

**Tax Map/Block/Parcel**  
**No. 48-8-70**  
**Case 5596**

**OFFICIAL DECISION**  
**BOARD OF ZONING APPEALS**  
**CARROLL COUNTY, MARYLAND**

**APPLICANT:** BGE Substation Contracting & Design  
2900 Lord Baltimore Drive, 2<sup>nd</sup> Floor  
Baltimore, MD 21244

**ATTORNEY:** Jennifer R. Busse  
Towson Commons, Suite 300  
One West Pennsylvania Avenue  
Towson, MD 21204

**REQUEST:** An application for a conditional use for placement of an electrical substation and a variance for the creation of a parcel of less than 3 acres.

**LOCATION:** The site is located at 334 Lees Mill Road, Hampstead, MD 21074 on property zoned "A" Agricultural District in Election District 8.

**BASIS:** Code of Public Local Laws and Ordinances, Chapter 223-15 (B) and 223-75 (A)

**HEARING HELD:** June 22, 2011

**FINDINGS AND CONCLUSION**

On June 22, 2011, the Board of Zoning Appeals (the Board) convened to hear the request for a conditional use for placement of an electrical substation and a variance for the creation of a parcel of less than 3 acres. Based on the testimony and evidence presented, the Board made the following findings and conclusion:

The owner of the property is Edward Lippy. He maintains a commercial farming operation on the property known as Lippy Brothers, Inc 334 Lees Mill Road, Hampstead, MD 21074. Mr. Lippy was contacted by representatives from Baltimore Gas and Electric (BGE) who had need of suitable land upon which they might place a new electrical substation for the purposes of maintaining their system infrastructure. Mr. Lippy agreed to provide a section of his property to BGE for use, to which both parties appeared before the Board of Zoning Appeals seeking a conditional use and a variance.

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The evidence presented to this Board was voluminous and thorough. The Applicant presented witness testimony from a BGE Project Manager Brian Green, and Landscape Consultant Andrew Stein, who both opined without contradiction that the land sought to be used for their operation was appropriate and would have no greater impact on the surrounding community than the farming operation already in existence on the land. Further, both individuals presented to the board evidence that the proposed substation will be disguised from site by various shielding techniques. Finally, Mr. Green presented extensive testimony on the need for a new substation to be erected in this area in order to maintain BGE's electrical system infrastructure. The Board concurred with the testimony as presented.

The Applicant also presented testimony from both witnesses as to the need for a variance to the lot size requirement. After a thorough consideration and discussion of the relevant sections of the Zoning Ordinance and how it pertains to the matter at hand, the Board concurred that a variance was appropriate.

Several members of the community appeared to comment on the proposed use and, although there was sporadic opposition at first, most all of those present seemed content with the plans for the property.

Accordingly, the Board of Zoning Appeals approved the request and granted both the conditional use and variance to lot size without. Both requests were granted without condition.

20 July 2011  
Date

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Gary Dunkleberger  
Gary Dunkleberger, Chairman

Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court for Carroll County within 30 days of the date of the decision pursuant to Article 66B, Section 4.08 of the Annotated Code of Maryland Rules of Procedure.

*Pursuant to Section 223-192C of the County Code, this approval will become void unless a building permit conforming to the plans is obtained within 6 months from the date of this decision. For more information on the building permit process, please contact the Bureau of Permits and Inspections at (410) 386-2674.*