

IN RE: PETITIONS FOR SPECIAL HEARING, \* BEFORE THE  
SPECIAL EXCEPTION & VARIANCE - \* ZONING COMMISSIONER  
N/S Wise Ave., 844' SE of Lynch Rd. and \* OF BALTIMORE COUNTY  
S/S Diehlwood Rd, 595' SE of Lynch Rd. \*  
(7922-7926 Wise Avenue) \* Case No. 00-354-SPHXA  
12<sup>th</sup> Election District \*  
7<sup>th</sup> Councilmanic District \*  
Duda-Ruck Funeral Home \*  
Petitioner \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owner of the subject property, Duda-Ruck Funeral Home of Dundalk, Inc., by Scott P. Gardner, Vice President, through their attorney, C. William Clark, Esquire. The Petitioner requests a special hearing to approve an amendment to the previously approved special exceptions in prior Cases Nos. 3944-X and 75-14-X to permit revisions to the previously approved site plans therein to reflect the proposed expansion of the site area and to approve the location of a proposed accessory building (parking garage) in the side, front or rear yard, as determined by the Zoning Commissioner, and to permit business or industrial parking in a residential zone, pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition to the special hearing, the Petitioner requests a special exception to allow the expansion of an existing funeral home into additional land area and to permit a proposed accessory parking garage to be located on the subject property. Moreover, a series of variances are requested from the B.C.Z.R., in accordance with attached Exhibit A. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing held for this case were Scott P. Gardner, Vice President of Duda-Ruck Funeral Home of Dundalk, Inc., property owner, and James Sizemore and John and Irene Spatafore, nearby neighbors to the property. Also appearing on behalf of the

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Petitioner were Melanie Moser, Landscape Architect with Daft-McCune-Walker, Inc., the engineering firm which prepared the site plan for this property, and C. William Clark, Esquire, attorney for the Petitioner. Appearing as interested citizens were JoAnne Spangler, and Nanci L. Wheeler and Clayton C. Owens, III, immediately adjoining property owners. No one appeared in opposition to the requested relief.

The subject property is an irregularly shaped parcel consisting of a gross area of 1.89 acres, more or less, split zoned D.R.5.5 and D.R.10.5. This unique property has frontage on both Wise Avenue and Diehlwood Road, not far from their intersections with Lynch Road in Dundalk. Indeed, this property and use is a landmark site within the Dundalk community. The property has been the site of the Duda-Ruck Funeral Home since the 1950s, pursuant to the special exception relief granted for such use on October 17, 1956 in prior Case No. 3944-X. Subsequent alterations and improvements to the site have been approved, pursuant to the relief granted in prior Cases Nos. 5208-V, 75-14-X, and 75-282-A.

The site is presently improved with a one-story brick building containing approximately 9,689 sq.ft. The subject property, its size and configuration, uses thereon, and constraints are more particularly shown on a series of site plans which were submitted at the hearing and marked into evidence as Petitioner's Exhibits 1 through 4. Petitioner's Exhibit 1 sets out the area of the original funeral home and property, and Petitioner's Exhibit 2 depicts the proposed improvements and adjacent properties which have been acquired by the Petitioner. Petitioner's Exhibit 3 contains a series of photographs of the site which were confirmed during my site visit to the property. Petitioner's Exhibit 4 also depicts existing and proposed improvements to the property, as well as potential landscaping.

Testimony was received regarding the subject site from Melanie Moser, Registered Landscape Architect who assisted in the preparation of the site plan(s). She described the split zoning of the property and the unusual configuration thereof. She also described the proposed improvements to the property, which most notably include a proposed 30' x 85' parking garage and a reconfiguration of the means of access to the site. Presently, four (4) curb cuts provide

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vehicular access to the property; two from Diehlwood Road and two from Wise Avenue. From Diehlwood Road, one of the curb cuts will be eliminated, and the second access point will be relocated and expanded.

The existing facility bears a Wise Avenue address and is oriented towards that road. Wise Avenue is a major arterial road in this community, while Diehlwood Road is a smaller, residential street. As noted above, there are presently two curb cuts from Wise Avenue; following the proposed redevelopment of the site, there will remain two means of access from Wise Avenue; however, one will be enlarged and reconfigured.

A major purpose for the proposed renovation is to provide additional on-site parking. Testimony from both Mr. Gardner, on behalf of Duda-Ruck, and adjoining neighbors was that parking frequently spills over from the site, particularly onto Diehlwood Avenue and the other residential streets nearby. In order to address this concern, Duda-Ruck has acquired additional adjacent lands, as more particularly shown on the site plan. The initial acquisition of that parcel known as Lot No. 6 was in 1982. The Petitioner has acquired other adjacent properties since then, as more particularly shown on the plan. The acquisition of these properties allows the expansion of the parking lot to provide additional on-site parking. It was indicated that the nature of the business will not change, nor will the uses on the site. However, the proposed improvements will provide additional on-site parking and a better traffic flow through the property.

Special exception relief is requested to approve the proposed expansion to those more recently acquired lots. Special hearing relief is generally requested to allow amendments to the previously approved site plans to reflect the proposed improvements and to allow parking on a residentially zoned property. In addition, there are numerous variance requests. Many of these relate to the existing building and are needed to legitimize its location on the property. In my judgment, the building fronts on Wise Avenue, notwithstanding the fact that the main entrance faces the side yard. The variance requests attached hereto under Exhibit A are needed in order to legitimize the location of this building and the existing and proposed improvements.

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The testimony presented on behalf of the Petitioner by Mr. Gardner and Ms. Mosner is self-explanatory and contained in the record of the case. Suffice it to say that the Duda-Ruck Funeral Home is a Dundalk institution and has operated from this site for many years. The proposed improvements will not change the character of the use of the property, but do represent a substantial upgrade to the site in terms of traffic circulation and parking. In addition to the testimony presented by Mr. Gardner and Ms. Moser, several members of the community who support the Petitioner also appeared and testified. They testified that Duda-Ruck Funeral Home has been a good neighbor for many years and that they believe the proposed improvements are appropriate and warranted. Additionally, there were a number of letters received from other residents in the community who support the proposal.

The other citizens who appeared at the hearing expressed some concerns about the proposal. Additionally, there was a signed Petition submitted by some neighbors which also voiced some concerns. Although acknowledging that Duda-Ruck had been a good neighbor, these neighbors are concerned about any intensification of the use of this site, particularly since the property is virtually surrounded by single family homes.

Based upon the testimony and evidence presented, I am persuaded to grant the Petitions. As to the Petition for Special Exception, I find that the proposed expansion onto the recently acquired property will not be detrimental to the health, safety or general welfare of the surrounding locale. Specifically, I find that the Petitioner has met the standards set out in Section 502.1 of the B.C.Z.R. for special exception relief to be granted. Likewise, special hearing relief will be granted to allow amendments to the previously approved site plans and Orders issued in the prior cases to reflect the proposed improvements. Again, I find that the proposed expansion and improvements are appropriate for the neighborhood and will not be detrimental or cause adverse impacts to the surrounding locale. Moreover, I find that the Petitioner has met the requirements under Section 409.8.B of the B.C.Z.R. to allow business parking on residentially zoned properties.

Lastly, the variances requested shall also be granted. It is to be noted that there will be no exterior changes to the existing building and many of the variances requested are to legitimize

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By [Signature]

the existing structure. I find that these variances are warranted, due to the unusual features associated with this property, including its split zoning, configuration, grade, and proximity to single family homes. Moreover, the Petitioner would suffer a practical difficulty if variance relief were denied. In addition, I believe that the variances can be granted without any detrimental impact to the surrounding locale. In this regard, the testimony offered by Ms. Mosner, as contained within the record of this case, is undisputed and persuasive.

However, in granting the relief, I am cognizant of the concerns raised by certain members of the community. Ms. Wheeler and Mr. Owens are particularly impacted by Duda-Ruck's proposed improvements. They respectively own and reside on either side of the subject property adjacent to Diehlwood Road. They will both be impacted by the proposed parking lot expansion. In order to protect their interests, I will require that the Petitioner take appropriate steps so as to not limit or interfere with adequate sight distances for either neighbor. That is, both Mr. Owens and Ms. Wheeler's properties have driveways immediately adjacent to the Duda-Ruck property. The Petitioner shall insure that no landscaping or reconstruction on its property will interfere with adequate sight distance from either driveway. Additionally, I will require that the Petitioner install appropriate landscaping to buffer the Wheeler and Owens properties. In this regard, the Petitioner shall submit a landscape plan for review and approval by the County's Landscape Architect, Mr. Avery Harden. Additionally, both the Petitioner and Mr. Harden should consider the desires of Ms. Wheeler and Mr. Owens respectively, in terms of the type of landscaping to be installed; however, the landscaping should be substantially similar to that shown on Petitioner's Exhibit 4.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth herein, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of April, 2000 that the Petition for Special Hearing to approve an amendment to the previously approved special exceptions in prior Cases Nos. 3944-X and 75-14-X to permit revisions to the previously approved site plans therein to reflect the proposed expansion of the site

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By [Signature]

area and to approve the location of a proposed accessory building (parking garage) in the side, front or rear yard, as determined by the Zoning Commissioner, and to permit business or industrial parking in a residential zone, pursuant to Section 409.8.B of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to allow the expansion of an existing funeral home into additional land area and to permit a proposed accessory parking garage to be located on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R., in accordance with attached Exhibit A and Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) Prior to the issuance of any permits, the Petitioner shall submit a landscape plan for review and approval by Mr. Avery Harden, Landscape Architect for Baltimore County. Moreover, the Petitioner and Mr. Harden shall take into consideration the desires of Ms. Wheeler and Mr. Owens respectively, as to the type of landscaping to be installed; however, the landscaping should be substantially similar to that shown on Petitioner's Exhibit 4.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

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Date 4/24/11  
By [Signature]

LES:bjs



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

April 25, 2000

C. William Clark, Esquire  
Nolan, Plumhoff & Williams  
502 Washington Avenue, suite 700  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE  
N/S Wise Avenue and SE/S Diehlwood Road  
(7922 - 7930 Wise Avenue) Brooknoll Drive, 275' W of the c/l Mt. Vista Road  
12<sup>th</sup> Election District - 7<sup>th</sup> Councilmanic District  
Duda-Ruck Funeral Home of Dundalk, Inc. - Petitioner  
Case No. 00-354-SPHXA

Dear Mr. Gardner:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

- cc: Mr. Scott P. Gardner, Vice President, Duda-Ruck Funeral Home of Dundalk, Inc.  
7922-7930 Wise Avenue, Dundalk, Md. 21222
- Mr. & Mrs. John Spatafore, 7914 Diehlwood Road, Baltimore, Md. 21222
- Mr. James Sizemore, 7920 Wise Avenue, Baltimore, Md. 21222
- Ms. Nanci Lee Wheeler, 7929 Diehlwood Road, Baltimore, Md. 21222
- Mr. Clayton C. Owens, III, 7917 Diehlwood Road, Baltimore, Md. 21222
- Ms. JoAnne Spangler, 816 Oakleigh Beach Road, Baltimore, Md. 21222
- Mr. Avery Harden, PDM; People's Counsel; Case File



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 7922-7930 Wise Avenue  
which is presently zoned D.R. 5.5 & D.R. 10.5

This Petition shall be filed with the Department of Permits and Development Management. 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an Amendment to the Special Exception granted in Case Nos. 3944-X, and 75-14-X by revising the site plan and expanding the site area; and to approve the location of the proposed accessory building (parking garage) in the side, front or rear yard as determined by the Zoning Commissioner, as shown on the accompanying Plan to Accompany Special Hearing, Special Exception and Zoning Variances; to permit business or industrial parking in a residential zone under Section 409.8B

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:**

Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Attorney For Petitioner:**

C. William Clark  
Name - Type or Print \_\_\_\_\_ City \_\_\_\_\_  
Signature *C. William Clark*  
Nolan, Plumhoff & Williams, Chartered  
Company  
502 Washington Ave. # 700 (410) 823-7800  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Towson MD 21204  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Legal Owner(s):**

Duda-Ruck Funeral Home of Dundalk, Inc  
Name - Type or Print \_\_\_\_\_  
Signature *Scott P. Gardner*  
Signature \_\_\_\_\_  
7922-7930 Wise Avenue (410) 288-4664  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Baltimore MD 21222  
State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Representative to be Contacted:**

Charles Main/Daft, McCune-Walker, Inc.  
Name \_\_\_\_\_  
200 E. Pennsylvania Ave. 410-296-3333  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Towson MD 21286  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**OFFICE USE ONLY**

ESTIMATED LENGTH OF HEARING 2-3 hr

UNAVAILABLE FOR HEARING \_\_\_\_\_

Reviewed By *MTL* Date 2/29/08

Case No. 00-354-SPHXA

REV 9/15/98

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Date \_\_\_\_\_  
By \_\_\_\_\_





# Petition for Special Exception

## to the Zoning Commissioner of Baltimore County

for the property located at 7922-7930 Wise Avenue

which is presently zoned D.R. 5.5 & D.R. 10

This Petition shall be filed with the Department of Permits and Development Management. 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 Regulations of Baltimore County, to use the herein described property for an additional land area for a funeral home (existing) and accessory parking garage (proposed) and to Amend the Special Exception granted in Case Nos. 3944-X, and 75-14-X by revising the site plan and expanding the site area.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Exception, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:**

Name - Type or Print \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Attorney For Petitioner:**

C. William Clark  
 Name - Type or Print \_\_\_\_\_  
 Signature C. William Clark  
 Signature \_\_\_\_\_

Nolan, Plumhoff & Williams, Chartered  
 Company

502 Washington Ave., Suite 700 (410) 823-7800  
 Address Telephone No.  
 Towson MD 21204  
 City State Zip Code

**Legal Owner(s):**

Duda-Ruck Funeral Home of Dundalk, Inc.

Name - Type or Print \_\_\_\_\_  
 Signature [Signature]  
 Signature \_\_\_\_\_  
 Name - Type or Print Scott P. Gardner  
 Name - Type or Print \_\_\_\_\_

Signature \_\_\_\_\_  
 7922-7930 Wise Avenue (410) 288-4664  
 Address Telephone No.  
 Baltimore MD 21222  
 City State Zip Code

**Representative to be Contacted:**

Charles Main/Daft, McCune-Walker, Inc.,  
 Name (410)  
 Address Telephone No.  
 200 E. Pennsylvania Ave. 296-3333  
 Towson MD 21286  
 City State Zip Code

**OFFICE USE ONLY**

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Reviewed By [Signature] Date 2/29/98

Case No. 00-354-SPHXA

RE 09/15/98

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 Date \_\_\_\_\_  
 By \_\_\_\_\_



# Petition for Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 7922-7930 Wise Avenue  
which is presently zoned D.R. 5.5 & D.R. 10.5

This Petition shall be filed with the Department of Permits and Development Management. 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 Variance from Section(s) LB01.C.2.1a; 301.1A; 400.1; LB01.1.B.e.5

(see attached sheet for relief requested) to approve existing non-residential principal structure, canopy and parking area; to permit expansion of parking area, and erection of accessory structure (garage); Sec. 1B01.B.3.3 to permit stormwater management facility in RTA buffer zone.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Strict compliance would unreasonably prevent the construction of the garage and expansion of the parking areas on site due to the unique shape of the subject property, the existing principal building and canopy, the fronting of the property on two public streets, and the proximity to the surrounding residential dwellings.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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/Lessee:

Name - Type or Print \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_ Telephone No. \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Attorney For Petitioner:

C. William Clark  
Name - Type or Print \_\_\_\_\_

*C. William Clark*  
Signature \_\_\_\_\_

Nolan, Plumhoff & Williams, Chartered  
Company \_\_\_\_\_

502 Washington Ave. Suite 700 410-823-7800  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_

Towson MD 21204  
City State Zip Code \_\_\_\_\_

### Legal Owner(s):

Duda-Ruck Funeral Home of Dundalk, Inc.  
Name - Type or Print \_\_\_\_\_

*Scott P. Gardner*  
Signature \_\_\_\_\_

Scott P Gardner  
Name - Type or Print \_\_\_\_\_

Signature \_\_\_\_\_

7922-7930 Wise Avenue (410) 288-4664  
Address Telephone No. \_\_\_\_\_

Baltimore MD 21222  
City State Zip Code \_\_\_\_\_

### Representative to be Contacted:

Charles Main/Daft, McCune-Walker, Inc.  
Name \_\_\_\_\_

200 E. Pennsylvania Ave. 410-296-3333  
Address Telephone No. \_\_\_\_\_

Towson MD 21286  
City State Zip Code \_\_\_\_\_

### OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2-3 hr

UNAVAILABLE FOR HEARING \_\_\_\_\_

Reviewed By Mill Date 2/29/04

Case No. 00-354-SPHxA

Date 2/29/04

By \_\_\_\_\_

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Date 2/29/04

## ZONING RELIEF LEGEND

- ① SPECIAL HEARING TO AMEND THE SPECIAL EXCEPTION GRANTED IN CASE NOS. 3944-X, OCTOBER 17, 1956, AND 75-14-X, AUGUST 1, 1974, BY REVISING THE SITE PLAN
- ② SECTION 1B01.2.C.1.a - VARIANCE TO PERMIT AN EXISTING NONRESIDENTIAL, PRINCIPAL STRUCTURE TO HAVE A FRONT SETBACK OF 33-FEET IN LIEU OF THE REQUIRED 40-FEET.
- ③ SECTION 1B01.2.C.1.a - & 301.A - VARIANCE TO PERMIT AN EXISTING CANOPY SIDE SETBACK OF 9-FEET IN LIEU OF 15-FEET.
- ④ SECTION 400.1 - VARIANCE TO PERMIT A PROPOSED ACCESSORY STRUCTURE IN A RESIDENCE ZONE TO BE IN A FRONT AND SIDE YARD IN LIEU OF REQUIRED REAR YARD LOCATION.
- ⑤ SECTION 1B01.2.C.1.a - VARIANCE TO PERMIT A PROPOSED ACCESSORY STRUCTURE WITH A FRONT YARD SETBACK OF 28-FEET IN LIEU OF 40-FEET.
  
- ⑥ SECTION 1B01.1B.e.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA WITH NO BUFFERING TO BE RECONFIGURED WITH A 0-FOOT, BUFFER AND SETBACK IN LIEU OF THE NOW REQUIRED 50-FOOT UNCLEARED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- ⑥A SECTION 409.8.A.4 - TO PERMIT A 0-FOOT SETBACK IN LIEU OF THE REQUIRED 10-FEET.
- ⑦ SECTION 1B01.1B.e.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA WITH NO BUFFERING TO BE RECONFIGURED WITH A 0-FOOT, BUFFER AND SETBACK IN LIEU OF THE NOW REQUIRED 50-FOOT UNCLEARED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- ⑧ SECTION 1B01.1B.e.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA WITH NO BUFFERING TO BE RECONFIGURED WITH A 2-FOOT, BUFFER AND SETBACK IN LIEU OF THE NOW REQUIRED 50-FOOT UNCLEARED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- ⑨ SECTION 1B01.1B.e.5 - VARIANCE TO PERMIT THE EXPANSION OF THE PARKING AREA TO PROVIDE A 10-FOOT MINIMUM LANDSCAPED BUFFER AND SETBACK IN LIEU OF THE REQUIRED 50-FOOT UNCLEARED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- ⑩ SECTION 1B01.1B.e.5 - VARIANCE TO PERMIT THE INCLUSION OF AN ACCESSORY STRUCTURE PARTLY IN A DR-10.5 ZONE WITH NO RTA REQUIREMENTS TO PROVIDE A 0-FOOT MINIMUM BUFFER AND SETBACK IN LIEU OF THE REQUIRED 50-FOOT UNCLEARED/UNGRADED BUFFER AND 75-FOOT SETBACK IN THE D.R. 5.5 ZONE.
- ⑪ SECTION 1B01.1B.e.5 - VARIANCE TO PERMIT AN EXISTING PRINCIPAL STRUCTURE WITH A CANOPY AND DRIVEWAY TO PROVIDE A BUFFER AS LITTLE AS 0-FEET IN LIEU OF THE REQUIRED 50-FOOT UNCLEARED, UNGRADED BUFFER AND A SETBACK OF 10-FEET IN LIEU OF THE REQUIRED 75-FOOT SETBACK
- ⑫ SECTION 1B01.B.e.3 - VARIANCE TO PERMIT STORMWATER MANAGEMENT WATER QUALITY FACILITY IN THE RTA 50-FOOT BUFFER.
- ⑬ SECTIONS 1B01.1C(9), 1B01.1A(18d) & 502.1 - SPECIAL EXCEPTION TO PERMIT A FUNERAL ESTABLISHMENT AND ACCESSORY GARAGE IN D.R. 5.5 & D.R. 10.5 ZONES.
- ⑭ SECTION 409.8B - HEARING TO PERMIT BUSINESS OR INDUSTRIAL PARKING IN RESIDENTIAL ZONES.

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Date \_\_\_\_\_

By \_\_\_\_\_

Description

To Accompany Special Hearing

1.12 Acre Parcel

North side of Wise Avenue

South side of Diehlwood Road

Twelfth Election District, Baltimore County, Maryland



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at the end of the second of the two following courses and distances measured from the intersection of the centerline of Lynch Road with the centerline of Wise Avenue (1) Southeasterly, 674 feet, more or less, and thence (2) Northeasterly, 32.5 feet, more or less, to the point of beginning, thence leaving said point of beginning and binding on the north side of Wise Avenue, (1) South 65 degrees 37 minutes 30 seconds West 169.72 feet, thence (2) North 19 degrees 53 minutes 25 seconds East 247.81 feet to the south side of Diehlwood Road, thence binding thereon, (3) North 67 degrees 13 minutes 35 seconds West 229.73 feet, thence running the three following courses and distances viz: (4) South 19 degrees 46 minutes 55 seconds West 119.74 feet thence (5) South 65 degrees 16 minutes 35 seconds East 60.00 feet, and thence (6) South 19 degrees 46 minutes 55 seconds West 121.30 feet to the point of beginning; containing 1.12 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

February 8, 2000

Project No. 98086.A (L98086.A1)



#354

00-354-SPHXA

**Description**

**To Accompany Petition for Special Hearing, Special Exception,  
and Zoning Variances**

**1.89 Acre Parcel**

**Northeast Side of Wise Avenue**

**Southeasterly of Lynch Road**

**Twelfth Election District, Baltimore County, Maryland**



**Daft•McCune•Walker, Inc.**

*200 East Pennsylvania Avenue  
Towson, Maryland 21286  
<http://www.dmw.com>  
410 296 3333  
Fax 410 296 4705*

*A Team of Land Planners,  
Landscape Architects,  
Engineers, Surveyors &  
Environmental Professionals*

Beginning for the same on the northeast side of Wise Avenue, 65 feet wide, at the end of the second of the two following courses and distances from the intersection of the centerline of Wise Avenue with the centerline of Lynch Road, (1) Southeasterly, along said centerline of Wise Avenue, 674 feet, more or less, and thence (2) Northeasterly, 32.5 feet, more or less, to the point of beginning, thence leaving said beginning point and leaving the northeast side of Wise Avenue and running the three following courses and distances, viz: (1) North 19 degrees 46 minutes 55 seconds West 121.30 feet, thence (2) North 65 degrees 16 minutes 35 seconds West 60.00 feet, and thence (3) North 19 degrees 46 minutes 55 seconds East 119.74 to the southwest side of Diehlwood Road, 50 feet wide, thence binding on the said southwest side of Diehlwood Road, (4) South 67 degrees 13 minutes 35 seconds East 289.73 feet, thence leaving said road and running the five following courses and distances, viz: (5) South 19 degrees 53 minutes 25 seconds West 110.00 feet, thence (6) South 67 degrees 13 minutes 36 seconds East 60.10 feet, thence (7) South 19 degrees 53 minutes 25 seconds West 18.64 feet, thence (8) South 67 degrees 13 minutes 35 seconds East 80.69 feet, and thence (9) South 18 degrees 37 minutes 55

seconds West 124.93 feet to the northeast side of Wise Avenue, thence running with said road, the two following courses and distances, viz: (10) Northwesterly, along a line curving to the right having a radius of 5694.58 feet for a distance of 36.36 feet, said curve being subtended by a chord bearing North 65 degrees 48 minutes 28 seconds West 36.36 feet) to a point of curvature, and thence (11) North 65 degrees 37 minutes 30 seconds West 337.25 feet to the point of beginning; containing 1.89 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

February 8, 2000

Project No. 98086.A (L98086.A)



**Description**  
**To Accompany**  
**Special Exception**  
**0.77 Acre Parcel**

**North side of Wise Avenue**

**South side of Diehlwood Road**

**Twelfth Election District, Baltimore County, Maryland**



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

*A Team of Land Planners,*

*Landscape Architects,*

*Engineers, Surveyors &*

*Environmental Professionals*

Beginning for the same at the end of the second of the two following courses and distances measured from the intersection of the centerline of Lynch Road with the centerline of Wise Avenue (1) Southeasterly, 844 feet, more or less, and thence (2) Northeasterly, 32.5 feet, more or less to the point of beginning, thence leaving said point of beginning and binding on the north side of Wise Avenue the two following courses and distances, viz: (1) South 65 degrees 37 minutes 30 seconds East 167.53 feet, to a point of nontangency, and thence (2) Southeasterly, by a line curving to the left having a radius of 5694.58 feet for a distance of 36.36 feet, (the arc of said curve being subtended by a chord bearing South 65 degrees 48 minutes 28 seconds East 36.36 feet,) thence running for the five following courses and distances, viz: (3) North 18 degrees 37 minutes 55 seconds East 124.93 feet, thence (4) North 67 degrees 13 minutes 35 seconds West 80.69 feet, thence (5) North 19 degrees 53 minutes 25 seconds East 18.64 feet, thence (6) North 67 degrees 13 minutes 35 seconds West 60.10 feet, and thence (7) North 19 degrees 53 minutes 25 seconds East 110.00 feet to the south side of Diehlwood Road, thence binding thereon (8) North 67 degrees 13 minutes 35 seconds West 60.00 feet, thence (9) South 19 degrees 53

minutes 25 seconds West 247.81 feet to the point of beginning, containing 0.77 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

February 8, 2000

Project No. 98086.A (L98086.A3)





**NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #00-364-SPHXA  
7922-7930 Wise Avenue  
N/S Wise Avenue, 166.07' W of centerline Stokeley Road  
12th Election District - 7th Councilmanic District  
Legal Owner(s): Duda-Ruck Funeral Home of Dundalk, Inc.

**Special Hearing:** to approve an amendment to the special exception granted in case numbers 3944-X and 75-14-X; to approve the location of the proposed accessory building in the side, front or rear yard as determined by the zoning commissioner; and to permit business or industrial parking in a residential zone. **Special Exception:** for a funeral home and accessory parking garage. **Variance:** to permit an existing nonresidential, principal structure to have a front yard setback of 33 feet in lieu of the required 40 feet; to permit an existing canopy side setback of 9 feet in lieu of 15 feet; to permit a proposed accessory structure in a residence zone to be in a front and side yard in lieu of required rear yard location; to permit a proposed accessory structure with a front yard setback of 28 feet in lieu of 40 feet; to permit a zero foot setback in lieu of the required 10 feet; to permit an existing parking area to be reconfigured with a zero foot buffer and setback in lieu of the now required 50-foot buffer and 75-foot setback; to permit an existing parking area to be reconfigured with a 2-foot buffer and setback in lieu of the now required 50-foot buffer and 75-foot setback; to permit the 10-foot minimum landscaped buffer and setback in lieu of the required 50-foot buffer and 75-foot setback; to permit the accessory structure partly in a D.R.10.6 zone; to provide a zero foot minimum buffer and setback in lieu of the required 50-foot buffer and 75-foot setback; to permit an existing principal structure to provide a buffer as little as zero feet in lieu of 50-foot and a setback of 10 feet in lieu of the required 75-foot setback; and to permit stormwater management water quality facility in the RTA 50-foot buffer.

Hearing: Friday, April 7, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the file and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

3/308 March 23 C378430

**CERTIFICATE OF PUBLICATION**

TOWSON, MD, 3/23, 2000

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/23, 2000.

THE JEFFERSONIAN,  
*J. Wilkinson*  
LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 076753

DATE 2/24/07 ACCOUNT 001-6150  
By SPX  
Inv. 354 AMOUNT \$ 650.00

RECEIVED FROM: 7200-7900  
Edna Beck Foxworth House of Delegates - Wire Ac

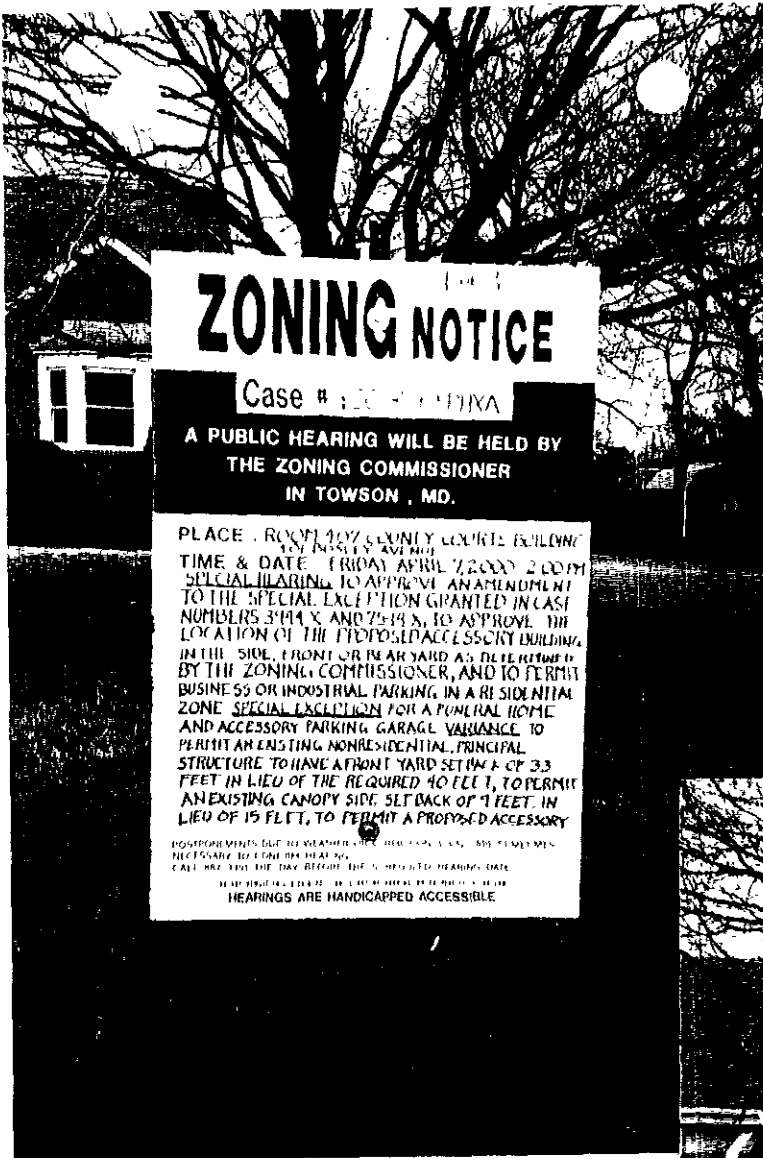
FOR: OTO - SPX, CV, CSH \$ 650.00

**00-354-SPHXA**

DISTRIBUTION  
WHITE - CASHIER      PINK - AGENCY      YELLOW - CUSTOMER

PAID RECEIPT  
PAYEE: CASHIER  
DATE: 2/24/2007  
AMOUNT: 650.00  
DEPT: 5  
RECEIPT NO: 076753  
CR NO: 076753  
RECEIVED FOR: 7200-7900  
BALTIMORE COUNTY, MARYLAND

CASHIER'S VALIDATION

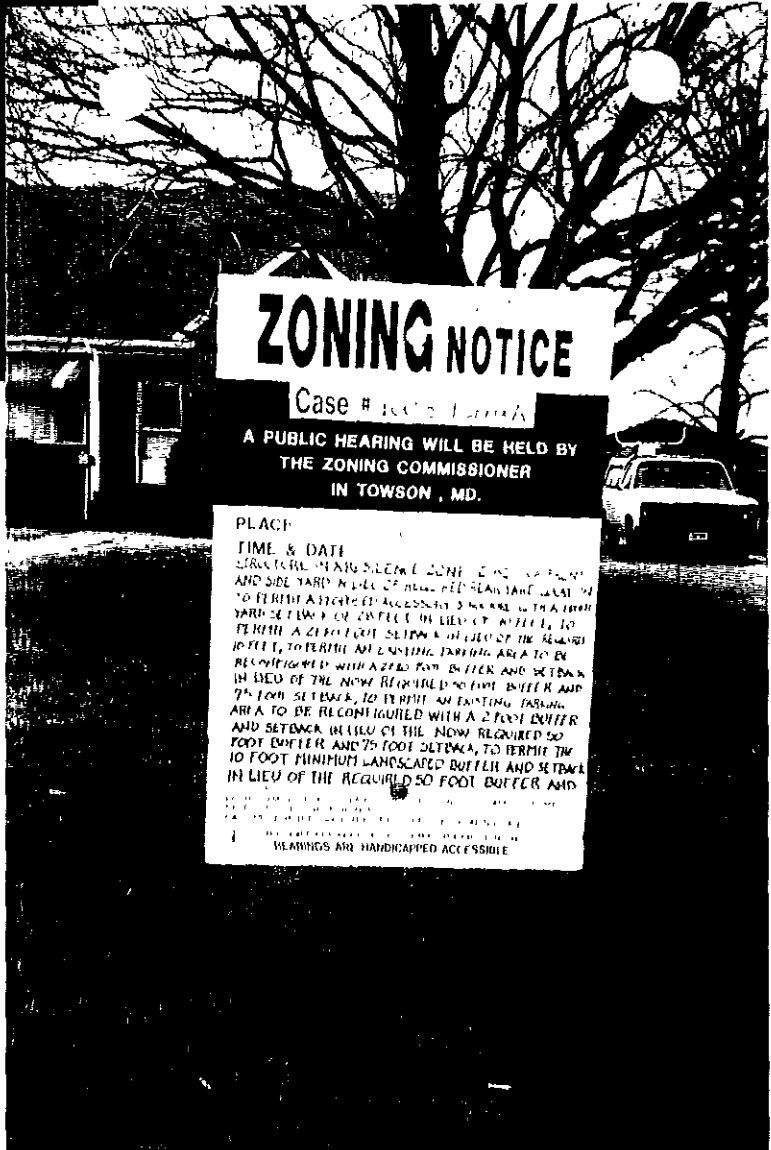


**ZONING NOTICE**  
 Case # 1002-1-17111A  
 A PUBLIC HEARING WILL BE HELD BY  
 THE ZONING COMMISSIONER  
 IN TOWSON, MD.

**PLACE:** ROOM 1017 COUNTY COURTHOUSE BUILDING  
 101 INSULLY AVENUE

**TIME & DATE:** FRIDAY APRIL 7, 2000, 2:00 PM  
**SPECIAL HEARING TO APPROVE AN AMENDMENT TO THE SPECIAL EXEMPTION GRANTED IN CASE NUMBERS 3714 X AND 7519 X, TO APPROVE THE LOCATION OF THE PROPOSED ACCESSORY BUILDING IN THE SIDE, FRONT OR REAR YARD AS DETERMINED BY THE ZONING COMMISSIONER, AND TO PERMIT BUSINESS OR INDUSTRIAL PARKING IN A RESIDENTIAL ZONE. SPECIAL EXEMPTION FOR A FUNERAL HOME AND ACCESSORY PARKING GARAGE. VARIANCE TO PERMIT AN EXISTING NONRESIDENTIAL PRINCIPAL STRUCTURE TO HAVE A FRONT YARD SETBACK OF 33 FEET IN LIEU OF THE REQUIRED 40 FEET, TO PERMIT AN EXISTING CANOPY SIDE SETBACK OF 7 FEET IN LIEU OF 15 FEET, TO PERMIT A PROPOSED ACCESSORY**

POSTPONEMENTS DUE TO WEATHER OR OTHER CAUSES ARE NECESSARY TO CANCEL THE HEARING. CALL MAY 1001 THE DAY BEFORE THE PROPOSED HEARING DATE. HEARINGS ARE HANDICAPPED ACCESSIBLE.

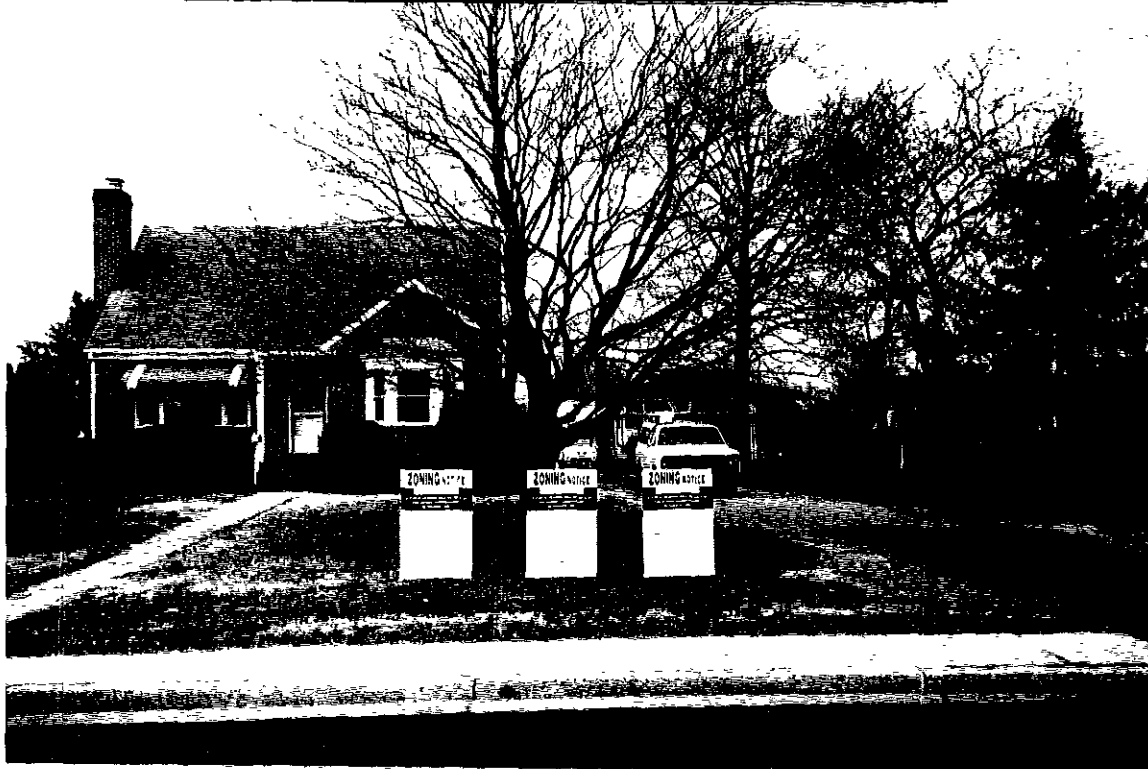
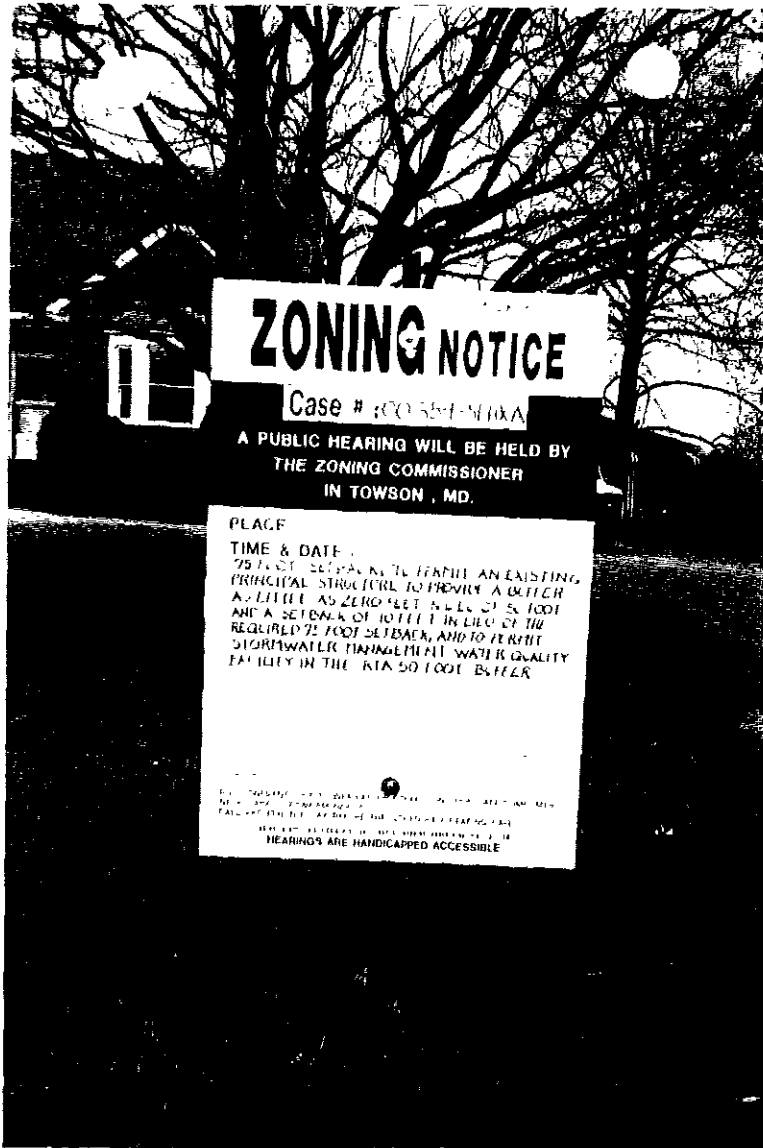


**ZONING NOTICE**  
 Case # 1002-1-17111A  
 A PUBLIC HEARING WILL BE HELD BY  
 THE ZONING COMMISSIONER  
 IN TOWSON, MD.

**PLACE:**

**TIME & DATE:**  
 STRUCTURE IN REAR YARD AS DETERMINED BY FRONT AND SIDE YARD IN LIEU OF REQUIRED REAR YARD SETBACK TO PERMIT A SIDE REAR ACCESSORY GARAGE IN THE FRONT YARD SETBACK OF 20 FEET IN LIEU OF 10 FEET, TO PERMIT A 21 FOOT SETBACK IN LIEU OF THE REQUIRED 10 FEET, TO PERMIT AN EXISTING PARKING AREA TO BE RECONFIGURED WITH A 75 FOOT BUFFER AND SETBACK IN LIEU OF THE NOW REQUIRED 50 FOOT BUFFER AND 75 FOOT SETBACK, TO PERMIT AN EXISTING PARKING AREA TO BE RECONFIGURED WITH A 2 FOOT BUFFER AND SETBACK IN LIEU OF THE NOW REQUIRED 50 FOOT BUFFER AND 75 FOOT SETBACK, TO PERMIT A 10 FOOT MINIMUM LANDSCAPED BUFFER AND SETBACK IN LIEU OF THE REQUIRED 50 FOOT BUFFER AND

HEARINGS ARE HANDICAPPED ACCESSIBLE.



**CERTIFICATE OF POSTING**

RE: Case No. 00-354-SPHXA  
Petitioner/Developer Duda-Ruck Funeral  
Home of Dundalk  
Date of Hearing/Closing April 7, 2000

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under penalties of perjury that the necessary sign(s) required by  
law were posted conspicuously for the property known as

Duda -Ruck Funeral Home

7922-7930 Wise Avenue

Dundalk, MD 21222

The signs were posted on 3/23/00  
(Month, Day, Year)

Sincerely,

Brian R. Collins

(Signature of Sign Poster and Date)

Brian Collins

(Printed Name)

200 East Pennsylvania Avenue

Towson, MD 21286

(Address)

410-296-3333

(Telephone Number)

RE: PETITION FOR SPECIAL HEARING  
PETITION FOR SPECIAL EXCEPTION  
PETITION FOR VARIANCE

7922-7930 Wise Avenue, N/S Wise Ave,  
166.07' W of c/l Stokeley Rd  
12th Election District, 7th Councilmanic


Legal Owner: Duda-Ruck Funeral Home of Dundalk, Inc.  
Petitioner(s)

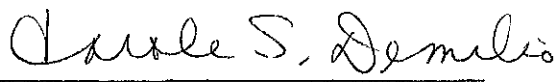
\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case No. 00-354-SPHXA

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 14<sup>th</sup> day of March, 2000 a copy of the foregoing Entry of Appearance was mailed to C. William Clark, Esq., Nolan, Plumhoff & Williams, 502 Washington Avenue, Suite 700, Towson, MD 21204, attorney for Petitioner(s).

  
PETER MAX ZIMMERMAN



Baltimore County  
Department of Permits and  
Development Management

Director's Office  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
410-887-3353  
Fax: 410-887-5708

March 15, 2000

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-354-SPHXA

7922-7930 Wise Avenue

N/S Wise Avenue, 166.07' W of centerline Stokeley Road

12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District

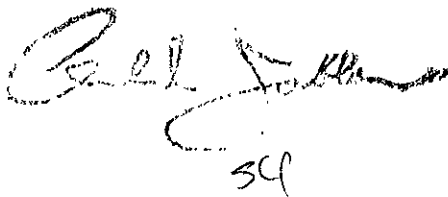
Legal Owner: Duda-Ruck Funeral Home of Dundalk, Inc.

Special Hearing to approve an amendment to the special exception granted in case numbers 3944-X and 75-14-X; to approve the location of the proposed accessory building in the side, front or rear yard as determined by the zoning commissioner; and to permit business or industrial parking in a residential zone. Special Exception for a funeral home and accessory parking garage. Variance to permit an existing nonresidential, principal structure to have a front yard setback of 33 feet in lieu of the required 40 feet; to permit an existing canopy side setback of 9 feet in lieu of 15 feet; to permit a proposed accessory structure in a residence zone to be in a front and side yard in lieu of required rear yard location; to permit a proposed accessory structure with a front yard setback of 28 feet in lieu of 40 feet; to permit a zero foot setback in lieu of the required 10 feet; to permit an existing parking area to be reconfigured with a zero foot buffer and setback in lieu of the now required 50-foot buffer and 75-foot setback; to permit an existing parking area to be reconfigured with a 2-foot buffer and setback in lieu of the now required 50-foot buffer and 75-foot setback; to permit the 10-foot minimum landscaped buffer and setback in lieu of the required 50-



foot buffer and 75-foot setback; to permit the accessory structure partly in a D.R.10.5 zone; to provide a zero foot minimum buffer and setback in lieu of the required 50-foot buffer and 75-foot setback; to permit an existing principal structure to provide a buffer as little as zero feet in lieu of 50-foot and a setback of 10 feet in lieu of the required 75-foot setback; and to permit stormwater management water quality facility in the RTA 50-foot buffer.

HEARING: Friday, April 7, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Handwritten signature of Arnold Jablon, with the initials 'scf' written below it.

Arnold Jablon  
Director

C: C. William Clark, Esquire, Nolan, Plumhoff & Williams, Chartered,  
502 Washington Avenue, Suite 700, Towson, MD 21204  
Scott P. Gardner, Vice President, Duda-Ruck Funeral Home of  
Dundalk, Inc., 7922-7930 Wise Avenue, Baltimore, MD 21222  
Charles Main, Daft, McCune, Walker, Inc., 200 E. Pennsylvania  
Avenue, Towson, MD 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 23, 2000.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



TO: PATUXENT PUBLISHING COMPANY  
Thursday, March 23, 2000 Issue – Jeffersonian

Please forward billing to:

Scott P. Gardner                      410-288-4664  
7922 Wise Avenue  
Dundalk, MD 21222

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## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 00-354-SPHXA

7922-7930 Wise Avenue

N/S Wise Avenue, 166.07' W of centerline Stokeley Road

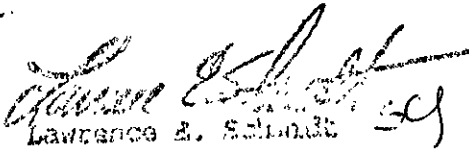
12<sup>th</sup> Election District – 7<sup>th</sup> Councilmanic District

Legal Owner: Duda-Ruck Funeral Home of Dundalk, Inc.

Special Hearing to approve an amendment to the special exception granted in case numbers 3944-X and 75-14-X; to approve the location of the proposed accessory building in the side, front or rear yard as determined by the zoning commissioner; and to permit business or industrial parking in a residential zone. Special Exception for a funeral home and accessory parking garage. Variance to permit an existing nonresidential, principal structure to have a front yard setback of 33 feet in lieu of the required 40 feet; to permit an existing canopy side setback of 9 feet in lieu of 15 feet; to permit a proposed accessory structure in a residence zone to be in a front and side yard in lieu of required rear yard location; to permit a proposed accessory structure with a front yard setback of 28 feet in lieu of 40 feet; to permit a zero foot setback in lieu of the required 10 feet; to permit an existing parking area to be reconfigured with a zero foot buffer and setback in lieu of the now required 50-foot buffer and 75-foot setback; to permit an existing parking area to be reconfigured with a 2-foot buffer and setback in lieu of the now required 50-foot buffer and 75-foot setback; to permit the 10-foot minimum landscaped buffer and setback in lieu of the required 50-

foot buffer and 75-foot setback; to permit the accessory structure partly in a D.R.10.5 zone; to provide a zero foot minimum buffer and setback in lieu of the required 50-foot buffer and 75-foot setback; to permit an existing principal structure to provide a buffer as little as zero feet in lieu of 50-foot and a setback of 10 feet in lieu of the required 75-foot setback; and to permit stormwater management water quality facility in the RTA 50-foot buffer.

HEARING: Friday, April 7, 2000 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

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**For Newspaper Advertising:**

Item Number or Case Number: 00-354-SPHXA

Petitioner: Duda - Ruck Funeral Home of Dundalk

Address or Location: 7922-7930 Wisc Avenue

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: Scott P. Gardner

Address: 7922 Wisc Ave

Dundalk, MD 21222

Telephone Number: (410) 288-4664



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

March 31, 2000

Attorney C. William Clark  
Nolan, Plumhoff & Williams, Chartered  
502 Washington Avenue, #700  
Towson MD 21204

Dear Attorney Clark:

RE: Case Number 00-354-SPHXA , 7922-7930 Wise Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 29, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." followed by a stylized flourish.

W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs

Enclosures



**BALTIMORE COUNTY, MARYLAND**

**INTEROFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits & Development  
Management

**DATE:** April 21, 2000

**FROM:** Robert W. Bowling, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For March 20, 2000  
Item No. 354

The Bureau of Development Plans Review has reviewed the subject zoning item. This office recommends against variance request numbers 6, 6A, 7, 8, and 10. The minimum 10-foot *Landscape Manual* required buffer should be required in all cases.

RWB:HJO:jrb

cc: File



Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

March 21, 2000

Department of Permits and  
Development Management (PDM)  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner:  
354 - DUDA-RUCK FUNERAL HOME OF DUNDALK, INC.  
355 - FULLERTON FEDERAL SAVINGS ASSOC. AND IT'S

Location: DISTRIBUTION MEETING OF MARCH 13, 2000

Item No.: 354 AND 355

Dear Ms. Stephens:

Pursuant to your request, the referenced 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.

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", 1994 edition prior to occupancy.

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: March 15, 2000

SUBJECT: Zoning Petitions  
Zoning Advisory Committee Meeting of March 13, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
354	7922-7930 Wise Avenue
355	7531 Bel Air Road
358	Highgate/Cedar Avenue
359	313 Weatherbee Road
360	1434 Darius Court
361	13803 Manor Glen Road

hs  
4/7

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

**MAR 22**

**TO:** Arnold Jablon, Director  
Department of Permits  
and Development Management

**Date:** March 22, 2000

**FROM:** Arnold F. 'Pat' Keller, III, Director  
Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):

Item No(s): 354

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: 

AFK/JL





**Maryland Department of Transportation  
State Highway Administration**

Parris N. Glendening  
Governor  
John D. Porcari  
Secretary  
Parker F. Williams  
Administrator

Date: 3.13.00

Ms. Ronnay Jackson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 354 MTK

Dear Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

A handwritten signature in cursive script, appearing to read 'K. J. Gredlein'.

*for* Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

**Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202**

# ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 00-354-SPHXA

Date Completed/Initials

3/15/00 scj

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

March 28 2000

To whom it may concern,

I live next door to Luda-Ruck on Wise Ave. I have lived here since 1957. We are neighbors as well as friends. Any improvement that was made to the Funeral Home has always been an asset. Yes there is a need for a larger parking lot. It would limit the traffic on Wise Ave. and Nicholson Rd.

They have always been great to deal with. Their concerns have always been for the neighborhood first.

Sincerely

Mr & Mrs. James Seymour  
7920 Wise Ave.  
Baltimore, Md. 21228

Court # 00-354-SPXA

APR - 6

7935 Wise Ave.  
Baltimore, MD 21222  
April 4, 2000

To Whom it may Concern:

I live across the street from Duda-Ruck Funeral Home on Wise Avenue in Dundalk.

I have looked over the plans for their expansion in order to develop a larger parking lot for their patrons.

Having lived here for 39 years, I recognize their need as they have a large volume of business.

Duda-Ruck has always had a very attractive exterior. I am certain they will continue to maintain their high standard of aesthetic principle by planting trees and shrubs



which will enhance the  
attractiveness of the neighborhood

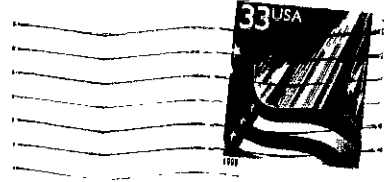
Therefore I support their  
requests for changes in the  
code in order to meet their  
needs for expansion.

Respectfully yours,

Virginia Doris Litzel  
(Reverend Doris Litzel)



Virginia L. Eitzel  
7935 Wise Ave.  
Baltimore, MD 21222-3342



*Office of Zoning Commissioner  
Baltimore County  
401 Bosley Ave.  
Towson, MD*

*Suite 405*

*21204*

21204+4420



Duda-Ruck Inc  
7922 Wise Ave  
Baltimore 21222, Md.

791 Diehlwood Rd.  
Baltimore 21222, Md.  
27 March 2000

Dear Sir,

When my husband and family moved here on Diehlwood Rd, 6 June 1959, we knew of John Duda Funeral Home and understood that a special exemption zoning was permitted for a funeral home with permission from a few old time neighbors. 7912 Wise Ave, Mr & Mrs. M. Surratt, Lynch Rd, Mr. & Mrs. Lynch, and Our Lady of Hope, Fr Zinkhand 7945 N. Boundry Rd. The establishment was known as Diehl's farmhouse. This development street is named so.

There are 23 residential homes on Diehlwood now. About 1960's something or other, Mr. & Mrs. Pitt Pecora, 7926 Wise Ave, approached the neighbors for a zoning change for a liquor - convenience store, which was quickly opposed.

A few more years passed (about 1975) a Mrs. Esther Bahalia of 7914 Wise also wanted a zoning change for a Day-Care Center with an exit on Diehlwood Rd. Neighbors hired a lawyer - went to court. It was denied.

Now in about 1995 a Dr Michael Martin, Chiropractor wanted to also change zoning on said property at 7926 Wise Ave for offices and parking. A letter was sent to all neighbors. Also opposed. Dr Michael Martin settled in at 7939 Wise Ave, near corner of Wise and Lynch. He bought an abandoned Dr's office and opened on 16 Mar 1996. Good parking and now a Cvs pharmacy moved next door. How great can life be?

Now we have For Sale signs on 1 lot of Diehlwood and then on the Pecora property on Wise Ave. Worry ? Worry ?

I am a most concerned citizen and also President of Eastcrest Community Association, so when a flyer came around for a town meeting to be held at Our Lady of Hope Catholic Church basement on 3 May 1999, we were elated to go. Plans were presented by Michael Ruck - owner of 3 establishments, and spokesperson Scott Gardner (Duda-Ruck) and a Mr. Charles V. Main of Daft-McCune-Walker Inc. (Surveyors). Spoke of buying the Pecora property and 1 lot on Diehlwood and will build a triple-door garage - backed up against the duplex home 7932 Wise Ave (will hold 6 vehicles). Beautifully landscaped. Entrance in front of 7918 Diehlwood will be closed and the other entrance at 7926 to be enlarged. 2 exits/ entrance on Wise Ave. They now park 73 vehicles and proposed is 128.

Diehlwood neighbors have been very generous to their overflow parking needs because we all have private driveways and the staff of the parking lot make sure our driveways don't get blocked in. This project will enhance our properties of Diehlwood and Wise Ave.

Duda-Ruck keep their property beautifully landscaped - always. No trash, no late visitors - short hrs. Courteous personned. Now we can all sleep better knowing this zoning can never change because sometimes the wrong change, breaks down a neighborhood.

Thank you,  
410-284-5275 Irene Spatafore



30 March, 2000

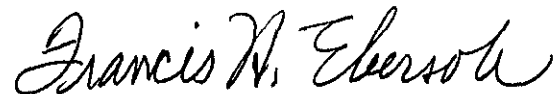
To Whom It May Concern,

Duda-Ruck has been a considerate neighbor to the families on Diehlwood Road for the forty years we have lived here.

The addition of modern parking facilities will enhance the neighborhood. Incorporating a garage will allow Duda-Ruck to house all their vehicles, and in so doing will improve the overall decor of Diehlwood Road.

The zoning to keep the funeral home as a part of our community should be granted.

Respectfully Submitted,



Francis M. Ebersole

7915 Diehlwood Road

Dundalk, Maryland 21222



March 25, 2000

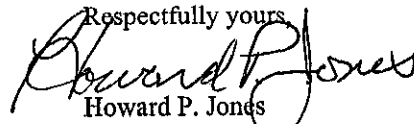
Office of the Zoning Commissioner  
Baltimore County Courts Building  
401 Bosley Ave.  
Towson, Maryland 21204

To whom it may concern

I am a residence of Diehlwood Rd. and I think it is a great idea for Duda-Ruck Funeral Home to enlarge their parking lot and add a garage. We think that if their parking lot was to be enlarged it would cut back on the cars up and down our street.

Duda-Ruck has always been great to deal with and this would make a great neighbor even better.

Respectfully yours,

  
Howard P. Jones  
7911 Diehlwood Rd.  
Dundalk, Maryland 21222

March 23, 2000

Office of the Zoning Commissioner  
Baltimore County Courts Building  
401 Bosley Avenue  
Towson, Maryland 21204

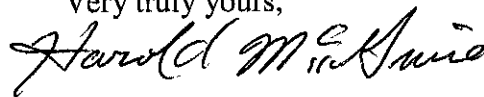
To whom it may concern:

My wife Betty and I live on Diehlwood Road and are neighbors of the Duda-Ruck Funeral Home. I am writing today to encourage you to permit the funeral home to proceed with the expansion of their parking lot and garage facilities.

I believe that this expansion will help to alleviate parking problems on our street. When the funeral home is busy, the only additional parking available is on our street. Even though we haven't had many problems, the parking in front of our houses will be diminished and the numbers of cars traveling on our street will be decreased.

Duda-Ruck has been a good neighbor and we encourage you to approve their request for zoning.

Very truly yours,

A handwritten signature in cursive script that reads "Harold McGuire".

Harold McGuire  
7907 Diehlwood Road  
Dundalk, Maryland 21222

Baltimore County Zoning Office  
401 Bosley Avenue  
Towson, Maryland 21204

Dear Zoning Office:

Duda-Ruck Funeral Home plans to expand their parking lot and build a garage. As a resident of Diehlwood Road, I am writing to express my support of this plan and hope that you will grant them the necessary zoning to proceed.

The expansion will be a benefit to our neighborhood. It will help to keep cars from parking on our street and ease traffic.

Duda-Ruck has been a good neighbor and I'm certain that they will continue to maintain the new property in as fine a condition as they currently maintain their facility.

Sincerely,

*Robert Allen* 7900 Diehlwood Rd.

As  
4/17

MAR 29

1702 Stokesley Road  
Baltimore, Maryland 21222  
March 27, 2000

Mr. Lawrence E. Schmidt  
Zoning Commissioner  
401 Bosley Avenue  
Suite 405  
Towson, Maryland 21204

Dear Mr. Schmidt:

(Case # 00-354-5PNXA)

As a resident of the neighborhood in which the Duda-Ruck Funeral Home of Dundalk is located, I am writing to ask for your approval of their proposed parking lot at 7922 Wise Avenue. When finished, it will alleviate the problem of cars parking on the narrow neighborhood streets and will free up parking spots for residents. Parking in this area has become increasingly difficult, especially when the funeral parlor has several visitations scheduled for the same time.

Thank you for your consideration in this matter. If you have questions or need further information, please do not hesitate to contact me.

Sincerely,

Joseph J. Minnick

Joseph J. Minnick

1702 Stokesley Road  
Baltimore, Maryland 21222  
March 27, 2000

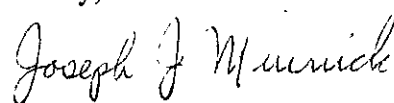
Mr. Lawrence E. Schmidt  
Zoning Commissioner  
401 Bosley Avenue  
Suite 405  
Towson, Maryland 21204

Dear Mr. Schmidt:

As a resident of the neighborhood in which the Duda-Ruck Funeral Home of Dundalk is located, I am writing to ask for your approval of their proposed parking lot at 7922 Wise Avenue. When finished, it will alleviate the problem of cars parking on the narrow neighborhood streets and will free up parking spots for residents. Parking in this area has become increasingly difficult, especially when the funeral parlor has several visitations scheduled for the same time.

Thank you for your consideration in this matter. If you have questions or need further information, please do not hesitate to contact me.

Sincerely,



Joseph J. Minnick

**WEST INVERNESS COMMUNITY ASSOCIATION, INC.**



P.O. BOX 35204  
BALTIMORE, MARYLAND 21222-7204  
Pagers: 410-407-4913  
and 410-407-4702

April 06, 2000

To Whom It May Concern

On behalf of the West Inverness Community Association, I would like to state our support of the proposed plans for expansion of the parking area of the Duda-Ruck Funeral Home, which is located on Wise Avenue in Baltimore County, MD. After reviewing the plans, we feel that the project is an excellent idea and will fit in well with ongoing improvement and beautification projects now underway throughout Dundalk community.

Not only would the expanded parking facilities benefit Duda-Ruck, it would also be an advantage to the Community and to those patrons of Duda-Ruck who find themselves seeking parking on nearby residential streets or across Wise Avenue, which is a heavily traveled road. The increased safety factor alone is enough to make this project an important and worthwhile one.

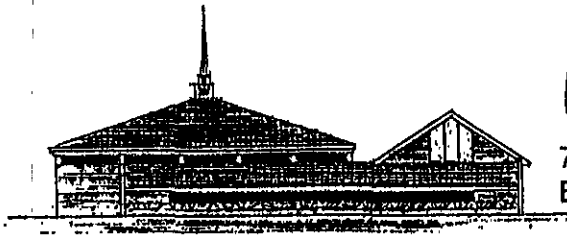
We commend everyone at Duda-Ruck Funeral Home for their continued involvement in Community projects and concerns and for bringing this proposal for expansion to the Community for input and approval.

If you have a need to contact me for any reason, I can be reached at (410) 285-4124 or (410) 285-4550.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Herman".

Patricia Herman  
President, West Inverness  
Community Association



# Eastern Assembly of God

7923 Wise Avenue  
Baltimore, Maryland 21222

Pastor George Raduano  
(410) 285-6010

April 05, 2000

Zoning Committee  
401 Bosley Avenue  
Towson, Maryland 21204

To whom it may concern,

We are writing today concerning case # 00-354-SPHXA. We are in favor of Duda Ruck Funeral Home's appeal for a zoning change to their adjacent property. Our church property is located directly across the street from Duda Ruck and the property being considered. They have an excellent reputation in our community and are always available to serve. We are pleased to support them in this endeavor.

If you have any questions, please call us at the number above.

Sincerely,

Rev. George Raduano  
Senior Pastor

GR: dlj

**“Presenting Christ to a lost world”**

Rev. Msgr. Thomas J. Tewes  
5905 Walther Avenue  
Baltimore, MD 21206

April 4, 2000

To Whom It May Concern:

I am writing this letter on behalf of the Duda Ruck Funeral Home on Wise Avenue in Dundalk. I wish to speak in support of the proposal of the Funeral Home to expand its parking area. I am very familiar with their proposed plan as the former Pastor of Our Lady of Hope Roman Catholic Church just one block from the Funeral Home.

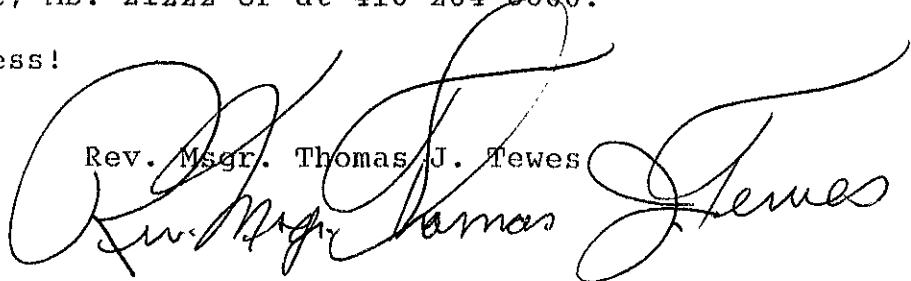
I hosted a meeting at our Church for neighbors and others concerned about the parking plan in the latter months of last year. The plan, as proposed, would not be offensive in appearance to the community and would enable parking on the property of Duda Ruck for an increased number of patrons and for their employees as well. This would ease the parking on the public streets around the funeral home. This type of positive input for a business in our area that upgrades the facility and improves parking in the area is the type of progress that we hope to see happen with many businesses.

Over the past 3 1/2 years I headed a study of the Dundalk Area Community by the Baltimore County Council. I am therefore concerned about the needs of Dundalk. I am also appreciative of a business in the area that is willing to commit themselves to a deeper involvement by upgrading their facility. Mr. Scott Gardner, who is the Director of the Funeral Home for the Ruck Corporation, was an active committee person for the above mentioned study as well. Again, I would personally highly endorse the proposal, hope to see it accomplished in the near future and would be willing to answer any questions concerning this project.

Thank you for your attention and if you wish to reach me you can do so by contacting Our Lady of Hope Roman Catholic Church, 1727 Lynch Road, Baltimore, MD. 21222 or at 410-284-6600.

Thank you and God Bless!

Rev. Msgr. Thomas J. Tewes

A large, stylized handwritten signature in black ink, which appears to read "Rev. Msgr. Thomas J. Tewes". The signature is written over the typed name and extends across the right side of the page.





**DUNDALK ASSOCIATION OF BUSINESS, INC.**

90 1301 MERRITT BOULEVARD • DUNDALK, MD 21222

WWW.DUNDALKMD.COM

410-284-3700

April 6, 2000

Mr. Arnold Jablon  
Baltimore County Department of Permits  
And Development Management  
111 W. Chesapeake Avenue  
Baltimore MD 21204

Dear Mr. Jablon:

I am writing regarding the expansion of the parking facilities and construction of a garage for Duda-Ruck Funeral Home of Dundalk, Inc. The Dundalk Association of Business is in favor of this parking expansion. This expansion will offer patrons ample parking when visiting the funeral home.

Duda-Ruck Funeral Home of Dundalk, Inc. will complete this project with little or no disruption to the community and the parking lot will be attractive when complete, which will be an asset to the community.

If you have any questions concerning my comments you may reach me at 410-285-9303.  
Thank you.

Very truly yours,

Debra L. Penczek  
President

**OUR LADY OF HOPE CHURCH**  
**1727 Lynch Road**  
**Baltimore, Maryland 21222**  
**410-284-6600**

April 2, 2000

Baltimore County Zoning Commission  
Baltimore County Court House  
Towson, Maryland 21204

Dear Commissioners:

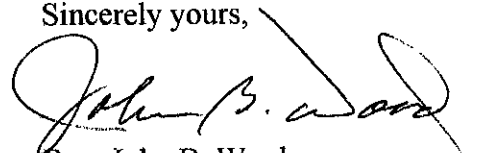
Permit me to offer my support to the proposed zoning change on behalf of the Duda-Ruck Funeral Home of Dundalk. Specifically, I believe that the proposed expansion of parking and garage facilities will be a benefit to the residents of our area by greatly reducing the need for on street parking and allowing the Duda Ruck Funeral Home to enhance its important service to our community.

In addition, I believe that the Duda Ruck Funeral Home and its owners and employees have been very good neighbors in the Dundalk community. The funeral home is very generous and supportive of local churches and community organizations, a fact to which I can personally attest as Pastor of Our Lady of Hope Church. In addition, they have kindly and generously extended their services to less fortunate members of our community who have died without sufficient means to afford them decent burial. Again, I can personally attest to the kindness and generosity that has been shown to my own parishioners by the people of Duda Ruck.

I am quite sure that any changes and expansion of the facilities at Duda Ruck will be done with sensitivity and with the best interests of the community in mind. I enthusiastically recommend that you approve the changes necessary for the proposed expansion at Duda Ruck Funeral Home.

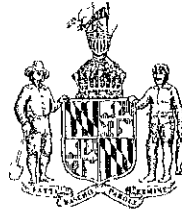
Thank you for your consideration.

Sincerely yours,



Rev. John B. Ward  
Pastor

JOHN S. ARNICK  
7th Legislative District  
Baltimore County



*Baltimore Office*  
7542 Holabird Avenue  
Baltimore, Maryland 21222  
410-288-2900

*Home Office*  
7918 Diehlwood Rd.  
Baltimore, Maryland 21222  
410-285-2109

*Annapolis Office*  
426 Lowe House Office Building  
410-841-3458

*Co-Chairman*  
Administrative, Executive, and  
Legislative Review Committee

*Member*  
Legislative Policy Committee  
House Rules and Executive  
Nominations Committee  
Commerce and Government  
Matters Committee

## *The Maryland House of Delegates*

ANNAPOLIS, MARYLAND 21401-1991

March 28, 2000

Mr. Arnold Jablon  
Director, Baltimore County Dept. of Permits  
and Development Management  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Dear Director Jablon:

I am writing to show my support for a proposed expansion plan that was submitted to you by the Duda-Ruck Funeral Home of Dundalk, Inc.

I have lived directly across the street from the Duda-Ruck Funeral Home for over fifteen years. They have always been a very good neighbor and they keep their business and property in outstanding condition. The plans they're proposing will only enhance our community and add to the area.

Thank you for your consideration of their expansion plans. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "John S. Arnick", written over a horizontal line.

John S. Arnick

JSA/pf

# INVERNESS PRESBYTERIAN CHURCH

7909 Wise Avenue  
Dundalk, Maryland 21222  
Home: 410-2892-7085

Pastor: William Jones, D.Min.

Church: 410-282-3143

March 22, 2000

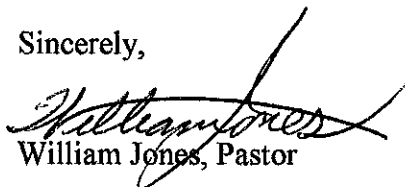
Zoning Office of Baltimore County  
401 Bosley Avenue, Suite 405  
Towson, Maryland 21204

Re: Duda-Ruck Funeral Home

To Whom It May Concern:

I have been informed that Duda-Ruck is seeking to add parking on their lots on Wise Avenue. In my opinion, this would be a positive step for the community. It would eliminate much of the street parking around the funeral home. I believe I can speak not only for myself but also for the officers and members of the Inverness Presbyterian Church that this added parking would be an asset. Moreover, Duda-Ruck has been a valued and interested community participant as long as I have served at the Inverness Church (over 30 years).

Sincerely,

  
William Jones, Pastor

## The Variances Affecting Wheeler and Owen's Driveways

We are concerned with the expansion of the parking facilities for Duda Ruck Funeral Home as we want to make sure that we have space to utilize our driveways in a comfortable manner and be able to enter and exit without obstruction. In addition, we want to reduce the commercial use of our road by requesting that commercial vehicles enter and exit from the Wise Avenue entrance. This would reduce the traffic on this residential roadway.

Name (Print)	Signature	Date	Address
1 NANA Wheeler	<i>NANA Wheeler</i>	4/6/00	7929 Diehlwood Rd
2 Clayton C Owens III	<i>Clayton C Owens III</i>	4/6	7917 Diehlwood
3 Lisa Graham	<i>Lisa Graham</i>	4/6/00	7930 Diehlwood Rd
4 George Landry	<i>George Landry</i>	4-6-00	7928 Diehlwood Rd
5 Mrs Dorothy Palaucci	<i>Mrs Dorothy Palaucci</i>	4-6-00	7924 Diehlwood Rd
6 Walter Pacholski	<i>Walter Pacholski</i>	4-06-00	7922 Diehlwood Rd
7 J. N. Shresta	<i>J. N. Shresta</i>	4/6/00	7915 Diehlwood Rd
8 Barbara Vaughan	<i>Barbara Vaughan</i>	4/6/00	7912 Diehlwood Rd
9 Donald Peck	<i>Donald Peck</i>	4-6-00	7920 Diehlwood Rd
10 Jim	<i>Jim</i>	4-6-2000	7908 Diehlwood Rd
11 Karen Paska	<i>Karen Paska</i>	4-6-2000	7901 Diehlwood Rd.

12 Elwin Shifflett 7931 Deekwood Rd 21222

13 Mrs Mrs Robert Miller 7900 Deekwood Rd 21222

14 Mr & Mrs James Lyton 1916 Deekwood

15 \_\_\_\_\_

16 \_\_\_\_\_

17 \_\_\_\_\_

18 \_\_\_\_\_

19 \_\_\_\_\_

20 \_\_\_\_\_

21 \_\_\_\_\_

00-354-SPHXA

Nancy Wheeler

w 410-433-3553  
x3020

Duda Ruck 4/7/00

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

C. WILLIAM CLARK

507 WASHINGTON AVE, TOWSON MD

SCOTT GRAMMER

7922 WISE AVE DUNDALK 21222

JAMES SIZEMORE

7920 WISE AVE 21222

JOHN SPATAFORE

7914 DIEHLWOOD RD 21222

Jane SPATAFORE

7914 Diehlwood Rd 21222

NANCI LEE WHEELER

7929 Diehlwood Rd 21222

Clyde C OWEN III

7917 Diehlwood Rd 21222

Send  
u



CITIZEN

PROTESTANT(S) SIGN-IN SHEET

PLEASE PRINT CLEARLY

NAME

ADDRESS

Nanci Lee Wheeler

4999 DORWOOD ROAD

JO ANNE SPANGLER

816 OAKLEIGH BEACH RD 21222

Clayton G. Jones III





THIS DEED, Made this 15th day of MAY, in the year one thousand nine hundred and ninety-eight, by and between PITT PECORA, Grantor, party of the first part and WISE AVENUE PROPERTIES, INC., a Maryland corporation, Grantee, party of the second part.

WITNESSETH, That for and in consideration of the sum of ONE HUNDRED SIXTY-FIVE THOUSAND AND 00/100 DOLLARS (\$165,000.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Grantee, its successors and/or assigns, in fee simple, all those lots or parcels of ground situate, lying and being in the County of Baltimore, State of Maryland, and more fully described on Exhibit 'A' attached hereto and made a part hereof.

BEING the same property described in a Deed dated September 14, 1950 and recorded among the Land Records of Baltimore County in Liber TBS No. 1889, folio 11 which was granted and conveyed by Elizabeth Anna Diehl, et al. unto Pitt Pecora and Delores C. Pecora. The said Delores C. Pecora departed this life on or about the 9th day of December, 1973 thereby vesting absolute title in Pitt Pecora, the Grantor herein.

BY the execution of this Deed the party of the first part hereby certifies under the penalties of perjury that the actual consideration paid or to be paid including the amount of any Mortgage or Deed of Trust outstanding is as hereinbefore set forth.

TOGETHER WITH the buildings thereupon and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described lots or parcels of ground unto the said Grantee, its successors and/or assigns, in fee simple.

AND the said party of the first part hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

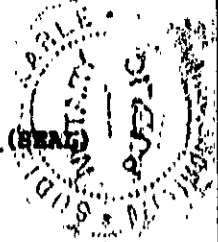
*Handwritten:*  
Pitt  
Nos

WITNESS the hand and seal of the said Grantor the day and year first above written.

WITNESS:

*Vernette J...*

*[Signature]*  
PITT RECORA



STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 14 day of May, 1998, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared PITT RECORA, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained, and in my presence signed and sealed the same.

AS WITNESS my hand and Notarial Seal.

*Sudie A. Kanke*  
NOTARY PUBLIC

*Sudie A. Kanke*

My Commission Expires: May 1st 2001

## EXHIBIT 'A'

BEING KNOWN AND DESIGNATED as Lot Nos. 4 and 5 as shown on the Plat entitled "Section 5 Diehlwood - Recorded Plat Pecora Property", which Plat is recorded among the Land Records of Baltimore County in Plat Book EHK, Jr. No. 38, page 56.

H:\0012866\002\019\0176

0012865 520

THIS IS TO CERTIFY THAT THE WITHIN INSTRUMENT WAS PREPARED BY OR UNDER THE SUPERVISION OF THE UNDERSIGNED ATTORNEY FULLY ADMITTED TO PRACTICE BEFORE THE COURT OF APPEALS OF MARYLAND.

*Paul Rieger*  
PAUL RIEGER, JR., ESQUIRE

COMMONWEALTH LAND TITLE  
INSURANCE COMPANY  
31 Light Street  
Baltimore, Maryland 21202

1980/76

THIS DEED, Made this 23rd day of JUNE, in the year one thousand nine hundred and ninety-eight, by and between ANTHONY C. CONNELLY, Grantor, party of the first part and WISE AVENUE PROPERTIES, INC., a Maryland corporation, Grantee, party of the second part.

WITNESSETH, That for and in consideration of the sum of FORTY-FOUR THOUSAND AND 00/100 DOLLARS (\$44,000.00), and other good and valuable considerations, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey unto the said Grantee, its successors and/or assigns, in fee simple, all that lot or parcel ground situate, lying and being in the County of Baltimore, State of Maryland and more fully described as follows:

BEING KNOWN AND DESIGNATED as Lot No. 1 as shown on the Plat entitled "Section 5, DIEHLWOOD", which Plat is recorded among the Land Records of Baltimore County in Plat Book EHK, Jr. No. 38, folio 56. The improvements thereon to be known as 7927 Diehlwood Road.

BEING the same property described in a Deed dated July 10, 1995 and recorded among the Land Records of Baltimore County in Liber 11146, folio 577 which was granted and conveyed by Pitt Pecora unto the Grantor herein.

BY the execution of this Deed the party of the first part hereby certifies under the penalties of perjury that the actual consideration paid or to be paid including the amount of any Mortgage or Deed of Trust outstanding is as hereinbefore set forth.

TOGETHER WITH the buildings thereupon and the rights, alleys, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above described lot or parcel of ground unto the said Grantee, its successors and/or assigns, in fee simple.

AND the said party of the first hereby covenants that he has not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed; that he will warrant specially the property hereby granted; and that he will execute such further assurances of the same as may be requisite.

WITNESS the hand and seal of the said Grantor the day and year first above written.

WITNESS:

John Frenetovich

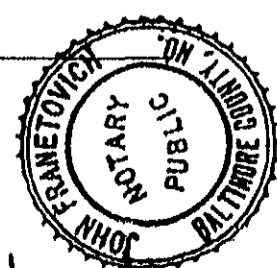
Anthony C. Connelly (SEAL)  
ANTHONY C. CONNELLY

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 23rd day of JUNE, 1998, before me, the subscriber, a Notary Public of the State of Maryland, personally appeared ANTHONY C. CONNELLY, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the foregoing Deed for the purposes therein contained and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and Notarial Seal.

John Frenetovich  
NOTARY PUBLIC



My Commission Expires: 9/1/00

*Handwritten signature and initials*

T-2

SAFECO TITLE INSURANCE CO. OF MD.  
(Individual Form)

LIBER 6410 PAGE 284

App. H- 103786  
HDJ:sad

**This Deed**, Made this 29<sup>th</sup> day of June, in the year one thousand nine hundred and eighty-two, by and between PITT PECORA, party of the first part, Grantor; and DUDA-RUCK FUNERAL HOME OF DUNDALK, INC., a body corporate of the State of Maryland, party of the second part, Grantee.

\$ 25,000.00

**Witnesseth:** that in consideration of the sum of Five Dollars, and other valuable considerations, the receipt whereof is hereby acknowledged, the said Grantor does hereby grant, convey, and assign unto

said Grantee, its successors and assigns, in fee simple, all that

-----	C RC/F	8.00
	C T TX	125.00
	C DOCS	125.00

DEED	
EHK JR T	258.00
TOTAL	258.00

lot(s) of ground

#13226 C001 R02 T14

07/01/82 07/01

14.00

situate in Baltimore County,

in the State of Maryland, and described as follows, that is to say:

BEING shown and designated as Lot No. 6, Section 5 Diehlwood on Plat of Pecora

Property recorded among the Land Records of Baltimore County in Plat Book EHK, Jr.

No. 38, folio 56. The improvements thereon being known as No. 7930 WISE AVENUE.

BEING part of that property which was granted and conveyed by Elizabeth Anna Diehl, et al, to Pitt Pecora and Dolores C. Pecora, his wife, by Deed dated September 14, 1950 and recorded among the Land Records of Baltimore County in Liber No. 1889, folio 11. Said Dolores C. Pecora having departed this life, survived by her said husband, the Grantor herein.

No 7

AGRICULTURAL TRANSFER TAX  
NOT APPLICABLE  
SIGNATURE DL DATE 6-30-82

STATE DEPARTMENT OF  
ASSESSMENTS & TAXATION  
DL  
CLERK DATE 6-30-82

Together with the buildings and improvements thereupon; and the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging or in anywise appertaining.

To have and to hold the said described lot(s) of ground and premises, unto and to the use of the said Grantee, its successors and assigns, in fee simple.

And the said Grantor covenants to warrant specially the property hereby granted and conveyed, and to execute such further assurances of said land as may be requisite.

Whenever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness the hand(s) and seal(s) of the said grantor(s):

WITNESS:

Thomas C. Carlin  
THOMAS C. CARLIN

Pitt Pecora  
Pitt Pecora

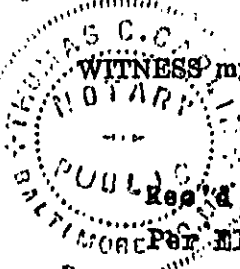
[Seal]

[Seal]

State of Maryland, City of BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 29<sup>th</sup> day of June, 1982, before me, a Notary Public of the State aforesaid, personally appeared PITT PECORA, Grantor,

known to me (or satisfactorily proven) to be the person(s) whose name(s) is/are subscribed to the within instrument, who signed the same in my presence, and acknowledged that he executed the same for the purposes therein contained.



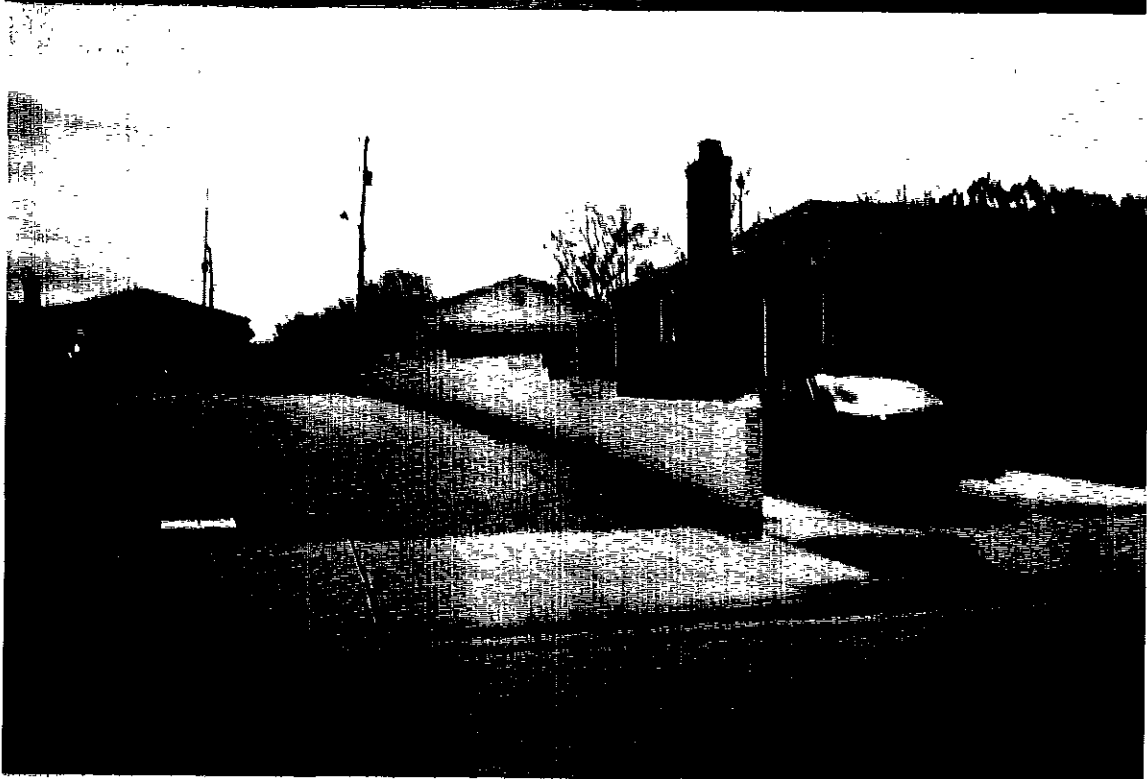
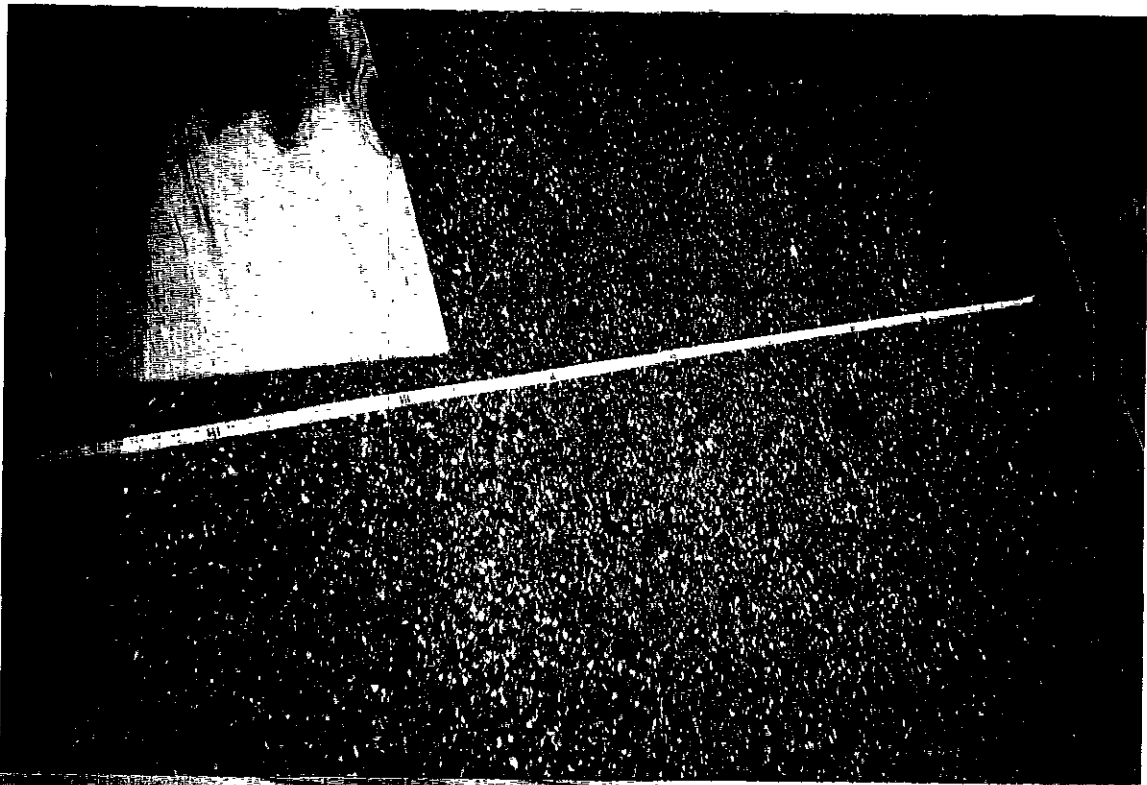
Witness my hand and Notarial Seal.

Thomas C. Carlin  
THOMAS C. CARLIN Notary Public

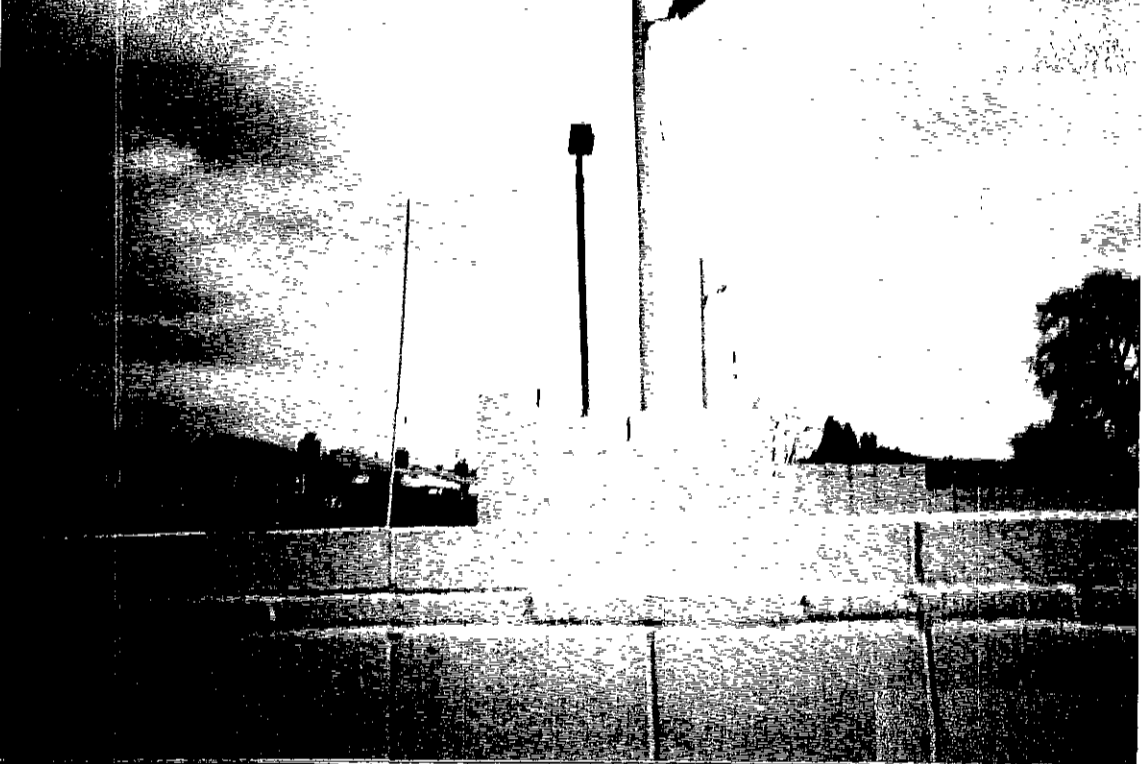
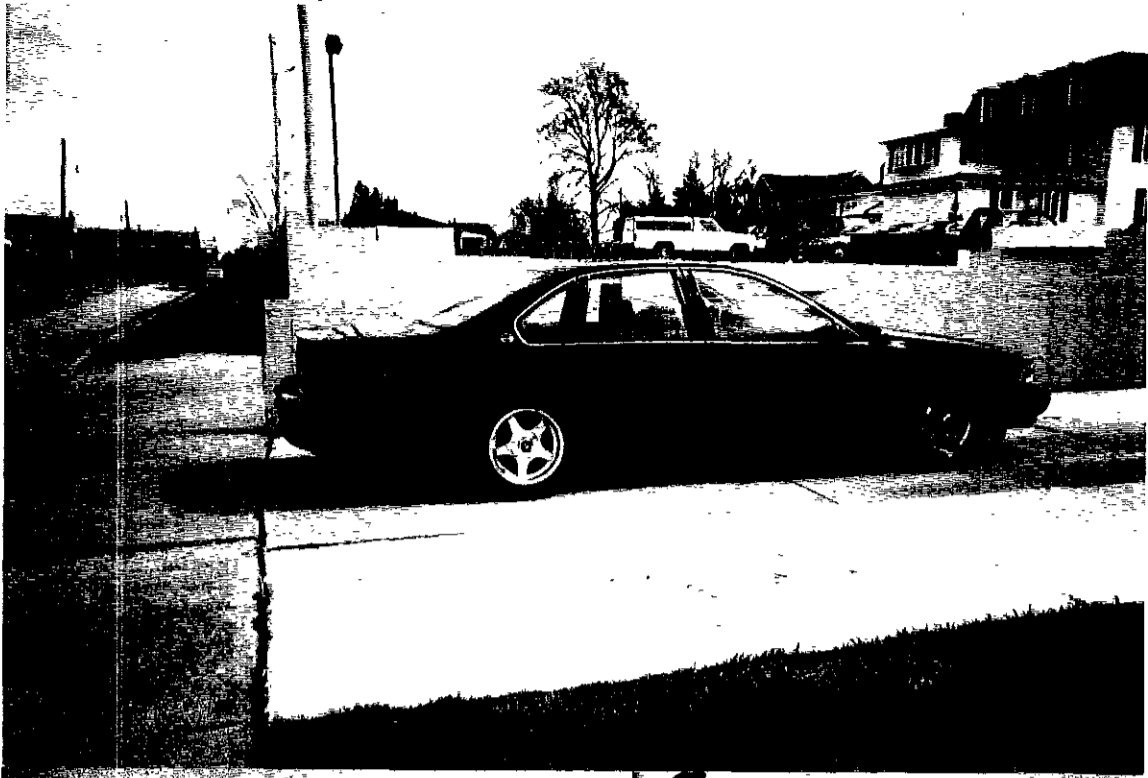
Rec'd for record JUL 11 1982 at My commission expires: 7-1-82

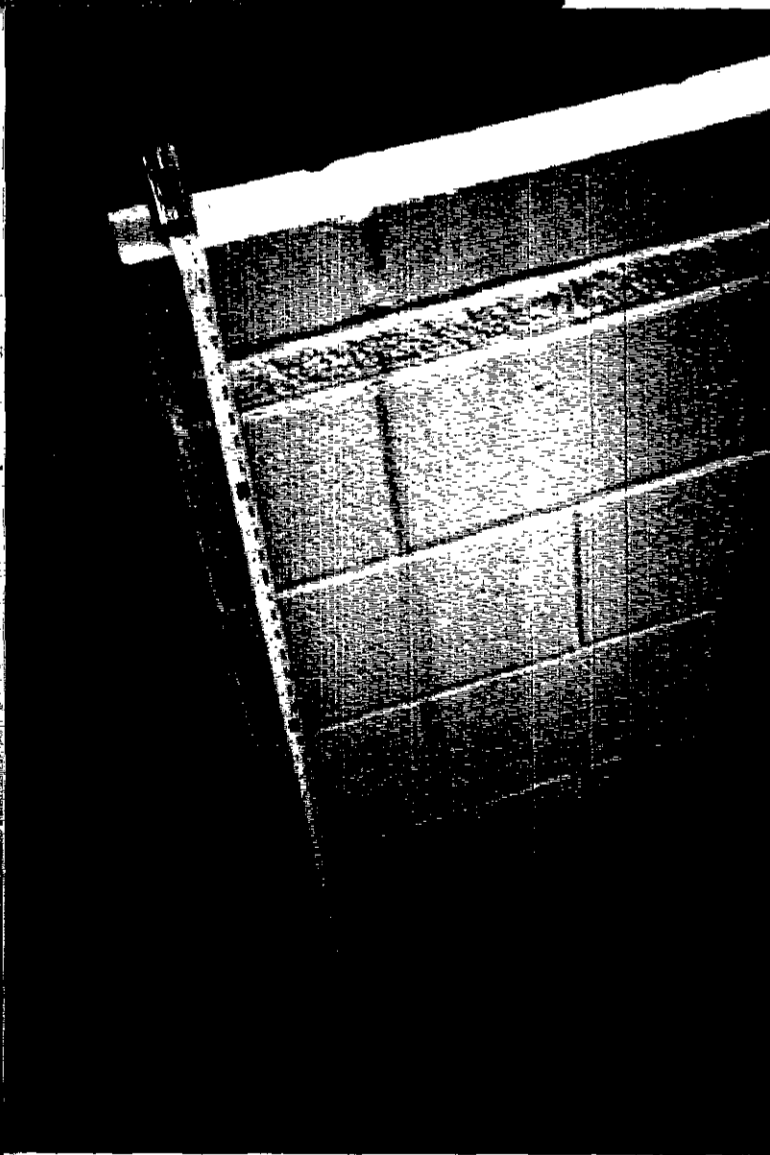
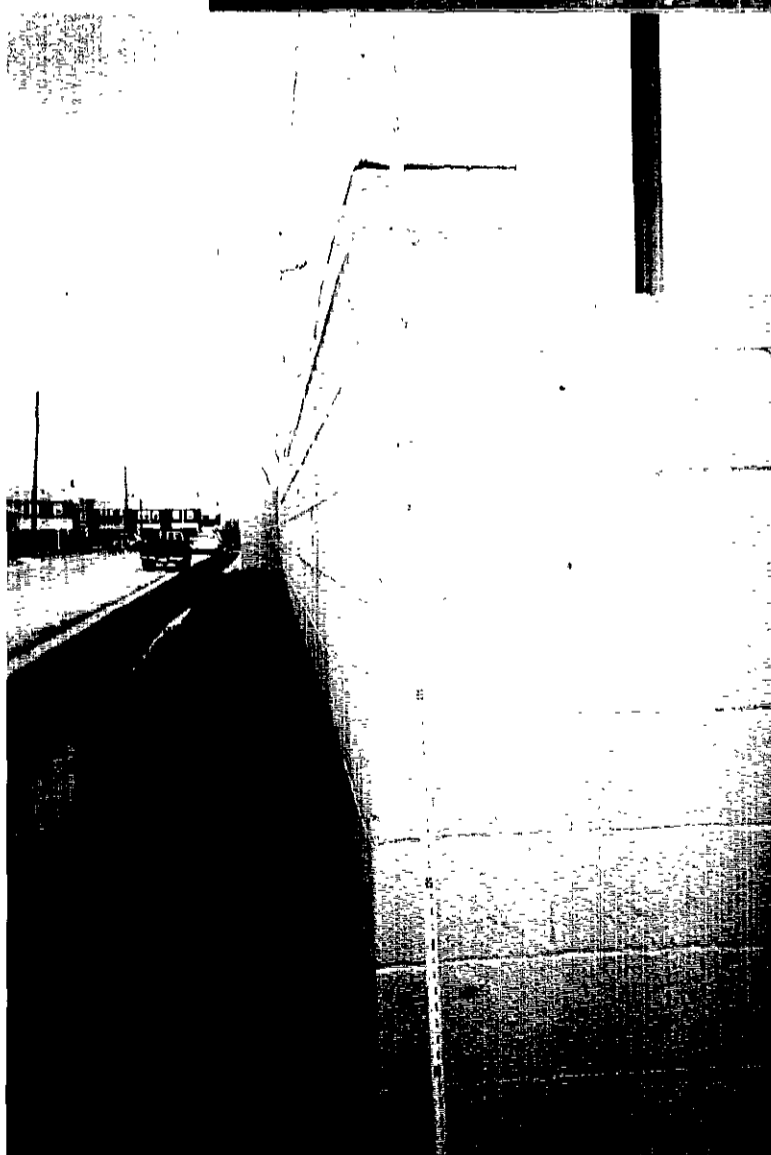
Per Elmer H. Kahline, Jr., Clerk

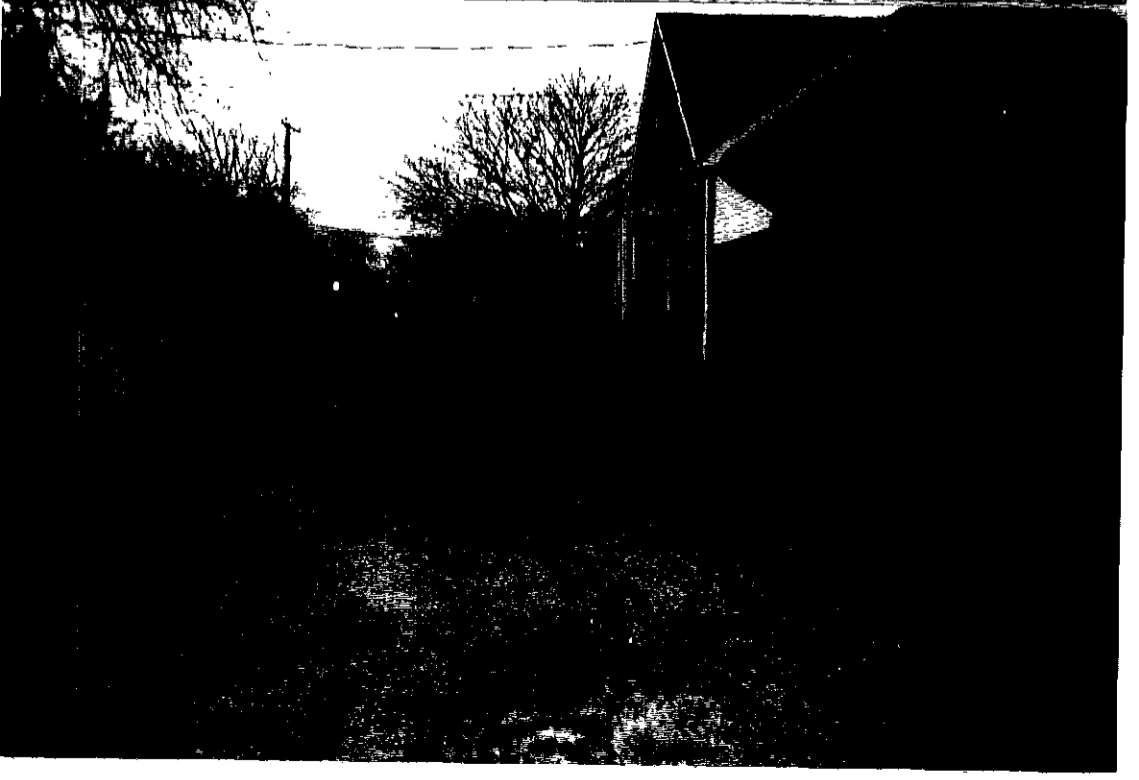
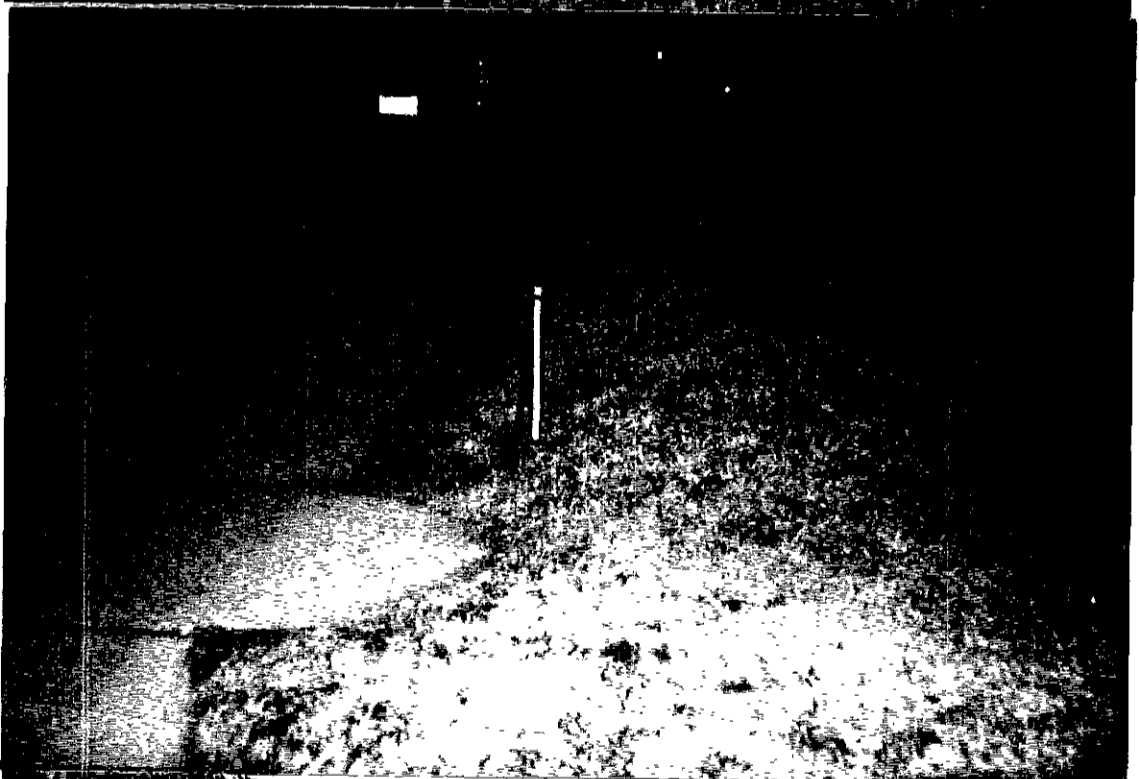
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Receipt No.

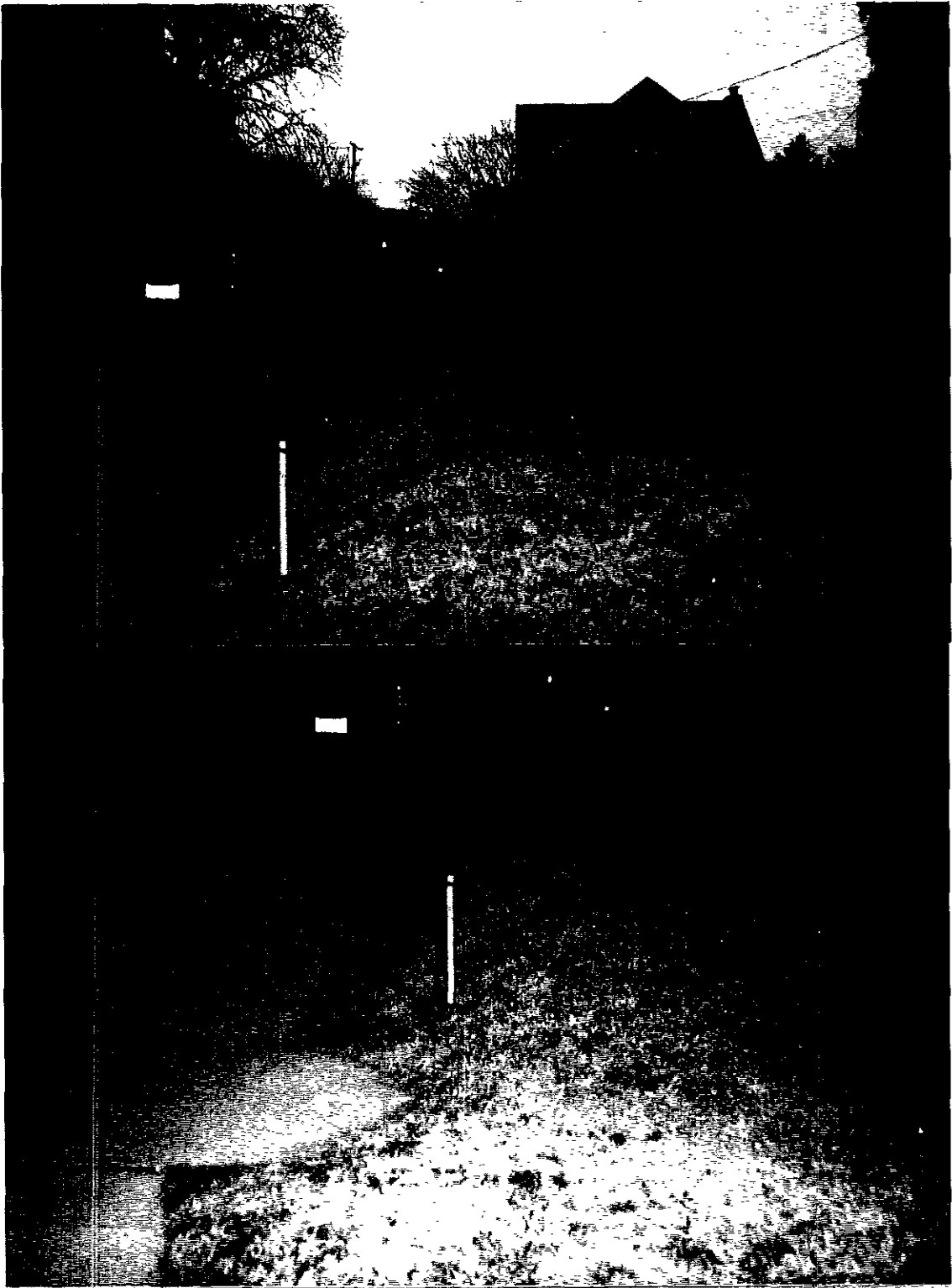






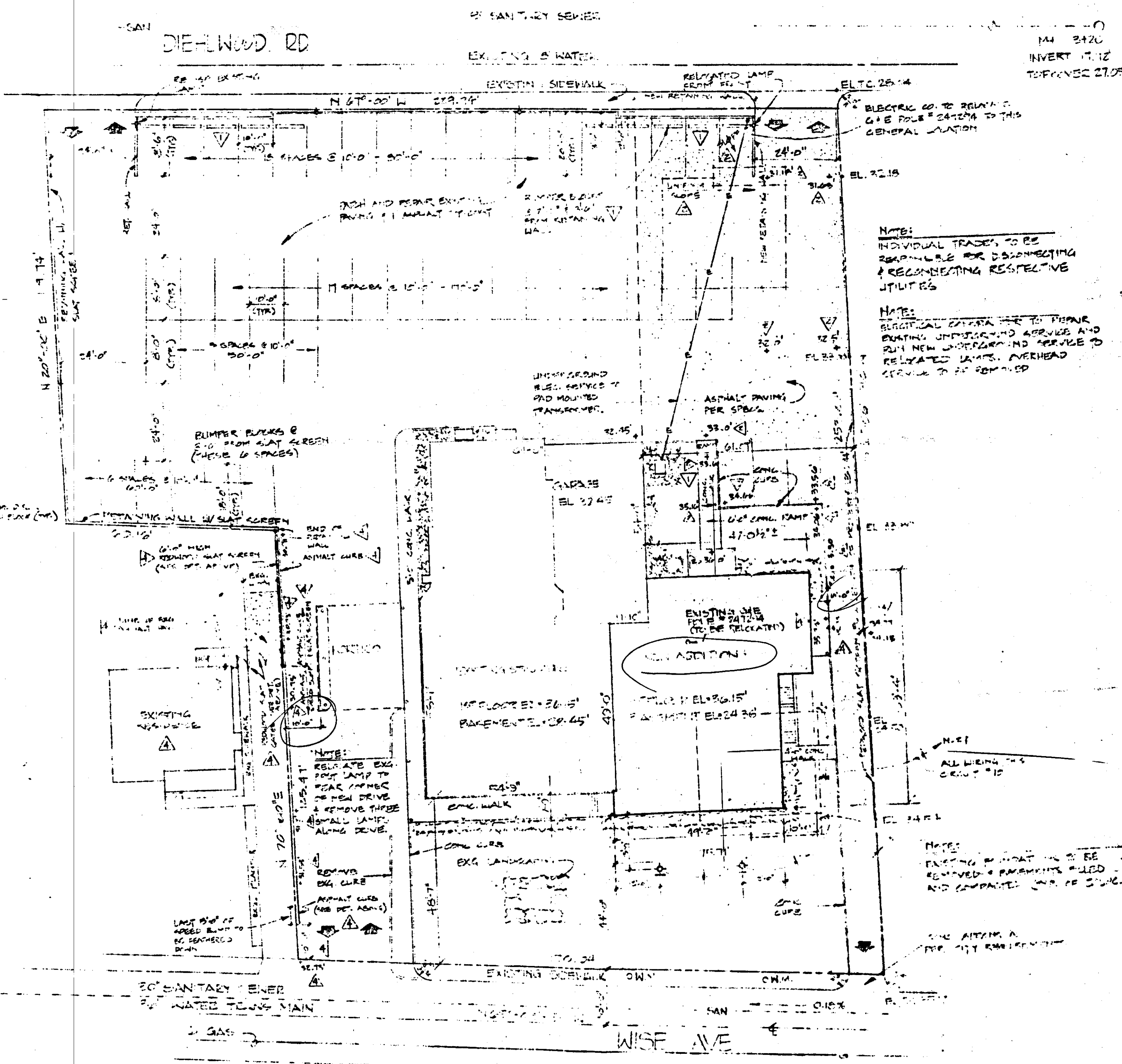
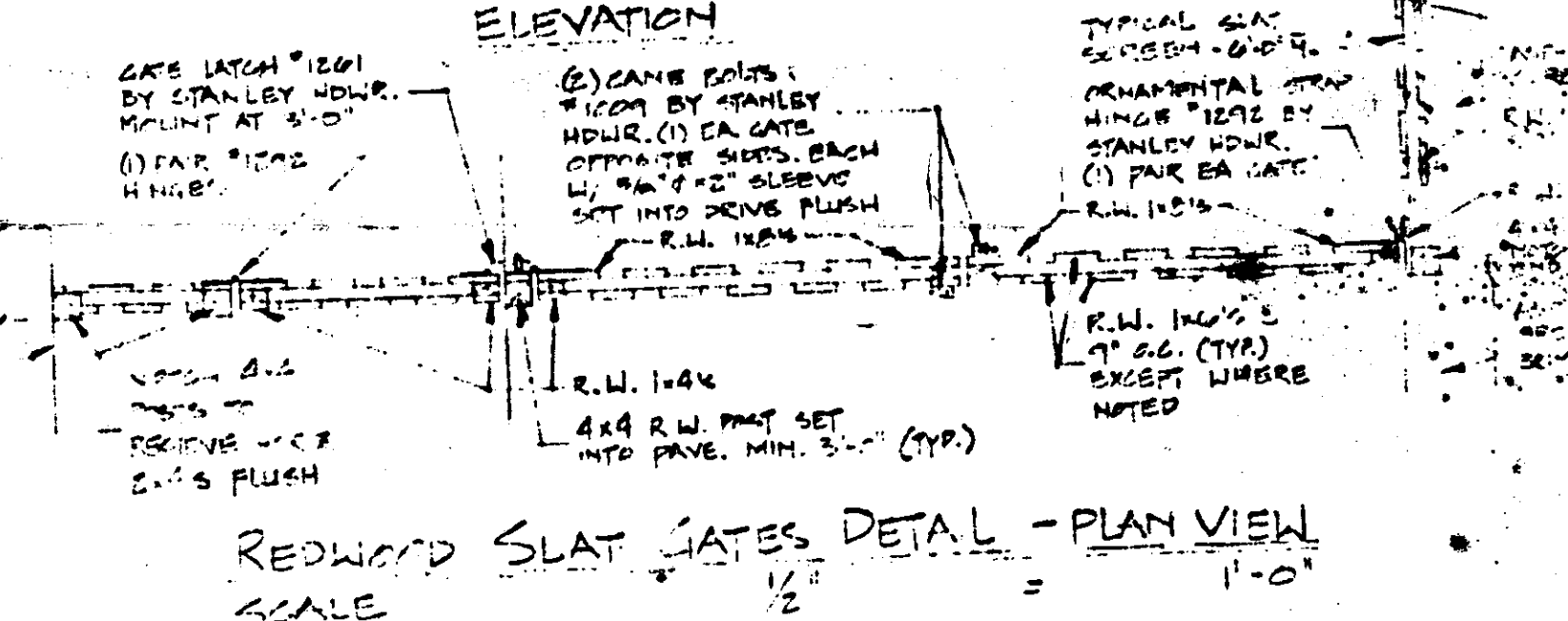
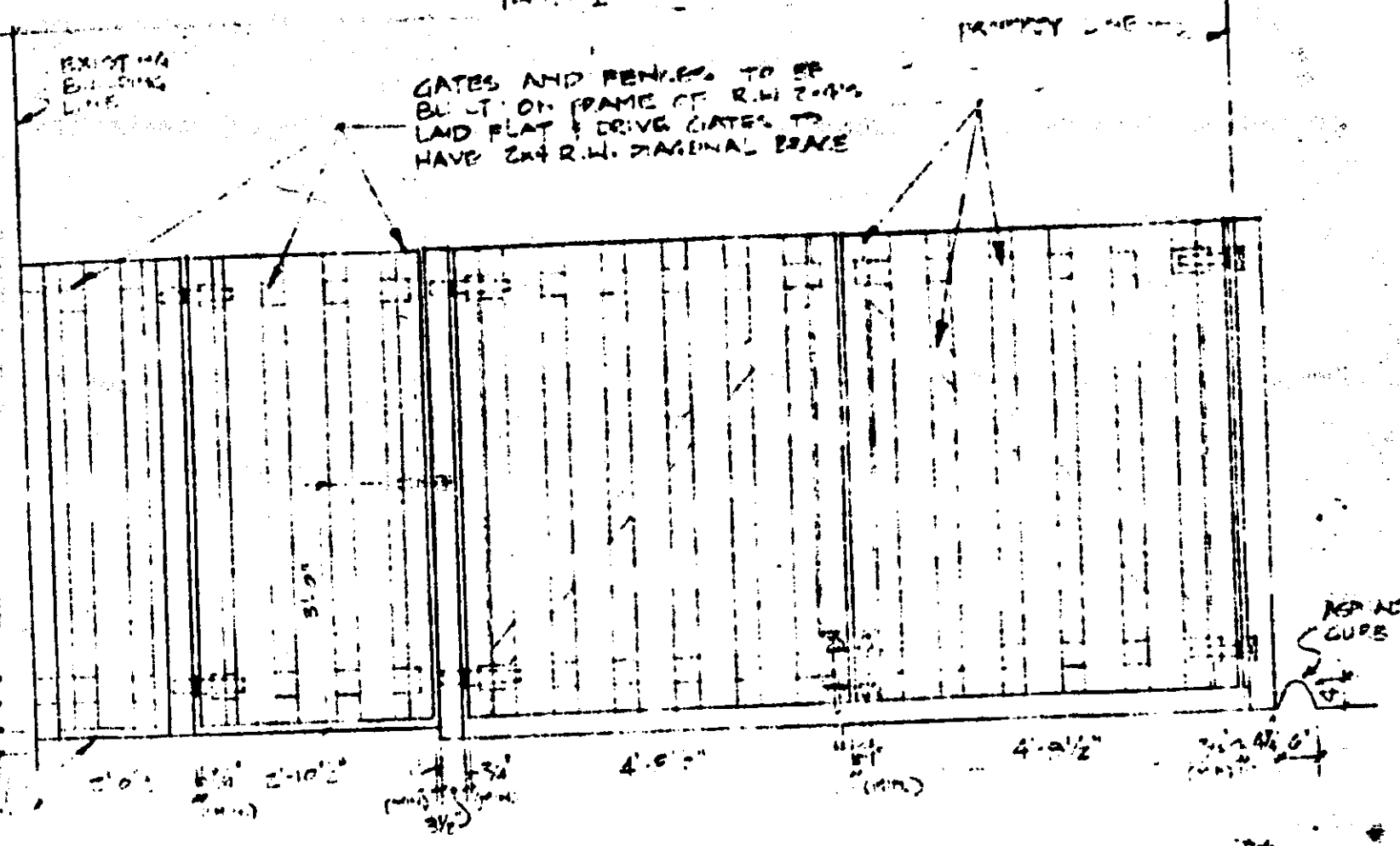
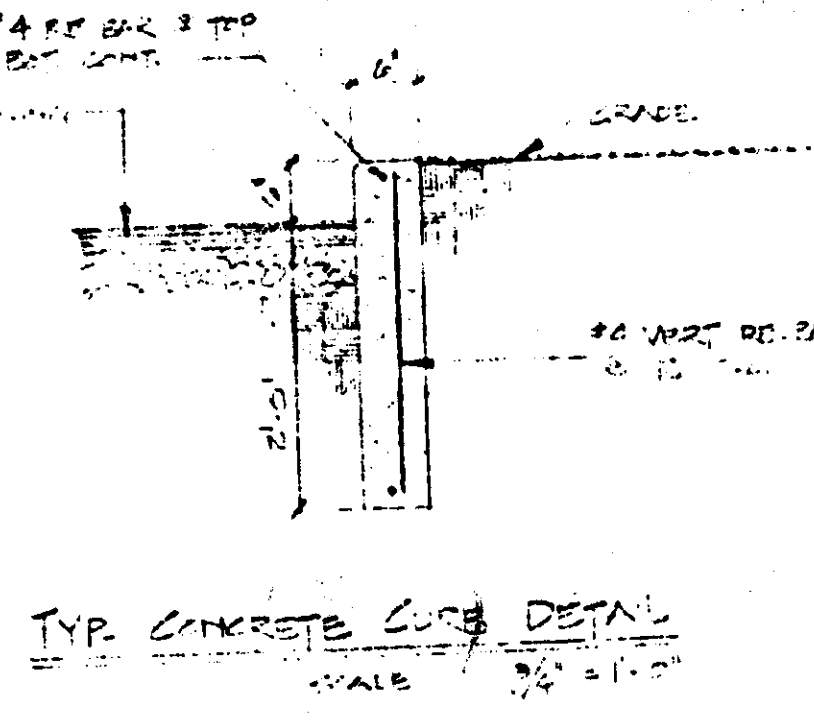
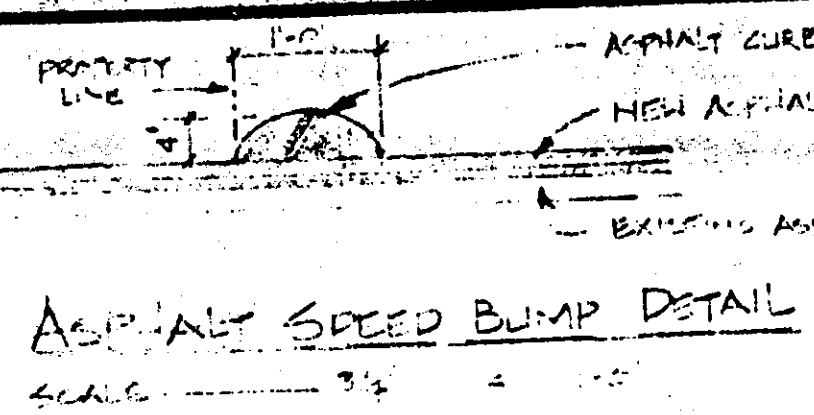






photograph

#00-354-SPNXA



NO. OF PARKING SPACES REQUIRED - 1 PER 500 SQ. FT.  
 EXISTING BUILDING AREA 5670 SQ. FT. = 11 SPACES  
 PROPOSED BUILDING AREA 6740 SQ. FT. = 14 SPACES  
 TOTAL NO. OF SPACES REQUIRED = 25 SPACES  
 TOTAL NO. OF SPACES PROVIDED = 25 SPACES  
 PREVIOUS ZONING MARKS 75-14 X 75-12 CA

**NOTE:** INFORMATION TAKEN FROM SURVEY DATED 11-20-75 BY FRANK S. JEE, REGISTERED SURVEYOR #11 1377 N. E. SHOPE AVE BALTIMORE MARYLAND DIST.

**FUNERAL - HOME INDUSTRIES**  
COLUMBUS, OHIO

**FUNERAL HOME CONSULTANTS**

**REVISIONS**

NO.	DATE	BY	DESCRIPTION
1	SEPT. 8, 1975	T. MCGALL	GENERAL
2	MAY 24, 1975	T. MCGALL	GENERAL
3	MAY 24, 1975	T. MCGALL	GENERAL
4	MAY 24, 1975	T. MCGALL	GENERAL
5	MAY 24, 1975	T. MCGALL	GENERAL

**DUDA-RUCK FUNERAL HOME**  
MARYLAND

**DUNDALK**  
SAFE PLAN & RECORDS

7426

MARCH 23, 1975

**1**

**PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Duda-Ruck Funeral Home  
 12th District  
 1802-28 (504-V.B.2) and 301.1-20

legally owner 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 Variance from Section 1802-28 (504-V.B.2) and 301.1-20 to permit a side yard of 15 feet on the east side of said property instead of the required 20 feet and a side yard of 10 feet on the west side of said property instead of the required 15 feet on the west side.

of the zoning regulations of Baltimore County, to the Zoning Board of Baltimore County, for the following reasons (indicate briefly or practical difficulty):  
 Cannot provide adequate cover from the elements for persons boarding funeral cars and cannot utilize the foundation of the residence heretofore existing on the east side of said property without the grant of the variances petitioned for. Also, without the grant of the variances petitioned for, we cannot provide the best possible facilities for our clients, the people of Dundalk, and especially those larger funeral clients, who are dependent upon the services which we can only provide if the variances petitioned for are granted.

See attached description

DATE July 3, 1975  
 BY John R. Cleary, III  
 J. R. Cleary, III  
 Attorney  
 321 N. Calvert St., Baltimore, Md.  
 21202-727-6635

1975 that the public notice of this petition, as required by the zoning laws of Baltimore County, in two newspapers of general circulation in Baltimore County, that property be posted, and that the public hearing be held before the Zoning Board of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, Maryland, on June 11, 1975, at 10:15 A.M.

FRANK S. JES  
 Registered Land Surveyor  
 1277 Washington Avenue - Baltimore, Md. 21237  
 June 3, 1974

Duda-Ruck Funeral Home  
 12th District Baltimore County, Maryland  
 Beginning for the same on the north side of Wise Avenue at the distance of 647.77 feet measured along the north side of Wise Avenue from the intersection of the north side of Wise Avenue with the east side of Lynch Road, thence running and building on the north side of Wise Avenue South 65 degrees 03 minutes 30 seconds East 170.04 feet, thence leaving Wise Avenue and running North 30 degrees 06 minutes 30 seconds East 353.01 feet to the south side of Dablowood Road, thence running and building on the south side of Dablowood Road North 67 degrees 00 minutes 30 seconds East 229.94 feet, thence leaving Dablowood Road for three lines of division as follows: South 20 degrees 00 minutes West 119.74 feet, South 65 degrees 03 minutes 30 seconds East 60 feet and South 20 degrees 00 minutes West 125.47 feet to the place of beginning.  
 Containing 1.14 acres of land more or less.

ORDER RECEIVED FOR FILING  
 DATE July 3, 1975  
 BY John R. Cleary, III

RE: PETITION FOR VARIANCES  
 N/S of Wise Avenue, 647.77-  
 E of Lynch Road - 12th Dis-  
 trict  
 Duda-Ruck Funeral Home of  
 Dundalk, Inc. - Petitioner  
 NO. 75-282-A (Item No. 199)  
 BALTIMORE COUNTY

This matter comes before the Zoning Commissioner as a result of a Petition filed by the Duda-Ruck Funeral Home of Dundalk, Inc., for variances, from Sections 1802-28 (504-V.B.2) and 301.1 of the Baltimore County Zoning Regulations, to permit a side yard setback of 15 feet on the east side of the subject property in lieu of the required 20 feet; and a side yard setback of 10 feet on the west side of the subject property in lieu of the required 15 feet. Said property is located on the north side of Wise Avenue, 647.77 feet east of Lynch Road, in the Twelfth Election District of Baltimore County, and contains 1.14 acres of land, more or less.

Testimony indicated that the subject property was previously granted a Special Exception for the expansion of an existing funeral home (Case No. 75-14-X, dated August 1, 1974). The present request is a minor change to the setback previously indicated on the plat submitted with the aforementioned Special Exception request.  
 At the outset of the hearing, John W. Hasleton, III, Esquire, People's Counsel, raised an objection, indicating that this was the incorrect procedure to follow; that is, an additional Special Exception request should have been filed. The Zoning Commissioner overruled the motion and feels that the objection request is not a substantial change from the plan approved with the Special Exception. In fact, the square footage of the building is reduced from the square footage previously proposed.

John R. Cleary, Esquire  
 321 North Calvert Street  
 Baltimore, Maryland 21202  
 July 2, 1975

RE: Petition for Variances  
 N/S of Wise Avenue, 647.77-  
 E of Lynch Road - 12th  
 Election District  
 Duda-Ruck Funeral Home of  
 Dundalk, Inc. - Petitioner  
 NO. 75-282-A (Item No. 199)

Dear Mr. Cleary:  
 I have this day passed my Order in the above referenced matter. Copy of said Order is attached.  
 Very truly yours,  
 JOHN W. HASLETON, III  
 Zoning Commissioner

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

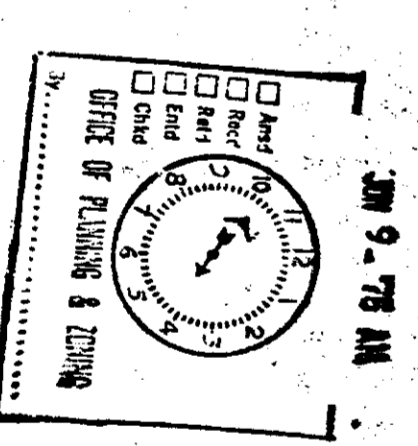
ORDER RECEIVED FOR FILING  
 DATE July 3, 1975  
 BY John R. Cleary, III

The Petitioner indicated that the expansion and the purpose for is new facilities necessitate the Variances. The request for the Variance for 10 feet on the west side of the property is for a porch (awning). The request for the Variance for 15 feet on the east side of the property is for the configuration of a building necessary for this operation.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner, the Variances, as petitioned for, should be granted. In the instant case, strict interpretation and enforcement of the Baltimore County Zoning Regulations would create a practical difficulty or unreasonable hardship upon the Petitioner and the granting of the subject Petition would not be detrimental to the health, safety, and general welfare of the locality involved.

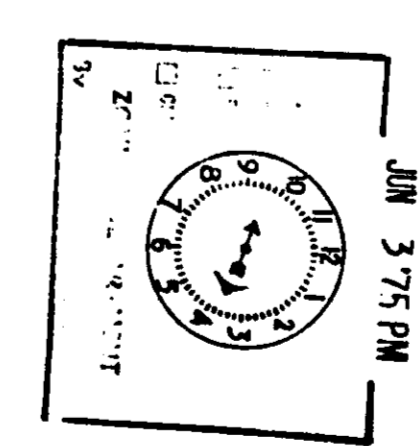
Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 3<sup>rd</sup> day of July, 1975, that the Variances to permit a side yard setback of 15 feet on the east side of the subject property in lieu of the required 20 feet; and a side yard setback of 10 feet on the west side of the subject property in lieu of the required 15 feet should be and the same are GRANTED from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

BALTIMORE COUNTY, MARYLAND  
 INTER-OFFICE CORRESPONDENCE  
 TO: S. Eric Dillman, Zoning Commissioner  
 FROM: William D. Frym, Director of Planning  
 SUBJECT: Petition 75-282-A, Petition for Variance for Side Yards  
 North side of Wise Avenue 647.77 feet East of Lynch Road  
 Petitioner - Duda-Ruck Funeral Home of Dundalk, Inc.  
 12th District  
 HEARING: Wednesday, June 11, 1975 (10:15 A.M.)  
 The staff of the Office of Planning and Zoning will offer no comment on this petition at this time.



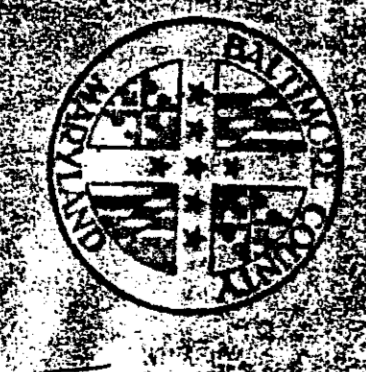
RE: PETITION FOR VARIANCE  
 TO PERMIT A SIDE YARD OF  
 15 FEET ON THE EAST SIDE  
 INSTEAD OF THE REQUIRED  
 20 FEET; AND TO PERMIT A  
 SIDE YARD OF 10 FEET ON THE WEST  
 SIDE INSTEAD OF THE REQUIRED  
 15 FEET.  
 North side of Wise Avenue, 647.77  
 feet East of Lynch Road - 12th  
 District.  
 DUDA-RUCK FUNERAL HOME OF  
 DUNDALK, INC.  
 Case No. 75-282-A, Item 199

ORDER TO ENTER APPEARANCE  
 Mr. Commissioners:  
 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 date which may be now or hereafter designated herewith, and of the passage of any preliminary or final Order in connection herewith.

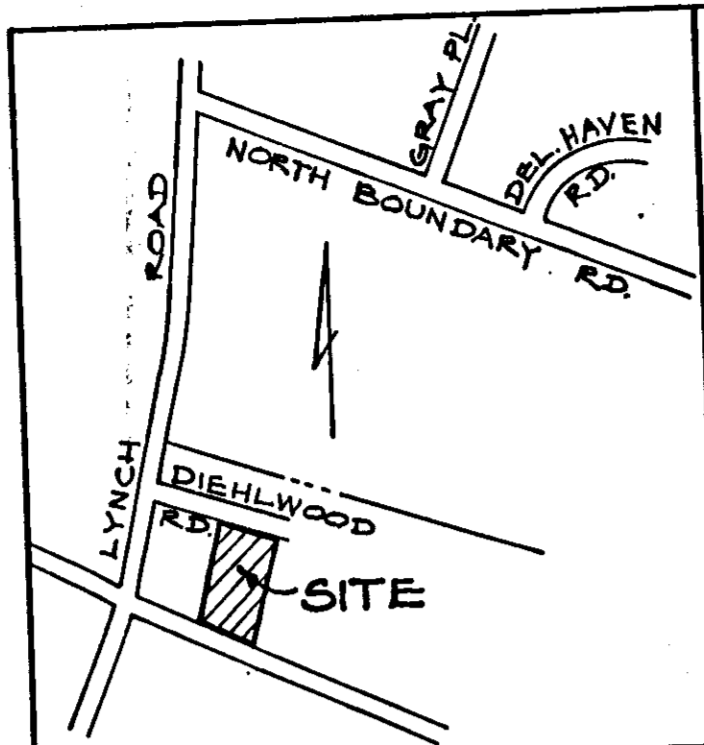


I HEREBY CERTIFY that a copy of the foregoing Order was mailed this 3<sup>rd</sup> day of June, 1975 to John R. Cleary, Esquire, 321 N. Calvert Street, Baltimore, Maryland 21202, Attorney for Petitioner.  
 John W. Hasleton, III  
 People's Counsel

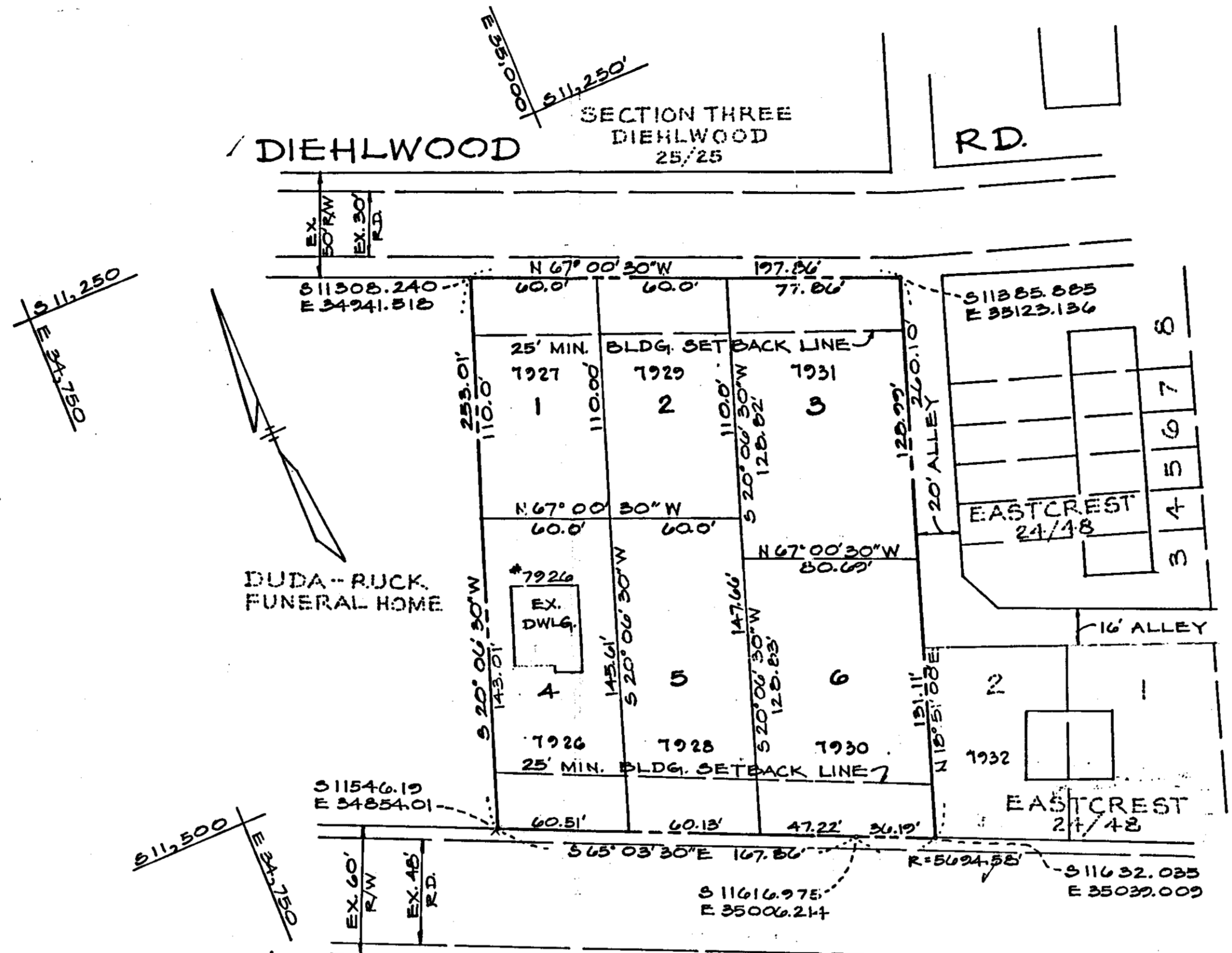
BALTIMORE COUNTY  
 ZONING PLANS  
 ADVISORY COMMITTEE  
 PETITION AND SITE PLAN  
 EVALUATION COMMENTS



I will not attend, JWH.



VICINITY MAP  
SCALE: 1"=500'



**DENSITY CALCULATION**

DWELLING UNITS ALLOWED	- 6.86
DWELLING UNITS SHOWN	- 6
EXISTING ZONING	- DR B-5
GROSS ACREAGE	- 1.156 AC.
NO. OF LOTS	- 6
GROSS DENSITY	- 5.1
PARKING REQUIRED	- 12
PARKING SHOWN	- 12
LOCAL OPEN SPACE WAIVED	10-75 250913# **** 5.00
	FEB 10-75 2509130# **** 5.00

P. W. A. Completed *NR-10-041*  
 Plat Checked *1/10/75*  
 Planning *1/10/75*  
 Engineering *1/10/75*  
 Street Names  
 House Nos.

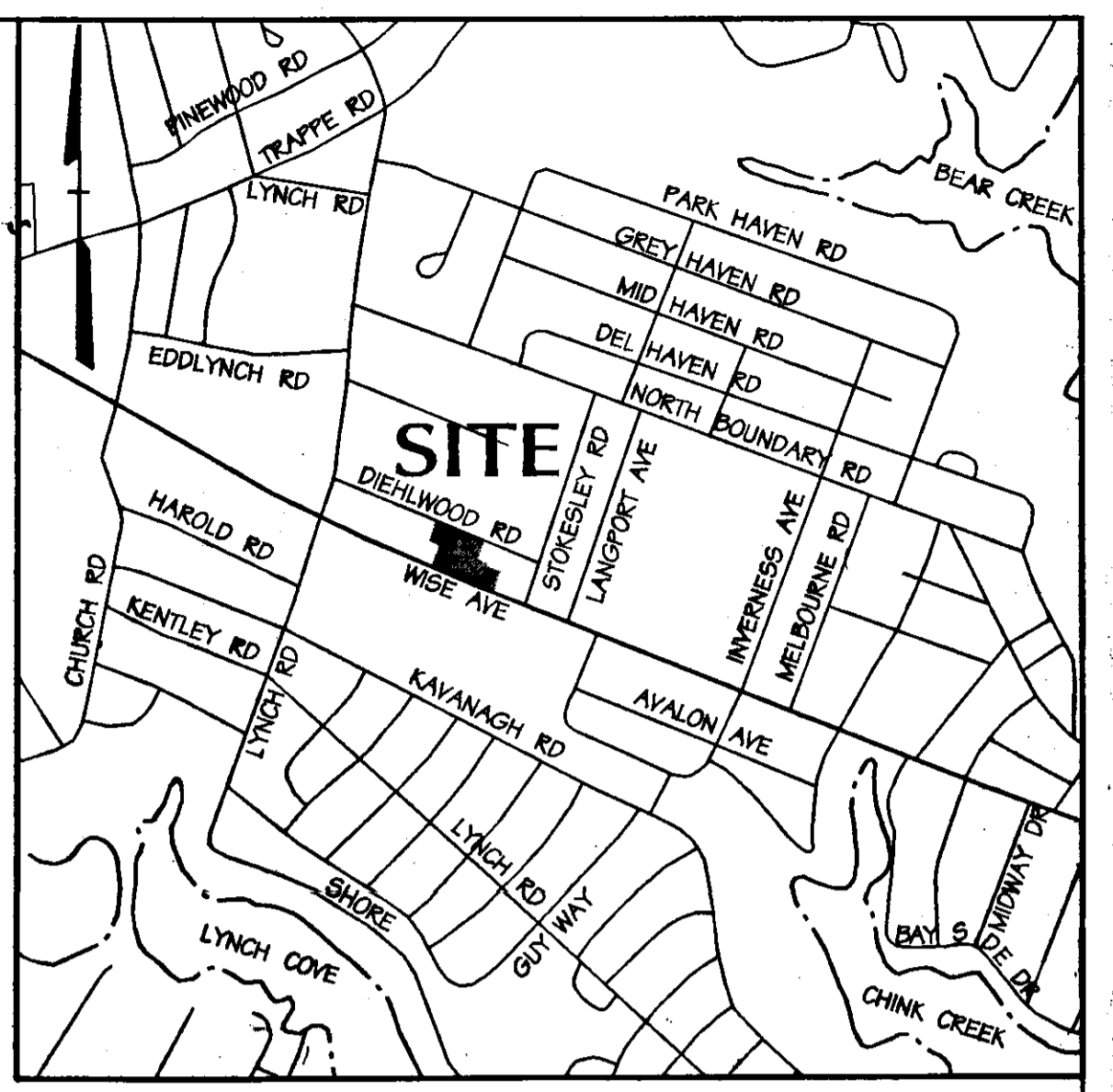
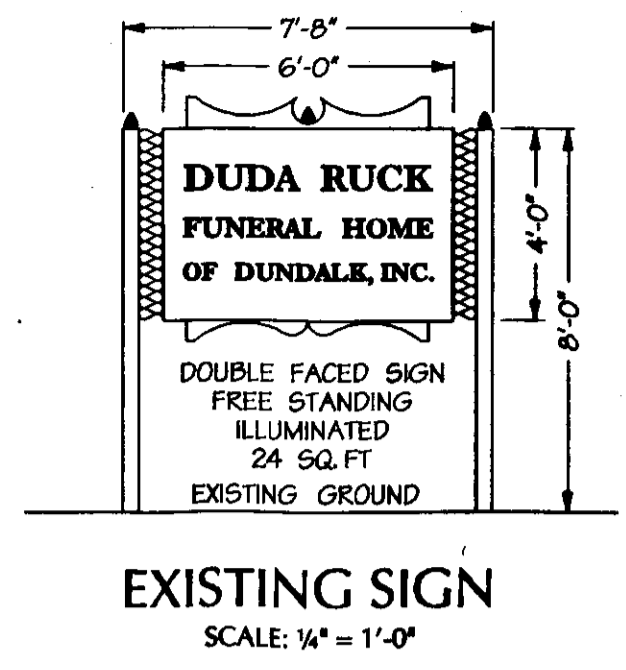
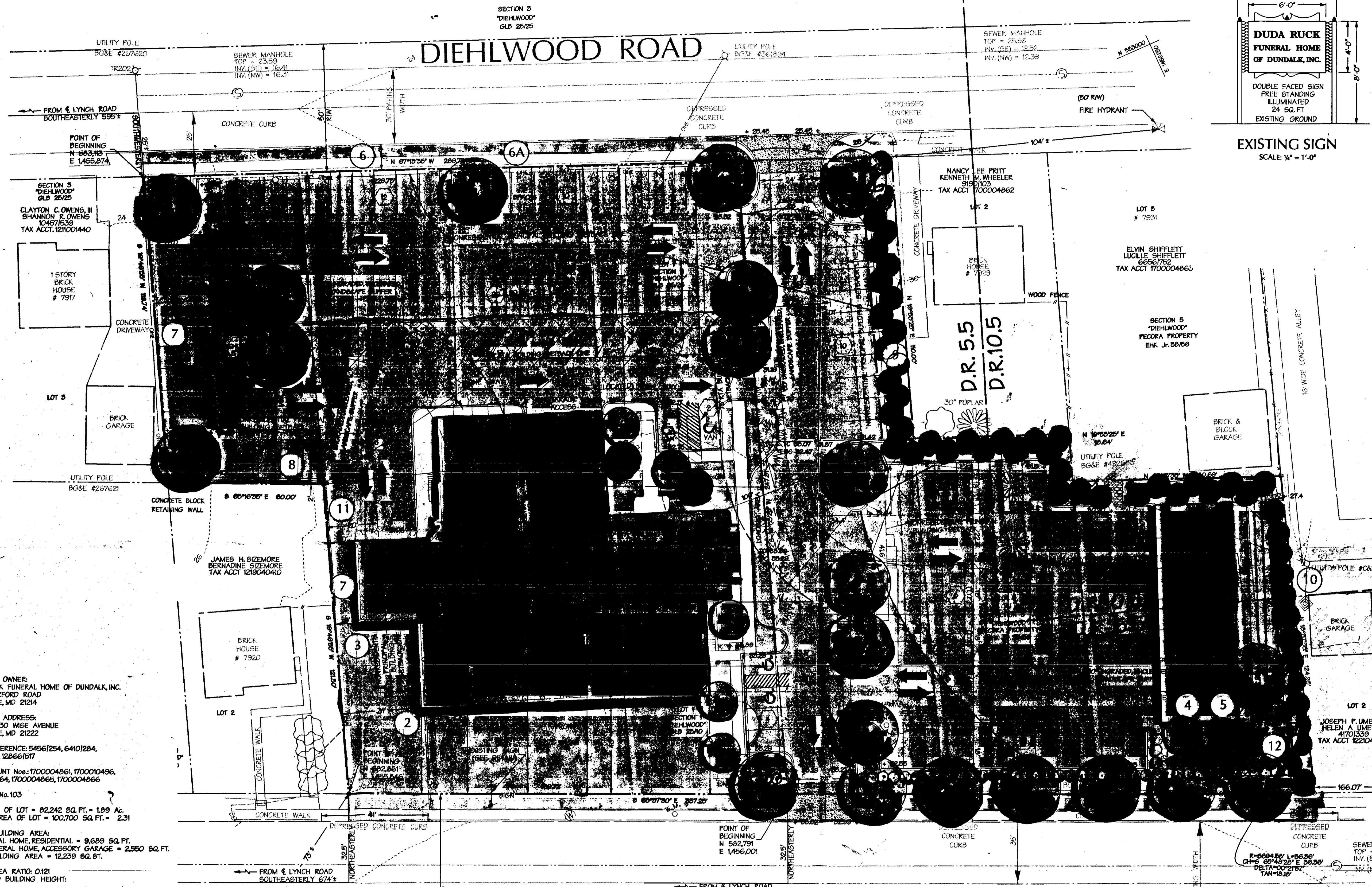
SECTION 5 DIEHLWOOD  
 RECORD PLAT  
**PECORA PROPERTY**  
 12 TH. ELECT. DIST. BALTO CO., MD.  
 SCALE: 1" = 50' DATE: DEC. 2, 1974

E.H.K., JR. 38 FOLIO 56  
 Filed for record  
 Date FEB 10 1975  
 Test:  
*[Signature]* Clerk

<p><b>NOTE:</b> STREETS AND/OR ROADS SHOWN HEREON AND MENTION THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE, THE FEE TITLE TO THE DEEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAT IS ATTACHED, THEIR HEIRS AND ASSIGNS.</p>	<p><b>NOTE:</b> COORDINATES AND BEARINGS SHOWN ON THIS PLAT ARE REFERRED TO THE BALTIMORE COUNTY METROPOLITAN DISTRICT SYSTEM AND ARE BASED ON THE FOLLOWING TRAVERSE STAS.          X 7267          X 7268</p>	<p><b>OWNER</b>          PITT PECORA          7966 WISE AVE.          BALTIMORE, MD. 21222  <i>Pitt Pecora</i> 1-10-75</p>	<p><b>OWNERS CERTIFICATE</b>          THE REQUIREMENTS OF SECTION 72B, ARTICLE 17 OF THE ANNOTATED CODE OF MARYLAND (FLACK 17 SUPPLEMENT) AS FAR AS THEY RELATE TO THE PREPARATION OF THIS PLAT HAVE BEEN COMPLIED WITH.</p>	<p><b>SURVEYORS CERTIFICATE</b>          I, FRANK S. LEE, A REGISTERED PROPERTY LINE SURVEYOR OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE LAND SHOWN HEREON HAS BEEN LAID OUT AND THE PLAT THEREOF PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE LAW RELATING TO THE SUBDIVISION OF LAND KNOWN AS HOUSE BILL #459 CHAPTER 101G OF THE ACTS OF 1945 AND SUBSEQUENT AMENDATORY ACTS.  <i>Frank S. Lee</i> 12-3-74          REGISTERED P.L.S.#11 DATE</p>	
<p>APPROVED BALTO. CO. PLANNING BOARD  <i>[Signature]</i> 2/1/75          DIRECTOR DATE</p>	<p>APPROVED:  <i>[Signature]</i> 1/29/75          DEPUTY STATE &amp; CO. HEALTH OFFICER DATE</p>	<p>APPROVED:  <i>[Signature]</i> 2/10/75          COUNTY ROADS ENGINEER DATE</p>			

*Petterson's*  
*No 5*  
*00-354-*





**LOCATION MAP**  
SCALE: 1" = 100'

**ZONING HISTORY**

CASE 3944-X  
IT IS THEREFORE THIS 17 DAY OF OCTOBER, 1956, BY THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY ORDERED THAT THE FORESAID PETITION FOR A SPECIAL EXCEPTION FOR A FUNERAL ESTABLISHMENT BE AND THE SAME IS HEREBY GRANTED, SUBJECT, HOWEVER, TO COMPLY WITH THE ABOVE PROVISION FOR SCREENING THE PROPERTY.

CASE 5208-Y  
FOR THE ABOVE REASONS THE VARIANCE SHOULD BE GRANTED.

IT IS THIS 9th DAY OF FEBRUARY, 1961, BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY, ORDERED THAT THE FORESAID VARIANCE SHOULD BE AND THE SAME IS HEREBY GRANTED WHICH PERMITS A SIDE YARD OF 2 FEET INSTEAD OF THE REQUIRED 20 FEET.

CASE 75-14-X  
THEREFORE, IT IS ORDERED BY THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY, THIS 1st DAY OF AUGUST, 1974, THAT THE HEREIN REQUESTED SPECIAL EXCEPTION FOR A FUNERAL HOME BE AND THE SAME IS HEREBY GRANTED, SUBJECT TO THE APPROVAL OF A SITE PLAN BY THE DEPARTMENT OF PUBLIC WORKS AND THE OFFICE OF PLANNING AND ZONING.

CASE 75-282-A  
THEREFORE, IT IS ORDERED BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY, THIS 3rd DAY OF JULY, 1975, THAT THE VARIANCES TO PERMIT A SIDE YARD SETBACK OF 15 FEET ON THE EAST SIDE OF THE SUBJECT PROPERTY IN LIEU OF THE REQUIRED 20 FEET; AND A SIDE YARD SETBACK OF 10 FEET ON THE WEST SIDE OF THE SUBJECT PROPERTY IN LIEU OF THE REQUIRED 15 FEET SHOULD BE AND THE SAME ARE GRANTED, FROM AND AFTER THE DATE OF THIS ORDER, SUBJECT TO THE APPROVAL OF A SITE PLAN BY THE DEPARTMENT OF PUBLIC WORKS AND THE OFFICE OF PLANNING AND ZONING.

**DATA SOURCES**

TOPOGRAPHIC AND PROPERTY OUTLINE INFORMATION BASED ON AN ACTUAL FIELD SURVEY BY DMW, INC. DATED 7/31/88 NAD 83, NAVD 88.

RTA BUFFERS ESTABLISHED FROM PLAN PREPARED BY DMW, INC. BASED ON BALTIMORE COUNTY GIS PLANAMETRIC INFORMATION NAD 83.

**NOTES:**

PROPERTY OWNER:  
DUDA-RUCK FUNERAL HOME OF DUNDALK, INC.  
6305 HAREFORD ROAD  
BALTIMORE, MD 21214

PROPERTY ADDRESS:  
7922 - 7926 WISE AVENUE  
BALTIMORE, MD 21222

DEED REFERENCE: 54561254, 64101284, 12961361, 128661577

TAX ACCOUNT Nos.: 1700004861, 1700010496, 1700004864, 1700004865, 1700004866

TAX MAP No. 103

NET AREA OF LOT = 82,242 SQ. FT. = 1.89 AC.  
GROSS AREA OF LOT = 100,700 SQ. FT. = 2.31

GROSS BUILDING AREA:  
EX. FUNERAL HOME, RESIDENTIAL = 9,689 SQ. FT.  
PROP. FUNERAL HOME, ACCESSORY GARAGE = 2,550 SQ. FT.  
TOTAL BUILDING AREA = 12,239 SQ. FT.

FLOOR-AREA RATIO: 0.121  
PROPOSED BUILDING HEIGHT:

EXISTING ZONING: D.R. 5.5 & D.R. 10.5

EXISTING USE: FUNERAL HOME AND RESIDENTIAL (TO BE RAZED)  
PROPOSED USE: FUNERAL HOME AND ACCESSORY GARAGE

ALL SIGNAGE TO CONFORM TO SECTION 450 BCZR

EXISTING AND PROPOSED WATER SERVICE: PUBLIC  
EXISTING AND PROPOSED SEWER SERVICE: PUBLIC

PREVIOUS COMMERCIAL PERMITS:  
105-63 - ADDITION  
742-75 - ADDITIONAL PARKING

ANY FIXTURE USED TO ILLUMINATE AN OFF-STREET PARKING AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.

PARKING REQUIREMENTS:  
REQUIRED:  
10 SPACES PER 1,000 S.F. @ 9,689 S.F. = 96.9 - 97 SPACES  
1 SPACE PER 2 EMPLOYEES @ 20 EMPLOYEES = 10 SPACES  
1 SPACE PER VEHICLE SERVING EXISTING USE @ 6 SPACES

TOTAL REQUIRED: 113 SPACES

PROVIDED:  
HANDICAPPED = 4 SPACES  
STANDARD = 117 SPACES

TOTAL PROVIDED = 121 SPACES

**ZONING RELIEF LEGEND**

- ① SPECIAL HEARING TO AMEND THE SPECIAL EXCEPTION GRANTED IN CASE NOS. 3944-X, OCTOBER 17, 1956, AND 75-14-X, AUGUST 1, 1974, BY REVISING THE SITE PLAN
- ② SECTION 1801.2.C.1a - VARIANCE TO PERMIT AN EXISTING NONRESIDENTIAL PRINCIPAL STRUCTURE TO HAVE A FRONT SETBACK OF 33 FEET IN LIEU OF THE REQUIRED 40 FEET.
- ③ SECTION 1801.2.C.1a & 301A - VARIANCE TO PERMIT AN EXISTING CANOPY SIDE SETBACK OF 9 FEET IN LIEU OF 15 FEET.
- ④ SECTION 400.1 - VARIANCE TO PERMIT A PROPOSED ACCESSORY STRUCTURE IN A RESIDENCE ZONE TO BE IN A FRONT AND SIDE YARD IN LIEU OF REQUIRED REAR YARD LOCATION.
- ⑤ SECTION 1801.2.C.1a - VARIANCE TO PERMIT A PROPOSED ACCESSORY STRUCTURE WITH A FRONT YARD SETBACK OF 28 FEET IN LIEU OF 40 FEET.

- ⑥ SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA WITH NO BUFFERING TO BE RECONFIGURED WITH A 0-FOOT BUFFER AND SETBACK IN LIEU OF THE NOW REQUIRED 50-FOOT UNCLEARED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- ⑥A SECTION 409.8.A.4 - TO PERMIT A 0-FOOT SETBACK IN LIEU OF THE REQUIRED 10-FOOT.
- ⑦ SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA WITH NO BUFFERING TO BE RECONFIGURED WITH A 0-FOOT BUFFER AND SETBACK IN LIEU OF THE NOW REQUIRED 50-FOOT UNCLEARED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- ⑧ SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA WITH NO BUFFERING TO BE RECONFIGURED WITH A 2-FOOT BUFFER AND SETBACK IN LIEU OF THE NOW REQUIRED 50-FOOT UNCLEARED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- ⑨ SECTION 1801B.4.5 - VARIANCE TO PERMIT THE EXPANSION OF THE PARKING AREA TO PROVIDE A 10-FOOT MINIMUM LANDSCAPED BUFFER AND SETBACK IN LIEU OF THE REQUIRED 50-FOOT UNCLEARED/UNGRADED BUFFER AND 75-FOOT SETBACK.

- ⑩ SECTION 1801B.4.5 - VARIANCE TO PERMIT THE INCLUSION OF AN ACCESSORY STRUCTURE PARTLY IN A DR-10.5 ZONE WITH NO RTA REQUIREMENTS TO PROVIDE A 0-FOOT MINIMUM BUFFER AND SETBACK IN LIEU OF THE REQUIRED 50-FOOT UNCLEARED/UNGRADED BUFFER AND 75-FOOT SETBACK IN THE D.R. 5.5 ZONE.
- ⑪ SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING PRINCIPAL STRUCTURE WITH A CANOPY AND DRIVEWAY TO PROVIDE A BUFFER AS LITTLE AS 0 FEET IN LIEU OF THE REQUIRED 50-FOOT UNCLEARED, UNGRADED BUFFER AND A SETBACK OF 10 FEET IN LIEU OF THE REQUIRED 75-FOOT SETBACK.
- ⑫ SECTION 1801B.2.3 - VARIANCE TO PERMIT STORMWATER MANAGEMENT WATER QUALITY FACILITY IN THE RTA 50-FOOT BUFFER.
- ⑬ SECTIONS 1801C(9), 1801A(16A) & 5021 - SPECIAL EXCEPTION TO PERMIT A FUNERAL ESTABLISHMENT AND ACCESSORY GARAGE IN D.R. 5.5 & D.R. 10.5 ZONES.
- ⑭ SECTION 409.8B - HEARING TO PERMIT BUSINESS OR INDUSTRIAL PARKING IN RESIDENTIAL ZONES.

**DMW**  
Duth-McCune-Walkers, Inc.  
300 East Pennsylvania Avenue  
Towson, Maryland 21286  
(410) 596-3333  
Fax 410-4706

A Team of Land Planners,  
Landscape Architects,  
Engineers, Surveyors &  
Environmental Professionals

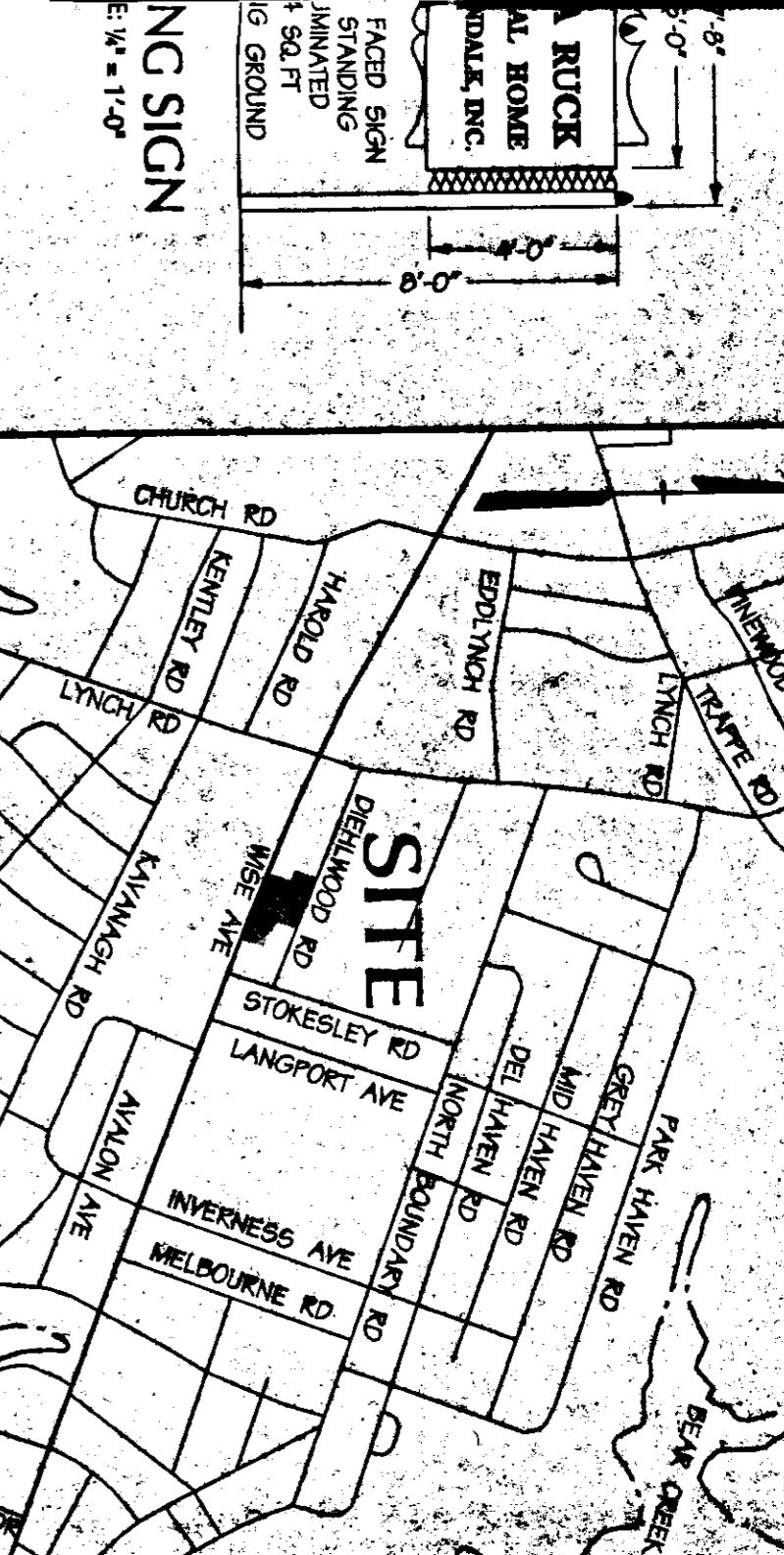
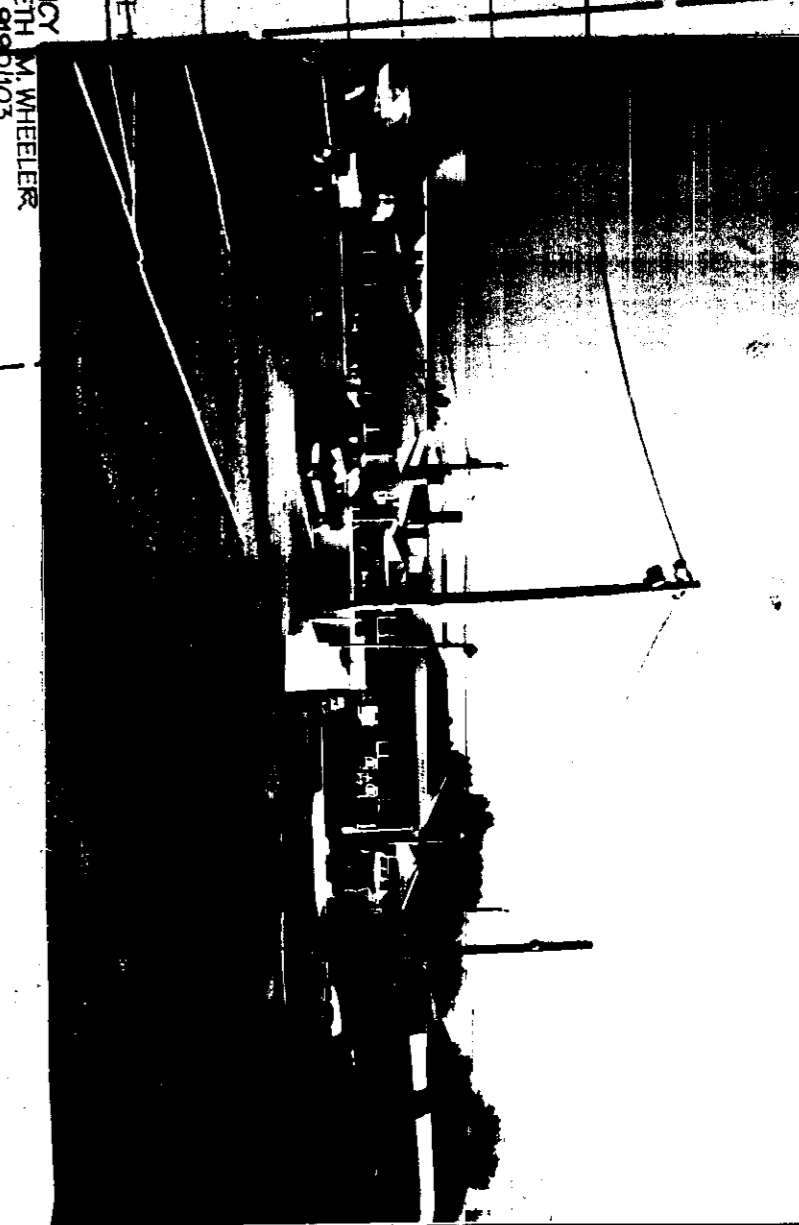
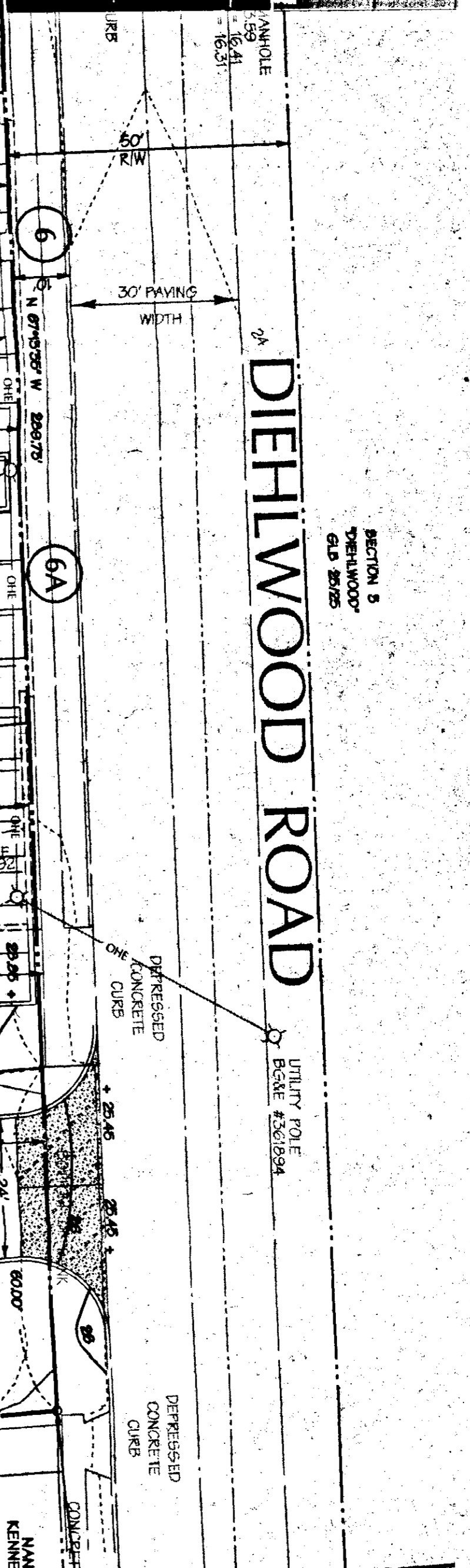
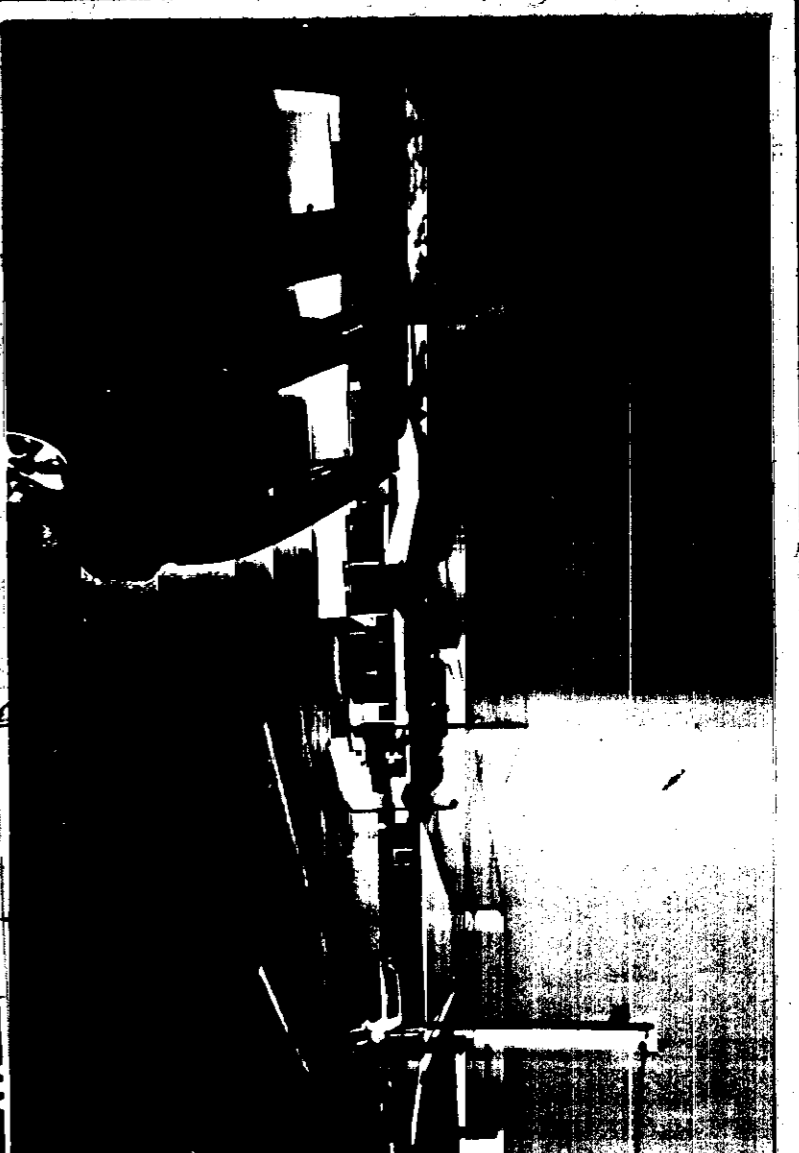
**PLAN TO ACCOMPANY SPECIAL HEARING, SPECIAL EXCEPTION AND ZONING VARIANCES**

**DUDA-RUCK FUNERAL HOME**  
7922 - 7926 WISE AVENUE  
12th ELECTION DISTRICT 7th COUNCILMANIC DISTRICT  
BALTIMORE CO., MARYLAND

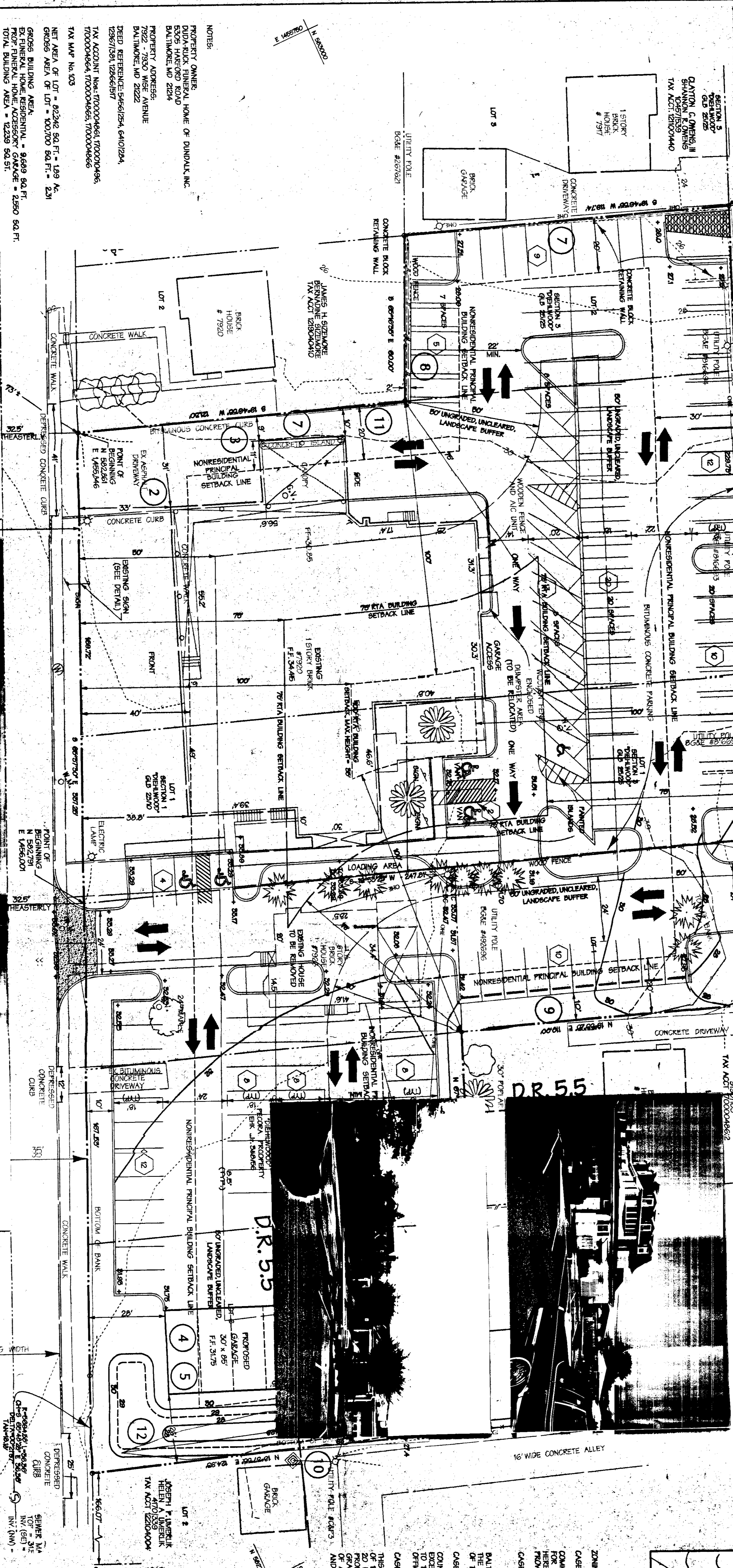
DATE	BY	REVISIONS

ISSUE DATES	BASE:	WDE
REVIEW: 02-09-00	DRAWN:	WDE
BID:	DESIGNED:	
PERMIT:	CHECKED BY:	
CONSTRUCTION:	DATE CHECKED:	
SCALE: 1" = 20'	DRAWING:	
PROJECT NO.: 98086		

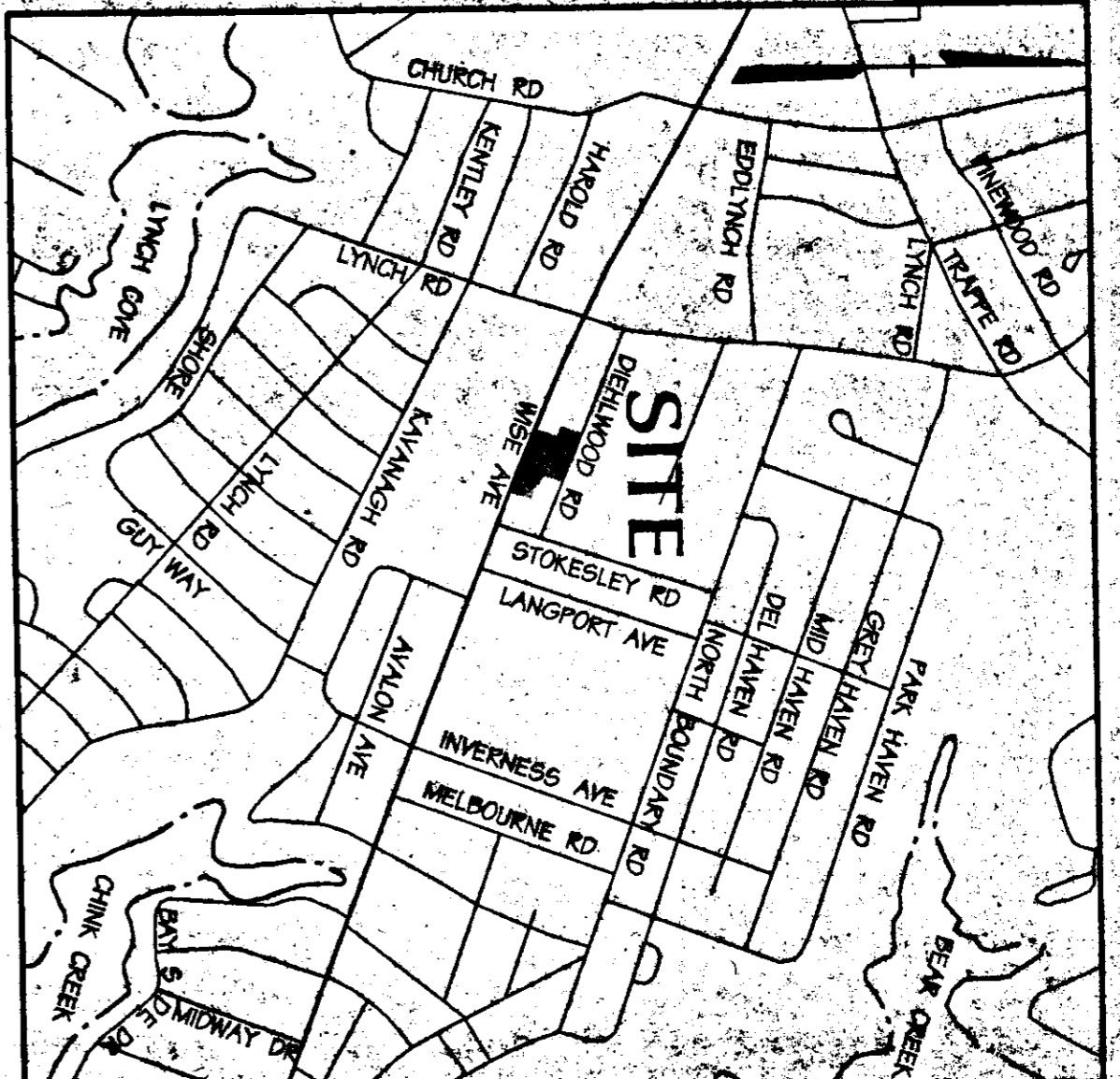
1 of 1



# DIEHLWOOD ROAD



## LOCATION MAP



**ZONING HISTORY**

**Case 3944-X**  
 ON OCTOBER 1986, BY THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY, THE ZONING COMMISSIONER OF BALTIMORE COUNTY ORDERED THAT THE ABOVE VARIANCE SHOULD BE AND THE SAME IS HEREBY GRANTED WHICH FORMS A SIDE YARD OF 2 FEET INSTEAD OF THE REQUIRED 20 FEET.

**Case 7544-X**  
 THEREFORE, IT IS ORDERED BY THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY THAT THE VARIANCE TO PERMIT A SIDE YARD SETBACK OF 2 FEET INSTEAD OF THE REQUIRED 20 FEET SHOULD BE AND THE SAME ARE HEREBY GRANTED FROM AND AFTER THE DATE OF THIS ORDER SUBJECT TO THE APPROVAL OF A SITE PLAN BY THE DEPARTMENT OF PLANNING AND ZONING.

**Case 7829-A**  
 IT IS ORDERED BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY, THIS 3rd DAY OF FEBRUARY, 1981, BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY, ORDERED THAT THE ABOVE VARIANCE SHOULD BE AND THE SAME IS HEREBY GRANTED WHICH FORMS A SIDE YARD OF 2 FEET INSTEAD OF THE REQUIRED 20 FEET.

**Case 8200-Y**  
 FOR THE ABOVE REASONS THE VARIANCE SHOULD BE GRANTED.

**DMAW**  
 12th EDITION DISTRICT 7th CONGRESSIONAL DISTRICT  
 7922 - 7926 WISE AVENUE  
 BALTIMORE, MD 21208

**FUNERAL HOME**  
**DUDA-RUCK**

12th EDITION DISTRICT 7th CONGRESSIONAL DISTRICT  
 7922 - 7926 WISE AVENUE  
 BALTIMORE, MD 21208

DATE	BY	REVISIONS

ISSUE DATES	BASE	WIDE
02-09-00	DRAWN	
	DESIGNED	
	CHECKED BY:	
	DATE CHECKED:	

PROJECT NO.	SCALE	DRAWING
99026	1" = 20'	1 of 1

**NOTES:**  
 PROPERTY OWNER:  
 DUDA-RUCK FUNERAL HOME OF BALTIMORE, INC.  
 5305 HANOVER ROAD  
 BALTIMORE, MD 21284

**PROJECT ADDRESS:**  
 7922 - 7926 WISE AVENUE  
 BALTIMORE, MD 21222

**DEED REFERENCE:** 54-6154, 64-1224, 72-6713-13, 12-26-67  
 TAX ACCOUNT NOS. 70000444, 70000445, 70000446, 70000447, 70000448, 70000449

**TAX MAP NO. 103**

**NET AREA OF LOT - 82246 SQ. FT. - 1.89 AC.**  
**GROSS AREA OF LOT - 100700 SQ. FT. - 2.31 AC.**  
**GROSS BUILDING AREA - 9689 SQ. FT.**  
**EXISTING HOME ACCESSORY GARAGE - 2350 SQ. FT.**  
**TOTAL BUILDING AREA - 12039 SQ. FT.**

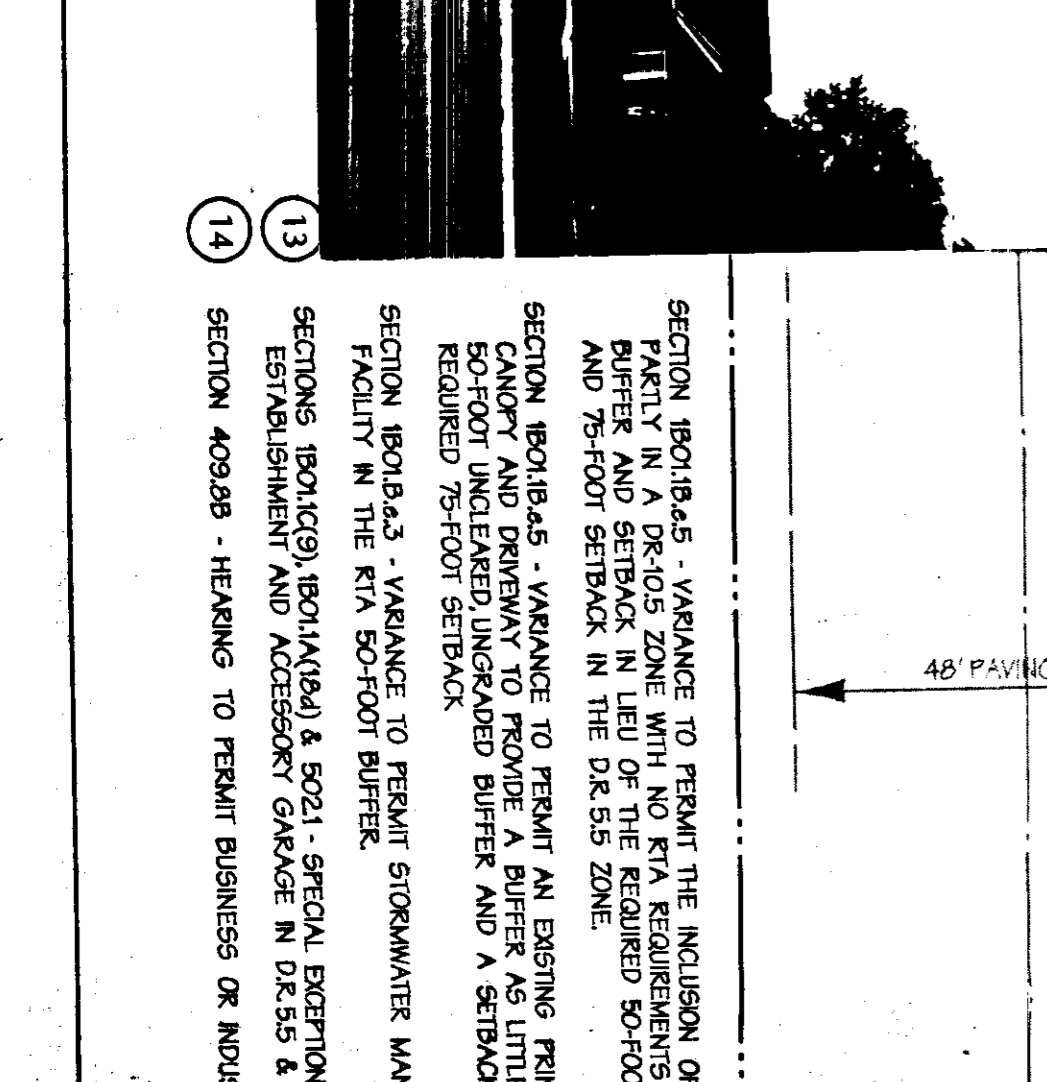
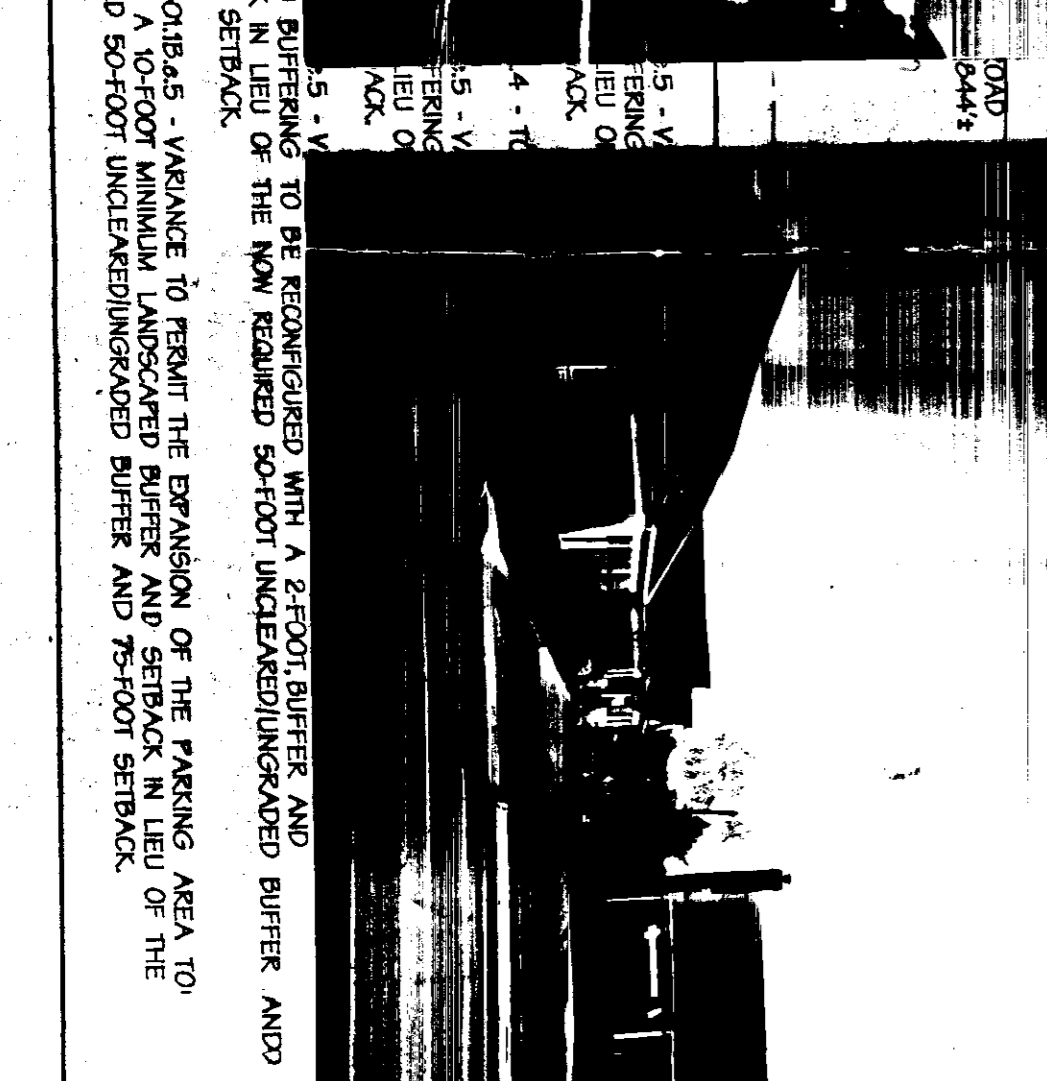
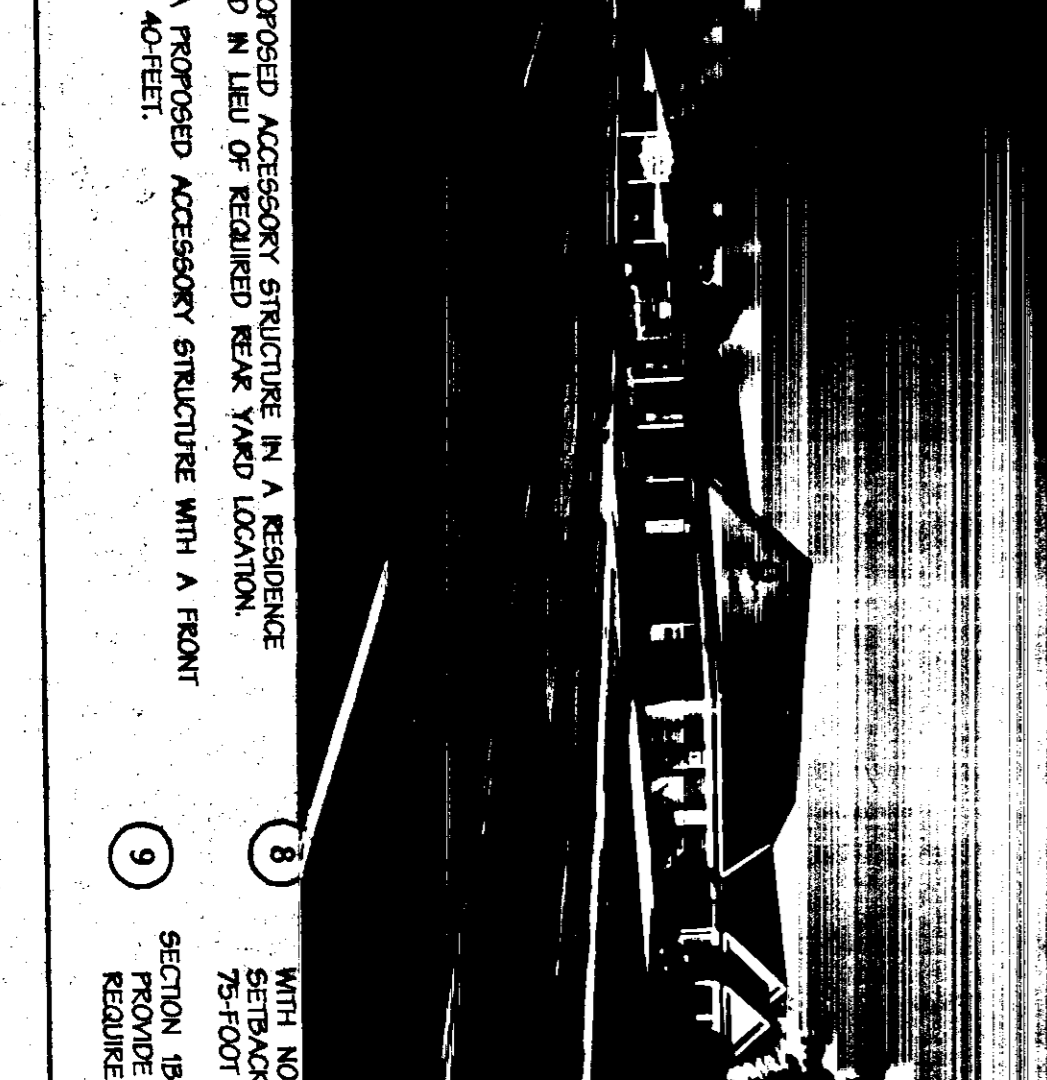
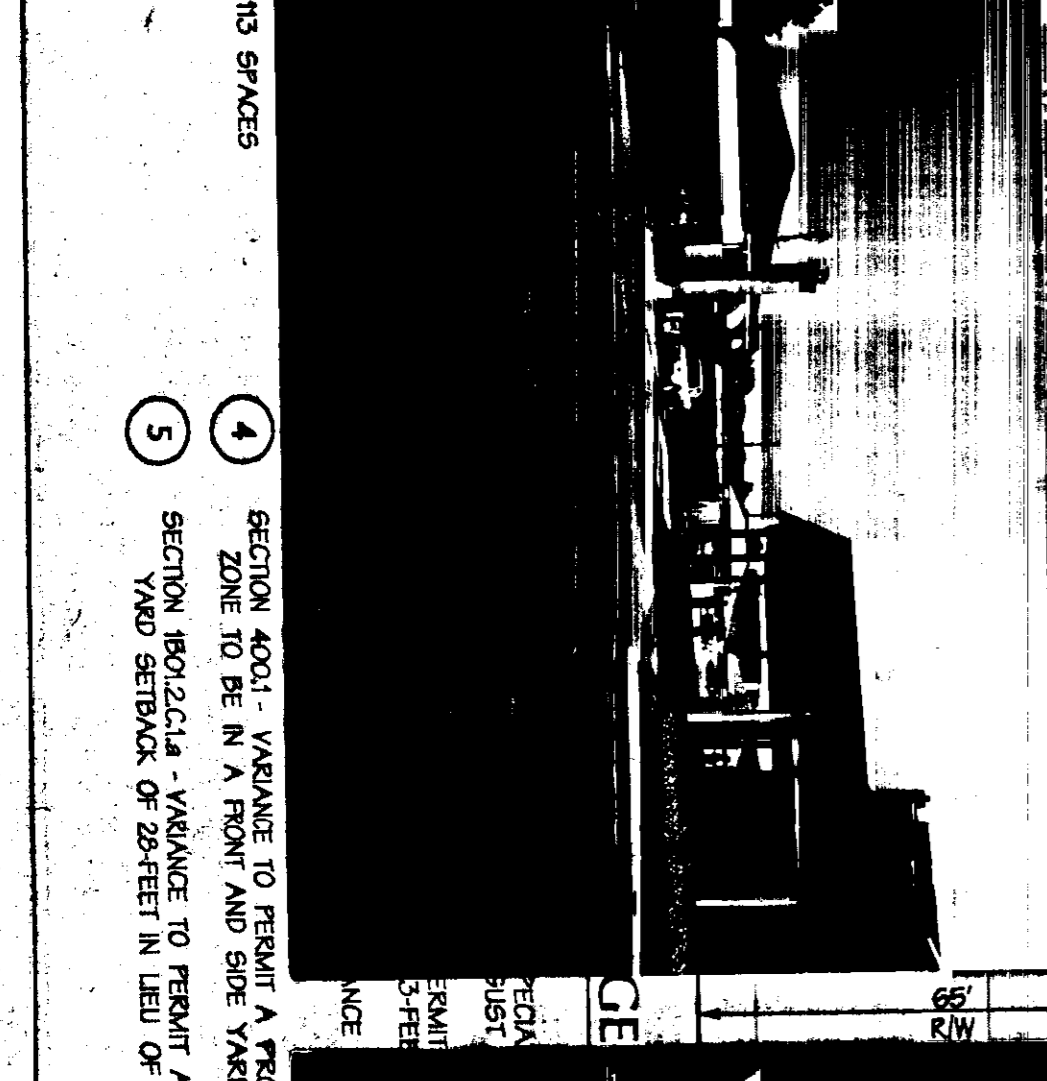
**FLOOR AREA, RATIO 0:1**  
 PROPOSED BUILDING HEIGHT:

**EXISTING ZONING: DR-5.5 & DR-10.5**  
 EXISTING USE: FUNERAL HOME AND RESIDENT  
 PROPOSED USE: FUNERAL HOME AND RESIDENT  
 ALL WORK TO CONFORM TO SECTION 45C

**EXISTING AND PROPOSED WATER SERVICE IN EXISTING AND PROPOSED SERVICE IN PREVIOUS COMMERCIAL PERMITS:**  
 105-23 - ADDITIONAL PARKING

**ANY PERMITS USED TO ILLUSTRATE AN OFFER AREA SHALL BE SO ARRANGED AS TO REFLECT FROM ADJACENT RESIDENTIAL SITE AND TO SHOW PARKING REQUIREMENTS.**  
 1 SPACES PER 1000 SQ. FT. @ 9.689 SQ. FT. PER 2 EMPLOYEES @ 20 EMP. 1 SPACES PER VEHICLE BEARING EXISTING

**TOTAL REQUIRED:**  
 4 SPACES  
 17 SPACES  
 TOTAL PROVIDED - 21 SPACES



**13 SPACES**

**4** SECTION 4001 - VARIANCE TO PERMIT A PROPOSED ACCESSORY STRUCTURE IN A RESIDENCE ZONE TO BE IN A FRONT AND SIDE YARD IN LEU OF REQUIRED SIDE YARD LOCATION.

**5** SECTION 4001 - VARIANCE TO PERMIT A PROPOSED ACCESSORY STRUCTURE WITH A FRONT YARD SETBACK OF 20 FEET IN LEU OF 40 FEET.

**6** WITH NO BUFFERING TO BE REQUIRED WITH A 2-FEET BUFFER AND SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEARED/LANDSCAPED BUFFER AND 75-FOOT SETBACK.

**7** SECTION 1801B.5 - VARIANCE TO PERMIT THE DEVISION OF THE PARKING AREA TO PROVIDE A 10-FOOT MINIMUM LANDSCAPED BUFFER AND 75-FOOT SETBACK.

**8** SECTION 1801B.5 - VARIANCE TO PERMIT A PROPOSED ACCESSORY STRUCTURE WITH A SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEARED/LANDSCAPED BUFFER AND 75-FOOT SETBACK.

**9** SECTION 1801B.5 - VARIANCE TO PERMIT THE INCLUSION OF AN ACCESSORY STRUCTURE (GARAGE) IN LEU OF THE REQUIRED 50-FOOT UNCLEARED/LANDSCAPED BUFFER AND 75-FOOT SETBACK IN THE DR-5.5 ZONE.

**10** SECTION 1801B.5 - VARIANCE TO PERMIT AN EXISTING PRINCIPAL STRUCTURE WITH A 50-FOOT UNCLEARED/LANDSCAPED BUFFER AND A SETBACK OF OTHER IN LEU OF THE REQUIRED 75-FOOT SETBACK.

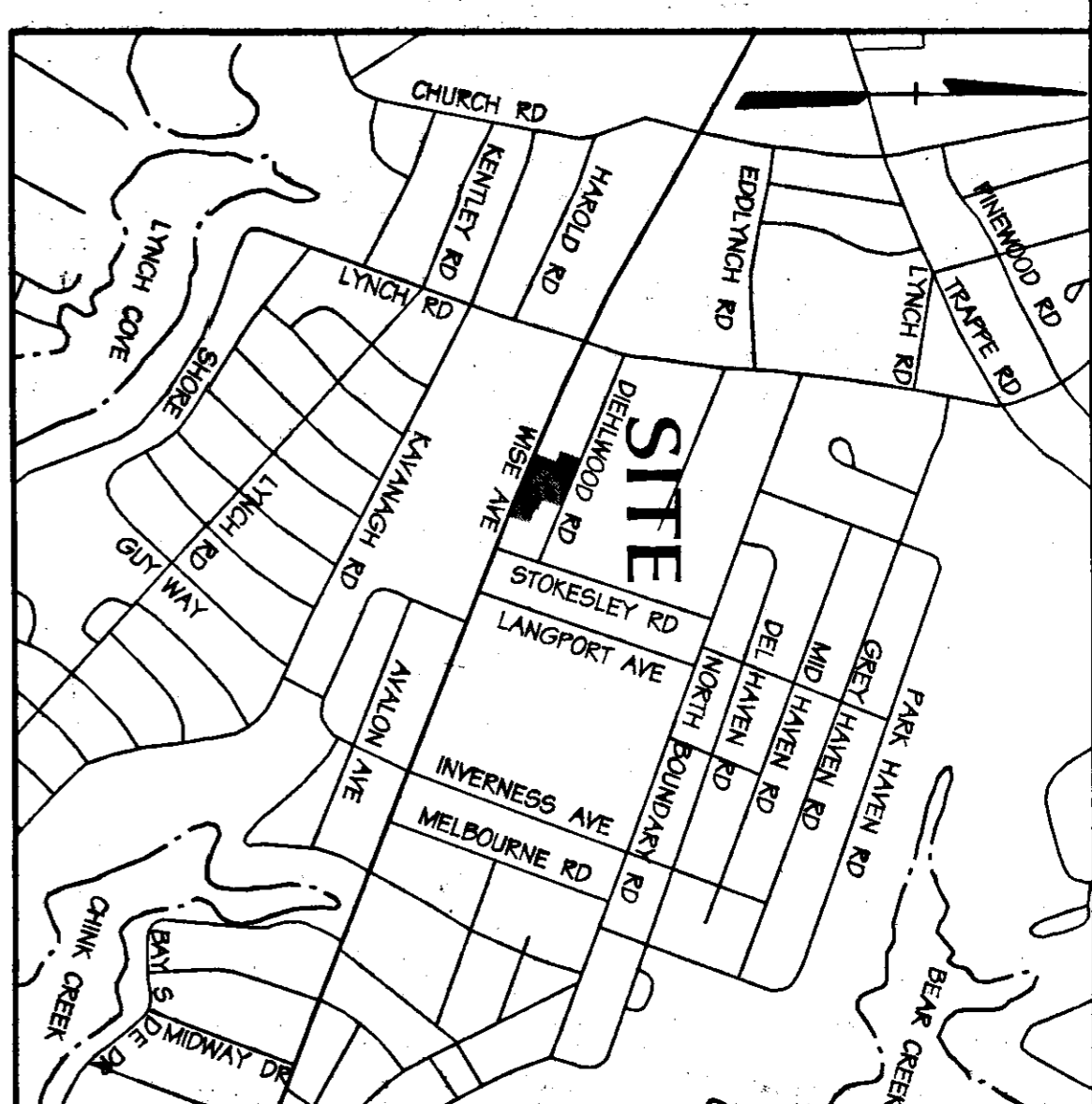
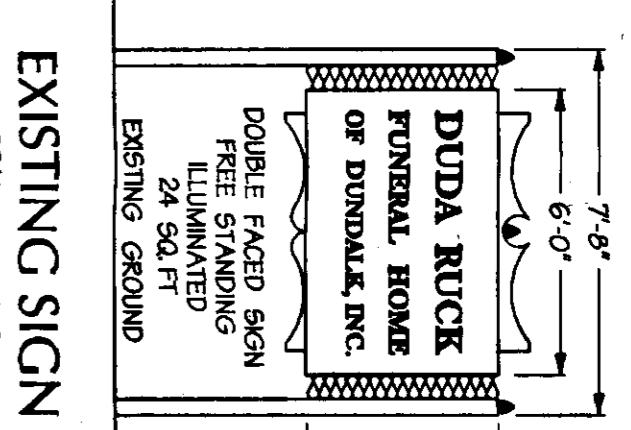
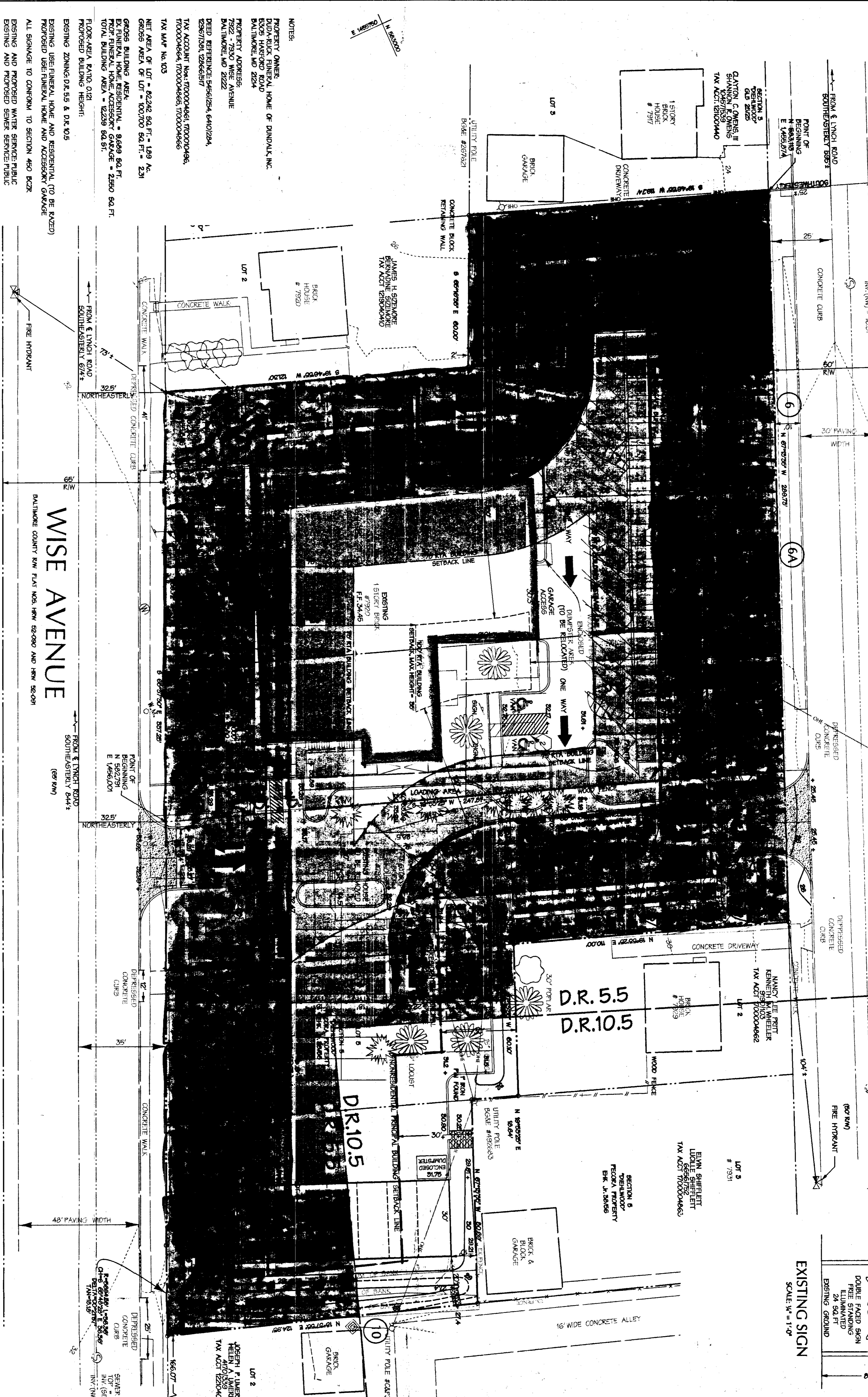
**11** SECTION 1801B.3 - VARIANCE TO PERMIT STORMWATER MANAGEMENT WATER QUALITY FACILITY IN THE RIA 50-FOOT BUFFER.

**12** SECTIONS 1801B.1(A) & 5021 - SPECIAL EXCEPTION TO PERMIT A FUNERAL ESTABLISHMENT AND ACCESSORY GARAGE IN DR-5.5 & DR-10.5 ZONES.

**13** SECTION 409.9B - HEAVING TO PERMIT BUSINESS OR INDUSTRIAL PARKING IN RESIDENTIAL ZONES.

# DIEHLWOOD ROAD

SECTION 5  
TRENWOOD  
GAS 25/25



**LOCATION MAP**  
SCALE: 1" = 100'

### ZONING HISTORY

**CASE 2044-X**  
ON OCTOBER 17, 1986, THE ZONING COMMISSIONER OF BALTIMORE COUNTY ORDERED THAT THE ADDRESS AND ZONING FOR A SPECIAL EXCEPTION FOR A FUNERAL ESTABLISHMENT BE AND THE SAME IS HEREBY GRANTED, SUBJECT, HOWEVER, TO COMPLIANCE WITH THE ABOVE PROVISION FOR SCREENING THE FRONTSET.

**CASE 5208-Y**  
FOR THE ABOVE REASONS THE VARIANCE SHOULD BE GRANTED.

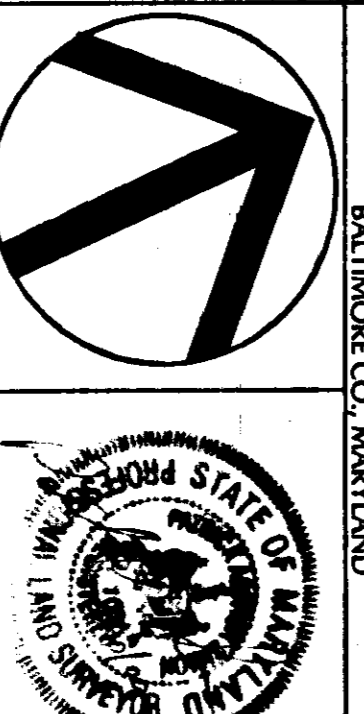
IT IS THIS 9th DAY OF FEBRUARY 1991 BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY, ORDERED THAT THE ADDRESS AND ZONING SHOULD BE AND THE SAME IS HEREBY GRANTED WHICH PERMITS A SIDE YARD OF 2 FEET INSTEAD OF THE REQUIRED 20 FEET.

**CASE 75-14-X**  
HEREBY, IT IS ORDERED BY THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY, THIS DAY OF AUGUST 1974, THAT THE HEREIN REQUESTED SPECIAL EXCEPTION FOR A FUNERAL ESTABLISHMENT BE AND THE SAME IS HEREBY GRANTED, SUBJECT TO THE APPROVAL OF A SITE PLAN BY THE DEPARTMENT OF PUBLIC WORKS AND THE OFFICE OF PLANNING AND ZONING.

**DATA SOURCES**  
ZONING AND PROPERTY OUTLINE INFORMATION BASED ON AN AERIAL FIELD SURVEY BY DMW, INC. DATED 7/31/88 AND 8/3, 1990.  
FPA BARRIERS ESTABLISHED FROM PLAN PREPARED BY DMW, INC. BASED ON BALTIMORE COUNTY GIS PLAN/METRIC INFORMATION AND 83.



**FUNERAL HOME**  
7922 - 7926 WISE AVENUE  
BALTIMORE CO, MARYLAND



DATE BY REVISIONS

ISSUE DATES	BASE	WIDE
02-09-00	DRAWN	WIDE
	DESIGNED	
	CHECKED BY	
	DATE CHECKED	
	DRAWING	

PROJECT NO.: 98086  
SCALE: 1" = 20'  
DRAWING: 1 of 1

### ZONING RELIEF LEGEND

- 1 SPECIAL HEARING TO AMEND THE SPECIAL EXCEPTION GRANTED IN CASE NO. 3944-X OCTOBER 17, 1986, AND 75-14-X AUGUST 1, 1974, BY REVISING THE SITE PLAN TO HAVE A FRONT SETBACK OF 33 FEET IN LIEU OF THE REQUIRED 40 FEET.
- 2 SECTION 1802.21A - VARIANCE TO PERMIT AN EXISTING NONCONFORMING STRUCTURE TO HAVE A FRONT SETBACK OF 33 FEET IN LIEU OF THE REQUIRED 40 FEET.
- 3 SECTION 1802.21A & 301A - VARIANCE TO PERMIT AN EXISTING CANOPY SIDE SETBACK OF 3 FEET IN LIEU OF 5 FEET.
- 4 SECTION 4001 - VARIANCE TO PERMIT A PROPOSED ACCESSORY STRUCTURE IN A RESIDENCE ZONE TO BE IN A FRONT AND SIDE YARD IN LIEU OF REQUIRED REAR YARD LOCATION.
- 5 SECTION 1802.21A - VARIANCE TO PERMIT A PROPOSED ACCESSORY STRUCTURE WITH A FRONT YARD SETBACK OF 28 FEET IN LIEU OF 40 FEET.
- 6 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA WITH NO BUFFERING TO BE RECONFIGURED WITH A 0-FOOT BUFFER AND 75-FOOT SETBACK.
- 6A SECTION 409.2.4.4 - TO PERMIT A 0-FOOT SETBACK IN LIEU OF THE REQUIRED 10-FOOT SETBACK.
- 7 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA WITH NO BUFFERING TO BE RECONFIGURED WITH A 0-FOOT BUFFER AND SETBACK IN LIEU OF THE NOW REQUIRED 50-FOOT UNCLEDEVELOPED/BUFFER AND 75-FOOT SETBACK.
- 8 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA WITH NO BUFFERING TO BE RECONFIGURED WITH A 2-FOOT BUFFER AND SETBACK IN LIEU OF THE NOW REQUIRED 50-FOOT UNCLEDEVELOPED/BUFFER AND 75-FOOT SETBACK.
- 9 SECTION 1801B.4.5 - VARIANCE TO PERMIT THE DEVIATION OF THE PARKING AREA TO PROVIDE A 0-FOOT MINIMUM LANDSCAPED BUFFER AND 75-FOOT SETBACK.
- 10 SECTION 1801B.4.5 - VARIANCE TO PERMIT THE INCLUSION OF AN ACCESSORY STRUCTURE IN A RESIDENCE ZONE WITH NO BUFFERING TO BE RECONFIGURED TO CONFORM WITH UNCLEDEVELOPED/BUFFER AND 75-FOOT SETBACK IN THE DR.5.5 ZONE.
- 11 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING STRUCTURE WITH A 50-FOOT UNCLEDEVELOPED/BUFFER AND A SETBACK OF 10 FEET IN LIEU OF THE REQUIRED 75-FOOT SETBACK.
- 12 SECTION 1801B.4.5 - VARIANCE TO PERMIT STORMWATER MANAGEMENT WATER QUALITY FACILITY IN THE R1A 50-FOOT BUFFER.
- 13 SECTIONS 1801(C)(9), 1801(V)(4) & 3021 - SPECIAL EXCEPTION TO PERMIT A FUNERAL ESTABLISHMENT AND ACCESSORY GARAGE IN DR.5.5 & DR.10.5 ZONES.
- 14 SECTION 409.2.8 - HEARING TO PERMIT BUSINESS OR INDUSTRIAL PARKING IN RESIDENTIAL ZONES.

**NOTES:**  
PROPERTY OWNER: DUDA-RUCK FUNERAL HOME OF BALTIMORE, INC. 8305 HARVARD ROAD BALTIMORE, MD 2124  
PROPERTY ADDRESS: 7922 - 7926 WISE AVENUE BALTIMORE, MD 2122  
DEED REFERENCE: 5465254, 6401294, 2367151, 2286817  
TAX ACCOUNT NO.: 702024461, 702024986, 702024864, 702024863, 702024865  
TAX MAP No. 03  
NET AREA OF LOT - 8243 SQ. FT. - 189 1/2  
GROSS AREA OF LOT - 100,700 SQ. FT. - 2.31  
GROSS BUILDING AREA: 9,689 SQ. FT.  
EXISTING NON-RESIDENTIAL - 9,689 SQ. FT.  
EXISTING RESIDENTIAL - 2,880 SQ. FT.  
TOTAL BUILDING AREA - 12,569 SQ. FT.  
FLOOR-AREA RATIO: 0.12  
PROPOSED BUILDING HEIGHT: EXISTING ZONING DR.5.5 & DR.10.5  
EXISTING USE: FUNERAL HOME AND ACCESSORY GARAGE  
PROPOSED USE: FUNERAL HOME AND ACCESSORY GARAGE  
ALL SIGNAGE TO CONFORM TO SECTION 480 BCZ  
EXISTING AND PROPOSED WATER SERVICE: PUBLIC  
EXISTING AND PROPOSED SEWER SERVICE: PUBLIC  
PREVIOUS COMMERCIAL PERMITS: 742/75 - ADDITIONAL PARKING

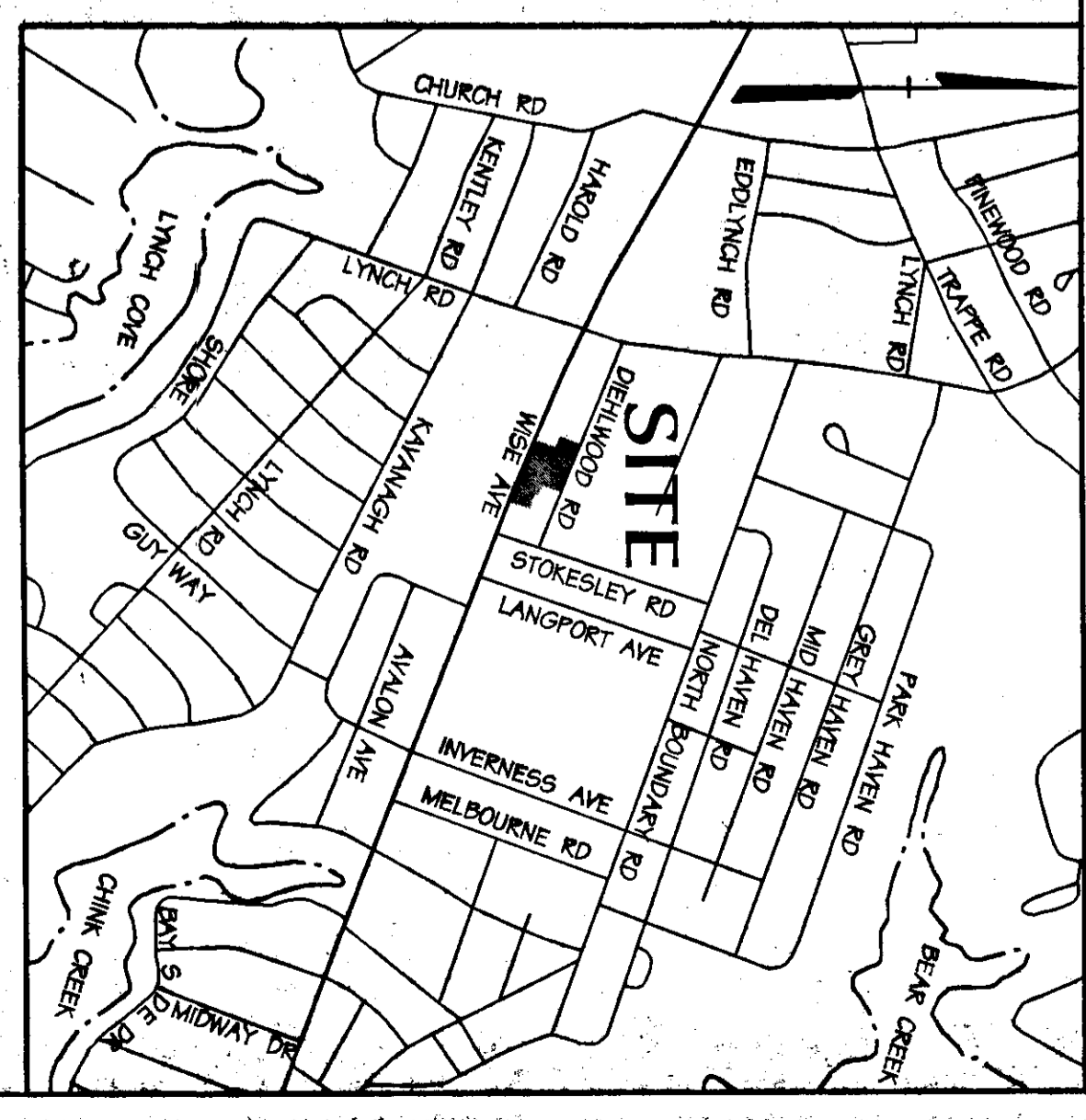
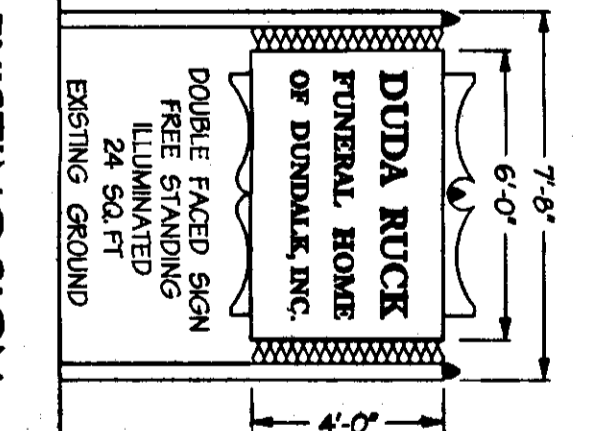
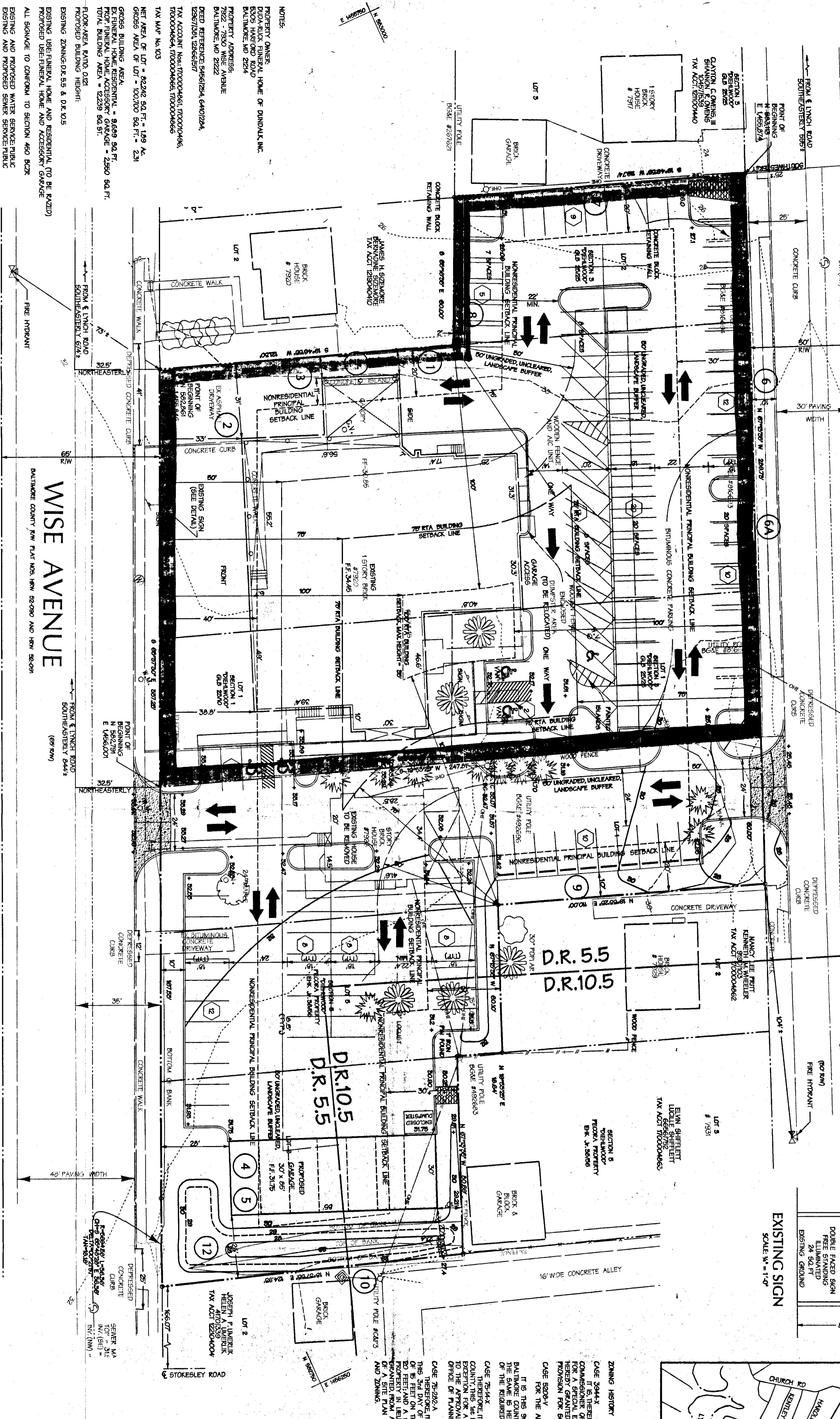
ANY REQUIRE USED TO LUNIMATE AN OFF-STREET PARKING FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS  
PARKING REQUIREMENTS:  
TO SPACES PER 1000 SF. = 9.689 SF. = 96.9 - 97 SPACES  
TO SPACES PER 2 EMPLOYEES = 20 EMPLOYEES = 10 SPACES  
1 SPACE PER VEHICLE SERVING EXISTING USE = 6 SPACES  
TOTAL REQUIRED: 113 SPACES  
PROVIDED:  
HANDICAPPED - 4 SPACES  
STANDARD - 17 SPACES  
TOTAL PROVIDED - 21 SPACES

# DIEHLWOOD ROAD

# WISE AVENUE

## ZONING RELIEF LEGEND

- 1 SPECIAL VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- 2 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- 3 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- 4 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- 5 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- 6 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- 7 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- 8 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- 9 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- 10 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- 11 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- 12 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- 13 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.
- 14 SECTION 1801B.4.5 - VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.



## LOCATION MAP

SCALE: 1" = 1000'

**ZONING HISTORY**  
 CASE 3944-X  
 IT IS HEREBY ORDERED BY THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY, MARYLAND, THAT THE ZONING COMMISSIONER OF BALTIMORE COUNTY HEREBY GRANTED SPECIAL VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.

**CASE 3944-X**  
 IT IS THIS DAY OF FEBRUARY 1987 BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY, MARYLAND, THAT THE ZONING COMMISSIONER OF BALTIMORE COUNTY HEREBY GRANTED SPECIAL VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.

**CASE 75-2925-A**  
 IT IS HEREBY ORDERED BY THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY, MARYLAND, THAT THE ZONING COMMISSIONER OF BALTIMORE COUNTY HEREBY GRANTED SPECIAL VARIANCE TO PERMIT AN EXISTING, NONCONFORMING PARKING AREA TO REMAIN IN A DR-0.5 ZONE WITH NO BUFFERING TO BE RECONFIGURED WITH A 20-FOOT MINIMUM BUFFER AND 75-FOOT SETBACK IN LEU OF THE REQUIRED 50-FOOT UNCLEMENDED/UNGRADED BUFFER AND 75-FOOT SETBACK.

**DATA SOURCES:**  
 AND PROPERTY OUTLINE INFORMATION BASED ON AN ACTUAL FIELD SURVEY BY DWM, INC. DATED 7/19/86 AND 8/11/86.  
 RTA SURVEYS ESTABLISHED FROM PLAT PREPARED BY DWM, INC. BASED ON BALTIMORE COUNTY GIS PLANIMETRIC INFORMATION W/03 85.

**DWM**  
 A Team of Land Planners, Surveyors, Engineers, Architects, and Environmental Professionals  
 12th ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND  
**FUNERAL HOME**  
 7922 - 7926 WISE AVENUE  
 BALTIMORE, MARYLAND 21286  
 (410) 296-4333  
 (410) 296-4335  
 FAX: (410) 296-4700

**PLANNING TO ACCOMPANY SPECIAL HEARING, SPECIAL VARIANCE AND ZONING VARIANCES**  
**DUDA RUCK FUNERAL HOME**

DATE: \_\_\_\_\_  
 BY: \_\_\_\_\_  
 REVISIONS: \_\_\_\_\_

ISSUE DATES: \_\_\_\_\_  
 BASE: \_\_\_\_\_  
 REVIEW: 02-09-00 DRAWN: \_\_\_\_\_  
 DESIGNED: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 DATE CHECKED: \_\_\_\_\_  
 DRAWING: \_\_\_\_\_

SCALE: 1" = 20'  
 PROJECT NO.: 92036  
 1 of 1

**NOTES:**  
 PROPERTY OWNER:  
 DUDA RUCK FUNERAL HOME OF DUNDALK, INC.  
 8005 HAVENWOOD ROAD  
 BALTIMORE, MD 21284  
 PROPERTY ADDRESS:  
 7922 - 7926 WISE AVENUE  
 BALTIMORE, MD 21222  
 DEED REFERENCE: SH461254, 640124,  
 12871281, 12866187  
 TAX ACCOUNT NO.: T0000465, T0000466,  
 T0000464, T0000465, T0000466  
 TAX MAP NO. 103  
 NET AREA OF LOT - 82,242 SQ. FT. - 1.89 AC.  
 GROSS AREA OF LOT - 100,700 SQ. FT. - 2.31 AC.  
 GROSS BUILDING AREA:  
 EX. FUNERAL HOME ACCESSORY GARAGE = 2,560 SQ. FT.  
 TOTAL BUILDING AREA = 82,239 SQ. FT.  
 FLOOR AREA RATIO (FAR):  
 EXISTING BUILDING HEIGHT:  
 EXISTING USE: FUNERAL HOME AND ACCESSORY (TO BE RAZED)  
 PROPOSED USE: FUNERAL HOME AND ACCESSORY GARAGE  
 ALL SIGNAGE TO CONFORM TO SECTION 460 B2CR  
 EXISTING AND PROPOSED WATER SERVICE PUBLIC  
 EXISTING AND PROPOSED SEWER SERVICE PUBLIC  
 PREVIOUS COMMERCIAL PERMITS:  
 105-63 - ADULT  
 74275 - ADDITIONAL PARKING  
 ANY PERMITS USED TO OBTAIN AN OFF-STREET PARKING  
 AREA SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY  
 FROM ADJACENT RESIDENTIAL SITE AND PUBLIC STREETS.  
**REQUIRED REQUIREMENTS:**  
 PARKING SPACES PER 1,000 S.F. @ 9.689 S.F. = 9.689 - 97 SPACES  
 1 SPACE PER 2 EMPLOYEES @ 20 EMPLOYEES  
 1 SPACE PER SERVICE SERVING EXISTING USE @ 6 SPACES  
 TOTAL REQUIRED: 113 SPACES  
 PROVIDED: 4 SPACES  
 STAMPOD = 117 SPACES  
 TOTAL PROVIDED = 121 SPACES

Duda-Ruck Inc  
7922 Wise Ave  
Baltimore 21222, Md.

791 Diehlwood Rd.  
Baltimore 21222, Md.  
27 March 2000

Dear Sir,

When my husband and family moved here on Diehlwood Rd, 6 June 1959, we knew of John Duda Funeral Home and understood that a special exemption zoning was permitted for a funeral home with permission from a few old time neighbors. 7912 Wise Ave, Mr & Mrs. M. Surratt, Lynch Rd, Mr. & Mrs. Lynch, and Our Lady of Hope, Fr Zinkhand 7945 N. Boundry Rd. The establishment was known as Diehl's farmhouse. This development street is named so.

There are 23 residential homes on Diehlwood now. About 1960's something or other, Mr. & Mrs. Pitt Pecora, 7926 Wide Ave, approached the neighbors for a zoning change for a liquor - convenience store, which was quickly opposed.

A few more years passed (about 1975) a Mrs. Esther Bahalia of 7914 Wise also wanted a zoning change for a Day-Care Center with an exit on Diehlwood Rd. Neighbors hired a lawyer - went to court. It was denied.

Now in about 1995 a Dr Michael Martin, Chiropractor wanted to also change zoning on said property at 7926 Wide Ave for offices and parking. A letter was sent to all neighbors. Also opposed. Dr Michael Martin settled in at 7939 Wise Ave, near corner of Wise and Lynch. He bought an abandoned Dr's office and opened on 16 Mar 1996. Good parking and now a Cvs pharmacy moved next door. How great can life be?

Now we have For Sale signs on 1 lot of Diehlwood and then on the Pecora property on Wise Ave. Worry ? Worry ?

I am a most concerned citizen and also President of Eastcrest Community Association, so when a flyer came around for a town meeting to be held at Our Lady of Hope Catholic Church basement on 3 May 1999, we were elated to go. Plans were presented by Michael Ruck - owner of 3 establishments, and spokesperson Scott Gardner (Duda-Ruck) and a Mr. Charles V. Main of Daft-McCune-Walker Inc. (Surveyors). Spoke of buying the Pecora property and 1 lot on Diehlwood and will build a triple-door garage - backed up against the duplex home 7932 Wise Ave (will hold 6 vehicles). Beautifully landscaped. Entrance in front of 7918 Diehlwood will be closed and the other entrance at 7926 to be enlarged. 2 exits/ entrance on Wise Ave. They now park 73 vehicles and proposed is 128.

Diehlwood neighbors have been very generous to their overflow parking needs because we all have private driveways and the staff of the parking lot make sure our driveways don't get blocked in. This project will enhance our properties of Diehlwood and Wise Ave.

Duda-Ruck keep their property beautifully landscapped - always. No trash, no late visitors - short hrs. Courteous personned. Now we can all sleep better knowing this zoning can never change because sometimes the wrong change, breaks down a neighborhood.

Thank you,  
410-284-5275 Irene Spatafore

*Irene Spatafore*