

Resolution in the Special Exception Application of Pan International
on behalf of the Prime Choice

Applied: January 3, 1995
Heard: February 22, 1995
Decided: February 22, 1995

Be it resolved by the Board of Zoning Appeals of Washington Grove that:

Whereas the current special exception for the Prime Choice, Inc is rescinded by virtue of the change of ownership, and

Whereas an application was made to the Board on January 3, 1995 by Pan International, Inc as owner of The Prime Choice for a special exception under Section VII.6.231 (d) of the Code of Ordinances to allow loading of merchandise through the rear (Hickory Road) door of its store, and

Whereas after conducting a hearing on February 22, 1995 the Board reviewed the record of the hearing and its exhibits and determined that the loading of beef carcasses from the front of the premises would require an expenditure of such magnitude as to constitute an unreasonable commercial hardship;

Therefore, the Board has decided to grant a special exception for the loading of merchandise under the following conditions:

1. That all loading and unloading at the rear door of the Prime Choice be restricted to the hours between 8:00 am and 2:00 pm.
2. That all loading and unloading be limited to trucks of such size or in such attitude or location that they are not positioned on the paved part of Hickory Road while so engaged.
3. That such an exception is strictly limited to the current tenant (Pan International, Inc) and use (butcher shop) and that if either tenant or use changes then the special exception is rescinded in its entirety.
4. That signs giving limits as to hours of loading be posted in the vicinity of the rear door.
5. That a permanent curb of approximately six inches in height be maintained along the edge of the pavement on the residential side of Hickory Road across from the rear loading area, which curbing is to protect the adjacent residential lot.
6. That the appellants acknowledge the restrictions and agree to enforce them to the best of their ability.

So resolved.

E.A. Keese, Jr., Chairman