

PETITION FOR SPECIAL EXCEPTION 84-123-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a cemetery (a "columbarium") constructed for the express purpose of interring the cremated remains of the dead.

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

I, or we, agree to pay expenses of above Special Exception 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.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State
Name
Address
City and State
Attorney's Telephone No.:
Address
Phone No.

Legal Owner(s):
By: David R. McCracken
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State
Name
Address
City and State
Attorney's Telephone No.:
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of September, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout 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 8th day of November, 1983, at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

Z.C.O. - No. 1 (over)

David R. McCracken
7601 York Road
Baltimore, Md. 21204

Mr. Thomas R. Silcox
2315 St. Paul St.
Baltimore, Md. 21218

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 13th day of September, 1983.

Petitioner David R. McCracken
Petitioner's Attorney

Received by: Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
NE Corner York & Yarmouth Rds., : OF BALTIMORE COUNTY
9th District
THE ASCENSION EVANGELICAL : Case No. 84-123-X
LUTHERAN CHURCH OF BALTIMORE
COUNTY, MARYLAND, Petitioner :

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 therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of October, 1983, a copy of the foregoing

Order was mailed to Mr. David R. McCracken, The Ascension Evangelical Lutheran Church, of Baltimore County, Maryland, 7601 York Road, Towson, MD 21204, Petitioner.

John W. Hessian, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE November 1, 1983

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman
Nicholas B. Commodari

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. David R. McCracken
7601 York Road
Baltimore, Maryland 21204

RE: Item No. 66 - Case No. 84-123-X
Petitioner - David R. McCracken
Special Exception Petition

Dear Mr. McCracken:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following 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 suitability of the requested zoning.

In view of your proposal to construct a cemetery (Columbarium) attached to the existing church, this hearing is required. A similar hearing (Case No. 83-250-KSPH) was granted for the Church of the Good Shepherd located on the southwest corner of Carrollton and Boyce Avenues.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari, Chairman
Zoning Plans Advisory Committee

Enclosures
cc: Mr. Thomas R. Silcox
2315 St. Paul Street
Baltimore, Maryland 21218

MICROFILMED

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

October 3, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #66 (1983-1984)
Property Owner: David F. McCracken
N/E cor. York Rd. and Yarmouth Rd.
Acres: 1.65 District: 9th

Dear Mr. Jablon:

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:

York Road (Md. 45) is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

Baltimore County highway and utility improvements exist and are not directly involved.

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

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item 66 (1983-1984).

Very truly yours,
Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:RAM:SS

MICROFILMED

Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
N. S. Caltrider
Administrator

September 16, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: ZAC Meeting of 9-13-83
ITEM: #66
Property Owner: David R. McCracken
Location: NE/Cor. York Road
Route 45, and Yarmouth Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special
Exception for a columbarium,
ie., a cemetery constructed
for the purpose of interring
the cremated remains of the
dead.
Acres: 1.65
District: 9th

Dear Mr. Jablon:

On review of the site plan and field inspection, the State Highway Administration finds the plan generally acceptable.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

MICROFILMED

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
303-7555 Baltimore Metro - 565-5451 D.C. Metro - 1-800-422-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Zoning Commissioner
TO: Office of Planning and Zoning

Date: October 21, 1983

FROM: Ian H. Forrest

SUBJECT: Zoning Variance Items
Meeting - September 13, 1983

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

Item #66 - David R. McCracken
Item #69 - Ernest J. Lloyd, Jr., et ux
Item #73 - Benjamin F. Logan, et ux

Ian H. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IHF/rth

MICROFILMED

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										

Reviewed by: uan

Revised Plans:
Change in outline or description Yes
No

Previous case:

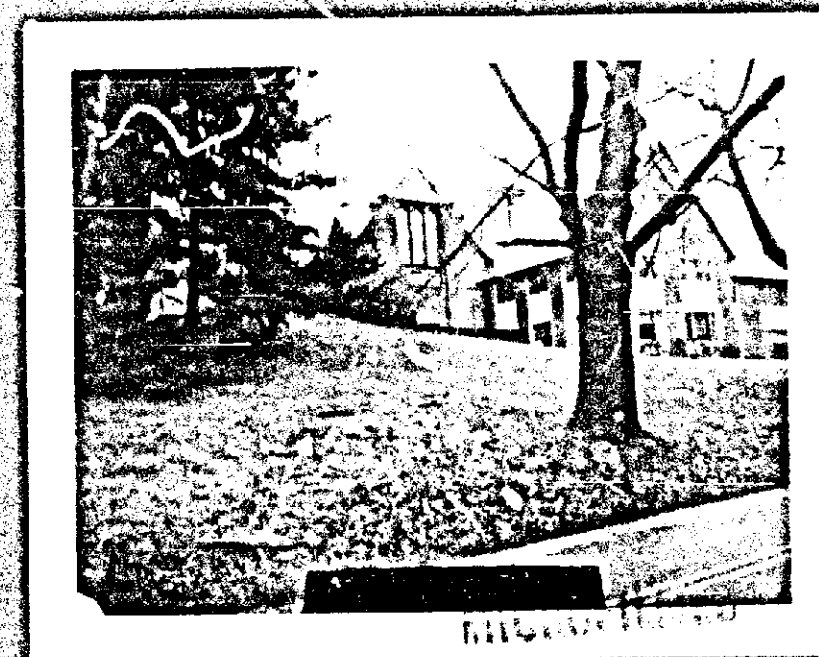
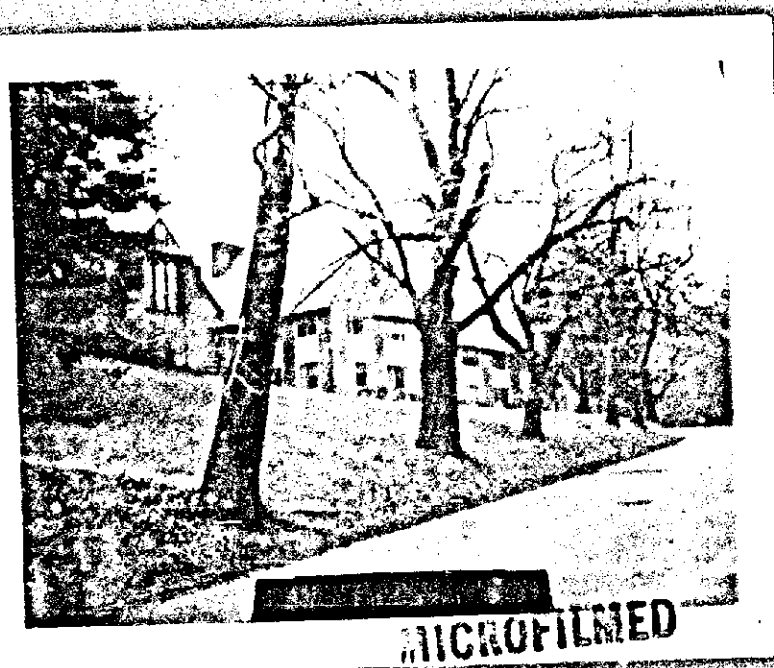
Map # 3C

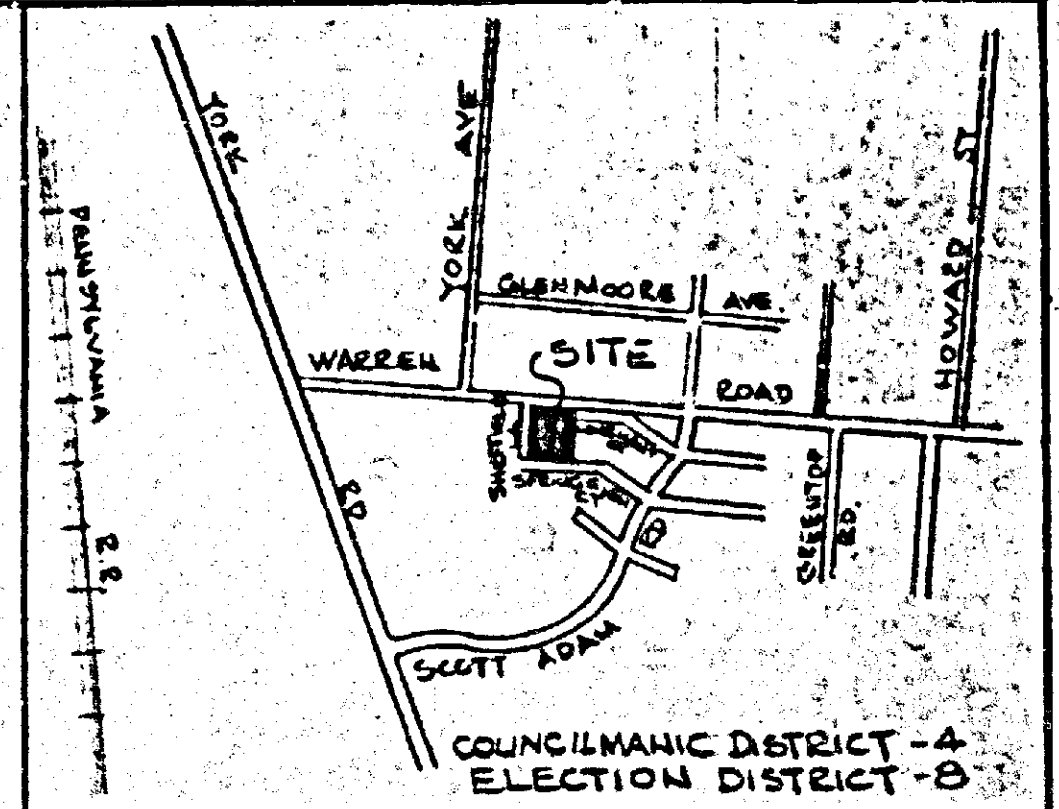
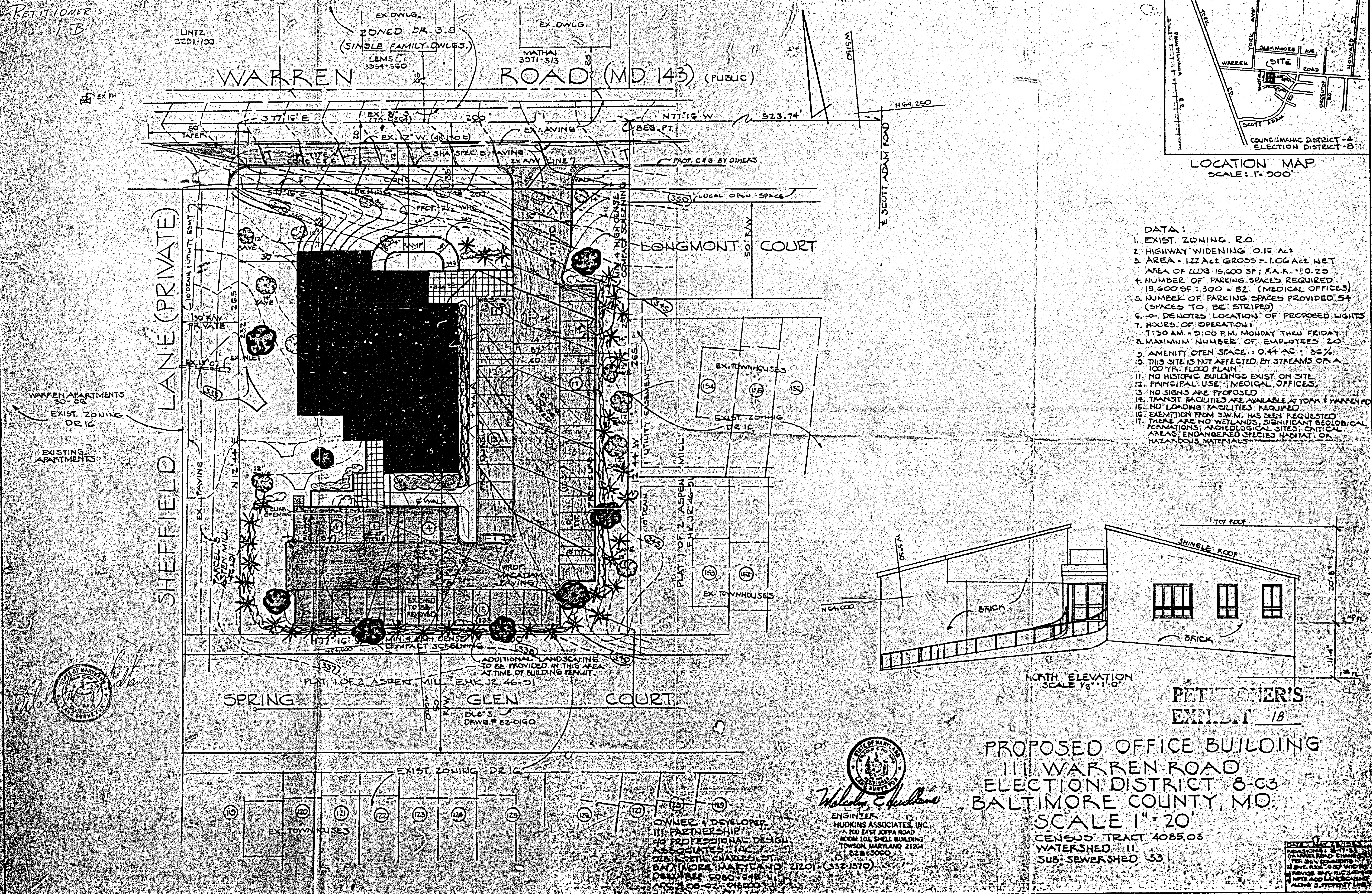
Item # 66

37-123-X

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

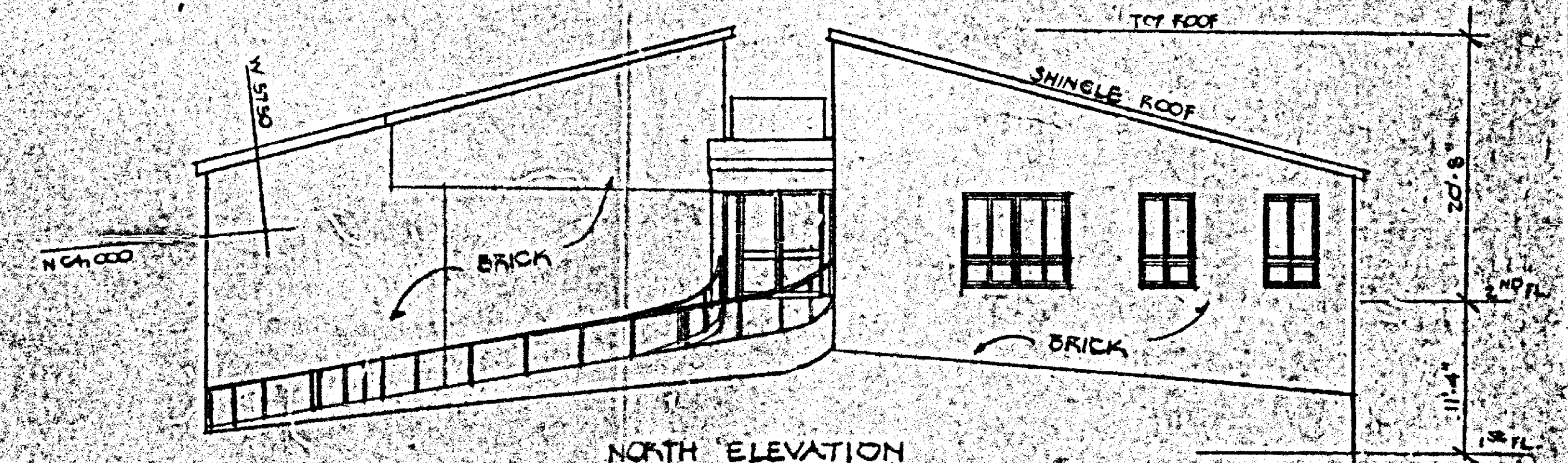
District: 9 Date of Posting: 10/23/83
 Posted for: Petition for Special Exception
 Petitioner: Methodist Episcopal Church of Baltimore
 Location of property: NE 1/4 of York & Sparrowhawk Rd.
 Location of Signs: Facing intersection of York & Sparrowhawk;
facing intersection of York and Rowlett.
 Remarks:
 Posted by: William J. Coleman Date of return: 10/29/83
 Signature
 Number of Signs: 2





LOCATION MAP
SCALE: 1" = 500'

- DATA:
1. EXIST. ZONING R.O.
 2. HIGHWAY WIDENING 0.16 AC
 3. AREA = 1.22 AC GROSS = 1.06 AC NET
AREA OF BLDG 15,600 SF; F.A.R. = 0.20
 4. NUMBER OF PARKING SPACES REQUIRED
15,600 SF : 300 = 52 (MEDICAL OFFICES)
 5. NUMBER OF PARKING SPACES PROVIDED 54
(SPACES TO BE STRIPED)
 6. -O- DENOTES LOCATION OF PROPOSED LIGHTS
 7. HOURS OF OPERATION:
7:30 AM - 5:00 PM, MONDAY THRU FRIDAY
 8. MAXIMUM NUMBER OF EMPLOYEES 20
 9. AMENITY OPEN SPACE : 0.44 AC = 36%
 10. THIS SITE IS NOT AFFECTED BY STREAMS OR A
100 YR. FLOOD PLAIN
 11. NO HISTORIC BUILDINGS EXIST ON SITE
 12. PRINCIPAL USE - MEDICAL OFFICES
 13. NO SIGNS ARE PROPOSED
 14. TRANSIT FACILITIES ARE AVAILABLE AT YORK & WARREN RD
 15. NO LOADING FACILITIES REQUIRED
 16. EXEMPTION FROM S.W.M. HAS BEEN REQUESTED
 17. THERE ARE NO WETLANDS, SIGNIFICANT GEOLOGICAL
FORMATIONS, ARCHEOLOGICAL SITES, CRITICAL
AREAS, ENDANGERED SPECIES HABITAT, OR
HAZARDOUS MATERIALS



NORTH ELEVATION
SCALE 1/8" = 1'-0"

PETITIONER'S
EXHIBIT 1B

PROPOSED OFFICE BUILDING
111 WARREN ROAD
ELECTION DISTRICT 8-C3
BALTIMORE COUNTY, MD.
SCALE 1" = 20'

CENSUS TRACT 4085.03
WATERSHED 11
SUB-SEWERSHED 53

OWNER & DEVELOPER
III PARTNERSHIP
110 PROFESSIONAL DESIGN
ASSOCIATES, INC.
628 KATHY CHARLES ST.
BALTIMORE, MARYLAND 21201 (332-1570)
DEVELOPER 5080-545
ACC. # 06-07-018000-1-10

ENGINEER
HUDKINS ASSOCIATES, INC.
200 EAST JOFFA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
(828-5000)



NOTED: THIS PLAN
REQUIRES THE SUBMITTER
TO OBTAIN A PERMIT FROM
THE BALTIMORE COUNTY
DEPARTMENT OF PUBLIC
WORKS AND UTILITIES
BEFORE ANY CONSTRUCTION
OR LANDSCAPING WORK
CAN BE INITIATED.
DATE: 5/1/2007

ML-1M

DR 2

DR 2

BM-CNS

BL

BL-CNS

DR 6

BL-CNS

BM

BL-CNS

BM

RO

DR 55

DR 55

ML-1M

BL-39A

BL-160 XSPH

BL-141A

BL-40A

BR

RO

BL-41A

ML-CS-2

BR-CS-2

DR 16

RO

DR 16

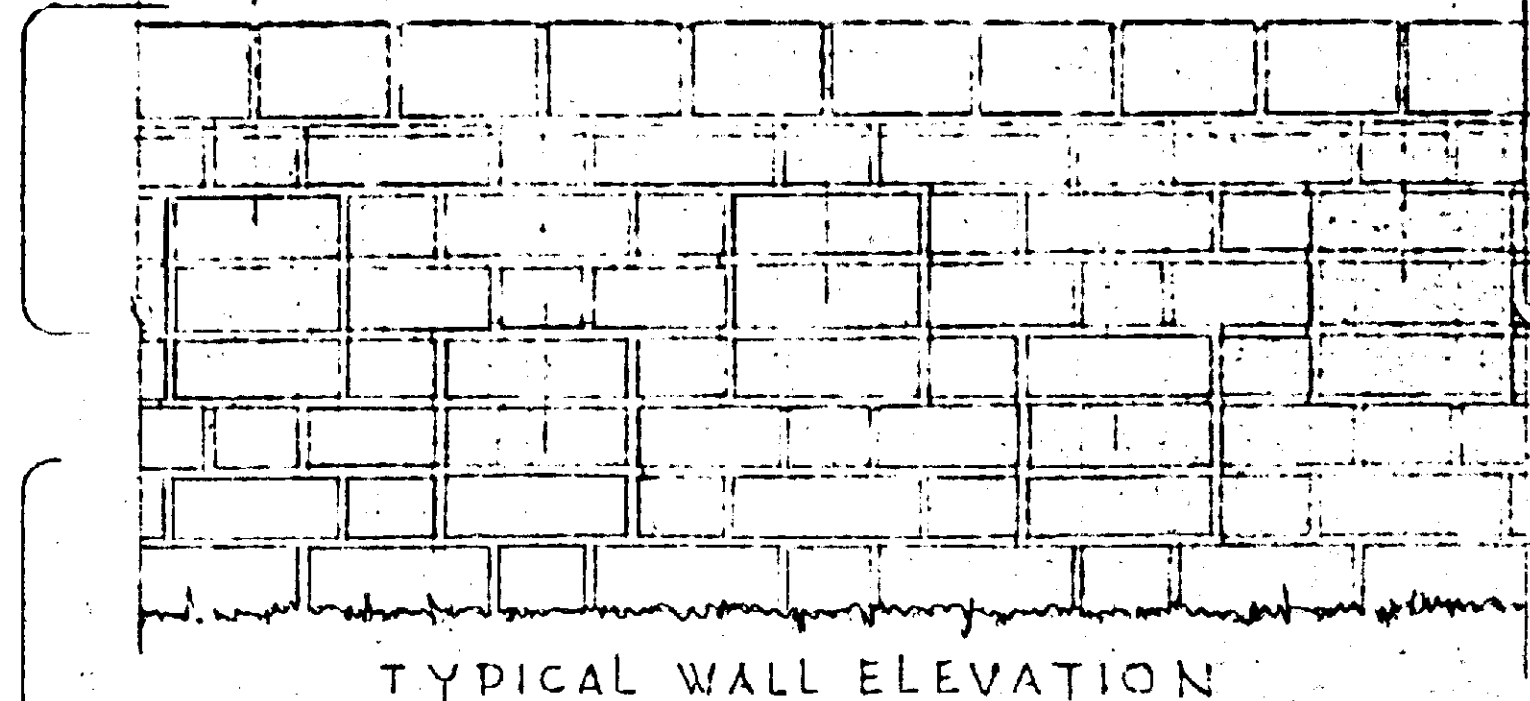
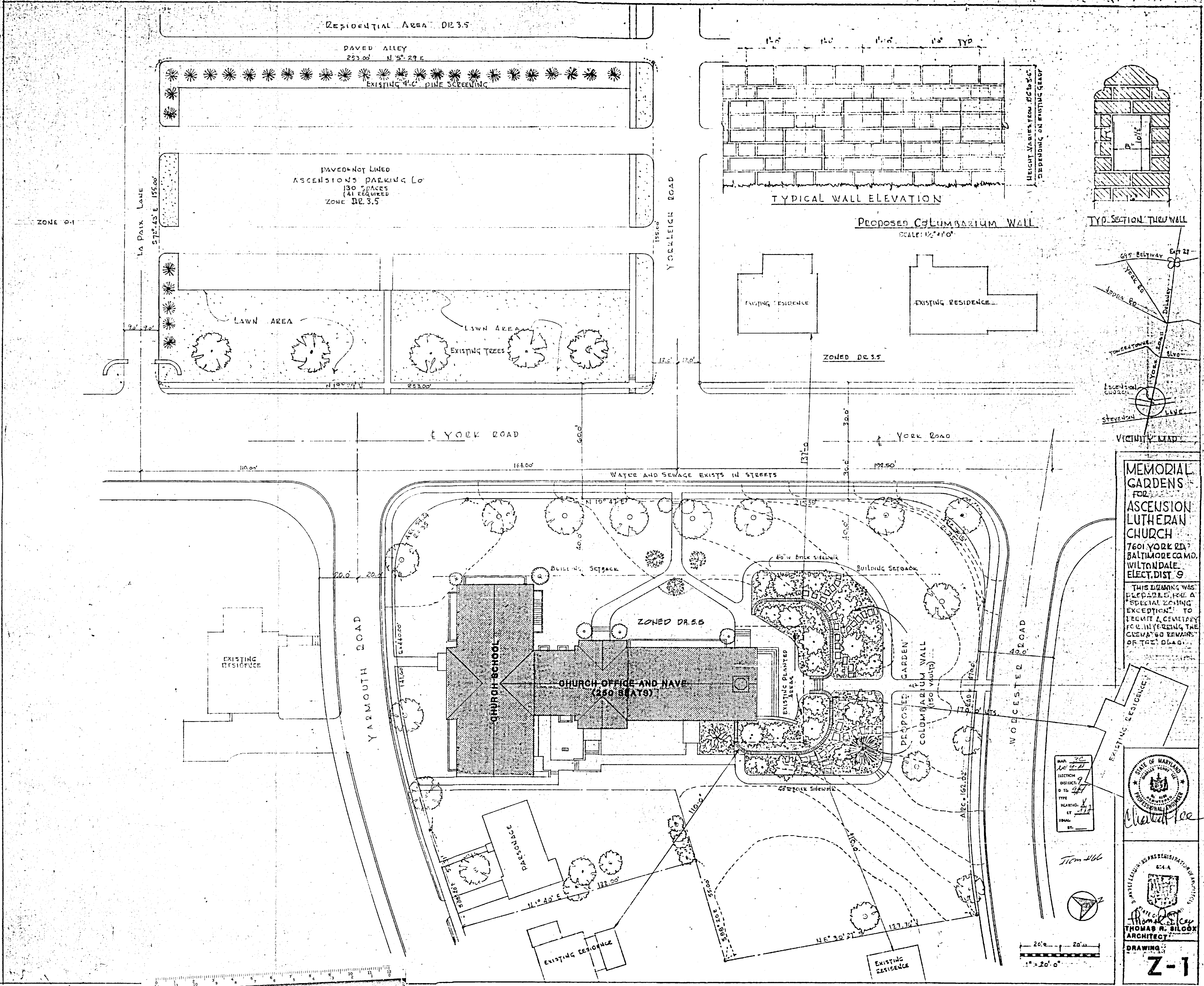
ML-1M

1961 COMPREHENSIVE ZONING MAP
ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
ON MAY 1, 1961
REVISIONS
1962
BALTIMORE COUNTY COUNCIL

PHOTOGRAPHIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

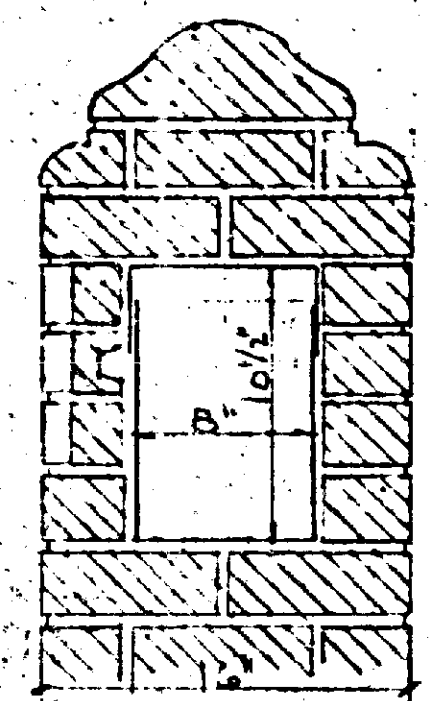
REVISIONS SCALE LOCATION SHEET

COCKEYSVILLE

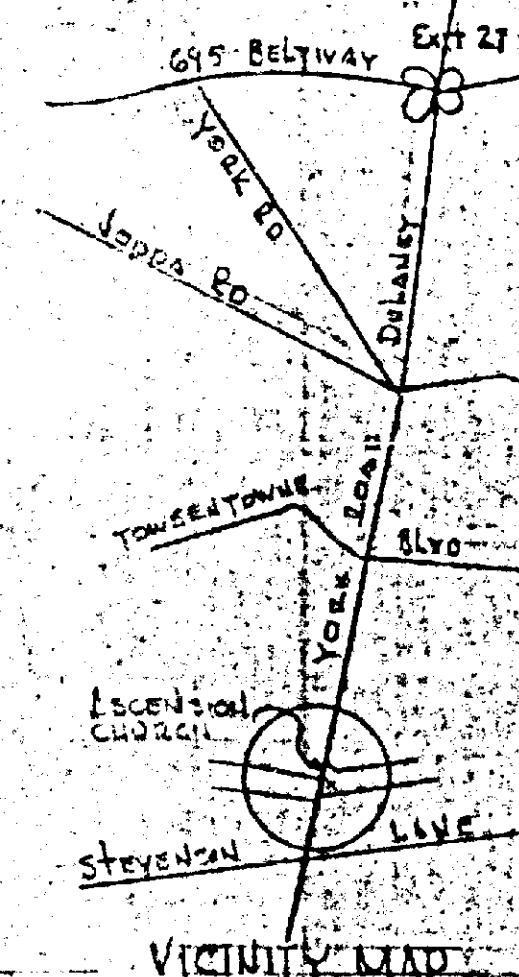


TYPICAL WALL ELEVATION

Proposed COLUMBARIUM WALL
SCALE: 1/2" = 1'-0"



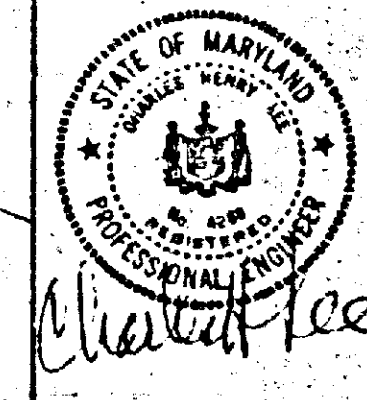
TYP. SECTION THRU WALL



MEMORIAL GARDENS FOR ASCENSION LUTHERAN CHURCH
7601 YORK RD.
BALTIMORE CO. MD.
WILTONDALE
ELECT. DIST. 9

THIS DRAWING WAS PREPARED FOR A SPECIAL ZONING EXCEPTION TO PERMIT A CEMETARY FOR INTERING THE REMAINS OF THE DEAD.

MAP NO. 10
ELECTION DISTRICT 9
TO 10
TYPE
HEARING
BY
FINAL



THOMAS R. SICOX
ARCHITECT

DRAWING
Z-1

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 21 of the Baltimore County Zoning Regulations

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: September 14, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: September 13, 1983

RE: Item No: 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, & 74
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

The above mentioned items have no adverse effect on student population.

Very truly yours,

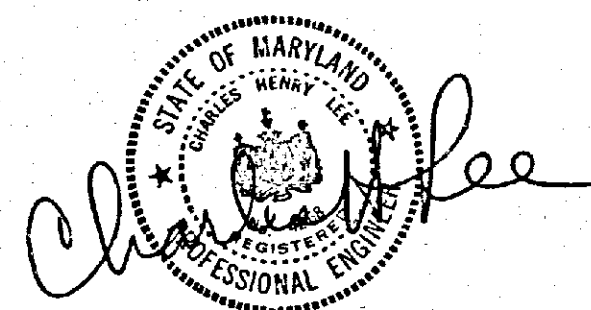
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

MNP/bp

PROPERTY OF
ASCENSION LUTHERN CHURCH OF BALTIMORE COUNTY, MD

BEGINNING for the same at a point on the northeast corner of York Road and Yarmouth Road and running thence with the east side of York Road north 19°47'00" east, 215.39 feet to a point; thence with the arc of a curve to the right having a radius of 45 feet, 78.19 feet to a point of reverse curvature on the south side of Worcester Road; thence along Worcester Road on the arc of a curve to the left with a radius of 470.00 feet, 162.02 feet to a point; thence leaving Worcester Road and running north 8°30'27" east, 127.76 feet to a point; thence south 88°20'00" east, 55.00 feet to a point; thence north 1°40'00" east, 122.00 feet to a point on the north side of Yarmouth Road; thence with and along the north side of Yarmouth Road, south 88°20'00" east, 53.31 feet to a point of curvature; and continuing with a curve to the right having a radius of 440.00 feet a distance of 141.60 feet to a point of compound curvature; and thence along the arc of a curve having a radius of 35.00 feet, 54.24 feet to the point of BEGINNING: containing 1.65 acres, more or less.

The above described property being the same as shown on a plat entitled, "The Ascension Lutheran Church of Baltimore County, Baltimore County, Maryland"; being also lots 34, 35, 36, 37, 38 and Lot A as shown on the Plat of Section 2, Wiltondale and recorded among the Land Records of Baltimore in Plat Book C.W.B., Jr 12, folio 53. Also known as 7601 York Road.



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

November 17, 1983

Mr. David R. McCracken
The Ascension Evangelical Lutheran Church of
Baltimore County
7601 York Road
Towson, Maryland 21204

RE: Petition for Special Exception
NE/corner of York and Yarmouth Rds.
9th Election District
The Ascension Evangelical Lutheran
Church of Baltimore County - Petitioner
NO. 84-123-X (Item No. 66)

Dear Mr. McCracken:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

David R. McCracken
DAVID R. McCracken
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: Mr. George Hester
515 Wilton Road
Towson, Maryland 21204

Mr. James W. Trammell
606 Yarmouth Road
Towson, Maryland 21204

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

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION
NE/corner of York and Yarmouth Roads
9th Election District
The Ascension Evangelical Lutheran Church
of Baltimore County, Maryland - Petitioner
NO. 84-123-X (Item No. 66)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

The petitioner has withdrawn this petition; therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 17th day of November, 1983, that said petition be and the same is hereby DISMISSED with prejudice.

Jean M. H. Jung
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE November 22, 1983
BY Mary Campbell (Clerk)

ASCENSION LUTHERAN CHURCH

7601 YORK ROAD BALTIMORE, MARYLAND 21204 301-825-1725

Mrs. Jean Jung
Deputy Zoning Commissioner
Zoning Commission Office, Room 109
111 W. Chesapeake Ave.
Towson, Maryland 21204

Dear Mrs. Jung:

THE ASCENSION EVANGELICAL
LUTHERAN CHURCH OF BALTO. CO., MD.
RE: PETITION FOR SPECIAL EXCEPTION
NE/CORNER YORK & YARMOUTH ROADS
CASE NO. 84-123-X

In accordance with direction from the Deputy Zoning Commissioner, we are hereby withdrawing with prejudice from pursuing the request for Zoning Variance for the Special Exception Case No. 84-123-X, as indicated above.

Sincerely,

David R. McCracken
David R. McCracken
Church Council President

Dr. George Paul Mocko
Senior Pastor

The Rev.
And W. Ballentine, Jr.
Associate Pastor

Dr. Oscar W. Carlson
Pastor Emeritus

Mary & Daniel Simpson
Ministers of Music

Mrs. Helen B. Pearce
Executive Secretary

MICROFILMED

PETITION FOR SPECIAL EXCEPTION

9th Election District

ZONING: Petition for Special Exception

LOCATION: Northeast corner of York and Yarmouth Roads

DATE & TIME: Tuesday, November 8, 1983 at 10:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a cemetery (a "columbarium"), constructed for the express purpose of interring the cremated remains of the dead

All that parcel of land in the Ninth District of Baltimore County

Being the property of The Ascension Evangelical Lutheran Church of Baltimore County, Maryland, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

MICROFILMED

WILTONDALE IMPROVEMENT ASSOCIATION, INCORPORATED

P. O. BOX 10116

TOWSON, MARYLAND 21204

February 27, 1983

Mr. Walter A. Reiter, Jr., Chairman
Board of Zoning Appeals
Baltimore County Courthouse, Room 219
Towson, Maryland 21204

Dear Mr. Reiter:

The enclosed affidavit which lists the new officers of the Wiltondale Improvement Association, Inc., is for your information and use.

Yours very truly,

Susan Behn
Secretary

MICROFILMED

WILTONDALE IMPROVEMENT ASSOCIATION, INCORPORATED

P. O. BOX 10116
TOWSON, MARYLAND 21204

AFFIDAVIT

George L. Hester, being duly sworn, deposes and says: That the individuals listed below are currently duly elected members of the Board of Directors of the Wiltondale Improvement Association, or an attorney to represent the Board of Directors before the County Board of Appeals in connection with zoning matters:

Herbert R. O'Connor, III, Appointed Attorney
George L. Hester, President, Wiltondale Improvement Association, Inc.
Susan Behm, Secretary, Wiltondale Improvement Association, Inc.
Martha Malley, Director, Wiltondale Improvement Association, Inc.

State of Maryland
County of Baltimore

Sworn to before me this _____ day of _____

WILTONDALE IMPROVEMENT ASSOCIATION, INCORPORATED

P. O. BOX 10116
TOWSON, MARYLAND 21204

November 7, 1983

Jean M. H. Jung
Deputy Zoning Commissioner
Baltimore County Office of Planning and Zoning
Towson, Maryland

Dear Ms. Jung:
This is to inform you that George L. Hester, President, and James M. Trammell, Treasurer, of the Wiltondale Improvement Association, Inc., will be representing that Association at the zoning hearing on Tuesday, November 8, 1983. They will be representing the Wiltondale Association regarding case # 84-123-X.

Respectfully yours,
Susan J. Behm
Susan J. Behm
Secretary, Wiltondale Improvement Assoc.

CLH/sjb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner
FROM: Norman E. Gerber, Director, Office of Planning and Zoning
SUBJECT: The Ascension Evangelical Lutheran Church of Baltimore County, 84-123-X

This office is not opposed to the granting of this subject request.

NEGJGH:cav

Norman E. Gerber
Director of Planning and Zoning

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 20, 1983

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on _____ day of _____, 1983, before the _____ day of _____, 1983, the _____ day of _____, 1983, appearing on the _____ day of _____, 1983.

THE JEFFERSONIAN
B. Frank Smith
Manager.

Cost of Advertisement, \$ 31.50

BALTIMORE COUNTY DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED JALESKI JR.
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:
Comments on Item # 66 Zoning Advisory Committee Meeting are as follows:

Property Owner: David R. McCracken
Location: NE/Cor. York Road and Yarmouth Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special exception for a columbarium, i.e., a cemetery constructed for the purpose of interring the cremated remains of the dead.

Acres: 1.65
District: 98th.

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-80 State of Maryland Code for the Handicapped and Age; and other applicable codes.
- X B. A building & other miscellaneous shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire relative construction, no openings permitted within 3'0" of lot lines. A firewell is required if construction is on the lot line, see Table 401, line 2, Section 1107 and Table 1102, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code, Section 4.
- G. A Change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
- I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burman
Charles E. Burman, Chief
Plans Review

CEH:s

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

November 1, 1983

The Ascension Evangelical Lutheran Church
of Baltimore County, Maryland
c/o David R. McCracken
7601 York Road
Baltimore, Maryland 21204

Re: Petition for Special Exception
NE/Cor. York & Yarmouth Roads
Case No. 84-123-X

Dear Sir:

This is to advise you that \$80.38 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

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

No. 122971

DATE: 11/10/83 ACCOUNT: R-01-615-000

AMOUNT: \$80.38

RECEIVED FROM: Ascension Evangelical Lutheran Church
FOR: Advertising & Posting Case #84-123-X

6 015*****803810 2106A

VALIDATION OR SIGNATURE OF CASHIER

The Ascension Evangelical Lutheran Church
of Baltimore County, Maryland
c/o David R. McCracken
7601 York Road
Baltimore, Maryland 21204

NOTICE OF HEARING
Re: Petition for Special Exception
NE/Cor. York & Yarmouth Rds.
The Ascension Evangelical Lutheran Church
of Baltimore County, Maryland - Petitioner
Case No. 84-123-X

TIME: 10:30 A.M.

DATE: Tuesday, November 8, 1983

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

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

No. 121586

DATE: 8/24/83 ACCOUNT: 01-615-000

AMOUNT: \$100.00

RECEIVED FROM: Ascension Evangelical Lutheran Church
FOR: Filing Fee Plan Item #66

6 014*****10001010 2262A

VALIDATION OR SIGNATURE OF CASHIER

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>Uon</i>										
Previous case:										
Revised Plans: Change in outline or description										
Map # <i>3C</i>										

Item # 66

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/14 1983
THIS IS TO CERTIFY, that the annexed advertisement was published in THE TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for _____ successive weeks, the first publication appearing on the _____ day of _____, 1983.

THE TOWSON TIMES
Lin Angell
Cost of Advertisement, \$ 38.88

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *9*
Posted for: *10/12/83*
Petitioner: *Ascension Evangelical Lutheran Church of Baltimore County*
Location of property: *NE/Cor. York & Yarmouth Rds.*
Location of Sign: *near intersection of York and Yarmouth Rds.*
Remarks: *Posting of signs for Ascension Evangelical Lutheran Church of Baltimore County*
Posted by: *Charles E. Burman*
Number of Signs: *2*
Date of return: *10/29/83*

9-22-83



2082

Looking N.E.



UNIDENTIFIED

9-22-83



14-22

Looking S.W.



MICROFILMED



MICROFILMED

RESIDENTIAL AREA DR 3.5

PAVED ALLEY
243.00' N 16° 29' E

EXISTING 4'-0" PILE SCREENING

PAVED-NOT LINED
ASCENSION'S PARKING LOT
130 SPACES
(41 REQUIRED)
ZONE DR 3.5

LA PAIX LANE
S 72° 43' E 155.00'

YORKLEIGH ROAD
155.00'

LAWN AREA

LAWN AREA

EXISTING TREES

N 100° 00' E

253.00'

E YORK ROAD

110.00'

164.00'

WATER AND SEWAGE EXISTS IN STREETS

YARMOUTH ROAD

YARMOUTH ROAD

CHURCH SCHOOL

CHURCH OFFICE AND NAVE
(250 SEATS)

DARSONCE

N 1° 40' E

122.00'

EXISTING RESIDENCE

N 10° 41' E

40.0'

40.0'

40.0'

40.0'

40.0'

40.0'

40.0'

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40.0'

40.0'

40.0'

40.0'

40.0'

40' W BRICK SIDEWALK

40' W BRICK SIDEWALK

40' W BRICK SIDEWALK

40' W BRICK SIDEWALK

40' W BRICK SIDEWALK

40' W BRICK SIDEWALK

ZONED DR 3.5

ZONED DR 3.5

YORK ROAD

137.50'

30.0'

30.0'

30.0'

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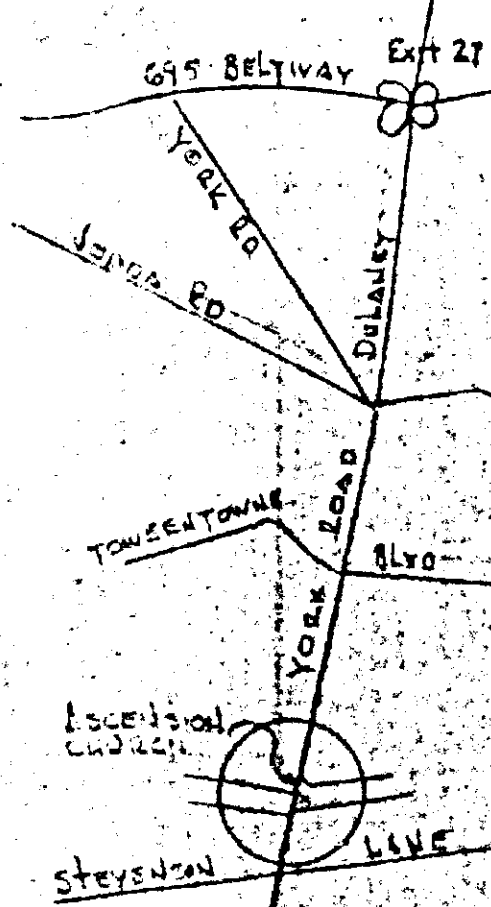
TYPICAL WALL ELEVATION

PROPOSED COLUMBARIUM WALL
SCALE: 1/2" = 1'-0"

EXISTING RESIDENCE

EXISTING RESIDENCE

TYP. SECTION THRU WALL



MEMORIAL GARDENS
FOR
ASCENSION
LUTHERAN
CHURCH
7601 YORK RD.
BALTIMORE CO. MD.
WILTONDALE
ELECT. DIST. 9

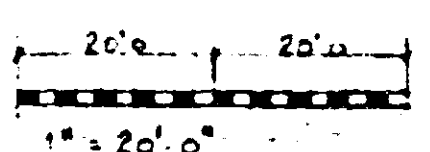
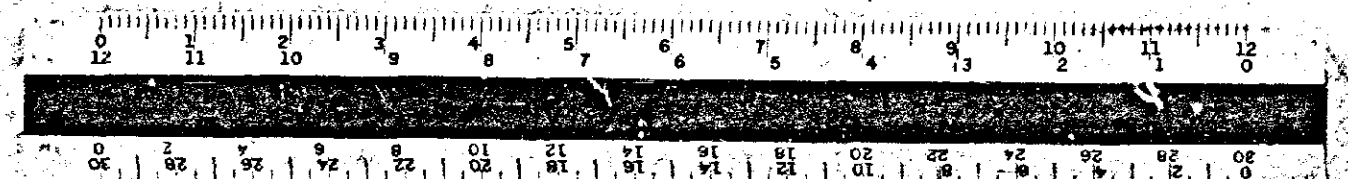
THIS DRAWING WAS
PREPARED FOR A
"SPECIAL ZONING
EXCEPTION" TO
PERMIT A CEMETERY
LOCATED IN THE
CITY OF BALTIMORE
OF THE DEAD.

MAP
NO. 7-2
ELECTION
DISTRICT
D. TO 47
TYPE
HEARING
BY
FINAL

STATE OF MARYLAND
PROFESSIONAL ENGINEER
Charles Lee

THOMAS R. SILCOX
ARCHITECT

DRAWING
Z-1



PETITION FOR SPECIAL EXCEPTION 84-123-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a cemetery (a "columbarium") constructed for the express purpose of interring the cremated remains of the dead.

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

I, or we, agree to pay expenses of above Special Exception 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.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

THE ASCENSION EVANGELICAL LUTHERAN CHURCH OF BALTIMORE COUNTY, MARYLAND

7601 York Road 21204

Baltimore, Md. 825-1725

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of September, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout 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 8th day of November, 1983, at 10:30 o'clock A.M.

Bel. John
Zoning Commissioner of Baltimore County.

E.C.O.-No. 1

(over)

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
NE Corner York & Yarmouth Rds., :
9th District : OF BALTIMORE COUNTY

THE ASCENSION EVANGELICAL : Case No. 84-123-X
LUTHERAN CHURCH OF BALTIMORE :
COUNTY, MARYLAND, Petitioner :

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 therefor, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
John W. Heslan, III
John W. Heslan, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 24th day of October, 1983, a copy of the foregoing Order was mailed to Mr. David R. McCracken, The Ascension Evangelical Lutheran Church, of Baltimore County, Maryland, 7601 York Road, Towson, MD 21204, Petitioner.

John W. Heslan, III
John W. Heslan, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 1, 1983

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. David R. McCracken
7601 York Road
Baltimore, Maryland 21204

RE: Item No. 66 - Case No. 84-123-X
Petitioner - David R. McCracken
Special Exception Petition

Dear Mr. McCracken:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following 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 suitability of the requested zoning.

In view of your proposal to construct a cemetery (Columbarium) attached to the existing church, this hearing is required. A similar hearing (Case No. 83-250-XSPH) was granted for the Church of the Good Shepherd located on the southwest corner of Carrollton and Boyce Avenues.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

NBC:mr
Enclosures
cc: Mr. Thomas R. Silcox
2315 St. Paul Street
Baltimore, Maryland 21218

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Zoning Commissioner

TO: Office of Planning and Zoning

Date: October 21, 1983

FROM: Ian H. Forrest

SUBJECT: Zoning Variance Items
Meeting - September 13, 1983

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

Item # 66 - David R. McCracken
Item # 69 - Ernest J. Lloyd, Jr., et ux
Item # 73 - Benjamin F. Logan, et ux

Ian H. Forrest
Ian H. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/fth

David R. McCracken
7601 York Road
Baltimore, Md. 21204

Mr. Thomas R. Silcox
2315 St. Paul St.
Baltimore, Md. 21218

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 13th day of September, 1983.

Petitioner David R. McCracken
Petitioner's Attorney

Received by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

October 3, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #66 (1983-1984)
Property Owner: David R. McCracken
N/E cor. York Rd. and Yarmouth Rd.
Acres: 1.65 District: 9th

Dear Mr. Jablon:

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:

York Road (Md. 45) is a State Road. All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

Baltimore County highway and utility improvements exist and are not directly involved.

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

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 66 (1983-1984).

Very truly yours,
Robert A. Morton, P.E.
Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:EMH:RWR:SS



Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
M. S. Catlidge
Administrator

September 16, 1983

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: ZAC Meeting of 9-13-83
ITEM: #66
Property Owner: David R. McCracken
Location: NE/Cor. York Road
Route 45, and Yarmouth Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special
Exception for a columbarium,
ie., a cemetery constructed
for the purpose of interring
the cremated remains of the
dead.
Acres: 1.65
District: 9th

Dear Mr. Jablon:

On review of the site plan and field inspection, the State Highway Administration finds the plan generally acceptable.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

My telephone number is (301) 659-1350

Teletypewriter for impaired hearing or speech
363 7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-482-5062 Statewide Toll Free
P.O. Box 717 707 North Calvert St., Baltimore, Maryland 21203-0717

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: September 14, 1983

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: September 13, 1983

RE: Item No: 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, & 74
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

The above mentioned items have no adverse effect on student population.

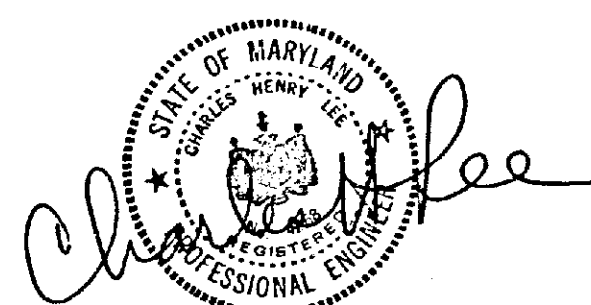
Very truly yours,
Wick Petrovich
Wick Petrovich, Assistant
Department of Planning

WNP/bp

PROPERTY OF
ASCENSION LUTHERN CHURCH OF BALTIMORE COUNTY, MD

BEGINNING for the same at a point on the northeast corner of York Road and Yarmouth Road and running thence with the east side of York Road north 19°47'00" east, 215.39 feet to a point; thence with the arc of a curve to the right having a radius of 45 feet, 78.19 feet to a point of reverse curvature on the south side of Worcester Road; thence along Worcester Road on the arc of a curve to the left with a radius of 470.00 feet, 162.02 feet to a point; thence leaving Worcester Road and running north 8°30'27" east, 127.76 feet to a point; thence south 88°20'00" east, 55.00 feet to a point; thence north 1°40'00" east, 122.00 feet to a point on the north side of Yarmouth Road; thence with and along the north side of Yarmouth Road, south 88°20'00" east, 53.31 feet to a point of curvature; and continuing with a curve to the right having a radius of 440.00 feet a distance of 141.60 feet to a point of compound curvature; and thence along the arc of a curve having a radius of 35.00 feet, 54.24 feet to the point of BEGINNING: containing 1.65 acres, more or less.

The above described property being the same as shown on a plat entitled, "The Ascension Lutheran Church of Baltimore County, Baltimore County, Maryland"; being also lots 34, 35, 36, 37, 38 and Lot A as shown on the Plat of Section 2, Wiltondale and recorded among the Land Records of Baltimore in Plat Book C.W.B., Jr 12, folio 53. Also known as 7601 York Road.



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

November 17, 1983

Mr. David R. McCracken
The Ascension Evangelical Lutheran Church of
Baltimore County
7601 York Road
Towson, Maryland 21204

RE: Petition for Special Exception
NE/corner of York and Yarmouth Rds.
9th Election District
The Ascension Evangelical Lutheran
Church of Baltimore County - Petitioner
NO. 84-123-X (Item No. 66)

Dear Mr. McCracken:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
John M.H. Jung
JOHN M.H. JUNG
Deputy Zoning Commissioner

JMH/mc

Attachments

cc: Mr. George Hester
515 Wilton Road
Towson, Maryland 21204

Mr. James W. Trammell
606 Yarmouth Road
Towson, Maryland 21204

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

RE: PETITION FOR SPECIAL EXCEPTION
NE/corner of York and Yarmouth Roads
9th Election District
The Ascension Evangelical Lutheran Church
of Baltimore County, Maryland - Petitioner
NO. 84-123-X (Item No. 66)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

The petitioner has withdrawn this petition; therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 17th day of November, 1983, that said petition be and the same is hereby DISMISSED with prejudice.

John M.H. Jung
Deputy Zoning Commissioner of
Baltimore County

UNDER RECEIVED FOR FILING
DATE November 22, 1983
BY Mary Compagno (clerk)

ASCENSION LUTHERAN CHURCH
7601 YORK ROAD BALTIMORE, MARYLAND 21204 301-825-1725

November 14, 1983
NOV 16 AM

Mrs. Jean Jung
Deputy Zoning Commissioner
Zoning Commission Office, Room 109
111 W. Chesapeake Ave.
Towson, Maryland 21204

Dear Mrs. Jung:

By
THE ASCENSION EVANGELICAL
LUTHERAN CHURCH OF BALTO. CO., MD.
RE: PETITION FOR SPECIAL EXCEPTION
NE/CORNER YORK & YARMOUTH ROADS
CASE NO. 84-123-X

In accordance with direction from the Deputy Zoning Commissioner, we are hereby withdrawing with prejudice from pursuing the request for Zoning Variance for the Special Exception Case No. 84-123-X, as indicated above.

Sincerely,

David R. McCracken
David R. McCracken
Church Council President

Dr. George Paul Mocko
Senior Pastor

The Rev.
Andrew W. Ballentine, Jr.
Associate Pastor

Dr. Oscar W. Carlson
Pastor Emeritus

Mary & Daniel Simpson
Ministers of Music

Mrs. Helen B. Pearce
Executive Secretary

PETITION FOR SPECIAL EXCEPTION

9th Election District

ZONING: Petition for Special Exception
LOCATION: Northeast corner of York and Yarmouth Roads
DATE & TIME: Tuesday, November 8, 1983 at 10:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a cemetery (a "columbarium", constructed for the express purpose of interring the cremated remains of the dead)

All that parcel of land in the Ninth District of Baltimore County

Being the property of The Ascension Evangelical Lutheran Church of Baltimore County, Maryland, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

WILTONDALE IMPROVEMENT
ASSOCIATION, INCORPORATED

P. O. BOX 10116

TOWSON, MARYLAND 21204

February 27, 1983

Mr. Walter A. Reiter, Jr., Chairman
Board of Zoning Appeals
Baltimore County Courthouse, Room 219
Towson, Maryland 21204

Dear Mr. Reiter:

The enclosed affidavit which lists the new officers of the Wiltondale Improvement Association, Inc., is for your information and use.

Yours very truly,

Susan Behn
Secretary

