



20-186

JOHN A. OLSZEWSKI, JR.
County Executive

MICHAEL D. MALLINOFF, *Director*
Department of Permits,
Approvals & Inspections

January 27, 2020

John V. Mettee III, PLS
Director, Maryland Division
Karins and Associates
2113 Emmorton Park Road, Suite 100
Edgewood, Maryland 21040

RE: Spirit and Intent Request, Zoning Case # 1998-0410-X, 1990-0066-SPH, 1969-0123-SPH and 1949-1523-X, Proposed Garage Addition, Evans Funeral Home, 8800 Harford Road, Parkville, Maryland 21234, 9th Election District

Dear Mr. Mettee:

Your recent letter to Michael Mallinoff, Director of Permits, Approvals and Inspections, was forwarded to me for reply. Based upon the information and site plan provided therein and my review of the above referenced zoning cases, the following has been determined:

1. Provided the proposed 576 square foot garage addition for storage is built according to the submitted red-lined site plan, then the proposed modifications are approved as being in the spirit and intent of the Baltimore County Zoning Regulations (BCZR) and the orders in Zoning Case # 1998-0410-X, 1990-0066-SPH, 1969-0123-SPH and 1949-1523-X.
2. A copy of your request letter and the modified site plan, as well as a copy of this response, will be recorded and made a permanent part of the zoning case files.
3. You must place a verbatim copy of your request letter, as well as a copy of this response letter, in the details of all building permit application plans.
4. This approval is for zoning purposes only. You will also be required to comply with all other County and State regulations relative to this property.

The foregoing is merely an informal opinion. It is not an expert or legal opinion, it is not intended to be relied on as expert or legal advice, and it is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

We 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 us at 410-887-3391.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey N. Perlow".

Jeffrey N. Perlow, Planner II
Zoning Review



Karins and Associates
Engineering • Planning • Surveying

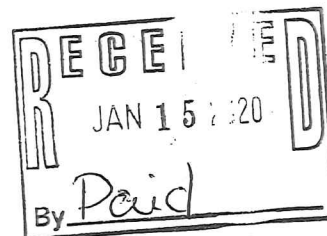
Newark and Georgetown, DE; Edgewood, MD; Bryn Mawr and Exton, PA

2113 Emmorton Park Road, Suite 100, Edgewood, MD 21040

Phone: (410) 612-9900

January 13, 2020

Mr. Arnold Jablon, Director PAI
Baltimore County, MD
Department of Permits, Approvals and Inspections
Baltimore County Office Building
111 West Chesapeake Avenue, Room 111
Baltimore, Maryland 21204



Re: Evans Funeral Home Garage Addition
Located at 8800 Harford Road, Parkville MD 21234

1998-0410-X
1990-0066-SPH
1949-1523-X
1969-0123-SPH

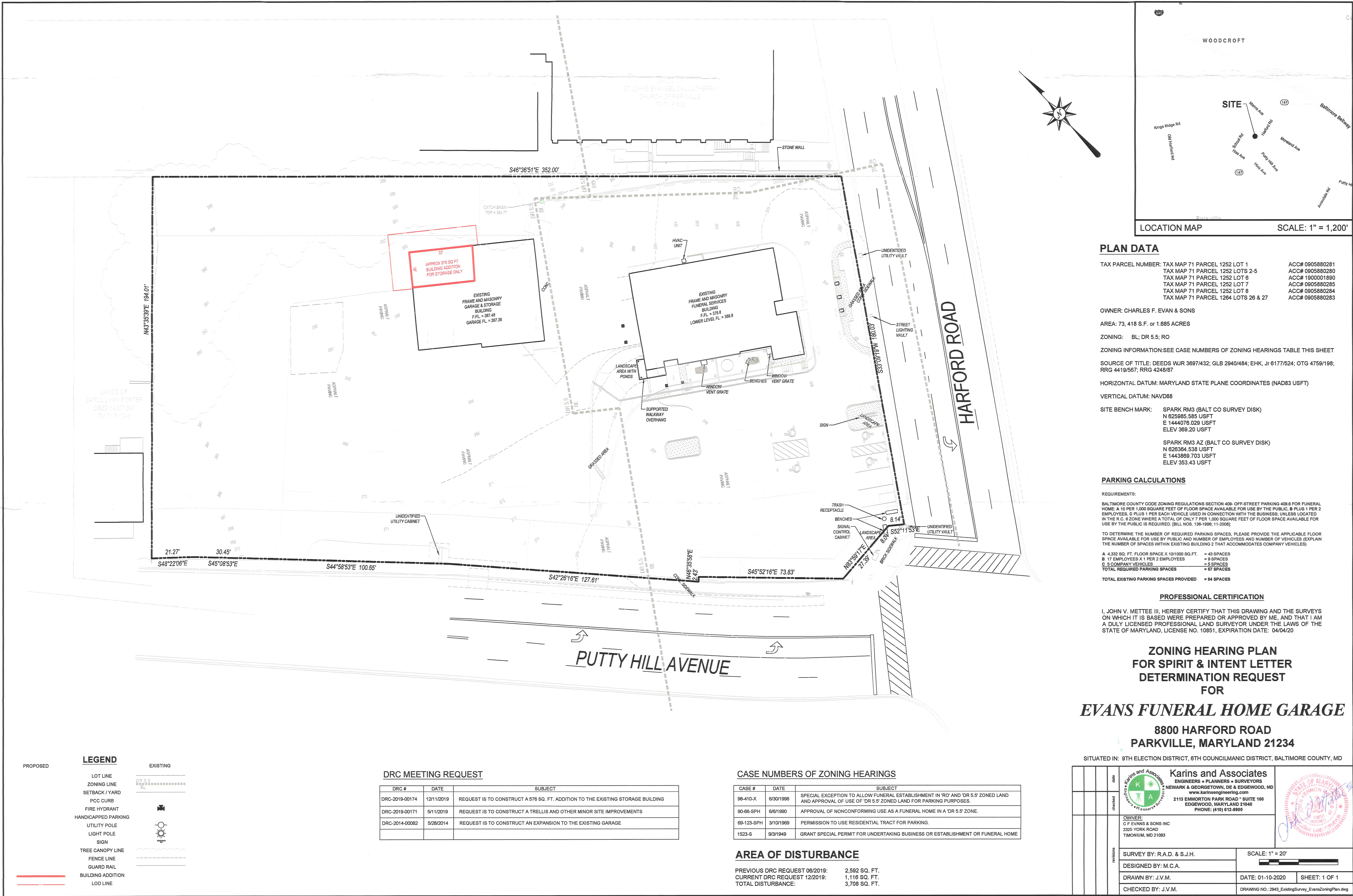
Dear Mr. Jablon,

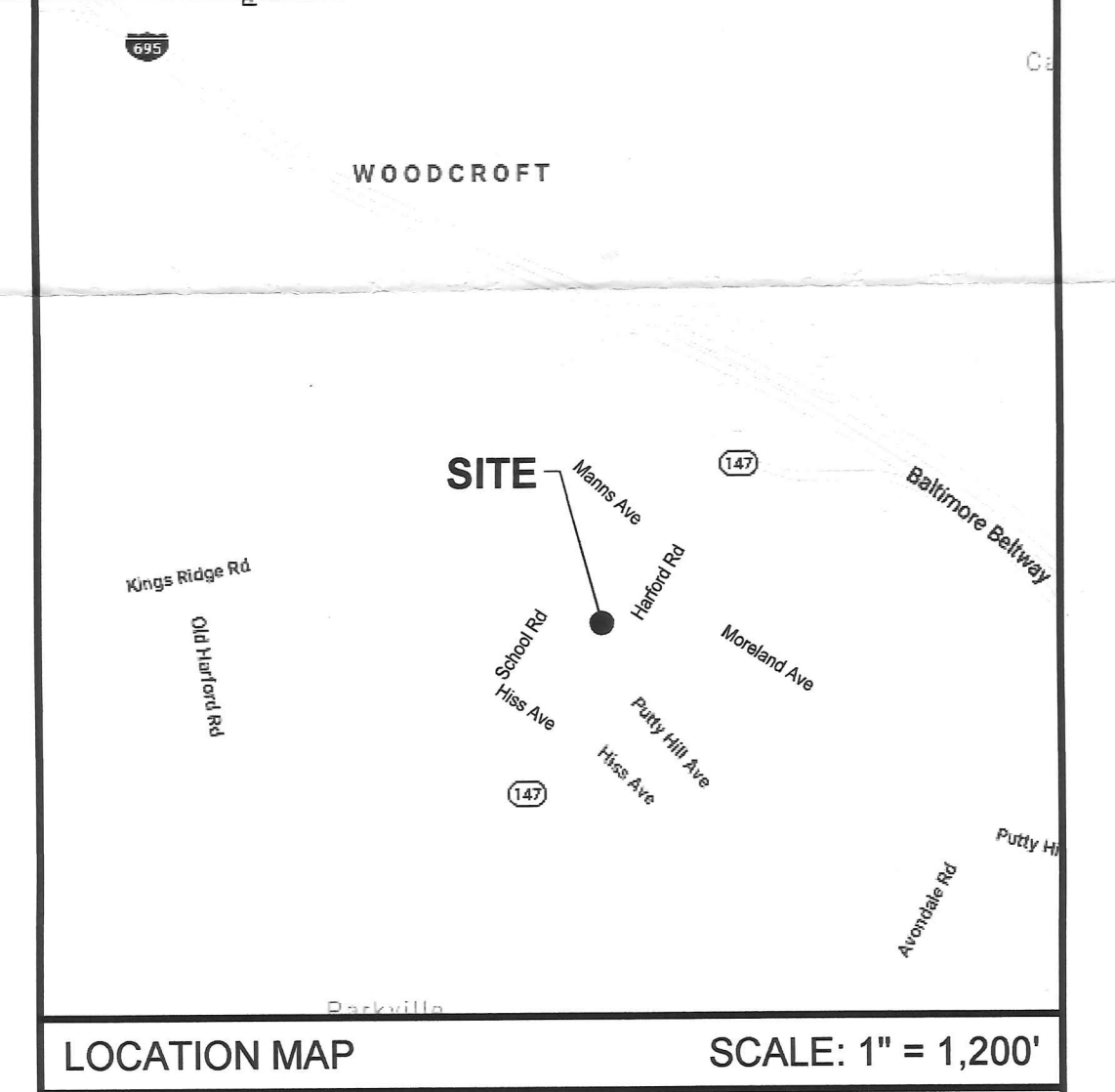
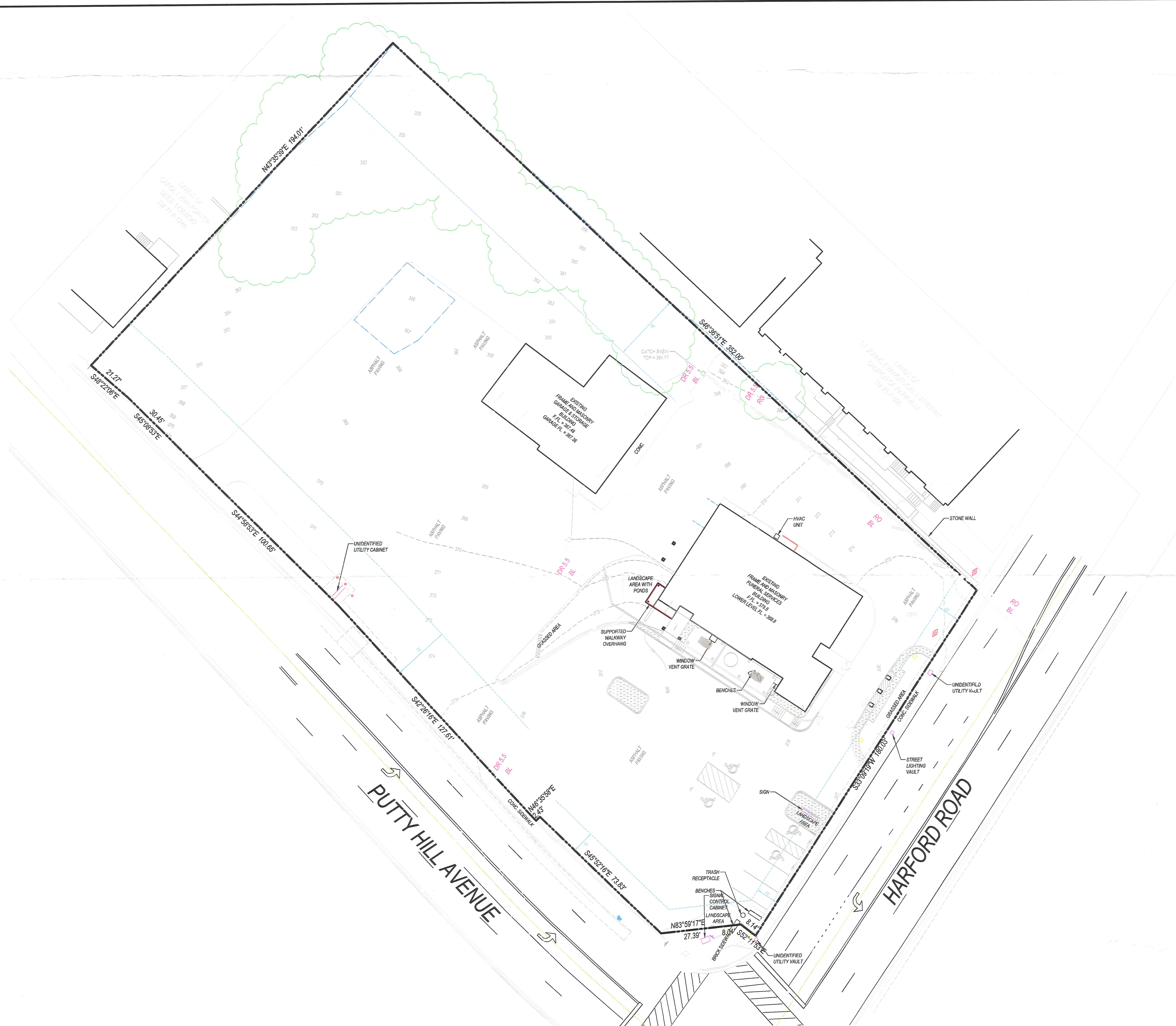
On behalf of our client, Evans Funeral Home, Karins and Associates respectfully requests a Type D - Written Verification – Spirit & Intent Letter pursuant to the condition recommendations outlined in the recent DRC provisional limited exemption for the garage addition to Evans Funeral Home located at 8800 Harford Road, Parkville MD. The DRC meeting took place on December 31, 2019 with DRC Number 123119B; Dist. 9C6. Please refer to the attached drawing that delineates a garage addition that will be used solely for additional storage space. As you review this drawing, you will see that the proposed storage area addition to this existing garage is a minor change to the developed property. The minor changes result in less than 5,000 square feet of disturbance.

We appreciate your favorable consideration in this matter. Should you have any questions, please do not hesitate to contact us.

Sincerely,

John V. Mettee III, PLS
Director, Maryland Division





PLAN DATA

TAX PARCEL NUMBER: TAX MAP 71 PARCEL 1252 LOTS 1 THROUGH 8 AND
TAX MAP 71 PARCEL 1264 LOTS 26 & 27

OWNER: CHARLES F. EVAN & SONS

AREA: 73, 418 S.F. or 1.685 ACRES

SOURCE OF TITLE: DEEDS WJR 3697/432; GLB 2940/484; EHK, Jr 6177/524; OTG 4759/198; RRG 4419/567; RRG 4248/87

HORIZONTAL DATUM: MARYLAND STATE PLANE COORDINATES (NAD83 USFT)

VERTICAL DATUM: NAVD88

SITE BENCH MARK: SPARK RM3 (BALT CO SURVEY DISK)
N 625985.585 USFT
E 1444076.029 USFT
ELEV 369.20 USFT

SPARK RM3 AZ (BALT CO SURVEY DISK)
N 626364.538 USFT
E 1443869.703 USFT
ELEV 353.43 USFT

LEGEND

- | | |
|------------------------|---|
| EXISTING CONTOUR | |
| EXISTING INDEX CONTOUR | |
| EXISTING SPOT GRADE | X 34+22 |
| DEPRESSION CONTOUR | |
| FIRE HYDRANT |  |
| GAS VALVE |  |
| ELECTRIC METER |  |
| HANDICAPPED PARKING |  |
| UTILITY POLE |  |
| LIGHT POLE |  |
| GUY WIRE |  |
| SIGN |  |
| BOLLARD |  |
| CANOPY/DRIP LINE |  |
| FENCELINE |  |
| GUARD RAIL |  |
| OVERHEAD WIRES | |

PROFESSIONAL CERTIFICATION
 I HEREBY CERTIFY THAT THIS DRAWING AND

I, JOHN V. METTEE III, HEREBY CERTIFY THAT THIS DRAWING AND THE SURVEYS ON WHICH IT IS BASED WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 10851, EXPIRATION DATE: 04/04/20

**BOUNDARY & TOPOGRAPHIC PLAN
FOR**

EVANS FUNERAL HOME

8800 HARFORD ROAD

PARKVILLE, MARYLAND 21234

SITUATED IN: 9TH ELECTION DISTRICT, 6TH COUNCILMANIC DISTRICT, BALTIMORE COUNTY, MD

10-1-10	04-05-19	date	 Karins and Associates ENGINEERS • PLANNERS • SURVEYORS NEWARK & GEORGETOWN, DE & EDGEWOOD, MD www.karinsengineering.com 2113 EMMORTON PARK ROAD • SUITE 100 EDGEWOOD, MARYLAND 21040 PHONE: (410) 612-8900	
S.J.H.	R.A.D.	checked		
DATE OF SURVEY	DATE OF SURVEY	revision		
OWNER: C F EVANS & SONS INC 2325 YORK ROAD TIMONUM, MD 21093			SCALE: 1" = 20' 	
DESIGNED BY:			DATE: 10-31-19	
DRAWN BY: E.L.G. & S.J.H.			SHEET: 1 OF 1	
CHECKED BY: J.V.M.			DRAWING NO.: 2943_Existing_Survey_EvansCompleteSite.dwg	

IN THE MATTER OF THE APPLICATION OF C.F. EVANS AND SONS, INC. FOR A SPECIAL HEARING ON PROPERTY LOCATED ON THE NORTHWEST CORNER HARFORD ROAD AND PUTTY HILL AVENUE (8800 HARFORD ROAD) 9TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT

* BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO. 90-66-SPH

OPINION

This case comes before this Board on appeal from an Order of the Deputy Zoning Commissioner granting the Petition for nonconforming use for a funeral home on the northwest corner of Harford Road and Putty Hill Avenue. The case was heard this day in its entirety.

Counsel for the Petitioner presented Michael B. Dallas, a land surveyor, who testified that he prepared the plat of the site entered as Petitioner's Exhibit No. 1 and further testified that he was personally familiar with this site for over 30 years. He testified that he examined all of the land records, noted the Special Exception granted for use as a funeral home in 1949, and the zoning changes indicated in the zoning maps through 1976. He further testified that prior to 1976, the zoning line between BL and D.R.5.5 to the west coincided with the property line. The line was changed so that it now parallels Harford Road and creates an area of D.R.5.5 on the subject site. Mr. Charles Evans, the property owner and funeral director, testified that he was in the funeral business for 45 years, that his father purchased the site in 1949 for use as a funeral home,

C.F. Evans and Sons, Inc., Case No. 90-66-SPH

and that it has been so used continually since then. Mr. Evans also agreed to the possibility that eventually he may want to add a small addition to the rear of the building for office use. There was no evidence presented to the Board other than this site has been in continuous use as a funeral home, no other use, and no interruption to the use. Mr. George Fitch, a member of St. John's Church, whose property abuts this site, testified that in his estimation, the only complaints the church has address the run-off allegedly deriving from the subject site. With agreement between all parties that this was not an issue before the Board, and that the sole issue before the Board was in regards to the nonconforming use, it is the opinion of this Board that the use of the subject site containing some .85 acres zoned BL, D.R.5.5 and RO as a funeral home has been substantiated. The Board will note that the nonconforming use applies only to that area described in Petitioner's Exhibit No. 1. Should any building permits be sought by the Petitioner, conformity with all applicable Baltimore County Regulations is a foregone conclusion.

ORDER

It is therefore this 6th day of June, 1990 by the County Board of Appeals of Baltimore County ORDERED that the Petition to approve the nonconforming use of the subject site as portrayed on Petitioner's Exhibit No. 1 as a funeral home be and

C.F. Evans and Sons, Inc., Case No. 90-66-SPH

the same is hereby GRANTED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hackett, Chairman

Lawrence E. Schmidt

Lynn B. Moreland

IN RE: PETITION FOR SPECIAL HEARING BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO. 90-66-SPH

C.F. Evans and Sons, Inc. Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve the nonconforming use of the subject property as a funeral home in a D.R. 5.5 zone in accordance with Petitioner's Exhibit 1.

The Petitioners, by Charles F. Evans, Chairman, appeared, testified and was represented by Edward C. Covahey, Jr., Esquire. Also appearing on behalf of the Petition were Charles F. Evans, Jr., and Michael B. Dallas, Registered Property Line Surveyor. Numerous residents of the area and members of the St. John's Evangelical Lutheran Church of Parkville, Baltimore, County, Inc. located on the adjoining property, appeared as Protestants.

Testimony indicated that the subject property, known as 8800 Harford Road, consists of 0.85 acres split zoned B.L. and D.R. 5.5. The D.R. 5.5 zoned portion of the property is the site of the Charles F. Evans and Sons, Inc. Funeral Home. Mr. Evans testified his family has owned the property since 1949. He testified they were granted a special permit in Case No. 1523-SA on September 3, 1949 to operate an undertaking business from the building existing on the premises at that time. Testimony indicated that in 1962, the family obtained a building permit to construct the building that exists today; the original building has since been removed.

ORDER RECEIVED FOR FILING

Date

By

Mr. Evans testified the property has been used continuously and without interruption as a funeral home since 1949.

The Protestants do not dispute the funeral home's existence and continued use since 1949; however, they are concerned about water runoff. The Protestants argued that the recent removal of existing homes from the adjoining property on Putty Hill Avenue owned by Petitioners has caused water runoff problems. Said property is not the subject matter of this hearing. The Protestants indicated they are also concerned about future additions to the existing structure. The Protestants were advised that any improvements to the subject property would be limited pursuant to Section 104 of the B.C.Z.R. and that this decision does not relieve Petitioners from complying with Baltimore County building code requirements.

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 McKenney v. Baltimore County, Md., 39 Md. App. 257, 385 A2d. 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;

(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." McKenney v. Baltimore County, Md., Supra.

After due consideration of the testimony and evidence presented, it is clear that a funeral home has existed on the site continuously and without interruption since 1949, pursuant to the relief granted in Case No. 1523-XA, and as such a nonconforming use exists.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 29th day of September, 1989 that the Petition for Special Hearing to approve the nonconforming use of the subject property as a funeral home in a D.R. 5.5 zone in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return,

and be responsible for returning, said property to its original condition.

2) Any future expansion of the existing building is limited to that area zoned B.L. Further, any improvements to the property shall be subject to the requirements of Section 104 of the B.C.Z.R.

ANN M. NASTAKOWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bje

ORDER RECEIVED FOR FILING

Date

By

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-66-SPH

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 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve non-conforming use for a funeral home in a D.R. 5.5 zone.

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: (Type or Print Name) C.F. Evans and Sons, Inc. (Type or Print Name)

Signature: [Signature]

Address: 8800 Harford Road

City and State: Baltimore, Maryland 21234

Attorney for Petitioner: Edward C. Covahey, Jr. (Type or Print Name)

Signature: [Signature]

Address: 614 Bosley Avenue

City and State: Towson, Maryland 21204

Attorney's Telephone No.: 828-9441

Legal Owner(s): C.F. Evans and Sons, Inc. (Type or Print Name)

Signature: [Signature]

Address: 8800 Harford Road

City and State: Baltimore, Maryland 21234

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Edward C. Covahey, Jr., 614 Bosley Avenue, Towson, Maryland 21204, 828-9441

ORDERED By The Zoning Commissioner of Baltimore County, this 14 day of June, 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 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 30 day of June, 1989, at 11:30 o'clock A.M.

J. Robert Hines
Zoning Commissioner of Baltimore County

ZCO-No.1

(over)

MICHAEL B. DALLAS
Registered Surveyor
SUITE 200
24 W. PENNSYLVANIA AVENUE
TOWSON, MD 21204

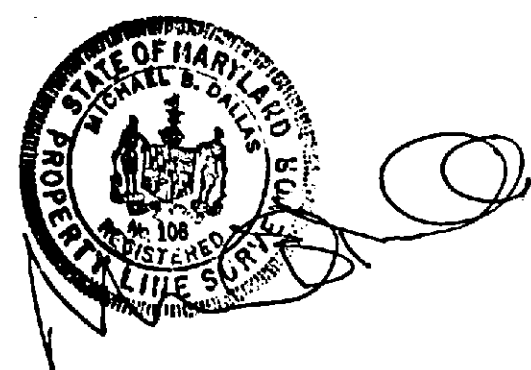
494-0020
ZONING DESCRIPTION
8800 HARFORD ROAD

BEGINNING for the same on the Northwest side of Harford Road (60 feet wide) at the division line between R0 zoning and BL zoning thence binding on said Northwest side of Harford Road South 33 degrees 40 minutes 18 seconds West 176.74 feet to the Northeast side of Putty Hill Avenue as now widened (variable width) thence binding on said side of Putty Hill Avenue the three following courses and distances viz:

1. By a line curving to the right having a radius of 34.78 feet for the distance of 59.08 feet (said arc being subtended by a chord having a bearing of South 82 degrees 19 minutes 55 seconds West 52.23 feet)
2. By a line curving to the right having a radius of 583.41 feet for the distance of 70.30 feet (said arc being subtended by a chord having a bearing of North 45 degrees 33 minutes 20 seconds West 70.26 feet)
3. North 42 degrees 06 minutes 12 seconds West 85.49 feet.

thence leaving said side of Putty Hill Avenue and running North 45 degrees 33 minutes 24 seconds East 209.83 feet to a point in line with the Southwest side of a stone wall heretofore erected thence running to and binding along said side of said wall. South 5 degrees 24 minutes 47 seconds East 146.00 feet to the place of beginning.

CONTAINING .085 Acre of land more or less
February 17, 1989



PETITIONERS
PROCEEDING (S) SIGN-IN SHEET

NAME ADDRESS
Charles F. Evans 8800 Harford Rd. Towson
Putty Hill Ave. 8800 Harford Road Towson



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3160
February 7, 1990

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 190-66-SPH C. F. EVANS AND SONS, INC.
NW/Corner Harford Rd. and Putty Hill Ave.
(8800 Harford Road)
9th Election District
6th Councilmanic District
SPH - approve nonconforming use - funeral home
9/27/89 - D.Z.C.'s Order GRANTING Petition with restrictions.

ASSIGNED FOR: WEDNESDAY, MAY 30, 1990 at 10:00 a.m.

cc: Edward C. Covahey, Jr., Esquire Counsel for Petitioner
Charles F. Evans
Charles F. Evans, Jr.
Michael B. Dallas
Mr. and Mrs. Murhl Bauer
Mr. George W. Fitch
Mr. William Rash
Mr. Ralph Funkhouser
People's Counsel for Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

Linda Lee M. Kusznau
Legal Secretary

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 3, 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 August 3, 1989.

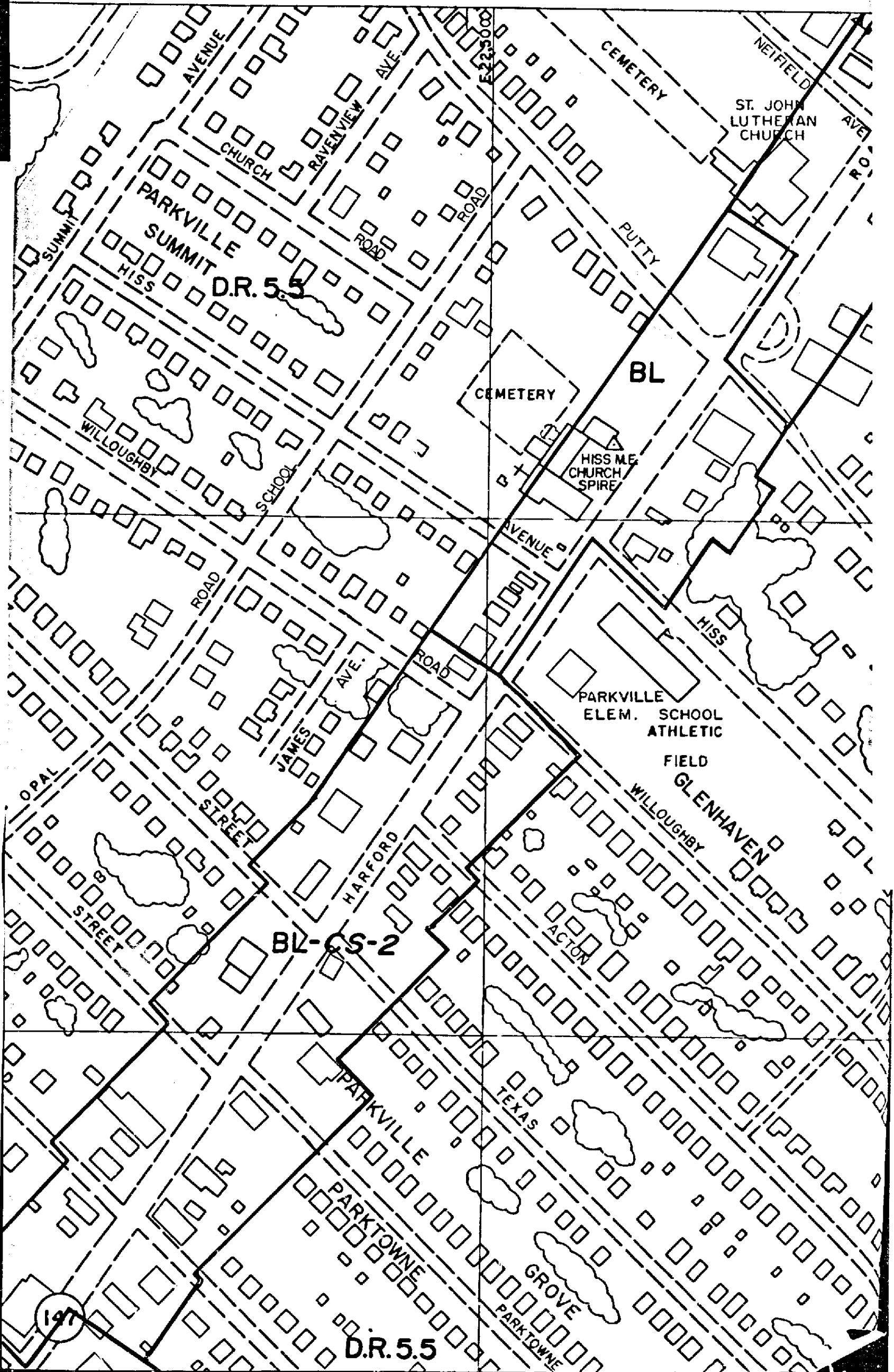
NORTHEAST TIMES
THE JEFFERSONIAN

S. Zebe Olsen
Publisher

PO 15116
rg. M31070
ca 40-66-SPH1A
price \$ 71.12

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9.74 Date of Posting: 8/13/89
Posted for: Special Hearing
Petitioner: C. F. Evans & Sons, Inc.
Location of property: NW/Corner Harford Rd. & Putty Hill Ave.
8800 Harford Rd.
Location of Sign: Putting in subdivision of Harford & Putty Hill
Remarks: R. Evans, Jr., on behalf of C. F. Evans & Sons, Inc.
Posted by: M. Dallas Date of return: 8/17/89
Number of Signs: 2



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

J. Robert Haines
Zoning Commissioner

C. F. Evans and Sons, Inc.
8800 Harford Road
Baltimore, Maryland 21234

Re: Petition for Special Hearing
CASE NUMBER: 90-66-SPH
NW/Corner Harford Road and Putty Hill Avenue
8800 Harford Road
9th Election District - 6th Councilmanic
Petitioner(s): C. F. Evans and Sons, Inc.
HEARING SCHEDULED: WEDNESDAY, AUGUST 30, 1989 at 11:30 a.m.

Gentlemen:

Please be advised that \$ 76.12 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.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRH:gr
cc: Edward C. Covahey, Jr., Esq.

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

J. Robert Haines
Zoning Commissioner

November 28, 1989

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Hearing
NW/Corner Harford Road and Putty Hill Avenue
(8800 Harford Road)
9th Election District, 6th Councilmanic District
C. F. EVANS AND SONS, INC. - Petitioner
Case No. 90-66-SPH

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on October 25, 1989 by Edward C. Covahey, Jr., attorney on behalf of the Petitioners. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Charles F. Evans, 8800 Harford Road, Baltimore, MD 21234

Edward C. Covahey, Jr., 614 Bosley Avenue, Towson, MD 21204

Charles F. Evans, Jr., 8800 Harford Road, Baltimore, MD 21234

Michael B. Dallas, 24 W. Pennsylvania Ave., Towson, MD 21234

Mr. & Mrs. Murhl Bauer, 8504 James Avenue, Baltimore, MD 21234

Mr. George W. Fitch, 3036 Arizona Avenue, Baltimore, MD 21234

Mr. William Rash, 3307 Putty Hill Road, Baltimore, MD 21234

Mr. Ralph Funkhouser, 1 Southerly Court, Towson, MD 21204

People's Counsel of Baltimore County

Rm. 304, County Office Bldg., Towson, Md. 21204

File

10/25/89: D29. JB/3251-ECC

IN RE: PETITION FOR SPECIAL HEARING, NW/Corner of Harford Rd. and Putty Hill Ave. (8800 Harford Rd.) 9th Election District, 6th Councilmanic Dist.
C.F. EVANS AND SONS, INC.
Petitioners
b* * * * *

APPEAL

Please enter an appeal from the findings of fact entered in the above-captioned matter on September 27, 1989 to the County Board of Appeals.

10-25-89 (C.F. Evans)
ZONING OFFICE

CERTIFICATE OF SERVICE

BALTIMORE COUNTY, MARYLAND No. 077233
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 10-25-89 ACCOUNT: R-01-615-000
AMOUNT: \$ 150.00
RECEIVED FROM: EDWARD C. COVAHEY, JR.
FOR: NORMAL FILING - CASE # 90-66-SPH
C.F. EVANS & SONS, INC.
Baltimore, Maryland

Commissioner for Baltimore County, Office of Planning & Zoning, Towson, Maryland 21204; and Peter M. Zimmerman, Esquire, Suite 606, 28 W. Allegheny Ave., Towson, MD 21204.

Edward C. Covahey, Jr.



Mayland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

July 26, 1989

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

Re: Baltimore County
C.F. Evans & Sons, Inc.
Zoning Meeting of 6-13-89
475 Harford Rd. (MD 147)
and Putty Hill Avenue
Item #5247

Attn: Mr. James Dyer

Dear Mr. Haines:

After reviewing the submittal for a special hearing to approve non-conforming use for a funeral home, we find the plan acceptable.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

Richard H. Trainor
Richard H. Trainor, Jr., Chief
Engineering Access Permits
Division

LB:maw

cc: Mr. Michael Dallas
Mr. J. Ogle

RECEIVED
JUL 31 1989

ZONING OFFICE

333-1350 (Fax Number 333-1041)

My telephone number is (301) 333-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 555-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 22, 1989
FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for June 13, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for items 493, 514, 517, 520, 521, 522, 524, 529, 529, 531, and 532.

For item 511, the minimum panhandle width for one lot is 20 feet, not 10 feet as shown on the plan.

For items 513, 516 and 533 the previous County Review Group Comments still apply.

For item 519, all lots must have in-fee frontage to a public road.

For item 530, comments are attached.

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

RWB:s

Encl.

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
(301) 97-3554

July 24, 1989

RECEIVED
AUG 3 1989

ZONING OFFICE

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 493, 511, 513, 516, 519, 520, 521, 522, 524, 529, 530, 531, 532, and 533.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lab

PUB 30

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: August 16, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: C.F. Evans & Sons, Inc., Item 524
Zoning Petition No. 90-66-SPH

The petitioner requests a Special Hearing to approve a non-conforming use for a funeral home in a DR 5.5 zone.

The Office of Planning and Zoning has no comment on the above request.

PK/JL/sf

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

Date of Posting: 12/1/89

District: 9th
Posted for: Appeal
Petitioner: C.F. Evans & Sons, Inc.
Location of property: 8800 Harford Rd.
Location of Sign: Existing, Exterior, on property of Harford & Putty Hill
Remarks: 12' for roadway on property of Harford & Putty Hill
Date of return: 12/1/89

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500

JUNE 14, 1989

RE: Property Owner: C.F. EVANS AND SONS, INC.

Location: #8800 HARFORD ROAD

Item No.: 524 Zoning Agenda: JUNE 13, 1989

Gentlemen:

Pursuant to your request, the ref renced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

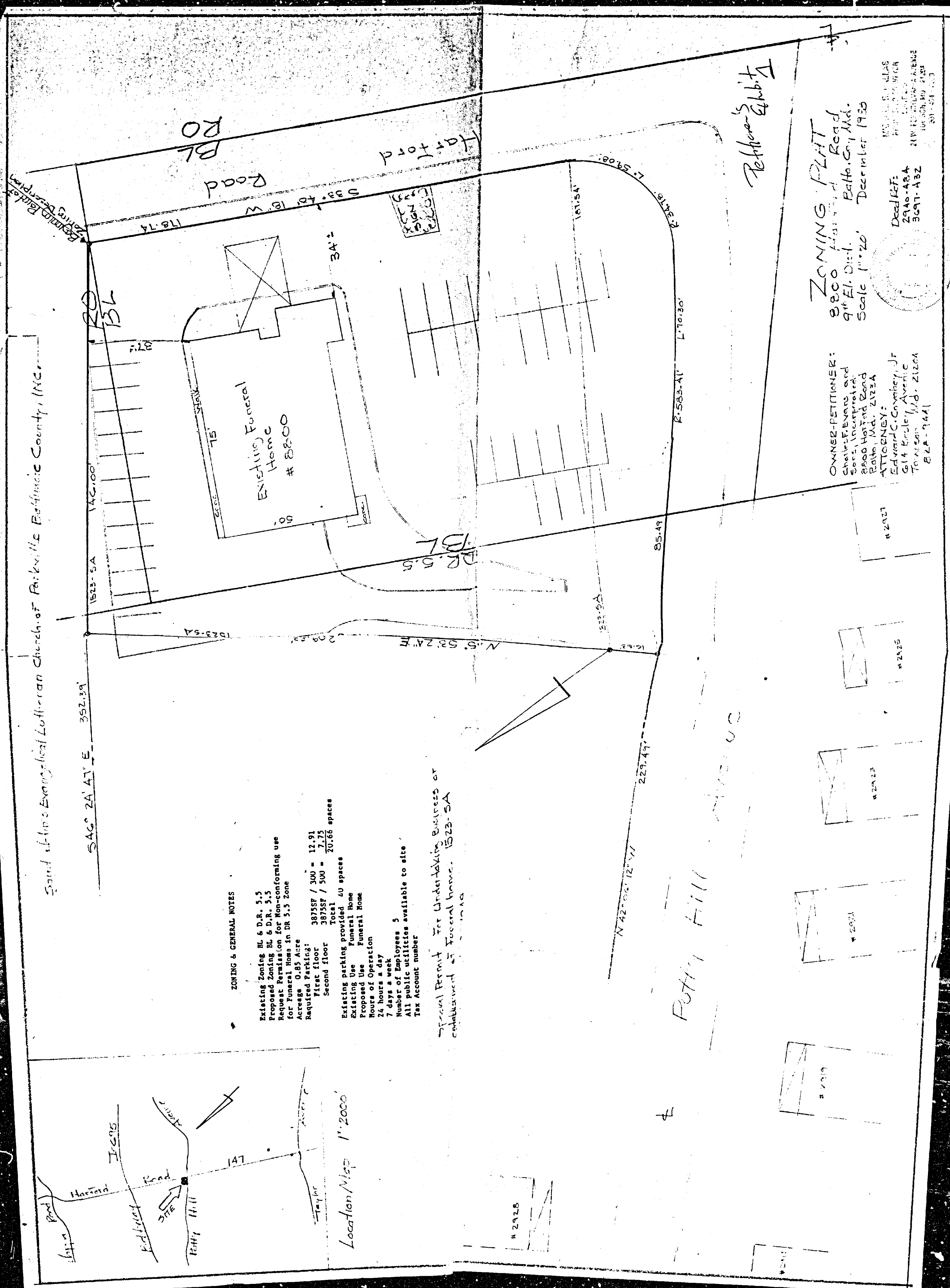
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements on the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Pat Keller* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KER



Dennis F. Rasmussen
County Executive



South of the Episcopal Lutheran Church of Falmouth, Falmouth County, ME.

NE 87° 36' 97"

SAG 2A 47° E 352.39'

1523.54

146.00

RO
BL

Boundary
Description

118.74

33.18

BL
RO

Harford
Road

Existing Funeral
Home
8800

34.1

167.54

L 58.08

R 34.18

L 70.30

R 58.41

85.49

1523.54

N 15° 53' 24" E
193.3

1523.54

ZONING & GENERAL NOTES

Existing Zoning BL & D.R. 5.5
Proposed Zoning BL & D.R. 5.5
Request Permission for Non-conforming use
for Funeral Home in DR 5.5 Zone
Acreage 0.85 Acre
Required Parking:
First floor 3875SF / 300 = 12.91
Second floor 3875SF / 500 = 7.75
Total 20.66 spaces
Existing parking provided 60 spaces
Existing Use Funeral Home
Proposed Use Funeral Home
Hours of Operation
24 hours a day
7 days a week
Number of Employees 5
All public utilities available to site
Tax Account number

Special Permit For Undertaking Business or
establishment of Funeral home. 1523-5A
Ordered Sept. 3, 1949

Location Map 1"=2000'

2928

2911

2919

2921

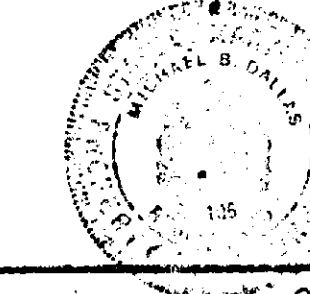
2923

2925

2927

OWNER-PETITIONER:
Charles F. Evans, and
Sons, Incorporated,
8800 Harford Road
Baltimore, Md. 21234
ATTORNEY:
Edward C. Covey, Jr.
614 Bayley Avenue
Towson, Md. 21204
828-7441

ZONING PLAT
8800 Harford Road
9th El. Dist. Balto. Co., Md.
Scale 1"=20' December 1958



Deed Ref:
2940-484
3697-A32

MICHAEL B. COLLINS
REGISTERED SURVEYOR
SINCE 1939
24 W. PENNSYLVANIA AVENUE
BALTIMORE, MD. 21201
301-454-0020

90-66-SPH Petitioner # 1