

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:

Zoning Verification, Arbutus Memorial Park, 1101 Sulfer Spring Rd., 13th 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.10.5. and 5.5. A portion of the property may also be zoned D.R.3.5. depending upon the extent of the property. Enclosed, please find a copy of a portion of Baltimore County zoning maps SW 5E and

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 zones 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 in1945, 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 171-S, 5432-X, 78-209-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 Regulations who can research the case files and assess the present and potential status of the property.

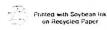


Census 2000

For You, For Baltimore County Census 2000







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. E.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 for 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.

Lleyd T. Moxley Planner II **Zoning Review**

LTM:kew

MICRO 78-209 M 8ds. Pennit 6190292 92

Mr. Sarl Richard
Batimore County Governmen.
Office of Zoning Administration
and Development Management
Office of Flanning & Zoning
111 West Chesspeace Avenue
Towson, Maryland 21204

Re: Arbutus Memorial Park 243 Crypt Mausoleum and Shelter

Dear Mr. Richard:

In reference to my talaphone convertantion, this date, with Schiple from your configuration, I as returning to you the second page of your letter dated august 12, 1992 which the second project of the permit application on the above referenced projects.

This is for your information and records.

Sincerely,

October 27, 1992

F. M. HARVEY CONSTRUCTION CO., INC.

8452-92

of hanks charey

FMH, JR.:shp Enclosures



1616 Providence Road * Towson, MD 21204 * (410) 825-2132 * Fur (41.) 825-2135

Baltimon: County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeak: Avenue

August 12, 1992

(410) 887-3353

Frunk Harvey, President F.M. darvey Construction 1616 Providence Road Towson, ND 21204

RE: Building Formit Application for 243 Crypt Mausoleum and Shelter Arbutus Memorial Part^{*} N/S Layman Way & EU/S Clorgyman Way District: 13cl Zoning: D.R.-5.5 & D.R.-13.5 Prior Hearing: 78-209-A

...........

Towson, MD 21204

Reference is made to the above referenced permit application musmitted to this office on August 10, 1992 for approval. A revise of the zoning records available to this office has induced that the property is currently zoned U.K.+5.5, but a revise of our files has not revealed that a special exception or special somethin or sepecial confidence or special confidence or spec

However, a tilt somey decide does indicate that case #171, as colleges first they for a public colleges demonster, for Natie williams, was available and tilt and the special area. There is no zoning film evailable and the only moning record found is the attached and the recommendation of the recommendation

Frank Bar ey August 12, 1992 Page 2

paged on the down referenced uning records and subsequel permit approvals, this has a strength of the subsequent of the

should you need any i ther clarification or if you discover any additional routing records, please of not besitate to contact se at 887-3391.

Very truly yours.

wer

W. Carl Richards, J Zoning Coordinator

WCR:sci

cc: William J. Callis, Jr. Arbutus Memorial Pack

Enclosure

NAME ARGUS MEMBERS ARE SPINS CLEASED

NAME ARGUS MEMBERS ARE ARE ARE SURPHIS SPINS RD.

*PLEASE COMPLETE AND RETURN WITH PERMIT APPLICATION

Im) Casiles is

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100	

MALE CHECKS PAYABLE TO BALTINORE COUNTY MARYLAND -- NO PERMIT FEES REPURDED

helds 2 site plans as Tetbacks

Need Adoptie) apple me site plans waived

BALTIMORE COUNTY MARYLAND

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE BONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Arbutus Memorial Park, Inc. legal owner, of the property attente in Baltimusty and which is described in the description and plat attached hereto and made a part here

by polition for a Variance from Section. 1, 802.28(Y.8.2) & 102.2

To permit a 20' setback (building face to building face) between mausoleums in lieu of the required 80'.

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

- 1. Proposed structures are not inhabited; making 80' setbacks unnecessary.
- Proposed structures are viewed from the outside and do not have interior rooms, making front, rear and side yards diff'cult to determine.
- 3. A 20' setback will allow the development of a more intimate garden space which is desirable.
- 4. Topographic changes across the site (7%+) make it difficult to attach the mausuleums through the use of a continuous roof.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expense of above "Zeriance advertiving, posting, etr., upon filing of that
tion, and further agrees to and are to be bound by the coning regulations and restrictions of
more County adopted pursuant to the Zoning Law For Baltimore County.

Hilliam J. Callis, President Arbutus Membrial Park, Inc. 1101 Sulphur Spring Road Beltimore, Maryland 21227

20 1976., that the subject matter of this petition be advertised, as required by the Zoning Law of Battimore County, in two newspapers of general circulation throughout Battimore County, that property be poster, and that the public bearing be had before the Zoning "omnistioner of Battimore County in Boom 106, County Office Building in Towner, Battimore

10.01

RE: PETITION FOR VARIANCE

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

......

ORDER TO ENTER APPEARANCE

Pursuant to the authority contained in Section 524.1 of the Baltimore County hereby enter my copediance in this proceeding. You are requested to post age of any preliminary or final Order in connection therewith.

Charles & Kousty Or Charles E. Kountz, Jr. Deputy People's Counsel

John W. Herring T John W. Hesslan, III People's Counsel County Office Building Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 14th day of March, 1978, a copy of the aforegoing Order was mailed to Mr. William J. Callis, President, Arbutus Mer Park, Inc., 1101 Sulphur Spring Road, Saltimore, Maryland 21227, Petitioners

70. Hessin H

MAR 1 4 78 -M ZOLALIC ... MENT



BALTMORE COUNTY, MARYLAND

TO S. Eric DiNenna, Zoning Commissioner

March 20, 1978

Parent Leslie H. Groef, Director of Planning

ITEM 1145 Petition 778-209-A. Petition for Variance for Distance between Buildings

Beginning 725 feet South of Sulphur Spring Road opposite Shelbourne Avenu

13th District

HEARING: Wednesday, March 29, 1978 (10:00 A.M.)

PROPE COUNTY OFFICE OF PLANNING & SONING

County Office Building 111 W. Chesapeake Ave. Towso:, Maryland 21204

Your Petition has been received and accepted for filing this 10th day of samenry 1978.

Petitioner Arbetus Memorial Park, Incorporated

Daft, McGese, Walker, Inc Hampton Place. Suke 1103 Towney, Maryland 21204

There are no comprehensive planning factors requiring comment on this petition

LHG-JGH-

March 30, 1978

Mr. William J. Callis, President Arbuha Memerial Fark, Inc. 1101 Suphur Spring Read Beltimore, Maryland 21227

RE: Petition for Variance Beginning 723' S of Salphur Spri Road opposite Shalbourse Avenu 13th Electica District Arbures Memorial Park, Inc. -Petitioner NO. 78-209-A (Item No. 145)

I have this date passed my Ordez in the above referenced man

10/ 8. EPIC DI NENNA Zoning Commission

SED/erl

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

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

Comments on Item \$145, Zoning Advisory Committee Meeting, January 17, 1978, are as follows:

Property Owner: Advutus Memorial Rust., Inc., Location: 725: Str Int. Shelbourne Ave. and Sulphur Spring Road Estirling Zarding. D.R.S., 5. Proposed Zaning: Variance to permit to 20' serback between mousoleurs in lieu of five required 80''.

Acres: 1,49
District: 1384.

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriativess of the zoning in question, but as a to assure that all parties are made aware of pions of problems 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. Winbley
Planner III
Current Planning and Development

the name Variance should be had; and it further appearing that by reason of the gr	45(4) 4(4)
the Variance repussed not advancedly affecting the health, makely, and welfare, of the community, the Variance to parmit a 20 foot setback the face to building face) between mausolavons to lieu of the maximum zer face to building face) between mausolavons to lieu of the maximum zer face thould be granted. In SO CONTROLL by the Zoning Commissioner of Baltimore County, this 20	general. milding_ mired.89. coned Vari- thic Order,
L' Office of Planning and Zoning. Sharusant to the advertisement, posting of perpetty and public hearing on the ab and it appearing that by reason of	ove petition
the above Variance should NOT BE GRANTED. IT IS ORDERED by the Zening Commissioner of Baltimore County, this	day
Zouing Communistorer of Balli	more County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLOG. 111 W. Chesaprake Ave. Toware, Harvland 2120

ureau of Department of Burcau of Fire Prevention

Building Departmen

Board of Education Industrial

Mr. William J. Callis, President Arbutus Memorial Park 1101 Sulphur Spring Road Beltimore, Maryland 21226

RE: Variance Petition Item Number 145 Petitioner - Arbutus Hemorial Park. Incorporated

The Coning 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 impection. These comments are not intended to indicate the contract of the contract o

Harch 16. 1978

Located on the south side of Sulphur Spring Road opposite its intersection with Shelbourne Avenue in subject of this petition, is part of the Arbhusus subject of this petition, is part of the Arbhusus Menorial Park. The cemetery is presently improved with an office maintenance building, interment area with an office maintenance building, interment area that the subject of the su

This particular Variance request is necessitated as a result of your proposal to construct three similar type mausoloums within 20 feet of each other in lieu of the Lequired maximum 80 feet separation.

A review on our files fails to indicate that the existing commetery was ever granted a Special Exception. The old soning maps do indicate that Case No. 171 did involve a commetery, nowever, I was unable to locate the file and descriming the sour because it is made to the another of the second of the proposal for this cemetery; is to construct a number of manusleums. I discussed this with Nr. James E. Dyer, Soning Supervisor, and he indicated that had not been granted, your future proposal would require that one be obtained. If you have any record of a previous hearing on this property, that would contradict the above, it would benefit that would contradict the above, it would benefit hearing.

This petition is accepted for filing on the date of the malessed filing cartificate. Notice of the hearing date and time, which will be held not less than 34 nor sore than 90 days after the date on the filing cartificate, will be forwarded to you in the near sture.

Very truly yours,

Michele B. Commodan NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee

NDC . F

cc: Daft, McCune, Walker, Inc. Hampton Plaza Suite 1103 300 E. Joppa Road Towson, Maryland 21204

March 21, 1978

EAC - January 17, 1978
Arbetus Memorial Park, Inc.
725' SW int. Shelbourne Ave. 6 Sulphur Epring Pt.
D.R. 5.5
'Variance to permi a 2" setback between
mausoleuse in liau of the required 60'.

No traffic problems are anticipated by the requested variance to permit a 20' cetback between mausoleums.

Turcharles He Michael S. Flanigan Traffic Engineer Associate

THORNTON M. MOURING, P.E.

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

Re: Item \$145 (1977-1978)
Property Owner: Arbutus Semorial Park, Inc.
725' 6/W int. Shelbourne Ave. & Sulphur Spring Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Variance to permit a 20' setback
between associesms in lieu of the required 80'.
Acres: 1.49 Dutruct. 13th

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.

Sulphur Spring Ros*, an existing public rosd, is proposed to be im rowed in the future, with possible vertical and horizontal realignment, as a closed section rowbays on a 76-foot injunction—way. Highway right-of-way widening, including any necessary revertible essements for slopes will be required in connection with any grading or building partie application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standar

Sediment Control:

Development of this property through stripping, gradin, and stabilization could result in a sediment pollution problem, demaging private and public holdings downstream of the property. A grading parmit is, therefore, necessary for all grading, including the stripping of top soil.

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

The Petitioner must provide necessity drainage facilities (temporary or permanent, to prewart creating any mulanoes ... damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which ... ay result, due to improper grading or signoper installation of drainage facilities, would be the full responsibility of the Petitioner.

etem #145 (1977-1978) Property Cwner: Arbutus Memorial Park, Inc Page 2 Pebruary 6, 1978

Water and Sanitary Sewer:

Public water main and sanitary newerage exists in Sulphur Spring Road, easterly from Shelbourne Road. Public water supply is serving this property, which although is not indicated, is assumed to be using a privar- omits neeses disposal syst-ma.

ELISWORTH N. DIVER, P.E. Chief, Bureau of Engineering

HND - RAM - PUR - es

G-SW Key Sheet 19-20 SW 17-19 Pos. Sheets SW 5 & 6 E Topo 108 Tax Map

DONALD J. ROOP, M.D., M.P.H.

January 26, 1978

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

The following are comments on Item # 145, Jonin, Advisory Committee Meeting of January 17, 1978:

Property Owner: Arbutus Newortal Park, Inc.

725' SW int. Shelbourne Ave. & Sulphur Spring Rd.

A health hazard is not anticipated as a result of the proposed use

Very truly yours.

Thomas H. Devian, Director EUREAU OF ENVIRONMENTAL SERVICES

THO/KS/pod



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

Attention: N. Commodari, Chairman

Re: Property Owner: Arbutus Memorial Park, Inc. Location: 725' SW int. Shelbourne Ave. & Sulphur Spring Rd.

Zoning A conds Neeting of 1/17/78

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

() 1. P're hydrants for the referenced property are grounded and shall be located at intervals of fort along an approved read in accordance of the Baltimore County Standards as published by the Department of Public Nortes.

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

() 3. The vehicle deed-and condition shown at___

KOFTIS the maximum allowed by the Fire Department.

() is. The site shall be made to comply with all applicable parts of the Piro Provention Code prior to occupancy or beginning of operations.

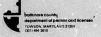
(x) 5. The buildings and structure criticity or proposed on the site shall comply with all applicable requirements of the listional Piro Protection Association Research in Standard No. 101 "Life Safety Code", 1770 "Stition prior to occupancy.

() 6. Site plans are approved as drawn.

() 7. The Pire Prevention Eurosu has no comments, at this time.

ROVIEWORE ST NEWS Planning Group Special Universition Division

Hotod and Leonge m Weganet Pire Prevention Bureau



January 17, 1978

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

Comments on Item # 145 Zoning Advisory Committee Meeting, January 17, 1978

Property Owner: Arbutus Memorial Park, Inc

Location: 725' SV int. Shelbourne Ave. & Sulphin Spring Road Existing Zoning: D.R. 5.5

Proposed Zoning: Mariance to permit a 20' setback between Lausoleums in lieu of the required 50'.

Acres: District:

The items checked below are applicable: (X) A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement and other applicable codes.

(X) B. A building permit shall be required before construction can begin.

C. Three sets of construction drawings will be required to file an application for a building permit.

(X) D. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

E. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

C. Requested setback variance conflicts with the Baltimore County Building Code. See Section _______.

2-SIGNS

CERTIFICATE OF POSTING

TONING DEPAI IMENT OF BALTIMORE COUNTY

Location of property. Ges. 735 ET. S. OF SOLPHUR SPRING Rd. OPP.

4: 875'121 - S OF SULPIUR SPRING Pd. EPPESITE SHELL GRAVE AVE

Towner Maryland

Location of Signs. #1 5/5 SF Sulfron Spring Rd of Prosite FAID OF Stickdower Are

Posted by Thomas F. Robard Date of return MARCH 17,1978

Very truly yours.

Thanks & Sumbon

Posted for: PETITION FOR VARIANCE

Petitioner ARBUTUS MEMORIAL PARK, INC.

SHELBOURNE, AVE.

Charles E. Burnham Plans Review Chief CEB:rrj BOARD OF EDUCATION OF BALTIMORE COUNTY

ICWSON MARYLAND - 21204

Date: January 17, 1978

Zoning Commissioner Baltimore County Office Building Towson, Maryland 21204

Z.A.C. Meeting of: January 17, 1978

RE: Item No: 145 Property Owner: Arbutus Memorial Park, Inc. Location: 725' Sw int. Shelbourne Ave. & Sulphur Spring Rd. Present Zoning: 0.8.5.5 D.R. 5.5 Variance to permit a 20' setback between mausoleums in lieu of the required 80'.

District: 13th No. Acres: 1.49

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours.

W. Will tetrout W. Nick Petrovich, Field Representative

78-209-A

Date of Posting MRKCH 11.1978

T. BAYARD WILLIAMS JR. VICE-PREPORT MARCUS M. BOTEARIS

Previous case: 171 5432

-

ALVIN LORECK ----

PETITION MAPPING PROGRESS SHEET Wall Map Original Duplicate FUNCTION Descriptions checked and outline plotted on map Petition number added to outline Denied Granted by ZC, BA, CC, CA Revised Plans: Reviewed by: Change in outline or description__Ye-

Map # 565E

CERTIFICATE OF PUBLICATION THIS IS TO CERTIFY, that the annexed advertisement was oublished in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Battimore County, Md., onescha wark day of March 1978, the first publication appearing on the 9th day of Harch THE JEFFERSONIAN. Cost of Advertisement \$





TOWSON MD 21204 March 0

THIS IS TO CERTIFY, that the annexed advertisement of Petition for Variance - Arbutus Memorial Park, Inc., Sulphur Spring Road was unserted in the following

- ☐ Catonsville Times
- Dundalk Times

BALTIMORE COUNTY MARYIAUD

OFFICE OF F NCE REVENUE DIVISION MISCELLAN OUS CASH RECEIPT

SOO STEELS

DATE March 7, 1978 ACCOUNT 01-662

☐ Community Cimes

me-Walker, Inc. 300 E. Joppa Rd.

2500 MGC

☐ Suburban Times East ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland. once a week for one successive weeks before the 10th day of March 1978 , that is to say, the same was inserted in the issues of

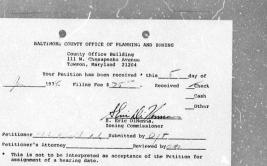
STROMBERG PUBLICATIONS INC.

No. 65488

☐ Towson Times

Arbutus Times

By Ester Burger





VALIDATION OR SIGNATURE OF CASHIER



