

Tax Map/Block/Parcel
No. 73-6-612
Case 5655

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: SJM Fitness, LLC
c/o Shawn and Heather Madden
985 Far Hills Drive
New Freedom, PA 17349

ATTORNEY: Leo Wallace

REQUEST: An application for a conditional use for a full service fitness center (d/b/a Gold's Gym).

LOCATION: The site is located at 1332 Londontown Road, Eldersburg, MD 21784, on property zoned "I-R" Restricted Industrial District in Election District 5.

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

HEARING HELD: September 26, 2012

FINDINGS AND CONCLUSION

On September 26, 2012, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for a full service fitness center (d/b/a Gold's Gym). Based on the testimony and evidence presented, the Board made the following findings and conclusion:

Shawn Madden is the owner of a Gold's Gym in Shrewsbury, Pennsylvania. He would now like to open a similar Gold's Gym in a former warehouse at 1332 Londontown Road in Eldersburg, Maryland. He anticipates having about thirty employees in various positions including personal trainers and front desk personnel. His gym would include an outdoor boot camp, a basketball court, showers, security cameras and saunas. The hours of operation would be from 4:30-5am to 10pm on weekdays and 7am to 6pm on the weekends. He planned to make a substantial investment in the property. He wanted to make the gym an attractive place for the elderly and children. Basic monthly pricing at the gym would be about \$20 a month, whereas the nearby Merritt Athletic Club had a monthly price of \$90 a month.

Michael Clark is the owner of the warehouse property where the gym would be located. He testified that the warehouse is zoned in the IR Restricted Industrial District. He mentioned that principal permitted uses would include tractor trailers going to the warehouse instead of

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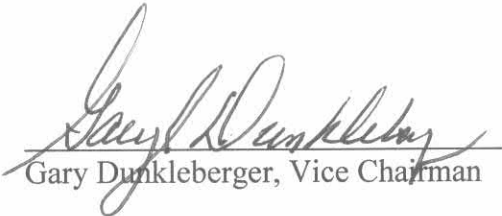
Page 2

automobiles. A motel or hotel are also principal permitted uses. He also noted that the warehouse is underutilized now.

Joyce Klein is a neighboring property owner. She was happy to hear that there would be no outside activities in the evening. She was also happy to learn that there would be no lights at night other than the lights for parking. She wanted an establishment to keep children occupied, but did not want a large commercial operation in the warehouse.

Accordingly, the Board is convinced that authorization of the request is consistent with the purpose of the zoning ordinance, appropriate in light of the factors to be considered regarding conditional uses and will not unduly affect the residents of adjacent properties, the values of those properties, or public interests.

5 October 2012
Date


Gary Dunkleberger, Vice Chairman

Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court for Carroll County within 30 days of the date of the decision pursuant to Article 66B, Section 4.08 of the Annotated Code of Maryland Rules of Procedure.

Pursuant to Section 223-192C of the County Code, this approval will become void unless all applicable requirements of this section are met. Contact the Office of Zoning Administration at 410-386-2980 for specific compliance instructions.