€ (

60

OPINION

This is a petition for reclassification of 47.75 acres located on the south side of the Western Maryland Railway and the west side of the Boltimore County Beltway in the Third District of Baltimore County, from an "R-40" Zone to an "M-L" Zone.

Testimony of Mr. Bernard J. Willemain, expert witness appearing on behalf of the petitioner, pointed out the change in the subject property that has occurred due to the construction of the Baltimore County Beltway. He further pointed out that since the adoption of the Third District map on January 16, 1957 that provisions had been made to allow for a sixty (60) foot right-of-way to the subject property. Prior to this provision being made actually there was no ingress or egress to the subject property.

The Board of Appeals is in agreement with Mr. Willemain that substantial changes have occurred that warrant a reclassification from its present "R-40" category. However, the Board feels that the petitioner has failed to show that these changes warrant a reclassification to a "Manufacturing-Light" category.

The testimony of Mr. Jerome B. Walfe, an expert witness testifying on behalf of the protestants, pointed to the dangerous traffic conditions that exist on Mt. Wilson Lane, both at its eastern origin at the intersection of Reisterstown Road and for its entire length to the gates of Mt., Wilson State Hospital. He pointed out that the radii of the curves on Mt. Wilson Lane are such that it would be impossible for two tractor trailers to pass each other on the curves of Mt. Wilson Lane. Mt. Wilson Lane is a 14 foot concrete paved right-of-way with 2 foot bituminous shoulders and there are no sidewalks, curbs or autters. Mr. Wolfe also testified that the water supply in the general area is inadequate at the present time and that any increase demands on the water supply would cause a serious problem in the Mt. Wilson State Hospital. It was also Mr. Wolfe's opinion that in case of a fire in this institution that there would be insufficient water pressure available for ade-

The Board is unanimous in its opinion that this petition for reclassification form on "P-40" Zong to on "M-I " Zong should be denied.

5818

December 11, 1962

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 3 rd day of March , 1964 by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby denied.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS

Dulton 1/2

Note: Mr. Austin did not sit at this hearing.

BALTIMORE COUNTY MARYLAND INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zening Commissioner Date March 28, 1963

FROM Mr. George B. Gavrelis, Deputy Director

INING PEPARTMENT SURGECT #5818. R-h0 to M-L. South side of Western Maryland Railroad and West side of Balthnore County Beltway. Being property of Albert DePont Thompson.

2nd & 3rd District

N #5818 k the W/S of 2nd & 3rd

HEARING: Wednesday, April 10, 1963 (11:00 A.M.)

The staff of the Office of Flanning and Zoning has reviewed the subject petition for reclassification from N-40 to N-4 woning and has the following advisory comments to make with respect to pertinent planning factors:

- The subject property is a futured on the westerly side of the Western MayJand Rallroad. To the north it is bounded by the Mount Milson State Seprital property. To the west and south catasting or future rights—of-early for the Ralls south catasting or future rights—of-early for the Ralls was not as foreign resulting to the Part of the Ralls was not be relief to the Ralls was not catasting resching a consection of the Ralls was not been also a first of the Ralls was not been also a first of the Ralls was not seen to the Ralls Ralls Ralls was not seen to the Ralls Rall
- Outputs of Passential at Journal 2.

 Although the smilest preparty will be sandwiched between the Northwest Expressay and the Mestern Saryland Railread, its only contact with the Expressay system is visual. No office the Departy is appreciated by a file and the Expressay system is possible. The property is appreciated by a file and the Expressay system is possible. The Reinsterton Road, and almost two siles from the July 100 to The Quality of access and the Location of the subject property at the west residential area is not deemed, by the Planning staff, to lead logically to the creation of industrial use potentials here.
- J. From a planning risponing, the Bold soming applied to the subject property by the led Blatrick Zoning Wp is eminently appropriate. In addition to the residential potentials which the Bold some sevential content which the Bold some would allow, the Bold some are contained in Boetion 200,15 of thou, certain non-residential mean. These are contained in Boetion 200,15 of thou, certain more established by the sevential property developed for a broad spectrum of the switcher compatible which reasonably developed for a broad spectrum of uses whicher compatible so the reasonable or central compations would assure that any special so not unreasonable or central computations would assure that any special so contain a special so the subject of the subject property be developed in a namer communication of the property between the subject of th

MAY -6 '63 1 6 Coning OFPACIMENT

PROCTOR ROYSTON & MUELLER

May 3, 1963

Mr John G. Rose Mr. John G. Mose Zoning Commissioner County Office Building Towson 4, Maryland

Re: Petition for Reclassification from "R-40" Zone to "M-L" Zone - S.S. Western Maryland R.R. and W.S. of Baltimore County Beltway, Alberta duPont Thompson, Petitioner. No. 5818.

Dear Mr. Rose:

please note an Appeal from your Order

passed in the above cantioned matter on

April 15, 1963, to the County Board of Appeals.

Very truly yours, Renneth C. Proctor

KCP/la

PETITION FOR ZONING RE-CLASSIFICATION 5818

AND/OR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

WESTERH I. NNEW, Alberta duPont Thompson legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a plat hereof, Ph ph hereby petition (1) that the roming status of the herein described preparity be reclassing, pursuant Etc. 2. to the Zening Law of Baltimore Count,, from an _______R-40_____ zone to an#3_5 CC.25

M-L.zone; for the following reasons:

1. Because of changes in the neighborhood; and

2. Because of error in the Comprehensive Zoning Map.

See Attached Description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

Property is to be posted and advertised as prescribed by Zoning Regulations.

respects to to the possess and assertined as preserved by zening negutations.

I, or we, agree to pay expenses of above re-classification and or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zening Law for Baltimore County.

> ant thompson Alberta duPont Thompson Address C/o Kenneth C. Proctor Campbell Building Towson 4. Maryland

Valuet / Santas photos Address Robert Stinson
1640 Maryland National
1639 Maryland National
1640 Maryland National
1640 Maryland National
1640 Maryland National
1640 Maryland
1640

Rayacord Line berg 6 roo Rich fails Rd Towson 4, Maryland
Petitioner's Attorneys
ORDERED By The Zoning Commissioner of Baifmore County, this. 17th

..., 196.2., that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through out Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, Cunty Office Building in Towson, Baltimore County, on the AFP 17 1020th day of April



7. 1953 at 11:09 clock

RE: PETITION FOR RECLASSIFICATION from "R-JO" Zone to "M-L" Zone -S. S. Western Maryland R.R. and : W. S. of Baltimore County Beltway, Alberta DuPont Thompson, Petitioner: ZONING COMMISSIONER BALTIMORE COUNTY

> No. 5816 11111111111111111

BEFORE

CE

The printiener seeks the reclassification of property on the south side of Meeter Maryland Railroot and the west side of the Baltimore County Bellianer to the seeks of the Samuel Samue

The access to this preporty would have to be by Mr. Wilson iams. This road is finishequate for the present terific, school buses at present terific, access the sense for in excess of what the safe speed should be. The lare actually serves the Mr. Wilson integrital and is residential in character objection. It would be haracted services to pertit any additional content of the sense of the sens

At the intersection of Mt. Wilson Lare and Reletavetour At the intersection of M. Milron fare and Meisterstem Boad there is again extress danger in making left turns from Moister-turn Boad into M. Wilson Lane. Traffic from the north come over the brew of the hill at such speed its difficult to proceed with safety from M. Wilson Lane on to Ke' crateum Road. This would even be more dangerous for trucks entering Rediscretions Read.

For the above reasons the granting of this soning would be destinantal to the health, safety and general welfare of all people using Reinterstown Road and Mr. Wilson Lone, therefore the reclassification should be denied.

It is this /// day of Agril, 1963 by the Zoning corrissioner of Baltimore Downty, (MEGRAT) that the above reclassifies a mile the same is hereby DERIED and that the above described property area to and the case is continued on and to Famain an #86.07 Zene.

Registered Professional Engineers & Land Sur 709 WATHINGTON ENLIE AT YORK ROY

DOLLENBERG BROTHERS TOWFON 4 MD

December 11, 1962

5818

Zoning Description

All that pleas or parcel of land situate, lying and being in the 2nd and described as follows to wit:

and then piece or parcel of land situat, lying and being in the 2nd and described as follows to dit:

like of anylind or the Mettern horpized sailwein or the authormost right of way line of the Mettern horpized sailwein or the settlement of the little of the lit

DOLLENBERG BROTHERS Reputated Enfranced Engineers of Land Survey TOWSON 4, MD.

Zoning Description

All that piece or parcel of lend cituat, lying and being in the 2nd and 3nd Election Districted balti-ore County, State of Caryland and described as follows to wit:

All that piece or percel of lend cituse. Ying and being in the can an described as follows to wit:

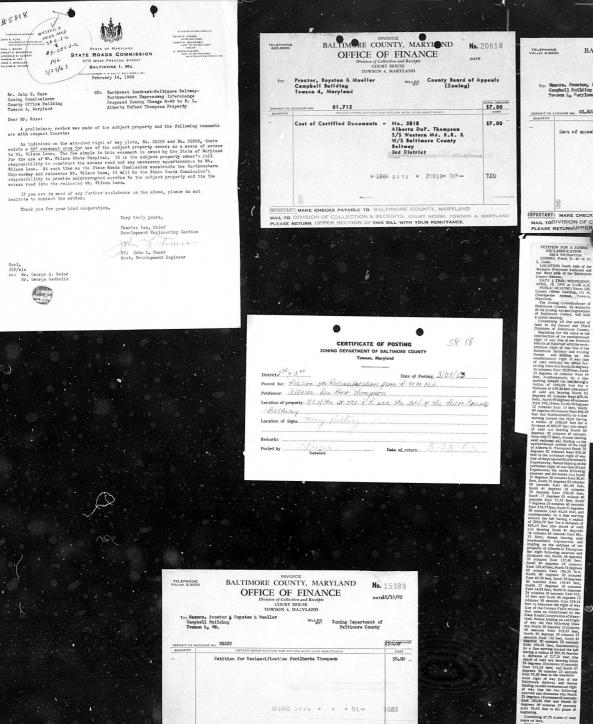
Beginning for the same at the intersection of the santhermost section of the santhermost section of the santhermost right of way line of the santhermost right of way line of the santhermost right of way line of rest railron the save following ince wit: horth 50 degrees 10 minutes west 10.0 feet, doubt 33 degrees 15 minutes west 10.00 feet, doubt 33 degrees of said are bearing borth 63 degrees 02 minutes west 10.30 feet, doubt 33 degrees of said are bearing borth 64 degrees 02 minutes west (130.3) feet), the chord of said are bearing borth 64 degrees 02 minutes west (130.3) feet), the chord borth 66 degrees 10 minutes west (130.3) feet), the chord of said are bearing borth 60 degrees 02 minutes west (130.3) feet).

Does 10 feet, doubt 30 degrees 02 minutes west (130.3) feet), the chord of said are covering about 50 degrees 02 minutes 15 degrees 02 minutes with 60 degrees 03 minutes west 10 degrees 04 minutes west 10 degrees 05 minutes 10 degrees 10 deg

4/10/63

of orthon

3/25/63



IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TODIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURNUPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. BALLMORE COUNTY, MANLAND OFFICE OF FINANCE

n & Hueller,

Office of Planning & Zening 119 County office Bldg., To:son b, Neryland

\$70.00 >-963 6136 · · · TIL-000

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND MAIL TODIVISION OF COL TION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURNUPPER OF THIS BILL WITH YOUR REMITTANCE.

OFFICE

County Beltway,
DATE & TIME: WEDNESDAY
APRIL 10, 1963 at 11:00 A.M
PUBLIC HEARING: Room 10³
County Office Building, 111 V

No. 17761 DATE 5/8/63

FIGATION-2ND & FED DIFFEREN

CERTIFICATE OF PUBLICATION THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., SERCOMPURZER of 1 time Successive research before the 19th ... day of _____Apr-11 ______, 19_63 , the zirst publication appearing on the 22nd day of March

> THE JEFFERSONIAN, Leanh Meretting

5844

5818

58/8 THE BALTIMORE COUNTIAN THE COMMMUNITY PRESS
Dundalk, Md.

THE HERALD - ARGUS Cotonsville, Md.

No. I Newburg Avenue CATONSVILLE, MD.

March 25, 1963.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Honing Commissioner of Belting a County

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for One Week XNICCESSIVE WEEKS before the 25th day of March, 1963, that is to say the same was inserted in the issues of

THE BALTIMORE COUNTIAN

By Taul I Margay Editor and Manager

> BALT FORE COUNTY, MAR LAND OFFICE OF FINANCE No. 16557 Division of Collection and Receipt COURT HOUSE TOWSON 4, MARYLAND DATE 4/5/63 Royston & Mudller BLLIED Zoning Department of Baltimore County DETACH UPPER SECTION AND RETURN WITH YOUR REM \$62.62 Advertising and posting of property for Alberta duPont Thompson #55226 62.6 4--863 7131 * * * * NL--IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND SEVULTARII MARE CHECKS PAYABLE TO BALLIMONE: COUNTY, MARYLAND
> MAIL TODIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
> PLEASE RETURNUPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

ALBERTA duPONT THOMPSON,

IN THE

NATHAN H. KAUPMAN, et al, constituting the GOUNTY BOARD OF APPEALS OF BALTIMORE COUNTY FOR
BALTIMORE COUNTY
AT IAW

RAYMOND FEINBERG, DR. IRVIN GOLBORO, MILLARD MERZ, MORTON ABRAHAMS,

11

16

17

18

19

20

21

File No. 2987 Docket Mise. 7 Folio 369

November 23, 1964

10

11

14

15

16

17

18

Refret HONORABLE JOHN GRASON TURNBULL, Judge.

Defendants

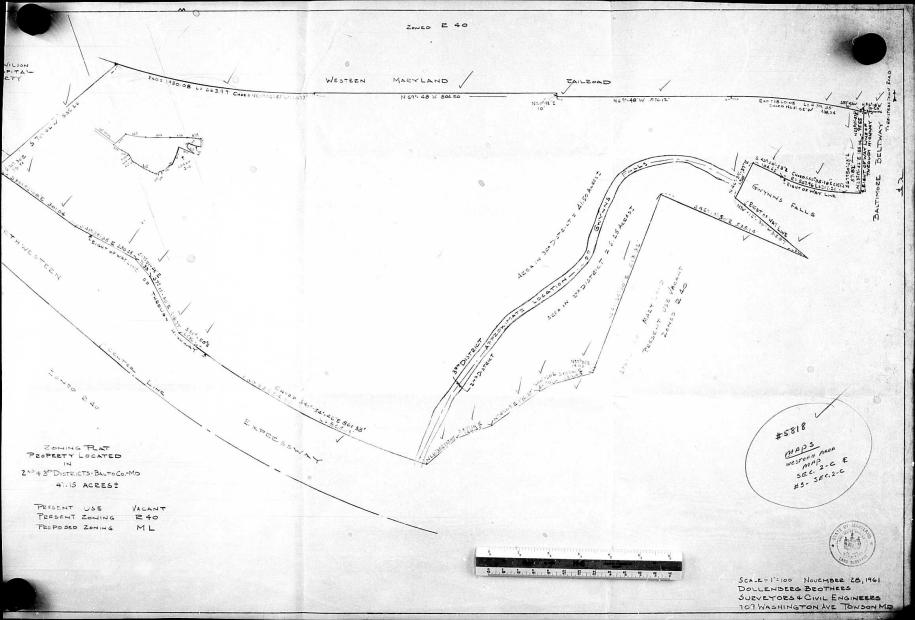
THE COURT: Gentlemen, as you know it is
my custom to read the record prior to hearing oral argument,
and I have read the record in this case including, of course,
the opinion of the County Board of Appeals. As pointed out
by Mr. Harrison only two members sat, but they were in
arresent that the application should be denied.

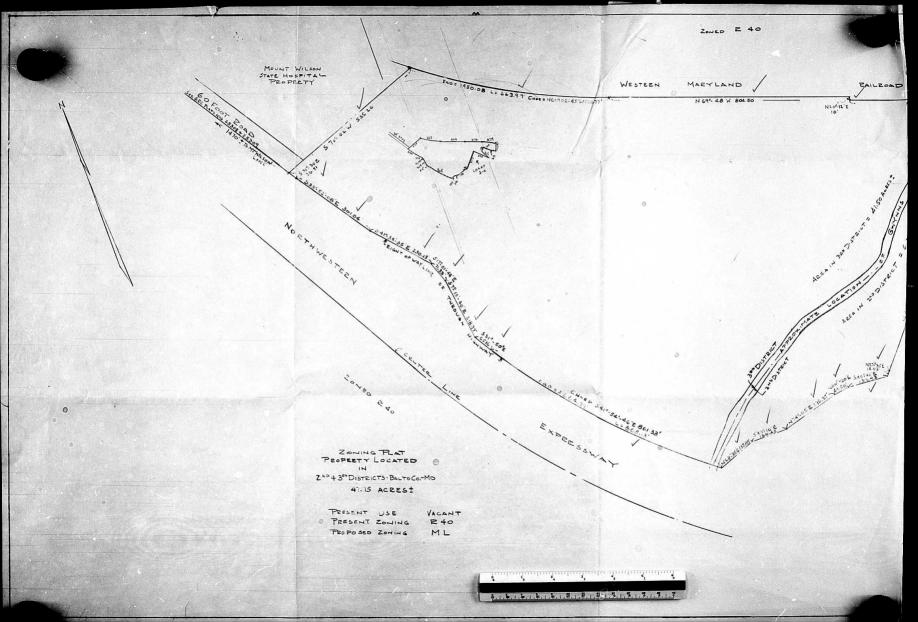
Without repeating the hornbook as to the functions of this Court on appeal, suffice it to say that although personally I would disagree with the Board, yet.

I do find in the record substantial ovidence as to the existing situation relative to ingress and agrees of vehicular traffic which would, in my opinion, justify the Board in deciding as it did decide. That is reinforced, gentlemen, by the fact that we all recognize, as practical people, that an industrial establishment must depend, at least to some extent, if not to a great extent, on vehicular traffic for getting its supplies into a plant and getting its products out of a plant, as well, of course, as the fact that under the perticular situation here existent all their employees necessarily would have to use Mount Wilson Fanse.

Accepting what the Court of Appeals said in the Doub case, it seems to me that the Board, from Mr. Wolf's testimony, could find that the existing situation on Nount Mison Lane was such that it would be in the nature of creating additional Osards if the application were granted. As I say, I don't think I would have decided it that way, but that is not my province.

Por those brief reasons, gentlemen, the order of the Board will be affirmed.





November 4, 1976

Mr. R. W. Filling
Engineering Technician
Baltimore Gas and Electric Company
Gas and Electric Building
Baltimore, Maryland 21203

RE: Proposed Extension Sudbrook Park Substation Case No. 5818-X

Dear Mr. Filling:

Please be advised that Mr. DiNenna has discussed your letter of October 21, 1976, with me and has asked that I relay the following information to you.

Since the proposed extension of the above referenced substation falls entirely within the boundaries of the original Special Exception, as granted under Case No. 5818-X, said extension would not violate the original Special Exception.

If you desire any further clarification in this matter, please do not hesitate to contact me at your convenience.

Very truly yours.

JAMES E. DYER Zoning Supervisor

JED/scw

cc: Mr. S. Eric DiNenna, Zoning Commis-loper
Mr. George J. Martinak, Deputy Zoning Commissioner



BALTIMORE GAS AND ELECTRIC COMPANY

GAS AND ELECTRIC BUILDING HALTIMORE, MARYLAND 21203

ELECTRIC ENGINEERING DEPARTMENT October 21, 1976

Mr. S. E. DiNenna Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Subject: Sudbrook Park Substation



Dear Mr. DiNenna:

On August 10, 1973, Nr. B. C. Zemezine, Ctvil Engineer, et al. Hr. James Dyer regarding the enlargement of Subbrook Part Substation to see if another Zoning Petition vould be required. The Special Exception, Case No. 5815-x, that was granted to the Baltimore Gas and Electric Company on April 8, 1953 included the entire site on which we intend to expand. Hr. Dyer agreed that since our criginal Order contained no restrictions, expansion of the substation by increasing the femce length and installing new outpens: would be allowed. In 1973, management decided to defer date of October, 1977. We now here a exceedabled conscruction date of October, 1977.

I have enclosed Plot Plan for Building Permit, Drawing No. 51-826-E. This plan shows the existing substation, property lines and future enlargement.

In view of Mr. Dyer's decision, it is our understanding that an additional Special Exception is not required. On this basis, I am proparing a building permit application and would appreciate you. comut at your earliest convenience.

Very truly yours.

R. W. Filling Engineering Technician

RWF: jch

Enclosure

