

88-114-A
#534

NW/cor. Trading Place and Market St.

12th E.D.

8/13/87

Variance - filing fee \$100.00 - The Dunleer Company

8/13/87

Hearing set for 9/22/87, 11:00 a.m., before Mr. Haines.

9-22-87

Advertising and Posting - \$153.35

10-15-87

Ordered by the Zoning Commissioner that the Petition for Zoning Variance to permit 213 parking spaces in lieu of the required 488 spaces and approve a parking plan in accordance to Petitioner's Exhibit 1 be GRANTED with restrictions.

11-2-87

Ordered by the Zoning Commissioner an Amended Order of the site plan namely, that a variance to permit 208 parking spaces in lieu of the required 488 spaces be GRANTED.

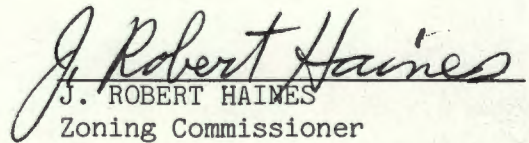
IN RE: PETITION FOR ZONING VARIANCE	*	BEFORE THE
NW/cor. Trading Place and	*	ZONING COMMISSIONER
Market Street	*	OF BALTIMORE COUNTY
12th Election District	*	
7th Councilmanic District	*	Case No. 88-114-A
	*	
The Dunleer Company	*	
Petitioner	*	

* * * * *

LINE TO AMEND ORDER

As per the recommendation of the Zoning Commissioner, an amended site plan was filed after the hearing in this matter to place the proposed loading dock for the Santoni's Market in a different location and thereby reducing the number of available parking spaces from 213 to 208. The reconfiguration of the loading dock of the Santoni's Market was done to correct the objections of the Protestants.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 2nd day of November, 1987 that the Order of October 15, 1987 be and hereby is amended in only the following aspect, namely, that a variance to permit 208 parking spaces in lieu of the required 488 spaces, as set forth on the proposed modified site plan Sheet A-1, accepted for filing by the Zoning Commissioner on November 2, 1987, which shows the revised placement of Santoni's Market and loading dock and which creates the parking area allowing only 208 parking spaces, is GRANTED, and all other elements, restrictions and conditions of the Order of October 15, 1987 are hereby incorporated by reference and republished by this Line.


 J. ROBERT HAINES
 Zoning Commissioner

JRH:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

October 19, 1987



Dennis F. Rasmussen
County Executive

Robert Sloan, III, Esquire
7 St. Paul Street, Suite 1400
Baltimore, Maryland 21202

RE: Petition for Zoning Variance
NW/cor. Trading Place and Market Street
12th Election District, 7th Councilmanic District
Case No. 88-114-A - The Dunleer Company, Petitioner

Dear Mr. Sloan:

Pursuant to the recent hearing held on the subject case, enclosed please find a copy of the decision rendered. Your Petition for Zoning Variance has been Granted, subject to the conditions noted in the attached Order.

If the decision rendered is unfavorable to you, please be advised that you have the right to file an appeal to the County Board of Appeals. If you have any questions regarding filing an appeal, please call this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:bjs

Enclosures

cc: Mr. Wallace H. Campbell
Vice President, Dunleer Company
1701 Meridene Drive, Baltimore, Md. 21239

Ms. Patricia E. Jacobson
3 Admiral Boulevard, Dundalk, Md. 21222

People's Counsel

File

IN RE: PETITION FOR ZONING VARIANCE	*	BEFORE THE
NW/cor. Trading Place and	*	ZONING COMMISSIONER
Market Street	*	
12th Election District	*	OF BALTIMORE COUNTY
7th Councilmanic District	*	
	*	Case No. 88-114-A
The Dunleer Company	*	
Petitioner	*	

* * * * *

The Petitioner herein requests a zoning variance to permit 213 parking spaces in lieu of the required 488 spaces and to approve a modified parking plan in conjunction therewith, as more particularly described on the plan submitted, identified as Petitioner's Exhibit 1.

The Petitioner, by Wallace H. Campbell, Vice President, appeared and was represented by Counsel. The following persons also appeared on behalf of the Petition: Randy Kuser, Architect with Cho, Wilks and Benn; Herbert Patterson, Secretary, The Dunleer Company; Debra Newman, Agent, The Dunleer Company; Tanis Gartmond, Project Manager, Dundalk and Eastern Baltimore Area Chamber of Commerce; and Robert Santoni, Santoni's Market. Patricia E. Jacobson, an adjoining neighbor of the property appeared as a Protestant.

On October 9, 1985 the Petitioner was granted a variance to permit 224 parking spaces in lieu of the required 461 spaces in Case No. 86-134-A by the Deputy Zoning Commissioner, Jean M. H. Jung. The Petitioner has since modified its site plan to increase the size of the existing Santoni's Market from 19,456 sq.ft. to 24,644 sq.ft.. The modification caused the loss of 11 parking spaces. Furthermore, pursuant to Section 409.2(b)(6), the parking requirements will increase from 461 to 488 spaces.

Testimony presented on behalf of the Petitioner established the following facts: The site is part of Dundalk's Commercial Revitalization Plan. Santoni's Market is considered an essential anchor to this particular shopping district and the community. Robert Santoni testified that a large percentage of

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 15th day of October, 1987, that a variance to permit 213 parking spaces in lieu of the required 488 spaces and to approve a modified parking plan in conjunction therewith, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Zoning Variance be and is hereby GRANTED, subject to the following:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable 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.
- 2) The Petitioner may relocate the loading dock; however, said loading dock shall be screened at all times from residential and park property.

JRH:bjs


J. ROBERT HAINES
Zoning Commissioner of
Baltimore County