



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 28, 2001

Mr. Michael L. Fowler
Water and natural Resources Unit
Constellation Energy Group
P.O. Box 1475
Baltimore, MD 21203-1475

1961-5364

RE: Spirit and Intent-Zoning Case 89-528-SPH & 5364-X, BGE Perry Hall Service Center, 9701-9703
Belair Road, Perry Hall, MD 21128, 11th Election District

Dear Mr. Fowler:

Your recent letter to Arnold Jablon, Director, was forwarded to me for reply. Based on the information provided therein and my review of the available zoning records, the following has been determined:

1. A public utility service center is not a permitted use by right nor by special exception in the BLR zone.
2. The parking configuration has been modified considerably since the site plan was approved in Zoning Case 89-528-SPH.
3. Your submitted site plan indicates that the storage racks and gasoline island no longer exist.
4. The modification requested in that case was specifically for an "outdoor electric substation", not for any other structure or building on the property.

Based on the above, your request does not appear to meet the spirit and intent of the Baltimore County Zoning Regulations (BCZR). To meet the spirit and intent of the BCZR, you will need to file a new petition for Special Hearing (checklist and petition forms enclosed) wherein a public hearing will be held before the Baltimore County Zoning Commissioner. The new petition request must amend the site plans and restrictions in Zoning Case 89-528-SPH & 5364-X.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Jeffrey Perlow
Planner II
Zoning Review

JNP

Enclosures

c: Zoning Hearing Files 89-528-SPH & 5364-X
File-Spirit and Intent Letters



PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
BALTIMORE GAS AND ELECTRIC COMPANY, Contract Purchaser, and SEBASTIAN W. PURKASE, legal owners, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception for the following reasons:

See Attached Description

(1) For a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for a public utility gas service distribution center.

Property is to be used and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising required by the Zoning Law of Baltimore County, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

BALTIMORE GAS AND ELECTRIC COMPANY
By Sebastian W. Purkase
Vice President Contract purchaser
Address Lexington Building
Baltimore-1, Maryland
Legal Owner
Address Box 130, Pullerton, Md.
* E. J. Moore, atty
Attorney's Address
Baltimore, Md.

Address 305 W. Chesapeake Ave.
Towson - 1, Maryland
ORDERED BY The Zoning Commissioner of Baltimore County, this 26th day of July, 1961, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of October, 1961, at 10:30 o'clock A.M.



Pursuant to the advertisement, posting of property, and public hearing on the above petition for re-classification, and it further appearing that by reason of location, the safety, health and the general welfare of the locality involved not being detrimentally affected, a Special Exception for a Public Utility Gas Service Distribution Center should be granted IN PART. IT IS ORDERED by the Zoning Commissioner of Baltimore County this 10th day of October, 1961, that the herein described property should be used as a Distribution Center. That a Special Exception for a Public Utility Gas Service Distribution Center should be and the same is granted IN PART in that the depth is restricted to 1000' from Bel Air Road, granted from and after the date of this order, subject to approval of site plan by the Roads Commission, Division of Land Development and the Office of Planning & Zoning. However, the shrubbery used for screening is granted, for which the special exception is granted, should be protected by a fence erected outside of the line of the shrubbery screening.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of location, the safety, health and the general welfare of the locality involved not being detrimentally affected, the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of October, 1961, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as to remain a zone; and/or the Special Exception for be and the same is hereby DENIED. Zoning Commissioner of Baltimore County

OFFICE OF PLANNING AND ZONING Inter-Office Correspondence

Date September 22, 1961

To: Mr. John G. Rose, Zoning Commissioner
From: George E. Gavrelis, Deputy Director

Subject: #5364-X, Petition for Special Exception for a Public Utility Gas Service Distribution Center. Southeast side of Belair Road 265 feet Southwest of Forge Road.

11th District
Hearing: Wednesday, October 4, 1961 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for special exception and has the following advisory comments to make:

1. Locational factors for establishing the distribution center are such that the petitioners feel they can best meet their service obligations here. The planning staff is of the opinion that there may be other sites available where the contrast in land usage may not be as harsh.
2. The petitioner has made special effort to develop a site plan which seeks to blend the proposed use into the community. The plan indicates that all of the property will not be utilized. The planning staff recommends against granting of the special exception beyond the employees parking area. Additional comment will be made at the hearing.



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 11th Date of Posting 9-1-61
Posted for Special Exception for Public Utility Gas Service Distribution Center
Petitioner: Sebastian W. Purkase
Location of property: S.E. of Belair Rd. 265 ft. S.W. of Forge Rd.
Location of Sign: Attached on property known as 9701 Belair Road.
Remarks: George E. Gavrelis
Signed: Date of return: 9-14-61

CERTIFICATE OF PUBLICATION

TOWSON, MD. Sept. 12th 1961
THIS IS TO CERTIFY, That the annexed advertisement was published in THE COUNTY Paper, Inc., a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of two successive weeks before the 14th day of October, 1961, the first publication appearing on the 14th day of October, 1961.

The COUNTY Paper, Inc.

CERTIFICATE OF PUBLICATION

TOWSON, MD. September 15, 1961
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 the 11th day of September, 1961, the first publication appearing on the 11th day of September, 1961.

THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION-11TH DISTRICT
TO: Petition for Special Exception for a Public Utility Gas Service Distribution Center.
LOCATION: Southeast side of Belair Road, 265 feet Southwest of Forge Road.
DATE AND TIME: Wednesday, October 4, 1961, at 10:30 A.M.
PUBLIC OFFICE: Room 106, County Office Building, 106 W. Chesapeake Ave., Towson, Md.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Law and Regulations of Baltimore County, will hold a public hearing concerning all that parcel of land in the Eleventh District of Baltimore County.
Beginning for the same on the southeast side of the Belair Road at the distance of 265 feet, southwesterly, measured along the center line of Forge Road and running thence and along the center line of Belair Road, South 41 degrees 45 minutes East 1820 feet, North 48 degrees 45 minutes West 1609 feet to the place of beginning.
Containing 10.23 Acres of Land more or less.
Being the recently described lot of land in a deed dated February 24, 1944 and recorded among the Land Records of Baltimore County in Liber J. W. B. No. 1411, folio 345 which was conveyed by Clayton W. Bartley, Inc. to Sebastian W. Purkase, except that portion thereof taken for the widening of the Belair Road.
By Order of
John G. Rose,
Zoning Commissioner of Baltimore County.
Sept. 14, 1961

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND

No. 8146
DATE 9/26/61

TO: Brewster, Boone, Maguire, Brennan Attorneys-at-Law 305 W. Chesapeake Ave. Towson 1, Md.	BILLED TO: Zoning Department of Baltimore County
REPORT TO ACCOUNT NO. 01622	TOTAL AMOUNT \$25.00
QUANTITY	COST
Advertising and posting of property for Sebastian Purkase	25.00
	25.00

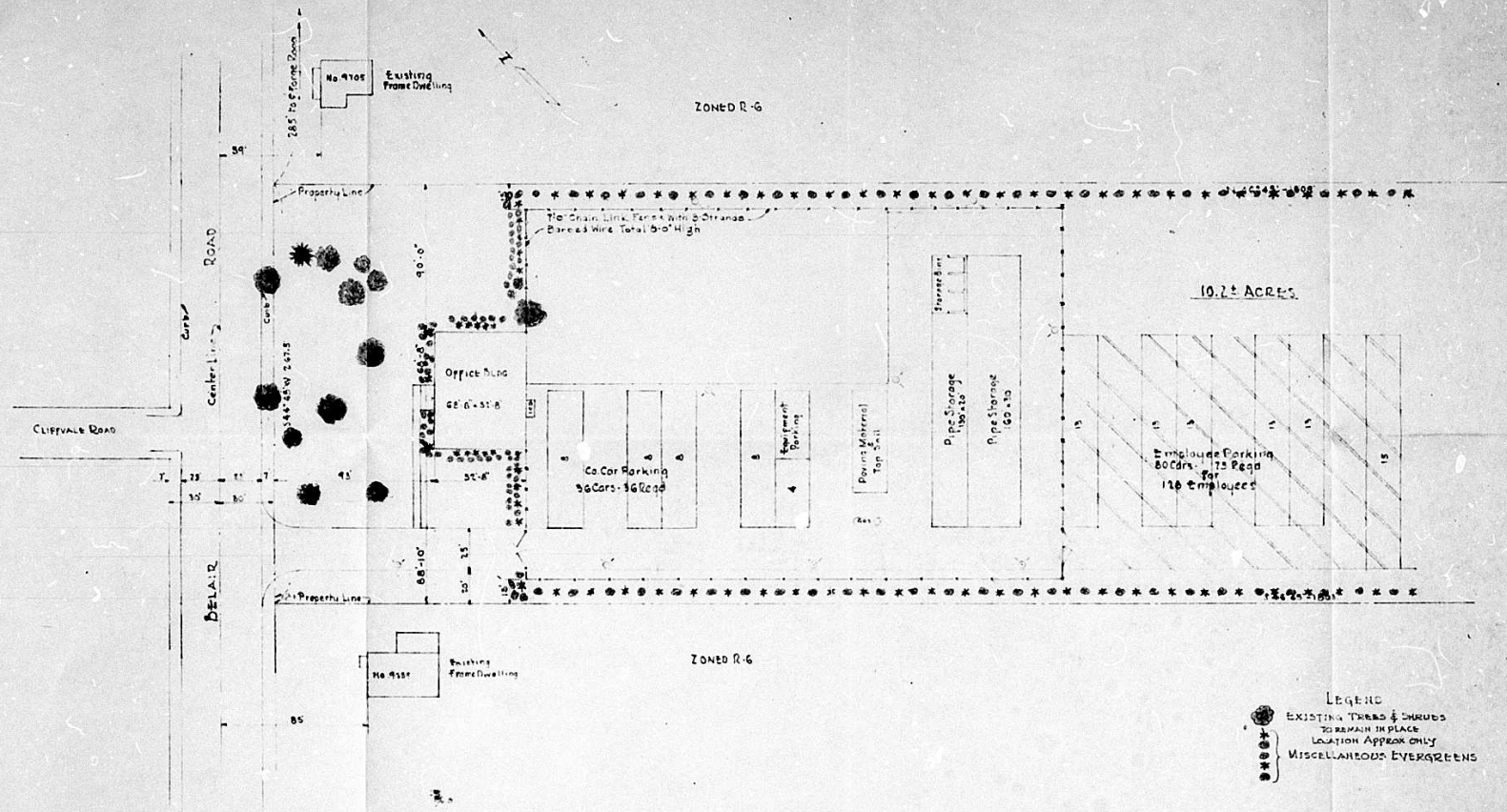
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND

No. 7429
DATE 7/26/61
TO: Brewster, Boone, Maguire, Brennan and Cook
Attorneys-at-Law
305 W. Chesapeake Ave.
Towson 1, Md.
BILLED TO: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. 01622	TOTAL AMOUNT \$50.00
QUANTITY	COST
Petition for Special Exception for Sebastian W. Purkase	50.00
	50.00

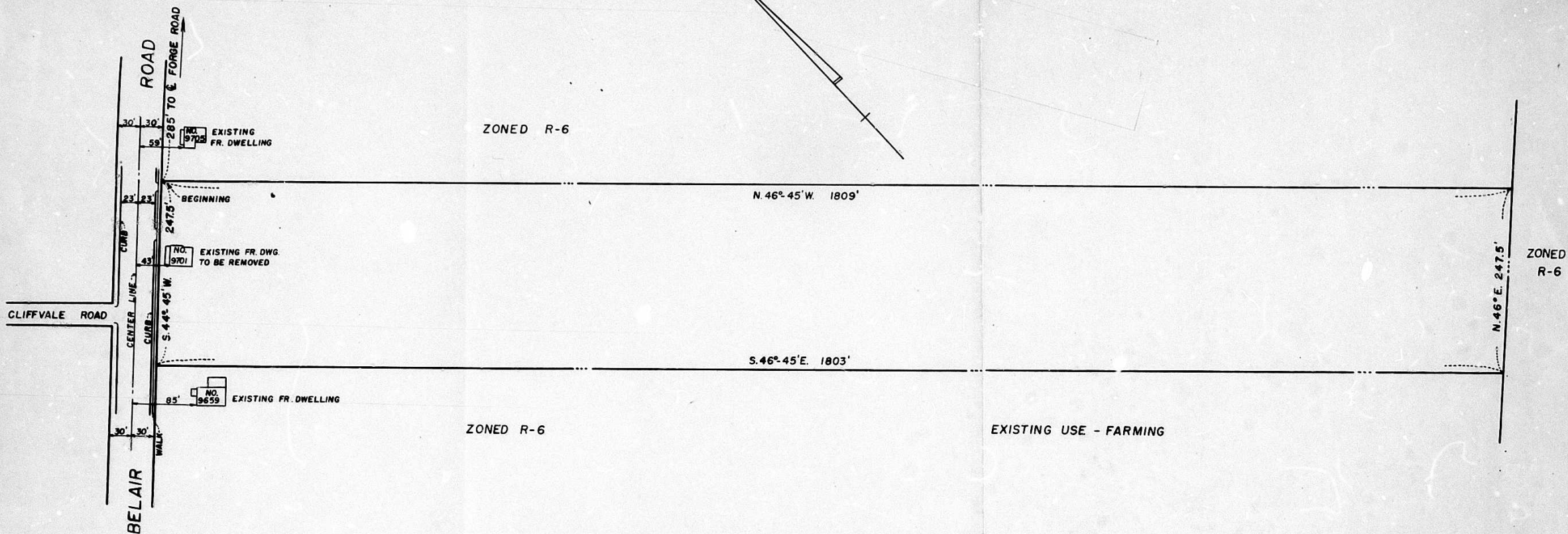
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.



LEGEND
 ● EXISTING TREES & SHRUBS
 ○ TO REMAIN IN PLACE
 ○ LOCATION APPROX ONLY
 ○ MISCELLANEOUS EVERGREENS



SITE PLAN
 DISTRIBUTION CENTER
 PERRY HALL
 BALTIMORE GAS AND ELECTRIC COMPANY
 ELECTRIC ENGINEERING DEPARTMENT
 DRAWN C.J.P. SCALE 1/4" = 1'-0" DATE 1/1/54
 SK 50-948-X



ZONING PLAT OF PROPERTY
LOCATED AT
PERRY HALL - 11TH DIST. - BALTO. CO. - MD.
10.25 ACRES ±

NOTE: THE BEARINGS AND DISTANCES SHOWN ON THE
OUTLINES ARE TAKEN FROM THE DEED.



APPROVED FOR FILING
Reviewed By *[Signature]*
Date *7/26/61*

SCALE: 1"=100' JULY 17, 1961.
DOLLENBERG BROTHERS
SURVEYORS & CIVIL ENGINEERS
709 WASHINGTON AVE. - TOWSON, MD.