



ALLEGANY COUNTY, MARYLAND
BOARD OF ZONING APPEALS

COUNTY OFFICE COMPLEX – SUITE 109
701 KELLY ROAD
CUMBERLAND, MARYLAND 21502-3401

September 17, 2019

«Owner_Name»

«Address»

«City», «State» «Zip»«M_4_Zip»

Board of Zoning Appeals Cases No. 942 & 943 Remanded
Dan's Mountain Wind Force, L.L.C.,

Dear Property Owner or Interested Party:

Notice is hereby given that the Allegany County Board of Zoning Appeals (the "Board") will conduct a public hearing on **Wednesday, October 9th, 2019, at 9:30 a.m.**, within the County Office Complex, Cumberland, Maryland, for proceedings relative to Dan's Mountain Wind Force, L.L.C., et al. ("DMWF"), BOZA Cases 942 and 943.

On December 21, 2015, the Board denied the Petition for Special Exception and Petition for Variance that had been filed by DMWF in Case Nos. 942 and 943. DMWF sought judicial review of the Board's decision in the Circuit Court for Allegany County, Maryland, and in the Maryland Court of Special Appeals. On February 5, 2018, the Maryland Court of Special Appeals reversed the judgment of the Circuit Court for Allegany County, Maryland, and remanded the Cases with instructions for the Circuit Court to enter an Order vacating the decision of the Board and remanding the matter to the Board for further proceedings consistent with the Court of Special Appeals' Opinion. On August 1, 2018, the Circuit Court for Allegany County, Maryland, remanded the Cases to the Board. On April 11, 2019, Gorman E. Getty, III, counsel to DMWF, filed a request to the Board to reconvene and execute proceedings as instructed by the Court. These proceedings are scheduled for the date, time, and location stated above. Anyone desiring further information on these Cases may contact the County's Land Development office at 301-777-5951.

As an adjacent or adjoining property owner, or interested party, notice is hereby given that the Board will reopen the *Executive Session* of the Board's proceedings relevant to BOZA Cases 942 and 943, Dans Mountain Wind Force, L.L.C., to address the *Order of Court*. The Board's proceedings are scheduled for the date, time, and location stated above. Anyone desiring further information on these Cases may contact the County's Land Development office at 301-777-5951. Members of the Board are scheduled to visit the site(s) of the above referenced Cases on Friday, October 4th, 2019. Anyone desiring to be present during the Board's site visit should contact the County's zoning office at 301-777-5951 prior to Friday, October 4th, 2019.

Please be advised that this same proceeding was originally scheduled for a hearing on Wednesday, May 15th, 2019, though subsequently postponed at the request of DMWF's counsel. The October 9th, 2019, BOZA Hearing is open to the public. Anyone desiring further information on these Cases may contact the County's Land Development office at 301-777-5951.

BOZA Cases 942 & 943 Remanded
September 17, 2019
Page 2 of 2

Sincerely,

James A Squires Jr
James A. Squires Jr. *Secretary*
Board of Zoning Appeals

/js

cc: BOZA File 942 & 943

Maildata: DMWF Remand Hearing of October 9, 2019

Note: Remand proceedings previously scheduled for May 15, 2019

Source: DMWF (Applicant); plus Interested Parties per request to LDS office

CN	Owner Name	Address	City	State	Zip	+4 Zip
0	2598 LLC (C/O DENNIS PLUMMER)	1433 FALCON NEST CT	ARNOLD	MD	21012	
0	2598 LLC (C/O DENNIS PLUMMER)	1433 FALCON NEST CT	ARNOLD	MD	21012	
0	2598 LLC (C/O DENNIS PLUMMER)	1433 FALCON NEST CT	ARNOLD	MD	21012	
0	2598 LLC (C/O DENNIS PLUMMER)	1433 FALCON NEST CT	ARNOLD	MD	21012	
0	2598 LLC (C/O DENNIS PLUMMER)	1433 FALCON NEST CT	ARNOLD	MD	21012	
0	2598 LLC (C/O DENNIS PLUMMER)	1433 FALCON NEST CT	ARNOLD	MD	21012	
0	2598 LLC (C/O DENNIS PLUMMER)	1433 FALCON NEST CT	ARNOLD	MD	21012	
0	2598 LLC (C/O DENNIS PLUMMER)	1433 FALCON NEST CT	ARNOLD	MD	21012	
0	2598 LLC (C/O DENNIS PLUMMER)	1433 FALCON NEST CT	ARNOLD	MD	21012	
0	2598 LLC (C/O DENNIS PLUMMER)	1433 FALCON NEST CT	ARNOLD	MD	21012	
0	2599 LLC (C/O DENNIS PLUMMER)	12421 SUMMIT CIRCLE	FROSTBURG	MD	21532	
0	300N LLC	300 N MAIN ST	MOOREFIELD	WV	26836	
0	300N LLC	300 N MAIN ST	MOOREFIELD	WV	26836	
0	300N LLC	300 N MAIN ST	MOOREFIELD	WV	26836	
0	ALLEGANY ASSOCIATES LLC	45 WILLIAMS LANE	CONOWINGO	MD	21918	
0	ALLEGANY COAL-LAND CO	PO BOX 410	FROSTBURG	MD	21532	
0*	ALLEGANY COAL-LAND CO	PO BOX 410	FROSTBURG	MD	21532	-0410
1	ALLEGANY COUNTY COMMISSIONERS	701 KELLY RD	CUMBERLAND	MD	21502	
1	ALLEGANY COUNTY COMMISSIONERS	701 KELLY RD SUITE 214	CUMBERLAND	MD	21502	
0*	ALLEN DALE E	14000 BURNING MINES RD SW	FROSTBURG	MD	21532	-3602
1	ARNOLD HAROLD W-BETTY R LE SH	13800 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0	ARNOLD RONALD J ET UX	13710 GEORGES CREEK RD S W	FROSTBURG	MD	21532	
1	BAER ROBIN K-MOORE BRIAN SCOT	14010 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0	BAKER CHAD E-ANDREA M	12409 SUMMIT CIR	FROSTBURG	MD	21532	
1	BAKER DOUGLAS P-JULIE M	14102 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
1	BEECHIE WILLIAM J III-NADINE S	13016 BEECHIE LANE S W	FROSTBURG	MD	21532	
0	BEEMAN ROBERT D ET UX	13704 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0	BRODIE CREADE JR	12807 SANDSPRING RD SW	FROSTBURG	MD	21532	
0	BRODIE CREADE JR	12807 SANDSPRING RD SW	FROSTBURG	MD	21532	
0	BRODIE CREADE V ET UX	12807 SANDSPRING RD SW	FROSTBURG	MD	21532	
1	BROWN KHRISTA	14108 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0	BROWN RONALD E	13601 VIEW POINT LN	FROSTBURG	MD	21532	

Maildata: DMWF Remand Hearing of October 9, 2019

Note: Remand proceedings previously scheduled for May 15, 2019

Source: DMWF (Applicant); plus Interested Parties per request to LDS office

CN	Owner Name	Address	City	State	Zip	+4 Zip
0*	BROWN RONALD EDISON, BROWN	13601 VIEW POINT LN SW	FROSTBURG	MD	21532	-3611
0	BUSH CLYDE PHILLIP, BUSH CAROL	8707 MILLBROOK PLACE	ALEXANDRIA	VA	22309	
0*	CESNICK EUGENE A JR-STEPHANIE	17603 OLD DANS ROCK RD	FROSTBURG	MD	21532	-3923
0	CHAMBERS OF MARYLAND INC (C/C.P.O. BOX 1450		CHICAGO	IL	60690	
0	CHAMBERS OF MARYLAND INC (C/C.P.O. BOX 1450		CHICAGO	IL	60690	
0	CHAMBERS OF MARYLAND INC (C/C.P.O. BOX 1450		CHICAGO	IL	60690	
0	CLARK DANIELLE LEA	17504 TOP ROW RD	FROSTBURG	MD	21532	
1	CLARK SHELBY-BRIAN METTY	13900 WINCHESTER RD SW	CUMBERLAND	MD	21502	
0	CLISE VICTOR LEE-ALLEN DA	14504 FLINT RD	FROSTBURG	MD	21532	
0*	COLEMAN WAYNE A-JANET	13700 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	-3943
0	CONSOLIDATED FUEL CO	P.O. BOX 410	FROSTBURG	MD	21532	
0	CREEK JEFFREY A	3200 TURKEY POINT ROAD	NORTH EAST	MD	21901	
0	CRESAPTOWN SPORTSMAN CLUB	PO BOX 5227	CRESAPTOWN	MD	21505	
0	CRESAPTOWN SPORTSMAN CLUB	PO BOX 5227	CRESAPTOWN	MD	21505	
0*	CRESAPTOWN SPORTSMAN CLUB	IP.O. Box 5227	CRESAPTOWN	MD	21505	-5227
0*	CRESAPTOWN SPORTSMAN CLUB	IP.O. Box 5227	CRESAPTOWN	MD	21505	-5227
1	CROSSLAND HARRY M CROSSLANI	14103 PERRY LN	FROSTBURG	MD	21532	
1	CULLEN JOHN G-SANDRA R	14100 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0	CUTHBERTSON WILLIAM E ET UX	13512 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0	DANS MT SPORTSMANS CLUB INC	18171 MAPLE LAWN BLVD SUITE 2	MAPLE LAWN	MD	20759	
1	DEVLIN WILLIAM J	14014 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
1	DUCKWORTH RICHARD H JR	14831 BROADWAY ST	MIDLAND	MD	21532	
1	FAZENBAKER DARYL L ET UX	13601 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
1	FAZENBAKER JAMES D FAZENBAKE	13806 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0	FOREVER MEDIA OF MD LLC	ONE FOREVER DR	HOLLIDAYSBUR	PA	16648	
0*	FORSYTHE LESLIE ET AL TRUSTEE	693 ROBBINS GATE	AKRON	OH	44319	-5418
0*	FORSYTHE LESLIE ET AL TRUSTEE	693 ROBINS GATE	AKRON	OH	44319	-5418
0*	GOLDSWORTHY JOHN L-SHARON	MP.O. Box 5442	CRESAPTOWN	MD	21505	-5442
2	HANSEL DAVID E.	216 SHAW STREET-APT. 31	FROSTBURG	MD	21532	
1	HARMAN BENJAMIN A	12461 SUMMIT CIRCLE	FROSTBURG	MD	21532	
0	HAWKINS JOHN W-WILLIAM H	11810 DAISY AVE	CUMBERLAND	MD	21502	

Maildata: DMWF Remand Hearing of October 9, 2019

Note: Remand proceedings previously scheduled for May 15, 2019

Source: DMWF (Applicant); plus Interested Parties per request to LDS office

CN	Owner Name	Address	City	State	Zip	+4 Zip
0*	HAWKINS MARY LYNN	14906 MISSOURI AVE SW	CRESAPTOWN	MD	21502	-5630
0	HETZEL PAUL	140 SPA DR	ANNAPOLIS	MD	21403	
0	HETZEL PAUL	140 SPA DR	ANNAPOLIS	MD	21403	
0	HETZEL PAUL	OLD DANS ROCK ROAD	MIDLAND	MD	21542	
0*	HUGHES TINA M	13410 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	-3959
0*	HUGHES TINA M	13410 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	-3959
0	JAMES DANIEL R-HOLLIE G	15301 AVALON DR SW	CRESAPTOWN	MD	21502	
0	JENKINS W STEPHEN JR-CHRISTINI	112 OLD MACDONALD RD	LAVALE	MD	21502	
0	JOHNSON WAYNE O ET UX	13510 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0*	KEITER LYNN SHERIDAN CO-TRUST	3023 W ASBURY PL	TAMPA	FL	33611	-2805
0*	KESSEL ESTATE LLC	110 S CENTRE ST	CUMBERLAND	MD	21502	-3021
0*	KESSEL ESTATE LLC	110 S CENTRE ST	CUMBERLAND	MD	21502	-3021
0	KIDDY KEITH, KIDDY AMY	13416 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0	KIRKWOOD ROBERT E-SARAH H LE	13500 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
1	KNIERIEM JEFFERY ET AL KNIERIEM	19621 OLD MIDLOTHIAN RD SW	FROSTBURG	MD	21532	
1	KNIERIEM JEFFERY ET AL KNIERIEM	19621 OLD MIDLOTHIAN RD SW	FROSTBURG	MD	21532	
1	KNIPPENBURG ROBERT E-BARBAR.	17608 DANS ROCK RD SW	FROSTBURG	MD	21532	
0	LOAR FREDERICK M LE ET AL, LOAR	16604 LOARTOWN RD SW	FROSTBURG	MD	21532	
0*	LOAR JOHN RUSSELL HENRY LE ET	146G & S RD	PUNXSUTAWNY	PA	15767	-6416
0	LOAR JOHN RUSSELL HENRY-B	14001 VIEW POINT LN SW	FROSTBURG	MD	21532	
0*	MARKER R C CO INC	P.O. BOX 755	CUMBERLAND	MD	21501	-0755
0	MCKENZIE EDGAR C-MARY L	13516 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0	MCKENZIE EDGAR C-MARY L	13516 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
1	MCKENZIE JAMES E MCKENZIE KRI	18 DOUGLAS AVE	LONACONING	MD	21539	
1	MCKENZIE JAMES E MCKENZIE KRI	18 DOUGLAS AVE	LONACONING	MD	21539	
0	MCPMAHON SHARI	13901 VIEW POINT LN	FROSTBURG	MD	21532	
0	MEREDITH FREDERICK P-LAURIE (C	17607 OLD DANS ROCK RD	FROSTBURG	MD	21532	
0	MOFFITT JOHN T-VIRGINIA AGNES	174 VALLEY HEIGHTS DR	WILLIAMSPORT	PA	17701	
0	MOFFITT JOHN T-VIRGINIA AGNES	174 VALLEY HEIGHTS DR	WILLIAMSPORT	PA	17701	
1	MOORE FLOYD A ET UX	13508 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0	MORTON RANDALL LEE, MORTON C	18908 STONEWALL DR	FROSTBURG	MD	21532	

Maildata: DMWF Remand Hearing of October 9, 2019

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CN	Owner Name	Address	City	State	Zip	+4 Zip
2	PARK DARLENE	16245 HARWOOD DRIVE SW	FROSTBURG	MD	21532	
1	PORTER DAVID M PORTER DANIEL	14001 MARSHALL PORTER RD S'	CUMBERLAND	MD	21502	
0*	POTOMAC EDISON C/O THE (TAX DI	800 CABIN HILL DR	GREENSBURG	PA	15601	-1650
1	PRESTON GREGORY D-SHELLEY	13812 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0*	RDC MICROWAVE INC, C/O AMERIC	P.O. BOX 723597	ATLANTA	GA	31139	-0597
0	RIFFE GORDON E-DARLENE M	517 S MARLYN AVE	ESSEX	MD	21221	
0*	ROBERTSON ROBERT-KELLY	13402 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	-3959
2	RONAN BARRY P	15119 TRAILRIDGE RAOD SW	CUMBERLAND	MD	21502	
1	RUSSO FAMILY TRUST	P.O. BOX 395	FROSTBURG	MD	21532	
2	RUSSO KATHYRN	12363 SUMMIT CIRCLE SW	FROSTBURG	MD	21532	
2	RUSSO KATHYRN	P.O. BOX 395	FROSTBURG	MD	21532	
2	RUSSO MICHAEL	12364 SUMMIT CIRCLE SW	FROSTBURG	MD	21532	
0	SAPP DIANE MCKENZIE RICHARD, E	27 CASTLE DR	BERLIN	MD	21811	
0*	SBA PROPERTIES INC	8051 CONGRESS AVE	BOCA RATON	FL	33487	-1307
0	SCHMIDT CARL JOSEPH JR	754 214TH ST	PASADENA	MD	21122	
1	SCHMIDT MARY ET AL BEECHIE WII	13032 BEECHIE LANE	FROSTBURG	MD	21532	
1	SEACHRIST CHAD SEACHRIST SHA	51 IMPALA DR	DILLSBURG	PA	17019	
0*	SEIB GARY B-LISA K	17600 DANS ROCK RD SW	FROSTBURG	MD	21532	-3923
0*	SEIB MICHAEL J	18609 MCMULLEN HWY SW	RAWLINGS	MD	21557	-6615
2	SHAFFER BRIAN A	15127 TRAIL RIDGE ROAD	CUMBERLAND	MD	21502	
2	SHAW JEN	12309 WHISPERING PINES LANE	FROSTBURG	MD	21532	
0	SKIDMORE STANLEY L ET UX	13514 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
1	SMITH GREGORY JAMES-ANGELA T	14104 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0*	SMITH PATSY D LE, WEIMER SHAR	13000 BURNING MINES RD SW	FROSTBURG	MD	21532	-3600
2	STARK ERIN	16300 SPRUCEWOOD DRIVE SW	FROSTBURG	MD	21532	
0	STATE HIGHWAY ADMINISTRATION	707 NORTH CALVERT ST	BALTIMORE	MD	21076	
0	STATE OF MARYLAND (GAME & INL	RT 8 BOX 22	CUMBERLAND	MD	21502	
0	STATE OF MD DEPT NATURAL RES	301 W PRESTON ST	BALTIMORE	MD	21201	
0	STATE OF MD-MD STATE POLICE	HEADQUARTERS	PIKESVILLE	MD	21208	
0*	TWO WAY RADIO SERVICE INC	117-119 VALLEY ST	CUMBERLAND	MD	21501	-0299
0*	TWO WAY RADIO SERVICE INC	P.O. BOX 299	CUMBERLAND	MD	21501	-0299

Maildata: DMWF Remand Hearing of October 9, 2019

Note: Remand proceedings previously scheduled for May 15, 2019

Source: DMWF (Applicant); plus Interested Parties per request to LDS office

CN	Owner Name	Address	City	State	Zip	+4 Zip
0*	TWO WAY RADIO SERVICE INC	P.O. BOX 299	CUMBERLAND	MD	21501	-0299
0	UMSTOT DALE E ETAL, UMSTOT DC	13507 BRANT RD SW	CUMBERLAND	MD	21502	
0	USCOC OF CUMBERLAND INC (C/O	P.O. BOX 2629	ADDISON	TX	75001	
0	VALE SUMMIT REAL ESTATE CO	13400 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0	VERTICAL BRIDGE TOWERS LLC	SUITE 200, 750 PARK COMMERC	BOCA RATON	FL	33487	
1	VOGTMAN THOMAS A JR VOGTMAN	12317 WHISPERING PINES LN	FROSTBURG	MD	21532	
0	WARNICK MICHAEL R ET UX	13605 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
1	WEIMER KRISTIN K	16214 NATIONAL HWY SW	FROSTBURG	MD	21532	
0	WEITZELL BERNARD JR-CATHE	14004 CEDARWOOD DR SW	CRESAPTOWN	MD	21502	
0	WEITZELL BERNARD JR-CATHE	14004 CEDARWOOD DR SW	CRESAPTOWN	MD	21502	
0*	WEITZELL BERNARD JR-CATHERINI	14004 CEDARWOOD DR SW	CRESAPTOWN	MD	21502	-5735
0*	WILLISON DANIEL C	14800 BURNING MINES RD SW	FROSTBURG	MD	21532	-3608
0	WILLISON MICHAEL PAUL	14701 BURNING MINES RD SW	FROSTBURG	MD	21532	
0*	WILLISON PAUL C-JOANN	14707 BURNING MINES RD SW	FROSTBURG	MD	21532	-3607
0*	WILLISON PAUL C-JOANN	14707 BURNING MINES RD SW	FROSTBURG	MD	21532	-3607
0*	WILSON NATHAN I, NEILSON ANN M	14201 VIEW POINT LANE S W	FROSTBURG	MD	21532	-3615
0	WINKLER CHARLES A ET UX	13506 NEW GEORGES CREEK RI	FROSTBURG	MD	21532	
0*	WINNER BERNARD D-DEBRA	4610 BLOUGH DR	ENON	OH	45323	-1710
0	ZEMBOWER GERALD ET UX	13001 BURNING MINES RD S W	FROSTBURG	MD	21532	

143 Count: Notice to AdjProp; BOZA mailing of September 17th, 2019 [dispatched September 20th, 2019]

CN=0 ; DMWF supplied Adjoining and Adjacent Property Owner maildata [original/amended, submitted 5/2/2019]

CN=1 ; DMWF supplied Adjoining and Adjacent Property Owner maildata [original/amended; submitted 5/2/2019, for supplemental mailing of 5/2/2019]

CN=2 ; Interested Parties requesting notifications [notiification requests after 5/9/2019]

BOZA Cases 942 & 943 Remanded, regarding DMWF Proceedings of CY2019 Distribution List last revised 190920

RTS - Returned to Sender (Correspondence returned to BOZA/LDS office)