

Counsel for the petitioner quoted Bassett on zoning to prove that railroad land should be zoned light industrial, but Bassett on page 96 states as follows:

Augustine J. Muller
Zoning Commissioner

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It is apparent from the foregoing that railroad land and railroad right-of-way should be zoned in conformance with surrounding land or the land through which such right-of-way traverses. It is also the contention of counsel for the petitioner that the use of the Sewage Pumping Station by the County constitutes a light industrial use. This certainly is not the case. Public utilities such as sewage pumping stations or water treatment plants must be so located as to take care of public need. According to Hazen, on Page 212, "even no zoning ordinance can prevent the municipal, state or federal government from erecting buildings in the form and on the site needed by the public."

It is the opinion of the Zoning Commissioner of Baltimore County that neither the operation of the Railroad Station and its appurtenances, nor the operation of the Sewage Pumping Station constitute light industrial uses and, therefore, no nonconforming light industrial use exists on the property of the Maryland & Pennsylvania Railroad, presently zoned commercially. Therefore, no right exists for the enlargement or extension of the alleged nonconforming use to the land of said Railroad lying outside of the presently commercially zoned area.

Dated: Dec 19 1951

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hereby petitions for a Special Hearing, under the Zoning Law and Regulations of Baltimore County, to determine whether or not a permit should be issued for Office Building and Storage Yard location: Woodbrook Station Baltimore County

F. C. Cook & Co., by
F. C. Cook General Partner
Petitioner
Address 1426 Munsey Bldg.

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[illegible]

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ORDERED by the Zoning Commissioner of Baltimore County this 13 day of November, 1942, that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 24 day of December, 1942, at 8 o'clock P.M.

Zoning Commissioner
of Baltimore County

TOWSON, MD. November 7, 1951
 THIS IS TO CERTIFY, That the aforesaid advertisement was
 published in THE JEFFERSONIAN, a weekly newspaper printed
 and published in Towson, Baltimore County, Md. ~~between~~
Nov. 2 times ~~between~~ before the 17th
day of November 1951, the first publication
 appearing on the 30th day of November
1951
 THE JEFFERSONIAN,
For Secretary
 Manager.
 Cost of Advertisement, \$.....

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FILED NOV 26 1951

TOWSON, MD., November 29, 1951

THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on or about the 28th day of December, 1951, the first publication appearing on the 10th day of November 1951.

THE JEFFERSONIAN,
M. Steacy

NO PLAT
IN
THIS FOLDER