Tax Map/Block/Parcel
No. 43 14 103 & 300

Building Permit/Zoning
Certificate

Case ZA-488

# Official Decision
## Zoning Administrator
## Carroll County, Maryland

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|---|---|
| **APPLICANT:** | Lehigh Portland Cement Company<br>117 S. Main Street<br>Union Bridge, MD 21791 |
| **REQUEST:** | A variance to the maximum allowed height requirement from 50 feet to the tallest 460 feet for a cement manufacturing expansion |
| **LOCATION:** | 117 S. Main Street<br>Union Bridge, MD 21791 |
| **APPLICABLE REGULATIONS:** | Article 13, Section 13.4, Article 15, Section 15.4; Zoning Ordinance 1E |
| **HEARING HELD:** | November 16, 1999 |

**FINDINGS & CONCLUSIONS**

Based on the testimony and evidence presented at the hearing, the variance is granted.

Facts which support the request for relief from the strict terms of the Ordinance, in this case, an increase in the maximum allowed height for a cement manufacturing expansion, are as follows:

The applicants property consists of approximately 1200 acres and is occupied by an existing cement manufacturing plant which has been in operation since 1910. Highway and rail access is directly through the town of Union Bridge. Establishment of the plant in 1910 classifies it as a non conforming use. When zoning records and maps began being kept the site was recorded as "IG" Industrial General, which it remains to be zoned today. Cement manufacturing plants under current zoning are a conditional use.

The rail line currently runs up the center of a residential street in town and heavy truck traffic to the plant traverses the towns main street. The existing plant has structures which exceed the 50 foot limit allowed in the "IG" District and some exceed 100 feet.

The modernization project that the applicant is undertaking will when completed, eliminate the rail line through the center of town. Vehicular traffic will be drastically reduced in and out of the plant onto Main Street (Md. Rt. 75). Upon completion of Shepherds Mill Road, which will then be utilized by truck traffic in the out of the new facility, north and eastbound traffic through town will be eliminated.

The applicants request related to the modernization project was for a variance to the maximum allowed height for structures in the "IR" District. The application covers a total of twenty-four (24) new structures that will exceed fifty (50) feet with the tallest being 460 feet. The structures included in this variance are as follows:

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| A. | Mill Building | 200 Feet |
| B. | Storage bins (4) | 130 Feet |
| C. | Intermediate Bin | 130 Feet |
| D. | Conditioning Tower | 210 Feet |
| E. | Air Pollution Control Device | 150 Feet |
| F. | Fly Ash Silo | 150 Feet |
| G. | Kiln Dust Bin | 110 Feet |
| H. | Circular Stacker/Reclaimer Dome | 120 Feet |
| I. | Raw Material Transfer Tower | 70 Feet |
| J. | Longitudinal Stacker Enclosure | 85 Feet |
| K. | Preheater Tower | 460 Feet |
| L. | Kiln | 70 Feet |
| M. | Clinker Cooler | 60 Feet |
| N. | Heat Exchanger | 100 Feet |
| O. | Air Pollution Device (Cooler Baghouse) | 75 Feet |
| P. | Coal Mill | 60 Feet |
| Q. | Coal Mill Intermediate Bin | 130 Feet |
| R. | Air Pollution Device (Coal Mill Baghouse) | 110 Feet |
| S. | Fuel Feed Bins (2) | 110 Feet |
| T. | Coal Handling Transfer Tower | 60 Feet |
| U. | Clinker Silo | 260 Feet |
| V. | Roll Press (Existing plant area) | 140 Feet |
| W. | Transfer Tower | 54 Feet |

There is a uniqueness to this site in that it has been in continuous operation for the last eighty-nine (89) years and it is on the largest piece of "IG" zoned land in the County. The parcel of land is at the far southwest border of the County and the land extends into Frederick County. Except for the plant the main use of the land in the surrounding area is large farming operations. The incorporated Town of Union Bridge maintains its own zoning and has a population of 1600 people. The existing facility and the new facility to the Southwest, South and East are abutted to large farming parcels. To the North exists residential parcels and the corporate limits of Union Bridge. The topography at the proposed site and the existing plant shield the Town of Union Bridge and most of its residential properties from the proposed expansion. Steep slope and forestation will shield most of the residential properties that set at a higher elevation to the North.

The applicant in their presentation adequately met the standards for a variance specifically undue hardship. The current plant uses 19th Century technology and must modernize to keep up with demand and new environmental regulations. The modernization will have a significant impact on the aforementioned environmental regulations. Testimony provided indicated that Nitrogen oxides, which effect the ozone level, will be reduced significantly. Sulfur oxides will be reduced lowering the contribution to acid rain and dust (particulate matter) emissions will also be reduced.

The hardships that town residents are exposed to, such as the heavy trucks rumbling down Main Street and the disruption of trains going down the middle of a residential street will be reduced measurably or eliminated respectively. This modernization if not permitted ultimately would cause severe hardship to the applicant. Due to its outdated equipment, the plant could not meet current demand and the environmental aspects would most likely worsen causing closure.

The approval of the variance for these structures will have no adverse effect on any adjoining properties in the area. It is this writers opinion that the modernization expansion will improve safety on the road in and around Union Bridge and improve the quality of life for its residents.

**NOTE:**

Appeals of decisions made pursuant to Section 15.5 may be made to the Board of Zoning Appeals within thirty (30) days of the date of the Zoning Administrator decision in accordance with Section 17.4 of the Carroll County Zoning Ordinance 1E.

A decisions of the Zoning Administrator made pursuant to Section 15.5 is final, and constitutes a zoning action. Unless timely appealed, parties may not thereafter challenge the Zoning Administrator's decision.

November 30, 1999
Date

George L. Beisser
George L. Beisser
Zoning Administrator

cc: Zoning Enforcement

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