

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - S/S Windsor Mill Road, 180' W of the c/l of Colonial Park (5608 Dogwood Road), 2nd Election District, 2nd Councilmanic District, Lorraine Park Company Petitioners

BEFORE THE: DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

Case No. 90-26-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve the nonconforming use and continued operation of a cemetery, and a variance to permit a distance between buildings of 28 feet in lieu of the required 60 feet for a proposed mausoleum in accordance with Petitioner's Exhibit 1.

The Petitioners, by Gilbert Allis, President, appeared, testified and were represented by Richard W. Theibert, Esquire. Also appearing on behalf of the Petition was Paul Lee of Paul Lee Engineering Inc. There were no Protestants.

Testimony indicated that the subject property, known as 5608 Dogwood Road, consists of 64.6154 acres more or less zoned D.R. 5.5 and is located off of Windsor Mill Road and Dogwood Road. Said property has been the site of the Lorraine Park Cemetery since 1883. Testimony presented by proffer indicated that Mr. Allis' family has owned the subject property since 1923. Mr. Allis has been actively involved in operating the cemetery since 1971 and has been President since his inheritance of the property in 1982. Testimony indicated that the two existing mausoleum buildings have been in existence since the 1920s. Petitioners are desirous of adding another mausoleum, approximately 23' x 34', to house 225 additional crypts. Currently, the 5,000 crypts existing in the two mausoleums are filled to capacity. Many of the ancestors of those presently buried at

the site at a desire of being buried in the cemetery next to family members. Evidence presented indicated that while a variance is required, the site proposed for the additional mausoleum will prevent the need to move existing gravesites. The proposed location will not require any road reconstruction and the mausoleum will not be visible by any neighboring residential properties. Testimony indicated that there were no objections or concerns raised by the community or family members of those buried in the cemetery.

Zoning came officially to Baltimore County on January 2, 1945, when, pursuant to previous authorization by the General Assembly, the County Commissioners adopted a comprehensive set of zoning regulations.

The Commissioners were first authorized to adopt comprehensive planning and zoning regulations in 1939 (Laws of Maryland, 1939, ch. 715). At the next biennial session of the General Assembly, this authorization was repealed, and a new authorization was enacted (Laws of Md., 1941, ch. 247). Before any such regulations were issued, the Legislature authorized the Commissioners to make special exceptions to the regulations (Laws of Md., 1943, ch. 877). The first regulations were adopted and took effect on January 2, 1945. See Kahl v. Cons. Gas Elec. Light and Pwr. Co., 191 Md. 249, 254, 60 A.2d 754 (1948); Calloun v. County Board of Appeals, 262 Md. 265, 277 A.2d 589 (1971).

Section II of those regulations created seven zones, four being residential, one commercial, and two industrial. See McKemy v. Baltimore County, Md. 39 Md. App. 257, 385 A.2d 96 (1978).

These original regulations provided for nonconforming uses. The statute read as follows:

"A lawful nonconforming use existing on the effective date of the adoption of these regulations may continue

use, provided, however, upon any change from such nonconforming use to a conforming use, or any attempt to change from such nonconforming use to a different nonconforming use or any discontinuance of such nonconforming use for a period of one year, or in case a nonconforming structure shall be damaged by fire or otherwise to the extent of seventy-five (75) percent of its value, the right to continue to resume such nonconforming use shall terminate, provided, however, that any such lawful nonconforming use may be extended or enlarged to an extent not more than once again the area of the land used in the original nonconforming use." Section XI, 1945, B.C.Z.R.

Baltimore County adopted a new set of comprehensive zoning regulations on March 30, 1955. The issue of nonconforming uses are dealt with in Section 104 of those regulations. The Section then read:

"104.1 - A lawful nonconforming use existing on the effective date of the adoption of these regulations may continue; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75) percent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure, or no nonconforming use of a building, structure, or parcel of land shall hereafter be extended more than 25% of the ground floor area of buildings so used."

Section 104.1 was changed to its current language on March 15, 1976 by Bill No. 1C-76. The current effective regulation reads as follows:

"A nonconforming use (as defined in Section 101) may continue except as otherwise specifically provided in these Regulations; provided that upon any change from such nonconforming use to any other use whatsoever, or any abandonment or discontinuance of such nonconforming use for a period of one year or more, or in case any nonconforming business or manufacturing structure shall be damaged by fire or other casualty to the extent of seventy-five (75) percent of its replacement cost at the time of such loss, the right to continue or resume such nonconforming use shall terminate. No nonconforming building or structure, or no nonconforming use of a building, structure, or parcel of land shall hereafter be extended more than 25% of

the ground floor area of buildings so used. (B.C.Z.R., 1955; Bill No. 18, 1976)"

On August 4, 1980, the current language found in Section 104.2 was added to the B.C.Z.R. by Bill No. 167-80. This regulation placed an exception upon the general nonconforming rule for Special Exception office buildings. Said provision is inapplicable in this instance and will not be addressed herein.

As with all non-conforming use cases, the first task is to determine what lawful non-conforming use existed on the subject property prior to January 2, 1945, the effective date of the adoption of the Zoning Regulations and the controlling date for the beginning of zoning.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the non-conforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered non-conforming. See McKemy v. Baltimore County, Md., 39 Md. App. 257, 385 A.2d 96 (1978).

When the claimed non-conforming use has changed, or expanded, then the Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the non-conforming use, the Zoning Commissioner should consider the following factors:

"(a) To what extent does the current use of these lots reflect the nature and purpose of the original non-conforming use;

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-26-SPHA

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 Hearing under Section 104.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the nonconforming use and continued operation of a cemetery in continuous existence since 1893.

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

I, or we, agree to pay expenses of the above Special Hearing 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:	Legal Owner(s):
(Type or Print Name)	Lorraine Park Company
Signature	(Type or Print Name)
Address	By: Signature
City and State	Gilbert Allis, President
	(Type or Print Name)
	Signature
Attorney for Petitioner:	6 E. Franklin Street
Richard W. Theibert	Baltimore, MD 21202
(Type or Print Name)	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State	Richard W. Theibert
Attorney's Telephone No.	200, 2 E. Fayette Street
	Baltimore, MD 21202
	City and State
	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of August, 1982, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 30th day of August, 1982, at 2:30 o'clock P.M.

J. Robert Hines
Zoning Commissioner of Baltimore County

(b) Is the current use merely a different manner of utilizing the original non-conforming use or does it constitute a use different in character, nature, and kind;

(c) Does the current use have a substantially different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original non-conforming use.

McKemy v. Baltimore County, Md., Supra. After due consideration of the testimony and evidence presented, it is clear that a cemetery has existed on the property since prior to the effective date of the zoning regulations and as such, a legal nonconforming use of the property as a cemetery exists.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McKemy v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant, as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested in the Petitions for Special Hearing and Zoning Variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30th day of August, 1982 that the Petition for Special Hearing to approve the nonconforming use and continued operation of a cemetery, and the Petition for Zoning Variance to permit a distance of a cemetery, and the Petition for Zoning Variance to permit a distance between buildings of 28 feet in lieu of the required 60 feet for a proposed mausoleum in accordance with Petitioner's Exhibit 1, be and are hereby GRANTED, subject, however, to the following restriction:

- The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at his time is at his own risk until such time as the 30-day appellate process from this Order is reversed, if, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Hines
Zoning Commissioner

August 30, 1989

Richard W. Theibert, Esquire
2 E. Fayette Street, Suite 200
Baltimore, Maryland 21202

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE
S/S Windsor Mill Road, 180' +/- W of the c/l of Colonial Park
(5608 Dogwood Road)
2nd Election District - 2nd Councilmanic District
Lorraine Park Company - Exhibit 1
Case No. 90-26-SPHA

Dear Mr. Theibert:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

cc: People's Counsel

File

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described as follows: 90-26-SPHA
1902 S.E. 12th St. CDDP
To allow a distance between buildings of 25 ft. in lieu of the required 50 ft.
of the Zoning Regulations of Baltimore County, for the following reasons: (Indicate hardship to practical difficulty)
The placement of the crypts more than twenty-eight (28) feet from the mass grave would work a severe hardship on the owner in that the cost of the crypts would have to be redesigned and/or a large number of gravesites would have to be removed. The redesigning of the road or removal of bodies and headstones would also present grave practical difficulties.
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.
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
Legal Owner(s): (Type or Print Name) Signature
City and State: Baltimore, Maryland 21202
Attorney for Petitioner: (Type or Print Name) Signature
City and State: Baltimore, Maryland 21202
Attorney's Telephone No.: 732-1188
ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of August, 1989, 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 the public hearing be held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 3rd day of August, 1989, at 1:30 o'clock P.M.
J. Robert Haines
Zoning Commissioner of Baltimore County
(over)

Paul Lee Engineering Inc.
300 N. Pennsylvania Ave.
Towson, Maryland 21204
410-281-5345
DESCRIPTION
Lorraine Park Cemetery
2nd Election District
Baltimore County, Maryland
Beginning for the same at a point in the center of Windsor Mill Road, said point also being located westerly 180' from the center of Colonial Place, thence binding in the center of Windsor Mill Road (1) N 50° W 16.5', (2) N 48°30' W 787.86', thence leaving said centerline of Windsor Mill Road, (3) S 35° W 16.5' to the south side of Windsor Mill Road, thence binding on the south side of Windsor Mill Road (4) N 50° W 767.25' thence leaving said south side of Windsor Mill Road (5) S 44° W 1328.25', and (6) S 48°30' W 511.5' to the center of the Franklin Turnpike Road (Dogwood Road) thence binding along the center of Dogwood Road (7) Southwesterly, Southeasterly, and Easterly 2351.75', and (8) S 67° E 66', thence leaving said center of Dogwood Road (9) N 16° 30' E 123.75', (10) N 33°30' E 742.50' and (11) N 46°32' E 173.25' to the point of beginning.
Containing 64.6154 acres of land, more or less.
4/12/89

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 2-774 Date of Posting: July 12, 1989
Posted for: Special Hearing, Variance
Petitioner: Lorraine Park Company
Location of property: 90-26-SPHA, 1902 S.E. 12th St. Colonial Park
5600 Dogwood Road
Location of Sign: In front of 5600 Dogwood Road at entrance to Cemetery
Remarks: J. Robert Haines
Posted by: J. Robert Haines Date of return: July 14, 1989
Number of Signs: 2

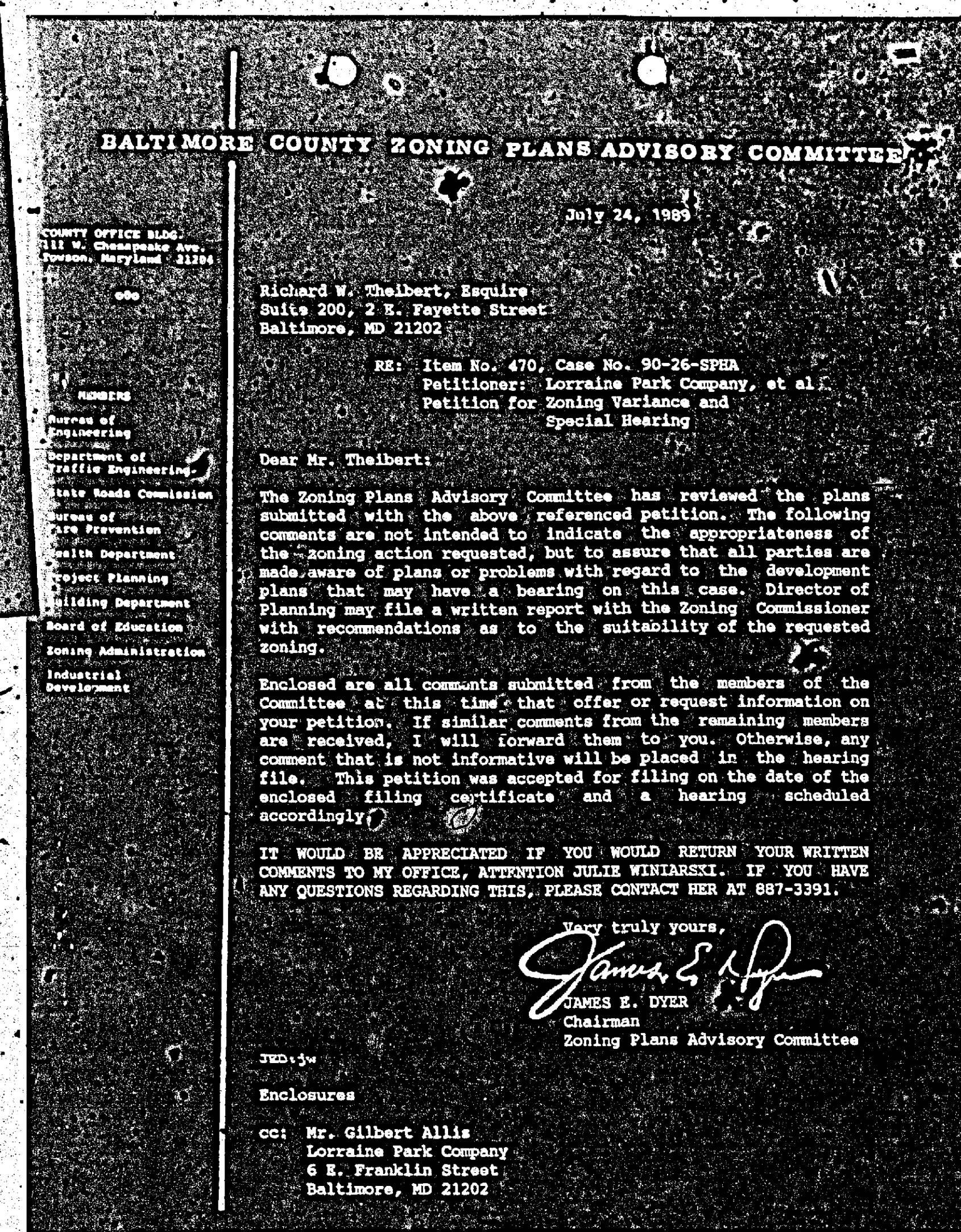
Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner
DATE: 7/25/89
Lorraine Park Company
8 E. Franklin Street
Baltimore, Maryland 21202
ATTN: GILBERT ALLIS, PRESIDENT
Re: Petitions for Special Hearing and Zoning Variance
CASE NUMBER: 90-26-SPHA
90 Windsor Mill Road, 180' W c/1 Colonial Park
5600 Dogwood Road
2nd Election District - 2nd Councilmanic
Petitioner(s): Lorraine Park Company
HEARING SCHEDULED: THURSDAY, AUGUST 3, 1989 at 9:30 a.m.
Gentlemen:
Please be advised that \$112.94 is due for advertising and posting of the above captioned property.
THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.
Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 068405
DATE: 7/25/89 ACCOUNT: 90-26-SPHA
AMOUNT: \$112.94
RECEIVED FROM: LORRAINE PARK COMPANY
FOR: PA 90-26-SPHA
B 015*****112914 8034F
VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner
June 28, 1989
NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified here: in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Special Hearing and Zoning Variance
CASE NUMBER: 90-26-SPHA
90 Windsor Mill Road, 180' W c/1 Colonial Park
5600 Dogwood Road
2nd Election District - 2nd Councilmanic
Petitioner(s): Lorraine Park Company
HEARING SCHEDULED: THURSDAY, AUGUST 3, 1989 at 9:30 a.m.
Special Hearings for the re-confirming use and continued operation of a cemetery in continuous existence since 1883.
Variance to allow a distance between buildings of 25 ft. in lieu of the required 50 ft.
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 in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. Robert Haines
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND
Lorraine Park Company
Richard W. Thelbert, Esq.
111 W. Chesapeake Avenue
Towson, Maryland 21204

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner
Date: May 10, 1989
Richard W. Thelbert, Esq.
Prem & DuMler
Suite 200, Jefferson Building
Two East Fayette Street
Baltimore, Maryland 21202
Re: Request for Expedited Hearing
Lorraine Park Cemetery
Item #470
Dear Mr. Thelbert:
This office is in receipt of your request for an early hearing with reference to the above captioned matter.
Please be advised that Zoning Regulations require that all cases must be placed on the hearing docket no later than 90 days after the date of filing. Further, the number of petitions filed this year has increased by 33% from the previous year.
We have no choice but to comply with regulations and must inform you, that although consideration of your request is merited, we can only aim to schedule your hearing on the first available date after we have met regulation requirements.
Noting the above in mind, this office will endeavor to give you the earliest possible date.
Very truly yours,
J. Robert Haines
Zoning Commissioner
J. Robert Haines
Zoning Commissioner
Baltimore County, Maryland

LAW OFFICES OF
PREM & DUMLER
SUITE 200
JEFFERSON BUILDING
TWO EAST FAYETTE STREET
BALTIMORE, MARYLAND 21202
MAY 3, 1989
MAY 4 1989
RECEIVED
ZONING OFFICE
RE: Lorraine Park Cemetery
Expedited Hearing Date: Item #470
Dear Mr. Haines:
Please grant an expedited combined hearing pertaining to Lorraine Park's Petition for Variance and Petition for Special Hearing for the following reasons:
1. The builder, Grant Bronx, a specialist in crypts and mausoleums, must come from Minnesota to construct the facility. Grant Bronx will be in the Baltimore area at the end of May.
2. The excavation company is prepared to do the work at any time.
3. The obtaining of the variance, building plans, permits, etc. has taken much longer than usual due to the difficulties in coordinating out-of-state builders and their plans with the Baltimore County requirements.
4. The cemetery has been holding several requests and bodies in alternative crypts for approximately six months due to the unanticipated delays in getting the variance and building permits.
5. We previously submitted a Petition for Zoning Variance on April 12, 1989 which was tentatively accepted by the Zoning Commissioner for Baltimore County. The Petition and supporting documents were returned to us by letter dated April 17, 1989 advising us that a Petition for Special Hearing application would also be required. We have subsequently filed both required Petitions.
We respectfully request that you schedule a hearing as soon as possible in this matter such that the out-of-state builder, the local excavation company and the clients of the cemetery may resolve their problems at the earliest possible date.
Very truly yours,
Richard W. Thelbert
Richard W. Thelbert

CERTIFICATE OF PUBLICATION
TOWSON, MD, July 13, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on July 13, 1989.
THE JEFFERSONIAN
S. Zebek, Jr.
Publisher
PO 13696
M 31008
CA 90-26-SPHA
Price \$41.37



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Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(410) 887-3334

June 6, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Donald F. Rasmussen
County Executive

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 253, 313, 466, 467, 468, 469, ~~470~~ 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, and 486.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSP/lvw

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 1, 1988
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
for May 18, 1988

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 486, 489, 489, 471, 474, 475, 476, 478, 480, 481, 482, 485, and 488.

For Item 253 the previous County Review Group Comments still apply.

For Item 313 contact the State Highway Administration for right-of-way requirements for Reisterstown Road.

For Item 467 contact the State Highway Administration for the necessary improvements for Reisterstown Road.

For Item 472 the previous County Review Group Comments for Festival at Woodholme still apply.

For Item 473 the building being in a reversible slope easement must be addressed prior to approval.

For Item 477 the previous County Review Group Comments still apply.

For Item 478 the previous County Review Group Comments still apply.

For Item 483 contact the State Highway Administration for right-of-way requirements on Park Heights Avenue.

For Item 484 the previous County Review Group Comments still apply.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Baltimore County
Fire Department
Towson, Maryland 21204-2336
494-4500

Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Dennis F. Rasmussen
County Executive

Re: Property Owner: Lorraine Park Company

Location: SS Windsor Mill Road, 180' W of centerline of Colonial Pl.
(#5603 Dogwood Road)

Item No.: 470 Zoning Agenda: May 16, 1989

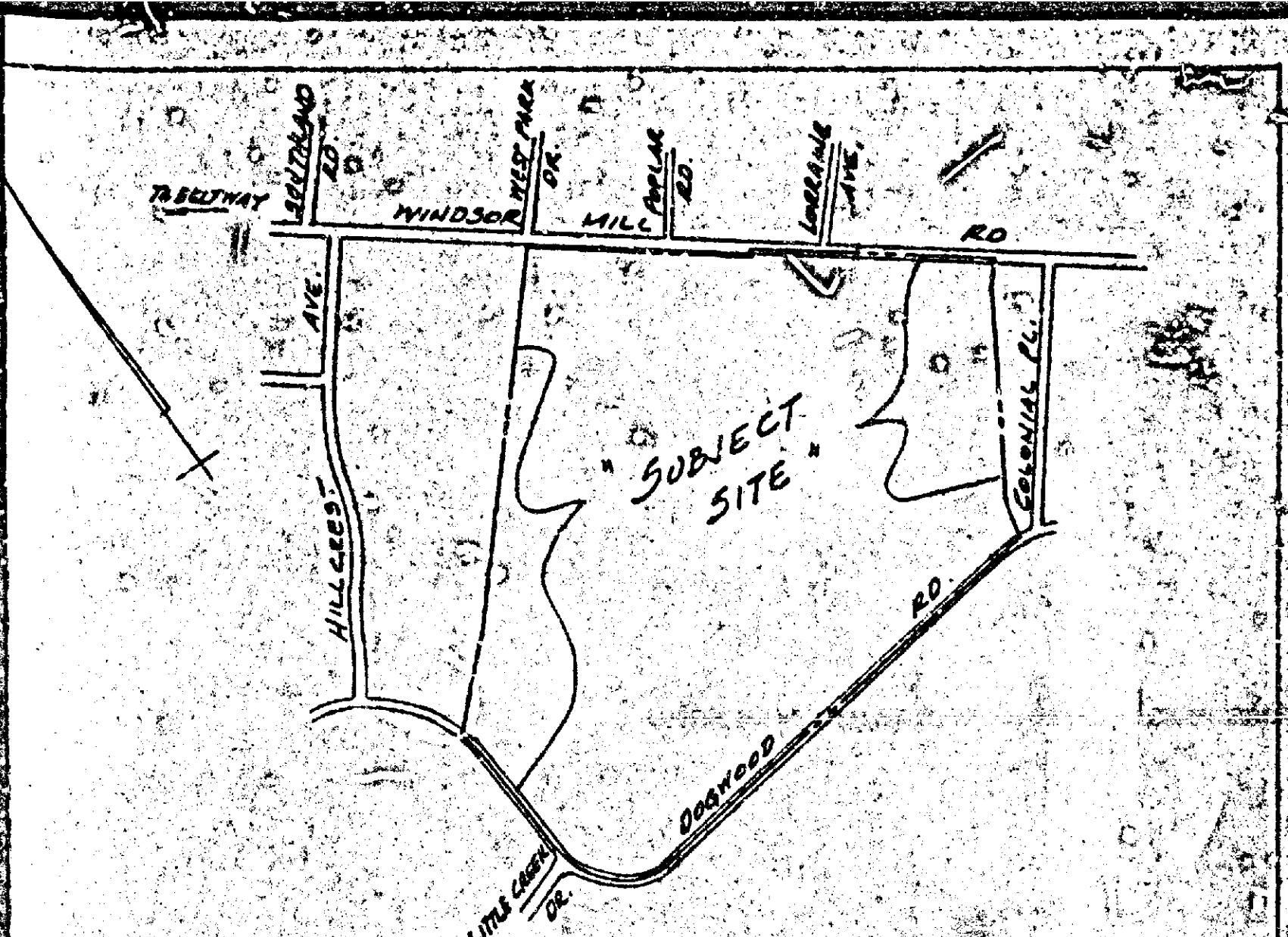
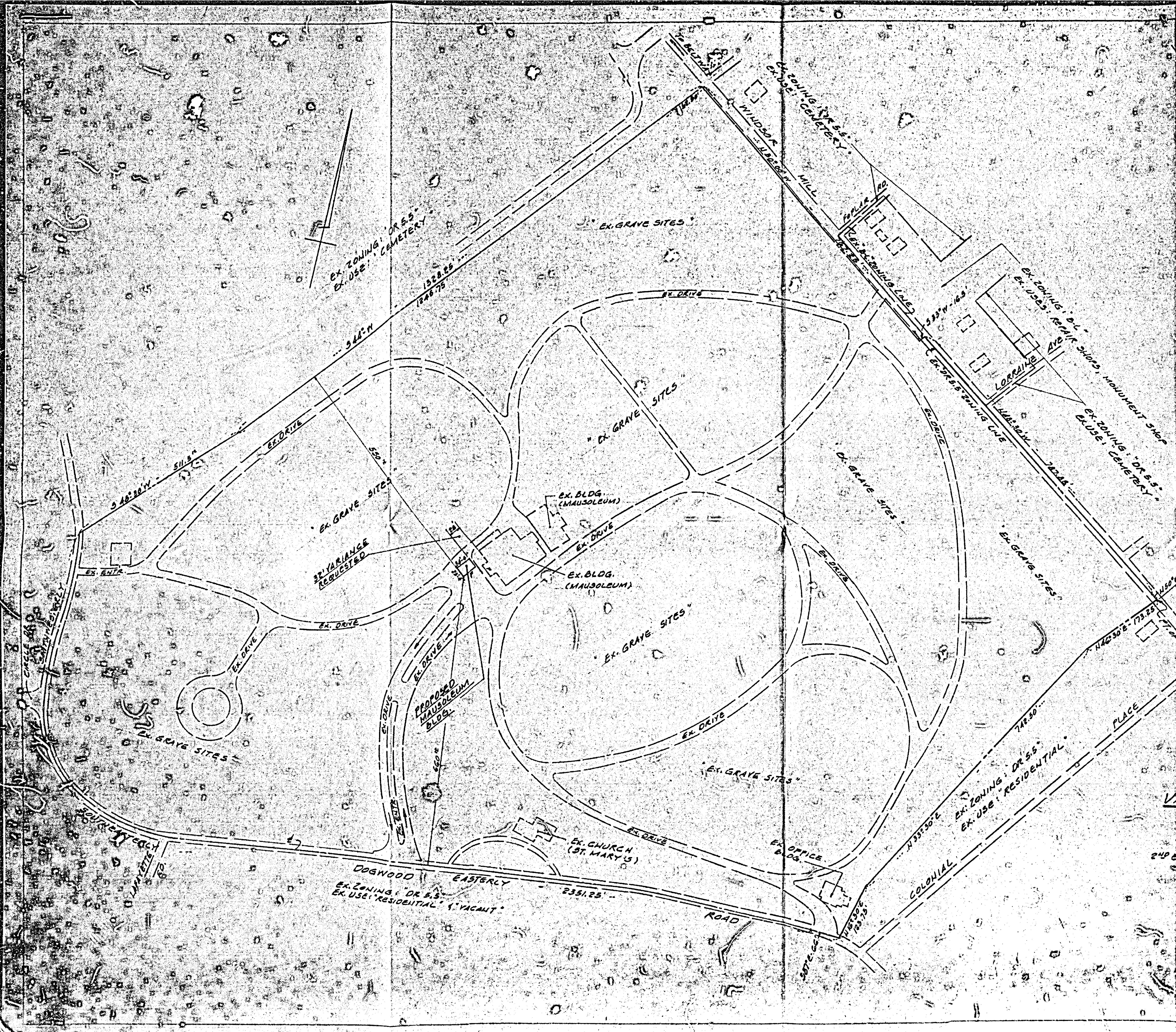
Gentlemen:

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 or _____ 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 operation.
- () 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 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Carl J. Smith, Sr. Noted and Approved: Carl W. Bradley
Special Inspection Division Fire Prevention Bureau

1/1



LOCATION PLAN
SCALE: 1"=500'

- GENERAL NOTES**
1. AREA OF SITE * 64.6154 AC.S
 2. EXIST. ZONING OF SITE * "DR 5.5"
 3. EXIST. USE OF SITE * "LORRAINE PARK CEMETERY"
 4. PROP. ZONING OF SITE * "DR 5.5"
 5. PROP. USE OF SITE * "LORRAINE PARK CEMETERY"
 6. PETITIONER REQUESTING A VARIANCE TO SECTION 1802.23, 102.2 OF THE BALTIMORE COUNTY ZONING REGULATION AND SECTION 1.B.2 TABLE 5.4 OF THE CMDP MANUAL TO PERMIT A DISTANCE BETWEEN BUILDINGS OF 28' IN LIEU OF THE REQUIRED 60' (A VARIANCE OF 32')
 7. PETITIONER REQUESTING A SPECIAL HEARING TO VERIFY NON-CONFORMING USE AS A CEMETERY EXIST ON SUBJECT PROPERTY. CEMETERY HAS EXISTED SINCE 1883.

AMENDED
PLAT TO ACCOMPANY PETITION
FOR
VARIANCE & SPECIAL HEARING
LORRAINE PARK CEMETERY
55 WINDSOR MILL RD - N.E. DOGWOOD RD.
2ND ELEC. DIST. BALTIMORE COUNTY, MD.
SCALE: 1"=100' APRIL 8, 1983
JULY 1983

PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

Petitioner's Exhibit
1

