

IN RE: PETITION FOR RESIDENTIAL * BEFORE THE
 ZONING VARIANCE * ZONING COMMISSIONER
 E/S Windy Run Road 442.74 ft. * OF BALTIMORE COUNTY
 +/- S of c/l West Geipe Road * Case No. 97-519-A
 1915 Windy Run Road *
 1st Election District *
 1st Councilmanic District *
 Legal Owner: Forty West Group, Inc. *
 Contract Purchaser: Patrick Costello *
 Petitioners *
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Forty West Group, Inc., Legal Owner, & Patrick Costello, Contract Purchaser, for that property known 1915 Windy Run Road in the Catonsville section of Baltimore County. The Petitioners/property owners herein seek a variance from Section 301.1.A 504.2 of the Baltimore County Zoning Regulations (BCZR), to permit a 17 ft. rear yard setback in lieu of the required 22.5 ft. for a proposed attached open deck. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the

ORDER RECORDED FOR FILING

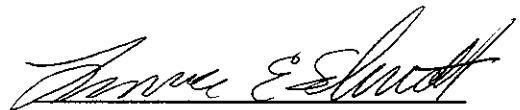
Date 6/12/97
 By J. Shank

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of June 1997 that a variance from Section 301.1.A 504.2 of the Baltimore County Zoning Regulations (BCZR), to permit a 17 ft. rear yard setback in lieu of the required 22.5 ft., for a proposed attached open deck, in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

DATE 6/12/97
BY M. G. [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

June 11, 1997

Mr. Stephen H. Costello
Mr. James Walter
Forty West Group, Inc.
1007 Leslie Avenue
Catonsville, Maryland 21228

Mr. Patrick Costello
3109 Wheadon Way
Ellicott City, Md. 21043

RE: Petition for Administrative Variance
Case No. 97-519-A
Property: 1915 Windys Run Road

Gentlemen:

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

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

Very truly yours,

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

Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.



Affidavit in support of 97-519-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3109 Winton Way
address
Ellwood City MD 21043
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

REQUEST VARIANCE FOR A LAVERE DECK TO HAVE A
USABLE OUTDOOR SPACE OFF UPPER LEVEL OF HOME

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Patrick Costello  _____
(signature) (signature)
PATRICK COSTELLO _____
(type or print name) (type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of May, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Stephen H. Costello and Patrick Costello

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

5-15-97
date

Dolores M. Fleming
NOTARY PUBLIC

My Commission Expires: 9-23-97

Affidavit in support of 97-519-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 3109 Wherton Way
address
Ellwood City MO 21043
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

REQUEST VARIANCE FOR A LAVERA DECK TO HAVE A
USABLE OUTDOOR SPACE OFF UPPER LEVEL OF HOME

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Patrick Costello
(signature)
PATRICK COSTELLO
(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF CARROLL BALTIMORE to wit:

I HEREBY CERTIFY, this 15th day of May, 19 97, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Stephen A. Costello and Patrick Costello

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

5-15-97
date

Dolores M. Fleming
NOTARY PUBLIC

My Commission Expires: 9-23-97



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at

1915 Windors Run Road

which is presently zoned DR2.5

97-519-A

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 Variance from Section(s) 301.1.A (BCZR)

301.1A

To permit a 17-ft. rear setback in lieu of the required 22.5 ft. for a proposed attached open porch.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

want to have a usable outside area accessible from upper level of home.

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

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

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.

Contract Purchaser/Lessee:

PATRICK COSTELLO
(Type or Print Name)

Patrick Costello
Signature

3109 Wheaton Way
Address

ELLEN CITY MD 21043
City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

410-788-6215
Address ... Phone No.

City State Zipcode

Legal Owner(s):

FORTY WEST GROUP, INC
(Type or Print Name)

Stephen H Costello
Signature

STEPHEN H. COSTELLO
(Type or Print Name)

Signature

1007 LESLIE AVENUE 410-788-4855
Address Phone No.

CATONSVILLE MD 21228
City State Zipcode
Name, Address and phone number of representative to be contacted.

JAMES WALTER
Name

SAME AS ABOVE
Address Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ___ day of _____, 19___ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: R.T. DATE: 5-15-97
ESTIMATED POSTING DATE: 5-25-97



Printed with Soybean Ink
on Recycled Paper

ITEM #: 519A

ZONING DESCRIPTION
1915 WINDYS RUN ROAD

97-519-A

Beginning at a point on the east side of Windys Run Road (50 feet wide) at a distance of 442.74 feet south of the center-line of West Geipe Road (60 feet wide), thence being Lot 13 in the subdivision of Caton Glen as recorded in Baltimore County Plat Book 67 Folio 124. Containing 0.125 acres of land more or less. Also known as 1915 Windys Run Road and located in the First Election District, First Councilmanic District.

519

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **038092**

DATE 5-15-97 ACCOUNT R-001-6150

010 - VARIANCE AMOUNT \$ 50.00

RECEIVED FROM: Patrick Costello

FOR: 1915 Windy Run Rd
(Adrian Var.)

97-519-A

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER Regis.

PAID RECEIPT
05/15/97 03 6 VM R 4664
DEPT 5 513 ZENITH CERTIFICATION
OR NO. 038092
\$50.00 CK P-A-I-D
Baltimore County Maryland
OFFICE OF BUDGET & FINANCE

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

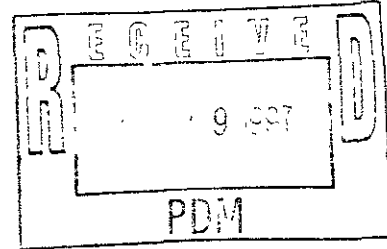
RE: Case No.: 97-519-A

Petitioner/Developer: _____

FORTY WEST BUILDERS

Date of Hearing/Closing: 6-9-97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204



Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____

1915 WINDYS RUN ROAD

The sign(s) were posted on MAY 16, 1997
(Month, Day, Year)

Sincerely,

Garland E. Moore

(Signature of Sign Poster and Date)

GARLAND E. MOORE

(Printed Name)

3225 RYERSON CIRCLE

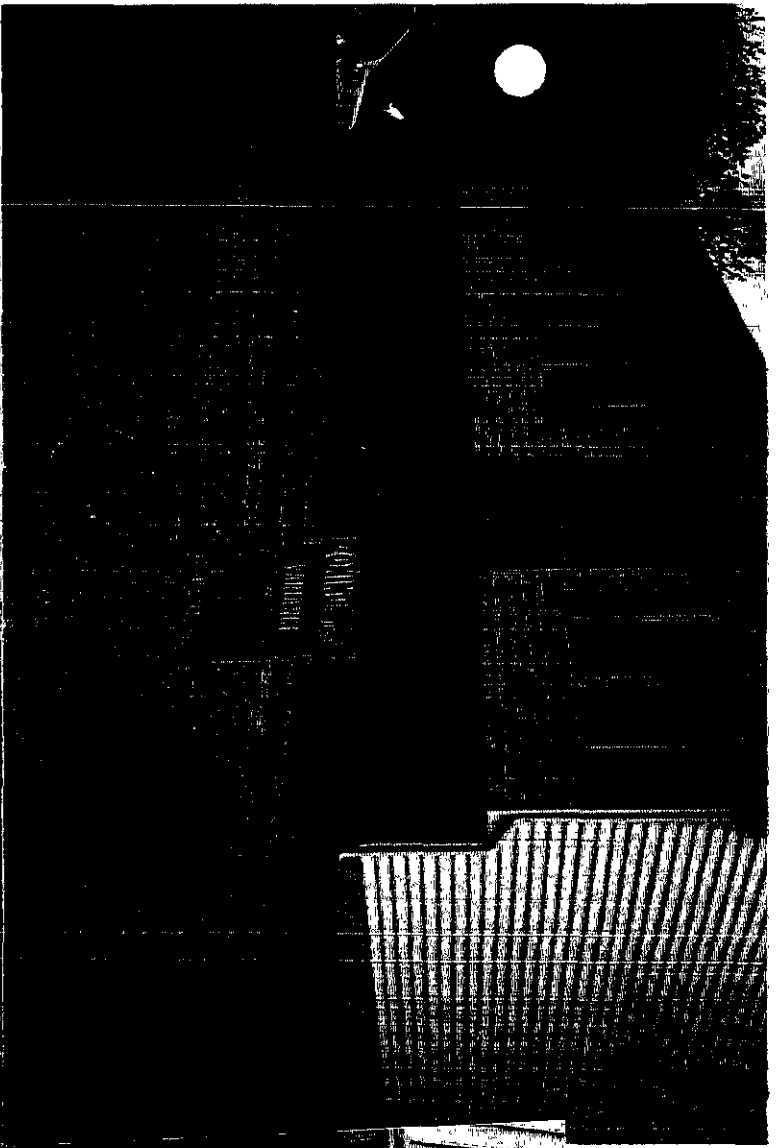
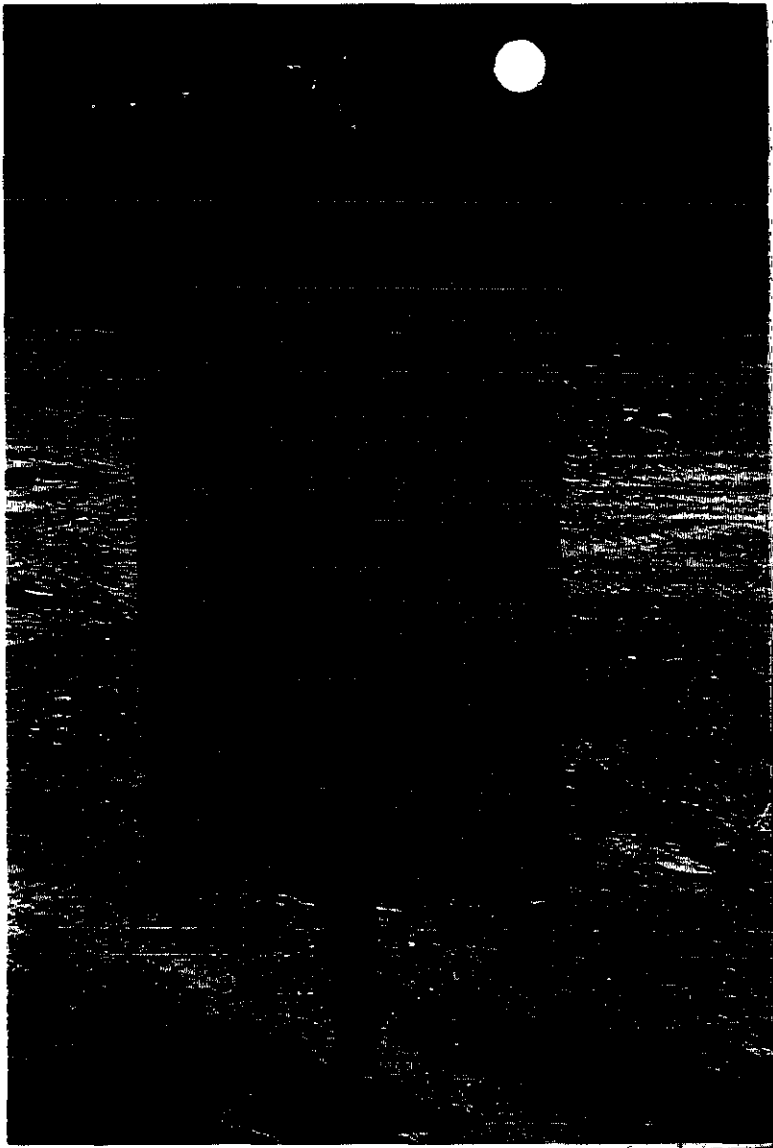
(Address)

BALTIMORE, MD. 21227

(City, State, Zip Code)

(410) 242-4263

(Telephone Number)



**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

COMPATIBILITY REPORT

TO: Lawrence E. Schmidt, Zoning Commissioner of Baltimore County

FROM: Arnold F. (Pat) Keller, III Director-Office of Planning

DATE: June 24, 1997

PROJECT NAME: Newport Assisted Living Facility
64 Main Street
Reisterstown, Maryland

ZONING CASE NUMBER: 97-518-SPHXA

Section 432.5B.1.d of the Baltimore County Zoning Regulations require a compatibility report for a Class B Assisted Living Facility under Section 26-282 on the Baltimore County Code. The Applicant has submitted a written compatibility report without architectural elevations and landscape plan for this project.

Staff has reviewed the written report and recommends that if this project is approved that the Zoning Commissioner requires the Applicant to submitted architectural elevations and a landscape plan to the Office of Planning for review and approval.

Division Chief:

E. McDonnell

Post-It® Fax Note	7671	Date	06/30	# of pages	01
To	JIM PATTON	From	Lynn Kenham		
Co./Dept.		Co.	OP		
Phone #	0419	Phone #	3211		
Fax #	296-2080	Fax #	3862		



Baltimore County
 Department of Permits and
 Development Management

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

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.

 ARNOLD JABLON, DIRECTOR

 For newspaper advertising:

Item No.: 519 Petitioner: PATRICK COSTELLO

Location: 1915 WINDOYS RUN ROAD

PLEASE FORWARD ADVERTISING BILL TO:

NAME: PATRICK COSTELLO

ADDRESS: 1915 WINDOYS RUN ROAD

CATONSVILLE, MD. 21228

PHONE NUMBER: 410-788-6215 (H)

410-788-4957 (W)

Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than * 5/25/97

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE**ADMINISTRATIVE
VARIANCE**Case No.: 97-519A

To permit a 17 FT rear setback in
lieu of the required 22.5 FT, for
a proposed, ^{attached} open deck.

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
 AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
 CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
 RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

*

ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
 PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
 111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

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

May 22, 1997

COPY

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-519-A

1915 Windy Run Road

E/S Windy Run Road, 442.74'+/- S of c/l West Geipe Road

1st Election District - 1st Councilmanic

Legal Owner(s): Forty West Group, Inc.

Contract Purchaser(s): Patrick Costello

Post by Date: 05/25/97

Closing Date: 06/09/97

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Forty West Group, Inc.
Patrick Costello





**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Parker F. Williams
Administrator

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

RE: Baltimore County 5-23-97
Item No. 519 RT

Dear Ms. Eubanks:

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

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'R. J. Burns'.

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

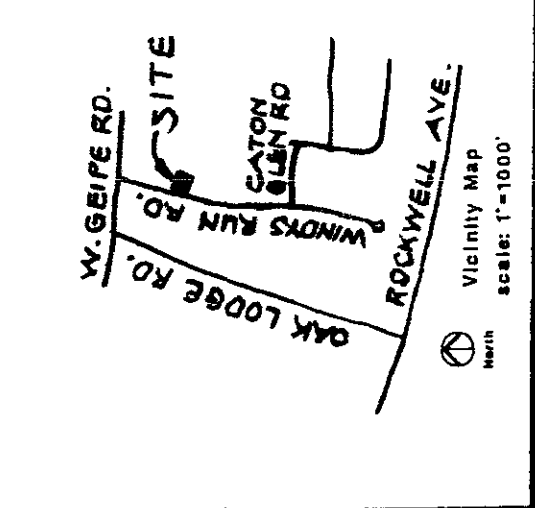
My telephone number is _____

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**

Plat to accompany Petition for Zoning Variance Special Hearing

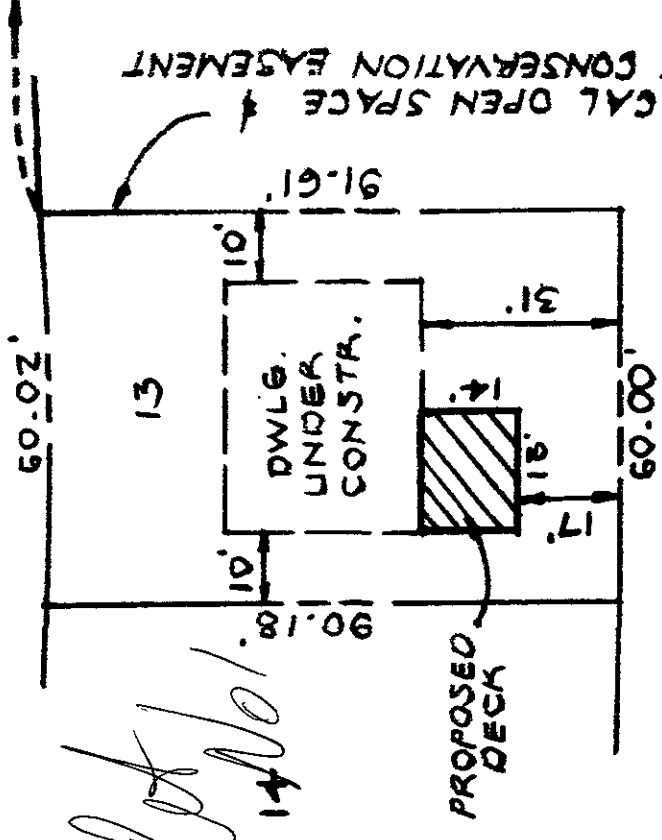
PROPERTY ADDRESS: 1015 WINDYS RUN ROAD
 Subdivision name: CATON GLEN
 plat book # 67, folios 124, lot # 13, sections # _____
 OWNER: PATRICK COSTELLO



LOCATION INFORMATION
 Election District: 1
 Councilmanic District: 1
 1"-200' scale map#: SW Z-H
 Zoning: DR 5.5
 Lot size: 0.125 5445
 acreage square feet
 public private
 SEWER:
 WATER:
 Chesapeake Bay Critical Area:
 Prior Zoning Hearings: N/A

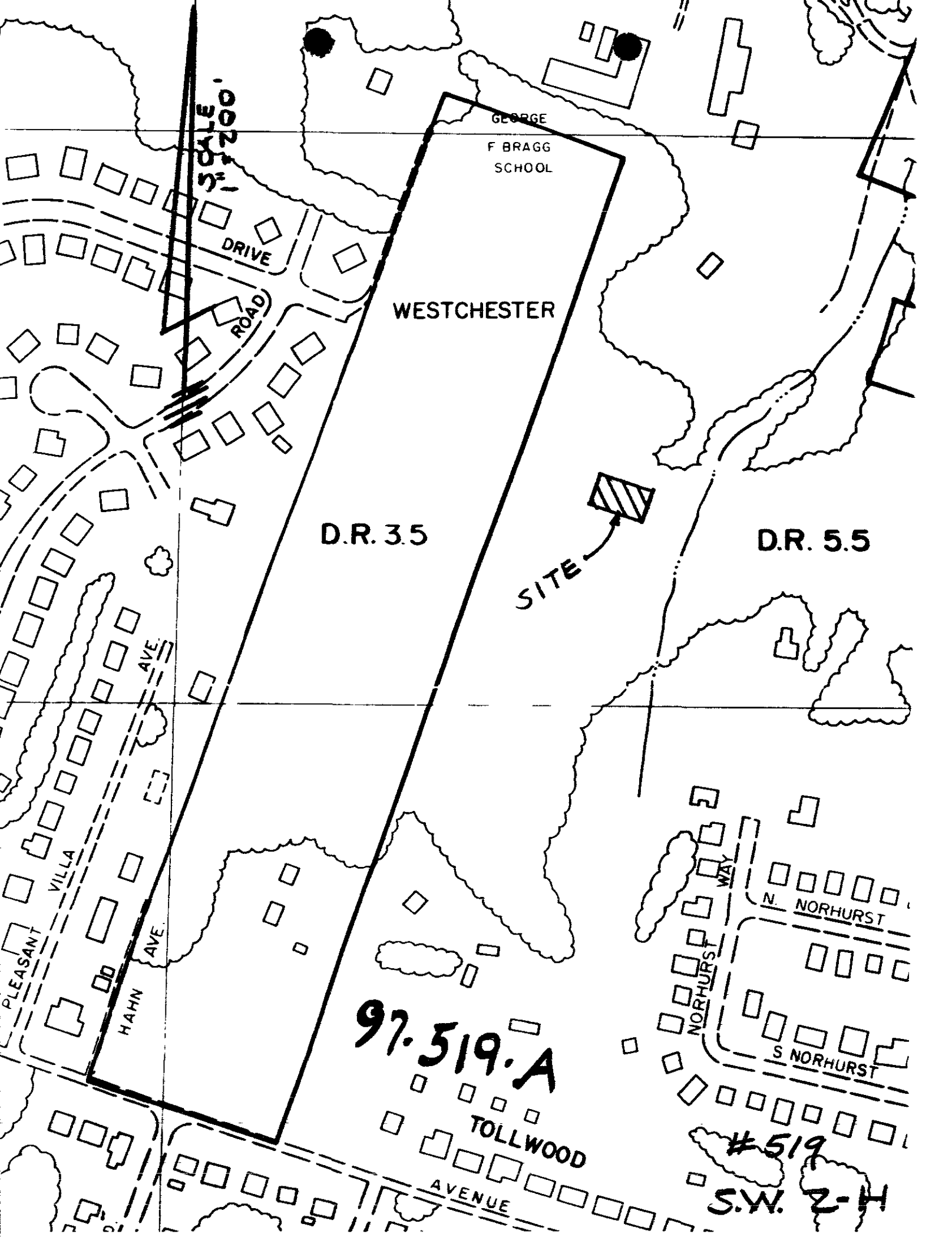
Zoning Office USE ONLY!
 reviewed by: RT ITEM #: 615 CASE#: 519

WINDYS RUN ROAD
 (50' WIDE)
 442.74' TO WEST GEIPE ROAD



97-519-A

North
 date: 4-25-97
 prepared by: DWB Scale of Drawing: 1"= 30'



1" = 200'

GEORGE
F BRAGG
SCHOOL

WESTCHESTER

D.R. 3.5

D.R. 5.5

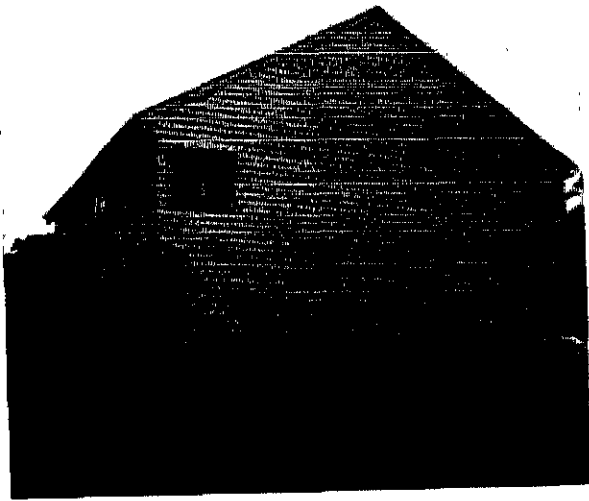
SITE

97-519-A

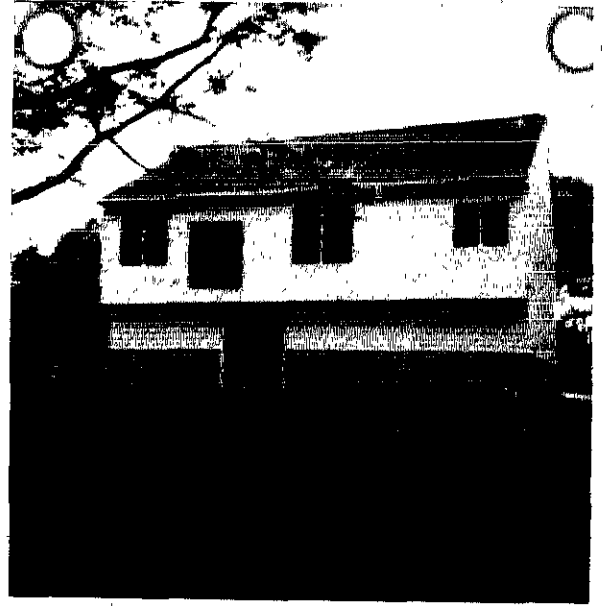
TOLLWOOD
AVENUE

#519
S.W. 2-H

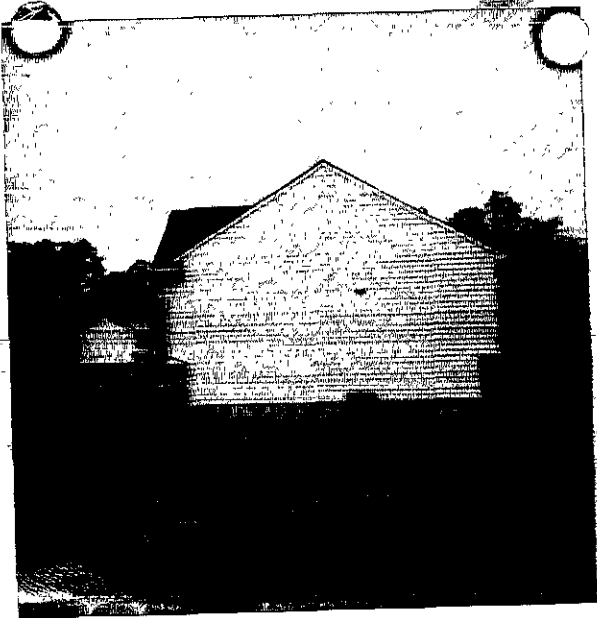




1915 Windoys Run Road
#97-519 #519
Left



1915 Windoys Run Road
#97-519 #519
Rear



1915 Windoys Run Road
#97-519 #519
Right



1915 Windoys Run Road
#97-519 #519
Front

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
NW/S Ivory Spring Road, N of Days
Cove Rd. 400' NW of Allender Rd. * DEPUTY ZONING COMMISSIONER
(Parcel 329, Williams Property)
11th Election District * OF BALTIMORE COUNTY
5th Councilmanic District * Case No. 97-520-X
The Estate of Grace Williams, Legal Owners;
Joanne Wirtz, Contract Purchaser *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Special Exception filed by The Estate of Grace Williams, Legal Owners of the subject property, and Joanne Wirtz, the Contract Purchaser, through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special exception to establish a firewood operation and accessory mulch operation on the subject property, pursuant to Section 1A01.2.C.24 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property is located southeast of the intersection of Pulaski Highway (Route 40) and Days Cove Road, adjacent to the Baltimore County Landfill in White Marsh. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitioners were Joanne Wirtz, Contract Purchaser, Gary Wirtz, James Matis, Professional Engineer who prepared the site plan for this property, Robert A. Hoffman and Dina Sarbanes, Attorneys at law representing the Petitioners, and Patrick O'Keefe. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of 13.98 acres, more or less, zoned R.C.2, and is located on the north side of Days Cove Road, adjacent to the Baltimore County Landfill.

ORDER RECEIVED FOR FILING

Date

By

7/15/97
[Signature]

The property is presently unimproved; however, the Petitioners are desirous of establishing a firewood and accessory mulch operation on approximately 14 acres of the subject parcel, as shown on Petitioner's Exhibit 1. The Petitioners propose to utilize a tub grinder in the mulching operation and a band saw in the firewood operation. The Petitioners do not propose to store or process tree stumps on the subject property, and therefore, have agreed not to store or grind stumps on this property. Further testimony revealed that the Petitioners propose to locate an office trailer on the site, and erect a 4' x 8' directional sign along the southern property line, in close proximity to Days Cove Road, given the remote location of the proposed use. The Petitioner also wishes to incorporate a topsoil business as accessory to the firewood operation on the subject property. Testimony indicated that the subject property is large enough to support the proposed use and sufficient buffering exists. However, in order to proceed with the proposed improvements, a special exception is necessary.

It is clear that the B.C.Z.R. permits the use proposed in an R.C.2 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any ad-

COPIES RECEIVED FOR FILING
Date: _____
By: *[Signature]*

verse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of July, 1997 that the Petition for Special Exception to establish a firewood operation and accessory mulch operation on the subject property, pursuant to Section 1A01.2.C.24 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their use permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall be permitted to utilize a tub grinder in the mulch operation, and a band saw in the firewood operation; however, there shall be no stumps stored or ground on the subject property.

ORDER RECEIVED FOR FILING

Date

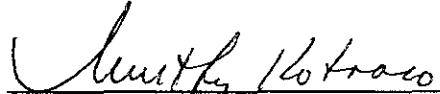
By

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioner shall be permitted to utilize a tub grinder as part of the mulching operation, and a band saw as part of the firewood operation.

IT IS FURTHER ORDERED that the Petitioner shall be permitted to locate an office trailer on the subject site, and erect a 4' x 8' directional sign, given the remote access to this operation.

IT IS FURTHER ORDERED that the Petitioner shall be permitted to incorporate a topsoil operation as accessory to the firewood operation.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 7/15/99
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

July 15, 1997

Robert A. Hoffman, Esquire
Dana Sarbanes, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
NW/S Ivory Spring Road, N of Days Cove Rd. 400' NW of Allender Rd.
(Parcel 329, Grace Williams Property)
11th Election District - 5th Councilmanic District
The Estate of Grace Williams, Legal Owners; and Joanne Wirtz,
Contract Purchaser
Case No. 97-520-X

Dear Mr. Hoffman & Ms. Sarbanes:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Campbell S. Williams
300 Loreley Road, White Marsh, Md. 21162-1212

Ms. Joanne Wirtz
7617 Chapman Road, Kingsville, Md. 21087-1531

People's Counsel; Case Files



RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
450' NW of intersection Days Cove		
Road and Ivory Spring Road	*	ZONING COMMISSIONER
11th Election District, 5th Councilmanic		
	*	OF BALTIMORE COUNTY
Legal Owner: The Estate of Grace Williams		
Contract Purchaser: Joanne Wirtz	*	CASE NO. 97-520-X
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 30th day of May, 1997, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at Ivory Spring Road, 400 ft. northwest of Allender Rd. which is presently zoned R.C.2.

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 part of hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

a firewood operation and accessory mulch operation pursuant to Section 1A01.2.C.24.

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

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing 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.

Contract Purchaser/Lessee:

Joanne Wirtz
(Type or Print Name)
Joanne Wirtz
Signature
c/o Wirtz & Daughters, Inc.
7617 Chapman Road
Address
Kingsville MD 21087-1531
City State Zipcode

Legal Owner(s):

The Estate of Grace Williams
(Type or Print Name)
Campbell S. Williams
By: Signature
Signature Campbell S. Williams, Trustee of
the Estate of Grace Williams
(Type or Print Name)
Signature
300 Loreley Road 410-335-3593
Address Phone No.

Attorney for Petitioner:

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
(Type or Print Name)
Robert A. Hoffman
Signature
240 Allegheny Ave. (410) 494-6200
Address Phone No.
Towson MD 21204
City State Zipcode

White Marsh MD 21162-1212
City State Zipcode
Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
Robert A. Hoffman
Venable, Baetjer and Howard, LLP
Name
210 Allegheny Ave, Towson, MD 21204 (410) 494-6200
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____
unavailable for Hearing the following dates _____
Next Two Months _____
ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____

ORDER RECEIVED TO FILE
Date 11/15/99
By [Signature]



520

MATIS WARFIELD
CONSULTING ENGINEERS

Description to Accompany Zoning
Petition for Special Exception
Ivory Spring Road NW of Days Cove Road
11th Election District
RC-2 Zoning

May 8, 1997

Beginning for the same at a point distant North 44° West 450 feet +/- from the intersection of the centerlines of Days Cove Road and Ivory Spring Road, running thence:

1. North 63° 49' East 377.83 feet +/-
2. North 00°30' West 47 feet +/-
3. North 18° West 495 feet +/-
4. South 77° West 132 feet +/-
5. North 89° West 231 feet +/-
6. North 81° West 165 feet +/-
7. South 86° West 132 feet +/-
8. North 65° West 151.8 feet +/-
9. North 53° 30' West 198 feet +/-
10. North 64° West 165 feet +/-
11. North 60° 30' West 66 feet +/-
12. South 01° 15' East 363 +/-
13. South 51° East 478.5' +/-
14. South 66° 30' East 132 feet +/-
15. South 58° 30' East 396' +/-
16. South 56° East 172' +/- to the place of beginning. Containing 13.98 Acres +/-



This description is intended for zoning purposes only. This description is not based on a boundary survey of the property and is approximate only. It therefore may not be used for any other purposes.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/5, 1997

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 6/5, 1997.

THE JEFFERSONIAN,

A. A. Erickson

LEGAL AD. - TOWSON

NOTICE OF HEARING
The zoning commissionary Baltimore County, Maryland, will hold a public hearing on the proposed rezoning of the property located at the intersection of Case #97-420-X 450 NW of Intersection Davis Cove Road and Ivory Spring Road.
The Election District is 11th.
The Councilmanic District is 11th.
The Owners of the property are Contract Pitcher(s) Johnnie White.
Special Exception for a wood operation and access.
Hearing Tuesday, July 1, 1997 at 2:00 PM, Room 407, Courts Building, 401 Bayley Avenue.
LAWRENCE E. SCHMIDT, Zoning Commissioner for Baltimore County.
NOTES: (1) Hearings are handicapped Accessible; for special accommodations please call (410) 887-3353.
(2) For information concerning the file and/or hearing, please call (410) 887-3351.
6/10/97 June 5 97 148591

RE: Case No: 97-520-X
EST. OF GRACE
Petitioner/Developer CAMPBELL, ERM
ROBT. HOFFMAN
Date of Hearing/Closing 7/1/97

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

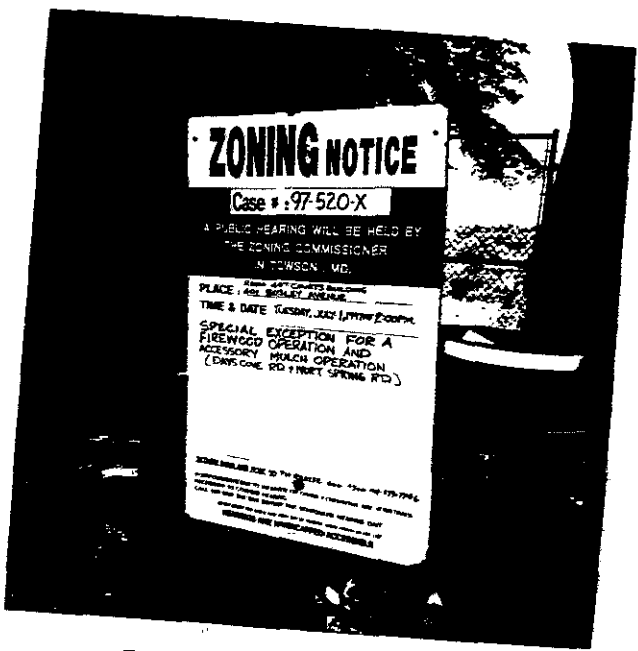
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at DAYS COVE RD
@ IVORY SPRINGS RD

The sign(s) were posted on 6/14/97
(Month, Day, Year)

Sincerely,
Patrick M. O'Keefe 6/14/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe
(Printed Name)
523 Perry Lane
(Address)
Hunt Valley, MD 21030
(City, State, Zip Code)
(410) 666-5366 Pager (410) 64
(Telephone Number)

9-04
cut.doc



97-520-X
DAYS COVE RD - IVORY SPRING
6-7-97
7-1-97

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

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

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-520-X

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

PLACE: _____

DATE AND TIME: _____

REQUEST: Special Exception to permit a firewood
and an accessory mulch operation.

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

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

HANDICAPPED ACCESSIBLE



Baltimore County
 Department of Permits and
 Development Management

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

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 (responsibility of which, lies with the petitioner/applicant) 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 advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

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.: 520

Petitioner: Wirtz, JoAnne

Location: Ivory Spring Rd, 400 ft northwest of Allender Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Barbara Ormrod

ADDRESS: Venable, Baetjer, Howard, LLP
210 Allegheny Ave, Towson, Md 21204

PHONE NUMBER: 410-494-6201

AJ:ggs

(Revised 09/24/96)

520

TO: PUTTENT PUBLISHING COMPANY
June 5, 1997 Issue - Jeffersonian

Please forward billing to:

Barbara Ormord
210 Allegheny Avenue
Towson, MD 21204
410-494-6201

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-520-X
450' NW of intersection Days Cove Road and Ivory Spring Road
11th Election District - 5th Councilmanic
Legal Owner(s): The Estate of Grace Williams
Contract Purchaser(s): Joanne Wirtz

Special Exception for a firewood operation and accessory walch operation.

HEARING: TUESDAY, JULY 1, 1997 at 2:00 p.m., Room 407 Courts Building, 401 Bosley Avenue.

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 887-3391.



Baltimore County
Department of Permits and
Development Management

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

May 30, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-520-X

450' NW of intersection Days Cove Road and Ivory Spring Road

11th Election District - 5th Councilmanic

Legal Owner(s): The Estate of Grace Williams

Contract Purchaser(s): Joanne Wirtz

Special Exception for a firewood operation and accessory milch operation.

HEARING: TUESDAY, JULY 1, 1997 at 2:00 p.m., Room 407 Courts Building, 401 Bosley Avenue.

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

Arnold Jablon
Director

cc: The Estate of Grace Williams
Joanne Wirtz
Robert A. Hoffman, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 16, 1997.
(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
Department of Permits and
Development Management

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

June 26, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 520
Case No.: 97-520-X
Petitioner: Estate of G. Williams

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 16, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

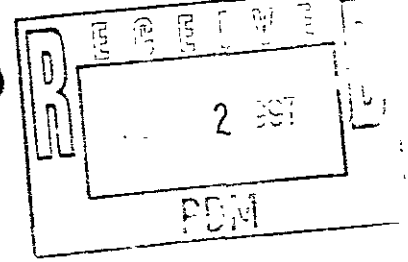
A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



Baltimore County Government
Fire Department



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

(410) 887-4500

May 29, 1997

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

RE: Property Owner: Owings Mills Mall Limited Partn.
and
64 Reisterstown Road, LLC
and
The Estate of Grace Williams

Location: DISTRIBUTION MEETINGS OF June 1, 1997

Item No.: 516, 518, and 520 Zoning Agenda:

Gentlemen:

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

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.
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.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4891, MS-1102F

cc: File



_____ Attach original petition

Due Date 6/13/97

To: Arnold L. Jablon

From: Bruce Seeley

Subject: Zoning Item_520

Estate of Grace Williams

_____ Zoning Advisory Committee Meeting of May 27 1997

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

x The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

x Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

x Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

_____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

x It appears that a portion of the site may be within the Chesapeake Bay Critical Area (CBCA). Any portion of the site therein must comply with CBCA regulations.

x EIR must be provided the opportunity to comment on any subsequent waste processing permit as well as review and approval of any subsequent grading/sediment control or development plans for the proposed facility/operation.

x Agriculture Preservation: Firewood and mulch operations are important Ag operations and finding appropriate locations is becoming more difficult. Recommend approval of this use at this location,



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

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

RE: Baltimore County 5-23-97
Item No. 520 CAM

Dear Ms. Eubanks:

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

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

R. J. Hardin
to Ronald Burns, Chief
Engineering Access Permits
Division

LG

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, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: June 6, 1997

FROM: Robert W. Bowling, Chief
Development Plans Review Division

~~SIGNED~~ ROBERT W. BOWLING

SUBJECT: Zoning Advisory Committee Meeting
for June 2, 1997
Item Nos. 514, 515, 517, 519 & 520

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: May 20, 1997

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

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item Nos. 500, 507, 508, 519 and 520

If there should be any questions or if this office can provide additional information,
please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Pat Keller

AFK/JL

BALTIMORE COUNTY, MARYLAND
 INTER-OFFICE CORRESPONDENCE
 EXPEDITING MEMO

To: JLC OK 8/31
8/28/98
 DATE 8/24/98

FROM: Miscellaneous Permits and Licenses Processing
 Department of Permits and Development Management
 County Office Building, Room 101, Mail Stop 1105
 Extension 3616

TO: ADMINISTRATIVE OFFICE (M.S. 2M01B) _____	PERMITS AND DEVELOPMENT MGMT., DEPARTMENT OF
APPEALS, BOARD OF (M.S. 2013) _____	Code Inspection _____
ENVIRONMENTAL PROTECTION AND RESOURCE	Code Enforcement _____
MANAGEMENT, DEPARTMENT OF (M.S. 3404) _____	Zoning Review <input checked="" type="checkbox"/> _____
Food Protection _____	POLICE DEPARTMENT (M.S. 1102E)
Waste Management _____	Human Resource Bureau _____
Ground Water Management _____	Field Operations _____
Inspection and Enforcement _____	Operational Support _____
FIRE DEPARTMENT (M.S. 1102F)	Traffic Resource Management _____
Executive (Film Production) _____	Vice _____
Fire Marshal's Office _____	PUBLIC WORKS, DEPARTMENT OF
HEALTH, DEPARTMENT OF (M.S. 1102V)	Building Services (M.S. 1102K) _____
Animal Control/Shelter _____	Highways (M.S. 1003) _____
Communicable Diseases _____	Traffic Engineering (M.S. 3401) _____
Medical Environmental Services _____	Solid Waste Mgmt. (M.S. 1209) _____
LAW OFFICE (M.S. 2209) _____	SHERIFF'S OFFICE (M.S. 43) _____

Attached is an application which requires review and/or approval/disapproval by your office/department. Indicate the review results in the space provided on the application, including specific reasons for disapproving. Sign, date, and return the application and this form no later than _____. Thank you for your prompt attention and cooperation in this process.

TYPE OF APPLICATION	<u>NEW/RENEWAL</u>	APPLICATION NUMBER	DATE OF EVENT OR LICENSE YEAR	NAME AND ADDRESS
Solid waste Processing Fac.		21-98	98-99	Winty + Daughters Inc Hwy 501 Rd N. of Days Cove
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

SOLID WASTE PROCESSING FACILITY/SITE PERMIT APPLICATION



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 101
TOWSON, MARYLAND 21204

APPLICATION DATE

887-3616

LICENSE YEAR 98-99

IF REQUIRED BY THE STATE DEPARTMENT OF THE ENVIRONMENT,
A SEPARATE PERMIT MUST BE OBTAINED FROM THE STATE DEPARTMENT OF THE ENVIRONMENT
BEFORE APPROVAL CAN BE OBTAINED FROM BALTIMORE COUNTY.

Maps and technical reports, as required in Section 5 of the Regulations for Solid Waste
Processing Facilities and Sites, which were adopted by the Baltimore County Department
of Environmental Protection and Resource Management, must accompany this application.

FEE - \$150.00

MUST BE FILED IN DUPLICATE

MAKE CHECK OR MONEY ORDER PAYABLE TO "BALTIMORE COUNTY, MARYLAND"

Type of Facility Firewood + Mulch Sales New [checked] Renewal () New Owner ()
Trade Name of Facility/Site Wirtz & Daughters, Inc Telephone No. 410-335-0400
Address IVORY SPRING ROAD N. OF DAYS COVE ROAD Zip Code 21162
Owner's Name Wirtz and Daughters, Inc. Telephone No. 410-335-0400
Owner's Address 7617 Chapman Road Kingsville MD Zip Code 21087
Responsible Officer's Name Gary Wirtz Telephone No. 410-592-5515
Responsible Officer's Address 7617 Chapman Road Kingsville, MD Zip Code 21087
Lessee's Name N/A Telephone No. N/A
Lessee's Address N/A Zip Code N/A

Description of Processing Operation (use separate sheet, if necessary)

Recycles ~~trash~~, brush and pallets into mulch as an
accessory to the present firewood and mulch operations.

JAMES E. MATIS FOR Wirtz and Daughters, Inc.

Signature of Applicant [Signature] Applicant's Title Contract Purchaser & Engineer Telephone Number 410-377-7596
Mailing Address Jco Matis Warfield, Inc 6600 York Road Suite 209 Balto 21212 Zip Code

TO BE COMPLETED BY THE DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

Application No. 21-98 Cash Receipt No. B020247 Fee 150.00 Date Paid 8/21/98

Permit No. Date Issued Data Entered Initials

APPROVAL AGENCIES

BALTIMORE COUNTY DEPT PERMITS AND DEVELOPMENT MANAGEMENT: ZONING

APPROVED: yes no

JOHN L. LEWIS JR
NAME

PLANNER II
TITLE

8/31/98
DATE

If disapproved, state reasons why:

PERMIT TO ZONING CASE # 97-520-X (SEE ATTACHED ORDER COPY)

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS

APPROVED: yes no

NAME

TITLE

DATE

If disapproved, state reasons why:

BALTIMORE COUNTY FIRE PREVENTION

APPROVED: yes no

NAME

TITLE

DATE

If disapproved, state reasons why:

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

APPROVED: yes no

NAME

TITLE

DATE

If disapproved, state reasons why:

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted. 97-520-X

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of July, 1997 that the Petition for Special Exception to establish a firewood operation and accessory mulch operation on the subject property, pursuant to Section 1A01.2.C.24 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their use permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Petitioner shall be permitted to utilize a tub grinder in the mulch operation, and a band saw in the firewood operation; however, there shall be no stumps stored or ground on the subject property.

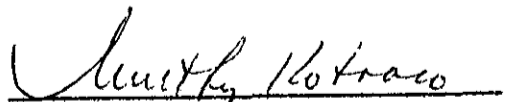
- 3 -

3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioner shall be permitted to utilize a tub grinder as part of the mulching operation, and a band saw as part of the firewood operation.

IT IS FURTHER ORDERED that the Petitioner shall be permitted to locate an office trailer on the subject site, and erect a 4' x 8' directional sign, given the remote access to this operation.

IT IS FURTHER ORDERED that the Petitioner shall be permitted to incorporate a topsoil operation as accessory to the firewood operation.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date _____
By _____



Exhibit To Accompany
Zoning Petition
Ivory Spring Road
Part of NE 9K and 10K
Scale 1"=200'

