



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP, *Director*
Department of Permits,
Approvals & Inspections

November 1, 2023

Mr. Michael J. Pieranunzi, PLA
Vice President.
Century Engineering
10710 Gilroy Road
Hunt Valley, MD 21031

Re: Spirit and Intent Request
Moreland Memorial Park Cemetery
1601 Taylor Avenue
Tax Account Number 0913751170
9th Election District, 6th Councilmanic District

Dear Mr. Pieranunzi:

Your request to the Baltimore County Zoning Review Office (Zoning) regarding the above, referenced property was referred to me for reply. Based upon our review of Baltimore County's "My Neighborhood" website (County GIS), the Baltimore County Zoning Regulations (BCZR), and prior zoning case history of the property and use, please be advised of the following.

Based upon County GIS, the property as referenced above is zoned DR5.5, and its existing use of a cemetery was approved via Special Exception and Variance Case No. 1978-0080-XA. That Special Exception and Variance was later amended by Zoning Cases 1986-0201-SPHA and 2016-0102-SPHA.

You request confirmation that the proposed improvements, which includes a 3,228-square foot new building replacing a 3,052-square foot dilapidated building, primarily within the same building footprint and used for maintenance and garage purposes, are within the spirit and intent of the last approved and other referenced zoning cases. Please note that the garage/maintenance building were shown on the hearing site plan which accompanied all zoning cases.

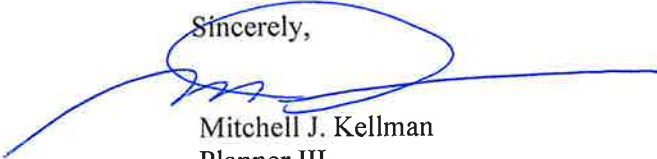
You offer that the new garage building will remain relatively the same height as the garage building to be razed, and the service building replacement will be one foot higher in the rear wall adjacent to the residences on Forest Avenue. That height will angle slightly up to 16 feet moving away from the adjacent residences. The additional building square footage will be located in the area away from the off-site residences internal to the cemetery property.

Zoning will consider your proposal as being within the spirit and intent of the referenced cases provided that the proposed building replacement extends no closer to the off-site residential property line than the building to be replaced and that the landscape buffer between the cemetery and off-site residences remain undisturbed. Any modifications to these conditions will require a public hearing.

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.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,



Mitchell J. Kellman
Planner III
Zoning Review

M E M O R A N D U M

DATE: March 28, 2016
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2016-0102-SPH- Appeal Period Expired

The appeal period for the above-referenced case expired on March 25, 2016. 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 *

(1601 Taylor Avenue)

9th Election District *

6th Council District *

Moreland Memorial Park Cemetery, Inc. *

Legal Owner *

Petitioner *

BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2016-0102-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 Moreland Memorial Park Cemetery, Inc., legal owner. The Special Hearing was filed pursuant to § 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to amend the special exception, variance and special hearing Case Nos. 1978-0080-XA and 1986-0201-SPHA to allow for construction of mausoleums of 1,500 sq. ft. or less in the area shown.

Craig Huff and professional engineer John Motsco appeared in support of the petition. Jack R. Sturgill, Jr., Esq., represented the Petitioner. The Petition was advertised and posted as required by the Baltimore County Zoning Regulations. There were no protestants or interested citizens in attendance. There were no substantive Zoning Advisory Committee (ZAC) comments received.

The subject property is 46.44 acres and zoned DR 5.5. The Moreland Memorial Park Cemetery is located at the site, and has been in existence since 1929. The Petitioner has in-ground burial plots, wall crypts and mausoleums as options for interment. Due to increased demand, Petitioner would like to construct additional mausoleum(s) at the site. Given the large site area and longstanding nature of the cemetery, this is an appropriate request. In addition, the proposed mausoleum(s) would be located together in an area of the site where such structures already exist.

ORDER RECEIVED FOR FILING

Date 2/24/16

By sen

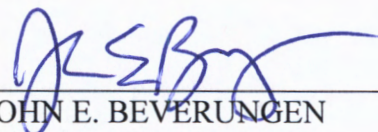
At the hearing, the representative from the cemetery indicated that the Petition mistakenly indicated the mausoleum size at 1,500 square feet or less. The Petition was amended at the hearing to reflect that the structures may be 3,000 square feet or less, which is in keeping with the size of the existing mausoleums at the cemetery.

THEREFORE, IT IS ORDERED this 24th day of February, 2016 by this Administrative Law Judge, that the Petition for Special Hearing pursuant to B.C.Z.R. § 500.7 to amend the special exception, variance and special hearing Case Nos. 1978-0080-XA and 1986-0201-SPHA to allow for construction of mausoleum(s) of 3,000 sq. ft. or less in the area shown on the site plan (marked as Exhibit 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.

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

ORDER RECEIVED FOR FILING

Date 2/24/16
By sln



KEVIN KAMENETZ
County Executive

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

February 24, 2016

Jack R. Sturgill, Esquire
606 Baltimore Avenue, Suite 207
Towson, Maryland 21204

RE: Petition for Special Hearing
Case No. 2016-0102-SPH
Property: Moreland Memorial Park Cemetery, Inc.

Dear Mr. Sturgill:

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", with a long horizontal flourish extending to the right.

JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:sln
Enclosure

CHECKLIST

<u>Comment Received</u>	<u>Department</u>	<u>Support/Oppose/ Conditions/ Comments/ No Comment</u>
<u>11/4</u>	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent _____)	<u>N/C</u>
<u>10/28</u>	DEPS (if not received, date e-mail sent _____)	<u>N/C</u>
<u>12/3</u>	FIRE DEPARTMENT PLANNING (if not received, date e-mail sent _____)	<u>no obj</u>
<u>10/27</u>	STATE HIGHWAY ADMINISTRATION TRAFFIC ENGINEERING	<u>no obj</u>
_____	COMMUNITY ASSOCIATION	_____
_____	ADJACENT PROPERTY OWNERS	_____
ZONING VIOLATION	(Case No. _____)	
PRIOR ZONING	(Case No. _____)	
NEWSPAPER ADVERTISEMENT	Date: <u>1/28/16</u>	
SIGN POSTING	Date: <u>1/30/16</u> by <u>Pulson</u>	
PEOPLE'S COUNSEL APPEARANCE	Yes ☒ No ☐	
PEOPLE'S COUNSEL COMMENT LETTER	Yes ☐ No ☐	

Comments, if any: _____

Real Property Data Search (w1)

Guide to searching the database

Search Result for BALTIMORE COUNTY

View Map		View GroundRent Redemption		View GroundRent Registration	
Account Identifier:		District - 09 Account Number - 0913751170			
Owner Information					
Owner Name:		MORELAND MEMORIAL PARK CEMETERY INC		Use:	COMMERCIAL NO
Mailing Address:		P O BX 10879 2901 TAYLOR AV BALTIMORE MD 21234		Principal Residence:	
				Deed Reference:	/00856/ 00510
Location & Structure Information					
Premises Address:		2901 TAYLOR AVE 0-0000		Legal Description:	LT 27-53-84-222-258- 1320 W HILLEDALE PARK
Map:	Grid:	Parcel:	Sub District:	Subdivision:	Section: Block: Lot: Assessment Year: Plat No: Plat Ref:
0080	0006	0140		0000	27 2014 2
Special Tax Areas:			Town: Ad Valorem: Tax Class:		
			NONE		
Primary Structure Built		Above Grade Enclosed Area		Finished Basement Area	Property Land Area
1952		226			46.4400 AC
					County Use
					06
Stories	Basement	Type	Exterior	Full/Half Bath	Garage Last Major Renovation
		OFFICE BUILDING			
Value Information					
		Base Value	Value As of 01/01/2014	Phase-in Assessments As of 07/01/2015 As of 07/01/2016	
Land:		1,648,700	1,739,500		
Improvements		462,600	463,200		
Total:		2,111,300	2,202,700	2,172,233	2,202,700
Preferential Land:		0			0
Transfer Information					
Seller: JOSEPH F MORELAN D INC		Date: 08/25/1987		Price: \$0	
Type: NON-ARMS LENGTH OTHER		Deed1: /00856/ 00510		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	
Exemption Information					
Partial Exempt Assessments:		Class	07/01/2015	07/01/2016	
County:		000	0.00		
State:		000	0.00		
Municipal:		000	0.00 0.00	0.00 0.00	
Tax Exempt:		Special Tax Recapture:			
Exempt Class:		NONE			
Homestead Application Information					
Homestead Application Status: No Application					

New Search (<http://sdat.dat.maryland.gov/RealProperty>)

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>).

CERTIFICATE OF POSTING

Date: 1-30-16

RE: Case Number: 2016-0102-SPH

Petitioner/Developer: Moreland Memorial Park Cemetery

Date of Hearing/Closing: Feb 19, 2016 10 AM

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 1601 Taylor Ave

The signs(s) were posted on 1-30-16
(Month, Day, Year)

J. Lawrence Pilson
(Signature of Sign Poster)

J. LAWRENCE PILSON
(Printed Name of Sign Poster)

ATTACH PHOTOGRAPH

1015 Old Barn Road
(Street Address of Sign Poster)

Parkton, MD 21120
(City, State, Zip Code of Sign Poster)

410-343-1443
(Telephone Number of Sign Poster)

ZONING NOTICE

CASE # 2016-D102-SPH

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

JEFFERSON BUILDING-RM205

PLACE: 105W. CHESAPEAKE AVE., TOWSON 21204

DATE AND TIME: FRI., FEB. 19, 2016 10AM

REQUEST: SPECIAL HEARING TO AMEND THE

SPECIAL EXCEPTION, VARIANCE AND SPECIAL

HEARING ZONING CASES, 78-0080-XA AND 86-201-
SPHA TO ALLOW FOR CONSTRUCTION OF MAUSOLEUMS OF
1500 SQ. FT. OR LESS IN THE AREA SHOWN, AND ANY AD-
DITIONAL RELIEF AS MAY BE DEEMED NECESSARY BY THE
ADMINISTRATIVE LAW JUDGE.

POSTPONEMENTS DUE TO WEATHER



THE BALTIMORE SUN MEDIA GROUP

501 N. Calvert St., P.O. Box 1377
Baltimore, Maryland 21278-0001
tel: 410/332-6000
800/829-8000

WE HEREBY CERTIFY, that the annexed advertisement of Order No 3911909

Sold To:

Moreland Memorial Park Cemetery - CU00507410
2901 Taylor Ave
Parkville, MD 21234-6309

Bill To:

Moreland Memorial Park Cemetery - CU00507410
2901 Taylor Ave
Parkville, MD 21234-6309

Was published in "Jeffersonian", "Bi-Weekly", a newspaper printed and published in Baltimore County on the following dates:

Jan 28, 2016

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: # 2016-0102-SPH

1601 Taylor Avenue

S/s Taylor Avenue, 710 ft. +/- west of centerline of Oakleigh Road

9th Election District - 6th Councilmanic District

Legal Owner(s) Moreland Memorial Park Cemetery, Inc.

Special Hearing to amend the special exception, variance and special hearing zoning cases 78-0080-XA and 86-201-SPHA to allow for construction of mausoleums of 1,500 sq. ft. or less in the area shown; and any additional relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Friday, February 19, 2016 at 10:00 a.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.

1/250 Jan. 28

3911909

The Baltimore Sun Media Group

By

S. Wilkinson

Legal Advertising

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 28, 2015 Issue - Jeffersonian

Please forward billing to:

Moreland Memorial Park Cemetery, Inc.
Attn: Craig Huff
2901 Taylor Avenue
Parkville, MD 21234

410-665-6400

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: 2016-0102-SPH

1601 Taylor Avenue
S/s Taylor Avenue, 710 ft. +/- west of centerline of Oakleigh Road
9th Election District – 6th Councilmanic District
Legal Owners: Moreland Memorial Park Cemetery, Inc.

Special Hearing to amend the special exception, variance and special hearing zoning cases 78-0080-XA and 86-201-SPHA to allow for construction of mausoleums of 1,500 sq. ft. or less in the area shown; and any additional relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Friday, February 19, 2015 at 10:00 a.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.



KEVIN KAMENETZ
County Executive

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

December 10, 2015

NEW 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: 2016-0102-SPH

1601 Taylor Avenue

S/s Taylor Avenue, 710 ft. +/- west of centerline of Oakleigh Road

9th Election District – 6th Councilmanic District

Legal Owners: Moreland Memorial Park Cemetery, Inc.

Special Hearing to amend the special exception, variance and special hearing zoning cases 78-0080-XA and 86-201-SPHA to allow for construction of mausoleums of 1,500 sq. ft. or less in the area shown; and any additional relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Friday, February 19, 201⁶ at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Jack Sturgill, Jr., 606 Baltimore Avenue, Ste. 207, Towson 21204
Craig Huff, 2901 Taylor Avenue, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, JANUARY 30, 2015**
- (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
Tuesday, December 8, 2015 Issue - Jeffersonian

Please forward billing to:

Moreland Memorial Park Cemetery, Inc.
Attn: Craig Huff
2901 Taylor Avenue
Parkville, MD 21234

410-665-6400

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: 2016-0102-SPH

1601 Taylor Avenue

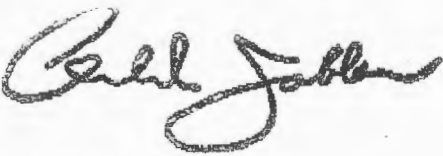
S/s Taylor Avenue, 710 ft. +/- west of centerline of Oakleigh Road

9th Election District – 6th Councilmanic District

Legal Owners: Moreland Memorial Park Cemetery, Inc.

Special Hearing to amend the special exception, variance and special hearing zoning cases 78-0080-XA and 86-201-SPHA to allow for construction of mausoleums of 1,500 sq. ft. or less in the area shown; and any additional relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Monday, December 28, 2015 at 10:00 a.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.



KEVIN KAMENETZ
County Executive

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

November 9, 2015

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: 2016-0102-SPH

1601 Taylor Avenue

S/s Taylor Avenue, 710 ft. +/- west of centerline of Oakleigh Road

9th Election District – 6th Councilmanic District

Legal Owners: Moreland Memorial Park Cemetery, Inc.

Special Hearing to amend the special exception, variance and special hearing zoning cases 78-0080-XA and 86-201-SPHA to allow for construction of mausoleums of 1,500 sq. ft. or less in the area shown; and any additional relief as may be deemed necessary by the Administrative Law Judge.

Hearing: Monday, December 28, 2015 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in dark ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Jack Sturgill, Jr., 606 Baltimore Avenue, Ste. 207, Towson 21204
Craig Huff, 2901 Taylor Avenue, Baltimore 21234

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, DECEMBER 8, 2015**
- (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.

RE: PETITION FOR SPECIAL HEARING
1601 Taylor Avenue; S/S Taylor Avenue,
710' W of c/line of Oakleigh Road
8th Election & 6th Councilmanic Districts
Legal Owner(s): Moreland Memorial Park
Cemetery, Inc

Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINSTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2016-102-SPH

* * * * *

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

NOV 02 2015

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 2nd day of November, 2015, a copy of the foregoing Entry of Appearance was mailed to Craig Huff, Assisted Secretary, 2901 Taylor Avenue, Baltimore, Maryland 21234 and Jack Sturgill, Jr., Esquire, 606 Baltimore Avenue, Suite 207, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



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 1601 Taylor Avenue, Baltimore, MD 21234 which is presently zoned DR 55

Deed References: 856/510

10 Digit Tax Account# 0913751170

Property Owner(s) Printed Name(s) Moreland Memorial Park Cemetery, 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. x a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County

for a Special Hearing to amend the special exception, variance and special hearing zoning cases 78-0080-XA and 86-0201-SPHA to allow for construction of mausoleums of 1,500 square feet or less in the area shown; and any additional relief as may be deemed necessary by the Administrative Law Judge.

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

3. _____ a Variance from Section(s)

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):

n/a

Moreland Memorial Park Cemetery, Inc.

Name- Type or Print

Name #1 - Type or Print

Name #2 - Type or Print

Signature

Signature #1

Signature #2

Mailing Address City State

Mailing Address City State

Zip Code Telephone# Email Address

Zip Code Telephone# Email Address

Attorney for Petitioner:

Representative to be contacted:

JACK R. STURGILL, JR.

CRAIG HUFF - Assistant Secretary.

Name- Type or Print

Name - Type or Print

Signature

Signature

606 Baltimore Avenue, Suite 207, Towson, MD
Mailing Address City State

2901 Taylor Avenue, Baltimore, MD
Mailing Address City State

21204 410-296-6485 jack@jacksllaw.com
Zip Code Telephone# Email Address

21234 410-665-6400 craighuff@aol.com
Zip Code Telephone# Email Address

CASE NUMBER 2016-0102 SPH Filing Date 10/21/15 Do Not Schedule Dates: _____ Reviewer JCM

ORDER RECEIVED FOR FILING

Date 2/24/16

By sen

July 1, 2015

ZONING DESCRIPTION FOR
MORELAND MEMORIAL PARK CEMETERY

Beginning at a point on the south side of Taylor Avenue, which is 40 feet wide, at the distance of 710 feet west of the centerline of Oakleigh Road, which is 40 feet wide. Thence the following courses and distances: (1) South 21 degrees 19 minutes West 350.00 feet; thence (2) South 68 degrees 41 minutes East 315.00 feet; thence (3) South 21 degrees 19 minutes West 175.00 feet; thence (4) South 68 degrees 41 minutes East 487.71 feet; thence (5) South 09 degrees 56 minutes West 486.07 feet; thence (6) South 82 degrees 07 minutes West 1183.48 feet; thence (7) North 81 degrees 55 minutes West 548.11 feet; thence (8) North 01 degrees 34 minutes West 614 feet, more or less; thence (9) North 28 degrees 14 minutes East 1145.97 feet; and thence (10) South 68 degrees 41 minutes East 767.54 feet to the place of beginning. Being part of that land as recorded in Deed Liber L.McL.M. 856 folio 510 containing 46.44 acres of land, more or less. Located in the Ninth Election District and Sixth Council District.



James G. Wiest
Professional Land Surveyor
MD Registration No. 21390
License Expires February 5, 2016

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: 2016-0102-SPH

Petitioner: MORELAND MEMORIAL PARK CEMETERY

Address or Location: 1601 TAYLOR AVE BALTIMORE MD 21234

PLEASE FORWARD ADVERTISING BILL TO:

Name: MORELAND MEMORIAL PARK CEMETERY

Address: 2901 Taylor Ave P.O. BOX 10879

BALTIMORE MD 21234

Telephone Number: 410-665-6400

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

No. **127338**

Date: **10-21-15**

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				500.-

Total: **500.-**

Rec From: **MORELAND PARK CEMETERY, INC.**

For: **2016 - 0102 - SPH.**

DISTRIBUTION

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

PAID RECEIPT

BUSINESS
 10/23/2015
 RECEIPT # 127338
 500.00
 10/23/2015

**CASHIER'S
 VALIDATION**



KEVIN KAMENETZ
County Executive

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

February 4, 2016

Moreland Memorial Park Cemetery Inc.
2901 Taylor Avenue
Parkville MD 21234

RE: Case Number: 2016-0102 SPH, Address: 1601 Taylor Avenue

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 October 21, 2015. 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." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaw

Enclosures

c: People's Counsel
Jack R Sturgill, Jr., Esquire, 606 Baltimore Avenue, Suite 207, Towson MD 21204

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor



Pete K. Rahn, Secretary
Gregory C. Johnson, P.E., Administrator

Date: 10/27/15

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

RE: Baltimore County
Item No. 2016-0102 - SPH
Special Hearing
Moreland Memorial Park Cemetery, Inc.
1601 Taylor Avenue

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. 2016-0102 - SPH.

Should you have any questions regarding this matter, please contact Mr. Richard Zeller at 410-229-2332 or 1-866-998-0367 (in Maryland only) extension 2332, or by email at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in dark ink, appearing to read "David W. Peake".

David W. Peake
Metropolitan District Engineer - District 4
Baltimore & Harford Counties

DWP/RAZ

2-19 12/28
P.P

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

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

DATE: December 3, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-102

RECEIVED

DEC 07 2015

INFORMATION:

Property Address: 1601 Taylor Avenue
Petitioner: Moreland Park Cemetery, Inc.
Zoning: DR 5.5
Requested Action: Special Hearing

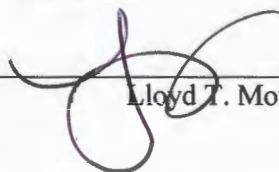
OFFICE OF ADMINISTRATIVE HEARINGS

The Department of Planning has reviewed the petition for a special hearing to amend the special exception, variance, and special hearing zoning cases 78-0080-XA and 86-0201-SPHA to allow for construction of mausoleums of 1500 square feet or less in the area shown.

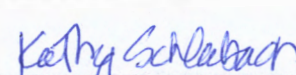
The Department has no objection to granting the petitioned zoning relief.

For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:


Lloyd T. Moxley

Division Chief:


Kathy Schlabach

AVA/KS/LTM/ka

c: Laurie Hay
Moreland Memorial Park Cemetery, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

RECEIVED

OCT 28 2015

BALTIMORE COUNTY, MARYLAND

12/28

POSTPONED

OFFICE OF ADMINISTRATIVE HEARINGS Inter-Office Correspondence



TO: Hon. Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: Jeff Livingston, Department of Environmental Protection and
Sustainability (EPS) - Development Coordination

DATE: October 28, 2015

SUBJECT: EPS Comment for Zoning Item # 2016-0102-SPH
Address 1601 Taylor Avenue
(Moreland Memorial Park Cemetery,
Inc. Property)

Zoning Advisory Committee Meeting of October 26, 2015.

X The Department of Environmental Protection and Sustainability has no
comment on the above-referenced zoning item.

Reviewer: SAF Date: 10-28-2015

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

FROM: ^{DAK} Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 26, 2015
Item No. 2016-0087, 0099, 0100, 0101 and 0102

DATE: November 4, 2015

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

DAK
cc:file

G:\DevPlanRev\ZAC -No Comments\ZAC10262015.doc

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM**

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

DATE: December 3, 2015

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS
Case Number: 16-102

INFORMATION:

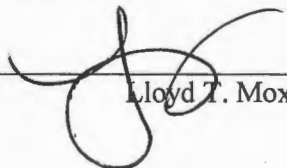
Property Address: 1601 Taylor Avenue
Petitioner: Moreland Park Cemetery, Inc.
Zoning: DR 5.5
Requested Action: Special Hearing

The Department of Planning has reviewed the petition for a special hearing to amend the special exception, variance, and special hearing zoning cases 78-0080-XA and 86-0201-SPHA to allow for construction of mausoleums of 1500 square feet or less in the area shown.

The Department has no objection to granting the petitioned zoning relief.

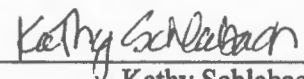
For further information concerning the matters stated herein, please contact Laurie Hay at 410-887-3480.

Prepared by:



Lloyd T. Moxley

Division Chief:



Kathy Schlabach

AVA/KS/LTM/ka

c: Laurie Hay
Moreland Memorial Park Cemetery, Inc.
Office of the Administrative Hearings
People's Counsel for Baltimore County

Case No.:

2016-0102

Exhibit Sheet

2/24/16
Sen

Petitioner/Developer

193
3-28-16

Protestants

No. 1	Site plan (amended)	
No. 2	Floor plan	
No. 3		
No. 4		
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		



April M. Kerns, Esq.,
Associate Attorney

November 19, 2015

Ms. Kristen Lewis
Baltimore County Zoning Office
111 West Chesapeake Ave
Room 111
Towson MD 21204

Re: Case 216-0102-SPH
1601 Taylor Ave
Legal owners: Moreland Memorial Park Cemetery, Inc.

Dear Ms. Lewis,

I am in receipt of your notice of zoning hearing for Monday, December 28, 2015. Unfortunately, our expert witness will not be available at that time. I would request a postponement for after January 6, 2016. I have another scheduled matter beginning on January 27, running through February 3, 2016.

Thank you for your time and cooperation in this matter.

Very truly yours,

Jack R. Sturgill

JRS/hek

cc: Peter Max Zimmerman via US Mail
Craig Huff via electronic
John Motsco via electronic



KEVIN KAMENETZ
County Executive

March 12, 2015

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

Jack R. Sturgill, Esquire
606 Baltimore Avenue, Suite 207
Towson, Maryland 21204

Dear Mr. Sturgill:

RE: Zoning Spirit and Intent, Zoning Case 1978-0080-XA, Moreland Memorial Park Cemetery, 9th Election District

Your letter to Mr. Arnold Jablon, Director, concerning a Zoning Spirit and Intent opinion regarding the above referenced case and property has been referred to this Office for reply.

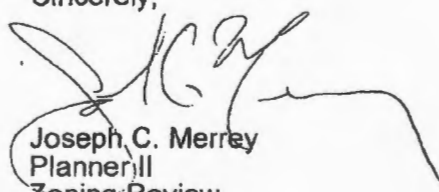
Your client desires to construct a free-standing mausoleum 40'x24'x19' on the cemetery property, the proposed location of same as indicated on the provided plan dated "Jan. 2015". Upon reviewing the case history on this property and consulting with Mr. Carl Richards, Zoning Supervisor, it is the opinion of this Office that a Special Hearing will be required to amend the restriction in the Baltimore County Board of Appeals' opinion, case Number 1978-0080-XA (Pertinent portion enclosed), which states in part that, "...additions must be connected with or immediately adjacent to the existing mausoleum structure". It is the opinion of this Office that the location of the proposed Mausoleum is not within the Spirit or Intent of Zoning case Number 1978-0080-XA.

This letter is strictly limited to the application of the BCZR as applied to the inquiries presented in your letter, and does not, in any fashion, represent verification for any other Local, State or other Regulations that may apply to this property.

THE FOREGOING IS MERELY AN INFORMAL OPINION. IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND 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.

Sincerely,

A handwritten signature in black ink, appearing to read 'JCM', with a long horizontal flourish extending to the right.

Joseph C. Merrey
Planner, II
Zoning Review
410-887-3391

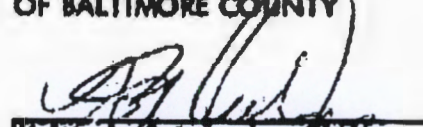
ORDER

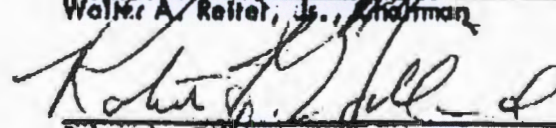
For the reasons set forth in the foregoing Opinion, it is this 14th day of March, 1979, by the County Board of Appeals ORDERED, that the requested special exception for the operation of a cemetery on the subject property be and the same is hereby GRANTED, subject to the following restriction:

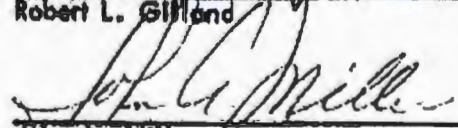
Any addition to the existing mausoleum shall be limited to one story structures not exceeding a total additional square footage of 10,000 square feet. Said additions must be connected with or immediately adjacent to the existing mausoleum structure.

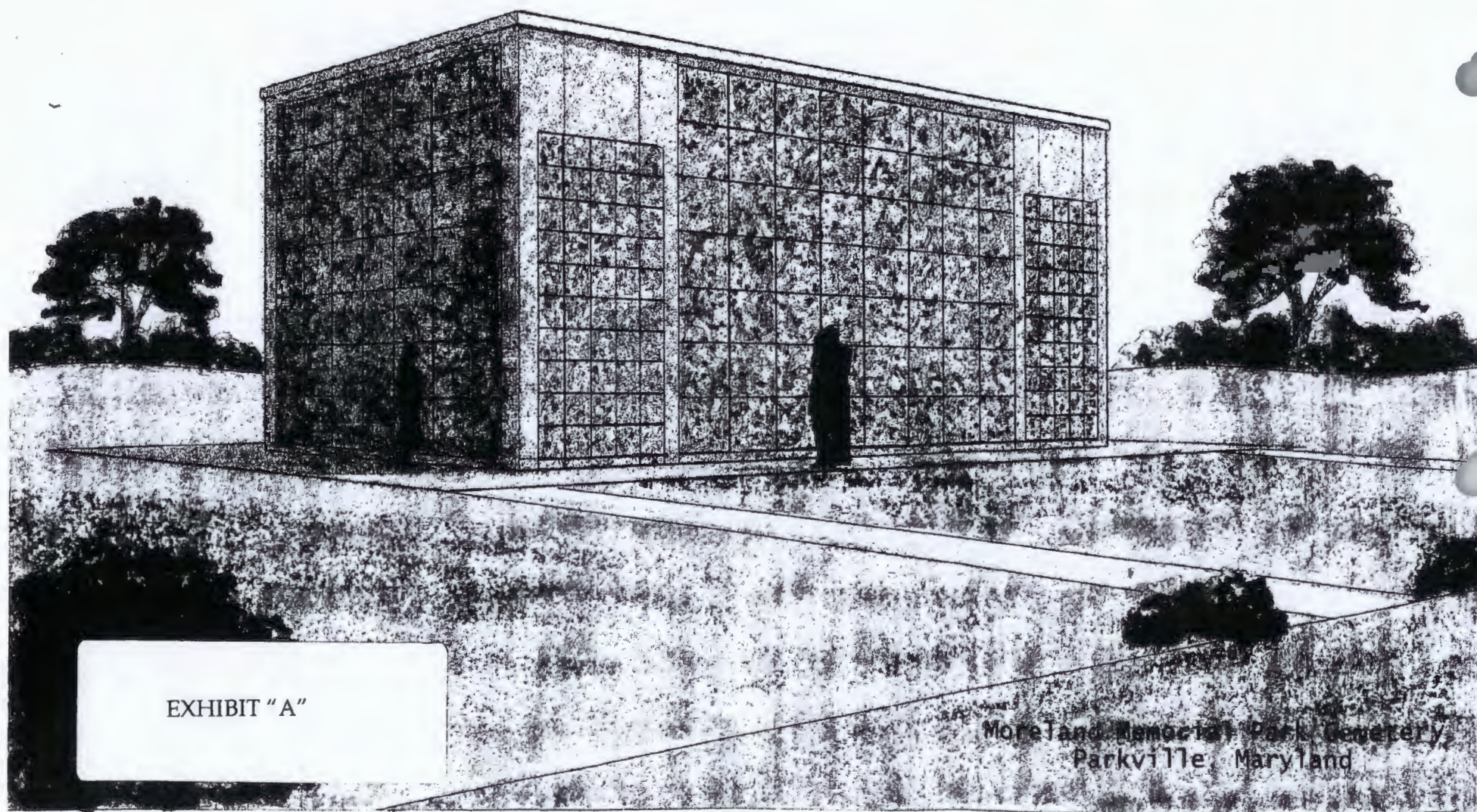
Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Walter A. Reiter, Jr., Chairman


Robert L. Gifford


John A. Miller



Ingram

Construction Co., Inc.

P.O. Drawer 1809
Madison, MS 39130-1809
P-601-456-4908
F-601-456-3238
www.mauoleum.com

©2012

INGRAM CONSTRUCTION CO.
reserves the right to modify or cancel the design.
This drawing is a design concept and shall not be used for construction without the written approval of the architect.
These drawings are for informational purposes only and are not to be used for construction without the written approval of the architect.

A Mausoleum
Study Plan for:

Moreland
Memorial Park
Cemetery, Inc.

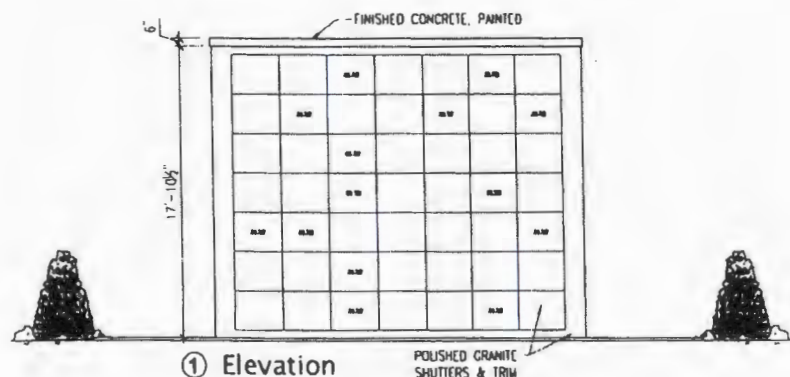
Parkville, MD

Project # MD08

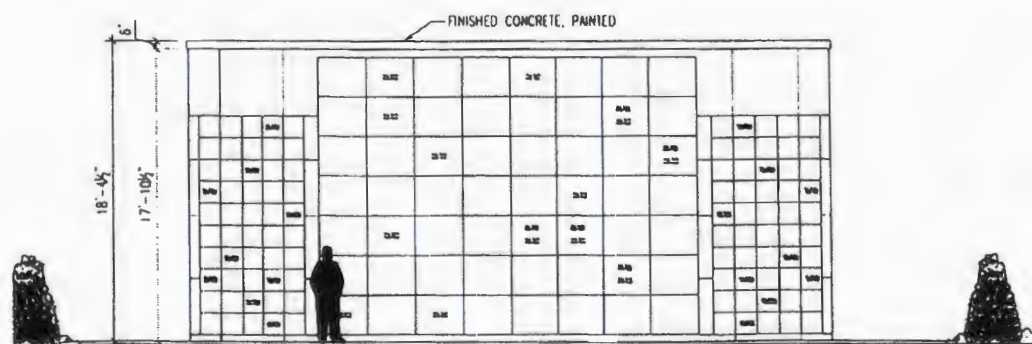
Floor Plan &
Elevations

Sheet

1 / 1

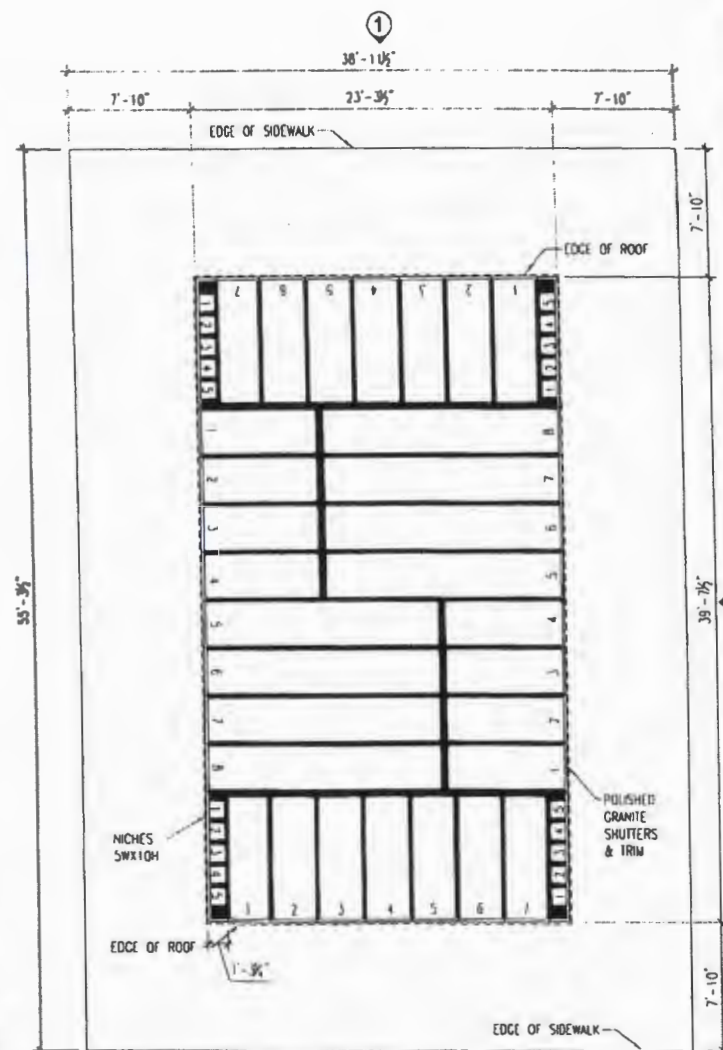


① Elevation



② ELEVATION

EXHIBIT "E" 4



Floor Plan

TOTAL CRYPT COUNT= 266
Singles 22@7h= 154
Tandems 8@7h= 48(2)=112
Niches 5w x 10h(4) = 200

IN RE: PETITIONS FOR SPECIAL
HEARING AND VARIANCE
W/S Oakleigh Road, 533
S. of Taylor Avenue -
9th Election District
Moreland Memorial Park
Cemetery -
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-201-SPHA

The Petitioner herein requests an amendment to the Order granting a Special Exception in Case No. 78-80-XA to permit wall crypts to be constructed on a portion of the northern, southern and eastern boundaries of the property and, additionally, variances to permit front, side and rear yard setbacks of one foot in lieu of the required 40 feet, 20 feet, and 30 feet respectively.

Testimony by the Petitioner indicated that a special exception for a cemetery was granted in Case No. 78-80-XA legalizing the existence of the family operated cemetery in which the Petitioner's family has been involved for fifty years. At that time, the Petitioner, at the Board of Appeals level and in the face of community concerns relative to the Taylor Avenue frontage, withdrew his request for variances to allow the construction of wall crypts and, subsequently, the Board of Appeals Order granted the Special Exception permitting the expansion of the mausoleum. The Petitioner now petitions for variances to construct the wall crypts originally proposed and located as shown on the plan prepared by Spellman, Larson & Associates, Inc., dated May 3, 1985, as Petitioner's Exhibit 1, and to be constructed as shown in the rendering; of the proposed wall crypts marked Petitioner's Exhibit 2. Each block of crypts is five chambers high and 16' wide for a length of 38 feet. The structure will be 12'3" high and 8'6" deep throughout. Blocks of crypts will be connected by also. From outside the park, the structure will appear to be a 12' high wall of split concrete block. Construction is anticipated to begin within two years and the building-out period to extend for 18 months or less.

ORDER RECEIVED FOR FILING

DATE *October 2, 1985*

BY *ADMINISTRATIVE ASSISTANT*

were no protestants.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the granting of the special hearing and variance would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations (BCZR) and would not be detrimental to the health, safety and general welfare of the community and, therefore, should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 21st day of November, 1985, that the amendment to Order granting a Special Exception in Case No. 78-80-XA by permitting wall crypts to be constructed on a portion of the northern, southern and eastern boundaries of the property is approved and, as such, the Petition for Special Hearing is hereby GRANTED and, additionally, the Petition for Variance to permit front, side and rear yard setbacks of one foot in lieu of the required 40 feet, 20 feet, and 30 feet respectively is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Any and all portions of the wall crypts, and/or other construction, shall be set back a minimum of eight feet from the property line adjacent to Oakleigh Road.
2. Landscaping shall be installed along the Oakleigh Road property line.
3. The surface of wall crypts facing adjacent property shall be split concrete block.

[Signature]
Deputy Zoning Commissioner
of Baltimore County

RECEIVED FOR FILE

DATE

BY

ADMINISTRATIVE ASSISTANT

LAW
OFFICE
OF

JACK R. STURGILL, JR.

606 Baltimore Avenue • Suite 207 • Towson, Maryland 21204
Telephone (410) 296-6485 Facsimile (410) 832-2903

Janet Gagliano
Legal Assistant

September 16, 2004

Timothy M. Kotroco, Director
Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Moreland Memorial Park Cemetery
Revised Request for Spirit and Intent Letter

Dear Mr. Kotroco,

I represent Moreland Memorial Park Cemetery. The purpose of this letter is to request an expedited Professional Express Submittal (14-day response time) for a revised spirit and intent letter response for Moreland Park's construction of a Mausoleum.

My client did receive correspondence from your office (see attached letter dated April 6, 2004 from Mr. Joseph Merry). In light of the additional zoning information and history, I discussed this revision request with **John Lewis** of your staff. Knowing that **Mr. Lewis** is intimately familiar with the area having been a resident in the neighborhood for some twenty years, I thought he would have a good working knowledge of the neighborhood, in addition to the County requirements. After an explanation of the new information, **Mr. Lewis** thought that a revised request would be appropriate.

Moreland Park is a 46.44 acre cemetery located in the Ninth Election District near Taylor Avenue and Oakleigh Road. The cemetery has been continually operated as such since approximately 1929. My client is proposing to construct a mausoleum which would consist of approximately 2508 square feet and be 29 feet high. For your information, I am attaching an artist's rendering of the proposed mausoleum (see Exhibit A).

The property has been the subject of two previous zoning hearings.

In the first zoning case No. 78-80-XA, the Board of Appeals confirmed the special exception for the operation of a cemetery on the subject property. It also granted up to 10,000 square feet as an addition to the existing mausoleum.

EXHIBIT A

To: SU
Sookay
9/16/04
w

myl
Kuppin
B 2

The second case, No. 86-201-SPHA, amended the special exception case 78-80-XA by granting a variance to permit front, side and rear yard setbacks of one foot (and 8 feet along Oakleigh Road) in lieu of the requirement of 20, 30 and 40 feet for the construction of 13 foot high wall crypts along the northern, southern, and eastern boundaries of the property for a building area of approximately 12,000 square feet.

My client proposes to construct a mausoleum 180 +/- feet from the nearest property line and would be approximately 68 feet wide by 36 feet deep by 29 feet high for a total building area of 2,508 square feet near the existing mausoleum. As you can see, this is a much less intrusive and intense use than presently allowed. For your review and information, I am attaching hereto a plat titled Moreland Memorial Gardens Mausoleum showing the entire property with the proposed mausoleum (see Exhibits B and B5). You will note on this plat that there are arrows which depict various views of the property. In each case, the views are from ground level looking at the area of the proposed mausoleum construction with both existing structures and the permitted crypt structures by the second zoning hearing (see Exhibits B1, B2, B3 and B4).

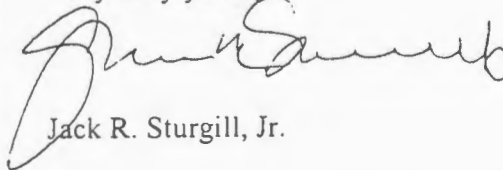
As is apparent, there is no impact on adjacent property owners because of the buildings remoteness and distance from the property lines. In fact, if the permitted crypts were erected, it would be very difficult to see the proposed building. As I previously stated, the proposed building is adjacent to an existing mausoleum and is permitted by No. 78-80-XA.

I believe that the proposed construction of the mausoleum falls within the spirit and intent of the two previous orders. I would hope that your office would agree with me and issue a revised expedited letter indicating that this proposed construction is within the spirit and intent of the previous orders.

I am enclosing herein a check in the amount of \$75.00 to cover the cost of this opinion letter and the expedited fee.

Should you require any additional information, please do not hesitate to contact me.

Very truly yours,



Jack R. Sturgill, Jr.

JRS/jmg
Enclosures

cc: Craig Huff
Brian Weisgerber

9/22/04

This quick response is being given to save time in answering your zoning review request.
Moreland Memorial Park Cemetery
9th Election District

Dear Mr. Sturgill:

The proposed 2,508 square foot mausoleum is approved as being within the spirit and intent of the zoning hearings referenced in your letter and as shown on your provided plans. Please provide two (2) additional plans for filing in our records, along with a copy of this letter (attn: John Lewis). Document this response on all future plans submitted for review or approval.

Very truly yours,



John L. Lewis
Planner II
Zoning Review

11/5/04

LAW
OFFICE
OF

JACK R. STURGILL, JR.

606 Baltimore Avenue • Suite 207 • Towson, Maryland 21204
Telephone (410) 296-6485 Facsimile (410) 832-2903

Janet Gagliano
Legal Assistant

October 25, 2004

Donald T. Rascoe
Division Chief
Development Processing
Room 123
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Moreland Memorial Park Cemetery

Dear Mr. Rascoe:

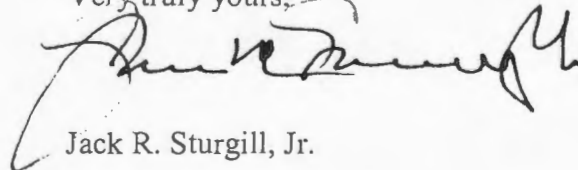
I represent Moreland Cemetery in their efforts to construct a mausoleum on their property located at 2901 Taylor Avenue, Baltimore, Maryland 21234. My client proposes to construct a mausoleum 108 +/- feet from the nearest property line and would be approximately 68 feet wide by 36 feet deep by 29 feet high for a total building area of 2,508 square feet. This is an existing lot of record. The proposed structure has been reviewed by the zoning office, which has issued a spirit and intent letter, attached hereto marked as Exhibit A. The area of disturbance is less than 5,000 square feet.

I believe that this proposed construction falls within the limited provisions of the Baltimore County Code Section 32-4-106-1-A-2.

For your information, I am attaching hereto (i) three copies of the DRC application, (ii) nine copies of the plan, and (iii) a check in the amount of \$50.00 to cover the costs of this filing.

Should you require any additional information, please do not hesitate to contact me.

Very truly yours,



Jack R. Sturgill, Jr.

JRS/jmg
Enclosures

EXHIBIT A
To: SU
Sookay
9/16/04
w
high
response
B 2

LAW
OFFICE
OF

JACK R. STURGILL, JR.

606 Baltimore Avenue • Suite 207 • Towson, Maryland 21204
Telephone (410) 296-6485 Facsimile (410) 832-2903

Janet Gagliano
Legal Assistant

September 16, 2004

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

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The property has been the subject of two previous zoning hearings.

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Timothy M. Kotroco, Director
September 16, 2004
Page 2

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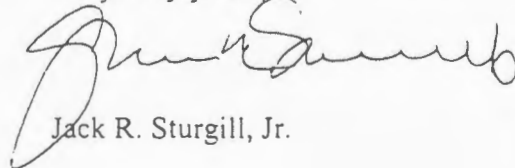
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Very truly yours,



Jack R. Sturgill, Jr.

JRS/jmg
Enclosures

cc: Craig Huff
Brian Weisgerber

9/22/04

This quick response is being given to save time in answering your zoning review request.
Moreland Memorial Park Cemetery
9th Election District

Dear Mr. Sturgill:

The proposed 2,508 square foot mausoleum is approved as being within the spirit and intent of the zoning hearings referenced in your letter and as shown on your provided plans. Please provide two (2) additional plans for filing in our records, along with a copy of this letter (attn: John Lewis). Document this response on all future plans submitted for review or approval.

Very truly yours,



John L. Lewis
Planner II

Baltimore County Government
Department of Permits and
Development Management



111 West Chesapeake Avenue
Towson, MD 21204

410-887-3335

December 6, 2004

Brian Weisgerber
1240 Key Highway
Baltimore, MD 21230

RE: Moreland Memorial Park Cemetery
2901 Taylor Avenue
DRC Number 111504I; Dist. 9C5

Dear Mr. Weisgerber:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland, and as provided in Section 602 (d) of the Baltimore County Charter, and Sections 32-1-101, 32-3-401, and 32-3-517 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal, or modification of a license, permit, approval, exemption, waiver, or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land-use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to ensure compliance with Section 32-4-106 and Section 32-4-262 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management (PDM).

The DRC has, in fact, met in an open meeting on November 15, 2004, and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 32-4-106(a)(1)(ii).

Brian Weisgerber
Moreland Memorial Park Cemetery, Inc.
December 6, 2004
Page 2

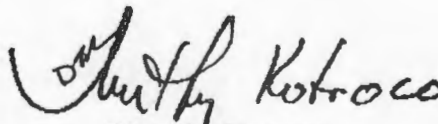
A copy of this letter must be presented when submitting engineering/construction plans to this office, and/or when applying for a permit with the Permits and Licenses Section.

Be advised that Phase 2 review fees may apply, depending on the amount of site disturbance, and/or the requirement of a Public Works Agreement.

I have reviewed the recommendations carefully, and I have determined to adopt the recommendations set forth above. It is this 6th day of December 2004, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy Kotroco". The signature is stylized with a large, sweeping initial "T" and a cursive "Kotroco".

Timothy Kotroco
Director

TK:DTR:dak

c: File

RE: PETITION FOR SPECIAL EXCEPTION :

BEFORE

FOR A CEMETERY, and
VARIANCE from Section 1B02.2B
(Y.B.2) of the Baltimore County
Zoning Regulations
SW/S Taylor Ave. 1465' West of
Oakleigh Road
9th District

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

File No. 78-80-XA

Moreland Memorial Park Cemetery, Inc.
Petitioner

OPINION

This case comes before the Board on appeal from the decision of the Deputy Zoning Commissioner, which granted a variance and special exception to the Moreland Memorial Park Cemetery, Inc.

This Petitioner owns and operates the Moreland Memorial Park Cemetery, which is located in the Ninth Election District, on the southwest side of Taylor Avenue, approximately 1465 feet west of Oakleigh Road. The subject property contains approximately 46.44 acres, and has been in operation as a cemetery since 1929-30.

Edward Q. Rogers, a member of the Board of Directors of the Cemetery Company, testified on behalf of the petition. At the outset the Petitioner dismissed his request for a variance, and the only question before the Board is for the special exception for a cemetery. The Board was told that the Cemetery Company commenced operation on this site in 1929 and 1930, and has been operating as a non-conforming use up and through the present time. The special exception is sought to legitimize this non-conforming operation. The underlying zoning of the subject land is D.R. 5.5. and if the Petitioner can satisfy the requirements of Section 502.1, he is entitled to the requested special exception for a cemetery.

Mr. Rogers went through each of the requirements of Section 502.1 and explained to the Board how, in his judgment, he felt that the present operation and future plans of the Cemetery Company could satisfy each and every requirement of this section. There are comments from the various County agencies in the file of this case, including the Traffic Department. None of these comments directly address the requirements of Section 502.1.

its own adequate storm water drainage system.

Several neighboring property owners appeared in opposition to the granting of the special exception as same might apply to the first 30 feet of the subject property along the Taylor Avenue frontage. It seems that this protest to this particular 30 foot strip along Taylor Avenue arises because of a planned County road project. The neighbors understand that there is a pending proposal to widen Taylor Avenue and are fearful that if and when such widening should take place, because of the cemetery operation, the County would take more lands from the residents than from the cemetery company.

The Board consulted with the proper authorities in the Baltimore County Bureau of Land Acquisition and the Baltimore County Bureau of Highways. As an aside to the issue before the Board, this consultation revealed that the County plans, in fact, to take slightly more for this widening from the cemetery company than from the residential homesites. These County authorities assured this Board that these plans would go forward in this manner whether or not the special exception as petitioned herein would be granted or denied.

Evidence presented to this Board indicates that the 30 foot strip protested by the neighboring property owners is, in fact, a platted gravesite area. This area has been so platted since the inception of the cemetery operation and the cemetery company has sold gravesites within this strip, and there have been a number of interments in this strip. The Board can find no legal basis for separating this 30 foot strip from the overall cemetery property and cemetery business operation. For this reason, the Board cannot legally support the Protestants' position and desire to exclude this 30 foot strip from the requested special exception for a cemetery.

Moving from this point and returning to the basic land use issue, the Board is satisfied, based upon the testimony and evidence presented, that the petitioner has met all of the requirements of the Ordinance, and it hereby grants the special exception for the cemetery operation on the subject property.

ORDER

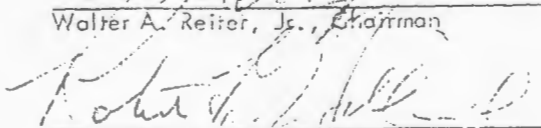
For the reasons set forth in the foregoing Opinion, it is this 14th day of March, 1979, by the County Board of Appeals ORDERED, that the requested special exception for the operation of a cemetery on the subject property be and the same is hereby GRANTED, subject to the following restriction:

Any addition to the existing mausoleum shall be limited to one or two story structures not exceeding a total additional square footage of 10,000 square feet. Said additions must be connected with or immediately adjacent to the existing mausoleum structure.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY


Walter A. Reiter, Jr., Chairman


Robert L. Gifford


John A. Miller

IN RE: PETITIONS FOR SPECIAL
HEARING AND VARIANCE
W/S Oakleigh Road, 555'
S. of Taylor Avenue -
9th Election District
Moreland Memorial Park
Cemetery -
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-201-SPHA

* * * * *

The Petitioner herein requests an amendment to the Order granting a Special Exception in Case No. 78-80-XA to permit wall crypts to be constructed on a portion of the northern, southern and eastern boundaries of the property and, additionally, variances to permit front, side and rear yard setbacks of one foot in lieu of the required 40 feet, 20 feet, and 30 feet respectively

Testimony by the Petitioner indicated that a special exception for a cemetery was granted in Case No. 78-80-XA legalizing the existence of the family operated cemetery in which the Petitioner's family has been involved for fifty years. At that time, the Petitioner, at the Board of Appeals level and in the face of community concerns relative to the Taylor Avenue frontage, withdrew his request for variances to allow the construction of wall crypts and, subsequently, the Board of Appeals Order granted the Special Exception permitting the expansion of the mausoleum. The Petitioner now petitions for variances to construct the wall crypts originally proposed and located as shown on the plan prepared by Spellman, Larson & Associates, Inc., dated May 2, 1985 and marked as Petitioner's Exhibit 1, and to be constructed as shown in the rendering of the proposed wall crypts marked Petitioner's Exhibit 2. Each block of crypts is five chambers high and eight wide for a length of 36 feet. The structure will be 12'3" high and 8'6" deep throughout. Blocks of crypts will be connected by also. From outside the park, the structure will appear to be a 12'3" high wall of split concrete block. Construction is anticipated to begin within three years and the building-out period to extend for fifteen or twenty years. To

ORDER RECEIVED FOR FILING

DATE *October 12, 1985*

BY *Robert A. Lillard*

ADMINISTRATIVE ASSISTANT

were no protestants.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the granting of the special hearing and variance would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations (BCZR) and would not be detrimental to the health, safety and general welfare of the community and, therefore, should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 21st day of November, 1985, that the amendment to Order granting a Special Exception in Case No. 78-80-XA by permitting wall crypts to be constructed on a portion of the northern, southern and eastern boundaries of the property is approved and, as such, the Petition for Special Hearing is hereby GRANTED and, additionally, the Petition for Variance to permit front, side and rear yard setbacks of one foot in lieu of the required 40 feet, 20 feet, and 30 feet respectively is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Any and all portions of the wall crypts, and/or other construction, shall be set back a minimum of eight feet from the property line adjacent to Oakleigh Road.
2. Landscaping shall be installed along the Oakleigh Road property line.
3. The surface of wall crypts facing adjacent property shall be split concrete block.

RECEIVED FOR FILE

DATE

BY

ADMINISTRATIVE ASSISTANT

[Signature]
Deputy Zoning Commissioner
of Baltimore County

IN RE: PETITIONS FOR SPECIAL
HEARING AND VARIANCE
W/S Oakleigh Road, 555'
S of Taylor Avenue -
9th Election District
Moreland Memorial Park
Cemetery -
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-201-SPHA

* * * * *

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ORDER RECEIVED FOR FILING

DATE

BY

December 21, 1985
Robert A. Hill

ADMINISTRATIVE ASSISTANT

were no protestants.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the granting of the special hearing and variance would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations (BCZR) and would not be detrimental to the health, safety and general welfare of the community and, therefore, should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 21st day of November, 1985, that the amendment to Order granting a Special Exception in Case No. 78-80-XA by permitting wall crypts to be constructed on a portion of the northern, southern and eastern boundaries of the property is approved and, as such, the Petition for Special Hearing is hereby GRANTED and, additionally, the Petition for Variance to permit front, side and rear yard setbacks of one foot in lieu of the required 40 feet, 20 feet, and 30 feet respectively is hereby GRANTED, from and after the date of

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1. Any and all portions of the wall crypts, and/or other construction, shall be set back a minimum of eight feet from the property line adjacent to Oakleigh Road.
2. Landscaping shall be installed along the Oakleigh Road property line.
3. The surface of wall crypts facing adjacent property shall be split concrete block.

[Signature]
Deputy Zoning Commissioner
of Baltimore County

ADMINISTRATIVE ASSISTANT

BY *[Signature]*

DATE *[Signature]*

RECEIVED FOR FILE

IN RE: PETITIONS FOR SPECIAL
HEARING AND VARIANCE
W/S Oakleigh Road, 555'
S of Taylor Avenue -
9th Election District
Moreland Memorial Park
Cemetery -
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-201-SPHA

The Petitioner herein requests an amendment to the Order granting a Special Exception in Case No. 78-80-XA to permit wall crypts to be constructed on a portion of the northern, southern and eastern boundaries of the property and, additionally, variances to permit front, side and rear yard setbacks of one foot in lieu of the required 40 feet, 20 feet, and 30 feet respectively.

Testimony by the Petitioner indicated that a special exception for a cemetery was granted in Case No. 78-80-XA legalizing the existence of the family operated cemetery in which the Petitioner's family has been involved for fifty years. At that time, the Petitioner, at the Board of Appeals level and in the face of community concerns relative to the Taylor Avenue frontage, withdrew his request for variances to allow the construction of wall crypts and, subsequently, the Board of Appeals Order granted the Special Exception permitting the expansion of the mausoleum. The Petitioner now petitions for variances to construct the wall crypts originally proposed and located as shown on the plan prepared by Spellman, Larson & Associates, Inc., dated May 1, 1985 and marked as the Petitioner's Exhibit 1, and to be constructed as shown in the rendering of the proposed wall crypts marked Petitioner's Exhibit 2. Each block of crypts is five chambers high and eight wide for a length of 39 feet. The structure will be 11'3" high and 8'6" deep throughout. Blocks of crypts will be connected by alcoves. From outside the park, the structure will appear to be a 11'3" high wall of split concrete block. Construction is anticipated to begin within three years and the building-out period to extend for fifteen or twenty years. The

ORDER RECEIVED FOR FILING

DATE

BY

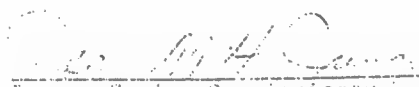
ADMINISTRATIVE ASSISTANT

were no protestants.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the granting of the special hearing and variance would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations (BCZR) and would not be detrimental to the health, safety and general welfare of the community and, therefore, should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 21st day of November, 1985, that the amendment to Order granting a Special Exception in Case No. 78-20-XA by permitting wall crypts to be constructed on a portion of the northern, southern and eastern boundaries of the property is approved and, as such, the Petition for Special Hearing is hereby GRANTED and, additionally, the Petition for Variance to permit front, side and rear yard setbacks of one foot in lieu of the required 40 feet, 20 feet, and 30 feet respectively is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Any and all portions of the wall crypts, and/or other construction, shall be set back a minimum of eight feet from the property line adjacent to Oakleigh Road.
2. Landscaping shall be installed along the Oakleigh Road property line.
3. The surface of wall crypts facing adjacent property shall be split concrete block.

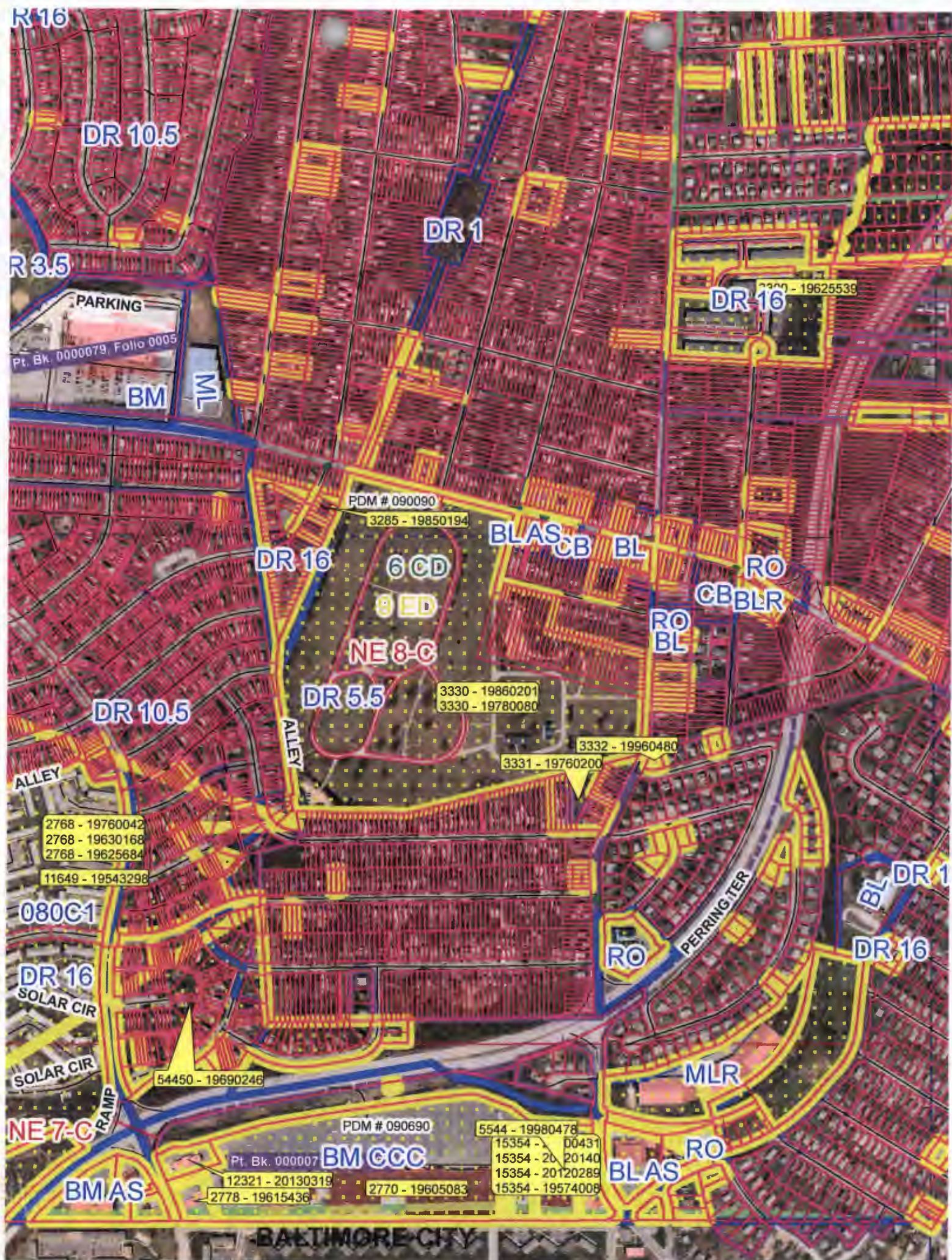

Deputy Zoning Commissioner
of Baltimore County

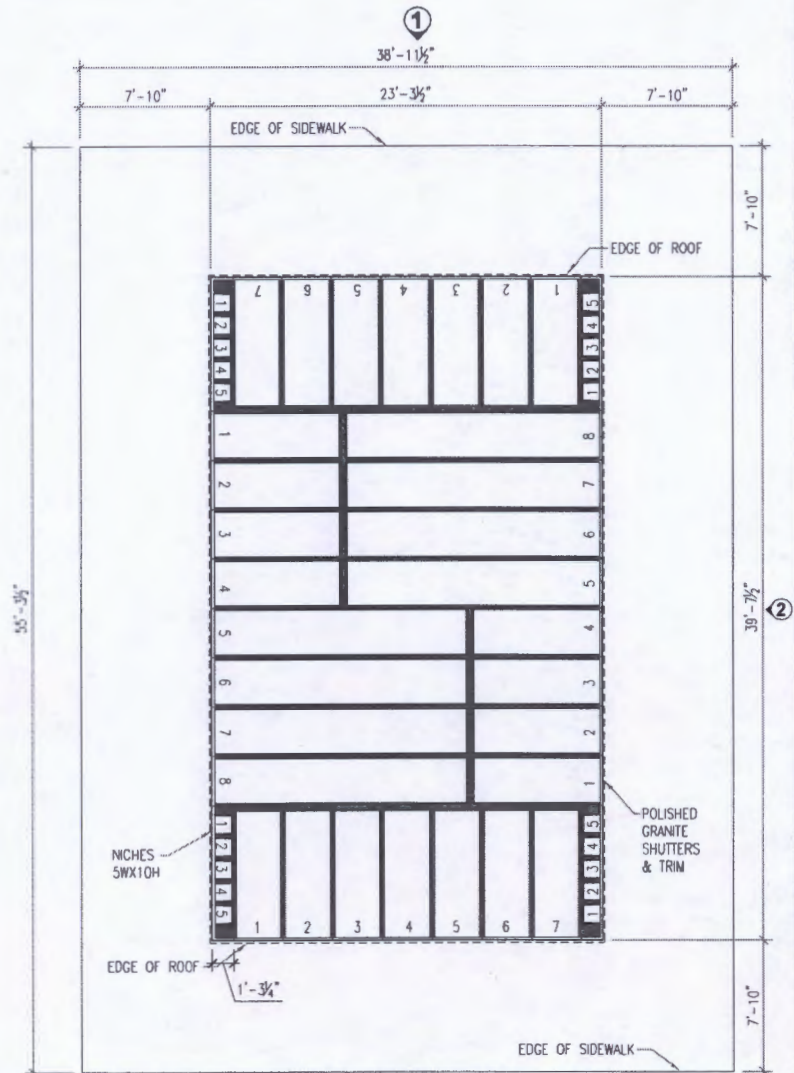
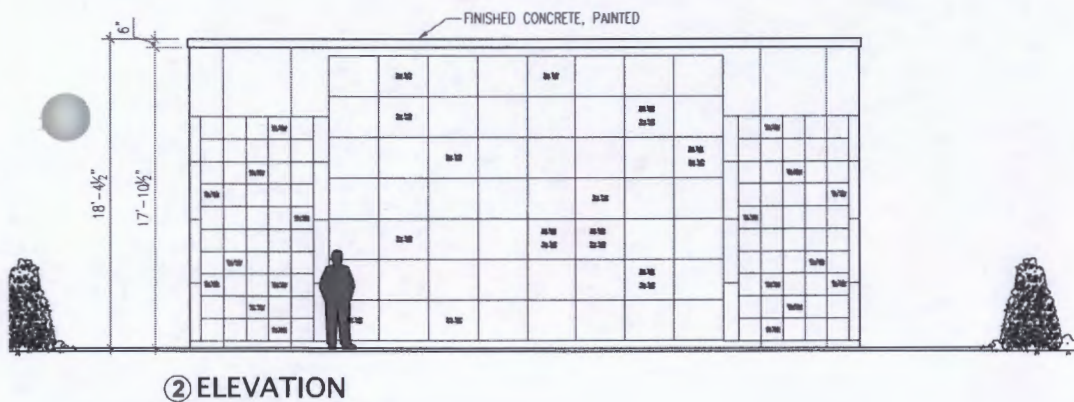
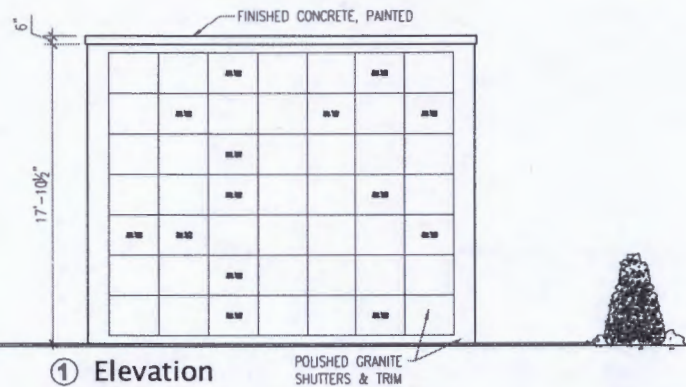
COPIES RECEIVED FOR FILE

DATE 11/21/85

BY [Signature]

ADMINISTRATIVE ASSISTANT

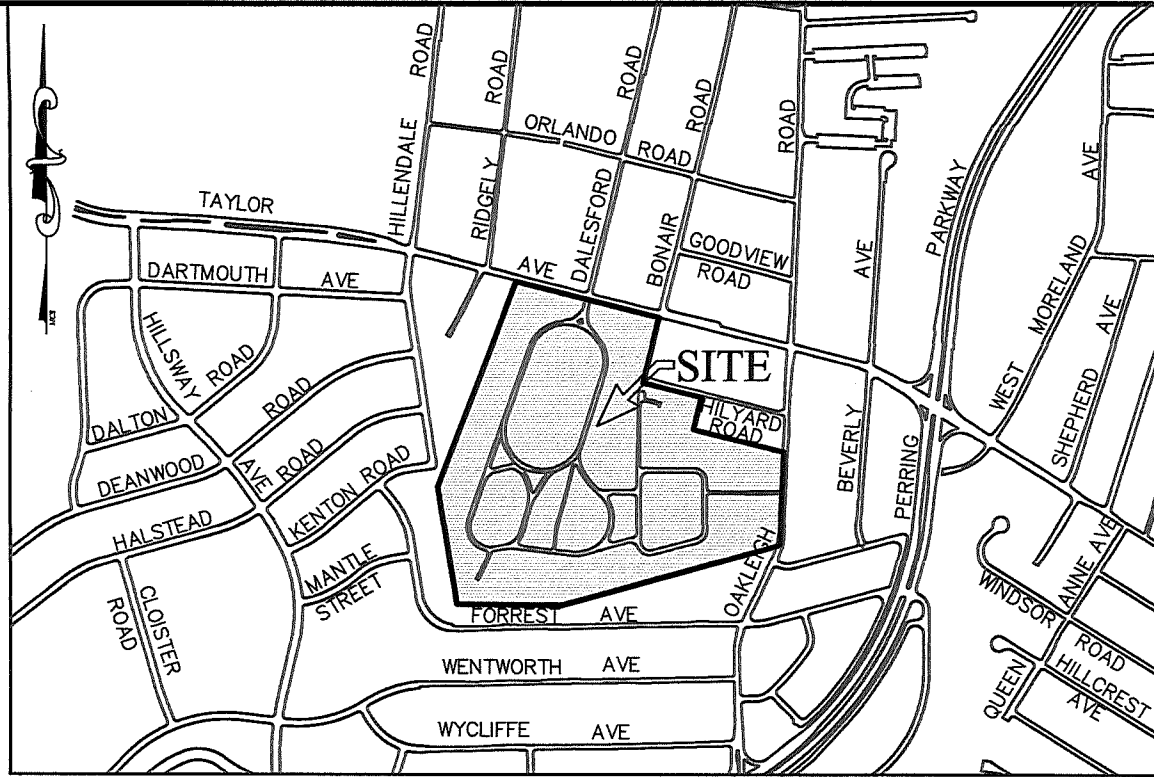
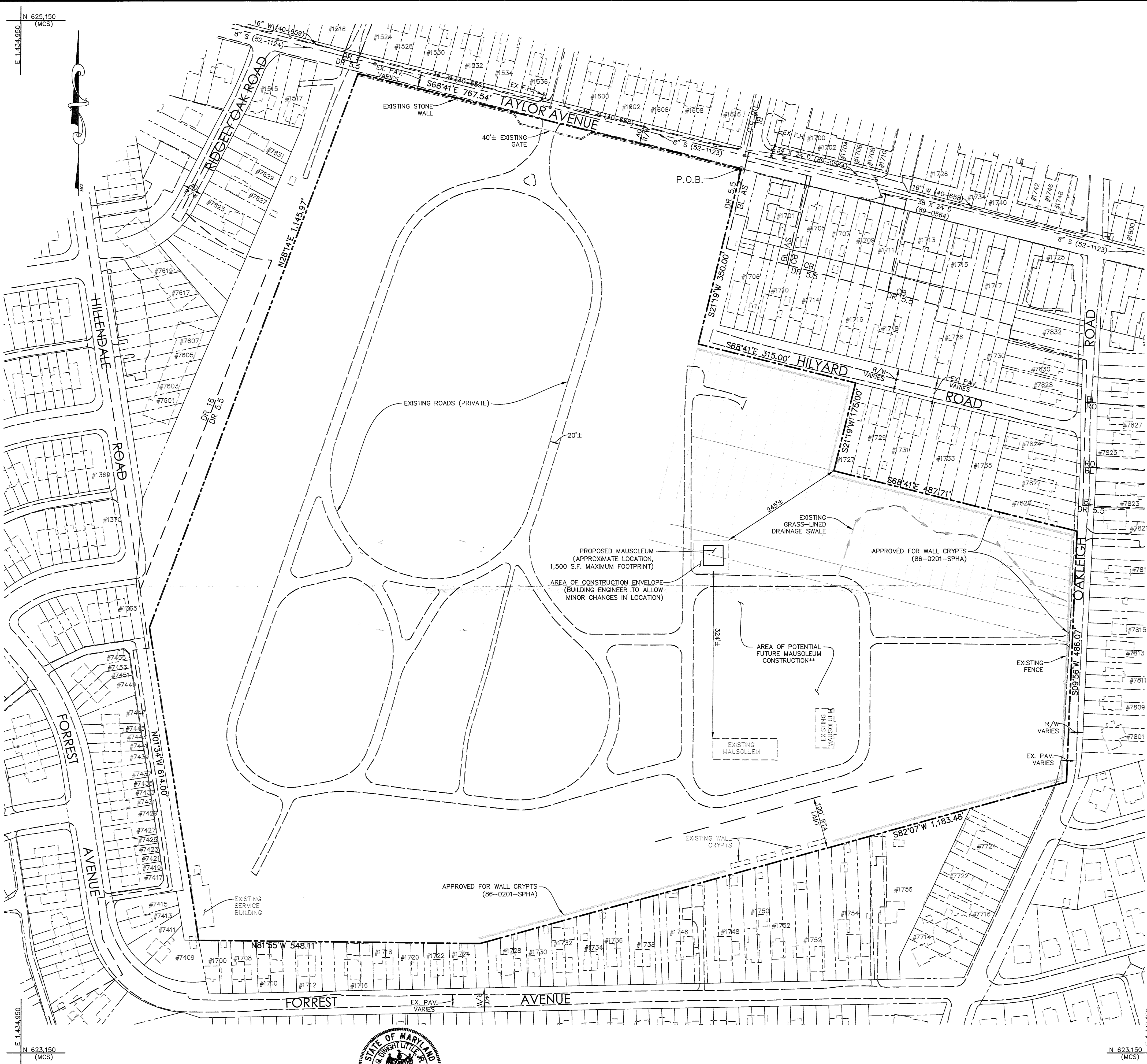




TOTAL CRYPT COUNT= 266
Singles 22@7h= 154
Tandems 8@7h= 48(2)=112
Niches 5w x 10h(4) = 200

EXHIBIT ~~1~~ 2

Y:\MORELAND MEMORIAL PARK CEMETARY 15043.dwg\EXHIBIT FOR SPECIAL HEARING.dwg, 10/21/2015 8:52:00 AM, JohnM, User2077, 1100



PROPERTY INFORMATION

- OWNER:
MORELAND MEMORIAL PARK CEMETARY, INC.
P.O. BOX 10879
7301 TAYLOR AVENUE
BALTIMORE, MD 21234
- TAX ACCOUNT #: 0913751170
- DEED REF: 856/510
- SITE AREA: 46.44± AC. (2,022,928± S.F.)
- EXISTING ZONING: DR 5.5
- ZONING MAP: 070C3, 080C1
- PREVIOUS COMMERCIAL PERMITS:
CA 1980 - CONSTRUCTION OF WALL CRYPTS
CA 1984 - CONSTRUCTION OF WALL CRYPTS
- PARKING DATA: NO PARKING NEEDED FOR CEMETARY USE
- BASIC SERVICES MAP: THE SITE IS NOT ON ANY FAILED BASIC SERVICES MAP
- MAX PROPOSED BUILDING DIMENSIONS: 25' X 40' = 1,000 S.F.
- THE PROPOSED MAUSOLEUM SITE IS NOT LOCATED WITHIN ANY RTA BUFFERS OR SETBACKS
- SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA (CBCA)
- SITE IS NOT LOCATED WITHIN A 100 YEAR FLOODPLAIN
- NO NEW SIGNS PROPOSED
- PARKING AND DRIVES EXIST AS SHOWN
- PUBLIC WATER AND SEWER ARE AS SHOWN.

ZONING HISTORY

CASE 1978-0080-XX ORDER OF BOARD OF APPEALS DATED 14 MARCH 1979 GRANTED REQUEST FOR SPECIAL EXCEPTION FOR THE OPERATION OF A CEMETERY ON THE SUBJECT PROPERTY, SUBJECT TO RESTRICTIONS ON FUTURE ADDITIONS TO THE EXISTING MAUSOLEUM.

CASE 1986-0201-SPHA GRANTED 21 NOVEMBER 1985 FOR A SPECIAL EXCEPTION TO PERMIT CONSTRUCTION OF WALL CRYPTS ON A PORTION OF THE NORTHERN, SOUTHERN AND EASTERN BOUNDARIES OF THE PROPERTY AND VARIANCE TO PERMIT FRONT, SIDE AND REAR SET BACKS OF ONE FOOT, SUBJECT TO RESTRICTIONS ALONG OAKLEIGH ROAD AND CONSTRUCTION MATERIAL OF THE CRYPTS.

PROPOSED MAUSOLEUM HISTORY

PER THE LETTER DATED MARCH 12, 2015 ADDRESSED TO MR. JACK STURGILL THE ZONING OFFICE SUGGESTED FOR THE PROPOSED MAUSOLEUMS TO BE REQUESTED THROUGH A SPECIAL HEARING STATING THE THE PROPOSAL DOES NOT MEET THE SPIRIT OR INTENT OF ZONING CASE NUMBER 1978-0080-XX.

REQUESTED RELIEF

- THIS REQUEST IS FOR A SPECIAL HEARING TO AMEND THE SPECIAL EXCEPTION, VARIANCE AND SPECIAL HEARING ZONING CASES 78-0080-XX AND 86-0201-SPHA TO ALLOW FOR CONSTRUCTION OF MAUSOLEUMS OF 1,500 SQUARE FEET OR LESS IN THE AREA SHOWN; AND ANY ADDITIONAL RELIEF AS MAY BE DEEMED NECESSARY BY THE ADMINISTRATIVE LAW JUDGE.

3,000 SQUARE FEET
Sh 2/19/16

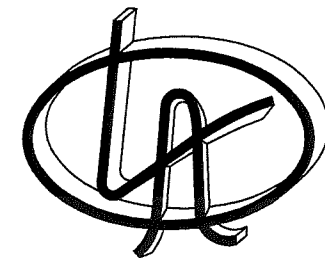
PETITIONER'S

EXHIBIT NO. 1

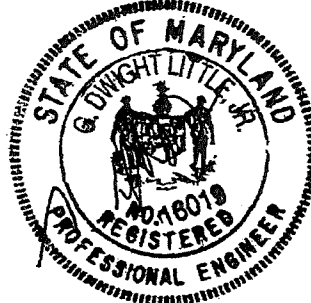
PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING MORELAND MEMORIAL PARK CEMETARY #1601 TAYLOR AVENUE

DISTRICT 9c6
SCALE: 1"=100'

BALTIMORE COUNTY, MD
OCTOBER 21, 2015



LITTLE & ASSOCIATES, INC.
ENGINEERS~LAND PLANNERS~SURVEYORS
1055 TAYLOR AVENUE, SUITE 307
TOWSON, MARYLAND 21286
PHONE: (410)296-1636 FAX: (410)296-1639



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.
LICENSE NO. 16019 , EXPIRATION DATE: 5/8/16.

** TO ALLOW FOR FUTURE MAUSOLEUM CONSTRUCTION WITHOUT NECESSITY OF AN ADDITIONAL ZONING HEARING TO AMEND THE PLAN SUBJECT TO ZONING, DEVELOPMENT MANAGEMENT, AND BUILDING PERMIT REVIEW.