

# LAND PLANNING ANALYSIS

## Resurrection Cemetery

Prepared in connection with  
Special Exception SE-4823

Prepared by:  
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**LAND PLANNING ANALYSIS**  
**Resurrection Cemetery**  
**Clinton, Maryland**

This report is written to consider the planning matters relevant to Special Exception application SE-4823, for approval of an extension to an existing cemetery in the O-S Zone which has been previously approved under SE-1135.

**THE SITE**

Location -	South side of Woodyard Road, approximately $\frac{3}{4}$ west of Piscataway Creek.
Address -	8000 Woodyard Road
Zoning -	O-S/M-I-O (Open Space)/(Military Installation Overlay)
Acreage -	100.60 Acres± (Entire Tract) 100.18 Acres± (Special Exception Area)
Frontages -	Woodyard Road (Maryland Route 223) – c. 140'
Rights-of-Way -	Woodyard Road – Variable (Ultimate 120')
Zoning Map -	210SE8 & 211SE8
Tax Map -	Tax Map 108, Grids C-4 & D-4 and Tax Map 117, Grids C-1, D-1 & E-1.
Subdivision -	None.
Historic Sites -	His Lordship's Kindness/Poplar Hill & Cemetery, County Historic Site 81A-001.
Municipality -	None.
Councilmanic District -	9
Master Plan & SMA -	<p>The site is located in Planning Area 81A. The applicable Master Plan is the <i>Approved Subregion 5 Master Plan and Sectional Map Amendment</i>, approved on July 24, 2013.</p> <p>The Master Plan Map designated the site for "Institutional" future land use.</p> <p>The Approved Sectional Map Amendment retained the site in the previously-existing O-S Zone.</p> <p>The Growth Policy Map in the May, 2014 General Plan placed the property in the Established Communities category, and the Generalized Future Land Use Map designated it for "Institutional" land use.</p>

The site is not within a Priority Preservation Area.

### **NEIGHBORHOOD DEFINITION**

The neighborhood of the subject property was defined in the Technical Staff Report as having the following boundaries:

North – Woodyard Road  
West – Branch Avenue (Maryland Route 5)  
East – Piscataway Creek  
South – Surratt's Road.

This planner believes that the Technical Staff's neighborhood is unduly large (more than five square miles) given the low impact of a cemetery use. At the same time, Woodyard Road, on which the subject property has its frontage, even though classified as an Arterial Roadway, is only physically a two-lane undivided roadway and as such does not form a meaningful land use barrier. This planner would instead redefine the limits of the neighborhood as follows:

North – Bellefonte Land & Piscataway Creek  
West – Dangerfield Road  
East – Piscataway Creek  
South – Unnamed tributary of Piscataway Creek north of Dangerfield Place.

This amended neighborhood is still approximately 1.25 square miles in area, and is illustrated in Appendix A to this report.

### **LOCATION AND FIELD INSPECTION**

The subject property comprises two deed parcels, Tax Map 108, Grid D4, Parcel 4, which comprises the vast part of the property area at approximately 100.22 acres, and Tax Map 117, Grid E-1, Parcel 135, which is a small parcel of 0.38 acres located at the very easternmost end of the subject property, in the floodplain of Piscataway Creek. The subject property is located on the south side of Woodyard Road, with its entrance approximately halfway between Rosaryville Road and Dangerfield Road.

The subject property is currently occupied by Resurrection Cemetery, which has been in operation since the mid-1960s. The western third of the subject property is wooded, and contains the area of the requested major revision. The remainder of the property contains gravesites, the administration building, a maintenance building, several mausoleums and columbaria with wooded areas along much

of the property's perimeters and along a ravine. There is a maintenance yard at the eastern end of the property. Access to the subject property is from an existing monumental entrance on Woodyard Road, which is not proposed to be altered.

Abutting the subject property to the north are single-family detached dwellings in the R-R Zone, which front on the south side of Woodyard Road. Beyond those to the northern edge of the neighborhood are more single-family detached dwellings in the R-R Zone on the north side of Woodyard Road. Further to the west, on the north side of Woodyard Road, a consolidated Storage building is under construction in the I-4 Zone.

Abutting the subject property to the east is the His Lordship's Kindness/Poplar Hill site in the R-A Zone, which extends all the way to the neighborhood boundary at Piscataway Creek.

Abutting the subject property to the west are single-family dwellings in the R-R Zone in the Mount Airy Estates subdivision. Further to the west are single-family dwellings in the R-R Zone in the Townsend and Sweeney Tract subdivisions, as well as numerous small tracts of acreage fronting Woodyard Road. The Camp Springs Community Church is also located on the south side of Woodyard Road to the west of the subject property. At the intersection of Woodyard Road and Dangerfield Road is a Shell & Dash-In gas station and convenience store in the C-S-C Zone, Tucker's Liquor and a pizza restaurant in the C-S-C and C-M Zones.

Abutting the subject property to the south are an MNCPPC park and a large tract owned by the Maryland Environmental Service in the R-O-S Zone.

#### **DESCRIPTION OF THE PROPOSED USE**

The proposed use for Special Exception application SE-4823 is an extension of the grave area into the wooded western part of the subject property, as well as a new parking area in the vicinity of the maintenance and administration buildings. Because the extension will include new access roadways which, together with the new parking area, will constitute more than 15% of the land area covered by roadways, this amendment can not be considered to be a minor change and as such §27-323(a) requires the filing and approval of a new application for the Special Exception use.

The new roadways and parking areas will be provided with modern stormwater management using Environmental Site Design (ESD) techniques.

#### **CRITERIA FOR APPROVAL**

The criteria for approval of a Special Exception for a cemetery in the O-S Zone are the general criteria for approval of a Special Exception of §27-317(a) and the special criteria for approval of a cemetery or crematory of §27-341.

### **COMPLIANCE WITH SECTION 27-317:**

Section 27-317(a) of the Zoning Ordinance provides that a Special Exception may be approved if:

*27-317(a)(1) The proposed use and site plan are in harmony with the purpose of this Subtitle;*

The Zoning Ordinance has a hierarchy of Purposes, for the Ordinance as a whole, and for the O-S Zone in specific. Each of these series of purposes is addressed, following.

The fifteen purposes of the Zoning Ordinance are laid out in section 27-102(a). The harmony of the subject application with these purposes is as follows:

*(1) To protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County;*

The proposed cemetery extension will be constructed with the use of modern stormwater management techniques, updated landscaping, and the provision of deeper wooded buffers abutting the adjacent residences, and will thus promote the health and safety of the present and future inhabitants of the County by continuing to provide for a secluded parklike setting for the burial of the dead.

*(2) To implement the General Plan, Area Master Plans, and Functional Master Plans;*

The relevant plans which apply to this site are the 2014 General Plan, the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment*, and a number of Functional Master Plans, including the Green Infrastructure Plan, the County Master Plan of Transportation, the Public Safety Facilities Master Plan, The Historic Sites and Districts Plan, and the Water Resources Functional Master Plan.

### **General Plan**

As noted above, the General Plan classified the subject site in its Growth Policy Map<sup>1</sup> in the Established Communities category, and the Generalized Future Land Use Map<sup>2</sup> designated it for Institutional land use.

“Established Communities” are described by the General Plan as “the County’s heart – its established neighborhoods, municipalities and unincorporated areas outside designated centers,”<sup>3</sup> and recommends that, “Established communities are most appropriate for context-sensitive infill and low- to medium-density development....”<sup>4</sup> The existing cemetery with its extension will continue to constitute low-density development, and its parklike character is context-sensitive to the surrounding single-family development and the adjacent His Lordship’s Kindness/Poplar Hill historic site.

“Institutional” land use is described by the General Plan as, “uses such as military installations, hospitals, sewage treatment plants, and schools.”<sup>5</sup> The subject cemetery, as an arm of the Archdiocese of

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<sup>1</sup> M-NCP&PC, *Plan Prince George’s 2035 – Approved General Plan* (May, 2014), p. 107.

<sup>2</sup> *General Plan*, p. 101.

<sup>3</sup> *Ibid.*, p. 106.

<sup>4</sup> *Ibid.*, p. 20.

<sup>5</sup> *Ibid.*, p. 100.

Washington, is an institutional use; in fact, the land use designation simply recognizes the existing long-standing use of the subject property.

Given the long history of this institutional use at the subject property, and the environmentally-friendly and substantively-buffered character of the extension, it is this planner's opinion that the approval of the subject application would constitute context-sensitive infill.

### Master Plan

As noted above, the applicable Master Plan is the *Approved Subregion 5 Master Plan and Sectional Map Amendment*, approved on July 24, 2013. The Land Use and Development Pattern Element of the Master Plan places the subject property in the Clinton/Tippett Community.

Map IV-1, the Future Land Use Map, recommends the subject property for "Institutional" land use.<sup>6</sup> The Master Plan text specifically cites Resurrection Cemetery as an example of institutional uses, stating that, "areas that are designated institutional reflect large, existing institutional land uses. In Clinton, these uses include: ...Resurrection Cemetery south of Woodyard Road near Rosaryville Road...."<sup>7</sup>

The Master Plan text for the Clinton Community is principally concerned with development and redevelopment in the historic center of Clinton and in the developing areas to its southwest. Nevertheless, one of the Strategies could be construed as having community-wide application:

*"Ensure that infill development complements the community. Use infill development guidelines above in this section when reviewing infill proposals."*<sup>8</sup>

Arguably, the subject expansion could be considered as infill. Therefore, the infill development guidelines, on page 43 of the Master Plan, are discussed as follows:

• **Compatibility:** *Ensure buildings are appropriately scaled for their site and recognize adjacent land use and development. Give consideration to similarity in density, setback, style, bulk, materials, and site layout to surrounding residential areas. Locate new structures to maintain existing rhythms of building width and spacing, with setbacks that respect predominant setbacks in the neighborhood.*

While the subject expansion does not propose any new buildings, the proposed expansion will be in keeping with the character of the existing cemetery. The new gravesite areas will be strongly buffered with 100 feet of woodlands preserved along the subject property's perimeter in the expansion area.

• **Heights:** *New dwellings should generally be within 10–15 percent of the height of adjacent dwellings. The proportion (relationship of height to width) of new structures should be as similar as possible and compatible with the proportion of existing adjacent structures.*

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<sup>6</sup> M-NCP&PC, *Approved Subregion 5 Master Plan and Sectional Map Amendment* (July, 2013), p. 32.

<sup>7</sup> *Subregion 5 Master Plan*, p. 33.

<sup>8</sup> *Ibid.*, p. 45.

Again, no new structures are proposed, but the expansion area will extend the existing pattern of treed access roads meandering across the landscape.

- **Variety:** *Use quality materials and architectural detailing and, where possible, provide a range of housing forms to add variety and provide diversity and choice.*

No new structures are proposed by the subject expansion.

- **Open space:** *Incorporate public and private open spaces, such as pocket parks and tot lots, to enhance the appearance and environmental character of the community.*

The subject expansion will continue the preservation of the subject property as a large tract of open space.

- **Trees:** *Mature trees are an important part of neighborhood character. Maintain mature trees wherever possible.*

Extensive areas of woodland will be preserved around the subject property's perimeter and around the regulated natural features on the site.

- **Fences:** *Use open fences or low hedges rather than high walls.*

No high walls are proposed.

- **Circulation and connectivity:** *Connect on-site and off-site roads, sidewalks, trails, streetscapes, and open space networks. Lay out new streets in a size and scale to maintain continuity of the existing community's circulation system. Avoid closed street systems, and generally restrict cul-de-sac to a short keyhole design*

The access road network existing on the subject property will be extended into the expansion area in a pattern and width which is in keeping with the existing on-site circulation system.

The Master Plan also puts a great deal of focus on the effects of Joint Base Andrews on the surrounding community. The substance of these recommendations was incorporated into the provisions of the Military Installation Overlay Zone, which is discussed in detail later in this report.

In summary, because the proposed application is consistent with the Master Plan's land use recommendation and with the recommendations for infill development in the Clinton Community (to the extent that they are relevant), the approval of the subject cemetery expansion would be in harmony with the recommendations of the Master Plan.

### **Other Applicable Functional Master Plans**

The special exception area contains some Regulated Areas of the County's Green Infrastructure Network; these areas are all indicated as being preserved. Additional areas of the subject property are within mapped "Evaluation Areas;" wooded buffers around the site's perimeter and other areas around

the perimeter of the Regulated Areas are proposed to be preserved by the Tree Conservation Plan in keeping with the goal of the Green Infrastructure Plan to “preserve, enhance and/or restore an interconnected network of countywide significant environmental features that retain ecological functions, maintain or improve water quality and habitat, and support the desired development pattern of the General Plan.”<sup>9</sup>

Furthermore, the use of environmental site design measures to provide stormwater management will help to improve water quality. As such, the subject application conforms to the Green Infrastructure Plan.

With regard to the Historic Sites and Districts Plan, His Lordship’s Kindness/Poplar Hill, County Historic Site 81A-001, abuts the subject property. The proposed extension which is the subject of this application, however, is more than 1,000 feet distant from the limits of the established Environmental Setting for the Poplar Hill mansion. As such, the approval of the subject application will not have an adverse impact on this Functional Master Plan.

The Water Resources Functional Master Plan addresses broad regulatory policy and large-scale watershed planning, and as such makes no recommendations which are directly applicable to the subject application.

No proposed sites for Public Safety facilities are in the area affected by the subject application.

The Countywide Master Plan of Transportation proposes the upgrade of Woodyard Road to a 6-lane, divided arterial, with a shared-use sidepath or wide sidewalk.<sup>10</sup> The ultimate right-of-way width in the area of the subject property is proposed to be 120’.<sup>11</sup> No improvements are proposed within this ultimate right-of-way; as such, the subject application is in conformance with this functional master plan.

In conclusion, because the proposed cemetery is not in conflict with the General Plan, the Sector Plan or the applicable Functional Master Plans, approval of the subject application will be in harmony with the Ordinance’s purpose of implementing those plans.

(3) *To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;*

Because this application does not propose any new buildings which would generate new traffic, its approval would be in harmony with this purpose of promoting the conservation of a community which will be developed with adequate public facilities.

(4) *To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry, and business;*

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<sup>9</sup> M-NCP&PC, *Approved Countywide Green Infrastructure Plan* (June, 2005), p. 27

<sup>10</sup> M-NCP&PC, *Approved Countywide Master Plan of Transportation* (November, 2009), pp. 27 & 51.

<sup>11</sup> *Subregion 5 Master Plan*, p. 103.



Approval of the subject application would be in harmony with this Purpose of the Ordinance by allowing for the reasonable extension of a long-existing use which is specifically recognized in the Master Plan, which is evidence of its place in the orderly growth and development of the County.

(5) *To provide adequate light, air, and privacy;*

The subject cemetery will be in harmony with this Purpose because, as a large tract of open space, it will ensure the provision of adequate light and air for its neighbors. The retention of deep wooded buffers around the property's perimeter will further provide them with privacy.

(6) *To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;*

The subject cemetery expansion would be in harmony with this Purpose as it will preserve a large tract of open space. Furthermore, existing landowners which surround the subject property will be further protected by the preservation of wooded buffers.

(7) *To protect the County from fire, flood, panic, and other dangers;*

This purpose is not largely applicable to the subject application, as no structures which could be affected by fire or flood are proposed by the requested expansion. The area of floodplain which does exist at the eastern edge of the subject property is in preserved woodlands, and thus the subject cemetery expansion would be in harmony with this Purpose.

(8) *To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;*

Because the subject use is institutional in nature, this Purpose is not directly applicable to this Application. The preservation of a large tract of open space will, however, contribute to the healthy living environment of its surrounding neighbors.

(9) *To encourage economic development activities that provide desirable employment and a broad, protected tax base;*

Because the proposed cemetery expansion will not entail new activity to the existing intensity of use, and is not an economic development activity, this Purpose is not particularly applicable to the subject application. It is to be noted, however, that the maintenance staff at the existing facility will continue to have employment.

(10) *To prevent the overcrowding of land;*

The expansion of the subject cemetery would be in harmony with this Purpose as it will continue to preserve a large tract of open space in the heart of the County.

(11) *To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;*

The approval of the subject cemetery expansion would be in harmony with this Purpose because it will continue to be a low-intensity use. No new buildings are proposed, and the proposed expansion will not increase the intensity of the activity at the subject property, it will only lengthen the time that gravesites are available there. As such, the proposed expansion will not add to any congestion of traffic on the streets.

*(12) To insure the social and economic stability of all parts of the County;*

As the Zoning Ordinance is the principal tool for the implementation of the planning process by enacting legal requirements which implement the planning goals that strive to maintain the social and economic stability of the County, this planner believes that conformance with the requirements and regulations of the Zoning Ordinance will be prima facie evidence of the Application's harmony with this purpose.

Beyond that, however, the subject cemetery expansion would promote the social stability of the County by continuing to provide for a quiet and attractive place to memorialize the dead.

*(13) To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features;*

The subject application will be fully in harmony with this Purpose of the Ordinance by continuing a use which preserves stream valleys, lands of natural beauty, scenic vistas and areas of dense forests around the subject property's perimeter and around the regulated natural features present on site.

The final two Purposes,

*(14) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space; and*

*(15) To protect and conserve the agricultural industry and natural resources.*

The subject application is in harmony with these final two Purposes of the Zoning Ordinance. The existing cemetery with its expansion will preserve a large tract of open space, and the proposed Special Exception Site Plan indicates the preservation of the regulated natural features present at the subject property.

In addition to the purposes of the broader Ordinance, there are two Purposes for the O-S (Open Space) Zone specifically, which are laid out in Section 27-425(a)(1), as follows:

*(A) To provide for low density and development intensity as indicated on the General or Area Master Plans;*

The existing cemetery, together with the expansion proposed by the subject application are low-intensity development, and are in keeping with this Purpose of the O-S Zone.

*(B) To provide for areas which are to be devoted to uses which preserve the County's ecological balance and heritage, while providing for the appropriate use and enjoyment of natural resources.*

The low intensity of development and the low imperviousness of the existing use, together with the preservation of the regulated natural features and their wooded buffers are in harmony with this Purpose of the O-S Zone.

The other criteria for approval of a Special Exception laid out in Section 27-317(a) of the Zoning Ordinance continue as follows:

(2) *The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;*

Based upon an inspection of the proposed Special Exception Site Plan and to the best of this planner's professional knowledge, information and belief, that, with the exception of the provision of §27-341 relating to the limit of the Special Exception Area, discussed below, the proposed use will be in conformance with all of the applicable requirements and regulations of the Zoning Ordinance. The discussion of that section proposes a condition which will allow for conformance.

(3) *The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;*

As discussed at length above, it is the Applicant's belief that the subject Application is in harmony with the Purposes of the Zoning Ordinance generally to implement the General and Master Plans and to provide for the efficient and desirable use of land in accordance with those Plans. Accordingly, the approval of the subject application will not impair the integrity of neither the approved Master Plan nor the County's General Plan.

(4) *The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;*

As this planner believes to have been amply demonstrated, the conformance of the subject application with the principles laid out in the purposes of the Zoning Ordinance, its compliance with the provisions of the Zoning Ordinance, its compliance with the provisions of other State and County regulations for environmental protection represent a high level of protection against adverse effects to the public health, safety and welfare.

Beyond those basic principles, however, the incorporation of modern stormwater management into the proposed development, and the provision of deep wooded areas to buffer the activity on the subject property from abutting single-family residences indicate that the proposed expansion will not adversely affect the health, safety and welfare of residents and workers in the area as compared to the activity currently existing on the subject property.

(5) *The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and*

This planner believes that the long existence of the existing cemetery as a large preserved area of open space indicates that the use of the subject property has been and will continue to be compatible with

the surrounding residential neighborhoods, and because of the preservation of wooded buffers and the use of modern stormwater management, its expansion will not be detrimental to the use or development of adjacent properties or the general neighborhood.

(6) *The proposed site plan is in conformance with an approved Tree Conservation Plan.*

The subject application is accompanied by Tree Conservation Plan TCPII-027-98-03.

(7) *The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.*

The regulated environmental features present on the subject site are proposed to be fully preserved in accordance with this provision.

Finally, this planner notes that because the subject property is not located within the Chesapeake Bay Critical Area, the provisions of §27-317(b) are not applicable to the subject application.

In summary, this planner believes that the general findings discussed above which are required for approval of a Special Exception are met.

The specific condition for the approval of a cemetery or crematory in Section 27-341 is discussed, following:

**COMPLIANCE WITH SECTION 27-341:**

There is only one provision of §27-341, which is:

*A cemetery (including an animal cemetery) or a crematory may be permitted, provided that the use shall not be located within any proposed street or other public right-of-way, notwithstanding Section 27-259.*

As noted in the discussion of the field inspection of the property, above, the subject property consists of two deed parcels of unsubdivided acreage, known as Parcel 4 and Parcel 135, which add up to approximately 100.60 acres. The existing right of way and roadbed of Woodyard Road, however, cross over the westernmost corner of Parcel 4. Extending the alignment of the widened right-of-way of Woodyard Road which was dedicated by "Plat 12, Mount Airy Estates" (recorded in Plat Book VJ 186 at plat 10) indicates that approximately 0.42 acres of Parcel 4 will be in the ultimate right-of-way of Woodyard Road. This area is illustrated on an excerpt of Sheet 3 of the Special Exception Site Plan and is appended to this report as Appendix B.

It can be seen from the illustration in Appendix B that the existing monumental brick walls which form the entrance feature to the cemetery are outside of the ultimate right-of-way.

If this area is subtracted from the Special Exception area, the new area will be approximately 100.18 acres, and the application will be in conformance with this provision of the Zoning Ordinance.

**Impact of the M-I-O (Military Installation Overlay) Zone**

The site is also classified in the Military Installation Overlay (M-I-O) Zone. The conformance of the subject property to the provisions of the M-I-O Zone in Part 10C of the Zoning Ordinance is discussed, following:

Part 10C includes three Impact Maps which establish the boundaries of the M-I-O Zone. Figure A establishes the area subject to restrictions related to height, Figure B establishes the area subject to restrictions related to noise, and Figure C establishes the area subject to the restrictions related to Accident Potential/Clear Zones North and South.

Based upon a review of the Impact Maps, the subject property is included within the boundaries of the areas regulated for height and noise.

**Compliance with Section 27-548.54:**

Requirements for maximum permissible structure height in the M-I-O Zone are found in Section 27-548.54. The subject property is located under the limits of parts of Inner Horizontal Surface D and parts of Conical Surface E, and as such is subject to the height restrictions.

The provisions of §27-548.54(e)(2)(D), related to Inner Horizontal Surface D, are the most restrictive, and apply as follows: The maximum height of a structure under Inner Horizontal Surface D may not exceed 150 feet. §27-548.54(e)(2) then requires that the difference between the highest elevation on the subject property (258) and the height of the runway surface (274), or thirteen (13) feet, be added to the 150-foot limit to yield a highest permissible structure of 163 feet.

As a check, however, the analysis of the limitations on the remainder of the subject property, which is under Conical Surface E is as follows:

The provisions of §27-548.54(e)(2)(D), followed verbatim, apply as follows: The distance between Surface A and the nearest boundary of the subject property is 6,415 feet, and the distance between the subject property and the border of Surfaces D and E is 0 feet; the subtotal per §27-548.54(e)(2)(D)(i):  $6,415 \text{ minus } 0 = 6,415$ ; and,  $6,415 \text{ divided by } 20 = 271$ , and 150 added to that yields 421 feet. The provisions of §27-548.54(e)(2) again add thirteen feet to that subtotal to yield a highest permissible structure of 434 feet.

An inspection of the Zoning Ordinance's definitions of the height limit surfaces, however, strongly suggests that the result of a 434-foot height limit at the subject site is not the intended result; Surface E, the "Conical Surface," is defined as, "an inclined imaginary surface extending outward and upward from the outer periphery of the inner horizontal surface....The slope of the conical surface is 20:1." Surface D, the "Inner Horizontal Surface," is defined as, "an imaginary surface that is an oval plane at a height of 150 feet above the established airfield elevation." Therefore, a property through which the boundary between Surfaces D and E passes should instead have its limit on a structure thereon by the same 150-foot height of Surface D, which would represent the maximum permissible height at an infinitesimal distance into Surface E from the edge of Surface D.

In any case, no existing buildings nor any proposed structures approach these limits. Given this, the proposed application will be in conformance with the height provisions of the Military Installation Overlay Zone.

**Compliance with Section 27-548.55:**

Requirements for Noise in the M-I-O Zone are found in Section 27-548.55. The subject property is located within the Noise Intensity Zone, but not within the High Intensity Noise Zone. No uses are prohibited in the Noise Intensity Zone, and the requirements of §27-548.55(b) only provide for restrictions for new residential construction, which is not applicable to the subject property. Given this, the proposed application will be in conformance with the noise provisions of the Military Installation Overlay Zone.

**Conformance with Section 27-548.51:**

The purposes of the M-I-O (Military Installation Overlay) Zone, are laid out in Section 27-548.51, as follows:

*The purposes of the Military Installation Overlay Zone are to regulate the development and use of structures and property in order to promote land uses compatible with operations at Joint Base Andrews; to protect the safety and welfare of individuals in the area from the adverse impacts associated with high levels of noise from flight operations and the potential for aircraft accidents associated with proximity to Joint Base Andrews operations. The intent of the regulations is to recognize the rights of individual property owners while reducing interference with the military operations at Joint Base Andrews.*

As indicated by the foregoing analysis of Part 10C's limitations on structure height and noise, the approval of the subject application will be in conformance with the purposes of the M-I-O (Military Installation Overlay) Zone.

**CONCLUSION**

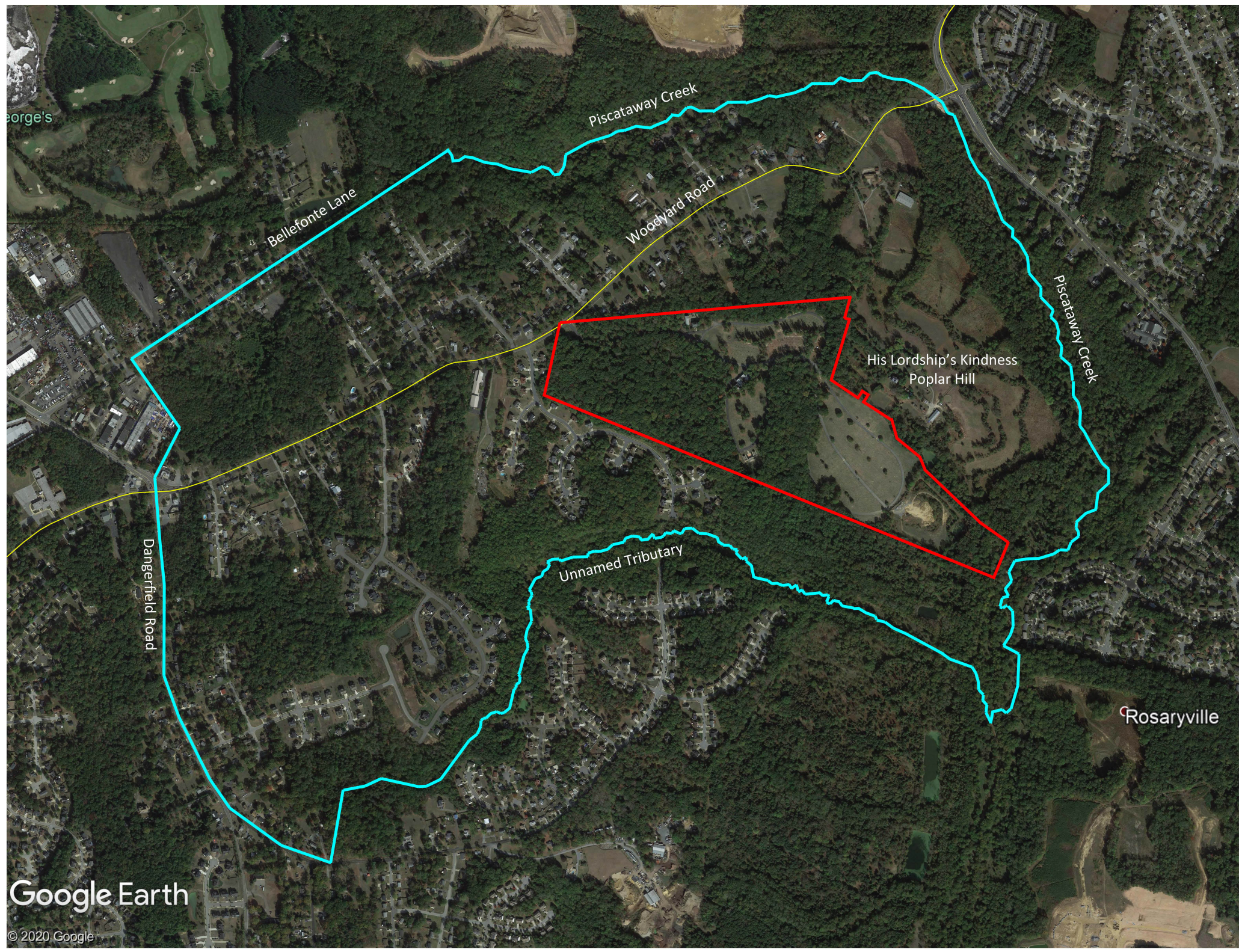
In summary, this planner finds that the approval of the subject application would be in compliance with the general criteria for approval of a Special Exception found in §27-317(a), and the specific criteria for approval of a cemetery or crematory found in §27-341 of the Zoning Ordinance.

Additionally, it is this planner's opinion that because of: (1) the longstanding use of the subject property as cemetery; (2) the provision of modern stormwater management for the expansion; and (3), the augmented depth of woodland preservation area to buffer the abutting single-family dwellings, that the approval of this particular application would not entail a more adverse impact on the public health, safety and welfare than those inherently associated with cemeteries, irrespective of their location in the O-S Zone.

**APPENDIX A**

**ANNOTATED AERIAL PHOTOGRAPH**





George's

Bellefonte Lane

Piscataway Creek

Woodyard Road

His Lordship's Kindness  
Poplar Hill

Piscataway Creek

Unnamed Tributary

Dangerfield Road

Rosaryville



**APPENDIX B**

**MARKED EXCERPT OF SHEET 3 OF THE  
SPECIAL EXCEPTION SITE PLAN**

Excerpt of Sheet SP-03  
of Special Exception Site Plan

