

BEFORE THE BOARD OF APPEALS FOR WASHINGTON COUNTY, MARYLAND

FORT RITCHIE I LLC
13817 Ritchie Road
Cascade, MD 21719
Appellant

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Appeal No. AP2008-016

OPINION

This action is a request for a special exception to replace and relocate a new electric transformer yard and substation. The subject property is located at 13817 Ritchie Road, Cascade, Maryland, Maryland, is owned by the Appellant, and is zoned Special Economic Development.

A public hearing was held before the Board on March 26, 2008. The Appellant offered evidence and testimony in support of the appeal.

FINDINGS OF FACT

The following findings of fact are made by the Board, based upon the testimony given and all data and other evidence presented, and upon a study of the specific property involved, as well as the neighborhood:

1. Appellant proposes to remove an existing substation and transformer yard on the subject property and replace it with a slightly larger facility at a different location.
2. The substation will be placed at a location formerly improved with a 3-story barracks.
3. Screening and buffers will be installed around the site as required by the Ordinance.
4. The new site will be further from the historic district of the base than is the current substation, thus enhancing the overall aesthetic attractiveness of the area.
5. The proposed use is compatible with the existing neighborhood and conforms to the Comprehensive Plan.

6. Numerous exhibits were presented in support of this appeal.

RATIONALE

The Board has authority to grant a special exception pursuant to Section 25.2(b) of the Zoning Ordinance for Washington County, Maryland. A special exception is defined as “a grant of a specific use that would not be appropriate generally or without restriction; and shall be based upon a finding that the use conforms to the plan and is compatible with the existing neighborhood.” Section 28.62.

In the instant action, the subject property is of adequate size to support the substation and transformer yard, essential utility equipment that is needed to support other permitted uses on the property. The use will not create odors, dust, gas, smoke, fumes, vibrations, or glare; in short, the use is of relatively low intensity and will not disrupt neighboring property owners’ quiet enjoyment of their homes. Furthermore, the facility’s inherent adverse effects will be mitigated by the installation of screening and its further distance from the historic area of the base. Based upon all of the testimony and evidence presented, this Board finds that the subject request does not adversely affect the public health, safety, security, morals, or general welfare, nor does it result in dangerous traffic conditions, or jeopardize the life and property of neighborhood residents. Accordingly, for the reasons set forth herein, this appeal is hereby GRANTED this 25th day of April, 2008.

BOARD OF APPEALS

By: Bert Iseminger, Chair