

IN RE: <b>PETITION FOR SPECIAL HEARING</b>	*	BEFORE THE
<b>(1601 Taylor Avenue)</b>		
9 <sup>th</sup> Election District	*	OFFICE OF
6 <sup>th</sup> Council District		
	*	ADMINISTRATIVE HEARINGS
Moreland Memorial Park Cemetery, Inc.		
<i>Legal Owner</i>	*	FOR BALTIMORE COUNTY
Petitioner	*	<b>Case No. 2016-0102-SPH</b>

\* \* \* \* \*

**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.

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.

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Signed  
JOHN E. BEVERUNGEN  
Administrative Law Judge  
for Baltimore County

JEB:sln