

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

April 13, 2000

Mr. Ned Fowler SCI Management L.P. P.O. Box 130548 Houston, TX 77219-0548

Dear Mr. Fowler:

RE: Zoning Verification, Gardens of Faith, 5598 Trumps Mill Road, 14th Election

Your letter to Mr. Jablon dated March 16, 2000 has been referred to me for reply. No site plan information was included with your letter.

The above referenced property is currently zoned D.R.3.5. Enclosed, please find a copy of a portion of Baltimore County zoning maps NE-6F and 6F.

You may contact the Baltimore County Office of Planning at 401 Bosley Avenue, Towson, Maryland 21204, (410) 887-3211 to discuss Master Plan considerations.

Cemetery use is permitted in the aforementioned zone by the grant of a Special Exception from the Zoning Commissioner for Baltimore County. The proposed use would be subject to the requirements of Sections 401 and 502 of the Baltimore County Zoning Regulations (B.C.Z.R.). I have included information on the Special Exception process.

If the cemetery has existed prior to the inception of zoning regulations in Baltimore County, which occurred in 1945, and the use has continued uninterrupted since that date it may be considered as non-conforming. Non-conforming uses are subject to the requirements of Section 104, B.C.Z.R. A search of the zoning records shows multiple cases associated with this property. These cases include but are not limited to 2900-S, 65-23-SPH, 84-144-SPH, 94-13-SPHA, 95-332-SPH, and 96-249-A. I have included a copy of the order for the latter case. This is not to be considered the extent of zoning history for this property. It would be advisable to engage an attorney familiar with Baltimore County zoning who can research the case files and assess the present and potential status of the property.



Census 2000 For You, For Baltimore County Census 2000







Come visit the County's Website at www.co.ba.md.us

Mr. Ned Fowler April 11, 2000 Page 2

Mausoleums are considered to be non-residential principal structures and are subject to the requirements of Section 1B01.2.C.1.a, B.C.Z.R. A thorough assessment of the zoning case history for this property may show zoning relief granted for setback and design requirements.

Pursuant to Section 1B01.1.C.9, B.C.Z.R. funeral establishments are permitted by Special Exception in the D.R. zones. Setbacks are pursuant to Section 1B01.2.C.1.a., B.C.Z.R. Residential transition area requirements as per Section 1B01.1.B.1. will apply.

All development within Baltimore County must have full development, zoning and permit approval. You may contact the Office of Development Management at 111 West Chesapeake Avenue, Towson, Maryland 21204, (410) 887-3335 for inquires pertaining to site construction issues and the development approval process. You may contact the Office of Permits at the address above, (410) 887-3900 for building permit application requirements. I am enclosing a copy of the zoning checklist requirements non-residential properties for your use. Additionally, I am including information on how to purchase a copy of the B.C.Z.R. If you plan to develop in the county, it is strongly advised you obtain these regulations.

! 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.

Lloyd T. Moxley Planner II Zoning Review

LTM:kew



ACME MARBLE & GRANITE CO., INC.

P. O. DRAWER 19925

NEW ORLEANS, LOUISIANA 70179

Designers - General Contractors

TOTAL MAUSOLEUM & GARDEN CRYPT DEVELOPMENTO '78 'M

March 15, 1978



Mr. S. Eric Dinenna Zoning Commissioner 111 West Chesapeake Avenue Powson, Maryland 21204

> Setback Requirement Resevoir Road Baltimore, Maryland

Dear Mr. Dinenna:

I spoke with a Mr. Nick Commodari, the Zoning Coordinator, on March 1, 1978 and requested the maximum setback requirement for a mausoleum structure approximately 20' high by 70' long on Reservoir Road. This building would be located in the Gardens of Faith Cemetery. The portion of Resevoir Road we are concerned with is contained within the section which runs from Trumps Mill Road to the Baltimore Beltway.

Mr. Commoderi informed me the maximum setback requirement on Reseveir Road was 50' from where the property line and shoulder of the road meet to the front of a proposed structure. If this is the case, I sincerely request that you send me a written confirmation for my files. If there is any change in the above mentioned setback requirement, please call me toll free at 1-800-535-7036.

Your cooperation and assistance in this matter is greatly appreciated.

Sincerely.

ACME MARBLE & GRANITE CO., INC.

arry Shirley

Assistant Sales Engineer

LS:cc

cc: Mr. Larry Givler



S. ERIC DINENNA ZONING COMMISSIONER

June 7, 1978

Acme Marble & Granite Co., Inc. P.O. Drawer 19925 New Orleans, Louisiana 70179

Attention: Mr. Larry Shirley Assistant Sales Engineer

> RE: Setback Requirements for a Proposed Mausoleum Reservoir Road 14th Election District

Dear Mr. Shirley:

Reference is made to your letter of March 15, 1978, requesting information as to the setback requirements for a mausoleum, approximately 20 feet high by 70 feet long, to be situated adjacent to Reservoir Road.

Please be advised that a review of the zoning case files indicates that the Gardens of Faith Cemetery was the subject of a Special Excep ion hearing, Case No. 2900-S, which was granted with restrictions by the then Zoning Commissioner, Mr. Wilsie H. Adams. Said restrictions include a requirement that "any building or structure and any grave or place of temporary or permanent interment should be required to have a setback of at least 100 feet from the westernmost outline of said property, and of at least 100 feet from the southernmost outline of said property bordering on Trump Mill Road."

I call to your attention the fact that the original Order established a minimum setback of 50 feet from the southernmost outline of said property bordering Trump Mill Road. However, an Amended Order, written apparently as a result of an appeal by the attorney for the protestants and subsequently dismissed, established a setback of at least 100 feet from the southernmost outline of said property bordering on Trump Mill Road.

Mr. Larry Shirley Page 2 June 7, 1978

Based upon the above, the required setbacks for any aboveground structure and/or grave or place of temporary or permanent interment, along the westernmost outline of said property and along the southernmost outline of said property bordering Trump Mill Road, must be 100 feet.

If you have any further questions concerning this matter, please do not hesitate to contact either Mr. James E. Dyer, Zoning Supervisor,

> Very truly yours, S. ERIC DI NENNA Zoning Commissioner

SED:JED:nr

cc: Mr. George J. Martinak, Deputy Zoning Commissioner Mr. James E. Dyer, Zoning Supervisor

MAY 2 5 1954

MAGUIRE AND BRENNAN

May 25, 1954

14th Dist. 0' S.E. of (#2900-S)

-. . . .

M. Wilsie H. Adams, Zoning Commissioner Buildings and Zoning Department 303 Washington Avenue Towson b, Neryland

Re: Petition for special permit N. W. Side Trumps Mill Road 230 ft. S. E. Kenleigh Avenue 14th District

Door Mr. Adams

By agreement of counsel, we wish to dismiss the appeal pending before the Zoning Board of Appeals on Thursday, May 27, 19%.

Very truly yours, Hai Zwagui

John N. Maguire

JNM:nv

AHENDED ORDER

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RE: FETITION FOR A SPECIAL PERMIT FOR GENETERY, GRAVETARD OR BURIAL GROUND - N. N. Side Trumpe Mill Road 230 feet S.E. Kenleigh Ave., lith District - William J. Seward, Fetitioner

a cemetery or burial ground of approximately one hundred and twenty three (12) acres of ground lying on the northerly side of Trump Mill Road in the lith Election District,

out for come tay present out this entire trust was laid out for come tay purposes some teachty purpose ago, before the passage, come tay purpose and teaching purpose ago, before the passage comestary late were disposed of by the them corres of the property. The application for Special Furnit does not include the area overwed by the lost within ware sold or otherwise transferred to covered by the lost within ware sold or otherwise transferred to be propertied. The country of the cou

The surround areas are not thickly settled; there are a number of homes to the westerly side of the tract; and a small number of residences on the southerly side of Trump Mill Road across from the tract in question.

arross from the tract in question.

It is formul that the granting of the permit will not premit the drainage of unter threaften to say reservoir, spring, well or attenuated for dictible gropeous by inneary into there does not accommodate the property of the property of

It is sy opinion that a buffer tone should be created for the housett of nearly properties along the westermont and southern-cases, and the state of the state of the state of the state and publishing or structure and say building or structure as any permanent interment should be required to have a sethoic of al least 100 feet from the westermont outline of and property, and of at 100 feet from the westermont outline of and property, and of the permanent should be required to the property and of the bordering on Troug-Hill Road. The application of and property bordering on Troug-Hill Road. The application of the state and plants to active of deep and to plant shrubbyrt, treety breites and plants to active country. Further approach of the smaller substitute of all theires country.

Re: Poition for a Special Permit for : Wilsie H. Adams
Cametary Ornevgard and Burial Zoning Commissioner,
Smod Sep. 23 Cft. 85E. Evnleigh
Ave. 18th Dist.
Wh. J. Secard, Poitioner

MAR 2 6 1954

Mr. Wilsie H. Adams, Zoning Commissioner for Baltimore County:

Please enter an appeal in the above entitled matter to the Board of Zoning Appeals of Baltimore County in behalf of Robert B. Mover et al. Protestants.

> Trugui a Brown e and Brennan evs for Protestants

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As the hearing the applicant stated that he would agree to a restriction that the permit be granted upon condition that the therein he restricted to white, Christian burdal, and that the trust should be of the "meantal type", with no enuments other formal that the state of the state of the state of the state of agreement, it will be ordered that these restrictions be placed upon the said trust of groun!

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crared by lots which have been transferred to individual control to the which have been transferred to individual control colline by lots which have been transferred to individual control colline Opinion and of the Opinion accompaning this Opinion. Also attached is a mesocratum showing the numbers and sections of the lots of the colline colline and the colline opinion and the colline opinion and the colline opinion and the colline opinion are a part of this Opinion, it list showing number of lots in such of the sections of said track.

Based on the matters and facts as set fo, a in an Opinion dated the same day as this Order, it is this 2400 day of May, 195h, by the Zoning Commissioner of Baltimore County, ORDERED:

That the application of William J. Seward for a special permit for use of the property described in this application for a cemetery or burial ground, be and the same in breby granted IN PART subject to the restrictions set forth in the accompanying Opinion.

The portion of the property which the special permit covers is described as follows:

We thesat side of Trusp Mill Boad beginning 230 feet southeast of Menlatch Boad, there southeasterly, feet, themes Borth 2 degrees 10 minutes East 130 feet, feet, themes Borth 2 degrees 10 minutes East 130 feet, feet, themes Borth 2 degrees 10 minutes was 100.3 Feet, points 80 feet southeast of the proposed belowly themes southeasterly and parallel to said Selvey 1730 feet, and degrees 10 minute was 237 feet them and themes thought on said lime South 12 degrees 10 minutes West 237 feet to Supplaining.

William V. adame

Auril 6, 1556

Dat Patrion or William J. Second for Special Monaption - Property N.J. Lim Transe Hill Sond 210 feet S. G. Korleigh Avenue, 18th Dieterto.

Dear Mr. Sepord

In rouly to your litter of speil 5, 1756 requesting an extension of the special exception granted in the above mother, please be nevied that I have tedry granted an attention of the special exception beginning seron No. 1956 and expiring on Barch No. 1957.

Vary truly yours.

Zoning Comsing towar

WILLIAM J. SEWARD I E. OVERLEA AVENUE BALTIMORE G. MARYLAND

ZONING COMMISSIONER COURT HOUSE TOWSON : MARYLAND

ATTENTION MR. WILLSE ADAMS

SUBJECT: SPECIAL ZONING PERMIT ISSUED MAY 24, 1954

NEGOTIATIONS MAYE BEEN AND ARE UNDER MAY FOR THE CONSTRUCTION, IMPROVEMENTS, AND BEAUTIFICATION OF THE PROPRETY LOCATED ON TRUMP HILL ROAD IN THE 14TH DISTRICT OF OUR GOUNTY -- FOR MILLION A SPECIAL ZOWING PERMIT WAS GRANEDED ON MAY 26, 1854.

SINCE THE ACTUAL CONSTRUCTION HAS NOT YET STARTED, I RESPECTFULLY REQUEST AN EXTENSION OF THE SPECIAL ZONING PERMIT REFERRED TO ABOYS.

Your kind cooperation in granting this request will be sincerely appreciated.

SINCERELY YOURS.

William & Seward

WJS/MLB

HE: FETTION FOR A SPECIAL FERRIT FOR COMETEK, GRAWKIATO OR BURLAL GROUND - N. W. Side Trumps Mill Road 230 feet S. E. Kenleigh Ave., lith District - William J. Saward, Fettioner

This is an application of or a Special Permit for use as a cometery or burning ground of approximately one hundred and twenty (12)) acres of ground lying on the northerly side of Trump Mill Read in the lith Election District.

The testimony disclosed that this entire tract was laid out The testimeny disclosed that this entire tweet was lide of the common purposes some turnly years any, before the passage of any of the soning ordinances. Frier to 1979, some 1900 cameloy like was considered by the then converse of the property. The special content of the property of the special content of the property of the special content of the converse of the

The surrounding areas are not thickly settled; there are a number of homes to the westerly side of the tract; and a small number of residences on the scutherly side of Trump Mill Read across from the tract in question.

tract in question.

In question, the drafting of the pentity will not purefit the draftings of a ster therefrom to any reservoir, spring, well or around the draftings of a ster therefrom to any reservoir, spring, well or around the drafting of the public regulates the community of the drafting of the

bunefit of nearty proporties along the westermost and southermost coulding of said property. I will, therefore, register that any building coulding of said property. I will, therefore, register that any building the said property and the said property and coulding the said property and of at least 100 feet from the sections coulding of said property and of at least 100 feet from the scatter made outline of said property bendering on from \$1.10 feet. The applicant will further be required to plant armborry, trees, bushes and plants so afford adoptate exceeding of the track, although planting to be subject to the further approved of the aming authorities of Sultimos Courts.

At the hearing the applicant stated that he would agree to a restriction that the permit be graited upon condition that the lots thereis a better the state of the state of

Missible borbt. In glat of said property with the areas covered by leadship have been seen and of or perty with the areas collose seed there are a said loss seed the said loss seed the said the confidence again and the force accessaring this Opinion. Also attached is a memorandom showing the numbers and westloss of the attached is a memorandom showing the numbers and westloss of the attached is a memorandom showing the number and the said t

Hased on the matters and facts as set forth in an Opinion dated the same day as this Order, it is this foot day of March, May 1950, by the Zoning Commissioner of Baltimore County, ORDERED:

That the application of Millian J. Severd for a special permit for a special permit for use of the property described in this application for a centery or turing ground, be and the sme is horeby granted IN FART subject to the restrictions set forth in the accompanying Opinion.

The portion of the property which the special permit covers is described as follows:

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Olikie N. Litterne Zoning Commissioner of Baltimore County

WILLIAM J. SEWARD

-2-

#2900-5 PETITION FOR SPECIAL PERMIT #11+14-A IN THE HATTER OF TERRORE THE WILLIAM J. SEWARD OF BALTIMORE COUNTY SA For a Special Fermit To The Zoning Cormissioner of Baltimore County Lagal Comor William J. Seward Contrac*

hereby petition for a Special Pennit, Under the Zoning Regulations and Restractions passed by the County Courissioners of Baltimore County, agreeable to Chapter 877 of the Acts of the General Assembly of Naryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

A Special Permit to use the land (and improvements now or be erected thereon) hereinafter described for Gemetery, Gravejerd or Burisl Ground, Saving and excepting therefrom those burisl lots heretofore conveyed for burial ground purposes.

10to heretofore conveyed for burlal ground purposes.

All that pared of last in the Twentesh District of Saltisore
County on the northese real that it is the state of Saltisore
County on the northese that the salt like of the s

16 Overlen ave Balto 6 md

BEANARY S. MELNICOLE 111 N. Chas ST 3/8/54 BALTO 1, MD

OFFICE OF PLANNING

Inter-Office Corresponden

From Malcola H. Dill September 2h, 1957

To ... William E. Formoff

Subject Heating concerning the Gardens of Faith Community in relation to conflicts with County planning and development proposals.

Tow will remember that on August 21rd a meeting was held in your office to discount the problems, leapl and otherwise, connected with the century recently associated as a Table, fund in on Trange Hill Rouf, insediately act of the mean Cardena of Table, fund in on Trange Hill Rouf, insediately act of the IN was agreed by Table 1 and IN was agreed to the century to the century people claim, a non-enfountry are but actually did not require a special encouption. It was also special the workly would be made to as statute a special was a special encouption. It was also special the special proposed measured in land could be found which would said of the century proposed insured in land could be found which would said a could be found within would said and the special proposed insured in some land to the special proposed insured in the said the Railway - Rorthaust Expressing interchange states a continuous route without crossing the century proport allows impossible.

It seems worth considering the setting up of a meeting to discuss it in representa-tives of the constary the possibility of most kind of compresses — not projectical to a constant the constant the constant time of the constant time of a of gravelly increased access, and also to the somewrith years of the possibility of a preventing the constant from being a barriar to consumity development. Fries to account most an easily, it supervises her for those of to in the Governor processes when the possibility of the constant time of the constant has seen to be all years and the constant time of the constant has seen the latter, which of the constant time of the constant has a constant time of the constant has described by distinction of the constant has described by distinct and the constant has described by distinct the constant has described

My secretary will call your offices in order to set up a meeting, as soon as possible, to discuss this metter.

2900-5A OMERED by the Zoning Commissioner of Baltimore County this 18th day of damagexFebruary, 1984, that the subject matter of this petition be advertised in a newspaper of general circulation throughout Reltitors County and that the property be posted, as required by the Locing Regulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, karyland, on the 8th , 1984, at 3:00 o'clock

Zoning Commissioner of Baltimore County

COPY

MALSH AND FISHER Attorneys At Las

August 15, 1957

Hr. Malcoln F. 5:11 Baltimore County Flaming Department Court House, Towson - h, Haryland Dear Mr. Dille

Your letter of July 30, 1957 addressed to Cardens of Faith, Inc. has been turned over to me as Attorney for the Corporation.

This owner, we have the control of t

Dren before the and of the extension period considerable additional work and noney was invested in the property for centerpy ruppease. As of today, more 'an 200,000 worth of lots have been sold since the present comers sculptud the property and there have been a number comers and the property and there have been a number of the control of the property and there have been a number of the control of the contro

e circumstances, we see no need for ing the use of this property for constant

Very truly rours. Charles O. Ficher

July 30, 1957

Sarders of Faith, Inc. 827 M. Charles Street Baltimore 1, Meryland

It has one to our attention that you have recently sequired and here been making some improvements on the property on the north side of Truey Hill Road, fast each of its intersection with Emmed-Awares, hering in mind it's use as a constant. There are one pro-leas in commention with this request which you should be sade some

As you doubtless knew, a constary was planned many years ago for a trust of 123,3 acres, which included your property, but de-realpount knews were beyond the sale of some 1900 lets in the central parties of the trust.

pertian of the tract.

In early 250, attention of the owner was called to the fact that under the Raitiance Gounty forther reputations then in effort, a postal remain was required for creation of a consteay, A loaning was been as the contract of the cont

On March 50, 1955 the Board of County Consissioners adopted entirely new Faring Regulations. In these Regulations 2 constary is one of the uses requiring issuence of a Special Exception. Section 502.3 reads as follows:

Any Special Describes which he set been satisfied within the set of the set was the for Immu, r any Special Parties Which was greated before the date of adoption of those Specialtees and which he are been without within a period of one year after so in date, shall be weld within a period of one year after so in date, shall be weld within a period of one year after so in date, shall be weld within a period of one year after the period of one year. In the statement period is occurred, period of one year, but not note than one such extension, for a period of one year, but year yet greated.

July 30, 1997.

A letter dated April 5, 1956 from Nr. William Semand to Nr. Wilsie Adems requested on extension of the Special Permit. This embession was granted by Nr. Adems on Arti 6th

During the lattice part of 1996 a number of our staff tailant to possess of the office of the William Chary size, we save infrared, use at least a part carry of the property on notatical data than the Const. would have to make previous a with of an a fitness sensor size of the constitution of the constitu

At its regular meeting on September 15, 1956, the Baltimore County Planning

MULTING. That the Director write to the Zoning Convinctions requesting that any reasonal of the Special Exception for the constant, on Transparent State of the Special Exception for the constant, on Transparent State of the read and sobool proposals affecting the property moderates of the read and sobool proposals affecting the property.

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In order to provide for insteal charification of the mituation I expect that emfercion be arranged for discussion of it. We will be gind to set by much a disquist this office. In the monative, it is not processedation that any in-stead of the control of the best of the process of the control of the set for which the maining Commissioner granted the original people is reintly set for which the maining Commissioner granted the original people is not processed. From the

1900-6

Halcoln H. Dill.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

#2900

2-24-54 Marie la felle af Elemis for Cerretay, grant proposo a brail of 243 of received a fellewing for several of grant of the several received as a process of fell of fermine mild for the first of French with the fell of the first of feelings of the fell of the first of feelings of the f

MAR 1 1954

Date of return 2-25-54

Personal Wilder of the Personal Property of th

Glorge A. Hum

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 26, 19.54

THIS IS TO CERTIFY. That the annexed advertisement was xx 2 times xxxxxxxxxxx before the 8th day of March 1954 the first publication appearing on the 19th day of Pebruary

THE SEFFERSONIAN. as Treedex

Cost of Advertisement, \$

March 31. 195

\$30,00

OC: Nr. Wilste Adams Pr. John H. Punk Pr. Alomso Deeker, Jr. Pr. Victor Poole Pr. Prank Peach

> MCNIVED of John J. Maguire, Attorney for protestants the eas of Birty (\$30.00) Pollars, being cost of appeal to the Board of Zoning Appeals of Bullinere County from the decision of the Soming Commissioner rendered in the matter of position for a special permit for Commetery, Gravayard or Aurial Occumd -N. M. Side Truppe Hill Hoad 230 ft. S. S. Menledgh Avenue, tich bistrict.

Wilsins Colom Zentur Completions

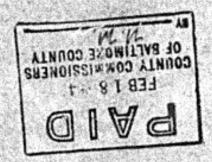
February 18, 1954

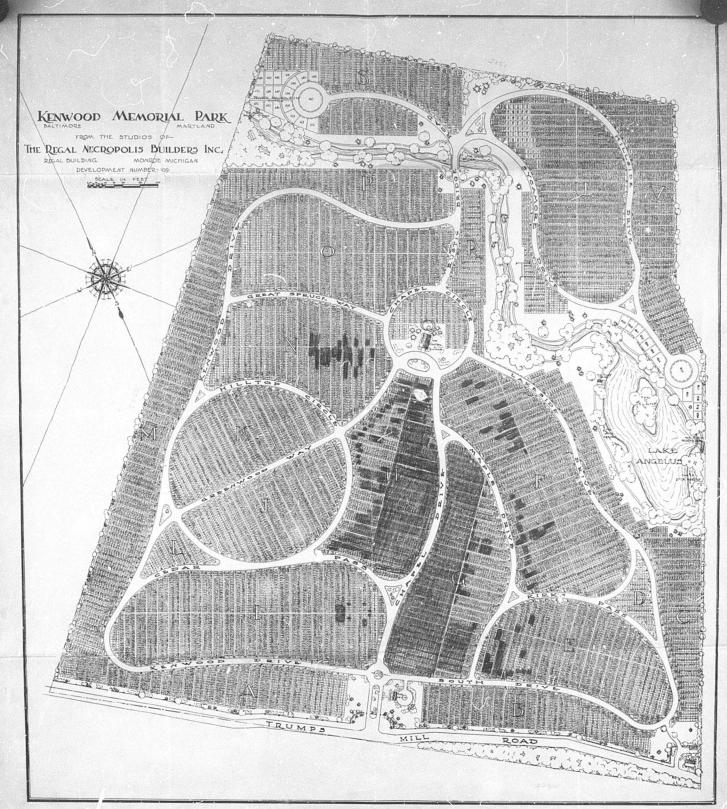
\$37.00

RECRIVED of, Edgar F. Bervan, M.D., the sum of Thirty Seven (\$37.00) Dollars, being cost of petition for Sp cial Permit, advertising and posting preparty, northeast side of Troops Hill Road, beginning 230 feet so thoust of Esmisiph Systems, Lith District, Baltimore County, Maryland.

Zoning Commissioner

on. Fr. Berman William J. Soward





broked & of Bullo Co Tallony, AS OFTAINED FROM
ASSOCIATED CONSULTING ENGINEERS, 12 MARCH, PROY W 1248 13 80. TRANSMESON LINE offroy location of Lun ees die Hamile 342.40 7201 18. CONTAINING 123 % ACRES #2900SA MAP #11+14A 2900- 14H Zomne Fire 2405-5 DIC 52