

WHITEFORD, TAYLOR & PRESTON L.L.P.

JENNIFER R. BUSSE
DIRECT LINE (410) 832-2077
DIRECT FAX (410) 339-4027
jbusse@wtplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
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BALTIMORE, MD
BETHANY BEACH, DE*
BETHESDA, MD
COLUMBIA, MD
DEARBORN, MI
FALLS CHURCH, VA
LEXINGTON, KY
PITTSBURGH, PA
ROANOKE, VA
WASHINGTON, DC
WILMINGTON, DE*

WWW.WTPLAW.COM
(800) 987-8705

July 8, 2020

Via Hand Delivery

W. Carl Richards, Jr.
Chief Zoning Review Supervisor
Baltimore County Zoning Office
111 W. Chesapeake Avenue
Room 111
Towson, Maryland 21204

**Re: Zoning Verification Request
Dulaney Valley Memorial Gardens
Temporary use of existing garage for Crematorium**

Dear Mr. Richards:

As you are aware, this office represents Dulaney Valley Memorial Gardens ("DVMG"). DVMG is proceeding through the permit process at this time for its crematorium which will service both humans and pets (using separate retort units). The approval for the human crematorium was provided via Special Hearing in Case 2018-112-SPH. The approval for the accessory pet crematorium was provided via the grant of the Special Hearing in Case 2014-176-SPH.

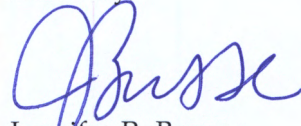
As you will also recall, in order to meet the existing need as a result of the current pandemic, and since construction of its permanent crematorium is not expected to be complete for approximately twelve (12) more months, after conversations with you and Deputy Director Peggy White, DVMG obtained approval from PAI to locate one (1) retort unit within an existing garage on its property and operate it until the opening of the already approved permanent facility. A copy of the building permit issued in this regard is attached hereto. The retort that will be used within the garage will simply be moved into the permanent crematorium as soon as the construction of the permanent crematorium is complete. Thus, the use of the garage for crematorium purposes will cease when the permanent facility is operational.

As part of the MDE's permitting process, the reviewer is requesting confirmation that zoning approval be provided for the temporary use of the garage. Thus the purpose of this letter is to respectfully request confirmation in this regard.

With regard to DVMG's relevant additional prior approval history, this past December, I obtained a zoning verification letter for this property (copy attached) confirming that the approvals for the crematoriums (human and pet), as accessory to the underlying cemetery uses, remain valid. Prior to that, you issued a verification letter on June 27, 2019 confirmed the zoning history of the property and that there were no outstanding violations.

We respectfully request you sign below to indicate your agreement that the use of the existing garage for temporary crematorium use has been approved by PAI. My firm's check in the amount of \$200 is attached hereto, representing payment for this request. Please do not hesitate to contact me with any questions or concerns. Thank you for your attention to this matter.

Sincerely,



Jennifer R. Busse

ZONING VERIFICATION PROVIDED:

7/22/20
Date:

u [signature]
By: as per permit COO #13970028

cc: Mr. Nolan Penney, MDE
Ms. Peggy White, P.E., Deputy Director of PAI

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS

Michael D. Mallinoff

Michael D. Mallinoff, Director



E. John Bryan

E. John Bryan, Building Engineer

BUILDING PERMIT

PERMIT #: B970028 CONTROL #: COC- DIST: 08 PREC: 01
DATE ISSUED: 06/15/2020 TAX ACCOUNT #: 1600008599 CLASS: 06

PLANS: CONST 02 PLOT 9 R PLAT 0 DATA 0 ELEC YES PLUM YES
LOCATION: 200 E PADONIA RD
SUBDIVISION: 1 MILE E OF YORK

OWNERS INFORMATION

NAME: DULANEY VALLEY MEMORIAL
ADDR: 200 E PADONIA RD, LUTHERVILLE TIMONIUM MD 21093-124

TENANT: DULANEY VALLEY MEMORIAL GARDENS, INC
CONTR: TBD

ENGR:

SELLR: CHG OF OCC FROM GARAGE TO TEMP CREMATORIUM.
WORK: CHG OF OCC REQ'D TO RETURN TO GARAGE. INT ALTS
TO INSTALL CREMATOR EQUIP & EXHAUST STACK
INSULATION IN WALLS & CEILING, CONST DRYWALL,
INTAKE LOUVER IN EXT WALL, CONST CONCRETE
LANDING AT EXIT DOOR. SEPARATE PERMIT REQUIRED
FOR ANY ADD'L WORK.

BLDG. CODE:

RESIDENTIAL CATEGORY:

OWNERSHIP: PRIVATELY OWNED

PROPOSED USE: CREMATORIUM AND ALTS
EXISTING USE: GARAGE

TYPE OF IMPRV: ALTERATION

USE: OTHER - NON-RESIDENTIAL

FOUNDATION:

BASEMENT:

SEWAGE: PUBLIC EXIST

WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 68.61AC

FRONT STREET:

SIDE STREET:

FRONT SETB: NC

SIDE SETB: NC

SIDE STR SETB:

REAR SETB: NC

THIS PERMIT EXPIRES ONE
YEAR FROM DATE OF ISSUE

PLEASE REFER TO PERMIT NUMBER WHEN MAKING INQUIRIES

WHITEFORD, TAYLOR & PRESTON L.L.P.

19-516
EL 15
12/18/19
JCM
u n

JENNIFER R. BUSSE
DIRECT LINE (410) 832-2077
DIRECT FAX (410) 339-4027
jbusse@wtplaw.com

TOWSON COMMONS, SUITE 300
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LEXINGTON, KY
PITTSBURGH, PA
ROANOKE, VA
WASHINGTON, DC
WILMINGTON, DE*

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(800) 987-8705

December 18, 2019

Via Hand Delivery

W. Carl Richards, Jr.
Chief Zoning Review Supervisor
Baltimore County Zoning Office
111 W. Chesapeake Avenue
Room 111
Towson, Maryland 21204

Re: Zoning Verification - Dulaney Valley Memorial Gardens

Dear Mr. Richards:

This past June, John Gontrum obtained a zoning verification letter for this property. A copy of the approval is attached. At this time I am submitting another request for verification, specifically asking you to confirm that the approvals for the crematoriums (human and pet), as accessory to the underlying cemetery uses, remain valid. Your June 27, 2019 zoning verification letter confirmed the zoning history of the property and that there were no outstanding violations.

Dulaney Valley Memorial Gardens is proceeding through the permit process at this time for the buildings which will house the retorts for the crematorium uses. The approval for the human crematorium was provided via Special Hearing in Case 2018-112-SPH. (A copy of the order and site plan are attached hereto.) The approval for the accessory pet crematorium was provided via the grant of the Special Hearing in Case 2014-176-SPH. (A copy of the order is attached hereto.) Both crematorium uses are shown on the 2018 site plan, and both crematorium uses were approved as accessory to the underlying cemetery uses which have existed and continued uninterrupted since the 1950's.

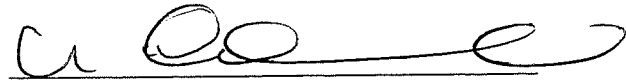
We respectfully request you sign below to indicate your agreement that the accessory crematorium use approvals remain valid. My firm's check in the amount of \$200 is attached hereto, representing payment for this request. Please do not hesitate to contact me with any questions or concerns. Thank you for your attention to this matter.

Sincerely,


Jennifer R. Busse

ZONING VERIFICATION PROVIDED:

1/2/20
Date:

* 
By: Carl Richards

* In accordance with
Zoning Case #2018-112SPH

WHITEFORD, TAYLOR & PRESTON L.L.P.

JOHN B. GONTRUM
DIRECT LINE (410) 832-2055
DIRECT FAX (410) 339-4058
JGontrum@wtplaw.com

TOWSON COMMONS, SUITE 300
ONE WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5025
MAIN TELEPHONE (410) 832-2000
FACSIMILE (410) 832-2015

For: JCL
6/24/19 urc

DELAWARE*
DISTRICT OF COLUMBIA
KENTUCKY
MARYLAND
MICHIGAN
NEW YORK
PENNSYLVANIA
VIRGINIA

WWW.WTPLAW.COM
(800) 987-8705

June 21, 2019

19-269

Via Hand Delivery

Carl Richards, Director
Zoning Bureau, Permits Approvals and Inspections
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Zoning Verification - Dulaney Valley Memorial Gardens

Dear Mr. Richards:

Our client is asking for a letter of verification/certification of the zoning uses permitted on its property, which is depicted on the December 10, 2017 Plan to Accompany Zoning Petition.

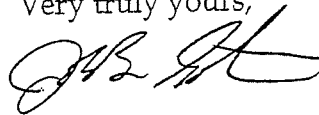
We would like to have the following verified:

1. That the property is zoned D.F. 3.5.
2. That in Zoning Case No. 1956-3826-X a zoning special exception was approved for a cemetery use affirmed by the County Board of Appeals and by the Circuit Court
3. That in Case No. 1966-40-X a special exception was granted for an addition to the cemetery use.
4. That in Case No. 2014-176-SPH Special Hearing relief was granted to Dulaney Valley Memorial Gardens, Inc. to permit a pet crematorium as an accessory to an underlying cemetery and pet cemetery use; to permit three (3) accessory parking spaces for the pet crematorium and to amend the underlying and previous special exception amendments granted for cemetery use.

Carl Richards, Director
June 21, 2019
Page 2

5. That in Case No. 2018-0112-SPH Special Hearing relief was granted to Dulaney Valley Memorial Gardens, Inc. to permit a human crematorium as accessory to an underlying cemetery use; to permit two (2) accessory parking spaces for human crematorium; and a special hearing to amend the underlying and previous special amendments granted for cemetery use.
6. That the uses depicted on the Plan to Accompany Zoning Petition dated October 10, 2017 are permitted under the approved Zoning Orders. A copy of the Plan is attached.
7. That the property has no current zoning violations outstanding.

Very truly yours,

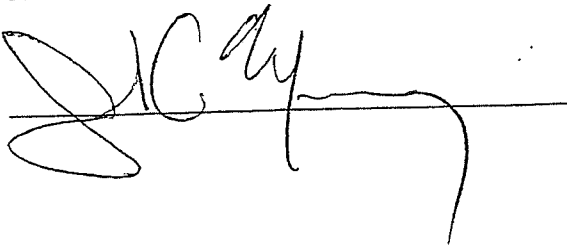


John B. Gontrum

JBG:jg

Attachments

All of the above Statements are Approved and Verified:



Date: 6/27/19

THE FOREGOING IS MERELY AN INFORMAL OPINION. IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS DOCUMENT, OR ANY INTERPRETATION THEREOF.

 6/27/19

M E M O R A N D U M

DATE: July 10, 2014
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2014-0176-SPHX – Appeal Period Expired

The appeal period for the above-referenced case expired on July 9, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File
Office of Administrative Hearings

IN RE: **PETITION FOR SPECIAL HEARING**
(200 E. Padonia Road)
8th Election District
3rd Councilmanic District
Dulaney Valley Memorial Gardens, Inc.
Petitioner

* BEFORE THE
* OFFICE OF
* ADMINISTRATIVE HEARINGS
* FOR BALTIMORE COUNTY
* **Case No. 2014-0176-SPH**

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed by Adam D. Baker, Esquire with Whiteford, Taylor & Preston, on behalf of Dulaney Valley Memorial Gardens Inc., ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) to permit a pet crematorium as accessory to an underlying cemetery and pet cemetery use; (2) to permit three (3) accessory parking spaces for the pet crematorium; and (3) to amend the underlying special exception for cemetery use (Case No. 1956-3826-X) as amended in Case No. 66-40-X.

Appearing at the public hearing in support of the requests was Don Collins, Amy Shimp, John Sekerak, Jr. and Fernando Benitez. Adam D. Baker, Esquire with Whiteford, Taylor & Preston appeared and represented the Petitioner. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no Protestants in attendance at the hearing, and the file does not contain any letters of opposition. The only substantive Zoning Advisory Committee (ZAC) comment was submitted by the Department of Planning (DOP) dated April 23, 2014, indicating that agency did not oppose the request.

ORDER RECEIVED FOR FILING

Date

6/9/14

By

Sen

The subject property is 70.496 acres and is zoned DR 3.5 and DR 5.5. A large cemetery is operated on the property, pursuant to a special exception granted in 1956 and amended in 1966. The cemetery includes an area for the burial of pets, and the Petitioner proposes to offer crematory services for pets. Since this use is not addressed specifically in the Regulations, Petitioner was instructed to file this petition for special hearing.

Petitioner presented the testimony of Don Collins, with nearly 40 years experience in the funeral industry, who was accepted as an expert in crematory operations. Mr. Collins explained the nature and operation of the proposed pet crematory, which he believed would be a state-of-the-art facility. He testified that such pet crematories are customarily operated in conjunction with human cemeteries, and that the size and scale of the pet crematory operation would be subordinate to the overall cemetery operation. Thus, I believe this qualifies as an accessory use (to the cemetery operation) under section 101.1 of the B.Z.C.R. Mr. Collins also noted Petitioner would need to obtain State approval for the facility, and must satisfy stringent air quality standards.

Mr. Sekarak, a landscape architect who was accepted as an expert witness, testified (via proffer) that he prepared the site plan marked as Exhibit 1. He opined that the proposed crematory use satisfied all requirements of B.C.Z.R. §502.1 and that the use would not be injurious to the community. Though the B.C.Z.R. does not specify the number of parking spaces required for a pet crematory, Amy Shimp (who is General Manager of Dulaney Memorial Gardens), testified that three spaces would be sufficient, since pet services are scheduled for only one family at any one time. The Petitioner conducted extensive community outreach prior to the hearing, and counsel noted that the community expressed enthusiastic support for the project.

THEREFORE, IT IS ORDERED this 9th day of June 2014, by this Administrative Law

ORDER RECEIVED FOR FILING

Date 6/9/14

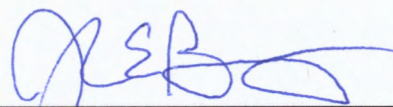
By sen

Judge, that the Petition for Special Hearing pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) to permit a pet crematorium as accessory to an underlying cemetery and pet cemetery use; (2) to permit three (3) accessory parking spaces for the pet crematorium; and (3) to amend the underlying special exception for cemetery use (Case No. 1956-3826-X, as amended in Case No. 66-40-X), in accordance with the terms of this Order and the site plan marked as Exhibit 1, be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

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

Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB/sln

ORDER RECEIVED FOR FILING

Date 6/9/14

3 By sln

KEVIN KAMENETZ
County Executive



LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

June 9, 2014

Adam D. Baker, Esquire
Whiteford, Taylor & Preston
1 W. Pennsylvania Avenue
Suite 300
Towson, Maryland 21204

RE: Petition for Special Hearing
Property: 200 E. Padonia Road
Case No. 2014-0176-SPH

Dear Mr. Baker:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over a circular stamp.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure



Stantec Consulting Services Inc.
20410 Century Boulevard Suite 200
Germantown MD 20874
Tel: (301) 444-8282

**Description
To Accompany Petition for a Special Hearing
Dulaney Valley Memorial Park, Inc.
Baltimore County, Maryland**

February 25, 2014

Being all of those parcels or tracts of land described in the following deeds recorded among the Land Records of Baltimore County, Maryland: A deed dated July 17, 2007 from Dulaney Valley Memorial Gardens to Dulaney Valley Memorial Park, Inc. recorded in Liber 25938 at Folio 115; A deed dated July 17, 2007 from Maryland Pet Cemetery, Inc. to Dulaney Valley Memorial Park, Inc. recorded in Liber 25938 at Folio 125; A deed dated July 17, 2007 from Metropolitan Mausoleum Associates, Inc. to Dulaney Valley Memorial Park, Inc. recorded in Liber 25938 at Folio 133.

Part One

Beginning at the northwesterly end of the first or S 83°44'45" E, 1060.56 foot line of "Parcel 1" as described in Liber 25938 at Folio 115; thence, binding along the outline of the lands of Dulaney Valley Memorial Park, Inc.:

1. S 83°44'45" E, 1060.56 feet; thence,
2. N 08°37'46" E, 1094.61 feet; thence,
3. S 84°14'26" E, 988.33 feet; thence,
4. S 17°43'34" W, 1056.45 feet; thence,
5. S 06°25'09" W, 342.82 feet; thence,
6. S 59°20'07" E, 141.75 feet; thence,
7. 957.87 feet along the arc of a non-tangent curve to the right, having a radius of 1040.00 feet the chord of which is S 39° 28' 15" W, 924.37 feet; thence,
8. N 84°00'38" W, 1390.04 feet
9. N 38°53'56" W, 162.32 feet
10. N 06°12'46" E, 999.83 feet to the POINT OF BEGINNING.

Containing 69.9474 acres or 3,046,909 square feet, more or less.

Item #0176

February 25, 2013

Part Two

Beginning at the southeasterly end of the first or N 84°00'38" W, 229.63 foot line of "Parcel 2" as described in Liber 25938 at Folio 115; thence, binding along the outline of the lands of Dulaney Valley Memorial Park, Inc.:

1. N 84°00'38" W, 229.63 feet; thence,
2. 328.19 feet along the arc of a non-tangent curve deflecting to the left, having a radius of 1120.00 feet the chord of which is N 51°01'14" E, 327.02 feet; thence,
3. S 06°25'09" W, 231.12 feet to the POINT OF BEGINNING.

Containing 0.5490 acres or 23,916 square feet, more or less.

This description was prepared for zoning purposes only and is not intended to be used for conveyance. No title report or field boundary surveys were provided for the preparation of this document.

I hereby certify that I was in responsible charge of the preparation of this document, in accordance with the standards established by COMAR 09.13.06.12.

 CHRISTOPHER S. ADAMS 02-25-14

Christopher S. Adams
Professional Land Surveyor
Maryland Registration No. 21569
Expires: June 29, 2014



Item #0176

DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS

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.

For Newspaper Advertising:

Item Number or Case Number: 2014-01760-SPHX

Petitioner: DULANEY VANDY MEMORIAL GARDENS

Address or Location: 200 E. PADONIA RD

PLEASE FORWARD ADVERTISING BILL TO:

Name: ADAM BAKER

Address: WHITEFORD TAYLOR & PRESTON

1 W. PENNSYLVANIA AVE, STE 300

TOWSON, MD 21204

Telephone Number: 410-832-2000

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. **108006**

Date: **2/27/14**

PAID RECEIPT

RECEIVED - ACTUAL TIME 11:10:51
 2/27/2014 2/27/2014 11:10:51
 REC FOR WALKER SHI SW
 RECEIPT # 610149 2/27/2014
 5 526 ZONING VERIFICATION
 00006
 Receipt Tot 12,000.00
 \$1,000.00 GC \$1,200.00
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount	Dept
001	800	0000		6150				51000	

Total: **51000**

Rec From:

For:

zoning hearing - case # 2014-0176-SPHX

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CERTIFICATE OF POSTING

ATTENTION: KRISTEN LEWIS

DATE: 5/16/2014

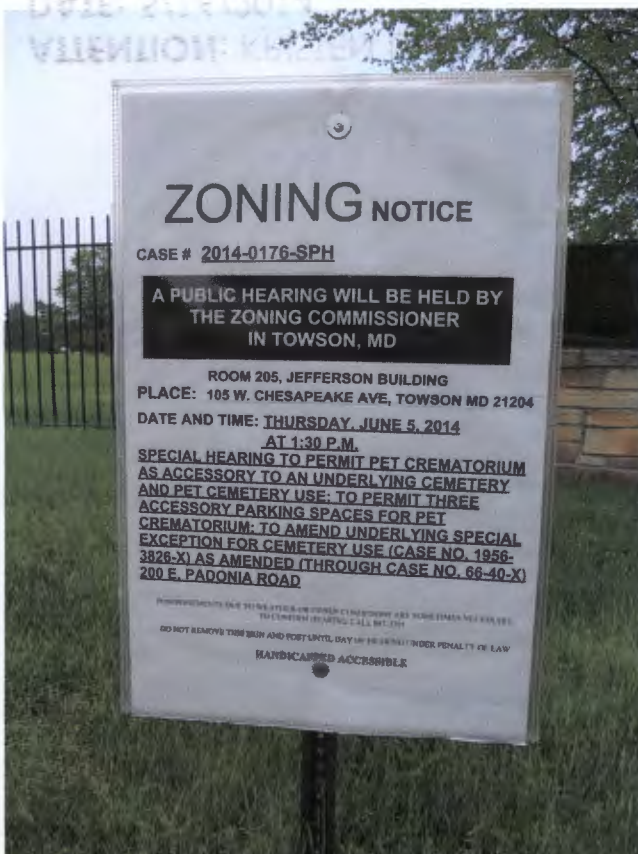
Case Number: 2014-0176-SPH

Petitioner / Developer: ADAM BAKER, ESQ. of WHITEFORD, TAYLOR & PRESTON, L.L.P.

Date of Hearing (Closing): JUNE 5, 2014

This is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:
200 E. PADONIA ROAD

The sign(s) were posted on: MAY 15, 2014



Linda O'Keefe
(Signature of Sign Poster)

Linda O'Keefe
(Printed Name of Sign Poster)

523 Penny Lane
(Street Address of Sign Poster)

Hunt Valley, Maryland 21030
(City, State, Zip of Sign Poster)

410 - 666 - 5366
(Telephone Number of Sign Poster)



THE BALTIMORE SUN MEDIA GROUP

Baltimore, Maryland 21278-0001

May 1, 2014

THIS IS TO CERTIFY, that the annexed advertisement was published in the following newspaper published in Baltimore County, Maryland, ONE TIME, said publication appearing on May 15, 2014

☐ The Jeffersonian

THE BALTIMORE SUN MEDIA GROUP

By: Susan Wilkinson

Susan Wilkinson

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: #2014-0176-SPH

200 E. Padonia Road
N & W of East Padonia Road, 1100 ft. +/- S of Treherne Road

8th Election District - 3rd Councilmanic District
Legal Owner(s): Dulaney Valley Memorial Gardens

Special Hearing to permit a pet crematorium as accessory to an underlying cemetery and pet cemetery use; to permit three accessory parking spaces for pet crematorium; to amend underlying Special Exception for cemetery use (Case No. 1956-3826-X) as amended (through Case No. 66-40-X)

Hearing: Thursday, June 5, 2014 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Administrative Hearings Office at (410) 887-3868.

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

5/349 May 15

979495



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

April 30, 2014

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2014-0176-SPH

200 E. Padonia Road

N & W of East Padonia Road, 1100 ft. +/- S of Treherne Road

8th Election District – 3rd Councilmanic District

Legal Owners: Dulaney Valley Memorial Gardens

Special Hearing to permit a pet crematorium as accessory to an underlying cemetery and pet cemetery use; to permit three accessory parking spaces for pet crematorium; to amend underlying Special Exception for cemetery use (Case No. 1956-3826-X) as amended (through Case No. 66-40-X).

Hearing: Thursday, June 5, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ:kl

C: Adam Baker, 1 W. Pennsylvania Avenue, Ste. 300, Towson 21204
Dulaney Valley Memorial Gardens, Inc., 200 E. Padonia Road, Lutherville 21093

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, MAY 16, 2014.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 15, 2014 Issue - Jeffersonian

Please forward billing to:

Adam Baker
Whiteford, Taylor & Preston
1 W. Pennsylvania Avenue, Ste. 300
Towson, MD 21204

410-832-2000

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2014-0176-SPH

200 E. Padonia Road

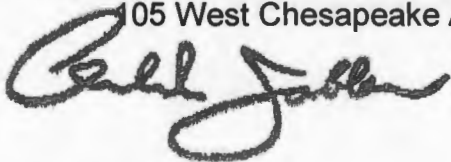
N & W of East Padonia Road, 1100 ft. +/- S of Treherne Road

8th Election District – 3rd Councilmanic District

Legal Owners: Dulaney Valley Memorial Gardens

Special Hearing to permit a pet crematorium as accessory to an underlying cemetery and pet cemetery use; to permit three accessory parking spaces for pet crematorium; to amend underlying Special Exception for cemetery use (Case No. 1956-3826-X) as amended (through Case No. 66-40-X).

Hearing: Thursday, June 5, 2014 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE OFFICE
AND SPECIAL EXCEPTION		
200 E. Padonia Road; N & W East Padonia,	*	OF ADMINISTRATIVE
1100' S of the c/line Treherne Road		
8 th Election & 3 rd Councilmanic Districts	*	HEARINGS FOR
Legal Owner: Dulaney Valley Memorial Gardens		
Petitioner(s)	*	BALTIMORE COUNTY
	*	2014-176-SPHX

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

RECEIVED
MAR 14 2014

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of March, 2014, a copy of the foregoing Entry of Appearance was mailed to Adam D. Baker, Esquire, One West Pennsylvania Avenue, Suite 300, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>4-17</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>NC</u>
_____	DEPS (if not received, date e-mail sent _____)	_____
_____	FIRE DEPARTMENT	_____
<u>4-23</u>	PLANNING (if not received, date e-mail sent _____)	<u>C - Appropriate for area</u>
<u>4-17</u>	STATE HIGHWAY ADMINISTRATION	<u>No objection</u>
_____	TRAFFIC ENGINEERING	_____
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. <u>60-40-X, 1962-5614-A</u>) <u>1956-3826-X</u>	
NEWSPAPER ADVERTISEMENT	Date: <u>5-15-14</u>	
SIGN POSTING	Date: <u>5-15-14</u> by <u>O'Keefe</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____



PETITION FOR ZONING HEARING(S)

Amended

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 200 E Padonia Road which is presently zoned DR 3.5 / DR 5.5

Deed References: Liber 25938, Folio 115 10 Digit Tax Account # 1 6 0 0 0 0 8 5 9 9

Property Owner(s) Printed Name(s) Dulaney Valley Memorial Gardens, Inc.

(SELECT THE HEARING(S) BY MARKING ☒ AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. ☒ a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

(PLEASE SEE ATTACHED)

2. ☐ a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

3. ☐ a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Legal Owners (Petitioners):

Name - Type or Print

Signature

Mailing Address

Zip Code

Date

City

State

By

Telephone #

Email Address

Attorney for Petitioner:

Adam D. Baker, Esquire

Name - Type or Print

Signature

Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address

City

State

21204 / 410-832-2000 / abaker@wtplaw.com

Zip Code

Telephone #

Email Address

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

200 E. Padonia Road

Lutherville

MD

Mailing Address

410

City

State

21093

/ 443-666-0490

Zip Code

Telephone #

Email Address

Representative to be contacted:

Adam D. Baker, Esquire

Name - Type or Print

Signature

Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address

City

State

21204 / 410-832-2000 / abaker@wtplaw.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2014-0176-SPH Filing Date 2, 27, 14

Do Not Schedule Dates: _____

Reviewer RD

**AMENDED PETITION FOR ZONING HEARING
DULANEY VALLEY MEMORIAL GARDENS – 200 E. PADONIA ROAD**

Special Hearing Relief Requested:

1. Special Hearing to permit a pet crematorium as accessory to an underlying cemetery and pet cemetery use.
2. Special Hearing to permit three (3) accessory parking spaces for pet crematorium.
3. Special Hearing to amend underlying Special Exception for cemetery use (Case No. 1956-3826-X) as amended (through Case No. 66-40X).

434695

Item # 0176



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address 200 E Padonia Road which is presently zoned DR 3.5 / DR 5.5

Deed References: Liber 25938, Folio 115 10 Digit Tax Account # 1 6 0 0 0 0 8 5 9 9

Property Owner(s) Printed Name(s) Dulaney Valley Memorial Gardens, Inc.

(SELECT THE HEARING(S) BY MARKING **X** AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. **X** a **Special Hearing** under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

(PLEASE SEE ATTACHED)

2. **X** a **Special Exception** under the Zoning Regulations of Baltimore County to use the herein described property for

(PLEASE SEE ATTACHED)

3. a **Variance** from Section(s)

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

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

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Mailing Address

Zip Code

Telephone #

Email Address

Attorney for Petitioner:

Adam D. Baker, Esquire

Name - Type or Print

Signature

Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address

City

State

21204 / 410-832-2000 / abaker@wtplaw.com

Zip Code

Telephone #

Email Address

Legal Owners (Petitioners):

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

200 E. Padonia Road

Lutherville

MD

Mailing Address

410

City

State

21093

410-666-0490

Zip Code

Telephone #

Email Address

Representative to be contacted:

Adam D. Baker, Esquire

Name - Type or Print

Signature

Whiteford, Taylor & Preston

1 W. Pennsylvania Ave., Ste. 300, Towson MD

Mailing Address

City

State

21204 / 410-832-2000 / abaker@wtplaw.com

Zip Code

Telephone #

Email Address

CASE NUMBER 2014-0176-SPHX Filing Date 2 / 27 / 14

Do Not Schedule Dates:

Reviewer RJD

**PETITION FOR ZONING HEARING
DULANEY VALLEY MEMORIAL GARDENS – 200 E. PADONIA ROAD**

Special Hearing Relief Requested:

1. Special Hearing to permit a pet crematorium as accessory to an underlying cemetery and pet cemetery use.
2. Special Hearing to permit three (3) accessory parking spaces for pet crematorium.

Special Exception Relief Requested:

1. Special Exception to amend underlying Special Exception for cemetery use (Case No. 1956-3826-X) as amended (through Case No. 66-40X).

434695

Item # 0176



KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

May 28, 2014

Dulaney Valley Memorial Gardens
200 E Padonia Road
Lutherville MD 21093

RE: Case Number: 2014-0176 SPH, Address: 200 E. Padonia Road

To Whom It May Concern

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on February 27, 2014. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is fluid and cursive.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Adam D. Baker, Esquire, 1 W. Pennsylvania Avenue, Suite 300, Towson MD 21204

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 4/17/14

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

RE: Baltimore County
Item No 2014-0176-SPH
Special Hearing
Dulaney Valley Memorial Garden
200 E. Padonia Road.

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2014-0176-SPH.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor



James T. Smith, Jr., Secretary
Melinda B. Peters, Administrator

Date: 3/17/14

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

RE: Baltimore County
Item No 2014-0176-SPHX
Special Exception Special
Hearing.
Aulany Valley Memorial
Gardens.
200 Padonia Road.

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2014-0176-SPHX

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Sincerely,

Steven D. Foster, Chief/
Development Manager
Access Management Division

SDF/raz

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • www.roads.maryland.gov

WHITEFORD, TAYLOR & PRESTON

8830 STANFORD BLVD
SUITE 400
COLUMBIA, MARYLAND 21045

MAIN TELEPHONE (410) 884-0700
FACSIMILE (410) 884-0719

ADAM D. BAKER
COUNSEL

DIRECT LINE (410) 832-2052
DIRECT FAX (410) 339-4028
ABaker@wtplaw.com

December 5, 2016

Via Hand Delivery

Arnold Jablon, Esquire
Director,
Baltimore County Permits, Approvals & Inspections
111 W. Chesapeake Avenue
Towson, MD 21204

Re: Dulaney Valley Memorial Gardens
200 E. Padonia Road, Lutherville, Maryland 21093
SDAT Tax Info: Map 51, Parcel 114, Lot 41
8th Election District; 3rd Councilman District
Request for Spirit & Intent Relief

Dear Mr. Jablon:

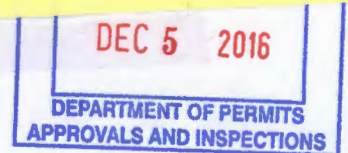
This office represents Dulaney Valley Memorial Gardens with regard to its property located at 200 E. Padonia Road in Lutherville, Maryland (the "Property"). The site has received zoning approval for a cemetery.

The Property is a 70.496± acre parcel zoned DR 3.5 and DR 5.5. The Property is located on the northwest side of Padonia Road, east of where it intersects Eastridge Road. The Property received a Special Exception approval for a cemetery use in 1956 (Case No. 1956-3826-X). In 1962, a variance request was granted for front and rear yard setbacks for a proposed cemetery office (Case No. 1962-5614-A). The underlying Special Exception relief was amended in 1965 for an addition to the cemetery use (Case No. 66-40-X). Most recently, in 2014, the Special Exception was again amended to permit a pet crematorium as accessory to an existing pet cemetery use (Case No. 2014-0176-SPH). The referenced zoning history is attached.

Pursuant to the prior approvals, a large cemetery is operated from the Property. Dulaney Valley Memorial Gardens now seeks (1) to construct a 1,014 square foot addition to an existing mausoleum and (2) to construct a new 2,043 square foot mausoleum. The mausoleums will be used as above-ground burial chambers for deceased persons. It is customary in the cemetery industry to have both above-ground and below ground burial chambers on a single cemetery property. The proposed improvements are shown on the site plan attached hereto.

To: JCM / JNP
S+I SPH?
12/7/16 WCR

#16 471
\$150⁰⁰



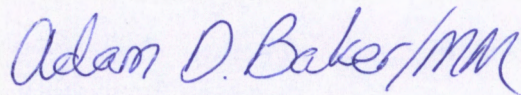
December 5, 2016

Page 2

In light of the underlying Special Exception approval for the cemetery use, we respectfully request your agreement that the proposed mausoleum additions, as shown on the attached site plan, fall within the spirit and intent of the previously granted zoning approval for the cemetery use. Enclosed please find a \$150.00 check to facilitate this request.

Thank you for your kind consideration of this matter. Please feel free to call me with any questions.

Sincerely,



Adam D. Baker

Attachments

SPIRIT & INTENT APPROVED:

Arnold Jablon, Esq.
Director, Permits, Approvals & Inspections

Date

cc: Mrs. Amy Shimp
G. Scott Barhight, Esq.
John Sekerak
Fernando Benitez
W. Carl Richards, Jr.

22791

Carl Richards Jr

From: Carl Richards Jr
Sent: Friday, December 09, 2016 2:07 PM
To: 'ABaker@wtplaw.com'
Subject: Dulaney Valley Memorial Gardens 200 E. Padonia road Dist 8C3

gth E

Adam,

The staff has reviewed your request for a Spirit and intent finding for the proposed addition to an existing mausoleum and a new mausoleum on the property subject of 4 zoning hearings 3826-X,5614-A,66-40X and 2014-0176-SPH. It has been determined that the in place zoning hearings and accompanying plans need to be amended by a special hearing before the ALJ. The letter fee can be applied to the hearing fee, unless you would want a denial letter for your records.

Carl Richards Jr

From: Baker, Adam D <ABaker@wtplaw.com>
Sent: Sunday, December 11, 2016 10:09 PM
To: Carl Richards Jr
Subject: RE: Dulaney Valley Memorial Gardens 200 E. Padonia road Dist 8C3

Carl,

Thanks for the response. Please hold off on issuing a denial letter. I will discuss the options with my client and will be in touch.

Adam D. Baker



Whiteford | Taylor | Preston."

8830 Stanford Boulevard, Suite 400 | Columbia, Maryland 21045
T: 410.832.2052 | F: 410.339.4028
abaker@wtplaw.com | [Bio](#) | [vCard](#) | www.wtplaw.com

From: Carl Richards Jr [mailto:CRichards@baltimorecountymd.gov]
Sent: Friday, December 09, 2016 2:07 PM
To: Baker, Adam D
Subject: Dulaney Valley Memorial Gardens 200 E. Padonia road Dist 8C3

Adam,

The staff has reviewed your request for a Spirit and intent finding for the proposed addition to an existing mausoleum and a new mausoleum on the property subject of 4 zoning hearings 3826-X,5614-A,66-40X and 2014-0176-SPH. It has been determined that the in place zoning hearings and accompanying plans need to be amended by a special hearing before the ALJ. The letter fee can be applied to the hearing fee, unless you would want a denial letter for your records.



CONNECT WITH BALTIMORE COUNTY



www.baltimorecountymd.gov

This transmission contains information from the law firm of Whiteford, Taylor & Preston LLP which may be confidential and/or privileged. The information is intended to be for the exclusive use of the planned recipient. If you are not the intended recipient, be advised that any disclosure, copying, distribution or other use of this information is strictly prohibited. If you have received this transmission in error, please notify the sender immediately.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: April 23, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

RECEIVED

SUBJECT: 200 East Padonia Road

APR 23 2014

INFORMATION:

OFFICE OF ADMINISTRATIVE HEARINGS

Item Number: 14-176 - Amended

Petitioner: Dulaney Valley Memorial Gardens, Inc.

Zoning: DR 3.5, DR 5.5

Requested Action: Special Hearing and Special Exception

SUMMARY OF RECOMMENDATIONS:

The petitioner is requesting a special hearing to permit a pet crematorium as accessory to an underlying cemetery and pet cemetery use, as well as to permit three (3) accessory parking spaces for a pet crematorium, and to amend the underlying Special Exception for cemetery use (Case No. 1956-3826-X) as amended (through Case No. 66-40-X).

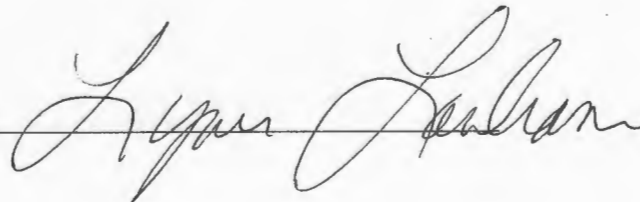
SUMMARY OF RECOMMENDATIONS:

The Department of Planning does not oppose the petitioner's request for a special hearing. The property has been improved with a cemetery use since the late 1950's and also includes a pet cemetery. The petitioner is asking for relief for an additional 3 parking spaces and for a pet crematorium directly adjacent to the existing pet cemetery area as accessory to an underlying cemetery and pet cemetery use. There are existing tall deciduous trees on the property that would negate any disturbance to the adjacent neighboring residences that will be approximately 213 feet from the proposed building.

With that being said and since the use of the property is going to be in essence the same as it was previously, the Department of Planning is of the opinion that this proposal is appropriate for the area and will not be detrimental to the health, safety, or general welfare of the surrounding community.

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Division Chief:
AVA/LL



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: April 2, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 200 East Padonia Road

INFORMATION:

Item Number: 14-176

Petitioner: Dulaney Valley Memorial Gardens, Inc.

Zoning: DR 3.5, DR 5.5

Requested Action: Special Hearing and Special Exception

SUMMARY OF RECOMMENDATIONS:

The petitioner is requesting a special hearing to permit a pet crematorium as accessory to an underlying cemetery and pet cemetery use, as well as to permit three (3) accessory parking spaces for a pet crematorium. The petitioner is also requesting a special exception to amend the underlying Special Exception for cemetery use (Case No. 1956-3826-X) as amended (through Case No. 66-40-X).

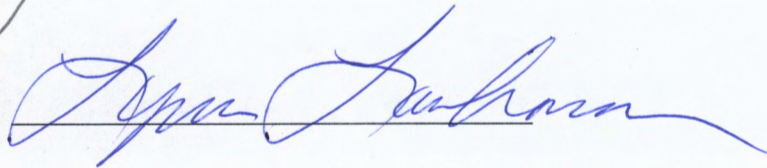
SUMMARY OF RECOMMENDATIONS:

The Department of Planning does not oppose the petitioner's request for a special hearing and special exception. The property has been improved with a cemetery use since the late 1950's and also includes a pet cemetery. The petitioner is asking for relief for an additional 3 parking spaces and for a pet crematorium directly adjacent to the existing pet cemetery area. There are existing tall deciduous trees on the property that would negate any disturbance to the adjacent neighboring residences that will be approximately 213 feet from the proposed building.

With that being said and since the use of the property is going to be in essence the same as it was previously, the Department of Planning is of the opinion that this proposal is appropriate for the area and will not be detrimental to the health, safety, or general welfare of the surrounding community.

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Division Chief:
AVA/LL



RECEIVED

APR 04 2014

OFFICE OF ADMINISTRATIVE HEARINGS

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

DATE: April 17, 2014

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For April 21, 2014
Item Nos. 2014- 0176, 0205,0206,0207,0208,0209 and 0210

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN.

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-04212014 -NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

FROM: Dennis A. Kennedy, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For March 17, 2014
Item No. 2014-0169,0174 and 0176

DATE: March 20, 2014

The Bureau of Development Plans Review has reviewed the subject-zoning items, and we have no comments.

DAK:CEN.
Cc: file

G:\DevPlanRev\ZAC -No Comments\ZAC03172014 -.doc

4/23/14
wcn



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: April 23, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 200 East Padonia Road

INFORMATION:

Item Number: 14-176 - Amended

Petitioner: Dulaney Valley Memorial Gardens, Inc.

Zoning: DR 3.5, DR 5.5

Requested Action: Special Hearing and Special Exception

SUMMARY OF RECOMMENDATIONS:

The petitioner is requesting a special hearing to permit a pet crematorium as accessory to an underlying cemetery and pet cemetery use, as well as to permit three (3) accessory parking spaces for a pet crematorium, and to amend the underlying Special Exception for cemetery use (Case No. 1956-3826-X) as amended (through Case No. 66-40-X).

SUMMARY OF RECOMMENDATIONS:

The Department of Planning does not oppose the petitioner's request for a special hearing. The property has been improved with a cemetery use since the late 1950's and also includes a pet cemetery. The petitioner is asking for relief for an additional 3 parking spaces and for a pet crematorium directly adjacent to the existing pet cemetery area as accessory to an underlying cemetery and pet cemetery use. There are existing tall deciduous trees on the property that would negate any disturbance to the adjacent neighboring residences that will be approximately 213 feet from the proposed building.

With that being said and since the use of the property is going to be in essence the same as it was previously, the Department of Planning is of the opinion that this proposal is appropriate for the area and will not be detrimental to the health, safety, or general welfare of the surrounding community.

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Division Chief:
AVA/LL

A handwritten signature in black ink, appearing to read "Lynne L. Arsdale", written over a horizontal line.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE



TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: April 2, 2014

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 200 East Padonia Road

INFORMATION:

Item Number: 14-176

Petitioner: Dulaney Valley Memorial Gardens, Inc.

Zoning: DR 3.5, DR 5.5

Requested Action: Special Hearing and Special Exception

SUMMARY OF RECOMMENDATIONS:

The petitioner is requesting a special hearing to permit a pet crematorium as accessory to an underlying cemetery and pet cemetery use, as well as to permit three (3) accessory parking spaces for a pet crematorium. The petitioner is also requesting a special exception to amend the underlying Special Exception for cemetery use (Case No. 1956-3826-X) as amended (through Case No. 66-40-X).

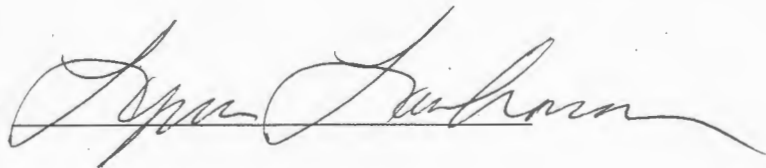
SUMMARY OF RECOMMENDATIONS:

The Department of Planning does not oppose the petitioner's request for a special hearing and special exception. The property has been improved with a cemetery use since the late 1950's and also includes a pet cemetery. The petitioner is asking for relief for an additional 3 parking spaces and for a pet crematorium directly adjacent to the existing pet cemetery area. There are existing tall deciduous trees on the property that would negate any disturbance to the adjacent neighboring residences that will be approximately 213 feet from the proposed building.

With that being said and since the use of the property is going to be in essence the same as it was previously, the Department of Planning is of the opinion that this proposal is appropriate for the area and will not be detrimental to the health, safety, or general welfare of the surrounding community.

For further information concerning the matters stated here in, please contact Jessie Bialek at 410-887-3480.

Division Chief:
AVA/LL



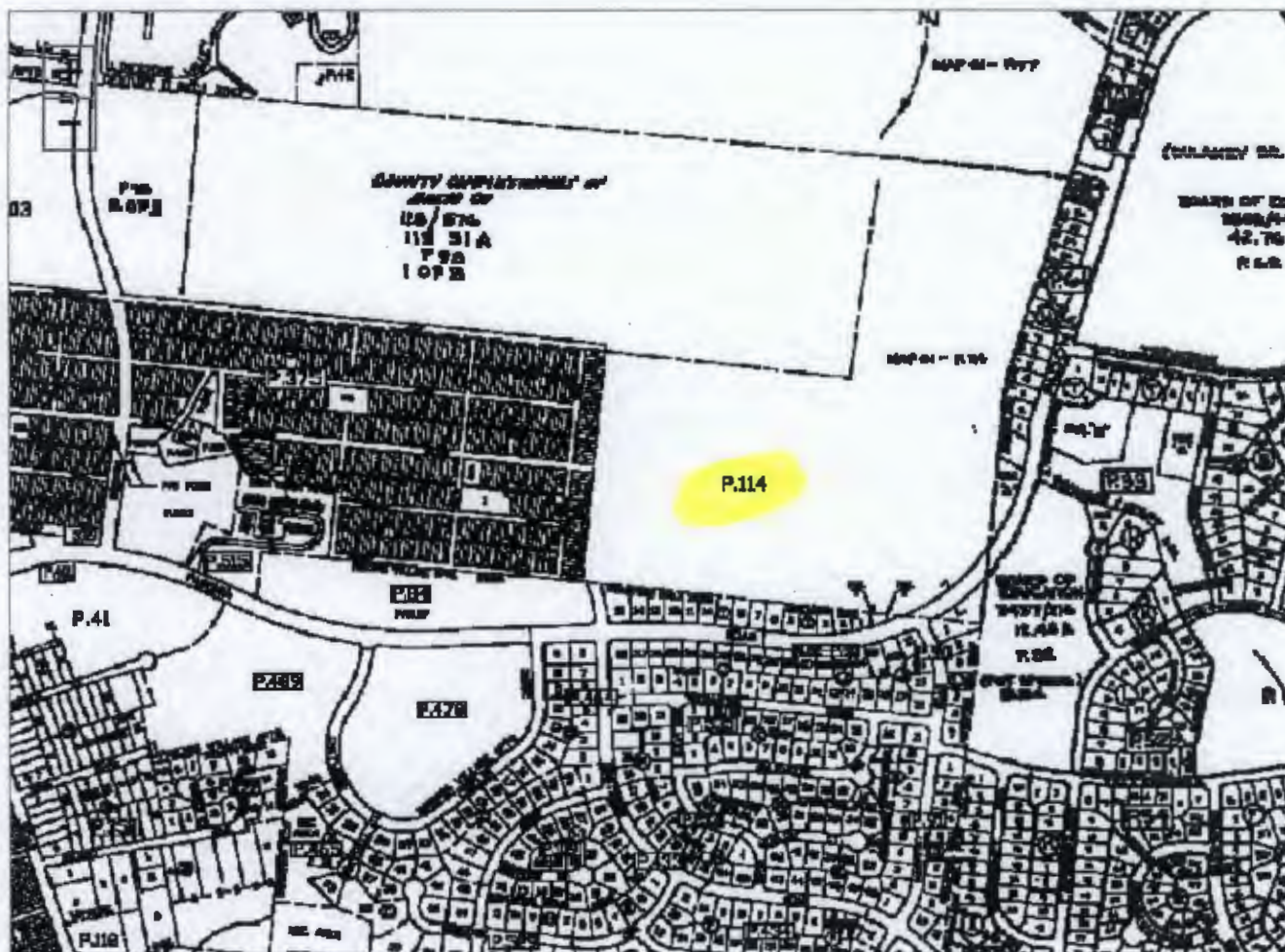
Real Property Data Search (w2)

[Search Help](#)Your feedback is important to us. [Please take our short survey.](#)

Search Result for BALTIMORE COUNTY

View Map	View GroundRent Redemption	View GroundRent Registration
Account Identifier:	District - 08 Account Number	1600008599
Owner Information		
Owner Name:	DULANEY VALLEY MEMORIAL GARDENS INC	Use: COMMERCIAL
Mailing Address:	200 E PADONIA RD LUTHERVILLE TIMONIUM MD 21093-1240	Principal Residence: NO
		Deed Reference: 1) /25938/ 00115 2)
Location & Structure Information		
Premises Address:	200 PADONIA RD 0-0000	Legal Description: 68.605AC NWS PADONIA 200 PADONIA RD 1 MILE E OF YORK
Map: 0051	Grid: 0018	Parcel: 0114
Sub District:	Subdivision: 0000	Section:
Block:	Lot:	Assessment Year: 2014
Town:	Ad Valorem:	Plat No:
Special Tax Areas:	Tax Class:	Plat Ref:
Primary Structure Built 1962	Above Grade Enclosed Area 8146	Finished Basement Area
Property Land Area 68.6100 AC	County Use 06	
Stories	Basement	Type
		OFFICE BUILDING
Exterior	Full/Half Bath	Garage
Last Major Renovation		
Value Information		
	Base Value	Value
		As of
		01/01/2014
Land:	1,356,100	2,349,200
Improvements	528,500	563,500
Total:	1,884,600	2,912,700
Preferential Land:	0	0
		Phase-in Assessments
		As of
		07/01/2013
		07/01/2014
		1,884,600
		2,227,300
Transfer Information		
Seller: DULANEY VALLEY MEMORIAL PARK INC	Date: 03/31/2010	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /25938/ 00115	Deed2:
Seller: DULANEY VALLEY MEMORIAL PARK, INC	Date: 07/19/2007	Price: \$1,846,000
Type: ARMS LENGTH MULTIPLE	Deed1: /25938/ 00115	Deed2:
Seller: DULANEY VALLEY MEMORIAL GARDENS	Date: 07/18/2007	Price: \$0
Type: NON-ARMS LENGTH OTHER	Deed1: /00000/ 00000	Deed2:
Exemption Information		
Partial Exempt Assessments: Class		07/01/2013
County: 000		07/01/2014
State: 000		0.00
Municipal: 000		0.00
		0.00 0.00
Tax Exempt:	Special Tax Recapture:	
Exempt Class:	NONE	
Homestead Application Information		
Homestead Application Status: No Application		

Baltimore County

New Search (<http://sdat.resiusa.org/RealProperty>)District: **08** Account Number: **1600008599**

The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (<http://www.plats.net>).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (<http://www.mdp.state.md.us/OurProducts/OurProducts.shtml>).

[\(http://imsweb05.mdp.state.md.us/website/mosp/\)](http://imsweb05.mdp.state.md.us/website/mosp/)☒ Loading... Please

Loading... Please Wait.

→

CASE NAME 200 E. Pasadena Rd - Duranay Valley
CASE NUMBER 2014-0176-SPL Man.
DATE JUNE 5, 2014 Garwood

[illegible]

Case No.:

2014-0176-SPH

Exhibit Sheet

Petitioner/Developer

DW
7-10-14

Respondent

slw
6-9-14

No. 1	Plan	
No. 2	Aerial photo	
No. 3	CV - Collins	
No. 4	CV - Sekarak	
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

**Don Collins – Cremation Equipment Consultant
Matthews Cremation, Division of Matthews International**

EDUCATION

University of South Carolina – Columbia, SC
Gupton Jones College of Funeral Service – Atlanta, GA
(Mortuary Science Degree)

LICENSED

Funeral Director and Embalmer
Licensed Crematory Operator

EXPERIENCE

Funeral Industry Since 1975
Owned and Operated Funeral Home and Crematory
Consultant for B&L Cremation Systems, Inc. 2000 – 2011
Matthews Cremation Consultant 2012 to Present

CERTIFICATIONS

Certified Instructor for Crematory Operators
Certified Instructor for Continuing Education for Funeral Directors Throughout the United States
Certified Instructor for Cremation Liability Classes for Crematories and Funeral Homes
Certified Speaker on Cremation for Numerous Pet Conventions
Speaker for National Funeral Directors Association (NFDA) Conventions on Cremation
Speaker for International Order of the Golden Rule (OGR) for Funeral Homes
Guest Speaker at State Funeral Directors Conventions Throughout the United States on Cremation
Guest Speaker for Cremation Association of North America (CANA)

PETITIONER'S

EXHIBIT NO. 3

John Sekerak, Jr., ASLA, AICP

Land Planner/Landscape Architect



John is a Senior Land Use Planner/Landscape Architect in the Germantown office of Stantec.

EDUCATION

Bachelor of Science in Landscape Architecture, Pennsylvania State University, 1981

REGISTRATIONS

American Institute of Certified Planners (AICP)

Registered Landscape Architect – Maryland (#950), Virginia (#482) and West Virginia (#320)

MEMBERSHIPS

American Planning Association, Member

American Society of Landscape Architects, Member

Maryland National Capital Builder's Industry Association

EXPERIENCE

- Planning and design of residential, commercial, institutional and mixed-use land development projects, site investigations, feasibility studies, use potential analysis and environmental assessments, historic preservation, urban design and master planning including zoning, special exception and annexation. Expert witness in land use planning and landscape architecture. Responsible for project coordination, representation, and entitlement processing.
- Provided land planning and landscape architecture services with Washington-Metropolitan-Maryland area firms serving as sole-proprietor, vice-president, department head, and project manager.
- Project experience ranges from billion-dollar, mixed-use waterfront development to small-scale site design. Project design team coordinator for numerous interdisciplinary departments and consultants and responsible for regulatory processing at the local, state, and federal levels.

EXPERIENCE AS EXPERT WITNESS

- Board of Appeals for Montgomery County, Maryland
- Office of Zoning and Administrative Hearings for Montgomery County, Maryland
- Board of Appeals for City of Rockville, Maryland
- District Council for Prince George's County, Maryland
- Mayor and Council for City of Rockville, Maryland
- Board of Appeals for Frederick County, Maryland

PETITIONER'S

EXHIBIT NO. 4

Design with community in mind

John Sekerak, Jr., ASLA, AICP

Land Planner/Landscape Architect

SUMMARY OF EXPERIENCE AS EXPERT WITNESS

October 18, 1995	Montgomery County, Maryland Board of Appeals Petition Number S-2184, "Gilbert Guns" Special Exception for an Indoor Rifle and Pistol Range
November 4, 1995	City of Rockville, Maryland Board of Appeals Application Number SPX95-0232, "Land Rover of Rockville" Special Exception for Outdoor Motor Vehicle Sales
November 27, 1995	Montgomery County, Maryland Office of Zoning and Administrative Hearings Application Number DPA 96-1, "Churchill" Development Plan Amendment for Senior Resident Independent and Assisted Living Community
March 11, 1996	Prince George's County, Maryland District Council Application Number SP89070/06, "Goddard Corporate Park" Variance/Mandatory Review of Site Plan for Child Care Center
June 21, 1996	Montgomery County, Maryland Office of Zoning and Administrative Hearings Application Number G-728, "Sandy Spring National Bank" Local Zoning Map Amendment for bank headquarters offices
November 25, 1996	Montgomery County, Maryland Board of Appeals Petition Number S-2212, "Residence at Great Falls" Special Exception for an Assisted Living/Domiciliary Care Home
April 23, 1997	Montgomery County, Maryland Board of Appeals Petition Numbers S-452-C and S-856-A, "Friends House" Special Exceptions for Independent Living, Assisted Living, Nursing Home, and Pharmacy facilities in a continuing-care community
June 20, 1997	Montgomery County, Maryland Office of Zoning and Administrative Hearings Application Number G-740, "Homestead Village" Local Zoning Map Amendment for an extended-stay hotel facility
June 15, 1998	City of Rockville, Mayor and City Council Petition Number ANX97-0126, "Day Properties" Annexation and zoning classification requests for industrial use lands
November 18, 1998	Montgomery County, Maryland Board of Appeals Petition Number S-2337, "Hayes Manor/Columbia Foundation" Special Exception for the adaptive re-use of a historic manor house and site as a private club.

John Sekerak, Jr., ASLA, AICP

Land Planner/Landscape Architect

- | | |
|--------------------|--|
| September 30, 1999 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Application Number G-776 and DPA 99-4, "Highland Park"
Local Zoning Map Amendment and Development Plan Amendment for a
general office building |
| October 19, 1999 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Application Number G-778, "Edgemoor at Arlington South"
Local Zoning Map Amendment and Development Plan for multi-family,
residential development for Sandy Spring Builders |
| June 8, 2000 | Montgomery County, Maryland Board of Appeals
Petition Number S-2423, "Meadow Ridge Seniors' Villas"
Special Exception for Housing and Related Facilities for Elderly and/or
Handicapped Persons for National Seniors Housing Corporation |
| November 8, 2000 | Montgomery County, Maryland Board of Appeals
Petition Number S-2450, "Wendy's at Montrose Industrial Park"
Special Exception for a Drive-in Restaurant for DavCo Restaurants, Inc. |
| January 25, 2001 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Application Number G-779, "Edgemoor at Arlington North"
Local Zoning Map Amendment and Development Plan for mixed-use
development for Armont, LLP |
| April 24, 2001 | Montgomery County, Maryland Board of Appeals
Petition Number S-2457, "The Harbor School"
Special Exception for a Private Educational Institution |
| June 17, 2001 | Montgomery County, Maryland Board of Appeals
Petition Number S-2474, "North Potomac Seniors' Housing"
Special Exception for Housing and Related Facilities for Elderly and/or
Handicapped Persons for National Seniors Housing Corporation |
| March 20, 2002 | Montgomery County, Maryland Board of Appeals
Case Number A-5726, "Lutheran Church of the Good Shepherd"
Zoning variance for the expansion and renovation of church and grounds. |
| August 5, 2002 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Petition Number CBA-2876-A, "Good Hope Community Redevelopment Area"
Special Exception for a new community center and renovation of an existing
104 unit affordable housing community for Montgomery Housing Partnership |
| October 7, 2002 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Petition Number S-2536 and A-5792, "Hilltop Manor"
Special Exception and Variance for a 25 resident Domiciliary Care Home for
Adventist Health Care (t/a Manor House at Sligo Creek, Incorporated) |

John Sekerak, Jr., ASLA, AICP

Land Planner/Landscape Architect

- | | |
|--------------------|---|
| November 6, 2002 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Application Number G-792, "Meadow Village"
Local Zoning Map Amendment and Development Plan for a Planned Development Zone Community |
| October 13, 2003 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Application Number DPA 03-2, "Edgemoor Crest"
Development Plan Amendment for mixed-use, urban in-fill development for Sandy Spring Builders, LLC |
| January 9, 2004 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Application Number G-815, "Meadowbrook Village"
Local Map Amendment for conversion of single-family home to office use for Sandy Spring Builders, LLC |
| April 2, 2004 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Petition Number S-689, "Kenwood Golf and Country Club"
Special Exception modification for addition of golf cart bridge over State Highway for Kenwood Golf and Country Club. |
| April 27, 2004 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Petition Number S-2596, "Washington Gas Rock Creek Gate Station"
Special Exception for public utility buildings and structures for Washington Gas Light Company. |
| January 9, 2006 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Petition Number S-2596, "VCA Animal Hospital"
Special Exception for Veterinary Hospital as adaptive re-use of a historic barn and site as a veterinary hospital for VCA Referral Associates, Inc. |
| December 4, 2006 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Petition Number S-2664, "Wendy's at Wheaton Plaza"
Special Exception for a Drive-in restaurant for DavCo Restaurants, Inc. |
| March 19, 2007 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Petition Number S-2690, "7511 Arlington Road"
Special Exception for Non-residential, Professional Office as adaptive re-use of an urban home site as law offices for KATCO Investments, RLLLP. |
| March 7, 2008 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Application Numbers G-865 and DPA 07-3, "Edgemoor at Arlington North"
Local Zoning Map Amendment and Development Plan Amendment for urban condominium development for Armont Development Corp., LLP. |
| September 10, 2008 | Montgomery County, Maryland Board of Appeals
Petition Number S-2217, "Cloverly Citgo"
Special Exception Modification for Service Station for Draper Properties, Inc. |



John Sekerak, Jr., ASLA, AICP

Land Planner/Landscape Architect

- | | |
|-----------------|---|
| August 24, 2009 | Frederick County, Maryland Board of Appeals
Case Number B-09-09, "Church of the Redeemer - Frederick"
Variance of side yard setback for Place of Worship for the Church of the Redeemer. |
| March 5, 2010 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Application Number S-1424A, "University Gardens"
Special Exception for Housing and Related Facilities for Senior Adults and People with Disabilities for Korean Community Senior Housing Corporation of Maryland, Inc. |
| April 15, 2011 | Montgomery County, Maryland Office of Zoning and Administrative Hearings
Application Number S-2781, "Four Corners Day Care"
Special Exception for 94 child day care center for Gilmoure-Brunett LLC/Childway |

IN RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
(200 E. Padonia Road)		
8 th Election District	*	OFFICE OF
3 rd Council District		
Dulaney Valley Memorial Gardens, Inc.	*	ADMINISTRATIVE HEARINGS
Legal Owner		
Petitioner	*	FOR BALTIMORE COUNTY
	*	Case No. 2018-0112-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for consideration of a Petition for Special Hearing filed on behalf of Dulaney Valley Memorial Gardens, Inc., legal owner ("Petitioner"). The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") as follows: (1) to permit a human crematorium as an accessory to an underlying cemetery; (2) to permit two (2) accessory parking spaces for a human crematorium; and (3) to amend an underlying special exception for cemetery use.

Amy Shimp and professional engineer Robert Bathurst appeared in support of the petition. Adam D. Baker, Esq. represented Petitioner. Eric Rockel attended the hearing to obtain more information regarding the requests. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. A substantive Zoning Advisory Committee (ZAC) comment was received from the Department of Planning (DOP). That agency did not oppose the request. A site plan was marked and admitted as Petitioner's Exhibit 1.

According to the site plan the subject property is approximately 70.496 acres in size and is split-zoned DR 3.5 and DR 5.5. The Dulaney Valley Memorial Gardens is operated at the site. Due to increasing demand Petitioner would like to offer cremation services at the site. The

B.C.Z.R. does not mention crematoriums or provide any guidance on when and where such a use should be allowed.

Petitioner explained many cemeteries (both in Maryland and across the country) also have crematoriums. As such, since crematoriums are customarily operated in connection with a cemetery, I believe this is properly considered an accessory use to the principal cemetery use. The subject property is quite large with mature trees and landscaping, and the proposed crematorium would be more than 275 feet from the nearest dwelling. As such, as I noted at the hearing, this is a "best case" scenario for where a crematorium should be located when accessory to a cemetery. The proposed one-story crematorium would be 2,000 square feet in size, and as the DOP noted there is abundant vegetation which screens nearby homes.

The other aspect of special hearing relief seeks approval for designating just two (2) off-street parking spaces for the crematory use. Since the B.C.Z.R. does not provide a specific number of spaces required for a crematorium, the ALJ is permitted to determine the parking space requirements based on the facts in the case under consideration. B.C.Z.R. §409.6.A. Petitioner noted these two parking spaces would only be used by patrons; staff and deliveries would access the building at the rear entrance. Petitioner also stated that in most instances family members do not wish to be present for a cremation, and they also noted the site has ample "overflow" parking along the interior roadways and near the adjacent mausoleum. While I believe the number could well be deficient in a case involving a smaller property, I am convinced by the testimony two spaces are sufficient in this case.

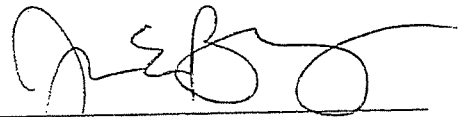
THEREFORE, IT IS ORDERED this 29th day of **December, 2017** by this Administrative Law Judge, that the Petition for Special Hearing: (1) to permit a human crematorium as an accessory use to an underlying cemetery; (2) to permit two (2) accessory parking spaces for a

human crematorium; and (3) to amend an underlying special exception for cemetery use (in accordance with the relief granted herein and as shown on the site plan marked as Petitioner's Exhibit No.1), be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for necessary permits and/or licenses upon receipt of this Order. However, Petitioner is hereby made aware that proceeding at this time is at its own risk until 30 days from the date hereof, during which time an appeal can be filed by any party. If for whatever reason this Order is reversed, Petitioner would be required to return the subject property to its original condition.
2. Petitioner shall maintain all existing vegetative buffers and trees on site and shall replace promptly any plants, trees or shrubs which die or are damaged.

Any appeal of this decision must be filed within thirty (30) days of the date of this Order.



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB: sln



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

December 29, 2017

Adam D. Baker, Esq.
8830 Stanford Blvd., Suite 400
Columbia, MD 21045

RE: Petitions for Special Hearing
Case No. 2018-0112-SPH
Property: 200 E. Padonia Road

Dear Mr. Baker:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

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 Office of Administrative Hearings at 410-887-3868.

Sincerely,

A handwritten signature in black ink, appearing to read "JEB", is written over the printed name of John E. Beverungen.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:slh
Enclosure

c: Eric Rockel, 1610 Riderwood Drive, Timonium, MD 21093

246-X
PARK & STREET
E. East end of Gibbons
Boulevard

#2826-X
8th

SEE PETITION FOR A SPECIAL EXCEPTION FOR
CERSTEN - Property beginning at end
Gibbons Boulevard - 8th District -
Leon J. Panitz and C. Gordon Gilbert
Petitioners

Pursuant to advertisement, posting of property and public
hearing on the above petition from the testimony and facts presented
at the hearing it appears that the use for which the Special Exception
is requested will not:

- a. Be detrimental to the health, safety, or general welfare
of the locality involved;
- b. Tend to create congestion in roads, streets or alleys
therein;
- c. Create a potential hazard from fire, panic or other
dangers;
- d. Tend to overcrowd land and cause undue concentration
of population;
- e. Interfere with adequate provisions for schools, parks,
water, sewerage, transportation and other public re-
quirements, convenience or improvements;
- f. Interfere with adequate light and air.

In accordance with the recommendation of the petitioners
and in accordance with agreement entered into between the petitioners
and the County Commissioners of Baltimore County, the petitioners have
agreed that the property as shown on the plat attached hereto and
designated as "Proposed Adonia Road" shall be exempted from the effects
of this Order and that it shall be conveyed without cost to the County
Commissioners in accordance with said agreement, and plat, which plat
and agreement are made a part of this Order.

It is this 21st day of September, 1956, by the
Zoning Commissioner of Baltimore County, ORDERED that the aforesaid
petition for a special exception for a cemetery, be and the same is
hereby granted in accordance with plat plan submitted and agreement
entered into, which plan and agreement are made a part of this Order.

Wilsie H. Adams
Zoning Commissioner
of Baltimore County

True copy-test:

Wilsie H. Adams
Zoning Commissioner
of Baltimore County

5/28/56

Petition withdrawn

#3826-X

Beg. East end of Gibbons Blvd.

8th Dist.

thence North 13 degrees 30 minutes E. 540'

5/4/56

Petition for Leon J. Panitz & C. Gordon Gilbert for
a Special Exception for a Cemetery. \$80.00 cost paid.

" "

Date of hearing set for 6/4/56 at 10:00 A.M.

5/23/56

Certificate of posting filed.

5/25/56

Certificate of publication filed.

6/4/56

Hearing held before the Zoning Commissioner of
Baltimore County

9/21/56

Order filed by the Zoning Commissioner of Baltimore
County granting the Special Exception.

9/28/56

Appeal filed to the Board of Zoning Appeals for
Baltimore County. \$50.00 cost paid.

11/8/56

Hearing held before the Board of Zoning Appeals for
Baltimore County.

1/24/57

Order filed by the Board of Zoning Appeals for Baltimore
County granting the Special Exception.

1/21/58

Special Exception extended for one year.

(OVER)

#3826	7/24/57	Order of Commissioner affirmed by Board of Appeals
	5/21/57	Action of Zoning Board affirmed by Judge Raine
	9/19/57	Appeal dismissed by Court of Appeals

BALTIMORE COUNTY
ALMS HOUSE

PROPERTY

PROPERTY

ZONED R-10

STRYKER

70.815 ACRES ±

ZONED R-20

PARK'S

PROPERTY

PLAT SHOWING
PROPERTY OF
L. J. PANITZ & C. G. GILBERT
TO ACCOMPANY
APPLICATION FOR
SPECIAL EXCEPTION
TO ZONING

8TH ELEC. DIST. BALTO. CO. MD.
SCALE: 1" = 200' FEB. 21, 1955

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, DULANEY JOINT VENTURE legal owners 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 Sections 205.2, 205.3 and 205.4 to permit in an

R-20 zone; a front yard, set back of 30 feet from the front lot line instead of the required 60 feet and a set back of 70 feet from the center line of Padonia Road

instead of the required 85 feet; and side and rear yards of 20 feet instead of the required 30 feet and 40 feet of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Altered course of Padonia Road (proposed) prevents utilization of this severed parcel as a cemetery and its triangular shape makes compliance with the above sections of the Baltimore County Zoning Regulations a hardship.

See Attached Description

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Dulaney Valley Memorial Gardens, Inc.

Contract purchaser

Address 6225 Charles Street Avenue (12)

John Warfield Armiger

Petitioner's Attorney

Address 406 Jefferson Building (4)
Valley 5-7666

DULANEY JOINT VENTURE

By: Norma Phelan Legal Owner

Address The Jefferson Bldg

Towson 4, Md

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day

of June 19 1962

June 2, 1962, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson. Baltimore

on the 19th day of July, 1962, at 10:00 o'clock

OFFICE OF PLANNING & ZONING

John Warfield Armiger
Zoning Commissioner of Baltimore County.

(over)

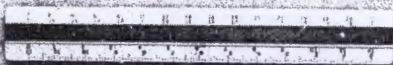
5614-V

DULANEY JOINT VENTURE
SE/S Padonia Rd. opp. Holly Lane
#5614-V

20

DA

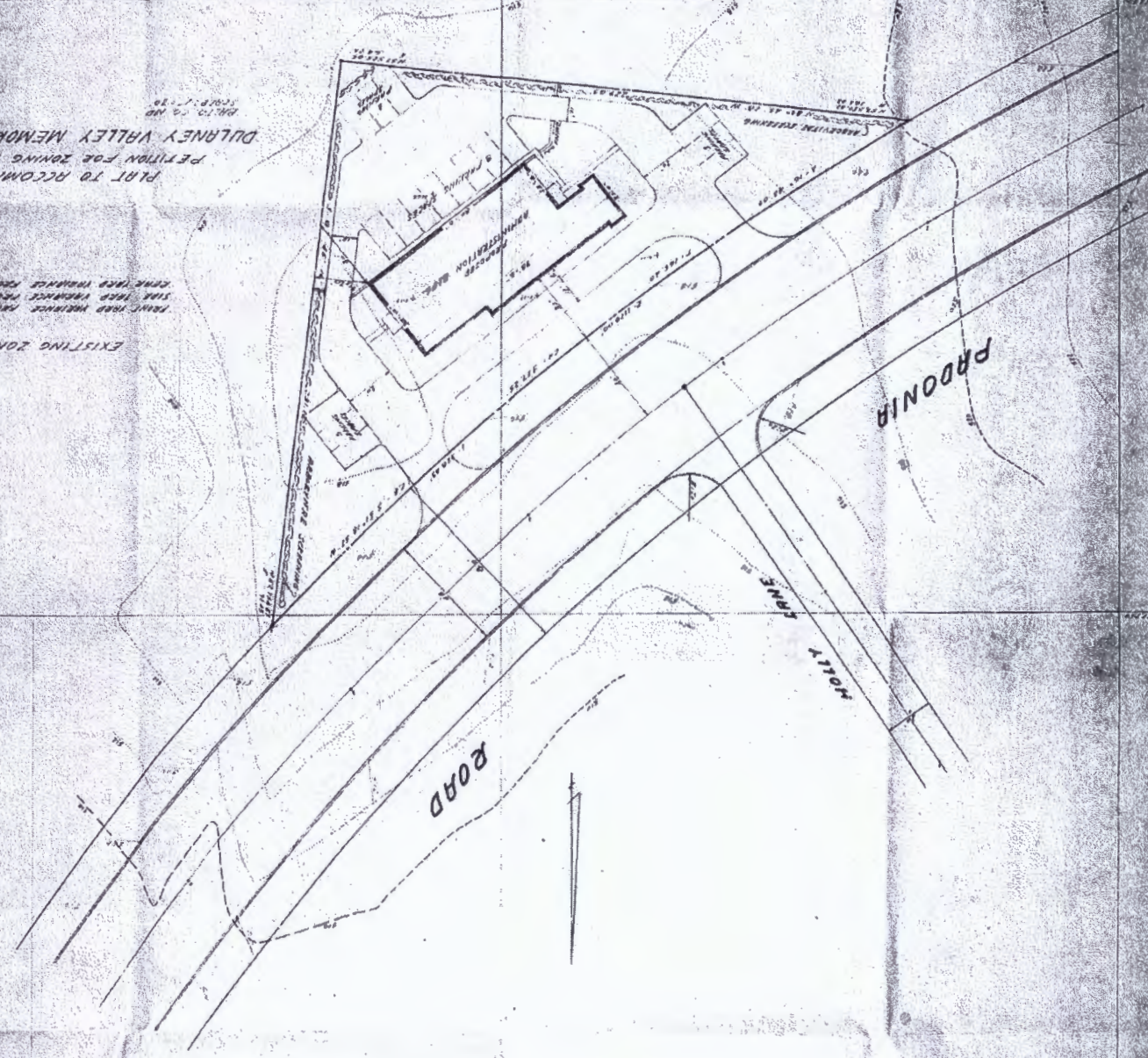
LA



George William Thompson, Jr.
Mayor
City of Duluth, Minn.
January 1, 1932

PLAT TO ACCOMPANY
PETITION FOR ZONING VARIANCES
DULANEY VALLEY MEMORIAL GARDENS
JANUARY 19, 1932
DULUTH, MINN.
SCALE: 1" = 50'

EXISTING ZONING R-20
PAVED ROAD WIDENESS 30' TO 50'
SIDE WALK WIDENESS 5' TO 10'
SIDE WALK WIDENESS 10' TO 20'



PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

66-40X

66-40-X

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

That we, Dulaney Valley Memorial Gardens, Inc. legal owners 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____

_____ zone; for the following reasons:

See attached description

SEC. 3 D
115-1-1A
X
1/2/60

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for an addition to existing cemetery in an R-10 zone.

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

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

Dulaney Valley Memorial Gardens, Inc.

By: _____

Contract purchaser

Harry H. Phelan, Jr. Legal Owner
Executive Vice-President
Address 200 Padonia Road East

Address

Cockeysville, Maryland 21030

John W. Armiger Petitioner's Attorney

Protestant's Attorney

Address 200 Padonia Road East
Cockeysville, Md. 21030

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of July 1965, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 11th day of August 1965, at 11:00 o'clock

Zoning Commissioner of Baltimore County

DULANEY VALLEY MEM. GARDENS #66-40-X
W/S Padonia Rd. 600' S of Treherne Rd.
8th

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of location and the petitioner having complied with the requirements of Section 502.1 of the Baltimore County Zoning Regulations,

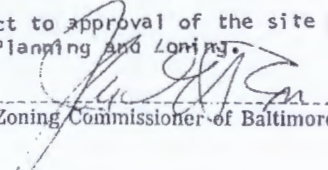
~~the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED~~

a Special Exception for a addition to existing cemetery in R-10 Zone should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of August, 1965, ~~that the above described property or area be and the same is hereby~~

~~re-classified from R-10 Zone to R-10 Zone~~ that in R-10 Zone

~~that a Special Exception for addition to existing cemetery should be and the same is granted, from and after the date of this order, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.~~


Zoning Commissioner of Baltimore County

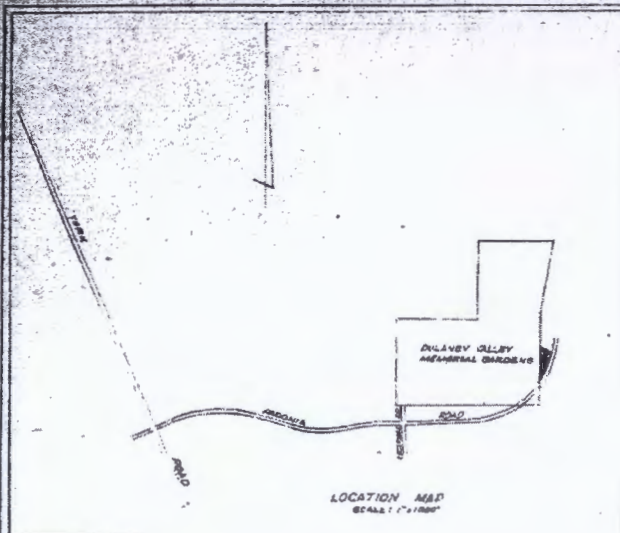
Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED

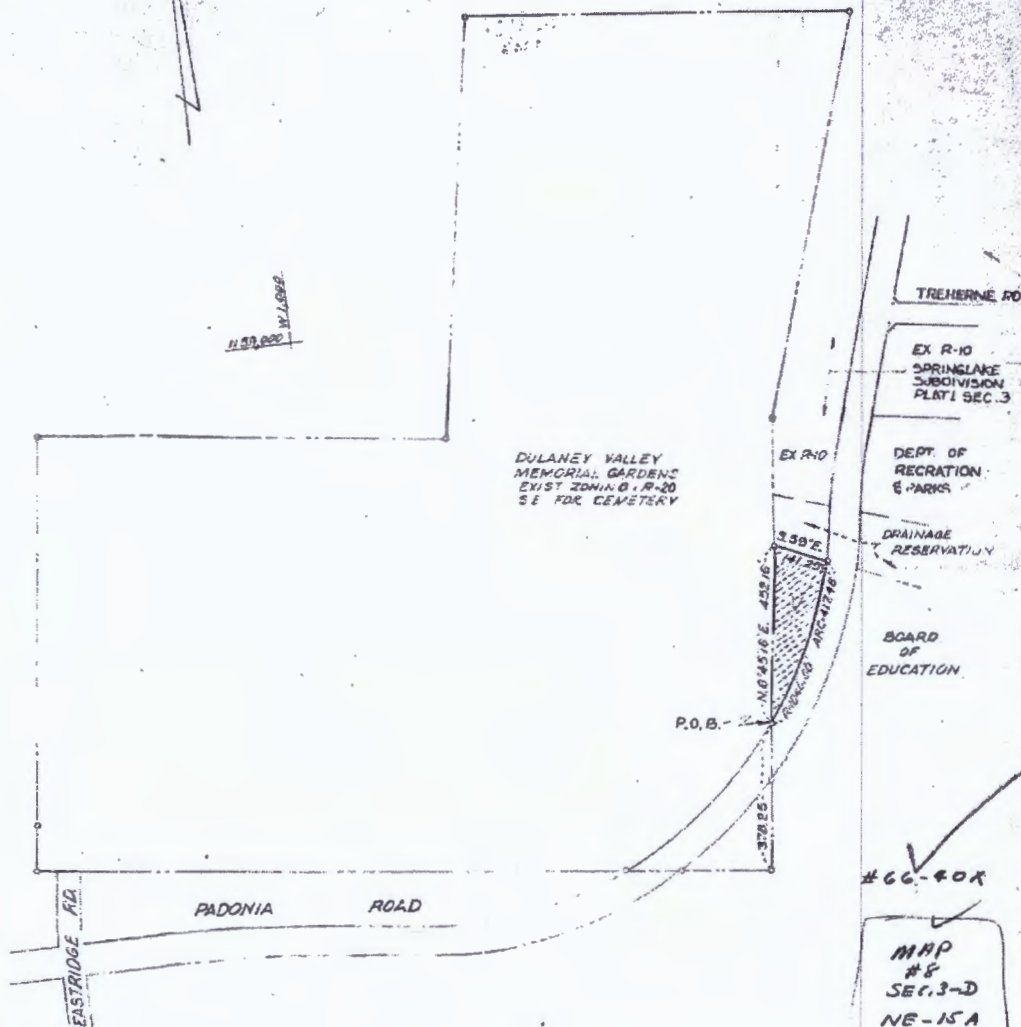
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 196____, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a _____ zone; and or the Special Exception for _____ be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

DULANEY VALLEY NEW GARDENS #66-40-X
W/S Padonia Rd. 600' S of Treherne Rd.
8th



EXIST ZONING - R-10
EXIST USE - VACANT
PROP ZONING - R-10 WITH S.E. FOR CEMETERY
PROP USE - CEMETERY
GROSS AREA - 1.08 AC.
NET AREA - 1.08 AC.



J. STRONG SMITH & ASSOCIATES
CONSULTING ENGINEERS
201 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
VA 3-7879 PM 252



PLAN TO ACCOMPANY APPLICATION FOR S.E. FOR
CEMETERY
PADONIA RD. 500' SOUTH OF TREHERNE RD.
ELECTION DIST. NO. 8 BALTIMORE COUNTY, MD.
SCALE 1" = 200' JUNE 12, 1965

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
 145 ft. N of NEC Belair & Jerusalem Roads on E/S Belair Rd
 12305 Belair Road
 11th Election District
 6th Councilmanic District
 Raymond Eller, et ux
 Petitioners

* BEFORE THE
 * ZONING COMMISSIONER
 * OF BALTIMORE COUNTY
 * Case No. 91-413-A
 *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a principal building to lot line setback of 18 ft. in lieu of the 50 ft. required, as more particularly described on Petitioners' Exhibit No. 1 and 3.

The Petitioners having filed a Petition for a Residential Variance, the subject property, known as 12305 Belair Road, improved with a single family dwelling, consisting of 1.2 acres +/-, having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioners are requesting a lot line setback of 18 ft. in lieu of the required 50 ft. to construct an addition to the house which are additional bedrooms and family area.

The Petitioners have filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the variance would adversely affect the health, safety and/or general welfare of the public and, therefore, the relief should be granted.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

ORDER RECEIVED FOR FILING

Date

By

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 7th day of June, 1991 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a principal building to lot line setback of 18 ft. in lieu of the 50 ft. required, in accordance with Petitioners' Exhibit Nos. 1 and 3, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

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 such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Upon request and reasonable notice, the Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.


J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH/mnn
cc: Peoples Counsel

ORDER RECEIVED FOR FILING

Date

By

6/7/91
M. Haines



DULANEY VALLEY MEMORIAL GARDENS
200 EAST PADONIA ROAD
TIMONIUM, MARYLAND 21093
410 666-0490(OFFICE)
410 666-8879(FAX)
c/o-AMY S SHIMP

No.	REVISION	DATE	BY

**Stantec**

STANTEC
CONSULTING SERVICES INC.
20410 CENTURY BOULEVARD, SUITE 200,
GERMANTOWN, MARYLAND 20874
PHONE: (301) 444-8282
FAX: (301) 444-8181
www.Stantec.com

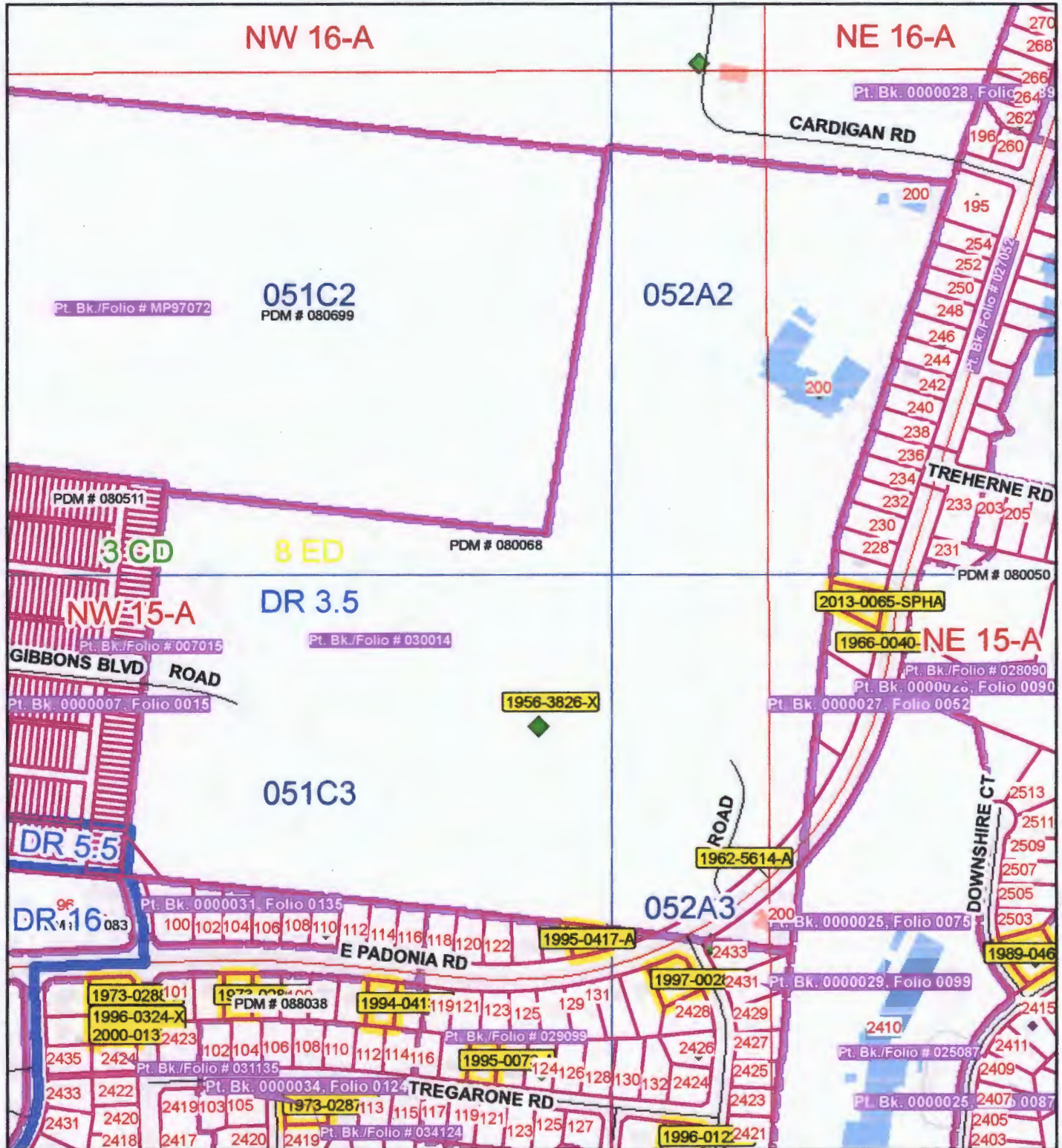
© LATEST DATE HEREON

AERIAL EXHIBIT

DULANEY VALLEY MEMORIAL GARDENS

FB	SCALE
DESIGN	PETITIONER'S
DK	EXHIBIT NO. <u>2</u>
DRAWN	
CHECKED	
JUNE, 2014	
DATE	PROJ. NO. FILE NO.

200 East Padonia Road



Publication Date: 2/25/2014



Publication Agency: Permits, Approvals & Inspections
Projection/Datum: Maryland State Plane,
FIPS 1900, NAD 1983/91 HARN, US Foot



0 100 200 400 600 800 Feet

1 inch = 400 feet

Item # 0176

BALTIMORE CO.
 MONUMENT 104
 REBAR & CAP
 EL. 515.04

104'

SPRY ROAD
 FOX HOLLOW GOLF COURSE
SITE
 ALMSHOUSE ROAD
 FOX HOLLOW GOLF COURSE
 DULANEY VALLEY MEM. GARDENS
 PADONIA VILLAGE
 EAST PADONIA ROAD
 FALLSBROOK ROAD
 MD. STATE PLANE

VICINITY MAP
 SCALE: 1"=1000'



OWNER: DULANEY VALLEY MEMORIAL GARDENS, INC.
200 EAST PADONIA ROAD
TIMONLINE, MARYLAND 21093

3. PART 1 - 69.947 AC.
PART 2 - 0.549 AC.
TOTAL: 70.496 AC.

4. BUILDING AREA: PROPOSED: 2,400 SQ.FT.
UTILITIES: PUBLIC WATER
PUB. SEWER

5. THE SITE DOES NOT LIE WITHIN THE FLOODPLAIN AS SHOWN ON F.I.R.M. #240010255F, PANEL #255 OF 580 DATED SEPTEMBER 26, 2008

6. PARKING CALCULATIONS: REQUIRED: TO BE DETERMINED
PROVIDED: 3 SPACES (1 ADA, 2 REGULAR)

7. SUBWAYS FOR PROP. BLDGS: REQUIRED PROVIDED
FRONT: 50' 213'
SIDE: 20' 165'
REAR: 30' 130'
MAXIMUM PERMITTED: 50'

8. HEIGHT OF STRUCTURE: PROVIDED: PROPOSED BUILDING 16'
L. 25938 F. 115
#1600008999

9. DEED REFERENCE: L. 25938 F. 115
10. TAX ACCOUNT: #1600008999
11. COUNCILMANIC DISTRICT: 309
12. REGIONAL PLANNING DISTRICT: 309
13. CENSUS TRACT: 408605
14. WATERSHED: LOCH RAVEN RESERVOIR
15. ZONING: DR 3.5 (ZONING MAPS: 0523A, 0524A, 0512C, 0513C)
16. TAX MAP #51, GRID #18, PARCEL #114.

17. PREVIOUS ZONING CASES: 1956-3825-X: SPECIAL EXCEPTION FOR CEMETERY USE; GRANTED 09/26/66-5614-A: A VARIANCE REQUEST FOR FRONT AND REAR YARD SETBACKS FOR PROPOSED ACCESSORY CEMETERY OFFICE; GRANTED 1956-3825-X: SPECIAL EXCEPTION FOR ADDITION TO EXISTING CEMETERY; GRANTED 08/11/65.

18. PENDING PERMITS: GRADING PERMIT-8823517
19. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
20. THERE ARE NO HISTORIC FEATURES ON THE SITE NOR IS THE SITE ITSELF HISTORIC.
21. PREVIOUS RC MEETINGS:
22. THE PROPERTY IS NOT LOCATED WITHIN ANY FAILED BASIC SERVICES MAP AREA.
23. THE PLAN IS TO BE SUBMITTED TO THE BOARD OF ZONING APPEALS TO SHOW PROPOSED ACTIVITIES TO ACCOMPANY THE ZONING PETITION.
24. LIGHTING FOR THE PROPOSED STRUCTURE WILL BE PROVIDED BY BUILDING MODERN LIGHTS PER BUILDING REQUIREMENTS. NO FREE STANDING POLES ARE PROPOSED.
25. THE PLAN IS TO BE SUBMITTED TO THE BOARD OF ZONING APPEALS TO SHOW PROPOSED ACTIVITIES TO ACCOMPANY THE ZONING PETITION. TOPOGRAPHY INFORMATION SHOWN AT THE EASTERN PORTION OF THE PROPERTY IS FROM SURVEY DONE BY STANTEC 10/13. THE TOPOGRAPHY SHOWN ON THE REMAINING SITE AND SURROUNDING AREA WAS OBTAINED FROM BALTIMORE COUNTY GIS 01/13.
26. THE PURPOSE OF THIS PLAN IS TO ACCOMPANY THE ZONING PETITION.
27. THE PET CREMATORY LAYOUT AND ASSOCIATED PARKING SHOWN IS FOR SCHEMATIC PURPOSES. THE BUILDING AND PARKING CONFIGURATION IS EVOLVING AND WILL BE FURTHER REFINED THROUGHOUT THE DESIGN PROCESS. HOWEVER, THE GROSS FLOOR AREA WILL BE EQUAL TO OR LESS THAN WHAT IS SHOWN.

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED
OR APPROVED BY ME, AND THAT I AM A DULY LICENSED
PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE
OF MARYLAND.

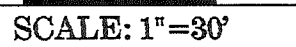
02/25/2014
DATE

SIGNATURE _____

Fernando Enrique Benitez
PRINTED NAME

01/17/2015
EXPIRATION DATE

LICENSE NO. 39966

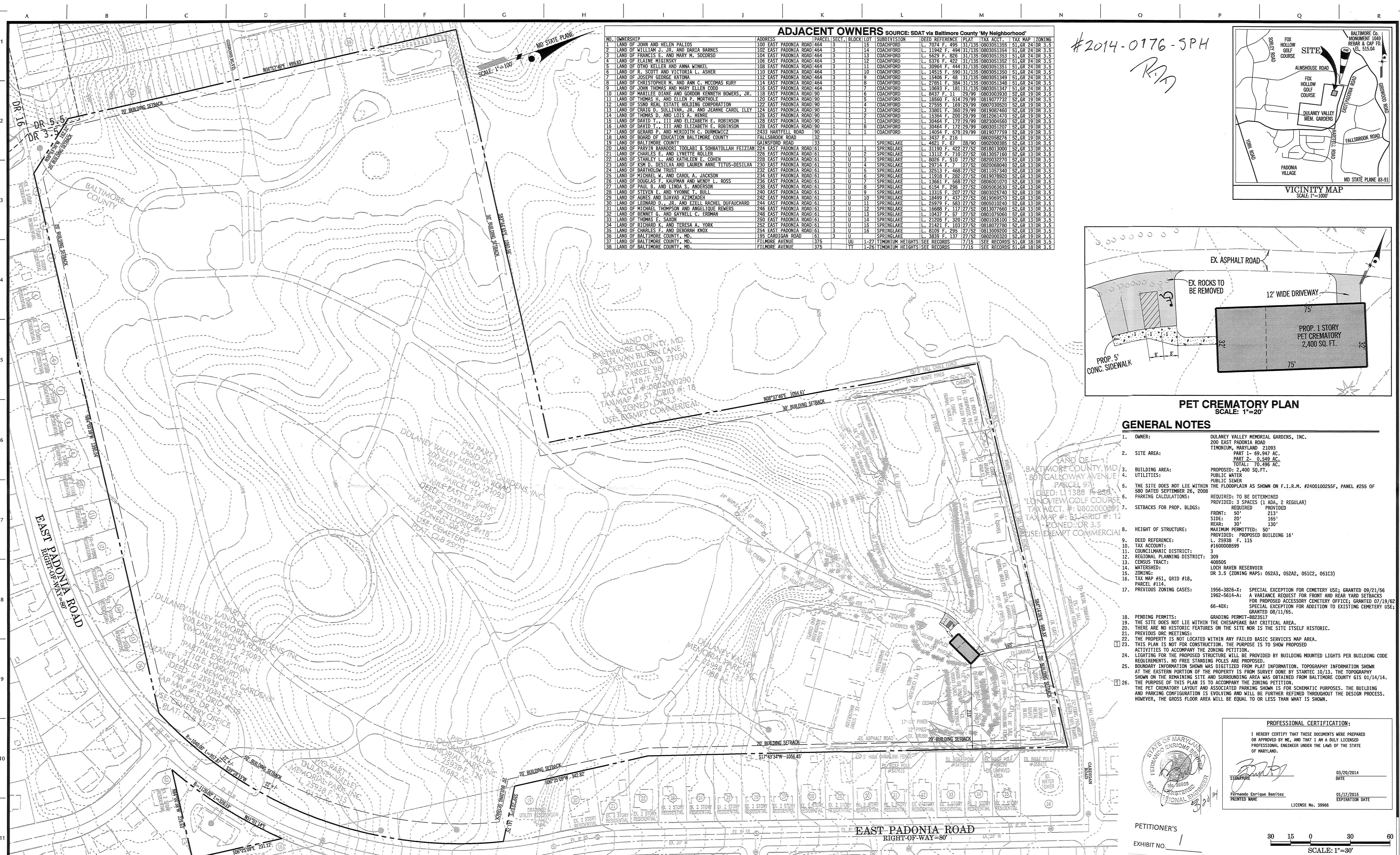


DULANEY VALLEY MEMORIAL GARDENS
200 EAST PADONIA ROAD

8th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

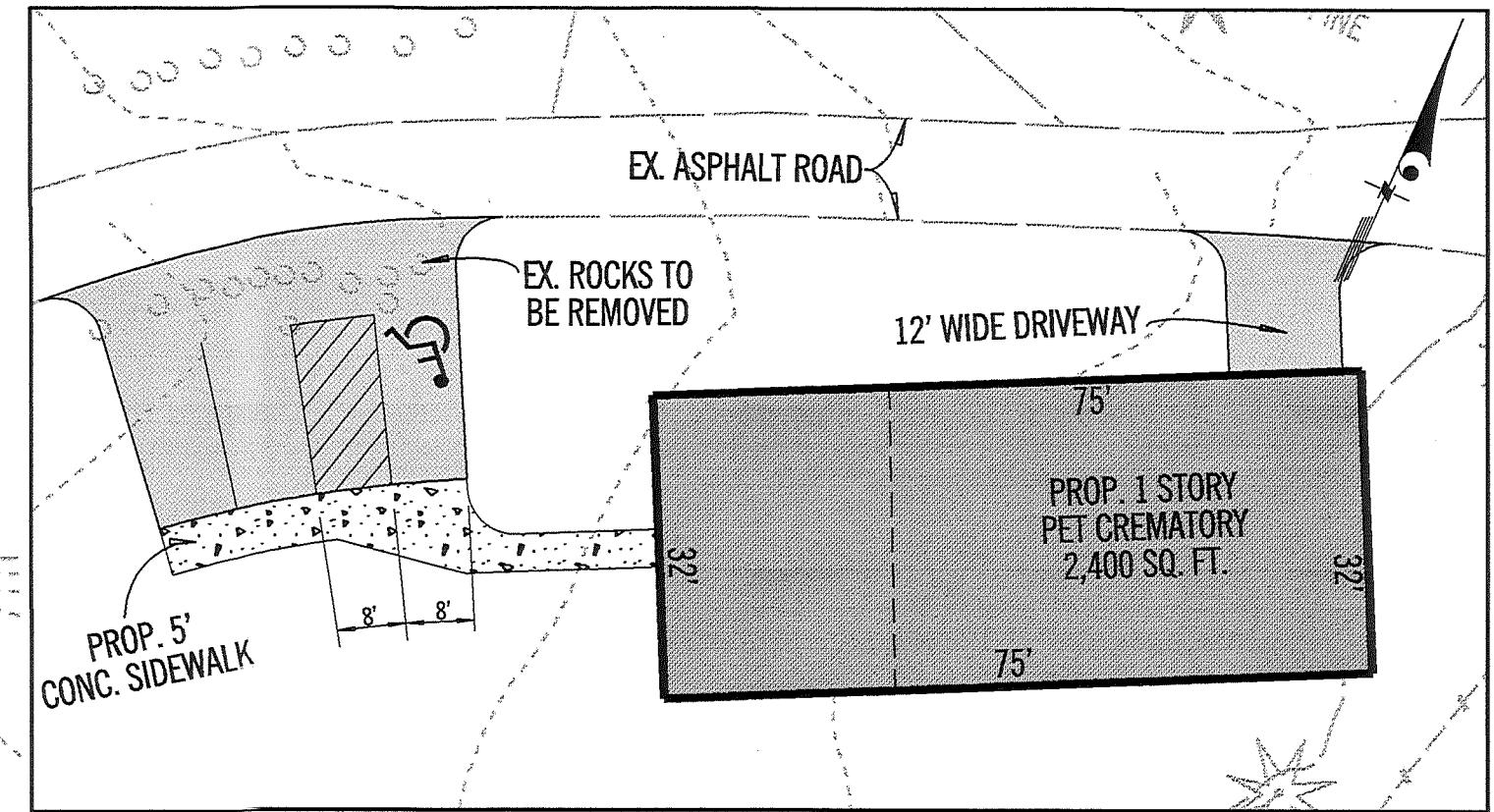
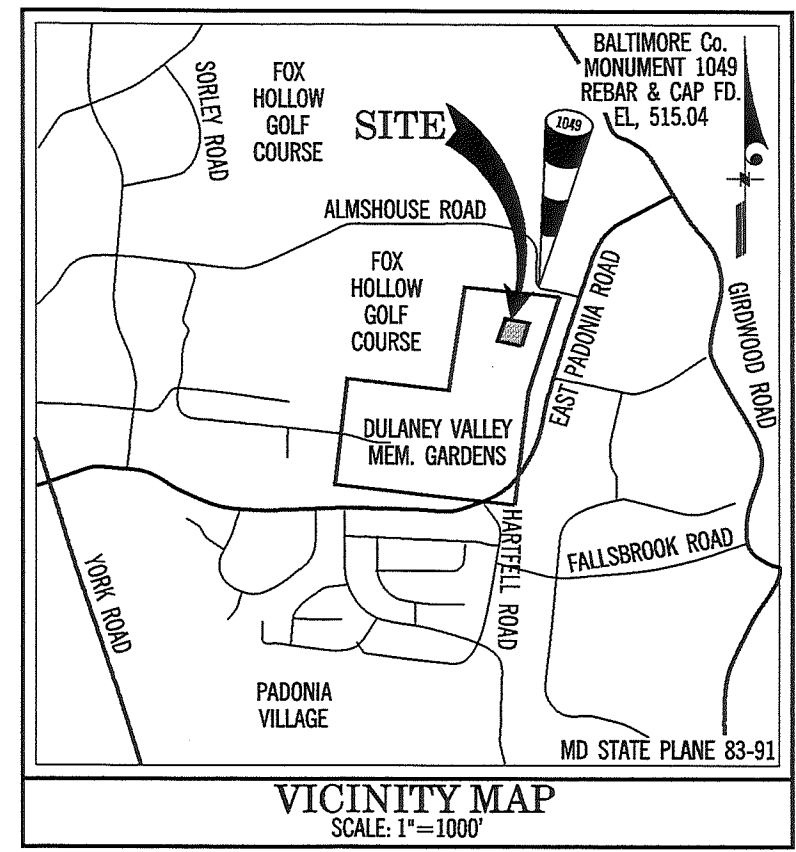
FB	1" = 100'	
DESIGN	SCALE	
DK	1 OF 1	
DRAWN		
CHECKED	SHEET	
FEB. 2014	2029072266	20290
DATE	PROJ No.	FILE No.

DULANEY VALLEY MEMORIAL GARDENS
200 EAST PADONIA ROAD
TIMONIUM, MARYLAND 21093
410 666-0490(OFFICE)
410 666-8879(FAX)
c/o-AMY S SHIMP



ADJACENT OWNERS SOURCE: SDAT via Baltimore County 'My Neighborhood'									
NO. OWNERSHIP	ADDRESS	PARCEL	SECT.	BLOCK	LOT	SUBDIVISION	DEED REFERENCE	PLAT	TAX ACCT.
1 LAND OF JOHN AND HELEN PALLOS	100 EAST PADONIA ROAD 464	3	1	15		COACHFORD	L. 7074 F. 495	31/135	0803051355
2 LAND OF WILLIAM J. JR. AND DARIA BARNES	102 EAST PADONIA ROAD 464	3	1	14		COACHFORD	L. 11942 F. 494	31/135	0803051354
3 LAND OF FRANCIS E. AND MARY M. SOCORRO	104 EAST PADONIA ROAD 464	3	1	13		COACHFORD	L. 5629 F. 826	31/135	0803051353
4 LAND OF ELAINE MIGINSKY	106 EAST PADONIA ROAD 464	3	1	12		COACHFORD	L. 5376 F. 422	31/135	0803051352
5 LAND OF OTHO KELLER AND ANNA WINKEL	108 EAST PADONIA ROAD 464	3	1	11		COACHFORD	L. 30964 F. 444	31/135	0803051351
6 LAND OF H. SCOTT AND VICTORIA L. ASHER	110 EAST PADONIA ROAD 464	3	1	10		COACHFORD	L. 14515 F. 590	31/135	0803051350
7 LAND OF JOSEPH GEORGE KATONA	112 EAST PADONIA ROAD 464	3	1	9		COACHFORD	L. 15406 F. 48	31/135	0803051349
8 LAND OF CHRISTOPHER M. AND ANN C. MCCOMAS KURY	114 EAST PADONIA ROAD 464	3	1	8		COACHFORD	L. 27851 F. 384	31/135	0803051348
9 LAND OF JOHN THOMAS AND MARY ELLEN COOD	116 EAST PADONIA ROAD 464	3	1	7		COACHFORD	L. 10693 F. 181	31/135	0803051347
10 LAND OF MARILEE DIANE AND GORDON KENNETH BOWERS, JR.	118 EAST PADONIA ROAD 90	1	1	6		COACHFORD	L. 8437 F. 11	29/99	0803003930
11 LAND OF THOMAS H. AND ELLEN P. MORTHOLE	120 EAST PADONIA ROAD 90	1	1	5		COACHFORD	L. 18560 F. 514	29/99	0819077732
12 LAND OF SSND REAL ESTATE HOLDING CORPORATION	122 EAST PADONIA ROAD 90	1	1	4		COACHFORD	L. 27555 F. 169	29/99	0807030520
13 LAND OF CRAIG D. SULLIVAN, JR. AND JEANNE CAROL TLEY	124 EAST PADONIA ROAD 90	1	1	3		COACHFORD	L. 33801 F. 360	29/99	0819074400
14 LAND OF THOMAS D. AND LOIS A. HENRE	126 EAST PADONIA ROAD 90	1	1	2		COACHFORD	L. 15364 F. 200	29/99	0812061470
15 LAND OF DAVID T., III AND ELIZABETH E. ROBINSON	128 EAST PADONIA ROAD 90	1	1	1		COACHFORD	L. 30464 F. 172	29/99	0823004560
16 LAND OF DAVID T., III AND ELIZABETH E. ROBINSON	128 EAST PADONIA ROAD 90	1	1	8		COACHFORD	L. 30464 F. 172	29/99	0803051207
17 LAND OF GERARD P. AND MERIDITH C. BURMOWICZ	2433 HARTFELL ROAD	90	1	1		COACHFORD	L. 14054 F. 278	29/99	0819077759
18 LAND OF BOARD OF EDUCATION BALTIMORE COUNTY	FALLSBROOK ROAD	32	1	1			L. 3437 F. 216		0802058276
19 LAND OF BALTIMORE COUNTY	GAINSFORD ROAD	33	3			SPRINGLAKE	L. 4621 F. 87	28/99	0802000385
20 LAND OF PARVIN BARADORE TOOLABI & SOHRATOLLAH FEIZIAN	224 EAST PADONIA ROAD 61	3	U	1		SPRINGLAKE	L. 31190 F. 422	27/52	0818013000
21 LAND OF CHARLES E. AND LYNETTE ROLLER	226 EAST PADONIA ROAD 61	3	U	2		SPRINGLAKE	L. 13112 F. 710	27/52	0813057160
22 LAND OF STANLEY L. AND KATHLEEN E. COHEN	228 EAST PADONIA ROAD 61	3	U	3		SPRINGLAKE	L. 8026 F. 510	27/52	0820032270
23 LAND OF KSM D. DESILVA AND LAUREN ANNE TITUS-DESILVA	230 EAST PADONIA ROAD 61	3	U	4		SPRINGLAKE	L. 29714 F. 7	27/52	0820068040
24 LAND OF BARTHOLOM TRUST	232 EAST PADONIA ROAD 61	3	U	5		SPRINGLAKE	L. 32513 F. 468	27/52	0811051340
25 LAND OF MICHAEL W. AND CAROL A. JACKSON	234 EAST PADONIA ROAD 61	3	U	6		SPRINGLAKE	L. 11918 F. 282	27/52	0819078920
26 LAND OF DOUGLAS F. KAUFMAN AND WENDY L. ROSS	236 EAST PADONIA ROAD 61	3	U	7		SPRINGLAKE	L. 13661 F. 568	27/52	0806001070
27 LAND OF PAUL B. AND LINDA S. ANDERSON	238 EAST PADONIA ROAD 61	3	U	8		SPRINGLAKE	L. 6154 F. 298	27/52	0805062630
28 LAND OF STEVEN E. AND WYONNE T. BULL	240 EAST PADONIA ROAD 61	3	U	9		SPRINGLAKE	L. 13515 F. 207	27/52	0803025740
29 LAND OF AGNES AND DJAVAD AZIMZADEH	242 EAST PADONIA ROAD 61	3	U	10		SPRINGLAKE	L. 18499 F. 437	27/52	0819069570
30 LAND OF LEONARD D., JR. AND EZZEL BACHEL DUFAUCHARD	244 EAST PADONIA ROAD 61	3	U	11		SPRINGLAKE	L. 25979 F. 583	27/52	0805010240
31 LAND OF MICHAEL THOMPSON AND ANGELIQUE REWERS	246 EAST PADONIA ROAD 61	3	U	12		SPRINGLAKE	L. 16688 F. 117	27/52	0813071660
32 LAND OF BENNET G. AND GAYNELL C. EROMAN	248 EAST PADONIA ROAD 61	3	U	13		SPRINGLAKE	L. 10537 F. 57	27/52	0801075060
33 LAND OF THOMAS E. SAXON	250 EAST PADONIA ROAD 61	3	U	14		SPRINGLAKE	L. 21205 F. 320	27/52	0801036100
34 LAND OF RICHARD K. AND TERESA A. YORK	252 EAST PADONIA ROAD 61	3	U	15		SPRINGLAKE	L. 21421 F. 103	27/52	0818072780
35 LAND OF CHARLES F. AND DEBORAH KNOX	254 EAST PADONIA ROAD 61	3	U	16		SPRINGLAKE	L. 8109 F. 295	27/52	0812000200
36 LAND OF BALTIMORE COUNTY, MD.	195 CARDIGAN ROAD	61	3			SPRINGLAKE	L. 3839 F. 137	27/52	0802000320
37 LAND OF BALTIMORE COUNTY, MD.	FILMORE AVENUE	375	UU	1-27		TIMONIUM HEIGHTS	SEE RECORDS	7/15	SEE RECORDS
38 LAND OF BALTIMORE COUNTY, MD.	FILMORE AVENUE	375	TT	1-26		TIMONIUM HEIGHTS	SEE RECORDS	7/15	SEE RECORDS

#2014-0176-SPH
R77



PET CREMATORY PLAN

SCALE: 1"=20'

- #### GENERAL NOTES
- OWNER: DULANEY VALLEY MEMORIAL GARDENS, INC. 200 EAST PADONIA ROAD TIMONIUM, MARYLAND 21093
 - SITE AREA: PART 1- 69.947 AC. PART 2- 0.549 AC. TOTAL: 70.496 AC.
 - BUILDING AREA: PROPOSED: 2,400 SQ.FT.
 - UTILITIES: PUBLIC WATER PUBLIC SEWER
 - THE SITE DOES NOT LIE WITHIN 580 DATED SEPTEMBER 26, 2008
 - PARKING CALCULATIONS: REQUIRED: TO BE DETERMINED PROVIDED: 3 SPACES (1 ADA, 2 REGULAR)
 - SETBACKS FOR PROP. BLDGS: REQUIRED: PROVIDED FRONT: 50' 213' SIDE: 20' 165' REAR: 30' 130' MAXIMUM PERMITTED: 50' PROVIDED: PROPOSED BUILDING 16' L. 25938 F. 115 #150008599 3
 - HEIGHT OF STRUCTURE: MAXIMUM PERMITTED: 50' PROVIDED: PROPOSED BUILDING 16' L. 25938 F. 115 #150008599 3
 - DEED REFERENCE: L. 25938 F. 115
 - TAX ACCOUNT: #150008599 3
 - COUNCILMANIC DISTRICT: 309
 - REGIONAL PLANNING DISTRICT: 408505
 - CENSUS TRACT: LOCH RAVEN RESERVOIR
 - WATERSHED: DR 3.5 (ZONING MAPS: 052A3, 052A2, 051C2, 051C3)
 - ZONING: DR 3.5 (ZONING MAPS: 052A3, 052A2, 051C2, 051C3)
 - TAX MAP #51, GRID #18, PARCEL #114
 - PREVIOUS ZONING CASES: 1956-3826-X: SPECIAL EXCEPTION FOR CEMETERY USE; GRANTED 09/21/56 1962-5614-A: A VARIANCE REQUEST FOR FRONT AND REAR YARD SETBACKS FOR PROPOSED ACCESSORY CEMETERY OFFICE; GRANTED 07/19/62 66-40X: SPECIAL EXCEPTION FOR ADDITION TO EXISTING CEMETERY USE; GRANTED 08/11/65.
 - PENDING PERMITS: GRADING PERMIT-8823517
 - THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
 - THERE ARE NO HISTORIC FEATURES ON THE SITE NOR IS THE SITE ITSELF HISTORIC.
 - PREVIOUS DRC MEETINGS:
 - THE PROPERTY IS NOT LOCATED WITHIN ANY FAILED BASIC SERVICES MAP AREA.
 - THIS PLAN IS NOT FOR CONSTRUCTION. THE PURPOSE IS TO SHOW PROPOSED ACTIVITIES TO ACCOMPANY THE ZONING PETITION.
 - LIGHTING FOR THE PROPOSED STRUCTURE WILL BE PROVIDED BY BUILDING MOUNTED LIGHTS PER BUILDING CODE REQUIREMENTS. NO FREE STANDING POLES ARE PROPOSED.
 - BOUNDARY INFORMATION SHOWN WAS DIGITIZED FROM PLAT INFORMATION. TOPOGRAPHY INFORMATION SHOWN AT THE EASTERN PORTION OF THE PROPERTY IS FROM SURVEY DONE BY STANTEC 10/13. THE TOPOGRAPHY SHOWN ON THE REMAINING SITE AND SURROUNDING AREA WAS OBTAINED FROM BALTIMORE COUNTY GIS 01/14/14. THE PURPOSE OF THIS PLAN IS TO ACCOMPANY THE ZONING PETITION.
 - THE PET CREMATORY LAYOUT AND ASSOCIATED PARKING SHOW IS FOR SCHEMATIC PURPOSES. THE BUILDING AND PARKING CONFIGURATION IS EVOLVING AND WILL BE FURTHER REFINED THROUGHOUT THE DESIGN PROCESS. HOWEVER, THE GROSS FLOOR AREA WILL BE EQUAL TO OR LESS THAN WHAT IS SHOWN.

STATE OF MARYLAND
FERNANDO ENRIQUE BENTEE
REGISTERED PROFESSIONAL ENGINEER
No. 59898
3/20/14

PROFESSIONAL CERTIFICATION:
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

SIGNATURE: *Fernando Enrique Bentez* DATE: 03/20/2014
PRINTED NAME: Fernando Enrique Bentez DATE: 01/17/2015
LICENSE No. 39966 EXPIRATION DATE

DULANEY VALLEY MEMORIAL GARDENS
200 EAST PADONIA ROAD
TIMONIUM, MARYLAND 21093
410 666-0490(OFFICE)
410 666-8879(FAX)
c/o AMY S SHIMP

DATE: 4/9/2014 DGN: U:\2029072266\072266-B.SP_01.DGN PRF: U:\2029072266\PRF\072266-B.SP_01.prf TBL: R:\cadd\plb\Penables\Maryland\Montgomery\Y8sp.tbl SCALE: 100 ROT: 90

No.	REVISION	DATE	BY
1	TITLE CHANGE "PLAN TO ACCOMPANY ZONING PETITION"	3/20/14	DK

STANTEC
CONSULTING SERVICES INC.
20410 CENTURY BOULEVARD, SUITE 200,
GERMANTOWN, MARYLAND 20874

PHONE: (301) 444-8282
FAX: (301) 444-8181
www.Stantec.com

© LATEST DATE HEREON

PLAN TO ACCOMPANY ZONING PETITION

DULANEY VALLEY MEMORIAL GARDENS
200 EAST PADONIA ROAD

8th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Amended

FB
DESIGN
DK
DRAWN

CHECKED
FEB. 2014
DATE

SCALE
1" = 100'

1 OF 1

SHEET

2029072266
PROJ No.

2029072266
FILE No.