

LAW OFFICES
KRAMON & GRAHAM, P.A.

ONE SOUTH STREET
SUITE 2600
BALTIMORE, MARYLAND 21202-3201

TELEPHONE: (410) 752-6030
FACSIMILE: (410) 539-1269

www.kramonandgraham.com

E-MAIL
jscherr@kg-law.com

JEFFREY H. SCHERR

DIRECT DIAL
(410) 347-7424

DIRECT FACSIMILE
(410) 361-8221

April 22, 2013

Lionel van Dommelen, Chief
Code Enforcement
Baltimore County Department of Permits,
Approvals and Inspections
111 West Chesapeake Avenue
Room 213
Towson, Maryland 21204

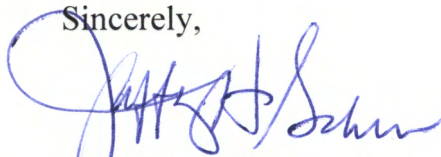
Re: Case No. 2010-0338-SPH
2202 Halethorpe Farms Road
Baltimore, Maryland 21227

Dear Mr. van Dommelen:

I am in receipt of your letter dated April 12, 2013.

Our client resolved the matter and is not pursuing it at this time.

Sincerely,



Jeffrey H. Scherr

JHS:cts

cc: Mr. David P. Scheffenacker, Jr. (via email)
Mr. Randall D. MacCuaig (via email)

~~CC~~ To:

Jeffrey H. Scherr, Kratton + Graham, P.A.
Lawrence E. Schmidt, Gildea + Schmidt, LLC

CC: Howard Aldeman, Levin + Gann

Dear _____,

It has come to our attention by way of complaint that there is some question as to the legality of the activity at the property located at 2202 Halethorpe Farms Rd.

Baltimore Maryland, 21227. On investigation of this complaint it was noted that a Petition For Special Hearing was filed with the zoning office dated June 6, 2010. Following this petition, numerous requests for postponement were filed and granted. This matter continues to be unresolved and has not been heard to date.

Please let this department know what the petitioner's intentions are, so that this may be resolved as soon as possible.

Sincerely,



+You Search Images Maps Play YouTube News Gmail More ▾

Sign in

Google

2202 halethorpe farms road

SafeSearch on ▾

Web Images Maps Shopping More ▾ Search tools

About 78,000 results (0.19 seconds)



2202 Halethorpe Farms Rd Halethorpe, MD 21227 Get directions

Transit: HOLLINS FERRY & HALETHORPE FARMS wb

Recovermat Mid Alantic LLC in Baltimore, MD | 2202 Halethorpe ...

www.superpages.com/.../Halethorpe.../Recovermat-MidAtlantic-LLC- ...
 Recovermat Mid Alantic LLC. Not Rated. **2202 Halethorpe Farms Rd**, Baltimore, MD
 21227 http://www.smithemr.com/. (410) 247-9680 Additional Contacts ...

Scrap Metal Locations

www.jssmetals.com/Locations
 Recovermat Mid-Atlantic **2202 Halethorpe Farms Road** Halethorpe, MD 21227 (410)
 247-9680 M-F: 7:30am-4:30pm. Saturday: 7:30am-11:30am. Smith Export ...

2202 Halethorpe Farms Road - City-Data.com

www.city-data.com/baltimore-county/.../Halethorpe-Farms-Road-2.ht...
 Property valuation of **Halethorpe Farms Road**, Baltimore, MD: **2202** (tax
 assessments)

2202 Halethorpe Farms Road - City-Data.com

www.city-data.com/baltimore-county/.../Halethorpe-Farms-Road-1.ht...
 Property valuation of **Halethorpe Farms Road**, Baltimore, MD: 1910, 1910, 1910,
 1954, 2195, 2200, 2200, 2201, **2202** (tax assessments)

Scrap Metal Pricing - Baltimore , MD, 21227, 2202 Halethorpe ...

gotscrap.com/scrap-yard.../scrap-yard-baltimore--md-21227-322.asp...
 Scrap Metal Pricing - Baltimore , MD, 21227, **2202 Halethorpe Farms Rd**. ADDRESS.
2202 Halethorpe Farms Rd, Baltimore , MD 21227 (410) 247-9680 ...

2202 Halethorpe Farms Rd, Baltimore, MD 21227 Directions ...

www.mapquest.com/maps?...2202+Halethorpe+Farms+Road...
 Our interactive map lets you view, print, or send to your phone directions to and from
2202 Halethorpe Farms Rd, Baltimore, MD 21227, and view the location as ...

2202 Halethorpe Farms Rd, Halethorpe, MD 21227 Directions ...

www.mapquest.com/maps?...2202+Halethorpe+Farms+Rd...Halethor...
 Our interactive map lets you view, print, or send to your phone directions to and from
2202 Halethorpe Farms Rd, Halethorpe, MD 21227, and view the location ...

2202 Halethorpe Farms Rd Halethorpe, MD Satellite Map and View ...

www.mapquest.com/.../2202-halethorpe-farms-rd-halethorpe-md/
 Satellite map of **2202 Halethorpe Farms Rd** Halethorpe, MD from MapQuest lets you
 pan and zoom a satellite view of **2202 Halethorpe Farms Rd** Halethorpe, ...

Zone:

My Neighborhood

[Share](#)[Help](#)[Get Data](#)

MH-IM

BALTIMORE COUNTY, MARYLAND

Address ▾ 2202 halthorpe farm Search

Example: 400 Washington Ave



My Neighborhood

Civic/Government

Economic

Historic

Environmental

Find



Report Results

My Neighborhood

[Print Results](#)Tax Account
Number

2200014866

[More >](#)

Owner Name

RECOVERMAT
MID-ATLANTIC
LLCTax Premise
Address2202
HALETHORPE
FARMS RD

Tax Map

0108

Parcel

0809

Zoning

MH IM

[More >](#)Elementary
School District

Lansdowne ES

[More >](#)Middle School
District

Lansdowne MS

[More >](#)High School
District

Lansdowne HS

[More >](#)

Additional Information



BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY

RE: PETITION FOR SPECIAL HEARING
2202 Halethorpe Farms Road
600' S of c/l of Trident Court

13th Election District
1st Councilmanic District

The Maryland Food Bank, Inc., and
Preston Jakarta, HFR II, LLC,

Petitioners,

Recovermat Mid-Atlantic, LLC,
Legal Owner.

Case No.: 2010-0338-SPH

REQUEST FOR POSTPONEMENT

Recovermat Mid-Atlantic, LLC, legal Owner, by its attorney, Howard L. Alderman, Jr., respectfully moves that the Zoning Commissioner for Baltimore County postpone the hearing apparently scheduled for October 4, 2010 in this case, and in support thereof states as follows:

1. At the request of the undersigned, on behalf of the legal Owner, the original hearing before the Zoning Commissioner, scheduled for Tuesday, July 27, 2010 at 9:00 a.m., was postponed.
2. The bases for the prior postponement request were the unavailability of legal counsel and that because the Petition was filed by persons other than the legal Owner of the property involved the legal Owner did not obtain notice of the then scheduled hearing until a mere sixteen (16) days prior to the hearing.
3. The undersigned received a telephone call earlier this date from Jeffrey H. Scherr Esquire, who represents one of the co-Petitioners, Preston Jakarta, HFR II, LLC, inquiring as to whether or not the legal Owner would consent to a postponement to enable the parties to continue discussions in potential resolution.

4. The undersigned advised Mr. Scherr that neither I nor my client had been provided any notice whatsoever of a new hearing on this matter having been set.

5. With Mr. Scherr on the phone, the Baltimore County website where zoning hearings are advertised (<http://www.baltimorecountymd.gov/MeetingsandEvents/pdmevents>) was queried and no hearing was listed as having been scheduled.

6. Together, Mr. Sherr and I called Lawrence E. Schmidt, Esquire who represents the other Petitioner, The Maryland Food Bank, Inc., in an effort to obtain unanimous consent for a postponement request.

7. Mr. Schmidt advised that he was awaiting communication from his client, therefore, he was unable to consent to a postponement at this time on behalf of The Maryland Food Bank, Inc.

8. The rescheduled hearing was set without consultation with the legal Owner or its counsel as required by the prior Order granted the requested postponement.

9. The legal Owner is entitled to be present at the hearing on this Petition and is required to be represented by legal counsel of its choice.

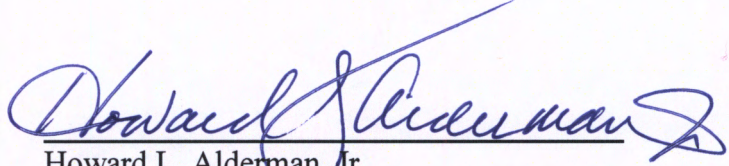
10. Unless the hearing is postponed, the legal Owner's rights and interests in its real property may be irreparably jeopardized.

11. Postponement of the hearing as apparently scheduled will enable the Petitioners and the legal Owner to continue their discussions that may lead to a mutually acceptable resolution without the need of a hearing.

12. The Petitioners will not be affected adversely by the requested postponement.

WHEREFORE, the legal Owner respectfully requests that the Zoning Commissioner grant a postponement of the hearing in this case, that this case not be reset until at least one (1) of the parties or their legal counsel request it and that all counsel of record be consulted before any

requested hearing is rescheduled.

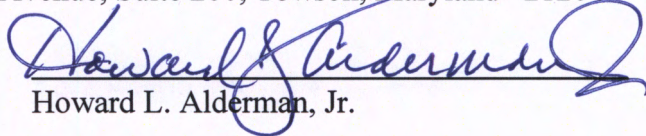


Howard L. Alderman, Jr.
Levin & Gann, P.A.
8th Floor, Nottingham Centre
502 Washington Avenue
Towson, Maryland 21204
410.321.0600 [voice]
410.296.2801 [fax]
halderman@LevinGann.com [e-mail]

Attorney for legal Owner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of September, 2010, a copy of the foregoing Request for Postponement, together with a proposed Order, was sent via telefax and was mailed via First-Class, United States Mail to: Peter Max Zimmerman, Esquire and Carole S. DeMilio, Esquire, both of Baltimore County Office of People's Counsel, The Jefferson Building, 105 W. Chesapeake Avenue, Suite 204, Towson, Maryland 21204; Jeffrey H. Scherr, Esquire, Kramon & Graham, P.A., One South Street, Suite 2600, Baltimore, Maryland 21202; and Lawrence E. Schmidt, Esquire, Gildea & Schmidt, LLC, 600 Washington Avenue, Suite 200, Towson, Maryland 21204



Howard L. Alderman, Jr.

file

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)

September 28, 2010

VIA TELEFAX & REGULAR MAIL

William J. Wiseman, III, Zoning Commissioner
Zoning Commissioner's Office
The Jefferson Building, Suite 103
105 West Chesapeake Avenue
Towson, Maryland 21204

Timothy M. Kotroco, Director
Baltimore County Department of
Permits and Development Management
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204

RE: 2202 Halethorpe Farms Road
Case No. **2010-0338-SPH**
Request for Postponement

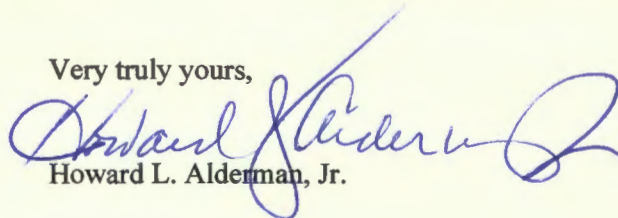
Dear Commissioner Wiseman and Mr. Kotroco:

Today, I learned that a hearing in the above-referenced matter had been rescheduled, apparently, for October 4, 2010. The rescheduling was done without the coordination among counsel of record required by the Order granting the prior postponement.

Hopefully, this postponement will provide the parties with the time necessary to reach resolution of any issues involved. In any event, there is insufficient time for the Owner of the property involved and its witnesses to be prepared for a hearing next Monday.

Should you need additional information in support of this request, please do not hesitate to contact me.

Very truly yours,


Howard L. Alderman, Jr.

HLA/gk
Enclosures
c (w/encl.):

Recovermat Mid-Atlantic, LLC
Baltimore County Office of People's Counsel
Lawrence E. Schmidt, Esquire
Jeffrey H. Scherr, Esquire
Ms. Kristen Lewis



BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY

RE: PETITION FOR SPECIAL HEARING *

2202 Halethorpe Farms Road *

600' S of c/l of Trident Court *

13th Election District *

1st Councilmanic District *

The Maryland Food Bank, Inc., and
Preston Jakarta, HFR II, LLC *

Case No. 2010-0338-SPH

Petitioners *

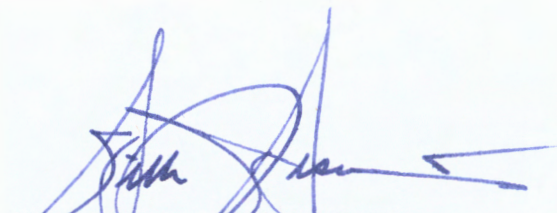
Recovery Mid-Atlantic, LLC *

Legal Owner *

* * * * *

After consideration of the Request for Postponement filed by the Legal Owner in this case, it is by the Zoning Commissioner for Baltimore County this 15th day of July, 2010,

ORDERED that the Request for Postponement be and it is hereby GRANTED, and the Zoning Commissioner hereby directs that the hearing be rescheduled for the next available, regularly scheduled date following August 4, 2010, and that any rescheduling be coordinated with Counsel of record.



WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

CERTIFICATE OF SERVICE

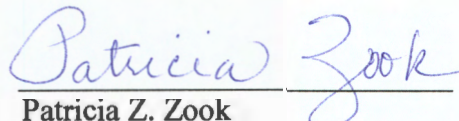
I hereby certify that on this 15th day of July, 2010 the foregoing Order granting a postponement was mailed via first class U.S. Postal Service to the following Counsel of record:

PETER MAX ZIMMERMAN, ESQUIRE
CAROLE S. DEMILIO, ESQUIRE
BALTIMORE COUNTY OFFICE OF PEOPLE'S COUNSEL
THE JEFFERSON BUILDING
105 WEST CHESAPEAKE AVENUE, SUITE 204
TOWSON MD 21204

JEFFREY H. SCHERR, ESQUIRE
KRANNON & GRAHAM PA
ONE SOUTH STREET, SUITE 2600
BALTIMORE MD 21202

LAWRENCE E. SCHMIDT, ESQUIRE
GILDEA & SCHMIDT, LLC
600 WASHINGTON AVENUE, SUITE 200
TOWSON, MD 21204

HOWARD ALDERMAN JR., ESQUIRE
LEVIN & GANN PA
NOTTINGHAM CENTRE
502 WASHINGTON AVENUE, SUITE 800
TOWSON, MD 21204


Patricia Z. Zook
Legal Secretary
Office of the Zoning Commissioner
for Baltimore County

HOWARD L. ALDERMAN, JR.
haldeman@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)

July 15, 2010

VIA TELEFAX, EMAIL & REGULAR MAIL

William J. Wiseman, III, Zoning Commissioner
Zoning Commissioner's Office
The Jefferson Building, Suite 103
105 West Chesapeake Avenue
Towson, Maryland 21204

Timothy M. Kotroco, Director
Baltimore County Department of
Permits and Development Management
111 West Chesapeake Avenue, Suite 109
Towson, Maryland 21204

RE: 2202 Halethorpe Farms Road
Case No. **2010-0338-SPH**
Request for Postponement

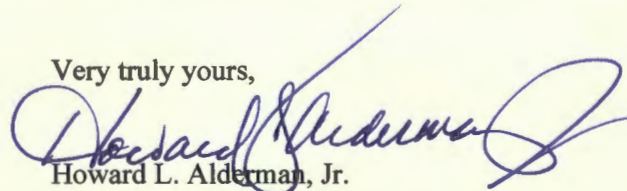
Dear Commissioner Wiseman and Mr. Kotroco:

On Monday, July 12, 2010, my client, Recovermat Mid-Atlantic, LLC, owner of the above-referenced property, found a County zoning sign posted on its property regarding a zoning hearing to be held involving its property pursuant to a zoning Petition filed. Prior to that posting, my client nor I had no notice or any other indication that such unrelated, third-party action was being taken.

After communicating with my client, I informed them that I will be out of the State and will be unable to attend the July 27, 2010 hearing. I have requested that counsel for each co-Petitioner consent to a postponement, but have received a reply of consent from only one. Therefore, I have prepared and am filing the following written Request for Postponement and proposed Order for your consideration.

If this request is granted, if Kristen would be so kind as to coordinate among counsel the rescheduled hearing date it would be appreciated. Should you need additional information in support of this request, please do not hesitate to contact me.

Very truly yours,



Howard L. Alderman, Jr.

HLA/gk
Enclosures
c (w/encl.):

Recovermat Mid-Atlantic, LLC
Baltimore County Office of People's Counsel
Lawrence E. Schmidt, Esquire
Jeffrey H. Scherr, Esquire
Ms. Kristen Lewis



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2202 Halethorpe Farms Road
which is presently zoned MH-IM

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

To confirm existing operation is an illegally operating junkyard, as defined in BCZR Sections 101.1 & 256.2

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

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

Attorney for Petitioner:

Jeffrey H. Scherr, Kramon & Graham, P.A.

Name - Type or Print

Signature

One South Street, Suite 2600

(410) 752-6030

Address

Telephone No.

Baltimore

MD

21202

City

State

Zip Code

Attorney For Petitioner:

Lawrence E. Schmidt

Name - Type or Print

Signature

Gildea & Schmidt, LLC

Company

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Interested Person(s):

Please see attached

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

State

Zip Code

Representative to be Contacted:

Lawrence E. Schmidt, Gildea & Schmidt, LLC

Name

600 Washington Avenue, Suite 200

(410) 821-0070

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

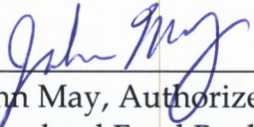
Case No. 2010-0338-SPH

Reviewed By D.T. Date 6/2/10

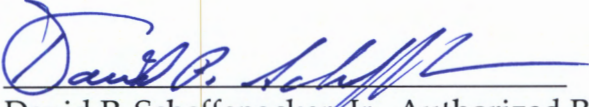
ATTACHMENT TO PETITION FOR SPECIAL HEARING

2202 Halethorpe Farms Road

Interested Persons:



John May, Authorized Representative
Maryland Food Bank
2200 Halethorpe Farms Road
Baltimore, MD 21227



David P. Scheffenacker, Jr., Authorized Representative
Preston Jakarta, HFR II, LLC
4835 Hollins Ferry Road
Baltimore, MD 21227

2010-0338-SPH

94-135-A

Beginning at a point 850 feet West of Halethorpe Farm Road which is 60 feet wide at the distance of 600 feet South of the centerline of the nearest intersecting street, Trident Court, which is 60 feet wide. Thence the following courses and distances:

1. 108.93 feet along the arc of a curve to the left having a radius of 326.08 feet
2. South 53 31' 23" West 80.74 feet
3. South 20 16' 07" East 340.51 feet
4. South 80 24' 26" West 852.90 feet
5. North 54 35' 34" West 35.36 feet
6. South 85 33' 00" West 50.20 feet
7. South 85 03' 32" West 587.79 feet
8. North 62 29' 41" East 541.63 feet
9. North 69 48' 13" East 923.35 feet

to the point of beginning as recorded in Deed Liber 9332 Folio 030.

Being Lot 3 in the subdivision of Iron City Sash and Door as recorded in Baltimore County Plat Book 65 Folio 55, containing 8.54 acres. Also known as 2202 Halethorpe Farm Road and located in the 13th Election District.

per6

[Signature] 9/16/93

CERTIFICATE OF POST
ZONING DEPARTMENT OF BALTIMORE
Town, Maryland

District: 13th
 Posted for: Verona
 Postmaster: Personny, Inc. & Free City Soc
 Location of property: 2202 Hal-the-a Farm
 Location of Sign: Facing road at corner of
Hal-the-a Farm Rd.
 Remarks: _____
 Posted by: [Signature]
 Date: _____
 Number of Signs: 1

[illegible]

CERTIFICATE

TOWSON,
THIS IS TO
published in THE JEFFERSON
in Towson, Baltimore County
weeks, the first publication

2010-03388

Percoatee Manufacturing Facility

94-135-A

Zoning Description

Beginning at a point 850 feet West of Halethorpe Farm Road which is 60 feet wide at the distance of 600 feet South of the centerline of the nearest intersecting street, Trident Court, which is 60 feet wide. Thence the following courses and distances:

1. 108.93 feet along the arc of a curve to the left having a radius of 326.08 feet
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3. South 20 16' 07" East 340.51 feet
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to the point of beginning as recorded in Deed Liber 9332 Folio 030.

Being Lot 3 in the subdivision of Iron City Sash and Door as recorded in Baltimore County Plat Book 65 Folio 55, containing 8.54 acres. Also known as 2202 Halethorpe Farm Road and located in the 13th Election District.

per6

9/16/93

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE
TOWSON, Maryland

District: 13th
Posted for: Rezone
Petitioner: Percoatee, Inc. + Iron City S&D
Location of property: 2202 Halethorpe Farm Rd
Location of Sign: Facing roadway at intersection of Halethorpe Farm Rd
Remarks: _____
Posted by: [Signature] Date: _____
Number of Signs: 1

CERTIFICATE

TOWSON,
THIS IS THE FIRST
published in THE JEFFERSON
in Towson, Baltimore County
weeks, the first publication

NOTICE OF PUBLIC HEARING
The Board of Estimates and Assessments of Baltimore County will hold a public hearing on the proposed rezoning of the property located at 2202 Halethorpe Farm Road, Iron City Sash and Door, Inc. (Petitioner) from R-1 to R-2. The hearing will be held on Thursday, September 17, 1993, at 7:00 PM, in the Board Room, 1000 North Howard Avenue, Towson, Maryland 21204. The Board of Estimates and Assessments is a body created by the Maryland General Assembly, Chapter 200, Act 100, of the 1989 Session, and is the governing body of Baltimore County. The Board of Estimates and Assessments is responsible for the assessment and taxation of property in Baltimore County. The Board of Estimates and Assessments is also responsible for the rezoning of property in Baltimore County. The Board of Estimates and Assessments is a body created by the Maryland General Assembly, Chapter 200, Act 100, of the 1989 Session, and is the governing body of Baltimore County. The Board of Estimates and Assessments is responsible for the assessment and taxation of property in Baltimore County. The Board of Estimates and Assessments is also responsible for the rezoning of property in Baltimore County.

2010-033854

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2010-0338-SPH
Petitioner: Maryland Food Bank
Address or Location: 2202 Halethorpe Farms Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Gildea + Schmidt LLC
Address: 600 Washington Ave, Suite 200
TOWSON, MD 21204
Telephone Number: 410 821-0070

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. _____

Date: _____

Fund	Dept	Unit	Sub Unit	Rev	Sub	Dept	Obj	BS Acct	Amount
				Source/	Rev/				
Obj	Sub Obj								

Total: _____

Rec
From: _____

For: _____

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

NOTICE OF ZONING
HEARING

The Zoning Commissioner of Baltimore County, Maryland, has assigned to its agents at the time and place specified herein, the following property for a public hearing on the proposed rezoning of the same. The property is located in the Baltimore County, Maryland, and is subject to the provisions of the Baltimore County Zoning Ordinance, which is hereby referred to as the "Ordinance". The property is located in the Baltimore County, Maryland, and is subject to the provisions of the Baltimore County Zoning Ordinance, which is hereby referred to as the "Ordinance". The property is located in the Baltimore County, Maryland, and is subject to the provisions of the Baltimore County Zoning Ordinance, which is hereby referred to as the "Ordinance".

at 9:45 A
Wednesday, June 10, 2008

CERTIFICATE OF PUBLICATION

7/8/, 2010

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/6/, 2010.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

J. Wilkinson

LEGAL ADVERTISING

+ - CERTIFICATE OF POSTING

2010-0338-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Maryland Food Bank

July 27 2010

Date of Hearing/Closing: _____

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

Attn: Kristin Matthews:

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: _____
2202 Halethorpe Farms Road

The sign(s) were posted on _____
July 12 2010
(Month, Day, Year)

Sincerely,

Robert Black July 12 2010
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

Scrap Metal Processing Facility

Recovermat

2202 Halethorpe Farm Road

410-247-9680

Mon-Fri 7:30-4:30

Sat. 7:30-11:30

ZONING NOTICE

CASE #2010-0338SPH

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

Room 104 Jefferson Building
105 West Chesapeake Avenue, Towson, MD 21204

DATE AND TIME: Tuesday, July 27, 2010 at 9:00 a.m.

REQUEST SPECIAL HEARING TO CONFIRM EXISTING
OPERATION IS AN ILLEGALLY OPERATING JUNKYARD

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY
TO CONFIRM HEARING CALL 410-247-9680

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

ZONING NOTICE

CASE #2010-0338SPH

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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 13, 2010 Issue - Jeffersonian

Please forward billing to:
Gildea & Schmidt
600 Washington Ave., Ste. 200
Towson, MD 21204

410-821-0070

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 2010-0338-SPH

2202 Halethorpe Farms Road

W/side of Halethorpe Farms Road, 600 feet south of the centerline of Trident Court to a 25 feet access easement

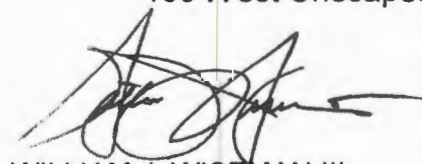
13th Election District – 1st Councilmanic District

Legal Owners: Recovermat Mid-Atlantic, LLC

Petitioners: Maryland Food Bank

Special Hearing to confirm existing operation is an illegally operating junkyard.

Hearing: Tuesday, July 27, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management
June 17, 2010

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

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2202 Halethorpe Farms Road

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Petitioners: Maryland Food Bank

Special Hearing to confirm existing operation is an illegally operating junkyard.

Hearing: Tuesday, July 27, 2010 at 9:00 a.m. in Room 104, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco
Director

TK:kl

C: Lawrence Schmidt, 600 Washington Avenue, Ste. 200, Towson 21204
Jeffrey Scherr, One South Street, Ste. 2600, Baltimore 21202
John May, 2200 Halethorpe Farms Road, Baltimore 21227
David Scheffenacker, 4835 Hollins Ferry Road, Baltimore, 21227

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 12, 2010.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

July 21, 2010

Lawrence Schmidt
Gildea & Schmidt, LLC
600 Washington Ave. Ste. 200
Towson, MD 21204

Dear: Lawrence Schmidt

RE: Case Number 2010-0338-SPH, 2202 Halethorpe Farms Rd.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 02, 2010. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Jeffrey Scherr, Karmon & Graham, PA; One South St. Ste. 2600; Baltimore, MD 21202

BW 7/27
9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: June 28, 2010

RECEIVED

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

JUN 30 2010

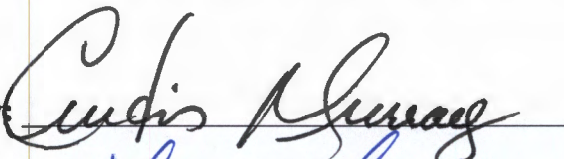
ZONING COMMISSIONER

SUBJECT: Zoning Advisory Petition(s): **Case(s) 10-338- Special Hearing**

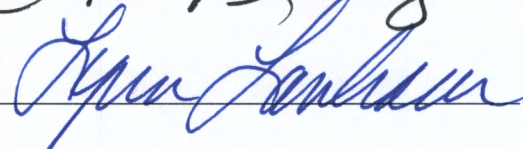
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

For further questions or additional information concerning the matters stated herein, please contact Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By:



Division Chief:
CM/LL



BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUN 29 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: June 28, 2010

SUBJECT: Zoning Item # 10-338-SPH
Address 22020 Halethorpe Farms Road
(Maryland Food Bank Property)

Zoning Advisory Committee Meeting of June 14, 2010.

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

Reviewer: JWL Date: 6/28/10

BW
7-27-10
9am

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits &
Development Management

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For June 28, 2010
Item Nos. 2010- 310, 338, 339, 340,
342, 343, and 344

DATE: June 17, 2010

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN:elm

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-06282010 -NO COMMENTS.doc



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

Beverley K. Sweim-Staley, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 6-18-2010

Ms. Kristen Matthews
Baltimore County Office Of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 2010-0338-SPH
22020+HALETHORPE FARMS RD
MARYLAND FOOD BANK
SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2010-0338-SPH.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,

Foster Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/mb

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
2202 Halthorpe Farms Road; W/S Halthorpe *
Farms Road, 600' S of Trident Court * ZONING COMMISSIONER
13th Election & 1st Councilmanic Districts *
Legal Owner(s): Maryland Food Bank * FOR
Petitioner(s) *
* BALTIMORE COUNTY
*
* 10-338-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

RECEIVED

JUN 23 2010

.....

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of June, 2010, a copy of the foregoing Entry of Appearance was mailed to Jeffrey Scherr, Esquire, Kramon & Graham, P.A. One South Street, Suite 2600, Baltimore, MD 21202 and Lawrence E. Schmidt, Esquire, Gildea & Schmidt LLC, 600 Washington Avenue, Suite 200, Towson, MD 21204, Attorneys for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Kristen Lewis - RE: 2010-338-SPH - Request for Postponement

From: "Larry Schmidt" <lschmidt@gildeallc.com>
To: "Howard Alderman" <halderman@leavingann.com>, <wwiseman@baltimorecounty...
Date: 9/28/2010 4:42 PM
Subject: RE: 2010-338-SPH - Request for Postponement
CC: <jscherr@kg-law.com>, "People's Counsel" <peoplescounsel@baltimorecoun...

Howard: I can consent to a postponement under the circumstances you have identified. However, given the fact that this matter is now postponed a second time, can we agree as counsel to a conference call to discuss some agreed dates) We can have that discussion among the three of us (Alderman, Scherr and Schmidt) with or without Kristen and/or the Commissioner's office (whoever is going to coordinate the rescheduling). As a bottom line, please postpone this but let's get it re-set timely to an agreed date.

Thanks,
 Larry

Lawrence E. Schmidt
 Gildea & Schmidt, LLC
 600 Washington Avenue
 Suite 200
 Towson, MD 21204
 (410) 821-0070
 (410) 821-0071 - fax

This email contains information from the law firm of Gildea & Schmidt, LLC which may be confidential and/or privileged. The information is intended to be for the exclusive use of the individual or entity named above. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this e-mail in error, please notify Gildea & Schmidt, LLC by telephone immediately.

From: Howard Alderman [mailto:halderman@leavingann.com]
Sent: Tuesday, September 28, 2010 3:17 PM
To: wwiseman@baltimorecountymd.gov; Timothy Kotroco
Cc: lschmidt@gildeallc.com; jscherr@kg-law.com; People's Counsel; Kristen Lewis; Paul Smith; Paul Tharp; Greenfield, Aaron J.
Subject: 2010-338-SPH - Request for Postponement

Messrs. Wiseman/Kotroco,

Attached is a scanned copy of a transmittal letter, Request for Postponement and proposed Order in the above-referenced case. These materials were also sent today via telefax and regular mail to your respective offices and to all counsel of record.

Thank you.

~~~~~  
 Howard L. Alderman, Jr., Esquire  
 Levin & Gann, PA  
 Nottingham Centre, 8<sup>th</sup> Floor  
 502 Washington Avenue  
 Towson, Maryland 21204  
 ☎: 410-321-0600 (voice)

☎: 410-296-2801 (fax)  
☎: 410-456-8501 (cell)  
✉: [halderman@LevinGann.com](mailto:halderman@LevinGann.com)  
Website: [www.LevinGann.com](http://www.LevinGann.com)

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Circular 230 Disclosure: Pursuant to recently-enacted U.S. Treasury Department Regulations, we are now required to advise you that, unless otherwise expressly indicated, any federal tax advice contained in this communication, including attachments and enclosures, is not intended or written to be used, and may not be used, for the purpose of either (i) avoiding tax-related penalties under the U.S. Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matters addressed herein.

**NOTE:** *If a file in Adobe/PDF format is attached to this message and you do not have the software to open it, you may download and install the software at no cost from the following:*

<http://www.adobe.com/products/acrobat/readstep2.html>

(Please file in Case No. 2010-0338 - SPH)

7-27@9AM

Thanks.

Postponed for 7/27

CASE NO. 2010- 0338 - SPH

For data base --  
No new hearing date as of:  
7-30, 8-18, 8-27

## CHECKLIST

| <u>Comment Received</u>         | <u>Department</u>                                        | <u>Support/Oppose</u><br><u>No Comment</u> |
|---------------------------------|----------------------------------------------------------|--------------------------------------------|
|                                 | DEVELOPMENT PLANS REVIEW                                 |                                            |
| <u>6-28</u>                     | DEPRM                                                    | <u>No Comment</u>                          |
|                                 | FIRE DEPARTMENT                                          |                                            |
| <u>6-28</u>                     | PLANNING<br>(if not received, date e-mail sent _____)    | <u>None</u>                                |
|                                 | STATE HIGHWAY ADMINISTRATION                             |                                            |
|                                 | TRAFFIC ENGINEERING                                      |                                            |
|                                 | COMMUNITY ASSOCIATION                                    |                                            |
|                                 | ADJACENT PROPERTY OWNERS                                 |                                            |
| ZONING VIOLATION                | (Case No. _____)                                         |                                            |
| PRIOR ZONING                    | (Case No. _____)                                         |                                            |
| NEWSPAPER ADVERTISEMENT         | Date: _____                                              |                                            |
| SIGN POSTING                    | Date: _____                                              |                                            |
| PEOPLE'S COUNSEL APPEARANCE     | Yes <input type="checkbox"/> No <input type="checkbox"/> |                                            |
| PEOPLE'S COUNSEL COMMENT LETTER | Yes <input type="checkbox"/> No <input type="checkbox"/> |                                            |
| Comments, if any: _____         |                                                          |                                            |
| _____                           |                                                          |                                            |
| _____                           |                                                          |                                            |



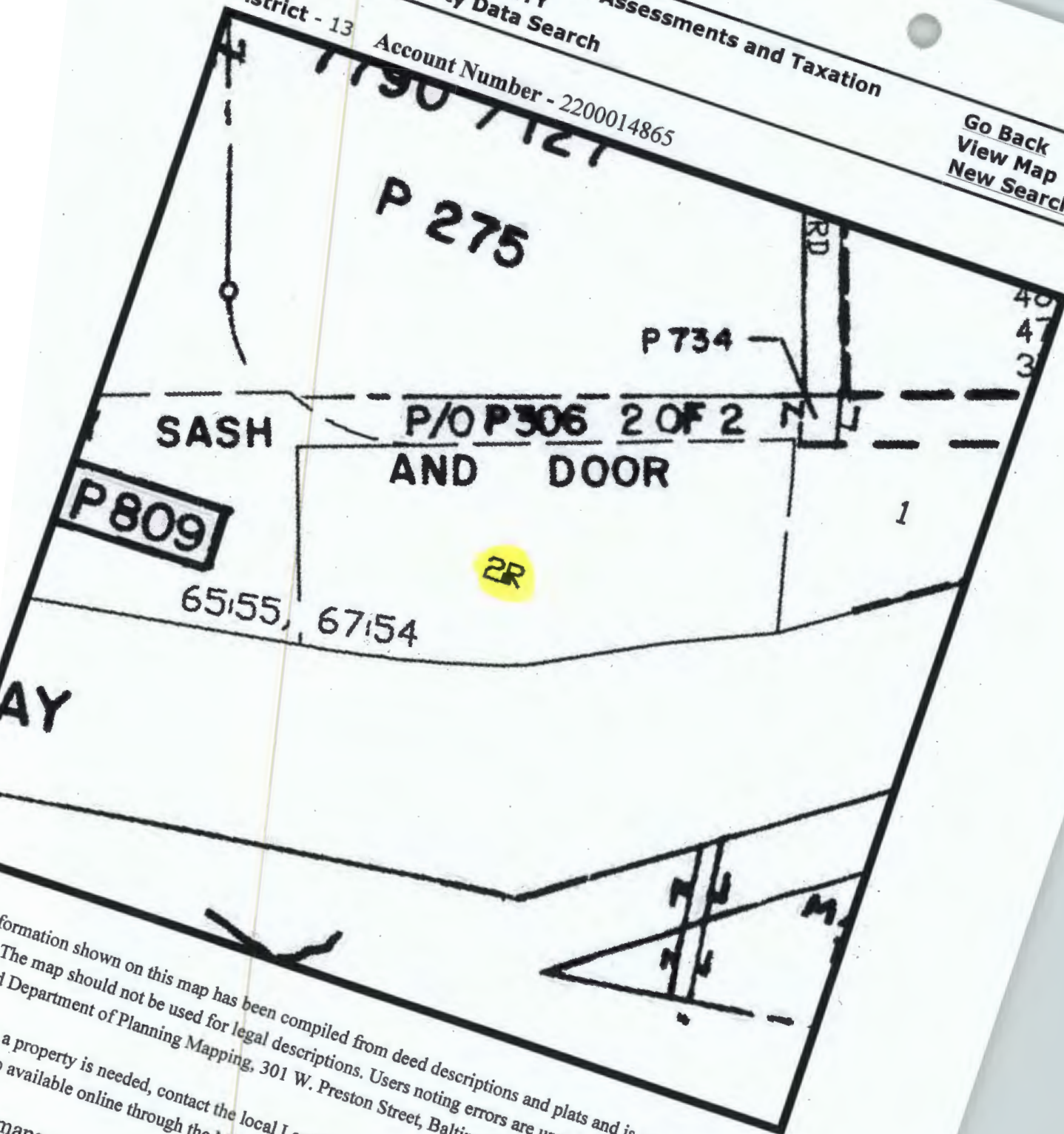


Maryland Department of Assessments and Taxation  
BALTIMORE COUNTY  
Real Property Data Search

Page 1 of 2

District - 13 Account Number - 2200014865

[Go Back](#)  
[View Map](#)  
[New Search](#)



Information shown on this map has been compiled from deed descriptions and plats and is not a property map. The map should not be used for legal descriptions. Users noting errors are urged to notify the Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a property is needed, contact the local Land Records office where the property is located. Maps are available online through the Maryland State Archives at [www.plats.net](http://www.plats.net).

Maps provided courtesy of the Maryland Department of Planning ©2009. For more information on electronic mapping applications, visit the Maryland Department of Planning website at [www.mdp.state.md.us/OurProducts/OurProducts.shtml](http://www.mdp.state.md.us/OurProducts/OurProducts.shtml).

[rp\\_rewrite/maps/showmap.asp?countyid=04&...](http://rp_rewrite/maps/showmap.asp?countyid=04&...)



Account Identifier: District - 13 Account Number - 2200014866

**Owner Information**

|                         |                                                                            |                             |                                  |
|-------------------------|----------------------------------------------------------------------------|-----------------------------|----------------------------------|
| <b>Owner Name:</b>      | RECOVERMAT MID-ATLANTIC LLC                                                | <b>Use:</b>                 | INDUSTRIAL                       |
| <b>Mailing Address:</b> | C/O DENNIS BLANCHARD<br>2202 HALETHORPE FARM RD<br>BALTIMORE MD 21227-4551 | <b>Principal Residence:</b> | NO                               |
|                         |                                                                            | <b>Deed Reference:</b>      | 1) /11184/ 622<br>2) /11184/ 619 |

**Location & Structure Information**

|                          |                                                                    |
|--------------------------|--------------------------------------------------------------------|
| <b>Premises Address</b>  | <b>Legal Description</b>                                           |
| 2202 HALETHORPE FARMS RD | 8.6003 AC<br>2202 HALETHORPE FARM RD SW<br>IRON CITY SASH AND DOOR |

|            |             |               |                     |                    |                |              |            |                        |                         |
|------------|-------------|---------------|---------------------|--------------------|----------------|--------------|------------|------------------------|-------------------------|
| <b>Map</b> | <b>Grid</b> | <b>Parcel</b> | <b>Sub District</b> | <b>Subdivision</b> | <b>Section</b> | <b>Block</b> | <b>Lot</b> | <b>Assessment Area</b> | <b>Plat No:</b>         |
| 108        | 24          | 809           |                     |                    |                |              | 3R         | 2                      | <b>Plat Ref:</b> 67/ 54 |

|                          |                   |
|--------------------------|-------------------|
| <b>Special Tax Areas</b> | <b>Town</b>       |
|                          | <b>Ad Valorem</b> |
|                          | <b>Tax Class</b>  |

|                                |                      |                           |                   |
|--------------------------------|----------------------|---------------------------|-------------------|
| <b>Primary Structure Built</b> | <b>Enclosed Area</b> | <b>Property Land Area</b> | <b>County Use</b> |
| 1996                           | 6,258 SF             | 8.60 AC                   | 07                |

|                |                 |             |                 |
|----------------|-----------------|-------------|-----------------|
| <b>Stories</b> | <b>Basement</b> | <b>Type</b> | <b>Exterior</b> |
|----------------|-----------------|-------------|-----------------|

**Value Information**

|                           |                   |              |                             |            |
|---------------------------|-------------------|--------------|-----------------------------|------------|
|                           | <b>Base Value</b> | <b>Value</b> | <b>Phase-in Assessments</b> |            |
|                           |                   | As Of        | As Of                       | As Of      |
|                           |                   | 01/01/2008   | 07/01/2009                  | 07/01/2010 |
| <b>Land</b>               | 729,300           | 1,289,300    |                             |            |
| <b>Improvements:</b>      | 220,800           | 258,000      |                             |            |
| <b>Total:</b>             | 950,100           | 1,547,300    | 1,348,232                   | 1,547,300  |
| <b>Preferential Land:</b> | 0                 | 0            | 0                           | 0          |

**Transfer Information**

|                                               |                           |                           |
|-----------------------------------------------|---------------------------|---------------------------|
| <b>Seller:</b> MGA INVESTMENT INC             | <b>Date:</b> 08/25/1995   | <b>Price:</b> \$517,000   |
| <b>Type:</b> UNIMPROVED ARMS-LENGTH           | <b>Deed1:</b> /11184/ 622 | <b>Deed2:</b> /11184/ 619 |
| <b>Seller:</b> IRON CITY SASH & DOOR CO & MFG | <b>Date:</b> 02/07/1995   | <b>Price:</b> \$505,000   |
| <b>Type:</b> IMPROVED ARMS-LENGTH             | <b>Deed1:</b> /10934/ 181 | <b>Deed2:</b>             |
| <b>Seller:</b>                                | <b>Date:</b>              | <b>Price:</b>             |
| <b>Type:</b>                                  | <b>Deed1:</b>             | <b>Deed2:</b>             |

**Exemption Information**

|                                   |              |            |            |
|-----------------------------------|--------------|------------|------------|
| <b>Partial Exempt Assessments</b> | <b>Class</b> | 07/01/2009 | 07/01/2010 |
| <b>County</b>                     | 000          | 0          | 0          |
| <b>State</b>                      | 000          | 0          | 0          |
| <b>Municipal</b>                  | 000          | 0          | 0          |

**Tax Exempt:** NO  
**Exempt Class:**

**Special Tax Recapture:**  
\* NONE \*



1302000553

4805

250000397

4825

2500003976

2007-0473-SPH

2500003977

MH IM

4835

1308002432

2200014865

2202

2010-0338-SPH

2200014866

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1895

RC 2

NOT LOCATED



Homepage

File Edit View

★ Favorites ★

Homepage : Smith In

## STAT ART P

We efficiently  
ferrous and non  
turning raw scrap  
clean mill-ready p



In the US al  
145,000,000  
landfills, which  
emissions and  
metal recycling i  
our community...

## Recycling



## What We Do

Smith Industries, Inc currently maintains two mega-shredder locations, Joseph Smith & Sons, Inc and Recovermat Mid-Atlantic, LLC, in the Baltimore/Washington area. Our mega-shredder plants are modern, industrial complexes of collection, transportation, processing, and shredding. These plants are 'self-contained' recycling operations, turning raw scrap into 'mill ready' product. Rail service on-site, allows Smith to utilize cars to move product efficiently to the mills. Our ability to contract and deliver to any point, domestic or international, assures that we are one of the best market prices, worldwide. In turn, we offer competitive pricing to all our customers.

Both facilities operate inbound and outbound scales with automated systems which quickly and accurately process weight tickets and reduce waiting time. On-site ATM machines make cash payment quick and easy.

Smith Industries, Inc. also maintains seventeen satellite yards throughout Maryland, Delaware, Virginia, and Pennsylvania.

## Home Services Locations

Contact Us  
Serving you since

Joseph Smith & Sons | JSS Metals | Scrap Metal > Services > What We Do - Windows Internet Explorer

http://www.jssmetals.com/Services/What-We-Do

File Edit View Favorites Tools Help

★ Favorites ★

Scrap Metal Recycling : S...

Joseph Smith & Sons | JS... X

Online Training Center

Citrix N GroupWise WebAccess

BCG Home Page

BC Web

CTC Online

ESS

Page

Safety

Tools

Recovermat Mid Atlantic LLC

Done

start

Envision Field Inspect...

Novell GroupWise - M...

Recovermat Mid Alan...

Joseph Smith

**SMITH INDUSTRIES, INC.**

Scrap Metal Recyclers



2001 Kenilworth Avenue  
P O Box 64430  
Washington, D.C. 20029-4430  
Office: 301-773-1266 ext. 156  
Fax: 301-773-7578  
Cell: 301-651-3904  
ptharp@jsmith-sons.com

**Paul Tharp**  
Information Officer  
Compliance Officer  
Government Liaison



DIRECT DIAL: 410-321-4640  
RESIDENCE: 410-592-2612  
TELEFAX: 410-296-2801

e-mail: [halderman@LevinGann.com](mailto:halderman@LevinGann.com)  
Web: [www.levingann.com](http://www.levingann.com)

*cell/ 410 456 8501*

HOWARD L. ALDERMAN, JR.  
ATTORNEY AT LAW

**LEVIN & GANN, P.A.**

NOTTINGHAM CENTRE, 8<sup>TH</sup> FLOOR • 502 WASHINGTON AVENUE

TOWSON, MARYLAND 21204

410-321-0600

IN RE: PETITION FOR VARIANCE  
W/S Halethorpe Farm Road, 600'S  
of the c/l of Trident Court  
(2202 Halethorpe Farm Road)  
13th Election District  
1st Councilmanic District  
  
Iron City Sash and Door  
Petitioner

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 94-135-A

\* \* \* \* \*  
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance filed by the owner of the subject property, Iron City Sash and Door, by Paul T. Slaysman, and the Contract Purchaser, Percontee, Inc., by Medda Gudelsky. The Petitioners seek relief from Section 256.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a manufacturing use within 150 feet of a residential zone (said residential zone property being part of the Patapsco State Park) and extending to the centerline of the abutting Harbor Tunnel Thruway, in lieu of the required 1,000 feet; from Section 256.5 of the B.C.Z.R. to permit said manufacturing use to be located 0 feet from the street abutting a residential zone boundary, in lieu of the required 150 feet; and from Section 256.5 of the B.C.Z.R. to permit said manufacturing use to be located within 0 feet of the Harbor Tunnel Thruway right-of-way adjacent to the site and without the necessity of screening same from the motorway, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Claude E. Vannoy and Jonathan Genn on behalf of Percontee, Inc., the Contract Purchaser. Also appearing on behalf of the Petitioner were Donald S. Hawkins, on behalf of the Halethorpe Civic Association, Mark Weber, Professional Engineer who prepared the site plan for the subject property, William Bukevich with

ORDER RECEIVED  
DATE 8/13/93  
BY [Signature]

5/53R  
ML ML

19522409

PDM # 130181

1954

1920

Pt. Bk./Folio # 063083

19820102

19730022 4730

ML IM

108C2

PDM # 130139

Pt. Bk. 63, Folio 83

19810071

4760

4764

19850142

Pt. Bk./Folio # 047097

Pt. Bk. 32, Folio 19 4747

4800

4828

4771

4769

4803

4809

Pt. Bk./Folio # 035064

PDM # 130057

Pt. Bk. 35, Folio 4

4734

4756

MH IM

TRIDENT CT

Pt. Bk./Folio # 0360130

Pt. Bk. 36, Folio 130

4715

4733

SW 7-D

PDM # 130205

4811

4825

HOLLINS END (PDM File/Project # LIM 06148)

Pt. Bk. 78, Folio 346 4805

Pt. Bk./Folio # 076346

4807

4813

4835

19940135

Pt. Bk. 65, Folio 55

2201

1 CD

13 ED

PDM # 130137

Pt. Bk./Folio # 087054

2202

Pt. Bk. 67, Folio 54

108C3

RC 2

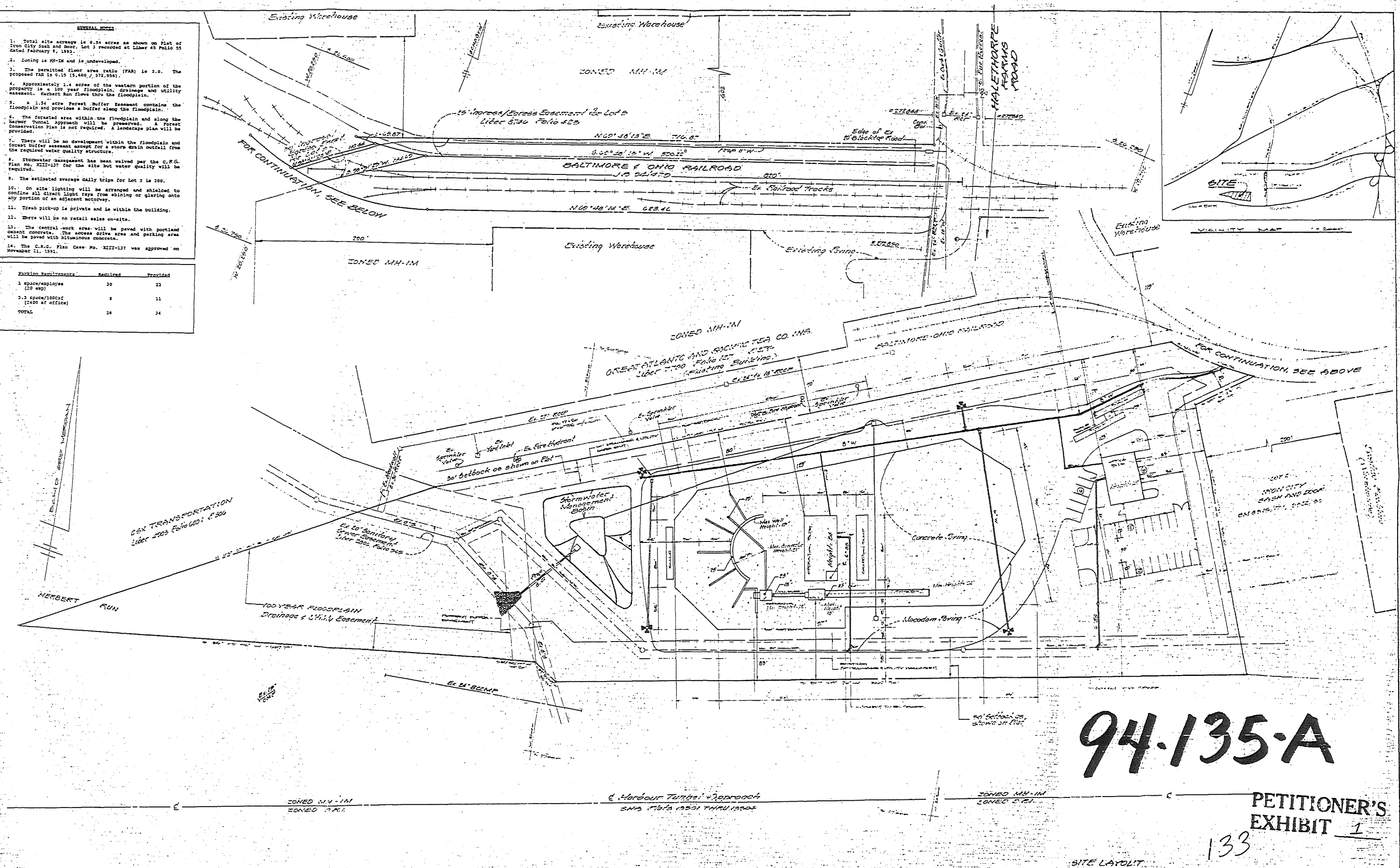
SW 8-D

109A3

109A2

- GENERAL NOTES**
1. Total site acreage is 0.54 acres as shown on Plat of Iron City Cash and Moor, Lot 3 recorded at Liber 65 Folio 55 dated February 7, 1992.
  2. Zoning is MH-1M and is undeveloped.
  3. The permitted floor area ratio (FAR) is 2.0. The proposed FAR is 0.15 (5,400 / 372,056).
  4. Approximately 1.4 acres of the western portion of the property is a 100 year floodplain, drainage and utility easement. Herbert Run flows thru the floodplain.
  5. A 2.54 acre Forest Buffer Easement contains the floodplain and provides a buffer along the floodplain.
  6. The forested area within the floodplain and along the Harbor Tunnel Approach will be preserved. A Forest Conservation Plan is not required. A landscape plan will be provided.
  7. There will be no development within the floodplain and forest buffer easement except for a storm drain outfall from the required water quality structure.
  8. Stormwater management has been waived per the C.F.G. Plan No. XII-137 for the site but water quality will be required.
  9. The estimated average daily trips for Lot 3 is 200.
  10. On site lighting will be arranged and shielded to confine all direct light rays from shining or glaring onto any portion of an adjacent motorway.
  11. Trash pick-up is private and is within the building.
  12. There will be no retail sales on-site.
  13. The central work area will be paved with portland cement concrete. The access drive area and parking area will be paved with bituminous concrete.
  14. The C.F.G. Plan Case No. XII-137 was approved on November 21, 1991.

| Parking Requirements                  | Required  | Provided  |
|---------------------------------------|-----------|-----------|
| 1 space/employee (CO exp)             | 20        | 23        |
| 3-5 space/1000 sq ft (2400 sq office) | 8         | 11        |
| <b>TOTAL</b>                          | <b>28</b> | <b>34</b> |



**94.135-A**

**PETITIONER'S EXHIBIT 1**

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**CHISHOLM - WEBER, ASSOCIATES**  
 LAND DEVELOPMENT CONSULTANT  
 ENGINEERING • PLANNING • SURVEYING  
 1874 CHOTON BOULEVARD, SUITE 110  
 CRUICKSHANK, MARYLAND 21114  
 PHONE (410) 721-5500  
 FAX (410) 721-2099

**PLAN TO ACCOMPANY VARIANCE HEARING**  
**PERCONTEE INC.**  
**MANUFACTURING FACILITY**  
 SITE MAP, LOT 3, IRON CITY CASH AND MOOR, LIBER 65, FOLIO 55  
 COUNTY OF BALTIMORE, MARYLAND  
 DATED: 10/1/94  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 APPROVED BY: [Signature]

2010-0338-SPH