

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.

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Date

By

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-

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Date 7/15/97
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

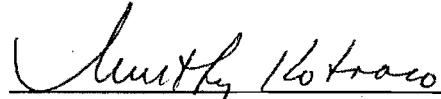
By

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 7/15/97
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,

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

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
which is presently zoned R.C.2. Rd.

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

City

MD

State

21087-1531

Zipcode

Attorney for Petitioner:

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

(Type or Print Name)

Robert A. Hoffman

Signature

240 Allegheny Ave.

Address

(410) 494-6200

Phone No

Towson

City

MD

State

21204

Zipcode

Legal Owner(s):

The Estate of Grace Williams

(Type or Print Name)

Campbell S. Williams

By:

Campbell S. Williams, Trustee of

the Estate of Grace Williams

(Type or Print Name)

Signature

300 Loreley Road

Address

410-335-3593

Phone No.

White Marsh

City

MD

State

21162-1212

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

Address

(410) 494-6200

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 FOR FILING

Date

By



520

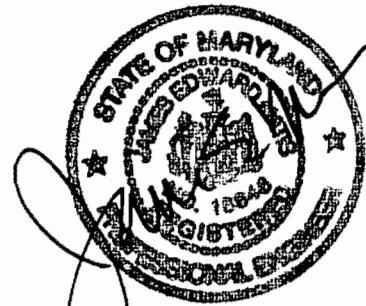
MATIS WARFIELD
CONSULTING ENGINEERS

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.

BALTIMORE COUNTY, MARYLAND

No. 028682

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

1 NEW NEWELL
05/16/97 01 5 JHR R 5051
01 - 5-513 ZONING VERIFICATION
01 - 01000 - 6750

DATE

16 MAR 97

ACCOUNT

AMOUNT

\$300.00 CK P-A-I-D

Baltimore County Maryland

State of Maryland & District

RECEIVED
FROM:

Wife & Daughters, Inc

FOR:

SPX Ivory Springs Rd

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

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: #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 fire-
wood operation and acces-
sory mulch 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 (410) 887-3353.

(2) For information concern-
ing the File and/or Hearing,
Please Call (410) 887-3391.

6/080 June 5 C148591

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. Henrichson
LEGAL AD. - TOWSON

RE: Case No. 97-520-X
EST. OF GRACE
Petitioner/Developer CAMPBELL, ET AL
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.
C 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)

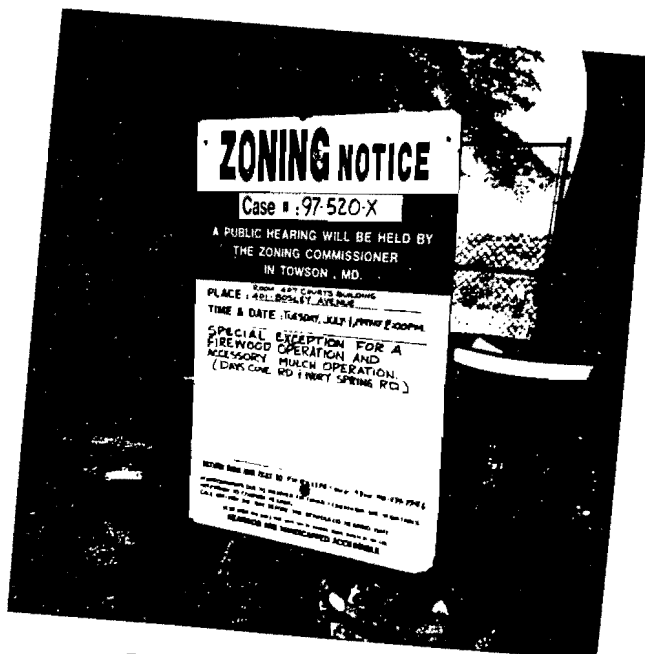
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

Page (410) 64
(Telephone Number)

9.06
001 dno



97-520-X
DAYS COVE RD & IVORY SPRING
H-7/1/97
F-6/14/97

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
-16-

TO: PUTUXENT 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 mulch 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 mulch operation.

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

A handwritten signature in black ink, 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,

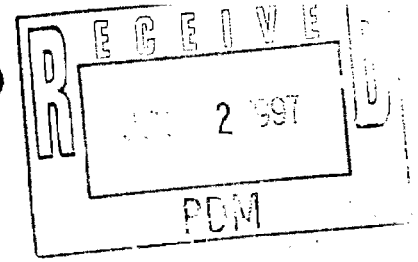
A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a circular stamp.

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

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

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

Location: DISTRIBUTION MEETING OF June 2, 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 887-4881, 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

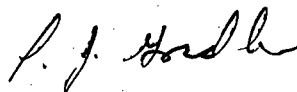
Dear Ms. Eubanks:

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,


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

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
8/28/98
8/31
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) _____
APPEALS, BOARD OF (M.S. 2013) _____
ENVIRONMENTAL PROTECTION AND RESOURCE
MANAGEMENT, DEPARTMENT OF (M.S. 3404) _____
Food Protection _____
Waste Management _____
Ground Water Management _____
Inspection and Enforcement _____
FIRE DEPARTMENT (M.S. 1102F) _____
Executive (Film Production) _____
Fire Marshal's Office _____
HEALTH, DEPARTMENT OF (M.S. 1102V) _____
Animal Control/Shelter _____
Communicable Diseases _____
Medical Environmental Services _____
LAW OFFICE (M.S. 2209) _____

PERMITS AND DEVELOPMENT MGMT., DEPARTMENT OF
Code Inspection _____
Code Enforcement _____
Zoning Review ✓ _____
POLICE DEPARTMENT (M.S. 1102E) _____
Human Resource Bureau _____
Field Operations _____
Operational Support _____
Traffic Resource Management _____
Vice _____
PUBLIC WORKS, DEPARTMENT OF _____
Building Services (M.S. 1102K) _____
Highways (M.S. 1003) _____
Traffic Engineering (M.S. 3401) _____
Solid Waste Mgmt. (M.S. 1209) _____
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
<u>Solid waste Processing Fee</u>		<u>21-98</u>	<u>98-99</u>	<u>Winty + Daughters Inc</u> <u>1200 Sp. Rd. N. of Days</u> <u>Cove</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

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 ☒ Renewal () New Owner ()Trade Name of Facility/Site Wirtz & Daughters, Inc Telephone No. 410-335-0400Address IVORY SPRING ROAD N. OF DAYS COWET ROAD Zip Code 21162CONTRACT PURCHASER
Owner's Name Wirtz and Daughters, Inc. Telephone No. 410-335-0400Owner's Address 7617 Chapman Road Kingsville MD Zip Code 21087Responsible Officer's Name GARY WIRTZ Telephone No. 410-592-5515Responsible Officer's Address 7617 Chapman Road Kingsville, MD Zip Code 21087Lessee's Name N/A Telephone No. N/ALessee's Address N/A Zip Code N/A

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

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

JAMES E. MATIS FOR Wirtz and Daughters, Inc.

James E. Matis Contact Purchaser 40-377-7596
Signature of Applicant Applicant's Title Telephone Number

James E. Matis Wirtz, Inc 6600 York Road Suite 201 Balto 21212
Mailing Address 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:

PERSUANT 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.

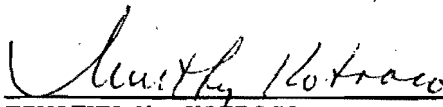
- 3 -

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

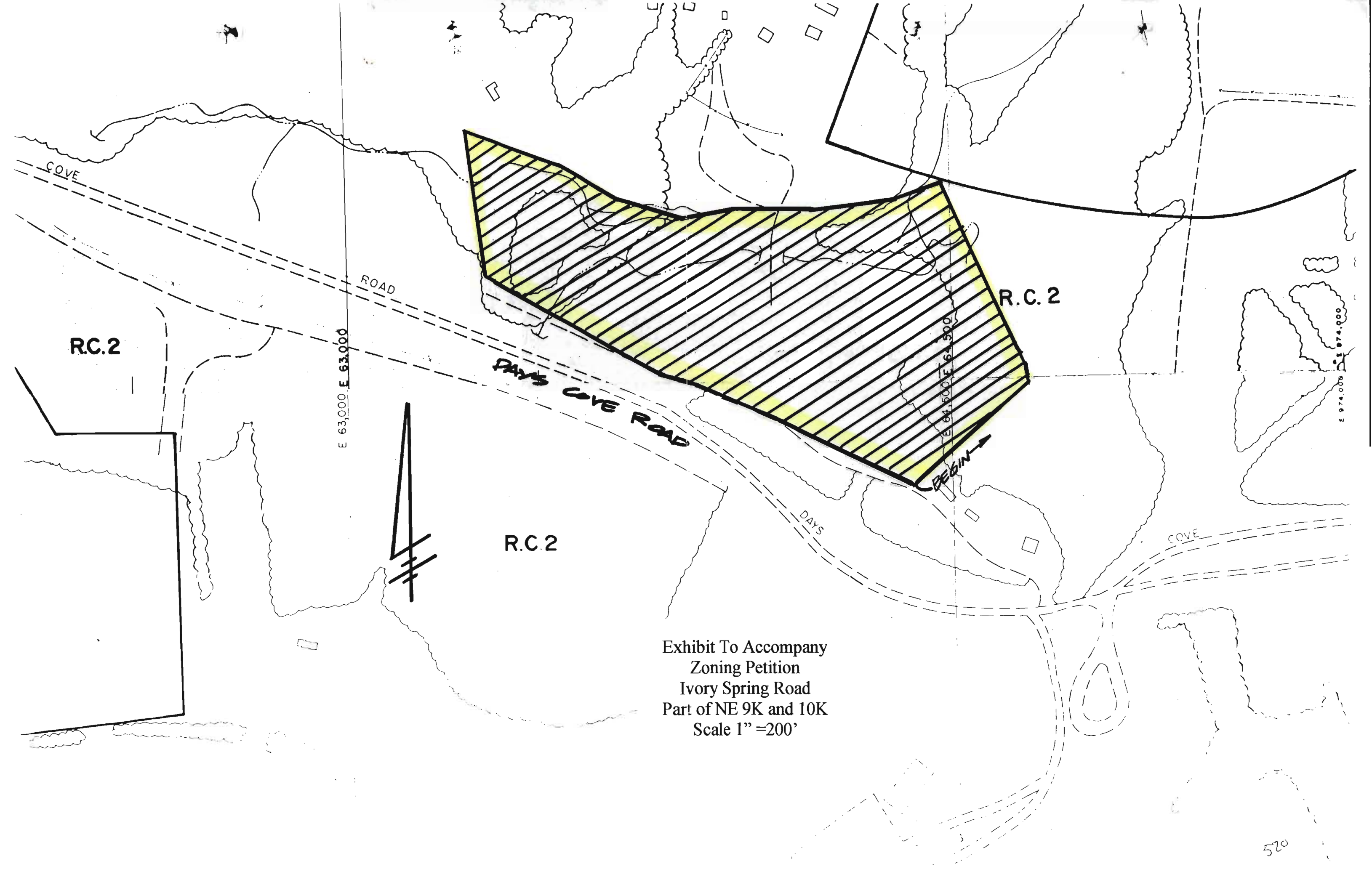
TMK:bjs

ORDER RECEIVED FOR FILING

Date

By



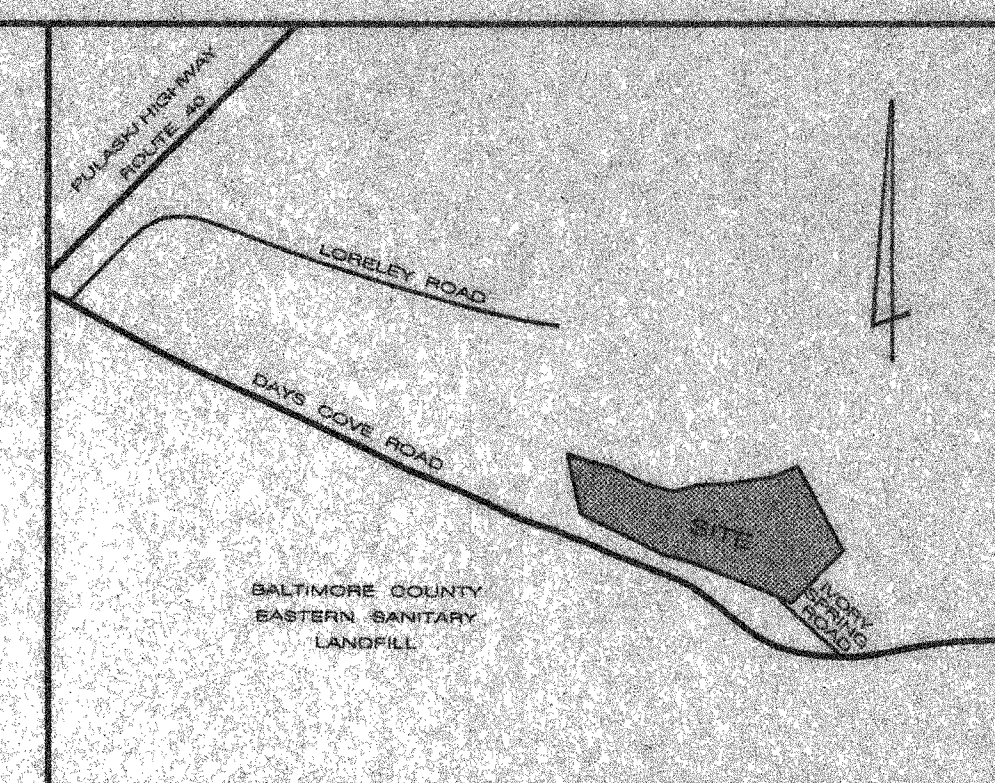


SITE DATA

GROSS AREA OF LOT 13.98 ACRES +/-
TAX MAP 73 ORD 16 PARCEL 329
EXISTING ZONING - RC-2
EXISTING USE - VACANT
PROPOSED USE - FIREWOOD OPERATION WITH ACCESSORY MULCH OPERATION
DEED REFERENCE - 1401/231
PLAT REFERENCE - N/A
DEVELOPMENT APPROVAL - N/A
TAX ACCOUNT NUMBER - 1123051728
COUNCILMANIC DISTRICT - 5
STORMWATER MANAGEMENT: N/A NO GRADING OR IMPERVIOUS SURFACE COVERAGE
GREATER THAN 5,000 SQUARE FEET PROPOSED
SIGNAGE - NONE PROPOSED AT THIS TIME; HOWEVER, ANY FUTURE SIGNAGE
TO COMPLY WITH SECTION 413 BCZR AND ALL ZONING SIGN POLICIES.
PREVIOUS COMMERCIAL PERMITS - GRADING PERMIT *GR66925
THIS SITE IS LOCATED OUTSIDE OF THE CHESAPEAKE BAY CRITICAL AREA

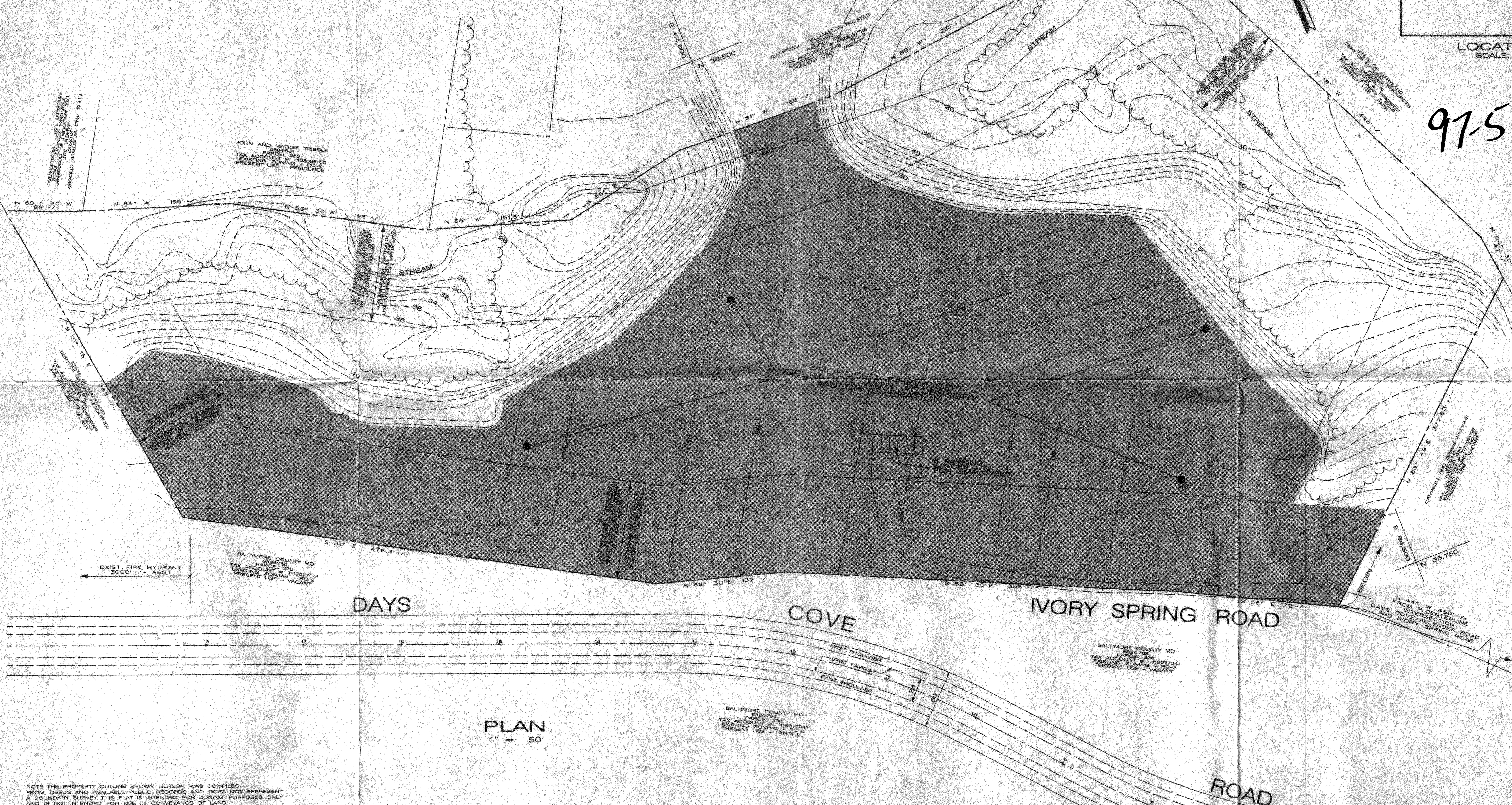
PARKING TABULATION

PARKING REQUIRED:
NO STRUCTURE PROPOSED
PARKING NOT SPECIFICALLY ADDRESSED IN BCZR
PARKING PROVIDED:
1 SP. PER EMPLOYEE
6 PARKING SPACES WILL BE PROVIDED ON A DURABLE
AND DUST FREE SURFACE FOR EMPLOYEES



LOCATION MAP
SCALE: 1" = 1000'

97-520-X



PLAN
1" = 50'

NOTE: THE PROPERTY OUTLINE SHOWN HEREON WAS COMPILED FROM DEEDS AND AVAILABLE PUBLIC RECORDS AND DOES NOT REPRESENT A BOUNDARY SURVEY. THIS PLAN IS INTENDED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED FOR USE IN CONVEYANCE OF LAND.

MATIS WARFIELD, INC.
CONSULTING ENGINEERS

6600 York Road, Suite 209
Baltimore, Maryland 21212
Phone: (410) 377-7596



PETITIONER

JOANNE WIRTZ
7617 CHAPMAN ROAD
KINGSVILLE, MARYLAND 21087
410-592-5515

LEGAL OWNER

CAMPBELL AND GRACE WILLIAMS
300 LORELEY ROAD
WHITE MARSH, MD 21162-1212

A SPECIAL EXCEPTION IS REQUESTED PURSUANT TO SECTION 1401.2.C.24 TO PERMIT A FIREWOOD OPERATION WITH AN ACCESSORY MULCH OPERATION IN AN EXISTING RC-2 ZONE

**PLAT TO ACCOMPANY
ZONING PETITION FOR
SPECIAL EXCEPTION**

IVORY SPRING ROAD

BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 50'

ELECTION DISTRICT NO. 11
SHEET 1 OF 1