

Tax Map/Block/Parcel
No. 46-15-17

Building Permit/Zoning
Certificate No. 06-3042

Case 5280

**OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND**

APPLICANT: Edward Hall
17 Kalten Rd.
Westminster, MD 21158

ATTORNEY: Isaac Menasche

REQUEST: Conditional use for a fitness center (recreation center) providing nutrition and massage services.

LOCATION: The site is located at 531 Old Westminster Pike, Westminster, on property zoned "I-R" Restricted Industrial District in Election District 7.

BASIS: Code of Public Local Laws and Ordinances, Section 223-118 (B)

HEARING HELD: December 5, 2006

FINDINGS AND CONCLUSION

On December 5, 2006, the Board of Zoning Appeals (the Board) convened to hear a conditional use request for a fitness center (recreation center) providing nutrition and massage services. The Board made the following findings and conclusion:

The Applicant is proposing to open an exercise/fitness center. Surrounding uses include some residences, a recreational/amusement center, and an elementary school. The site plan for the building was already approved by the Carroll County Planning and Zoning Commission. There will be 10 employees, with no more than 7 employees on site at one time. The facility will be sound proofed with rubber matting. All activities at the fitness center will occur indoors.

The Applicant hopes to attract up to 400 members. The "peak hours" for exercise are from 5:00 p.m. to 8:00 p.m. The Applicant expects no more than 40 clients at one time.

The facility will be located within the "Knit Building" complex, which has 200 parking spaces. The building is 30,000 square feet and includes other uses. The site is 3 acres. The fitness facility will be 6,000 square feet. There will be ancillary therapeutic massage services, day care, and minor retail sales of fitness related food and products.

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The Board finds that the proposed use at this location will not generate adverse effects above and beyond those normally associated with such a use. Traffic, glare, smoke, noise, dust and fumes will be negligible. The use is consistent with other uses in the building and the surrounding area. Accordingly, the conditional use is granted, subject to the following condition:

Hours of Operation shall be:

Monday - Thursday – 6:00 a.m. to 10:00 p.m.

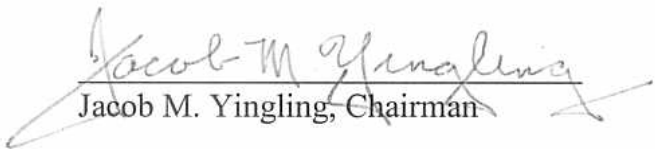
Friday – 6:00 a.m. to 8:00 p.m.

Saturday-Sunday – 7:00 a.m. to 7:00 p.m.

In addition, the Board encourages the Applicant and owner of the Knit Building to continue to work with the neighboring residents to address their concerns regarding parking and possible screening of the complex from the neighborhood.

12-29-06

Date


Jacob M. Yingling, Chairman