

**Tax Map/Block/Parcel
No. 59-17-75 & 938**

**Building Permit/Zoning
Certificate No. 01-2347**

Case 4620

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

APPLICANT: BFI Waste Systems of North America, Inc.
260 West Dickman Street
Baltimore, Maryland 21230

ATTORNEY: Joseph M. Coble

REQUEST: An application for a conditional use to allow an above ground (12,000 gallon) fuel storage tank.

LOCATION: The site is located at 2940 Dede Road, Finksburg, MD 21048, on property zoned "IR" Restricted Industrial District in Election District 4.

BASIS: Code of Public Local Laws and Ordinances, Chapter 223-118 A (5)

HEARING HELD: September 25, 2001

FINDINGS AND CONCLUSION

On September 25, 2001, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use to allow an above ground fuel storage tank. At the hearing the Applicant informed the Board the proposed fuel storage tank is actually 12,000 gallons, not 10,000 gallons.

Based on testimony and evidence presented, the Board makes the following findings of fact and conclusions of law. The Applicant operates a truck maintenance and storage facility for a solid waste management company. The facility includes a two-story block office building with a floor area of 2,000 sq. ft. per floor and a one-story retail frame maintenance building with a total floor area of 6,400 sq. ft. Trucks from the facility currently must cross Maryland Route 140 to refuel at the closest gasoline station. The Applicant is proposing that a 12,000-gallon above ground fuel tank be permitted at the site to serve their trucks.

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The Board finds that the proposed use is appropriate at this location in the "I-R" Restricted Industrial Zone. It will eliminate the need for the Applicant's truck to make the dangerous trip across Route 140 to refuel, and will therefore enhance public safety. Accordingly, the conditional use is granted subject to the following conditions:

1. The tank shall meet all federal, state and local safety and structural and environmental codes.
2. The tank area and tank itself shall be locked when the facility is closed or not in use.

10/25/01

Date

Karl V. Reichlin

Karl V. Reichlin, Chairman