

IN RE: PETITION FOR ZONING VARIANCE
N/S Center Place, 40 ft. W
of c/l Trading Place
16 Center Place
12th Election District
7th Councilmanic District
Legal Owner: The Dunleer Co./
Wallace H. Campbell Co., Inc.
Contract Purchaser: Santoni's
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-226-A

AMENDED FINDINGS OF FACT AND CONCLUSIONS OF LAW

WHEREAS, by Order dated January 30, 1992, the Zoning Commissioner for Baltimore County granted several variances to the Baltimore County Zoning Regulations in case No. 92-226-A for the above property; and,

WHEREAS, said variances were granted based upon a site plan submitted in that case, which contemplated an extensive renovation and expansion to the improvements located within the subject property; and,

WHEREAS, numerous variances were previously obtained for the subject property (see cases 86-134-A, 88-114-A & 91-128-A) and it is believed those variances may be rendered null and void and of no effect by the Petitioner/property owner obtaining relief under case No. 92-226-A; and,

WHEREAS, subsequent to the Order which was issued on January 30, 1992 in case No. 92-226-A, the Petitioner/property owner reviewed the planned expansion and determined that, in lieu thereof, additional construction may be performed offsite and that the proposed expansion to the subject property may not be undertaken; and,

WHEREAS, the Petitioner wishes to preserve the validity of those variances granted in the previous cases in the event the property is not expanded, while validating the variances granted within the Order dated January 30, 1992 to preserve his right to expand the improvements thereon.

ORDER RECEIVED FOR FILING
Date 1/29/92
By [Signature]

NOW, THEREFORE, it is ordered by the Zoning Commissioner for Baltimore County this 17th day of March, 1992 that the Order rendered on January 30, 1992 in this case is hereby ratified, subject, however, to the following additional condition:

1. That the Orders granted in zoning cases Nos. 86-134-A, 88-114-A, and 91-128-A are all ratified and approved. The Order in this case (case No. 92-226-A) is not meant to void any portion of those previous Orders or to preclude the development of the subject project in accordance with the plans approved in those previous zoning cases.

LES:mmn

[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 1/29/92
By [Signature]

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 6, 1992

Scott Barhight, Esquire
Whiteford, Taylor and Preston
500 Court Towers
210 West Pennsylvania Avenue
Towson, Maryland 21204-4515

RE: Petition for Zoning Variance
Case No. 92-226-A
Dunleer Co./Wallace H. Campbell
Contract Purchaser: Santoni's, Petitioner

Dear Mr. Barhight:

This is in response to your letter of February 24, 1992.

While agreeing with the spirit and intent of your proposed Order, I have redrafted same so as to provide additional background and foundation for the Order. I understand that Mr. Santoni is now deciding whether to move forward with his plans for expansion of the subject property, as set forth on the site plan in case No. 92-226-A or, in lieu thereof, maintaining the subject property in its current state and expanding offsite. Which ever course he ultimately decides to pursue, the proposed Order should provide him with the necessary protection from a zoning standpoint.

Kindly advise whether the enclosed Order is acceptable or whether any additional consideration should be given.

In the event the decision rendered is unfavorable to you or any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Amended Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
att.

IN RE: PETITION FOR ZONING VARIANCE
N/S Center Place, 40 ft. W
of c/l Trading Place
16 Center Place
12th Election District
7th Councilmanic District
Legal Owner: The Dunleer Co./
Wallace H. Campbell Co., Inc.
Contract Purchaser: Santoni's
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-226-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance from numerous sections of the Baltimore County Zoning Regulations (B.C.Z.R.) including; Sections 232.1, 232.A.4, 409.8, 409.8.A.4, 409.12, 413.5, 409.6, 409.7, 409.11, 230.11, 230.12 and 409.4, all as detailed and shown on Petitioner's Exhibit No. 1, the site plan to accompany the Petition. In essence, all of these interrelated variances are requested so that the Petitioner can complete a proposed expansion to the existing Santoni's market in Dundalk. Specifically, the Petitioner proposes to construct a 14,400 sq. ft. addition, which will more than double the current market size.

Although the Petitioner, Robert Santoni, was unable to attend the hearing, he was represented by G. Scott Barhight, Esquire. Also appearing at the hearing was James S. Patton, a Professional Engineer who testified and prepared Petitioner's Exhibit No. 1. William H. Meyers, an Architect with the firm of Meyers and Associates, Inc., also appeared and testified. Also appearing on behalf of the Petition was Patrick Daid from Eastern Baltimore County Chamber of Commerce. It is also to be noted that the Zoning Advisory Committee's comments express support of the project.

ORDER RECEIVED FOR FILING
Date 1/29/92
By [Signature]

Particularly, the comment from A.F. (Pat) Keller, Deputy Director of the Office of Planning and Zoning, who endorses the Petition as necessary for the revitalization efforts in the Dundalk area.

Specific testimony was offered in support of each of the variances which are depicted in detail on Petitioner's Exhibit No. 1. As indicated, the Petitioner proposes to add a 14,400 sq. ft. addition onto the existing Santoni's building. This will result in the realignment of the commercial loading area to cause less traffic interference. Also, the parking areas will be realigned. Other variances are requested as to setbacks, amenity open space and the amendment of prior zoning cases.

It is clear that, when viewed as a whole, the variances are interrelated and all are necessary in order for the proposed expansion to be completed. Further, because of the large across the board support of the project, it is obvious that the Petitioner's comprehensive expansion plans will be greatly beneficial not only to the subject property, but to the existing commercial locale. In fact, if the variances were denied, not only would the property owner suffer detriment, but there would be an adverse affect upon the surrounding commercial corridor and the efforts being made by government and the private sector alike to revitalize this area.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

ORDER RECEIVED FOR FILING
Date 1/29/92
By [Signature]

-2-

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of January, 1992 that a variance from Sections 232.1, 232.A.4, 409.8, 409.8.A.4, 409.12, 413.5, 409.6, 409.7, 409.11, 230.11, 230.12 and 409.4 to allow an addition of 14,400 sq. ft. to an existing food market, all in accordance with Petitioner's Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

ORDER RECEIVED FOR FILING
Date 1/29/92
By [Signature]

-3-

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 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.

LES:mmn
cc: Peoples Counsel

[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 1/29/92
By [Signature]

-4-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 29, 1992

G. Scott Barhight, Esquire
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Case No. 92-226-A
Legal Owner: The Dunleer Company/Wallace H. Campbell
Contract Purchaser: Santoni's

Dear Mr. Barhight:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached Order.

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 of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
[Signature]
LAWRENCE E. SCHMIDT
Zoning Commissioner

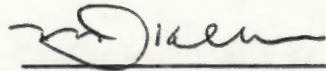
LES:mmn
att.

SANTONI'S MARKET
W-91-159

CRG Waiver Plan Review
Plan Date: 9/23/91
Comments Due: 1/10/92
Comments Date: 1/10/92
Comments Completed: 1/15/92

The C.R.G. plan of Santoni's Market may be approved with the understanding that it is in agreement with the last zoning hearing plan (#92-226-A). Final zoning approval is contingent upon, but not limited to, the aforementioned variance being granted. Upon building permit application, the hearing, Order and restrictions must be referenced on the site plan.

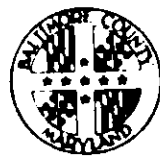
Any requests for further information from the Zoning Office must include a reference to the waiver file #W-91-159 and written correspondence or revised plans must be accompanied by a copy of these comments.



MITCHELL J. KELLMAN
PLANNER II

MJK:scj

cc: Current Planning
Zoning File - 92-226-A
Waiver File



Petition for Variance

to the Zoning Commissioner of Baltimore County

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 Variance from Section 232.1; Sec. 232A.4; Sec. 409.8; Sec. 409.8A4; Sec. 409.12; Sec. 413.5; Sec. 409.6; Sec. 409.7; Sec. 409.11; Sec. 230.11; Sec. 230.12; Sec. 409.4.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) To enable owner to construct an addition to an existing food store in the Dundalk revitalize zoning area. The requested variance dimensioning for parking, loading and efficient floor plan of the food store would be difficult. The variances will enable a beneficial expansion of the store to occur on the parcel.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract Purchaser/Lessee:

SANTONI'S
(Type or Print Name)
Signature: ROBERT SANTONI
8900 Yellow Brick Road
Baltimore, Maryland 21222
City and State

Attorney for Petitioner:

G. SCOTT BARRHIGHT
(Type or Print Name)
Signature: [Signature]
210 N. Pennsylvania Avenue
Towson, Maryland 21204
City and State
Attorney's Telephone No. (301) 832-2000

Legal Owner(s):
THE DUNLEER COMPANY
WALLACE H. CAMPBELL & CO., INC.
(Type or Print Name)
Signature: [Signature]
WALLACE H. CAMPBELL
(Type or Print Name)
Signature:

1701 Meridene Drive
Address Phone No.
Baltimore, Maryland 21239
City and State

Name, address and phone number of legal owner, contractor, or person to be contacted
JAMES S. PATTON, P.E.
PATTON CONSULTANTS, LTD.
305 W. Chesapeake Ave., Suite 305
Towson, MD 21204 (301) 296-2140
Address Phone No.

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING - 1/2HR. + 1HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER DATE
REVIEWED BY: DATE

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-0014150
Number

11/25/91 H9200239
PUBLIC HEARING FEES QTY PRICE
ZONING VARIANCE (OTHER) 3 X \$175.00
TOTAL: \$175.00
LAST NAME OF OWNER: DUNLEER COMPANY
Please Make Checks Payable To: Baltimore County

Cashier Validation

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222 December 19, 1991

THIS IS TO CERTIFY, that the annexed advertisement of Baltimore County Zoning Office - Notice of Hearing - Case #92-226-A - P.O. #0116733 - Reg. #M54887 - 65 lines @ \$32.50 - was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for One successive weeks before the 20th day of December 1991; that is to say, the same was inserted in the issues of December 19, 1991.

RECEIVED
FEB 18 1992
ZONING OFFICE

Kimbel Publication, Inc.
per Publisher.
By [Signature]

SANTONI'S
PARAPHRASED VARIANCE REQUEST
FOR PLACEMENT OF SIGN

- A zero (0) foot front setback in lieu of ten (10) feet including setback from center line.
- An AOS of 0.1 in lieu of 0.2.
- Amendments to previous zoning cases 86-134-A, 88-114-R and 91-128-A
- Variance parking standards as to landscaping, setbacks, travelways and access.
- To permit a modified parking and loading plan.
- To permit outside storage of shopping carts.
- To permit projection of face signage into Center Place.

Prepared by
James S. Patton, P.E.
11/22/91

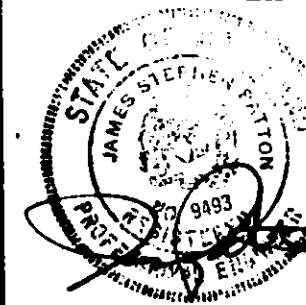
Patton Consultants, Ltd.

305 West Chesapeake Avenue • Suite 305 • Towson, MD 21204
(301) 296-2140 • FAX (301) 296-0419

ZONING DESCRIPTION
SANTONI'S MARKET
DUNDALK

PARCEL 1
Beginning at a point on the North side of Market Street which is sixty (60) feet wide at the distance of forty (40) feet West of the center line of the nearest improved intersecting street, Trading Place, which is eighty (80) feet wide. Thence the following courses and distances:
South 69° 41'25" West, 235.00 feet;
North 20° 18'35" West, 170.00 feet;
North 69° 41'25" East, 145.00 feet;
South 20° 18'35" East, 65.00 feet;
North 69° 41'25" East, 90.00 feet;
South 20° 18'35" East, 105.00 feet.
To the place of beginning as recorded in Deed Liber 1722/235 being all or part of Lots 1, 2, and 3, Block 6, and the unnumbered lot measuring 35'x170' and adjacent to the westerly boundaries of Lots 2 and 3, Block 6, all as shown on Plat No. 5 of Dundalk in Book 9, Folio 17, containing 34,100 square feet or 0.782 acres in the 12th Election District.

PARCEL 2
Beginning at a point on the North side of Center Place which is sixty (60) feet wide at the distance of forty (40) feet West of the center line of the nearest improved intersecting street, Trading Place, which is eighty (80) feet wide. Thence the following courses and distances:
South 69° 41'25" West, 400.00 feet;
North 20° 18'35" West, 180.00 feet;
North 69° 41'25" East, 400.00 feet;
South 20° 18'35" East, 180.00 feet.
To the place of beginning as recorded in Deed Liber 1722/235 being Lots 1, 2, and 3, Block 5, and the unnumbered lot measuring 180'x200' and adjacent to the westerly boundaries of Lots 2 and 3, Block 5, all as recorded on Plat No. 5 of Dundalk in Book 9, Folio 17, containing 72,000 square feet or 1.6529 acres. Also known as 16 Center Place and located in the 12th Election District. See also deed 558, folio 184.



Site Planners and Engineers
Site Evaluation • Land Development Consulting • Expert Testimony • Zoning

Patton Consultants, Ltd.

305 West Chesapeake Avenue • Suite 305 • Towson, MD 21204
(301) 296-2140 • FAX (301) 296-0419

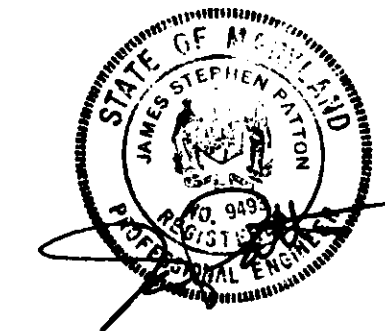
FRANCHISE DESCRIPTION
SANTONI'S MARKET
DUNDALK

PARCEL 2A

Beginning at a point on the North side of Center Place which is sixty (60) feet wide at the distance of eighty (80) feet West of the centerline of the nearest improved intersecting street, Trading Place, which is eighty (80) feet wide. Then the following courses and distances:

South 20° 18'35" East, 14.00 feet;
South 69° 41'25" West, 168.00 feet;
North 20° 18'35" West, 14.00 feet;
North 69° 41'25" East, 168.00 feet;

To the place of beginning, being a portion of the right-of-way of Center Place as shown on Plat No. 5 of Dundalk recorded in Book 9, Folio 17, containing 2,352 square feet, or 0.05 acres, more or less.



Site Planners and Engineers
Site Evaluation • Land Development Consulting • Expert Testimony • Zoning

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 11/22/91 ACCOUNT R-001-4150
AMOUNT \$ 175.00
#239
RECEIVED FROM: [Signature]
FOR: [Signature]
VALIDATION OR SIGNATURE OF CASHIER
CASHIER: [Signature]

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222 December 19, 1991

THIS IS TO CERTIFY, that the annexed advertisement of Baltimore County Zoning Office - Notice of Hearing - Case #92-226-A - P.O. #0116733 - Reg. #M54887 - 65 lines @ \$32.50 - was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for One successive weeks before the 20th day of December 1991; that is to say, the same was inserted in the issues of December 19, 1991.

RECEIVED
JAN 8 1992
ZONING OFFICE

Kimbel Publication, Inc.
per Publisher.
By [Signature]

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-0014150
Number

Date

2404400774-1490 \$110.00
SA 001130402 10-97
Please Make Checks Payable To: Baltimore County

Cashier Validation

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 11/22/91

Santoni's
8900 Yellow Brick Road
Baltimore, Maryland 21222

RE:
CASE NUMBER: 92-226-A
N/S Center Place, 40' W of c/l Trading Place
16 Center Place
12th Election District - 7th Councilmanic
Legal Owner(s): The Dunleer Company/Wallace H. Campbell & Co., Inc.
Contract Purchaser(s): Santoni's

Dear Petitioner(s):

Please be advised that \$ 117.70 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

[Signature]
DIRECTOR
file copy



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DECEMBER 5, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-226-A
N/S Center Place, 40' W of 0/1 Trading Place
16 Center Place
12th Election District - 7th Councilmanic
Legal Owner(s): The Dunleer Company/Wallace H. Campbell & Co., Inc.
Contract Purchaser(s): Santoni's
HEARING: FRIDAY, JANUARY 3, 1992 at 2:00 p.m.

Variance to permit a zero (0) foot front setback in lieu of ten (10) feet including setback from centerline; to permit an S.O.S. of 0.1 in lieu of 0.2; to permit amendments to previous zoning cases 88-134-A, 88-114-B and 89-128-A; to variance parking standards as to landscaping, setbacks, travelways and access; to permit a modified parking and loading plan; to permit outside storage of shopping carts; and to permit projection of face signage into Center Place.

Lawrence E. Schmidt
Lawrence E. Schmidt

Zoning Commissioner of
Baltimore County

cc: The Dunleer Company/Wallace H. Campbell & Co., Inc.
Santoni's
G. Scott Barhight, Esq.



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 20, 1991

G. Scott Barhight, Esquire
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Item No. 239, Case No. 92-226-A
Petitioner: Wallace H. Campbell, et al
Petition for Variance

Dear Mr. Barhight:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with above referenced petition. The attached comments from each reviewing agency are not intended to assure that that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All Petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,

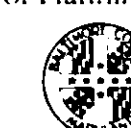
James E. Dyer
JAMES E. DYER

Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Wallace H. Campbell
Mr. Robert Santoni



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing
this 22nd day of November, 1991.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

James E. Dyer
JAMES E. DYER
CHAIRMAN,
ZONING PLANS ADVISORY COMMITTEE

Petitioner: Wallace H. Campbell & Co., Inc., et al
Petitioner's Attorney: G. Scott Barhight

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management
DATE: December 12, 1991
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: The Dunleer Company, Item No. 239

In reference to the petitioner's request, the staff offers the following comments:

Based upon an analysis of the site, staff feels that the successful completion of the expanded Santoni's market is extremely important for Dundalk. Santoni's is an anchor for the Dundalk commercial revitalization area. Currently the commercial area has several vacancies. Completion of the expanded market should strengthen the area's customer base and thereby support the effort to lease the vacant commercial space. The continued stability of the surrounding residential community is dependent, in part, upon the viability of the older commercial core. However, prior to the issuance of permits, a landscape plan shall be submitted to the deputy director of the Office of Planning and Zoning for approval. In addition, Kimberly Piper of the Economic Development Commission should be contacted to ensure that the proposed streetscape treatment complies with the Dundalk Village Plan.

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

ITEM236/TXTROZ

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: November 27, 1991
FROM: DIVISION OF GROUND WATER MANAGEMENT
SUBJECT: Zoning Item #239, Zoning Advisory Committee Meeting of December 3, 1991. The Dunleer Company/Wallace H. Campbell and Company, Inc., N/S Center Place, 40' W of centerline Trading Place (#16 Center Place), D-12, Public Water and Sewer

COMMENTS ARE AS FOLLOWS:

Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.

SSF:rmp
239.ZNG/GWRMP



700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

DECEMBER 6, 1991

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: THE DUNLEER COMPANY/WALLACE
H. CAMPBELL AND COMPANY, INC.

Location: #16 CENTER PLACE

Item No.: 239 Zoning Agenda: DECEMBER 3, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. Brady* Noted and Approved: *John F. Brady*
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management
DATE: November 29, 1991
FROM: Robert W. Bowling, P.E.
SUBJECT: Zoning Advisory Committee Meeting
of December 3, 1991

The Developers Engineering Division has reviewed the referenced plans and we have no comments for Items 239 and 238.

For Item 239, the previous County Review Group comments still apply.

For Item 238, the previous minor subdivision review comments still apply.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

RECEIVED
DEC 2 1991
ZONING OFFICE

RECEIVED
FEB 4 1992
ZONING COMMISSIONER

February 24, 1992

HAND DELIVERED
The Honorable Lawrence E. Schmidt, Esquire
Zoning Commissioner
Office of Planning and Zoning
Suite 113
Courthouse
400 Washington Avenue
Towson, Maryland 21204

RE: Case No. 92-226-A
Legal Owner: The Dunleer
Company/Wallace H. Campbell
Contract Purchaser: Santoni's
Request for Revisory Order

Dear Larry:

On behalf of The Dunleer Company, Wallace H. Campbell & Company, Inc. and Santoni's, I wish to express our appreciation for your Order dated January 30, 1992 approving the requested variances. Notwithstanding your approval, events have occurred which necessitate this letter requesting a revision to your Order.

On behalf of the legal owner, The Dunleir Company and Wallace E. Campbell & Company, Inc., I respectfully request that you enter an Order revising your January 30th Order to ensure that any previous variances voided approved regarding these sites be not voided in any way. The property owner is concerned that for the purpose of the proposed development, to construct a new grocery market on an adjacent site rather than enlarging the existing market might need to occur. In light of several of the notes on Petitioner's Exhibit #1, we are very concerned that the January 30th Order in this case might limit the use and enjoyment of these previous zoning cases and limit the property owner's flexibility.

The Honorable Lawrence E. Schmidt, Esquire
2/24/92
Page -2-

In short, The Dunleer Company wants to ensure that either option, enlarging the existing store or building a new store on an adjacent lot remain options. Since the Order has not been appealed and your revisory is still intact, you have the power to revise your January 30th Order.

Please contact me upon receipt of this correspondence to discuss this request in further detail.

Thank you for your cooperation and attention to this matter.

Very truly yours,

G. Scott Barhight

GSB:aes

cc: Mr. Herbert Patterson
Mr. Robert Santoni

PLEASE PRINT CLEARLY

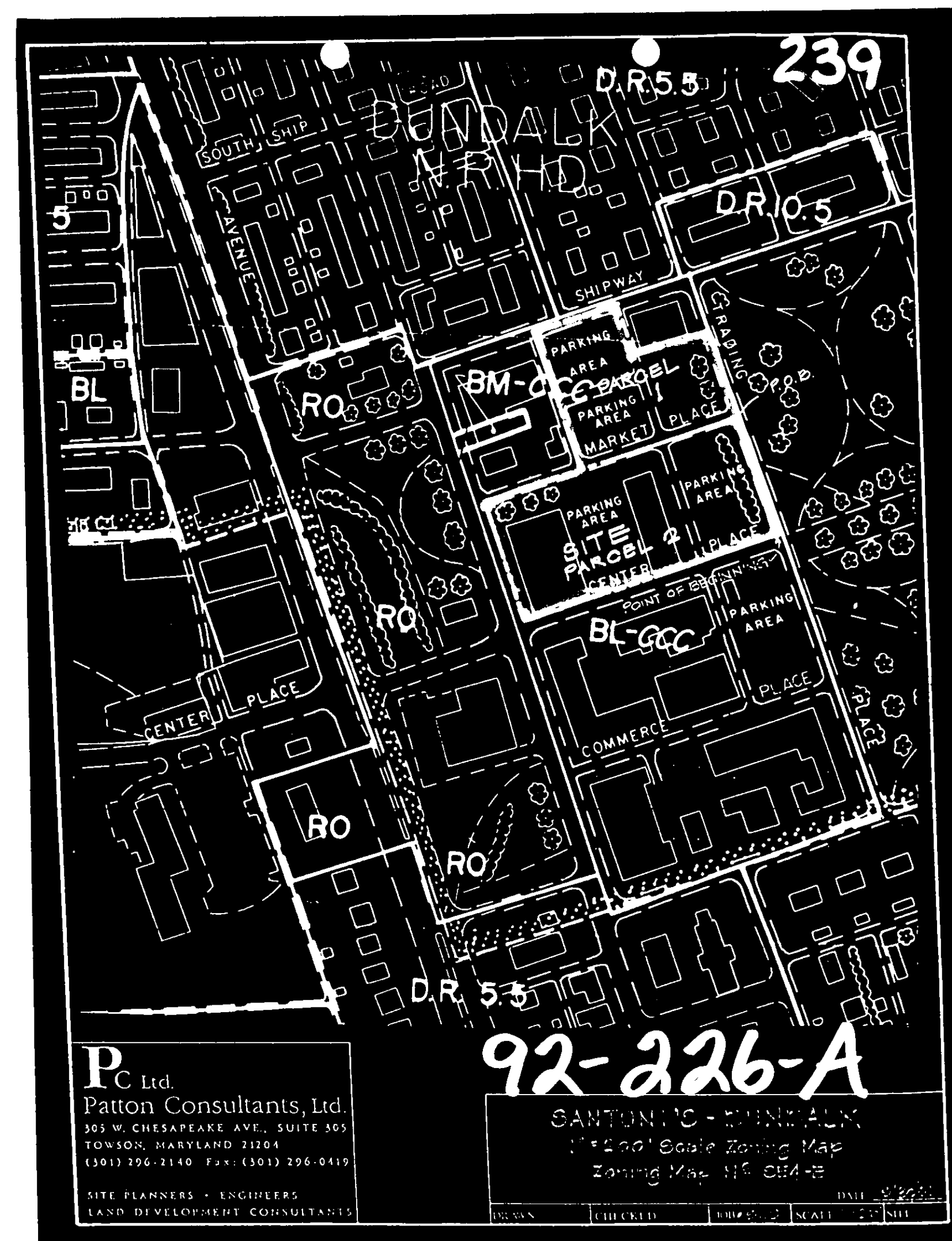
PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
JAMES S. PATTON, PE. EXPERT WITNESS	305 W. CHESAPEAKE AVE., SUITE 118 TOWSON, MD

William Meyers 2nd
Meyers + Affiliates Inc
Patrick Dine
Eastern Baltimore Chapter
of Commerce

100 West Pt - Suite 300
Towson Md. 21204

2 D. n. ad w. 21222
2.2 = 9100



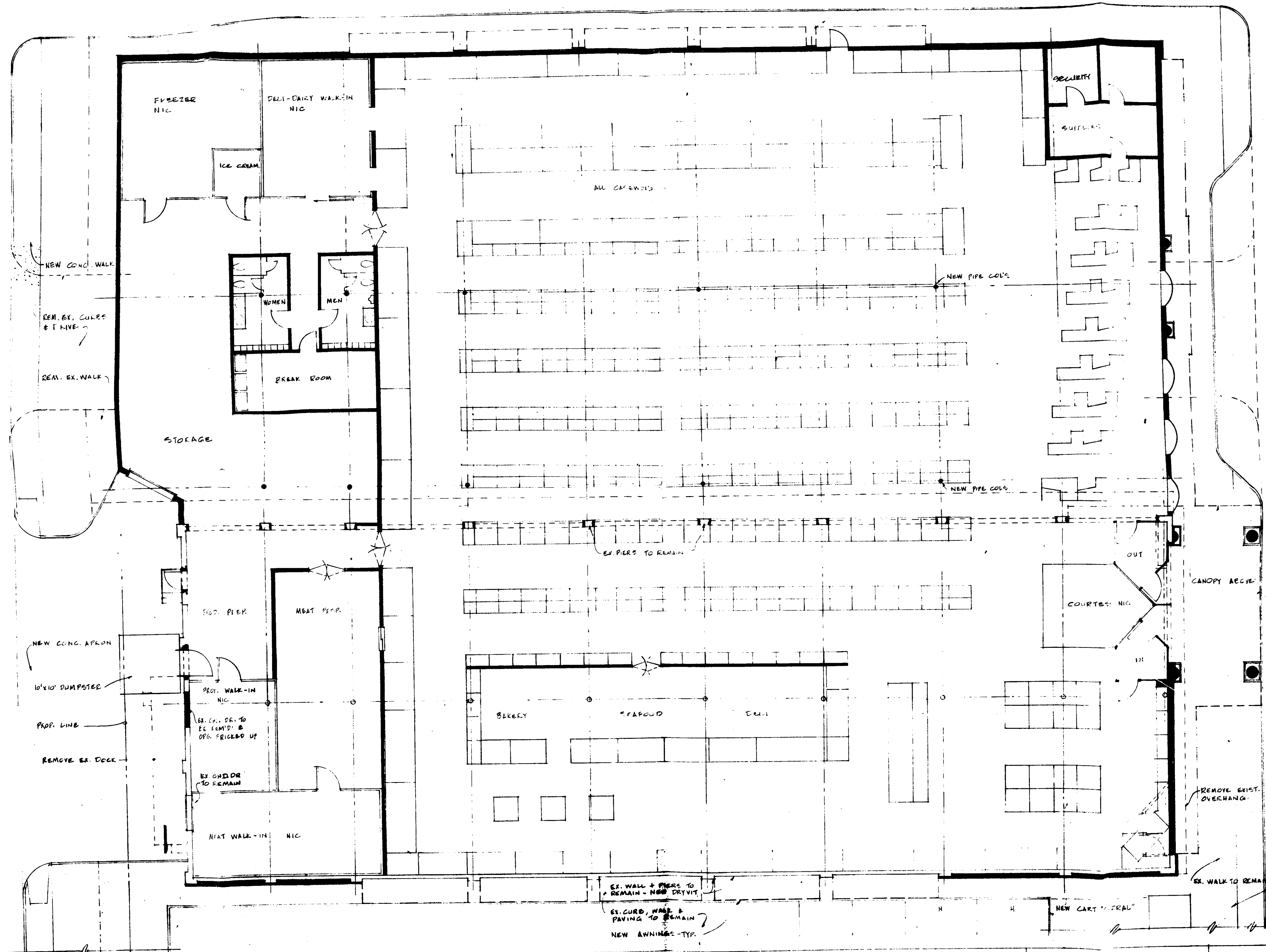
PC Ltd.
Patton Consultants, Ltd.
305 W. CHESAPEAKE AVE., SUITE 301
TOWSON, MARYLAND 21204
(301) 296-2140 Fax: (301) 296-0411
SITE PLANNERS • ENGINEERS
LAND DEVELOPMENT CONSULTANTS

92-226-A

SANTONIC - MINIMAL
1"=200' Scale Zoning Map
Zoning Map No. 004-E

SITE PLANNERS • ENGINEERS
LAND DEVELOPMENT CONSULTANTS

					DATE	
DESIGN	CHECKED	APPROVED	SCALE	SHEET		



MEYERS & AFFILIATES
EXHIBIT No 2

MEYERS & AFFILIATES INC.
Architects & Planners
100 West Road, Suite 300
Baltimore, Maryland 21204

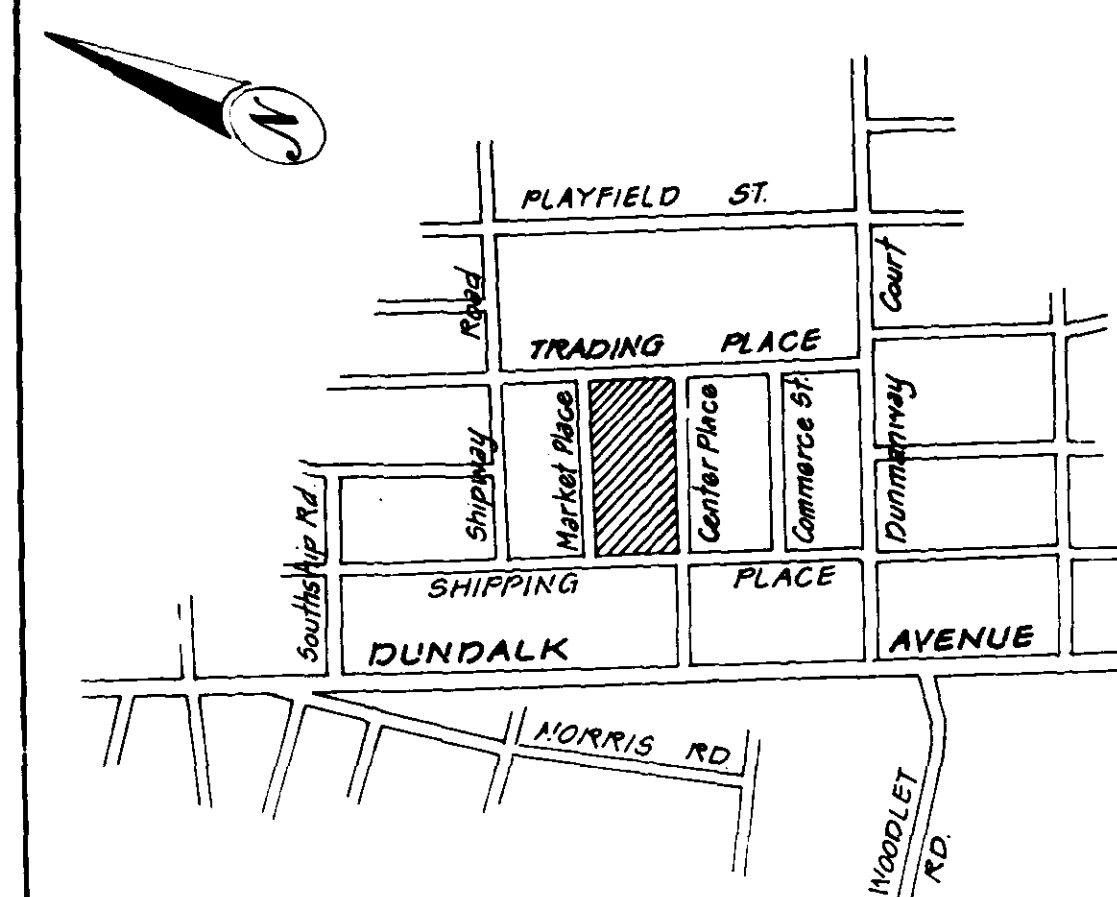
WILLIAM H. KNOTT INC.
General Contractor
1104 Kenilworth Avenue
Baltimore, Maryland 21204

SANTONI'S
DUNDALK STORE

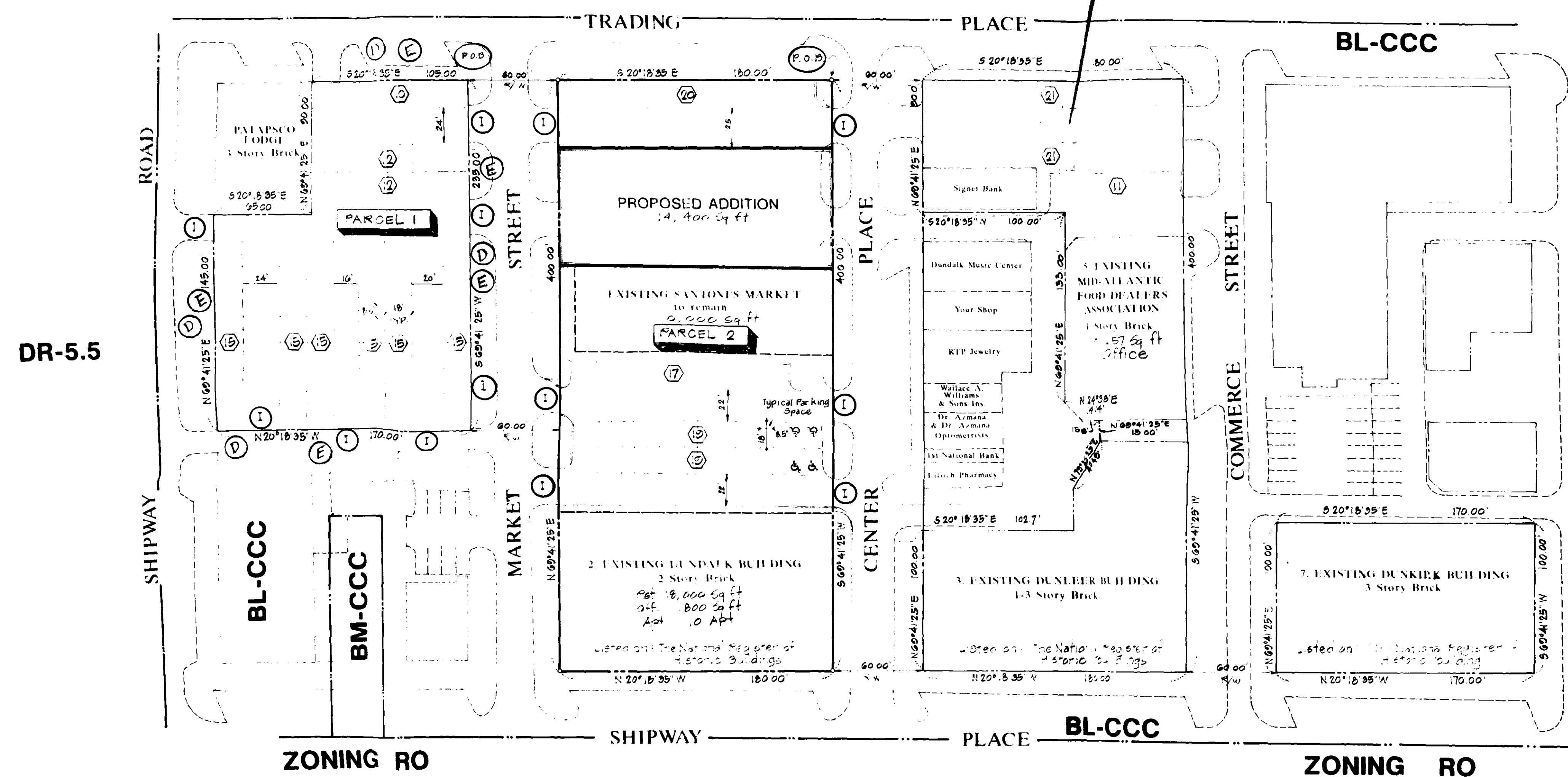
FLOOR
PLAN
1/8" = 1'-0"

G-16-71
REVISED
8-20-71
8-21-71
8-27-71
8-28-71
9-22-71

A-1



LOCATION PLAN



Existing parking no change
approved prior to May 25, 1988

PARCEL 1 & PARCEL 2

- | | | |
|--------------------------|---|-------------------|
| <u>Parking Required:</u> | | |
| 1. | Santoni's Market-24,400 SF @ 5 sp/1,000 SF | = 122 pkg. spaces |
| 2. | Dunkin' Building-Historic structure in EL-CCC | = 0 pkg. spaces |
| | TOTAL | = 122 pkg. spaces |
| <u>Parking Provided:</u> | | |
| | Parcel 1 = | 124 pkg. spaces |
| | Parcel 2 = | 75 pkg. spaces |
| | TOTAL | 199 pkg. spaces |

<u>Parking Provided:</u>	Parcel 1 =	124 pkg. spaces
	Parcel 2 =	75 pkg. spaces
	TOTAL	199 pkg. spaces

APPROVALS

P_C Ltd.
Patton Consultants, Ltd.
305 W. CHESAPEAKE AVE., SUITE 305
TOWSON, MARYLAND 21204
(301) 296-2140 Fax: (301) 296-0419

SITE PLANNERS • ENGINEERS
LAND DEVELOPMENT CONSULTANTS

SANTONI'S

DUNDALK STORE
#16 CENTER PLACE
PLAT TO ACCOMPANY
VARIANCE PETITION

DUNDALK

BALTIMORE CO., MD

ELECTION DIST. 12	CENSUS TRACT	COUNCILMANIC 7
DRAWN J.D.C.	CHECKED J.S.P.	DATE Oct.2,1991

SCALE
1"=50'
PROJ. NO.
9119

NORTH
SHEET NO.

EXHIBIT No.