



Baltimore County
Department of Permits and
Development Management

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

April 13, 2000

Mr. Ned Fowler
SCI Management L.P.
P.O. Box 130548
Houston, TX 77219-0548

Dear Mr. Fowler:

RE: Zoning Verification, Arbutus Memorial Park, 1101 Sulfer Spring Rd.,
13th Election District

Your letter to Mr. Jablon dated March 16, 2000 has been referred to me for reply.
No site plan information was included with your letter.

The above referenced property is currently zoned D.R.10.5. and 5.5. A portion of
the property may also be zoned D.R.3.5. depending upon the extent of the property.
Enclosed, please find a copy of a portion of Baltimore County zoning maps SW 5E and
6E.

You may contact the Baltimore County Office of Planning at 401 Bosley Avenue,
Towson, Maryland 21204, (410) 887-3211 to discuss Master Plan considerations.

Cemetery use is permitted in the aforementioned zones by the grant of a Special
Exception from the Zoning Commissioner for Baltimore County. The proposed use
would be subject to the requirements of Sections 401 and 502 of the Baltimore County
Zoning Regulations (B.C.Z.R.). I have included information on the Special Exception
process.

If the cemetery has existed prior to the inception of zoning regulations in
Baltimore County, which occurred in 1945, and the use has continued uninterrupted since
that date it may be considered as non-conforming. Non-conforming uses are subject to
the requirements of Section 104, B.C.Z.R.. A search of the zoning records shows
multiple cases associated with this property. These cases include but are not limited to
171-S, 5432-X, 78-209-A. I have included a copy of the order for the latter case. This is
not to be considered the extent of zoning history for this property. It would be advisable
to engage an attorney familiar with Baltimore County Zoning Regulations who can
research the case files and assess the present and potential status of the property.

Mr. Ned Fowler
April 11, 2000
Page 2

Mausoleums are considered to be non-residential principal structures and are
subject to the requirements of Section 1B01.2.C.1.a, B.C.Z.R.. A thorough assessment
of the zoning case history for this property may show zoning relief granted for setback
and design requirements.

Pursuant to Section 1B01.1.C.9, B.C.Z.R. funeral establishments are permitted by
Special Exception in the D.R. zones. Setbacks are pursuant to Section 1B01.2.C.1.A,
B.C.Z.R. Residential transition area requirements as per Section 1B01.1.B.1. will apply.

All development within Baltimore County must have full development, zoning
and permit approval. You may contact the Office of Development Management at 111
West Chesapeake Avenue, Towson, Maryland 21204, (410) 887-3335 for inquiries
pertaining to site construction issues and the development approval process. You may
contact the Office of Permits at the address above, (410) 887-3900 for building permit
application requirements. I am enclosing a copy of the zoning checklist requirements for
non-residential properties for your use. Additionally, I am including information on how
to purchase a copy of the B.C.Z.R. If you plan to develop in the county, it is strongly
advised you obtain these regulations.

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,

Lloyd T. Moxley
Planner II
Zoning Review

LTM:kew

171

Sulphur Spring Rd. S.S., 400' E. fr.

Shelburne Rd., 13th Dist.

Re-Petition for Zoning Re-classification
for - Public Colored Cemetery
Natie R. Williams,

Petitioner

July 2, 1941, Petition for Zoning Re-
classification & Order of Zoning Com. Thereon

Setting July 21, 1941, at 11 a.m., as date
of hearing, filed.

July 11, 1941, Property posted, Certificate of
posting, filed.

July 21, 1941, Certificate of Advertisement of
notice of purpose of hearing, filed.

July 21, 1941, Protest in writing, filed.

July 21, 1941, Hearing held by Zoning Com. & his Order Thereon, subject to return
requirements agreed to, granting petition for re-classification, filed.