HEARINGS

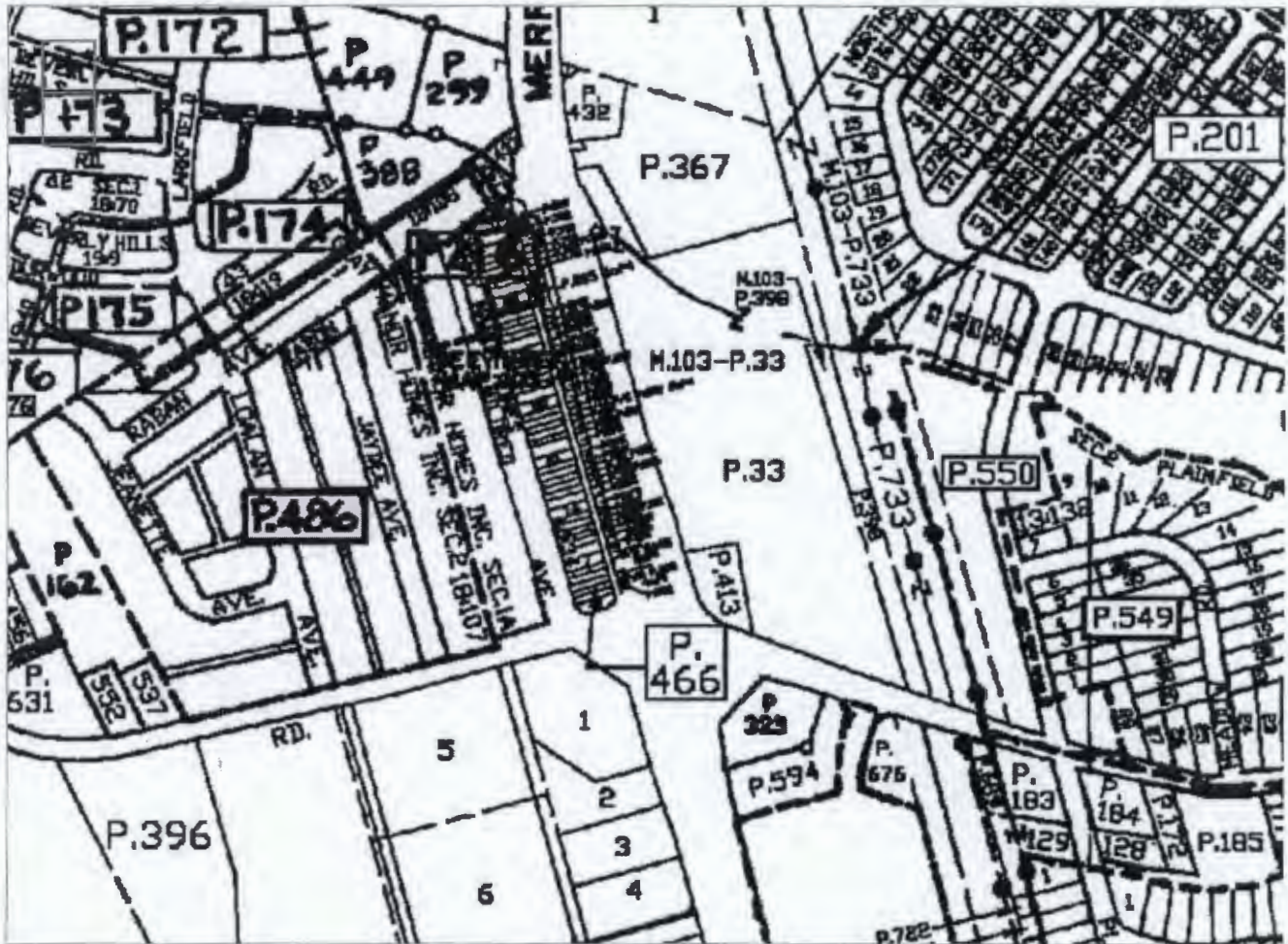
Real Property Data Search (w4)

[Search Help](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier:	District - 12 Account Number - 1213056523	
Owner Information		
Owner Name:	MERRITT MANOR LLC	Use: COMMERCIAL
		Principal Residence: NO
Mailing Address:	STE 500 1427 CLARKVIEW RD BALTIMORE MD 21209-	Deed Reference: 1) /33713/ 00461 2)
Location & Structure Information		
Premises Address:	MERRITT BLVD BALTIMORE MD 21222-0000	Legal Description: 10.67834 AC ES 1117-1237 MERRITT BLVD 221 N OF GERMAN HILL RD
Map: 0103	Grid: 0005	Parcel: 0033
Sub District:	Subdivision: 0000	Section:
Block:	Lot:	Assessment Year: 2013
Plat No:	Plat Ref:	NONE
Special Tax Areas:		
Primary Structure Built 1977	Above Grade Enclosed Area 2508	Finished Basement Area
Property Land Area 10.6700 AC	County Use 14	
Stories	Basement	Type
		BRANCH BANK
Exterior	Full/Half Bath	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2013
Land:	3,203,400	3,203,400
Improvements	4,333,000	5,396,600
Total:	7,536,400	8,600,000
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2013
		07/01/2014
		7,890,933
		8,245,467
Transfer Information		
Seller: DUNDALK ACQUISITION LLC	Date: 06/03/2013	Price: \$8,600,000
Type: ARMS LENGTH IMPROVED	Deed1: /33713/ 00461	Deed2:
Seller: WILLIAM T KEMPER FOUNDATION	Date: 06/24/2008	Price: \$2,215,000
Type: NON-ARMS LENGTH OTHER	Deed1: /27126/ 00286	Deed2:
Seller: KEMPER WILLIAM T	Date: 03/25/2008	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /26810/ 00265	Deed2:
Exemption Information		
Partial Exempt Assessments:	Class	07/01/2013
County:	000	0.00
State:	000	0.00
Municipal:	000	0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

Baltimore County

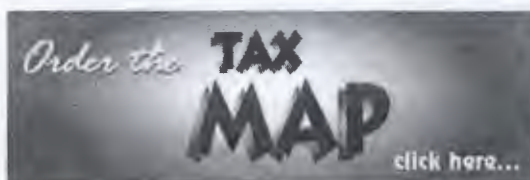
New Search (<http://sdat.resiusa.org/RealProperty>)District: **12** Account Number: **1213056523**

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 (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

[\(http://imsweb05.mdp.state.md.us/website/mosp/\)](http://imsweb05.mdp.state.md.us/website/mosp/)☒ Loading... Please

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Case No.: 2014-240-SPHX

Exhibit Sheet

Petitioner/Developer

AD
8-13-14

Respondent

slu
7-11-14

No. 1	Plan	
No. 2		
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

IN RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
AND VARIANCE		
NE/Corner of German Hill Road	*	DEPUTY ZONING COMMISSIONER
and Merritt Boulevard		
12th Election District	*	OF BALTIMORE COUNTY
7th Councilmanic District		
(1131, 1201, 1205 Merritt Blvd.)	*	CASE NO. 04-145-XA
GFS Realty, Inc., Agent of Owner	*	
W. Howard Gaskill, II, VP, <i>Legal Owner</i>		
and	*	
DMD Gyms, LLC, <i>Contract Purchaser</i>		
<i>Petitioners</i>	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Exception and Variance filed by the legal owner of the subject property, GFS Realty, Inc., Agent of Owner W. Howard Gaskill, II, VP, Legal Owner and DMD Gyms, LLC, Contract Purchaser. The Petitioners are requesting special exception and variance relief for property located at 1201, 1205, 1131 Merritt Boulevard in the eastern area of Baltimore County. The special exception request is for a community building (health club) on parcel "A" and on parcel "B" in the B.L. zone. In addition, a variance is requested to allow 512 parking spaces in lieu of the required 542 parking spaces.

The property was posted with Notice of Hearing on October 25, 2003, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on October 23, 2003 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 502.1 of the B.C.Z.R. - *Special Exceptions*

Before any special exception may be granted, it must appear that the use for which the special exception is requested will not:

A. Be detrimental to the health, safety or general welfare of the locality involved;

ORDERED
 11/18/03
 R. Gaskill

- B. Tend to create congestion in roads, streets or alleys therein;
- C. Create a potential hazard from fire, panic or other danger;
- D. Tend to overcrowd land and cause undue concentration of population;
- E. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements;
- F. Interfere with adequate light and air; [Bill No. 45-1982]
- G. Be inconsistent with the purposes of the property's zoning classification nor in any other way inconsistent with the spirit and intent of these Zoning Regulations; [Bill No. 45-1982]
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these Zoning Regulations; nor [Bill No. 45-1982]
- I. Be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers and floodplains in an R.C.2, R.C.4, R.C.5 or R.C.7 zone. [Bill No. 74-2000]

Section 307 of the B.C.Z.R. – *Variances*.

“The Zoning Commissioner of Baltimore County and the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from off-street parking regulations, and from sign regulations only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations shall be permitted as a result of any such grant of a variance from height or area regulations. Furthermore, any such variance shall be granted only if in strict harmony with the spirit and intent of said height, area, off-street parking or sign regulations, and only in such manner as to grant relief without injury to the public health, safety and general welfare. They shall have no power to grant any other variances. Before granting any variance, the Zoning Commissioner shall require public notice to be given and shall hold a public hearing upon any application for a variance in the same manner as in the case of a petition for reclassification. Any order by the Zoning Commissioner or the County Board of Appeals granting a variance shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance.”

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the variance and special exception requests were Bruce Ebel, representing Gold's Gym and Wilbur Duvall, appearing on behalf of W. Duvall & Associates, Inc. , the engineering firm that prepared the site plan of the property. Stanley Fine, Esquire represented the Petitioners. Several interested persons attended the hearing, all of which

11/18/03
R. J. Jenson

signed in on the Citizen's Sign-In Sheet. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Findings of fact and conclusions of law

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 11.6 acres, more or less, zoned BL. The subject property is improved by an existing shopping center known as Merritt Manor Shopping Center whose anchor store, Giant Food, moved out some time ago. The proposal is to have the space formerly occupied by Giant refurbished as Gold's Gym. This would be a 40,000 sq. ft facility, which from a zoning standpoint is granted by special exception as a "community building". This is depicted as Parcel A in Petitioner's Exhibit #1.

The proposal is made in two phases. The first is for a small sales office for Gold's Gym, which is now located in Parcel B, to expand allowing some limited health club activities as well as the sales office for the gym. This will allow prospective members to have some view and access on a limited scale to what the full gym proposed in Parcel A holds in store for them. The renovation of the Giant Store would be completed next spring after which the sales office and limited health facilities located in Parcel B would be transferred to Parcel A. Parcel B would then be available to lease as any shopping center space. The special exception would then also operate in phases applying first to both Parcel A and Parcel B and then only to Parcel B. Testimony indicated that there was a real need for an anchor tenant in the center which is located in a revitalization area of the County. The Giant store has been vacant for some time, which causes the community and County concern. There are two other vacant stores in the center. The new gym is proffered to supply the need for an anchor, which will not only attract customer to itself but revitalize the shopping center businesses. The proposed gym will have 75 employees and generate a \$2.5 million investment. The Petitioner submitted numerous letters of support

11/18/03
R. Zimmerman

from area businesses and prospective customers. The Greater Dundalk Alliance sent a letter of support for the project as a positive step in the revitalization of Dundalk.

Petitioner's Exhibit #1 shows the very irregular shape of the shopping center property with cut outs for an existing bowling alley and auto glass store. The center is surrounded by commercial uses except on the east side, which is the rear of the existing center. The shopping center has 512 existing parking spaces and under the B.C.Z.R. is required to have 542 spaces with this use. However, proffered testimony indicated that there were no properties for sale adjacent to the site, which could be acquired to avoid the need for a parking variance. Proffered testimony also indicated that the project would not adversely affect the health safety or welfare of the community as delineated in Section 502.1 of the B.C.Z.R. In fact the health and welfare of the community would increase with the exercise programs available and employment of local residents.

Special Exception

I find that the Petitioner has demonstrated that the project proposed will not be detrimental to the health, safety or welfare of the community pursuant to each factor of Section 502.1 of the B.C.Z.R. Therefore, I will grant the special exception for a community building (health club).

Variances

I find that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and that strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable hardship. No increase in residential density beyond that otherwise allowable by the Zoning Regulations was requested. Furthermore, I find that this variance can be granted in strict harmony with the spirit and intent of said regulations, and can be made in such manner as to grant relief without injury to the public health, safety and general welfare.

THEREFORE, IT IS ORDERED, this 18 day of November, 2003, by the Deputy Zoning Commissioner, that the Petition for Special Exception to permit a community building (health club) on Parcel A (known as 1201 and 1205 Merritt Boulevard) be and is hereby GRANTED, subject, however, to the condition that such special exception shall terminate thirty (30) days after the issuance of a Certificate of Occupancy for a health club at 1131 Merritt Boulevard;

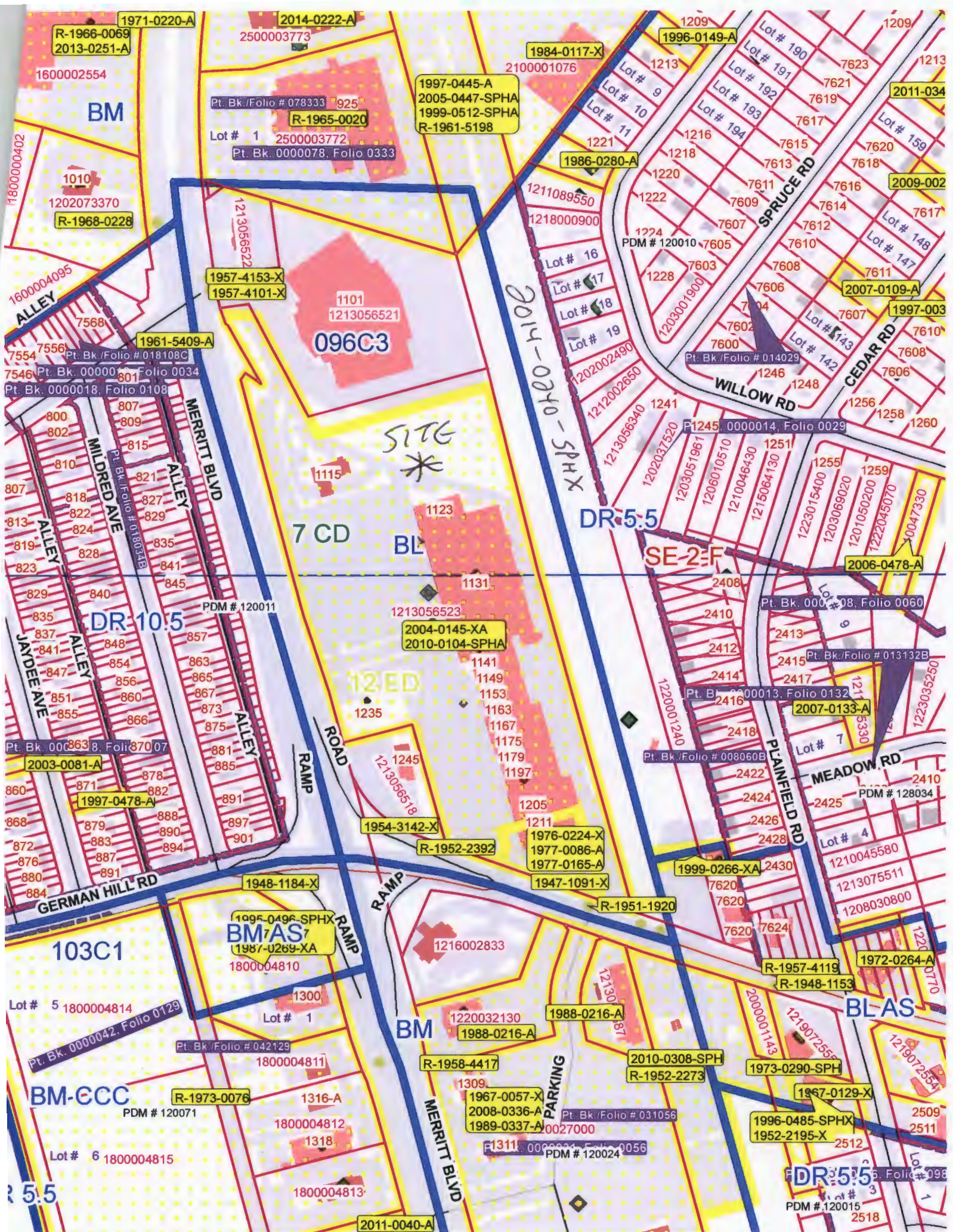
IT IS FURTHER ORDERED, that the Petition for Special Exception to permit a community building (health club) on Parcel B (known as 1131 Merritt Boulevard, be and is hereby GRANTED;

IT IS FURTHER ORDERED, that the Petition for Variance to allow 512 parking spaces in lieu of the required 542 parking spaces at the Merritt Manor Shopping Center located at the northeast corner of Merritt Boulevard and German Hill Road and consisting of 11.6115 acres, be and is hereby GRANTED;

IT IS FURTHER ORDERED, that any appeal of this decision must be made within thirty (30) days of the date of this Order.

John V. Murphy
JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj



1. CURRENT OWNER: Dundalk Acquisition, LLC
1115-1235 Merritt Boulevard
Dundalk, Maryland
Tax Account No: 1213056523
Tax Map: 0103, Parcel 0033
Deed Reference: Liber27126, Folio 286
Land Use: Commercial
2. GOLD'S SITE AREA: 39,938± Square Feet
Proposed Expansion Area: 13,931± Acres sq.ft.
Gold's Gym Total Area: 41,331± Acres sq.ft.
3. ENTIRE SITE BUILDING AREA: Existing (3 Buildings)
86,011 sq. Ft.
Proposed Additions - NONE
4. UTILITIES:
Public Water
Public Sewer
5. ZONING: BL (Business Local)
6. PROPOSED USE: COMMUNITY BUILDING/HEALTH CLUB (Gold's)
7. PROPOSED SPACES TO BE PROVIDED: 8
8. EXISTING GOLD'S GYM PARKING SPACES:
Regular Parking Spaces: 327
Handicap Parking Spaces: 2
Total Parking Spaces: 327
9. HEIGHT OF STRUCTURE:
Max. Height Permitted: 40'
Max. Height Provided: 26.2'
10. REQUIRED ZONING SETBACKS:
Front: 10'
Street Side: 10'
Side: None
Rear: None
11. COUNCILMANIC DISTRICT: 7
12. CONGRESSIONAL DISTRICT: 2
13. LEGISLATIVE DISTRICT: 6
14. ELECTION DISTRICT: 12
15. CENSUS TRACT: 420100
16. WATERSHED: BACK RIVER
17. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
18. THERE ARE NO HISTORIC FEATURES ON SITE NOR IS
THE SITE ITSELF HISTORIC.

TENANT USE		GFA (SF)	PARKING GENERATION	REQUIRED SPACES
Gold's Gym	Workout Area	28,443	10 SP/1000	285
	Retail	2,200	5 SP/1000	11
	Office/Business	9,300	3.3 SP/1000	31
	Proposed Workout Area	1,393	10 SP/1000	14
	Gold's Gym Total	41,331	MIXED	341
Leslie's Pools		3,658	5 SP/1000	19
Bank		2,356	3.3 SP/1000	8
Gas Station		116	1 SP Per Employee At Least 5000	2
Doctor's Office		1,790	4.5 SP/1000	9
Hair Cuttery		1,600	5 SP/1000	8
Sherwin Williams Paints		5,000	5 SP/1000	25
Ulrey Dental		4,000	4.5 SP/1000	18
Dollar General		5,000	3.3 SP/1000	17
Manner Finance		2,050	3.3 SP/1000	7
Sprint Phones		1,200	5 SP/1000	6
Polished Nails		1,200	3.3 SP/1000	4
Fillet's Pizza		2,010	16 SP/1000	33
Comfort Pharmacy		1,600	5 SP/1000	8
Edible Arrangements		1,600	5 SP/1000	8
Vacant Space		2,900	5 SP/1000	15
Vacant Space		2,040	5 SP/1000	11
Vacant Space		2,040	5 SP/1000	11
TOTAL		72,153	PER TENANT	550

COMMENCING from the beginning of the fourteenth (14th) line of the deed of Meritt Manor Shopping Center, which deed is recorded among the Land Records of Baltimore County, Maryland in Liber 27126 Folio 286; thence running with and binding on a portion of said 14th line South 15 degrees 47 minutes 15 seconds East a distance of 227.53 feet; thence leaving the outline of said Meritt Manor Shopping Center and running North 74 degrees 12 minutes 45 seconds West a distance of 121.98 feet to the corner of an existing block building, said corner being the PLACE OF BEGINNING; thence running

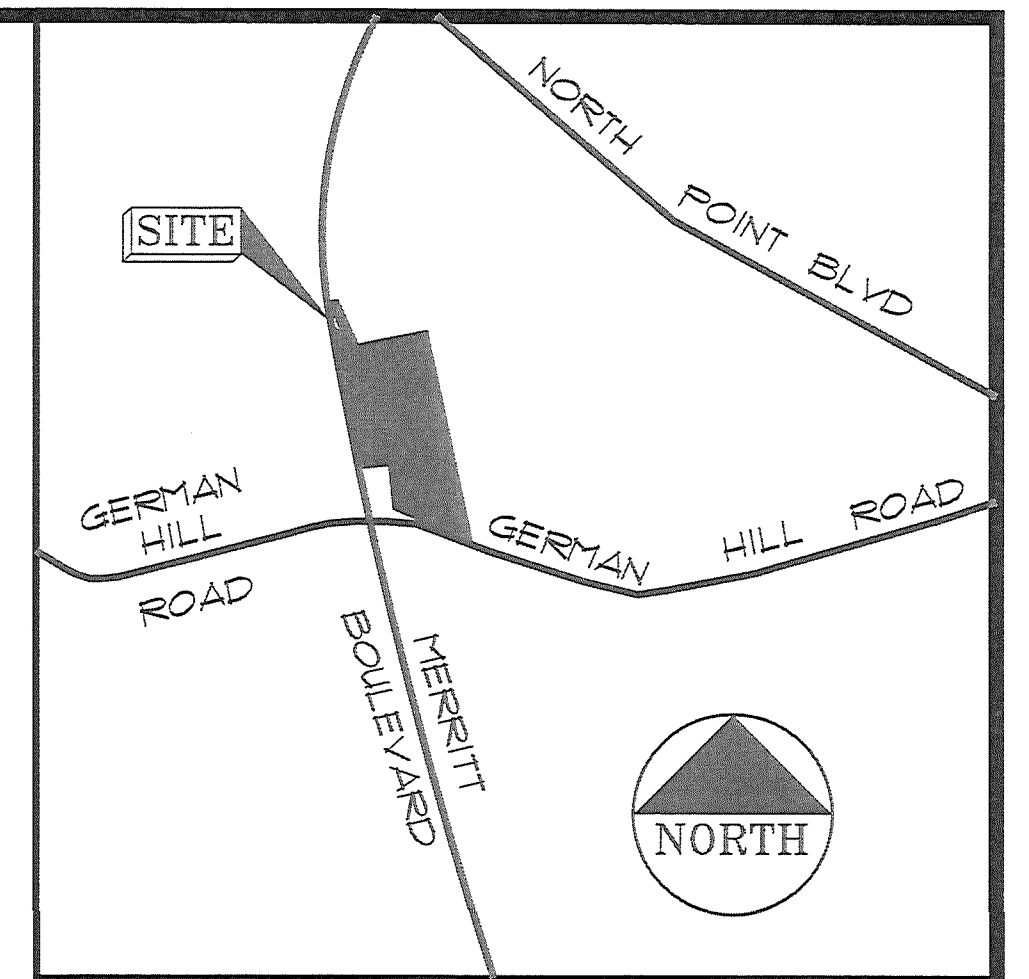
1. South 15 degrees 47 minutes 05 seconds East a distance of 40.0 feet; thence
2. South 74 degrees 12 minutes 55 seconds West a distance of 34.8 feet; thence
3. North 15 degrees 47 minutes 05 seconds West a distance 40.0 feet; thence
4. North 74 degrees 12 minutes 55 seconds East a distance of 34.8 feet to the Place of Beginning.

CONTAINING 1,393 square feet, more or less.

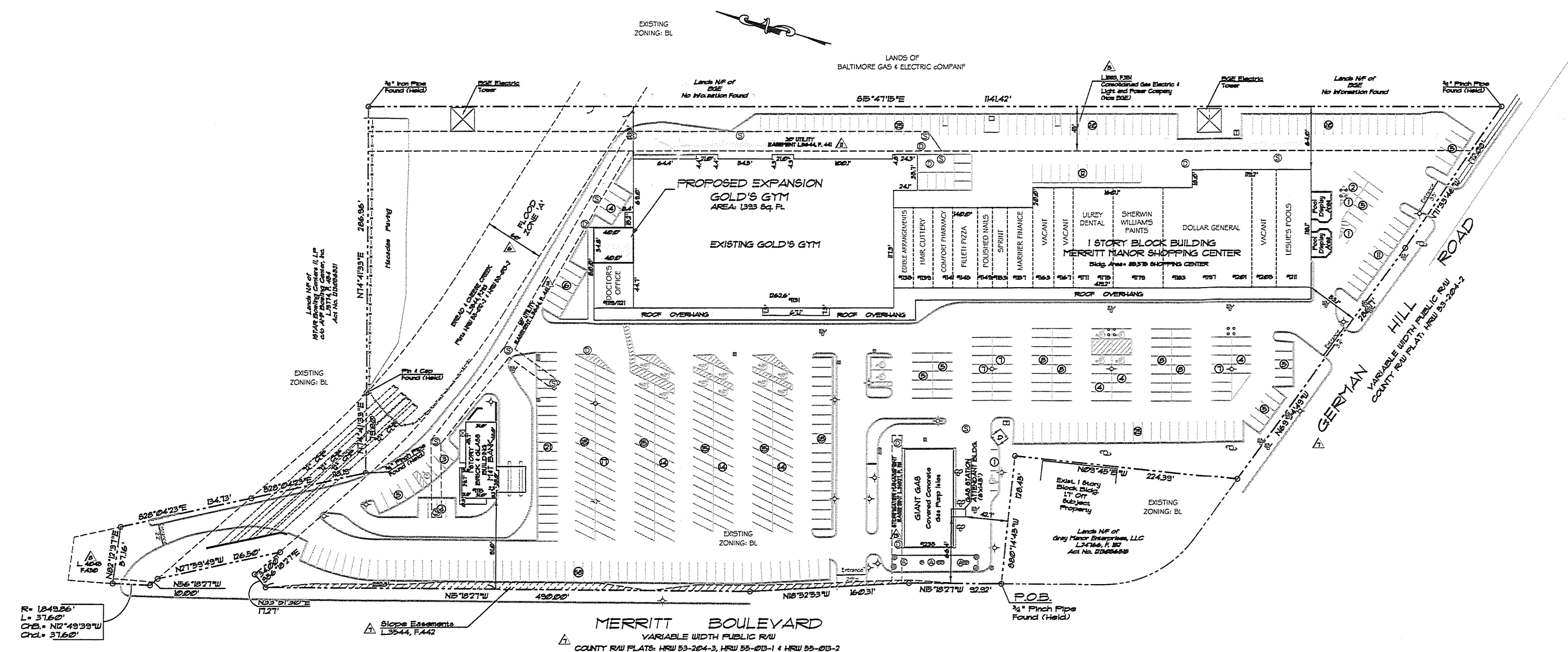
COMMENCING from the beginning of the fourteenth (14th) line of the deed of Merritt Manor Shopping Center, which deed is recorded among the Land Records of Baltimore County, Maryland in Liber 27126, Folio 286; thence running with and bridging on a portion of said 14th line South 15 degrees 47 minutes 15 seconds East a distance of 267.4 feet; thence leaving the outline of said Merritt Manor Shopping Center and running North 74 degrees 12 minutes 45 seconds West a distance of 53.3 feet $\pm$ to the corner on an existing block building, said corner being the PLACE OF BEGINNING; thence running

1. Southeasterly a distance of 64.4 feet; thence
2. Northeasterly a distance of 4.4 feet; thence
3. Southeasterly a distance of 21.0 feet; thence
4. Southwesterly a distance of 4.4 feet; thence
5. Southeasterly a distance of 55.4 feet; thence
6. Northeasterly a distance of 4.3 feet; thence
7. Southeasterly a distance of 2.0 feet; thence
8. Southwesterly a distance of 3.3 feet; thence
9. Southeasterly a distance of 100.1 feet; thence
10. Northeasterly a distance of 4.8 feet; thence
11. Southeasterly a distance of 24.3 feet; thence
12. Southwesterly a distance of 35.7 feet; thence
13. Northwesterly a distance of 24.1 feet; thence
14. Southeasterly a distance of 117.3 feet; thence
15. Northwesterly a distance of 262.6 feet; thence
16. Northeasterly a distance of 44.7 feet; thence
17. Northwesterly a distance of 39.7 feet; thence
18. Northeasterly a distance of 54.6 feet; thence
19. Southeasterly a distance of 39.8 feet; thence
20. Northeasterly a distance of 69.0 feet to the place of beginning.

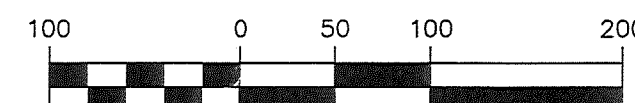
CONTAINING 41,331 square feet, more or less of Lease Area.



VICINITY MAP
SCALE: 1" = 1000'



LOCATION MAP
GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

THE MAJOR PORTION OF THIS PROPERTY LIES WITHIN FLOOD ZONE 'X', AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. A SMALL PORTION OF THIS PROPERTY LIES WITHIN FLOOD ZONE 'A', NO BASE FLOOD ELEVATIONS DETERMINED. THE APPROXIMATE LOCATION OF FLOOD ZONE 'A' IS THE AREA WITHIN THE 60 FOOT WIDE EASEMENT FOR BREAD AND CHEESE CREEK AS SHOWN ON FIRM MAP NO. 240010 0420 F WITH AN EFFECTIVE DATE OF 26 SEPTEMBER 2008



Robert P. Grim 6 May '14
ROBERT P. GRIM DATE: 7 APRIL 2014
REGISTERED PROPERTY LINE SURVEYOR
MARYLAND REGISTRATION No. 354
DATE OF SURVEY: 16 MAY 2013
LICENSE EXPIRATION: 18 OCTOBER 2014

PREPARED BY



16951 YORK ROAD
MONKTON, MD 21111
P (410) 357-8839
F (410) 357-8727

	FIRE HYDRANT	RW	RIGHT OF WAY
	LIGHT POLE	*	DEGREE SYMBOL
	HANDICAP PARKING	*	MINUTE SYMBOL
	PARKING SPACES	*	SECOND SYMBOL
	UTILITY POLE	— — — — —	P.O.B. POINT OF BEGINNING
BH=	BUILDING HEIGHT	— — — — —	PROPERTY LINE(S)
CONC.	CONCRETE	-----	EASEMENT LINE(S)
N	NORTH		
S	SOUTH		
E	EAST		
W	WEST		

1. SOME FEATURES SHOWN HEREON MAY BE DRAWN OUT OF SCALE FOR CLARITY.
2. DIMENSIONS SHOWN ON THIS PLAN ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF.
3. BEARINGS AND COORDINATES ARE REFERENCED TO FB NLP # 149/15
4. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY.
5. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES OR STRUCTURES AND SUCH POSITIVE EVIDENCE OF CEMETERIES OR BURIAL GROUNDS ON THE PROPERTY SHOWN HEREON.

					PLAT TO ACCOMPANY A SPECIAL EXCEPTION REQUEST GOLD'S GYM - MERRITT MANOR SHOPPING CENTER #1131 MERRITT BOULEVARD 12th. ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND					
					14-009	T.L.H.	R.P.G.	M.D.A.	AS SHOWN	3/26/14
NO.	DATE	DESCRIPTION	BY		JOB NO.	SURVEYED BY	DRAWN BY	CHECKED	SCALE	DATE