



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. Jaton 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-6E 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

GARDENS OF FAITH, INC.
Fourteenth Election District -
North side of Trumps Mill Road
Petition Number 65-28-SPH

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

OPINION AND ORDER

The Petitioner in the above case requested a special hearing to reduce a restricted setback line from 100 feet to 10 feet for the full length of the Petitioner's property along the north side of Trumps Mill Road.

A special permit was granted on this property for use as a cemetery on May 24, 1954 in Zoning Petition No. 2900-5. The Order of the Zoning Commissioner in that case established the restricted setback of 100 feet along the westernmost outline of the property and along the southernmost outline of Trumps Mill Road.

This Petitioner subsequently purchased the property and developed it as a memorial type cemetery. The acreage has been reduced since 1954 by the construction of the Baltimore County Beltway and by a recent acquisition for Reservoir Road along the entire western boundary. The beltway cut off Trumps Mill Road so that it now dead ends the east of the Petitioner's property.

The Petitioner originally requested that the restricted setback on Trumps Mill Road be reduced to 10 feet. The Department of Public Works has requested that the setback be 20 feet from the existing right-of-way for Trumps Mill Road to permit possible future widening. It appears that a reduction of the restricted setback to 20 feet from the existing right-of-way would not be detrimental to the public health, safety or welfare.

For the above reasons, it is ORDERED this 30th day of July, 1964 that the restricted setback along the southernmost boundary of the property be and the same is hereby reduced to 20 feet from

the existing right-of-way for Trumps Mill Road and that no permanent structure or graves be placed within said 20 foot setback.

John G. Ross
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Ross, Zoning Commissioner Date: July 20, 1964

FROM: Mr. Robert A. Carroll, Director

SUBJECT: Gardens of Faith Cemetery, Special Hearing to reduce the 100 foot setback to a 10 foot setback for the full length of Petitioner's property along the North side of Trumps Mill Road, from the proposed right of way line, North side of Trumps Mill Road and Park side of Reservoir Road (Proposed). Being property of Gardens of Faith, Inc.

With District

DATE: Wednesday, July 22, 1964 (10:00 AM)

The Planning staff does not have sufficient information in order to make definitive comment on the subject petition.

BEGINNING for the first thereof at a point in the center line of Trumps Mill Road, having Baltimore Metropolitan District Coordinate values of north 19° 39' 56" and east 31° 11' 51" in the fourth line and at a distance of 35.48 feet from the stone found set in the ground at the beginning of said fourth line of the tract of land which was conveyed by Charles H. Seward and wife to William J. Seward, by deed dated August 28, 1880, and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 1132; folio 351, thence as now surveyed, by Subtitle 4, Maryland Surveying Service, with north reference to Baltimore Metropolitan District North Meridian and running and binding in part on said fourth line, north 18 degrees 15 minutes 28 seconds east 118.11 feet to an iron pipe now set in the ground at the intersection with the end of the sixth line of the right of way which was conveyed by William J. Seward and wife to Consolidated Gas Electric Light and Power Company of Baltimore, by deed dated August 8, 1950, and recorded among the Land Records of Baltimore County in Liber 7.9.55, No. 1869, folio 81, thence running and binding reversely on said land for the following two courses and distances, viz: north 03 degrees 47 minutes 01 seconds west 354.15 feet to an iron pipe now set in the ground, north 18 degrees 15 minutes 28 seconds east 152.47 feet to an iron pipe now set in the ground, thence for the three following lines of division: North 62 degrees 59 minutes 22 seconds west 1299.70 feet to an iron pipe now set in the ground, south 36 degrees 48 minutes 20 seconds west 1623.43 feet to an iron pipe now set in the ground, north 33 degrees 11 minutes 40 seconds west 30.00 feet to an iron pipe now set in the ground at the intersection with the fourth line of the land conveyed by Michael Martin and wife to the Chesapeake Transmission Company of Maryland, by deed dated August 18, 1910 and recorded among the Land Records of Baltimore County in Liber V.P.C. No. 261, folio 166, thence running and binding on part of said fourth line, south 36 degrees 48 minutes 20 seconds west 947.22 feet to a point in Trumps Mill Road, thence running and binding on Trumps Mill Road, the following six courses and distances, viz: south 63 degrees 32 minutes 23 seconds east 215.04 feet to a point in the center line of Trumps Mill Road, south 63 degrees 30 minutes 11 seconds east 361.89 feet to a point in the center line of Trumps Mill Road, south 63 degrees 11 minutes 13 seconds east 287.61 feet to a point in the center line of Trumps Mill Road, south 71 degrees 34 minutes 54 seconds east 264.12 feet to a point in the center line of Trumps Mill Road, south 66 degrees 55 minutes 11 seconds east 116.28 feet to a point in the center line of Trumps Mill Road, south 56 degrees 17 minutes 18 seconds east 426.04 feet to a point in the center line of Trumps Mill Road, which is the place of beginning. Containing 100.01 acres, more or less, excluding 1.49 acres, more or less in the right of way for Trumps Mill Road.

GARDENS OF FAITH, INC.
Fourteenth Election District -
North side of Trumps Mill Road
and East side of Reservoir Road
(Proposed)

FOR THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

PETITION FOR SPECIAL HEARING

The Petition of Gardens of Faith, Inc. respectfully represents:

1. That your Petitioner is a cemetery corporation forced under the provisions of Article 23 of the Annotated Code of Maryland and on or about the 23rd day of May, 1957 acquired an interest in 100 acres of land, more or less located on the North side of Trumps Mill Road in the Fourteenth Election District of Baltimore County, said property being described in a map and bounds description and attached hereto marked "Exhibit A".
2. That the property acquired by your Petitioner as aforesaid was previously known as the Kenwood Memorial Park having been laid out and used as a cemetery since the early 1930's and as a result your Petitioner avers that said property had a lawful nonconforming use for cemetery purposes.
3. Notwithstanding the existence of a nonconforming use on said property as above set forth, a Petition was filed for a special exception on said property by other persons who contemplated the purchase of the same, said Petition being known as Zoning Application 2900-5; that said Petition for special exception was granted, subject however to a setback of 100 feet along the frontage of the property on Trumps Mill Road.
4. That since the acquisition of said property by your Petitioner, the same has been known as the "Gardens of Faith" cemetery and your Petitioner has invested many thousands of dollars in connection with the development of the same including the paving of roadways, landscaping, the erection of imported marble statuary, etc.
5. That since the acquisition of said property by your Petitioner, the following changes, among others, have occurred:
 - a. Trumps Mill Road has since become a dead end road to the East of your Petitioner's property due to the construction of the Baltimore

JUN 12 '64



Baltimore County
Department of Public Works
COUNTY OFFICE BUILDING
TOWNSHIP 4, BALTIMORE

May 7, 1964

Mr. Richard C. Murray
Attorney at Law
Loyola Building
Township 4, Maryland

Re: Gardens of Faith Cemetery
Trumps Mill Road

Dear Mr. Murray:

We have reviewed the Gardens of Faith petition to reduce its zoning setback along Trumps Mill Road. It is our understanding that the present right of way of Trumps Mill Road is 30 feet wide. It is our feeling that this right of way should be widened to 50 feet. Since the widening would be taken on each side of the right of way, there would be a 10-foot taking from the Gardens of Faith Cemetery. We would, therefore, approve any setback that would comply with this future planning.

With kindest personal regards,

Very truly yours,

Albert S. Kaltenbach
Director

ANK:hmm

County Beltway as a non-access highway across Trumps Mill Road.

b. That the useable acreage of your Petitioner has been substantially reduced due to the taking of approximately 3.757 acres of land by the State Roads Commission for the construction of the Baltimore County Beltway at the Northwestern corner of your Petitioner's property.

c. That the useable acreage of your Petitioner has been further reduced by the proposed acquisition by Baltimore County, Maryland of approximately 4.270 acres along the Western boundary of your Petitioner's land.

6. That your Petitioner is unable to replace said land since there is no available contiguous property for expansion due to the existence of the proposed Reservoir Road and other utilities along the entire Western boundary of your Petitioner's property, Trumps Mill Road along the entire Southern boundary of your Petitioner's property, the Baltimore County Beltway along the Northern boundary of your Petitioner's property and the existence of a overhead transmission line along the Eastern boundary of your Petitioner's property.

7. That your Petitioner desires to have the aforementioned 100 foot setback along Trumps Mill Road reduced to a 10 foot setback and states that such a reduction would not affect nearby properties nor would the same have any adverse effect upon the general health, safety or welfare of the community. Said setback to be from the proposed right-of-way line.

WHEREFORE, Your Petitioner prays that a special hearing may be held to reduce the aforementioned 100 foot setback to a 10 foot setback for the full length of your Petitioner's property along the North side of Trumps Mill Road, from the proposed right-of-way line.

GARDENS OF FAITH, INC.

By: Lawrence H. Hulse
Loyola Building
Township 4, Maryland
Willet 5-3015
Attorney for Petitioner

JUN 18 '64



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY TOWNSHIP, Maryland

District: 14th Date of Posting: 7/1/64
Posted for: Hearing Wed. July 22-64- 12:10 PM
Petitioner: Gardens of Faith, Inc.
Location of property: N.E. Thompson Mill Rd. & E. of
Location of sign: At the entrance to the property, at the intersection of Thompson Mill Rd. & E. of
Signed: [Signature] Date of return: 7-9-64

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipts
COUNTY HOUSE
TOWNSHIP 4, MARYLAND

No. 25210

DATE: 7/1/64

RECEIVED BY THE PETITIONER
WITHIN SEVEN DAYS AFTER THE DATE OF THIS CERTIFICATE
Attorney and printing of property
PAID - Baltimore County, Md. - Office of Finance
1-226 6164 • 25210 IIP- 166

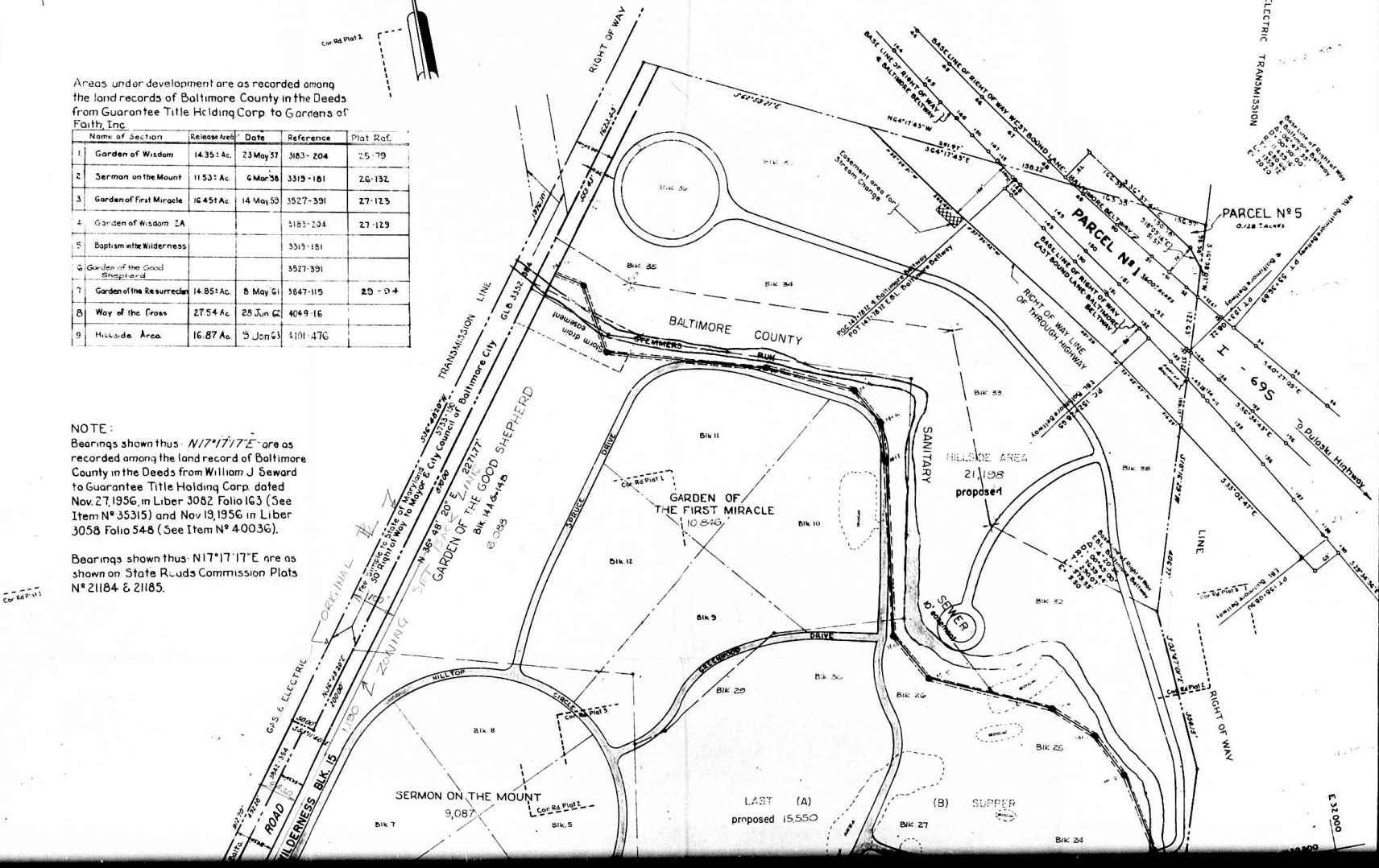
10



	Name of section	Released	Date	Reference	Plat Ref.
1	Garden of Wisdom	14.35: Ac	23 May 37	3183- 204	25-79
2	Sermon on the Mount	11.53: Ac	6 Mar 38	3319-181	26-132
3	Garden of First Miracle	16.45: Ac	14 May 53	3527-391	27-123
4	Garden of Wisdom -2A			3183-204	27-123
5	Baptism in the Wilderness			3313-181	
6	Garden of the Good Shepherd			3527-391	
7	Garden of the Resurrector	14.85: Ac	8 May 61	3647-115	29-3-4
8	Way of the Cross	27.54: Ac	28 Jun 62	4049-16	
9	Hillside Area	16.87: Ac	9 Jun 63	4101-476	

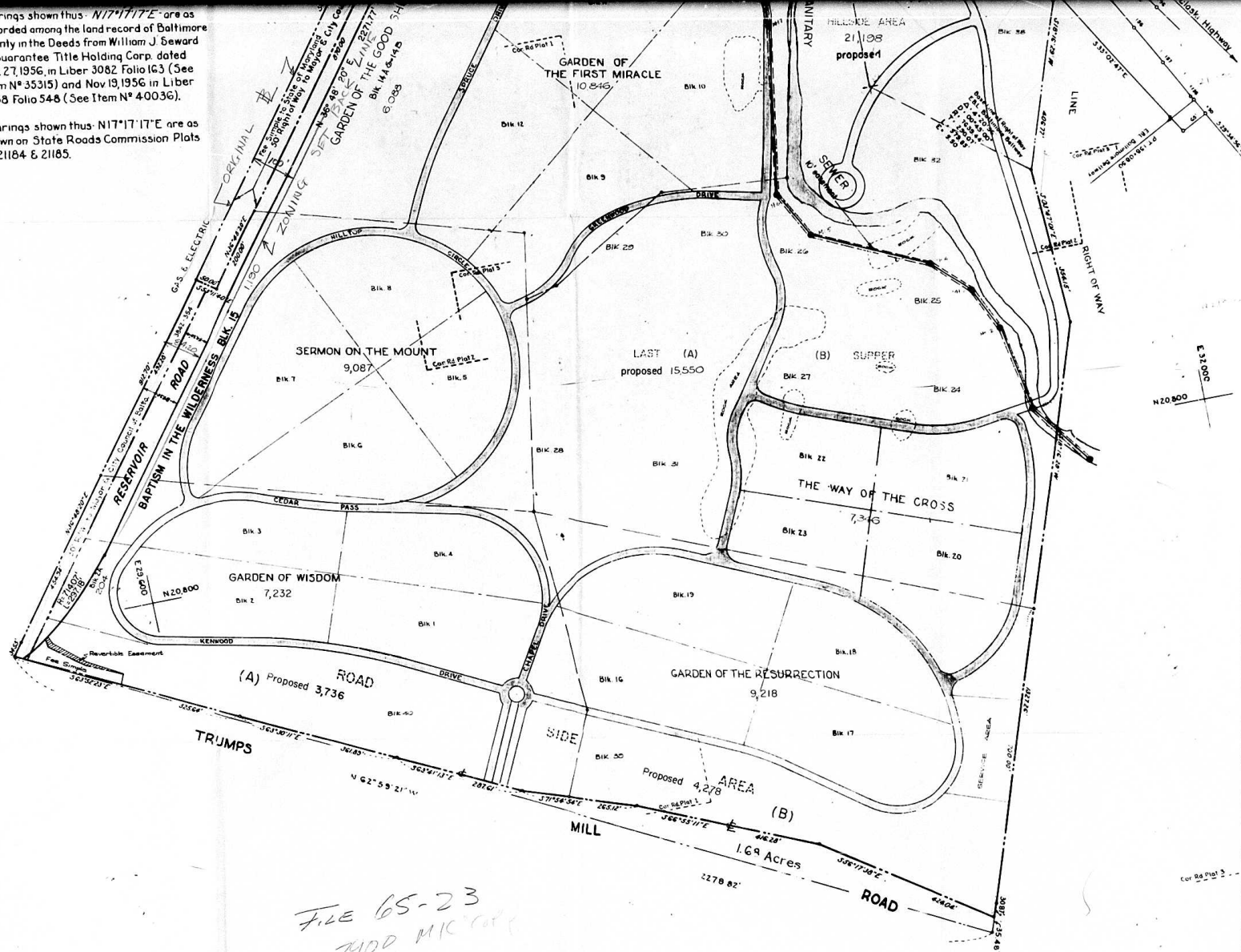
Bearings shown thus: *N 17° 17' 17" E* are as recorded among the land record of Baltimore County in the Deeds from William J. Seward to Guarantee Title Holding Corp. dated Nov. 27, 1956, in Liber 3082 Folio 163 (See Item N° 35315) and Nov 19, 1956 in Liber 3058 Folio 548 (See Item N° 40036).

Bearings shown thus: N17°17'17"E are as shown on State Roads Commission Plats N^o 21184 & 21185.



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Bearings shown thus: N17°17'17"E are as shown on State Roads Commission Plats N° 21184 & 21185.



File 65-23
2400 MIC

PLAT OF ENTIRE PROPERTY
UNDER DEVELOPMENT
BY

Gardens of Faith

14TH ELECTION DISTRICT BALTIMORE COUNTY, MD.

SCALE: 1"=100'

AUGUST 24, 1959

SURVEY & PLAT
BY
SUTCLIFFE & ASSOC.
SURVEYORS - ENGINEERS
3639 FOREST HILL ROAD
BALTIMORE, 7, MARYLAND

REV. 5-15-70
REV. 6-3-65
REV. 7-25-63
REV. 9-29-61
REV. 3-6-60

Robert K. Sutcliffe
REG. LAND SURVEYOR - 2564

