

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE – NE/Corner *
Holabird Avenue & Delvale Avenue * DEPUTY ZONING COMMISSIONER
(7200 Holabird Avenue) *
12th Election District * OF BALTIMORE COUNTY
7th Councilmanic District *
Case No. 99-289-SPHA
Mars Stores, Inc. *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by Theodore V. D'Anna, Vice President, Mars Stores, Inc., owners of the subject property, through their attorney, John B. Gontrum, Esquire. The Petition for Special Hearing, as filed, requests approval of a parking lot on Parcel 2 of the subject property as nonconforming. More specifically, the Petitioners request approval and confirmation that the 48 parking spaces on Parcel 2 are legitimate and should be permitted to remain. The Petitioners also seek an amendment to the previously approved site plan in Case No. 5224 to reflect the parking configuration and proposed improvements. In addition to the special hearing request, variance relief is sought from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 146 parking spaces in lieu of the required 174. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were John B. Gontrum, Esquire, attorney for the Petitioners, and William P. Monk, Land Planning and Zoning Consultant. There were no Protestants or other interested persons present.

ORDER RECEIVED FOR FILING

Date 3/3/99

By [Signature]

Testimony and evidence offered revealed that the subject property consists of a gross area of 3.32 acres more or less, split zoned B.L.-A.S. and D.R. 5.5, and is located at the intersection of Holabird Avenue and Delvale Avenue in Dundalk. The property consists of two parcels, namely Parcel 1, which contains the bulk of the property at 2.15 acres, and Parcel 2, which contains 0.50 acres in area. Parcel 1 is located on the northeast corner of the intersection of Holabird Avenue and Delvale Avenue and is improved with a Mars Supermarket and accessory parking lot containing 98 parking spaces. Parcel 2 is located across Delvale Avenue at the northwest corner of the intersection of that road with Leslie Road. Parcel 2 contains 48 parking spaces and is used as an additional parking lot for employees and to provide overflow parking when needed. The Petitioners are desirous of constructing an 8,800 sq.ft. addition to the rear of the existing Mars store. The proposed addition will consist of two stories, each containing 4,400 sq.ft. in area, and will be used to house equipment and as a storage room. In order to proceed with the proposed improvements, a special hearing is necessary to approve and confirm that the present parking configuration is valid and to amend the previously approved site plan to reflect the proposed addition. Moreover, variance relief is necessary to approve 146 parking spaces in lieu of the required 174.

Testimony and evidence offered by Mr. Monk and Mr. Gontrum showed that the Mars Supermarket and its related parking areas have existed in their present configuration since 1962 and that there have always been only 146 parking spaces associated with this site. Furthermore, testimony indicated that the County approved the use of Parcel 2 as an overflow parking lot back in the 1960s. Thus, it is clear that the number of parking spaces provided on the site and their configuration on the property were validated by the County in the 1960s and should be permitted to remain as they presently exist.

ORDER RECEIVED FOR FILING
Date 3/31/99
By [Signature]

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;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient 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).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variance relief are not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the zoning regulations will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the special hearing and variance relief should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 31st day of March, 1999 that the Petition for Special Hearing to approve and confirm that the existing parking configuration is valid and to amend the previously approved site

ORDER RECEIVED FOR FILING
Date 3/31/99
By [Signature]

plan in Case No. 5224, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED;
and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 409.6.A.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 146 parking spaces in lieu of the required 174, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit 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 the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

IT IS FURTHER ORDERED that the 48 parking spaces on Parcel 2 are valid inasmuch as they were approved by Baltimore County in 1962, and are therefore, permitted to remain.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 3/31/99
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

March 31, 1999

John B. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Baltimore, Maryland 21221

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
NE/Corner Holabird Avenue & Delvale Avenue
(7200 Holabird Avenue)
12th Election District – 7th Councilmanic District
Mars Stores, Inc. - Petitioners
Case No. 99-289-SPHA

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

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 Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Theodore V. D'Anna, Vice President, Mars Stores, Inc.
7183 Holabird Avenue, Baltimore, Md. 21222-1798

Mr. William P. Monk
222 Bosley Avenue, Suite B-6, Towson, Md. 21204

People's Counsel; Case File





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7200 Holabird Avenue

which is presently zoned BL-AS & DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. 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 Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve the non-conforming parking lot on parcel 2 and to amend the original site plan as approved in Case# 5224 both as noted on the accompanying plan.

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

I, or we, agree to pay expenses of above Special Hearing, 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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

John Gontrum

Name - Type or Print

Signature

Romacka, Gontrum & McLaughlin

Company

814 Eastern Boulevard

(410) 686-8274

Address

Telephone No.

Essex,

MD

21220

City

State

Zip Code

I/We do 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 Petition.

Legal Owner(s):

Mars Stores, Inc.

Carmen V. D'Anna, ^{Vice} President

Name - Type or Print

Signature

Name - Type or Print

Signature

7183 Holabird Avenue

(410) 282-2100

Address

Telephone No.

Baltimore,

MD

21222-1798

City

State

Zip Code

Representative to be Contacted:

William Monk, Inc.

Name

222 Bosley Avenue, Suite B-6

(410) 494-8931

Address

Telephone No.

Towson,

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By KCR

Date 1/29/99

ORDER RECEIVED FOR FILING

Date 2/3/99
By [Signature]

Case No. 99-289-SPHA

Drop-Off - No Review



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7200 Holabird Avenue

which is presently zoned BL-AS & DR 5.5

This Petition shall be filed with the Department of Permits and Development Management. 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(s) 409.6.A.2 to allow 146 parking spaces in lieu of the required 174 spaces.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Existing locations of site and building improvements on parcel 1 and triangular configuration of parcel 2 create an undue hardship for the efficient utilization of the parking areas.

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

I, or we, agree to pay expenses of above Variance, 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.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

John Gontrum

Name - Type or Print

Signature

Romacka, Gontrum & McLaughlin

Company

814 Eastern Blvd.

(410) 686-8274

Address

Telephone No.

Essex,

MD

21220

City

State

Zip Code

I/We do 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 Petition.

Legal Owner(s):

Mars Stores, Inc.

~~Thomas~~ Carmen V. D'Anna, Jr., President

Name - Type or Print

Signature

Name - Type or Print

Signature

7183 Holabird Avenue

(410) 282-2100

Address

Telephone No.

Baltimore,

MD

21222-1798

City

State

Zip Code

Representative to be Contacted:

William Monk, Inc.

Name

222 Bosley Avenue, Suite B-6

(410) 494-8931

Address

Telephone No.

Towson,

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING

Reviewed By u.k. Date 1/29/99

Case No. 99-289-SPHA

REV 9/15/98

Drop-Off

No Review

ORDER RECEIVED FOR FILING
Date 3/6/99
By [Signature]

ZONING DESCRIPTION

**7200 HOLABIRD AVENUE
12TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND**

PARCEL 1:

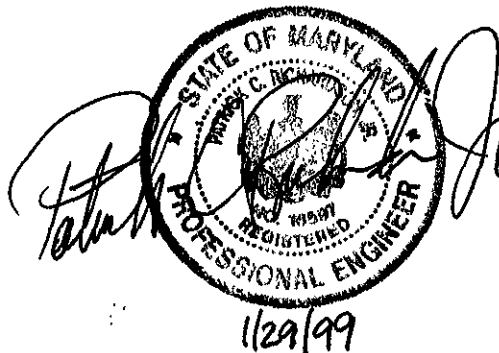
BEGINNING at a point of intersection of the northerly side Holabird Avenue, and the easterly side of Delvale Avenue, thence departing the North side of Holabird Avenue and running and binding on the East side of said Delvale Avenue (1) North 30 degrees 26 minutes 30 seconds West 87.33 feet, (2) North 06 degrees 21 minutes 45 seconds East 223.49 feet, (3) South 80 degrees 35 minutes 17 seconds East 339.26 feet, (4) South 13 degrees 37 minutes 54 seconds West 34.78 feet, (5) South 13 degrees 37 minutes 54 seconds West 265.91 feet, (6) North 80 degrees 35 minutes 17 seconds West 249.28 feet, (7) North 09 degrees 24 minutes 43 seconds East 9.77 feet, to the point of beginning.

Containing 2.15 acres of land, more or less.

PARCEL 2:

BEGINNING at a point 246'± from the intersection of the northerly side of Holabird Avenue and the westerly side of Delvale Avenue, thence, (1) South 51 degrees, 21 minutes 47 seconds West 28.30 feet, (2) North 83 degrees 38 minutes 50 seconds West 11.17 feet, (3) North 17 degrees 02 minutes 17 seconds West 276.58 feet, (4) South 83 degrees 38 minutes 15 seconds East 141.02 feet, (5) South 6 degrees 21 minutes 45 seconds West 233.82 feet to the point of beginning.

Containing 0.50 acres of land, more or less.



94-289-SPHA

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner 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: #99-289-SPHA
7200 Holabird Avenue
Parcel 1 - NEQ Holabird & Delvale Avenues
Parcel 2 - NWQ Delvale Avenue & Leslie Road
12th Election District
7th Councilmanic District
Legal Owner(s): Mara Stores, Inc.

Special Hearing: to approve the non-conforming parking lot on Parcel 2 and to amend the original site plan as approved in Case 6224.

Variance: to allow 146 parking spaces in lieu of the required 174 spaces.

Hearing: Friday, March 19, 1999 at 2:00 p.m. in Room 407, County Courts Building, 407 Bayley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations please contact the Zoning Commissioner's Office at (410) 887-4886.

(2) For information concerning the File and/or Hearing, contact the Zoning Review Office at (410) 887-3391.

3/014 Mar. 4

C294377

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

3/4/

1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/4/1999.

THE JEFFERSONIAN,

S. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARY VD
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 063022

DATE 2/1/99 ACCOUNT 001-6150

AMOUNT \$500.00 (WCR)

RECEIVED
FROM: Mars Super Markets, Inc.

FOR: PETITION FOR VARIANCE & SPECIAL HEARING

Item #289 7200 Holabird Avenue

Drop-Off - No Review Case #99-289-SPHA

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
2/02/1999 2/01/1999 14:49:08

RE 0901 CASHIER CLIM CHL DRAWER
5 MISCELLANEOUS CASH RECEIPT

Receipt # 087784

CR NO. 063022

OFFN

500.00 MONEY ORD

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 99-286-A

PETITIONER/DEVELOPER:

(Steven P. Mally)

DATE OF Hearing

(Mar 11, 1999)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

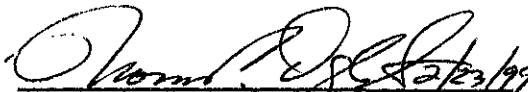
ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
8219 Rosebank Ave. Baltimore, Maryland 21222_____

The sign(s) were posted on_____ 2-23-99 _____
[Month, Day, Year]

Sincerely,

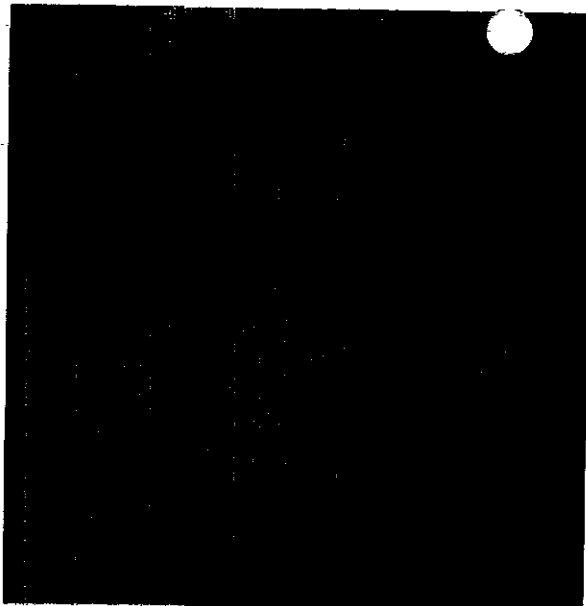

(Signature of Sign Poster & Date)

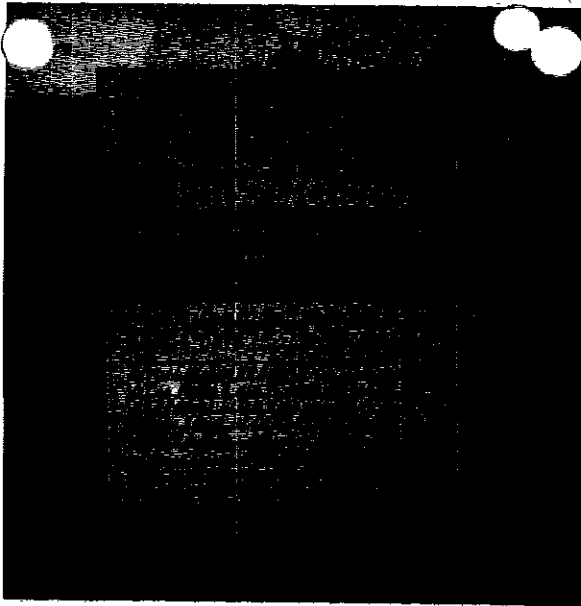
_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

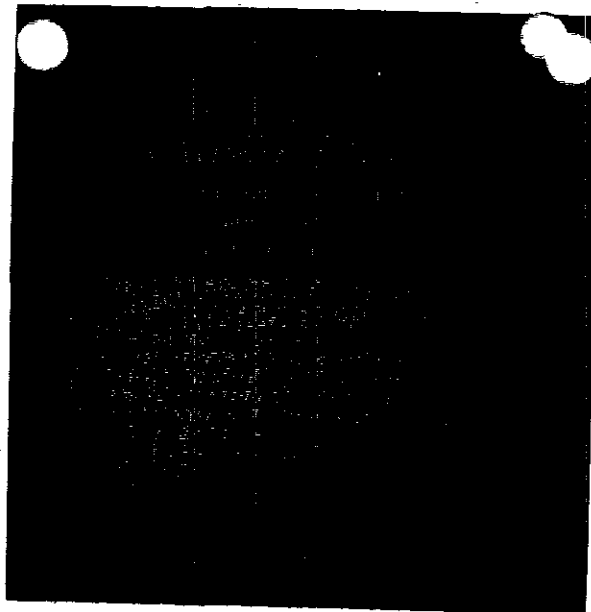
_____ Baltimore, Maryland 21221 _____

_____ (410)-687-8405 _____
(Telephone Number)





DelValle Ave & Leslie Road.



HOLADIRD & DELVALLE AVES.

CERTIFICATE OF POSTING

RE: CASE # 99-289-SPHA
PETITIONER/DEVELOPER:
(Mars Stores, Inc.)
DATE OF Hearing
(Mar 18, 1999)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
7200 Holabird Ave. Baltimore, Maryland 21222 (One sign posted at NEC
Holabird & Delvale Aves. & One sign posted at NWC Delvale Ave & Leslie Road).__

The sign(s) were posted on _____ 3-3-99 _____
(Month, Day, Year)

Sincerely,


(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____

____ 325 Nicholson Road _____

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
(Telephone Number)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 4, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner 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: 99-289-SPHA
7200 Holabird Avenue
Parcel 1 – NEC Holabird & Delvale Avenues
Parcel 2 – NWC Delvale Avenue & Leslie Road
12th Election District – 7th Councilmanic District
Legal Owner: Mars Stores, Inc.

Special Hearing to approve the non-conforming parking lot on Parcel 2 and to amend the original site plan as approved in Case 5224. Variance to allow 146 parking spaces in lieu of the required 174 spaces.

HEARING: Friday, March 19, 1999 at 2:00 p.m. in Room 407, County Courts
Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with the initials "SJ" written below it.

Arnold Jablon
Director

c: Mars Stores, Inc.
John Gontrum, Esquire
William Monk, Inc.

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 4, 1999.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
March 4, 1999 Issue – Jeffersonian

Please forward billing to:

John Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Essex, MD 21220

410-686-8274

NOTICE OF ZONING HEARING

The Zoning Commissioner 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: 99-289-SPHA

7200 Holabird Avenue

Parcel 1 – NEC Holabird & Delvale Avenues

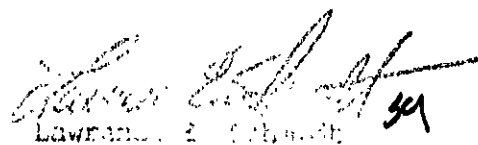
Parcel 2 – NWC Delvale Avenue & Leslie Road

12th Election District – 7th Councilmanic District

Legal Owner: Mars Stores, Inc.

Special Hearing to approve the non-conforming parking lot on Parcel 2 and to amend the original site plan as approved in Case 5224. Variance to allow 146 parking spaces in lieu of the required 174 spaces.

HEARING: Friday, March 19, 1999 at 2:00 p.m. in Room 407, County Courts
Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 1, 1999

John R. Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Essex, MD 21221

Dear Mr. Gontrum:

RE: Drop-Off Petition, 7200 Holabird Avenue, Case Number 99-289-SPHA

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper form pertaining to this. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to this office.

If you have any questions regarding the sign posting, please do not hesitate to contact Sophia Jennings at 410-887-3391.

Very truly yours,

WCR/scj

W. Carl Richards Jr.
Zoning Supervisor
Zoning Review, PDM

WCR:scj

Enclosure

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-289.SPHA

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: SPECIAL HEARING TO APPROVE THE

NON-CONFORMING PARKING LOT ON PARCEL 2 AND

TO AMEND THE ORIGINAL SITE PLAN AS APPROVED

IN CASE # 5224. VARIANCE TO ALLOW 146

PARKING SPACES IN LIEU OF THE REQUIRED 174 SPACES.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
7200 Holabird Avenue, Parcel 1 - NEC Holabird &
Delvale Aves.; Parcel 2 - NWC Delvale Ave &
Leslie Rd, 12th Election District, 7th Councilmanic

Legal Owners: Mars Stores, Inc.

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-289-SPHA

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

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

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of February, 1999, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 12, 1999

John Gontrum, Esq.

814 Eastern Boulevard
Baltimore, MD 21222

RE: Case No.: 99-289-SPHA
Petitioner: Mars Stores, Inc.
Location: 7200 Holabird Avenue

Dear Mr. Gontrum:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on January 29, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County 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 regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures





**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: HARRISON LIMITED PTNSP. 280
CLARENCE AND FRANCES WROBLEWSKI 283
NNAMD1 IWUOHA 287
MARS STORES, INC. 289

Location: DISTRIBUTION MEETING OF February 8, 1999

Item No.: 280, 283, 287, 289 Zoning Agenda:

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.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F
cc: File

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

3/19
Jim

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: February 23, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 289, 290, 291, 294, and 297

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: February 17, 1999

FROM: Robert W. Bowling, Supervisor
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for February 16, 1999
 Item No. 289

The Bureau of Developer's Plans Review has reviewed the subject zoning item. The proposed traffic flow pattern and proposed parking spaces shall be consistent.

RWB:HJO:jrb

cc: File

ZONE0216.289

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

TO: Arnold Jablon, Director
Permits and Development Management

DATE: 2/10/99

FROM: R. Bruce Seeley, Project Manager
Development Coordination
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date: Feb. 8, 99

The Department of Environmental Protection and Resource Management has
no comments for the following Zoning Advisory Committee Items:

Item #'s: 278
279
280
281
282
283
285
286
287
288
289
98-467 Sp HA



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2.9.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 289

WCR

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 16, 1999

John Gontrum, Esquire
Romadka, Gontrum & McLaughlin
814 Eastern Boulevard
Essex, MD 21220

Dear Mr. Gontrum:

RE: Drop-Off Petition Review, Case Number 99-289-SPHA, 7200 Holabird Avenue

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed no unaddressed zoning issues and/or incomplete information. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Juan R. Fernando".
Juan R. Fernando
Planner II
Zoning Review

JRF:scj

Enclosure (receipt)

c: Zoning Commissioner

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper

WILLIAM MONK, INC.

ENGINEERS • PLANNERS

January 29, 1999

PDM
1st Floor
111 W. Chesapeake Avenue
Towson, MD 21204

Subject: Zoning application drop-off
7200 Holabird Avenue, 'Mars' Supermarket
Baltimore Co., MD
WMI Project No.: 98-071

Gentlemen:

Attached please find the application forms, plats and exhibits to accompany our drop-off. There are no outstanding zoning violations for this property. This plan has been reviewed by PDM staff (John Lewis).

Cordially,



William P. Monk

Encl.

1/29/99 - TC to Bill
Person Signing for
LO - Name Does
Not Match Signature
Bill will come +
change - signature
is correct

Set After
3/17/99

QQ-289-SPHA

WILLIAM MONK, INC.

ENGINEERS • PLANNERS

February 15, 1999

PDM
Baltimore County
111 West Chesapeake Avenue
Towson, MD 21204

Subject: 7200 Holabird Avenue
Change of Address
WMI Project No.: 98-071

Gentlemen:

The applicant and property owner has changed their corporate address. It is as follows:

Mars Stores, Inc.
6721-B Chesapeake Center Drive
Glen Burnie, MD 21060
(410) 590-0500

If you have any questions regarding this matter, please do not hesitate to contact me.

Thank you.

Cordially,

A handwritten signature in black ink, appearing to read 'W. P. Monk', with a large, stylized flourish at the end.

William P. Monk

99-289-SPHA
CR-99-314-A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Bill Monk

222 BUSLEY AVE SUITE B-6

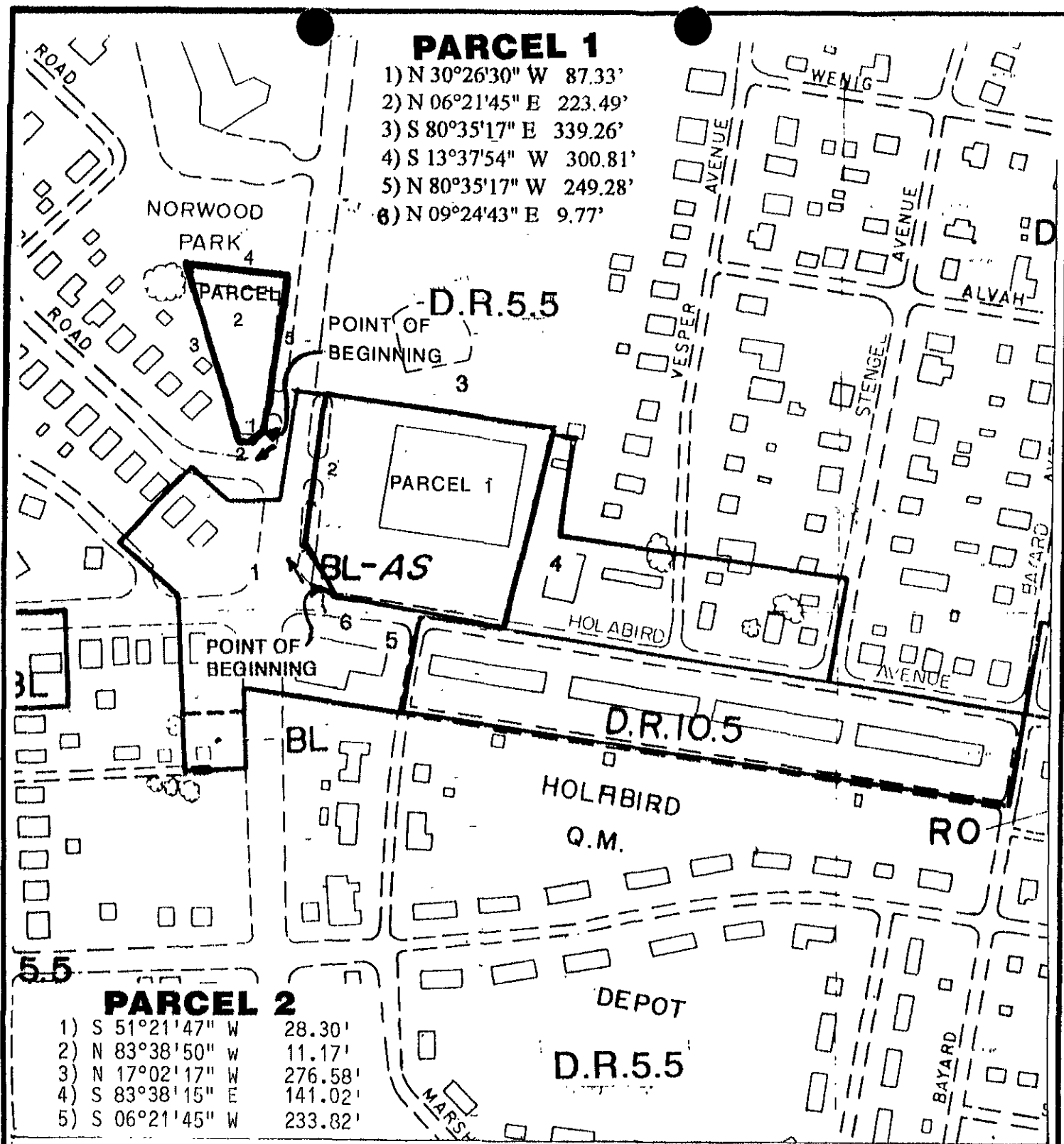
TOWSON, MD 21204

John Green



PARCEL 1

- 1) N 30°26'30" W 87.33'
- 2) N 06°21'45" E 223.49'
- 3) S 80°35'17" E 339.26'
- 4) S 13°37'54" W 300.81'
- 5) N 80°35'17" W 249.28'
- 6) N 09°24'43" E 9.77'



PARCEL 2

- 1) S 51°21'47" W 28.30'
- 2) N 83°38'50" W 11.17'
- 3) N 17°02'17" W 276.58'
- 4) S 83°38'15" E 141.02'
- 5) S 06°21'45" W 233.82'

WILLIAM MONK, INC.
 PLANNING, LANDSCAPE DESIGN
 ENVIRONMENTAL RESOURCE MANAGEMENT
 COURTHOUSE COMMONS
 222 BOSLEY AVENUE, SUITE B-6
 TOWSON, MD 21204
 (410) 494-8931

ZONING MAP
 TO ACCOMPANY
SPECIAL HEARING AND
VARIANCE APPLICATION
 7200 HOLABIRD AVENUE
 BALTIMORE CO., MD

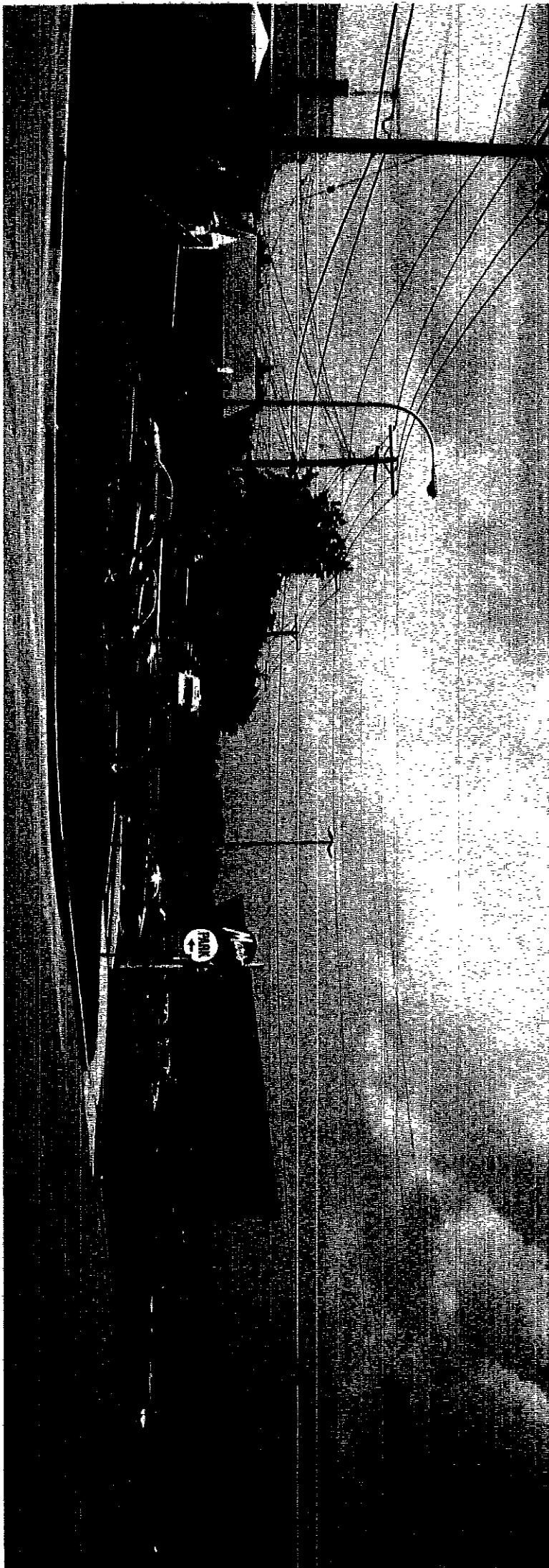
MAP #:
 SE 3-E

SCALE:
 1"=200'

FILE #:
 98-071

99-289-SPHA

EXISTING PARKING LOT FRONTING ON DELVALE AVENUE



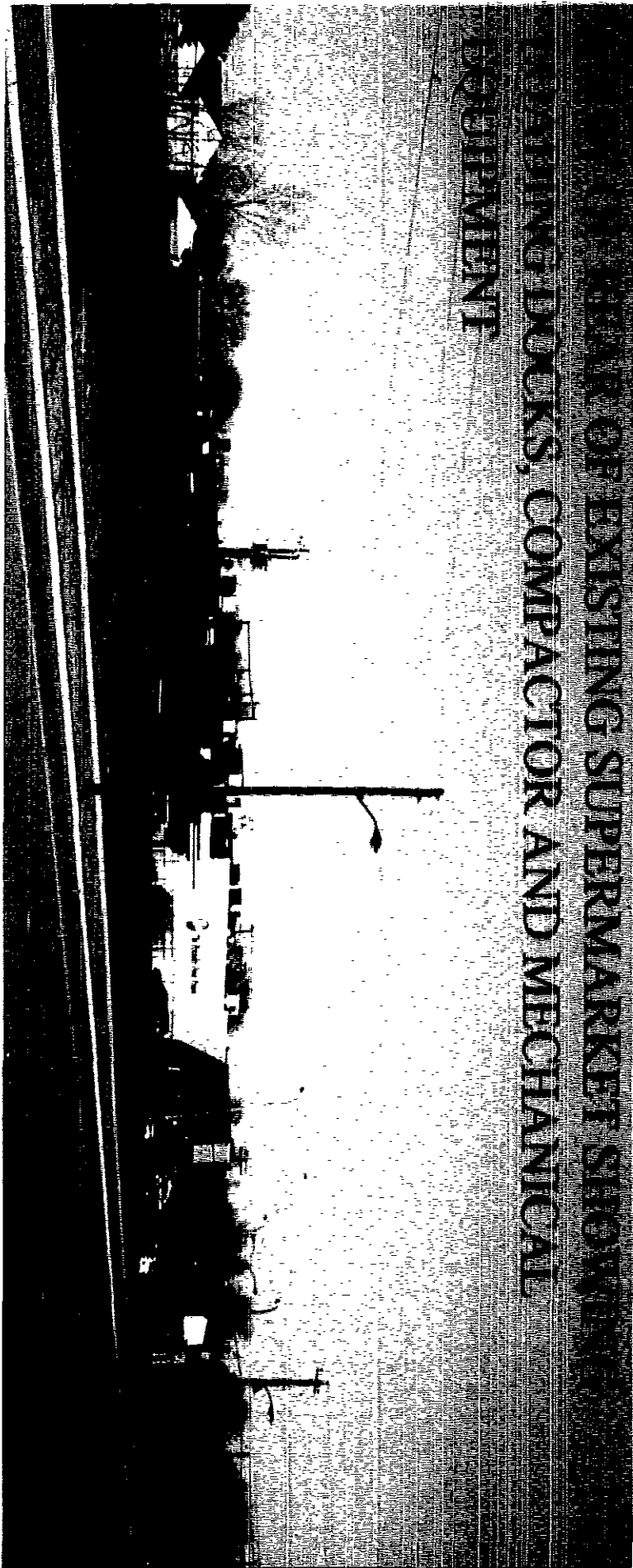
Petix 2A

WILLIAM MONK, INC.

ENGINEERS • PLANNERS



REPAIR OF EXISTING SUPERMARKET SHOWING
LOADING DOCKS, COMPACTOR AND MECHANICAL
EQUIPMENT



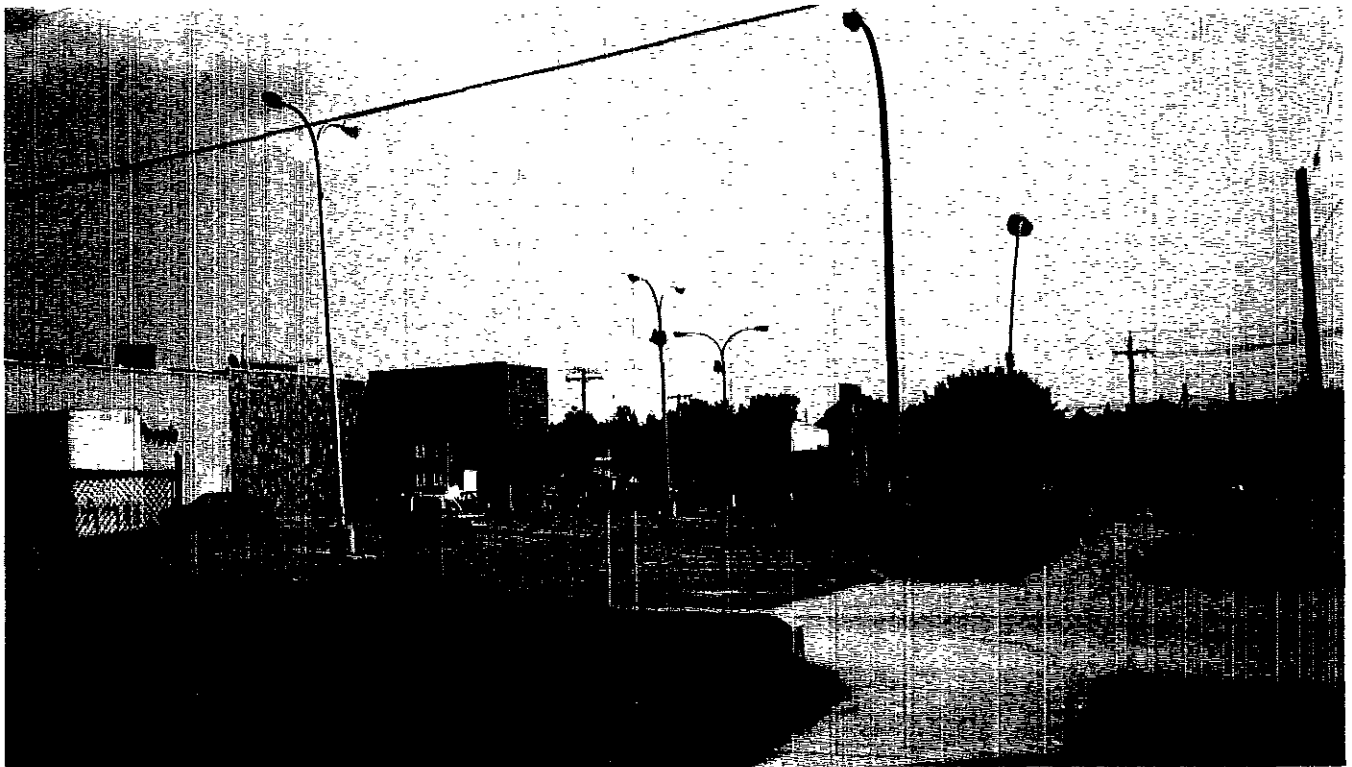
20

EXISTING SITE CONDITIONS

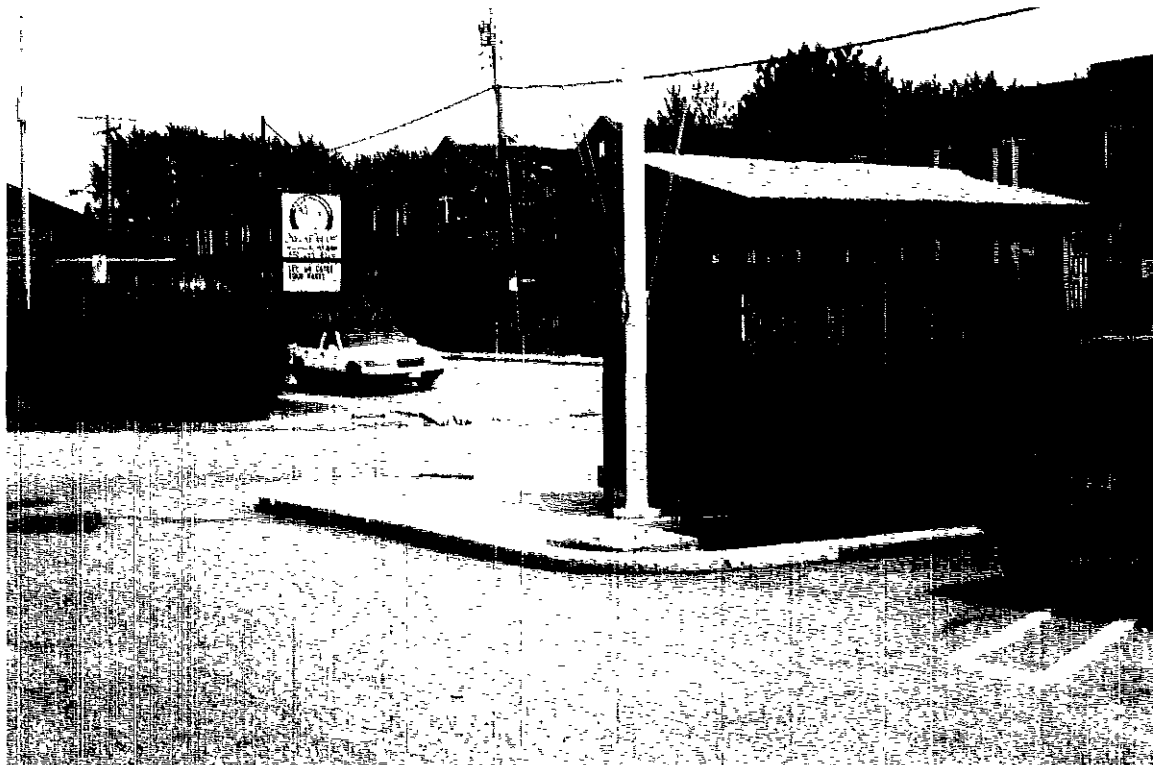
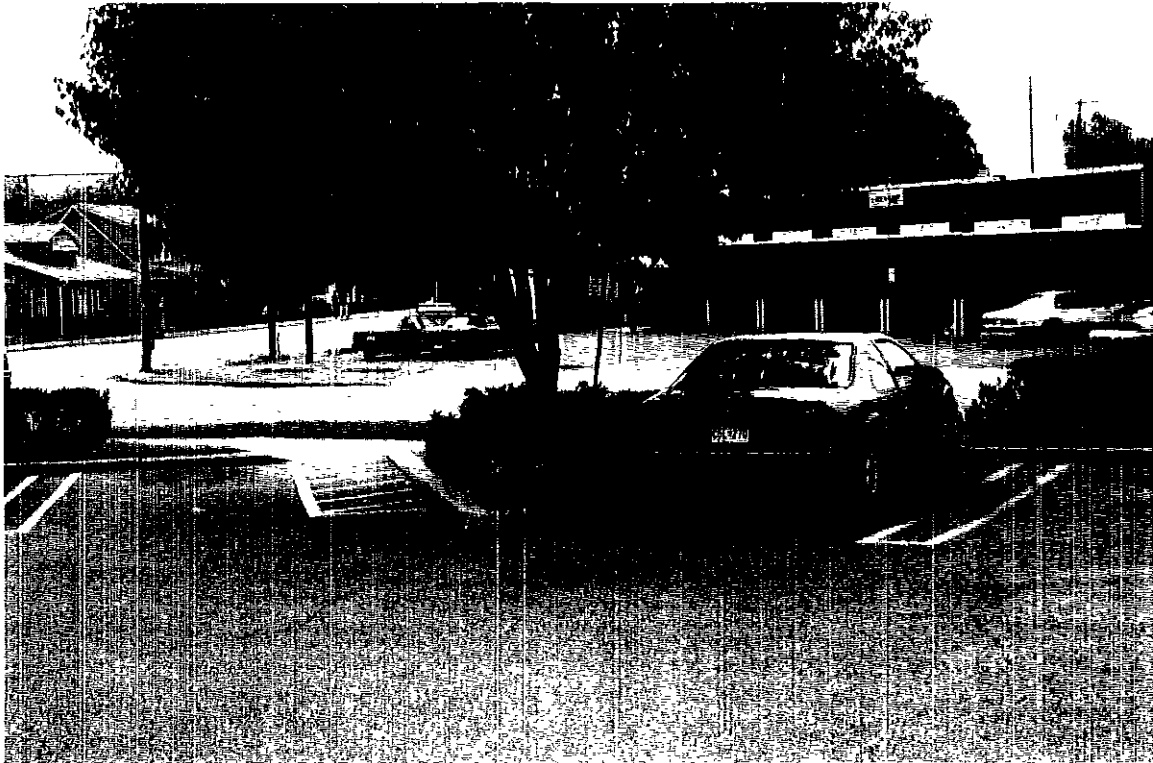


2D

EXISTING SITE CONDITIONS



EXISTING SITE CONDITIONS



ADJACENT LAND USE - BOARD OF EDUCATION BALLFIELDS LOCATED SOUTH OF THE SITE



26

WILLIAM MONK, INC.

ENGINEERS • PLANNERS

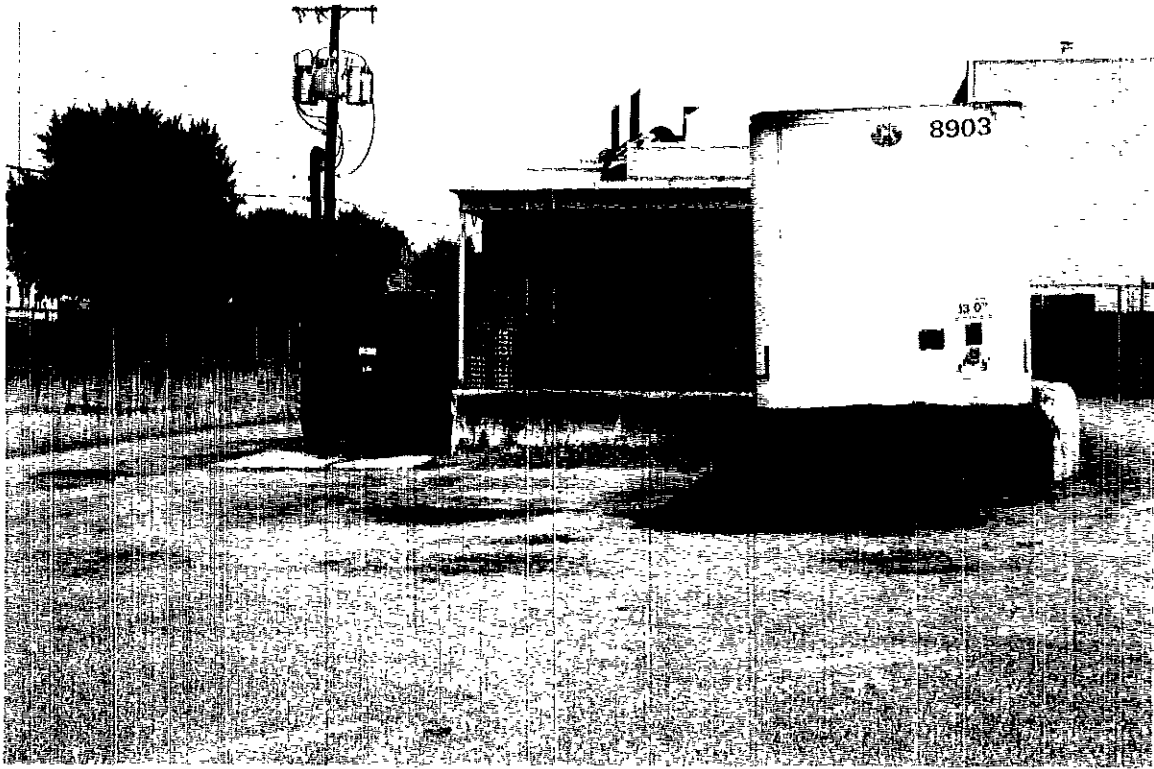
ADJACENT LAND USE – HOLABIRD AVENUE



WILLIAM MONK, INC.

ENGINEERS • PLANNERS

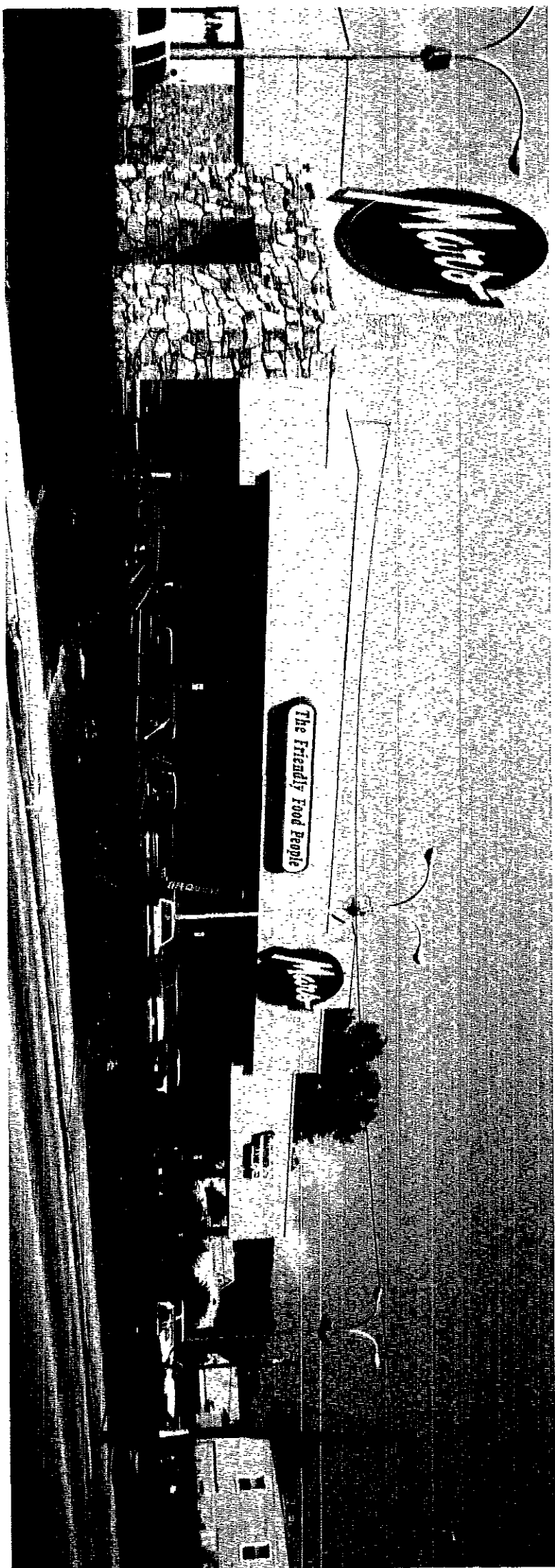
EXISTING SERVICE AREA AND ACCESS DRIVE



WILLIAM MONK, INC.

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7200 HOLABIRD AVENUE MARS SUPERMARKET



87

[illegible]