

L.E.S.

9/7/94, 9 AM, Rm. 118-PP
10/6/94 at 11 a.m. in 118-PP
11/1/94 at 1:00 PM in 118

CASE # 95-41 - Item # 37

SPH

CERTIFICATE OF POSTING

1) Posted Jeff Hearing Date 9/7/94
2) Posted _____ Hearing Date _____

ADS

1) Paper/Date Jeff 8/18 Enc ✓
Paper/Date _____ Enc _____

2) Paper/Date _____ Enc _____
Paper/Date _____ Enc _____

P&A FEES

1) _____
2) _____

COMMENTS

Planning _____ Fire _____ Traffic _____
Critical Area _____ SHA _____ EPA _____
Health _____

Associate J. Lewis

Zoning Violation # _____

Prior Hearing(s) _____

NE 3 G
154h
6-25-96
DAS
1000
UP

19950041A
supplemental

MICROFILMED

37

SPH

95-41

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
W/S Henemihle Ave., 450 ft. S
of c/l Golden Ring Rd., * ZONING COMMISSIONER
Environmental Recycling Center
1116 Hengemihle Avenue * OF BALTIMORE COUNTY
15th Election District
5th Councilmanic District * CASE No. 95-41-SPH
Albert J. Bierman, Sr.
Petitioner *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 1116 Hengemihle Avenue in the Rossville section of Baltimore County. The Petition is filed, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (BCZR) and the relief requested includes: (1) Approval of an amendment to the approved site plan in case No. 87-59-XSPHA; (2) To determine that the proposed pallet recycling operation is permitted in conjunction with the existing approved trucking facility; (3) That the location of said operations are permitted to extend beyond the 100 ft. residential parking boundary defined on the approved plan; and (4) To allow proposed truck and auto storage (which use must be clarified as being permitted in this zone) in which the 100 year flood plan as limited in Order restriction #3 in case No. 87-59-XSPHA, and to permit a recycling operation to be located outside of a fully enclosed building in an M.L. zone, and to determine that said use is not considered a junk yard as defined in Section 101 of the BCZR, and that the use is not considered to be solid waste collection or disposal facility under Section 105 of the BCZR but is a permitted manufacturing use.

The Petition is filed by A.J. Bierman, Sr., property owner and Chief Operating Officer of King Pallet/King Mulch, the business which conducts operations from the subject site.

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Date

By

MICROFILMED

Appearing at the requisite public hearing held for this case was the aforementioned A.J. Bierman, Sr., Petitioner. Also present was Barbara Pivec, an employee of Mr. Bierman, and Dwight Little, the professional engineer, from W. Duvall and Associates, who prepared the site plan. The Petitioner was represented by Lee Jacobson, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is 5.24 acres in net area and is zoned M.L.-I.M. This is a commercial/manufacturing property which is located adjacent to Hengemihle Avenue. The property is but a short distance from the Baltimore Beltway (I-695), the Southeast Freeway (Md. Route 702) and Rossville Boulevard. As is shown on the site plan and was adduced through Mr. Bierman's testimony, the property received special exception approval in case No. 73-252-X on March 3, 1978 for a Class One trucking facility in an M.L.-I.M. zone. Subsequently, in case 87-59-XSPHA, certain variance, special hearing and special exception relief was granted as to the trucking facility use. Specifically, an additional property was added to the previously approval area of the special exception, certain variances were granted as to setbacks and other area regulations and approval was given for other improvements to the property. The relief granted was conditioned to incorporate as restrictions certain conditions suggested from the Office of Planning and Zoning, and the Department of Environmental Protection and Resource Management (DEPRM). The approvals given and conditions added are clearly shown on the site plan.

Mr. Bierman testified that he has operated the above described trucking facility on the site for many years. Originally, most of the activity was related to the trucking business, specifically, trucks were kept on site, deliveries to and from the property were accomplished and the entire opera-

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Date

11/10/90

By

Sp. Moore

tion was geared toward the trucking business. However, Mr. Bierman indicated that over the past several years, the nature of his business has changed. At the present time, in addition to the trucking business, an enterprise known as King Pallet/King Mulch has begun on site. Specifically, industrial pallets are brought to the site and are processed for resale, reuse or recycling. Specifically, approximately 30% of the pallets are resold in the condition that they are received. Another 30% are repaired and resold, and 30% are ground into mulch. This mulch product is then sold on a wholesale and retail basis to landscapers and similar customers. Apparently, the pallet/mulch business now occupies approximately 2/3rds of the business activity which occurs on the site with the remaining 1/3 devoted to the previously approved trucking facility use.

The special hearing is filed to reflect the present use of the site and to approve certain amendments to the site plan reflecting this use. Specifically, the site plan has been changed to reflect that the number of trailer spaces are reduced. That is, on the previously approved site plan, approximately 42 spaces existed for truck parking. Now, only 12 spaces will be made available. In lieu of the parking area, an area is shown on the plan where wood pallets are stored and other areas of the site are shown for storage of the mulch. The Petitioner requests approval of these amendments as more fully depicted on the site plan.

Also requested is approval that the proposed use is, in fact, permitted under the BCZR. As noted above, special exception relief was originally granted to allow a trucking facility on the subject site. It should be particularly noted that Section 253.2.A.(6) of the BCZR permits a trucking facility by special exception in an M.L. zone. It is clear that the trucking facility has continued to operate since the prior zoning approvals,

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Date

11/10/96

By

M. J. G. G. G.

albeit on a smaller scale. The validity of the special exception approval is hereby affirmed.

As to the pallet/mulch business, this is a relatively new operation which was not within the scope of the previous zoning approval. However, it is to be noted that Section 253.1.A(52) of the BCZR permits a wood products manufacturing or processing use as of right in an M.L. zone. It seems clear that the pallet/mulch operation would fit within this definition. Obviously, both the pallets and mulch are products which are made of wood and the manufacturing/processing activity which occurs on site clearly falls within those types of endeavors which the Council intended to include in a wood products manufacturing or processing operation. Thus, as characterized by Mr. Bierman's testimony and described hereinabove, the pallet/mulch business is a permitted use as of right on the subject site, zoned M.L.-I.M.

The special hearing relief also requests approval that the pallet/mulch operation be permitted within 100 ft. of a residential zone. In this regard, the property located across Hengemihle Avenue from the subject site is owned by the Baltimore County Board of Education and is zoned D.R.5.5. It is the site of the Eastern Vo-tech High School. Previously, relief was granted to allow the truck parking less than 100 ft. from the zoning line. In this regard, the Petitioner seeks similar approval for the pallet/mulch operation to be permitted within 100 ft. of the zoning line where trucks were previously parked. In this regard, affirmation of the previous variance granted, as it relates to the new use, is also approved. As to the last request for special hearing relief, it is clear that the proposed use is permitted as of right as a wood products manufacturing or processing plant as discussed above. Thus, the use is not a junk yard, nor a solid waste collection, and/or disposal facility.

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Date

11/10/94

By

Mr. Novak

MAILED

For the reasons set forth, the Petition for Special Hearing will be approved. However, certain restrictions will be added as conditions precedent to the approval. First, it is to be noted that all restrictions previously approved in case No. 73-252-X and 87-59-XSPHA are hereby reincorporated and readopted. Irrespective of the reduced scope of the trucking facility and increase in the pallet/mulch business, the Petitioner shall comply with those conditions previously stated. Moreover, the Petitioner shall comply with the remedial measures recommended in the correspondence to this Zoning Commissioner from DEPRM, dated September 16, 1994. In this regard, DEPRM has mandated that the Petitioner take certain steps to mitigate the effect of the operation on the subject locale in accordance with the Chesapeake Bay Critical Area regulations.

The Petitioner offered a copy of correspondence from Mark E. Weir, Sr., Acting Deputy Chief of the Baltimore County Fire Department. That correspondence indicates the Fire Department's requirement that the property owner install a 20,000 gallon water tank on the site by May 1995. The requirement is mandated to assure adequate water availability in the event of fire. Compliance with the Fire Department's requirement is also required.

Lastly, compliance will also be required to DEPRM's recommendations as contained within their letter dated May 24, 1992 (Petitioner's Exhibit No. 3). This mandate relates to the installation of a 25 ft. berm and shall be required as same is consistent with DEPRM's recommendations described above, as they relate to the Chesapeake Bay Critical Area regulations.

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

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Date

11/10/90

By

M. G. G. G.

MICROFILMED

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 10th day of November, 1994 that, pursuant to the Petition for Special Hearing, approval from Section 500.7 of the Baltimore County Zoning Regulations (BCZR) of an amendment to the approved site plan in case No. 87-59-XSPHA; be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the proposed pallet/mulch recycling operation is permitted in conjunction with the existing approved trucking facility, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the location of said operations are permitted to extend beyond the 100 ft. residential parking boundary defined on the approved plan, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that permission to allow a proposed truck and auto storage (which use must be clarified as being permitted in this zone) in which the 100 year flood plan as limited in Order restriction #3 in case No. 87-59-XSPHA, and to permit a recycling operation to be located outside of a fully enclosed building in an M.L. zone; and to determine that said use is not considered a junk yard as defined in Section 101 of the BCZR; and that the use is not considered to be solid waste collection or disposal facility under Section 105 of the BCZR but is a permitted manufacturing use, be and is hereby GRANTED subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

1. The 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.

2. Except as expressly amended herein, the Petitioner shall comply with all restrictions/

ORDER RECEIVED FOR FILING

Date

11/10/94

By

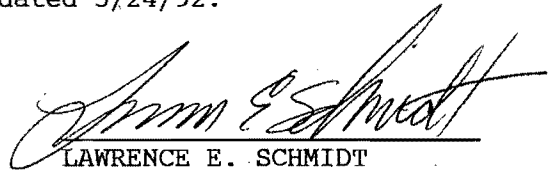
JM Mowatt

conditions previously incorporated in the relief granted in cases Nos. 73-252-X and 87-59-XSPHA.

3. The Petitioner shall incorporate and satisfy all remedial measures as recommended by DEPRM in accordance with the Chesapeake Bay Critical Area Act, as more fully set forth in their correspondence of 9/16/94.

4. The Petitioner shall comply with those recommendations and conditions set forth in correspondence from Mark E. Weir, Sr., Acting Deputy Chief, Baltimore County Fire Department dated 7/26/94.

5. The Petitioner shall comply with all conditions/requirements set forth within the correspondence from DEPRM dated 5/24/92.



LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING

Date

11/10/94

By

M. Good

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 9, 1994

Lee Jacobson, Esquire
Jacobson and Myerberg
501 Washington Avenue, Suite 320
Nottingham Center
Towson, Maryland 21204

RE: Case No. 95-41-SPH.
Petition for Special Hearing
A.J. Bierman, Sr., Petitioner
Location: 1116 Hengemihle Avenue

Dear Mr. Jacobson:

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

In the event any party finds the decision rendered 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 Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn
encl.

cc: Mr. Dwight Little, W. Duvall and Assoc.
cc: Mr. A.J. Bierman
cc: Mrs. Barbara Pivec

RECEIVED
NOV 14 1994



CRITICAL 37



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

1116 Hengemihle Avenue

which is presently zoned

ML-1M

This Petition shall be filed with the Office of Zoning Administration & 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

~~A solid waste processing facility & a class-1 trucking facility.~~

See Attachment

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

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

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):

Engineer

W. Duvall & Associates, Inc.

(Type or Print Name)

Signature

530 E. Joppa Road

Address

Towson

City

MD

State

21286

Zipcode

Attorney for Petitioner:

Jacobson & Myerberg, P.A.

(Type or Print Name)

Lee Jacobson

Signature

Nottingham Center

501 Washington Ave. - Suite 320

Address

Phone No.

Towson, MD 21204

City

State

828-7090

Zipcode

Albert J. Bierman, Sr.

(Type or Print Name)

Signature

(Type or Print Name)

Signature

c/o Environmental Recycling Center

1116 Hengemihle Avenue 882-9790

Address

Phone No.

Baltimore

City

MD

State

21221

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Barbara Pivic

Name

53 Windersal Lane

Address

Balto., MD 21234

882-9790

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

Sept
the following dates 12, 13, 15, 20, 21 Next Two Months

ALL OTHER

REVIEWED BY: Jos DATE 8/3/94

NOT AVAILABLE THESE DATES

MICROFILMED

ATTACHMENT

1. To amend the approved site plan in case #87-59-XSPHA.
2. To determine that the proposed pallet recycling operation is permitted in conjunction with the existing approved trucking facility.
3. That the location of said operations are permitted to extend beyond the 100-foot residential parking boundary defined on the approved plan.
4. To allow proposed truck and auto storage (which use must be clarified as being permitted in this zone) in the 100-year flood plan as limited in order restriction #3 in case #87-59-XSPHA and to permit a recycling operation to be located outside of a fully enclosed building in an M.L. zone and to determine that said use is not considered a junk yard as defined in Section 101, Baltimore County Zoning Regulations (BCZR), and that the use is not considered to be solid waste collection or disposal facility under Section 105 (BCZR) but is a permitted manufacturing use.

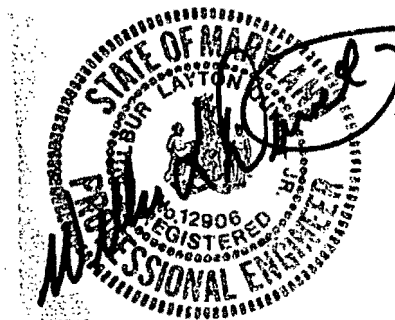
JLL/cmm

MICROFILMED

ZONING DESCRIPTION

Beginning at a point on the west side of Hengemihle Avenue which is 40 feet wide at the distance of 450 feet south of the centerline of the nearest improved intersecting street Golden Ring Road which is 60 feet wide. Thence the following courses and distances (per deed reference 5411/953):

- 1) South 27 degrees 38 minutes West 254.2 feet; thence
- 2) By a curve to the left having a radius of 620 feet and an arc length of 218.6 feet; thence
- 3) South 07 degrees 26 minutes West 39.4 feet; thence
- 4) By a curve to the right having a radius of 280 feet and an arc length of 263.4 feet; thence
- 5) South 61 degrees 20 minutes North 60.5 feet; thence
- 6) South 63 degrees 34 minutes 40 seconds West 150.00 feet; thence
- 7) North 40 degrees 18 minutes 20 seconds East 142.09 feet; thence
- 8) North 33 degrees 16 minutes 40 seconds East 151.81 feet; thence
- 9) North 31 degrees 02 minutes East 154.2 feet; thence
- 10) North 11 degrees 24 minutes East 287.1 feet; thence
- 11) North 48 degrees 24 minutes East 270.6 feet; thence
- 12) North 23 degrees 31 minutes East 99.0 feet; thence
- 13) South 58 degrees 23 minutes East 272.2 feet to the place of beginning as recorded in deed Liber 5411, Folio 953 and in deed Liber 8757 Folio 529, containing 5.24 Ac±



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-41-SPT

District _____

Date of Posting 8/20/94

Posted for: _____

Petitioner: Albert L. Bierman, Sr.

Location of property: 1116 Hengemihle Ave, w/s 450' s/sold on Ring Rd.

Location of Signs: Facing roadway, on property being zoned.

Remarks: _____

Posted by M. H. Haley

Signature

Date of return: 8/26/94

Number of Signs: 7

MICROFILMED



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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #95-41-SPH

(Item 37)

1116 Henemihle Avenue
"Environmental Recycling Center"

"King Pallet/King Mulch"
W/S Henemihle Avenue,
450' S of c/l Golden Ring Road

15th Election District

5th Councilmanic

Petitioner(s):

Albert J. Bierman, Sr.

Hearing: Wednesday,

September 7, 1994 at
9:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to amend the approved site plan in case #87-59-XSPHA to determine that the proposed pallet recycling operation is permitted in conjunction with the existing approved trucking facility; to approve that the location of said operations are permitted to extend beyond the 100-foot residential parking boundary defined on the approved plan; and to allow proposed truck and auto storage (which use must be clarified as being permitted in this zone) in the 100-year flood plan as limited in order restriction #3 in case #87-59-XSPHA and to permit a recycling operation to be located outside of a fully enclosed building in a M.L. zone and to determine that said use is not considered a junk yard and that the use is not considered to be solid waste collection or disposal facility but is a permitted manufacturing use.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/19, 1994

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 8/18, 1994.

THE JEFFERSONIAN,

A. Henemihle
LEGAL AD. - TOWSON.

MICROFILMED



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150

Number

37

Date

8/3/94.

By JLL

1 NOW RES SPH	CODE	040	\$ 250.00
(2) SIGN POSTINGS	CODE	080	\$ 70.00
TOTAL			320.00

OWNER: BIERMAN

LOC. 1116 HENGEMILE AVE. ~~2001~~

MICROFILMED

02A02X06R5N1CHRC

\$320.00

BA 0011:34A008-03-94

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 37

Petitioner: A J Bienman, Sr.

Location: 1116 Hengemihle Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: King Pallet / King Mulch

ADDRESS: 1116 Hengemihle Ave
Balto, MD 21121

PHONE NUMBER: 882-9790

AJ:ggs

(Barbara Pivec
agent)

MICROFILMED

(Revised 04/09/93)

TO: PUTUXENT PUBLISHING COMPANY
August 18, 1994 Issue - Jeffersonian

Please forward billing to:

King Pallet/ King Mulch
1116 Henemihle Avenue
Baltimore, Maryland 21121
882-9790

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-41-SPH (Item 37)
1116 Hengemihle Avenue
"Environmental Recycling Center"
"King Pallet/King Mulch"
W/S Henemihle Avenue, 450' S of c/l Golden Ring Road
15th Election District - 5th Councilmanic
Petitioner(s): Albert J. Bierman, Sr.
HEARING: WEDNESDAY, SEPTEMBER 7, 1994 at 9:00 a.m. in Room 118 Old Courthouse.

Special Hearing to amend the approved site plan in case #87-59-XSPHA; to determine that the proposed pallet recycling operation is permitted in conjunction with the existing approved trucking facility; to approve that the location of said operations are permitted to extend beyond the 100-foot residential parking boundary defined on the approved plan; and to allow proposed truck and auto storage (which use must be clarified as being permitted in this zone) in the 100-year flood plan as limited in order restriction #3 in case #87-59-XSPHA and to permit a recycling operation to be located outside of a fully enclosed building in a M.L. zone and to determine that said use is not considered a junk yard and that the use is not considered to be solid waste collection or disposal facility but is a permitted manufacturing use.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

MICROFILMED

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

AUG. 12 1994

(410) 887-3353

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-41-SPH (Item 37)

1116 Hengemihle Avenue

"Environmental Recycling Center"

"King Pallet/King Mulch"

W/S Henemihle Avenue, 450' S of c/l Golden Ring Road

15th Election District - 5th Councilmanic

Petitioner(s): Albert J. Bierman, Sr.

HEARING: WEDNESDAY, SEPTEMBER 7, 1994 at 9:00 a.m. in Room 118 Old Courthouse.

Special Hearing to amend the approved site plan in case #87-59-XSPHA; to determine that the proposed pallet recycling operation is permitted in conjunction with the existing approved trucking facility; to approve that the location of said operations are permitted to extend beyond the 100-foot residential parking boundary defined on the approved plan; and to allow proposed truck and auto storage (which use must be clarified as being permitted in this zone) in the 100-year flood plan as limited in order restriction #3 in case #87-59-XSPHA and to permit a recycling operation to be located outside of a fully enclosed building in a M.L. zone and to determine that said use is not considered a junk yard and that the use is not considered to be solid waste collection or disposal facility but is a permitted manufacturing use.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Albert J. Bierman, Sr.
W. Duvall & Associates, Inc.
Lee Jacobson, Esq.

MICROFILMED

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUGUST 26, 1994

NOTICE OF POSTPONEMENT

CASE NUMBER: 95-41-SPH
PETITIONER(S): Enviromental Recycling Center
LOCATION: 1116 Hengemihle Avenue

THE ABOVE MATTER, PREVIOUSLY ASSIGNED TO BE HEARD ON SEPTEMBER 7, 1994
HAS BEEN POSTPONED AT THE REQUEST OF LEE JACOBSON, ATTORNEY FOR
PETITIONERS.

NOTIFICATION OF THE NEW HEARING DATE WILL BE FORWARDED SHORTLY.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Albert J. Bierman, Sr.
W. Duvall & Associates, Inc.
Barbara Pivic

AJ:ggs

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCTOBER 18, 1994

NOTICE OF CHANGE IN HEARING TIME AND/OR LOCATION

BE ADVISED THAT THE BELOW-NOTED CASE WILL TAKE PLACE
ON THE SAME DATE AS PREVIOUSLY NOTIFIED, HOWEVER THE
TIME AND/OR THE LOCATION OF THE HEARING HAS BEEN
CHANGED AS INDICATED BY UNDERSCORING.

Rescheduled from 9/7/94 and 10/6/94
CASE NUMBER: 95-41-SPH (Item 37)
1116 Henegemihle Avenue
"Enviromental Recycling Center"
"King Pallet/King Mulch"
W/S Henegmihle Avenue, 450' S of c/l Golden Ring Road
15th Election District - 5th Councilmanic
Petitioner(s): Albert J. Bierman, Sr.

HEARING: TUESDAY, NOVEMBER 1, 1994 at 1:00 p.m. in Room 118, Old Courthouse, 400
Washington Avenue, Towson, Maryland 21204.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

CC: Lee R. Jacobson, Esq.
Albert J. Bierman, Sr.
W. Duvall & Associates, Inc.
Barbara Pivic

AJ:ggs

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 12, 1994

NOTICE OF REASSIGNMENT

Rescheduled from 9/7/94
CASE NUMBER: 95-41-SPH (Item 37)
1116 Hengemihle Avenue
"Enviromental Recycling Center"
"King Pallet/King Mulch"
W/S Henegmihle Avenue, 450' S of c/l Golden Ring Road
15th Election District - 5th Councilmanic
Petitioner(s): Albert J. Bierman, Sr.

Special Hearing to amend the approved site plan in case #87-59-XSPHA;
to determine that the proposed pallet recycling operation is permitted
in conjunction with the existing approved trucking facility; to approve
that the location of said operations are permitted to extend beyond the
100-foot residential parking boundary defined on the approved plan; and
to allow proposed truck and auto storage (which use must be clarified
as being permitted in this zone) in the 100-year flood plan as limited
in order restriction #3 in case #87-59-XSPHA and to permit a recycling
operation to be located outside of a fully enclosed building in a M.L.
zone and to determine that said use is not considered a junk yard and
that the use is not considered to be solid waste collection or disposal
facility but is a permitted manufacturing use.

HEARING: THURSDAY, OCTOBER 6, 1994 at 11:00 a.m. in Room 118, Old
Courthouse, 400 Washington Avenue, Towson, Maryland.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

ARNOLD JABLON
DIRECTOR

cc: Albert J. Bierman, Sr.
W. Duvall & Associates, Inc.

BARBARA PIVIC

MICROFILMED



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

October 4, 1994

NOTICE OF REASSIGNMENT
FURTHER POSTPONEMENT REQUESTS WILL BE DENIED

Rescheduled from 9/7/94 and 10/6/94
CASE NUMBER: 95-41-SPH (Item 37)
1116 Henegemihle Avenue
"Enviromental Recycling Center"
"King Pallet/King Mulch"
W/S Henegemihle Avenue, 450' S of c/l Golden Ring Road
15th Election District - 5th Councilmanic
Petitioner(s): Albert J. Bierman, Sr.

Special Hearing to amend the approved site plan in case #87-59-XSPHA; to determine that the proposed pallet recycling operation is permitted in conjunction with the existing approved trucking facility; to approve that the location of said operations are permitted to extend beyond the 100-foot residential parking boundary defined on the approved plan; and to allow proposed truck and auto storage (which use must be clarified as being permitted in this zone) in the 100-year flood plan as limited in order restriction #3 in case #87-59-XSPHA and to permit a recycling operation to be located outside of a fully enclosed building in a M.L. zone and to determine that said use is not considered a junk yard and that the use is not considered to be solid waste collection or disposal facility but is a permitted manufacturing use.

HEARING: TUESDAY, NOVEMBER 1, 1994 at 9:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland.

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name.

ARNOLD JABLON
DIRECTOR

cc: Albert J. Bierman, Sr.
Lee Jacobson, Esq.
W. Duvall & Associates, Inc.
Barbara Pivic



10/10/94

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUG. 29 1994

Lee Jacobson, Esq.
501 Washington Avenue, Suite 320
Towson, Maryland 21204

RE: Item No. 37, Case No. 95-41-SPH
Petitioner: Albert J. Bierman, Sr.

Dear Mr. Jacobson:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure 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 August 3, 1994, 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 preliminary 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, engineers and applicants 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 forfeiture loss of the filing fee.

Very truly yours,

W. Carl Richards, Jr.
Zoning Coordinator

WCR:ggs

MICROFILMED



95-41

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: August 22, 1994
 Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
 Developers Engineering Section

RE: Zoning Advisory Committee Meeting
 for August 22, 1994
 Item No. 37

The Developers Engineering Section has reviewed the subject zoning item. The previous Zoning Case #87-59 required compliance with the Baltimore County Landscape Manual. This compliance has not been achieved.

RWB:sw

MICROFILMED



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

8-12-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: +37 (JLL)

Dear Ms. Winiarski:

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 effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

MICROFILMED

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 Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 08/11/94

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

RE: Property Owner: ALBERT J. BIERMAN, SR.

LOCATION: W/S HENGEMHLE AVE., 450' S OF CENTERLINE GOLDEN RING RD.
(1116 HENGEMHLE AVE.)

Item No.: 37

Zoning Agenda: SPECIAL HEARING

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation;

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", 1991 edition prior to occupancy.

RECEIVED

AUG 11 1994

ZADM

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

cc: File



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

95-41-SPN
9/7
PP 9/7

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 23, 1994

SUBJECT: 1116 Hengemihle Avenue

INFORMATION:

Item Number: 37

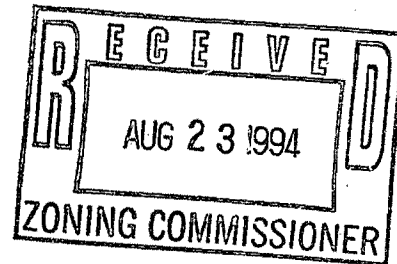
Petitioner: Albert J. Bierman, Sr.

Property Size: _____

Zoning: M.L.-I.M.

Requested Action: _____

Hearing Date: _____ / ____ / ____



SUMMARY OF RECOMMENDATIONS:

Provided that the site is in compliance with the restriction set forth in Case No. 87-59-XSPHA, staff has no objection to the requested relief.

Prepared by: Jeffrey W. Long

Division Chief: Dennis W. [unclear] for Gary Kerns

PK/JL:lw

MICROFILMED

9/22/94
8

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration
and Development Management

DATE: September 16, 1994

FROM: J. James Dieter

SUBJECT: A.J. Bierman Property
Petition for for Special Exception - Zoning Item 37

SITE LOCATION

The subject property is located at 1116 Hengemihle Avenue. The site is within the Chesapeake Bay Critical Area and is classified as an Intensely Developed Area (IDA).

APPLICANT'S NAME Mr. Albert J. Bierman, Sr.

APPLICANT PROPOSAL

The applicant has requested a special exception to amend the approved site plan in case #87-59-XSPHA to bring the existing pallet recycling operation into compliance with Zoning Administration and Development Management regulations; to allow truck and auto storage within the 100 year floodplain as limited in order restriction #3 in case #87-59-XSPHA; and to determine whether said use is considered a solid waste processing facility.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts" <COMAR 14.15.10.01.0>.

RECEIVED
SEP 21 1994

MICROFILMED

ZADM

REGULATIONS AND FINDINGS

1. Regulation: "The establishment or expansion of the following uses is prohibited in the Chesapeake Bay Critical Area: A. Solid or hazardous waste collection facilities (Baltimore County Zoning Regulation Section 105 (A))."

Finding: The pallet recycling operation qualifies as a solid waste processing facility with a Baltimore County solid waste processing permit application currently under consideration by this Department's Waste Management Section. However, it has been determined by the Maryland Department of Environment (M.D.E.) that the facility is not a solid waste collection facility requiring a M.D.E. solid waste collection permit, but in fact is a processing facility where solid waste is only temporarily stored until it is processed and sold as product (mulch). Moreover, this Department has been informed by the Chesapeake Bay Critical Area Commission that they will rely on the discretion of M.D.E. in determining which solid waste facilities are collection and/or disposal and which are simply processing (ie., recycling). Therefore, it is the finding of this Department that the subject land use is not a solid waste collection facility and thus this regulation is "met".

2. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Section 26-449(a)>.

Finding: Over half of the site is within the 100 foot buffer to Stemmers Run. The existing terminal building and parking/storage areas were constructed prior to establishment of the Chesapeake Bay Critical Area Regulations. However, the pallet recycling operation did not exist prior to the establishment of these regulations and is located in the Stemmers Run buffer. Therefore, in order to comply with this regulation, an administrative variance request to this regulation must be submitted to this Department and granted. A copy of the variance application and instructions have been sent to the property owner.

3. Regulation: "The natural vegetation occurring in the buffer shall remain undisturbed. Except as provided in Section 26-450, vegetation shall be planted in the buffer where necessary to protect, stabilize, or enhance the shoreline" <Baltimore County Code, Section 26-449(d)>.

RECEIVED

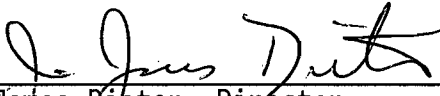
Finding: No further disturbance to remaining vegetation in the buffer shall occur, and reforestation as well as permanent fencing may be required as conditions of the aforementioned Chesapeake Bay Critical Area variance. Therefore this regulation shall be met through the conditions of the Chesapeake Bay Critical Area variance or through termination of the pallet recycling activity in the buffer should the Chesapeake Bay Critical Area variance be denied.

4. Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal and tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland and unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs" <Baltimore County Code, Section 26-447>.

Finding: Due to historic filling of wetlands and floodplain predating the Critical Area regulations the wetland limit is generally confined to the stream banks. Therefore, no disturbance of any wetland would occur as a result of the land use in-question; thus this regulation has been met.

CONCLUSION

It is this Department's recommendation to the Zoning Commissioner to condition the requested special exception, if granted, on the petition's compliance with the remedial measures prescribed above, applying for Chesapeake Bay Critical Area administrative variance and implementing with any conditions thereof, in order to comply with Chesapeake Bay Critical Area requirements. If there are any questions, please contact Ms. Patricia M. Farr at 887-3980.



J. James Dieter, Director
Department of Environmental Protection
and Resource Management

JJD/GES/tmm

c: Mr. Dave Filbert
Mr. A.J. Bierman (with attachment)

BIERMAN/DEPRM/WQCBCA

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 28, 1994

Lee Jacobson, Esq.
501 Washington Ave., Suite 320
Towson, Maryland 21204

Item 37

RE: Case No: 95-41SPH Petitioner: Albert J. Bierman, Sr.

Dear Petitioners:

Enclosed are copies of comments received from DEPRM on September 22, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joyce Watson".

Joyce Watson

Enclosure



RE: PETITION FOR SPECIAL HEARING *
1116 Hengemihle Avenue, "Environmental
Recycling Center", "King Pallet/King *
Mulch", W/S Henegmihle Avenue, 450'
S. of c/l Golden Ring Road, 15th *
Election Dist., 5th Councilmanic *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-41-SPH

Albert J. Bierman, Sr.
Petitioners

* * * * *

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 or 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
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to Lee Jacobson, Suite 320, Esquire, Jacobson & Myerberg, 501 Washington Avenue, / Towson, MD 21204, attorney for Petitioners.

RECEIVED
AUG 19 1994

ZADM

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

#37

HO

ADVISED APPLICANTS REPS THAT THEY SHOULD RESOLVE ANY DEVELOPMENT PROCESS ISSUES AND FLOOD PLAIN LOCATION ISSUES PRIOR TO FILING. THEY HAVE DETERMINED THAT SINCE THEY DO NOT BELIEVE THIS IS DEVELOPMENT PER THE DEV REGS OR FLOOD PLAIN LEGISLATION THAT THEY WILL GO FORWARD. AS IS, I ADVISED THAT THEY ARE RESPONSIBLE FOR ANY COMPLICATIONS CAUSED BY THEIR DECISION.

JOHN LEWIS.

8/3/94

AJ-65
4270-94

LAW OFFICES
JACOBSON & MYERBERG, P.A.
SUITE 320, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 828-7090
FAX (410) 828-7012

LEE R. JACOBSON
HENRY J. MYERBERG

August 24, 1994

Mr. Arnold Jablon, Director
Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Enviromental Recycling Center
Case No.: 95-41-SPH (item 37)

Dear Mr. Jablon:

I am in receipt of the notice setting the above captioned matter in for hearing on Wednesday, September 7, 1994, @ 9:00 a.m.. Unfortunately, I am previously scheduled to appear before the Workers' Compensation Commission in Westminster, Maryland in the case of Greagory Keeney v. Triangle General Contractors, Inc. Kindly reschedule the above captioned case at the earliest date available.

Should there be any problems or questions, please do not hesitate to contact me. Thank you for your cooperation in this matter.

Very truly yours,

Lee Jacobson/mcm

LEE R. JACOBSON

LRJ/mcm

cc: Albert J. Bierman, Sr.

RECEIVED

AUG 25 1994

ZADM

MICROFILMED

LAW OFFICES
JACOBSON & MYERBERG, P.A.
SUITE 320, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 828-7090
FAX (410) 828-7012

9/28/94
8
OK

4758-94
AS

LEE R. JACOBSON
HENRY J. MYERBERG

September 27, 1994

Mr. Arnold Jablon, Director
Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Enviromental Recycling Center
Case No.: 95-41-SPH (item 37)

Dear Mr. Jablon:

I am in receipt of the notice setting the above captioned matter in for hearing on Thursday, October 6, 1994, @ 11:00 a.m.. Unfortunately, my client will be out of the country on that date. Kindly reschedule the above captioned case at the earliest date available.

Should there be any problems or questions, please do not hesitate to contact me. Thank you for your cooperation in this matter.

Very truly yours,

Lee Jacobson/mcm

LEE R. JACOBSON

LRJ/mcm

cc: Albert J. Bierman, Sr.
Mrs. Barbara Pivic

RECEIVED
SEP 28 1994

ZADM

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Dwight Little
Barbara Pivec
A.J. BERMAN
LEE JACOBSON

W. Duvall + Assoc. 530 E. Joppa Rd.
21286
53 Windersal ha, 21234
1116 Huguenot Ave Essex Md
21221
801 WASHINGTON AVE, TOWSON, MD 21204



Printed with Soybean Ink
on Recycled Paper

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

July 26, 1994

Mr. Eugene G. Siewierski
Environmental Protection & Resource Management
401 Bosley Avenue
Towson, Maryland 21204

Re: King Pallet
116 Hengemihle Road

Dear Mr. Siewierski:

Several months ago a solid waste processing permit, for the above location, was distributed to our department for approval. After surveying the site Lieutenant Malone had determined, that because of an inadequate water supply for fire suppression activities, the permit was denied.

I have met with Mr. Bierman at his site and discussed several options to solve the water problem. After exploring the options I had given to him, he has agreed to install a 20,000 gallon water tank on site according to the specifications I provided for him. Mr. Bierman assured me that this tank will be completed within twelve months of our meeting making the completion date of May, 1995.

Resulting from this agreement the fire department is tentatively approving his solid waste processing permit during the installation process of the water tank. Upon completion of the tank's installation to the specifications, provided to Mr. Bierman, the above location will meet the Baltimore County Fire Department's requirements for water supply.

I thank you in advance for issuing the necessary approvals resulting from our department's sanctioning his alternative water supply.

Sincerely,

Mark E. Weir, Sr.,
Acting Deputy Chief
INVESTIGATIVE SERVICES

MEW:bls

cc: James Dieter, Director
A.J. Bierman, Owner/King Pallet
File: ADCSIEWI

PETITIONER'S
EXHIBIT No 2



Baltimore County Government
Department of Environmental Protection
and Resource Management



401 Bosley Avenue
Towson, MD 21204
CERTIFIED MAIL P 412-967-363

February 24, 1992

(410) 887-3733

Mr. A. J. Bierman
1112 Hengemihle Road
Baltimore, Maryland 21221

Reference: SC 92-10
A. J. Trucking

**PETITIONER'S
EXHIBIT** No 3

Dear Mr. Bierman:

Pursuant to my site inspection on February 17, 1992, the following is a time extension to our letter order dated December 14, 1992. You are directed to make the following corrections:

1. Provide a twenty-five foot wide vegetated, no disturb setback for the full length of the existing berm. The berm is also to be maintained in a stable, vegetated condition.

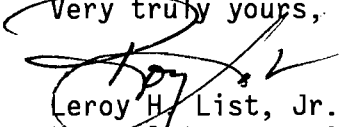
In either case, these limits must be observed and respected until and unless permitted in writing by Baltimore County. In addition, it should be understood that this letter has no bearing on the separate issue of your application for a solid waste processing permit or with citations or directives from any other agency.

The Department of Environmental Protection and Resource Management orders this work completed by April 30, 1993. Your failure to comply with this order will result in a violation of Section 14-194 of the Baltimore County Code.

Failure to complete the required work or to appeal this directive will necessitate referring the violation to the Office of Law for consideration of District Court action.

If you have any questions please contact the undersigned at 887-3226.

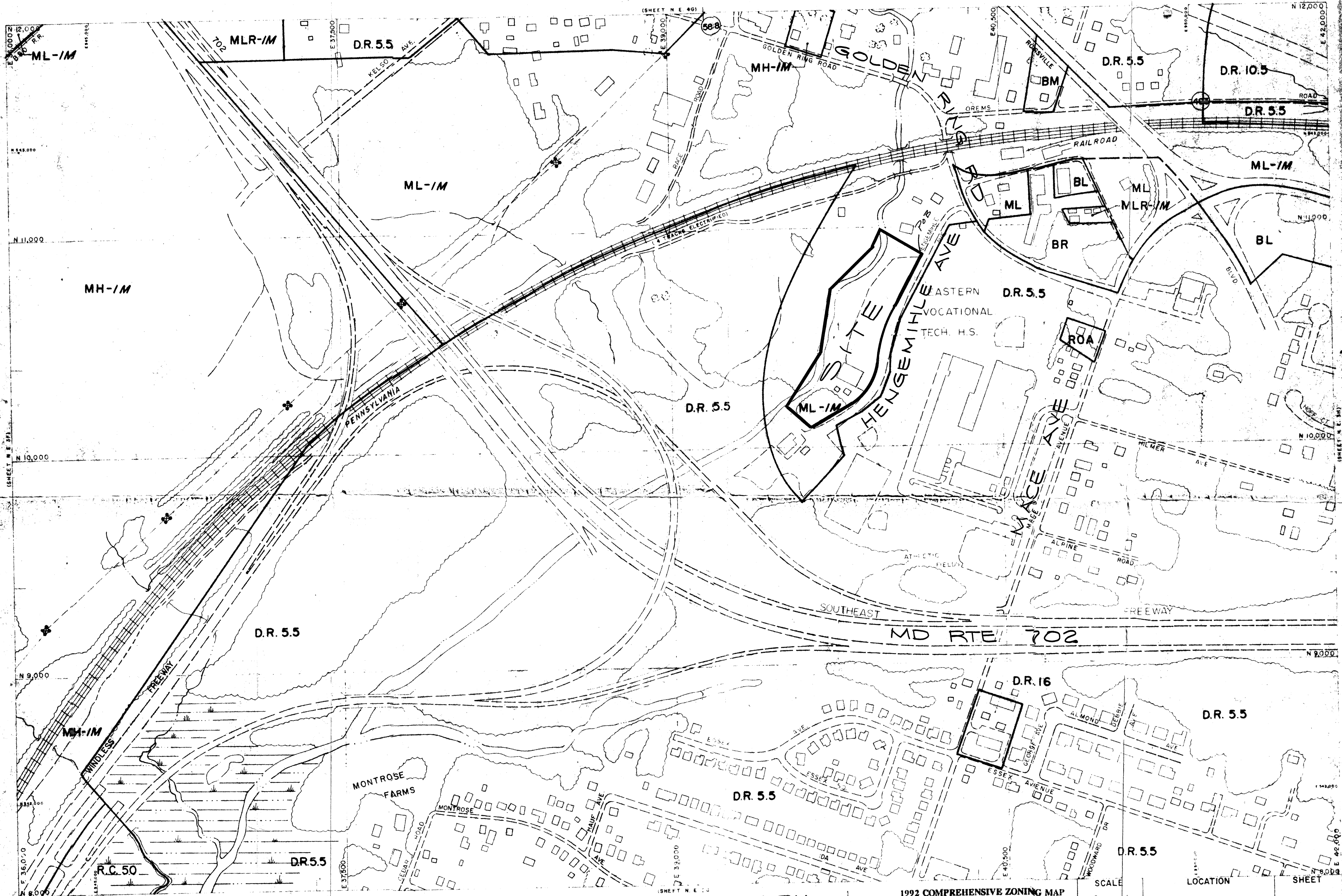
Very truly yours,


Leroy H. List, Jr.
Natural Resource Specialist

LHL/tt

cc: Lt. Malone
CBCA
Mr. Mike Kendall
Mr. Roy List

RECEIVED
FEB 25 1992



I - SW
I - NW

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

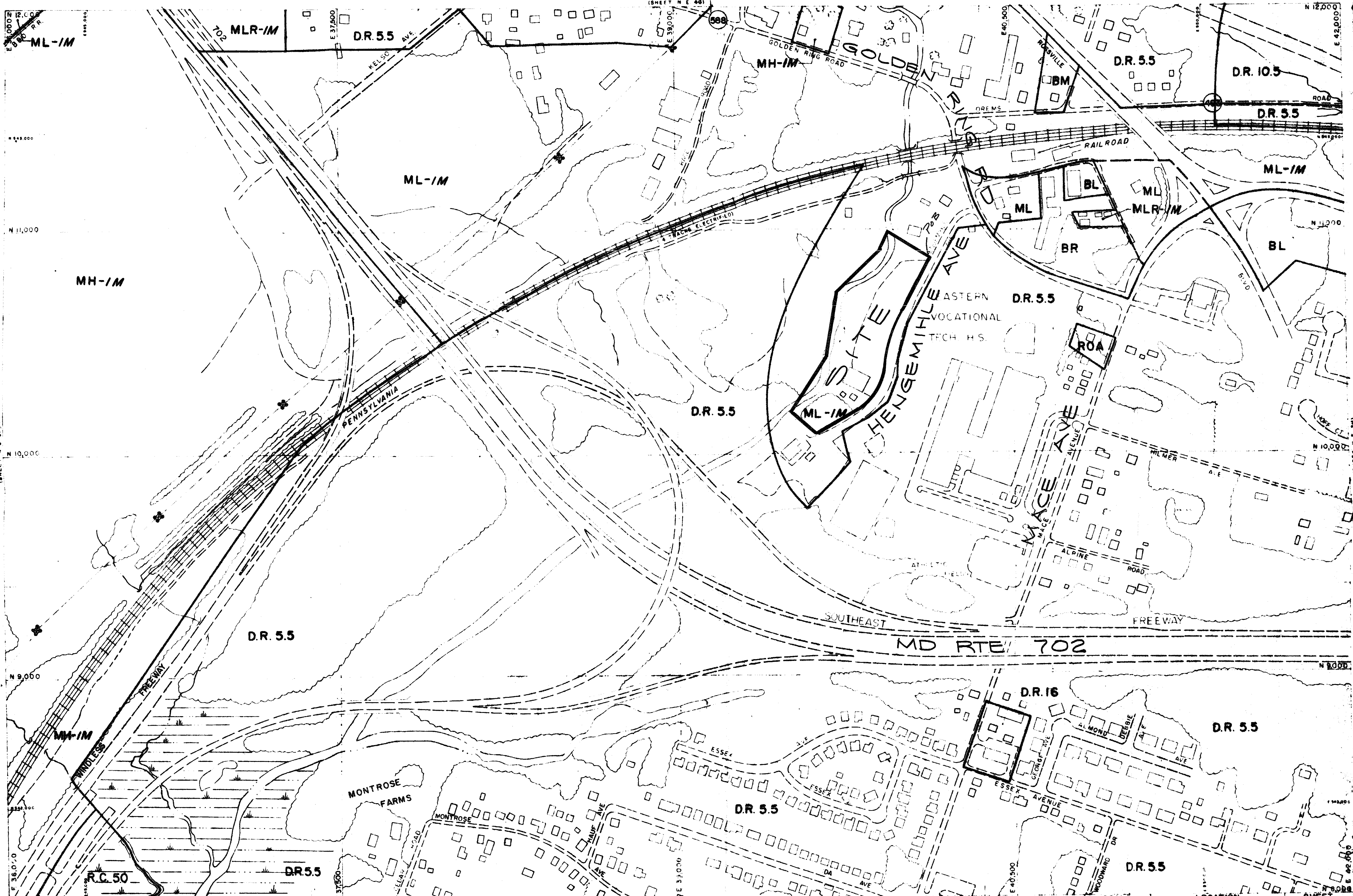
1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92
William A. Howard
Chairman, County Council

SCALE 1" = 200'	LOCATION STEMMERS RUN	SHEET N.E. 3-G
DATE OF PHOTOGRAPHY JANUARY 1986		

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

MICROFILMED

37



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 189-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

William Howard
Chairman, County Council

SCALE 1" = 200'	LOCATION STEMMERS RUN	SHEET N.E. 3-6
DATE OF PHOTOGRAPHY JANUARY 1986		

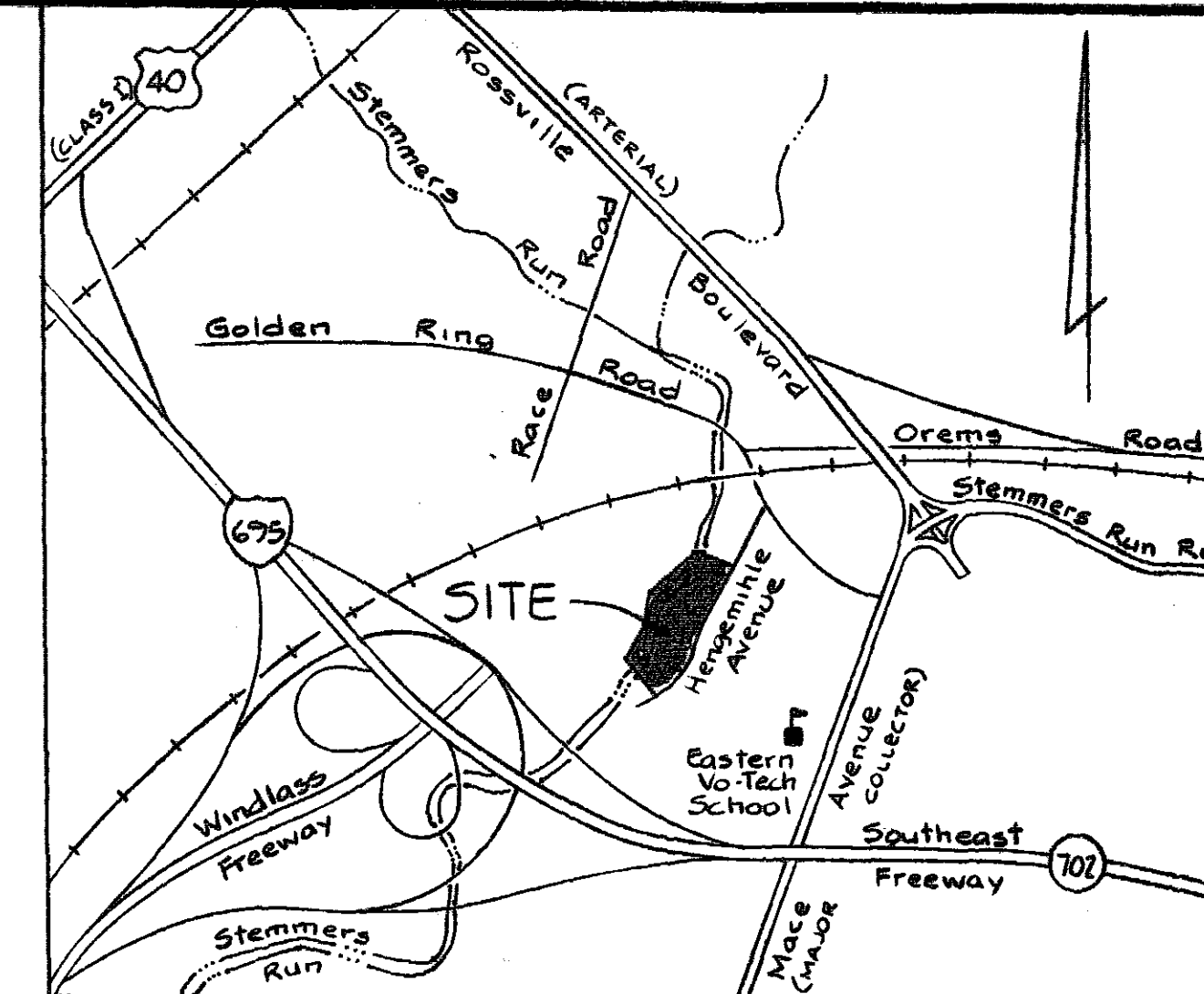
1 - SW
1 - NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

37

WOOD PALLET STORAGE AREA
MULCH STORAGE AREA

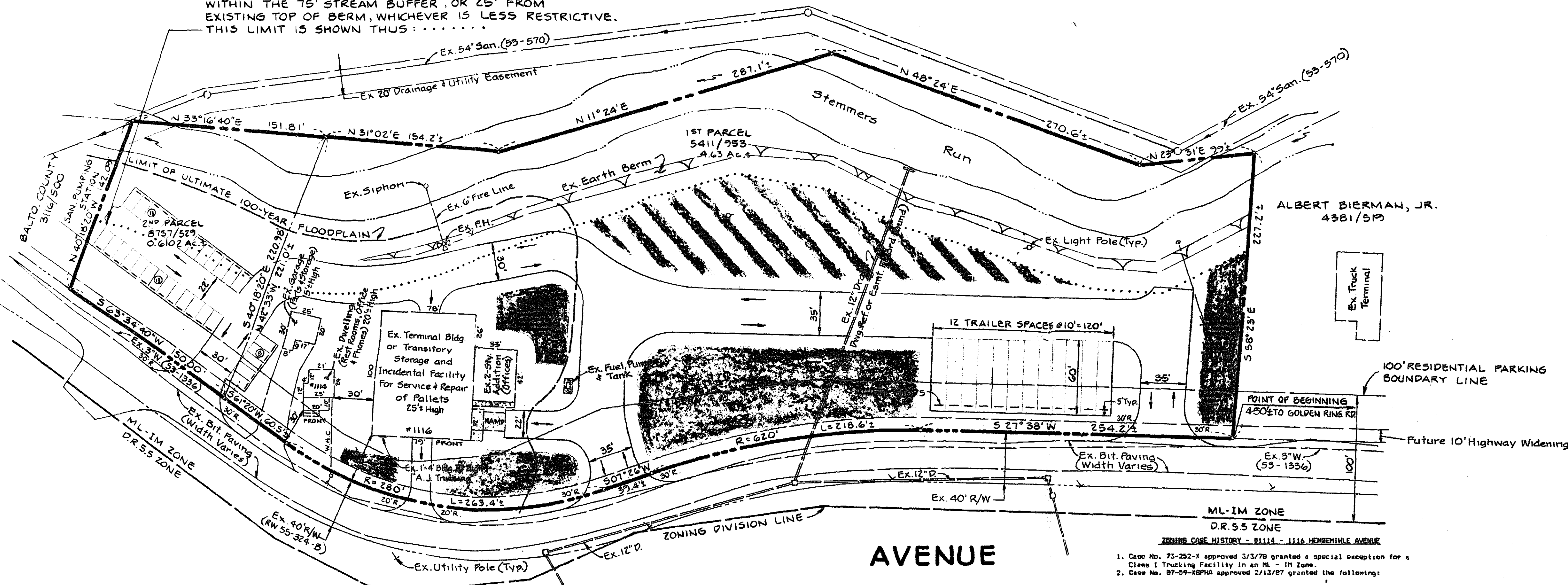
TRUCK ROUTE AWAY FROM SUBJECT SITE
NORTHEAST ON HENGEMHLE AVENUE TO
SOUTHEAST ON GOLDEN RING ROAD TO
EITHER SOUTHWEST ON MACE AVENUE
TO EASTERN AVENUE OR NORTHEAST
ON MACE AVENUE TO NORTHWEST ON
ROSSVILLE BOULEVARD TO US ROUTE 40.



VICINITY MAP
SCALE: 1" = 1000'

NOTE:
PER BALTO. CO. D.E.P.R.M., NO STORAGE OF WOOD
PALLET OR PROCESSED MATERIALS IS PERMITTED
WITHIN THE 75' STREAM BUFFER, OR 25' FROM
EXISTING TOP OF BERM, WHICHEVER IS LESS RESTRICTIVE.
THIS LIMIT IS SHOWN THUS:

STATE OF MARYLAND
STATE ROADS COMMISSION
NO DEED REF.



SITE DATA

GROSS AREA OF PROPERTY 5.63 AC.
NET AREA OF PROPERTY 2.28, 2.63 S.F. OR 5.24 AC.
GROSS FLOOR AREA: 11,152 S.F.
FLOOR AREA RATIO: 11,152 S.F. / 247,296 S.F. = 0.0449
TAX MAP 90 GRID 14 PARCELS 1168 & 1117
CENSUS TRACT: 4302; WATERSHED:
SUBSEWERED: REGIONAL PLANNING DIST. 32B
EX. & PROP. ZONING: ML-IM (MAP NE 3-G)
PARKING REQUIRED:
WAREHOUSE: 1 PS/EMPLOYEE ON LARGEST SHIFT
X 6 EMPLOYEES = 6 PS.
RETAIL: 5 PS/1000 S.F. X 4016 S.F. = 20.08 SAY 1 PS.
OFFICE: 3.3 PS/1000 S.F. X 4016 S.F. = 13.25 SAY 14 PS.
CLASS I TRUCKING FACILITY: 3 PLUS 1 PER 2
EMPLOYEES ON LARGEST SHIFT (2 EMPLOYEES) = 6 PS.
TOTAL REQ'D. = 27 PS.
PARKING PROVIDED: 31 P.S.

HENGEMHLE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

BOARD OF EDUCATION
OF BALTIMORE COUNTY
4748/10
EASTERN VO-TECH HIGH SCHOOL

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

Mr. Arnold Schell
TO: Mr. Schell
FROM: Mr. Schell
SUBJECT: Mr. Schell

This memo supersedes previous Health Department comments dated
June 30, 1984, in which the Department expressed concerns regarding
the existence of Material Handling adjacent to Stemmers Run. At the
petitioner's request a site visit was conducted by the Water Quality
Section. The site inspection confirmed that a portion of these wet-
lands had been filled at some time in the past. In accordance with
the Water Quality Management Policy (February, 1980) the following
conditions should be adhered to:

1. No fill should be placed in these remaining wetlands.
2. All existing vegetation adjacent to the stream should remain
undisturbed.

In addition the Health Department concurs with those comments
addressed in the memo from the Office of Planning and Zoning dated
August 15, 1984.

W. Duvall & Associates, Inc.
BUREAU OF ENVIRONMENTAL SERVICES

OWNERSHIP
ALBERT J. BIERMAN, SR.
ALBERT L. BIERMAN, JR.
46 ENVIRONMENTAL RECYCLING CENTER
1116 HENGEMHLE AVENUE
BALTIMORE, MARYLAND 21221
(410) 882-9790
TAX ACCT. NO'S: 15-08300341
16-00012384

PETITIONER'S
EXHIBIT No. 1

37

95-41-SPH

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING
SITE PLAN FOR PALLET
REMANUFACTURING, PROCESSING FACILITY
AND
AMENDED SITE PLAN
CLASS I TRUCKING FACILITY
FOR
KING PALLET / KING MULCH
15TH ELECTION / 5TH COUNCILMANIC DIST. BALTIMORE COUNTY, MD
SCALE: 1" = 50' DATE: JULY 13, 1984



Baltimore County
Department of Permits and
Development Management

Code Inspections and
Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmenforce@co.ba.md.us
pdminspect@co.ba.md.us

October 5, 1998

Dr. Anthony G. Marchione, Superintendent
Department of Education

Dear Mr. Marchione:

RE: Case No. 98-0742, 2818, Board of Education Property, Eastern Vocational
Tech, Hengemihle Avenue

Please be advised that the Bureau of Code Enforcement currently has an active
violation, Case No. 98-0742 against 1114 Henghemihle Road which is adjacent to
Eastern Vocational Tech.

We are requesting that a member of your staff review the school boards property
across from King Pallet and Mulch. The owner of this site, Albert J. Bierman, Sr. Has
expanded his operation onto property you oversee.

If additional informational is desired, please contact inspector Gary Hucik at 410-
887-3351, voice mail No. 7282.

Sincerely,

A handwritten signature in cursive script that reads "Kitty Popelarski".

Kitty Popelarski
Office Assistant

cc: Inspector Gary Hucik

Ins/letter/98-0742

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



To:

DR. Anthony G. Marchione, Superintendent
Department of Education

From:

James H. Thompson, Supervisor
Bureau of Code Enforcement

Re:

~~Eastern~~
Board of Education Property
Eastern Vocational Tech
Hengemihle Avenue

PLEASE BE ADVISED that
the BUREAU OF CODE ENFORCEMENT
currently has an active violation
~~case against 1114 Hengemihle~~
~~Road which is adjacent to~~

CASE NO. 98-0742 against 1114
Hengemihle Road which is
adjacent to Eastern Vocational
Tech.

WE ARE requesting that
a member of your staff review
the school boards property
~~adjacent to Hengemihle~~
~~Hengemihle~~

Across from King Pallet & Mulch.
the owner of this ^{site} property Albert
J. Bierman, SR. has expanded his
operation onto property you
oversee.

IF additional ~~questions~~
information

IS ^{DESIRED} ~~NECESSARY~~

~~PLEASE~~ contact ~~INSPECTOR~~
GARY HULIK AT 410-

887-3351, VOICE MAIL
No. 7202.

~~INSPECTOR GARY HULIK~~

**Department of Environmental Protection
and Resource Management**

401 Bosley Avenue, Suite 416
Towson, Maryland 21204



Baltimore County

*James T. Smith, Jr., County Executive
David A.C. Carroll, Director*

CERTIFIED MAIL 7005 1160 7751 8544

October 23, 2006

Mr. Albert J. Bierman
Mr. Von-Joseph Bierman
Mr. Jon Daniel Bierman
c/o King Mulch
1116 Hengemihle Avenue
Baltimore, Maryland 21221-3310

Reference: SC #: 06-0022
Job Name: West Side/Rear Hengemihle Ave @ Golden Ring Rd
22.14 acres
Property Acct # 2400013221

Dear Sirs:

The subject property has been the focus of numerous inspections over the past six (6) months by staff of this department. The operations and use of the property is without permits or authorization from Baltimore County. Currently, numerous violations of Baltimore County Code exist due to the removal of forest within the Chesapeake Bay Critical Area, grading and stockpiling, operation of a solid waste facility, and operation of an open dump.

You have attempted to include the activity on this site within your application for renewal of Solid Waste Processing Facility for King Mulch at 1112 Hengemihle Road. In April of this year, this department responded to your application with a list of necessary requirements which, as of this date, have not been complied with.

This letter will serve as a **final notice**. You are hereby ordered by the Department of Environmental Protection and Resource Management (DEPRM), to immediately **STOP** forest removal, grading, stockpiling and operating a solid waste facility, and operating an open dump on the subject property.

Not later than November 10, 2006 you must submit to this office, in writing, your proposed activities and uses for this property. If you have contracted the services of an engineering company to prepare plans for submission, that company must submit, in writing, their proposed time frame completing and submitting plans to the County.

Visit the County's Website at www.baltimorecountyonline.info

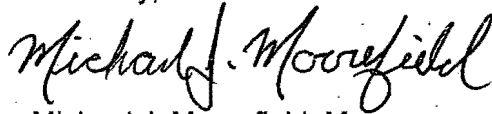


Mr. Albert J. Bierman
Mr. Von-Joseph Bierman
Mr. Jon Daniel Bierman
Page 2
October 23, 2006

Your failure to comply with this order will result in a violation of Article 13, Title 4, Section 104, 301, 308 and Article 33, Title 5, Section 103, 104, 107, 108, and 201, of the Baltimore County Code. Failure to comply with this order will result in the issue of a citation and civil penalty not to exceed \$1,000.00 per violation. Each day a violation continues shall constitute a separate offense.

Should you have any questions, please contact my office at 410-887-3226.

Sincerely,



Michael J. Moorefield, Manager
Inspection and Enforcement Section

MJM/pmc

c: Recipient(s), via US Mail
Brian Lindley, Supervisor EIR
Jerry Siewierski, Waste Management
Kevin Sharbonda, Supervisor
Howard Alderman, Esq., Levin & Gann PA

Len:

DEPRM Order
\$
Aerial Photos
M.ks

2002 Aerial Photo



2002 Aerial Photo



Highland Survey Associates, Inc.

4501 Fawn Grove Road
Street, Maryland 21154

Phone 410-836-1238

Fax 410-836-1278

September 20, 2006

Mr. Leonard Wasilewski
Code Inspector - Enforcement Section
Baltimore County Zoning Office
111 West Chesapeake Ave.
Towson, Maryland 21204

Dear Sir,

This correspondence is in reference to the lands owned by Albert J. Bierman, et al, located on Hengemihle Ave., which are under violation with your Departments at the present time.

An update on our surveying activities since we met onsite on Sept. 7th.

The first loop of the 21 acres parcel (Tax Map 90, Parcel 1406) has been completed. I'm computing the data for this parcel first and hope to move to the front parcel (Tax Map 90, Parcel 1168) the first of next week with the field survey. I anticipate that the complete field survey should be done between two and three weeks from today. At that time I will e-mail our data to Site Resources in Jacksonville who will contact you in regard to addressing specific items of the violation and the completion of the site plan.

If you have any questions in this regard please give me a call or e-mail me at your convenience. My E-mail address is highlandsurvey@hughes.net.

Very Truly Yours,



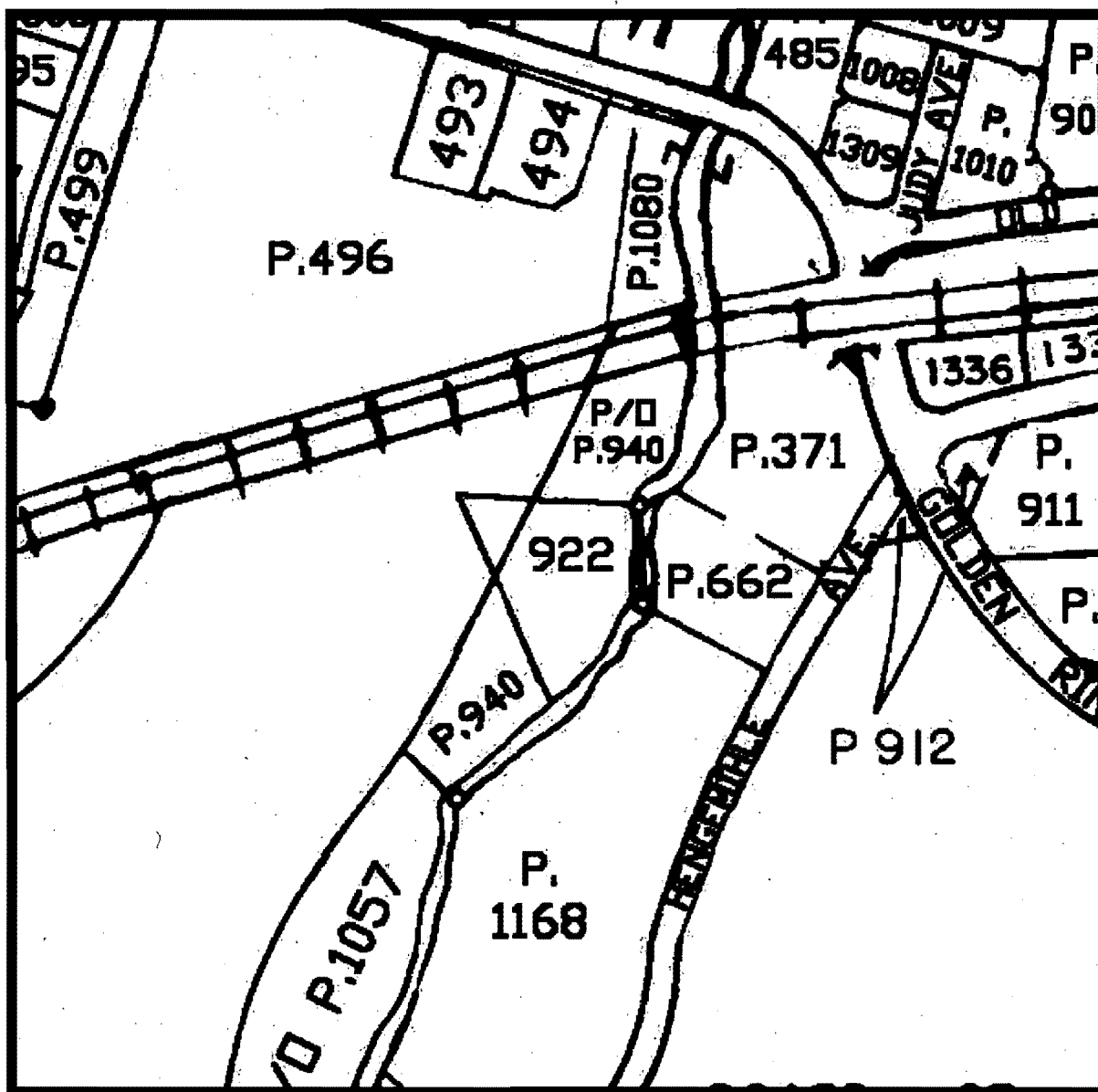
Frank S. Richardson, L.S.

Highland Survey Assoc. Inc.

Cc: Albert J. Bierman, Sr.



District - 15 Account Number - 1502370470



Property maps provided courtesy of the Maryland Department of Planning ©2004.
For more information on electronic mapping applications, visit the Maryland Department of Planning web site at
www.mdp.state.md.us/webcom/index.html



HOWARD L. ALDERMAN, JR.
halderman@LevinGann.com

DIRECT DIAL
410-321-4640

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
8th Floor
TOWSON, MARYLAND 21204
410-321-0600
TELEFAX 410-296-2801

ELLIS LEVIN (1893-1960)
CALMAN A. LEVIN (1930-2003)

January 22, 2007

David C. Carroll, Director
Baltimore County Department of
Environmental Protection and Resource Management
401 Bosley Avenue, Suite 416
Towson, Maryland 21204

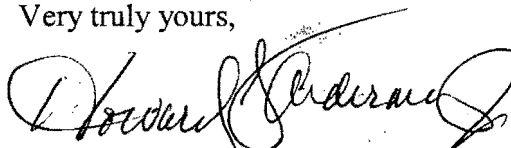
**Re: *Property of A.J. Bierman
Hengemihle Avenue
Engineer's Progress Report***

Dear Mr. Carroll:

As you know, I have been representing Mr. A.J. Bierman, et al. Late last year we met on the site with representatives of your Department and other agencies of Baltimore County. Mr. Bierman promptly retained the services of an engineering firm in Jacksonville, Maryland to evaluate the site and provide information to your Department. Unfortunately, that firm was unable to complete the work. Promptly thereafter, Mr. Bierman retained the services of Little & Associates who, based on unrelated representation, determined after several weeks that a conflict of professional interest existed. Immediately, thereafter, at the suggestion of County Officials, Mr. Bierman then hired the engineering firm of Bafitis and Associates, Inc. to perform the work necessary to address any and all issues that may exist.

I enclose with this letter a copy of the email message that Mr. Bafitis sent to Mr. Michael Moorefield of your Department which sets forth the proposed timing for the scope of work necessary to produce the information desired. Upon your receipt and review of this letter and its enclosure, should you or any member of your staff or other agency of Baltimore County need additional information, please do not hesitate to contact me or Mr. Bafitis directly.

Very truly yours,



Howard L. Alderman, Jr.

HLA/pal

Enclosure

c/enc: Timothy M. Kotroco, Director
Nancy C. West, Assistant County Attorney
Mr. Michael Moorfield
Mr. Kevin Sharbonda
Mr. Leonard Wasilewski

Bill Bafitis

From: "Bill Bafitis" <bainc@comcast.net>
To: <mikemoorefield@co.ba.md.us>
Sent: Thursday, December 28, 2006 9:34 AM
Subject: A.J. Bierman, 1112 Hengemihle Avenue, Essex, Md 21221

Mike,

We have been contracted by A.J. Bierman to prepare the necessary plans and analysis needed by DEPRM to obtain the Solid Waste Processing Facility Permits and address any violation that exist.

We anticipate that it will take an estimated 4 months to obtain the necessary field work, analysis and plan preparation to satisfy your requirements. This is assuming good weather and quick reviews from your department

If you have any questions please do not hesitate to call.

Thanks,
Bill

William N. Bafitis, P.E.
President
Bafitis & Associates, Inc.
1249 Engleberth Road
Baltimore, Maryland 21221
410-391-2336
bainc@comcast.net

Attn: Howard

*Please Forward to the agencies
involved - Thanks - Jg.*

12/28/2006



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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[View Map](#)
[New Search](#)
[Ground Rent](#)

Account Identifier: District - 15 Account Number - 2400013221

Owner Information

Owner Name: BIERMAN ALBERT J/VON JOSEPH
 BIERMAN JON DANIEL
Use: INDUSTRIAL
Principal Residence: NO
Mailing Address: 1116 HENGEMIHLE AVE
 BALTIMORE MD 21221-3310
Deed Reference: 1) /15353/ 695
 2)

Location & Structure Information

Premises Address
 HENGEMIHLE AVE

Legal Description

21.006AC
 WS/R HENGEMIHLE AVE
 AT GOLDEN RING RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
90	14	1406						3	

Special Tax Areas

**Town
 Ad Valorem
 Tax Class**

Primary Structure Built
 0000

Enclosed Area

Property Land Area
 22.14 AC

County Use
 07

Stories

Basement

Type

Exterior

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	105,000	105,000		
Improvements:	0	0		
Total:	105,000	105,000	105,000	105,000
Preferential Land:	0	0	0	0

Transfer Information

Seller: STATE OF MARYLAND STATE ROADS	Date: 06/28/2001	Price: \$105,000
Type: UNIMPROVED ARMS-LENGTH	Deed1: /15353/ 695	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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Account Identifier: District - 15 Account Number - 1502370392

Owner Information

Owner Name: BIERMAN ALBERT L **Use:** COMMERCIAL
Mailing Address: 1130 HENGEMIHLE AVE **Principal Residence:** NO
 BALTIMORE MD 21221-3310 **Deed Reference:** 1) /14682/ 506
 2)

Location & Structure Information

Premises Address
 ACCESS RD

Legal Description
 .945 AC WS ACCESS RD
 275 S OF STEMMERS RUN R

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
90	14	662						3	
Special Tax Areas				Town Ad Valorem Tax Class					
Primary Structure Built				Enclosed Area	Property Land Area			County Use	
1966				2,448 SF	.95 AC			06	
Stories		Basement		Type			Exterior		

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	47,200	142,500		
Improvements:	65,000	73,600		
Total:	112,200	216,100	146,833	181,466
Preferential Land:	0	0	0	0

Transfer Information

Seller: BIERMAN ALBERT L,JR **Date:** 09/08/2000 **Price:** \$0
Type: NOT ARMS-LENGTH **Deed1:** /14682/ 506 **Deed2:**
Seller: BIERMAN ALBERT L **Date:** 11/04/1991 **Price:** \$0
Type: NOT ARMS-LENGTH **Deed1:** / 4381/ 519 **Deed2:**
Seller: **Date:** **Price:**
Type: **Deed1:** **Deed2:**

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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Account Identifier: District - 15 **Account Number -** 1600012384

Owner Information

Owner Name: BIERMAN ALBERT J,SR **Use:** INDUSTRIAL
Principal Residence: NO
Mailing Address: 1114 HENGEMIHLE AVE **Deed Reference:** 1) / 5411/ 953
 BALTIMORE MD 21221-3310 2)

Location & Structure Information

Premises Address **Legal Description**
 1114 HENGEMIHLE RD 4.6 AC NWS
 HENGEMIHLE RD
 500 S GOLDEN RING RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
90	14	1168						3	

Special Tax Areas **Town
Ad Valorem
Tax Class**

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1978	8,000 SF	4.60 AC	07

Stories	Basement	Type	Exterior

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	123,800	156,900		
Improvements:	123,500	111,700		
Total:	247,300	268,600	254,400	261,500
Preferential Land:	0	0	0	0

Transfer Information

Seller:	Date:	Price:
HENGEMIHLE PHOEBE G	11/30/1973	\$40,000
Type:	Deed1:	Deed2:
IMPROVED ARMS-LENGTH	/ 5411/ 953	
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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[Ground Rent](#)

Account Identifier: District - 15 Account Number - 1502370470

Owner Information

Owner Name: BIERMAN ALBERT L Use: RESIDENTIAL
Principal Residence: NO
Mailing Address: 1130 HENGEMIHLE AVE Deed Reference: 1) /14682/ 506
BALTIMORE MD 21221-3310 2)

Location & Structure Information

Premises Address

HENGEMIHLE AVE

Legal Description

LT WSR HENGEMIHLE AV
HENGEMIHLE AVE
400 SW GOLDEN RING RD

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No: Plat Ref:
90	14	922						3	

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built
1932

Enclosed Area
680 SF

Property Land Area
1.00 AC

County Use
07

Stories

Basement

Type

Exterior

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments	
			As Of 07/01/2006	As Of 07/01/2007
Land:	50,000	75,000		
Improvements:	30,000	38,900		
Total:	80,000	113,900	91,300	102,600
Preferential Land:	0	0	0	0

Transfer Information

Seller:	BIERMAN ALBERT L	Date:	09/08/2000	Price:	\$0
Type:	NOT ARMS-LENGTH	Deed1:	/14682/ 506	Deed2:	
Seller:	BIERMAN ALBERT L, JR	Date:	10/24/1991	Price:	\$0
Type:	NOT ARMS-LENGTH	Deed1:	/ 5504/ 297	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

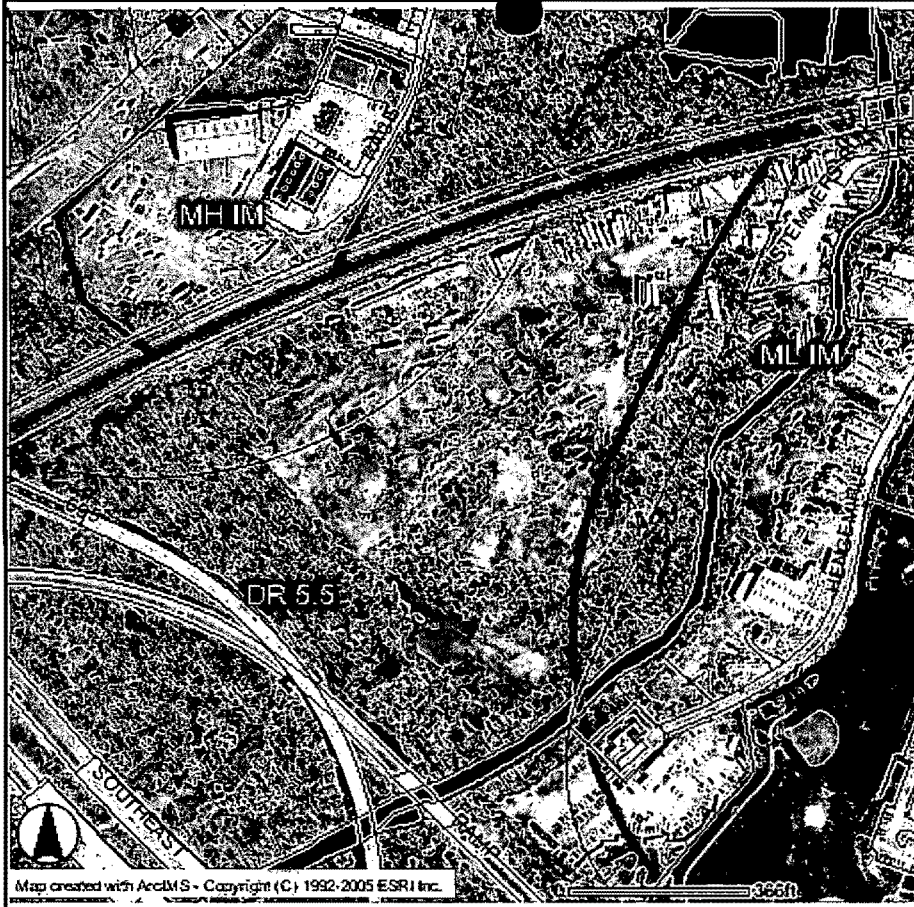
Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *

ArcIMS HTML Viewer Map



Legend

Road Names



Roads



County Outline



Parcels



Zoning



Lakes and Ponds

Image

Map created with ArcIMS - Copyright (C) 1992-2005 ESRI Inc.



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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Account Identifier: District - 15 Account Number - 1502572071

Owner Information

Owner Name: BEEBE FUEL OIL **Use:** COMMERCIAL
Mailing Address: 4537 MANOR HILL DR **Principal Residence:** NO
 WHITE HALL MD 21161-9688 **Deed Reference:** 1) / 5784/ 475
 2)

Location & Structure Information

Premises Address
 HENGEMIHLE AVE

Legal Description
 LT NS HENGEMIHLE AV
 0.741 AC
 125 S OF STEMMERS RUN R

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
90	14	371						3	Plat Ref:
Special Tax Areas				Town Ad Valorem Tax Class					
Primary Structure Built 0000				Enclosed Area		Property Land Area 32,278.00 SF			County Use 06
Stories		Basement		Type			Exterior		

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	16,100	16,100		
Improvements:	0	0		
Total:	16,100	16,100	16,100	16,100
Preferential Land:	0	0	0	0

Transfer Information

Seller: BOBBITT SAMUEL F **Date:** 07/26/1977 **Price:** \$0
Type: NOT ARMS-LENGTH **Deed1:** / 5784/ 475 **Deed2:**
Seller: **Date:** **Price:**
Type: **Deed1:** **Deed2:**
Seller: **Date:** **Price:**
Type: **Deed1:** **Deed2:**

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *



welcome to

Baltimore County, Maryland

Baltimore County Property Information Report

Account Number

1600012384

Election District

15

Owner Information

Owner Name(s) BIERMAN ALBERT J, SR
Address 1114 HENGEMIHLE AVE
BALTIMORE, MD 21221 3310

Pallets

Locational Information

Address 1114 HENGEMIHLE RD
BALTIMORE, MD

Occupancy NOT OWNER OCCUPIED

Land Area 5 ACRES

Lot Width

Land Use Code INDUSTRIAL

Lot Depth

Year Structure Built 1978

Old Class Code INDUSTRIAL

Structure Size 8,000 SQ'

Legal Information

Map	Grid	Parcel	Lot	Section	Block	Subdivision	Plat Reference
0090	14	1168					

Description	Deed Reference(s)
IMPS4.6 AC NWS HENGEMIHLE RD 500 S GOLDEN RING RD	5411 /953

Value Information

Transfer Information

	Prior Value	Proposed Value		
Land Value	\$ 123,800	\$ 156,900	Date	11/30/1973
Improved Value	\$ 123,500	\$ 111,700	Former Owner	HENGEMIHLE PHOEBE G
Total Value	\$ 247,300	\$ 268,600	Purchase Price	\$ 40,000
Assessment Date	09/01/2002	9/2005	Ground Rent	

Exemption Information

Exempt Status FULLY TAXABLE

Exempt Class TAXABLE PROPERTIES



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search

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Account Identifier: District - 15 **Account Number -** 1502006260

Owner Information

Owner Name: BIERMAN ALBERT J,JR **Use:** COMMERCIAL
Mailing Address: 1114 HENGEMIHLE AVE **Principal Residence:** NO
BALTIMORE MD 21221-3310 **Deed Reference:** 1) /11787/ 643
2)

Location & Structure Information

Premises Address

7941 PULASKI HWY

Legal Description

.51AC
NW COR CHESACO AV
ROSEDALE TERRACES

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:	C
96	5	190						3	Plat Ref:	3/ 90

Special Tax Areas

Town
Ad Valorem
Tax Class.

Primary Structure Built
1922

Enclosed Area
4,971 SF

Property Land Area
22,215.00 SF

County Use
06

Stories

Basement

Type

Exterior

Value Information

	Base Value	Value As Of 01/01/2006	Phase-in Assessments As Of 07/01/2006	As Of 07/01/2007
Land:	98,600	177,700		
Improvements:	122,800	254,000		
Total:	221,400	431,700	291,500	361,600
Preferential Land:	0	0	0	0

Transfer Information

Seller: FOSTER P WESLEY,JR	Date: 09/09/1996	Price: \$80,000
Type: NOT ARMS-LENGTH	Deed1: /11787/ 643	Deed2:
Seller: SACH SYLVAN H B AVAR BETTY JEAN	Date: 03/19/1986	Price: \$143,500
Type: IMPROVED ARMS-LENGTH	Deed1: / 7116/ 394	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2006	07/01/2007
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

Special Tax Recapture:

* NONE *


**Real Property
Information**
**Maryland Department of Assessments and Taxation
Real Property System**
[\[Go Back\]](#)

BALTIMORE COUNTY

[\[Start Over\]](#)

DISTRICT: 15 ACCT NO: 1600012384

Owner Information

Owner Name: BIERMAN ALBERT J,SR

Use: INDUSTRIAL

Mailing Address: 8503 PHILADELPHIA RD
BALTIMORE MD 21237-3014

Principal Residence:NO

Transferred

From: HENGEMIHLE PHOEBE G

Date: 11/30/1973 Price: \$40,000

Deed Reference: 1) / 5411/ 953
2)

Potential Tax Liability:

* NONE *

Tax Exempt: NO

Location Information [View Map]

Premise Address:

Zoning:

Legal Description:

1114 HENGEMIHLE RD

2.999 AC NWS

HENGEMIHLE RD

500 S GOLDEN RING RD

Map	Grid	Parcel	Subdiv	Sect	Block	Lot	Group	Plat No:
90	14	1168					82	Plat Ref:

Special Tax Areas

Town:

Ad Valorem:

Primary Structure Data

Year Built:

Enclosed Area:

Property Land Area:

County Use:

00

2.99 AC

07

Value Information

	Base Value	Current Value	Phase-In Value	Phase-in Assessments	
		As Of	As Of	As Of	As Of
		01/01/1997	07/01/1999	07/01/1998	07/01/1999
Land:	174,970	174,970			
Impts:	243,790	244,090			
Total:	418,760	419,060	419,060	167,580	167,620
Pref Land:	0	0	0	0	0

PREFERENTIAL LAND VALUE

INCLUDED IN LAND VALUE

Partial Exempt Assessments

	Code	07/01/1998	07/01/1999
County	000	0	0
State	000	0	0
Municipal	000	0	0
<u>[Go Back]</u>		<u>[Start Over]</u>	

ArcIMS HTML Viewer Map



Legend

Road Names



Roads



County Outline



Parcels



Buildings

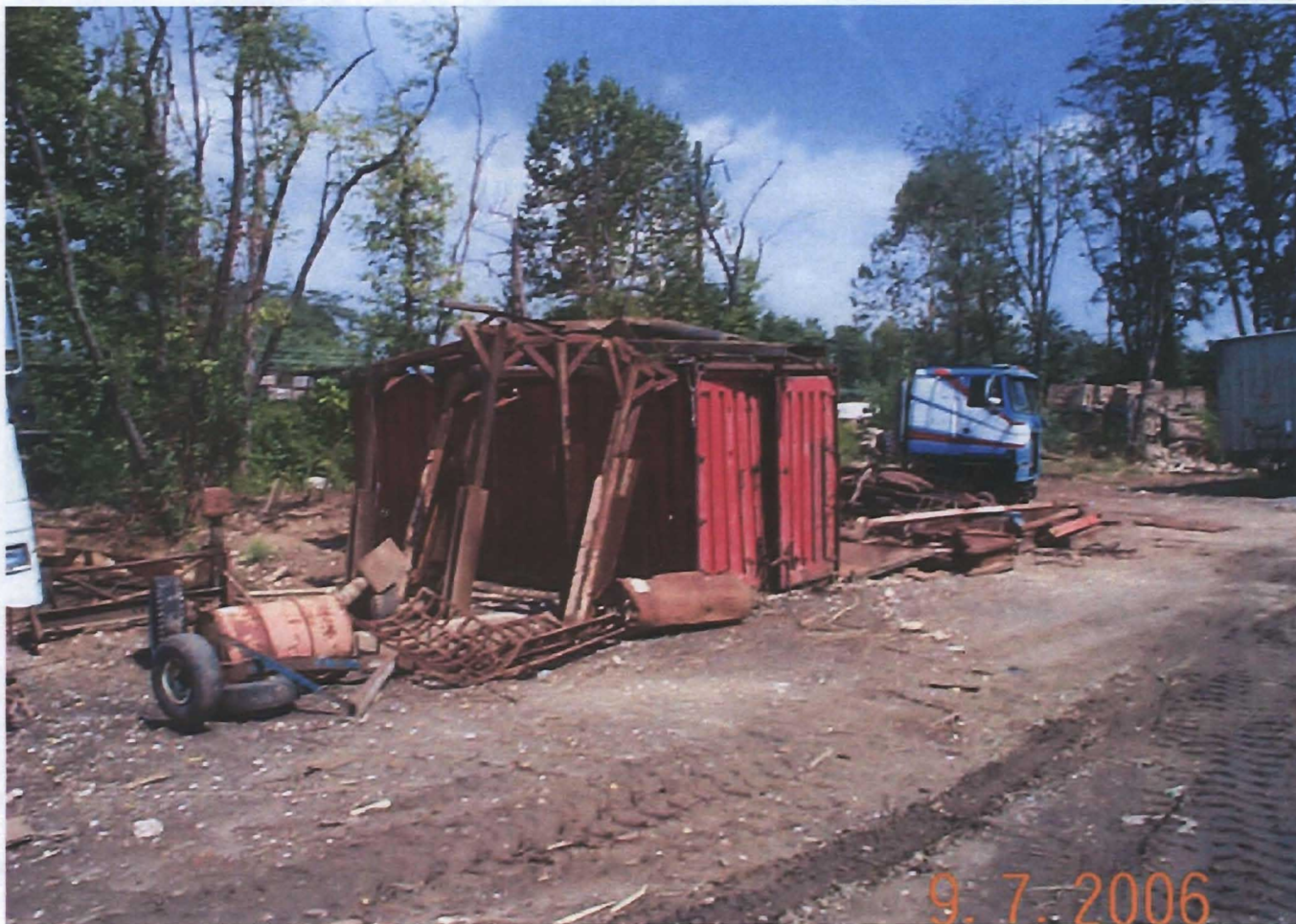


Zoning

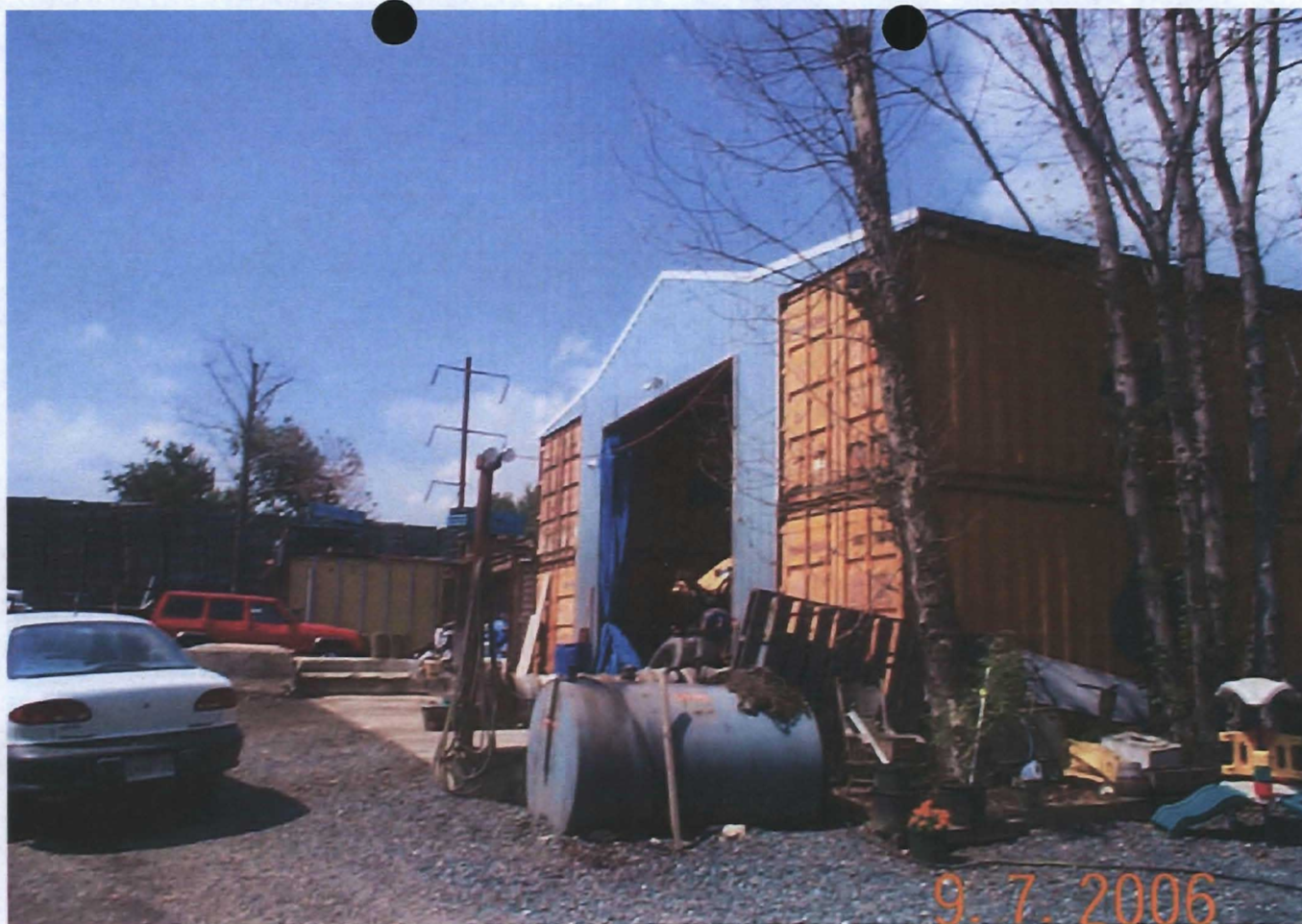
Image

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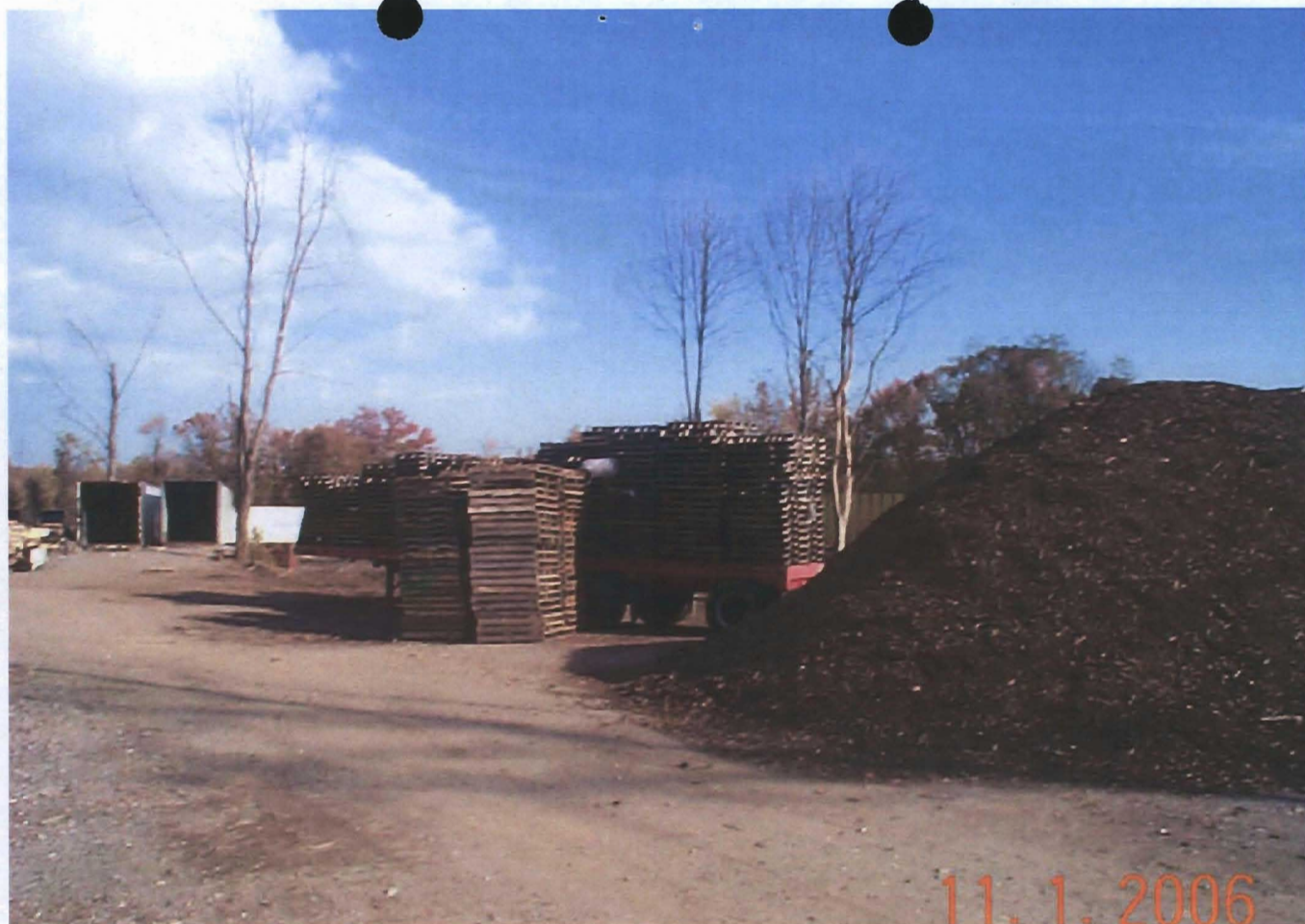


























IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
W/S Hengemihle Ave., 450 ft. S ZONING COMMISSIONER
of c/l Golden Ring Rd.,
Environmental Recycling Center
1116 Hengemihle Avenue * OF BALTIMORE COUNTY
15th Election District
5th Councilmanic District * CASE No. 95-41-SPH
Albert J. Bierman, Sr.
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 1116 Hengemihle Avenue in the Rossville section of Baltimore County. The Petition is filed, pursuant to Section 500.7 of the Baltimore County Zoning Regulations (BCZR) and the relief requested includes: (1) Approval of an amendment to the approved site plan in case No. 87-59-XSPHA; (2) To determine that the proposed pallet recycling operation is permitted in conjunction with the existing approved trucking facility; (3) That the location of said operations are permitted to extend beyond the 100 ft. residential parking boundary defined on the approved plan; and (4) To allow proposed truck and auto storage (which use must be clarified as being permitted in this zone) in which the 100 year flood plan as limited in Order restriction #3 in case No. 87-59-XSPHA, and to permit a recycling operation to be located outside of a fully enclosed building in an M.L. zone, and to determine that said use is not considered a junk yard as defined in Section 101 of the BCZR, and that the use is not considered to be solid waste collection or disposal facility under Section 105 of the BCZR but is a permitted manufacturing use.

The Petition is filed by A.J. Bierman, Sr., property owner and Chief Operating Officer of King Pallet/King Mulch, the business which conducts operations from the subject site.

Appearing at the requisite public hearing held for this case was the aforementioned A.J. Bierman, Sr., Petitioner. Also present was Barbara Pivec, an employee of Mr. Bierman, and Dwight Little, the professional engineer, from W. Duval and Associates, who prepared the site plan. The Petitioner was represented by Lee Jacobson, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is 5.24 acres in net area and is zoned M.L.-I.M. This is a commercial/manufacturing property which is located adjacent to Hengemihle Avenue. The property is but a short distance from the Baltimore Beltway (I-695), the Southeast Freeway (Md. Route 702) and Rossville Boulevard. As is shown on the site plan and was adduced through Mr. Bierman's testimony, the property received special exception approval in case No. 73-252-X on March 3, 1978 for a Class One trucking facility in an M.L.-I.M. zone. Subsequently, in case 87-59-XSPHA, certain variance, special hearing and special exception relief was granted as to the trucking facility use. Specifically, an additional property was added to the previously approval area of the special exception, certain variances were granted as to setbacks and other area regulations and approval was given for other improvements to the property. The relief granted was conditioned to incorporate as restrictions certain conditions suggested from the Office of Planning and Zoning, and the Department of Environmental Protection and Resource Management (DEPRM). The approvals given and conditions added are clearly shown on the site plan.

Mr. Bierman testified that he has operated the above described trucking facility on the site for many years. Originally, most of the activity was related to the trucking business, specifically, trucks were kept on site, deliveries to and from the property were accomplished and the entire opera-

tion was geared toward the trucking business. However, Mr. Bierman indicated that over the past several years, the nature of his business has changed. At the present time, in addition to the trucking business, an enterprise known as King Pallet/King Mulch has begun on site. Specifically, industrial pallets are brought to the site and are processed for resale, reuse or recycling. Specifically, approximately 30% of the pallets are resold in the condition that they are received. Another 30% are repaired and resold, and 30% are ground into mulch. This mulch product is then sold on a wholesale and retail basis to landscapers and similar customers. Apparently, the pallet/mulch business now occupies approximately 2/3rds of the business activity which occurs on the site with the remaining 1/3 devoted to the previously approved trucking facility use.

The special hearing is filed to reflect the present use of the site and to approve certain amendments to the site plan reflecting this use. Specifically, the site plan has been changed to reflect that the number of trailer spaces are reduced. That is, on the previously approved site plan, approximately 42 spaces existed for truck parking. Now, only 12 spaces will be made available. In lieu of the parking area, an area is shown on the plan where wood pallets are stored and other areas of the site are shown for storage of the mulch. The Petitioner requests approval of these amendments as more fully depicted on the site plan.

Also requested is approval that the proposed use is, in fact, permitted under the BCZR. As noted above, special exception relief was originally granted to allow a trucking facility on the subject site. It should be particularly noted that Section 253.2.A.(6) of the BCZR permits a trucking facility by special exception in an M.L. zone. It is clear that the trucking facility has continued to operate since the prior zoning approvals,

albeit on a smaller scale. The validity of the special exception approval is hereby affirmed.

As to the pallet/mulch business, this is a relatively new operation which was not within the scope of the previous zoning approval. However, it is to be noted that Section 253.1.A.(52) of the BCZR permits a wood products manufacturing or processing use as of right in an M.L. zone. It seems clear that the pallet/mulch operation would fit within this definition. Obviously, both the pallets and mulch are products which are made of wood and the manufacturing/processing activity which occurs on site clearly falls within those types of endeavors which the Council intended to include in a wood products manufacturing or processing operation. Thus, as characterized by Mr. Bierman's testimony and described hereinabove, the pallet/mulch business is a permitted use as of right on the subject site, zoned M.L.-I.M.

The special hearing relief also requests approval that the pallet/mulch operation be permitted within 100 ft. of a residential zone. In this regard, the property located across Hengemihle Avenue from the subject site is owned by the Baltimore County Board of Education and is zoned D.R.5.5. It is the site of the Eastern Vo-tech High School. Previously, relief was granted to allow the truck parking less than 100 ft. from the zoning line. In this regard, the Petitioner seeks similar approval for the pallet/mulch operation to be permitted within 100 ft. of the zoning line where trucks were previously parked. In this regard, affirmation of the previous variance granted, as it relates to the new use, is also approved. As to the last request for special hearing relief, it is clear that the proposed use is permitted as of right as a wood products manufacturing or processing plant as discussed above. Thus, the use is not a junk yard, nor a solid waste collection, and/or disposal facility.

For the reasons set forth, the Petition for Special Hearing will be approved. However, certain restrictions will be added as conditions precedent to the approval. First, it is to be noted that all restrictions previously approved in case No. 73-252-X and 87-59-XSPHA are hereby reincorporated and readopted. Irrespective of the reduced scope of the trucking facility and increase in the pallet/mulch business, the Petitioner shall comply with those conditions previously stated. Moreover, the Petitioner shall comply with the remedial measures recommended in the correspondence to this Zoning Commissioner from DEPRM, dated September 16, 1994. In this regard, DEPRM has mandated that the Petitioner take certain steps to mitigate the effect of the operation on the subject locale in accordance with the Chesapeake Bay Critical Area regulations.

The Petitioner offered a copy of correspondence from Mark E. Weir, Sr., Acting Deputy Chief of the Baltimore County Fire Department. That correspondence indicates the Fire Department's requirement that the property owner install a 20,000 gallon water tank on the site by May 1995. The requirement is mandated to assure adequate water availability in the event of fire. Compliance with the Fire Department's requirement is also required.

Lastly, compliance will also be required to DEPRM's recommendations as contained within their letter dated May 24, 1992 (Petitioner's Exhibit No. 3). This mandate relates to the installation of a 25 ft. berm and shall be required as same is consistent with DEPRM's recommendations described above, as they relate to the Chesapeake Bay Critical Area regulations.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 10th day of November, 1994 that, pursuant to the Petition for Special Hearing, approval from Section 500.7 of the Baltimore County Zoning Regulations (BCZR) of an amendment to the approved site plan in case No. 87-59-XSPHA; be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the proposed pallet/mulch recycling operation is permitted in conjunction with the existing approved trucking facility, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the location of said operations are permitted to extend beyond the 100 ft. residential parking boundary defined on the approved plan, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that permission to allow a proposed truck and auto storage (which use must be clarified as being permitted in this zone) in which the 100 year flood plan as limited in Order restriction #3 in case No. 87-59-XSPHA, and to permit a recycling operation to be located outside of a fully enclosed building in an M.L. zone; and to determine that said use is not considered a junk yard as defined in Section 101 of the BCZR; and that the use is not considered to be solid waste collection or disposal facility under Section 105 of the BCZR but is a permitted manufacturing use, be and is hereby GRANTED subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

1. The 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.

2. Except as expressly amended herein, the Petitioner shall comply with all restrictions/

conditions previously incorporated in the relief granted in cases Nos. 73-252-X and 87-59-XSPHA.

3. The Petitioner shall incorporate and satisfy all remedial measures as recommended by DEPRM in accordance with the Chesapeake Bay Critical Area Act, as more fully set forth in their correspondence of 9/16/94.

4. The Petitioner shall comply with those recommendations and conditions set forth in correspondence from Mark E. Weir, Sr., Acting Deputy Chief, Baltimore County Fire Department dated 7/26/94.

5. The Petitioner shall comply with all conditions/requirements set forth within the correspondence from DEPRM dated 5/24/92.

LES:mmm

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 9, 1994

Lee Jacobson, Esquire
Jacobson and Myerberg
501 Washington Avenue, Suite 320
Nottingham Center
Towson, Maryland 21204

RE: Case No. 95-41-SPH
Petition for Special Hearing
A.J. Bierman, Sr., Petitioner
Location: 1116 Hengemihle Avenue

Dear Mr. Jacobson:

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

In the event any party finds the decision rendered 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 Appeals Clerk at 887-3391.

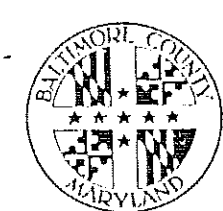
Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

encl.

cc: Mr. Dwight Little, W. Duval and Assoc.
cc: Mr. A.J. Bierman
cc: Mrs. Barbara Pivec



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County
for the property located at 1116 Hengemihle Avenue
which is presently zoned ML-1M

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated 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

A solid waste processing facility & a class 2 trucking facility.

See Attachment

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

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

When the authority to decide and affirm, under the penalties of perjury, that true are the legal owners of the property which is the subject of this Petition.

Engineer

W. Duvall & Associates, Inc.

(Type or Print Name)

Mark D. Korman

Signature

530 E. Joppa Road

Address

Towson MD 21286

City State Zipcode

Attorney for Petitioner

Jacobson & Nyberg, P.A.

(Type or Print Name)

Lee Jacobson

Signature

Nottingham Center

Address

501 Washington Ave. - Suite 320

Towson, MD 21204

City State Zipcode

Legal Owner(s)

Albert J. Bierman, Sr.

(Type or Print Name)

Albert J. Bierman

Signature

c/o Environmental Recycling Center

Address

1116 Hengemihle Avenue

Baltimore MD 21221

City State Zipcode

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Barbara Pivic

Name

53 Windersall Lane

Address

Adm 5310, MD 21234

Towson, MD 21204

City State Zipcode

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following date

ALL OTHER

REVIEWED BY JSK DATE 8/3/94

Next Two Months

NOT AVAILABLE THESE DATES

ATTACHMENT

- To amend the approved site plan in case #87-59-XSPHA.
- To determine that the proposed pallet recycling operation is permitted in conjunction with the existing approved trucking facility.
- That the location of said operations are permitted to extend beyond the 100-foot residential parking boundary defined on the approved plan.
- To allow proposed truck and auto storage (which use must be clarified as being permitted in this zone) in the 100-year flood plan as limited in order restriction #3 in case #87-59-XSPHA and to permit a recycling operation to be located outside of a fully enclosed building in an M.L. zone and to determine that said use is not considered a junk yard as defined in Section 101, Baltimore County Zoning Regulations (BCZR), and that the use is not considered to be solid waste collection or disposal facility under Section 105 (BCZR) but is a permitted manufacturing use.

JLL/cmm

W. DUVALL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

ZONING DESCRIPTION

Beginning at a point on the west side of Hengemihle Avenue which is 40 feet wide at the distance of 450 feet south of the centerline of the nearest improved intersecting street Golden Ring Road which is 60 feet wide. Thence the following courses and distances (per deed reference 5411/953):

- 1) South 27 degrees 38 minutes West 254.2 feet; thence
- 2) By a curve to the left having a radius of 620 feet and an arc length of 218.6 feet; thence
- 3) South 07 degrees 26 minutes West 39.4 feet; thence
- 4) By a curve to the right having a radius of 280 feet and an arc length of 263.4 feet; thence
- 5) South 61 degrees 20 minutes North 60.5 feet; thence
- 6) South 63 degrees 34 minutes 40 seconds West 150.00 feet; thence
- 7) North 40 degrees 18 minutes 20 seconds East 142.09 feet; thence
- 8) North 33 degrees 16 minutes 40 seconds East 151.81 feet; thence
- 9) North 31 degrees 02 minutes East 154.2 feet; thence
- 10) North 11 degrees 24 minutes East 287.1 feet; thence
- 11) North 48 degrees 24 minutes East 270.6 feet; thence
- 12) North 23 degrees 31 minutes East 99.0 feet; thence
- 13) South 58 degrees 23 minutes East 272.2 feet to the place of beginning as recorded in deed Liber 5411, Folio 953 and in deed Liber 8757 Folio 529, containing 5.24 Ac.



530 East Joppa Road/Towson, Maryland 21286/(410) 583-9571

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: _____ Date of Posting: 8/29/94
Posted for: Albert J. Bierman, Sr.
Petitioner: Albert J. Bierman, Sr.
Location of property: 1116 Hengemihle Ave., 450' S of Golden Ring Rd.
Location of Sign: King Pallet, on property, by King Pallet
Remarks: _____
Posted by: Mark D. Korman Signature _____ Date of return: 8/30/94
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 8/19, 1994

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 8/18, 1994.

THE JEFFERSONIAN,

C. H. Henshaw
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commission 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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #87-41-SPH (Item 37)
1116 Hengemihle Avenue
Environmental Recycling Center
King Pallet/King Match
W/S Hengemihle Avenue, 450' S of Golden Ring Road
15th Election District - 5th Councilmanic
Petitioner(s): Albert J. Bierman, Sr.
Hearing: Wednesday, September 7, 1994 at 9:00 a.m. in Room 118, Old Courthouse.

Special Hearing to amend the approved site plan in case #87-59-XSPHA to determine that the location of said operations are permitted to extend beyond the 100-foot residential parking boundary defined on the approved plan and to allow proposed truck and auto storage (which use must be clarified as being permitted in this zone) in the 100-year flood plan as limited in order restriction #3 in case #87-59-XSPHA and to permit a recycling operation to be located outside of a fully enclosed building in an M.L. zone and to determine that said use is not considered a junk yard as defined in Section 101, Baltimore County Zoning Regulations (BCZR), and that the use is not considered to be solid waste collection or disposal facility under Section 105 (BCZR) but is a permitted manufacturing use.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3353.
8/18 August 18

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Carl J. Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 37

Petitioner: A J Bierman, Sr.

Location: 1116 Hengemihle Ave

PLEASE FORWARD ADVERTISING BILL TO:

NAME: King Pallet / King Match

ADDRESS: 1116 Hengemihle Ave

Baltimore, MD 21204

PHONE NUMBER: 882-7790

(Barbara Pivic)

agent

AJ:ggg

(Revised 04/09/93)

TO: PUPPONY PUBLISHING COMPANY
August 18, 1994 Issue - Jeffersonian

Please forward billing to:

King Pallet/ King Match
1116 Hengemihle Avenue
Baltimore, Maryland 21221
882-9790

NOTICE OF HEARING

The Zoning Commission 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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 95-41-SPH (Item 37)

1116 Hengemihle Avenue
Environmental Recycling Center
King Pallet/King Match
W/S Hengemihle Avenue, 450' S of c/l Golden Ring Road
15th Election District - 5th Councilmanic

Petitioner(s): Albert J. Bierman, Sr.

HEARING: WEDNESDAY, SEPTEMBER 7, 1994 at 9:00 a.m. in Room 118 Old Courthouse.

Special Hearing to amend the approved site plan in case #87-59-XSPHA; to determine that the proposed pallet recycling operation is permitted in conjunction with the existing approved trucking facility; to approve that the location of said operations are permitted to extend beyond the 100-foot residential parking boundary defined on the approved plan; and to allow proposed truck and auto storage (which use must be clarified as being permitted in this zone) in the 100-year flood plan as limited in order restriction #3 in case #87-59-XSPHA and to permit a recycling operation to be located outside of a fully enclosed building in an M.L. zone and to determine that said use is not considered a junk yard and that the use is not considered to be solid waste collection or disposal facility but is a permitted manufacturing use.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

AUG. 12 1994 (410) 887-3353

NOTICE OF HEARING

The Zoning Commission 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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 95-41-SPH (Item 37)

1116 Hengemihle Avenue
Environmental Recycling Center
King Pallet/King Match
W/S Hengemihle Avenue, 450' S of c/l Golden Ring Road
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Petitioner(s): Albert J. Bierman, Sr.

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Carl J. Jablon
ARNOLD JABLON
Director

cc: Albert J. Bierman, Sr.
W. Duvall & Associates, Inc.
Lee Jacobson, Esq.

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3353.

Printed on Recycled Ink
on Recycled Paper



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R001-6150

Number: 37

PAID

Date: 8/3/94

1 INVOICES SPH CODE 040 \$250.00
(2) SIGN POSTINGS CODE 030 \$70.00
TOTAL 320.00

OWNER: BIERMAN

LOC: 1116 HENGEMIHLE AVE.

882-7790

882-7790

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUGUST 26, 1994

NOTICE OF POSTPONEMENT

CASE NUMBER: 95-41-SPH
PETITIONER(S): Environmental Recycling Center
LOCATION: 1116 Hengemihle Avenue

THE ABOVE MATTER, PREVIOUSLY ASSIGNED TO BE HEARD ON SEPTEMBER 7, 1994 HAS BEEN POSTPONED AT THE REQUEST OF LEE JACOBSON, ATTORNEY FOR PETITIONERS.

NOTIFICATION OF THE NEW HEARING DATE WILL BE FORWARDED SHORTLY.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

cc: Albert J. Bierman, Sr.
W. Duvall & Associates, Inc.
Barbara Pivic

AJ:ggg

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on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCTOBER 18, 1994

NOTICE OF CHANGE IN HEARING TIME AND/OR LOCATION

BE ADVISED THAT THE BELOW-NOTED CASE WILL TAKE PLACE ON THE SAME DATE AS PREVIOUSLY NOTIFIED, HOWEVER THE TIME AND/OR THE LOCATION OF THE HEARING HAS BEEN CHANGED AS INDICATED BY UNDERSCORING.

Rescheduled from 9/7/94 and 10/6/94
CASE NUMBER: 95-41-SPH (Item 37)
1116 Hengemihle Avenue
"Environmental Recycling Center"
"King Pallet/King Mulch"
W/S Hengemihle Avenue, 450' S of c/l Golden Ring Road
15th Election District - 5th Councilmanic
Petitioner(s): Albert J. Bierman, Sr.

HEARING: TUESDAY, NOVEMBER 1, 1994 at 1:00 p.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

CC: Lee R. Jacobson, Esq.
Albert J. Bierman, Sr.
W. Duvall & Associates, Inc.
Barbara Pivic

AJ:ggg

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 12, 1994

NOTICE OF REASSIGNMENT

Rescheduled from 9/7/94
CASE NUMBER: 95-41-SPH (Item 37)
1116 Hengemihle Avenue
"Environmental Recycling Center"
"King Pallet/King Mulch"
W/S Hengemihle Avenue, 450' S of c/l Golden Ring Road
15th Election District - 5th Councilmanic
Petitioner(s): Albert J. Bierman, Sr.

Special Hearing to amend the approved site plan in case #87-59-XSPHA; to determine that the proposed pallet recycling operation is permitted in conjunction with the existing approved trucking facility; to approve that the location of said operations are permitted to extend beyond the 100-foot residential parking boundary defined on the approved plan; and to allow proposed truck and auto storage (which use must be clarified as being permitted in this zone) in the 100-year flood plan as limited in order restriction #3 in case #87-59-XSPHA and to permit a recycling operation to be located outside of a fully enclosed building in a M.L. zone and to determine that said use is not considered a junk yard and that the use is not considered to be solid waste collection or disposal facility but is a permitted manufacturing use.

HEARING: THURSDAY, OCTOBER 6, 1994 at 11:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

cc: Albert J. Bierman, Sr.
W. Duvall & Associates, Inc.
BARBARA PIVIC

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

October 4, 1994

NOTICE OF REASSIGNMENT
FURTHER POSTPONEMENT REQUESTS WILL BE DENIED

Rescheduled from 9/7/94 and 10/6/94
CASE NUMBER: 95-41-SPH (Item 37)
1116 Hengemihle Avenue
"Environmental Recycling Center"
"King Pallet/King Mulch"
W/S Hengemihle Avenue, 450' S of c/l Golden Ring Road
15th Election District - 5th Councilmanic
Petitioner(s): Albert J. Bierman, Sr.

Special Hearing to amend the approved site plan in case #87-59-XSPHA; to determine that the proposed pallet recycling operation is permitted in conjunction with the existing approved trucking facility; to approve that the location of said operations are permitted to extend beyond the 100-foot residential parking boundary defined on the approved plan; and to allow proposed truck and auto storage (which use must be clarified as being permitted in this zone) in the 100-year flood plan as limited in order restriction #3 in case #87-59-XSPHA and to permit a recycling operation to be located outside of a fully enclosed building in a M.L. zone and to determine that said use is not considered a junk yard and that the use is not considered to be solid waste collection or disposal facility but is a permitted manufacturing use.

HEARING: TUESDAY, NOVEMBER 1, 1994 at 9:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

cc: Albert J. Bierman, Sr.
Lee Jacobson, Esq.
W. Duvall & Associates, Inc.
Barbara Pivic

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on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

AUG. 29 1994

Lee Jacobson, Esq.
501 Washington Avenue, Suite 320
Towson, Maryland 21204

RE: Item No. 37, Case No. 95-41-SPH
Petitioner: Albert J. Bierman, Sr.

Dear Mr. Jacobson:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties, i.e. Zoning Commissioners, 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 August 3, 1994, 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 preliminary 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 Commissioners will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants 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 forfeiture loss of the filing fee.

Very truly yours,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Coordinator

WCR:ggg

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BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 22, 1994
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for August 22, 1994
Item No. 37

The Developers Engineering Section has reviewed the subject zoning item. The previous Zoning Case #87-59 required compliance with the Baltimore County Landscape Manual. This compliance has not been achieved.

RWB:ew

95-41

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

8-12-94

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 437 (JLL)

Dear Ms. Winiarski:

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 effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
David Ramsey, Acting Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2228 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 08/11/94

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

RE: Property Owner: ALBERT J. BIERMAN, SR.
LOCATION: W/S HENGEMIHLE AVE., 450' S OF CENTERLINE GOLDEN RING RD.
(1116 HENGEMIHLE AVE.)

Item No.: 37 Zoning Agenda: SPECIAL HEARING

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
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", 1991 edition prior to occupancy.

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REVIEWER: LT. ROBERT E. SAUERHAUD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: August 23, 1994

SUBJECT: 1116 Hengemihle Avenue

INFORMATION:

Item Number: 37

Petitioner: Albert J. Bierman, Sr.

Property Size: _____

Zoning: M.L.-I.M.

Requested Action: _____

Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

Provided that the site is in compliance with the restriction set forth in Case No. 87-59-XSPHA, staff has no objection to the requested relief.

Prepared by: *J. H. M. Long*

Division Chief: *Dennis West*

PK/JUL:lw

ZAC. 37/PZONE/ZAC1

Pg. 1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration
and Development Management

DATE: September 16, 1994

FROM: J. James Dieter

SUBJECT: A.J. Bierman Property
Petition for for Special Exception - Zoning Item 37

SITE LOCATION

The subject property is located at 1116 Hengemihle Avenue. The site is within the Chesapeake Bay Critical Area and is classified as an Intensely Developed Area (IDA).

APPLICANT'S NAME Mr. Albert J. Bierman, Sr.

APPLICANT PROPOSAL

The applicant has requested a special exception to amend the approved site plan in case #87-59-XSPHA to bring the existing pallet recycling operation into compliance with Zoning Administration and Development Management regulations; to allow truck and auto storage within the 100 year floodplain as limited in order restriction #3 in case #87-59-XSPHA; and to determine whether said use is considered a solid waste processing facility.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts" <COMAR 14.15.10.01.0>.

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SEP 21 1994
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Mr. Arnold E. Jablon
September 16, 1994
Page 2

REGULATIONS AND FINDINGS

1. Regulation: "The establishment or expansion of the following uses is prohibited in the Chesapeake Bay Critical Area: A. Solid or hazardous waste collection facilities (Baltimore County Zoning Regulation Section 105 (A))."

Finding: The pallet recycling operation qualifies as a solid waste processing facility with a Baltimore County solid waste processing permit application currently under consideration by this Department's Waste Management Section. However, it has been determined by the Maryland Department of Environment (M.D.E.) that the facility is not a solid waste collection facility requiring a M.D.E. solid waste collection permit, but in fact is a processing facility where solid waste is only temporarily stored until it is processed and sold as product (mulch). Moreover, this Department has been informed by the Chesapeake Bay Critical Area Commission that they will rely on the discretion of M.D.E. in determining which solid waste facilities are collection and/or disposal and which are simply processing (ie., recycling). Therefore, it is the finding of this Department that the subject land use is not a solid waste collection facility and thus this regulation is "met".

2. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Section 26-449(a)>.

Finding: Over half of the site is within the 100 foot buffer to Stemmers Run. The existing terminal building and parking/storage areas were constructed prior to establishment of the Chesapeake Bay Critical Area Regulations. However, the pallet recycling operation did not exist prior to the establishment of these regulations and is located in the Stemmers Run buffer. Therefore, in order to comply with this regulation, an administrative variance request to this regulation must be submitted to this Department and granted. A copy of the variance application and instructions have been sent to the property owner.

3. Regulation: "The natural vegetation occurring in the buffer shall remain undisturbed. Except as provided in Section 26-450, vegetation shall be planted in the buffer where necessary to protect, stabilize, or enhance the shoreline" <Baltimore County Code, Section 26-449(d)>.

Mr. Arnold E. Jablon
September 16, 1994
Page 3

Finding: No further disturbance to remaining vegetation in the buffer shall occur, and reforestation as well as permanent fencing may be required as conditions of the aforementioned Chesapeake Bay Critical Area variance. Therefore this regulation shall be met through termination of the pallet recycling activity in the buffer should the Chesapeake Bay Critical Area variance be denied.

4. Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal and tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland and unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs" <Baltimore County Code, Section 26-447>.

Finding: Due to historic filling of wetlands and floodplain predating the Critical Area regulations the wetland limit is generally confined to the stream banks. Therefore, no disturbance of any wetland would occur as a result of the land use in question; thus this regulation has been met.

CONCLUSION

It is this Department's recommendation to the Zoning Commissioner to condition the requested special exception, if granted, on the petition's compliance with the remedial measures prescribed above, applying for Chesapeake Bay Critical Area administrative variance and implementing with any conditions thereof, in order to comply with Chesapeake Bay Critical Area requirements. If there are any questions, please contact Ms. Patricia M. Farr at 887-3980.

J. James Dieter
J. James Dieter, Director
Department of Environmental Protection
and Resource Management

JJD/GES/tmm

c: Mr. Dave Filbert
Mr. A.J. Bierman (with attachment)

BIERMAN/DEPRM/WQBCBA

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

September 28, 1994

Lee Jacobson, Esq.
501 Washington Ave., Suite 320
Towson, Maryland 21204

Item 37

RE: Case No: 95-41SPH Petitioner: Albert J. Bierman, Sr.

Dear Petitioners:

Enclosed are copies of comments received from DEPRM on September 22, 1994 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

J. Watson
Joyce Watson

Enclosure

RE: PETITION FOR SPECIAL HEARING *
1116 Hengemihle Avenue, "Environmental
Recycling Center", "King Pallet/King *
Mulch", W/S Henegmihle Avenue, 450' *
S of c/l Golden Ring Road, 15th *
Election Dist., 5th Councilmanic *
Albert J. Bierman, Sr. *
Petitioners * * * * *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 95-41-SPH

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 or 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. Denilio
CAROLE S. DENILIO
Deputy People's Counsel

Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of August, 1994, a copy of the foregoing Entry of Appearance was mailed to Lee Jacobson, Esquire, Jacobson & Myerberg, 501 Washington Avenue/Towson, MD 21204, attorney for Petitioners.

RECEIVED
AUG 19 1994
ZADM

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Ho.
ADVISED APPLICANTS REPS THAT THEY
SHOULD RESOLVE ANY DEVELOPMENT PROCESS
ISSUES AND FLOOD PLAIN LOCATION ISSUES
PRIOR TO FILING. THEY HAVE DETERMINED
THAT SINCE THEY DO NOT BELIEVE THIS IS
DEVELOPMENT PER THE DEV REGS OR
FLOOD PLAIN LEGISLATION THAT THEY
WILL GO FORWARD AS IS. I ADVISED
THAT THEY ARE RESPONSIBLE FOR ANY
COMPLICATIONS CAUSED BY THEIR DECISION.

JOHN LEWIS
8/3/94

LAW OFFICES
JACOBSON & MYERBERG, P.A.
SUITE 100, NOTTINGHAM CENTRE
100 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 828-7090
FAX (410) 828-7012

LEE R. JACOBSON
HENRY J. MYERBERG

August 24, 1994

Mr. Arnold Jablon, Director
Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Environmental Recycling Center
Case No.: 95-41-SPH (item 37)

Dear Mr. Jablon:

I am in receipt of the notice setting the above captioned matter in for hearing on Wednesday, September 7, 1994, @ 9:00 a.m. Unfortunately, I am previously scheduled to appear before the Workers' Compensation Commission in Westminster, Maryland in the case of Gregory Keeney v. Triangle General Contractors, Inc. Kindly reschedule the above captioned case at the earliest date available.

Should there be any problems or questions, please do not hesitate to contact me. Thank you for your cooperation in this matter.

Very truly yours,

Lee Jacobson/mcm
LEE R. JACOBSON

LRJ/mcm
cc: Albert J. Bierman, Sr.

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AUG 25 1994
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