



Baltimore County
Department of Permits and
Development Management

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 District

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.

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 inquiries 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.

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,

Lloyd T. Moxley
Planner II
Zoning Review

LTM:kew





ACME MARBLE & GRANITE CO., INC.

P.O. DRAWER 19925

NEW ORLEANS, LOUISIANA 70179

504-837-5222

Designers - General Contractors

TOTAL MAUSOLEUM & GARDEN CRYPT DEVELOPMENT

March 15, 1978

2900 J

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

Re: Setback Requirement
Reservoir 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 Reservoir Road we are concerned with is contained within the section which runs from Trumps Mill Road to the Baltimore Beltway.

Mr. Commodari informed me the maximum setback requirement on Reservoir 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.

Larry Shirley
Larry Shirley
Assistant Sales Engineer

LS:cc

cc: Mr. Larry Givler



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3353

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 Exception hearing, Case No. 2900-S, which was granted with restrictions by the then Zoning Commissioner, Mr. Wilkie 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, or me.

Very truly yours,

S. Eric Dinenna
S. ERIC DINENNA
Zoning Commissioner

SED:JED:nr

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

MAY 25 1954

MAGUIRE AND BRENNAN
ATTORNEYS AT LAW

May 25, 1954

M. Wilsie H. Adams, Zoning Commissioner
Buildings and Zoning Department
303 Washington Avenue
Towson 7, Maryland

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

Dear Mr. Adams:

By agreement of counsel, we wish to dismiss
the appeal pending before the Zoning Board of Appeals
on Thursday, May 27, 1954.

Very truly yours,

John N. Maguire

JNM:aw

MAR 26 1954

Re: Petition for a Special Permit for : Wilsie H. Adams
Cemetery, Unimproved and Burial : Zoning Commissioner,
Ground - N. W. Side Trump Mill : Baltimore County
Road Beg. 230 ft. S. E. Kenleigh :
Ave., 14th Dist.
Wm. J. Seward, Petitioner

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 R.
Mayer, et al, Protestants.

Robert R. Mayer, et al, Protestants

Maguire and Brennan
Attorneys for Protestants

April 5, 1956

By William J. Seward,
7 East Overlea Avenue,
Baltimore 6, Maryland

Re: Petition of William J. Seward
for Special Exception - Property
N. W. Side Trumps Mill Road 230
feet S. E. Kenleigh Avenue,
14th District

Dear Mr. Seward:

In reply to your letter of April 5, 1956 requesting
an extension of the special exception granted in the above matter, please
be advised that I have today granted an extension of the special exception
beginning March 20, 1956 and expiring on March 20, 1957.

Very truly yours,

Zoning Board of Appeals

WILLIAM J. SEWARD
7 EAST OVERLEA AVENUE
BALTIMORE 6, MARYLAND
APRIL 5, 1956

ZONING COMMISSIONER
COUNT HOUSE
TOWSON 7, MARYLAND

ATTENTION MR. WELLS ADAMS

SUBJECT: SPECIAL ZONING PERMIT
ISSUED MAY 24, 1954

DEAR SIR:

NEGOTIATIONS HAVE BEEN AND ARE UNDER WAY
FOR THE CONSTRUCTION, IMPROVEMENTS, AND REDEVELOPMENT
OF THE PROPERTY LOCATED ON TRUMPS MILL ROAD IN THE
14TH DISTRICT OF OUR COUNTY. FOR WHICH A SPECIAL
ZONING PERMIT WAS GRANTED ON MAY 24, 1954.

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

YOUR KIND COOPERATION IN GRANTING THIS RE-
QUEST WILL BE SINCERELY APPRECIATED.

SINCERELY YOURS,

William J. Seward
WILLIAM J. SEWARD

WJS/HLB

- 2 -

RE: PETITION FOR A SPECIAL PERMIT FOR CEMETERY,
UNIMPROVED OR BURIAL GROUND - N. W. Side
Trumps Mill Road 230 feet S. E. Kenleigh Ave.,
14th District - William J. Seward, Petitioner

This is an application for a Special Permit for use as
a cemetery or burial ground of approximately one hundred and twenty three
(123) acres of ground lying on the northerly side of Trump Mill Road
in the 14th Election District.

The testimony disclosed that this entire tract was laid out
for cemetery purposes some twenty years ago, before the passage of
any of the zoning ordinances. Prior to 1939, some 1900 cemetery lots
were disposed of by the then owners of the property. The application
for Special Permit does not include the area covered by the lots which
were sold or otherwise transferred to the former owners. The Zoning
Commissioner is advised by the Law Department of the County and finds
as a fact that the owners of said 1900 old lots have a vested right to
use the same for burial purposes.

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 southerly side of Trump Mill Road across from the
tract in question.

It is found that the granting of the permit will not permit
the drainage of water therefrom to any reservoir, spring, well or stream
used for drinking purposes by human beings; that there does not exist within
300 feet of any portion of said property any school, hospital, sanitarium
or orphanage; and that there are not more than 500 persons residing within
a radius of 300 feet of the outside limits of said tract. It is further
found that the granting of said application will not be detrimental
to the safety, health, morals and general welfare of the community
involved; will not tend to create congestion in roads, streets and alleys
in the area involved; will not create a hazard from fire, panic or other
danger; will not tend to overcrowd land and cause undue concentration
of population; will not interfere improperly with adequate provisions
for schools, parks, water, sewerage, transportation, and other public
requirements, conveniences and improvements; and will not interfere with
adequate light and air.

It is my opinion that a buffer zone should be created for the
benefit of nearby properties along the westernmost and southernmost
outlines of said property. I will, therefore, require 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 50 feet from the southernmost
outline of said property bordering on Trump Mill Road. The applicant
will further be required to plant shrubbery, trees, bushes and plants
to afford adequate screening of the tract, although planting to be subject
to the further approval of the zoning authorities of Baltimore County.

At the hearing the applicant stated that he would agree to a
restriction that the permit be granted upon condition that the lots
therein be restricted to white, Christian burial, and that the
trust should be of the "memorial type", with no monuments other
than those which are placed flat upon the ground. In view of this
agreement, it will be ordered that these restrictions be placed upon the
said tract of ground.

Attached hereto is a plat of said property with the areas
covered by lots which have been transferred to individual owners
delineated thereon in red. This plat shall be considered a part
of this Opinion and of the Order accompanying this Opinion. Also
attached is a memorandum showing the numbers and sections of the
lots, which are delineated on said plat, which list shall be
considered as referred to and as a part of this Opinion. Also
attached, and made a part of this Opinion, is list showing number
of lots in each of the sections of said tract.

Based on the matters and facts as set forth in an Opinion
dated the same day as this Order, it is this 24th day of May,
1954, 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 is hereby 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:

Northeast side of Trump Mill Road beginning 230 feet
southeast of Kenleigh Road, thence southeasterly,
on the northeast side of Trump Mill Road 227.7
feet, thence North 24 degrees 10 minutes East 140
feet; thence North 2 degrees 07 minutes West 266.3 feet;
thence North 24 degrees 10 minutes East 130 feet to a
point 60 feet southeast of the proposed beltway; thence
northeasterly and parallel to said beltway 1700 feet,
more or less, to intersect the beginning of the South
42 degrees 10 minutes West 2937 feet line and thence
ending on said line South 42 degrees 10 minutes West
2937 feet to beginning.

William J. Adams
Zoning Commissioner of Baltimore County

RE: PETITION FOR A SPECIAL PERMIT FOR CEMETERY,
UNIMPROVED OR BURIAL GROUND - N. W. Side
Trumps Mill Road 230 feet S. E. Kenleigh Ave.,
14th District - William J. Seward, Petitioner

This is an application for a Special Permit for use as
a cemetery or burial ground of approximately one hundred and twenty
three (123) acres of ground lying on the northerly side of Trump
Mill Road in the 14th Election District.

The testimony disclosed that this entire tract was laid
out for cemetery purposes some twenty years ago, before the
passage of any of the zoning ordinances. Prior to 1939, some 1900
cemetery lots were disposed of by the then owners of the property.
The application for Special Permit does not include the area
covered by the lots which were sold or otherwise transferred to
the former owners. The Zoning Commissioner is advised by the Law
Department of the County and finds as a fact that the owners of
said 1900 old lots have a vested right to use the same for burial
purposes.

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 southerly side of Trump Mill Road
across from the tract in question.

It is found that the granting of the permit will not permit
the drainage of water therefrom to any reservoir, spring, well or
stream used for drinking purposes by human beings; that there does
not exist within 300 feet of any portion of said property any school,
hospital, sanitarium or orphanage; and that there are not more
than 500 persons residing within a radius of 300 feet of the outside
limits of said tract. It is further found that the granting
of said application will not be detrimental to the safety, health,
morals and general welfare of the community involved; will not
tend to create congestion in roads, streets and alleys in the area
involved; will not create a hazard from fire, panic or other danger;
will not tend to overcrowd land and cause undue concentration of
population; will not interfere improperly with adequate provisions
for schools, parks, water, sewerage, transportation, and other public
requirements, conveniences and improvements; and will not interfere
with adequate light and air.

It is my opinion that a buffer zone should be created for the
benefit of nearby properties along the westernmost and southernmost
outlines of said property. I will, therefore, require 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 50 feet from the southernmost outline of said property
bordering on Trump Mill Road. The applicant will further be required
to plant shrubbery, trees, bushes and plants to afford adequate
screening of the tract, all such planting to be subject to the
further approval of the zoning authorities of Baltimore County.

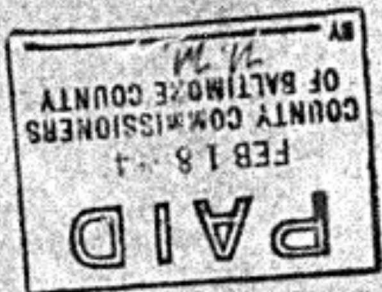
February 18, 1954

\$37.00

RECEIVED of, Edgar F. Berman, M.D., the sum of Thirty Seven (\$37.00) Dollars, being cost of petition for Special Permit, advertising and posting property, northeast side of Trupee Mill Road, beginning 230 feet southeast of Kensington Avenue, 14th District, Baltimore County, Maryland.

Zoning Commissioner

cc. Dr. Berman
William J. Seward



FROM THE STUDIOS OF
THE REGAL NECROPOLIS BUILDERS INC.
 REGAL BUILDING MONROE MICHIGAN
 DEVELOPMENT NUMBER-109

FROM THE STUDIOS OF

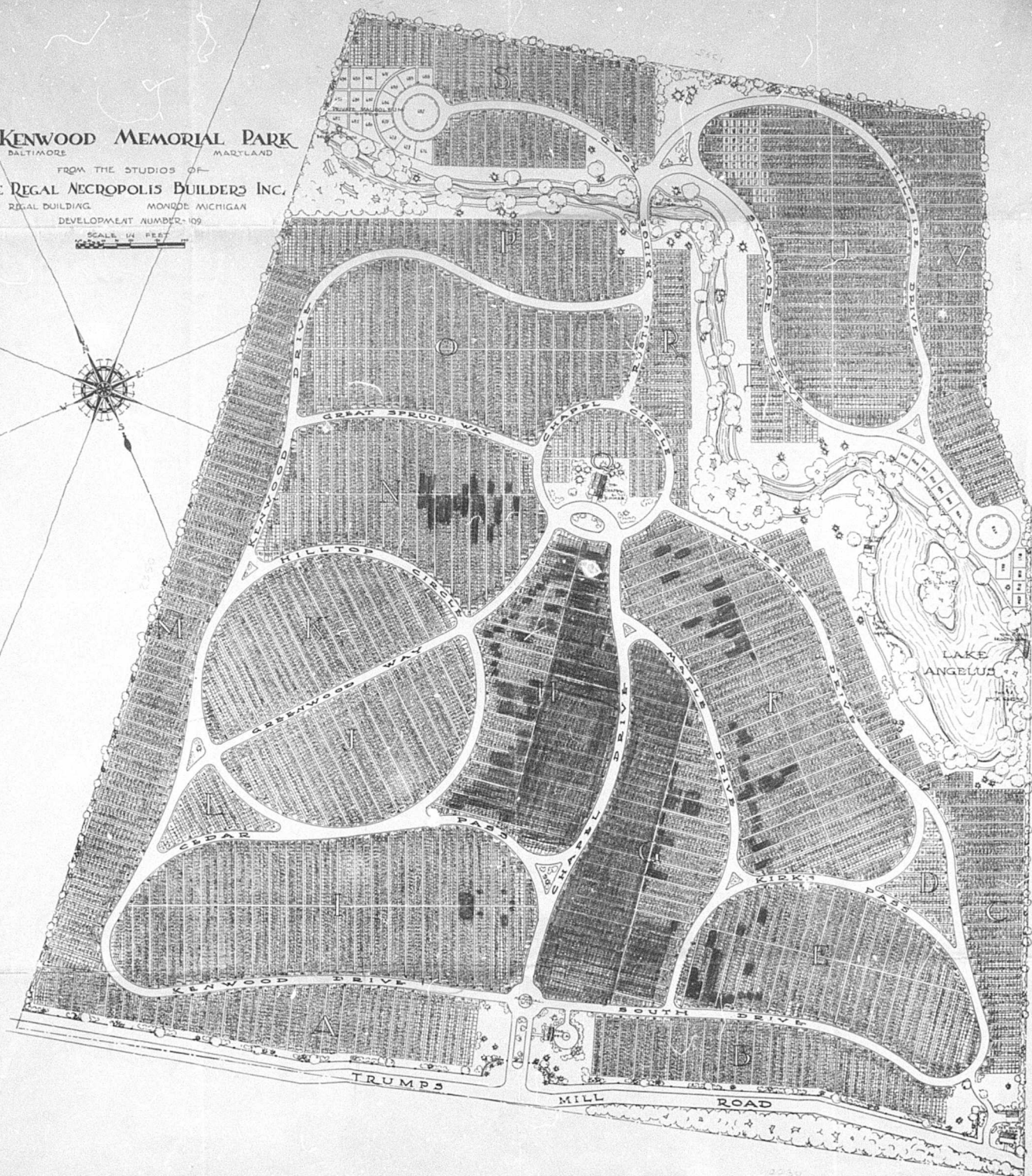
THE REGAL NECROPOLIS BUILDERS INC.

REGAL BUILDING

MONROE MICHIGAN

DEVELOPMENT NUMBER-109

SCALE IN FEET



[illegible]

#29005A

MAP
#11 + 14A

2900. 1A^H

SCALE 1" = 200'

Zoning File 2400-5

DEC 52