

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, the Oheb Shalom Congregation, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

hereby petition for a Variance from Section 1.401.3.B.3. to permit a setback of 1 (one) foot, instead of the required 50 (fifty) feet, from and parallel to the South 63 degrees, 31 minutes, 50 seconds East 1234.56 feet boundary line of said property for a distance of 740 feet, as shown on said plat,

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

shaded area abutting said boundary line for a distance of 740 feet is that portion of the subject property, a cemetery, to be reserved for mausoleum sites, including the proposed mausoleum shown. A uniform rear building line set back more than one (1) foot from the subject boundary line (which borders another adjoining cemetery) would destroy the utility of the proposed mausoleum area. Owing to the lack of other suitable sites with proper access, and faced with immediate, urgent demands for mausoleum construction by its Congregants, your Petitioner would encounter extreme difficulty and hardship unless its request is granted.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

The Oheb Shalom Congregation of Baltimore City

By: *Benjamin Dorman* Legal Owner

Address: 7310 Park Heights Avenue

Baltimore, Maryland - 21208

Telephone: 358-0105

Petitioner's Attorney

902 Cathedral Street

Baltimore, Md. - 21201

Telephone: 727-0980

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day

of February, 1976, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out Baltimore County, that property be posted, and that the public hearing be had before the Zoning

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 15th day of March, 1976, at 1:00 o'clock

P.M.

S. Eric DiMenna

Zoning Commissioner of Baltimore County

(over)

March 18, 1976

Benjamin Dorman, Esquire
902 Cathedral Street
Baltimore, Maryland 21201

RE: Petition for Variance
NW corner of Berrymans Lane
and Nicodemus Road - 4th
Election District
The Oheb Shalom Congregation
of Baltimore City - Petitioner
NO. 76-187-A (Item No. 143)

Dear Mr. Dorman:

I have this date passed my Order in the above referenced matter.
Copy of said Order is attached.

Very truly yours,

S. ERIC DI MENNA
Zoning Commissioner

SED/scw

Enclosures

cc: John W. Hession, III, Esquire
People's Counsel

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
NW corner of Berrymans Lane and : OF BALTIMORE COUNTY
Nicodemus Road, 4th District

THE OHEB SHALOM CONGREGATION : Case No. 76-187-A
OF BALTIMORE CITY, Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated thereto, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kountz, Jr.
Charles E. Kountz, Jr.
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that a copy of the foregoing Order was mailed on this 4th day of March, 1976 to Benjamin Dorman, Esquire, 902 Cathedral Street, Baltimore, Maryland 21201, Attorney for Petitioners.



DESCRIPTION

DESCRIPTION TO ACCOMPANY APPLICATION FOR SPECIAL MEETING

PROPERTY OF
OHEB SHALOM CONGREGATION
NORTH SIDE OF NICODEMUS AT
THE WESTSIDE OF BERRYMAN'S LANE
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same in the centerline of Berrymans Lane at its intersection with the centerline of Nicodemus and running thence the ten (10) following courses and distances, viz.,

- (1) North 68° 35' 50" West 429.00 feet with centerline of Nicodemus Road
- (2) North 07° 54' 10" East 231.00 feet
- (3) North 02° 47' 05" West 830.76 feet
- (4) North 74° 21' 20" West 73.43 feet
- (5) North 02° 47' 50" East 529.11 feet
- (6) South 52° 03' 40" East 249.13 feet
- (7) South 63° 31' 50" East 1234.56 feet
- (8) South 39° 09' 20" West 1273.84 feet with centerline of Berrymans Lane and
- (9) South 31° 34' 10" West 84.75 feet to place of beginning.

Containing approximately 28.63 acres of land more or less.

BEING a part of that parcel of land recorded among the Land Records of Baltimore County, Maryland in Liber O.T.G. 4649 at Folio 110.

PURDUM AND JESCHKE
ENGINEERS AND LAND SURVEYORS

1023 NORTH CALVERT STREET, BALTIMORE, MARYLAND 21202

Page 1 of 1

January 8, 1976

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

March 4, 1976

Mr. S. Eric DiMenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #143 (1975-1976)
Property Owner: Oheb Shalom Congregation
N/S of Nicodemus and W/S of Berrymans Lane
Existing Zoning: RSC
Proposed Zoning: Variance to permit setback of 1' instead of required 50'
No. of Acres: 28.63 District: 4th

Dear Mr. DiMenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are as secured by Public Works Agreement #46704, executed in conjunction with the development of "Oheb Shalom Memorial Park". The highway right-of-way widening for Berrymans Lane and Nicodemus Road and the grading thereof, will be required in connection with any grading or building permit application.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #143 (1975-1976).

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: Bureau of Public Services (Oheb Shalom Memorial Park)
C. Warfield

Y-NE Key Sheet
55 & 56 NW 41 & 42 Pos. Sheets
NW 14 K Topo
48 & 57 Tax Maps

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna, Zoning Commissioner Date: March 1, 1976

FROM: William D. Fromm, Director of Planning

SUBJECT: Petition #76-187-A. Petition for Variance for Side Yard.
NORTHWEST CORNER of Berrymans Lane and Nicodemus Road.
Petitioner - The Oheb Shalom Congregation of Baltimore City

4th District

Hearing: Monday, March 15, 1976 at 1:00 P.M.

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comment to offer.

No conflict

Proposed mausoleum is adjacent to another cemetery.

William D. Fromm
William D. Fromm
Director of Planning

WDF:JOH:nb

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Benjamin Dorman, Esq.
902 Cathedral Street
Baltimore, Md. 21201

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 18th day of February, 1976

S. Eric DiMenna
S. Eric DiMenna,
Zoning Commissioner

Petitioner: Oheb Shalom Congregation

Petitioner's Attorney: Benjamin Dorman

Reviewed by: Franklin T. Hoggans, Jr.

cc: Purdum and Jeschke
123 North Calvert Street
Baltimore, Md. 21202

Chairman,
Zoning Advisory
Committee

Pursuant to the advertisement, posting of property, and public hearing on the above Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner, the Variance should be had; and it further appearing that by reason of the granting of the Variance requested not adversely affecting the health, safety, and general welfare of the community, the Variance to permit a setback of one foot in lieu of the required fifty (50) feet from and parallel to the South 63 degrees 31 minutes 50 seconds East 1234.56 feet boundary line of said property for a distance of 740 feet should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 18th day of March, 1976, that the herein Petition for the aforementioned Variance should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 19th day of February, 1976, that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 25, 1976

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
TOWSON, MARYLAND 21204
Franklin T. HOGANS, Jr.
Chairman

MEMBERS
ZONING ADMINISTRATION
HEALTH DEPARTMENT
BUREAU OF FIRE PREVENTION
DEPARTMENT OF TRAFFIC ENGINEERING
STATE REGIONAL ADMINISTRATION
BUREAU OF PLANNING
PROJECT AND DEVELOPMENT PLANNING
INDUSTRIAL DEVELOPMENT COORDINATOR
BOARD OF EDUCATION
OFFICE OF THE BUILDING ENGINEER

Benjamin Dorman, Esq.
902 Cathedral Street
Baltimore, Maryland 21201

RE: Variance Petition
Item 143
Oheb Shalom Congregation -
Petitioner

Dear Mr. Dorman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the north side of Nicodemus Road and west side of Berryman Lane, and is currently the site of the Oheb Shalom Cemetery. The petitioner is requesting a Variance to permit the construction of a mausoleum at a distance of one foot from the northeasternmost property line. The request apparently is intended to apply to any area or setback along this boundary line.

The property immediately to the north and east of this site is shown as another cemetery, in the name of the Baltimore Hebrew Congregation.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of

Benjamin Dorman, Esq.
Re: Item 143
February 25, 1976
Page 2

the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Franklin T. HOGANS, Jr.
Chairman, Zoning Plans
Advisory Committee

PTH:JD

Enclosure

cc: Purdum and Joschke
1023 North Calvert Street
Baltimore, Md. 21202

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 434-3550

STEPHEN E. COLLINS
DIRECTOR

February 19, 1976

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 143 - ZAC - January 27, 1976
Property Owner: Oheb Shalom Congregation
Location: N/S of Nicodemus & W/S of Berryman Lane
Existing Zoning: RSC
Proposed Zoning: Variance to permit setback of 1' instead of req. 50'
No. of Acres: 28.63
District: 4th

Dear Mr. DiNenna:

No major traffic engineering problems are anticipated by the requested variance to permit a 1 foot setback.

Very truly yours,

Michael S. Flanagan
Traffic Engineer Associate

MSF:nc

baltimore county
department of health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

February 10, 1976

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #143, Zoning Advisory Committee Meeting, January 27, 1976, are as follows:

Property Owner: Oheb Shalom Congregation
Location: N/S of Nicodemus & W/S of Berryman Lane
Existing Zoning: RSC
Proposed Zoning: Variance to permit setback of 1' instead of required 50'

No. Acres: 28.63
District: 4th

Since this is a variance for a mausoleum, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

RJV:pb6

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: January 30, 1976

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: January 27, 1976

Re: Item 143
Property Owner: Oheb Shalom Congregation
Location: N/S of Nicodemus & W/S of Berryman Lane
Present Zoning: R.S.C.
Proposed Zoning: Variance to permit setback of 1' instead of required 50'

District: 4th
No. Acres: 28.63

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

W. Nick Petrovich, Jr.
Field Representative.

H. EMLIE PARKS, President
EUGENE C. HESS, Vice-President
MR. ROBERT L. BERNY

MARCUS M. BODLAHNS
JOSEPH N. MCGOWAN
ALVIN LOWEY
JOSEPH R. WHEELER, Superintendent

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MR. RICHARD K. WUERFEL

baltimore county
fire department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reincke
CHIEF

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Oheb Shalom Congregation

Location: N/S of Nicodemus & W/S of Berryman Lane

Item No. 143

Zoning Agenda January 27, 1976

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead-end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

(xx) 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: John L. Wimbley Noted and Approved: James H. Murphy

Planning Group Special Inspection Division Acting Deputy Chief Fire Prevention Bureau

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 434-3211

WILLIAM D. FROMM
DIRECTOR

February 19, 1976

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #143, Zoning Advisory Committee Meeting, January 27, 1976, are as follows:

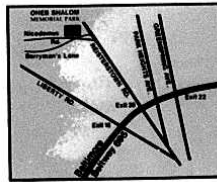
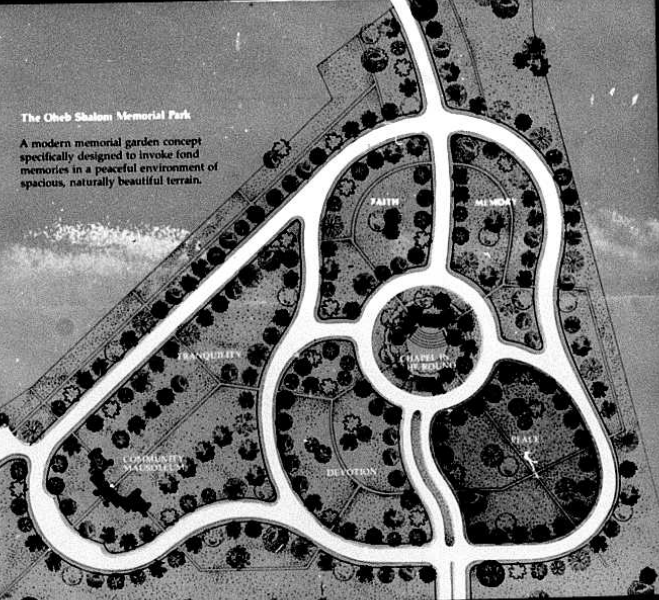
Property Owner: Oheb Shalom Congregation
Location: N/S of Nicodemus & W/S of Berryman Lane
Existing Zoning: R.S.C.
Proposed Zoning: Variance to permit setback of 1' instead of required 50'
No. Acres: 28.63
District: 4th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problem with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project and Development Planning



"Continuity" a sculpture by Judith Sidel Piv

OFFER SHALOM MEMORIAL PARK
 OFFICES
 7710 Park Heights Ave. - Baltimore, Md. 21207
 Call Memorial Director 358-3917 358-0105

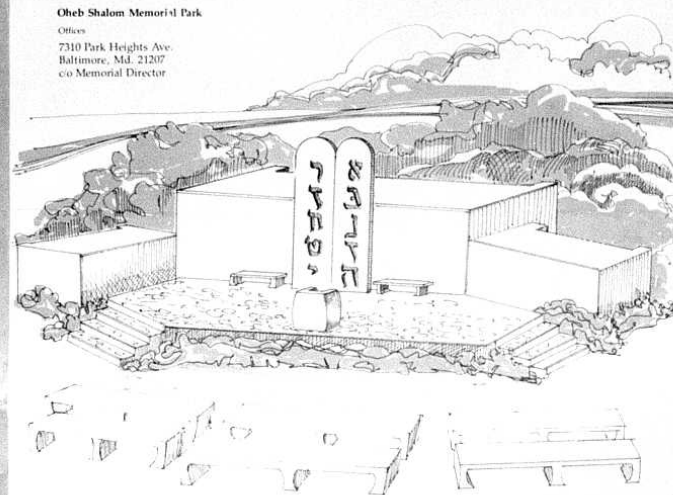
Scenic view of the beautiful surroundings

Plans for the future
Community Museum, an indoor chapel. This impressive building will be located in The Garden of Tranquility which faces Ningsham Road and Berryman's Lane.



A view of "The Garden of Power"

Oheb Shalom Memorial Park
Offices
7310 Park Heights Ave.
Baltimore, Md. 21207
c/o Memorial Director

[illegible]


 OFFICE OF
 THE TIMES
 NEWSPAPERS
 RANDALLSTOWN, MD. 21133 Feb. 25/97

THIS IS TO CERTIFY that the annexed advertisement of
Petition for a Variance- Oheb Shalom Congregation
was inserted in the following:

- ☐ Catonsville Times
☐ Dundalk Times
☐ Essex Times
☐ Towson Times
☐ Arbutus Times
☒ Community Times

weekly newspapers published in Baltimore County, Maryland, once a week for one ~~sixty-six~~ weeks before the 15th day of March 1976, that it to say, the same was inserted in the issues of Feb. 25, 1976.

STROMBERG PUBLICATIONS, INC.

BY Pat Sprink

[illegible]

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 26, 1926

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once in each~~ at one time successive weeks before the 15th

day of March, 19 76 the first publication
appearing on the 26th day of February
19 76

THE JEFFERSONIAN,
S. Leank Street
Manager

Cost of Advertisement, \$

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: FEB. 28, 1976
 Posted for: PETITION FOR VARIANCE
 Petitioner: THE CHAB SHAHEM COUN. OF BAKTO. CITY
 Location of property: NW/4 COR. OF BERRYMAN'S LAKE AND
NICODEMUS RD.
 Location of Signs: ① NW/4 COR. OF BERRYMAN'S LAKE & NICODEMUS RD
② BERRYMAN'S LAKE ENTRANCE TO CHAB SHAHEM MEMORIAL PARK
 Remarks:
 Posted by: Thomas E. Mahan Date of return: MARCH 5, 1976
 Signature

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 23 day of

January 1976. Item # 25-4 ____ Check


S. Eric DiNenna,
Zoning Commissioner

Petitioner Chad Shady Congregation Submitted by Sidney L. Selt
 of Chad Cong.
 Petitioner's Attorney Bruce R. Roman Reviewed by DAS

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE & REVENUE DIVISION
MISCELLANEOUS RECEIPT

No. 31629

Feb. 23, 1976 01-662

DATE _____ ACCOUNT _____

AMOUNT \$25.00

RECEIVED BY _____
FROM Park Shalom Congr. 7310 Park Heights Ave.
Belts, Md. 21208 Petition for Spanish-Speaking Vari-

#76-187-A

33 31629 23 25.00 RL

VALIDATION OR SIGNATURE OF CASHIER _____

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 31674

DATE Mar. 15, 1976 ACCOUNT 01-662

AMOUNT \$54.25

RECEIVED FROM Cash

FOR Advertising and posting of property for
The Chab Shalom Congr. of Balto. City
#76-167-A

44 9286 18 5425 HCU

VALIDATION OR SIGNATURE OF CASHIER

LAYOUT AND
GRADING PLAN FOR

Oheb Shalom

MEMORIAL PARK

FOURTH ELECTION DISTRICT BALTIMORE COUNTY, MD.

MAY 12, 1967

SCALE 1" = 50'

REVISED: JULY 27, 1967

OWNER AND DEVELOPER
OHEB SHALOM CONGREGATION
730 PARK HEIGHTS AVENUE
BALTIMORE, MARYLAND

LOCATION PLAN
SCALE 1" = 200'

DEVELOPMENT AREA

NICODENUS ROAD

BERRYMAN'S

LANE

NICODENUS ROAD

BERRYMAN'S

LEGEND

- 71.0 existing ground contours
- 71.6 finished grade contours
- Future roadways and walkways
- Proposed roadway and walkway paving
- 71.6 finished grade spot elevations

GENERAL NOTES

- All disturbed areas not being paved or seeded, shall be topsoiled and seeded.
- All walkways shall be five (5) feet in width.

PURDUM AND NESCHKE

CONSULTING ENGINEERS
AND LAND SURVEYORS
1523 N. CALVERT STREET
BALTIMORE, MARYLAND 21208

