

Tax Map/Block/Parcel
No. 59-11-242

Building Permit/Zoning
Certificate No. 90-3657

Case 3472

**OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND**

APPLICANT: Maryland Paving, Inc.
William C. Ensor, Vice President
P.O. Box 248
Aberdeen, Maryland 21001

ATTORNEY: JoAnn Ellinghaus-Jones, Esquire
1326 Main Street
P.O. Box 176
Hampstead, Maryland 21074

REQUEST: To amend condition one of the Board's decision in Case 2083 to allow an increase of the rated production capacity from 140 to 240 tons per hour for the bituminous concrete plant

LOCATION: 2910 Finksburg Industrial Park Drive in Election District 4

BASIS: Article 17, Section 17.2; Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: December 28, 1990

FINDINGS AND CONCLUSION

The application, testimony and evidence comprising the record of this case are hereby included by reference in this decision. Based on the record, the Board hereby authorizes amendment of condition one of the Board's decision in Case 2083 as stated below.

The pertinent findings determining the Board's decision include the facts that the existing bituminous concrete plant, as conditionally authorized by the Board in Case 2083 was limited to a plant not exceeding a production capacity of approximately 140 tons per hour. The proposed increase of the plant's rated capacity will facilitate supply of the bituminous concrete, and may allow reduction of the operational time of the plant. The increase of the production capacity from approximately 140 tons to 240 tons will allow 4 or 5 additional dump trucks to be supplied per hour.

In addition, the new plant will incorporate a silencer which will reduce noise generated by the plant, and there is no evidence that the proposed increase of the plant's production capacity will unduly affect the adjoining properties or public interest.

All other conditions imposed in Case 2083 remain in effect. Amended condition one, and conditions 2 through 6, as stated in Case 2083 are as follows:

1. In accordance with the applicant's presentation in this case, the production rating capacity of the bituminous concrete plant may be increased to approximately 240 tons per hour.
2. Landscape screening shall be established as shown on site plan identified as Applicant's Exhibit 1.
3. The proposed stockade fence along the westerly and northwesterly perimeter of the contractor's equipment storage yard shall be at least six feet in height, and shall be erected in the location shown on the site plan, Applicant's Exhibit 1.
4. In accordance with the applicant's testimony, the contractor's equipment storage yard shall be surfaced with calcium chloride in order to minimize dust resulting from movement of equipment.
5. The final grading plan for the subject property shall be incorporated in the revised site development plan required by Article 12, Section 12.6 of Zoning Ordinance 1E.
6. Equipment damaged beyond repair, or nonuseable parts of equipment shall not be stored on the site.

Jan. 4, 1991
Date

JDN/bmh/c3472dec
January 3, 1991

John Totura
John Totura, Chairman